



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: August 14, 2023

FROM: Planning Services Department

DATE: August 1, 2023

SUBJECT: Recommendation Report, Draft Plan of Condominium, 2713368 Ontario Inc. – 1927-1943 Ironoak Way, File No.: 24CDM-23003/1506 - 1927, 1931, 1935, 1939 and 1943 Ironoak Way

LOCATION: 1927, 1931, 1935, 1939 and 1943 Ironoak Way

WARD: Ward 6

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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-23003/1506) submitted by Penalta Group Ltd., and prepared by D.B Searles dated March 26, 2021, subject to the conditions contained in Appendix 'A' of the Planning Services report dated August 1, 2023.

KEY FACTS:

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

- A standard draft plan of condominium has been submitted to create a condominium consisting of five office buildings and 270 parking spaces.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received site plan approval (SP.1506.016/01) on August 12, 2020.
- A revised site plan application was approved on June 29, 2023, to permit a fenced outdoor area on a portion of the property to accommodate a daycare outdoor play area (SP.1506.016/02)
- There were no concerns raised with the application from internal or external agencies.
- Staff recommends approval of the standard draft plan of condominium application, 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 standard condominium application consisting of five office buildings.

Site plan approval was granted to the applicant on August 12, 2020, (SP.1506.016/01) as shown on Figure 1. A second site plan application was sought shortly after to permit a fenced outdoor area at the southwest corner of Building B/B2 to accommodate a daycare use, as shown on Figure 2. Site Plan Approval was granted to the applicant on June 29, 2023 (SP.1506.016/02).

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

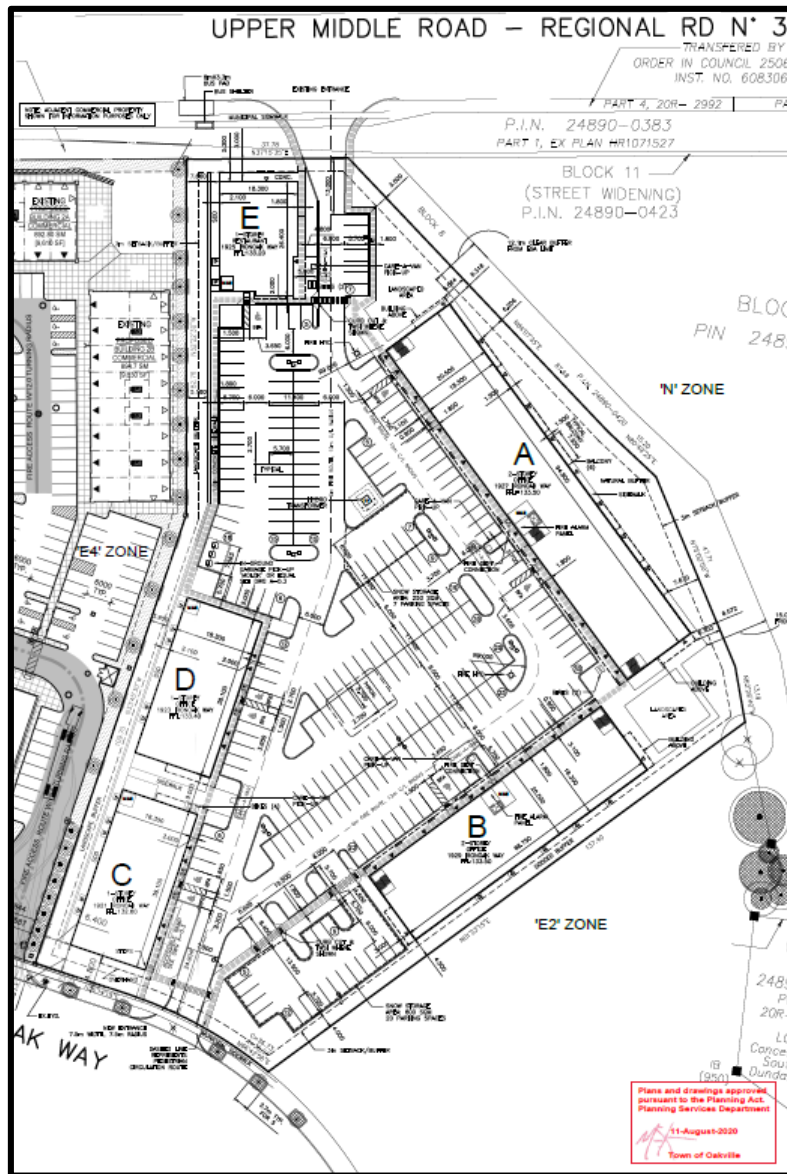


Figure 1: Approved Site Plan (SP1506.16/01)

The draft plan of condominium application was submitted on March 10, 2023 by Penalta Group Ltd. Draft plan approval and registration of the plan will allow for the formal transfer of the individual units to the purchasers.

