



OAKVILLE

REPORT

Commissioner's Delegated Authority (CDA)

Meeting Date: October 3, 2024

FROM: Planning Services Department

DATE: September 19, 2024

SUBJECT: Removal of Holding Provisions – Digram Developments
Oakville Inc., Part of Lot 16, Concession 1 NDS, File No.: ZH
7/24, By-law 2024-128

LOCATION: 3380 Sixth Line

WARD: Ward 7

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RECOMMENDATION:

1. That the application (File No.: ZH 7/24) submitted by Digram Developments Oakville Inc. to remove Holding Provisions 'H53' and 'H55' from part of lands known as Part of Lot 16, Concession 1 NDS, be approved.
2. That By-law 2024-128, a By-law to remove Holding Provisions 'H53' and 'H55' Provisions from Zoning By-law 2009-189, as amended, from part of lands known as Part of Lot 16, Concession 1 NDS, be passed.

KEY FACTS:

The following are key points for consideration with respect to this report:

- An application was received on July 15, 2024 requesting the removal of Holding Provisions H53, H54 and H55 from a portion of Lot 16, Concession 1, NDS to permit the development of the site.
- The application for removal relates to Blocks 126 and 128, Plan 20M-1272 on the previously approved Argo WMC subdivision to the south and the Digram subdivision (24T-20002/1316). Digram will be purchasing the associated blocks from Argo (WMC) and combine with their larger holdings.
- Both the Argo (WMC) and Diagram Zoning Bylaw Amendments/Subdivision applications were approved on May 16, 2022.
- By-laws 2022-039 (Argo) and 2022-048 (Digram) included holding provisions H53, H54 and H55 related to the development of the subject site.

- Halton Region in a letter dated August 23, 2024 has advised they have no objection to the removal of the H53 and H55 holding provisions. Servicing allocation still needs to be resolved and as such, the region does not support the removal of H54.
- Town staff has no objection to the removal of the H53 and H55 Holding Provisions as the requirements of the holding provisions have been satisfactorily addressed.

BACKGROUND:

Proposal

The applicant is requesting to remove the Holding 'H53', 'H54' and H55 Provisions on the subject lands. See Figure 1 below for areas requested for removal of holding provisions.

