

## **Appendix A – Halton Region comments**

**May 7, 2019**

**RE: Proposed Local Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision and Plan of Condominium – 1<sup>st</sup> Submission Regional Comments**  
**320, 324, 338, 346 and 350 Bronte Road**  
**Town Of Oakville, Halton Region**  
**Files: OPA 1631.01, Z1631.01, 24T-19001/1631 and 24CDM-19001/1631, 320 Bronte Road Inc.**

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The subject Local Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision and Plan of Condominium applications propose to permit a 30 unit residential development consisting of 28 new multiple attached units, and one new single detached dwelling unit. In addition, the applicant proposes to convert the existing daycare to a single detached dwelling.

Regional Planning Staff have reviewed the subject applications within the context of Provincial planning documents and Regional Official Plan (ROP) and are **NOT** in a position to provide a recommendation on the submitted applications at this time as there remain outstanding internal, as well as Conservation Halton comments.

### **Processing of the Proposed Local Official Plan Amendment**

In accordance with Halton Region By-law 16-99, please forward the draft report and proposed amendment with recommendations to Halton Region at least 12 days prior to the presentation of the report to Oakville Council, as per the requirements of the by-law for the exemption to be confirmed by Regional staff.

### **Outstanding Matters of Provincial and Regional Interest:**

Regional comments with respect to conformity to Places to Grow- Growth Plan for the Greater Golden Horseshoe, 2017, Provincial Policy Statement, 2014, Greenbelt Plan 2017 and Regional Official Plan 2009 will be provided in forthcoming comprehensive Regional comments, once all outstanding comments have been received for the subject development.

### **Greenbelt Plan (2017)**

The subject lands are shown to be within the Greenbelt Plan within the Urban River Valleys designation. Policy 6.2.1 states that only publicly owned lands are subject to the policies of the Urban River Valley designation. Any privately owned lands within the boundary of the Urban River Valley area are not subject to the policies of this designation. Publicly owned lands means lands in the ownership of the Province, a municipality or a local board, including a conservation authority. Regional staff understands that the proposed development will facilitate the dedication of portions of the property which are located within the Sixteen Mile Creek Valley lands system to the Town of Oakville for incorporation in to the town's natural heritage system. In addition, several Protected Countryside policies also apply to lands falling within the Urban River Valley designation, specifically 3.2.6 External Connections and 3.3 Parkland Open Space and Trails. The Planning Justification report is to be updated to address the applicable Greenbelt Plan policies as they affect the proposed development.

### **Parkway Belt West Plan**

Due to the noted discrepancy with respect to the designation of the Parkway Belt West Plan as it applies to the subject lands, Halton Region requires that the Owner provide written confirmation from the Ministry of Municipal Affairs and Housing that the subject lands are outside of the Parkway Belt West Plan area. This confirmation is to be included within the updated Planning Justification Report.

### **Regional Official Plan, 2009**

The lands are designated as 'Urban Area' and abut the Regional Natural Heritage System in Map 1 of the 2009 Regional Official Plan (ROP). The lands are also within potentially significant woodland. The range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning Bylaws. All development, however, shall be subject to the policies and plan in effect.

Internal comments with respect to Halton Region's Regional Natural Heritage System remain outstanding at this time however it is anticipated there will be significant Regional concerns in this regard. Details in this regard will be outlined in forthcoming formal comprehensive Regional comments. In addition, the subject site falls within the regulated area of Conservation Halton (CH). In accordance with the Memorandum of Understanding between CH and the Region of Halton, Conservation Halton (CH) staff provides environmental advisory and technical review services to the Region in relation to the protection of certain natural heritage features and areas and natural hazard management including shoreline management. As such, it is recommended that CH staff concerns relating to these matters be addressed to their satisfaction prior to the approval of these applications.

