



**Town of Oakville
Planning and Development Council**

ADDENDUM

Date: Monday, November 25, 2024
Time: 6:30 p.m.
Location: Council Chamber

Town Hall is open to the public and live streaming video is available on <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/live-stream> or at the town's YouTube channel at <https://www.youtube.com/user/TownofOakvilleTV>. Information regarding written submissions and requests to delegate can be found at <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/delegations-presentations>.

Pages

***4. Consent Items(s)**

Item 4.8 previously not listed.

***4.8 Recommendation Report, Draft Plan of Condominium, Caivan Communities (Bronte) Limited – 2501 Saw Whet Boulevard, File No.: 24CDM-24007/1530**

2 - 17

Recommendation:

That the Director of Planning and Development be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-24007/1530) submitted by Caivan Communities (Bronte) Limited, and prepared by R-PE Surveying Ltd., dated June 20, 2024, subject to the conditions contained in Appendix 'A' of the Planning Services report dated November 19, 2024.



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: November 25, 2024

FROM: Planning and Development Department

DATE: November 19, 2024

SUBJECT: Recommendation Report, Draft Plan of Condominium, Caivan Communities (Bronte) Limited – 2501 Saw Whet Boulevard, File No.: 24CDM-24007/1530

LOCATION: 2501 Saw Whet Boulevard

WARD: Ward 4

Page 1

RECOMMENDATION:

That the Director of Planning and Development be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-24007/1530) submitted by Caivan Communities (Bronte) Limited, and prepared by R-PE Surveying Ltd., dated June 20, 2024, subject to the conditions contained in Appendix 'A' of the Planning Services report dated November 19, 2024.

KEY FACTS:

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

- A draft plan of standard condominium application has been submitted by Caivan Communities (Bronte) Limited, for the lands located at 2501 Saw Whet Boulevard.
- The six-storey residential condominium includes 333 residential units and two levels of underground parking.
- Condominium tenure would allow for the transfer of individual units to the future owners.
- The development received site plan approval (SP.1530.015.01) on October 6, 2022.
- Minor variance application (CAV A/083/2024) was approved on May 29, 2024, to permit a reduced visitor parking ratio.
- There were no concerns raised with the draft plan of condominium application from internal departments or external agencies.

- Staff recommends approval of the standard draft plan of condominium application, subject to the conditions outlined in Appendix 'A'.

BACKGROUND:

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed draft plan of standard condominium application.

The development received site plan approval (SP.1530.015.01) for a six-storey 333-unit residential apartment on October 6, 2022, and a minor variance application (CAV A/083/2024) was approved on May 29, 2024, to permit a reduced visitor parking ratio. The draft plan of condominium application was submitted by Caivan Communities (Bronte) Limited, and deemed a complete application on October 9, 2024. The intent of the draft plan of condominium is to establish condominium tenure for the 333-unit residential apartment. The details of the management and maintenance clauses are found in the draft declaration, submitted with the application.

Proposal

The applicant is proposing a standard condominium for the six-storey 333-unit residential apartment building that includes two levels of underground parking. Please see excerpts of the Draft Plan of Condominium on **Figures 1-6** below.

Submission materials are posted on the town's website at [Caivan Communities \(Bronte\) Limited - 2501 Saw Whet Blvd. - 24CDM-24007/1530](#).