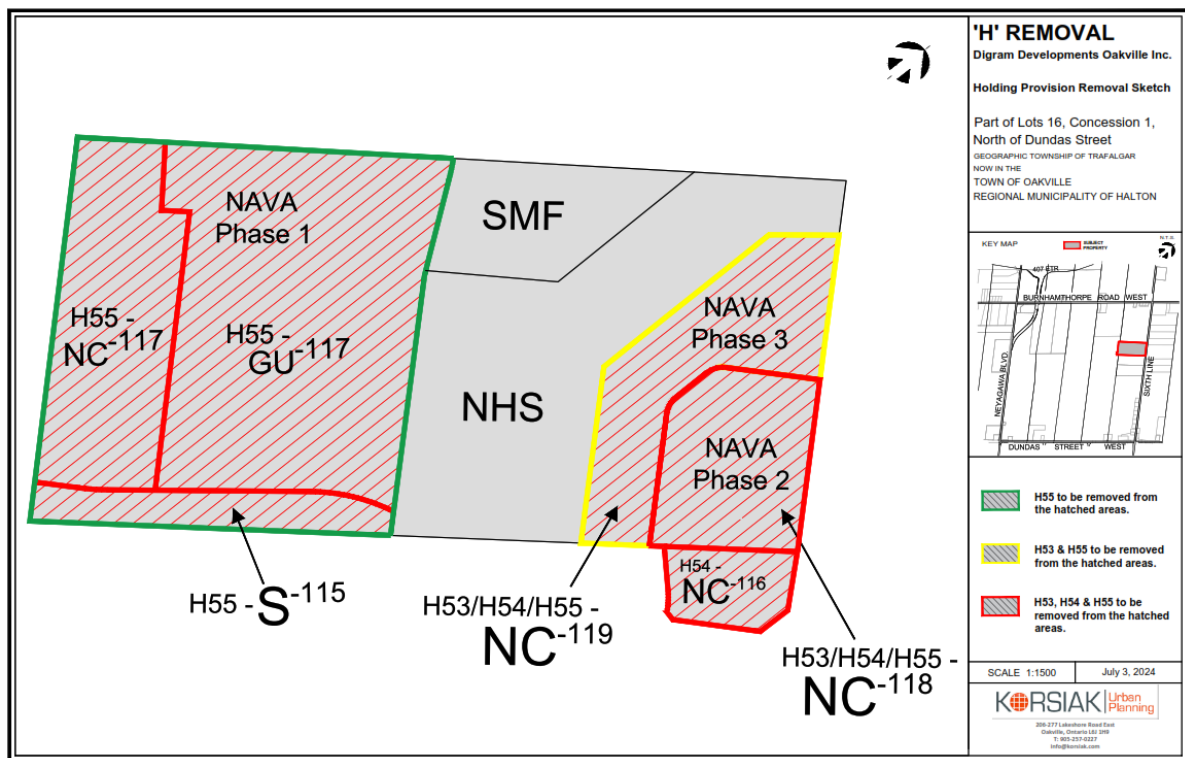


Figure 1 – H53, H54 and H55 removal areas, as submitted

Location

The subject lands are municipally known as Part of Lot 16, Concession 1 NDS, located on the west side of Sixth Line and Jack Bowerbank Boulevard. The present municipal address is 3380 Sixth Line.

Purpose of Holding Provisions

The purpose of the holding provisions is to ensure that various servicing matters related to the development of the subdivision have been addressed.

Removal of Holding “H53” Conditions

The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the Town passing a By-law under Section 36 of the Planning Act.

The following condition(s) shall first be completed to the satisfaction of the Town of Oakville, Halton Region and Conservation Halton:

- a) That the Sixth Line Road works and associated storm sewer (located on Town lands abutting the subject lands to the east) that affects the subject property is constructed, certified, stabilized, operational and in public ownership in accordance with Town approved engineering drawings, MOECC Environmental Compliance Approval (ECA and Conservation Halton permits) to the satisfaction of the Town of Oakville, Regional Municipality of Halton and Conservation Halton.*
- b) That the storm sewer works within the neighbouring Argo West Morrison Creek Development (Street E) is constructed and operational.*

Removal of Holding ‘H54’ Conditions

The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the Town passing a By-law under Section 36 of the Planning Act.

The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and/or the Region of Halton:

- a) The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program.*
- b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements.*
- c) The Owner shall have made all required payments associated with the Allocation Program;*
- d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.*

Removal of Holding ‘H55’ Conditions

The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the Town passing a By-law under Section 36 of the Planning Act.

The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and Halton Region:

- a) That the external local watermains and sanitary sewer extensions that are proposed on the lands adjacent to the subject lands and that are required to service this property have been constructed and are operational to the satisfaction of the Region of Halton or that alternative provisions have been made by the Owner for the design and construction of the external watermain and sanitary sewer extensions to the satisfaction of the Region of Halton*

COMMENTS:

Halton Region, in a letter dated August 23, 2024, have advised that the region has no objection to the removal of H53 and H55. The Region does not support the removal of H54 as additional servicing allocation is necessary for the blocks east of the West Morrison Creek blocks.

Town Engineering staff has reviewed the submission in relation to the detailed engineering reviews for the subdivision process together with the town’s Sixth Line capital works project. There was a contract between Argo and the town to advance the associated Sixth Line road works with securities in place. The works have been constructed by the applicant and are operational. On this basis, town staff has no objection to the removal of holding provisions H53 and H55.

CONCLUSION

Staff is satisfied that the requirements for the removal of the Holding Provision ‘H53’ and ‘H55’ as it applies to the subject property have been satisfied.

Staff recommends approval of the subject application and to pass By-law 2024-128.

CONSIDERATIONS:

(A) PUBLIC

Notification of the intention to pass an amending By-law to remove the Holding Provisions has been provided to the landowner and adjacent landowners

pursuant to Section 36(4) of the *Planning Act*. There were no comments received from the public with respect to this application.

(B) FINANCIAL

There are no financial matters related to this application.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for comment and no concerns raised.

(D) COUNCIL'S STRATEGIC PRIORITIES

This report addresses Council's strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

- The proposed development generally complies with the sustainability objectives of Livable Oakville.

APPENDICES:

Appendix A - By-law 2024-128

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Recommended by:

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Approved by:

Gabriel A.R. Charles, MCIP, RPP, Director, Planning and Development