

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: APRIL 13, 2015

FROM: Planning Services Department

PD-017-15

DATE: March 19, 2015

SUBJECT: Proposed Removal of "H" Holding Provision, 1458408 Ontario Inc., 331 Sheddon Avenue, File No. Z.1612.12, By-law 2015-021

LOCATION: 331 Sheddon Avenue

WARD: 3

Page 1

RECOMMENDATION:

1. That the application (File No.: Z.1612.12) submitted by 1458408 Ontario Inc., to remove the "H" holding provision from 331 Sheddon Avenue, be approved; and
2. That By-law 2015-021, a by-law to remove the "H" holding provision from 331 Sheddon Avenue, 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 2012-032) at the request of Halton Region.
- The purpose of the "H" holding provision was to ensure that prior to development occurring on the subject lands, sufficient water and wastewater services are available and that a Record of Site Condition (RSC) is submitted.
- Halton Region has advised that they have 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 also filed a site plan application (SP.1613.034/01), which remains in technical review.

BACKGROUND:

The site specific Livable Oakville policy related to the development of this site was approved at the Ontario Municipal Board (oral decision, File PL100058) on June 22,

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Date: March 19, 2015

Subject: **Proposed Removal of "H" Holding Provision, 1458408 Ontario Inc., 331 Sheddon Avenue, File No. Z.1612.12, By-law 2015-021**

Page 2

2012 which permits a three storey 19 unit apartment development with underground parking.

Proposal

By-law 2012-032, a by-law to amend Zoning By-law 1984-63, as amended, was passed by Council on April 30, 2012 to permit a three storey, 19 unit apartment development with below grade parking.

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 prior to development occurring on the subject lands, sufficient water and wastewater services are available and that a Record of Site Condition (RSC) is submitted.

With the recent partial approval of By-law 2014-014 by the Ontario Municipal Board, removal of the holding provision is now only applicable to By-law 2014-014.

Removal of the "H" holding provision from the Zoning By-law, will allow the land to be developed in accordance with the approved zoning. The related site plan is under technical review and is targeted for the May 12, 2015 Site Plan Committee meeting.

Location

The site is located on the northwest corner of Sheddon Avenue and Allan Street and is known municipally as 331 Sheddon Avenue.

COMMENT/OPTIONS:

The Town received an application from 1458408 Ontario Inc., 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:

"The "H" symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the Planning Act. The following conditions shall first be completed to the satisfaction of the Town of Oakville:

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

b) A Ministry of Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton."

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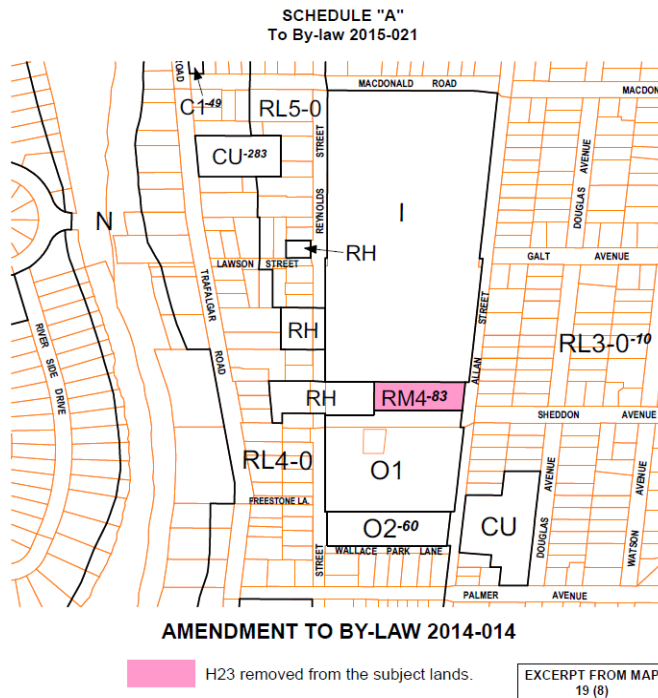
Date: March 19, 2015

Subject: **Proposed Removal of "H" Holding Provision, 1458408 Ontario Inc., 331 Sheddon Avenue, File No. Z.1612.12, By-law 2015-021**

Page 3

In a letter dated January 30, 2015 (attached), 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 2015-021.



CONCLUSION:

Town staff is satisfied that the requirements for the removal of the "H23" holding provision as it applies to 331 Sheddon Avenue have now been satisfied. Staff recommends that Council approve the subject application and pass By-law 2015-021, which removes the "H" holding provision from the subject land.

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 "H" holding provision.

(B) FINANCIAL

Not applicable.

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(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

(E) COMMUNITY SUSTAINABILITY

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

Appendix A – Regional comments

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