

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: OCTOBER 10, 2017

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**FROM:** Planning Services Department

**DATE:** September 18, 2017

**SUBJECT:** **Proposed Removal of "H" Holding Provision, Sixth Line Corporation, Parts of Plan 20M-1186, File No. Z.1315.06, By-law No. 2017-092**

**LOCATION:** Blocks 13-30, 46, 80-114, 118-239, 264-267, 370-379, 385-400, 403-406, 412, and 415-423 on Registered Plan 20M-1186

**WARD:** 5 Page 1

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**RECOMMENDATION:**

1. That the application (File No.: Z.1315.06) submitted by Sixth Line Corporation, to remove the "H" Holding provision from Blocks 13-30, 46, 80-114, 118-239, 264-267, 370-379, 385-400, 403-406, 412, and 415-423 on Plan 20M-1186, be approved; and
2. That By-law 2017-092, a by-law to remove the "H" Holding provision from Blocks 13-30, 46, 80-114, 118-239, 264-267, 370-379, 385-400, 403-406, 412, and 415-423 on Plan 20M-1186, 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 2016-103) at the request of Conservation Halton and Development Engineering.
- The purpose of the "H" holding provision is prevent building permit issuance for specific lots until such time as the ultimate channel for West Morrison Creek, ultimate berm, and ultimate pond outlet for Pond 22A have been completed and certified to the satisfaction of the Town of Oakville and Conservation Halton.
- Conservation Halton has advised that they have no objection to the removal of the holding provision.
- Development Engineering has advised that they have no objection to the removal of the holding provision.

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- All conditions relating to the removal of the "H" holding provision have been satisfied.

## **BACKGROUND:**

### Proposal

The "H" holding provision was incorporated into the Zoning By-law at the request of Conservation Halton and Development Engineering. The purpose of the "H" holding provision was to permit the registration of the plan of subdivision in its entirety (as opposed to a phased registration) in a manner that continued to meet the requirements of Conservation Halton and the Town.

The holding provision requires that the ultimate channel for West Morrison Creek, ultimate berm, and ultimate pond outlet for Pond 22A be completed and certified to the satisfaction of the Town of Oakville and Conservation Halton prior to the issuance of any building permits. This would allow registration of the subdivision to occur while ensuring that the ultimate channel, berming and pond outlet be constructed prior to development occurring on these lots.

Removal of the "H" holding provision from the Zoning By-law will allow the land to be developed in accordance with the approved zoning.

### Location

The subject lands are within the Sixth Line Corporation plan of subdivision (Plan 20M-1186) located northeast of Sixth Line and Dundas Street East and identified as Blocks 13-30, 46, 80-114, 118-239, 264-267, 370-379, 385-400, 403-406, 412, and 415-423 on Plan 20M-1186.

## **COMMENT/OPTIONS:**

Zoning By-law 2009-189 provides that the holding provision may be removed at the request of the owner when the following condition has been satisfied:

- a) That the ultimate channel for West Morrison Creek, ultimate berm, and ultimate pond outlet for Pond 22A have been completed and certified to the satisfaction of the Town of Oakville and Conservation Halton.

Both Development Engineering and Conservation Halton have advised that the creek channel works, berming and stormwater management pond outlet have been constructed in accordance with the approved engineering drawings and, therefore, have no objection to the removal of the "H" holding provision.

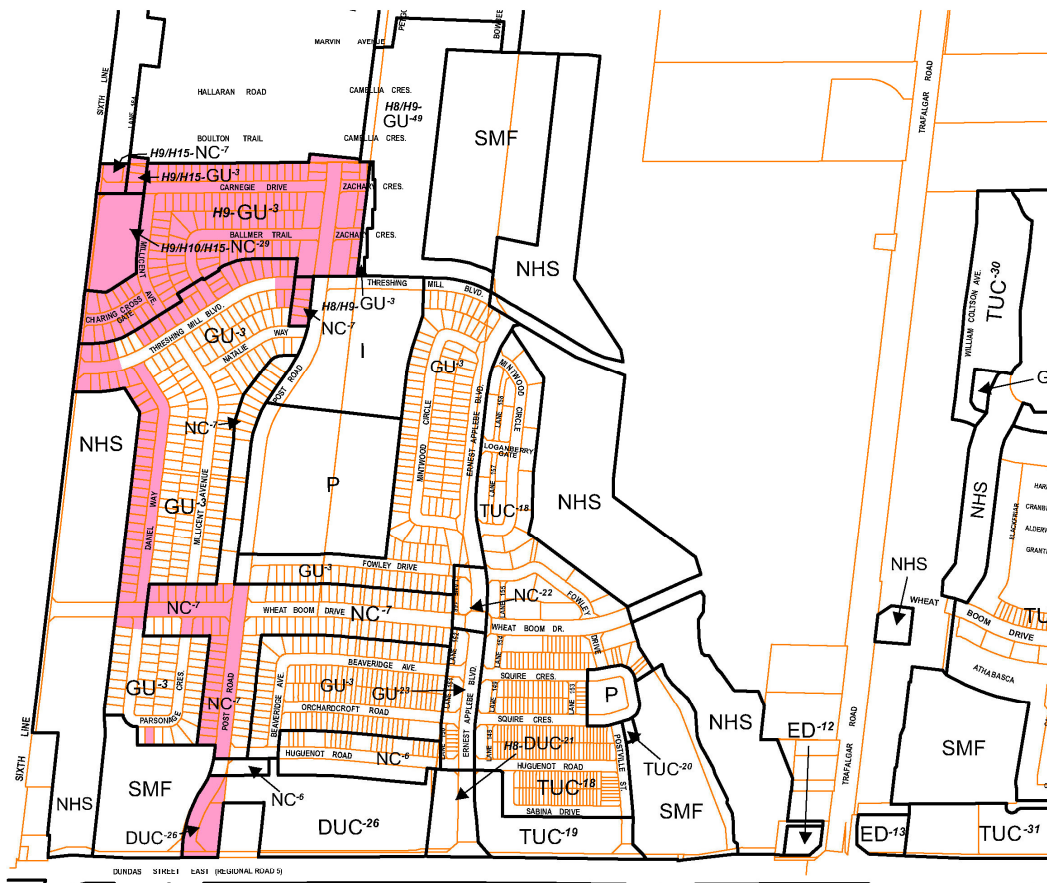
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For reference purposes, the following is the associated map excerpt from the proposed By-law 2017-092:

**SCHEDULE "A"**  
**To By-law 2017-092**



**AMENDMENT TO BY-LAW 2009-189**

 H16 is removed from the subject lands

EXCERPT FROM MAP  
12 (5)



SCALE 1 : 8000

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**CONCLUSION:**

Town staff is satisfied that the requirements for the removal of the "H16" holding provision have now been satisfied. Staff recommends that Council approve the subject application and pass By-law 2017-092, which removes the "H" holding provision from the subject land.

**CONSIDERATIONS:**

**(A) PUBLIC**

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

**(B) FINANCIAL**

None associated with this report.

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

Conservation Halton 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 proposal generally complies with the sustainability goals and objectives of the North Oakville East Secondary Plan.

**APPENDICES:**

None

Prepared by:

Geoff Abma, MCIP, RPP

Planner

Current Planning – East District

Recommended by:

Heinz Hecht, MCIP, RPP

Manager

Current Planning – East District

Submitted by:

Mark H. Simeoni, MCIP, RPP

Director, Planning Services