

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: SEPTEMBER 9, 2019

FROM: Planning Services Department

DATE: August 19, 2019

SUBJECT: Public Meeting and Recommendation Report, Draft Plan of Condominium, 2165 Buckingham Road, F.J. Investments Inc., 24CDM-19004/1402

LOCATION: 2165 Buckingham Road

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 condominium (24CDM-19004/1402) submitted by F.J. Investments Inc., and prepared by Schaeffer Dzaldov Bennett Limited dated March 20, 2019, subject to the conditions contained in Appendix A to the report dated August 19, 2019 from the Planning Services Department.

KEY FACTS:

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

- A standard draft plan of condominium application has been submitted to create a condominium consisting of nine units in a single industrial building.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received site plan approval (SP 1402.065/01) on July 17, 2018, and is currently under construction.
- 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 single one-storey industrial building containing nine units. 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 1402.065/01) was submitted on September 14, 2017, and the applicant received final site plan approval on July 17, 2018. The building is currently under construction.

The draft plan of condominium application was submitted on May 23, 2019 by FJ Investments Inc. Draft plan approval and registration of the plan will allow for the formal transfer of the individual units to the purchasers.

Proposal

The applicant is proposing a standard condominium consisting of a single industrial building containing nine units as shown on Figure 1.

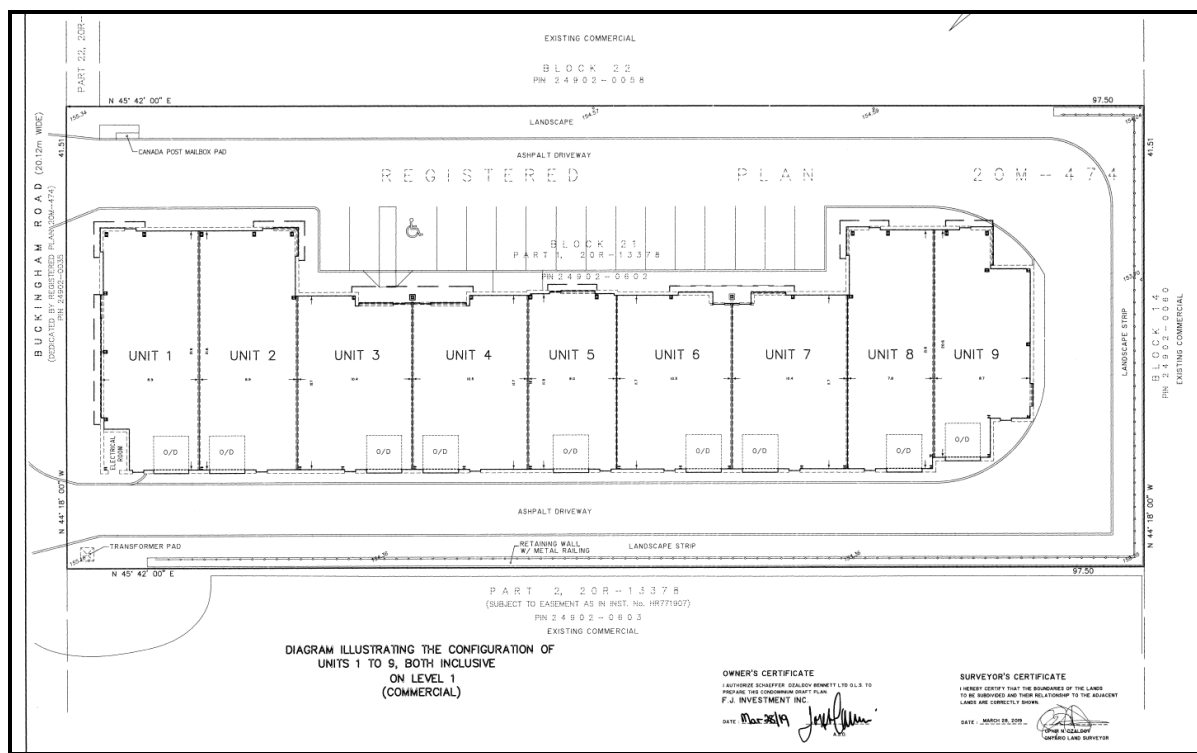


Figure 1: Draft Plan of Condominium

Location and Site Description

The subject property is approximately 0.4 hectares in size and is located on the east side of Buckingham Road in the employment area just northeast of the Highway 403 and QEW interchange (Figure 2). The surrounding land uses are mostly industrial and business offices, with a natural area – Winston Woods – to the North.

