

To: Mayor and Members of Woodstock Council
From: Justin Miller, Development Planner, Community Planning

Application for Draft Plan of Condominium and Exemption from Draft Plan Approval CD 24-03-8 – Villages of Sally Creek Inc.

REPORT HIGHLIGHTS

- The purpose of the applications is to consider approval of a common element condominium and exemption from the draft plan condominium process to for a new phase of residential development in the Villages of Sally Creek in the northwest area of the City of Woodstock.
- 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.

DISCUSSION

Background

OWNER: Villages of Sally Creek Inc.
1193 Dundas Street, Woodstock ON N4S 7V9

APPLICANT: Sally Creek Lifestyle Homes Inc.
1193 Dundas Street, Woodstock ON N4S 7V9

LOCATION:

The subject property is described as Block 9, Plan 41M-394 in the City of Woodstock. The property is located on the southwest corner of Lakeview Drive and Garden Court Crescent.

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

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

Existing Zoning: Special Planned Unit Development Zone (PUD-1)

PROPOSAL:

An application has been received for approval of a plan of condominium and exemption from the draft approval process. The application will facilitate the development of a common element condominium within the Villages of Sally Creek residential development.

In a common elements condominium only the common elements form the actual condominium. The ownership interest in the common elements is then attached to other specified parcels of land that are outside of the condominium. The purpose of this is to allow owners of separate properties to collectively share in the ownership of some other property or facility under the provisions of the Condominium Act. In this case, the residential lots in the Sally Creek development will collectively own and manage the recreational facilities and other features (walking trails, etc) that serve the development.

In this instance, the common element of the proposed condominium is vacant and will remain grassed.

Surrounding uses are predominantly low density residential development to the west and north, with existing and planned medium density townhouse development to the south and east. Recreational land uses are also present in the vicinity.

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

Plate 2, Aerial Photo (2020), provides an aerial view of the subject property and surrounding area.

Plate 3, Draft Plan of Condominium, shows the final lot fabric and proposed extent of the modified condominium.

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 located within the 'Medium Density Residential' designation 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 municipal unit development that exceed densities established for Low Density Residential Districts. Residential uses within Medium Density Residential Districts include townhouses, cluster houses, converted dwellings, and apartment buildings. In these Districts it is intended that there will be a mixing and integration of different forms of housing to achieve an overall medium density.

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 zoned 'Special Planned Unit Development (PUD-1)' according to the City's Zoning By-Law. The PUD-1 zone permits a range of dwelling types including apartment dwellings, duplex dwellings, horizontally attached dwelling house, single detached dwelling house, and street row dwelling house. The subject lands are currently vacant and function as landscaped open space.

AGENCY REVIEW:

A number of agencies were circulated the proposal to create condominium ownership of the development. No circulated agency expressed concerns with the proposed condominium approval.

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.

The proposed common element condominium would apply to a vacant strip of land, proposed to remain landscaped open space, that abuts townhouse blocks being developed on Garden Court Crescent. There are no services or further development proposed for the common element condominium, and the residential development has received site plan approval from the City of Woodstock.

In light of the foregoing, Planning staff are of the opinion that the proposal is appropriate to consider for condominium approval and exemption from the draft approval process.

RECOMMENDATIONS

- 1. That the Council of the City of Woodstock advise County Council that the City supports the application for draft approval of a proposed condominium submitted by the Villages of Sally Creek Inc. (File No. CD 24-02-8), prepared by Kim Husted Surveying Limited, for lands described as Block 9, Plan 41M-394, in the City of Woodstock.**
- 2. And further, that the Council of the City of Woodstock advise County Council that the City supports the application for exemption from the draft plan of condominium approval process submitted by Villages of Sally Creek Inc. (File No. CD 24-03-8) prepared by Kim Husted Surveying Limited, for lands described as Block 9, Plan 41M-394, in the City of Woodstock**

