

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 7, 2020

FROM: Planning Services Department

DATE: November 25, 2020

SUBJECT: Recommendation Report, Draft Plan of Condominium, 412-502 Silver Maple Road, 3005-3016 Max Khan Boulevard, 451-539 Dundas Street East, 3008-3020 Eighth Line, 431-445 Brooklyn Common, 461-497 Manhattan Common, 24CDM-20001/1311

LOCATION: Northwest corner of Dundas Street East and Eighth Line

WARD: 7

Page 1

RECOMMENDATION:

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Common Element Condominium (24CDM-20001/1311) submitted by Foxcotte Village Estates Inc., prepared by R-PE Surveying Ltd., dated March 12, 2020, subject to the conditions contained in Appendix 'A' of the Planning Services report dated November 25, 2020.

KEY FACTS:

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

- A draft plan of common element condominium application has been submitted to create the private roads, visitor parking, and walkways for the 106 unit townhouse development.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received final site plan approval (SP.1311.001/01 and 1311.001/02) on November 26, 2019.
- There were no concerns raised with the applications from circulated internal or external agencies.
- Staff recommends approval to the draft plan of common element condominium subject to the conditions outlined in Appendix 'A'.

BACKGROUND:

Foxcotte Village Estates Inc., seeks approval for a plan of common element condominium to create the private roads, 24 visitor parking spaces, and pedestrian walkways connecting to Dundas Street East for the 106 townhouses. The applicant

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has submitted a Part Lot application to create the freehold parcels that will be tied to the common elements condominium.

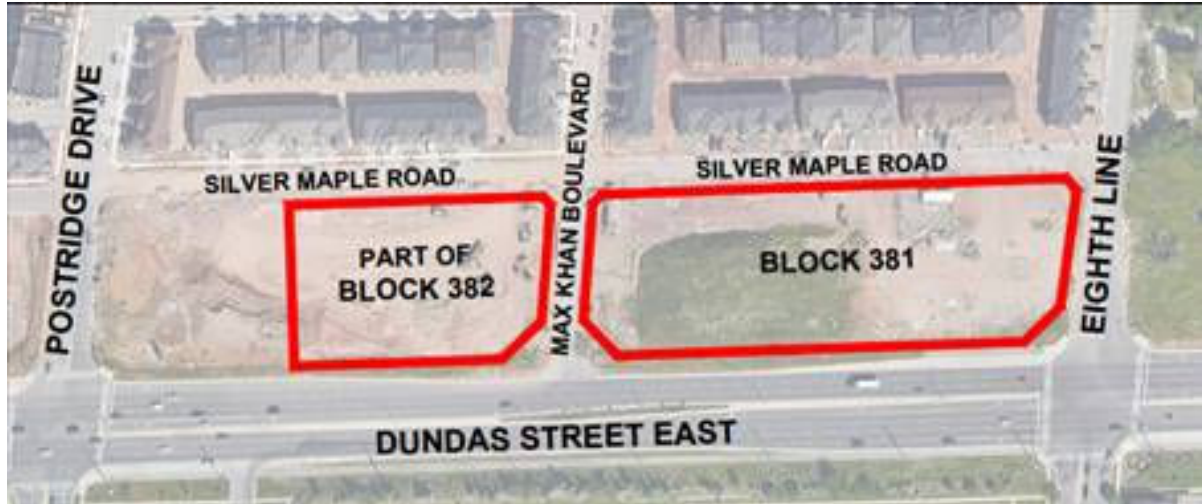


Figure 1: Contextual Air Photo

The draft plan is shown on Figure 2 below. Upon final approval of the plan of common element condominium, the condominium corporation will be responsible for the management of the development.

