



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: FEBRUARY 13, 2017

FROM: Planning Services Department

DATE: January 23, 2017

SUBJECT: Recommendation Report, Draft Plan of Standard Condominium - Riverstone Residences of Oakville, File No. 24CDM-16006/1616

LOCATION: 65 Speers Road

WARD: 2

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RECOMMENDATION:

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Standard Condominium (24CDM-16006/1616) submitted by Riverstone Residences of Oakville Ltd., prepared by Rady-Pentek & Edward Surveying Ltd., dated October 28, 2016, subject to the conditions contained in Appendix D of the report dated January 23, 2017, from the Planning Services department.

KEY FACTS:

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

- The subject lands were part of an Ontario Municipal Board hearing which resulted in a decision to permit two residential apartment towers (19 and 21 storeys) containing 533 units and retail space at grade. A chronology is included within Appendix A.
- Final site plan approval (SP.1616.060/02) was granted on June 2, 2014.
- A Draft Plan of Condominium was approved by Council for phase one of the subject development on February 16, 2016 which consists of 281 residential units, 2 guest suites, 432 parking spaces, two designated heritage buildings, landscaping, roadway, publically accessible square and sidewalks.
- The subject draft plan of condominium application applies to phase two of the subject development and consists of 252 residential units, 14 commercial units, 380 parking spaces, landscaping, roadway, publicly accessible square and sidewalks
- 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.
- No circulated internal department or external agencies raised concerns with the application.

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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 standard condominium consisting of 252 residential units, 14 commercial units, 380 parking spaces, landscaping, roadway, publically accessible square and sidewalks.

A draft plan of condominium application was submitted on November 10, 2016 by Riverstone Residences of Oakville Ltd. The application was deemed complete on November 22, 2016.

A chronology of previous planning applications and approvals is included within Appendix A.

Proposal

The applicant proposes a standard condominium for phase two of the development consisting of 252 residential units, 14 commercial units, 380 parking spaces, landscaping, roadway, publically accessible square and sidewalks.

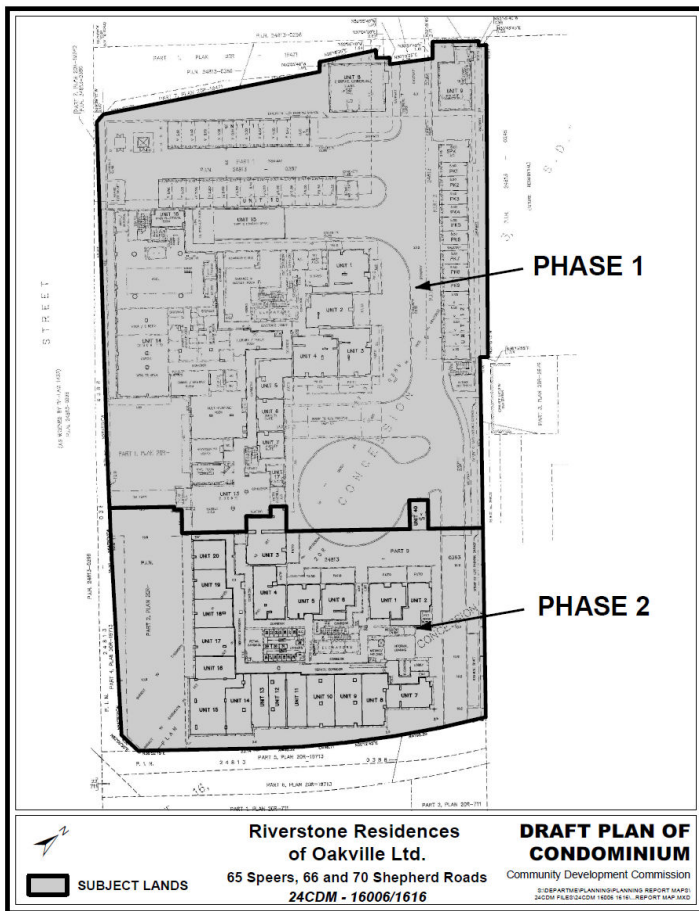


Figure 1: Draft Plan

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The phase 2 condominium is subject to a shared facility agreement with the now registered phase 1 condominium. This provides the necessary long-term agreement to ensure that the overall site (e.g. interior roadway, landscaping, services, loading space, visitor parking, etc...) practically functions as one site, in keeping with the approved site plan.

