

To: Warden and Members of County Council

From: Director of Community Planning

Application for Draft Plan of Condominium and Exemption from Draft Approval CD 22-01-3 – Veranda Property Investments Inc.

RECOMMENDATIONS

1. That Oxford County Council grant draft approval to a proposed draft plan of condominium submitted by Veranda Property Investments Inc., as prepared by Brooks & Muir Surveying, dated June 29, 2022, for lands described as Lots 293 and 341 and Part Lot 343, Plan 745 in the Village of Norwich;
2. And further, that Oxford County Council approve the application for exemption from the draft plan of condominium approval process, submitted by Veranda Property Investments Inc., prepared by Brooks and Muir Surveying, dated June 29, 2022, for lands described as Lots 293 and 341 and Part Lot 343, Plan 745, in the Village of Norwich.

REPORT HIGHLIGHTS

- 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 28 recently constructed townhouse dwellings in the Village of Norwich.
- Planning staff are supportive of the proposal as it is generally consistent with the relevant policies of the Provincial Policy Statement and maintains the intent and purpose of the Official Plan with respect to residential development within a designated settlement area.

Implementation Points

The application will be implemented in accordance with the relevant 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)

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

DISCUSSION

Background

Owner: Veranda Property Investments Inc.
 P.O. Box 86, 698 Queen Street, Innerkip ON, N0J 1M0

Applicant: Steven Jefferson, MCIP,
 K. Smart Associates Ltd.
 85 McIntyre Drive, Kitchener ON, N2R 1H6

Location:

The subject lands are described as Lots 293 and 341 and Part Lot 343, Plan 745 (Norwich). The lands are located on the east side of Washington Street, between South Court Street West and Elgin Street West and are municipally known as 5 ½ South Court Street West, in the Village of Norwich.

County of Oxford Official Plan:

Schedule “N-1” Village of Norwich Land Use Plan Medium Density Residential

Township of Norwich Zoning By-law 07-2003-Z:

Special Residential Type 3 Zone (R3-7)

Proposal:

An application has been received for approval of a plan of condominium and exemption from the draft approval process. Specifically, the application will facilitate condominium ownership of 28 recently constructed townhouse dwelling units in the Village of Norwich, which will allow each unit to be privately owned. The condominium plan proposes common element parking and amenity areas for exclusive use by the associated dwelling units, as well as a private driveway for access to units 15-28, whereas units 1-14 have driveway access to the municipal right of way (South Court Street and Elgin Street).

For Council's information, the subject lands were re-designated in the Official Plan from 'Low Density Residential' to 'Medium Density Residential' in 2019 and were subsequently rezoned in September 2020 to facilitate the construction of 28 street fronting townhouse units. The Township of Norwich has also entered into a site plan agreement for the subject lands which provided County and Township staff an opportunity to review the development in detail. The associated site plan agreement was registered in 2021 and construction of the townhouse units is almost complete.

The *Condominium Act* provides that the exemption from draft plan approval of condominium can occur where site plan approval has been granted, and all requirements of the Township and the County have been met. To this end, the development was reviewed in detail as part of the Township's site plan approval process, to the satisfaction of the Township of Norwich. It is noted that as part of the conversion to condominium ownership, the applicant will be required to enter into an agreement with the County to address servicing requirements that will result with the change in ownership.

The subject lands are approximately 1.1 ha (2.7 ac) in area. The lands were formerly occupied by the Norwich Public School, which has since been removed and surrounding land uses are predominately single detached dwellings with the downtown core of the Village of Norwich in proximity to the south.

Plate 1, Location Map with Existing Zoning, provides the location of the subject property and the existing zoning in the immediate vicinity.

Plate 2, Aerial Photo (2020), shows an aerial view of the subject lands, as they existed in 2020.

Plate 3, Proposed Plan of Condominium, shows the configuration of the proposed units as well as the location of the private driveway, parking areas and exclusive use and common elements for the proposed condominium.

Comments

2020 Provincial Policy Statement (PPS)

Section 1.1.1 of the PPS provides that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential land uses (including second units, affordable housing, and housing for older persons) to meet long-term needs, and promote cost-effective development that minimizes land consumption and servicing costs.

