



OAKVILLE

## REPORT

### Special Planning and Development Council Meeting

Meeting Date: February 15, 2022

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**FROM:** Planning Services Department

**DATE:** February 1, 2022

**SUBJECT:** Recommendation Report, Draft Plan of Condominium, MC Oakvillage GP Inc. (Minto Communities Canada), File No.: 24CDM-21007/1312 – 348 Wheat Boom Drive

**LOCATION:** 348 Wheat Boom Drive

**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-21007/1312) submitted by MC Oakvillage GP Inc., and prepared by R-PE Surveying Ltd. dated November 9, 2021, subject to the conditions contained in Appendix A of the Planning Service Report dated February 1, 2022.

#### **KEY FACTS:**

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

- A draft plan of common element condominium application has been submitted to create a private road, landscaping and walkways.
- Condominium tenure would allow for the transfer of 32 individual townhouse units to the future owners.
- The development received final site plan approval (SP.1312.011/01) on November 6, 2020.
- No circulated internal departments or external agencies raised concerns with the application.
- Staff recommends approval to the draft plan of common element 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 draft plan of common element condominium application consisting of a private road, landscaping and walkways.

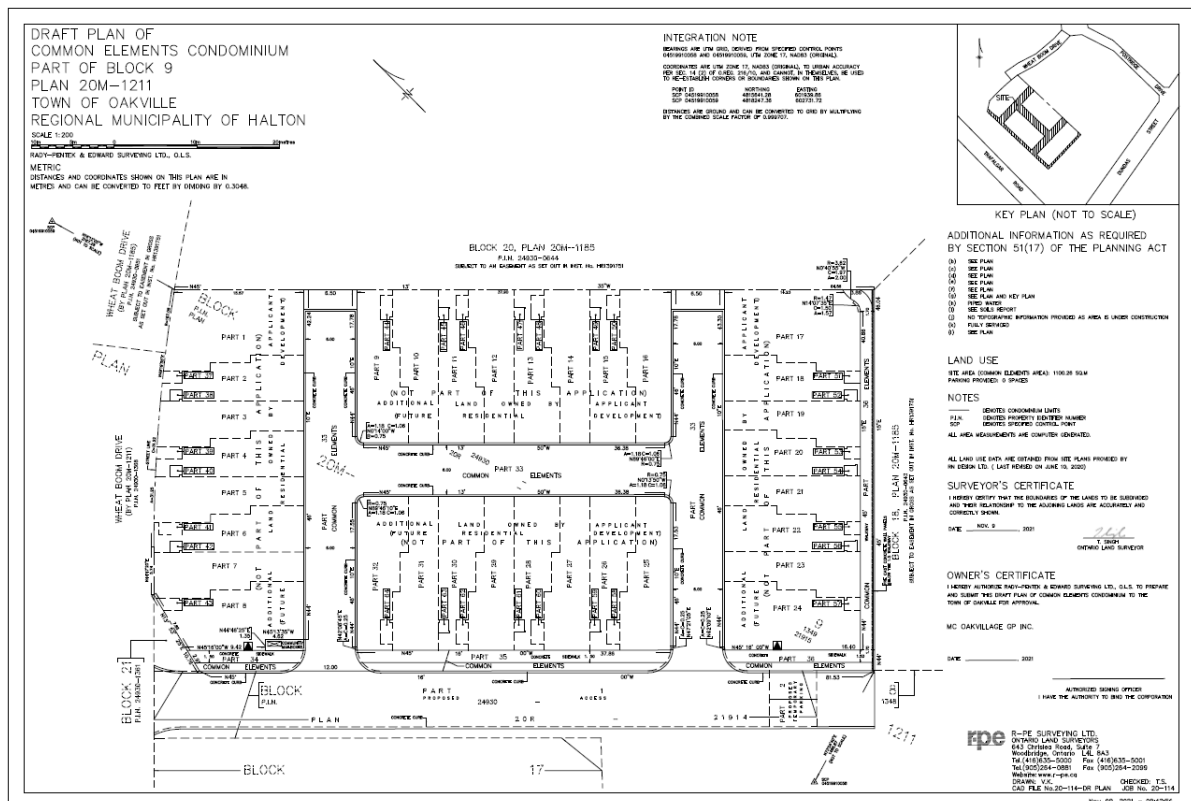
Upon registration of the condominium, the condominium corporation will be created and responsible for the management of the development.

