

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 4, 2019

FROM: Planning Services Department

DATE: October 11, 2019

SUBJECT: Recommendation Report - Draft Plan of Condominium, 2524151 Ontario Inc. - 332-338 Robinson Street, File No.: 24CDM-19007/1713

LOCATION: 332-338 Robinson Street

WARD: 3

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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-19007/1713) submitted by 2524151 Ontario Inc., prepared by Cunningham McConnell Limited, dated January 7, 2019, subject to the conditions contained in Appendix 'A' of the report dated October 11, 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 for the purpose of establishing condominium tenure for a three-storey, four-unit multiple-attached dwelling which is currently under construction.
- Condominium tenure would allow the transfer of individual units to the future owners.
- The development received final site plan approval (S.P.1713.043/01) on July 25, 2018.
- 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'.

BACKGROUND:

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed Draft Plan of Standard Condominium application for a three-storey, four-unit multiple-attached dwelling. 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 (S.P.1713.043/01) was submitted in July 2017, and the applicant received final site plan approval on July 25, 2018. The building is currently under construction.

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.

Proposal

The applicant proposes a standard condominium to establish condominium tenure for a three-storey, four-unit multiple-attached dwelling with vehicular access from Robinson Street as shown on Figure 1.

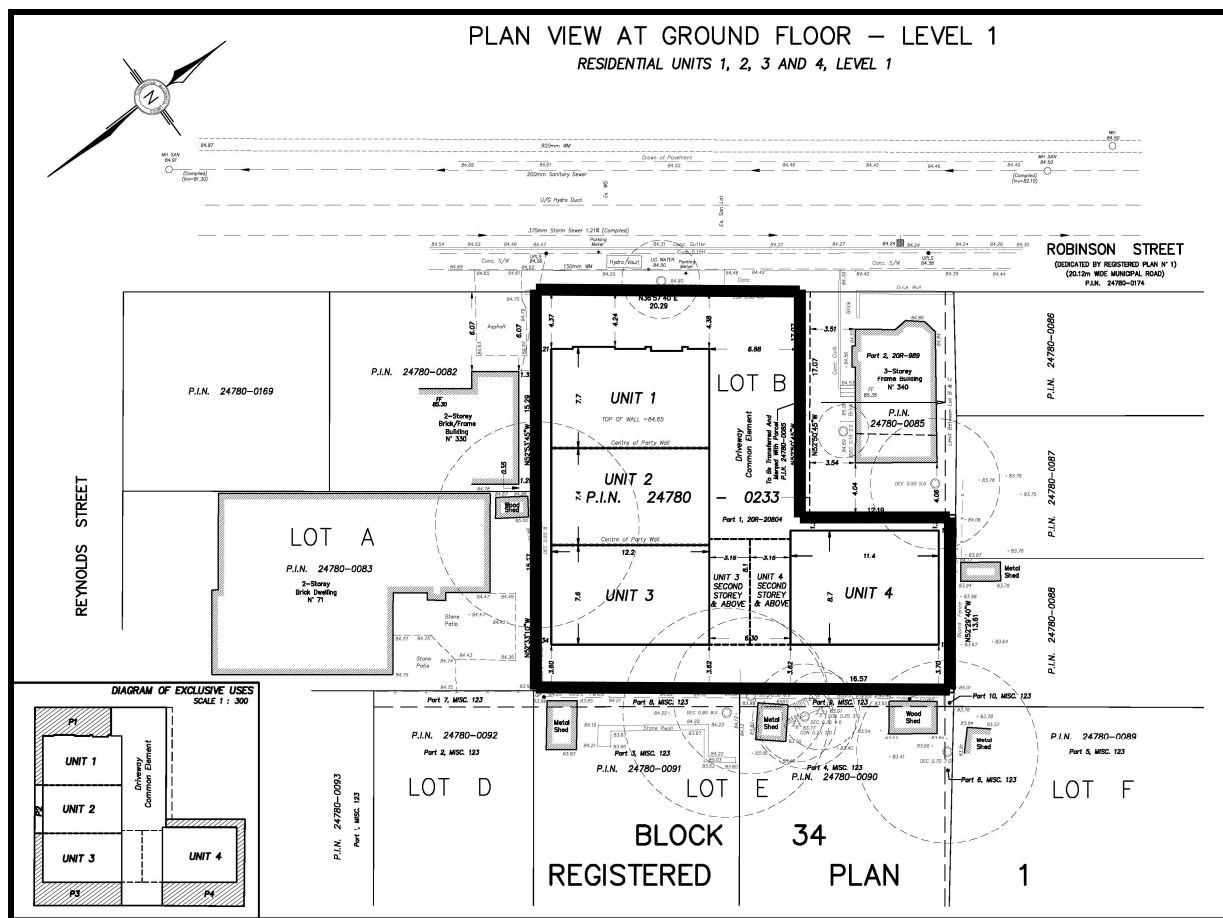


Figure1: Draft Plan of Condominium

Each residential unit will provide two parking spaces.

