

# Notice of Public Hearing Committee of Adjustment Application



File # B24/06 (1513) New Lot

«NAME»  
«ADDRESS»  
«CITY»

## Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on November 27, 2024 at 7 p.m.

## Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted for consent along with a minor variance application to the Town of Oakville. As stipulated by the *Planning Act*, notice must be provided to property owners within 60 metres (200 ft.) of the area to which the application applies. Further details of this application, including drawings, can be viewed online at [Agendas & Meetings \(oakville.ca\)](http://Agendas & Meetings (oakville.ca)).

## Applicant and property information:

Applicant / Owner	Authorized Agent	Subject Property
1260 Marlborough Court Limited	Casey Kulchucki Zelinka Priamo Ltd 20 Maud St., Suite 305 Toronto ON, M5V 2M5	1254 & 1260 Marlborough Crt PLAN M69 BLK A

## Purpose of application B24/06 (1513):

Under subsection 53(42) of the Planning Act, the applicant is requesting to permit the consent for the creation of a New Lot with Easements.

The purpose of the application is to create a new lot to separate the 14-storey residential building (severed lands) from the 6-storey residential building (retained lands) together with easements to benefit the retained lands. The application is asking to convey portions of land listed below:

## LANDS TO BE SEVERED

Part of Block A, Plan M69,  
designated as Parts 1, 7, 8, 11 and 12 on Draft Reference Plan,  
T/W Part Block B, Plan M69, Part 3, Plan 20R-3986 as in H144919,  
Town of Oakville,  
being part of PIN 24877-0431(LT).

## EASEMENTS: OVER THE SEVERED LANDS IN FAVOUR OF THE RETAINED LANDS:

- Part 7** will be subject to an easement for vehicular and pedestrian access in favour of Parts 2, 3, 4, 5, 6, 9, 10 and 13 (Retained Lands).
- Part 8** will be subject to an easement for the parking motor vehicles and for access by motor vehicles and pedestrians in favour of Parts 2, 3, 4, 5, 6, 9, 10 and 13 (Retained Lands).

3. **Parts 1, 7 and 8** will be subject to an easement for emergency egress in favour of Parts 2, 3, 4, 5, 6, 9, 10 and 13 (Retained Lands).
4. **Part 11** will be subject to an easement to install and operate a back up power generator in favour of Parts 2, 3, 4, 5, 6, 9, 10 and 13 (Retained Lands).
5. **Part 12** will be subject to an easement for the installation and operation of a ventilation system in favour of Parts 2, 3, 4, 5, 6, 9, 10 and 13 (Retained Lands).

The said parcels being more particularly described on the attached Severance Sketch based on Field work performed by Van Harten Surveying Inc., Project 32776-23 Date: September 1, 2023

This application is being considered with related **Minor Variance CAV A/090/2024** for 1260 Marlborough Court. and **Minor Variance CAV A/091/2024** 1254 Marlborough Court. **Variance Notices below.**

**File # B24/07 (1513) Easements**

**Electronic hearing:**

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on November 27, 2024 at 7 p.m.

**Why am I receiving this notice?**

You are receiving this notice because the applicant noted below has submitted for consent along with a minor variance application to the Town of Oakville. As stipulated by the *Planning Act*, notice must be provided to property owners within 60 metres (200 ft.) of the area to which the application applies. Further details of this application, including drawings, can be viewed online at [Agendas & Meetings \(oakville.ca\)](http://Agendas & Meetings (oakville.ca)).

**Applicant and property information:**

Applicant / Owner	Authorized Agent	Subject Property
1260 Marlborough Court Limited	Azar Davis Zelinka Priamo Ltd 20 Maud St., Suite 305 Toronto ON M5V 2M5	1254 & 1260 Marlborough Crt PLAN M69 BLK A

**Purpose of application B24/07 (1513):**

Under subsection 53(42) of the Planning Act, the applicant is requesting to permit the consent for the creation of Easements.

The purpose of the application is to create easements within the portion of the retained lands (6-storey residential building) to benefit the severed lands (14 storey residential building). The application is asking to convey portions of land listed below:

**EASEMENT LANDS** - Part of Block A, Plan M69, designated as Parts 4, 6, 9 and 13 on Draft Reference Plan, T/W Part Block B, Plan M69, Part 3, Plan 20R-3986 as in H144919, Town of Oakville, being part of PIN 24877-0431(LT)

**LANDS BENEFITING FROM THE EASEMENTS** - Part of Block A, Plan M69, designated as Parts 1, 7, 8, 11 and 12 on Draft Reference Plan, T/W Part Block B, Plan M69, Part 3, Plan 20R-3986 as in H144919, Town of Oakville, being part of PIN 24877-0431(LT) (the “**Severed Lands**”)

**EASEMENTS OVER THE RETAINED LANDS IN FAVOUR OF THE SEVERED LANDS:**

1. **Parts 4, 6 and 9** will be subject to an easement for access by motor vehicles and pedestrians in favour of Parts 1, 7, 8, 11 and 12 (Severed Lands).

2. **Part 13** will be subject to an easement to install, repair and maintenance utilities/services in favour of Parts 1, 7, 8, 11 and 12 (Severed Lands).

