

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: APRIL 13, 2015

---

**FROM:** Planning Services Department

PD-018-15

**DATE:** March 19, 2015

**SUBJECT:** Proposed Removal of "H" Holding Provision  
Dundas-Trafalgar Inc. (Minto Communities)  
3075 Trafalgar Road - File No.: Z.1312.06 - By-law 2015-020

**LOCATION:** 3075 Trafalgar Road

**WARD:** 6

Page 1

---

#### RECOMMENDATION:

1. That the application (File No.: Z.1312.06) submitted by Dundas-Trafalgar Inc. (Minto Communities) to remove the "H" holding provision on the lands identified in Schedule 'A' of By-law 2014-094 (identified in Appendix A), be approved; and
2. That By-law 2015-020, a by-law to remove the "H" holding provision from By-law 2009-189, as amended, be passed.

#### KEY FACTS:

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

- The Ontario Municipal Board approved the Draft Plan of Subdivision (24T-12012/1312) and Zoning By-law 2014-094 in September 2014, which had the effect of imposing a holding provision "H" on the lands identified in Schedule 'A' of By-law 2014-094.
- The purpose of the "H" holding provision was to ensure water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.
- All conditions relating to the removal of the "H" holding provision have now been satisfied and staff are recommending that the "H" holding provision be removed.

#### BACKGROUND:

The applicant appealed the subdivision and rezoning applications to the Ontario Municipal Board (OMB) due to a non-decision by the Town. As part of the OMB approval a holding provision was incorporated into the Zoning By-law at the request of the Region of Halton. The purpose of the holding provision was to ensure that

From: Planning Services Department  
Date: March 19, 2015  
Subject: **Proposed Removal of "H" Holding Provision - Dundas-Trafalgar Inc. (Minto Communities)**  
**3075 Trafalgar Road - File No.: Z.1312.06 - By-law 2015-020**

adequate water and wastewater services were available to allow the development to proceed to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.

The effect of the OMB decision was to approve the Draft Plan of Subdivision to allow the lands at the north-east corner of Dundas Street and Trafalgar Road (shown as Figure 1), to be developed for a mix of residential uses, office and commercial uses, a park, school and open space areas.

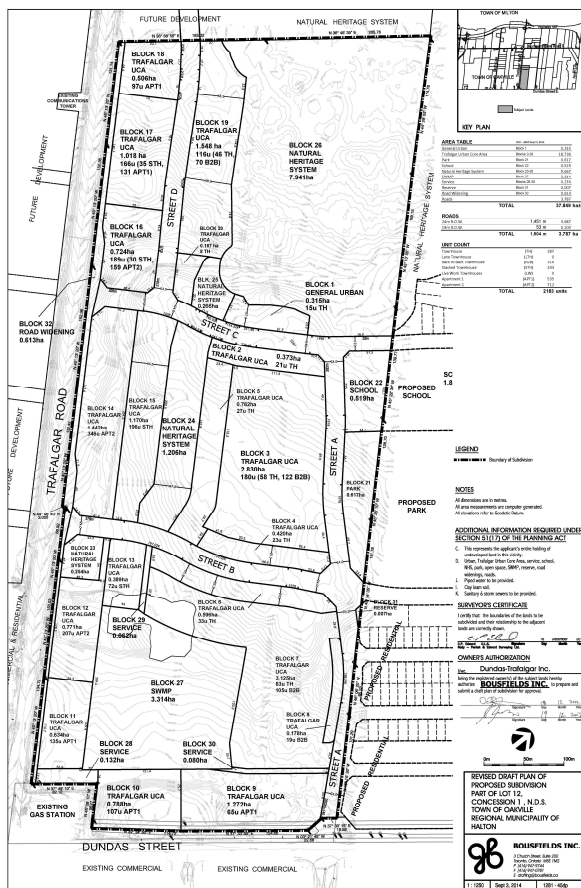


Figure 1: Plan of Subdivision

A site plan application was submitted in January 2015 for the residential blocks along Street A within the subdivision. Prior to final site plan approval, the holding provision must be removed, hence the submission of the current application to remove the "H" holding provision.

From: Planning Services Department  
Date: March 19, 2015  
Subject: **Proposed Removal of "H" Holding Provision - Dundas-Trafalgar Inc. (Minto Communities)**  
**3075 Trafalgar Road - File No.: Z.1312.06 - By-law 2015-020**

### Proposal

The purpose of the application is to remove the holding provision from the Zoning By-law as it applies to the lands within draft plan 24T-12012/1312. The removal of the holding provision on the lands identified in Schedule 'A' of By-law 2014-094 would allow the lands to be developed for medium and high density residential uses, commercial and mixed use buildings, and an elementary school.

A site plan application (S.P. 1312.007/01) was submitted for the large residential blocks along Street A in January 2015, and is currently under review. The removal of the holding provision is necessary prior to final approval of the site plan applications.

### Location and Site Description

The lands within draft plan 24T-12012/1312 are located at the northeast corner of Dundas Street East and Trafalgar Road. The property has 940 metres of frontage along Trafalgar Road and 303 metres of frontage along Dundas Street. The total site area of the property is 38 hectares.

### **COMMENT/OPTIONS:**

The Town has received an application from Dundas-Trafalgar Inc. (Minto Communities) to remove the holding provision from the zoning by-law to allow the subject lands to be developed for medium and high density residential uses, commercial and mixed use buildings, roads, private lanes, a park, school, natural heritage system, and stormwater management pond.

By-law 2014-194 indicates that the holding provision may be removed when the following condition has been satisfied:

"That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the *Town of Oakville*."

Halton Region staff have advised (see Appendix 'B') that sufficient water and wastewater services are available for the proposed development and therefore support the removal of the holding provision.

### **CONCLUSION:**

Staff is satisfied that the requirements for the removal of the "H" holding provision as it applies to the lands identified in Schedule 'A' of By-law 2014-094, attached as Appendix A, have now been addressed as noted above.

From: Planning Services Department

Date: March 19, 2015

Subject: **Proposed Removal of "H" Holding Provision - Dundas-Trafalgar Inc. (Minto Communities)**  
3075 Trafalgar Road - File No.: Z.1312.06 - By-law 2015-020

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Notification has been provided pursuant to subsection 36(4) of the *Planning Act* which requires the municipality to provide notification of an intention to pass an amending by-law to remove the holding provision.

### **(B) FINANCIAL**

The financial obligations of the developer regarding the construction of the subdivision will be addressed within the subdivision agreement.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The Region of Halton has no objection to the removal of the 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

### **(E) COMMUNITY SUSTAINABILITY**

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

## **APPENDICES:**

Appendix A – Schedule 'A' of By-law 2014-094 showing which lands are included in the removal of the H.

Appendix B – Region of Halton clearance for lifting the 'H' on By-law 2014-094

Prepared by:

Tricia Collingwood, MCIP, RPP  
Senior Planner  
Current Planning – East District

Recommended by:

Heinz Hecht, MCIP, RPP  
Manager  
Current Planning – East District

Submitted by:

R. Scott Hannah, MCIP, RPP  
Senior Manager, Current Planning and  
Heritage