

Appendix A – Regional Comments (April 2, 2014)

Regional Planning staff has reviewed the revised draft plan of subdivision dated February 11, 2014 showing 74 multiple residential units (10 blocks) and official plan amendment and zoning by-law amendment and offer the following comments.

Processing of the Proposed Local Official Plan Amendment

In accordance with Halton Region By-law 16-99 and following review of the proposed official plan amendment application, it appears that this application will be exempt from Halton Region approval. 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.

Provincial Policy Statement (PPS)

Regional Planning staff has reviewed the above noted applications in accordance with the Provincial Policy Statement (2005) and PPS (2014) which comes into effect on April 30, 2014 and note the following:

Section 1.0 – Building Strong Communities, contains policies with respect to managing and directing land use to achieve efficient development and land use patterns. Under Section 1.1.3 – Settlement Areas, the policy indicates that land use patterns be based on densities and a mix of land uses and that the necessary infrastructure is available. Further, Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated, taking into account existing building stock or areas. Policy 1.4.3 under Housing also directs planning authorities to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by promoting appropriate development standards to facilitate redevelopment.

Further, Policy 3.2.2 states that sites with contaminants shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

Additional components of the policy statement related to human-made hazards, cultural heritage and archaeological resources, sewage and water services have been addressed through reports provided by the applicant.

Phase I Environmental Site Assessment

The Provincial Policy Statement (2014) contains a policy requiring that sites with contaminants in land or water be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects. Regional staff reviewed the Phase I Environmental Site Investigation prepared by Landtek Limited dated September, 2012 and which indicated that there was a low potential for major environmental concerns with respect to these lands. Based on the findings of the Phase I, the report concluded there was no need to undertake further environmental evaluation of the site at this time. The Phase I Environmental Site Assessment indicates there should be provisions for the proper decommissioning of the existing well and septic systems. There should also be provision to address the demolition of the existing site structures during development. There should be provisions for disposal of any potential hazardous or designated hazardous substances that may be encountered during the demolition process. Subsequent to receipt and review of the report, Regional Planning staff advised the applicant that a letter that provides third party reliance to the Region was required. On May 22, 2013, a letter was received from Landtek Limited extending third party reliance of the report to the Region. There are no further environmental requirements with respect to this proposed development at this time.

A condition of draft approval should be included that a letter update be required prior to registration of the plan of subdivision confirming that there have been no changes to the environmental findings since the submission of the Phase I Environmental Site Investigation report.

Archaeological Resources

Section 2.6.2 of the Provincial Policy Statement (2014) states that development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved. In this regard, a Stage 1 Archaeological Assessment dated December 19, 2012 prepared by Golder Associates was submitted for the subject property. The Stage 1 Archaeological Assessment determined that since some portions of the study area possess archaeological potential for both pre-contact Aboriginal resources and historic Euro-Canadian resources, a Stage 2 field assessment was recommended for all portions of the study area not previously impacted by surrounding existing buildings. The Ministry of Tourism, Culture and Sport was requested to review the results and recommendations and accept any report into the Provincial Register of archaeological reports and issue a standard letter of concurrence with the findings presented. Following this, the consultant recommended that when all matters relating to archaeological sites within the project area of the development proposal have been addressed to the satisfaction of the Ministry, a letter will be issued by the Ministry stating that there are no further concerns with regards to alterations to archaeological sites by the proposed development.

No further correspondence has been received from the Ministry of Tourism, Culture and Sport with respect to this assessment(s). As a condition of draft approval in Schedule "A", a letter of release is required from the Ministry indicating they have reviewed the archaeological assessments and they have been completed to their satisfaction and no further documentation is required. No grading or other soil disturbances shall take place on the subject property prior to this letter of release being received from the Ministry.

Regional Planning staff is satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement (2005) and PPS (2014).

The Greater Golden Horseshoe Growth Plan

The Growth Plan for the Greater Golden Horseshoe came into effect on June 16, 2006, and, therefore, Regional Planning staff has reviewed the proposed applications within the context of the policies of the Growth Plan.

The Growth Plan directs new growth to locations that make efficient use of transportation and servicing infrastructure. The Plan also states it is important to optimize the use of the existing land supply to avoid over-designating new land for future urban development. The Growth Plan supports building complete communities which offer transportation choices, accommodates people at all stages of life and have the right mix of housing and easy access to services to meet daily needs. The Plan also encourages intensification generally throughout the built-up area and at the same time, identifying the appropriate type and scale of development in these areas.

The proposal conforms to the policies contained within the Growth Plan.

