



REPORT

Planning and Development Council

Meeting Date: June 12, 2023

FROM: Planning Services Department

DATE: May 30, 2023

SUBJECT: Recommendation Report, Draft Plan of Condominium, MC Oakville Inc., 24CDM-22006/1312 - 335, 345 and 349 Wheatboom Drive

LOCATION: 335, 345 and 349 Wheatboom 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-22006/1312) submitted by MC Oakville Inc., prepared by R-PE Surveying Ltd., dated December 12, 2022, subject to the conditions contained in Appendix 'A' of the Planning Services report dated May 30, 2023.

KEY FACTS

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

- A draft plan of condominium application for a phased strata condominium has been submitted to create condominium tenure for a development with 536 residential units. Phase 1 consists of four stacked back-to-back townhouse blocks comprising of 100 residential units, and a single 18-storey tower consisting of 175 residential units. Phase 2 consists of a single 20-storey tower, comprised of 261 residential units. All units have parking within two-levels of a shared underground parking; with minimal surface parking available.
- Within the 20-storey building is 344 m² of freehold at-grade commercial. Phase 2 will have the effect of creating a strata separation of ownership between the residential condominium use and the freehold commercial use. MC Oakville Inc. intends to retain ownership of the commercial space.
- Condominium tenure would allow for the transfer of individual units to the future owners.

- The development received final site plan approval (SP.1312.012.01) on January 7, 2022.
- There were no concerns raised with the application from circulated internal or external agencies.
- Staff recommends approval of the draft plan of phased strata condominium subject to the conditions outlined in Appendix 'A'.

BACKGROUND

The subject lands form a block on 20M-1211 of the Dundas-Trafalgar Inc. Subdivision.

