



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JANUARY 15, 2018

FROM: Planning Services Department

DATE: December 15, 2017

SUBJECT: Recommendation Report - Draft Plan of Condominium - Red Ginger Developments Inc. - 150, 168, 210 Sabina Drive - File No.: 24CDM-17009/1314

LOCATION: 150, 168 and 210 Sabina Drive

WARD: 5

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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-17009/1314) submitted by Red Ginger Developments Inc., prepared by J.D. Barnes Ltd., dated October 3, 2017, subject to the conditions included in Appendix A of the report dated December 15, 2017 from the Planning Services department.

KEY FACTS:

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

- A draft plan of condominium application has been submitted to establish condominium tenure for three four-storey residential apartment buildings containing a total of 221 units and associated common elements which are currently under construction.
- The common element portion of the condominium plan includes all of the lands, including the buildings, except the residential units, parking units and storage units – such as the driveways, drive aisles, visitor spaces, mechanical rooms, lobby, and garbage/recycling areas.
- The development is located within a draft plan of subdivision which was registered as plan 20M-1163 on August 13, 2015 and was subject to a zoning by-law amendment which was approved by Town Council on December 2, 2013.
- The development received final site plan approval on March 23, 2016.
- No circulated internal department or external agency raised concerns with the application.
- Staff recommend that the Director of Planning Services give approval to the draft plan of condominium subject to the conditions outlined in Appendix A.

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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 three four-storey residential apartment buildings containing a total of 221 units and associated common elements including the driveways, drive aisles, drop-off areas, resident parking (242 spaces), visitor parking (53 spaces), common areas, storage, mechanical rooms, outdoor amenity areas, and garbage / recycling areas. Upon registration of the condominium, the condominium corporate will be created and will be responsible for the management of the development.

The Green Ginger Developments Inc. draft plan of subdivision and zoning by-law were approved by Town Council on December 2, 2013. The plan of subdivision received draft plan approval on January 3, 2014 and was registered as plan 20M-1163 on August 13, 2015. The subject development received final site plan approval (SP.1313.005/03) on March 23, 2016 and is under construction.

The subject draft plan of condominium application was submitted on October 6, 2017 by Red Ginger Developments Inc.

Proposal

The applicant proposes a standard condominium consisting of 221 residential apartment units in three buildings, common areas, outdoor amenity areas, drop-off areas, visitor and residential in an underground parking garage, and garbage and recycling areas (Figure 1).

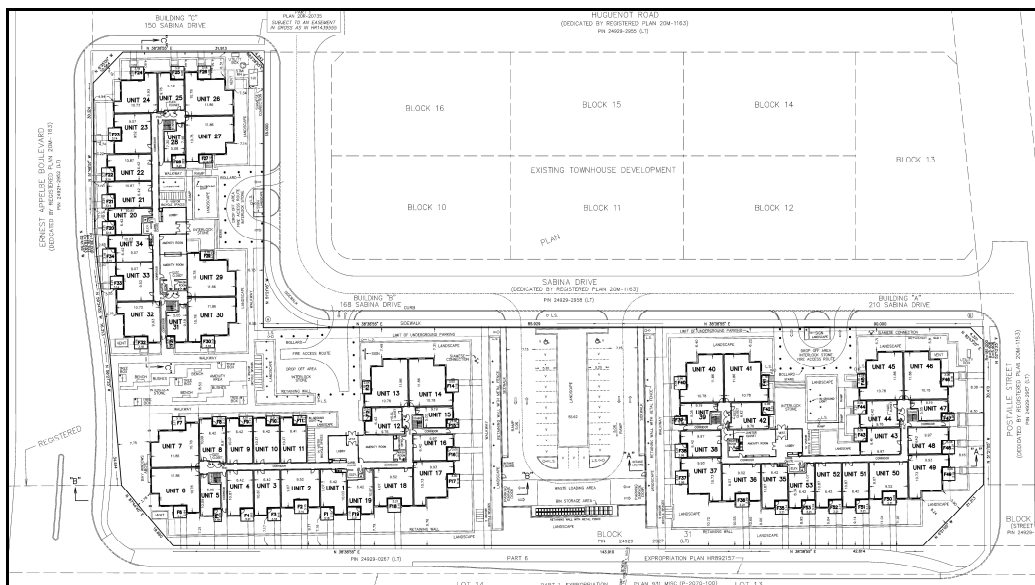


Figure 1 – draft plan of condominium (ground level)

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One level of underground parking is being provided which will accommodate 242 residential parking spaces, 28 underground visitor parking spaces, 69 locker units, bicycle parking, and garbage/recycling areas. An additional 25 visitor parking spaces will be provided in an outdoor surface parking area between Buildings A (210 Sabina Drive) and Building B (168 Sabina Drive) for a total of 53 visitor parking spaces.

