

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: OCTOBER 21, 2013

FROM: Planning Services Department

PD-094-13

DATE: September 27, 2013

SUBJECT: Recommendation Report
Draft Plan of Condominium
Grandview Living Inc.
205 Lakeshore Road West
File No.: 24CDM-13005/1617

LOCATION: 205 Lakeshore Road West

WARD: 2

Page 1

RECOMMENDATION:

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-13005/1617) submitted by Grandview Living Inc. prepared by Donald H. Brown Ltd. dated May 10, 2013, subject to the conditions contained in Appendix 'A' of report PD-094-13.

KEY FACTS:

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

- A Draft Plan of Condominium application has been submitted to create a phased condominium for a building containing 33 residential units and 2 commercial units.
- 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.
- The building is currently under construction.
- The development received site plan approval (S.P. 1617.041/01) on December 13, 2011 and received approval for a minor revision to the site plan on Jan 15, 2013.
- No circulated internal department 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'.

From: Planning Services Department
Date: September 27, 2013
Subject: **Recommendation Report**
Draft Plan of Condominium
Grandview Living Inc.
205 Lakeshore Road West
File No.: 24CDM-13005/1617

BACKGROUND:

Proposal

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed phased Draft Plan of Condominium application consisting of 1 building containing a total of 33 residential units and ground floor retail. Upon registration of the condominium, the condominium corporation will be created and will be responsible for the management of the development.

The development was approved by the Ontario Municipal Board under site specific Zoning and Official Plan Amendments in 2008, which allowed the existing property to be developed for a four-storey building containing a maximum of 36 residential units. A corresponding site plan approval was granted in December 2011 with a revision which reduced the approval to 33 residential units in January 2013.

The applicant has indicated an intention to develop the lands immediately north of the site as a 4 unit townhouse development (phase 2). The subject site has been designed to provide future access from the phase 1 lands to the phase 2 lands. Staff note that the development of phase 2 would be subject to an Official Plan Amendment and Zoning By-law Amendment application. No approvals have been granted for the second phase of development.

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

Location

The subject lands are located at the north-west corner of Lakeshore Road West and Maurice Drive and is municipally known as 205 Lakeshore Road West (see Figure 2).

From: Planning Services Department
 Date: September 27, 2013
 Subject: **Recommendation Report**
Draft Plan of Condominium
Grandview Living Inc.
205 Lakeshore Road West
File No.: 24CDM-13005/1617

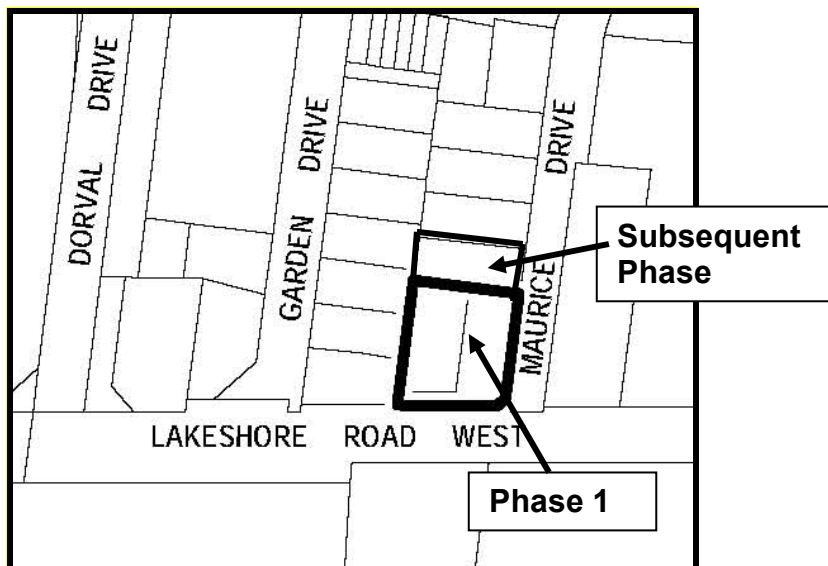


Figure 2: Location Map

Site Description

The lands subject to this application are approximately 0.2 ha in size with 49 m of frontage on Lakeshore Road East and 42 m of frontage on Maurice Drive. The subsequent phase of development will include a 0.08 ha parcel of land municipally known as 114 Maurice Drive.

Surrounding Land Uses

The surrounding land uses are as follows:

North: A mix of 1-2 storey detached dwellings.