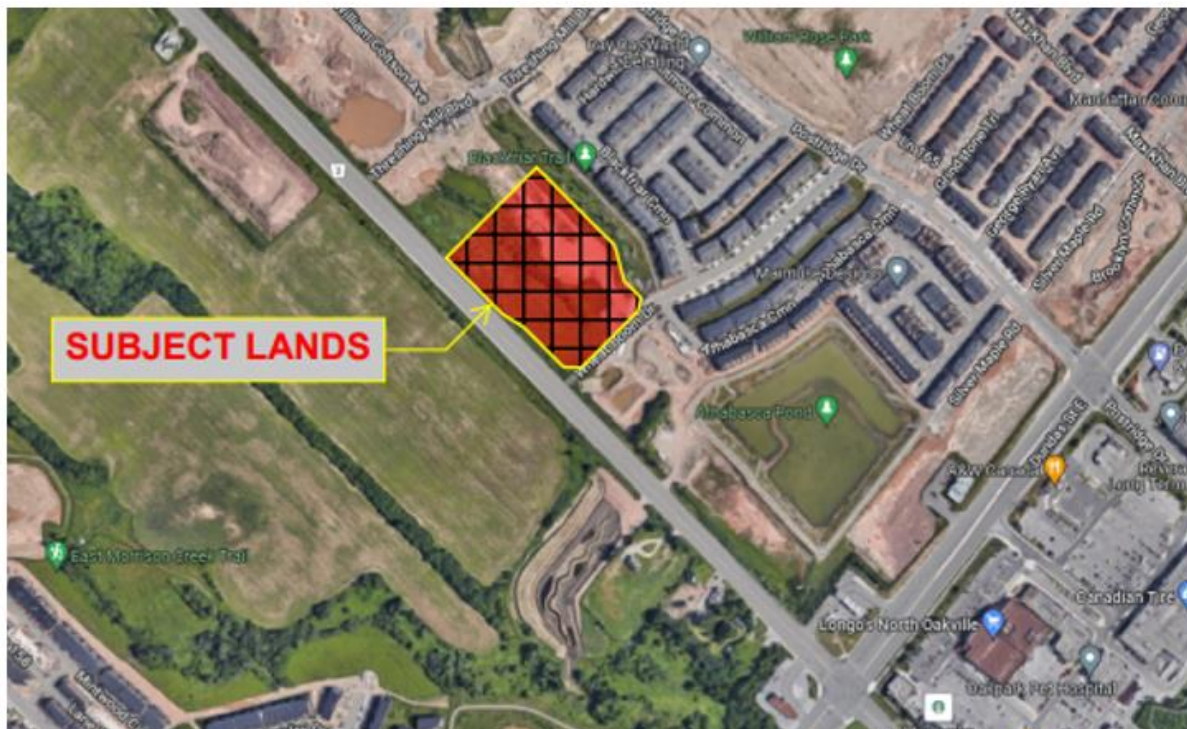


Figure 1: Aerial Photo of the subject lands

The Trafalgar Road blocks were part of the second phase of the subdivision registration that took place in November, 2018. The zoning for the lands was approved March, 2020 as part of a settlement hearing in front of the LPAT, and the site plan was approved by the Director of Planning on January 7, 2022. Through the settlement discussions a commitment by the applicant to provide a public walkway, adjacent to the natural heritage system lands to the east, was agreed to and included in the minutes of settlement. The publicly accessible walkway will remain within the ownership of this condominium and the future condominium to the north.

Proposal:

The applicant seeks approval for a phased plan of condominium, consisting of two phases, to establish condominium tenure for a 14-storey residential building with 266 units with driveway access from Wheat Boom Drive. The context plan is shown as Figure 2 below and as a 3D model in Figure 3 and 4.

