



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: FEBRUARY 10, 2020

FROM: Planning Services Department

DATE: January 29, 2020

SUBJECT: Recommendation Report, Draft Plan of Condominium, Mattamy (DUC) Limited, 24CDM-19006/1314

LOCATION: Part of Lots 14 & 15; Block 122 and 134, Plan 20M-1173

WARD: 7

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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-19006/1314) submitted by Mattamy (DUC) Limited, prepared by R-PE Surveying Ltd., dated June 14, 2019, subject to the conditions contained in Appendix 'A' of the Planning Services report dated January 29, 2020.

KEY FACTS:

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

- A draft plan of a condominium application that is a phased standard condominium has been submitted to create 239 units in total (208 apartment dwellings as part of Phase 1, and 31 rear lane townhouse units as part of Phase 2) on private condominium roads.
- A portion of the underground garage in Phase 1 will be located under the Phase 2 lands creating a temporary strata separation of ownership until the Phase 2 lands are registered and become part of the condominium.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received final site plan approval (SP.1314.001/01) on September 13, 2018.
- No circulated internal or external agencies raised concerns with the applications.
- Staff recommends approval of the draft plan of condominium subject to the conditions outlined in Appendix 'A'.

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BACKGROUND:

Proposal

The applicant proposes to create condominium tenure (phased strata) for the development which is current under construction. The proposed condo consists of 239 residential units in total, including 208 apartment dwellings as part of Phase 1, and 31 rear lane townhouse units as part of Phase 2, on private condominium roads. The context plan is shown below as Figure 1. A total of 343 residential parking spaces (inclusive of visitor parking) have been provided. The majority of the parking to accommodate the apartment units is located in the underground garage, while visitor parking is located around the central amenity space.

The entire underground garage will be registered as part of Phase 1 to accommodate the phased buildout of the condominium. A portion of the underground garage is located under the Phase 2 lands. This will create a temporary strata separation of ownership where the condominium extends underneath a parcel of land retained by the owner. Once the Phase 2 lands are registered and merge with Phase 1 the property lines between the phases would be removed and there would no longer be a strata separation of ownership.

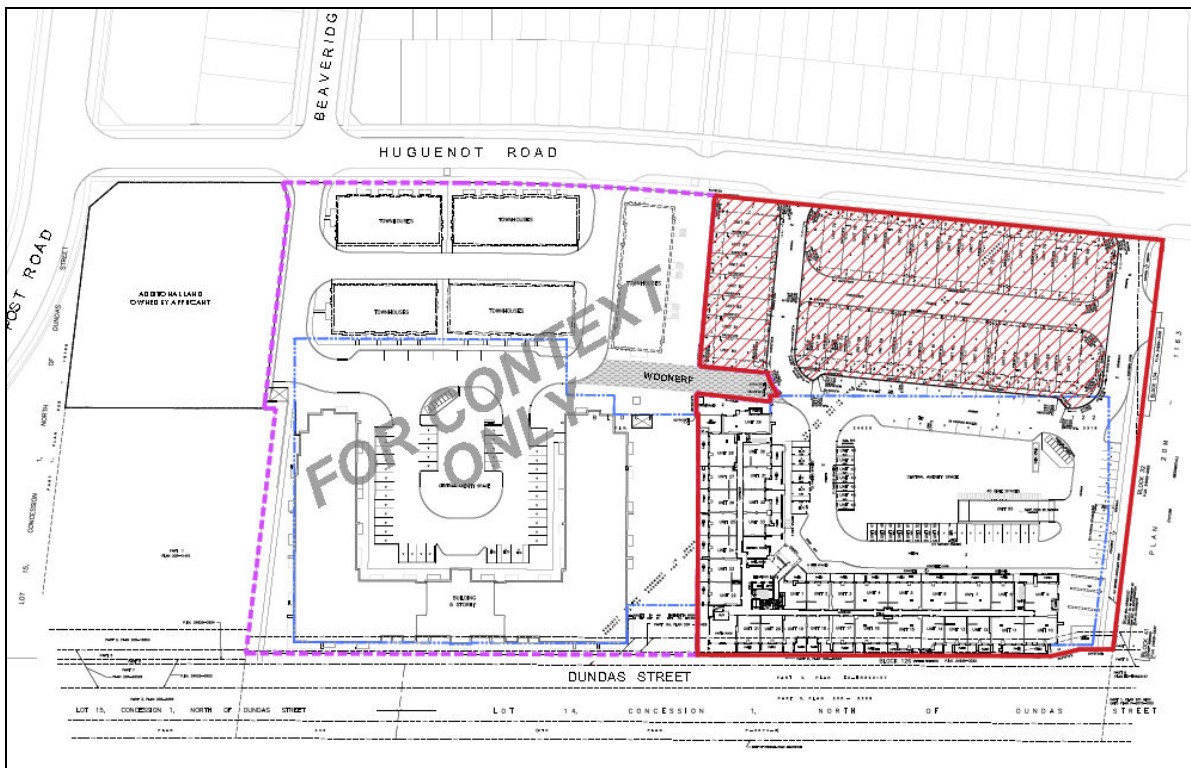


Figure 1: Context Plan for Phase 1 and 2 (shaded parcel)