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Figure 2: Air Photo Map Excerpt

POLICY FRAMEWORK:

2014 Provincial Policy Statement

The Provincial Policy Statement (2014), the '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.

All planning decisions must be consistent with the PPS.

Draft Plan of Condominium applications deal with property tenure of otherwise previously approved developments. At the time of site plan approval, the subject lands were reviewed for consistency with the PPS, and the development was determined to be consistent with the PPS.

2019 Growth Plan for the Greater Golden Horseshoe

The 2019 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.

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

Draft Plan of Condominium applications deal with property tenure of otherwise previously approved developments. At the time of site plan approval, the subject lands were reviewed for conformity with the Growth Plan, and the development was determined to be in conformity with the Growth Plan.

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 Region of Halton has no objection or conditions to the application.

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 'Industrial', as identified on Schedule J - East Land Use. The development conforms to the 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 subject lands are zoned E3 sp:43 – Industrial as shown on Figure 3. The development complies with the Zoning By-law.

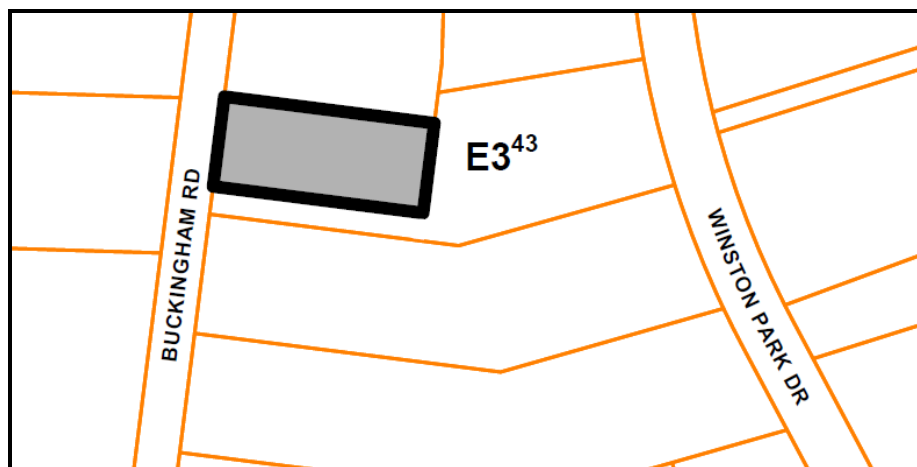


Figure 3: Zoning By-law Map Excerpt

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PLANNING ANALYSIS:

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;
- Landscaping and urban design;
- Grading and stormwater management;
- Site servicing;
- Vehicle movements;
- Regional servicing requirements; 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 site plan approval process. Required on-site and off-site works are secured by a Letter of Credit collected through site plan approval, and parkland requirements were satisfied through the original plan of subdivision 20M-474.

The draft plan of condominium application was circulated to internal departments and external agencies for comments, and subject to the conditions in Appendix A, no issues were raised.

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 outstanding financial or planning issues to be resolved, subject to the conditions of Appendix A;
- 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;
- Building permits have been issued in accordance with the approved site plan;

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- There is no need for a condominium agreement as all financial, design, and technical requirements have been addressed through the site plan approval process.

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

The development is currently under construction and requirements specific to it such as the payment of development charges related to the shell construction and parkland requirements have been satisfied. Further Regional development charges may be applicable to any subsequent tenant fit out for a purpose other than non-retail development.

Site plan agreement #1402.065/01 details the required on-site and off-site works which are secured by Letter of Credit, held on file. 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 Livable Oakville.

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APPENDICES:

Appendix A – Conditions

Appendix B – Maps of 24CDM-19004/1402

Prepared by:

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Current Planning – East District

Recommended by:

Heinz Hecht, MCIP, RPP

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Current Planning – East District

Submitted by:

Mark H. Simeoni, MCIP, RPP

Director

Planning Services