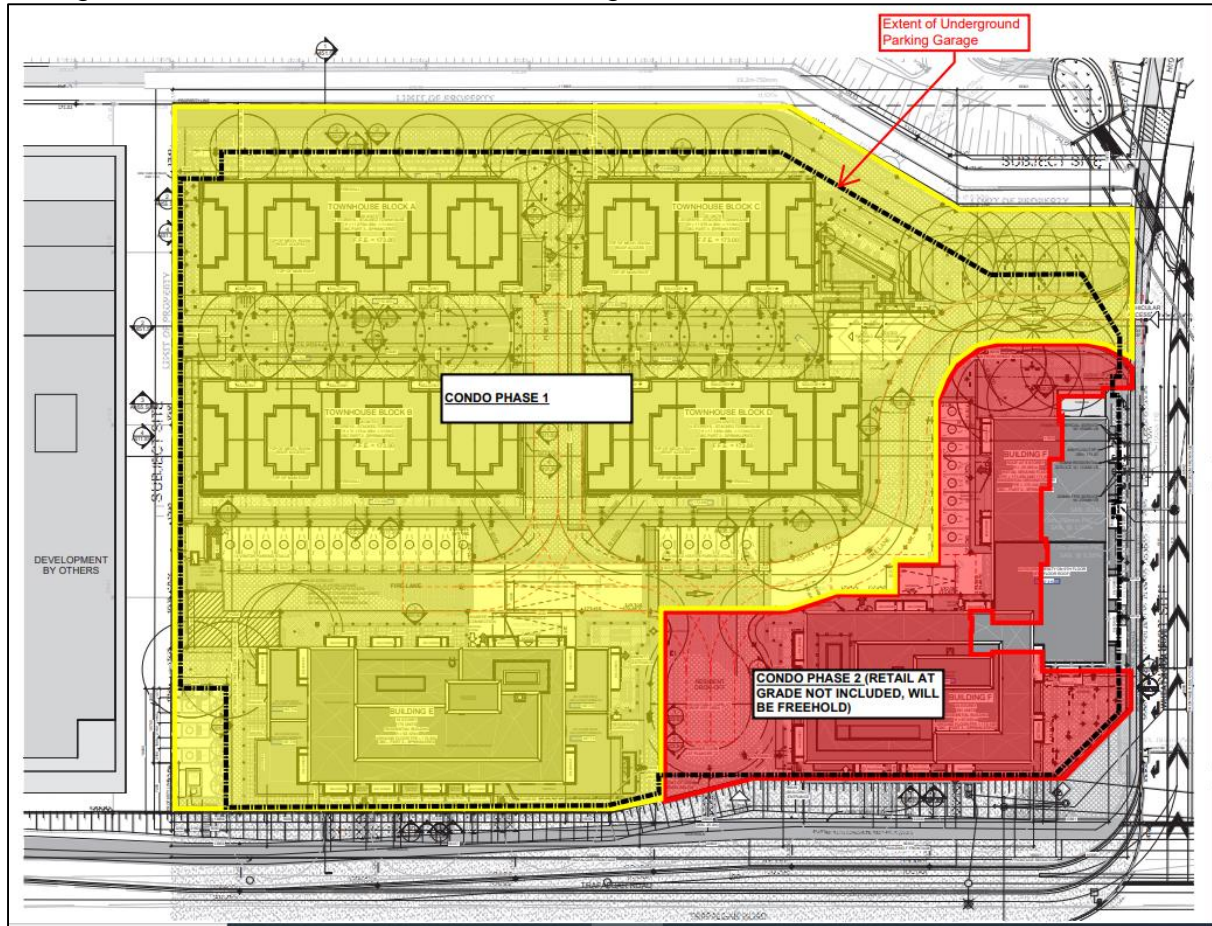


Figure 2: Context Plan for the subject condo (Phase 1 in yellow and Phase 2 in red)

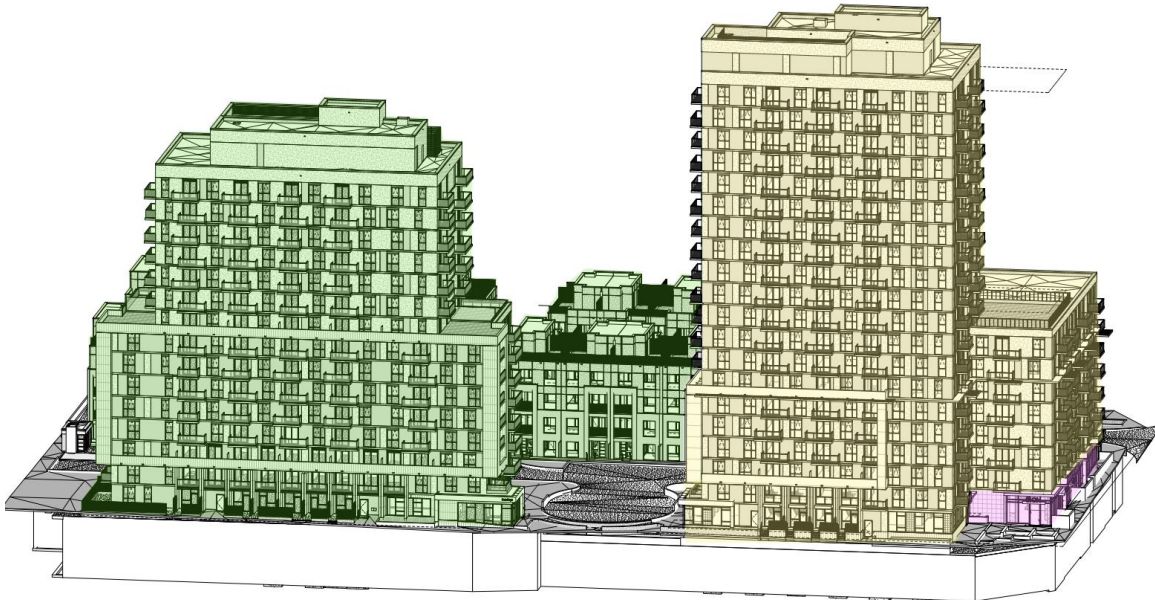


Figure 2: 3D model view for the subject condo from the Trafalgar Road frontage (Phase 1 in green, Phase 2 in yellow and the freehold commercial space is identified in pink)

