



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: April 8, 2024

---

**FROM:** Planning Services Department

**DATE:** March 26, 2024

**SUBJECT:** Recommendation Report, Draft Plans of Condominiums (2), Zancor (Oakville) Limited, File No.: 24CDM-23004/1431 and 24CDM-23006/1431, 2450 Old Bronte Road

**LOCATION:** 2450 Old Bronte Road

**WARD:** Ward 4

Page 1

---

#### RECOMMENDATION:

1. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-23004/1431) submitted by Zancor (Oakville) Limited, and prepared by KRCMAR dated April 18, 2023, subject to the conditions contained in Appendix A of the Planning Service Report dated March 26, 2024.
2. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-23006/1431) submitted by Zancor (Oakville) Limited, and prepared by KRCMAR dated August 10, 2023, subject to the conditions contained in Appendix B of the Planning Service Report dated March 26, 2024.

#### KEY FACTS:

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

- Two draft plan of standard condominium applications (one residential and one non-residential) have been submitted by Zancor (Oakville) Limited which relate to the eight storey mixed-use building recently constructed at 2450 Old Bronte Road.
- This consolidated report reflects a review of both condominium applications.
- Condominium tenure would allow for the transfer of residential and commercial units to the future owners.
- Two site plan approvals were granted for this overall site. The first related to the relocation of the heritage listed dwelling (granted on February 3, 2020)

with the second related to the eight storey mixed-use building (granted on April 9, 2021). Both remain under construction. Residential units are presently occupied.

- The listed heritage building on the site was relocated and conserved as part of the previous heritage and site plan application processes. The heritage building is proposed to be excluded from the draft plan of condominiums. Notwithstanding this, the planned overall function of the site is to remain.
- A variance application related to parking under the mixed-use building was approved by the Committee of Adjustment on February 7, 2024.
- No circulated internal departments or external agencies raised concerns with the application.
- Staff recommends approval to both draft plan of condominiums subject to the conditions outlined in Appendix A and B.

### **BACKGROUND:**

The purpose of this report is to provide a full staff review of both draft plan of standard condominium applications and provide a recommendation on both applications.

The residential draft plan of condominium application was submitted in April 2023 by Zancor (Oakville) Limited with the non-residential application being submitted in August 2023. The mixed-use building and heritage house remain under construction.

### Heritage

The subject site includes a heritage house, which is listed on the town's Register of Properties of Cultural Heritage Value of Interest. The redevelopment of the site reflects the relocation of the 2-storey portion of the house, along with a portion of the 1-storey rear wings, slightly to the north. The house has been moved, restored and a new addition constructed onto the rear. The relocated house can be seen in Figure 3.

This details on how this work was to be completed are set out in the Heritage Easement Agreement, registered on title, between the town and the owner. The relocation of the heritage house and its use as a temporary sale pavilion received heritage approval in 2019. Once the reconstruction of the heritage building is completed, staff will initiate the Part IV heritage designation process.

## Two Previous Site Plans

Final site plan approval for the relocation of the heritage house and its use as a temporary sales pavilion was granted on February 3, 2020.

The eight storey tower development received final site plan approval on April 9, 2021. A Site Plan Agreement is registered on title.