SIGNATURES

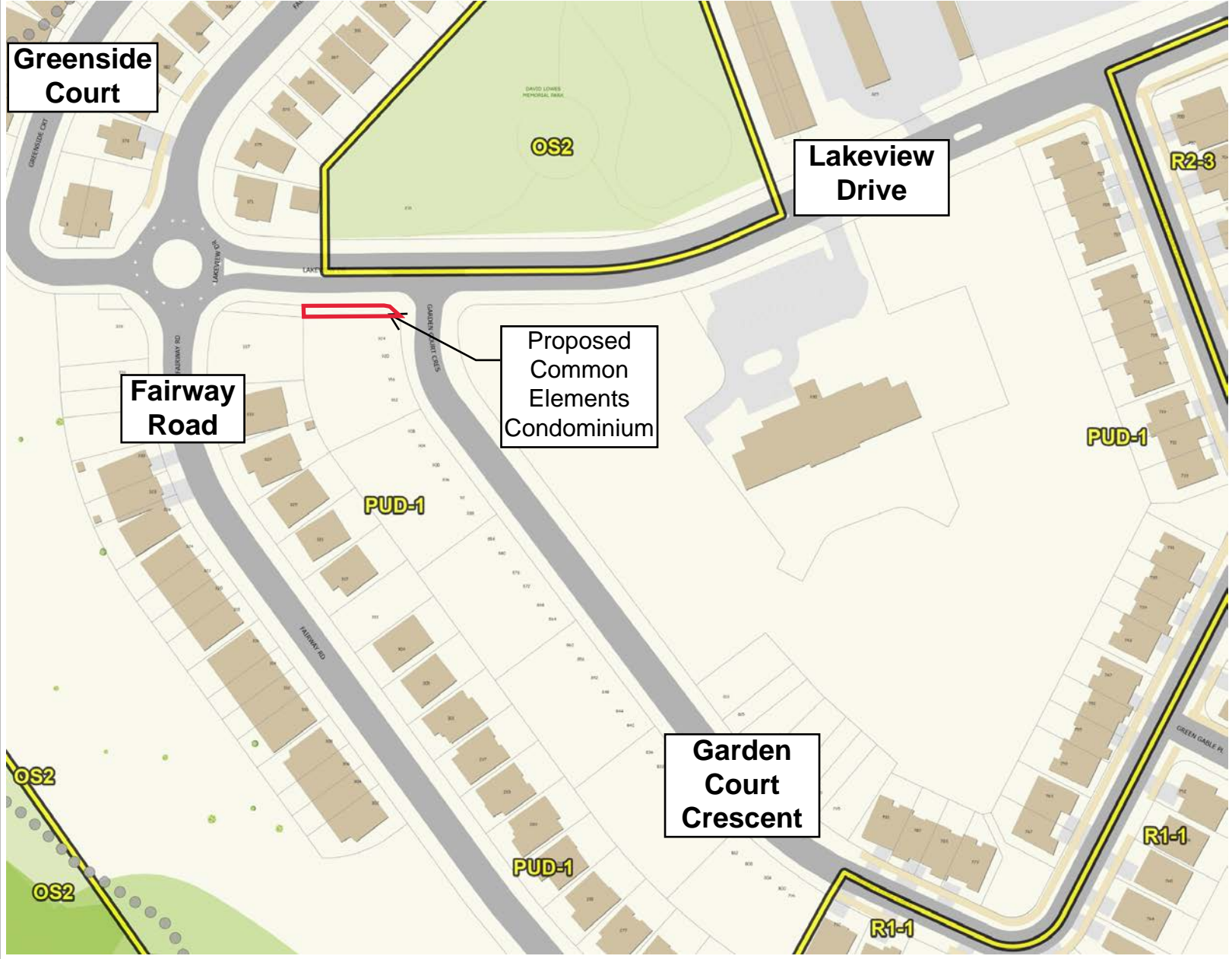
Authored by:

Original signed by

Justin Miller
Development Planner

Approved for submission: *Original signed by*

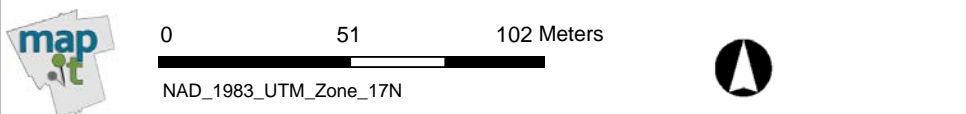
Eric Gilbert, MCIP, RPP
Manager of Development Planning



Legend

- Zoning Floodlines
- Regulation Limit
- 100 Year Flood Line
- ▲ 30 Metre Setback
- Conservation Authority Regulation Limit
- Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

August 7, 2024

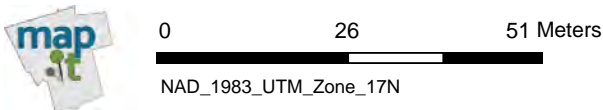




Legend

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August 7, 2024

PART 1 OF 4 PARTS
SHEET 1 OF 1

INDEX OF PARTS

PART	SHEET(S)	DESCRIPTION
1	1	PLAN OF SURVEY OF THE CONDOMINIUM PROPERTY THE ILLUSTRATION OF THE SERVIENT INTERESTS AND THE DESIGNATION OF UNITS ON LEVEL 1
2	NIL	PLAN OF SURVEY OF THE EXCLUSIVE USE PORTIONS OF THE CONDOMINIUM ON LEVEL 1
3	NIL	ARCHITECTURAL PLANS
4	NIL	STRUCTURAL PLANS

OXFORD COMMON ELEMENTS
CONDOMINIUM PLAN No.