East: Maurice Drive, beyond which is a commercial plaza.

South: Lakeshore Road, beyond which is a townhouse complex

West: Vacant parcel which is the subject of a rezoning application to allow for special needs senior's retirement building.

POLICY FRAMEWORK

Region of Halton Official Plan

The lands are designated "Urban Area" according to the Region's Official Plan. Lands within the "Urban Area" are intended for residential and employment growth. Policy 76 notes that the range of permitted uses is to be in accordance with Local

From: Planning Services Department
 Date: September 27, 2013
 Subject: **Recommendation Report**
Draft Plan of Condominium
Grandview Living Inc.
205 Lakeshore Road West
File No.: 24CDM-13005/1617

Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

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.

Under the Livable Oakville Plan the phase 1 lands are designated as *Central Business District* on Schedule G – South East Land Use (Figure 3)

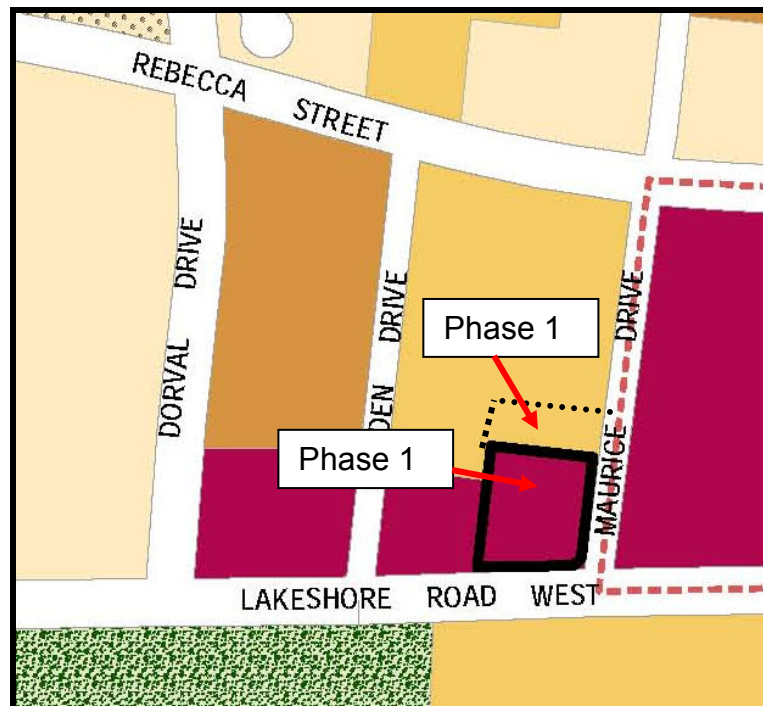


Figure 3: Livable Oakville Extract

The phase 2 lands are designated as *Residential Medium Density* under the Livable Oakville Plan. An Official Plan Amendment and Zoning By-law Amendment will be required in order for the phase 2 lands to be developed. An application has been received by the Planning Department but has not been circulated as the application is not complete. Staff have not made a determination as to the merits of this application at this time.

From: Planning Services Department
 Date: September 27, 2013
 Subject: Recommendation Report
 Draft Plan of Condominium
 Grandview Living Inc.
 205 Lakeshore Road West
 File No.: 24CDM-13005/1617

Zoning By-law

The subject property is shown on Map 91(7) of the Zoning By-law as being zoned as C3R, subject to Special Provision 814 (Figure 4).

