

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JULY 07, 2014

FROM: Planning Services Department

PD-056-14

DATE: June 13, 2014

SUBJECT: Draft Plan of Condominium Approval
Dundas Sixth Line Developments Inc.
39 Hays Boulevard, 24CDM-14003/1415

LOCATION: 39 Hays Boulevard

WARD: 5

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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-14003/1415) submitted by Dundas Sixth Line Developments Inc., prepared by KRCMAR, dated January 6, 2014, subject to the conditions included in Appendix A of report PD-056-14.

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 standard condominium including the driveways and drive aisles, visitor parking, common landscape features, community mailbox, garbage room and loading areas associated with a 254 unit residential townhouse development.
- The development is built and partially occupied.
- The development has been the subject of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment applications. Final approval was granted by the Ontario Municipal Board on June 3, 2009. The development also received final site plan approval on April 26, 2013 (SP.1415/019.03)
- No circulated internal departments or external agencies raised concerns with the application.
- Staff recommend that the Director give approval to the Draft Plan of Condominium subject to the conditions outlined in Appendix A.

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BACKGROUND:

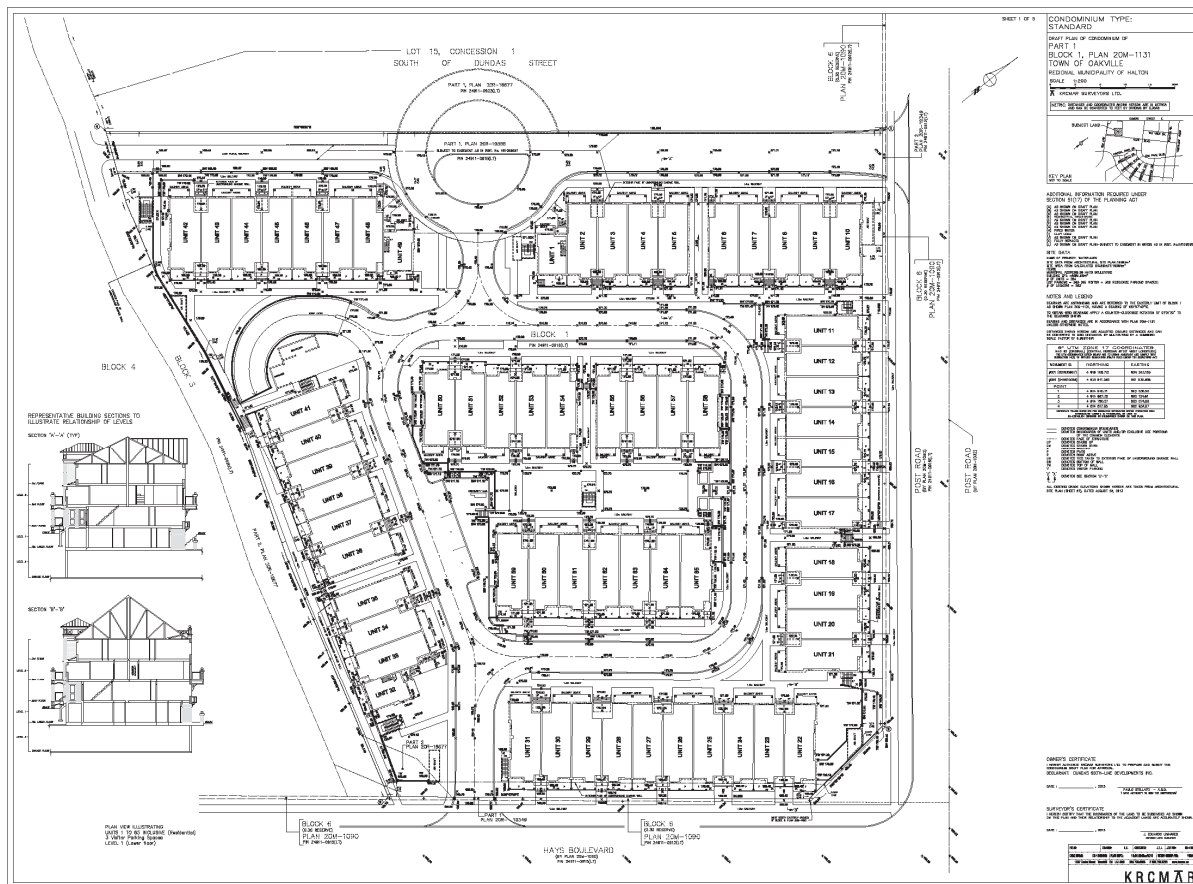
The applicant is requesting approval of a Draft Plan of Condominium to create a standard condominium including the driveways and drive aisles, visitor parking, common landscape features, community mailbox, and garbage and recycling area associated with a 254 unit residential townhouse development.