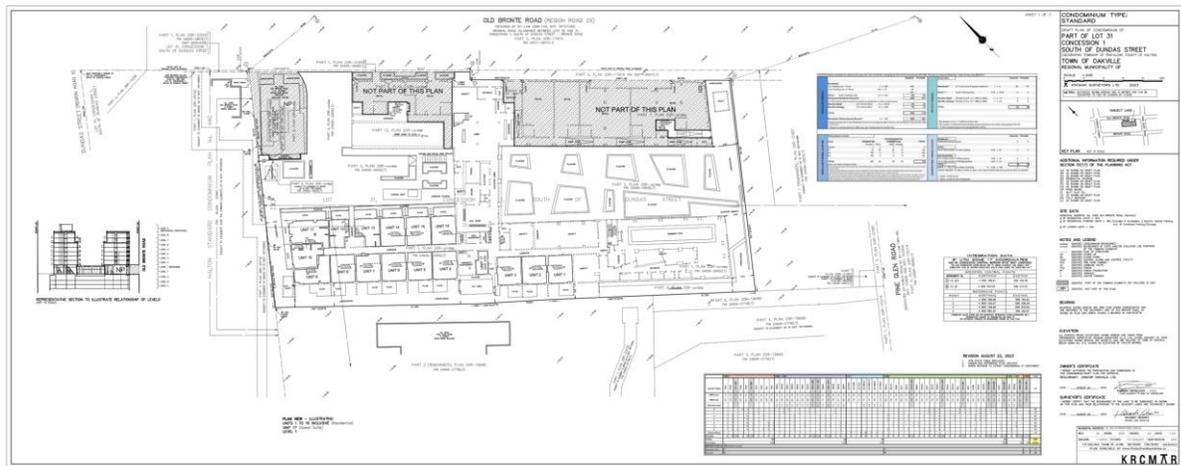
## Minor Variance

A Minor Variance application was approved on February 7, 2024 regarding as-built modifications to underground parking spaces (obstructions within 1.15 m of stall ends and permission for a barrier free stall to be a Type B).

Upon registration of the condominium, the condominium corporation(s) will be created and responsible for the management.

## **Proposal**

The applicant is proposing two standard condominiums (one for the residential component and one for the non-residential component) related to the eight storey mixed-use building with below grade parking. Please see excerpts below, shown on Figures 1 and 2.



