



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: September 24, 2024

FROM: Planning and Development Department

DATE: September 10, 2024

SUBJECT: Recommendation Report, Draft Plan of Condominium, 395 Dundas Street West and 3025 Trailside Drive, 393 Dundas GP Inc., 24CDM-23009/1319

LOCATION: 395 Dundas Street West and 3025 Trailside Drive

WARD: Ward 7

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RECOMMENDATION:

That the Director of Planning and Development be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-23009/1319) submitted by 393 Dundas GP Inc, and prepared by J.D. Barnes Ltd. dated August 14, 2024 (sheets 1, 2 & 3), March 25, 2024 (sheets 4 & 5), and May 24, 2024 (sheet 6) subject to the conditions contained in Appendix A of the Planning and Development Report dated September 10, 2024.

KEY FACTS:

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

- A draft plan of standard condominium application has been submitted by 393 Dundas GP Inc. for the northeast corner of Dundas Street West and Trailside Drive.
- The development consists of one ten-storey mixed use building (349 residential units) and one block of three-storey stacked townhouses (15 units) with shared underground parking (400 parking spaces), as well as at grade surface parking (62 residential visitor parking spaces and 10 commercial parking spaces).
- Condominium tenure would allow for the transfer of units to the future owners.
- The development received final site plan approval (SP.1319.002/01) on May 19, 2022, and is under construction.
- No circulated internal departments or external agencies raised concerns with the application.

- Staff recommends approval to the draft plan of standard 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 standard condominium application.

A site plan application (SP.1319.002/01) was submitted on December 2, 2019, and final site plan approval was granted on May 19, 2022. A Site Plan Agreement is registered on title and the development is currently under construction.

The draft plan of condominium application was submitted on November 14, 2023, by 393 Dundas GP Inc. and relates to tenure of the building. The intent of the draft plan of condominium is to establish condominium tenure for the development to allow for the transfer of individual units to the future owners.

Proposal

The applicant is proposing a standard condominium consisting of a ten-storey mixed use building (349 residential units) and one block of three-storey stacked townhouses (15 units) with shared underground parking (400 parking spaces), as well as at grade surface parking (62 residential visitor parking spaces and 10 commercial parking spaces). Please see excerpt below shown on Figure 1.