Draft plan approval and registration of the condominium plan is the last step in the planning process and will allow for the formal transfer of the individual residential units to the purchasers.

Location

The subject lands are legally described as Block 31 on Plan 20M-1163. The lands are bounded by Dundas Street East on the south, Ernest Applbe Boulevard on the west, Huguenot Road and Sabina Drive on the north, and Postville Street on the east. The subject property is 1.42 hectares in size.

The following municipal addresses have been assigned to the buildings:

- Building A – 210 Sabina Drive
- Building B – 168 Sabina Drive
- Building C – 150 Sabina Drive

The buildings are currently under construction.

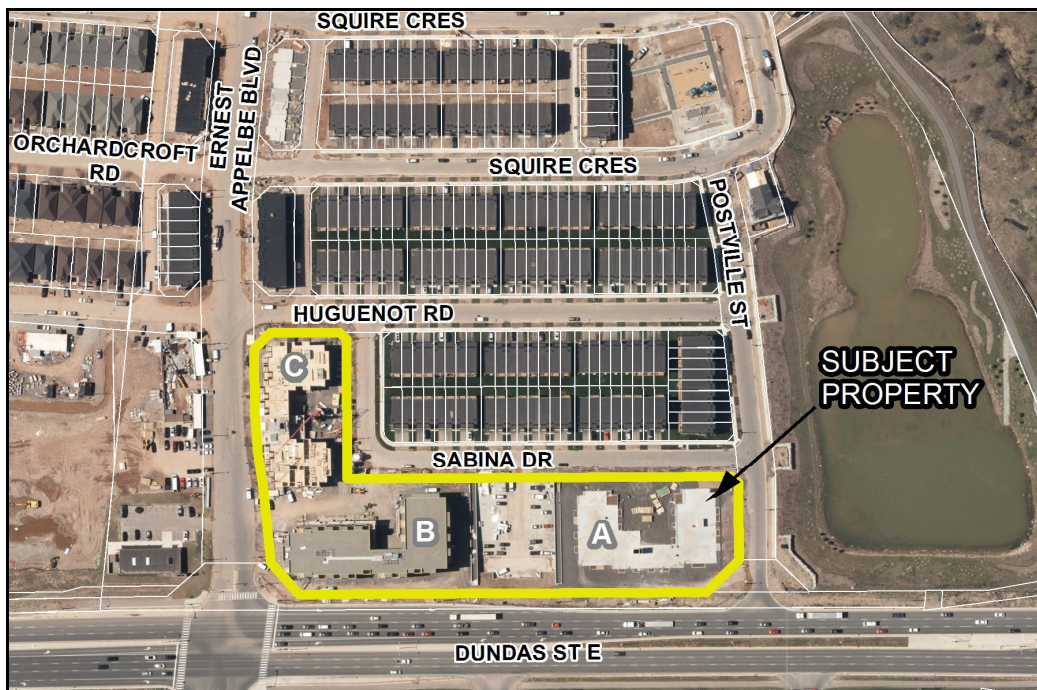


Figure 2 – Location

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Surrounding Land Uses

The surrounding land uses are as follows:

South: Commercial shopping plaza (Superstore)

West: vacant lands / temporary sales centre (Great Gulf), designated as Dundas Urban Core

North: three-storey residential townhouses

East: stormwater management facility

POLICY FRAMEWORK

Provincial Policy Statement (PPS)

The Provincial Policy Statement (2014) 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 promoting a compact urban form.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new PPS under Section 3 of the *Planning Act*. The new PPS replaces the 2005 statement and has been in effect since April 30, 2014.

All planning decisions must be consistent with the PPS.

Draft plan of condominium applications deal with property tenure of otherwise previously approved developments. The subject lands are located within a draft plan of subdivision which has received draft approval, zoning has been approved for the lands and the subdivision has been registered. At the time of the draft plan of subdivision and zoning by-law amendment approvals, the subject development was reviewed for consistency with the PPS and was determined to be consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2017)

On May 18, 2017, the Growth Plan for the Greater Golden Horseshoe, 2017 (hereinafter 'Growth Plan') was released and it came into effect on July 1, 2017, replacing the Growth Plan for the Greater Golden Horseshoe, 2006. The Growth Plan is a long-term plan that works together with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the Growth Plan (2017).