Regional Official Plan

The lands are designated Urban Area in the Region's Official Plan (2006). Policy 76 of the Regional Plan states that the range of permitted uses and the creation of new lots will be in accordance with Local Official Plans and Zoning Bylaws. All development, however, shall be subject to the policies of the Plan. The proposed development conforms to the Region's Official Plan.

A similar designation (Urban Area) exists in Regional Official Plan Amendment No. 38 (ROPA 38) which was adopted by Regional Council on December 16, 2009. The Minister of Municipal Affairs and Housing

approved ROPA 38 with modifications on November 24, 2011. Further decisions have been issued by the Ontario Municipal Board on August 9, 2013 and October 21, 2013.

In terms of servicing allocation, the subject lands are located within the built boundary and not greenfield area. The Region's criteria in accordance with Development Charge By-law 48-12 to assign allocation for "high density" units within the built boundary is development with a building height of (4) storeys or greater or more than 130 dwelling units per net hectare. Based on the information submitted in support of these applications, the criteria would not qualify for "high density" and thus, these lands would not require allocation.

The Regional Official Plan contains policies requiring that potential soil contamination be identified and further investigation carried out prior to the Region of Halton or the Local Municipality considering any development proposals. This issue has been discussed earlier in the report.

Other comments received with respect to the applications related to site servicing, transportation and noise are summarized as follows. The Region's Health Department has indicated no objection to the proposed applications.

Servicing

Halton Region's Development Project Manager has reviewed the revised draft plan of subdivision and OPA/Zoning amendment application and provided the following comments:

The existing services in the area of the site include:

- a 150mm dia. watermain is located on Elder Lane adjacent to the property
- a 150mm dia. watermain is located on Stalybridge Drive adjacent to the property
- a 200mm dia. sanitary sewer is located on Elder Lane adjacent to the property
- a 200mm dia. sanitary sewer is located on Stalybridge Drive adjacent to the property

A Functional Servicing Report (FSR) prepared by IBI Group was submitted in support of the applications.

Wastewater Servicing

The FSR notes that the wastewater servicing of this proposed subdivision will be through an internal municipal gravity sewer system that will convey flows to the existing sewers east of the site on Elder Lane and Stalybridge Drive. The existing sewers on these streets and the downstream sewer system were designed to accommodate flows generated from the subject site. These existing sewers were designed and constructed as part of the Bronte Creek Subdivision located east of the proposed development.

Water Servicing

The applicant has undertaken flow tests in the area of the proposed development in support of the proposed applications. The analysis completed by the consultant using this flow data indicates that the existing water system in the area can support the proposed development for both domestic flow and fire flow conditions.

The FSR proposes that a water system loop will be provided for the subdivision by having connections to the existing watermains at both Elder Lane and Stalybridge Drive.

Existing Private Water Well and Septic System Decommissioning

Regional records indicate that a private water well and septic system currently service the property. Both the existing well and septic system are to be decommissioned and removed from the site according to the proper MOE guidelines.

Storm Drainage Impacts to Dundas Street

The FSR does not address the impact of storm water drainage onto Dundas Street West. Additional information and calculations were provided in January, 2014 to address stormwater in the front yards along Dundas Street West and this information was forwarded to the Dundas Street EA consultant for review and comments. The consultant reviewed the stormwater management and overland flow of 0.11ha area from the Oakville Equestrian Centre to Dundas Street West and indicated that it was acceptable.

Any detailed storm water drainage issues related to Dundas Street West will be addressed through the engineering design review process. In addition, additional servicing information was received with the revised draft plan in relation to the proposed watermain alignment. The proposed watermain alignment in relation to the Town's request for a sidewalk on the outside of Street "A" will also be determined through detailed design.

Conditions have been included in Schedule "A" to reflect any servicing requirements.

Transportation

The Region's Transportation Coordinator has reviewed the revised draft plan of subdivision and OPA/Zoning amendment application, traffic assessment and noise study and has the following comments.

The Traffic Assessment dated December 19, 2012 prepared by IBI is acceptable. The revised plan showing the 7.3m land dedication on Dundas Street West is acceptable.

The Noise Feasibility Study dated December 19, 2012 prepared by HGC Engineering was also reviewed and the Region's Transportation Coordinator provided detailed comments on the study. Subsequently, a revised noise study dated June, 2013 prepared by HGC Engineering was submitted for further review and, the Region's Transportation Coordinator indicated that the noise study is acceptable.

There are certain noise mitigation measures and warning clauses recommended in the final noise feasibility study (June, 2013) and, a condition has been included in Schedule "A" to satisfy this requirement and implementation prior to registration of the subdivision.

Health Department

The Region's Health Department has indicated no objection to the application.