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In the near future the lands shown above “for context only” will be built out as a separate condo corporation. Parking for the condominiums within the underground garage will be via the underground parking garage ramp shown on the subject application. To facilitate this arrangement, the applicant has identified the underground parking garage ramp as Unit 55 and a knockout unit within the underground garage as Unit 405. The intent is that the underground garage ramp will be co-owned by the subject condo as well as the future condo to the west. The ownership of Unit 405 will be transferred to the future west condo corporation.

Draft plan of condominium conditions have been included in Appendix ‘A’ of this report to ensure the ramp unit and knockout unit are owned by the condominium corporations and not transferred to anyone else. The draft plan is shown as Figure 2 below. Upon final approval of the plan of condominium, the condominium corporation will be responsible for the management of the development.

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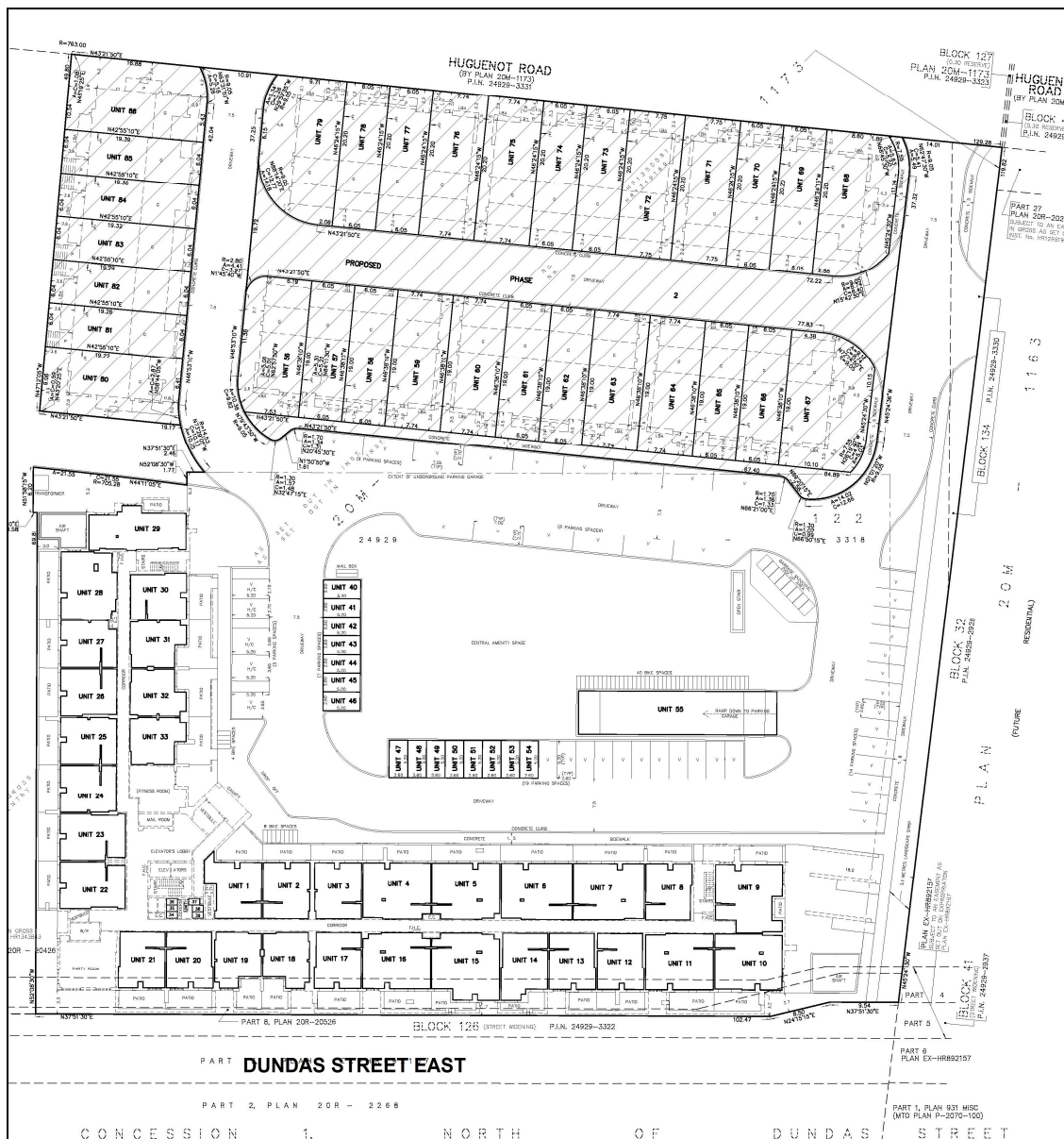


Figure 2: Draft Plan of Condominium

Submission materials are posted on the town’s website:
<https://www.oakville.ca/business/da-33921.html>

Location and Site Description

The subject land area is 1.6 hectares and fronts onto Dundas Street East with vehicular access from Huguenot Road.