Submission materials are posted on the town's website:
<https://www.oakville.ca/business/da-33995.html>.

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Location and Site Description

The subject lands are located on the south side of Robinson Street, west of Allan Street. The property is “L” shaped and has approximately 21 m of frontage on Robinson Street and is approximately 0.08 ha in area. The site is surrounded by residential uses (Figure 2).

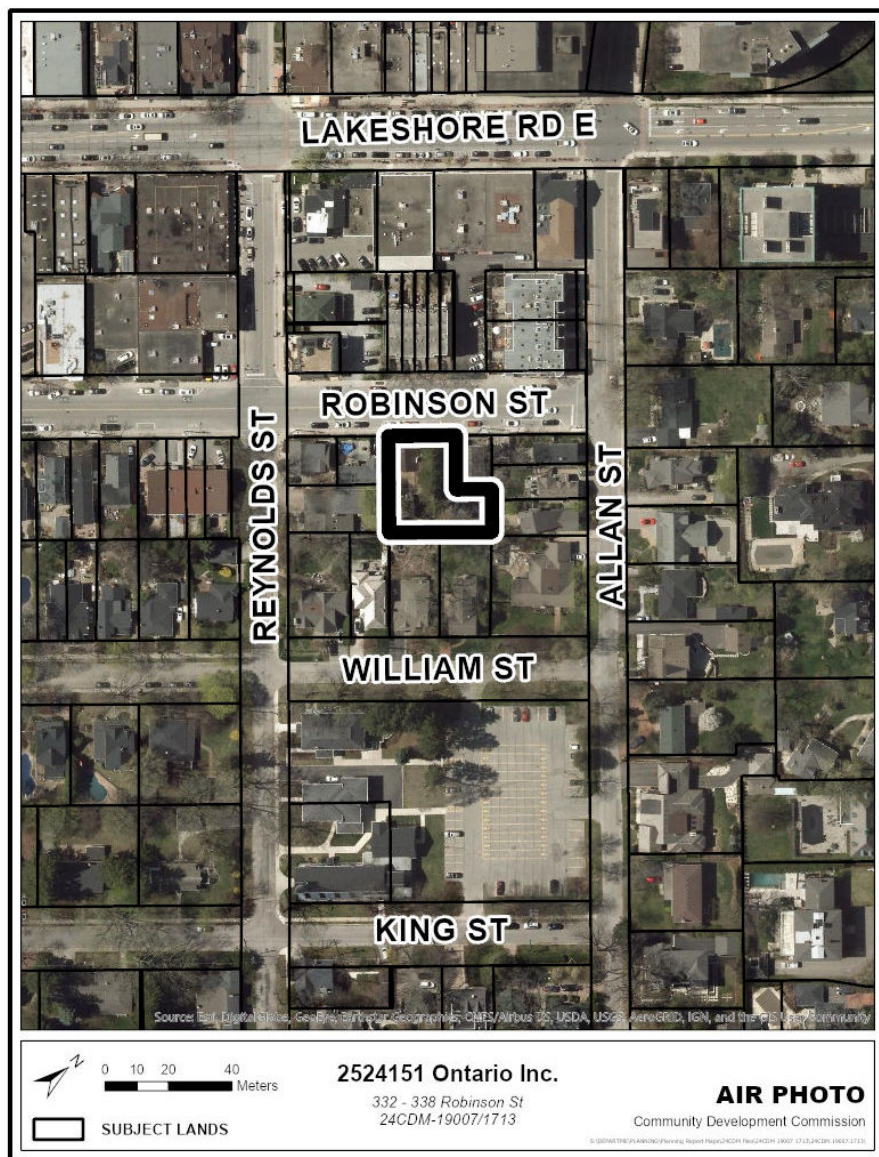


Figure 2: Location Map

POLICY FRAMEWORK

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

- Provincial Policy Statement (2014)

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- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- Livable Oakville Plan
- Zoning By-law 2014-014

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.

The subject lands are located within a settlement area, which is to be the focus of growth and development. The land use patterns within the settlement area are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive.

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.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

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

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lands were reviewed for conformity with the 2017 Growth Plan, and the development was determined to be in conformity with the 2017 Growth Plan. Nothing within the 2019 Growth Plan has changed that would impact the development in terms of conformity with the 2019 Growth Plan.

Region of Halton Official Plan

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

Policy 76 notes that the range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of the Regional Plan

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.

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 within the Livable Oakville Plan as *Medium Density Residential* on Schedule G – South East Land Use (Figure 3). Multiple attached dwellings are permitted within this designation and the development conforms to the applicable policies of the Livable Oakville Plan.