Section 1.4.3 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 by permitting and facilitating all forms of housing required to meet the social, health, and well-being requirements of current and future residents, including special needs requirements and increasing the supply of affordable housing, and utilizing existing infrastructure and public service facilities.

Section 1.1.3.1 of the PPS states that settlement areas will be the focus of growth and their vitality and regeneration shall be promoted. Land use patterns within settlement areas shall be based on:

- densities and mix of land uses which are appropriate for, and efficiently use the infrastructure and public service facilities which are planned or available;
- support active transportation;
- efficiently use land and resources;
- a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Official Plan

The subject lands are located within the Village of Norwich, which is a 'Serviced Village' according to the Settlement Strategy Plan for the County of Oxford. The subject lands are also located within the 'Medium Density Residential' designation according to the Township of Norwich Land Use Plan.

Medium Density Residential areas are those lands within the 'Serviced Village' designation that are primarily developed or planned for low profile multiple unit development that exceed densities established in Low Density areas. Permitted uses in the Medium Density Residential areas include all forms of townhouse development, cluster houses, converted dwellings, and low rise apartment buildings.

The maximum net residential density for development in the Medium Density Residential designation within a Serviced Village will typically exceed 22 units per hectare (9 units per acre) to a maximum of 50 units per hectare (20 units per acre) and no building is to exceed four (4) stories in height. All proposals for medium density residential development will be subject to site plan control.

Zoning By-law

The subject lands are zoned 'Special Residential Type 3 Zone (R3-7)' in the Township of Norwich Zoning By-law, which permits a maximum of 28 street fronting townhouse units. The 'R3-7' zone permits a minimum exterior side yard width of 5.2 m (17 ft) and states that a street fronting townhouse dwelling may front on a private street. Further, site specific provisions of this zone state that internal lot lines created by way of registration of a plan of condominium shall not be considered to be lot lines for the purpose of zoning regulations, provided that all such regulations as they apply to the whole of the lot existing prior to the registration of the condominium plan are observed.

Agency Comments

The County of Oxford Public Works Department has requested formal assurance that the water services on site will remain a plumbing system, as identified in the Ontario Building Code, prior to the final registration of the condominium plan.

Canada Post and the Township of Norwich Director of Fire Services have indicated they have no comments or concerns with the proposal.

Township of Norwich Council

The Council of the Township of Norwich recommended support of the proposed draft plan of condominium approval and exemption from the draft approval process at their regular meeting of January 17, 2023.

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. This 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 to proceed.

As noted, the proposed development was subject to an Official Plan amendment in 2018, as well as a subsequent rezoning in September of 2020. Following these planning approvals, staff undertook a detailed review of the proposed development and issued site plan approval in 2021. Development of the subject lands is subject to the conditions of the development agreement from that process and construction of the 28 townhouse dwellings has been substantially completed. In light of this, staff are of the opinion that the requested exemption can be considered appropriate.

Overall, staff are generally satisfied that the proposal is consistent with the policy direction of the Provincial Policy Statement and the Official Plan, as the request will facilitate an alternative form housing to assist in meeting the needs of current and future residents. Further, staff are of the opinion that the proposal complies with the development criteria provided in the Official Plan, which was reviewed in detail as part of the Township's site plan approval process, and the proposal is also compliant with the Township's Zoning By-law for lands zoned 'R3-7'.

One comment was received from the County Public Works Department with respect to the water service arrangement, which will be addressed as a provision in the associated Condominium Declaration to the satisfaction of the County of Oxford prior to final registration of the plan.

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 Township'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

Report Author

Original signed by _____
Heather St. Clair, MCIP, RPP
Senior Planner

Departmental Approval:

Original signed by _____
Gordon K. Hough, RPP
Director of Community Planning

Approved for submission:

Original signed by _____
Benjamin R. Addley
Interim Chief Administrative Officer

ATTACHMENTS

- Attachment 1 - Plate 1 – Location Map with Existing Zoning
- Attachment 2 - Plate 2 – Aerial Photo (2020)
- Attachment 3 - Plate 3 – Proposed Plan of Condominium