



Committee of Adjustment Town of Oakville

AGENDA

Date: September 4, 2024
Time: 7:00 pm
Location: Virtual Meeting

Live streaming video is available at oakville.ca/live.html or the Town's YouTube channel at youtube.com/user/townofOakvilleTV.

Making submissions to the Committee of Adjustment

To participate in the electronic hearing or to submit written correspondence regarding an application on the agenda, please email the Secretary-Treasurer at coarequests@oakville.ca, or call 905-845-6601 ext. 1829, by noon the day before the hearing date.

	Pages
1. Reading of Preamble	
2. Regrets	
3. Declarations of Pecuniary Interest	
4. Requests for Deferrals or Withdrawals of Applications	
5. Consent Application(s)	
6. Minor Variance Application(s)	
6.1 CAV A/126/2024 - 610 Trafford Crescent	3 - 25
6.2 CAV A/128/2024 - 2059 Seafare Drive	26 - 41
6.3 CAV A/129/2024 - 3240 William Coltson Avenue	42 - 56
6.4 CAV A/130/2024 - 517 Morrison Road	57 - 78
6.5 CAV A/131/2024 - 2175 North Ridge Trail	79 - 87
6.6 CAV A/133/2024 - 1328 Aymond Crescent	88 - 103

6.7	CAV A/134/2024 - 489 Trillium Drive	104 - 120
6.8	CAV A/092/2024 - 147 Elmwood Road - Deferred from June 12, 2024	121 - 141
6.9	CAV A/115/2024 - 564 Lyons Lane - Deferred from August 07, 2024	142 - 155
7.	Confirmation of Minutes	
8.	Adjournment	

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/126/2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on September 4, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
Y. Alkan	Stephanie Matveeva Glen Schnarr & Associates Inc. 10 Kingsbridge Garden Circle, Suite 700 Mississauga ON, CANADA L5R 3K6	610 Trafford Cres PLAN 961 LOT 36

Zoning of property: RL3-0, 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 construction of a two-storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 42.90%.

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. 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.

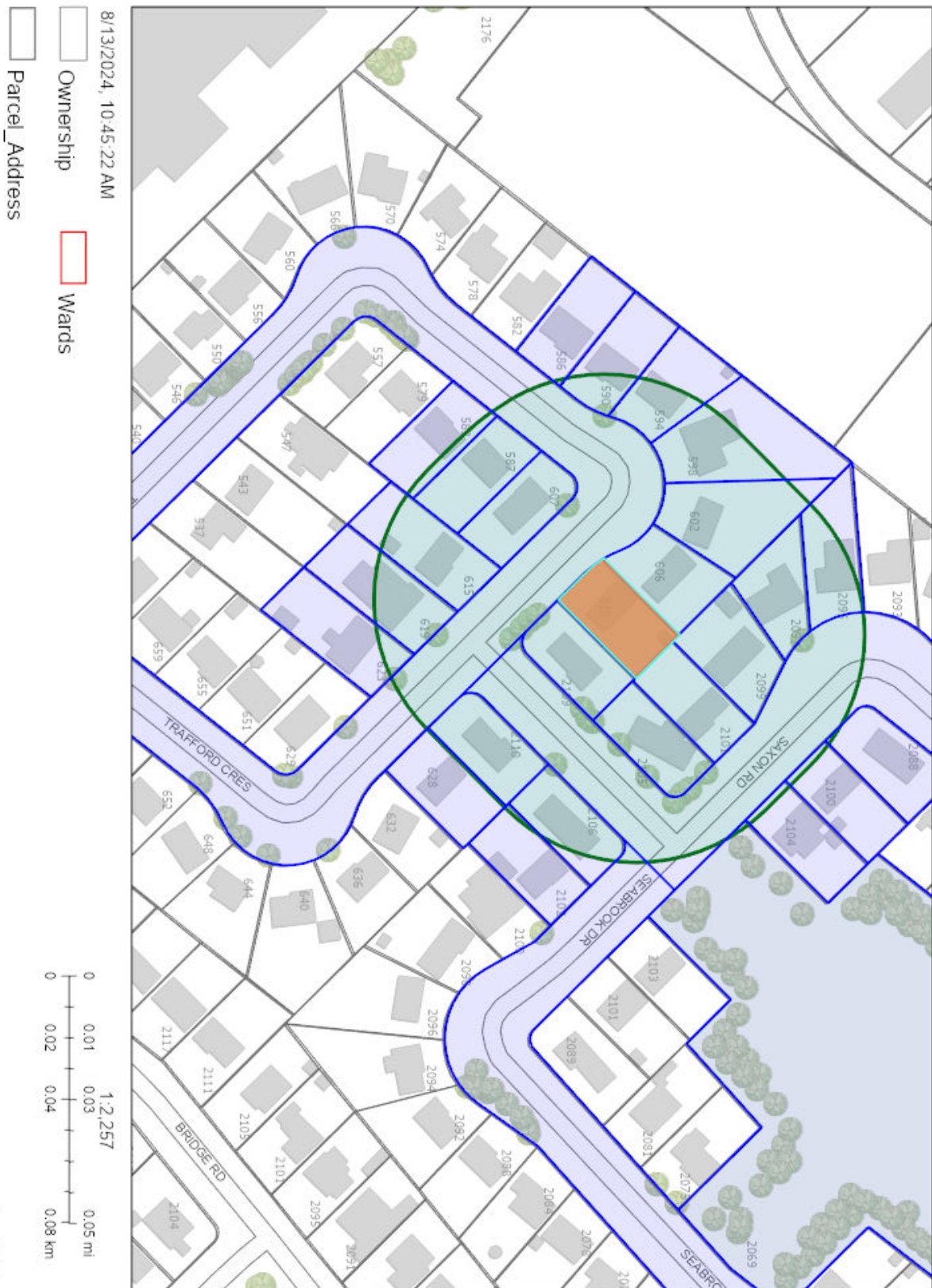
Contact information:

Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/126/2024 - 610 Trafford Crescent



COVER PAGE

610 TRAFFORD CRESCENTIVE
OAKVILLE, ON L6K 1V2



FRONT

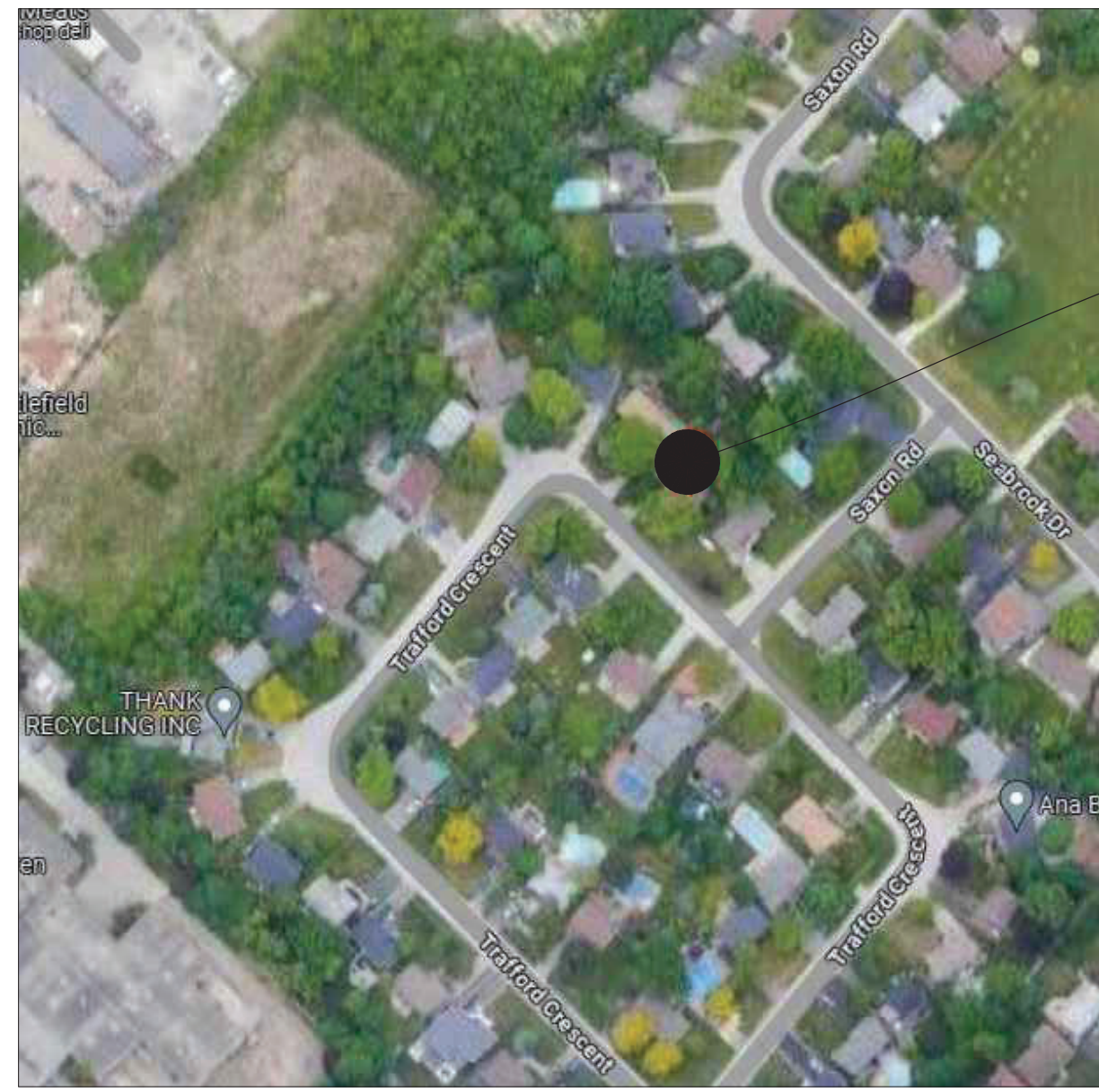


REAR

LIST OF DRAWINGS:

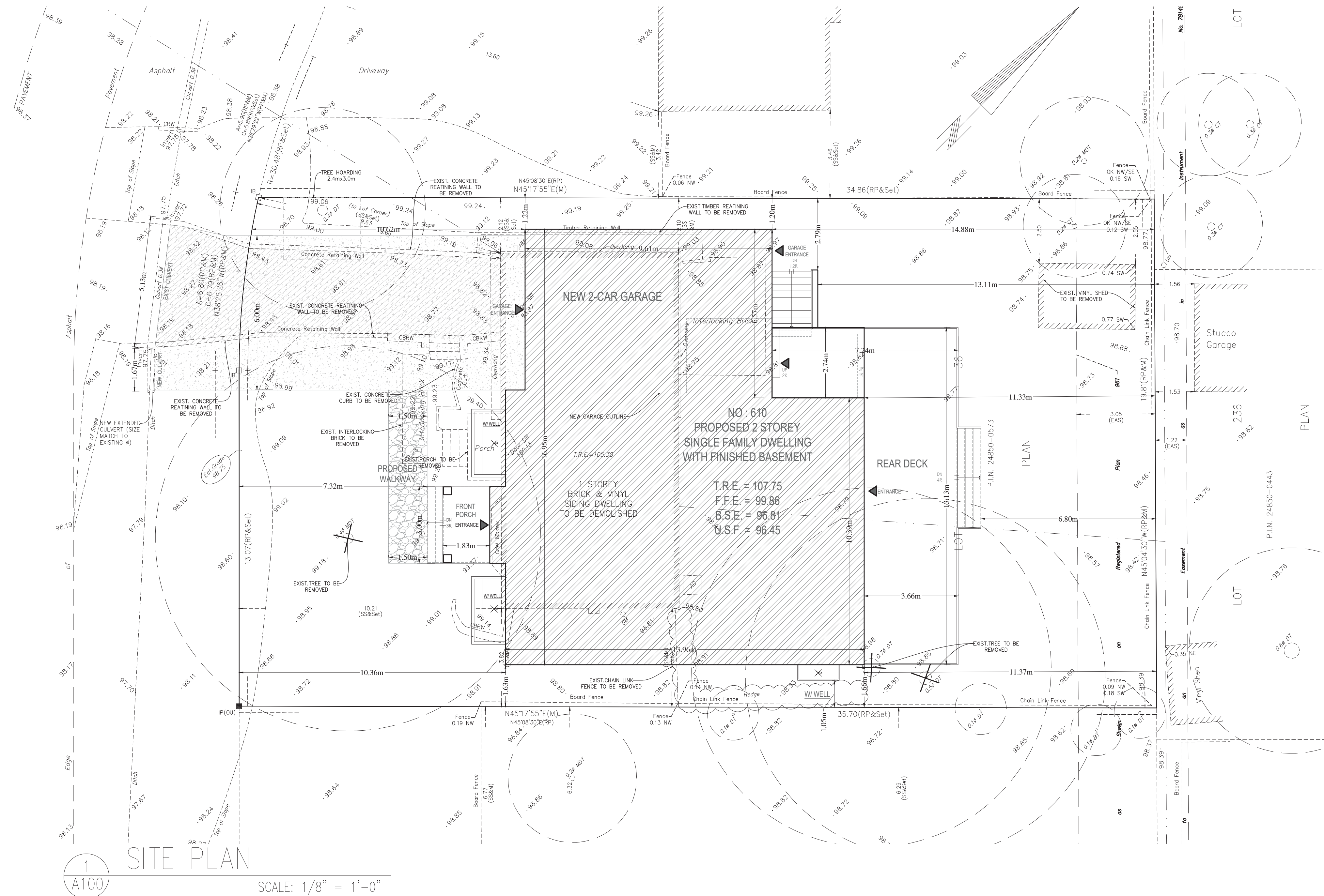
- A100-SITE PLAN
- A200-NORTH ELEVATION
- A210-SOUTH ELEVATION
- A220-EAST ELEVATION
- A230-WEST ELEVATION
- A300-BASEMENT PLAN
- A310-MAIN FLOOR PLAN
- A320-SECOND FLOOR PLAN
- A330-ROOF PLAN