A site plan application (SP.1316.011/01) was submitted on August 15, 2019, and the applicant received final site plan approval on November 6, 2020. The associated Site Plan Agreement is registered on title and the buildings are currently occupied.

The draft plan of condominium application was submitted on November 30, 2021 by MC Oakvillage GP Inc. Draft plan approval and registration of the plan will allow for the creation of the condominium with a private road, landscaping and sidewalk common elements. The applicant has submitted a Part Lot Control application to create the freehold parcels that will be tied to the common elements condominium.

**Proposal**

The applicant is proposing a common element condominium consisting of a private road, landscaping and walkways to serve the four, three-storey townhouse buildings containing a total of 32 units as shown on Figure 1.



**Figure 1: Draft Plan of Condominium**

### **Location & Site Description**

The subject property is approximately 0.4 hectares in size and is located on the south side of Wheat Boom Drive, east of Trafalgar Road and west of Athabasca Common. The site currently contains the four blocks of townhouse units with the internal private road, landscaping and walkways, as shown on Figure 2.



**Figure 2:** Site Bird's Eye View (South-east)

### **Surrounding Land Uses**

The surrounding land uses are predominately residential, with an adjacent natural area (Athabasca Pond) to the south, as shown on Figure 3.



**Figure 3:** Air Photo Map

**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
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

**Provincial Policy Statement**

The Provincial Policy Statement (2020), the ‘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. All planning decisions must be consistent with the PPS.

Draft plan of condominium applications deal with property tenure of otherwise previously approved developments. At the time of Site Plan approval, the subject lands were reviewed for consistency with the PPS, and the development was determined to be consistent with the PPS.

### **Growth Plan**

The 2020 Growth Plan for the Greater Golden Horseshoe, the 'A Place to Grow' 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.

Draft plan of condominium applications deal with property tenure of otherwise previously approved developments. At the time of Site Plan approval, the subject lands were reviewed for conformity with the Growth Plan, and the development was determined to be in conformity with the Growth Plan.

### **Halton Region Official Plan**

The subject lands are designated as 'Urban Area' in the 2009 Regional Official Plan. The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities". One of the objectives of the Urban Area (Policy 72(1)) is to "accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently".

The proposed draft plan of condominium conforms with the Regional Official Plan, given the proposed development represents compact development and healthy communities where residents can walk to commercial and service businesses as well as to transit facilities.

The Region of Halton has no objection or conditions to the application, subject to the conditions outlined in Appendix A.

### **North Oakville East Secondary Plan**

The subject lands are designated as 'Trafalgar Road Urban Core Area', as identified on NOE2, Land Use Plan in the North Oakville East Secondary Plan. The development conforms to the applicable policies of the Oakville Official Plan.

### **Zoning By-law**

The subject lands are zoned GU sp:66 – General Urban Special Provision 66 as shown on Figure 4. As a standard Condition of Approval for all developments, the applicant will be required to confirm that the "as built" development complies with the Zoning By-law, prior to registration.