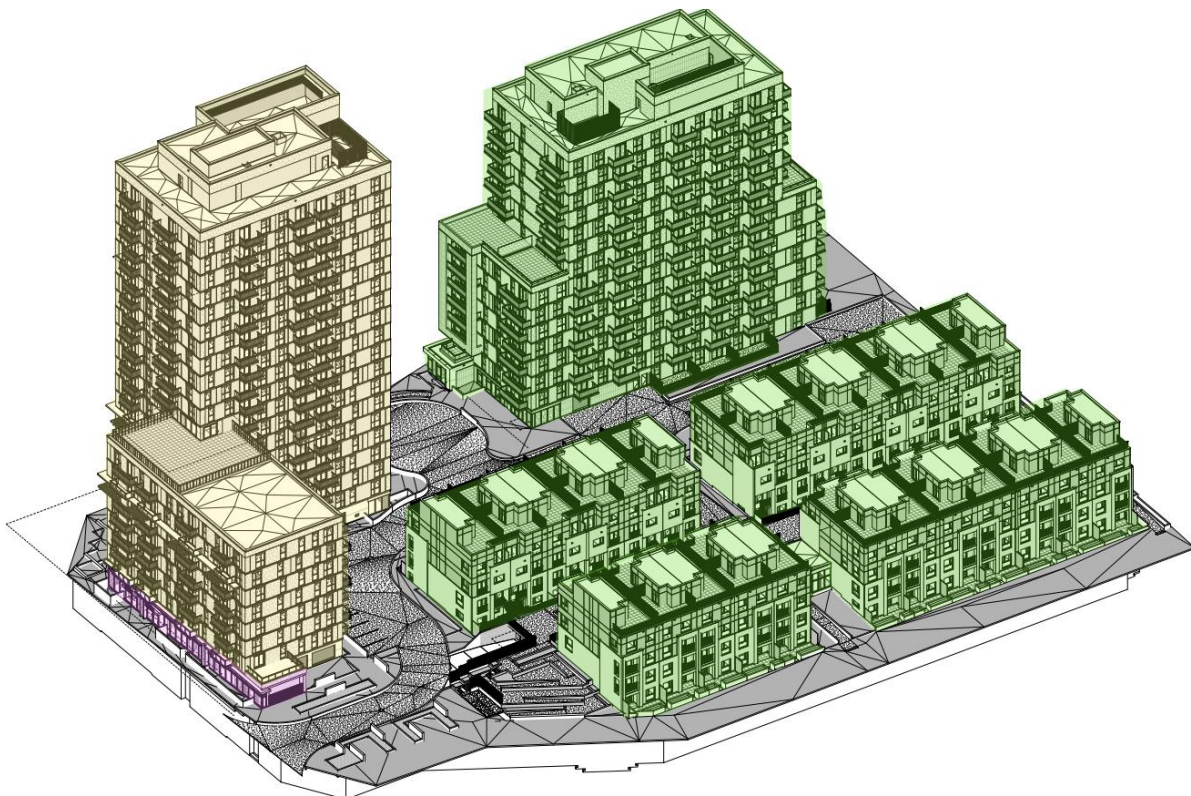


Figure 3: 3D model view for the subject condo from the eastern property boundary (Phase 1 in green, Phase 2 in yellow and the freehold commercial space is identified in pink)

A condition has been included in Schedule A recognizing any deficiencies are brought into compliance with the Zoning By-law through the Committee of Adjustment and/or Zoning By-law amendment. An application to the Committee of Adjustment for relief from the minimum parking stall width for four stalls was approved on May 2, 2023. The majority of the parking to accommodate the residential units is located in the underground garage, and there are 27 parking spaces available at-grade.

The underground garage extends to the limits of the property boundaries and is located under the future condominium Phases 1 and 2. The above grade phasing line extends below grade thereby maintaining the separation of the two Phases. The condominium will have a driveway off of Wheat Boom Drive which provides access to each building, and the interior open space and walkway. The walkway, which extends from Wheat Boom Drive to Threshing Mill Boulevard, will be constructed by the applicant with a public easement in favour of the Town. Freehold commercial space is located at-grade in the 20-storey building within Phase 2, and MC Oakvillage Inc. will retain ownership. A strata separation of uses will result from the formation of the condominium corporation and a shared use agreement will be in place to recognize the shared parking arrangements. Easements will be created to support each of the Phases as they are completed as well as for the freehold commercial space.

