

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JANUARY 18, 2021

FROM: Planning Services Department

DATE: January 5, 2021

SUBJECT: Holding Provision Removal, Southbound Developments
(Oakville) Inc., Z.1729.58 - By-law 2021-010

LOCATION: 2368-2380 Lakeshore Road West

WARD: 1

Page 1

RECOMMENDATION:

1. That the application (File No.: Z.1729.58) submitted by Southbound Developments (Oakville) Inc., to remove the Holding Provision “H1” from the lands generally located at 2368-2380 Lakeshore Road West, be approved.
2. That By-law 2021-010, a by-law to remove the holding provision “H1” from the lands generally located at 2368-2380 Lakeshore Road West, be passed.

KEY FACTS:

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

- A site plan application was submitted which proposes a four storey, mixed use senior residential facility containing 113 units with ground floor commercial at 2368-2380 Lakeshore Road West.
- The subject property is zoned ‘H1-MU1’ by Zoning By-law 2014-014.
- As part of the review of the site plan application, criteria of holding provision “H1” was reviewed and satisfied.
- Halton Region provided confirmation that sufficient water and wastewater services are available and that they have no objection to removal of the holding provision from the property.
- All conditions relating to the removal of the “H1” holding provision have been satisfied.

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BACKGROUND:**Proposal**

Site plan application SP. 1729.041/02 proposes a four storey, mixed use retirement home containing 113 units, with ground floor commercial, at 2368-2380 Lakeshore Road West.

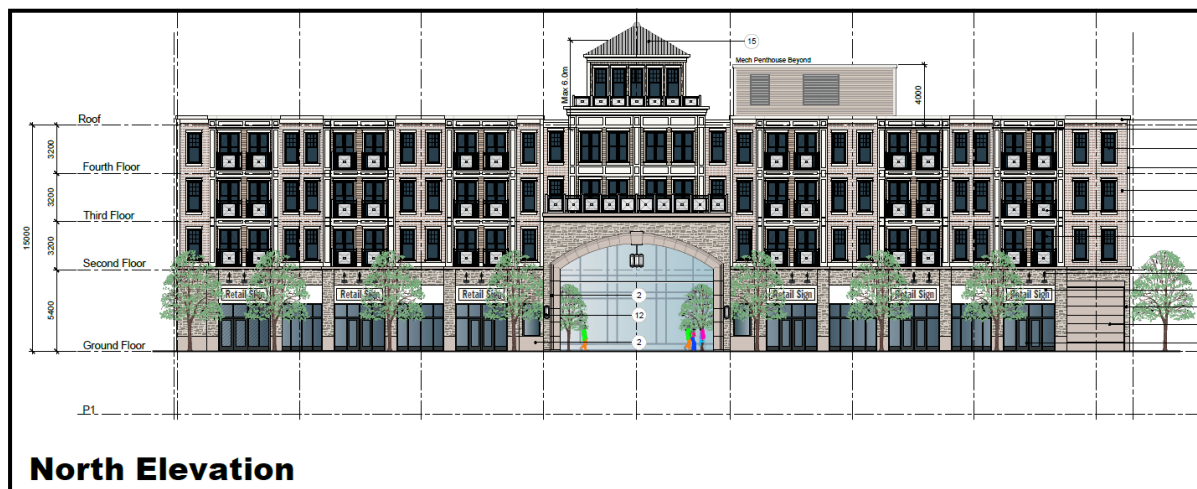


Figure 1: Elevation of Proposed Retirement Home with Ground Floor Commercial

Holding provision “H1” was incorporated into the Zoning By-law within mixed use zones in Bronte, Kerr, and Palermo Village as part of the inZone Zoning By-law review. The purpose of the holding provision is to ensure that prior to development occurring on the subject lands: sufficient infrastructure is available to support the development; any necessary improvements have been secured for; and, a bonusing agreement has been entered into, if applicable.

Removal of holding provision “H1” from the Zoning By-law will allow for advancement of the related site plan application and ultimately for the land to be developed in accordance with the Livable Oakville Plan.

Location

The subject lands are located in Bronte Village, on the south side of Lakeshore Road West, and are known municipally as 2368-2380 Lakeshore Road West.

COMMENT/OPTIONS:

The Town received an application from Southbound Developments (Oakville) Inc., to remove the holding provision “H1” from the Zoning By-law to allow the subject lands to be developed. Zoning By-law 2014-014 provides that the holding provision may be removed when the following conditions have been satisfied:

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16.3.1.3 Conditions for Removal of the “H”

The “H” symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the *Planning Act*. The following conditions, if and as applicable, shall first be completed to the satisfaction of the Town of Oakville:

a)	That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the <i>Town of Oakville</i> .
b)	The owner has entered into any required servicing agreement(s) with the <i>Town</i> regarding stormwater management.
c)	The completion of detailed design drawings required for the construction of <i>road</i> and <i>infrastructure</i> improvements.
d)	Registration on title of an agreement between the owner and the <i>Town</i> with respect to the road and <i>infrastructure</i> improvements. This agreement shall also address security and advancing of funds, or a letter of credit for the full cost of the <i>road</i> and <i>infrastructure</i> improvements.
e)	The registration on title of a Section 37 Agreement per the <u>Planning Act</u> .
f)	All required land conveyances have been undertaken.

Halton Region provided confirmation that sufficient water and wastewater services are available and that they have no objection to removal of the holding provision from the property. Based on the foregoing, and staff’s review of site plan application SP. 1729.041/02, condition ‘A’ has been satisfied. Halton Region’s comment letter is attached as ‘Appendix A’.

Conditions ‘B’, ‘C’ and ‘D’ regarding stormwater, road and infrastructure requirements have been reviewed and addressed as part of site plan application SP. 1729.041/02. More specifically, a servicing agreement for stormwater management is not required, and as part of the site plan agreement registered on title, the owner paid cash in lieu of streetscape works which will allow for the town to coordinate and construct these works as part of the larger Lakeshore Road West Environmental Assessment project. In the interim, the site plan agreement registered on title provides that the Owner will construct interim streetscape works which have been fully secured for.

Since the development did not utilize the bonusing provisions of the Livable Oakville Plan for additional height / density, a Section 37 agreement is not required, and thus condition ‘F’ is satisfied.

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Lastly, as part of the site plan agreement registered on title, the Owner conveyed Parts 1, 2, 3 & 4 on Plan 20R-21440 to the Town for the required road widening, thereby satisfying condition 'G'.

CONCLUSION:

Staff is satisfied that the requirements for the removal of the holding provision "H1" as it applies to 2368-2380 Lakeshore Road West has been satisfied as noted above. Staff recommends that Council approve the subject application and pass By-law 2021-010 which would have the effect of removing holding provision "H1" from the subject lands.

CONSIDERATIONS:**(A) PUBLIC**

Notification of the intention to pass an amending By-law to remove the "H" or holding provision 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 has no objection to the removal of the 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 proposed development generally complies with the sustainability objectives of Livable Oakville.

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APPENDICES:

Appendix A – Halton Region Comments

Appendix B – By-law 2021-010

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