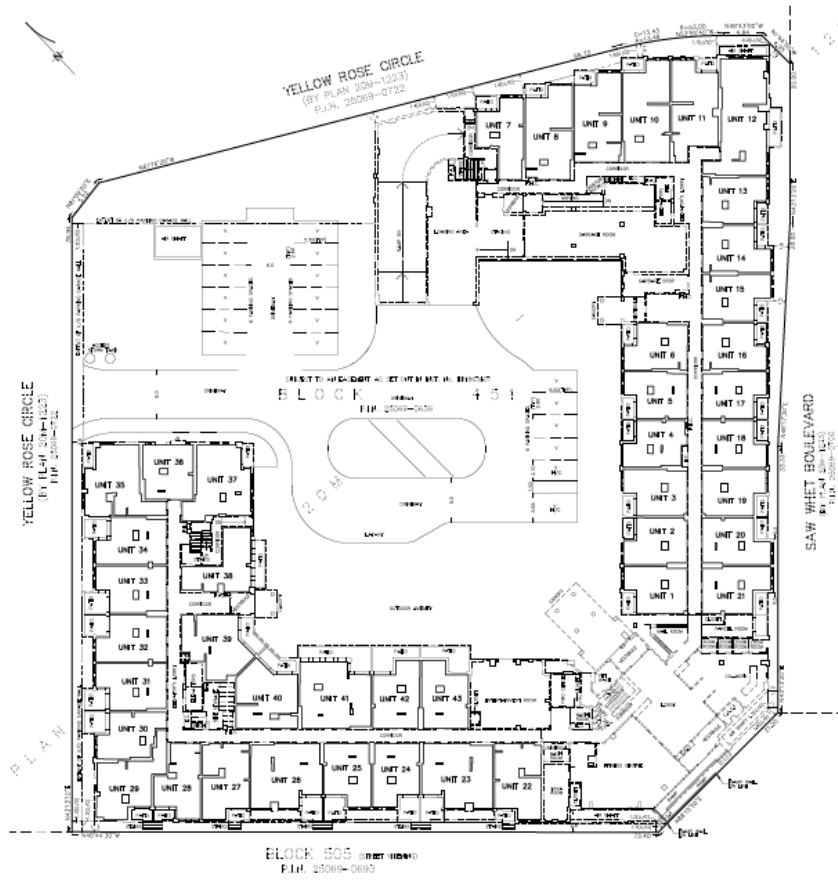


Figure 1: Draft Plan of Condominium Ground Floor

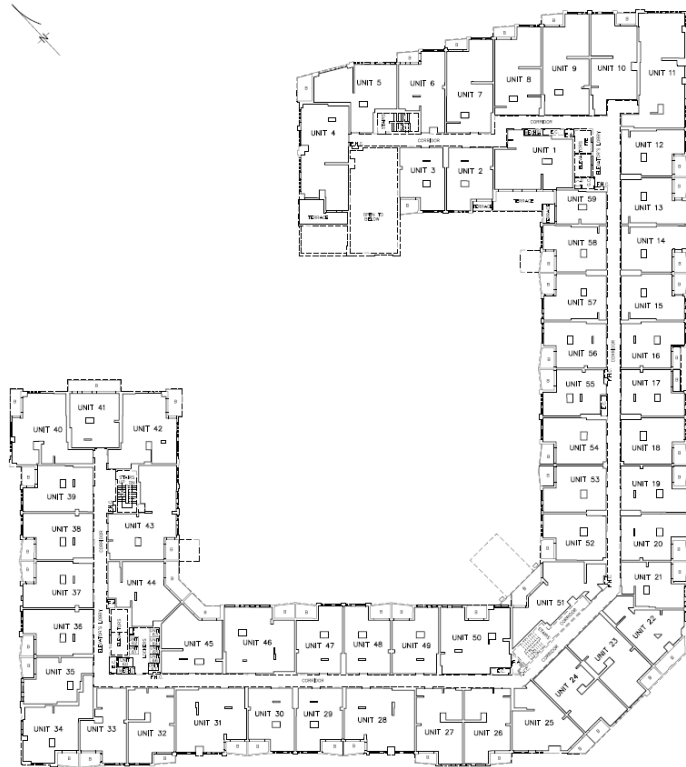


Figure 2: Draft Plan of Condominium Floor 2

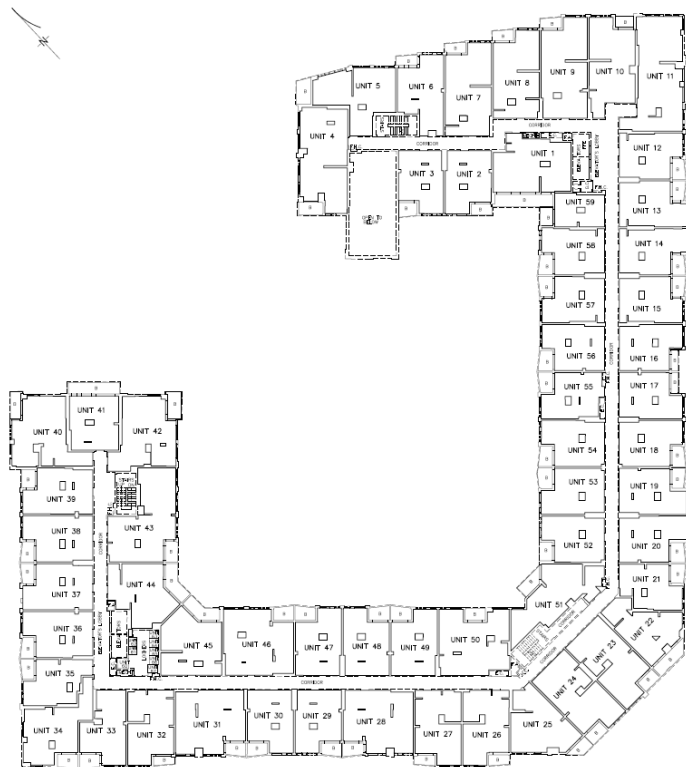


Figure 3: Draft Plan of Condominium Floor 3

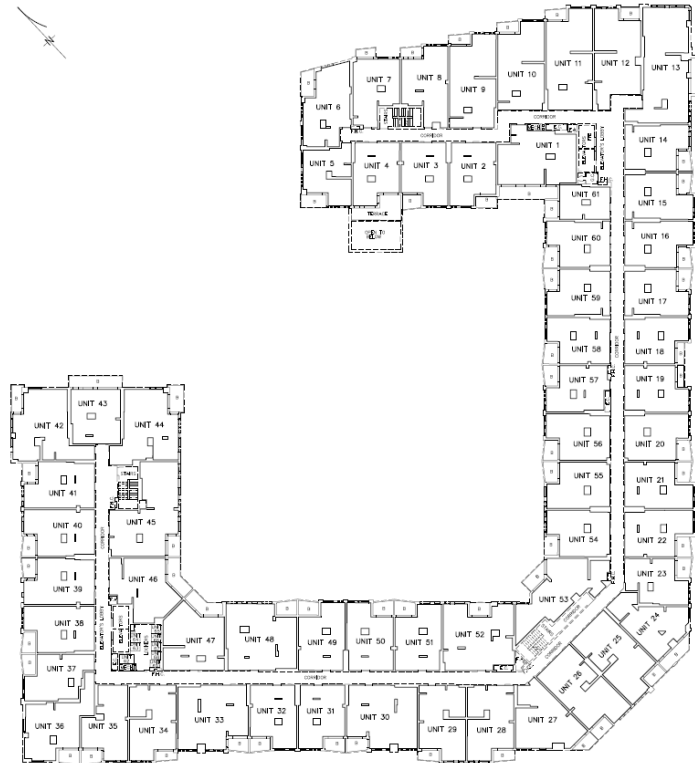


Figure 4: Draft Plan of Condominium Floor 4

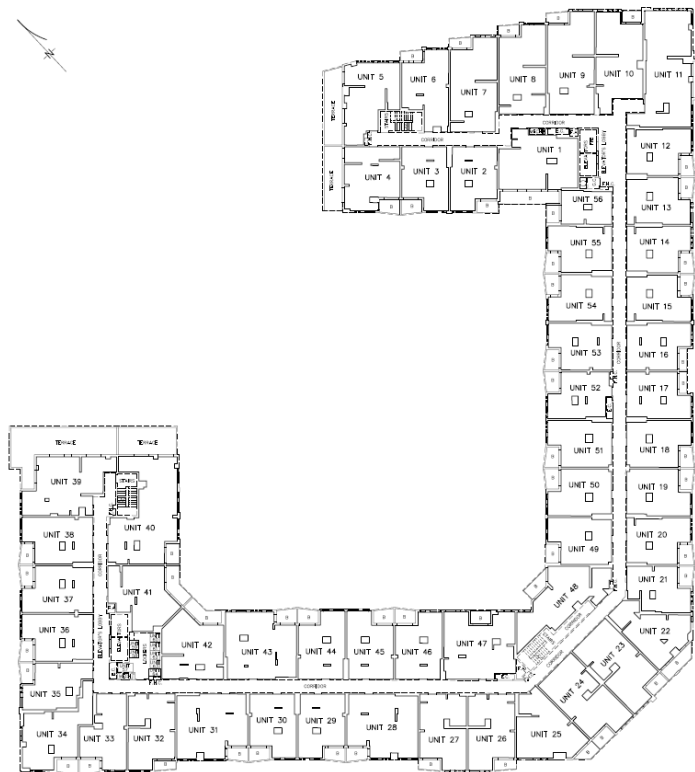


Figure 5: Draft Plan of Condominium Floor 5

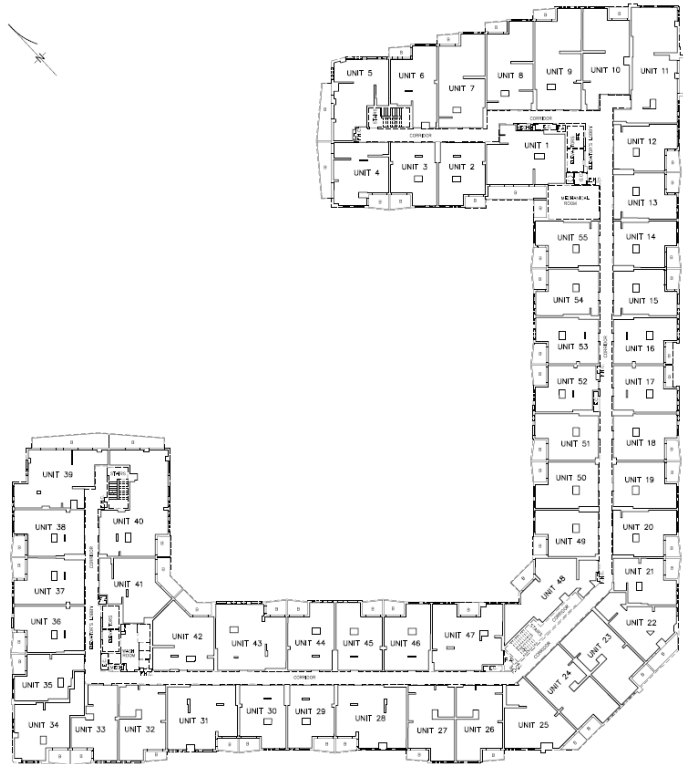


Figure 6: Draft Plan of Condominium Floor 6

Location & Site Description

The subject lands are approximately 0.29 hectares in area, located on the north side of Saw Whet Boulevard, east side of Bronte Road, and bounded by Yellow Rose Circle along both the north and east property lines. Construction of the residential building is near completion.



Figure 7: Aerial Image

Surrounding Land Uses

The lands surrounding the subject property are comprised of residential uses. Directly north and east of the subject lands contain three-storey townhouse units, and single detached dwellings. The property directly south of the subject lands at 2500 Saw Whet Boulevard has been approved for a six storey 356-unit residential building, and west of the subject property (1326 Bronte Road) has been approved for a six-storey residential building.

PLANNING POLICY & ANALYSIS:

Halton Region Official Plan (Implemented by the Town)

