

REPORT

Planning and Development Council

Meeting Date: November 1, 2021

FROM: Planning Services Department

DATE: October 19, 2021

SUBJECT: Recommendation Report, Draft Plan of Condominium, 98 Kaitting Trail, Mattamy (Kaitting) Limited, 24CDM-21004-1317

LOCATION: 98 Kaitting Trail

WARD: Ward 7

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RECOMMENDATION:

That the Director of Planning Services be authorized to grant draft plan approval to the draft plan of condominium (24CDM-21004/1317) submitted by Mattamy (Kaitting) Limited and prepared by R-PE Surveying Ltd., dated June 23, 2021, subject to the conditions contained in Appendix A.

KEY FACTS:

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

- A standard draft plan of condominium application was submitted to create a residential condominium with 263 apartment units and 10 townhouse units.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received site plan approval (SP.1317.004/01) on January 25, 2021, and has commenced construction.
- No circulated internal departments or external agencies raised concerns with the application.
- Staff recommend that the Director of Planning give approval to the draft plan of condominium subject to the conditions outlined in Appendix A.

BACKGROUND:

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed standard draft plan of condominium application for a residential condominium with 263 apartment units and 10 townhouse units. Upon registration of the condominium, the condominium corporation will be created and will be responsible for the management of the development.

A site plan application (SP.1317.004/01) was submitted in June of 2019 and the applicant received final site plan approval on January 25, 2021. Construction has since commenced on-site.

The draft plan of condominium application was submitted by Mattamy (Kaitting) Limited and subsequently deemed complete on July 22, 2021. Therefore the 120 day decision timeline as specified in s. 51(34) of the *Planning Act* ends on November 19, 2021. The draft plan of condominium only addresses the tenure and ownership of the residential units currently under construction, since the technical issues relating to the development were addressed through the approved site plan application.

Proposal

The ground floor of the draft plan is shown as Figure 1 below. As described, 263 apartment units and 10 townhouses units are proposed. The 263 apartment units will be divided across two six-storey buildings on an approximately 1.5 hectare site. In addition, 393 total vehicle parking spaces, and 263 resident plus 50 visitor bicycle parking spaces are provided for the total site.



Figure 1 – Draft Plan of Condominium (Ground Floor)

Location & Site Description

The subject lands are located on Kaitting Trail, just north of Dundas Street, between the Sixth Line/Dundas Street and Preserve Drive/Dundas Street intersections. The subject lands have approximately 102 metres of frontage to Dundas Street, 114 metres of frontage to Kaitting Trail, and are 1.4872 hectares in size.



Figure 2 – Air Photo of Subject Lands

Surrounding Land Uses

North: Low density residential, park, and school

West: Low and medium density residential, under construction

South: Low density residential

East: Stormwater pond, future medium and high density residential

PLANNING POLICY & ANALYSIS:

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- Livable Oakville Plan

- Zoning By-law 2014-014

Provincial Policy Statement

The Provincial Policy Statement, 2020 ('PPS') is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

Staff is of the opinion that the proposed draft plan of condominium is consistent with the 2020 Provincial Policy Statement because the development will add a range of residential units to an area identified for intensification, based on an already approved Site Plan application.

Growth Plan

The Growth Plan for the Greater Golden Horseshoe is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. All planning decisions are required to conform to the Growth Plan.

The subject lands are located within an identified "Built-Up Area" and a "Settlement Area", where intensification is encouraged to efficiently make use of the existing infrastructure, municipal servicing availability and convenient access to services that meet the daily needs of residents. Intensification must give consideration to adjacent uses and compatible built form and transitioning.

Staff is of the opinion that the proposed draft plan of condominium conforms with the Growth Plan because it will provide for compatible residential intensification within the built-up area on a lot identified for growth.

Halton Region Official Plan

The subject lands are designated as 'Urban Area' in the June 19, 2018 consolidation of the Regional Official Plan.

The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities" and support a form of growth "that is compact and supportive of transit usage... [and] makes efficient use of space and services".

The proposed draft plan of condominium conforms with the Regional Official Plan and The Region of Halton has no objection or conditions to the application subject to the "notes" and "requirements at the time of registration" contained in Appendix A.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011. It conforms to the Growth Plan and the Region of Halton's Official Plan, and is consistent with the Provincial Policy Statement.

The subject lands are designated as 'Dundas Urban Core', and the development conforms to the relevant and applicable policies of the Livable Oakville Plan and North Oakville East Secondary Plan.

Zoning By-law 2009-189

Oakville's 2009-189 Zoning By-law was passed by Council on November 23, 2009 and partially deemed in force by the Ontario Municipal Board on April 15, 2010. The most recent consolidation date is November 2, 2020.

The subject lands are zoned "DUC sp:2, Dundas Urban Core, Special Provision 2". Special Provision 2 provides for additional uses and regulations for the lands. The development complies with the Zoning By-law including "sp 2".

PLANNING ANALYSIS:

The proposal was the subject of a detailed site plan process which dealt with a number of technical issues, including:

- Built form and site layout including pedestrian circulation;
- Landscaping and urban design;
- Elevations;
- Site lighting;
- Vehicular access and circulation;
- Grading and servicing;
- Erosion and sediment control;
- Canopy coverage, and tree preservation and removal;
- Stormwater management;
- Compliance with the Zoning By-law.

The financial obligations of the developer as it relates to the construction of the development have been addressed through the site plan approval process.

A site plan agreement was registered on title on the subject lands, which beyond the standard agreement clauses, established the required site works, the final approved plans, and took securities for both on and off-site works, including required on-site stormwater management tanks.

The draft plan of condominium application was circulated to internal departments and external agencies for comments, and no further requirements have been identified.

Accordingly, the proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act*.

CONCLUSION:

Staff is satisfied that the application conforms to the overall policy direction of the Livable Oakville Plan and other relevant policy documents, and recommends approval of the application, subject to the conditions in Appendix A, as the following requirements have been satisfied.

- The proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act*;
- The proposed plan of condominium is consistent with the PPS, conforms to the Growth Plan, conforms to the Livable Oakville Official Plan, and complies with the Zoning By-law regulations applicable to the subject lands;
- A full circulation has been undertaken and there are no further outstanding financial or planning issues to be resolved;
- The development has been granted final site plan approval, where site servicing, grading and stormwater management, landscaping, urban design, and financial obligations were addressed through conditions of site plan approval and a site plan agreement registered on title of the lands;
- There is no need for a condominium agreement as all financial, design and technical requirements have been addressed through the site plan approval process and the Town holds sufficient securities to allow for the completion of the required site works.
- Building permits have been issued in accordance with the approved site plan.

Staff recommends approval of the draft plan of condominium as the proposal is consistent with the Livable Oakville Plan, represents good planning, and is in the public interest.

CONSIDERATIONS:

(A) PUBLIC

No public comments were received with respect to this application.

(B) FINANCIAL

Financial requirements specific to construction, such as the payment of development charges and parkland requirements, have been satisfied. A standard condition has been included in Appendix A to ensure that the property taxes are paid to date.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

None of the circulated departments/agencies raised any issues with respect to the proposal. Any relevant conditions have been included within the draft plan of condominium conditions listed in Appendix 'A'.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- be the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

The proposal generally complies with the sustainability objectives of the Livable Oakville Plan.

APPENDICES:

Appendix A – Draft Plan of Condominium Conditions for 24CDM-21004/1317

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