



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: August 12, 2024

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**FROM:** Planning & Development Department

**DATE:** July 30, 2024

**SUBJECT:** Recommendation Report, Draft Plan of Condominium, Fernbrook Crystal (UGAW) Inc., File No.: 24CDM-23008/1430, 2333 – 2343 Khalsa Gate

**LOCATION:** 2333 – 2343 Khalsa Gate

**WARD:** Ward 4

Page 1

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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-23008/1430) submitted by Fernbrook Crystal (UGAW) Inc., and prepared by KRCMAR dated June 21, 2023, subject to the conditions contained in Appendix A of the Planning Service Report dated July 30, 2024.

#### KEY FACTS:

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

- A residential draft plan of standard condominium application has been submitted by Fernbrook Crystal (UGAW) Inc. which relates to two residential buildings recently constructed at 2333 – 2343 Khalsa Gate.
- Condominium tenure would allow for the transfer of residential and commercial units to the future owners.
- Site plan approval was granted for this overall site on June 25, 2021.
- A variance application related to several parking spaces under the buildings was approved by the Committee of Adjustment on May 29, 2024.
- No circulated internal departments or external agencies raised concerns with the application.
- Staff recommends approval subject to the conditions outlined in Appendix A.

#### BACKGROUND:

The purpose of this report is to provide a full staff review and recommendation of the draft plan of standard condominium application.

The residential draft plan of condominium application was submitted in November, 2023.

Upon registration of the condominium, the condominium corporation(s) will be created and responsible for the management.

### Previous Site Plan Approval

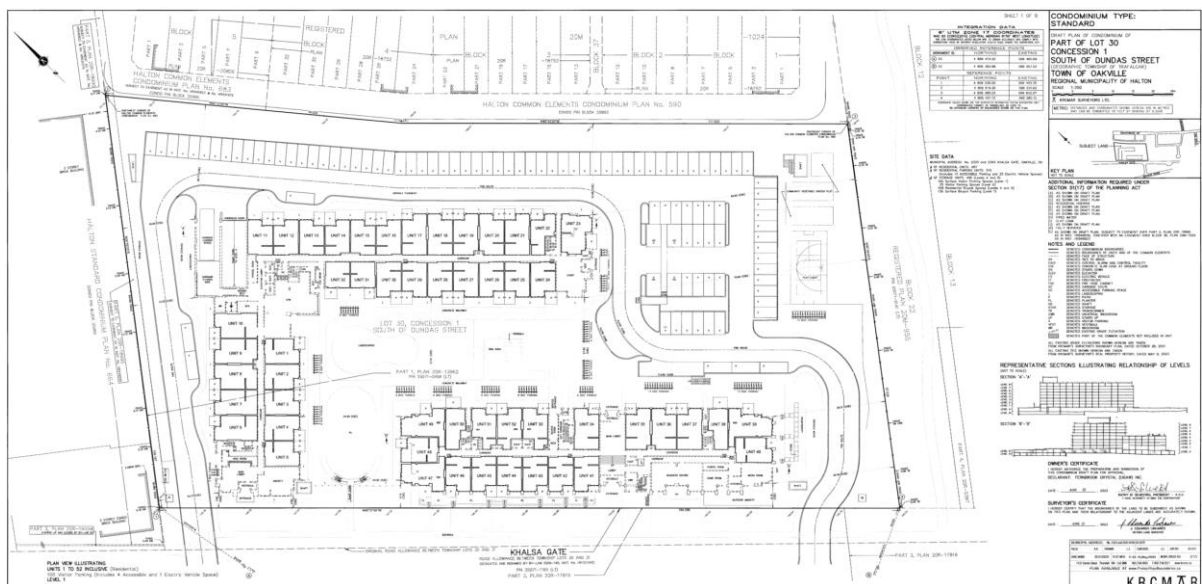
Final site plan approval was granted on June 25, 2021. A site plan agreement is registered on title.

### Minor Variance

A minor variance application was approved on May 29, 2024 regarding as-built underground parking spaces widths for parking spaces 188 and 341. In accordance with the condition of approval, the applicant has agreed to place notifications in any purchase and sale agreement and wording in the condominium declaration.

### **Proposal**

The applicant is proposing a standard residential condominium related to the two residential buildings with below grade parking. Please see Figure 1 below.



