

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 8, 2021

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**FROM:** Planning Services Department

**DATE:** February 23, 2021

**SUBJECT:** Recommendation Report, Draft Plan of Condominium, 3465, 3475, 3485 and 3495 Rebecca Street, Kingridge (Burloak) Inc., 24CDM-20004/1635

**LOCATION:** 3465, 3475, 3485, and 3495 Rebecca Street

**WARD:** 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-20004/1635) submitted by Kingridge (Burloak) Inc., and prepared by R-PE Surveying Ltd., dated October 13, 2020, subject to the conditions contained in Appendix A.

#### KEY FACTS:

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

- A standard draft plan of condominium application was submitted to create a four building, 88 unit industrial condominium.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received site plan approval (SP.1635.024/01) on September 25, 2020, and permits for construction on October 27, 2020.
- No circulated internal departments or external agencies raised concerns with the application.
- Staff recommend that the Director of Planning give approval to the draft plan of 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 standard draft plan of condominium application consisting of a four building, 88 unit industrial condominium. Upon registration of the condominium, the condominium corporation will be created and will be responsible for the management of the development.

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A site plan application (SP.1635.024/01) was submitted on December 21, 2018 and the applicant received final site plan approval on September 25, 2020. Permits for construction in accordance with the approved site plan were granted on October 27, 2020.

The draft plan of condominium application was submitted by Kingridge (Burloak) Inc. and subsequently deemed complete on November 26, 2020. Therefore the 120 day decision timeline as specified in s. 51(34) of the *Planning Act* ends on March 26, 2021.

### Proposal

The ground floor of the draft plan is shown as Figure 1 below, and the second floor is shown as Figure 2. As described, the four buildings are each two-storeys tall and will contain 88 medical, commercial, and general office units, with specific permitted uses being prescribed by the Zoning By-law.