### **Other Matters of Regional Interest (Technical Comments):**

The ROP also contains policies with respect to archaeological potential, and the preservation and mitigation and documentation of artifacts. It should be noted the site is identified as having archaeological potential. The Owner has completed and submitted a Stage 1 and 2 (ASI, November 2018) as well as a Stage 3 Archaeological Assessment (ASI, December 2018) for the subject lands. In correspondence dated January 25, 2019 staff from the Ministry of Tourism, Culture and Sport have reviewed the reports and are satisfied that the fieldwork and reporting for the archeological assessment was consistent with the Ministry's standards and guidelines. These reports have been entered into the Ontario Public Register of Archaeological Reports. As such, Halton Region has no further requirements in this regard. As a caution, however, please note that during any development activities, should archaeological materials be found on the property, the Ontario Ministry of Tourism, Culture and Sport should be notified immediately (416-212-8886 or [archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.

Regional staff has also reviewed this application within the context of the Halton Region's "Protocol for Reviewing Development Applications with Respect to Contaminated Sites". A Phase 1 ESA Report (Terraprobe, October 25, 2017) and a Phase 2 ESA (Terraprobe, January 2019) were submitted for review. Halton Region staff have reviewed the reports and note the site in question has a mix of residential, institutional (day care) and community (church) land uses, and is being developed for residential use. The Phase II ESA for the site is detailed and does not identify any contamination. Furthermore, the update to provincial excess soil management guidelines from 2018, included updates to O.REG 153/04 which would reclassify the "use of a building on the property for indoor gathering of people for religious purposes" as institutional. It is unclear when these changes will officially come into effect. Relying on the Phase II ESA showing the site not to be contaminated, and the fact that the church would be classified as institutional use under the proposed changes (meaning no automatic trigger for a Record of Site Condition (RSC), due to a change to a more sensitive use) Halton Region staff do not see the benefit for requiring a RSC for this development at this time. As such, Halton Region has no further requirements in this regard at this time.

## **Municipal Infrastructure**

Regional Staff note the proposed use is to connect to the Regional water and wastewater system in accordance with section 89(3) of the ROP. Further comments with respect to servicing are outlined below.

A 1050mm dia. watermain is located on Bronte Road adjacent to the property. A 150mm dia. watermain is located on Bronte Road adjacent to the property. Please note that the applicant should undertake their own fire flow testing in the area in order to confirm the design requirements for domestic water supply and fire protection. A 300mm dia. sanitary sewer is located on Bronte Road adjacent to the property.

Please note that a Functional Servicing Study (FSS) prepared by Trafalgar Engineering Ltd., dated February 11, 2019 was submitted with the application.

Regional staff have reviewed the report and advise there are potential issues with the capacity of the existing sanitary sewer on Bridge Road that this development is connecting to, Halton Region cannot support these applications for this development at this time. A comprehensive revised FSR will be required that addresses the following:

- Sanitary sewer analysis that utilizes the flow rates, etc. in the Region's design standards.
- Demonstration of alternative servicing for sanitary sewer connections other than the proposed Bridge Road connection.
- Clarification of the servicing of the proposed single family dwelling that fronts onto Bronte Road.

Due to Halton Region's above noted concerns related to the FSS, we require that the FSS be revised and completed to the satisfaction of Halton Region prior to a decision on the applications.

## **Waste Management**

In order for Halton Region to consider waste collection for the subject development, the turning radii throughout the site must be provided. Please note Halton Region has a minimum 13m turning radius requirement for waste management vehicles, as per Halton Region's Development Design Guidelines for the Separation of Solid Waste.

## **Finance**

NOTE: The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at [www.halton.ca/developmentcharges](http://www.halton.ca/developmentcharges) to obtain the most current development charge and Front-ending Recovery Payment information, which is subject to change.

**Conclusion:**

Regional Planning Staff are not in a position to put forward a recommendation for the subject applications at this time. Once the remaining internal comments, as well as comments from Conservation Halton have been received, formal comprehensive Regional comments will be issued for the subject applications. Halton Region staff advises there are potential significant concerns with respect to the Regional Natural Heritage System and components thereof, for the proposed development. In addition, there are a number of outstanding technical matters to be addressed as indicated in the above noted comments and are to be addressed with any resubmission.