#	ISSUED FOR	DATE Y-M-D	<p>*CONTRACTOR MUST VERIFY ALL JOB DIMENSIONS, ALL DRAWINGS, DETAILS AND SPECIFICATIONS, AND REPORT ANY DISCREPANCIES TO ENGINEER BEFORE PROCEEDING WITH THE WORK. *DO NOT SCALE DRAWINGS; THESE DRAWINGS SHOW INTENT OF THE DESIGN ONLY OR EXISTING CONDITIONS AND MAY NOT REFLECT EXACT LOCATIONS. *ALL DRAWINGS NOT TO BE USED FOR CONSTRUCTION UNLESS COUNTERSIGNED BY THE CONSULTANT. *THE FOLLOWING DRAWINGS AND NOTES TO BE CONSIDERED AS PART OF THE CONSTRUCTION DRAWINGS:</p> <p>ALL DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND THE PROPERTY OF ACMENG ENGINEERING OR CONSULTANTS WHICH MUST BE RETURNED AT THE COMPLETION OF THE WORK. THE DRAWINGS AND SPECIFICATIONS ARE TO BE USED ONLY FOR THE PROJECT AS NOTED. REPRODUCTION OF THE DOCUMENTS IN PART OR IN WHOLE FOR ANY OTHER PURPOSE OR FOR ANY OTHER THAN THIS PROJECT WITHOUT THE WRITTEN CONSENT OF ACMENG ENGINEERING IS PROHIBITED. DRAWINGS ISSUED FOR GENERAL PURPOSE, NEGOTIATION, LEASE ETC. CARRY ALL THE ABOVE COPYRIGHT PROTECTION.</p>	PROJECT NAME	NEW BUILDING	SHEET TITLE	<table border="1"> <tr> <td>CLIENT NAME</td> <td>YUCEL ALKAN</td> <td>SCALE</td> <td>AS NOTED</td> <td>PROJECT NO.</td> <td>.....</td> </tr> <tr> <td>ADDRESS</td> <td>610 TRAFFORD CRESCENT OAKVILLE, ON, L6L3T3</td> <td>DRAWN BY</td> <td>A.P.</td> <td>DWG. NO.</td> <td>CP</td> </tr> <tr> <td>EMAIL</td> <td>yucelalkan21@gmail.com</td> <td>CHECKED BY</td> <td>I.A.</td> <td>REV. NO.</td> <td>1</td> </tr> <tr> <td>PHONE</td> <td>647-913-3152</td> <td>DATE Y-M-D</td> <td>2024.06.27</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td>FILE NAME</td> <td>.....</td> <td></td> <td></td> </tr> </table>	CLIENT NAME	YUCEL ALKAN	SCALE	AS NOTED	PROJECT NO.	ADDRESS	610 TRAFFORD CRESCENT OAKVILLE, ON, L6L3T3	DRAWN BY	A.P.	DWG. NO.	CP	EMAIL	yucelalkan21@gmail.com	CHECKED BY	I.A.	REV. NO.	1	PHONE	647-913-3152	DATE Y-M-D	2024.06.27					FILE NAME		
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1	ISSUED FOR REVIEW	PROJECT NAME	610 TRAFFORD CRESCENT	COVER PAGE																																
2	ISSUED FOR		THE TOWN OF OAKVILLE																																	
3	RE-ISSUED FOR		PROPOSED SINGLE FAMILY DWELLING																																	
4			CLIENT :	YUCEL ALKAN																																	



LOCATION MAP

SUBJECT PROPERTY
*610 TRAFFORD
CRESCENT



SITE STATISTICS	
ADDRESS:	ADDRESS: 610 TRAFFORD CRESCENT OAKVILLE, ON L6L 3T3
ZONING:	RL3-0
PLAN NO:	REGISTERED PLAN 961 LOT 36
PROJECT DESCRIPTION:	1 STOREY BRICK & VINYL SIDING DWELLING TO BE DEMOLISHED AND NEW 2 STOREY SINGLE FAMILY DWELLING WITH FINISHED BASEMENT TO BE BUILT
	<input checked="" type="checkbox"/> NEW <input type="checkbox"/> ADDITION <input type="checkbox"/> ALTERATION
LOT AREA:	704.7m ²
LOT FRONTAGE:	19.87m
ESTABLISHED GRADE :	98.75
HEIGHT TO HIGHEST RIDGE:	9.00m
HEIGHT TO EAVE:	7.20m
RFA-INFILL RESIDENTIAL	
GROUND FLOOR (EXCL. GARAGE):	164.0m ²
SECOND FLOOR (EXCL. OPEN BELOWS & STAIRS) :	139.4m ²
REQUIRED RFA:	288.93m ² 41.0 %
PROPOSED RFA:	302.05m ² 42.90 %

LOT COVERAGE	
DWELLING FOOTPRINT (INCL. GARAGE):	210.18m ²
PORCH:	5.5m ²
DECK (Covered Below Grade):	9.83m ²
TOTAL LOT COVERAGE:	229.83m ²
PROPOSED LOT COVERAGE:	32.62%
REQUIRED LOT COVERAGE:	35%

LANDSCAPED SOFT AREA	
FRONT YARD AREA:	202m ²
HARD SURFACES AREA:	85m ²
TOTAL LANDSCAPED SOFT AREA :	117m ² 58%

SETBACKS	
FRONT :	7.32m
REAR:	11.33m
SIDE YARD (EAST) :	1.33m
SIDE YARD (WEST) :	1.20m

#	ISSUED FOR	DATE Y-M-D
1	ISSUED FOR REVIEW
2	ISSUED FOR
3	RE-ISSUED FOR
4		

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PROJECT NAME	NEW BUILDING
	610 TRAFFORD CRESCENT
	THE TOWN OF OAKVILLE
	PROPOSED SINGLE FAMILY DWELLING
CLIENT :	YUCEL ALKAN

SHEET TITLE	SITE PLAN
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CLIENT NAME	YUCEL ALKAN
ADDRESS	610 TRAFFORD CRESCENT OAKVILLE, ON, L6L3T3
EMAIL	yucelalkan21@gmail.com
PHONE	647-913-3152

SCALE	AS NOTED
DRAWN BY	A.P.
CHECKED BY	I.A.
DATE Y-M-D	2024.06.27
FILE NAME

PROJECT NO.
DWG. NO.	A100
REV. NO.	1



1 REAR (NORTH) ELEVATION
 A200 SCALE: 1/4" = 1'-0"

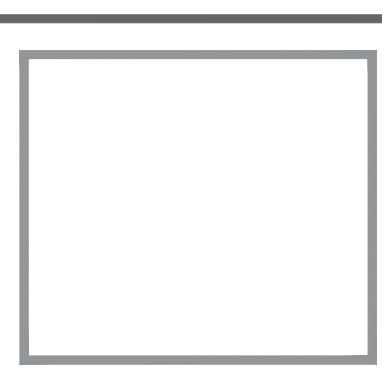
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CLIENT :	YUCEL ALKAN

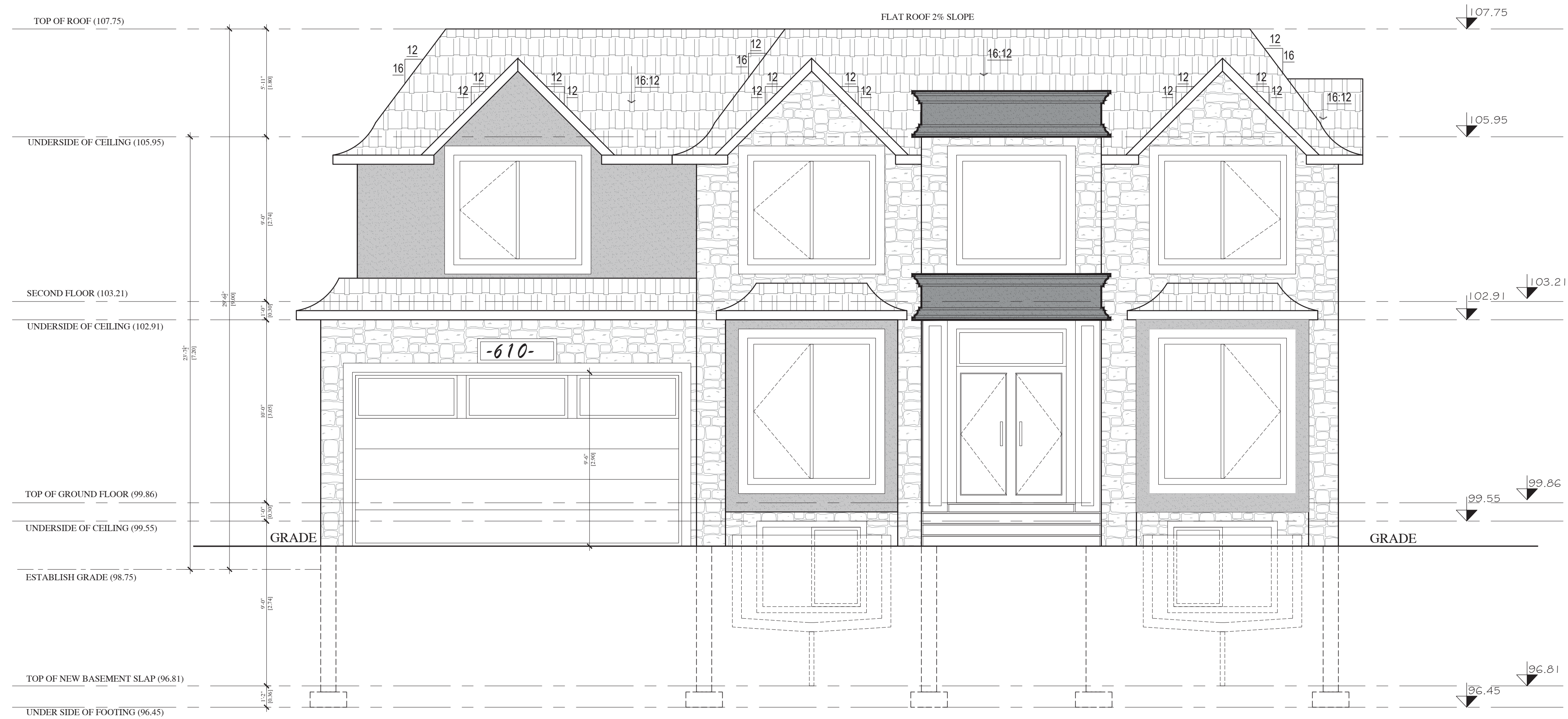
SHEET TITLE	REAR (NORTH) ELEVATION
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CLIENT NAME	YUCEL ALKAN
ADDRESS	610 TRAFFORD CRESCENT OAKVILLE/ON, L6L3T3
EMAIL	yucelalkan21@gmail.com
PHONE	647-913-3152

SCALE	AS NOTED
DRAWN BY	A.P.
CHECKED BY	I.A.
DATE Y-M-D	2024.06.27
FILE NAME

PROJECT NO.
DWG. NO.	A200
REV. NO.	1



1 FRONT (SOUTH) ELEVATION

SCALE: 1/4" = 1'-0"

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3	RE-ISSUED FOR
4		

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610 TRAFFORD CRESCENT	
THE TOWN OF OAKVILLE	
PROPOSED SINGLE FAMILY DWELLING	
CLIENT :	YUCEL ALKAN

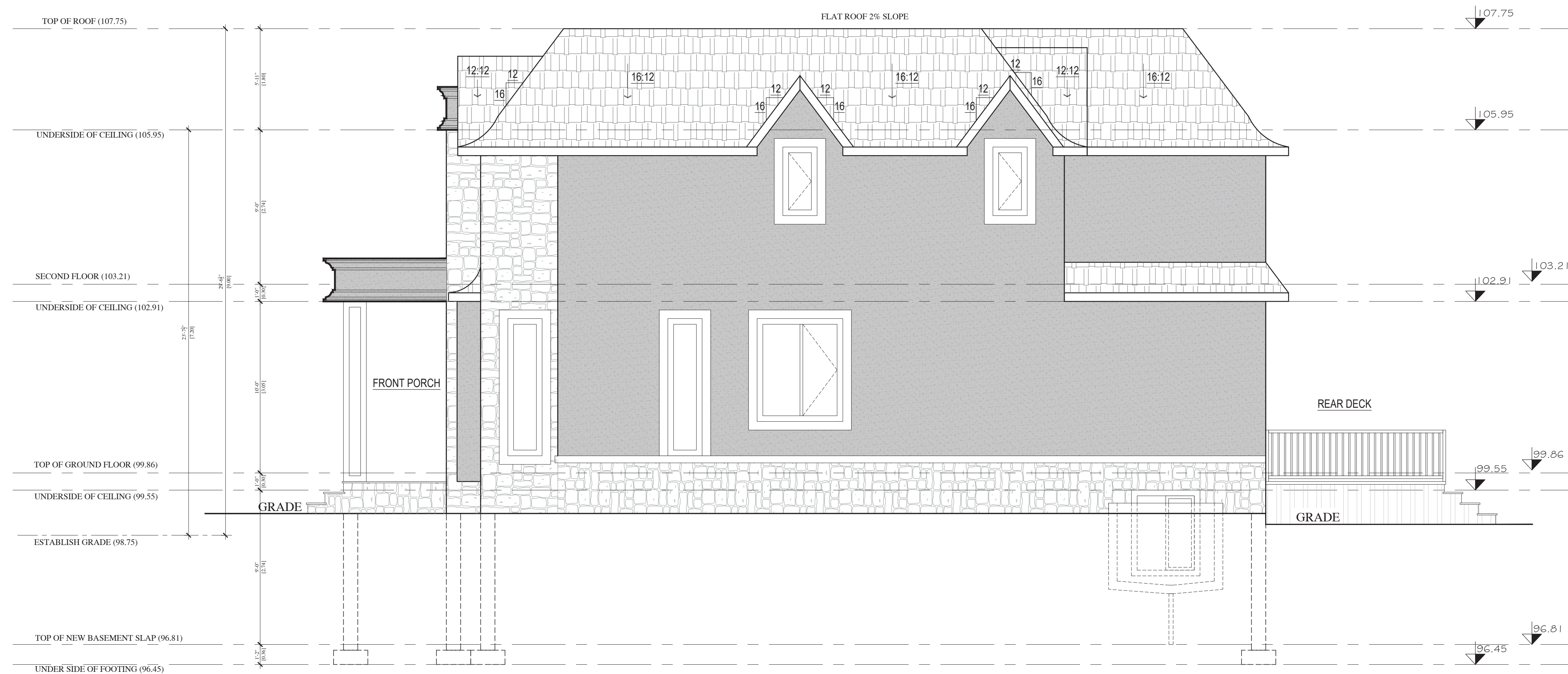
SHEET TITLE	FRONT (SOUTH) ELEVATION
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ADDRESS	610 TRAFFORD CRESCENT OAKVILLE/ON, L6L3T3
EMAIL	yucelalkan21@gmail.com
PHONE	647-913-3152