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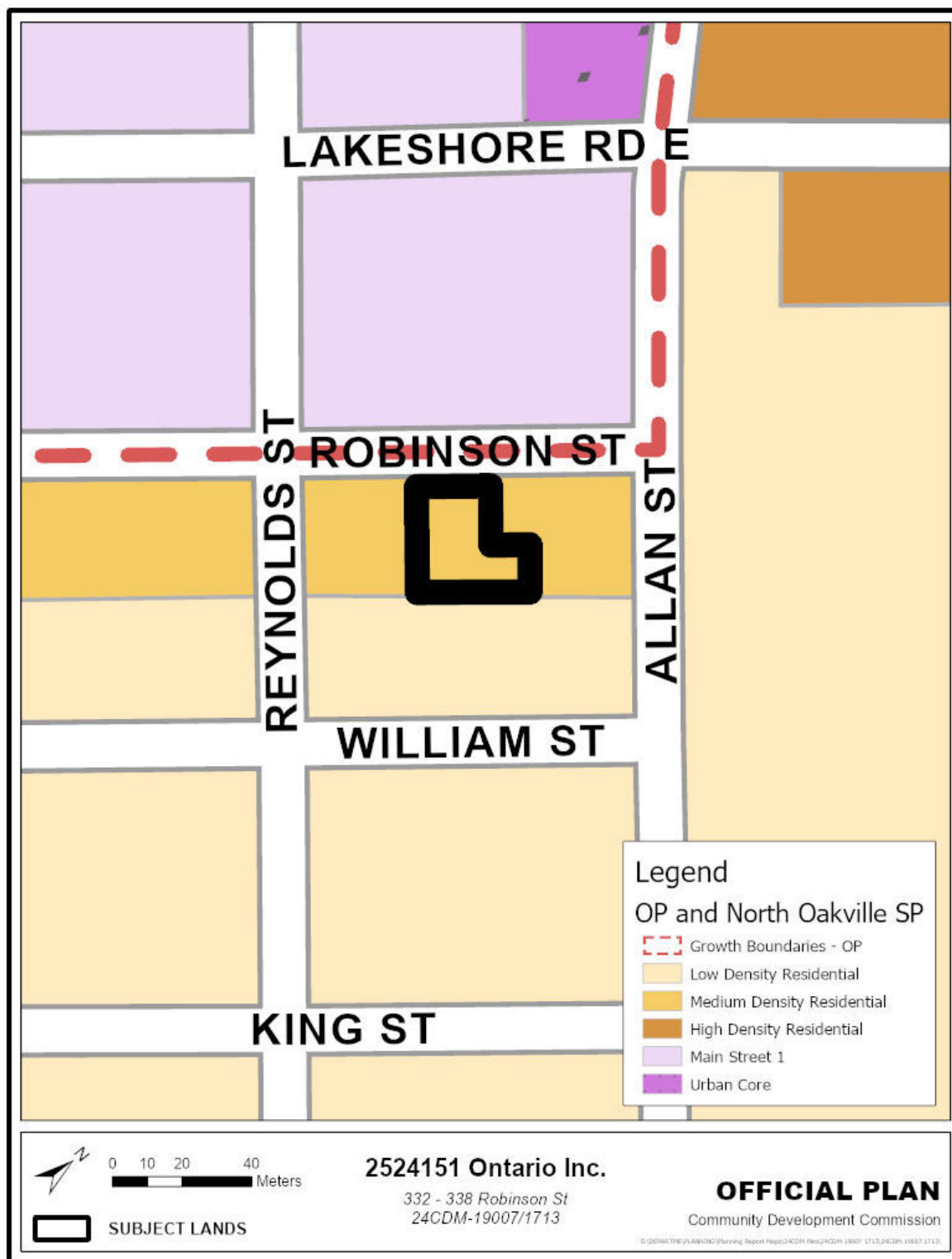


Figure 3: Livable Oakville Extract

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Zoning By-law 2014-014

The subject lands are zoned as RM1⁸⁵ - *Residential Medium Density* under Zoning By-law 2014-014 (Figure 4). The development has been constructed in accordance with the Zoning By-law.