Should you have any questions or require additional information in this regard, please do not hesitate to contact me directly.

Yours truly,

Anne Gariscsak, MCIP, RPP  
Planner, Community Planning

cc: Laurielle Natyway, Senior Planner, Halton Region (via email)  
Ron Mackenzie, Development Project Manager, Halton Region (via email)

**Halton Region Letter dated May 31, 2019**

**RE: Proposed Local Official Plan Amendment, Zoning By-law Amendment, Plan of Subdivision and Plan of Condominium – 1<sup>st</sup> Submission Regional Comments- Addendum (RNHS Comments)  
320, 324, 338, 346 and 350 Bronte Road  
Town Of Oakville, Halton Region  
Files: OPA 1631.01, Z1631.01, 24T-19001/1631 and 24CDM-19001/1631, 320 Bronte Road Inc.**

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The following comments are an addendum to Halton Region's May 7<sup>th</sup>, 2019 comments. At that time there were outstanding internal and Conservation Halton comments for the subject development, these comments have now been received. Please note Regional Planning Staff are still **NOT** in a position to provide a recommendation for the submitted applications at this time.

The proposed development is located on lands that are within Halton Region's Natural Heritage System and are partially designated Regional Natural Heritage System on Map 1 of the 2009 ROP. Additionally, the lands contain or are adjacent to:

- Features identified as Key Features, as illustrated on Map 1G of the 2009 ROP, including:
  - Significant woodlands;
  - Provincially Significant Lower Bronte Creek Wetland Complex;
  - Potential habitat of endangered or threatened species;
  - Significant wildlife habitat;
  - Significant valley lands; and
  - Fish habitat.

Watercourse, floodplain and slope hazard are regulated by Conservation Halton (CH).

In addition to Halton Region's previous comments regarding the Planning Justification report, (GSAI, February 2019) Halton Region staff offer the following additional comments:

1. **Section 6.4 Region of Halton Official Plan (Office Consolidation June 2018)** – This section references the permitted uses in the Regional Natural Heritage System in accordance with Section 117.1 of the Regional Official Plan. The development proposal includes the conversion of the existing daycare to a single detached dwelling. The converted dwelling will then be severed as part of this proposal, creating a new lot within the Natural Heritage System. As outlined in Section 117.1, Single detached dwellings are only permitted on existing lots of record and Section 118(20) prohibits the creation of new lots for residential purposes in the Regional Natural Heritage System. Furthermore, the lot lines for Units 28 and 29 are proposed within the Regional Natural Heritage System and cannot be support based on this policy.
2. The subject lands to be rezoned to Natural Area (N) should include the key features and associated buffers as outlined in the Environmental Impact Study. Schedule 'B' does not reflect this and should be amended.

Halton Region staff off the following comments with respect to the Environmental Impact Assessment (Dillon Consulting, February 2019)

