



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: SEPTEMBER 11, 2017

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**FROM:** Planning Services Department

**DATE:** August 21, 2017

**SUBJECT:** Proposed Removal of "H" Holding Provision, Memory Care Investments Oakville, 105 Garden Drive, File No. Z.1617.40, By-law No. 2017-075

**LOCATION:** 105 Garden Drive

**WARD:** 2

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### RECOMMENDATION:

1. That the application (File No.: Z.1617.40) submitted by Memory Care Investments Oakville, to remove the "H" Holding provision from 105 Garden Drive, be approved; and
2. That By-law 2017-075, a by-law to remove the "H" Holding provision from 105 Garden Drive, be passed.

### KEY FACTS:

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

- The "H" holding provision was incorporated into the Zoning By-law (By-law 2013-101) at the request of Halton Region.
- The purpose of the "H" Holding provision was to ensure that matters related to site servicing have been satisfactorily address and that a Letter of Reliance regarding the Phase 1 Environmental Site Assessment is submitted.
- Halton Region has advised in a letter dated June 29, 2017 that the region has no objection to the removal of the holding provision.
- All conditions relating to the removal of the "H" holding provision have been satisfied.
- The owner has filed a site plan application (SP.1617.052/01), which has received conditional approval in July 2016.

### BACKGROUND:

#### Proposal

The "H" holding provision was incorporated into the Zoning By-law at the request of Halton Region. The purpose of the "H" holding provision was to ensure that matters

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related to site servicing have been satisfactorily address and that a Letter of Reliance regarding the Phase 1 Environmental Site Assessment is submitted.

Removal of the "H" holding provision from the Zoning By-law, will allow the land to be developed in accordance with the approved zoning.

Location

The site is located on the northeast corner of Garden Drive and Lakeshore Road West and is known municipally as 105 Garden Drive.

**COMMENT/OPTIONS:**

The Town received an application from Memory Care Investments Oakville, to remove the "H" holding provision from the Town's in force Zoning By-law to allow the subject lands to be developed. Zoning By-law 2014-014 provides that the holding provision may be removed when the following conditions have been satisfied:

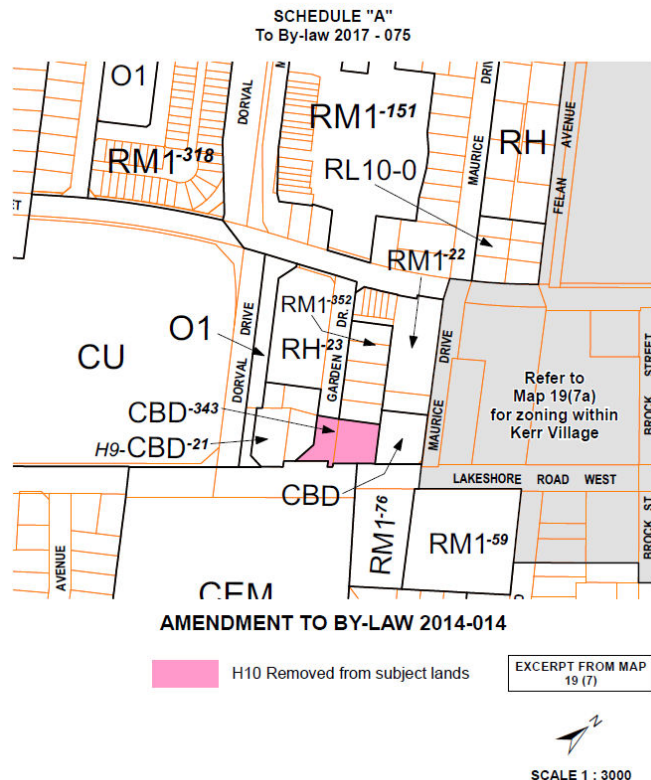
- "a) That an updated Functional Services Report that demonstrates that the existing sanitary sewer on Garden Drive can accommodate the proposed flows from the subject property be provided to the satisfaction of the Regional Municipality of Halton.
- b) That any upgrades to the sanitary sewer system on Garden Drive required to service the site be secured by the developer to the satisfaction of the Regional Municipality of Halton.
- c) That the existing rear yard watermain on the east side of Garden Drive be decommissioned and abandoned, the existing rear yard easement be removed and a replacement watermain be constructed on Maurice Drive from Rebecca Street to Lakeshore Road West to the satisfaction of the Regional Municipality of Halton.
- d) The applicant has submitted a letter of reliance to the Regional Municipality of Halton regarding the Phase 1 Environmental Site Assessment."

In a letter dated June 29, 2017 (attached as Appendix A), Halton Region staff advised that they have no objection to the removal of the "H" holding provision.

For reference purposes, the following is the associated map excerpt from proposed By-law 2017-075.

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**CONCLUSION:**

Town staff is satisfied that the requirements for the removal of the "H10" holding provision as it applies to 105 Garden Drive have now been satisfied. Staff recommends that Council approve the subject application and pass By-law 2017-075, which removes the "H" holding provision from the subject land.

**CONSIDERATIONS:**

- (A) **PUBLIC**  
No notice is required per Section 36(4) of the Planning Act.
- (B) **FINANCIAL**  
None associated with this report.
- (C) **IMPACT ON OTHER DEPARTMENTS & USERS**  
Halton Region has no objection to the removal of the "H" holding provision as requested.
- (D) **CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**  
This report addresses the corporate strategic goal to:
  - be the most livable town in Canada

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**(E) COMMUNITY SUSTAINABILITY**

The proposed development will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Oakville Plan

**APPENDICES:**

Appendix A – Regional comments

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Director, Planning Services