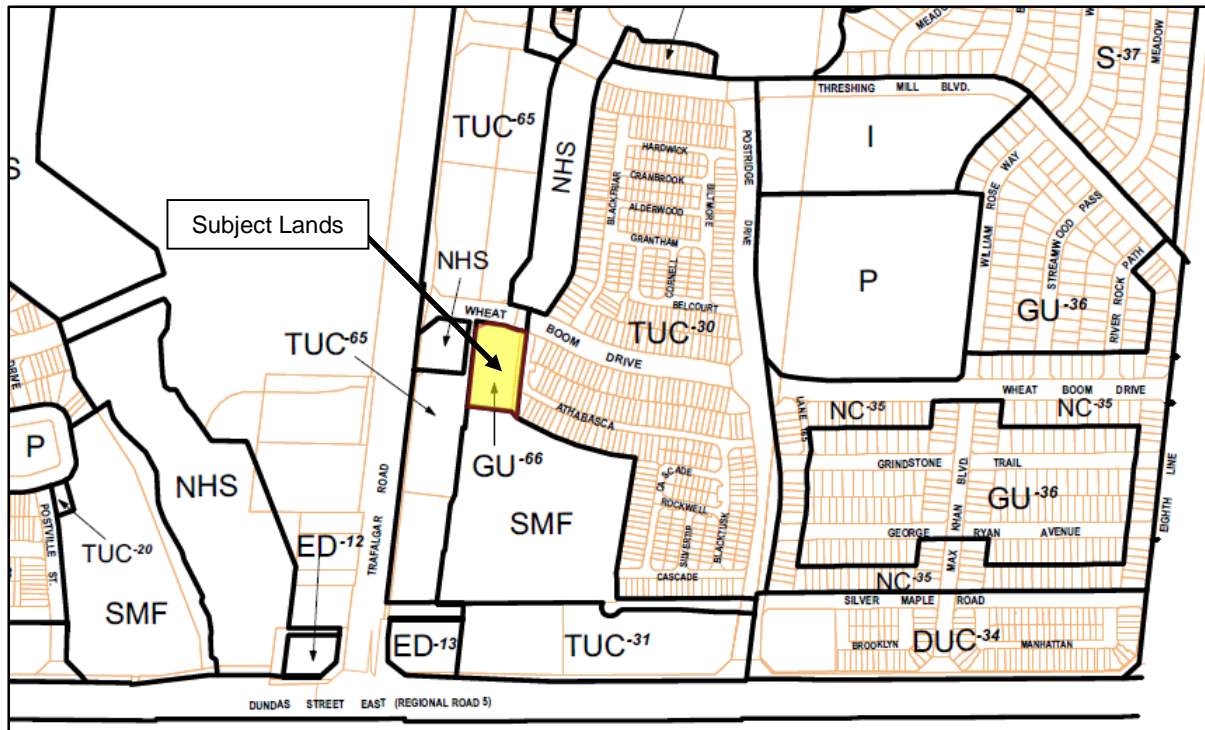


Figure 4: Except from the North Oakville Zoning By-law 2009-189

### PLANNING ANALYSIS:

Through the review and approval of the site plan application the development has been subject to detailed technical analysis. Specifically, the following matters were addressed through previous processes:

- Built form and site layout;
- Elevations;
- Pedestrian circulation;
- Landscaping and urban design;
- Grading and stormwater management;
- Site servicing;
- Vehicle movements;
- Conformity with the North Oakville East Secondary Plan; and,
- 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. Required on-site and off-site works are secured by a letter of credit collected through the preparation of the site plan agreement registered on title. A letter was received from the trustee of North Oakville Community Builders Inc. (the North Oakville landowners group) indicating that the owner of the subject lands is a

signatory to both the North Oakville Cost Sharing Agreement and the North Oakville Master Parkland Agreement and that the owner is a party in good standing under both agreements.

The draft plan of condominium application was circulated to internal departments and external agencies for comments and there were no issues raised. Draft Plan of Condominium conditions have been included in Appendix A.

The proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and is consistent with the North Oakville East Secondary Plan.

**CONCLUSION:**

Staff recommends approval of the application, subject to the conditions in Appendix A, as the application is consistent with the Provincial Policy Statement, does not conflict with provincial plans or to the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning. Further the application is consistent with the North Oakville East Secondary Plan and Zoning By-law 2009-189. 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 North Oakville East Secondary Plan, and complies with the Zoning By-law regulations applicable to the subject lands;
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved, subject to the conditions within Appendix A;
- 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;
- Building permits have been issued in accordance with the approved Site Plan;
- There is no need for a Condominium Agreement as all financial, design, and technical requirements have been addressed through the Site Plan approval process.
- Opportunities for public participation were provided as part of the previous subdivision and rezoning application processes.
- Approval of the draft plan of condominium is necessary to create the common elements and is appropriate for the orderly development of the lands.

**CONSIDERATIONS:**

**(A) PUBLIC**

Public input opportunities were provided through the subdivision, and zoning approval processes. 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 of approval has been included 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 liveable town in Canada

**(E) CLIMATE CHANGE/ACTION**

The proposal complies with the sustainability objectives of Climate Change Adaptation Initiative.

**APPENDICES:**

Appendix A – Draft Plan of Condominium Conditions

Prepared by:

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Recommended by:

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Submitted by:

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