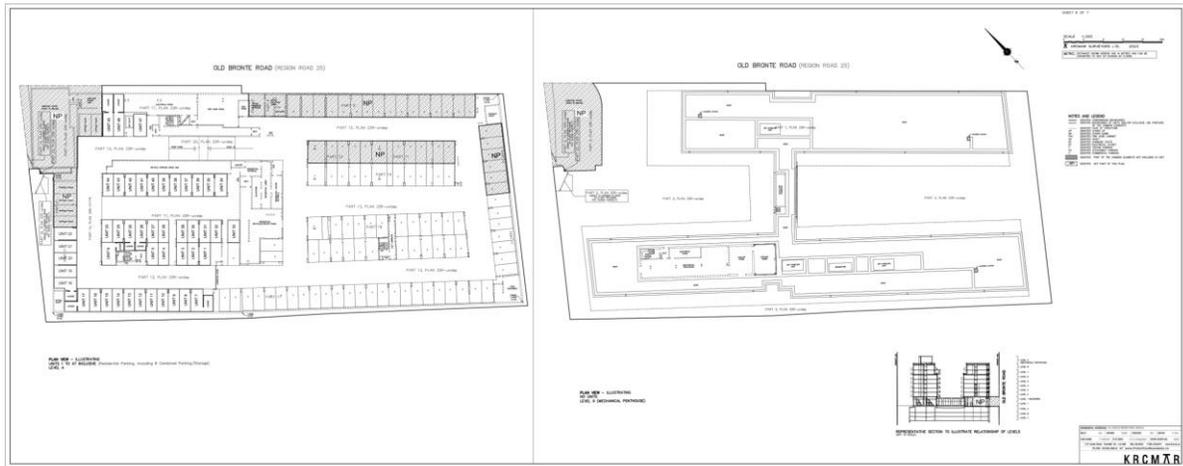


Figure 1: Residential Draft Plan of Condominium Excerpts

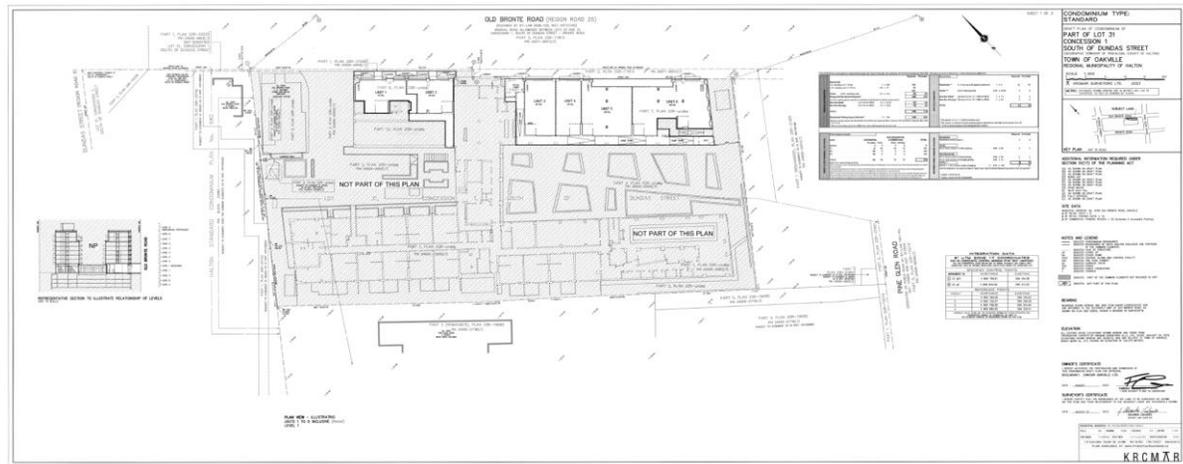


Figure 2: Non-Residential Draft Plan of Condominium Excerpts

### **Location & Site Description**

The subject property is approximately 0.7 hectares in size and is located on the west side of Old Bronte Road, midway between Dundas Street West and Pine Glen Road. The building is under construction.

### **Surrounding Land Uses**

The surrounding land uses are principally residential with a town fire/EMS station immediately to the west and St. Joseph Portuguese Catholic Church to the east, as shown on Figure 3.

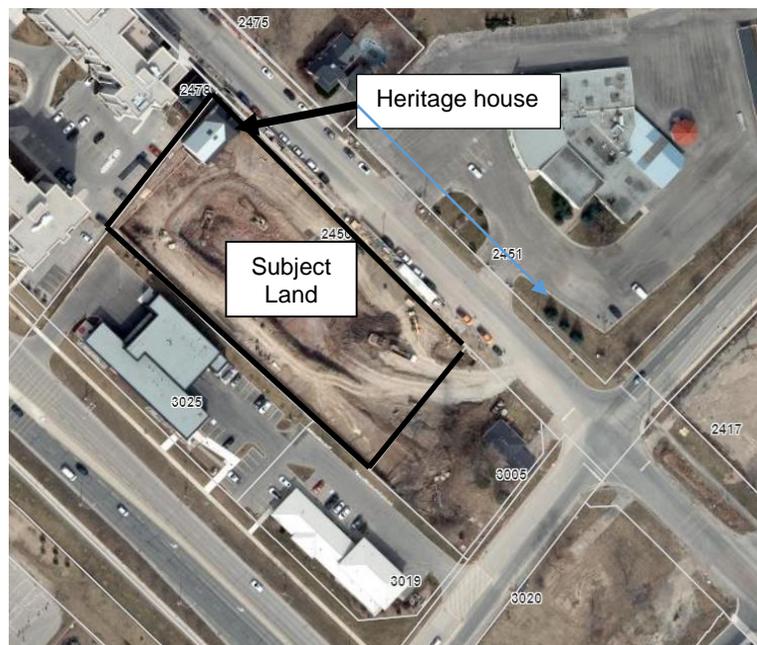


Figure 3: Air Photo and Streetview Photo

## **PLANNING POLICY & ANALYSIS:**

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
- Livable Oakville Plan
- Zoning By-law 2014-014

### **Provincial Policy Statement**

The Provincial Policy Statement (2020), 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. All planning decisions must be consistent with the PPS.

The Draft plan of condominium applications relate to property tenure only. At the time of Site Plan approval, the development was reviewed and determined to be consistent with the PPS.

### **Growth Plan**

The 2020 Growth Plan for the Greater Golden Horseshoe, the 'A Place to Grow' is a long-term plan that intends to manage growth, build complete communities, curb sprawl, and protect cultural heritage resources and the natural environment. All planning decisions are required to conform to the Growth Plan.

The Draft plan of condominium applications deal with property tenure. At the time of Site Plan approval, the development was reviewed and determined to be in conformity with the Growth Plan.

### **Halton Region Official Plan**

The subject lands are designated as 'Urban Area' in the 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 Region of Halton has no objection to the application.

### Livable Oakville Plan

The subject site is designated as 'Urban Centre,' as identified on Schedule N, Palermo Village Land Use Plan. The development conforms to the Oakville Official Plan.

### Zoning By-law

The subject land, highlighted by the star, is zoned MU3 (Bylaw 2014-014) as shown on Figure 4.

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 including the recently approved variances, prior to registration.