1. **Sections 2.1 Provincial Framework**– This section should include a discussion on how the proposal is consistent with and in conformity with the applicable Provincial policies.
2. **Section 2.2.1 Region of Halton Official Plan** – The most up-to-date version of the Regional Official Plan Office Consolidation is dated June 18, 2018 and should be used.
3. **Section 2.2.1 Region of Halton Official Plan** – This section provides a high-level discussion of Regional and Provincial policies that would apply to this development. However, this section does not discuss specific policies (Sections 117.1, 118(2) (3) (3.1) (3.3) and 118(20) of the Regional Official Plan) and explain how the proposal is consistent with and in conformity with these policies. This task was a part of the approved to Terms of Reference prepared by Dillon Consulting Ltd.
4. **Section 3.3.3 Significant Valley lands** – Significant valley land were identified adjacent to the study area. Specific mapping of the location of the significant valley land and associated buffer should be provided on a map along with the location of the proposed development.
5. **Section 3.3.5 Significant Wildlife Habitat** - Sustainable Planning staff support comments 3 and 4 in Appendix C: Environmental Impact Study and Arborist Report Review of Conservation Halton's comment letter (dated May 17, 2019). These comments should be addressed as part of revised submission. In responding to this CH comment, please specifically confirm whether (a) the FODM7-4 community (described in Table 4 but not shown on Figure 3) would be considered Significant Wildlife Habitat as a rare vegetative community and (b) the valley lands would be considered a wildlife movement corridor.
6. **Figure 3: 2018 Survey Locations and Ecological Land Classification** – The FODM7 deciduous forest community does not extend to the dripline of the significant woodlands, which was confirmed by the Regional Forester on May 25, 2018. Additionally, in comments regarding this community on Table 4, it appears that it comprised of two distinct communities (FODM7-2 and a FODM7-4). Please revise and ensure that all of the natural features on the property are classified and mapped.

7. **Section 3.4 Species at Risk** - Please provide any correspondence from the Ministry of Natural Resources and Forestry (MNRF) as it relates the potential removal of Species at Risk (SARS) habitat and if additional review or permitting is required.
8. **Figure 6: Impacts within the Natural Heritage System** – Please include a new Figure/revise this Figure to show the refined RNHS for the property, including all Key Features, Buffers, Linkages, and Enhancements. The proposal includes new lots, a change in land use from daycare to single family dwelling, site alterations, visitors parking and a new condominium road that all encroaches into the Regional Natural Heritage System. Section 117.1 of the Region’s Official Plan does not permit these uses in the Regional Natural Heritage System. Please revise relevant Figure(s) accordingly.
9. **Section 8.1.1 Tree and Vegetation Removal** - The proposed re-development will require removal of a portion of the significant woodlands within the staked dripline. The proposed development, including new lots, new uses, site alterations associated with the residential dwellings, visitors parking and a new condominium road, will result in the removal of nine trees within the staked Natural Heritage System. These proposed uses are not permitted in the Regional Natural Heritage System in accordance with Section 117.1 of the Region’s Official Plan. Furthermore, Section 118(20) prohibits the creation of new lots for residential purposes in the Regional Natural Heritage System.
10. **Section 9.0 – Mitigation and Opportunities for Enhancement** – Sustainable Planning staff recommends that this section include recommendations for post construction mitigation opportunities (i.e. lighting, resident and pet access to the natural heritage features and the vegetated buffer area).
11. **Section 9.2: Natural Heritage Feature Buffers** - Typically in infill situations like this, Sustainable Planning staff would request that the proposed lot lines are located 10m from the dripline of the significant woodland. Figure 6 shows an encroachment into the 10m buffer as a result of the new lots, site alterations, visitors parking and condominium road. This section states that “the width of the buffer is to generally consist of a 10m setback between the limit of development and the woodland dripline”. The Environmental Impact Study needs to discuss the adequacy of the buffer width and/or whether the encroachment into the 10m buffer will result in no negative impacts to the Regional Natural Heritage System. All Key Features and associated buffers should be map and incorporated into a refined Regional Natural Heritage System.
12. **Section 9.3: Restoration and Enhancement Opportunities** – The included impact assessment states that the proposed redevelopment will require tree removal and will result in a loss to the Natural Heritage System. This section discusses requirements for off-setting or compensating for the removal of vegetation including part of the Natural Heritage System. Halton Region does not accept compensation or offsetting as an appropriate mitigation measure to demonstrate no negative impacts to the features and functions of the Regional Natural Heritage System. The Environmental Impact Study must include a strategy to avoid or mitigate negative impacts and must demonstrate there would be no residual negative impacts following the implementation of this strategy. For additional information and guidance, please refer to Section 3.7 - Mitigation Strategies in Halton Region’s Environmental Impact Assessment Guidelines.
13. As a condition of approval, a Landscaping and Planting Plan should be prepared to outline enhancement plantings discussed in the Environmental Impact Study.