Proposal

The applicant seeks approval for a standard plan of condominium to establish tenure for five office buildings containing 25 units and 270 parking spaces. Access will be provided from Upper Middle Road East, and Ironoak Way (Figure 2).

Submission materials are posted on the town's website:
[2713368 Ontario Inc. - 1927, 1931, 1935, 1939 and 1943 Ironoak Way - 24CDM-23003/1506 \(oakville.ca\)](http://2713368 Ontario Inc. - 1927, 1931, 1935, 1939 and 1943 Ironoak Way - 24CDM-23003/1506 (oakville.ca))

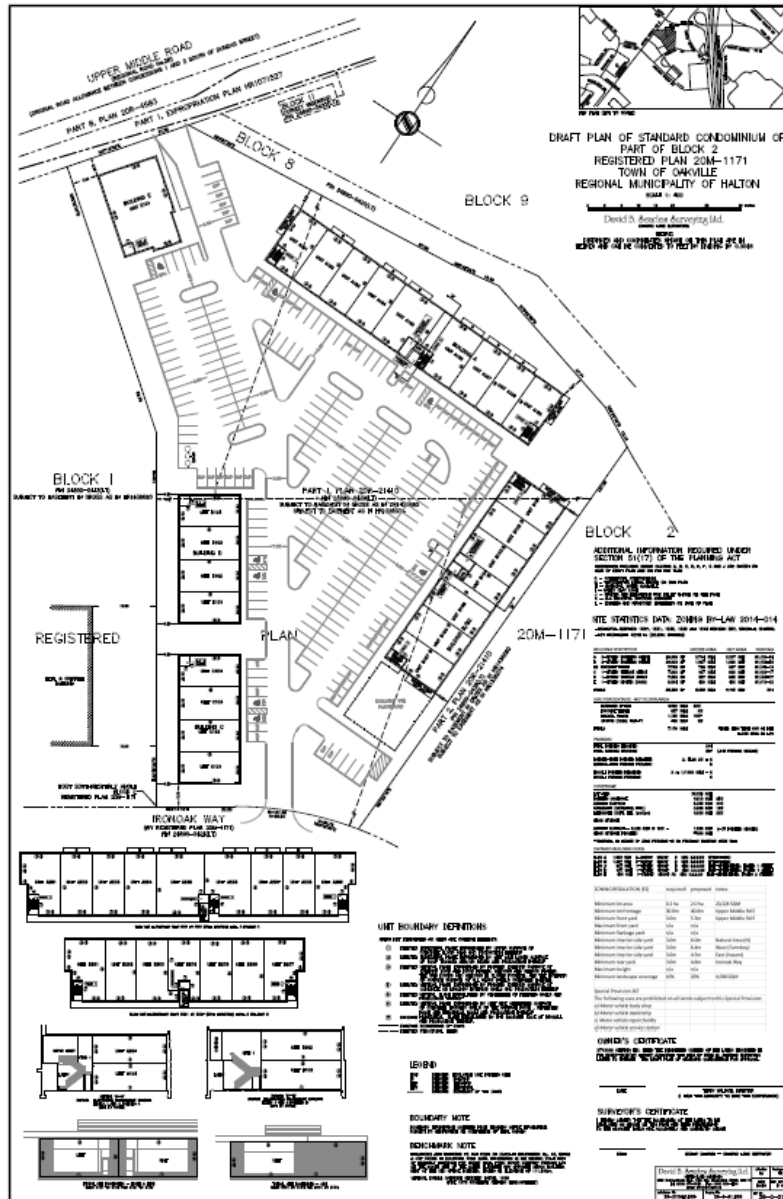


Figure 2: Draft Plan of Condominium

Location & Site Description

The subject lands is approximately 2.0 ha in size with frontage onto Ironoak Way and Upper Middle Road East. The site is currently under construction to be developed in accordance with the approved site plans.