Due to recent Provincial legislation, as of July 1, 2024, the Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan. It is now the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities was prepared that identified the local municipality as the primary authority on matters of land use planning and development. The MOU also defines the continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region now only has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;

-
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional rights-of-way;
 - Waste Collection;
 - Affordable and Assisted Housing;
 - Responsibilities associated with a specific mandate prescribed by legislation (e.g. source water protection, public health); and
 - Other Regional services that have a land component.

The Regional Official Plan provides goals, objectives and policies to direct physical development and change in Halton. The proposed development is located on lands that are designated as ‘Urban Area’ and is located within the built boundary of the Halton Region Official Plan (ROP). The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities that afford maximum choices for residence, work, and leisure.

The application conforms to the Region of Halton Official Plan (now implemented by the Town of Oakville).

Regional staff offer no objection to the proposed Draft Plan of Condominium approval.

Livable Oakville Plan

The subject lands are designated ‘High Density Residential’. As part of the site plan application, conformity with Livable Oakville was confirmed. The intent of the subject draft plan of condominium is to establish tenure for the 333-unit residential use apartment building.

On this basis, the proposal conforms to Livable Oakville.

Zoning By-law 2014-014

The subject lands are zoned Residential Medium (RM4) subject to Special Provision 376, as shown in **Figure 8** below. A minor variance (CAV A/083/2024) was approved on May 29, 2024, to permit a reduced visitor parking ratio.



Figure 8: Zoning By-law Extract

Compliance with the Zoning By-law was reviewed as part of both the site plan and minor variance applications. As a standard Condition of Approval in Appendix A, the applicant will be required to confirm that the “as built” development complies with the Zoning By-law, prior to registration.

Site Plan Application

The subject property was subject to site plan control and received final site plan approval on October 6, 2022. Through the site plan control process, among others, the following matters were addressed:

- Site layout;
- Elevations;
- Pedestrian circulation;
- Landscaping, canopy coverage, and urban design;
- Site servicing;
- Grading and stormwater management;
- Conformity with the Livable Oakville Plan; and,
- Compliance with the Zoning By-law 2014-014.