SCALE	AS NOTED
DRAWN BY	A.P.
CHECKED BY	I.A.
DATE Y-M-D	2024.06.27
FILE NAME

PROJECT NO.
DWG. NO.	A210
REV. NO.	1



1 RIGHT (EAST) ELEVATION

SCALE: 1/4" = 1'-0"

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3	RE-ISSUED FOR
4		

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PROJECT NAME	NEW BUILDING
	610 TRAFFORD CRESCENT
	THE TOWN OF OAKVILLE
	PROPOSED SINGLE FAMILY DWELLING
CLIENT :	YUCEL ALKAN

SHEET TITLE	
	RIGHT (EAST) ELEVATION

--	--

CLIENT NAME	YUCEL ALKAN
ADDRESS	610 TRAFFORD CRESCENT OAKVILLE/ON, L6L3T3
EMAIL	yucelalkan21@gmail.com
PHONE	647-913-3152

SCALE	AS NOTED
DRAWN BY	A.P.
CHECKED BY	I.A.
DATE Y-M-D	2024.06.27
FILE NAME

PROJECT NO.
DWG. NO.	A220
REV. NO.	1



1 LEFT (WEST) ELEVATION
A230

SCALE: 1/4" = 1'-0"

#	ISSUED FOR	DATE Y-M-D
1	ISSUED FOR REVIEW
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3	RE-ISSUED FOR
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CLIENT :	YUCEL ALKAN

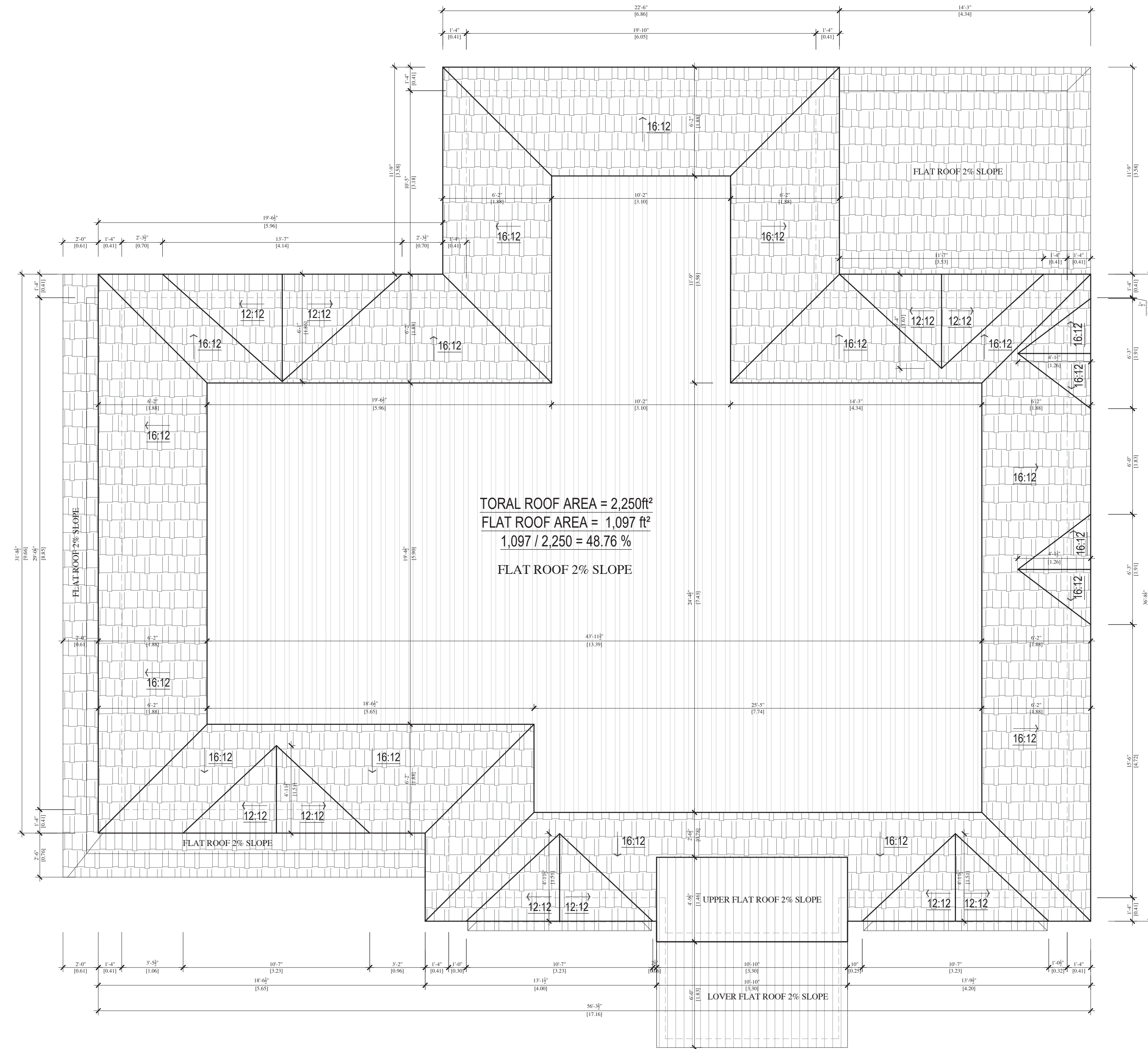
SHEET TITLE	LEFT (WEST) ELEVATION
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PHONE	647-913-3152

SCALE	AS NOTED
DRAWN BY	A.P.
CHECKED BY	I.A.
DATE Y-M-D	2024.06.27
FILE NAME

PROJECT NO.
DWG. NO.	A230
REV. NO.	1



1 ROOF PLAN
 A330 SCALE: 1/4" = 1'-0"

#	ISSUED FOR	DATE Y-M-D
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	610 TRAFFORD CRESCENT
	THE TOWN OF OAKVILLE
	PROPOSED SINGLE FAMILY DWELLING
CLIENT :	YUCEL ALKAN

SHEET TITLE	ROOF PLAN
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ADDRESS	610 TRAFFORD CRESCENT OAKVILLE/ON, L6L3T3
EMAIL	yucelalkan21@gmail.com
PHONE	647-913-3152

SCALE	AS NOTED
DRAWN BY	A.P.
CHECKED BY	I.A.
DATE Y-M-D	2024.06.27
FILE NAME

PROJECT NO.
DWG. NO.	A330
REV. NO.	1

July 15, 2024

GSAI File: 1609 – 001

In Memoriam, Founding Partner:
Glen Schnarr

Secretary-Treasurer
Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

**RE: Minor Variance Application
Residential Development
610 Trafford Crescent, Town of Oakville**

Glen Schnarr & Associates Inc (GSAI) are the planning consultants to Yucel Alkan (the 'Owner') of the lands municipally known as 610 Trafford Crescent, in the Town of Oakville (the 'Subject Lands' or 'Site'). On behalf of the Owner, we are pleased to provide this Minor Variance Application to facilitate a replacement dwelling on the Subject Lands.

In support of this Application, please find attached the following materials:

- A copy of the signed Application Form; and,
- A copy of the Architectural Plans, prepared by PiPa Designs., dated June 27, 2024, including:
 - Cover Page (Drawing CP);
 - Site Plan (Drawing A100);
 - Rear Elevation (Drawing A200);
 - Front Elevation (Drawing A210);
 - Right Side Elevation (Drawing A220);
 - Left Side Elevation (Drawing A230);
 - Basement Plan (Drawing A300);
 - Main Floor Plan (Drawing A310);
 - Second Floor Plan (Drawing A320); and,
 - Roof Plan (Drawing A330).

Payment of full fees will be provided prior to circulation.

SITE & SURROUNDING AREA

The Subject Lands are located on the east side of Trafford Crescent, north of Saxon Road. The Site, municipally known as 610 Trafford Crescent, has a lot area of approximately 704.7 square metres and approximately 19.87 metres of frontage on Trafford Crescent. The Subject Lands are currently improved with a 1 ½ storey detached dwelling.

The area surrounding the Subject Lands is a well-established residential Neighbourhood characterized predominantly by 1-, 1 ½- and 2-storey detached dwellings. Mature, tree lined streetscapes are also present. The Neighbourhood can be characterized as having an eclectic character given there is a diverse range of dwelling designs and sizes, including original homes and newer or renovated dwellings.

OFFICIAL PLAN & ZONING

The Subject Lands are designated 'Low Density Residential' by the in-effect Livable Oakville Plan. There are no applicable Secondary Plan or Area Specific policies.

The Site is subject to the Town of Oakville Zoning By-law 2014 – 014 ('By-law 2014-014'), as amended, which zones it as 'Residential Low Density (RL3-0)'. Detached dwellings are a permitted use.

REQUESTED RELIEF

The Owner is seeking permission to construct a new detached dwelling, including an integrated garage. The existing dwelling is to be demolished. The proposed dwelling, as currently contemplated with a total area of approximately 302,05 square metres, has been planned and designed to comply with the applicable zoning regulations, to the greatest extent possible. The following is the variance for which the Owner is seeking approval:

1. **Section 6.4.1, By-law 2014-014**
A maximum residential floor area ratio, for lots with an area of 650 to 742.99 sq m, of 41% is permitted.
A residential floor area ratio of 42.9% is requested.

MINOR VARIANCE TESTS

Section 45(1) of the *Planning Act*, as amended, identifies the four tests which must be satisfied in order for the Committee to approve this application. Those tests are:

1. The variance maintains the general intent and purpose of the Official Plan.
2. The variance maintains the general intent and purpose of the Zoning By-law.
3. The variance is desirable for the appropriate development or use of the land.
4. The variance is minor in nature.

In my opinion, the requested variances are supportable and meet the four tests under the *Planning Act* in the following ways:

The Variance Maintains The General Intent & Purpose of the Official Plan

As mentioned above, the Subject Lands are designated 'Low Density Residential' by the in-effect Livable Oakville Plan. The intent of the 'Low Density Residential' designation is to facilitate a range of permitted low density housing types including single detached dwellings. The existing residential use and detached dwelling built form are permitted.

Livable Oakville directs that infill development in stable residential communities is to be evaluated against perspective criteria (Section 11.1.9). Specifically, Section 11.1.9 states:

"Development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- a) The built form of development, including scale, height, massing, architectural character, and materials, is to be compatible with the surrounding neighbourhood.*
- b) Development should be compatible with the setbacks, orientation, and separation distances within the surrounding neighbourhood.*
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing."*

The proposed dwelling (as demonstrated in the proposed rendering on the right) has been designed to be complimentary to and compatible with both historical and surrounding development forms in the Neighbourhood. This is achieved through the provision of a refined, high-quality built form that is generally consistent with the placement on the lot as the existing dwelling, the incorporation of stepbacks above the ground level and built form features that are similar and complimentary to those found in the immediate surrounding area including along Trafford Crescent.



I also highlight that similar side yard setbacks, the presence of a covered front porch and an integrated, front yard private garage are features found throughout the immediate surrounding Neighbourhood. As such, the prevailing pattern of setbacks, orientation, height, massing and character are maintained. Furthermore, the proposed facades are to provide for similar, compatible material selections as those present in the surrounding Neighbourhood and provides for a built form, scale and massing that has clear ground level elements, and mitigates the appearance of blank front main walls or a dwelling that visually overwhelm as demonstrated in the image above. This enables the provision of living areas that meet the changing needs of the Owner and the family, while also being appropriately and sensitively provided on the lot. Given the above, the proposal will provide for a built form, massing and built form features that will seamlessly integrate with the established and evolving character of the Neighbourhood.

Based on the above, it is my opinion that the requested variances conform to the policy objectives established by the Livable Oakville Plan and meet the general intent and purpose of the Official Plan.

The Variance Maintains The General Intent & Purpose of the Zoning By-law

As mentioned above, the Subject Lands are subject to By-law 2014-014, as amended. The requested variance seeks the following relief:

Increased Residential Floor Area Ratio

Section 6.4.1 of By-law 2014-014 states that the maximum residential floor area ratio permitted is 41%, whereas a residential floor area ratio of 42.9% is requested.

The purpose and intent of residential floor area ratio regulations is to control the overall building mass on a property. The residential floor area ratio regulation works hand-in-hand with building envelope regulations, including lot coverage, to ensure that a reasonable built form and massing is provided. An appropriate mass is to be provided by regulating the amount of floor area that can be accommodated on a lot.

The proposed dwelling has been planned and designed to provide a built form and living areas that better reflects the family's changing needs, including enabling aging parents to remain in their community of choice. Specifically, the proposed dwelling includes areas to accommodate the needs of all family members. It has also been planned and designed to provide for a built form, scale and architectural features that are compatible with those in the surrounding Neighbourhood, while respecting the Neighbourhood character. Overall, the proposed dwelling includes stepbacks above the ground level and an integrated roofline – together, these features reduce the visual appearance of adverse massing and scale (as visually demonstrated in the proposed front elevation rendering on page 3 above). There are clear ground level elements to assist in the visual reduction of mass and scale, while also contributing to the maintenance of the established Neighbourhood character. These design features, combined with a front covered porch, also avoid the appearance of blank or visually overwhelming front main walls. I highlight that the proposed dwelling incorporates built form features and stepbacks that are consistent with built forms in the surrounding area, including south of the Subject Lands and elsewhere along Trafford Crescent as demonstrated in the images below.



