

**To:** Warden and Members of County Council

**From:** Director of Community Planning

## **Application for Draft Plan of Condominium and Exemption from Draft Plan Approval CD 21-05-8 – Creek Hill Homes Inc.**

### **RECOMMENDATIONS**

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1. That Oxford County grant draft plan approval to a proposed condominium submitted by Creek Hill Homes Inc. (File No. CD 21-05-8), prepared by N.A. Geomatics Inc., dated June 20, 2022, for lands described as Lot 5 & Pt Lot 4, Plan 10, in the City of Woodstock.
2. And further, that Oxford County Council approve the application for exemption from the draft plan of condominium approval process submitted by Creek Hill Homes Inc. (File No. CD 21-05-8), prepared by N.A. Geomatics Inc., dated June 20, 2022, for lands described as Lot 5 & Pt Lot 4, Plan 10, in the City of Woodstock.

### **REPORT HIGHLIGHTS**

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- The purpose of this report is to consider the approval of a draft plan of condominium and exemption from the draft approval process to facilitate condominium ownership of a townhouse development with 16 dwelling units.
- The proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the Official Plan, and complies with the provisions of the City of Woodstock Zoning By-law.

### **Implementation Points**

The application will be implemented in accordance with the relevant strategic initiatives, objectives and policies contained in the Official Plan.







## Financial Impact

The approval of this application will have no financial impact beyond what has been approved in the current year's budget.

## Communications

There are no public notice requirements for this application under the *Condominium Act*.

## Strategic Plan (2020-2022)

					
<b>WORKS WELL TOGETHER</b>	<b>WELL CONNECTED</b>	<b>SHAPES THE FUTURE</b>	<b>INFORMS &amp; ENGAGES</b>	<b>PERFORMS &amp; DELIVERS</b>	<b>POSITIVE IMPACT</b>
		3.ii			

## DISCUSSION

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### Background

**Owner:** Creek Hill Homes Inc.  
 Unit 140, 622 Dundas Street, Woodstock, ON N4S 1E2

**Applicant:** Avril Lavallee / McCarter Grespan Beynon Weir Professional Corp.  
 675 Riverbend Drive, Kitchener, ON N2K 3S3

### Proposal

An application has been received for approval of a plan of condominium and exemption from the draft approval process. The application will facilitate condominium ownership of a residential development consisting of 16 townhouse units. Access will be provided via an internal private lane, directly from Hunter Street for the units on the east side of the lot while the units on the west side of the lot will obtain access directly, and individually, from Oxford Street.

As indicated by the applicant, each townhouse unit, including parking and amenity space, will be for the exclusive use of individual owners. All areas outside of the individual units including the access lane, will be held in common ownership. A condominium development differs from a plan of subdivision in that the roads, parks, water and sanitary sewers, as well as other 'common' features within the plan, are typically owned privately by the condominium corporation.

For Council's information, amendments to the Official Plan (OP 21-05-8) and the City's Zoning By-law (ZN8-21-05) were approved by County and City Councils in August and September 2021, respectively, for the purpose of facilitating the proposed development. Subsequently, the owner obtained site plan approval from the City in March 2022 (SP 8-21-28).

The subject lands comprise approximately 0.3 ha (0.7 ac). Surrounding uses are predominately low density residential development, with a residential apartment building to the immediate east.

## **Comments**

### **2020 Provincial Policy Statement**

Section 1.1.1 of the PPS directs that healthy, liveable, and safe communities are sustained, in part, by accommodating an appropriate range and mix of residential (including additional units, affordable housing, and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, parks and open space, and other uses to meet long-term needs.

According to Section 1.1.3.1 (Settlement Areas), settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. Further, land use patterns within settlement areas shall be based on densities and a mix of land uses, which efficiently use land and resources, and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, as well as a range of uses and opportunities for intensification and redevelopment.

The policies of Section 1.1.3.6 state that new development taking place in designated growth areas should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Further, Section 1.4 (Housing) directs that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents;
- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; and,
- Establishing development standards for residential intensification, redevelopment, and new residential development which minimize the cost of housing and facilitate compact form while maintaining appropriate levels of public health and safety.

## Official Plan

The subject property is designated 'Medium Density Residential' according to the City of Woodstock Residential Density Plan, as contained in the Official Plan.