TECHNICAL & PUBLIC COMMENTS:

The draft plan of condominium application was circulated to internal departments and external agencies for comments, and was subject to detailed technical analysis.

Subject to the conditions in Appendix A, no further requirements have been identified. There are no outstanding financial, legal or planning issues to be resolved.

Accordingly, the proposed plan of condominium meets the criteria established in Section 51(24) of the Planning Act and conforms to the Livable Oakville Plan.

CONCLUSION:

The Planning & Development Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is satisfied that this draft plan of condominium application conforms to the overall policy direction of the Livable Oakville Plan and other relevant policy documents, and recommends approval of the application, subject to the conditions in Appendix A, as the following requirements have been satisfied:

- The proposed plan of condominium meets the criteria established in Section 51(24) of the *Planning Act*;
- The proposed plan of condominium conforms with the Halton Region Official Plan, conforms to the Livable Oakville Plan, and complies with the Zoning By-law regulations applicable to the subject property; and,
- A full circulation has been undertaken and there are no outstanding financial or planning issues that cannot otherwise be resolved, through the conditions found within Appendix 'A'.

CONSIDERATIONS:

(A) PUBLIC

Public input opportunities were provided through a previous site plan approval process. No public comments were received with respect to this application.

(B) FINANCIAL

A condition has been included in Appendix A which will ensure that the property taxes are paid and up-to-date.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

None of the circulated departments/agencies raised any issues with respect to the proposal. Relevant conditions have been included within the draft plan of condominium conditions listed in Appendix 'A'.

(D) CORPORATE STRATEGIC GOALS

This report addresses Council's strategic priorities of Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

The proposal generally complies with the sustainability objectives of the Livable Oakville Plan.

APPENDICES:

Appendix A – Draft Plan of Condominium Conditions

Prepared by:
Riley McKnight, BURPI
Planner, Current Planning

Recommended by:
Paul Barrette, MCIP, RPP
Manager, Current Planning – West District

Submitted by:
Gabe Charles, MCIP, RPP
Director, Planning Services

Appendix A – Conditions

TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE DRAFT PLAN OF STANDARD CONDOMINIUM BY CAIVAN COMMUNITIES (BRONTE) LIMITED

This approval applies to the Draft Plan of Condominium (File 24CDM-24007/1530) submitted By Caivan Communities (Bronte) Limited, and prepared by R-PE Surveying Ltd., and dated June 20, 2024. The final plans are to be reviewed and cleared to the satisfaction of the Town of Oakville.

The Town of Oakville conditions applying to the approval of the final plan for registration of Caivan Communities (Bronte) Limited, Draft Plan of Condominium (File 24CDM-24007/1530) are as follows:

CONDITIONS	CLEARANCE AGENCY
GENERAL	
1. That the owner provides confirmation to the satisfaction of the Town's Finance Department that any outstanding development charges and property taxes have been paid prior to plan registration.	OAK(F)
2. The owner provide a certificate signed by the surveyor and the owner that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted/approved by the Town.	OAK (A)
3. That the owner/applicant confirms as-built compliance with the Zoning By-law and that any deficiencies be brought into compliance with the Zoning by-law through the Committee of Adjustment and/or a Zoning By-law Amendment prior to plan registration.	OAK (Z)
LEGAL	
4. The Owner shall file with the Director of Planning, a complete copy of the final version of the Declaration and Description to be registered, which includes the following schedules: a) Schedule "A" containing statement from the declarant's solicitor that in this or her opinion, based on the parcel register or abstract index and the plans and drawings recorded in them, the legal description is correct and any easements mentioned in the schedule will exists in law upon the registration of the Declaration and Description; and, b) Schedule "G" being the certification of the project engineer and/or architect that all buildings have been constructed in accordance with the regulations under the Condominium Act. 5. When the Owner files a copy of the Declaration with the Director of Planning, it shall be accompanied with a letter of undertaking, stating that, "This is our undertaking to register the Declaration in the same form and content as was provided to you, subject to any changes the Land Registrar may require. This is also our undertaking to provide you with a registered copy of the Declaration once it is registered. If the Land Registrar requires	OAK(L)

any amendments to the Declaration, we will advise you.”

6. Visitor parking spaces and bicycle parking will be clearly delineated on the condominium plan to be registered and Declaration shall contain a clause clearly specifying that visitor and bicycle parking shall form part of the common elements and neither to be used nor sold to unit owners or be considered part of the exclusive use portions of the common elements.