View of 623 – 619 Trafford Crescent



View of 660 Trafford Crescent

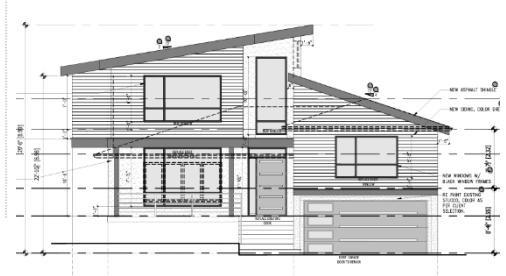


View looking north toward 659, 655 and 651 Trafford Crescent

As stated throughout this Letter, the proposed dwelling incorporates generous stepbacks above the ground level, to provide for a built form that is well-designed, of appropriate depth, massing and scale and that integrates with the surrounding Neighbourhood. In my opinion, the requested increase in residential floor area ratio will facilitate a high-quality, refined, appropriately sized dwelling that is consistent and compatible with the surrounding Neighbourhood. It will not visually overwhelm or adversely impact the established Neighbourhood character. Finally, I highlight that the requested residential floor area ratio is a minimal departure from current permissions, is consistent with existing building coverage patterns in the immediate area and is below the range of approved increases, which range from 2.03% to 2.8% above the maximum residential floor area ratio permitted, in the surrounding area as further described below.

Surrounding Decision Analysis

In support of the proposed development, a residential floor area decision analysis was undertaken to assess the appropriateness of the proposal in the context of the surrounding Neighbourhood. For clarity, the surrounding Neighbourhood boundaries were identified as being those lands east of Vyner Crescent, north of Bridge Road, south of the Employment Area along Speers Road and west of Saxon Road / Seabrook Drive.. Furthermore, the surrounding Neighbourhood was established based on lands with a similar zoning category to the Subject Lands and logical, natural boundaries. The result of this analysis is below.

Address	Maximum RFA Ratio	Proposed RFA Ratio	Change	Status	Visual
517 Vyner Crescent	43.0%	45.34%	2.34%	Approved (CAV A/081/2018)	

Address	Maximum RFA Ratio	Proposed RFA Ratio	Change	Status	Visual
2082 Bridge Road	41.0%	43.03%	2.03%	Approved (CAV A/014/2022)	
472 Seaton Drive	41.0%	43.80%	2.8%	Approved (CAV A/125/2022)	

Based on the above, there are instances where the Committee of Adjustment has granted increased residential floor area ratios in the surrounding Neighbourhood. Furthermore, the existing building patterns in the surrounding Neighbourhood also demonstrate that newer built forms include additional living areas when compared to historic built forms. As such, it is my opinion that the proposal is consistent and within range of residential floor area ratio approvals in the surrounding area, is consistent with the building pattern in the surrounding area and is appropriate for the Subject Lands. The proposal will provide for a built form and built form features that will break the visual massing of the dwelling and will facilitate a high-quality, refined dwelling that is consistent with the mass, scale and character of homes in the Neighbourhood. It will also respect the established character of the Subject Lands and the surrounding Neighbourhood.

Based on the above, it is my opinion that the proposed variances meet the general intent and purpose of the Zoning By-law.

The Variance is Desirable for the Appropriate Development or Use of the Land

Approval of the requested variance will allow for the proposed redevelopment of the Subject Lands. Reinvestment in lands in close proximity to services and amenities, such as that being proposed, is appropriate and desirable for the Town, the Neighbourhood, and this property.

The requested increased residential floor area ratio will maintain an appropriate built form, height, mass, and built-form features. The variance is desirable in recognizing the appropriate development and use of the Subject Lands.

Overall, it is my opinion that the proposed variance has been designed to be complimentary to the character of the Subject Lands and the surrounding Neighbourhood. The proposal will not negatively affect surrounding uses and represents an efficient, compatible, and appropriate development that is desirable for the Subject Lands.

The Variance is Minor in Nature

The requested variance will permit the development of a new dwelling on the Subject Lands and represents a minor departure from what is currently permitted. The variance required does not represent overdevelopment of the Subject Lands as the proposed dwelling will be complimentary to the surrounding Neighbourhood and will respect the existing physical character, massing and scale of the Neighbourhood.

Overall, the variance will allow for sensitive reinvestment to occur on the Subject Lands in a manner that is compatible and in keeping with the current physical character of the Neighbourhood. The variance requested will not result in adverse impact on adjoining properties or the surrounding Neighbourhood. Therefore, it is my opinion that the proposed variance is minor in nature.

CONCLUSION

As described above, the requested variances satisfy the four tests of Section 45(1) of the *Planning Act* and represent good planning.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



Stephanie Matveeva, MCIP, RPP
Associate

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: *Section 45 of the Planning Act, 1990*

APPLICATION: CAVA/126/2024

RELATED FILE: N/A

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.

Applicant / Owner	Authorized Agent	Subject Property
Y. Alkan	Stephanie Matveeva Glen Schnarr & Associates Inc. 10 Kingsbridge Garden Circle, Suite 700 Mississauga ON, CANADA L5R 3K6	610 Trafford Cres PLAN 961 LOT 36

**OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 1**

**ZONING: RL3-0
DISTRICT: West**

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of a two-storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 42.90%.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

(Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.)

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 04, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

CAV A/126/2024 - 610 Trafford Crescent (West District) (OP Designation: Low Density Residential)

The applicant proposes to construct a two-storey detached dwelling, subject to the variance listed above.

Site Area and Context

The subject property is located in an area that has experienced redevelopment in the form of replacement dwellings and additions/alterations to existing dwellings. The neighbourhood consists of newer two-storey detached dwellings as well as one and one-half storey detached dwellings. Predominantly, newer two-storey dwellings consist of lowered roof lines, implement one-storey architectural elements and massing that is broken up to provide appropriate transition with existing dwellings in the surrounding area. Dwellings in the surrounding area consist of a variety of architectural styles and design elements that maintain and contribute to the established neighbourhood character.



Aerial Photo – 610 Trafford Crescent



Front Elevation – 610 Trafford Crescent

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from the provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met.

Staff's comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Low Density Residential by Livable Oakville. Development is required to be evaluated using the criteria established in Section 11.1.9 to maintain and protect the existing neighbourhood character. Staff is of the opinion that the proposal maintains the general neighbourhood character and complies with Livable Oakville.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 – Residential Floor Area (No Objection) – increased from 41% to 42.90%

The intent of the Zoning By-law provision for regulating the maximum residential floor area is to ensure a dwelling's mass and scale does not appear larger than the dwellings in the surrounding area. The overall massing and scale for the proposed dwelling is mitigated through the articulation of the façade, and incorporation of one-storey architectural elements. Staff are of the opinion that the request maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the proposal represents appropriate development of the subject property. The variance is minor in nature and will not create any undue adverse impacts to adjoining properties or the existing neighbourhood character.

Recommendation:

Staff do not object to the proposed variance. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated 2024.06.27; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.

Requested conditions from circulated agencies:

Fire: No concerns for Fire. Passed.

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Finance: No Comments received

Metrolinx: No Comments received

Heritage: No heritage issues

Halton Region:

- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit an increase to the maximum residential floor area ratio, under the requirements of the Town of Oakville Zoning By-law, for the purpose of constructing a two-storey detached dwelling on the Subject Property.

- **General ROP Policy**

The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as 'Urban Area' in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: none

Letter(s)/Emails in opposition: None

Note: The following standard comments apply to all applications. Any additional application specific comments are as shown below.

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- Unless otherwise stated, the Planning basis for the conditions referenced herein are as follows:
 - Building in general accordance with the submitted site plan and elevation drawings is required to ensure what is requested and ultimately approved, is built on site. This provides assurance and transparency through the process, noting the documents that are submitted with the application, provide the actual planning, neighbourhood and site basis for the request for the variances, and then the plans to be reviewed through the building permit and construction processes

- A two (2) year timeframe allows the owner to obtain building permit approval for what is ultimately approved within a reasonable timeframe of the application being heard by the Committee of Adjustment based on the requirements when it is processed, but cognizant of the ever-changing neighbourhoods, policies and regulations which might then dictate a different result. Furthermore, if a building permit is not obtained within this timeframe, a new application would be required and subject to the neighbourhood notice circulation, public comments, applicable policies and regulations at that time.

Requested conditions from circulated agencies:

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated 2024.06.27; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.



Jennifer Ulcar Secretary-
Treasurer

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/128/2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on Wednesday, September 4 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
J. Sran	Schillerco Ltd. Lucas Cocomello	2059 Seafare Dr PLAN 1016 PT LOT 12

Zoning of Property: RL3-0, 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 construction of a two-storey detached dwelling on the subject property proposing the following variance(s) to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 44.32%.

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. 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:

Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/128/2024 - 2059 Seafare Drive



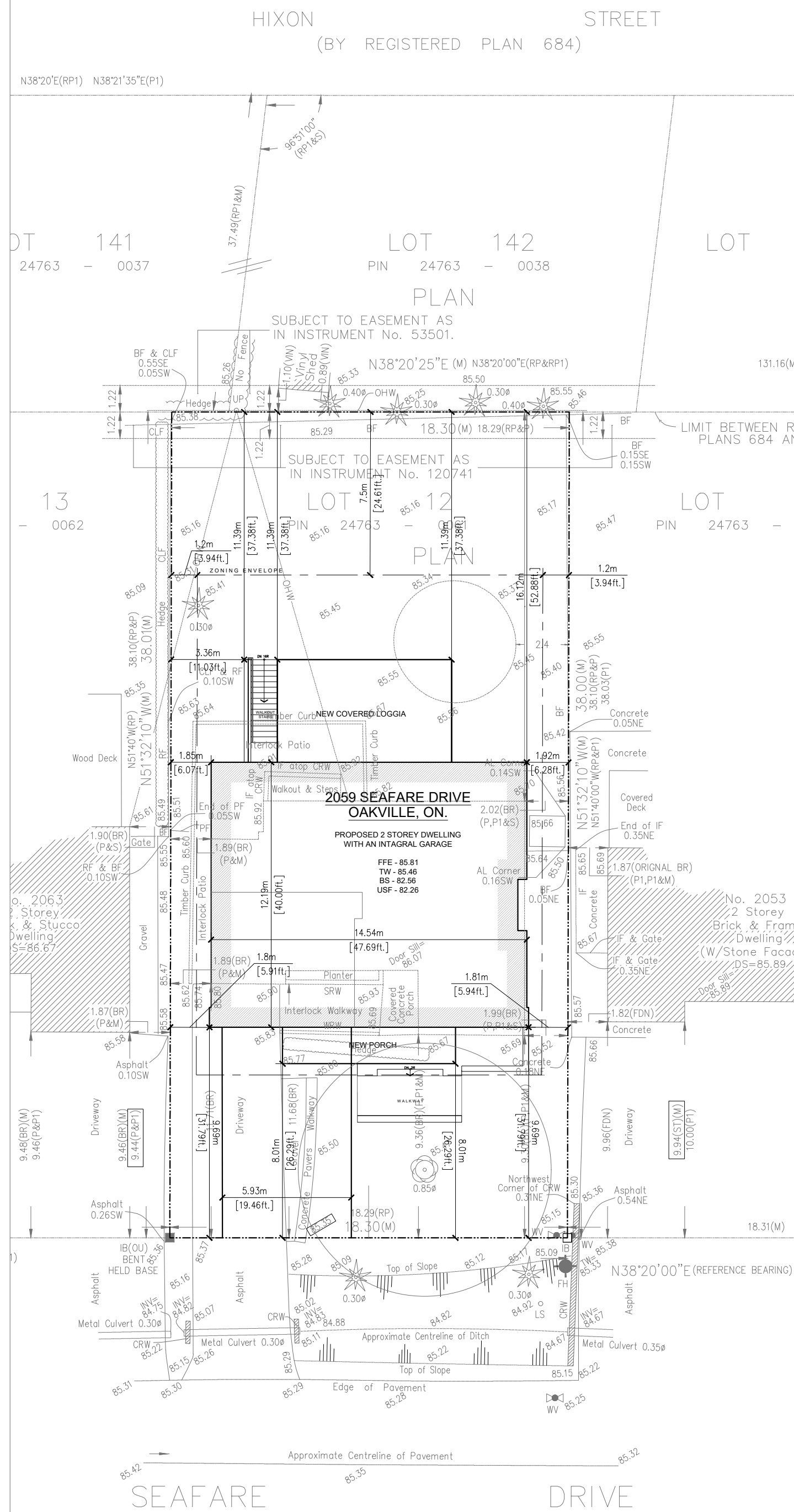
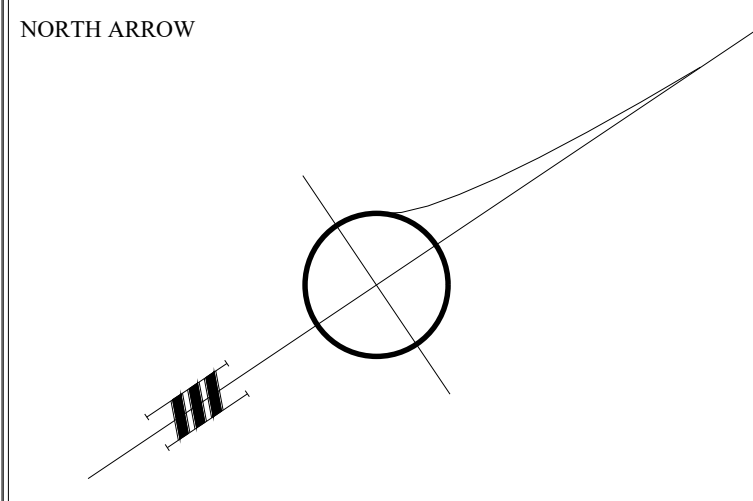
SCOPE OF WORK

PROPOSED 2 STOREY DWELLING WITH AN INTEGRAL GARAGE

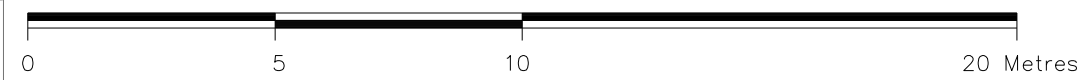
SITE STATISTICS

	METRIC	IMPERIAL
LOT AREA	695.40 S.M.	7485.19 S.F.
GROUND FLOOR AREA	134.85 S.M.	1451.52 S.F.
SECOND FLOOR AREA	173.35 S.M.	1865.91 S.F.
GFA	308.20 S.M.	3317.43 S.F.
GARAGE AREA	41.51 S.M.	446.83 S.F.
FRONT PORCH AREA	13.40 S.M.	143.58 S.F.
REAR LOGGIA AREA	37.89 S.M.	407.86 S.F.
BASEMENT WALKOUT AREA	7.20 S.M.	77.50 S.F.
COVERAGE (33.32%)	234.85 S.M.	2527.29 S.F.