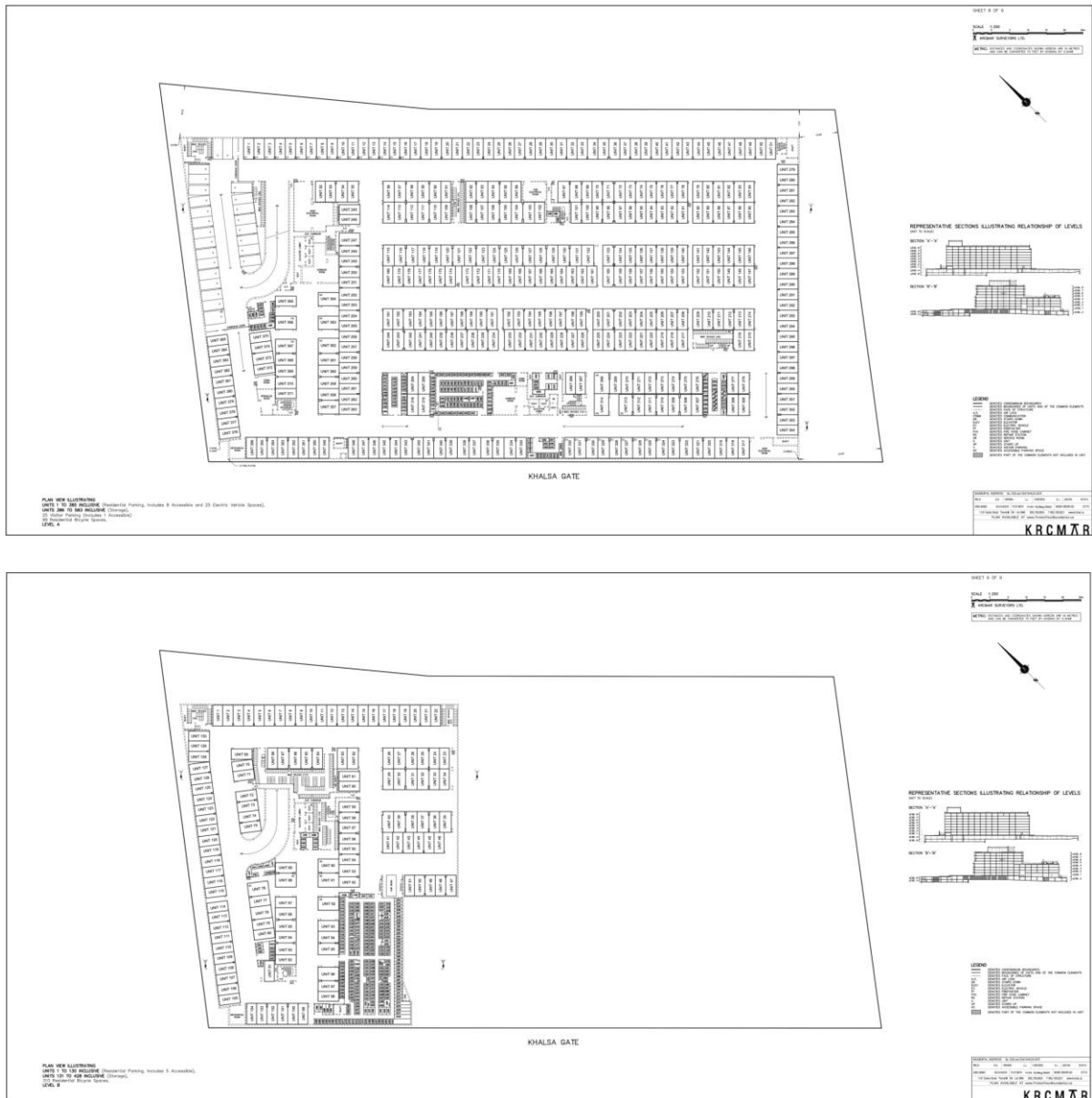


Figure 1: Residential Draft Plan of Condominium Excerpts

### Location & Site Description

The subject property is approximately 1.7 hectares in size and is located on the east side of Khalsa Gate, just north of the pipeline corridor/ town trail. The building is under construction.

### Surrounding Land Uses

The surrounding land uses are residential. A retirement home is being constructed on the west side of Khalsa Gate. See Figure 2 below.



Figure 2: Air Photo (Google Maps)

## 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), 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.

The Draft plan of condominium application relates to property tenure only. At the time of site plan approval, the development was reviewed and 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.

The draft plan of condominium application deal with property tenure. At the time of site plan approval, the development was reviewed and determined to be in conformity with the Growth Plan.

### **Regional Official Plan**

As of July 1, 2024 (Bill 185), the responsibility of the Regional Plan rests with the Town of Oakville.

The subject lands are designated as '*Urban Area*'. 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 draft plan of condominium conforms to the *Urban Area* policies of the Regional Official Plan.

### **Livable Oakville Plan**

The subject site is designated as 'Urban Centre and Medium Density Residential' as identified on Schedule N, Palermo Village Land Use Plan. See Figure 3 below. The development conforms to the Oakville Official Plan.