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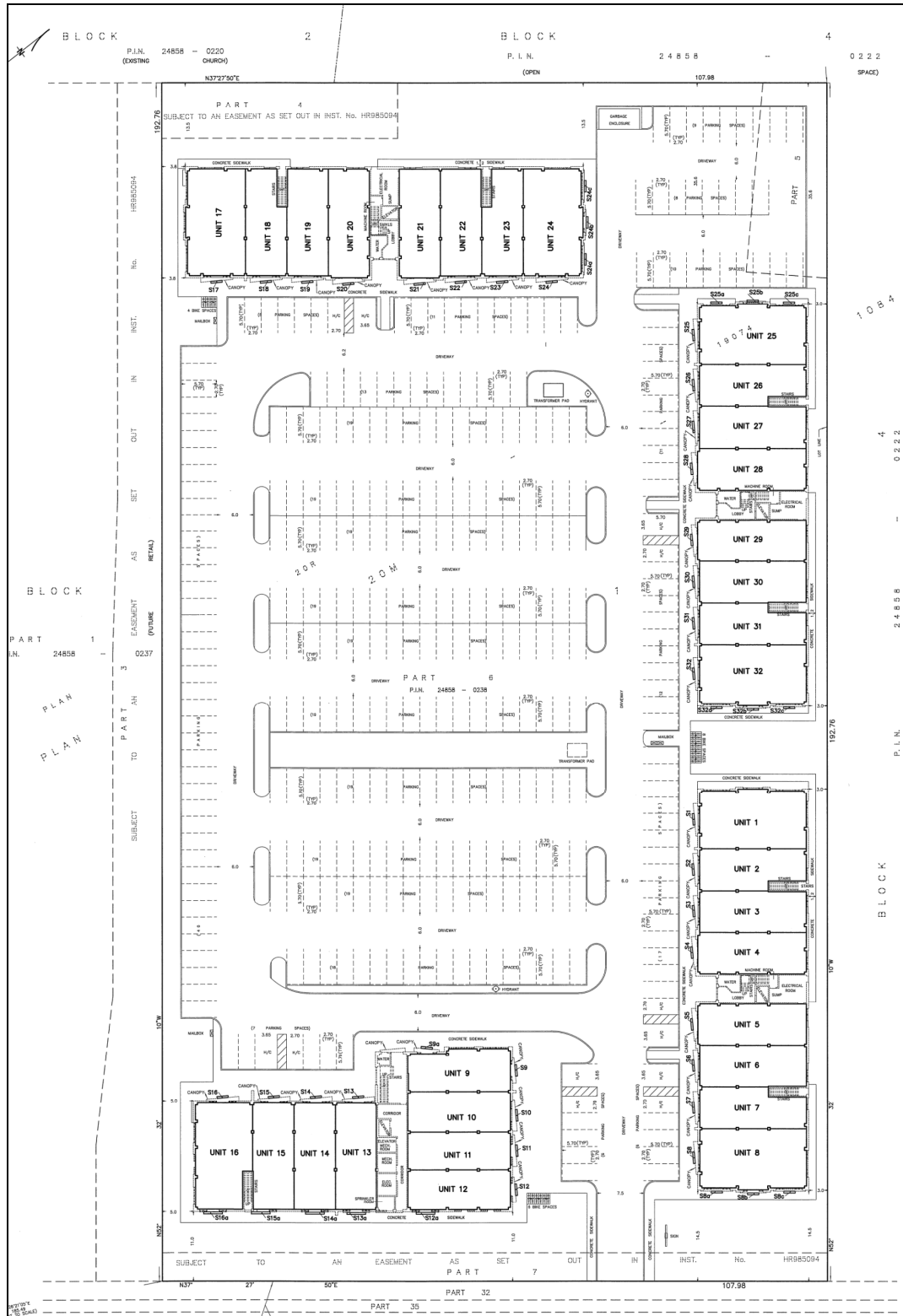
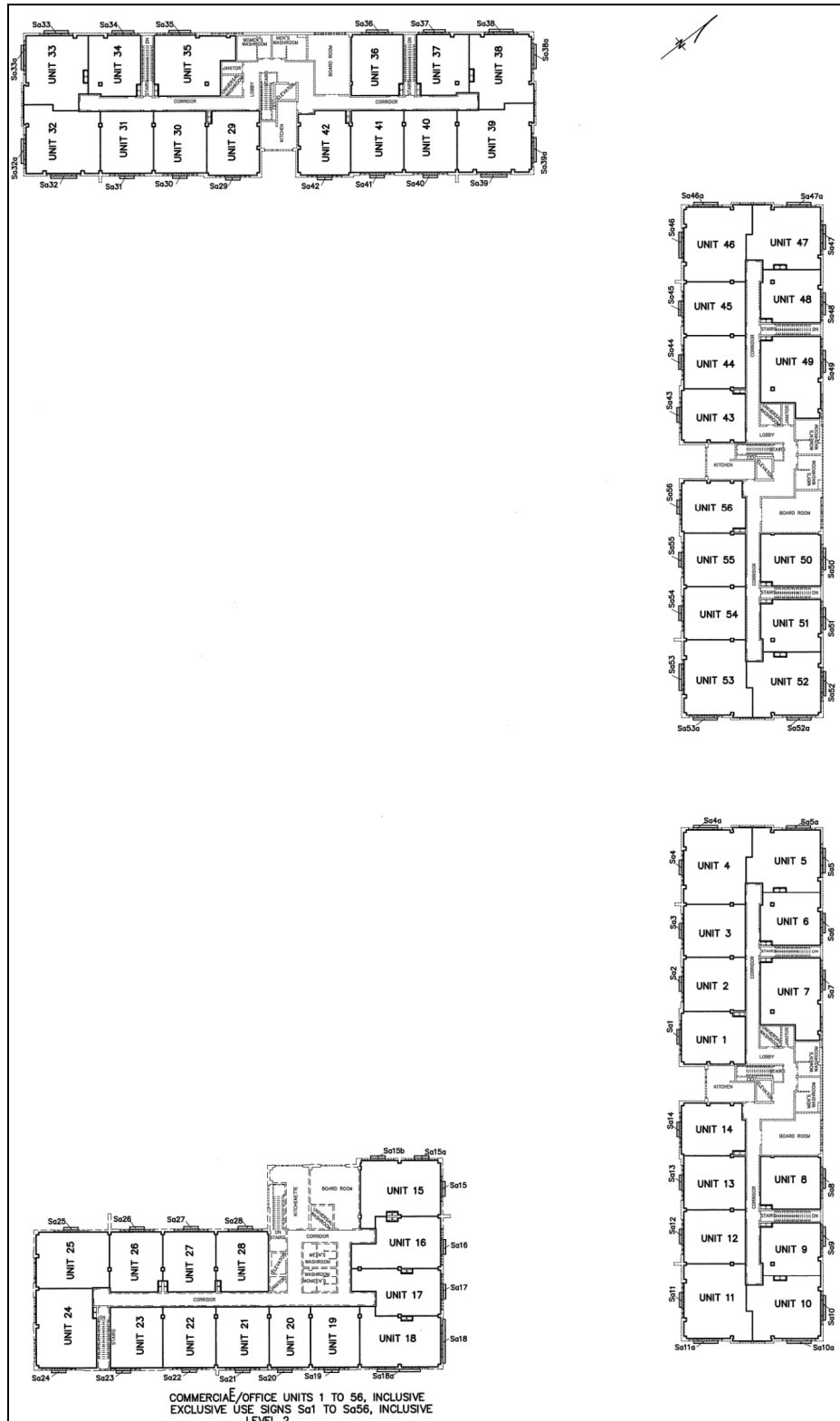