ZONING INFORMATION	ZONING	PROPOSED
ZONE	RL3-0	
FRONTAGE	18.00M	18.30M
LOT AREA	557.5 S.M.	695.40 S.M.
FRONT YARD	7.50M	9.69M
SIDE YARD	1.20M	1.80M
SIDE YARD	1.20M	1.81M
REAR YARD	7.50M	11.39M
MAXIMUM HEIGHT	9.00M	9.00M
COVERAGE	35.00%	33.32%
MAX FAR	41%	44.32%
MAX GARAGE AREA	45 S.M.	41.51 S.M.



SURVEYOR'S REAL PROPERTY REPORT-PART 1
PLAN OF SURVEY OF LOT 12 REGISTERED PLAN 1016 TOWN OF OAKVILLE REGIONAL MUNICIPALITY OF HALTON
 SCALE 1:200



© COPYRIGHT

Ontario Land Surveyors

Metric

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Part 2

DESCRIPTION OF LAND: LOT 12, REGISTERED PLAN 1016, TOWN OF OAKVILLE, REGIONAL MUNICIPALITY OF HALTON.

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY: SUBJECT TO EASEMENT IN FAVOUR OF THE BELL TELEPHONE COMPANY OF CANADA AS IN INSTRUMENT No. 120741

BOUNDARY FEATURES: NOTE FENCES, SHEDS, RETAINING WALLS, HEDGES, DRIVEWAYS, UTILITY POLE, DECKS, WALKWAYS AND OVERHEAD UTILITY WIRES ARE SHOWN IN RELATION TO THE BOUNDARY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS: THIS PLAN DOES NOT CERTIFY ZONING COMPLIANCE OR IDENTIFY WHAT ZONING RESTRICTIONS ARE INVOLVED.

THIS REPORT WAS PREPARED FOR JASWINDER SRAN AND THE UNDERSIGNED ACCEPTS. NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

ADDITIONAL REMARKS: NOTE THE OVERHEAD UTILITY WIRES ALONG THE REAR LIMIT. NOTE THE OVERHEAD UTILITY WIRES CROSSING THROUGH THE SOUTHWEST PROPERTY LIMIT.

Bearing Note

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHWESTERLY LIMIT OF SEAFARE DRIVE SHOWN ON REGISTERED PLAN 1016 AS HAVING A BEARING OF N38°20'00"E.

Benchmark

ELEVATIONS ARE GEODETIC AND ARE REFERRED TO A TOWN OF OAKVILLE BENCHMARK. BENCHMARK : O.B.M.#152 ELEVATION=93.7550m

Note

TREE CALIPERS ARE NOT TO ARBORIST STANDARDS. FOR ARBORIST CALIPERS REFER TO ARBORIST REPORT.

Legend

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SIB	DENOTES STANDARD IRON BAR
IB	DENOTES IRON BAR
OU	DENOTES ORIGIN UNKNOWN
S	DENOTES SET
M	DENOTES MEASURED
PC	DENOTES POINT OF CURVATURE
N/S/E/W	DENOTES NORTH/SOUTH/EAST/WEST
RP	DENOTES REGISTERED PLAN 1016
RP1	DENOTES REGISTERED PLAN 684
P	DENOTES PLAN OF SURVEY BY SEWELL AND SEWELL, O.L.S., DATED AUGUST 09, 1963.
P1	DENOTES SURVEYOR'S REAL PROPERTY REPORT BY J.H. GELBLOOM SURVEYING LIMITED, O.L.S., DATED DECEMBER 21, 2016.
760	DENOTES K.H. McCONNELL, O.L.S.
FDN	DENOTES TIES TO CONCRETE FOUNDATION
FR	DENOTES TIES TO FRAME
ST	DENOTES TIES TO STONE
VIN	DENOTES TIES TO VINYL
AL	DENOTES TIES TO ALUMINUM
IF	DENOTES IRON FENCE
BF	DENOTES BOARD FENCE
CLF	DENOTES CHAIN LINK FENCE
PF	DENOTES PICKET FENCE
RF	DENOTES RAIL FENCE
FH	DENOTES FIRE HYDRANT
LS	DENOTES LIGHT STANDARD
WV	DENOTES WATER VALVE
MH	DENOTES MANHOLE
UP	DENOTES UTILITY POLE
OHW	DENOTES OVERHEAD UTILITY WIRES
CRW	DENOTES CONCRETE RETAINING WALL
WRW	DENOTES WOOD RETAINING WALL
INV	DENOTES INVERT ELEVATION
TW	DENOTES TOP OF WALL ELEVATION
Ø	DENOTES DIAMETER (ROUND)
DS	DENOTES DOOR SILL ELEVATION
○	DENOTES DECIDUOUS TREE WITH TRUNK DIAMETER
⊙	DENOTES CONIFEROUS TREE WITH TRUNK DIAMETER

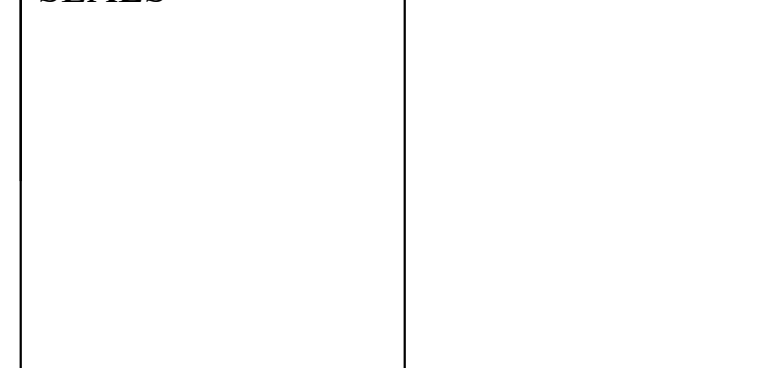
NOTES

THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF THE DESIGNER. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND NOTIFY THE DESIGNER OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. THE DESIGNER IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL INFORMATION SHOWN ON THIS DRAWING. REFER TO THE APPROPRIATE ENGINEERING DRAWINGS (I.E. FLOOR LAYOUT, TRUSS LAYOUT) BEFORE PROCEEDING WITH THE WORK. CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF AUTHORITIES HAVING JURISDICTION.

DRAWINGS SHALL NOT BE SCALED. THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL THE REQUIRED BUILDING PERMITS HAVE BEEN ISSUED.

No.	DATE:	REVISION
1	MAY 17, 2024	ISSUED FOR CLIENT REVIEW
2	JUNE 27, 2024	ISSUED FOR MV APP

SEALS



SCHILLERCO

340 CHURCH ST.,
 OAKVILLE, ON L6J 1P1
 PHONE: 905-822-1666
 EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

PRIVATE RESIDENCE

PROJECT

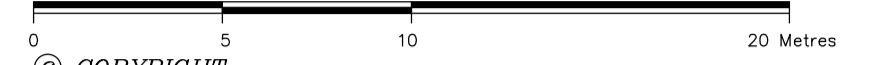
2059 SEAFARE DRIVE,
 OAKVILLE, ON

PAGE

SITE PLAN

APPROVED BY:	TS	A0.1
DATE:	JUL. 2024	
SCALE:	1/16" = 1'-0"	
PROJECT No.	2024SE121	

SURVEYOR'S REAL PROPERTY REPORT-PART 1
PLAN OF SURVEY OF
LOT 12
REGISTERED PLAN 1016
TOWN OF OAKVILLE
 REGIONAL MUNICIPALITY OF HALTON
 SCALE 1:200



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 PEARSON & PEARSON SURVEYING LTD. 2024
 Ontario Land Surveyors

Metric
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND
 CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

Part 2
 DESCRIPTION OF LAND: LOT 12, REGISTERED PLAN 1016,
 TOWN OF OAKVILLE, REGIONAL MUNICIPALITY OF HALTON.

REGISTERED EASEMENTS AND/OR RIGHTS OF WAY: SUBJECT TO EASEMENT
 IN FAVOUR OF THE BELL TELEPHONE COMPANY OF CANADA AS IN
 INSTRUMENT No. 120741

BOUNDARY FEATURES: NOTE FENCES, SHEDS, RETAINING WALLS, HEDGES,
 DRIVEWAYS, UTILITY POLE, DECKS, WALKWAYS AND OVERHEAD UTILITY WIRES
 ARE SHOWN IN RELATION TO THE BOUNDARY.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS: THIS PLAN DOES NOT
 CERTIFY ZONING COMPLIANCE OR IDENTIFY WHAT ZONING RESTRICTIONS
 ARE INVOLVED.

THIS REPORT WAS PREPARED FOR JASWINDER SRAN AND THE UNDERSIGNED
 ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

ADDITIONAL REMARKS: NOTE THE OVERHEAD UTILITY WIRES ALONG THE
 REAR LIMIT. NOTE THE OVERHEAD UTILITY WIRES CROSSING THROUGH
 THE SOUTHWEST PROPERTY LIMIT.

Bearing Note
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHWESTERLY
 LIMIT OF SEAFARE DRIVE SHOWN ON REGISTERED PLAN 1016 AS HAVING A
 BEARING OF N38°20'00"E.

Benchmark
 ELEVATIONS ARE GEODETIC AND ARE REFERRED TO A
 TOWN OF OAKVILLE BENCHMARK.
 BENCHMARK : O.B.M.#152 ELEVATION=93.7550m

Note
 TREE CALIPERS ARE NOT TO ARBORIST STANDARDS. FOR ARBORIST
 CALIPERS REFER TO ARBORIST REPORT.

Legend

■	DENOTES	SURVEY MONUMENT FOUND
□	DENOTES	SURVEY MONUMENT SET
SIB	DENOTES	STANDARD IRON BAR
IB	DENOTES	IRON BAR
OU	DENOTES	ORIGIN UNKNOWN
ST	DENOTES	SET
M	DENOTES	MEASURED
PC	DENOTES	POINT OF CURVATURE
N/S/E/W	DENOTES	NORTH/SOUTH/EAST/WEST
RP	DENOTES	REGISTERED PLAN 1016
RP1	DENOTES	REGISTERED PLAN 684
P	DENOTES	PLAN OF SURVEY BY SEWELL AND SEWELL, O.L.S., DATED AUGUST 09, 1963.
P1	DENOTES	SURVEYOR'S REAL PROPERTY REPORT BY J.H. GELBLOOM SURVEYING LIMITED, O.L.S., DATED DECEMBER 21, 2016.
760	DENOTES	K.H. MCCONNELL, O.L.S.
FDN	DENOTES	TIES TO CONCRETE FOUNDATION
FR	DENOTES	TIES TO FRAME
ST	DENOTES	TIES TO STONE
WN	DENOTES	TIES TO VINYL
AL	DENOTES	TIES TO ALUMINUM
IF	DENOTES	IRON FENCE
BF	DENOTES	BOARD FENCE
CLF	DENOTES	CHAIN LINK FENCE
PF	DENOTES	PICKET FENCE
RF	DENOTES	RAIL FENCE
FH	DENOTES	FIRE HYDRANT
LS	DENOTES	LIGHT STANDARD
LV	DENOTES	WATER VALVE
DN	DENOTES	MANHOLE
UP	DENOTES	UTILITY POLE
OHW	DENOTES	OVERHEAD UTILITY WIRES
CRW	DENOTES	CONCRETE RETAINING WALL
WRW	DENOTES	WOOD RETAINING WALL
INV	DENOTES	INVERT ELEVATION
TW	DENOTES	TOP OF WALL ELEVATION
Ø	DENOTES	DIAMETER (ROUND)
DS	DENOTES	DOOR SILL ELEVATION
☉	DENOTES	DECIDUOUS TREE WITH TRUNK DIAMETER
☎	DENOTES	CONIFEROUS TREE WITH TRUNK DIAMETER

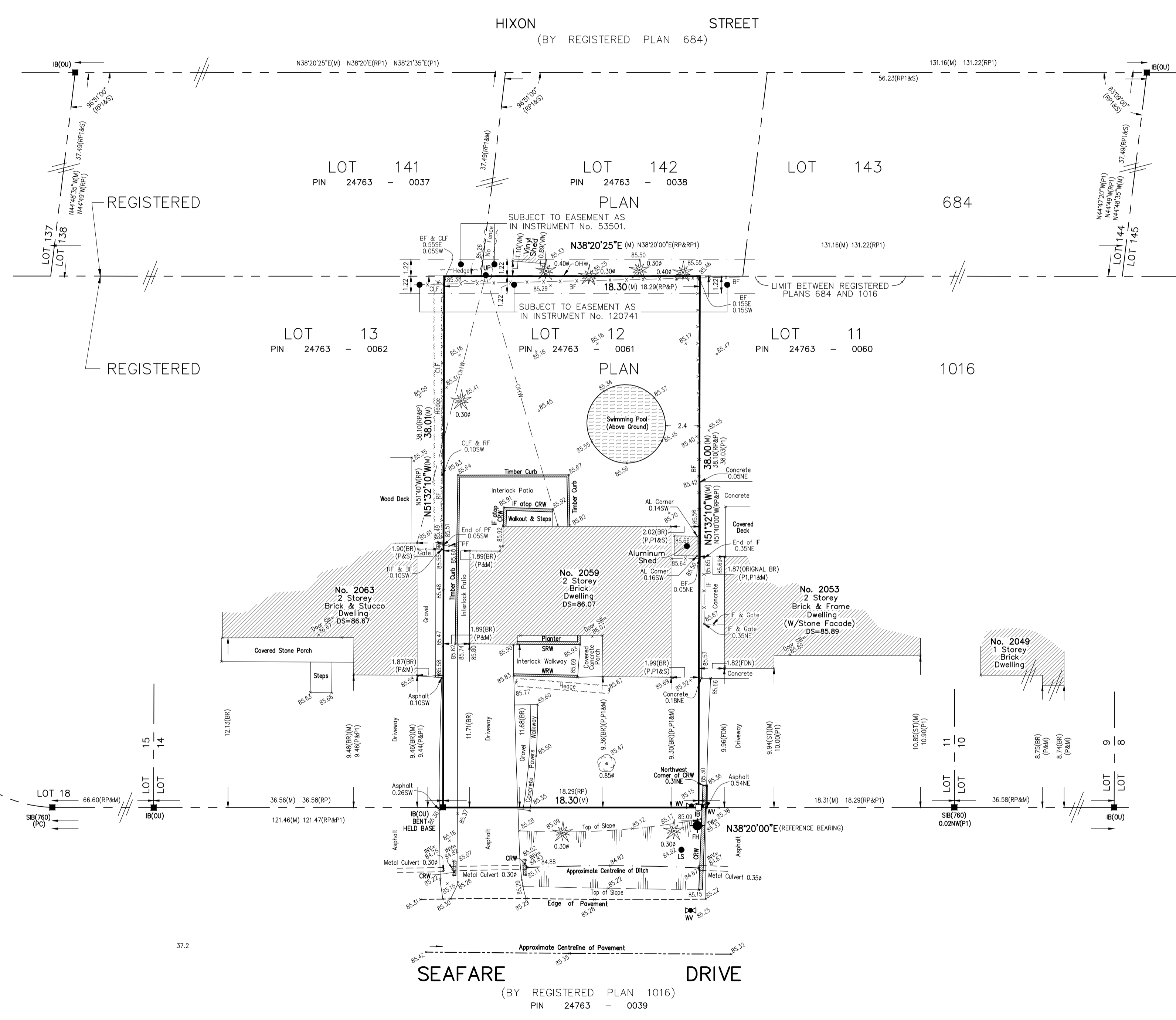
Surveyor's Certificate
 I CERTIFY THAT :
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
 THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS
 MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 29TH DAY OF APRIL, 2024.

