



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: FEBRUARY 10, 2020

FROM: Planning Services Department

DATE: January 29, 2020

SUBJECT: Holding Provision Removal, 2500674 Ontario Inc., Z.1413.32, By-law 2020-015

LOCATION: 2136 and 2148 Trafalgar Road

WARD: 5

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RECOMMENDATION:

1. That the application (File No.: Z.1413.32) submitted by 2500674 Ontario Inc., to remove the Holding Provision “H36” from the lands located at 2136 and 2148 Trafalgar Road, be approved.
2. That By-law 2020-015, a by-law to remove the holding provision “H36” from Zoning By-law 2014-014, as amended, be passed.

KEY FACTS:

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

- A Zoning By-law Amendment application was approved by Oakville Council on April 16, 2018 to permit the development of 59 townhouse dwellings fronting onto Trafalgar Road and Lillykin Street. The heights of the townhouses are permitted to be two storeys along Lillykin Street and a maximum of four storeys along Trafalgar Road.
- Holding Provision “H36” was incorporated into the Zoning Bylaw at the request of the Region of Halton and Conservation Halton.
- The purpose of the holding provision is to ensure that the applicant obtain acknowledgement from the Ministry of the Environment (MOE) of a Record of Site Condition (RSC), and that the Ministry of Natural Resources and Forestry (MNR) confirm the absence of any species at risk on site.
- Halton Region confirmed that the RSC has been acknowledged and is satisfactory and that they have no objections to remove the holding provision “H36”.

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- Halton Conservation has advised that MNRF confirmed the absence of any species at risk on site and therefore have no objections with lifting holding provision “H36”.
- All conditions relating to the removal of the “H36” holding provision have been satisfied.

BACKGROUND:

A Zoning By-law Amendment application was approved by Council on April 16, 2018 to permit the development of 59 townhouse dwellings, ranging in height from two storeys to four storeys within a common element condominium. The Owner anticipates filing a site plan application in the near future.

Holding provision “H36” was incorporated into the Zoning Bylaw at the request of the Region of Halton and Conservation Halton. The purpose of establishing the holding provision was to allow the applicant to obtain acknowledgement from the MOE a Record of Site Condition (RSC), and that the MNRF confirmed the absence of any species at risk on site.

Removal of holding provision “H36” from the Zoning By-law will allow for the advancement of the future site plan application and ultimately for the land to be developed in accordance with the approved plans.

Location

The property is located at 2136 and 2148 Trafalgar Road and fronts onto Trafalgar Road and Lillykin Street to the west. (Figure 1).