**14. Section 9.7: Environmental Monitoring Plan** - The monitoring and maintenance section for “watering, weeding and replacement of dead material” should include a 2 year (2 growing season) requirement.

**15. Section 10.0 Summary** - This section acknowledged that there will be potential impacts to the Regional Natural Heritage System and the impacts can be avoided and/or reduced by implementing the mitigation, restoration, and management measures described in the Environmental Impact Study. However, this section does not contain a specific conclusion to state that the proposed development will result in *no negative impacts* to the portion of the Regional Heritage System adjacent to the development as required in Section 118(3) of the Regional Official Plan and the systems approach outlined Section 118(2).

In addition to the foregoing, please note the subject site falls within the regulated area of Conservation Halton (CH). In accordance with the Memorandum of Understanding between CH and the Region of Halton, Conservation Halton (CH) staff provides environmental advisory and technical review services to the Region in relation to the protection of certain natural heritage features and areas and natural hazard management including shoreline management. As such, it is recommended that CH staff comments relating to these matters as outlined in their letter dated May 17, 2019 be addressed to their satisfaction prior to the approval of these applications.

**Conclusion:**

Regional Planning Staff are still not in a position to put forward a recommendation for the subject applications at this time. Based on the foregoing, the proposal, in its present form, does not confirm to Regional Official Plan Natural Heritage System policies. It is recommended that the applicant revises the proposal to address these policies and the comments that are outlined above, as well as in our May 7<sup>th</sup> 2019 comments, as part of a revised submission.

Should you have any questions or require additional information in this regard, please do not hesitate to contact me directly.

Yours truly,

Anne Gariscsak, MCIP, RPP  
Planner, Community Planning

cc: Laurielle Natywary, Senior Planner, Halton Region (via email)  
Heather Ireland, Environmental Planner, Halton Region (via email)  
Jessica Bester, Environmental Planner, Conservation Halton (via email)

## August 14, 2019 comments on July 24, 2019 Concept Plan

Further to Halton Region's May 7, 2019 and May 31, 2019 addendum comments for the subject applications, the most recent resubmission consisting of a revised site plan drawing, ( Drawing Number A1.1) , for 320 Bronte Road was received by Halton Region July 26, 2019 and now proposes one single family unit and 30 townhouse units. Regional staff have reviewed the revised drawing and offer the following comments.

Regional Planning Staff have reviewed the subject applications within the context of Provincial planning documents and Regional Official Plan (ROP) and are **NOT** in a position to support the submitted applications at this time as there remains outstanding information as indicated below.

### **Processing of the Proposed Local Official Plan Amendment**

In accordance with Halton Region By-law 16-99, please forward the draft report and proposed amendment with recommendations to Halton Region at least 12 days prior to the presentation of the report to Oakville Council, as per the requirements of the by-law for the exemption to be confirmed by Regional staff.

### **Outstanding Matters of Provincial and Regional Interest:**

Additional Regional comments with respect to conformity to Places to Grow- Growth Plan for the Greater Golden Horseshoe, 2017, Provincial Policy Statement, 2014, Greenbelt Plan 2017 and Regional Official Plan 2009 will be provided in forthcoming Regional comments, once all outstanding information has been received for the subject development. At this time the applicant has not demonstrated conformity or consistency with the noted planning documents.

### **Provincial Policy Statement (2014)**

Policy 2.1.8 states that development and site alteration shall not be permitted on adjacent lands to the natural heritage features and other identified areas unless the ecological function of the adjacent land has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or their ecological function.