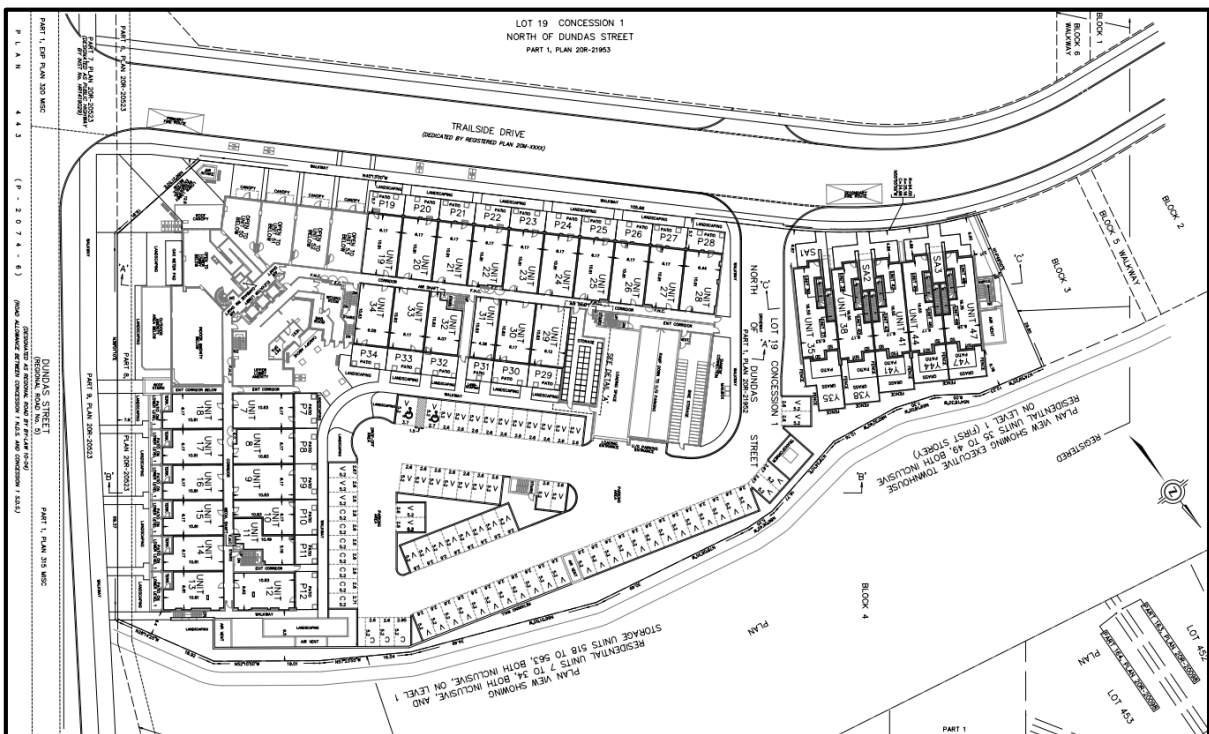


Figure 1 – Draft Plan of Condominium

PLANNING POLICY & ANALYSIS:

Halton Region Official Plan

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

The subject property is designated as 'Urban Area' and are located outside of the Built Boundary in the 2009 Halton Region Official Plan (ROP). The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities that afford maximum choices for residence, work and leisure.

The subject property is also located within a Primary Regional Node (Map 1H), within a Regional Intensification Corridor (Map 1H), and along a Higher Order Transit Corridor (Map 3), which form part of a Regional identified Intensification Area. The ROP contains goals and policies to direct higher-density development and mixed uses within these strategic growth areas (79.3(1)).

The Draft Plan of Standard Condominium conforms to the Urban Area policies of the Regional Official Plan.

North Oakville East Secondary Plan (NOE2)

The subject property is designated as 'Dundas Urban Core' and 'General Urban Area', by the North Oakville East Secondary Plan ('NOESP'). Conformity to the NOESP was reviewed as part of the approved site plan described herein. This included a detailed review of the built form, consistency with urban design policies and guidelines regarding the building and site design, adequacy of infrastructure including site servicing and site access, the adequacy and detailed design of on-site parking, acoustic assessment and mitigation measures of transportation noise sources, and environmental matters regarding suitability of the site for a sensitive land use (residential).

The intent of the draft plan of condominium is to establish condominium tenure for the development to allow for the transfer of individual units to the future owners.

On this basis, the proposal conforms to the NOESP.

Zoning By-law

The subject property, highlighted by the star, is zoned DUC Special Provision 73 (Bylaw 2019-006) as shown in Figure 3.

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.

