

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 28, 2016

FROM: Planning Services Department

16-592

DATE: November 7, 2016

SUBJECT: Recommendation Report, Draft Plan of Condominium, Mattamy (Munns) Limited File No. 24CDM-16004/1318

LOCATION: 3193-3201 Carding Mill Trail & 3125-3169 Riverpath Common

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RECOMMENDATION:

1. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-16004/1318) submitted by Korsiak Urban Planning on behalf of Mattamy (Munns) Ltd., prepared by Rady-Pentek and Edwards Surveying Ltd., Planning Services department date stamped July 14, 2016 (Sheet 1), subject to the conditions contained in Appendix 'A'; and
2. That comments from the public be received and that notice of Council's decision reflect that the comments from the public have been appropriately addressed

KEY FACTS:

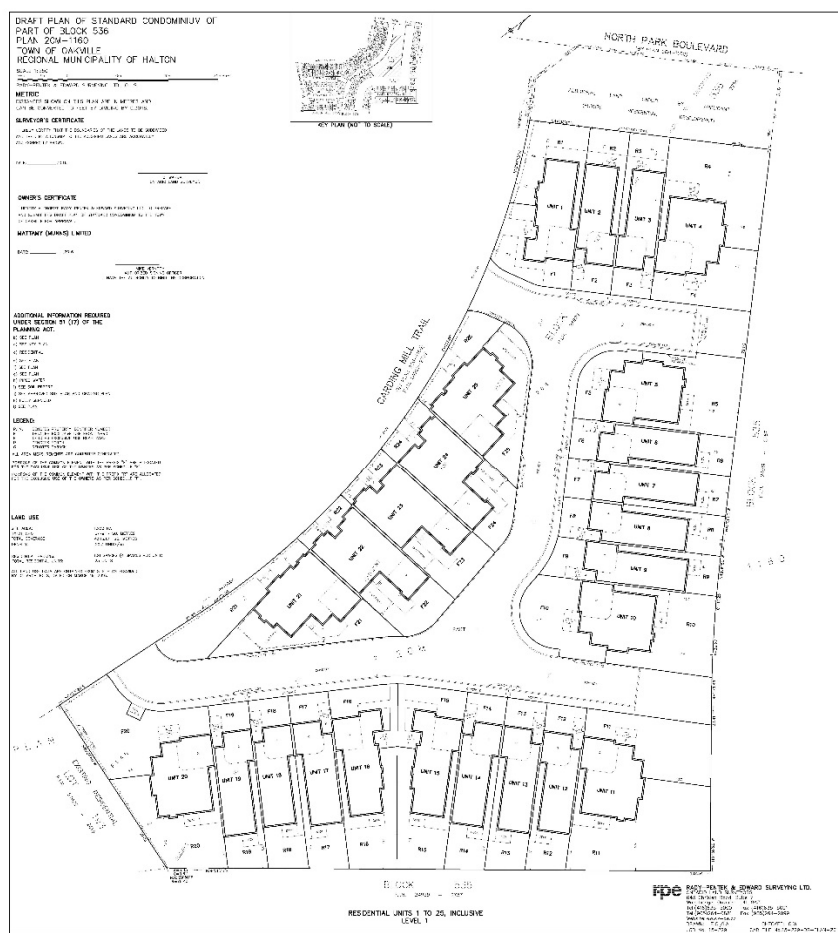
The following are key points for consideration with respect to this report:

- A Draft Plan of Condominium application has been submitted to create a standard condominium for a development containing 25 townhouse units.
- The intent of the application is to establish condominium tenure for the development, which will allow for the transfer of individual units to future owners.
- The site is serviced and paved, however building permits are not anticipated to be applied for until later in 2016.
- The development received final site plan approval (S.P. 1318.003/01) on July 7, 2016.
- No circulated internal department or external agencies raised concerns with the application.
- Staff recommend that the Director of Planning issue approval of the Draft Plan of Condominium, subject to the conditions outlined in Appendix 'A'.

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 25 townhouse units. Upon registration of the condominium, the condominium corporation will be created and will be responsible for the management of the development.

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.

Figure 1 – Draft Plan of Condominium



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COMMENT/OPTIONS:Location

The development is located on the east side of Carding Mill Trail, south of North Park Boulevard, within registered plan 20M-1160, known as Phase 2 of the Preserve community. The site plan process approved development of a 1.2 ha portion of Block 536, which maintains an overall area of 1.55 ha as shown on Figure 2. The property is municipally known as 3193-3201 Carding Mill Trail and 3125-3169 Riverpath Common.

Figure 2 – Aerial Photograph

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Surrounding Land Uses

Surrounding land uses include lands designated as Natural Heritage System (Munn's Creek) to the east and south; residential uses under construction to the west and land designated for future residential use to the north.

POLICY FRAMEWORK

Provincial Policy Statement

The Provincial Policy Statement is intended to promote a policy led system, which recognises 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.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new Provincial Policy Statement (PPS) 2014 under Section 3 of the *Planning Act*. The new PPS replaces the 2005 statement and is effective April 30, 2014.

The subject application is consistent with the new PPS.

Region of Halton 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.

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Official Plan

The subject lands are designated within Figure NOE2 of the North Oakville East Secondary Plan as Neighbourhood Area. Residential uses, such as townhouses, are a permitted land use within this designation. The approved site plan and proposed draft plan of condominium conform with the policies of the Official Plan.

Zoning By-law (North Oakville)

The property is zoned as NC SP:27 under Zoning By-law 2009-189. The existing zoning regulations were established through a site specific zoning amendment to allow for the development. The approved site plan and proposed draft plan of condominium comply with the regulations of the Zoning By-law.

As a condition of approval, staff are requesting the applicant to confirm that the “as built” development complies with the Zoning By-law.

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 the subject of a detailed site plan process which reviewed a number of technical issues including stormwater management, grading/drainage, vehicle movements, landscaping and Regional servicing requirements.

Final site plan approval was granted on July 7, 2016. The site is serviced and paved, however building permits are not anticipated to be applied for until later in 2016.

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 concerns were raised.

Staff recommends draft approval of the application of the condominium as the following requirements have been satisfied:

1. A full circulation has been undertaken and there are no outstanding financial, legal or planning issues to be resolved.

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2. The proposal has been designed to comply with the Official Plan (NOESP) and Zoning By-law (By-law 2009-189). Final site plan approval was granted on July 7, 2016.
3. Public participation occurred through the associated combine Draft Plan of Subdivision Zoning Amendment application and further, through the site plan approval processes.
4. 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 guarantee the completion of the required site works.

CONCLUSION

The approval and registration of the Draft Plan of Condominium will permit the transfer of ownership of the units to the individual purchasers. The Planning Services Department undertook a complete circulation of the application to ensure that all technical and financial matters had been addressed. No issues were raised by the circulated agencies and, as such, it is recommended that the proposed Draft Plan of Condominium be approved subject to conditions outlined in this report.

CONSIDERATIONS:

(A) PUBLIC

Public participation occurred through the associated Draft Plan of Subdivision and Zoning Amendment process and further, through the site plan approval process.

(B) FINANCIAL

A condition has been included to ensure that the property taxes are paid to date prior to final registration.

(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 Appendix "A".

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

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(E) COMMUNITY SUSTAINABILITY

The proposal complies with the sustainability objectives of North Oakville.

APPENDICES:

Appendix A - Draft Plan of Condominium Conditions

Prepared by:

Melissa Dalrymple, MCIP, RPP
Planner,
Current Planning West District

Recommended by:

Charles McConnell, MCIP, RPP
Manager, Current Planning - West
District

Submitted by:

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