

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 10, 2018

FROM: Planning Services Department

DATE: November 19, 2018

SUBJECT: "H" Holding Provision Removal - Sagitta Construction Ltd. and
Foxcotte Village Estates - Z.1311.04 - By-law 2018-150

LOCATION: Blocks 381 and 382 of Plan 20M-1183

WARD: 7

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RECOMMENDATION:

1. That the application (File No.: Z.1311.04) submitted by Glen Schnarr & Associates Inc., to remove the Holding "H1" Provision from the lands known as Blocks 381 and 382 of Plan 20M-1183, be approved.
2. That By-law 2018-150, a By-law to remove the Holding "H1" Provision from Zoning By-law 2009-189, as amended, be passed.

KEY FACTS:

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

- The Holding "H" Provision was incorporated into the Zoning By-law at the request of the Region of Halton and the Town of Oakville.
- The purpose of the Holding "H1" Provision is to ensure that adequate municipal water and wastewater capacity is available to accommodate the development prior to building permit issuance.
- The Region of Halton has advised that the condition related to the removal of the Holding "H1" Provision has now been satisfied and therefore, staff are recommending that the Holding Provision be removed.

BACKGROUND:

- In December 2014, Council approved a draft plan of subdivision (24T-05005) and Zoning By-law amendment (By-law 2014-122) to permit a total of 520 residential units consisting of townhouses, detached and semi-detached dwellings, a school and park, and Natural Heritage System (NHS), and also including Dundas Urban Core Blocks 381 and 382.
- The "H1" Holding Provision was incorporated into the site specific Zoning By-law to ensure that sufficient water and wastewater services were available to accommodate the development of Blocks 381 and 382.

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- Plan 20M-1183 was registered on November 9, 2016 and is under construction except for Blocks 381 and 382. A site plan application is currently under review to permit a 7-storey condominium apartment building and a range of townhouse dwellings on the subject lands.

Proposal

The Region of Halton has advised that sufficient water and wastewater allocation is available to accommodate the development of Blocks 381 and 382 and therefore, the "H1" provision can now be removed.

Location

The subject lands are comprised of two blocks, located on the north side of Dundas Street (Figure 1). The blocks are generally rectangular in shape and a site area of 1.27 ha each.



Figure 1: Location of Subject Lands

COMMENT/OPTIONS:

The application submitted is to remove the Holding "H1" Provision from the Zoning By-law to allow the subject lands to be developed for a 7-storey apartment building and a range of town house dwellings. Zoning By-law 2009-189 states that the Holding "H1" Provision may be removed when the following conditions have been satisfied:

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Removal of Holding "H" Provision

The "H" symbol shall, upon application by the landowner, be removed by Council passing a By-law under Section 36 of the *Planning Act*. The following condition shall be 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."

The Region of Halton has advised that there is sufficient water and wastewater capacity to accommodate the development.

Other Planning Act Processes:

The applicant has also submitted a site plan application which is currently under review. The removal of the Holding Provision is required prior to receiving final approval of the site plan.

CONCLUSION:

Staff is satisfied that the requirements for the removal of the Holding "H" Provision as it applies to the subject lands (Blocks 381 and 382 on Plan 20M-1183) have now been satisfied. Staff recommends that Council approve the subject application and pass By-law 2018-150.

CONSIDERATIONS:

(A) PUBLIC

Notification of the intention to pass an amending By-law to remove the Holding "H1" Provision has been provided to all property owners subject to the holding provision pursuant to Section 36(4) of the *Planning Act*.

(B) FINANCIAL

Additional securities will be posted as a condition of final site plan approval for Blocks 381 and 382

(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

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(E) COMMUNITY SUSTAINABILITY

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

APPENDICES:

Appendix "A" – Region of Halton Comments

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