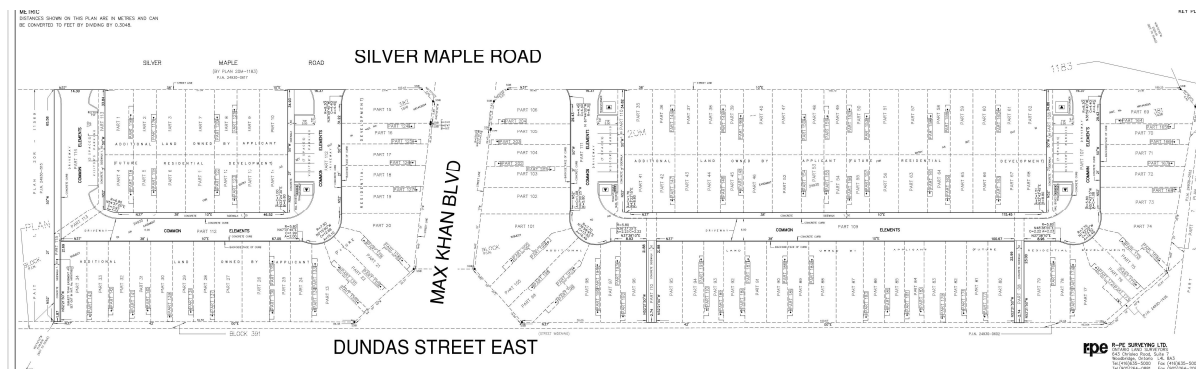


Figure 2: Draft Plan of Condominium

Submission materials are posted on the town's website:

<https://www.oakville.ca/business/da-35901.html>

Location and Site Description

The subject land area is 0.408 hectares and fronts onto Dundas Street East with vehicular access from Silver Maple Road.

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Surrounding Land Uses

The surrounding land uses are as follows:

North: Residential – townhouse blocks
East: Future residential development – site plan application in circulation for an eight storey building
South: Dundas Street East and residential neighbourhood
West: Vacant - Future Dundas Urban Core lands zoned to permit an eight storey residential building

POLICY FRAMEWORK

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

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

2020 Provincial Policy Statement:

The Provincial Policy Statement (2020) ('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.

Staff is of the opinion that the proposed draft plan of condominium is consistent with the 2020 Provincial Policy Statement as it adds to the range of residential uses, provides for compact development that makes use of existing municipal infrastructure, including Oakville Transit routes and the Uptown Core Transit Terminal which is approximately an eight-minute walk from the subject lands.

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

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Page 4

facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

The subject lands are located within a “Designated Greenfield Area”, where areas are to be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services.

Staff is of the opinion that the proposed draft plan of condominium conforms and therefore does not conflict with the Growth Plan 2019 as the application contributes to the achievement of complete communities by providing additional residential unit types to help accommodate people at different stages of life, as well as new commercial uses and access to local transit services.

Halton Region Official Plan

The subject lands are designated “Urban Area” in 2009 Regional 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 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.

North Oakville East Secondary Plan

The subject lands are designated Dundas Urban Core (DUC) on Figure NOE2, Land Use Plan in the NOESP. The approved zoning by-law for the subject lands permits mixed use and stand-alone residential buildings along Dundas Street as well as townhouses. The development provides appropriate transition from Dundas Street to the lower density residential areas in terms of land use, height and density in a manner consistent with NOESP and the approved site plan application.