April 30, 2024
 Date
 Jason Chun-Ho Mo
 Ontario Land Surveyor

10211 KEELE STREET, UNIT #116, MAPLE
 ONTARIO, L6A 4R7
 O. : (289) 553-5453
 E. : michelepearson@pearsonandpearson.ca

PEARSON & PEARSON
 SURVEYING LTD.

DRAWING : 2866-SeafareDrive2059-SRPR.DWG PROJECT : 2866
 CALC. BY JM DRAWN BY JC/JM CHECKED BY MP/JM



ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-73261

THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR.
 In accordance with
 Regulation 1026, Section 29(3).

MH Site Benchmark
 Top of Manhole
 Elevation=85.52m

37.2

SEAFARE DRIVE
 (BY REGISTERED PLAN 1016)
 PIN 24763 - 0039



2059 SEAFARE DRIVE

FRONT SOUTH ELEVATION
 SCALE: 3/16" = 1'-0"
 JUNE 27, 2024

NOTES

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DRAWINGS SHALL NOT BE SCALED. THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL THE REQUIRED BUILDING PERMITS HAVE BEEN ISSUED.

No.	DATE:	REVISION
1	MAY 17, 2024	ISSUED FOR CLIENT REVIEW
2	JUNE 27, 2024	ISSUED FOR MV APP

SEALS

SCHILLERCO

340 CHURCH ST.,
 OAKVILLE, ON L6J 1P1
 PHONE: 905-822-1666
 EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

PRIVATE RESIDENCE

PROJECT

2059 SEAFARE DRIVE,
 OAKVILLE, ON

PAGE

SOUTH ELEVATION

APPROVED BY:	TS	A2.1
DATE:	JUL. 2024	
SCALE:	3/16" = 1'-0"	
PROJECT No.	2024SE121	



2059 SEAFARE DRIVE

REAR NORTH ELEVATION
 SCALE: 3/16" = 1'-0"
 JUNE 27, 2024

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SEALS

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SCHILLERCO

340 CHURCH ST.,
 OAKVILLE, ON L6J 1P1
 PHONE: 905-822-1666
 EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

PRIVATE RESIDENCE

PROJECT

2059 SEAFARE DRIVE,
 OAKVILLE, ON

PAGE

NORTH ELEVATION

APPROVED BY:	TS	A2.2
DATE:	JUL. 2024	
SCALE:	3/16" = 1'-0"	
PROJECT No.	2024SE121	

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SEALS



SCHILLERCO

340 CHURCH ST.,
OAKVILLE, ON L6J 1P1
PHONE: 905-822-1666
EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

PRIVATE RESIDENCE

PROJECT

2059 SEAFARE DRIVE,
OAKVILLE, ON

PAGE

EAST ELEVATION

APPROVED BY:	TS	A2.4
DATE:	JUL. 2024	
SCALE:	$\frac{3}{16}'' = 1'-0''$	
PROJECT No.	2024SE121	



2059 SEAFARE DRIVE

EAST SIDE ELEVATION
SCALE: 3/16" = 1'-0"
JUNE 27, 2024

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SEALS

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SCHILLERCO

340 CHURCH ST.,
OAKVILLE, ON L6J 1P1
PHONE: 905-822-1666
EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

PRIVATE RESIDENCE

PROJECT

2059 SEAFARE DRIVE,
OAKVILLE, ON

PAGE

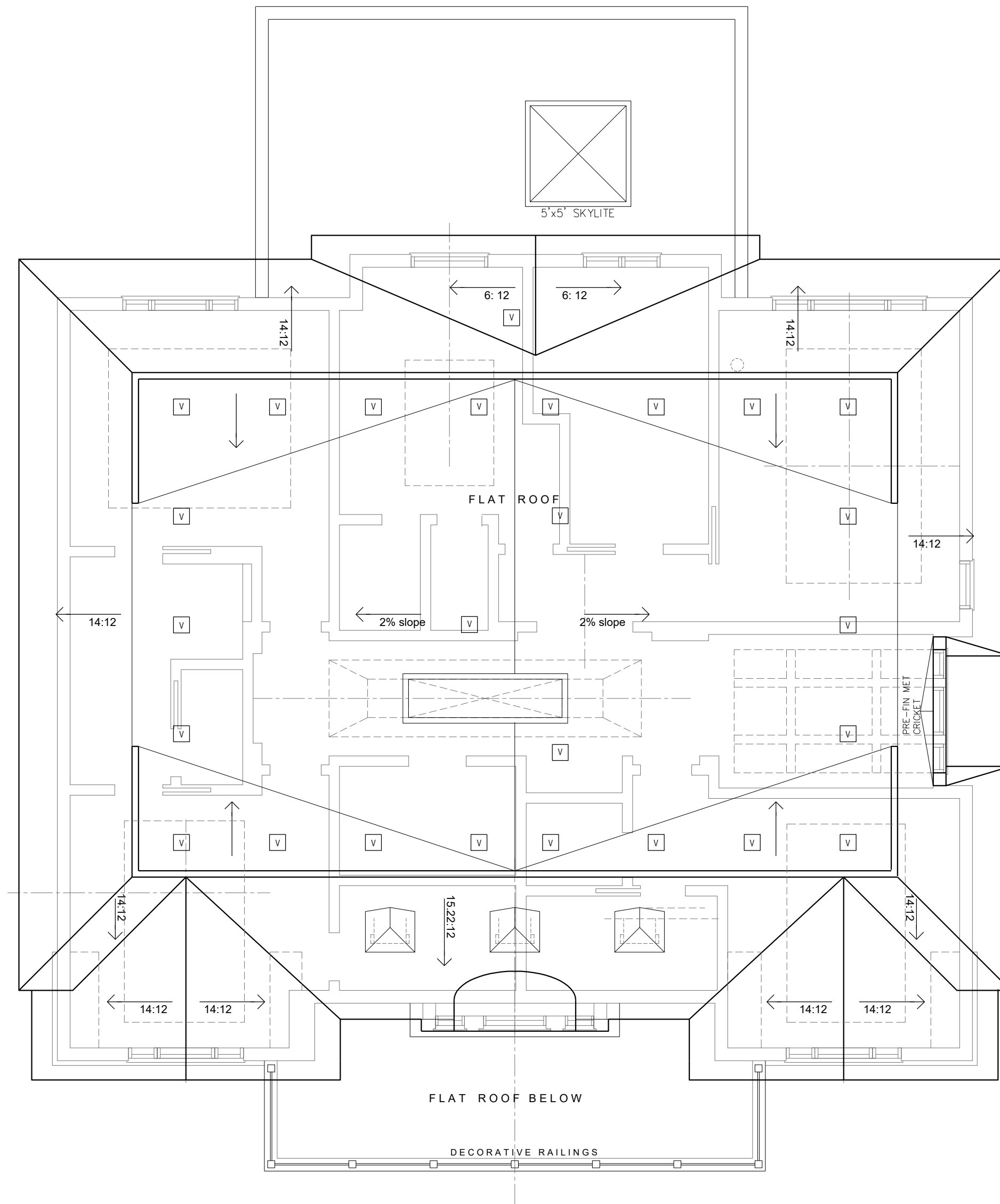
WEST ELEVATION

APPROVED BY:	TS	A2.3
DATE:	JUL. 2024	
SCALE:	$\frac{3}{16}'' = 1'-0''$	
PROJECT No.	2024SE121	



2059 SEAFARE DRIVE

WEST SIDE ELEVATION
SCALE: 3/16" = 1'-0"
JUNE 27, 2024



2059 SEAFARE DRIVE

PRELIMINARY ROOF PLAN

SCALE: 3/16" = 1'-0"

JUNE 27, 2024

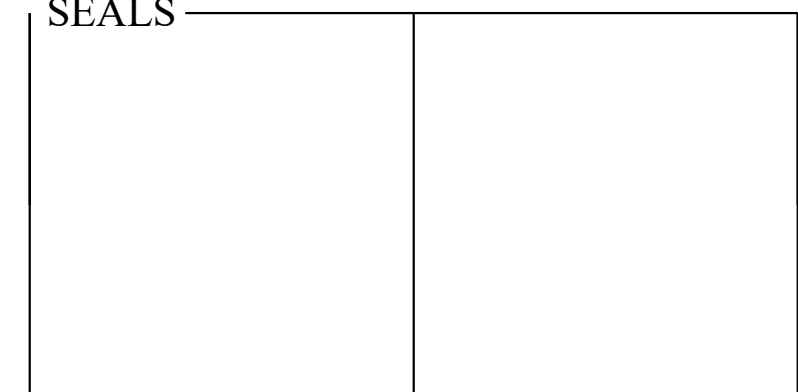
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No.	DATE:	REVISION
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SEALS



SCHILLERCO

340 CHURCH ST.,
OAKVILLE, ON L6J 1P1
PHONE: 905-822-1666
EMAIL: TRAVIS@SCHILLERCO.CA

CLIENT

PRIVATE RESIDENCE

PROJECT

2059 SEAFARE DRIVE,
OAKVILLE, ON

PAGE

ROOF PLAN

APPROVED BY:	TS	A1.3
DATE:	JUL. 2024	
SCALE:	3/16" = 1'-0"	
PROJECT No.	2024SE121	

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: *Section 45 of the Planning Act, 1990*

APPLICATION: CAV A/128/2024

RELATED FILE: N/A

DATE OF MEETING:

**BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE
AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.**

Applicant / Owner	Authorized Agent	Subject Property
J. Sran	Schillerco Ltd. Lucas Cocomello	2059 Seafare Dr PLAN 1016 PT LOT 12

**OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 1**

**ZONING: RL3-0
DISTRICT: West**

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of a two-storey detached dwelling on the subject property proposing the following variance(s) to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 44.32%.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

(Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.)

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 04, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

CAV A/128/2024 - 2059 Seafare Drive (West District) (OP Designation: Low Density Residential)

The applicant proposes to construct a two-storey detached dwelling, subject to the variance listed above.

Site Area and Context

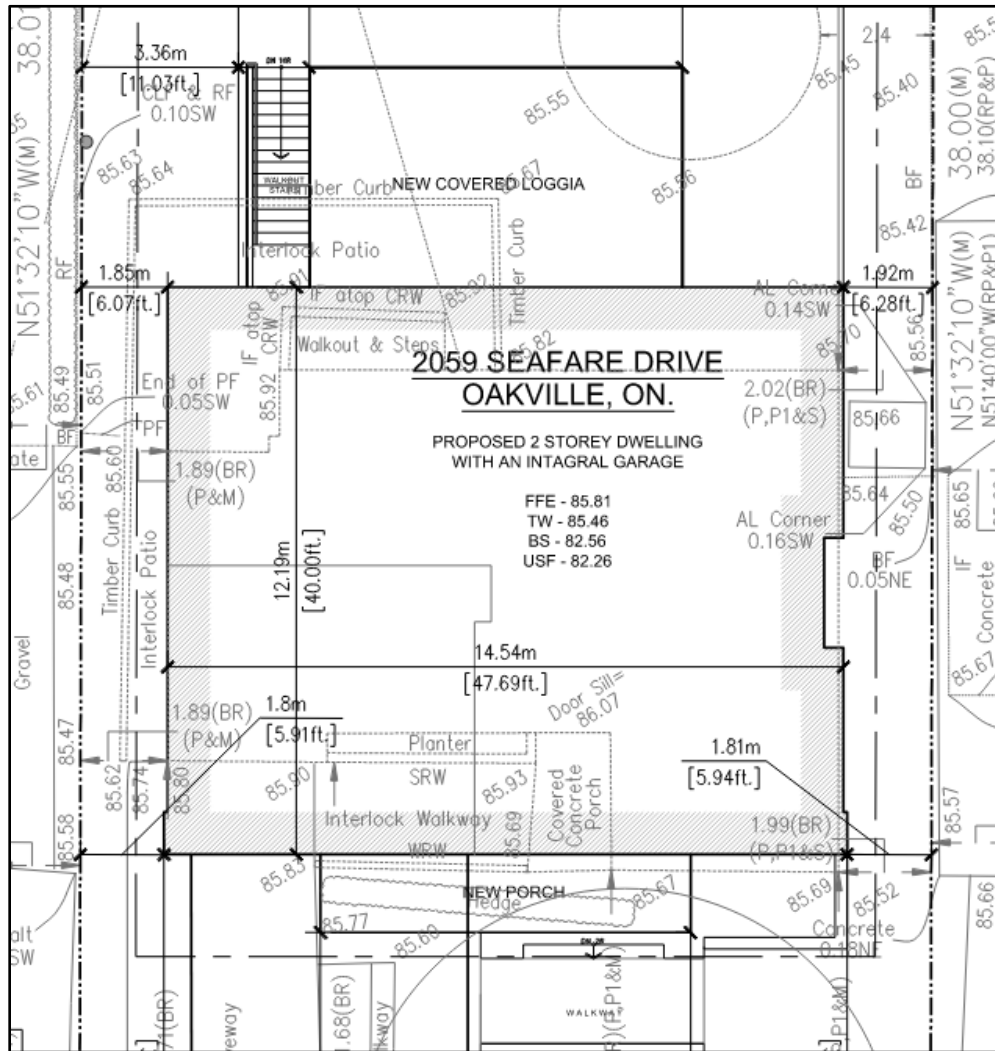
The subject property is located in an area that has experienced redevelopment in the form of replacement dwellings and additions/alterations to existing dwellings. The neighbourhood consists of original one-storey, one-half-storey, and two-storey detached dwellings, as well as newer two-storey detached dwellings. Newer two-storey dwellings in the surrounding area consist of a variety of architectural forms.