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Figure 3: Air Photo

Surrounding Land Uses

The surrounding land uses are as follows:

- North: Vacant – future neighbourhood development
- East: Future mixed use development
- South: Dundas Street East and further south is a neighbourhood with single family dwellings
- West: Future six-storey residential condominium development

POLICY FRAMEWORK

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2014)
- Growth Plan for the Greater Golden Horseshoe (2019)

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- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

2014 Provincial Policy Statement and 2019 Growth Plan for the Greater Golden Horseshoe:

At the time of rezoning and draft plan of subdivision approval the proposed development was reviewed for consistency with the PPS and conformity to the Growth Plan, and was determined to be consistent with the PPS and conform to the Growth Plan. The proposed condominium application implements the approved development but otherwise only deals with property tenure.

Halton Region Official Plan

The subject lands are designated “Urban Area” in 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”. 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 proposed draft plan of condominium conforms with the Regional Official Plan, given the proposed development represents compact development and healthy communities where residents can walk to commercial and service businesses as well as to transit facilities.

North Oakville East Secondary Plan

The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board (OMB) through OPA 272. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

The subject lands are designated Dundas Urban Core (DUC) on Figure NOE2, Land Use Plan in the NOESP. The approved zoning by-law for the subject lands permits mixed use and stand-alone residential buildings along Dundas Street as well as townhouses. The proposed Draft Plan of Condominium maintains the intent of the NOESP in terms of land use and density and implements the approved site plan application.

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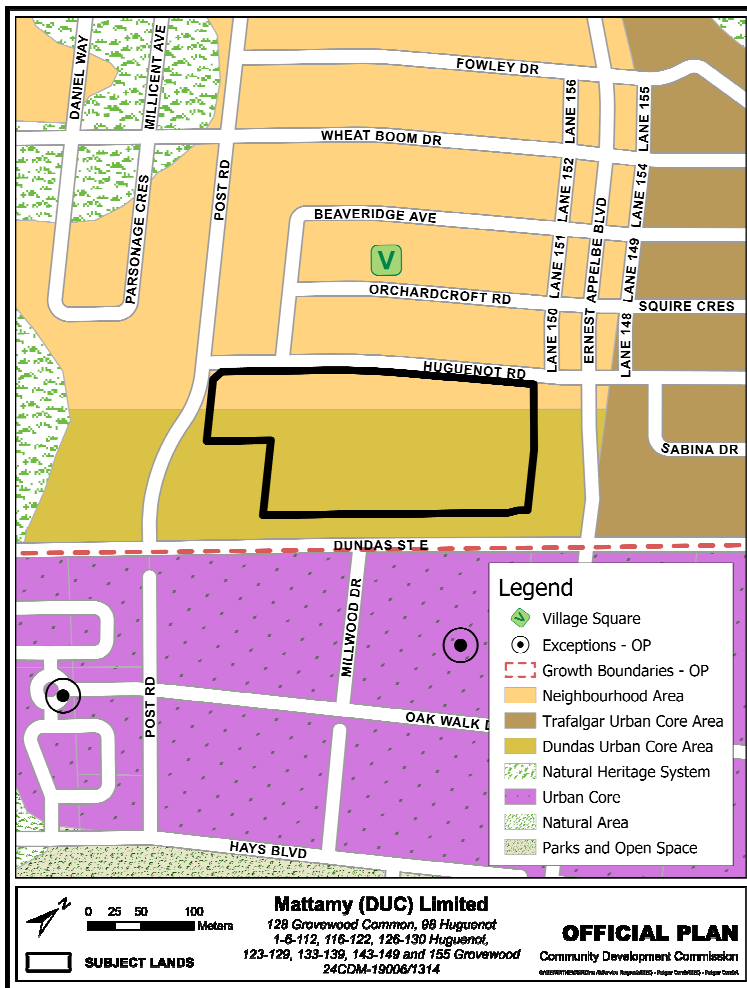


Figure 4: Excerpt from the North Oakville East Secondary Plan

Zoning By-law 2009-189

The subject lands are zoned Dundas Urban Core SP26 and Neighbourhood Centre SP7 as shown on Figure 5 below. The development has been constructed in accordance with the Zoning By-law.