The draft plan is attached as Appendix 'B'. Upon final approval of the plan of phased condominium, the condominium corporation will be responsible for the management of the development.

Submission materials are posted on the town's website:

[da - MC Oakvillage GP Inc. - 335, 345 and 349 Wheat Boom Drive \(oakville.ca\)](#)

Location & Site Description

The subject land area is 1.32 hectares and fronts onto Trafalgar Road vehicular access from Wheat Boom Drive.

Surrounding Land Uses

The surrounding land uses are as follows:

North:	Future mixed use development that is currently vacant
East:	Natural Heritage System (NHS) and townhouse condominium development
South:	Wheat Boom Drive, NHS and townhouse condominium development
West:	Trafalgar Road and Green Ginger Phase 2 Trafalgar Urban Core blocks that are currently vacant

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

2020 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 as it adds to the range of residential uses, provides for compact development that makes use of existing municipal infrastructure, including Oakville Transit routes and the Uptown Core Transit Terminal which is approximately a ten-minute walk from the subject lands.

2019 Growth Plan for the Greater Golden Horseshoe:

The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

The subject lands are located within a "Designated Greenfield Area", where areas are to be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services.

Staff is of the opinion that the proposed draft plan of condominium conforms and therefore does not conflict with the Growth Plan 2019 as the application contributes to the achievement of complete communities by providing additional residential unit

types to help accommodate people at different stages of life, as well as new commercial uses and access to local transit services.

Halton Region Official Plan

The subject lands are designated “Urban Area” in 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.

North Oakville East Secondary Plan

The subject lands are designated Trafalgar Urban Core (TUC) on Figure NOE2, Land Use Plan in the NOESP. The zoning by-law for the subject lands permits mixed use and stand-alone residential buildings fronting onto Trafalgar Road with heights starting at twelve storeys on this block. The application provides an appropriate transition of height and use from Trafalgar Road to the lower density residential areas to the east and the future development block to the south, in terms of land use, height and density in a manner consistent with NOESP and the approved site plan application.



Figure 5: Excerpt from the North Oakville East Secondary Plan

Zoning By-law 2009-189

The subject lands are zoned TUC SP65 as shown on Figure 6 below. The development has been constructed in accordance with the Zoning By-law.