Figure 1 – Draft Plan of Condominium (Ground Floor)

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### Location and Site Description

The subject lands are located on the north side of Rebecca Street, between the Great Lakes Boulevard/Rebecca Street and Burloak Drive/Rebecca Street intersections. The subject lands have approximately 108 metres of frontage to Rebecca Street and are about 2.09 hectares in size.



*Figure 3 – Air Photo of Subject Lands*

Surrounding land uses are as follows:

North: Stormwater Management Facility (Great Lakes Pond) and a Church

West: Under Construction Commercial and Office/Industrial Development

South: Existing Residential

East: Gas Station

### **POLICY FRAMEWORK:**

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

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### 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 because the development will add a range of compatible employment and commercial uses to the Town that make efficient use of existing services on an existing underdeveloped parcel of land.

### 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. All planning decisions are required to conform to the Growth Plan.

The subject lands are located within an identified "Built-Up Area" and a "Settlement Area", where intensification is encouraged to efficiently make use of the existing infrastructure, municipal servicing availability and convenient access to services that meet the daily needs of residents. Intensification must give consideration to adjacent uses and compatible built form and transitioning.

Staff is of the opinion that the proposed draft plan of condominium conforms and therefore does not conflict with the Growth Plan 2019 because it will efficiently make use of existing infrastructure on an underdeveloped parcel of land, while providing compatible commercial and employment development for the local community.

### Region of Halton Official Plan

The subject lands are designated as 'Urban Area' with an Employment Area overlay in the 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" and the Employment Area intends to "ensure the availability of sufficient land for employment" and "support a wide range of economic activities and ancillary uses".

The proposed draft plan of condominium conforms with the Regional Official Plan and The Region of Halton has no objection or conditions to the application subject to a condition of draft approval contained in Appendix A.

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### Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011. It conforms to the Growth Plan and the Region of Halton's Official Plan, and is consistent with the Provincial Policy Statement.

The subject lands are designated as 'Business Employment', and the development conforms to the relevant and applicable policies of the Livable Oakville Plan.

### Zoning By-law 2014-014

Oakville's 2014-014 Zoning By-law was passed by Council on February 25, 2014 and partially deemed in force by the Ontario Municipal Board on February 23, 2015. The most recent consolidation date is September 8, 2020.

The subject lands are zoned 'E2 sp:337 – Business Employment'. Special Provision additionally permits for a day care and private school land use. The development complies with the Zoning By-law.

## **PLANNING ANALYSIS:**

### Technical Review

The proposal was the subject of a detailed site plan process which dealt with a number of technical issues, including:

- Built form and site layout including pedestrian circulation;
- Landscaping and urban design;
- Elevations;
- Site lighting;
- Vehicular access and circulation;
- Grading and servicing;
- Erosion and sediment control;
- Canopy coverage, and tree preservation and removal;
- Stormwater management;
- 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 site plan approval process.

A Site Plan Agreement was registered on title on the subject lands, which beyond the standard clauses establishes that any required maintenance and liability related to the stormwater management infrastructure on-site shall be the responsibility of the landowner.

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The draft plan of condominium application was circulated to internal departments and external agencies for comments, and no further requirements have been identified.

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

### **CONCLUSION:**

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 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, 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 further 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 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.
- Building permits have been issued in accordance with the approved site plan.

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.

### **CONSIDERATIONS:**

#### **(A) PUBLIC**

No public comments were received 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

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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 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 generally complies with the sustainability objectives of the Livable Oakville Plan.

**APPENDICES:**

Appendix A – Draft Plan of Condominium Conditions for 24CDM-20004/1635

**Prepared by:**

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 Current Planning – West District

**Recommended by:**

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 Current Planning – West District

**Submitted by:**

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 Acting Director, Planning Services