Figure 3: Aerial Image

Surrounding Land Uses

North: Upper Middle Road East.

East: Joshua Creek and Ford Drive.

South-East: A site plan application is currently under review for the Dog Guides of Canada.

South: Ironoak Way and a vacant lot.

West: Oakwoods Shopping Centre.

POLICY FRAMEWORK:

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

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2020)
- 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. 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 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 conform.

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”.

Halton Region staff have reviewed the applications and are of the opinion that the proposal conforms to the relevant planning documents and have no objection to the applications subject to the conditions included within Appendix “A”.

Livable Oakville Plan

The subject lands are designated ‘Business Employment’ on Schedule J – East Land Use in the Livable Oakville Plan. Office buildings are permitted within this designation, and the development conforms to the applicable policies of the Livable Oakville Plan.

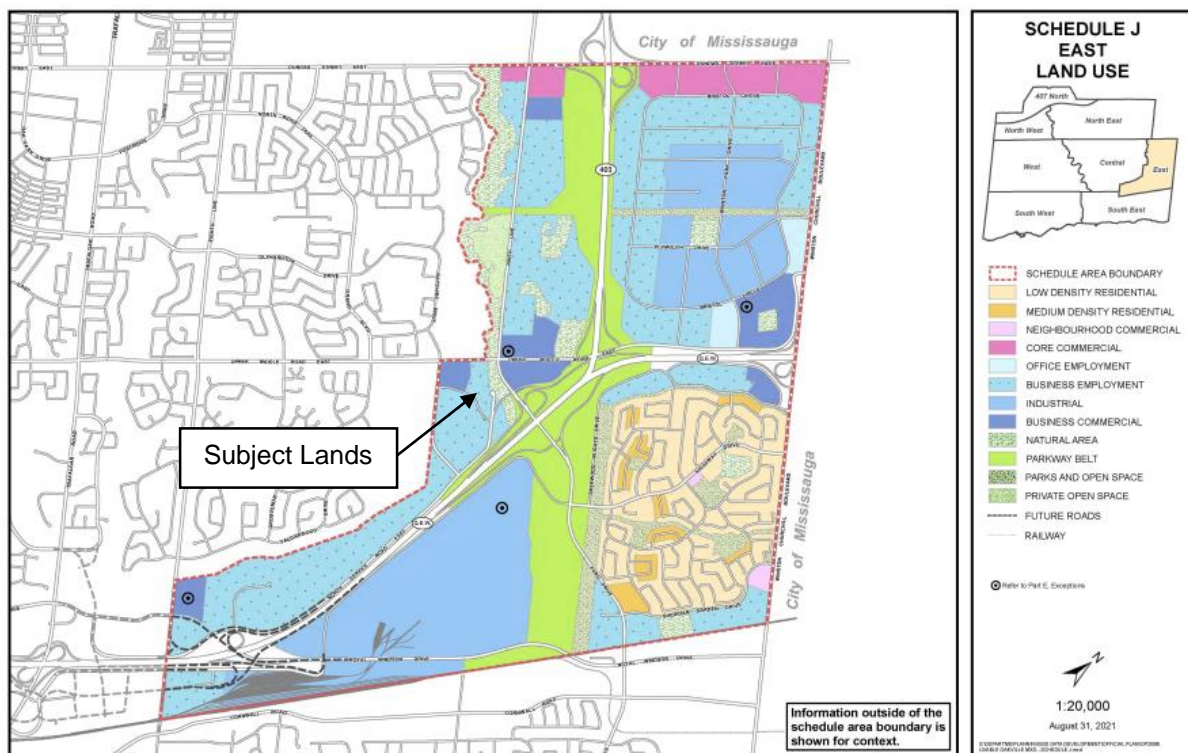


Figure 4: Livable Oakville Plan (Schedule J - East Land Use)

Zoning By-law 2014-014

The subject lands are zoned Business Employment (E2) subject to Special Provision 267 (E2 sp:267) as shown on Figure 5 below.

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.

