



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 4, 2017

FROM: Planning Services Department

DATE: November 13, 2017

SUBJECT: Recommendation Report, Draft Plan of Condominium,
MC Oakvillage LP (Minto Communities), Blocks 12 and 13 of Plan
20M-1185, File No.: 24CDM-17007/1312 and 24CDM-17008/1312

LOCATION: Dundas Street East and Trafalgar Road
Blocks 12 and 13, Plan 20M-1185

WARD: 6

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RECOMMENDATION:

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominiums (24CDM-17007/1312 and 24CDM-17008/1312) submitted by MC Oakvillage LP., prepared by Rady-Pentek & Edward Surveying Ltd., dated July 31, 2017, subject to the conditions contained in Appendix 'A' of the Planning Services report dated November 13, 2017.

KEY FACTS:

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

- The intent of the Draft Plan of Condominium is to establish condominium tenure for 180 unit stacked townhouse development currently under construction, located within Blocks 12 and 13 on Plan 24T-12013/1312.
- The intent is to create two separate condominium corporations consisting of Phase 1 (106 townhouse units) and Phase 2 (74 townhouse units).
- The condominium plan would provide vehicular and pedestrian access as well as visitor parking for Blocks 12 and 13, Parts 107 to 111 and Parts 75 to 79, on 24T-12013/1312.
- The development received draft plan of subdivision and zoning approval from the Ontario Municipal Board in September 2014.
- The development received final site plan approval on February 15, 2017 and is currently under construction.
- No circulated internal or external agencies raised concerns with the applications.
- 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 applications and a recommendation on the proposed Draft Plan of Condominium applications consisting of 180 stacked townhouses to be registered in two phases. The condominium corporations will be responsible for the management of the development.

BEC Trafalgar Inc., draft plan of subdivision 24T-12013/1312, and Zoning By-law 2014-094 were approved by the Ontario Municipal Board on September 4, 2014. Portions of the subdivision have now been registered (Plan 20M-1185), including the subject lands.

The draft plan of condominium applications were submitted on August 22, 2017, and deemed complete on September 8, 2017.

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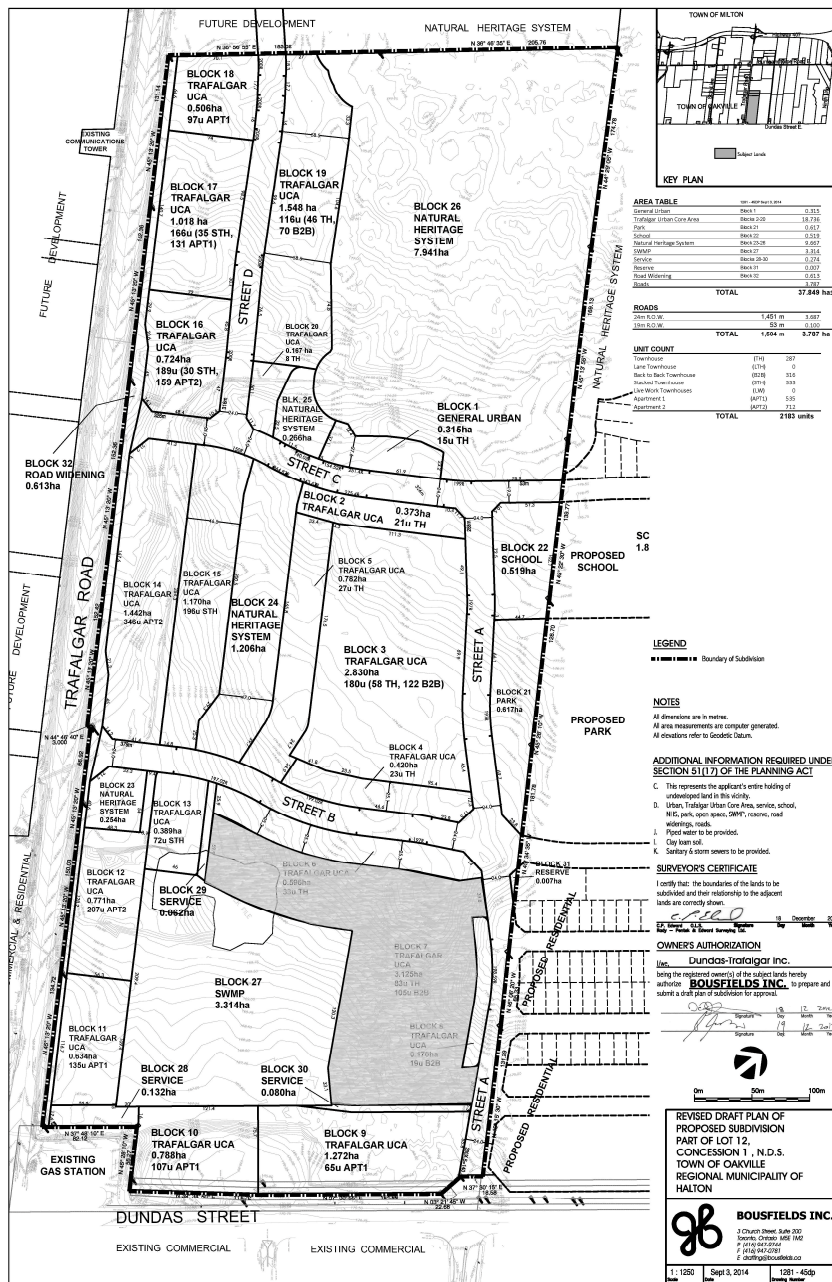


