



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: July 5, 2021

FROM: Planning Services Department

DATE: June 22, 2021

SUBJECT: Recommendation Report, Draft Plan of Condominium, BC Trafalgar Inc., 3200 William Coltson Avenue, 24CDM-21002/1312

LOCATION: 3200 William Coltson Avenue

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-21002/1312) submitted by BC Trafalgar Inc., prepared by R-PE Surveying Ltd., dated May 12, 2020, subject to the conditions contained in Appendix 'A' of the Planning Services report dated June 22, 2021.

KEY FACTS:

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

- A draft plan of condominium application for a standard condominium has been submitted to create condominium tenure for an approved 14 storey apartment containing 266 residential units with driveway access from William Colston Avenue.
- A portion of the underground garage within the subject application will be located under the lands of the future condominium to the north creating a strata separation of ownership between the two future condominium corporations.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received final site plan approval (SP.1312.010/01) on July 27, 2020.
- There were no concerns raised with the application from circulated internal or external agencies.

- Staff recommends approval to the draft plan of phased strata condominium subject to the conditions outlined in Appendix 'A'.

BACKGROUND:

The applicant seeks approval for a plan of condominium that is a standard condominium to establish condominium tenure for 14 storey 266 unit residential building units with driveway access from William Coltson Avenue. A total of 321 residential parking spaces and 27 visitor parking spaces have been provided. The majority of the parking to accommodate the apartment units is located in the underground garage, while a portion of the visitor parking is located at the ground level. The context plan is shown below as Figure 1.

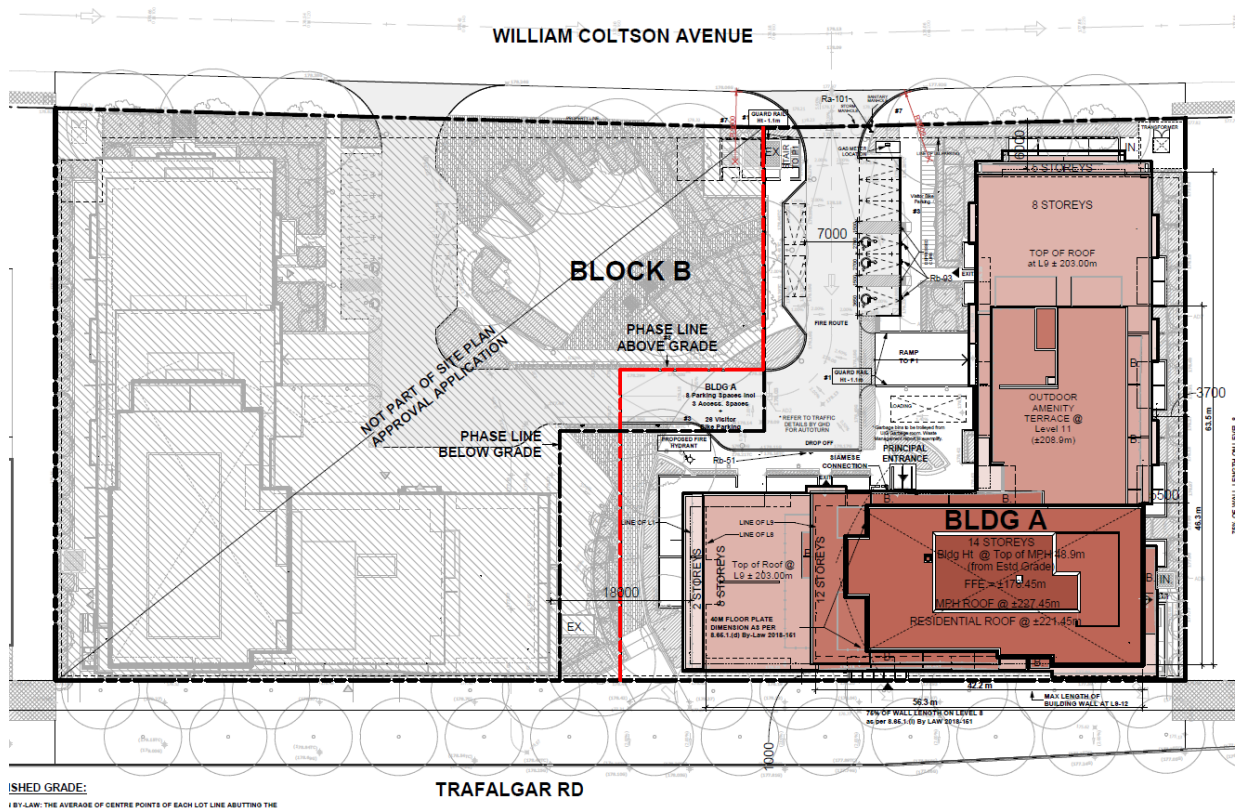


Figure 1: Context Plan for the subject condo (shown in red tones and red-line indicates proposed strata line) and the future condo

