



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 01, 2016

FROM: Planning Services Department 16-591

DATE: October 7, 2016

SUBJECT: Recommendation Report, Draft Plan of Condominium -
1319284 Ontario Inc. (Dunpar Homes)
2158, 2168, 2180 & 2192 Trafalgar Road
File No.: 24CDM-12005/1413

LOCATION: 2158, 2168, 2180 & 2192 Trafalgar Road

WARD: 5 Page 1

RECOMMENDATION:

1. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-12005/1413) submitted by 1319284 Ontario Inc. (Dunpar Homes), prepared by Rady-Pentek & Edward Surveying Ltd., dated December 3, 2015, subject to the conditions contained in Appendix 'A' of the Planning Services report dated October 7, 2016; and
2. That notice of Council's decision reflect that the comments from the public have been appropriately addressed as described in staff report 16-591.

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 common elements condominium for 112 townhouse 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 development received Draft Plan of Subdivision and rezoning approval from the Ontario Municipal Board in April, 2014.
- The development received final site plan approval (SP 1413.045/01) on October 26, 2015 and is currently under construction.
- No circulated internal or external agencies raised concerns with the application.

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- Staff recommend that the Director of Planning Services 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 Condominium application consisting of 112 townhouse units. Upon registration of the condominium, the condominium corporation will be created and will be responsible for the management of the development.

A Draft Plan of Condominium application was submitted on November 27, 2012 by 1319284 Ontario Inc. (Dunpar Homes) at the same time as the Draft Plan of Subdivision and rezoning applications were submitted.

Proposal

The applicant proposes a common element condominium consisting of 112 townhouse units (Figure 1).

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.

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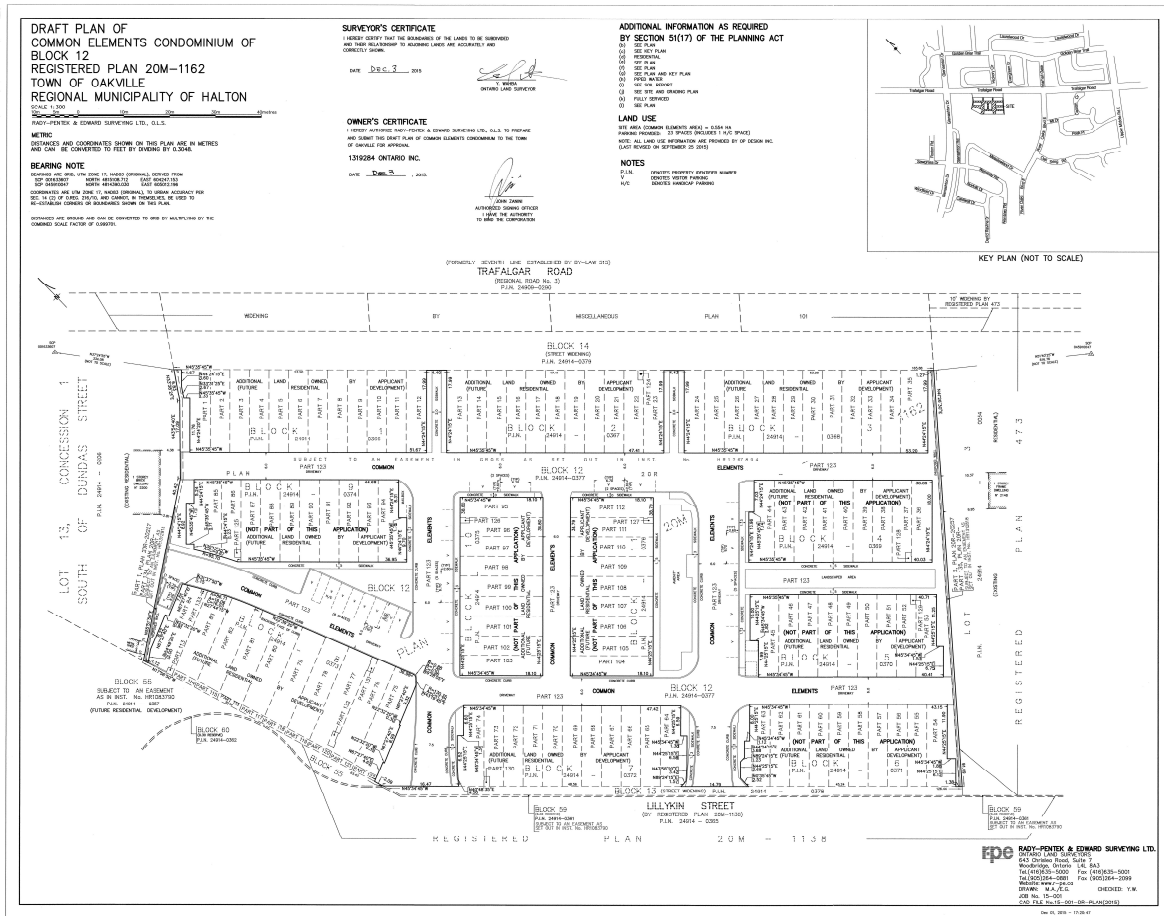


