



TOWN OF
HALTON HILLS
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REPORT

TO: Mayor Bonnette and Members of Council

FROM: Ruth Conard

DATE: June 10, 2022

REPORT NO.: PD-2022-0040

SUBJECT: Recommendation Report for a One Block Plan of Subdivision, Plan of Common Element Condominium and Part Lot Control Exemption to facilitate the previously approved 11-unit townhouse development at 12 Church Street East (Acton)

RECOMMENDATION:

THAT Report No. PD-2022-0040, dated June 10, 2022, regarding the “Recommendation Report for a One Block Plan of Subdivision, Plan of Common Element Condominium and Part Lot Control Exemption to facilitate the previously approved 11-unit townhouse development at 12 Church Street East (Acton)”, be received;

AND FURTHER THAT the Commissioner of Planning & Development be authorized to grant Draft Approval and Final Approval to the One Block Plan of Subdivision, File D12SUB22.001, as generally shown on SCHEDULE 3, of this report, subject to the conditions as generally set out on SCHEDULE 4 of this report;

AND FURTHER THAT the Commissioner of Planning & Development be authorized to grant Draft Approval and Final Approval to the Plan of Common Element Condominium, File D07CDM22.001, as generally shown on SCHEDULE 5, of this report, subject to the conditions generally set out on SCHEDULE 6 of this report;

AND FURTHER THAT the request to adopt a Part Lot Control Exemption By-law under Section 50 of the Planning Act, R.S.O. 1990, c.P.13, as amended for the One Block Plan of Subdivision for the purpose of legally creating and transferring 11 separate townhouse dwelling units as generally set out on SCHEDULE 7 of this report, be approved, subject to the conditions generally set out on SCHEDULE 8 of this report.

KEY POINTS:

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

- D&M Developers Inc. (the Applicant) has submitted One Block Draft Plan of Subdivision, Draft Plan of Common Element Condominium and Part Lot Control Exemption applications to facilitate the completion of the previously approved 11-unit townhouse development at 12 Church Street East in Acton.
- Town and external agency staff were circulated the applications and no concerns have been identified.
- A Statutory Public Meeting was held for the One Block Draft Plan of Subdivision on May 24, 2022; five residents were in attendance to speak about the development. Public comments have been discussed in Section 5.0 of this report.
- This report is recommending approval of the One Block Draft Plan of Subdivision, Draft Plan of Common Element Condominium and Part Lot Control Exemption applications, subject to conditions set out in Schedules 4, 6 and 8.

BACKGROUND AND DISCUSSION:

The Town received applications for a One Block Draft Plan of Subdivision, Plan of Common Element Condominium and Part Lot Control Exemption to facilitate the completion of the previously approved 11-unit freehold townhouse development at 12 Church Street East in Acton.

1.0 Location & Site Characteristics

The subject property, municipally referred to as 12 Church Street East, is generally located on the south side of Church Street East just east of Main Street South in Downtown Acton; see **SCHEDULE 1 – LOCATION MAP**. The irregular shaped lot is approximately 0.36 hectares (0.88 acres) in size and has roughly 45 metres (151 feet) of frontage along Church Street East.

Construction of the previously approved townhouse development is currently underway on-site.

2.0 Application History

On March 21, 2019, a site-specific Zoning By-law Amendment was approved by Council to permit 11 three-storey townhouse units on the subject lands. Site Plan Approval was subsequently issued on January 19, 2021; see **SCHEDULE 2 – SITE PLAN**. As previously stated, the townhouse development is currently under construction.

3.0 Development Proposal

The Applicant intends for the development to be established through a common element condominium with each of the townhouse units to be held in freehold ownership. On March 31, 2022, the Town received the following applications by D&M

Developers Inc. to facilitate the completion of the development and allow for transfer of ownership of the townhouse units to the purchasers:

1. Plan of Subdivision Application (File No. D12SUB22.001) to create a one block plan of subdivision, which is required to allow the division of individual freehold lots and common element blocks (necessary for the condominium corporation) to be created;
2. Plan of Common Element Condominium Application (File No. D07CDM22.001) to define and create the blocks (i.e. street, visitor parking area) to be owned and maintained by the proposed condominium corporation; and,
3. Part Lot Control Exemption Application (File No. D25PLC22.001) to define and create the 11 freehold townhouse parcels.