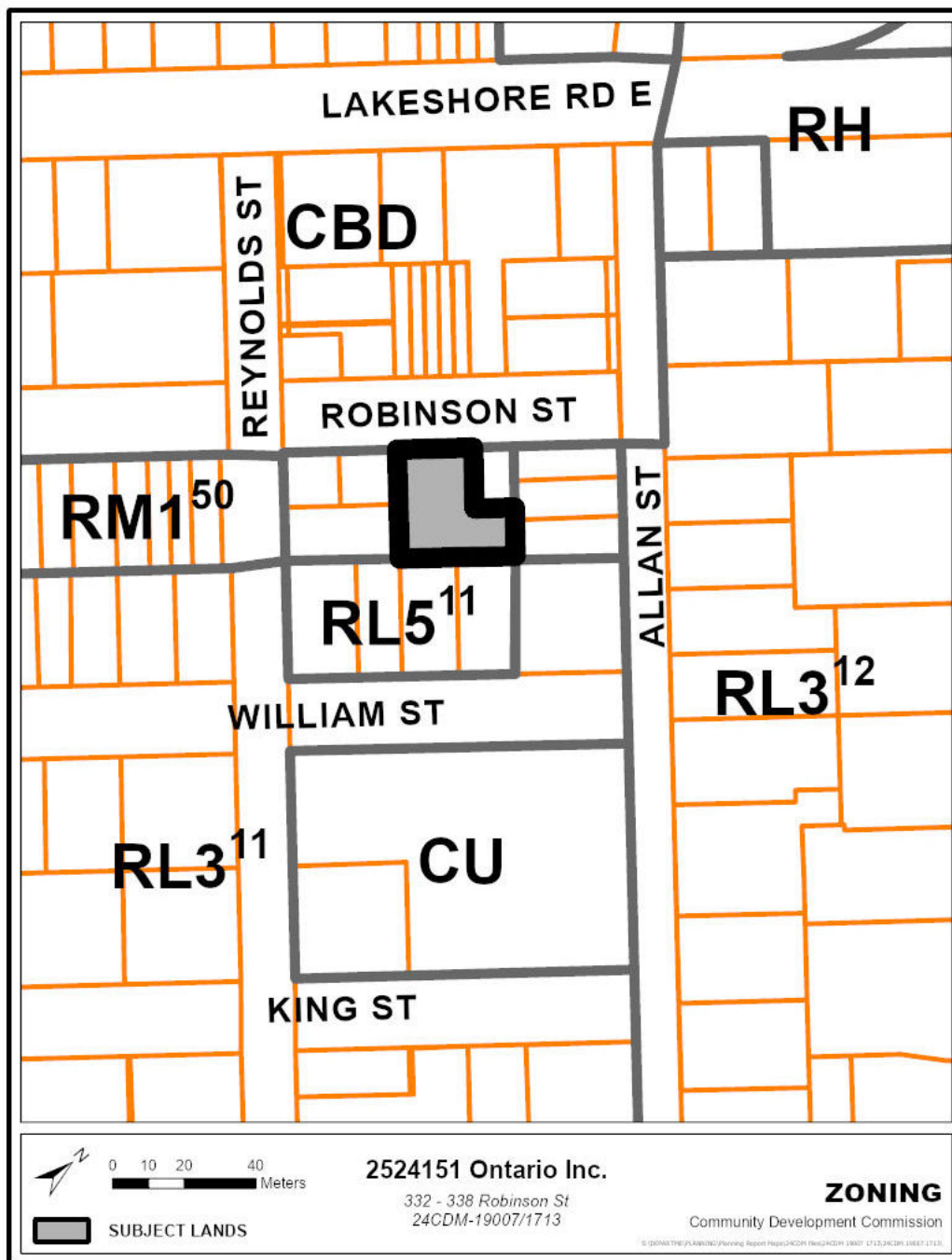


Figure 4: Zoning By-law Extract from By-law 2014-014

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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:

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.

Through the review and approval of the site plan application the development has been subject to detailed technical analysis including:

- built form and site layout;
- elevations;
- landscaping (on-site and off-site) and urban design;
- grading and stormwater management;
- site servicing;
- vehicle movements/access/parking;
- regional servicing requirements;
- conformity with Livable Oakville; 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 at the Building Permit stage.

The draft plan of condominium application was circulated to internal departments and external agencies for comments and subject to the conditions in Appendix A, there are no outstanding financial, legal or planning issues to be resolved.

The proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and consistent with the Livable Oakville 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 Livable Oakville Plan and Zoning By-law 2014-014. The following requirements have been satisfied:

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- 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;
- 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 site plan application processes;
- The application for a standard condominium is related to tenure of the approved development, is necessary to provide shared ownership and maintenance of the internal amenity elements and is appropriate for the orderly development of the lands.

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

Public input has been provided through the Site Plan approval process. No comments have been received from the public.

(B) FINANCIAL

This development is currently under construction and requirements specific to it such as the payment of Development Charges and cash-in-lieu of Parkland have been paid. Site plan agreement details the required on-site and off-site works and is secured by Letter of Credit, held on file. A standard condition has been included to ensure that the property taxes are paid to date.

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(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.

APPENDICES:

Appendix A - Draft Plan of Condominium Conditions

Prepared by:

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Current Planning – East District

Recommended by:

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Director, Planning Services