Figure 1: Draft Plan of Common Elements Condominium

Location and Site Description

The subject lands are located south of Glenashton Drive along Trafalgar Road, which has been identified as a Busway Corridor in the Livable Oakville Plan. The total site area is 1.65 hectares.

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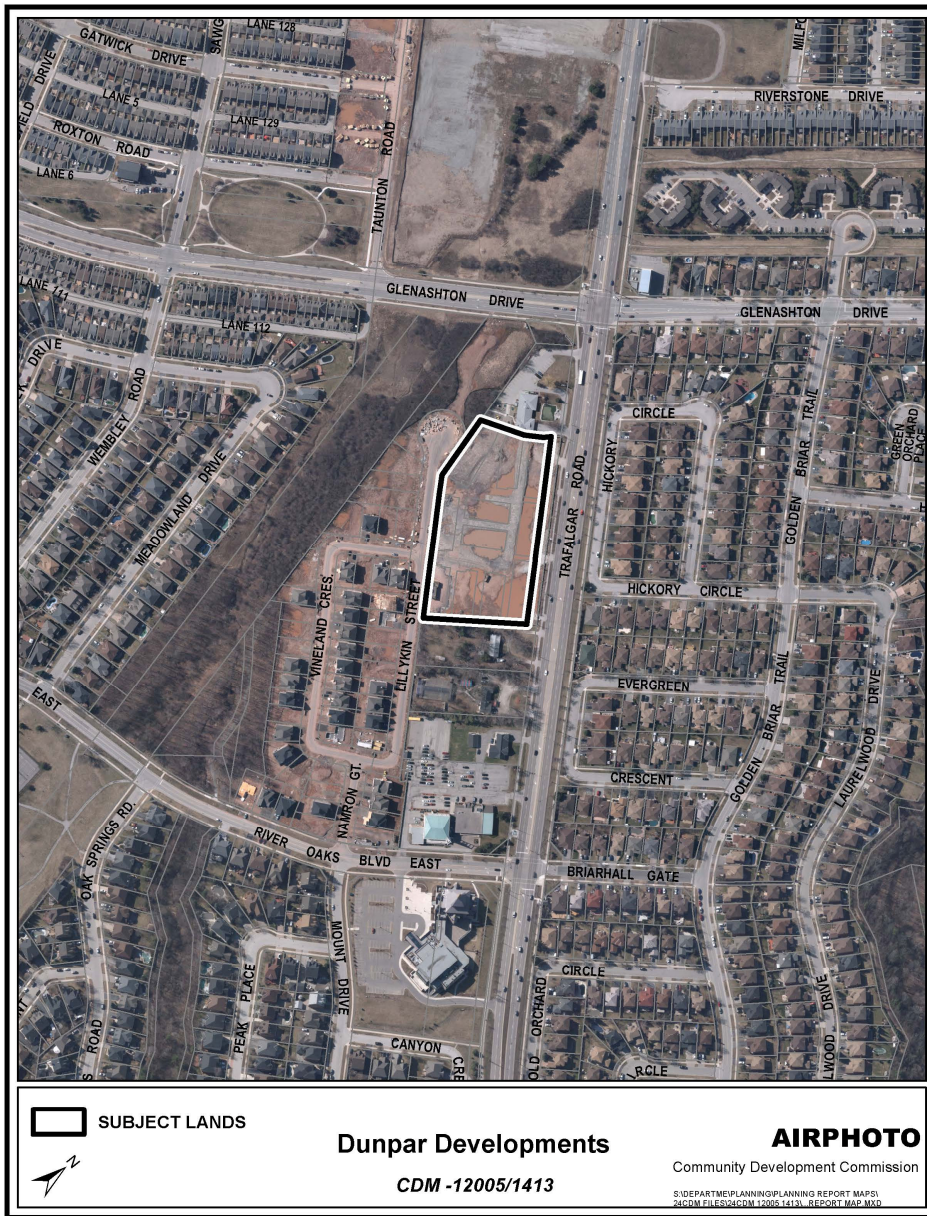


Figure 2: Air Photo

Several blocks of townhomes are currently under construction.

