



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: July 8, 2024

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**FROM:** Planning Services Department

**DATE:** June 25, 2024

**SUBJECT:** Recommendation Report, Draft Plan of Condominium, 2170 Postmaster Drive, Branthaven West Oak Inc., 24CDM\_24004.1424

**LOCATION:** 2170 Postmaster Drive

**WARD:** Ward 3

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#### RECOMMENDATION:

That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-24004/1424) submitted by Branthaven West Oak Inc., and prepared by R-PE Surveying Ltd. dated January 26, 2024, subject to the conditions contained in Appendix A of the Planning Service Report dated June 25, 2024.

#### KEY FACTS:

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

- A draft plan of common element condominium application has been submitted by Branthaven West Oak Inc., for the lands located at 2170 Postmaster Drive.
- The subdivision of 54 townhouses, comprised of 26 street Townhouses and 28 rear lane Townhouses on a common element road, with 14 associated visitor's parking spaces are currently being constructed.
- The development received final site plan approval on May 19, 2023.
- Condominium tenure would allow for the shared use of internal private roadways, visitor parking areas, internal watermains and internal sanitary and storm sewers and any associated maintenance costs would be transferred to the condominium corporation.
- No concerns have been raised by internal departments or external agencies.
- Staff recommends approval of the draft plan of common element condominium, 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 common element condominium application.

The draft plan of condominium application was submitted on May 3, 2024 by Branthaven West Oak Inc. The intent of the draft plan of condominium is to establish condominium tenure for the 54-unit Townhouse residential development which will allow for the management and maintenance of the shared common elements by the future condominium corporation.

The initial zoning by-law amendment application was appealed to the Ontario Land Tribunal and settled between the appellant and the Town, on March 22, 2022. Part of the Minutes of Settlement requires that an easement for public access (pedestrian and bicycle) be applied over the condominium roads and sidewalks. Additionally the Minutes of Settlement require that a 3m landscaping easement measured from the rear lot line of the two storey townhouses be applied in favour of the future condominium corporation to ensure the protection and maintenance of the medium to large stature trees located along the adjacent lands. Both of these required easements have been included in the conditions of registration, which is appended to this report. The 3m rear yard landscaping easement will protect the medium and large stature trees within the rear yards of adjacent residential properties, and are identified as Parts 56 to 81 in the Draft Plan of Condominium.

## **Proposal**

The applicant is proposing a common elements condominium consisting of internal private roadways, visitor parking areas, watermains and sanitary and storm sewers located within the 54-unit townhouse development. Please see an excerpt of the Draft Plan of Condominium on Figure 1 below.

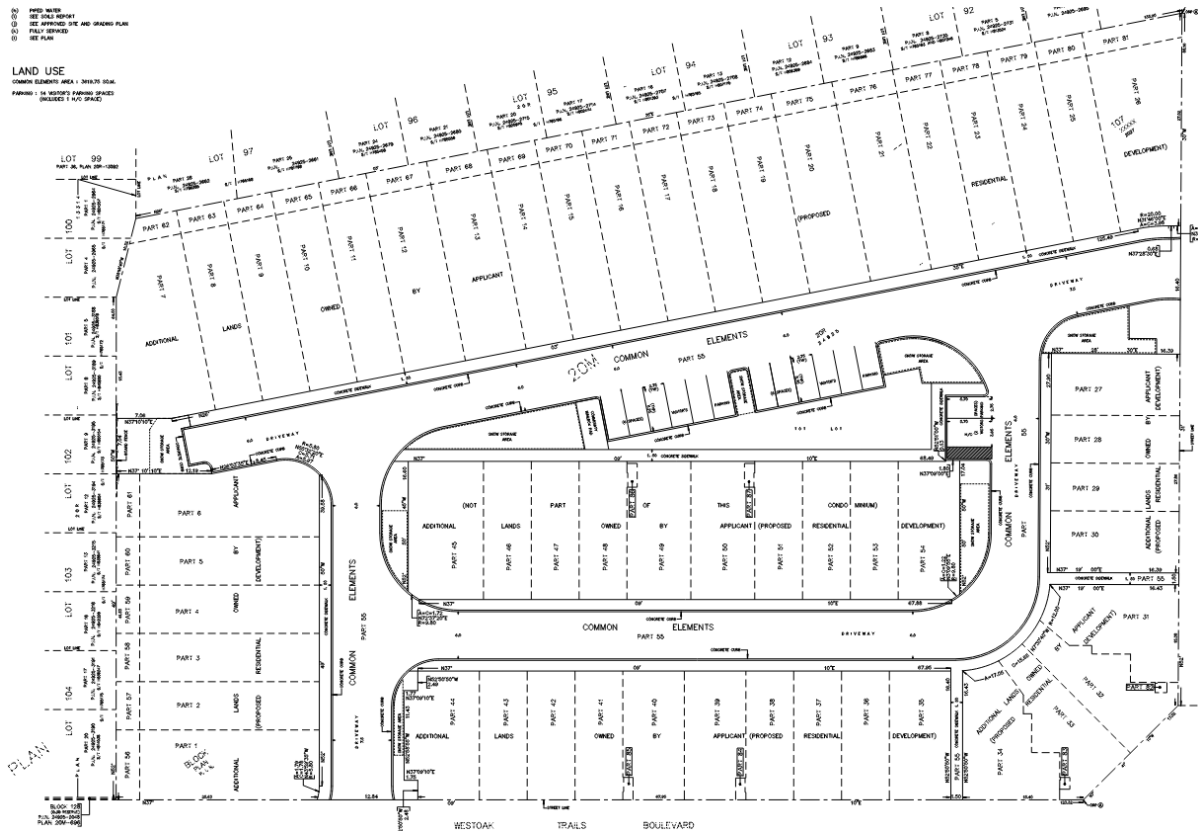


Figure 1 – Draft Plan of Condominium

### Location & Site Description

The subject property is approximately 1.17 hectares in size and is located on the north side of West Oak Trails, between Postmaster Drive and Shorncliffe Boulevard. The land is legally recognized as Block 107, Plan 20M-696, Oakville and the townhouses are in the process of being constructed.