A portion of the underground garage will be located under the future condominium lands known as 3220 William Coltson Avenue and is shown with the darker black dashed line. This will create a permanent strata separation of ownership where the condominium of 3200 William Coltson Avenue extends underneath a parcel of land that is owned by the same company but will be developed and registered as a separate condominium corporation. The two condominiums will each have its own facilities and services and will be sharing the driveway off of William Coltson Avenue

which provides access to each condominium, the courtyard fronting William Colton Avenue, and certain exterior walkways – all of which are above grade. The underground parking garages for each of the condominiums are intended to be separate and not connected. Easements will be created to support each of the condominiums.

The draft plan is shown as Figure 2 below and attached as Appendix 'B'. Upon final approval of the plan of standard condominium, the condominium corporation will be responsible for the management of the development.

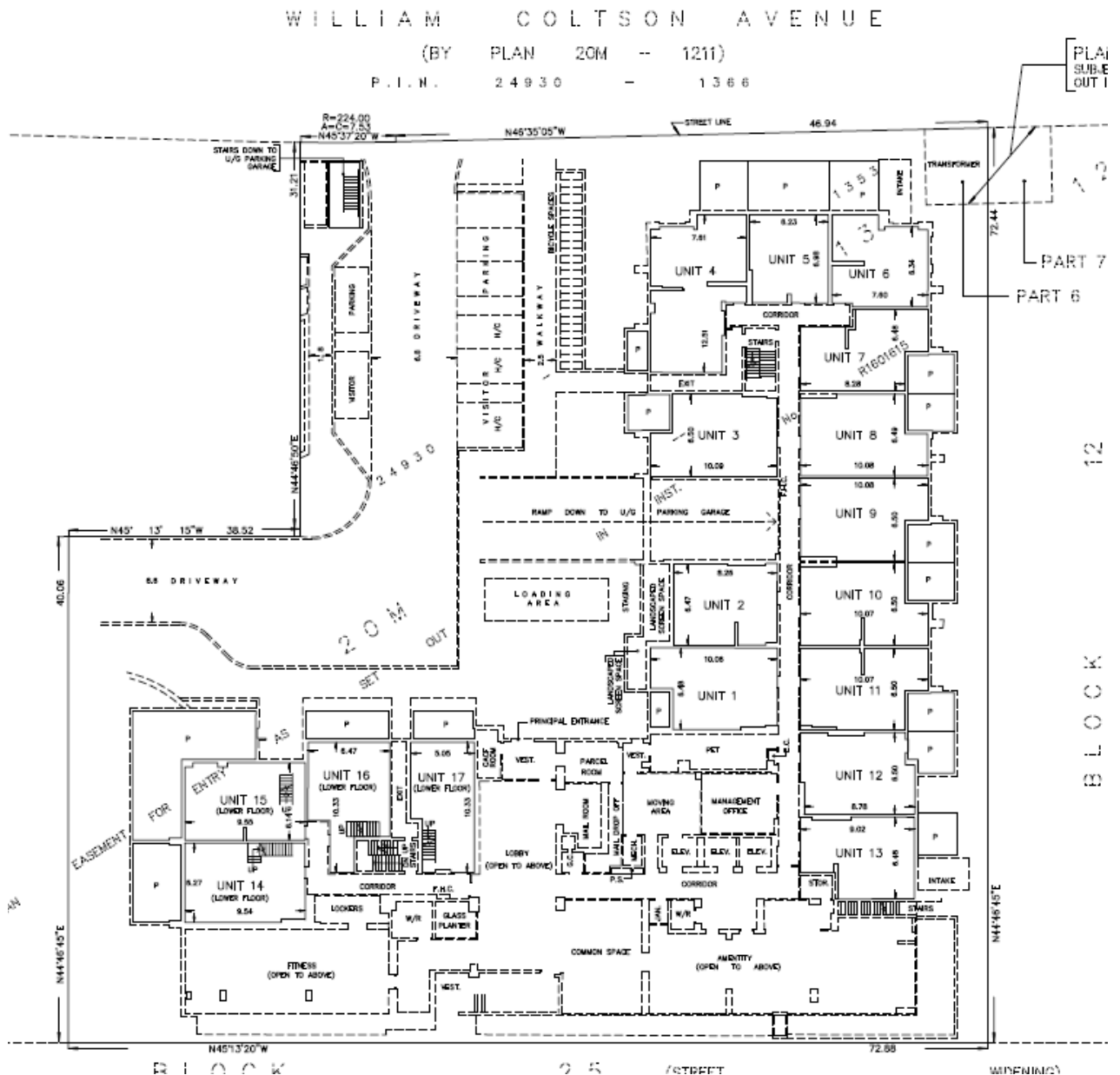


Figure 2: Draft Plan of Condominium

Submission materials are posted on the town's website:

<https://www.oakville.ca/business/da-37672.html>

Location & Site Description

The subject land area is 0.47 hectares and fronts onto Trafalgar Road vehicular access from William Colton Avenue.



Figure 3: Air Photo

Surrounding Land Uses

The surrounding land uses are as follows:

North: Residential – BC Trafalgar future 22 storey condominium
East: William Coltson Avenue and existing townhouse development
South: Future Trafalgar Urban Core block that is currently vacant
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 an 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.