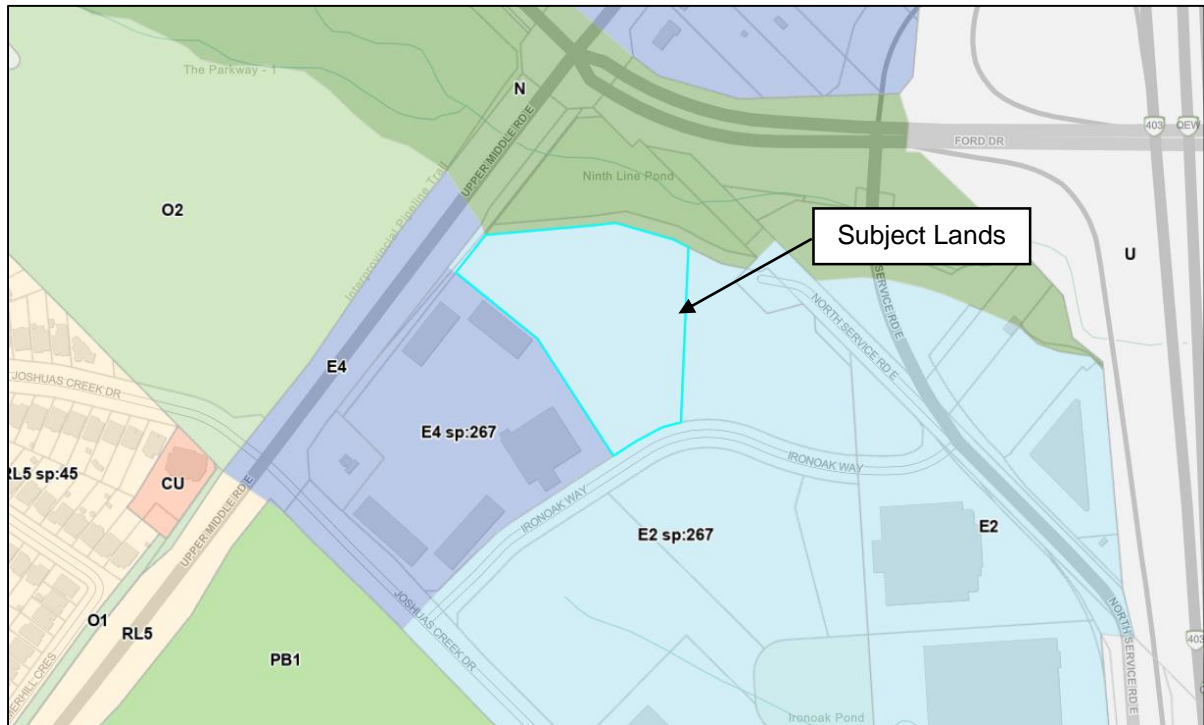


Figure 5: Zoning By-law Extract

PLANNING ANALYSIS

Technical Review

The purpose of the proposed condominium is to create condominium tenure to permit five office buildings containing 25 units and 270 parking spaces to allow for the transfer of ownership to the purchasers.

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, canopy coverage and urban design;
- Site servicing;
- Grading and stormwater management;
- Conformity with the Livable Oakville Plan; and,
- Compliance with the Zoning By-law 2014-014.

The proposed condominium plan is consistent with site plan (SP.1506.016/06) approved on August 12, 2020, and site plan (SP.1506.016/02) approved on June 29, 2023.

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

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 works are secured by a letter of credit collected through the site plan approval process.

Lastly, the proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and is consistent with the Livable Oakville 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 Livable Oakville Plan and Zoning By-law 2014-014. The following requirements have been satisfied:

- *The proposed plan of condominium meets the criteria established in Section 51(24) of the Planning Act;*
- *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 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 rezoning and site plan application processes.*
- *Approval of the draft plan of condominium is necessary to create each unit as its own legal parcel, and is appropriate for the orderly development of the lands.*

CONSIDERATIONS:

(A) PUBLIC

Public input opportunities were provided through a previous rezoning and site plan approval process. 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 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 Livable Oakville Plan.

APPENDICES:

Appendix A - Draft Plan of Condominium Conditions

Prepared by:

Riley McKnight

Planner, Current Planning – East District

Recommended by:

Leigh Musson, MCIP, RPP

Manager, Current Planning – East District

Submitted by:

Garbriel A.R. Charles, MCIP, RPP

Director, Planning Services