Figure 1: context plan (subject lands are shaded)

Proposal

The applicant proposes a common element condominium consisting of shared vehicular and pedestrian access to the 180 stacked townhouse units in Blocks 12

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and 13, Parts 75 to 79 and Parts 107 to 111, on Plan 20M-1185, as well as visitor parking spaces.

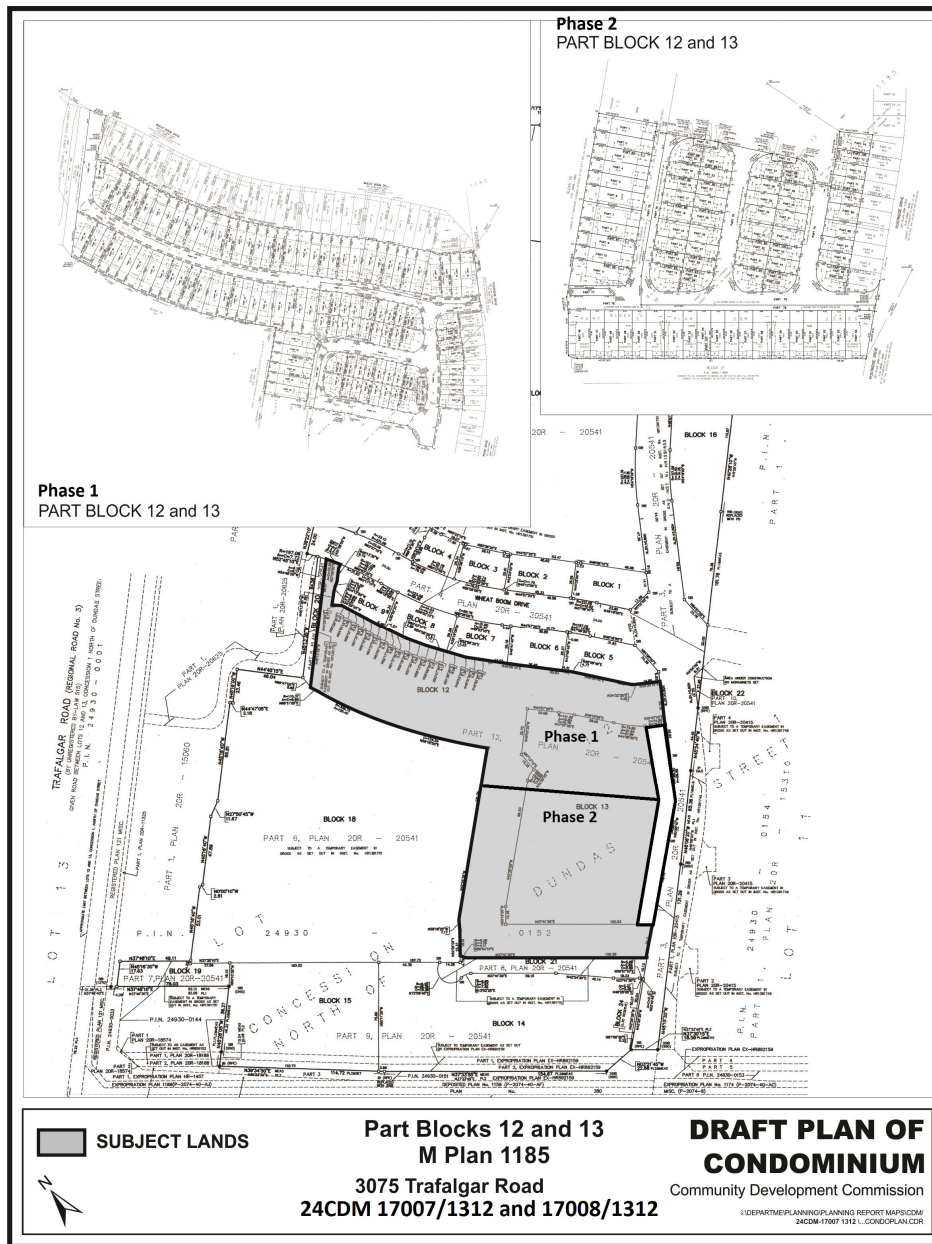


Figure 2: Draft Plan of Condominium Phase 1 and Phase 2

Location and Site Description

Phase 1 contains an area of approximately 0.634 hectares and Phase 2 is approximately 0.277 hectares.

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Surrounding Land Uses

The surrounding land uses are as follows:

North: On-street residential freehold townhouses
East: Future residential townhouses as part of the approved Shieldbay
Development 24T-14002/1311)
South: Stormwater management pond, future high density development lands
West: Vacant lands designated for future high density development

POLICY FRAMEWORK

Region of Halton Official Plan

The lands are designated “Urban Area” according to the Region’s Official Plan.

Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan. Trafalgar Road and Dundas Street are under the jurisdiction of Halton Region and identified as Rapid Transit Corridors.

The OMB has issued a series of decisions regarding partial approval of ROPA 38 to Halton Region’s Official Plan. Development applications are being reviewed in the context of the approved portions of ROPA 38 that are in full force and effect.