REGISTERED IN THE LAND REGISTRY OFFICE FOR THE LAND TITLES DIVISION
OF OXFORD (No. 41) AT _____ O'CLOCK ON THE _____ DAY OF _____, 2024.

REPRESENTATIVE FOR LAND REGISTRAR

SURVEYOR'S CERTIFICATE

I CERTIFY THAT
(1) - THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYORS ACT, THE SURVEYS ACT, THE LAND TITLES ACT AND THE CONDOMINIUM ACT, 1998, AND THE REGULATIONS MADE UNDER THEM.
(2) - THIS SURVEY WAS COMPLETED ON THE _____

DATE _____ KIM S. HUSTED
ONTARIO LAND SURVEYOR

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER _____

DECLARATION REGISTERED AS NUMBER

THIS PLAN COMPRISES ALL OF PROPERTY IDENTIFIER 00100-1625

SCHEDULE OF APPURTENANT AND SERVIENT INTERESTS
(PURSUANT TO SECTION 8(1)(C) AND (H) OF THE CONDOMINIUM ACT, 1998)

	PART	PLAN	DESCRIBED IN	NOTES
SERVIENT INTERESTS	10	41R-10561	CO286484	NIL
APPURTENANT INTERESTS	NIL	NIL	NIL	NIL

PLAN OF SURVEY OF
BLOCK 9
REGISTERED PLAN 41M-394
CITY OF WOODSTOCK
COUNTY OF OXFORD

SCALE 1:200
METRIC DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

KIM HUSTED SURVEYING LTD.

CERTIFICATE OF DECLARANT

THIS IS TO CERTIFY THAT THE PROPERTY INCLUDED IN THIS PLAN HAS BEEN LAID OUT INTO COMMON ELEMENTS IN ACCORDANCE WITH OUR INSTRUCTIONS

DECLARANT:
THE VILLAGES OF SALLY CREEK INC.

DATE _____ CLIFF ZALUSKI, PRESIDENT
THE VILLAGES OF SALLY CREEK INC.
"I HAVE THE AUTHORITY TO BIND THE CORPORATION"

COORDINATE SCHEDULE

ALL COORDINATES ARE IN METRES AND WERE DERIVED FROM GPS OBSERVATIONS USING THE CAN-NET NETWORK, UTM ZONE 17 (81° WEST LONGITUDE) NAD83 (CSRS) (2010)
COORDINATE VALUES ARE TO URBAN ACCURACY AS PER SEC. 14 (2) OF O. REG. 216/10

POINT	NORTHING	EASTING
A	4777464.910	518309.116
B	4777347.638	518396.844

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN

NOTES

- (1) BEARINGS ARE GRID AND ARE REFERRED TO THE WESTERLY LIMIT OF GARDEN COURT CRESCENT HAVING A BEARING OF N 36° 47' 30" W AS SHOWN ON REGISTERED PLAN 41M-394
- (2) DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY 0.99989759

LEGEND

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES IRON BAR
(M)	DENOTES MEASURED
(P1)	DENOTES REGISTERED PLAN 41M-394
(P2)	DENOTES DEPOSITED PLAN 41R-10561
(1375)	DENOTES BAKER & BENEDICT SURVEYING INC.
(1582)	DENOTES KIM HUSTED SURVEYING LTD.
P.I.N.	DENOTES PROPERTY IDENTIFIER NUMBER

PART _____ APPROVED AND PART _____ EXEMPTED UNDER SECTION 9 OF THE CONDOMINIUM ACT, 1998, AND SECTION 51 OF THE PLANNING ACT RSO 1990 (AS AMENDED) BY THE COUNTY OF OXFORD ON THIS _____ DAY OF _____, 2024.