### **Greenbelt Plan (2017)**

The subject lands are shown to be within the Greenbelt Plan within the Urban River Valleys designation. Policy 6.2.1 states that only publicly owned lands are subject to the policies of the Urban River Valley designation. Any privately owned lands within the boundary of the Urban River Valley area are not subject to the policies of this designation. Publicly owned lands means lands in the ownership of the Province, a municipality or a local board, including a conservation authority. Regional staff understands that the proposed development will facilitate the dedication of portions of the property which are located within the Sixteen Mile Creek Valley lands system to the Town of Oakville for incorporation in to the town's natural heritage system. In addition, several Protected Countryside policies also apply to lands falling within the Urban River Valley designation, specifically 3.2.6 External Connections and 3.3 Parkland Open Space and Trails. The Planning Justification report is to be updated to address the applicable Greenbelt Plan policies as they affect the proposed development.

### **Parkway Belt West Plan**

Due to the noted discrepancy with respect to the designation of the Parkway Belt West Plan as it applies to the subject lands, Halton Region requires that the Owner provide written confirmation from the Ministry of Municipal Affairs and Housing that the subject lands are outside of the Parkway Belt West Plan area. This confirmation is to be included within the updated Planning Justification Report.



### **Regional Official Plan, 2009**

The lands are designated as 'Urban Area' and contain portions of the Regional Natural Heritage System in Map 1 of the 2009 Regional Official Plan (ROP). The lands are also within potentially significant woodland and are identified as containing key features. The range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning Bylaws. All development, however, shall be subject to the policies and plan in effect.

Previous Regional comments with respect to Regional Natural Heritage matters dated May 31, 2019 for this proposed development still remain applicable as these comments related to outstanding information that needs to be addressed in the EIA and PJR. Based on the revised *Site Plan prepared by Hicks Design Studio (date unknown)*, it would appear that the buildings and laneway will be located outside of the 10m buffer of the dripline of the woodlands. However, the subject plan does not show the extent of the grading, landscaping or lot lines. Please note that if the amenity area (e.g. backyards) for Units 18, 28-30 (Block D) and 31 (SFD) are within the 10m buffer of the dripline of the woodlands, these areas must be assessed in the EIA and demonstrate that this use will result in *no negative impacts* to the feature or its ecological functions.

Also, the revised site plan shows that the existing daycare centre will be removed. The EIA will need to address any potential impacts that may be caused by the removal of the daycare centre, mitigation measures and discuss opportunities for restoration of this area given that it is located within the Regional Natural Heritage System.

Again, Consecration Halton (CH) staff provide environmental advisory services to the Region and Town in relation to the protection of certain natural heritage features and area and natural hazard land management. CH should be contacted to discuss the removal of the day care centre as it is located within the slope hazard as well as the construction of the underground parking that is potentially within the valley land system.

Conservation Halton staff, in comments dated August 8, 2019 indicate that the majority of their original comments for this development were specific to other elements of the original submission, such as the Geotechnical Slope Stability Assessment and the Planning Justification Report and as such, most of CH's original comments remain applicable, as the reports have not been resubmitted (and may need to be revised based on the new proposed Site Plan). That said, below are some preliminary comments CH can offer at this time on the revised Site Plan.

- CH appreciates that the existing day care building is now proposed to be removed, and that the new dwellings are now proposed to be outside of the hazards/features and their associated buffers as shown. CH is supportive of this approach and recommends that lands within the natural features and hazards and associated buffers be dedicated to public ownership.
- Staff note that property lines are no longer shown on the drawing. As previously noted, new lot lines are considered development and are therefore also required by the PPS to be outside of hazardous lands. CH would need lot lines to be shown to conduct a full review of the new Site Plan drawing.
- Staff note that there is now a ramp to an underground parking garage. The extent of the underground parking wall is shown in some locations near the ramp, but staff would like to see drawings indicating the full extent and depth of the underground parking to confirm it is outside of CH's regulated area.