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Draft plan of condominium applications deal with property tenure of otherwise previously approved developments. The subject lands are located within a draft plan of subdivision which has received draft approval, zoning has been approved for the lands and the subdivision has been registered. At the time of the draft plan of subdivision and zoning by-law amendment approvals, the subject development was reviewed for consistency with the Growth Plan in effect at the time of those approvals and deemed to be consistent with the Growth Plan at those times. This plan of condominium application is the final step towards the completion of the subject development.

Region of Halton Official Plan

The Ontario Municipal Board has issued a series of decisions regarding the partial approval of ROPA 38 to the Halton Region's Official Plan. Development applications are being reviewed in accordance with the approved policies of ROPA 38.

The lands are designated "Urban Area" according to the Region's 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".

Policy 76 notes that the range of permitted uses and the creation of new units in the Urban Area is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of the Regional Plan.

North Oakville East Secondary Plan

The development of the North Oakville community is premised on a sustainable, design-first philosophy which promotes the protection of the natural environment, mixed use development, and a modified grid road system that enhances transportation options for transit and pedestrians. The Plan is premised on a transit-first approach to transportation designed to create multi-modal transportation systems which would reduce reliance on the automobile.

Figure NOE2 of NOESP and the North Oakville Master Plan designates the lands as Trafalgar Urban Core Area.

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The Trafalgar Urban Core designation is designed to ultimately provide for the creation of a dense, mixed-use development concentration that is pedestrian and transit-oriented. This area will link to and complement the Uptown Core to the south of Dundas Street. (Policy 7.6.4.1). High density residential uses are permitted and are to be located in high density residential buildings (Policy 7.6.4.2).

The condominium development conforms to the North Oakville East Secondary Plan.

Zoning By-law (2009-189)

The subject lands are zoned Trafalgar Urban Core, special provision 19 (TUC sp:19), which permits residential uses in apartment buildings with a minimum height of three storeys to a maximum of 15 storeys.

The condominium development complies with the Zoning By-law.

PLANNING ANALYSIS

The development has been subject to a detailed development planning process, through the previous plan of subdivision and zoning by-law amendment approvals as well as through the site plan process.

The purpose of the proposed plan of condominium is to legally create the individual condominium units to allow for the transfer of ownership to the purchasers. The proposal was subject to a detailed site plan process which dealt with a number of technical issues including:

- built form and site layout,
- landscaping and urban design,
- grading and stormwater management,
- site servicing,
- vehicle movements / access / parking,
- regional servicing requirement,
- conformity with the North Oakville East Secondary Plan, and
- compliance with the zoning by-law.

The financial obligations of the developer as it relates to the construction of the development have been addressed through the conditions of site plan approval.

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.

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The draft plan of condominium has satisfied the requirements of section 51(24) of the *Planning Act*.

CONCLUSION

Staff is satisfied that the application conforms to the overall policy direction of the North Oakville East Secondary 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 the Section 51(24) of the *Planning Act*;
- The proposed plan of condominium conforms to the North Oakville East Secondary Plan and complies with the Zoning By-law (2009-189) regulations applicable to the subject lands;
- 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;
- Building permits have been issued in accordance with the approved site plan;
- There is 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; and
- The application for a standard condominium is related to tenure of the approved development, is necessary to provide shared ownership and maintenance of the internal amenity elements and is appropriate for the orderly development of the lands.

Staff recommends approval of the draft plan of condominium as the proposal is consistent with the North Oakville Secondary Plan, represents good planning and in the public interest.

CONSIDERATIONS:

(A) PUBLIC

Public input has been provided as part of the plan of subdivision, zoning by-law amendment and Site Plan processes. No public comments were received with respect to this condominium application.

(B) FINANCIAL

The development is currently under construction and requirements specific to it, such as the payment of Development Charges, have been paid. Cash-in-lieu of parkland is not required for this site as Green Ginger

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Developments Inc. is a party in good standing, and has fully complied with its obligations, pursuant to the North Oakville Developers Group Cost Sharing Agreement and the Master Parkland Agreement with respect to this property. The site plan agreement for this property details the required on-site and off-site works and is secured by a Letter of Credit held on file. A standard condition has been included to ensure 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 AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The proposal complies with the sustainable development strategy of the North Oakville East Secondary Plan.

APPENDICES:

Appendix A – draft plan of condominium Conditions

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