Medium density residential districts are those lands that are primarily developed or planned for low profile multiple unit development that exceed densities established Low Density Residential Districts. Residential uses within the Medium Density Residential Districts include townhouses, cluster houses, converted dwellings, and apartment buildings. In this District it is intended that there will be a mixing and integration of different forms of housing to achieve an overall medium density. To help achieve a variety of forms of housing, City Council may choose to restrict the range of uses permitted on individual sites through the Zoning By-law.

Section 7.2.2.2 of the Official Plan also contains policies where City Council can encourage the creation of housing opportunities within the City that may result in a mix of tenure forms, such as ownership, rental and cooperative units.

## Zoning By-law

The subject property is presently zoned 'Special Residential Type 3 Zone (R3-40)', which permits a horizontally-attached dwelling house and a street row dwelling house.

As previously noted, City Council approved ZN 8-21-05 at their August 12, 2021 Council meeting, implementing the current R3-40 zoning. Site specific zoning provisions affect the maximum number of dwelling units permitted on the lands as well as special provisions related to lot area, setbacks and outdoor amenity area. The existing development appears to meet the relevant R3-40 zone provisions.

## Agency Comments

A number of agencies were circulated the proposal to create condominium ownership of the development. None of the responding agencies indicated that they had any concerns regarding this application.

## City of Woodstock Council

City of Woodstock Council recommended support of the proposed draft approval of the plan of condominium and exemption from the draft plan of condominium approval process at their regular meeting of July 14, 2022.

## Planning Analysis

Applications for condominium approval can be dealt with in one of two ways, in accordance with the Condominium Act. The first method generally involves a process similar to an application for draft plan of subdivision where, after appropriate circulation, a proposal receives 'draft' approval which is contingent on the applicant satisfying a number of conditions prior to final approval and registration.

The second process is where the approval of the condominium is exempt from the draft or 'conditional' approval stage and proceeds directly to final approval. The exemption process is intended to apply to proposals that have previously undergone a complete evaluation (i.e. site plan approval) and no further conditions of approval are required by the municipality for the development.

As noted, amendments to the Official Plan (OP 21-05-8) and the City's Zoning By-law (ZN 8-21-05) were approved by County and City Councils in August and September 2021, respectively, for the purpose of facilitating the proposed development. In addition, the development received site plan approval from the City in March 2022, and is subject to the conditions of the development agreement that was entered into with the City of Woodstock as part of the site plan approval process. In light of this, the requested exemption can be considered appropriate.

As the proposal will facilitate the creation of a different form of housing to meet the long term social needs of current and future residents in a designated Settlement Area, Planning staff are of the opinion that the proposal is consistent with the policies of the PPS.

The proposal is also in keeping with the 'Medium Density Residential' policies of the Official Plan, and the proposed development creates a housing opportunity that will contribute to providing a mix of tenure forms in the City, which is in keeping with the policies of Section 7.2.2.2. Further, no concerns were raised with respect to compliance with residential development standards or relevant codes, and the design of the proposed development was approved by the City during the site plan process.

Based on a review of the draft plan of condominium, it would appear that the proposed development will meet the relevant provisions of the 'R3-40' Zone.

## **Conclusions**

In light of the foregoing, Planning staff are of the opinion that the proposal is consistent with the relevant policies of the Provincial Policy Statement, maintains the general intent of the County Official Plan, and complies with the provisions of the City's Zoning By-law. As such, the application for draft plan of condominium and exemption from the draft approval process can be supported from a planning perspective.

## **SIGNATURES**

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### **Report Author**

Original signed by \_\_\_\_\_

Dustin Robson, MCIP, RPP  
Development Planner

**Departmental Approval:**

Original Signed By \_\_\_\_\_  
Gordon K. Hough, RPP  
Director of Community Planning

**Approved for submission:**

Original signed by \_\_\_\_\_  
Michael Duben, B.A., LL.B.  
Chief Administrative Officer

**ATTACHMENTS**

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- Attachment 1 - Plate 1, Existing Zoning & Location Map
- Attachment 2 - Plate 2, Aerial Map
- Attachment 3 - Plate 3, Proposed Draft Plan of Condominium