Dundas Sixth-Line Developments Inc. subdivision 24T-03003/1415, Official Plan Amendment 293 and Zoning By-law 2009-027 were approved by the Ontario Municipal Board on June 3, 2009, for the lands bounded by Dundas Street, Sixth Line, Hays Boulevard, and Post Road. Final site plan approval was granted on April 26, 2013. The development is built and partially occupied.

The lands subject to this application are approximately 1.69 hectares in size and identified as the second of three phases for this subdivision. The first phase (west of the pond) received approval of a Draft Plan of Condominium on February 25, 2013



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Site Description and Location

The lands are described as Block 1, Plan 20M-1131, formerly Part of Lot 15, Concession 1 S.D.S. The land is now municipally known as 39 Hays Boulevard.

The surrounding land uses are as follows:

North: Future development, Phase 2b
 East: Post Road
 South: Hays Boulevard
 West: West Morrison Creek

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EXISTING POLICY FRAMEWORK

Regional Official Plan

The OMB has issued a series of decisions regarding the partial approval of ROPA 38 to the Halton Region's Official Plan. Development applications are being reviewed in accordance with the approved policies of ROPA 38.

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". 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.

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.

The subject lands are designated Urban Core in Schedule I, Central Land Use. An exception also pertains to the lands bounded by Dundas Street East, Sixth Line, Hays Boulevard and Post Road, which permits multiple attached units at locations and heights in accordance with the Zoning By-law.

Zoning By-law 1984-63

The subject lands are zoned Residential Mixed Dwelling – R8(a), Special Provision (SP) 828, subject to Holding Provision 22, which permits stacked townhouse units.

Zoning By-law 2014-14

The subject lands are zoned Urban Core – MU4, Special Provision (SP) 19, subject to Holding Provision 12, which permits stacked townhouse dwellings.

COMMENT/OPTIONS:

The development was subject to an Official Plan and Zoning By-law Amendment, Draft Plan of Subdivision and a Site Plan review process. The final obligations were addressed through the conditions of site plan approval and subdivision process. The Draft Plan of Condominium application was circulated to internal departments and external agencies for comments and addresses the tenure of ownership. No concerns were raised.

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Staff recommends approval of the application for Draft Plan of Condominium as the following requirements have been satisfied:

1. A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved;
2. The proposal complies with approved Official Plan policies and Zoning By-law regulations applicable to the subject property; and,
3. A condominium agreement is not necessary as all financial, design and technical requirements have been addressed through the subdivision and site plan agreements.

The Draft Plan of Condominium has satisfied the requirements of Section 51 (24) of the *Planning Act*.

CONSIDERATIONS:

(A) PUBLIC

The development has gone through Plan of Subdivision, Official Plan and Zoning Amendments and Site Plan processes. Public notification was provided for all of the applications and approvals. A sign notifying the community of the subject application, and the Planning and Development Council meeting date was placed on site.

(B) FINANCIAL

All of the financial requirements relating to this development have been addressed.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

None of the circulated departments and agencies raised any concerns. Any relevant conditions have been included as conditions of draft approval

(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 goals and objectives of the Livable Oakville Plan.

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APPENDICES:

Appendix A – Draft Plan of Condominium Conditions

Prepared by:
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Planner

Recommended by:
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Manager, Current Planning – Central
District

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Senior Manager, Current Planning &
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Submitted by:
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Director of Planning Services