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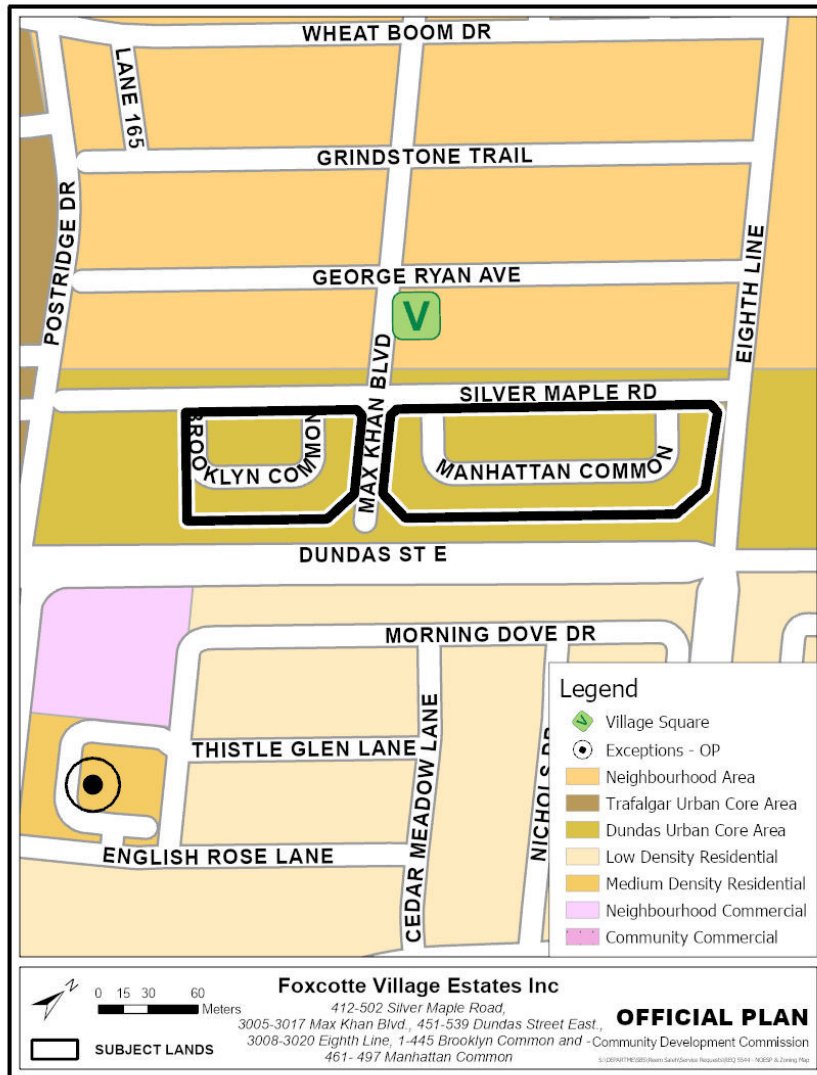


Figure 3: Excerpt from the North Oakville East Secondary Plan

Zoning By-law 2009-189

The subject lands are zoned Dundas Urban Core as shown on Figure 4 below. The development has been constructed in accordance with the Zoning By-law.

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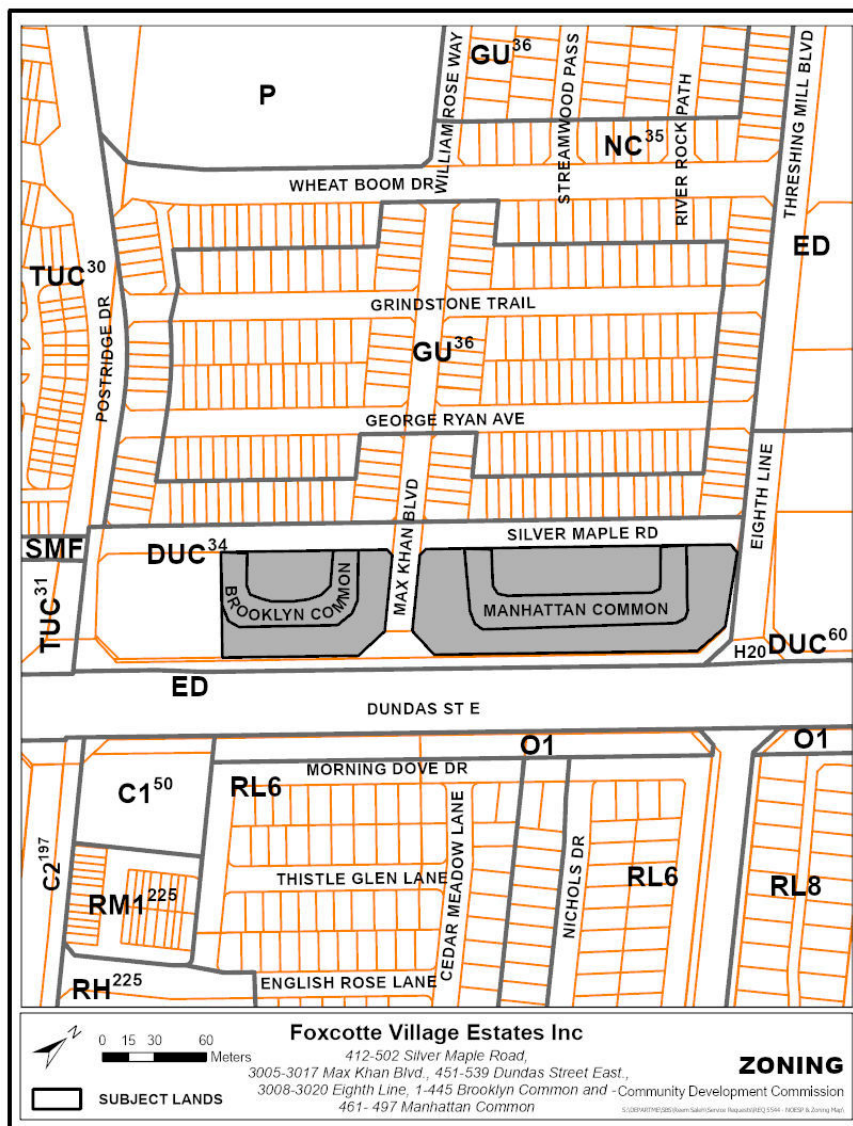