**Other Matters of Regional Interest (Technical Comments):**

The ROP also contains policies with respect to archaeological potential, and the preservation and mitigation and documentation of artifacts. It should be noted the site is identified as having archaeological potential. The Owner has completed and submitted a Stage 1 and 2 (ASI, November 2018) as well as a Stage 3 Archaeological Assessment (ASI, December 2018) for the subject lands. In correspondence dated January 25, 2019 staff from the Ministry of Tourism, Culture and Sport have reviewed the reports and are satisfied that the fieldwork and reporting for the archeological assessment was consistent with the Ministry's standards and guidelines. These reports have been entered into the Ontario Public Register of Archaeological Reports. As such, Halton Region has no further requirements in this regard. As a caution, however, please note that during any development activities, should archaeological materials be found on the property, the Ontario Ministry of Tourism, Culture and Sport should be notified immediately (416-212-8886 or [archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate and the Registrar of Cemeteries to be consulted.

Regional staff has also reviewed this application within the context of the Halton Region's "Protocol for Reviewing Development Applications with Respect to Contaminated Sites". A Phase 1 ESA Report (Terraprobe, October 25, 2017) and a Phase 2 ESA (Terraprobe, January 2019) were submitted for review. Halton Region staff have reviewed the reports and note the site in question has a mix of residential, institutional (day care) and community (church) land uses, and is being developed for residential use. The Phase II ESA for the site is detailed and does not identify any contamination. Furthermore, the update to provincial excess soil management guidelines from 2018, included updates to O.REG 153/04 which would reclassify the "use of a building on the property for indoor gathering of people for religious purposes" as institutional. It is unclear when these changes will officially come into effect. Relying on the Phase II ESA showing the site not to be contaminated, and the fact that the church would be classified as institutional use under the proposed changes (meaning no automatic trigger for a Record of Site Condition (RSC), due to a change to a more sensitive use) Halton Region staff do not see the benefit for requiring a RSC for this development at this time. As such, Halton Region has no further requirements in this regard at this time.

**Municipal Infrastructure**

Regional Staff note the proposed use is to connect to the Regional water and wastewater system in accordance with section 89(3) of the ROP. It is Halton Region's understanding the internal road is to be a condominium road. Further comments with respect to servicing are outlined below.

A 1050mm dia. watermain is located on Bronte Road adjacent to the property. A 150mm dia. watermain is located on Bronte Road adjacent to the property. Please note that the applicant should undertake their own fire flow testing in the area in order to confirm the design requirements for domestic water supply and fire protection. A 300mm dia. sanitary sewer is located on Bronte Road adjacent to the property.

Please note that a Functional Servicing Study (FSS) prepared by Trafalgar Engineering Ltd., dated February 11, 2019 was submitted with the original application.

Regional staff have reviewed the report and advise there are potential issues with the capacity of the existing sanitary sewer on Bridge Road that this development is connecting to, Halton Region cannot support these applications for this development at this time. A comprehensive revised FSR will be required that addresses the following:

- Sanitary sewer analysis that utilizes the flow rates, etc. in the Region's design standards.
- Demonstration of alternative servicing for sanitary sewer connections other than the proposed Bridge Road connection.
- Clarification of the servicing of the proposed single family dwelling that fronts onto Bronte Road.

Due to Halton Region's above noted concerns related to the FSS, Halton Region maintains that the FSS is to be revised and completed to the satisfaction of Halton Region prior to a decision on the applications. The FSS will also have to be revised to reflect the new proposal in addition to addressing the servicing related comments as noted above.

### **Waste Management**

In order for Halton Region to consider waste collection for the subject development, the turning radii throughout the site must be provided. Please note Halton Region has a minimum 13m turning radius requirement for waste management vehicles, as per Halton Region's Development Design Guidelines for the Separation of Solid Waste.

### **Finance**

NOTE: The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, the water, wastewater and road portions of the Regional development charges are payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

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### **Conclusion:**

Based on the above, Regional Planning Staff are still not in a position to support the subject applications at this time. Once the required revised PJR, FSS, EIA and a revised drawing showing lot lines have been received and reviewed, additional Regional comments will be issued for the subject applications.