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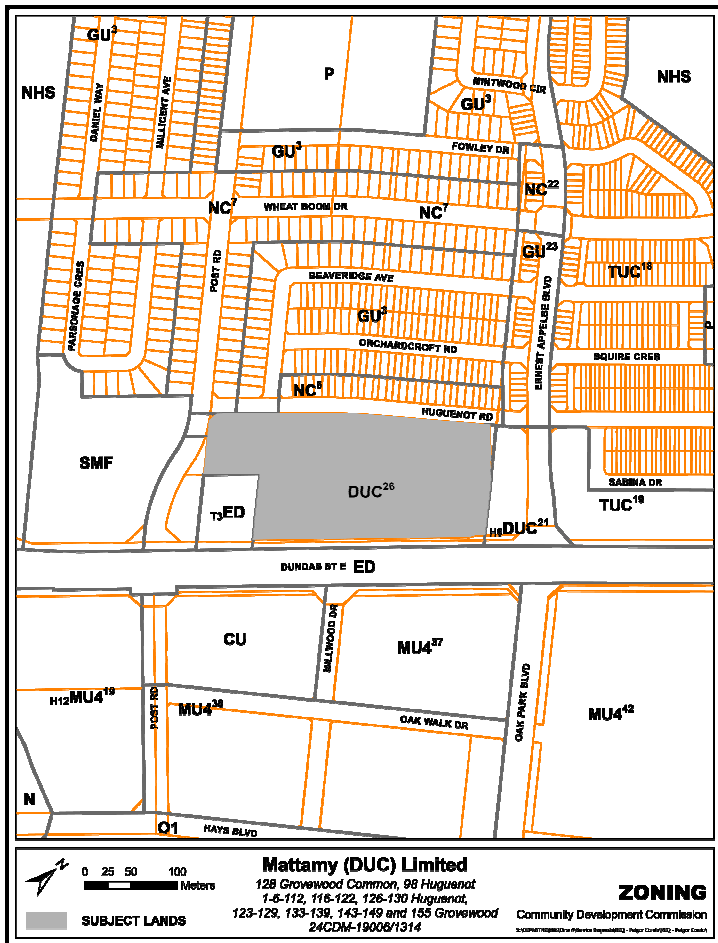


Figure 5: Excerpt from the North Oakville Zoning By-law

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.

PLANNING ANALYSIS

Technical Review

The purpose of the proposed condominium is to create condominium tenure for 208 apartment units and 31 rear lane townhouses on private condominium roads.

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

- Built form and site layout;

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- Elevations;
- Pedestrian circulation;
- Landscaping and urban design;
- Grading and stormwater management;
- Vehicle access;
- visitor parking spaces – provided around central amenity area
- Conformity with the North Oakville East Secondary Plan; and
- Compliance with the Zoning By-law.

The proposed condominium includes visitor parking at grade, residential parking below ground, a knockout unit for future expansion of the underground parking garage to accommodate the buildout of the condo to the west, and a central amenity area. The plan is consistent with the plans approved as part of the September 13, 2018 site plan approval (SP. 1314.001/01).

The draft plan of condominium application was circulated to internal departments and external agencies for comments and there were no issues raised. Draft plan of condominium conditions have been included in Appendix 'A' of this report.

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 obligations of the developer as it relates to the future shared ownership of the parking ramp and the transfer of ownership of the knock out panel to the condo corporation to the west have been addressed through the draft plan conditions included in Appendix 'A'. Accordingly, staff have determined that the proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and is consistent with the North Oakville East Secondary Plan.

CONCLUSION

Staff recommends approval of the draft plan of condominium subject to the conditions noted in Appendix A, as the application is consistent with the Provincial Policy Statement, does not conflict with provincial plans or to the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning. Further the application is consistent with the North Oakville East Secondary Plan and Zoning By-law 2009-189. The following requirements have been satisfied:

- The proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act*;

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- The proposed development conforms to the North Oakville East Secondary 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.
- 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.
- Opportunities for public participation were provided as part of the previous zoning by-law, draft plan of subdivision and site plan application processes.
- Approval of the draft plan of condominium is necessary to create each unit as its own legal parcel, and is appropriate for the orderly development of the lands.
- Building permits have been issued in accordance with the approved Site Plan.

CONSIDERATIONS:

(A) PUBLIC

Public input opportunities were provided through the subdivision, zoning and site plan approval processes. No comments were received from the public.

(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. 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

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(E) COMMUNITY SUSTAINABILITY

The proposal generally complies with the sustainability objectives of the North Oakville East Secondary Plan.

APPENDICES:

Appendix A - Draft Plan of Condominium Conditions for 24CDM-19006/1314

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Current Planning – East District

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Director, Planning Services