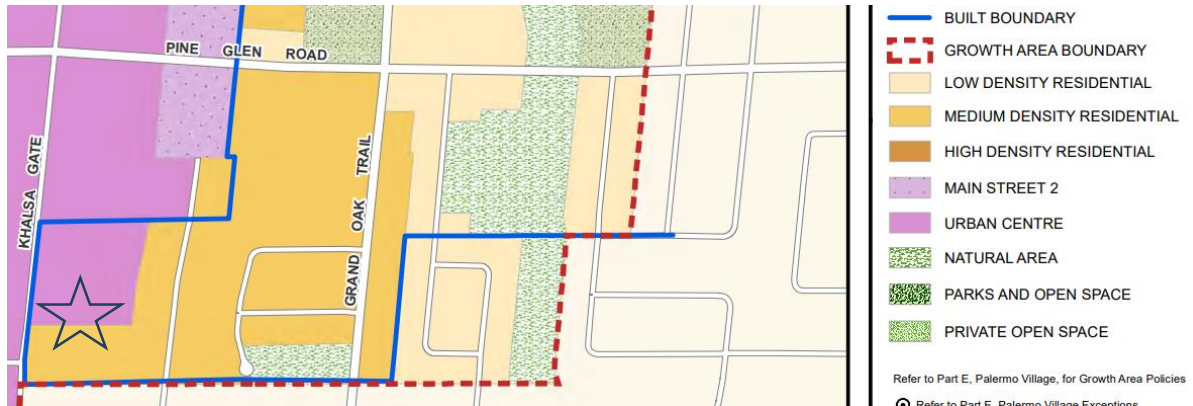


Figure 3 – Livable Oakville Plan

### Zoning By-law

The subject land, highlighted by the star, is zoned RH-SP 270 and RM4 -SP 270 (Bylaw 2014-014) as shown on Figure 4 below.

As a standard condition of approval, the applicant will be required to confirm that the “as built” development complies with the Zoning By-law including the recently approved variances, prior to registration.

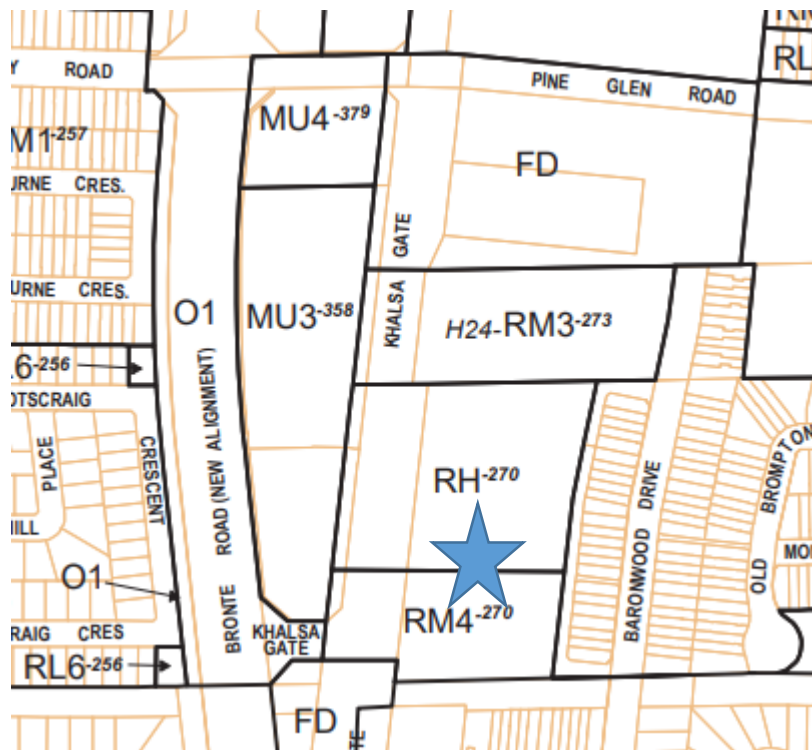


Figure 4: Except from the Zoning By-law 2014-014

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## **SITE PLAN APPLICATION**

Through the review and approval of the site plan application, the development has been subject to detailed technical analysis. Matters, such as the following, 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 Livable Oakville Plan.

The financial obligations of the developer as it relates to the construction of the development have been addressed through the site plan approval process. Works are secured by a letter of credit collected through the preparation of the site plan agreement and registered on title.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Public input opportunities were provided through previous planning processes. As these are standard condominium applications and each relates to tenure only, notice is not required with respect to this application.

### **(B) FINANCIAL**

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. Any relevant conditions have been included within the draft plan of condominium conditions listed in Appendix A.

### **(D) CORPORATE STRATEGIC GOALS**

This report addresses Council's strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

### **(E) CLIMATE CHANGE/ACTION**

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

**CONCLUSION:**

Planning staff have undertaken are circulation of the application to ensure that all technical and financial matters have been addressed.

Draft Plan of Condominium conditions have been included in Appendix A.

Staff is satisfied that this draft plan of condominium 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 conforms with the Regional Official Plan, conforms to the Livable Oakville Plan, and complies with the Zoning By-law regulations applicable to the subject property;
- 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; and,
- There is no requirement for a Condominium Agreement as all financial, design, and technical requirements have been addressed through the Site Plan approval process.

**APPENDICES:**

Appendix A – Draft Plan of Condominium Conditions

Prepared by:

Robert Thun, MCIP, RPP, Senior Planner, Current Planning – West District

Recommended by:

Paul Barrette, MCIP, RPP, Manager, Current Planning – West District

Submitted by:

Gabe Charles, MCIP, RPP, Director, Planning Services