Aerial Photo – 2059 Seafare Drive



Front Elevation – 2059 Seafare Drive



Site Plan Excerpt – 2059 Seafare Drive

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from the provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met.

Staff's comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Low Density Residential by Livable Oakville. Development is required to be evaluated using the criteria established in Section 11.1.9 to maintain and protect the existing neighbourhood character. Staff is of the opinion that the proposal maintains the general neighbourhood character and complies with Livable Oakville.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 – Residential Floor Area (No Objection) – increased from 41% to 44.32%

The intent of the Zoning By-law provision for regulating the maximum residential floor area is to ensure a dwelling's mass and scale does not appear larger than the dwellings in the surrounding area. The subject property is bounded by newer two-storey detached dwellings and proposes enhanced interior side yard setbacks (1.8 m) that will provide additional buffering between the neighbouring dwellings.

The impacts of the floor area increase of 3.32% are mitigated through the increased interior side yard setback, in addition to the use of one-storey architectural elements, interior, rear yard and primary façade step backs. The overall massing and scale for the proposed dwelling is mitigated through the articulation of the façade, incorporation and use of one-storey architectural elements, and the one-storey step backs of the primary façade and the enhanced interior side yard setbacks. Staff are of the opinion that the request maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the proposal represents appropriate development of the subject property. The variance is minor in nature and will not create any undue adverse impacts to adjoining properties or the existing neighbourhood character.

Recommendation:

Staff do not object to the proposed variance. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated June 27, 2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.

Requested conditions from circulated agencies:

Fire: No Concerns for Fire.

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Finance: No Comments received

Metrolinx: No Comments received

Heritage: No heritage issues

Halton Region:

- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit an increase to the maximum residential floor area ratio, under the requirements of the Town of Oakville Zoning By-law, for the purpose of constructing a two-storey detached dwelling on the Subject Property.
- **General ROP Policy**

The Region’s Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as ‘Urban Area’ in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

Note: *The following standard comments apply to all applications. Any additional application specific comments are as shown below.*

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.

- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- Unless otherwise stated, the Planning basis for the conditions referenced herein are as follows:
 - Building in general accordance with the submitted site plan and elevation drawings is required to ensure what is requested and ultimately approved, is built on site. This provides assurance and transparency through the process, noting the documents that are submitted with the application, provide the actual planning, neighbourhood and site basis for the request for the variances, and then the plans to be reviewed through the building permit and construction processes.
 - A two (2) year timeframe allows the owner to obtain building permit approval for what is ultimately approved within a reasonable timeframe of the application being heard by the Committee of Adjustment based on the requirements when it is processed, but cognizant of the ever-changing neighbourhoods, policies and regulations which might then dictate a different result. Furthermore, if a building permit is not obtained within this timeframe, a new application would be required and subject to the neighbourhood notice circulation, public comments, applicable policies and regulations at that time.

Requested conditions from circulated agencies:

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated June 27, 2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.



Jennifer Ulcar
Secretary-Treasurer

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/129/2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on September 4, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
Bc Trafalgar Inc.	BC Trafalgar Limited Partnership (Samantha Marjanovic) 720 Oval Crt Burlington ON, CANADA L7L 6A9	3240 William Coltson Ave PLAN M1211 BLK 14 RP 20R22346 PARTS 1 AND 2 RP 20R21765 PARTS 1 TO 4

Zoning of property: TUC sp 65, Trafalgar Urban Core

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 reduction of the parking space and aisle dimensions located in the underground parking for the condominium apartment development on the subject property proposing the following variances to Zoning By-law 2009-189:

No.	Current	Proposed
1	<i>Section 5.4.1.3 (paragraph 2)</i> Where a wall, column or other obstruction is located immediately adjacent to a stall, the width of the stall shall be increased by 0.3 metres for each side that is obstructed. Obstructions within 1.15 metres of either stall end do not require an increase in stall width.	To permit the columns located within 1.20 metres of the stall end to not require an increase in parking stall width for parking stalls R95, R96, R99 and R100.
2	<i>Section 5.4.1.3 (paragraph 3)</i> Parking spaces shall be accessed with a minimum parking aisle width of 7 metres for 90 degree angle parking.	To reduce the aisle width to 6.8m adjacent to parking stalls R21, R22, R23, R95, R96, R97, R101, R110 and R111.

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. 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 \(oakville.ca\)](http://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.

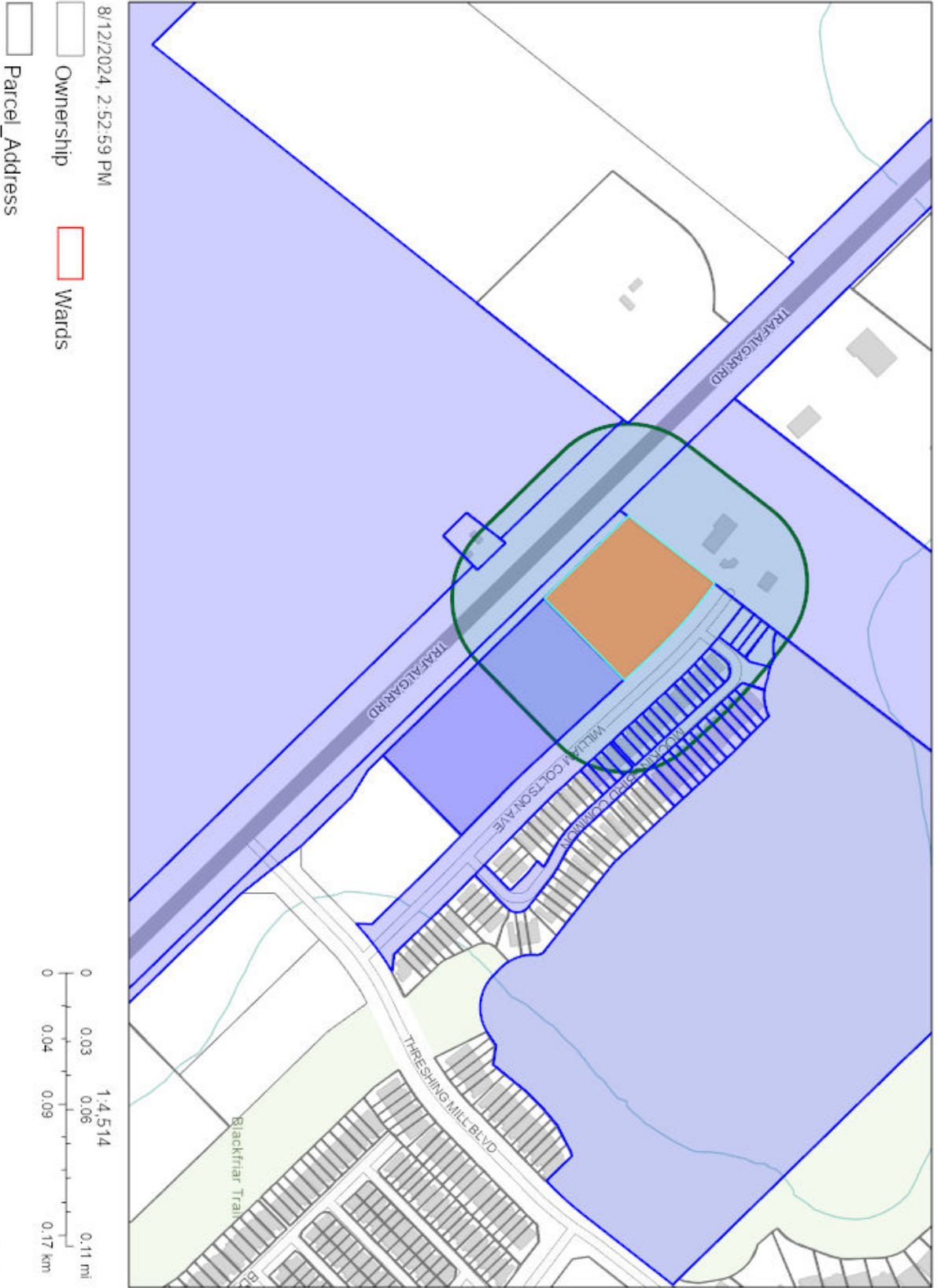
Contact information:

Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/129/2024 - 3240 William Coltson Avenue



BRANTHAVEN

DEVELOPMENT

July 9, 2024

Town of Oakville
1225 Trafalgar Road
Oakville Ontario
L6H 0H3

Attention: Committee of Adjustment

**Re: Minor Variance Application
3240 William Coltson Avenue
Block 14, Plan 20M-1211 (Block A of Oakvillage Masterplan)
BC Trafalgar Limited Partnership**

BC Trafalgar Limited Partnership is applying for a minor variance for its project located at 3240 William Coltson Boulevard, legally known as Block 14, Plan 20M-1211. The development proposes a 20-storey residential building with 349 units and three levels of underground parking.

A storm sewer pipe has been installed on the parking wall behind parking stalls R95 to R101 on Level P1. To accommodate this pipe, the clearance between the parking wall and the back of the parking space needs to increase by 0.2 meters (from 0.35 meters to 0.55 meters). Adjustments were made to shift the parking spaces towards the parking aisle, resulting in a reduced parking aisle width between parking stalls R95 and R23; R96 and R22; R97 and R21; and R101 and R111.

According to Section 5.4.1.3, paragraph one of Oakville Zoning Bylaw 2009-189 (Lands north of Dundas and South of Highway 407), parking spaces in a garage must have a width of at least 2.6 meters and a length of at least 5.2 meters. Additionally, paragraph three stipulates that parking aisles for 90-degree angle parking must be a minimum of 7 meters wide. To accommodate the storm drainage pipe and maintain the required minimum length for the subject parking stalls the spaces have shifted towards the parking aisle by 0.2 meters. Consequently, the parking aisle width between spaces R95 and R23; R96 and R22; R97 and R21; and R101 and R111 has been reduced to 6.8 meters. Since paragraph three of the By-law requires a 7 meter width for parking aisles, a minor variance is required to permit the reduced aisle width.

Section 5.4.1.3 paragraph four of the Oakville Zoning Bylaw 2009-189 stipulates that if an obstruction is immediately adjacent to one end of a parking stall, that end must be widened by 0.3 meters, unless the obstruction is within 1.15 meters from either end of the stall. Due to the modifications required to accommodate the storm drainage pipe, the columns adjacent to parking spaces R95 and R96 are now within 1.20 meters of the parking stall end. Because the two spaces are located between already constructed structural columns it is not possible to

widen the obstructed sides by 0.3-meters. That said a minor variance is required to permit no widening on the obstructed side of parking stall R95 and R96.

Similarly, as a result of the modifications to accommodate the storm drainage pipe, parking stall R99 has a column within 1.185 m of the parking stall end. A widening on the obstructed side of the space cannot be accommodated due to the adjacent parking stall, R100, which too is obstructed by a curb mounted to the back of parking wall protecting the incoming domestic water pipe. That said, a minor variance is required for stall R99 and R100 to permit no widening on the obstructed sides.

Appendix A identifies all the affected parking spaces note above, details the nature of the modification(s) and stipulates the minor variance requested under this application under this application.

Enclosed with this application are the following supporting materials for the minor variance:

1. Application Form
2. Revised Architectural Drawings prepared by Kirkor Architects and Planners:
 - a. A1-03 – Project Statistics, OBC Matrix & Unit Matrix
 - b. A2-04 – Floor Plan Level P1
3. P1 Pipe Clearance Letter, prepared by The HIDI Group, dated June 27th, 2024.