North Oakville East Secondary Plan

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

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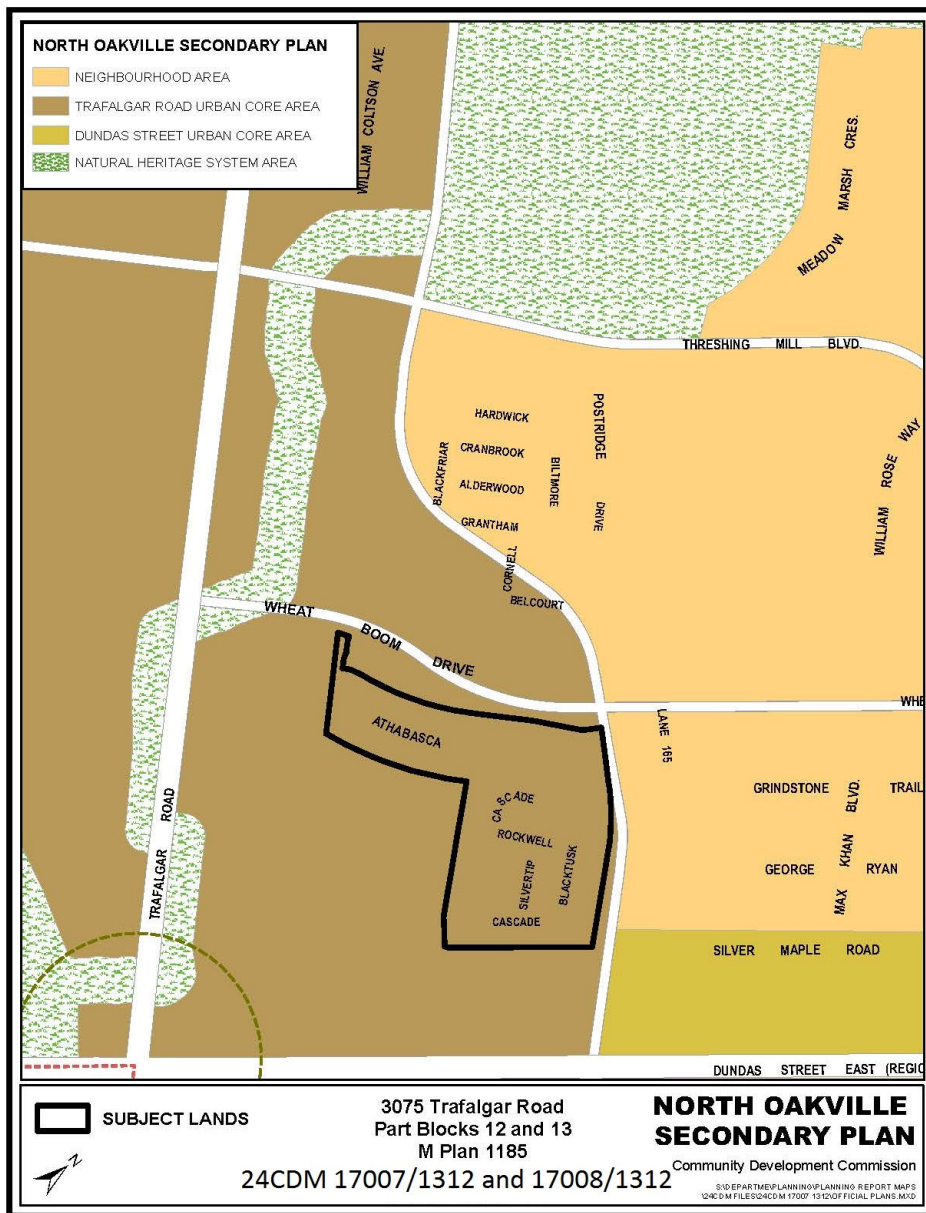


Figure 3: Excerpt from the North Oakville Secondary Plan

The development conforms to the North Oakville East Secondary Plan in terms of land use and density.

North Oakville Zoning By-law

The subject property is zoned TUC - SP30 as shown on Figure 4 below. The development has been constructed in accordance with the Zoning By-law.