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Surrounding Land Uses

The surrounding land uses are as follows:

North: Existing commercial uses (daycare centre, chiropractic and dental office)

East: Trafalgar Road and established residential neighbourhood

South: A detached dwelling, dog kennel and place of worship

West: 51 lot single detached residential subdivision

POLICY FRAMEWORK:

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 lands are designated *Main Street 2* on Schedule I: Central Land Use in the Livable Oakville Plan. Multiple attached dwelling units are a permitted use. The proposal conforms to the Livable Oakville Plan.

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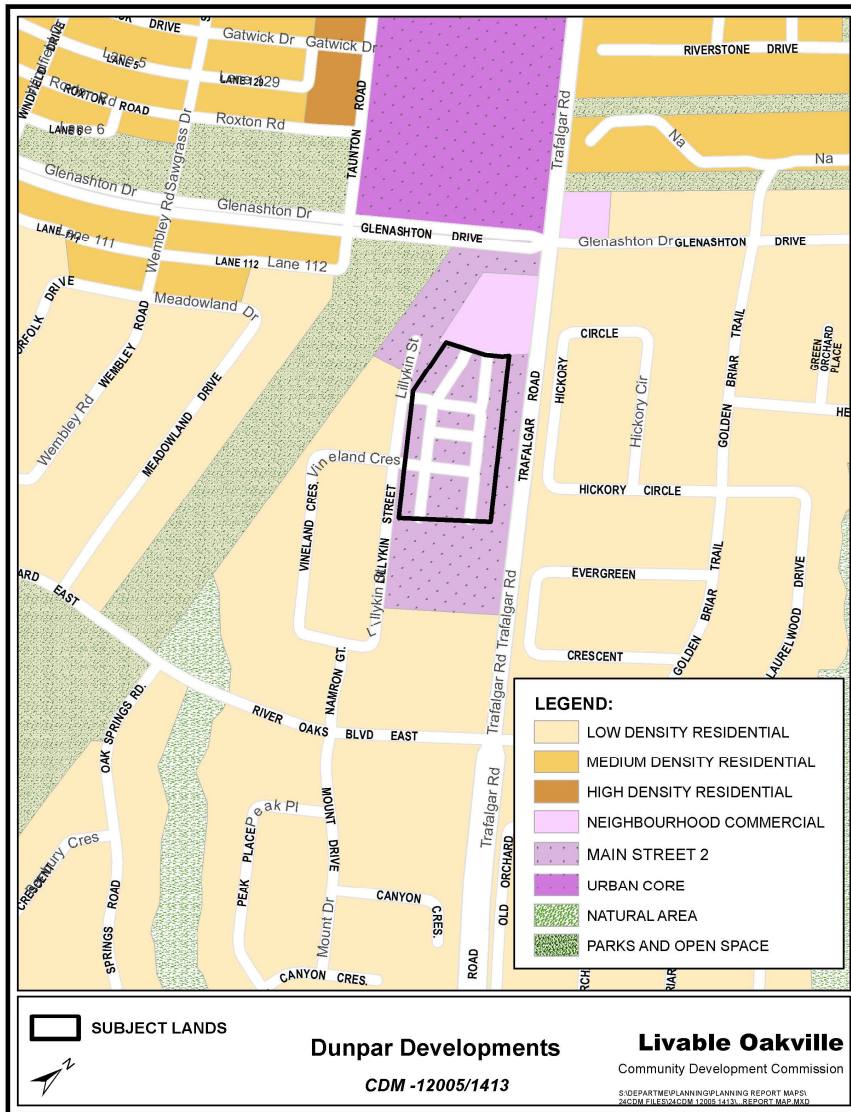


Figure 3: Livable Oakville Extract

Zoning By-law

The property is subject to By-law 2014-062 approved by the Ontario Municipal Board. By-law 2014-062 zones the subject lands *MU2*³⁵⁴ – *Mixed Use 2* as shown on Figure 4 below. The proposed development complies with the Zoning By-law.

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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 reviewed in the context of the Trafalgar Road Corridor Planning Study and was the subject of a detailed site plan process.

Through the site plan process the following matters were addressed:

- Built form and site layout;
- Landscaping and urban design;
- Grading and stormwater management;
- Site servicing;
- Vehicle movements;
- 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 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.

Accordingly, the proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act* and is consistent with the Livable Oakville Plan.

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 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;
- The development has been granted final site plan approval where site servicing, grading and stormwater management, landscaping, urban design

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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 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

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 #1413.045/01 details 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.

(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 – Draft Plan of Condominium Conditions

Prepared by:

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Recommended by:

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Manager, East District

Submitted by:

Mark H. Simeoni, MCIP, RPP
Director of Planning Services