### Surrounding Land Uses

The land uses surrounding the subject property are comprised of existing low rise residential dwellings, including single detached dwellings, semi-detached dwellings and townhouses. Located directly to the south east of the property is a neighbourhood commercial plaza that serves residents and visitors in the neighbourhood. Figure 2 below shows an aerial view of the subject lands (outlined in teal) and surrounding uses.



Figure 2 – Aerial view of 2170 Postmaster Drive

## **PLANNING POLICY & ANALYSIS:**

### **Halton Region Official Plan**

The Region's 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 Urban Area policies state that the range of permitted uses and the creation of new lots in the Urban Area will be per Local Official Plans and Zoning By-laws.

Regional staff offers no objection to the proposed Draft Plan of Condominium approval from a Regional perspective.

### **Livable Oakville Plan**

The subject lands are designated as 'Medium 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 condominium tenure for the 54-unit townhouse development.

On this basis, the proposal conforms to Livable Oakville.

### **Zoning By-law**

The subject property, highlighted in grey is zoned RM1 sp.415 – Residential Medium with site specific provisions (By-law 2014-014) as shown in Figure 3 below.

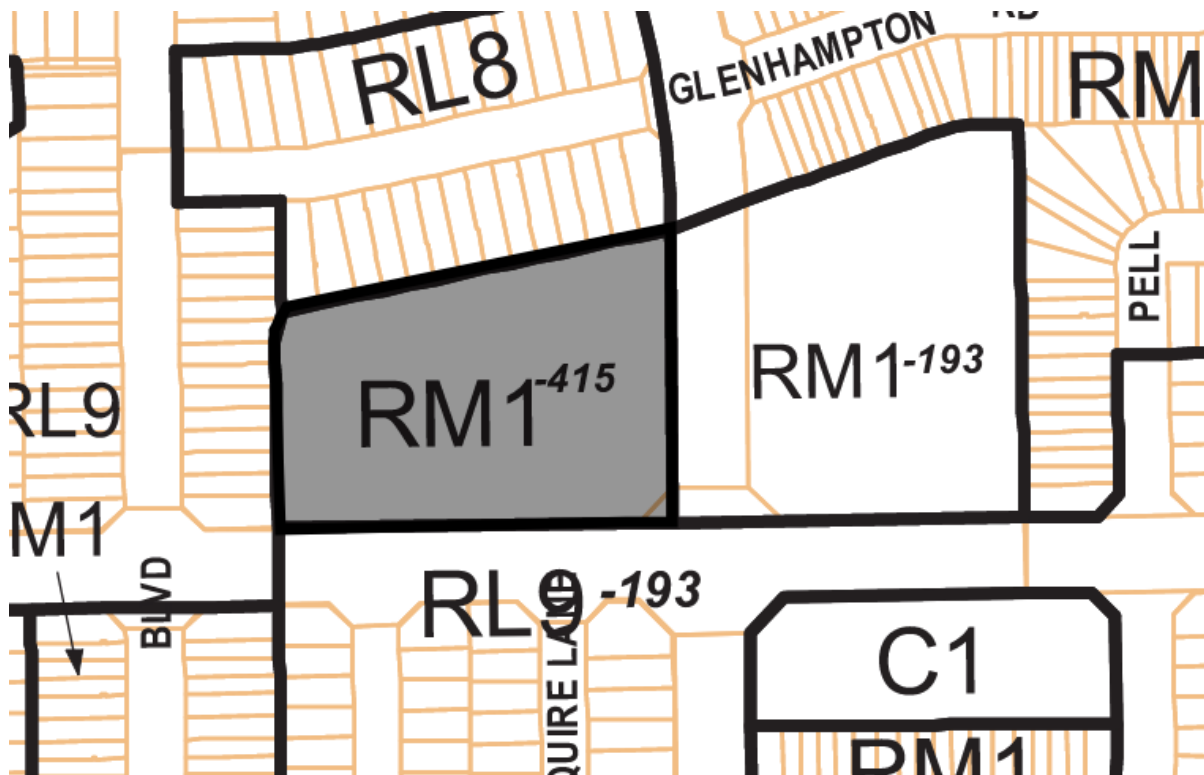


Figure 3 – Oakville Zoning By-law 2014-014 Map Excerpt

Compliance with the Zoning By-law was reviewed as part of the site plan application. As a 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 May 19, 2023. Through the site plan control process, among others, the following matters were addressed:

- Site layout;
- Site servicing;
- Site circulation;
- Stormwater management; and,
- Environmental investigations.

#### **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.

**CONSIDERATIONS:**

**(A) PUBLIC**

As this is a standard condominium application and related to tenure, notice is not required 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. Any relevant conditions have been included within the draft plan of condominium conditions listed in Appendix A.

**(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses the corporate strategic goal to:

- Be the most livable Town in Canada

**(E) CLIMATE CHANGE/ACTION**

The proposal complies with the sustainability objectives of the Climate Change Adaptation Initiative.

**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'.

**APPENDICES:**

Appendix A – Draft Plan of Condominium Conditions

Prepared by:  
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Submitted by:  
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