4.0 Planning Context

Town of Halton Hills Official Plan

Under the Town's Official Plan, the subject lands are located within the Acton Downtown Area and designated Downtown Core Sub-Area. Permitted uses within this designation include townhouse units.

Town of Halton Hills Zoning By-law

On March 21, 2019, Council approved site-specific By-law 2019-0019, which zoned the subject lands Medium Density Residential Two Exception 69 (MDR2(69)). This site-specific zone permits 11 three-storey townhouse dwellings.

5.0 Department and Agency Circulation Comments

The One Block Draft Plan of Subdivision, Draft Plan of Common Element Condominium and Part Lot Control Exemption applications were circulated to Town departments and external agencies for review. No objections were received and conditions were provided which are incorporated as Schedules 4, 6 and 8 of this report.

6.0 Public Comments

The proposed One Block Draft Plan of Subdivision application was presented to the public by way of Report No. PD-2022-0040 through a Statutory Public Meeting on May 24, 2022. Five members of the public spoke at the Public Meeting.

The following section describes the specific public questions/concerns and the responses provided:

1. Concerns were expressed about parking and traffic on Church Street East. Specifically, the absence of a 'No Parking' sign.

Staff Response:

The Applicant reinstalled the 'No Parking' sign on the south side of Church Street East on June 10, 2022. Staff will also be monitoring parking and traffic flow and may consider further restrictive parking measures should safety and operation challenges arise.

2. A question was asked about whether the subject application revises the previous approvals for the 11-unit townhouse development granted through the Zoning By-law Amendment and Site Plan Control.

Staff Response:

No, the One Block Draft Plan of Subdivision, Part Lot Control Exemption and Plan of Common Element Condominium applications are administrative and are required to facilitate the previously approved development.

3. Inquiries were made about the elevation of the subject property and the potential for improper grading and drainage as a result of the on-going construction.

Staff Response:

A grading plan was approved through the Site Plan Control application which demonstrates an appropriate grading and drainage design for the site. Once construction is complete Town staff will conduct site visits to ensure the grading has been completed as per the approved plans and that there are no drainage issues created for adjacent properties.

4. A question was asked about the perimeter fencing and its height. Residents are concerned that the difference in grade will create a substandard fence height.

Staff Response:

Development Engineering confirmed that upon finalization of grading at the property lines the standard 6-foot tall fence required to be installed should be sufficient to address any privacy concerns.

5. An inquiry was made about the laneway which provides access to Willow Street to the east.

Staff Response:

The laneway forms part of the 12 Church Street site but is subject to an easement in favour of 17 Agnes Street which provides that property with access to Willow Street. The Applicant needs to retain ownership of the laneway in order to connect the development site to the sanitary and storm sewers located along Willow Street. However, once completed, no traffic from the development will be permitted through the laneway. Any damages to the laneway will be repaired once construction is finalized.

6. A question was raised about garbage collection for the proposed development.

Staff Response:

Through the Site Plan application process Regional staff confirmed that waste collection will occur curb-side at each of the driveways internally within the development complex.

7. Concerns were raised about a sink hole on the road at the curb along Church Street East directly adjacent to the development.

Staff Response:

Development Engineering staff have contacted the Town's Public Works Department to repair the sink hole.

STRATEGIC PLAN ALIGNMENT:

This report is administrative in nature and does not have an impact on the Town's Strategic Plan.

RELATIONSHIP TO CLIMATE CHANGE:

This report is administrative in nature and does not directly impact or address climate change and the Town's Net Zero target.

PUBLIC ENGAGEMENT:

Public Engagement was conducted as follows: A Statutory Public Meeting was held on May 24, 2022, for the One Block Draft Plan of Subdivision. This meeting fulfilled the requirements for public participation under the Planning Act, and provided Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter.

INTERNAL CONSULTATION:

Planning staff have consulted with the appropriate Town departments and external agencies, including the Region of Halton, in the review of these applications and preparation of this report.

FINANCIAL IMPLICATIONS:

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning and Development

Jon Rehill, Acting Chief Administrative Officer