Sustainable Planning

The Region's Senior Planner – Environmental has reviewed the above referenced applications and the Tree Inventory and Preservation Plan Report dated December 18, 2012 prepared by Kuntz Forestry Consulting Inc. and indicate no concerns or objection to the applications. Regional staff note that species regulated under Ontario's Endangered Species Act (ESA) (2007) have been previously recorded in the general vicinity of the proposed development. They note that Barn Swallow may be present given the barn structures on site. It is recommended that the proponent contact the Ministry of Natural Resources Species at Risk Biologist, Melinda Thompson to confirm any potential requirements under the ESA.

Waste Management

Waste Management Division has reviewed the proposed applications and note that Regional waste will service the proposed development once it is 90% complete. A drive through agreement will be required from the developer prior to the commencement of collection.

Conservation Halton

To our knowledge, Conservation Halton has deferred any stormwater management review related to these lands to the Town of Oakville.

Conclusion

Regional staff has no objection to the above referenced applications subject to the conditions outlined in Schedules "A". Should you require any additional information or have any questions in this regard, please do not hesitate to contact me at (905) 825-6000, extension 7182.

SCHEDULE "A"

The following Regional Conditions must be satisfied as part of the draft plan of subdivision and included in any subdivision agreement.

New Horizon Group 24T-12010/1432

1. The Owner shall prepare a detailed engineering submission to be submitted to the Region's Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement.
2. The Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that sufficient water capacity exists to accommodate this development.
3. The Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notification by the Region's Development Project Manager that sufficient Wastewater Plant capacity exists to accommodate this development.
4. The Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notification by the Region's Development Project Manager that sufficient storage and pumping facilities and associated infrastructure relating to both water and wastewater are in place.
5. All works which are the responsibility of the Owner to complete shall be supervised during construction by a licensed Professional Engineer of the Province of Ontario with all professional engineering fees paid by the Owner. The Owner's engineer must provide competent full time inspection staff on site during construction activities to obtain the required "as constructed" field information, and to ensure compliance with the approved drawings and the Region's Current Construction and Design Standards.
6. The Owner agrees to conduct a survey of the static water level and quality of all wells with 500 metres of the plan. The Owner further agrees to resolve any claims of well interruption due to the construction of the municipal services to the satisfaction of the Region's Development Project Manager.
7. The Owner agrees to conduct a survey of the property to identify all existing wells related to the former use of the lands. The owner further agrees to decommission any existing wells in accordance with MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.
8. The Owner agrees to conduct a survey of the property to identify all existing private septic systems related to the former use of the lands. The owner further agrees to decommission any existing private septic systems in accordance with MOE guidelines prior to commencing the development of these lands to the satisfaction of the Region's Development Project Manager.
9. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.

10. The Owner shall agree that pre and post development storm water flows from the site to the existing drainage system on Dundas Street West (Regional Road 5) are maintained both during and after construction, such that there are no adverse impacts to the existing storm drainage system on this roadway, to the satisfaction of the Region's Development Project Manager.
11. The Owner shall enter into a subdivision agreement and satisfy all requirements, financial and otherwise, of the Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, investigation of soil contamination and soil restoration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands.
12. Any lands that are part of the subject property and have been identified as required for the future widening and/or realignment of Dundas Street West, as identified in the Dundas Street Corridor Improvements EA Study and/or Dundas Street Design Project, that are part of the subject property shall be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening, realignment and future road improvements; these lands shall be dedicated with clear title, (free and clear of encumbrances) and a Certificate of Title shall be provided, in a form satisfactory to the Director of Legal Services or his designate. This includes a 7.3m land dedication as per the revised draft plan.
13. The Owner agrees that the final noise study, its assumptions and recommendations as submitted by HGC Engineering (June, 2013) for the proposed development must be to the satisfaction of Transportation Services and approved by Halton Region.
14. Prior to a decision or any site alteration, servicing or grading of the site, the Owner shall carry out a heritage resource assessment (archaeological survey) including a Stage 2 of the subject property and, if recommended, mitigate/salvage/excavate any significant resources to the satisfaction of the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport. No grading or other soil disturbance shall take place on the subject property prior to the letter of release from the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport. The Owner shall provide Halton Region with a copy of the letter of release from the Regulatory Operations Unit of the Ministry of Tourism, Culture and Sport regarding the heritage resource assessment.
15. The owner agrees that a letter update may be required prior to registration of the plan of subdivision confirming that there have been no changes to the environmental findings of the subject Phase I Environmental Site Investigation report.
16. The Owner agrees to complete an Information Request Form and forward the completed form to the Aurora District Species at Risk office for review, to ensure that any proposed works do not contravene the Endangered Species Act legislation, to the satisfaction of the Ministry of Natural Resources and Senior Planner, Region of Halton.