

APPENDIX D – Halton Region Comments

Re: Proposed Local Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment
Part of Lot 32, Conc.4 SDS and Block 79, M-257
3171 Lakeshore Rd W
Town of Oakville, Region of Halton
Files: 24T-19003 1732, OPA 1732.02 and Z.1732.08, Vogue Wycliffe (Oakville) Ltd.

Regional staff is forwarding comments with respect to the above-noted applications for an Official Plan Amendment, Zoning By- Law Amendment and Draft Plan of Subdivision. The draft plan dated June 19, 2019 shows a total of 4 blocks for 3 street townhouses (Block 1) and 32 condominium townhouses and semi detached units (Block 2). Block 3 is an open space block and Block 4 is a reserve block. The area of the proposed draft plan of subdivision is 0.9926 ha.

Processing of the Proposed Local Official Plan Amendment

In accordance with Halton Region By-law 16-99 and following review of the proposed official plan amendment application, it appears that this application will be exempt from Halton Region approval. **Please forward the draft report and proposed amendment with recommendations to Halton Region at least 12 days prior to the presentation of the report to Oakville Council, as per the requirements of the by-law for the exemption to be confirmed by Regional staff.**

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 a portion of the site is identified as having archaeological potential. The subject lands, however, are previously disturbed. During any development activities, should archaeological materials be found on the property, the Ontario Ministry of Tourism, Culture and Sport should be notified immediately. In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.

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". An Environment Site Screening Questionnaire dated December 15, 2017; a Phase 1 ESA (Soli Engineering Ltd., Dec., 2016) and a Phase 2 ESA (Soil Engineering Ltd., July 2017) report were reviewed by Halton Region staff. The ESA reports are older than 18 month old. A letter of update confirming that no potentially contaminating activity has taken place on site since the completion of Phase II and the validity of results presented is required. In addition, the proposed land use is changing to a more sensitive use and as such, a mandatory Ministry of Environment and Conservation and Parks Acknowledged Record of Site Condition (RSC) is required as a condition of approval by Halton Region as per O Reg. 153/04.

Internal Comments

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. Halton Region's Development Project Manager has reviewed the subject applications and note a 150mm dia. watermain is located on Victoria Street adjacent to the property. A 300mm dia. watermain is located on Lakeshore Road West adjacent to the property. A 150mm dia. watermain is located on West 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 200mm dia. sanitary sewer is located on Victoria Street adjacent to the property. A 300mm dia. sanitary sewer is located on Lakeshore Road West adjacent to the property. A 200mm dia. sanitary sewer is located on West Street adjacent to the property.

A Functional Servicing Report (FSR) prepared by SCS Consulting Group Ltd., dated July 2019, was submitted with the application. The proposal is to extend the existing Victoria Street eastward into the site and create a cul-de-sac. Three proposed freehold townhouses will front onto this municipal roadway. The remainder of the site will be condominium units located on a private condominium roadway.

The FSR notes that the sanitary sewer servicing of this development will be by a split drainage system. The proposed condominium units on the eastern part of the site will be serviced by a private gravity sewer system that outlets to the existing sanitary sewer on West Street. The three freehold units located on the western part of the site will drain to the west to a proposed sanitary sewer extension on Victoria Street.

The condominium and eastern part of the development ultimately drains to the West River Pumping Station. The three freehold units flow westward to the Sheldon Creek Pump Station. The FSR only notes that there is drainage that flows to the Sheldon Creek Pumping Station but does not include any information in regards to the impacts to the West River Pumping Station.

The FSR includes analysis that determines the proposed flow from this development. The flow from the three freehold units on the west is 0.3 l/s. The flow from the eastern part of the condominium site (32 condominium units) is 1.4 l/s. The FSR also includes analysis of the catchment area for this sewer system and demonstrates that the downstream sewers can accommodate the proposed development.

There are concerns with the flow that goes to the West River Pumping Station because this station is already near capacity under existing conditions. Due to this as well as other operational issues the Region has undertaken a Class EA study to replace, relocate or upgrade this pumping station. The EA is

still ongoing but the ultimate result will be a new station or upgraded station that will be able to improve the service and capacity for this station.

The FSR notes that the water servicing of this development will be by two connection points. The proposed condominium units on the eastern part of the site will be serviced by a private watermain system that connects to the existing watermain on West Street. The three freehold units located on the western part of the site will connect to a proposed watermain extension that will be provided on the Victoria Street cul-de-sac.

The FSR includes analysis that demonstrates that the existing water system in the area can accommodate the proposed development. Fire flow tests were also undertaken and the results are reflected in the analysis that was provided.

Waste Management

Waste Management Division has reviewed the proposed application and note that Regional waste will service the development for curb- side collection of waste materials once the development is completed and Halton Region deems their street safe and accessible for waste management vehicles to access. A waste management drive through agreement is required as a condition of approval to allow Halton Region waste management vehicles to use the proposed condominium road.

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 for residential units 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 to obtain the most current information on [Development Charges \(DCs\) and Front-ending Recovery Payment \(FERP\)](#), 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).

Once it is confirmed that the proposed official plan amendment will be exempt from Halton Region approval, and 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: Melissa Dalrymple, Senior Planner, Halton Region (via email)
Ron Mackenzie, Development Project Manager, Halton Region (via email)

SCHEDULE "A"

DRAFT CONDITIONS – 24T-19003 /1732

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

**Vogue Wycliffe (Oakville) Ltd
24T-19003/1732**

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. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.
3. Any existing water service connections and/or sanitary service laterals to be disconnected from the system and abandoned must be decommissioned per the standards and specifications of the Region of Halton.
4. All works which are the responsibility of the Owner to complete shall be supervised during construction by a licensed Professional Engineer of the Province of Ontario with all professional engineering fees paid by the Owner. The Owner's engineer must provide competent full time inspection staff on site during construction activities to obtain the required "as constructed" field information, and to ensure compliance with the approved drawings and the Region's Current Construction and Design Standards.
5. The Owner shall enter into a subdivision agreement and satisfy all requirements, financial and otherwise, of The Regional Municipality of Halton, including but not limited to, the phasing of

the plan for registration, investigation of soil contamination and soil restoration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands.

6. The Owner shall prepare a detailed engineering submission for the Regional infrastructure works required for this subdivision and it is to be submitted to the Regional Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement.
7. That the owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that sufficient water capacity exists to accommodate this development.
8. The Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notification by the Region's Development Project Manager that sufficient Wastewater Plant capacity exists to accommodate this development.
9. That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notification by the Region's Development Project Manager that sufficient storage and pumping facilities and associated infrastructure relating to both water and wastewater are in place.
10. The Phase 1 and 2 ESA reports are older than 18 month old. A letter of update confirming that no potentially contaminating activity has taken place on site since the completion of the ESA reports and the validity of results presented, is required to be submitted to the satisfaction of Halton Region.
11. The Owner is required to submit to the Region of Halton, a Ministry of the Environment Conservation and Parks - (MOECP) acknowledged Record of Site Condition (RSC) that is certified by a Qualified Person as defined in Ontario Regulation 153/04 and indicates that the environmental condition of the site is suitable for its proposed land use.
12. The Owner is required to submit a signed Waste Management drive through agreement, to the satisfaction of Halton Region.

In addition, the following Regional Notes must be added to the draft approval.

1. 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 for residential units 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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Please visit our website to obtain the most current information on [Development Charges \(DCs\)](#) and [Front-ending Recovery Payment \(FERP\)](#), which is subject to change.

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