



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: SEPTEMBER 8, 2020

FROM: Planning Services Department

DATE: August 26, 2020

SUBJECT: Holding Provision Removal - 158 Trafalgar Road, (formerly 156 and 160 Trafalgar Road), File No.: Z.1613.62, By-law 2020-095

LOCATION: 158 Trafalgar Road (formerly 156 and 160 Trafalgar Road)

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RECOMMENDATION:

1. That the application (File No.: Z.1613.62) submitted by Modern Skyline Corporation, to remove the “H28” Holding Provision from the lands known as 158 Trafalgar Road (formerly 156 and 160 Trafalgar Road), be approved; and
2. That By-law 2020-095, a by-law to remove the “H28” Holding Provision from 158 Trafalgar Road (formerly 156 and 160 Trafalgar Road), be passed.

KEY FACTS:

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

- The “H28” Holding Provision was incorporated into site specific By-law 2015-089 at the request of Halton Region.
- The purpose of the “H28” Holding Provision is (1) to ensure that a Ministry of the Environment acknowledged record of site condition is submitted to the satisfaction of the Region of Halton prior to building permit issuance and (2) clearance is received from the Ontario Ministry of Tourism, Culture and Sport stating that no further archaeological related review is required to the satisfaction of the Region of Halton.
- The Region of Halton advised in a letter dated July 17, 2020, that their comments have been addressed, and have no objection to removal of the Holding Provision.
- All conditions relating to the removal of the “H28” Holding Provision have been satisfied.

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BACKGROUND:

In June 2015, the former OMB approved an OPA and ZBA which had the effect of permitting a four-storey, ten unit apartment building on the subject lands.

Zoning By-law 2015-089, which includes Holding Provision “H28” was established to ensure that the RSC and Archeological review were satisfactorily completed prior to building permit.

The applicant has now received confirmation from the Ministry of the Environment, Conservation and Parks on June 9, 2020, and confirmation from the Ministry of Tourism, Culture and Sport on September 27, 2012, that the applicable conditions have been satisfied.

Once Holding Provision “H28” is removed from Zoning By-law 2014-014 and final site plan approval has been granted, the applicant will be eligible to apply for a building permit to construct a four-storey 10 unit residential apartment building.

COMMENT/OPTIONS:

The Town’s 2014-014 Zoning By-law provides that the Holding Provision “H28” may be removed when the following conditions have been satisfied:

H28	<u>156 and 160 Trafalgar Road</u>	Parent Zone: CBD
Map 19(8a)	(Part of Lot 4, Block 89, Plan 1)	(2014-026) (2015-089)
16.28.2 Conditions for Removal of the “H”		
The “H” symbol shall, upon application by the landowner, be removed by Council passing a By-law under section 36 of the <i>Planning Act</i> , R.S.O. 1990, c.P.13, as amended. The following conditions shall first be satisfied:		
a)	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 Region of Halton.	
b)	Submission of a letter from the Ontario Ministry of Tourism, Culture and Sport stating that no further archaeological related review is required, to the satisfaction of the Region of Halton.	

In a letter dated July 17, 2020, Halton Region cleared Conditions (a) and (b) confirming that the applicant may proceed with the removal of the Holding Provision.

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CONCLUSION:

The requirements for the removal of Holding Provision “H28” have now been satisfied. Staff recommends that Council approve the subject application and pass By-law 2020-095 to remove the Holding Provision from 158 Trafalgar Road.

CONSIDERATIONS:

(A) PUBLIC

Notice of Intention to remove the “H28” Holding Provision was provided in accordance with Section 36(4) and Section 8 of Regulation 544/06 of the *Planning Act*

(B) FINANCIAL

None associated with this report

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Halton Region has no objection to the removal of Holding Provision “H28” 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

A review of sustainability objectives of the Livable Oakville Plan was undertaken as part of the review of the Zoning By-law Amendment application that applied Holding Provision “H28”.

APPENDICES:

Appendix A – By-law 2020-095

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