Location

The subject lands are located at 65 Speers Road & 66 & 70 Shepherd Road, are bounded by Kerr Street, Speers Road and Shepherd Road, and are generally rectangular in shape. Two heritage buildings are located along the Shepherd Road frontage.

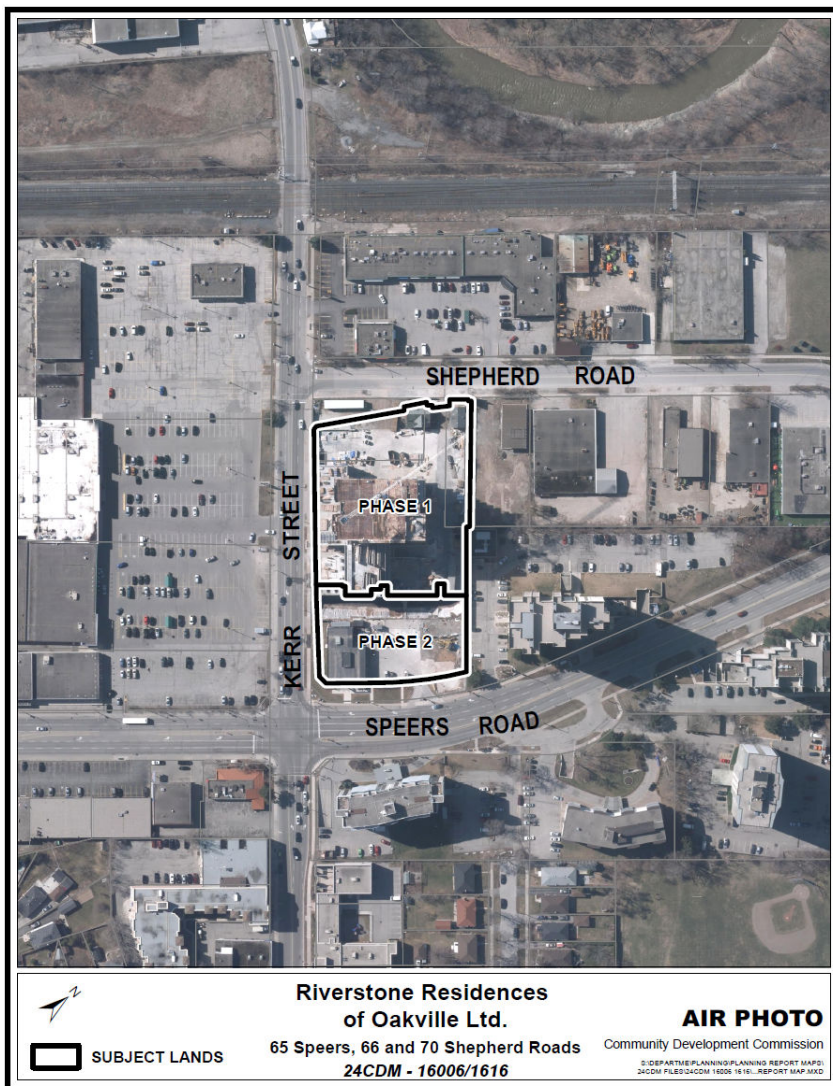


Figure 2: Air Photo

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Surrounding Land Uses

The surrounding land uses are as follows:

North: Commercial plaza
East: Employment / Mixed Use
South: Residential and Main Street (Kerr Street)
West: Commercial Plaza

POLICY FRAMEWORK

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011 and is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe

The subject lands are designated as *Urban Core lands eligible for bonusing* on Schedule O – Kerr Village Land Use of the Livable Oakville Plan (Appendix B). Part E Section 23.6.1 – Exceptions for the site states:

The lands designated Urban Core at the northeast corner of Speers Road and Kerr Street are subject to the following additional policies:

- a) *The development shall consist of a maximum of two new buildings up to a maximum height of 19 and 21 storeys respectively with a total of 533 units (excluding the two heritage buildings), conditional on the owner entering into an agreement under Section 37 of the Planning Act.*
- b) *Any site development will provide for the relocation and reuse of the existing two heritage buildings on site in accordance with an approved heritage permit.*
- c) *The design of the two residential buildings on the site is intended to create a gateway development marking the entrance to Kerr Village. The design is encouraged to incorporate the following urban design elements, which will be detailed further through the implementing zoning and approved site plan:*
 - i. *a pedestrian-first environment to be promoted through the siting of buildings (new and heritage structures) and the arrangement of driveways, amenity areas, parking areas and pedestrian networks;*
 - ii. *a publicly accessible open space area/square;*
 - iii. *enhanced pedestrian accessibility and connectivity along the Kerr Street and Speers Road frontages as well as through the site;*
 - iv. *retention of the existing heritage buildings on site in a location which maximizes visibility and access;*

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- v. *grade related commercial uses along Speers Road and, to the extent practical, along Kerr Street;*
- vi. *exclusively underground parking with the exception of a minor amount of short-term parking which may be located at grade;*
- vii. *a strong focal point at the corner of Kerr Street and Speers Road which incorporates an open space element; and,*
- viii. *building design that incorporates appropriate street setbacks for building podiums and towers to facilitate height transition.*

The development conforms to the Livable Oakville Plan.

Zoning By-law

The site is zoned MU4 SP: 20 by Zoning By-law 2014-014 (Appendix C). The development complies with the regulations of Zoning By-law 2014-014.

PLANNING ANALYSIS:

The development has been subject to a detailed development planning process, with public participation and Ontario Municipal Board approval, where conformity with the Livable Oakville Plan policies were provided, zoning performance standards to implement the aforementioned policies enacted, and more detailed site plan technical matters fully addressed. Accordingly, the proposed plan of condominium is related to tenure of the building now under construction and will allow for legal creation of the individual units and transfer of the deeds to the respective purchasers.

More specifically, the following matters have been addressed:

- Built form and site layout;
- Landscaping and urban design;
- Grading and stormwater management;
- Site servicing;
- Conformity with Livable Oakville and compliance with the Zoning By-law;
- Financial obligations; and,
- Design of publicly accessible private open space

In addition, and in accordance with the minutes of settlement related to the Ontario Municipal Board proceedings dated April 2nd, 2012, as a condition of approval the owner is required to grant an easement to allow public access to the square along Kerr Street. Further, as a condition of approval, the condominium declaration will provide for the assumption (by the condominium corporation) of the maintenance obligations of this portion of the public square pursuant to an agreement between the owner and the Town dated May 7, 2012.

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A shared facility agreement between the subject phase two condominium and the now registered phase 1 condominium will ensure that the overall site (e.g. interior roadway, landscaping, services, loading space, visitor parking, etc...) practically function as one site, in keeping with the approved site plan.

The draft plan of condominium application was circulated to internal departments and external agencies for comments and subject to the conditions in Appendix D, 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 Livable Oakville Plan.

CONCLUSION

The Planning 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 Livable Oakville Plan and other relevant policy documents, and recommends approval of the application, subject to the conditions in Appendix D, 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 to the Livable Oakville Official 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.
- 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 site service and 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 Livable Oakville Plan, represents good planning and is in the public interest.

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CONSIDERATIONS:

(A) PUBLIC

Public participation related to the development of this land occurred through previous planning processes detailed herein. Notice of this meeting has been provided to the adjacent phase 1 condo corporation.

(B) FINANCIAL

The draft plan of condominium application relates to the second of two condominium towers located in Kerr Village. The tower is currently under construction and requirements specific to it such as the payment of development charges, cash-in-lieu of parkland and Section 37 requirements have been satisfied. The site plan agreement details the required on-site and off-site works which are secured by letter of credit held on file.

(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 'D'.

(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 sustainability objectives of Livable Oakville.

APPENDICES:

- A - Chronology of Previous Applications
- B - Official Plan extract
- C - Zoning By-law extract
- D - Draft Plan of Condominium Conditions

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