WARDEN
COUNTY OF OXFORD

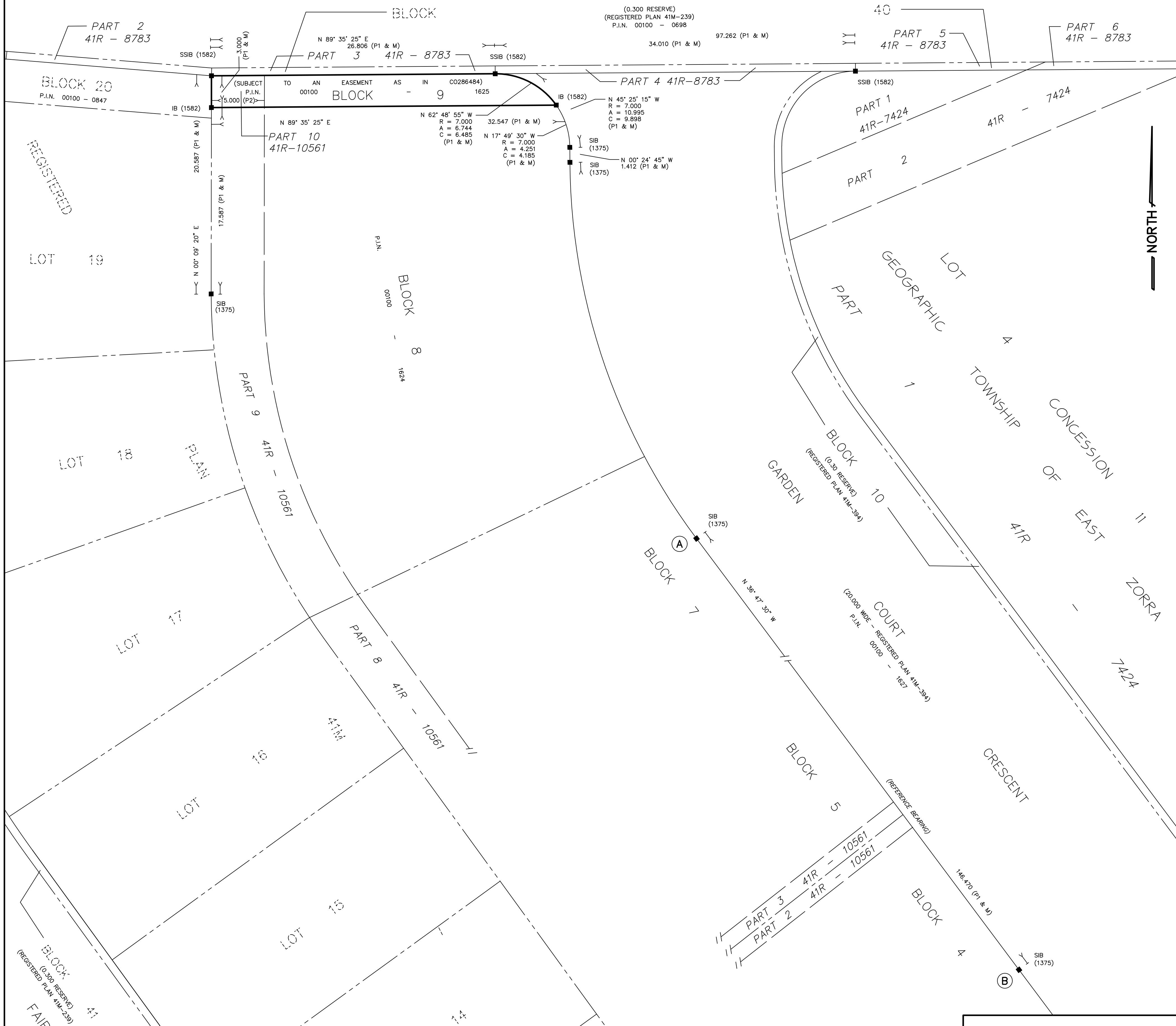
KIM HUSTED SURVEYING LTD.
ONTARIO LAND SURVEYOR
30 HARVEY STREET, TILLSBURG ONTARIO, N4G 3J8
PHONE: 519-842-3638 FAX: 519-842-3639

PROJECT: 24-19522 THE VILLAGES OF SALLY CREEK INC. REF: DWG, RDH
GARDEN COURT CRESCENT - CONDO HF1 CKD, KSH

LAKEVIEW

(SEE REGISTERED PLAN 41M-239)
P.I.N. 00100 - 0706

DRIVE



**Plate 3: Draft Plan of Condominium
CD 24-03-8 - Villages of Sally Creek Inc.**