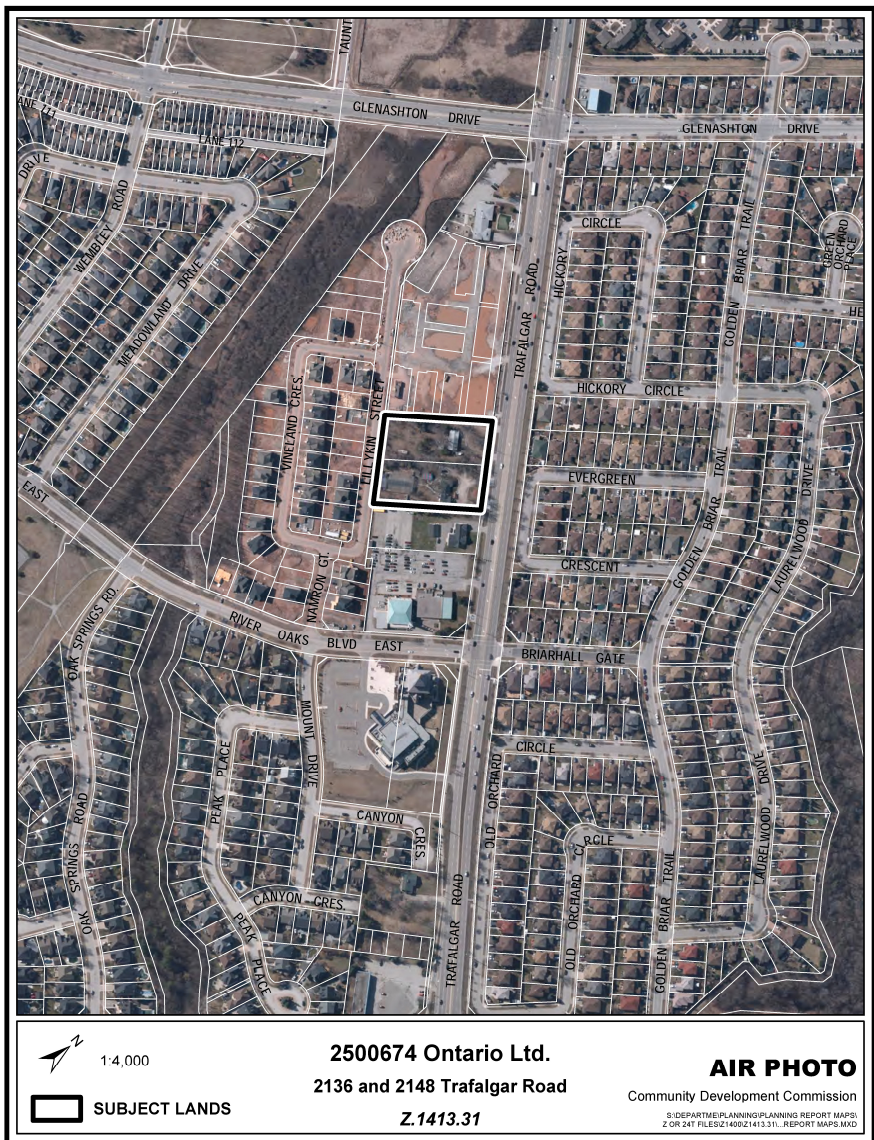


Figure 1: Air Photo

COMMENT/OPTIONS:

The Town received an application from 2500674 Ontario Inc. (DiCarlo Homes) to remove the holding provision “H36” from the Zoning By-law to allow the subject lands to be development. Zoning By-law 2014-014 provides that the holding provision may be removed when the following conditions have been satisfied:

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H36	2136 and 2148 Trafalgar Road	Parent Zone: MU2
Map 19(22)		2018-056
16.3.36.2 Conditions for Removal of the “H”		
<p>The “H” symbol shall, upon application by the landowner, be removed by <i>Town</i> Council passing a By-law under Section 36 of the <u>Planning Act</u>. The following condition(s) shall first be completed to the satisfaction of the <i>Town of Oakville</i>:</p>		
a)	A Ministry of the 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.	
b)	That the Owner receive clearance from the Ministry of Natural Resources and Forestry to confirm the absence of any species at risk.	

Halton Region confirmed that the RSC has been acknowledged by the MOE and therefore have no objections with lifting condition 16.3.36.2a). Halton Conservation advised that MNRF has confirmed the absence of any species at risk on site and therefore have no objections with lifting condition 16.3.36.2b). On this basis Holding provision “H36” has been satisfied and can be removed from By-law 2018-056.

CONCLUSION:

Staff is satisfied that the requirements for the removal of the holding provision as it applies to the lands known municipally as 2136 and 2148 Trafalgar Road has been satisfied as noted above. Staff recommends that Council approve the subject application and pass By-law 2020-015 which would have the effect of removing holding provision “H36” from the subject lands.

CONSIDERATIONS:

(A) PUBLIC

Notification of the intention to pass an amending By-law to remove the holding provision “H36” from By-law 2018-056 has been provided to all property owners subject to the holding provision pursuant to Section 36(4) of the *Planning Act*.

(B) FINANCIAL

Not Applicable.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Halton Region and Conservation Halton have no objections to the removal of the holding provision as requested.

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(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 the Livable Oakville Plan.

APPENDICES:

Appendix "A" – By-law 2020-015

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