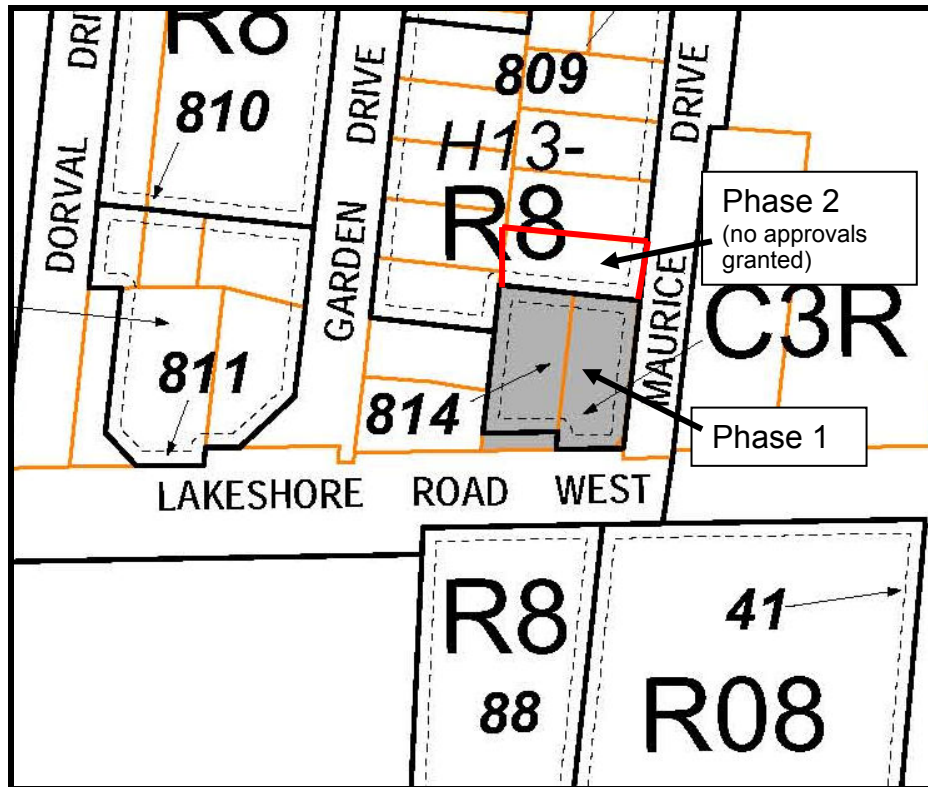


Figure 4: Zoning By-law Extract

The existing zoning regulations were established through a site specific zoning amendment to allow for the development.

As a condition of approval staff are requesting the applicant to confirm that the “as built” development complies with the Zoning By-law.

PLANNING ANALYSIS:

The purpose of the proposed Plan of Condominium is to legally create the individual condominium units to allow for the transfer of the ownership to the purchasers. The proposal was the subject of a detailed site plan process which reviewed a number of technical issues including stormwater management, grading/drainage, vehicle movements, landscaping, road and curb cuts, and Regional servicing requirements.

From: Planning Services Department
Date: September 27, 2013
Subject: **Recommendation Report**
Draft Plan of Condominium
Grandview Living Inc.
205 Lakeshore Road West
File No.: 24CDM-13005/1617

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 no issues were raised.

Staff recommends draft approval of the application of the condominium as the following requirements have been met:

1. A full circulation has been undertaken and there are no outstanding financial, legal or planning issues to be resolved.
2. Building permits have been issued in accordance with the approved Site Plan, however the Building Department has not granted full or partial occupancy for the structure.
3. The proposal has been designed to comply with the Official Plan and Zoning By-law.
4. Public participation occurred through the Ontario Municipal Board process for the Zoning Amendment, Official Plan Amendment and further, through the site plan approval process.
5. 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 guarantee the completion of the required site works.

CONCLUSION

The approval and registration of the draft plan of condominium will permit the transfer of ownership of the units to the individual purchasers. The Planning Services Department undertook a complete circulation of the application to ensure that all technical and financial matters had been addressed. No issues were raised by the circulated agencies and, as such, it is recommended that the proposed Draft Plan of Condominium be approved subject to conditions outlined in this report.

CONSIDERATIONS:

(A) PUBLIC

Public participation related to these lands occurred through planning process for the Zoning Amendment and Official Plan Amendment. Further

From: Planning Services Department
Date: September 27, 2013
Subject: **Recommendation Report**
Draft Plan of Condominium
Grandview Living Inc.
205 Lakeshore Road West
File No.: 24CDM-13005/1617

public participation occurred through the Site Plan approval process. No written comments have been received as of the date of this report.

(B) FINANCIAL

Securities and other financial requirements associated with this development were satisfied as conditions of the site plan agreement. A 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 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 sustainability objectives of Livable Oakville.

APPENDICES:

Appendix A - Draft Plan of Condominium Conditions

Prepared by:
Leigh Musson, MCIP, RPP
Senior Planner,
Current Planning East District

Recommended by:
Heinz Hecht, MCIP, RPP
Manager, Current Planning - East District

R. Scott Hannah, MCIP, RPP
Senior Manager, Current Planning
and Heritage

Submitted by:
Dana Anderson, MCIP, RPP
Director of Planning Services