

To: Mayor and Members of Woodstock Council

From: Eric Gilbert, Manager of Development Planning, Community Planning

## Application for Draft Plan of Condominium CD 23-02-8 – Reid

### REPORT HIGHLIGHTS

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- The purpose of this report is to consider the conversion of an existing townhouse development from rental units to condominium ownership and draft plan approval of a plan of condominium.
- Concerns have been raised about the condition of the existing building foundation and water seepage which was not identified through the submitted Building Condition Assessment Report.
- Planning staff are recommending that the applications be deferred at this time to provide an opportunity for the building condition assessment reports and reserve fund studies to be updated to reflect any additional requirements prior to the consideration of the condominium conversion.

### DISCUSSION

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#### Background

OWNERS: Graham, Brian & Robert Louis Reid  
1195 St. Anthony Road, London ON N6H 2R3

AGENT: Matt Litwinchuk/ Zelinka Priamo Limited  
318 Wellington Road, London ON N6C 4P4

LOCATION:

The subject property is described as Lot 42, Plan 579 in the City of Woodstock. The property is located on the southeast corner of Brant Street and Northdale Drive, and is municipally known as 655 Northdale Drive.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “W-1”	City of Woodstock Land Use Plan	Residential
Schedule “W-3”	City of Woodstock Residential Density Plan	Medium Density Residential

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

Existing Zoning: Residential Type 3 Zone (R3)

PROPOSAL:

An application has been received for approval of a plan of condominium in the City of Woodstock. The applicants propose to convert the tenure of the 9 townhouse units from rental to condominium ownership.

As indicated by the applicant, each townhouse unit and associated balcony will be for the exclusive use of individual owners. All areas outside of the individual units including the parking area, and communal open space 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.

As part of the application, the applicant has submitted a Building Condition Assessment Report & Reserve Fund Study prepared by Prototek Engineering Associated Inc, dated July 5, 2023. The purpose of the Building Condition Assessment is to evaluate the existing buildings and determine their state of repair, and identify future repairs and replacements that may be required by a future condominium association.

The subject lands comprise approximately 1478 m<sup>2</sup> (0.37 ac) and include a 9 unit townhouse development with driveway access to Brant Street and Northdale Avenue and parking area for the tenants of the existing units. Surrounding land uses include low density residential development to the south, north and east, a school to the northwest, and medium density residential development to the west.

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 (2021), provides an aerial view of the subject property and surrounding area.

Plate 3, Proposed Draft Plan of Condominium, shows the location of the dwelling units and the common elements.

## **Application Review**

### 2020 Provincial Policy Statement (PPS)

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 the City of Woodstock Residential Density Plan, as contained in the Official Plan.

Section 7.2.2.2 of the Official Plan 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. Further to this, the policies also contain criteria as a guide when considering applications to convert from rental to ownership tenure as follows:

- the vacancy rate for similar unit types which are available at a similar level of rent, as determined using CMHC information, is 3% or greater;
- whether the proposal will add to the affordable housing stock and the proportion of similarly priced ownership housing in the housing market;
- minimize hardship for existing tenants and the potential for displacement;
- the proposal complies with all residential development standards, the maintenance and occupancy by-law and design standards;
- the proposal complies with the Ontario Building and Fire Codes or is proposed to be upgraded in accordance with such standards or requirements.

ZONING BY-LAW:

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

The existing development provides 12 parking spaces, less than the 14 spaces required by the City's Zoning By-Law, however this deficiency is considered to be legal non-complying as it has existed for many years since the development was constructed.

AGENCY REVIEW:

The City of Woodstock Parks Department provided the following comment:

Parks has no concerns or objections with the application for condominium at 655 Northdale Avenue.

The owner should be aware that the majority of the trees on the property along Brant St. and Northdale Avenue are owned by the City. For any maintenance or concerns regarding these trees please contact the City of Woodstock Parks and Forestry department.

The reserve fund sheet has identified that the rear parking and driveway will most likely need to be replaced within 5 years. There are a number of mature trees along the east property line that border the existing driveway. These trees appear to be privately owned by the neighbor to the east. Although these trees are not currently protected under the City's tree By-laws they are a valuable part of our urban canopy and we recommend tree protection when the replacement of the driveway is undertaken to ensure they can be retained.

## **Planning Analysis**

The approval of an application for draft plan of condominium generally involves a process similar to subdivision approval where, after appropriate circulation of the proposal, an applicant receives 'draft' approval which is contingent on the applicant satisfying a number of conditions prior to final approval and registration.

The applicant has submitted a Building Condition Assessment and a review of the existing structure relative to the Ontario Building Code. This and other requirements, such as a reserve fund study, have been incorporated as conditions of approval.

Since the circulation of the proposal, it has come to light that there are concerns about the condition and waterproofing of the existing foundation walls, which would become part of the common element of the proposed condominium. The submitted Building Condition Assessment did not identify any concerns with the building foundation, and limited funds were included in the Reserve Fund Study for future repairs.

Although proposed conditions of approval would typically require that the Building Condition Assessment and Reserve Fund Study be prepared, reviewed and implemented to the satisfaction of the City of Woodstock and County of Oxford, Planning staff recommend that the application be deferred at this time to provide an opportunity for the engineering firm to review the building foundation and assess what repairs may be necessary and advise on the scope of the required work.

Based on the forgoing, Planning staff are of the opinion that the proposed condominium conversion should be deferred to provide an opportunity for the building consultant to review and revise the building condition report as necessary.

## **RECOMMENDATION**

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**It is recommended that the Council of the City of Woodstock advise the County of Oxford that the application by Graham, Brian & Robert Louis Reid, to create a draft plan of condominium (File No.: CD 23-02-8) as applied to lands consisting of Lot 42, Plan 579, City of Woodstock City requests the application be deferred to provide an opportunity to review and revise the building condition assessment report and reserve fund study.**

## **SIGNATURES**

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**Authored by:**                      *Original signed by*                      Eric Gilbert, RPP MCIP  
Manager of Development Planning

**Approved for submission:** *Original signed by*                      Gordon K. Hough, RPP  
Director