

APPENDIX C – Halton Region Comments

dated February 8, 2019

Re: Proposed Draft Plan of Subdivision and Zoning By-law Amendment
Lot 109, Registered Plan M -8
47 Nelson Street
Town of Oakville, Region of Halton
Files: 24T-18007/1728 and Z.1728.65, [REDACTED]

Regional staff is forwarding comments with respect to the above-noted applications for a proposed Zoning By- Law Amendment and Draft Plan of Subdivision. The draft plan dated March 6, 2018 shows one block to facilitate the development of four residential town house units. The area of the draft plan of subdivision is 959 sq m.

Places to Grow- Growth Plan for the Greater Golden Horseshoe, 2017

Regional Planning staff has reviewed the application within the context of the policies of The Growth Plan for the Greater Golden Horseshoe which came into effect on July 1, 2017, and, are of the opinion that the proposal conforms to the policies contained within the Growth Plan.

Provincial Policy Statement, 2014

Regional Planning staff has reviewed the above-noted applications in accordance with the Provincial Policy Statement (2014) which came into effect on April 30, 2014. Regional Planning staff is satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement.

Regional Official Plan, 2009

The lands are designated as 'Urban Area' in 2009 Regional Official Plan (ROP). The range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning Bylaws. All development, however, shall be subject to the policies and plan in effect.

The ROP also contains policies with respect to archaeological potential, and the preservation and mitigation and documentation of artifacts. It should be noted the site is identified as having archaeological potential. The Owner shall complete a Stage 2 Archaeological Survey of the subject property as per the recommendations of the Stage 1 report and, if recommended, mitigate/salvage/excavate any significant resources to the satisfaction of the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport. No grading or other soil disturbance shall take place on any unreleased areas of the subject property prior to the letter of release from the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport, being submitted to the Town of Oakville and the Regional Municipality of Halton.

Regional staff has also reviewed this application within the context of the Halton Region's "Protocol for Reviewing Development Applications with Respect to Contaminated Sites". A Phase 1 ESA Report (Terraprobe , Oct 23, 2017) was submitted for review. Halton Region staff does not agree with the findings of the Phase I ESA. The PCAs mentioned in the report do justify the need for a Phase II ESA. The CSM should be presented in a narrative format. Furthermore Figure 5 should include all PCAs (the dry cleaning establishment has been omitted). An updated Phase I and a Phase II ESA, together with a letter of reliance are required. Depending on Halton Region's review of the ESA reports, additional investigation in this regard may be required.

Regional Staff note the proposed use is to connect to the Regional water and wastewater system in accordance with section 89(3) of the ROP. Further comments with respect to servicing are outlined below.

Regional Infrastructure

Halton Region's Development Project Manager has reviewed the draft plan of subdivision and notes a 300mm dia. watermain is located on Nelson Street adjacent to the property. Please note that the applicant should undertake their own fire flow testing in the area in order to confirm the design

requirements for domestic water supply and fire protection. A 300mm dia. sanitary sewer is located on Nelson Street adjacent to the property.

A Functional Servicing Report (FSR) prepared by Trafalgar Engineering Ltd., dated June 29, 2018, was submitted with the application. The FSR notes that the sanitary sewer servicing of this development will be by connecting the proposed units to the existing sanitary sewer on Nelson Street. The FSR notes that the water servicing of this development will be by connecting the proposed units to the existing watermain on Nelson Street. The FSR does provide analysis that determines that the proposed flow from the development will quite small at 0.21 L/s. No downstream analysis was provided in the FSR to determine if this flow will impact the downstream sewer system. The provided analysis that calculated the water demands for the proposed development. The FSR concludes that due to the size of the existing watermain on Nelson Street this watermain will be able to accommodate this development. No fire flow tests were completed for the analysis in the FSR in order to determine if the existing water system in the area can accommodate the proposed development. The existing house on this property is currently serviced for both a water service connection and a sanitary sewer lateral to the existing services on Nelson Street. These service connections will have to be decommissioned. The Owner will be required to get a Regional service permit after the lots are created and once the Owner is ready to submit for a building permit.

Waste Management

Halton Region's Waste Management staff has reviewed the proposed application and note that the Region will service the development for curb- side collection of waste materials.

Finance

NOTE: The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at www.halton.ca/developmentcharges to obtain the most current development charge and Front-ending Recovery Payment information, which is subject to change.

Conclusion

It is the opinion of Regional Planning staff that the subject applications are consistent with the Provincial Policy Statement (2014) and are in conformity with the Growth Plan (2017) and the Halton Region Official Plan (2009).

Subject to the comments identified above and the attached required conditions of Draft Approval as provided in Appendix "A", Halton Region has no objection to the Town of Oakville granting draft plan approval to the development proposal or presenting this proposed zoning by-law amendment to Town Council for their consideration.

Should you require any additional information or have any questions in this regard, please do not hesitate to contact me at (905) 825-6000, extension 7109.

Sincerely,

Anne Gariscsak MCIP RPP
Planner

Cc: L. Natywary, Senior Planner, Halton Region (via email)

SCHEDULE "A"

DRAFT CONDITIONS – 24T-18007/ 1728

The following Regional Conditions must be satisfied as part of the draft plan of subdivision and included in any subdivision agreement.

**[REDACTED] 47 Nelson Street
24T-18007/1728**

SCHEDULE "A"

1. The Owner's surveyor shall submit to Halton Region, and electronic copy of horizontal co-ordinates of all boundary monuments for the approved draft plan of subdivision. These co-ordinates must be to real 6 degree UTM co-ordinates, NAD 83 datum.
2. That the Owner shall complete a Stage 2 Archaeological Survey of the subject property as per the recommendations of the Stage 1 report and, if recommended, mitigate/salvage/excavate any significant resources to the satisfaction of the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport. In addition, the Owner shall agree that no grading or other soil disturbance shall take place on any unreleased areas of the subject property prior to the letter of release from the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport, being submitted to the Town of Oakville and the Regional Municipality of Halton.
3. The Owner shall provide an updated Phase I and a Phase II ESA, together with a letter of reliance, to the satisfaction of Halton Region. Depending on Halton Region's review of the ESA reports, additional investigation in this regard may be required.

The following Regional Notes must be added to the draft approval.

NOTES:

1. The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under

the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

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2. Purchasers and/or tenants of lots are advised that the Owner will be responsible for waste disposal until such time as Halton Region deems their street safe and accessible to receive Regional waste collection services.
3. Fees are required by Halton Region for each extension to draft approval and for major revisions to the draft plan or conditions.
4. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the subdivision:
 - Final draft M plans signed and dated by the Owner, Surveyor and initialled by the Town's Planner
 - Regional Registration fee
 - Registry Office review form