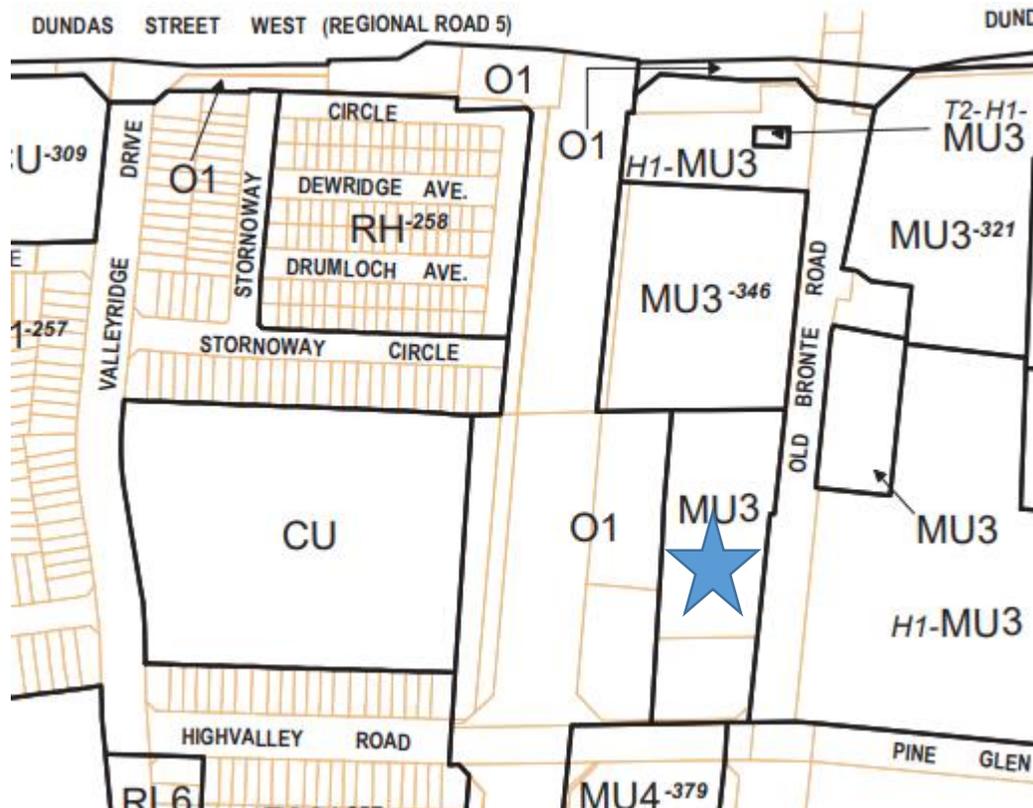


Figure 4: Except from the Zoning By-law 2014-014

### PLANNING ANALYSIS:

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

- Built form and site layout;

- Elevations;
- Pedestrian circulation;
- Landscaping and urban design;
- Grading and stormwater management;
- Site servicing;
- Vehicle movements;
- Conformity with the Livable Oakville Plan.

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 the preparation of the site plan agreement registered on title.

The draft plan of condominium applications 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 and B. Easements and shared facility agreement(s) requirements between the heritage property and the condominiums have been included in the draft conditions.

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

#### **CONSIDERATIONS:**

##### **(A) PUBLIC**

Public input opportunities were provided through previous planning processes. As these are standard condominium applications and each relates to tenure only, notice is not required with respect to this application.

##### **(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. Any relevant conditions have been included within the draft plan of condominium conditions listed in Appendix A and B.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses Council's strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

**(E) CLIMATE CHANGE/ACTION**

The proposal complies with the sustainability objectives of Climate Change Adaptation Initiative.

**CONCLUSION:**

Staff recommends approval of the draft plan of condominium applications, subject to the conditions in Appendix A and B, 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 applications are consistent with the Livable Oakville Plan and Zoning By-law 2014-014. 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 is consistent with the PPS, conforms to the Growth Plan, conforms to Livable Oakville, 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 within Appendix A;
- The development was 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 were issued in accordance with the approved Site Plan;
- There is no requirement for a Condominium Agreement as all financial, design, and technical requirements have been addressed through the Site Plan approval process.
- Opportunities for public participation were provided as part of the previous planning application processes.

**APPENDICES:**

Appendix A – Draft Plan of Condominium Conditions (residential portion)

Appendix B – Draft Plan of Condominium Conditions (non-residential portion)

Prepared by:

Robert Thun, MCIP, RPP

Senior Planner, Current Planning – West District

Recommended by:

Paul Barrette, MCIP, RPP

Manager, Current Planning – West District

Submitted by:

Gabe Charles, MCIP, RPP

Director, Planning Services