DEVELOPMENT ENGINEERING

7. The Owner shall provide a certificate from the Owner’s engineer stating that all servicing, grading, drainage, overland flow route, and stormwater management requirements, and base asphalt paving have been completed in accordance with the plans and conditions in the original site plan agreement, or that arrangements to the satisfaction of the Director of Development Engineering have been made for their completion. **OAK(DE)**

Additionally, a letter should be provided to acknowledge that hydro, gas, lighting and communication services have been installed and are active

8. The Owner shall provide as built drawings illustrating servicing works in the ROW are to be provided prior to registration. **OAK(DE)**

BELL

9. The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada. **BC**
10. The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost. **BC**

CANADA POST

11. That the owner provides written confirmation that all Canada Post matters have been satisfactorily addressed. **CP**

HALTON CATHOLIC DISTRICT SCHOOL BOARD

12. We require that the following conditions be placed in the condominium agreement. The conditions are to be fulfilled prior to final approval: **HCDSB**

1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town’s subsequent agreements, to be registered on title:
 - a. Prospective purchasers are advised Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bused to existing facilities outside the area.
 - b. Prospective purchasers are advised that the HCDSB will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board, and that you are notified that school busses will not enter cul-de-sacs and private roads.

2. In cases where offers of purchase and sale have already been executed, the owner is to send a letter to all purchasers which include the above statements.

That the owner agrees in the condominium agreement to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to final approval

HALTON DISTRICT SCHOOL BOARD

- | | |
|---|--------------------|
| <ol style="list-style-type: none"> 13. The Halton District School Board has no objection to the development application subject to the following: <ol style="list-style-type: none"> 1. The owner agrees to place the following notification in all offers of purchase and sale for all lots/units and in the Town's condominium agreement, to be registered on title: <ol style="list-style-type: none"> a. Prospective purchasers are advised that schools on sites designated for the Halton District School Board in the community are not guaranteed. Attendance at schools in the area yet to be constructed is also not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area. b. Prospective purchasers are advised that school busses will not enter cul- de- sacs and pick up points will be generally located on through streets convenient to the Halton Student Transportation Services. Additional pick-up points will not be located within the subdivision until major construction activity has been completed. 2. That in cases where offers of purchase and sale have already been executed, the owner sends a letter to all purchasers which include the above statement. 3. That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the issuance of building permits. | <p>HDSB</p> |
|---|--------------------|

CLOSING CONDITIONS

- | | |
|--|------------------------------|
| <ol style="list-style-type: none"> 1. Prior to signing the final plan the Director of Planning and Development shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided | <p>OAK (A)</p> |
| <ol style="list-style-type: none"> 2. Prior to signing the final plans, the Director of Planning Services shall be advised by Bell Canada that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | <p>OAK (A)
BC</p> |

- 3. Prior to signing the final plans, the Director of Planning Services shall be advised by Canada Post that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK (A)
CP**
- 4. Prior to signing the final plans, the Director of Planning Services shall be advised by Halton Catholic District School Board that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK(A)
HCDSB**
- 5. Prior to signing the final plans, the Director of Planning Services shall be advised by Halton District School Board that all related condition(s) has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. **OAK (A)
HDSB**
- 6. All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being *[Month Day, Year]*. (Date of Draft Approval to be inserted as the day after the last date for appeals if no appeals are received). **OAK (A)**

NOTES – The owner is hereby advised:

- 1. If the condominium is not registered within 3 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the Town of Oakville for approval.
- 2. Fees are required by Halton Region and may be required by the Local Municipality for each extension to draft approval and for major revisions to the draft plan or conditions and for the registration of the plan.
- 3. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the condominium:
 - a. Final draft condominium plans signed and dated by the Owner, Surveyor and initialed by the Town’s Planner;
 - b. Regional Registration fee;
 - c. Registry Office review form (PX Number)

LEGEND – CLEARANCE AGENCIES

OAK (F)	Town of Oakville – Finance
OAK(A)	Town of Oakville – Planning Administration
OAK (L)	Town of Oakville – Legal
OAK (Z)	Town of Oakville - Zoning
OAK (DE)	Town of Oakville – Development Services Department
BC	Bell Canada
CP	Canada Post
RMH	Regional Municipality of Halton

HCDSB

HDSB

Halton Catholic District School Board

Halton District School Board