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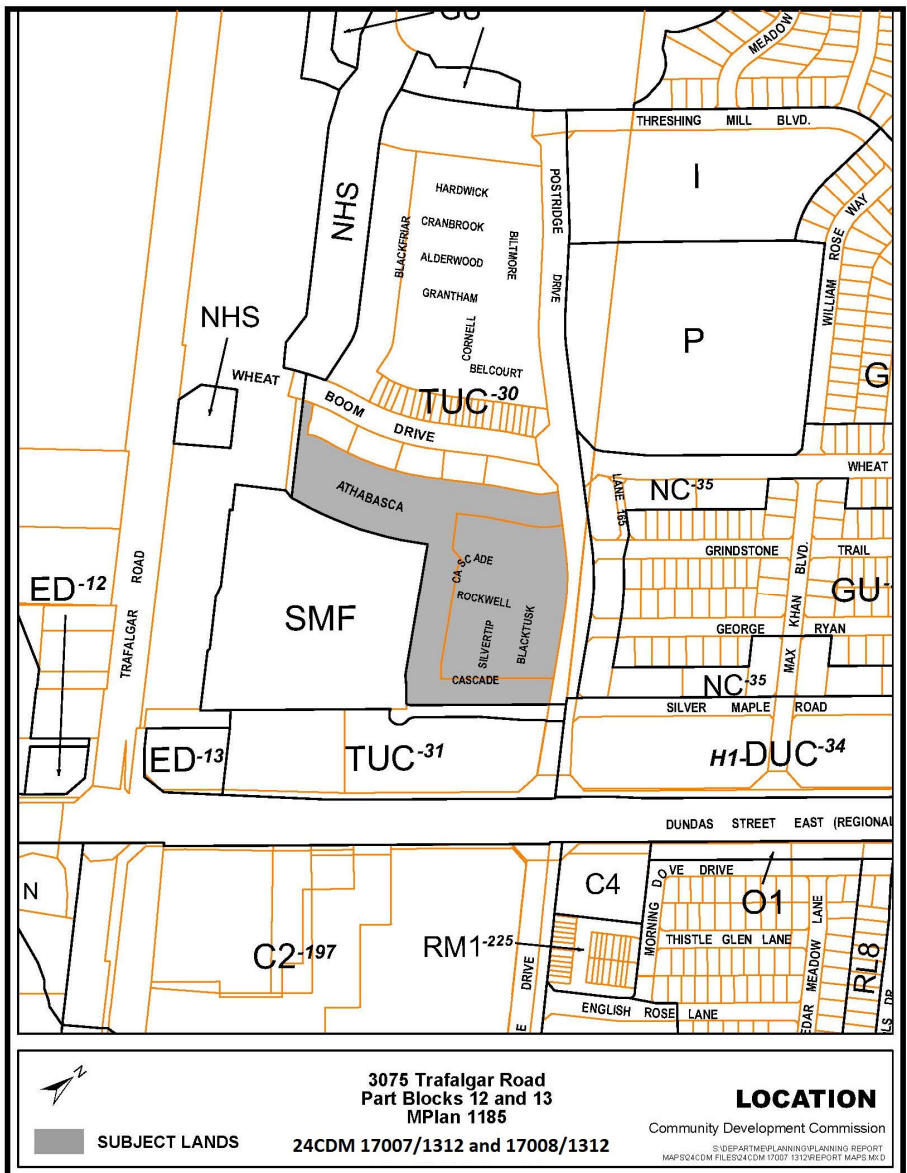


Figure 4: Excerpt from the North Oakville Zoning By-law

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.

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PLANNING ANALYSIS:

The purpose of the proposed Plan of Condominium is to legally create the common element portion of the development to be managed by the condominium corporation. The proposal was the subject of a detailed site plan process.

Through the site plan process the following matters were addressed:

- Built form and site layout;
- Elevations;
- Pedestrian circulation;
- Landscaping and urban design;
- Grading and stormwater management;
- Site servicing;
- Vehicle movements;
- Visitor Parking;
- Regional servicing requirements;
- Conformity with 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 and subdivision agreement.

The Draft Plan of Condominium applications were circulated to internal departments and external agencies for comments and no issues were raised.

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 is satisfied that the applications conform to the overall policy direction of the North Oakville East Secondary Plan and other relevant policy documents, and recommends approval of the applications, subject to the conditions in Appendix 'A', as the following requirements have been satisfied:

- The proposed plan of condominiums meet the criteria established in Section 51(24) of the *Condominium Act*;
- The proposed plan of condominiums conform to the North Oakville East Secondary Plan and complies with the Zoning By-law regulations applicable to the subject lands;

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- All financial obligations have been addressed through the site plan process and subdivision agreements;
- 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 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.

Staff recommends approval of the draft plan of condominiums subject to the conditions noted in Appendix A.

CONSIDERATIONS:

(A) PUBLIC

Public input has been provided as part of the draft Plan of Subdivision, Official Plan and Zoning Amendments and through the Site Plan approval processes.

(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. 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 sustainability objectives of the North Oakville East Secondary Plan.

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APPENDICES:

Appendix A - Draft Plan of Condominium Conditions for 24CDM-17007/1312 and
24CDM-17008/1312

Prepared by:

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Director, Planning Services