Figure 4: Excerpt from the North Oakville Zoning By-law

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.

PLANNING ANALYSIS

Technical Review

The purpose of the proposed condominium is to create the common elements, including the private roads, 24 visitor parking spaces, and walkways for the 106 unit

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Page 7

townhouse development. A Part Lot application has been submitted to create the freehold parcels for the individual units.

Through the review and approval of the site plan application the development has been subject to detailed technical analysis. Specifically, the following matters were addressed through previous processes:

- Built form and site layout;
- Elevations;
- Pedestrian circulation;
- Landscaping and urban design;
- Grading and stormwater management;
- Vehicular access;
- visitor parking
- Conformity with the North Oakville East Secondary Plan; and
- Compliance with the Zoning By-law.

The proposed condominium includes visitor parking at grade, residential parking at each unit, and walkways connecting to Dundas Street East. The plan is consistent with the plans approved as part of the final site plan approval (SP.1311.001/01 and 1311.001/02) on November 26, 2019.

The draft plan of common element condominium application was circulated to internal departments and external agencies for comments and there were no issues raised. Draft plan of condominium conditions have been included in Appendix 'A' of this report.

The financial obligations of the developer as it relates to the construction of the development have been addressed through the subdivision agreement and site plan approval. Accordingly, staff have determined that 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 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 North Oakville East Secondary Plan and Zoning By-law 2009-189. The following requirements have been satisfied:

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Page 8

- The proposed plan of condominium meets the criteria established in Section 51(24) of *the Condominium Act*;
- The proposed development conforms to the North Oakville East Secondary 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 and financial obligations were addressed through the conditions of site plan approval.
- 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 subdivision and rezoning application processes.
- Approval of the draft plan of condominium is necessary to create the common elements and is appropriate for the orderly development of the lands.
- Building permits have been issued in accordance with the approved Site Plan.

CONSIDERATIONS:

(A) PUBLIC

Public input opportunities were provided through the subdivision, zoning and site plan approval processes. No comments were received from the public.

(B) FINANCIAL

Financial requirements specific to construction, such as the payment of development charges and parkland requirements, have been satisfied. 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. Relevant conditions have been included within the draft plan of condominium conditions listed in Appendix 'A'.

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(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 generally complies with the sustainability objectives of the North Oakville East Secondary Plan.

APPENDICES:

Appendix A - Draft Plan of Condominium Conditions for 24CDM-20001/1311

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Recommended by:

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Manager

Current Planning – East District

Submitted by:

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Director, Planning Services