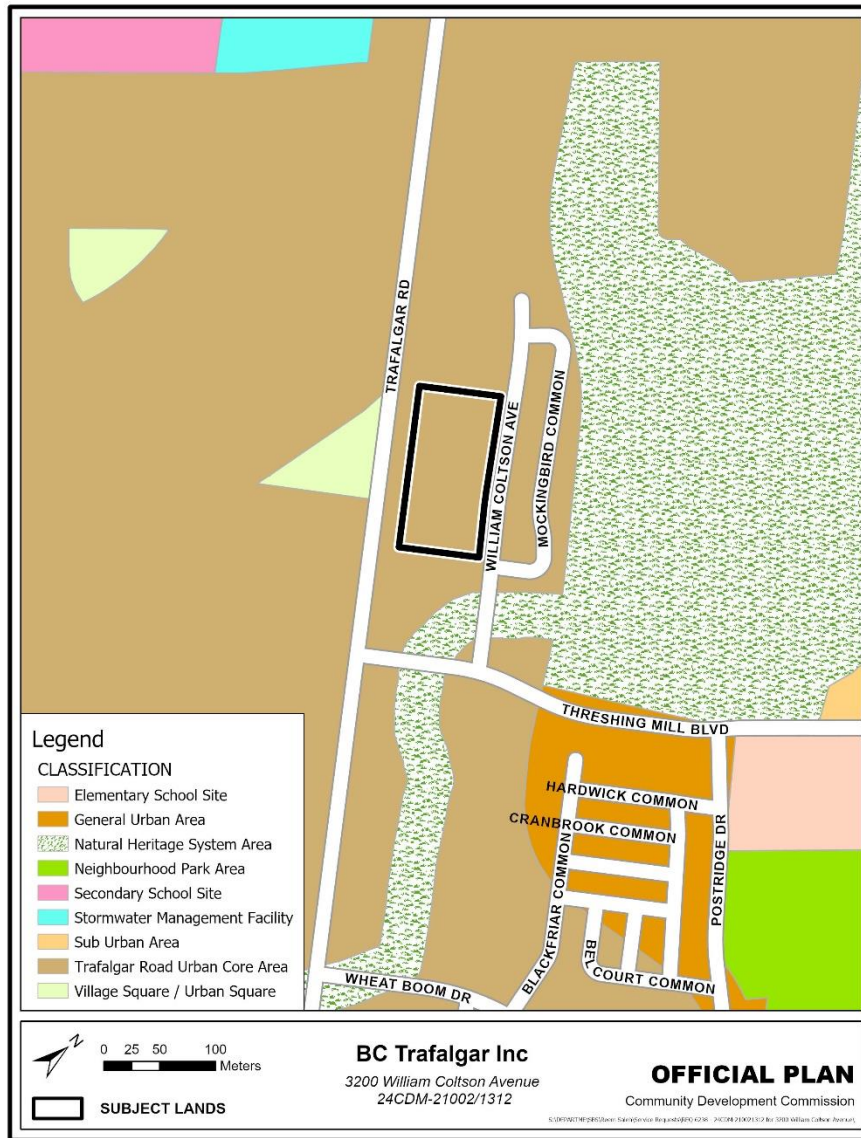


Figure 4: Excerpt from the North Oakville East Secondary Plan

Zoning By-law 2009-189

The subject lands are zoned TUC SP65 as shown on Figure 5 below. The development has been constructed in accordance with the Zoning By-law.

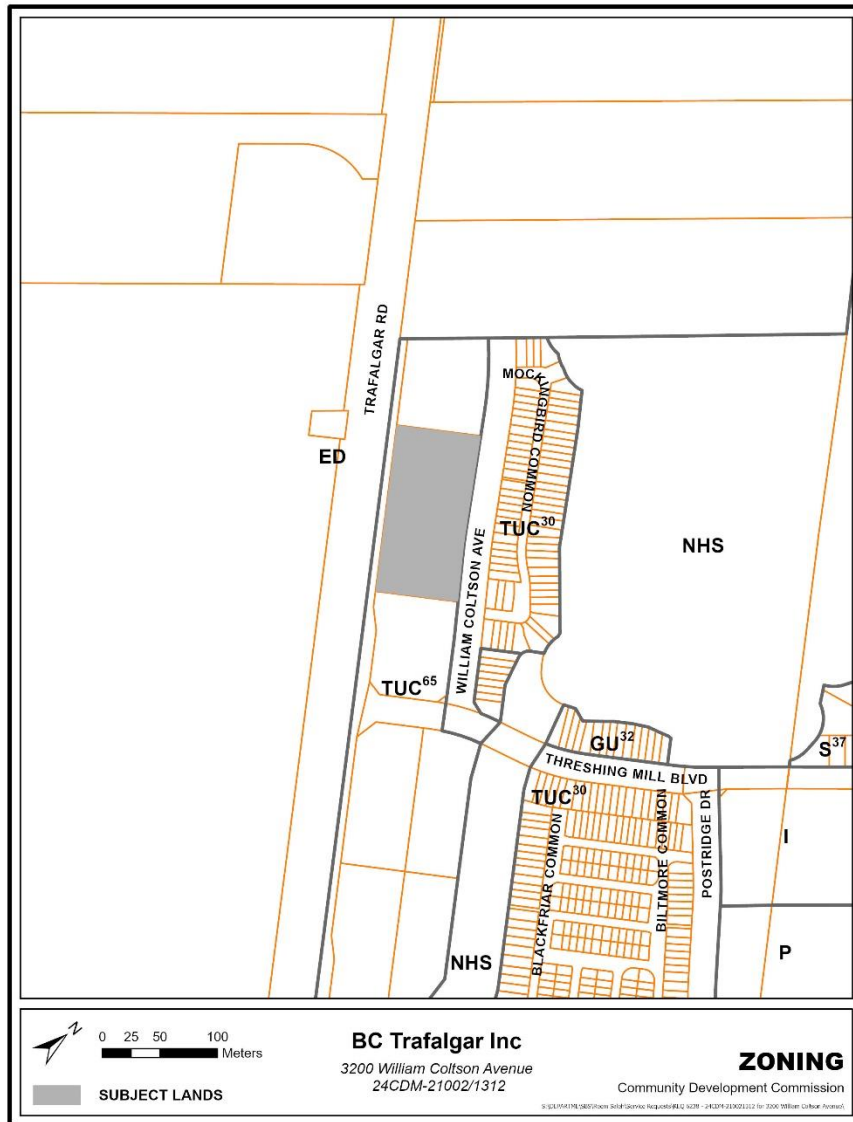


Figure 5: Excerpt from the North Oakville Zoning By-law

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 266 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 condominium includes visitor parking at grade and below ground, residential parking below ground. The plan is consistent with the plans approved as part of the July 27, 2020 site plan approval (SP.1312.010/01).

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' 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 *Condominium 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;
- 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 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-21002/1312
Appendix B - Draft Plan of Condominium

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