The said parcels being more particularly described on the attached Severance Sketch based on Field work performed by Van Harten Surveying Inc., Project 32776-23 Date: September 1, 2023

This application is being considered with related **Minor Variance CAV A/091/2024** for 1254 Marlborough Court and **Minor Variance CAV A/090/2024** 1260 Marlborough Court. **Variance Notices below.**

**File # CAV A/090/2024 1260 Marlborough Court**

Applicant / Owner	Authorized Agent	Subject Property
1260 Marlborough Court Limited	Azar Davis Zelinka Priamo Ltd 20 Maud St., Suite 305 Toronto ON, M5V 2M5	1260 Marlborough Crt PLAN M69 BLK A

**Zoning of Property:** RH, Residential

**Variance Request:**

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the proposed consent application for the severed parcel as shown on the attached severance plan of the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 5.2.1 (Row 5, Apartment Dwelling)</i> The minimum number of parking spaces shall be 1.0 per dwelling where the unit has less than 75.0 square metres and 1.5 per dwelling for all other units for a total minimum of 297 parking spaces for 228 dwelling units.	To reduce the minimum number of parking spaces to 0.5 per dwelling where the unit has less than 75.0 square metres and 0.65 per dwelling for all other units for a total minimum of 159 parking spaces.
2	<i>Table 5.2.1 (Footnote 1)</i> The minimum number of parking spaces designated as visitors parking spaces shall be 0.25 per dwelling for a total of 57.	To reduce the minimum number of parking spaces designated as visitor parking spaces to 0.09 per dwelling for a total of 21.
3	<i>Section 5.4.1 b)</i> The minimum number of bicycle parking spaces shall be 30.	To reduce the minimum number of bicycle parking spaces to 0.
4	<i>Section 6.9 b) i)</i> The minimum setback for an underground parking structure from the lot line abutting the residential zone shall be 1.0 metre.	To reduce the minimum setback for the underground parking structure from the lot line abutting the residential zone to 0.0 metre.

**File # CAV A/091/2024 1254 Marlborough Court**

Applicant / Owner	Authorized Agent	Subject Property
1260 Marlborough Court Limited	Azar Davis Zelinka Priamo Ltd 20 Maud St., Suite 305 Toronto ON, M5V 2M5	1254 Marlborough Crt PLAN M69 BLK A

**Zoning of Property:** RH, Residential

## Variance Request:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the proposed consent application for the retained parcel as shown on the attached severance plan of the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 5.2.1 (Row 5, Apartment Dwelling)</i> The minimum number of parking spaces shall be 1.0 per dwelling where the unit has less than 75.0 square metres and 1.5 per dwelling for all other units for a total minimum of 75 parking spaces for 70 dwelling units.	To reduce the minimum number of parking spaces to 0.20 per dwelling where the unit has less than 75.0 square metres and 0.30 per dwelling for all other units for a total minimum of 15 parking spaces.
2	<i>Table 5.2.1 (Footnote 1)</i> The minimum number of parking spaces designated as visitors parking spaces shall be 0.25 per dwelling for a total of 18.	To reduce the minimum number of parking spaces designated as visitor parking spaces to 0.18 per dwelling for a total of 13.
3	<i>Table 6.3.9 (row 5)</i> The minimum interior side yard shall be 4.5 m.	To reduce the minimum northerly interior side to 2.07 m.

## How do I participate if I have comments or concerns?

### Submit written correspondence

Although there are no third-party appeal rights, you are entitled to notice and may make written submissions before the application is considered by the Committee of Adjustment. You can send your written comments regarding the application by email (preferred) or regular mail to the Secretary-Treasurer noted below. Include your name, address and application number or address of the property in which you are providing comments. To allow all Committee of Adjustment members the opportunity to review and consider your comments, please provide your written submissions to be received no later than noon the day before the hearing date.

Please be advised that any written correspondence submitted to the Town of Oakville regarding this application will be made public pursuant to the *Planning Act* and *Municipal Freedom of Information and Protection Act*.

### Participate in the electronic hearing by videoconference.

Pre-register as a delegation by contacting the Secretary-Treasurer noted below by email or telephone no later than noon the day before the hearing date. You are encouraged to pre-register as a delegation as soon as possible in order to facilitate an orderly registration process. Pre-registered delegates will be provided with access codes and instructions to enter the electronic.

## Watch the hearing:

If you do not wish to participate, but would like to follow along, the hearing will be publicly live-streamed on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca). The live-stream will begin just before 7 p.m.

## More information:

Town departments and agency comments regarding this application will be available online at [Agendas & Meetings \(oakville.ca\)](#) by noon on the Friday before the hearing date.

## Notice of decision:

If you wish to be notified of the decision for this application, you must make a written request by email or regular mail to the Secretary-Treasurer noted below. The written request must be received before noon the day before the hearing date. This will entitle you to be notified of any future Ontario Land Tribunal proceedings.

## Contact information:

Sharon Coyne, Committee of Adjustment  
1225 Trafalgar Road, Oakville, ON L6H 0H3  
Phone: 905-845-6601 ext. 1829  
Email: [coarequests@oakville.ca](mailto:coarequests@oakville.ca)

**Date mailed:** November 8, 2024

Marlborough Crt. Consents (B24/06 & B24/07) Minor Variances (CAV A/090/2024 & 091/2024)