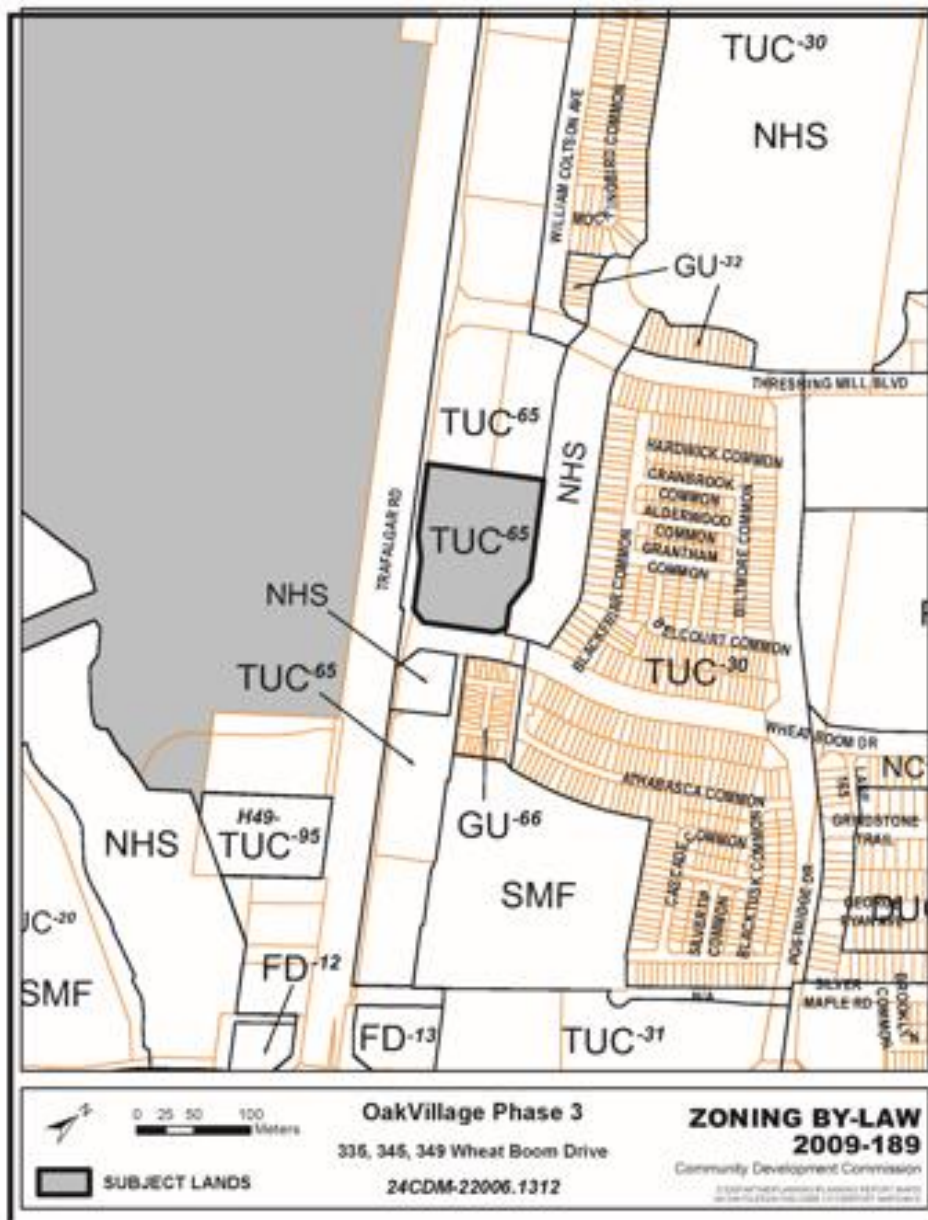


Figure 6: Excerpt from the North Oakville Zoning By-law

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.

PLANNING ANALYSIS

Technical Review

The purpose of the proposed condominium is to create condominium tenure for 536 residential units on a private condominium road.

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;
- Vehicular access;
- Visitor parking spaces;
- Conformity with the North Oakville East Secondary Plan; and
- Compliance with the Zoning By-law.

The proposed phased condominium includes residential parking within the underground garage and visitor parking at grade, as well as within the garage. The applicant recognized that four parking spaces included obstructions (wall, column, fire cabinet) that reduced the dimensions of the space below what is required by Section 5.4.1.3 of Zoning By-law 2009-189. An application for relief of the minimum width requirement of 2.90 metres for a parking space was approved by the Committee of adjustment on May 2, 2023, and the 20-day appeal period has passed.

The plan is consistent with the plans approved as part of the January 7, 2022 site plan approval (SP.1312.012/01).

The draft plan of phased 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' of this report. Accordingly, Staff have determined that 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 draft plan of condominium subject to the conditions noted 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 development conforms to the North Oakville East Secondary Plan and complies with the Zoning By-law regulations applicable to the subject lands;
- The application to the Committee of Adjustment for relief from Section 5.4.1.3 of By-law 2009-189 for four parking spaces was approved.
- A full circulation has been undertaken and there are no 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 the conditions of site plan approval.
- 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.
- Opportunities for public participation were provided as part of the previous site plan application, rezoning and subdivision processes.
- Approval of the draft plan of the phased strata condominium is necessary to create each unit as its own legal parcel, and is appropriate for the orderly development of the lands.
- Building permits have been issued in accordance with the approved Site Plan.

CONSIDERATIONS

(A) PUBLIC

Public input opportunities were provided through the subdivision, zoning and site plan approval processes. No comments were received from the public.

(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 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. 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 North Oakville East Secondary Plan.

APPENDICES

Appendix A - Draft Plan of Condominium Conditions for 24CDM-22006/1312

Appendix B - Draft Plan of Condominium

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