



Planning Services Memorandum

Date: April 23, 2024

To: Summer Valentine, Director Planning, Building, Economic Development

From: Justin Teakle, Senior Planner

Subject: **Approval to Exempt a Condominium Plan**

Project Name: The Royal Windsor at Balmoral Village Block 2

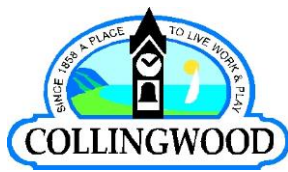
Project Address: 4 Kimberly Lane

File Number: D07020123

Related Files: D1201211 (Subdivision), D1120 (Site Plan Control), D111922 (Site Plan Control Amendment)

Attached please find the enclosed mylar and paper copies of the condominium plan for the above noted file.

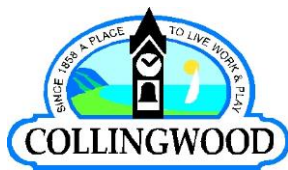
The proposed plan of condominium is a standard condominium and the condominium description can be exempted from the requirements of Section 51 and Section 51.1 of the *Planning Act* as per Section 9(7), entitled *Individual Exemption*, of the *Condominium Act*.



The proposed exemption has been circulated for review to departments and external agencies and no objections to proceeding with an exemption for this standard condominium have been raised.

Planning Services Staff have reviewed the proposal and confirm that Council-endorsed criteria for condominium exemption outlined in Appendix 'A' to Report P2021-36 have been addressed as follows:

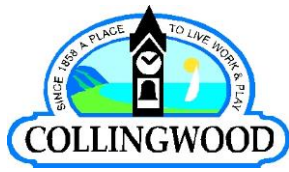
Criteria	How it has been addressed
A standard, phased, or common elements condominium description	The proposed is a standard condominium.
Consistent with and conforms to the relevant planning policy documents	The development complies with the policies of the Town's Official Plan.
Compliant with the comprehensive zoning by-law or community planning permit system by-law in effect	The development conforms to Zoning By-law 2010-040, as amended.
Subject to a satisfactory development agreement(s) registered on title and the works addressed therein are substantially complete	The development was the subject of a Site Plan Approval process with the Site Plan Agreement being registered on title on October 19, 2021 and subsequently amended with the amendment registered on title on December 5, 2023.
Any proposed buildings are connected to both municipal water and wastewater services, or will be connected, and the required capacity has been allocated in accordance with the approved servicing	The subject development has been constructed and connected to full municipal services.



capacity allocation framework in effect.	
There are no Provincial, County, Town, and/or agency requirements identified which would need to be addressed through conditions of approval and/or amending agreements, including the opportunity to obtain parkland or cash-in-lieu of parkland.	There is a Site Plan Agreement registered on title that has also been amended to include provisions specific to condominiums. Cash-in-lieu of parkland was required through the conditions of draft plan approval for the subdivision.
The Director of Planning, Building, and Economic Development or their designate, determines approval of the draft description and/or review by the Development and Operations Committee/Town Council is not necessary nor requested.	Based on the above, planning staff have determined that draft plan approval is not necessary and further it has not been requested by Council.

Accordingly, as the Council-endorsed criteria for condominium exemption outlined in Appendix 'A' to Report P2021-36 are satisfied, it is of the opinion of Planning Services that little would be achieved from a planning perspective by requiring this condominium description to proceed through a formal Plan of Subdivision process and Planning Services recommends the following:

- 1) That the Director of Planning, Building, and Economic Development as Council's designate, approve the exemption of The Royal Windsor at Balmoral Village Block 2 from Section 51 of the *Planning Act*, and sign the attached Exemption Certificate and drawings in accordance with the Designation of Signing Authority By-law 2013-034, as amended.



Sincerely,

Justin Teakle, BES, MCIP, RPP

Senior Planner