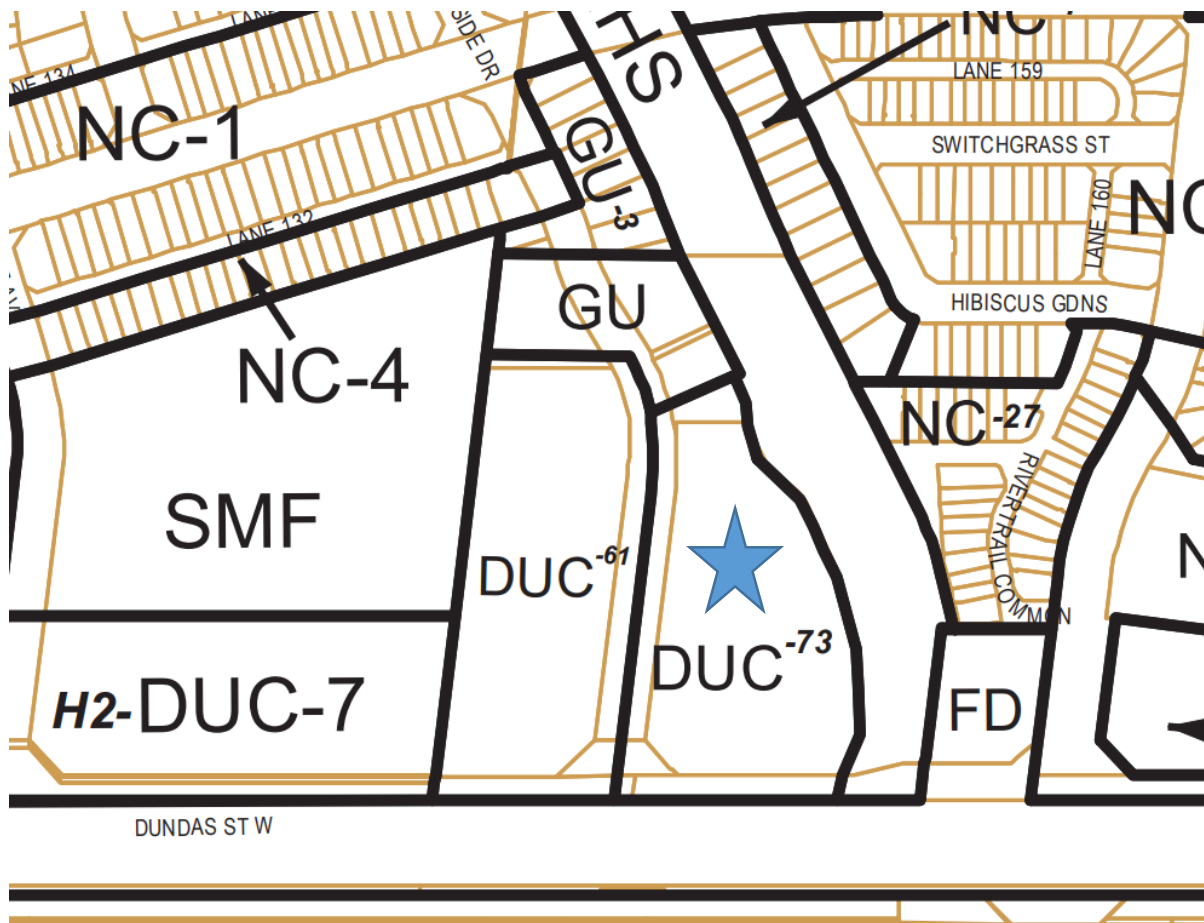


Figure 3 – Excerpt from the North Oakville Zoning By-law 2009-189

PLANNING ANALYSIS

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

- built form and site layout;
- snow storage;
- parking;
- pedestrian circulation;
- landscaping and urban design;
- grading and stormwater management;
- site servicing;
- vehicle movements;
- acoustic assessment and appropriate noise mitigation measures;
- conformity with the NOESP and compliance with the Zoning By-law;

In addition, the financial obligations, as it relates to the construction of the development, have been addressed through the site plan approval process and the Section 37 (Bonusing) Agreement. Required on-site works are secured by a letter of credit collected through the preparation of the site plan agreement registered on title.

The draft plan of condominium application was circulated to internal departments and external agencies for comments and subject to the conditions in Appendix A. There are no outstanding financial, legal or planning issues to be resolved.

Accordingly, the proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and is consistent with the NOESP.

CONSIDERATIONS:

(A) PUBLIC

Public input opportunities were provided through previous planning processes. As this is a standard condominium application and related to tenure, notice is not required 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. 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 livable town in Canada.

(E) CLIMATE CHANGE/ACTION

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

CONCLUSION:

The Planning and Development Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is satisfied that the application conforms to the overall policy direction of the NOESP 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 is consistent with the PPS, conforms to the Growth Plan and Halton Region Official Plan, conforms to the North Oakville East Secondary 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 and 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 planning application processes.

APPENDICES:

Appendix A – Draft Plan of Condominium Conditions

Prepared by:
Brian O'Hare
Planner, Current Planning

Recommended by:
Paul Barrette, MCIP, RPP
Manager, Current Planning – West District

Submitted by:
Gabe Charles, MCIP, RPP
Director, Planning and Development