Thank you,



Samantha Marjanovic

Development Coordinator Land Development
720 Oval Court, Burlington, ON L7L 6A9
T 905.333.8364 ext. 327
M 647.463.5259
E smarjanovic@branthaven.com

cc Enzo Bertucci, Director, Land Development

Appendix A: Summary of Modifications and Minor Variances Required

Effected Parking Stall	Modification	Minor Variance Required?	Relevant Zoning By-Law 2009-189 Section	Reason for Variance
R21	Parking aisle width reduced due to parking stall R97 shift towards aisle by 0.2m.	Yes	Section 5.4.1.3, Para. 3	(1) 6.8-meter parking aisle width
R22	Parking aisle width reduced due to parking stall R96 shift towards aisle by 0.2m.	Yes	Section 5.4.1.3, Para. 3	(1) 6.8-meter parking aisle width
R23	Parking aisle width reduced due to parking stall R95 shift towards aisle by 0.2m.	Yes	Section 5.4.1.3, Para. 3	(1) 6.8-meter parking aisle width
R95	Stall to shift towards parking aisle by 0.2m resulting in width reduction of 6.8m. As a result, the adjacent obstruction is located within 1.20m of parking stall end and a widening cannot be accommodated.	Yes	Section 5.4.1.3, Para. 2 and 3	(1) No widening to obstructed parking stall side; and (2) 6.8-meter parking aisle width.
R96	Stall to shift towards parking aisle by 0.2m resulting in width reduction of 6.8m. As a result, the adjacent obstruction is located within 1.20m of parking stall end and a widening cannot be accommodated.	Yes	Section 5.4.1.3, Para.2 and 3	(1) No widening to obstructed parking stall side; and (2) 6.8-meter parking aisle width.
R97	To be shifted into the 7m drive aisle by 0.2m.	Yes	Section 5.4.1.3, Para. 3	(1) 6.8-meter parking aisle width
R98	Stall to be shifted by 0.2m. Due to location of parking stall the 7m parking aisle clearance is maintained.	No		
R99	Stall to be shifted by 0.2m. Due to the location of the parking stall the 7m parking aisle width is maintained. However, an obstruction is located within 1.185 m of the parking stall end and a widening cannot be accommodated.	Yes	Section 5.4.1.3, Para. 2	(1) No widening to obstructed parking stall side.
R100	Stall to be shifted by 0.2m. Due to the location of the parking stall, 7m width is maintained. However, an obstruction is located within 1.20 m of the parking stall end and a 0.3m widening is not feasible due to constructed curb protecting the incoming domestic water pipe.	Yes	Section 5.4.1.3, Para.2	(1) No widening to obstructed parking stall side
R101	Stall to shift towards parking aisle by 0.2m resulting in width reduction of 6.8m	Yes	Section 5.4.1.3, Para. 3	(1) 6.8-meter parking aisle width
R102	Parking stall to be removed. Parking count is still within required parking space count.	No		



June 27, 2024

Building Services Department
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

**Re: Greenwich / P1 Pipe Clearance Variance
Our Project No. 2021-0366**

Dear Sir or Madam:

Please be advised that due to the location of the leaving storm drainage service for the building and conditions realized on site, the storm drainage pipe along the East wall, due to pipe diameter, impedes across several parking spots prior to entering the service room. Reducing the drive aisle width and shifting the parking spots to avoid the storm pipe impedance will result in the loss of only one (1) parking spot instead of eight (8) spots.

We support the approach of reducing the drive aisle width to save seven (7) parking spots.

Please let us know if you have any questions.

Regards,

Yours truly,

The HIDI Group

A handwritten signature in black ink, appearing to read 'Raymond Tse'.

Raymond Tse, P.Eng, CEng, LEED®AP
Principal, Mechanical



c.c. Conor Kealey – The HIDI Group

\\Hrvs05\shared\2021\2021-0366 Branhaven - Oakvillage Block 14\05 Mech\01 Correspondence\Letters\2021-0366-Greenwich-P1 Pipe Clearance Variance Letter-R1-RT.docx

DISCIPLINES
MECHANICAL
ELECTRICAL
PLUMBING
LIGHTING DESIGN
COMMUNICATIONS & AV
SECURITY & RISK
COMMISSIONING
ENERGY SERVICES

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the *Planning Act*, 1990

APPLICATION: CAVA/129/2024

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.

Applicant / Owner	Authorized Agent	Subject Property
BC Trafalgar Inc.	BC Trafalgar Limited Partnership (Samantha Marjanovic) 720 Oval Crt Burlington ON, CANADA L7L 6A9 Kikor Architects & Planners (Varun-Preet Singh) 20 De Boers Dr., Suite 400 Toronto ON, CANADA M3J 0H1	3240 William Coltson Ave PLAN M1211 BLK 14 RP 20R22346 PARTS 1 AND 2 RP 20R21765 PARTS 1 TO 4

OFFICIAL PLAN DESIGNATION: Trafalgar Urban Core Area

ZONING: TUC SP 65

WARD: 7

DISTRICT: East

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the reduction of the parking space and aisle dimensions located in the underground parking for the condominium apartment development on the subject property proposing the following variances to Zoning By-law 2009-189:

No.	Current	Proposed
1	<i>Section 5.4.1.3 (paragraph 2)</i> Where a wall, column or other obstruction is located immediately adjacent to a stall, the width of the stall shall be increased by 0.3 metres for each side that is obstructed. Obstructions within 1.15 metres of either stall	To permit the columns located within 1.20 metres of the stall end to not require an increase in parking stall width for parking stalls R95, R96, R99 and R100.
2	<i>Section 5.4.1.3 (paragraph 3)</i> Parking spaces shall be accessed with a minimum parking aisle width of 7 metres for 90 degree angle parking.	To reduce the aisle width to 6.8m adjacent to parking stalls R21, R22, R23, R95, R96, R97, R101, R110 and R111.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 4, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

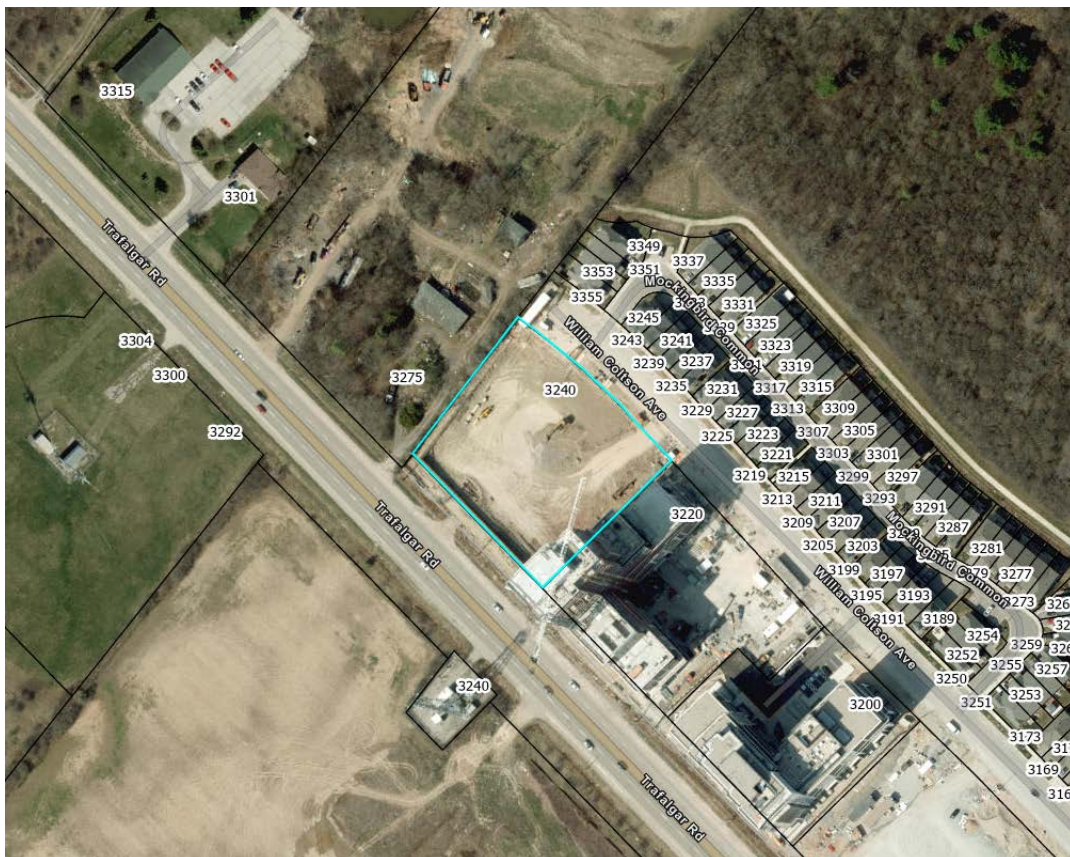
CAV A/129/2024- 3240 William Coltson Avenue (East District) (OP Designation: Trafalgar Urban Core Area)

The applicant proposes to permit a reduction of the parking space and aisle dimensions located in the underground parking for the condominium apartment dwelling currently under construction, subject to the variances listed above.

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from the provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met. Staff's comments concerning the application of the four tests to this minor variance request are as follows:

Site Area and Context

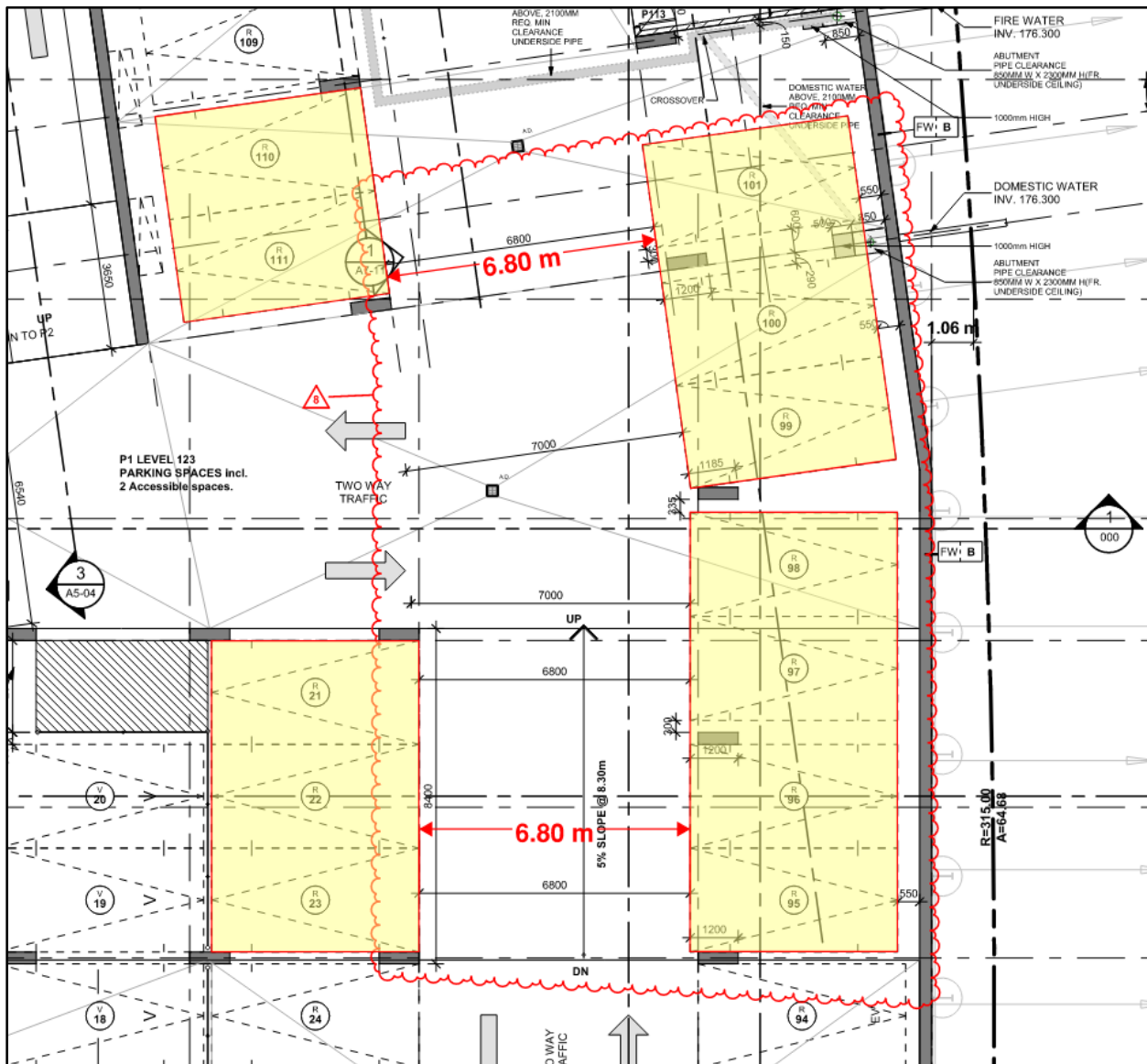
The subject site is located in the Trafalgar Urban Core Area on the east side of Trafalgar Road, north of Threshing Mill Boulevard, and west of William Coltson Avenue. The subject property has newly constructed townhomes and Natural Heritage System Area to the east across William Coltson Avenue, an under-construction condo development immediately to the south, Trafalgar Road and vacant land with a telecommunications tower to the west, and properties with commercial and institutional uses and Natural Heritage System Area to the north.



The subject lands consist of an under-construction 20-storey apartment building comprising of 349 residential units and including three levels of underground parking. The applicant has submitted a Draft Plan of Condominium application which is currently under review.

Staff note a storm sewer pipe has been installed on the wall behind the parking stalls R95 to R101 on Parking Level P1. Due to this storm sewer pipe, the affected parking spaces have been modified resulting in a reduced width for the drive aisle from the required 7.0m to 6.8m. Additionally, as a result of the modified parking spaces the columns adjacent to parking spaces R95, R96, R99, and R100 have increased in size from 1.15m to 1.20m. Pursuant to the Zoning By-law parking spaces adjacent to impediments such as a wall or column require an increase to the width of the parking space by 0.3m

The variance request proposes to eliminate the need for the additional 0.3m width for parking spaces for the effected spaces and to decrease the width of the parking aisle from 7.0 m to 6.8 m adjacent to the foregoing parking spaces, as shown below:



P1 Level – Affected Parking Stalls (highlighted in yellow)

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Trafalgar Urban Core Area in the North Oakville East Secondary Plan (NOESP) Figure NOE 2 Land Use Plan. Development is required to be evaluated using the criteria established in Section 7.5.14 and 7.6.4 to maintain and protect the emerging character of the area. The modification to the parking area supports the development of a multi storey residential building, consistent with the policies for the Trafalgar Urban Core Area. On this basis, the proposal complies with the North Oakville East Secondary Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 – Width of a parking stall to not increase by 0.3m adjacent to a column or other obstruction within 1.15m of the stall end (No Objection) – obstruction increased from 1.15m to 1.20m

Variance #2 – Minimum parking aisle width (No Objection) – 7.0m decreased to 6.8m

The intent of the Zoning By-law provision for parking stall width is to provide an increase in parking stall width where an obstruction causes impacts on the function of the parking stall. The intent of the Zoning By-law provision for minimum parking aisle width is to allow adequate space for two vehicles to pass each other and allow for adequate turning movements to and from parking spaces. It is staff's opinion that the size of the obstruction/column due to the shifting of parking spaces towards the parking aisle for R95, R96, R99 and R100, increased by 5 centimeters (0.05m), is minor and does not cause any undue impacts on the affected parking spaces. It is also staff's opinion that the reduction in parking aisle width in front of nine parking spaces (R21, R22, R23, R95, R96, R97, R101, R110 and R111) does not cause any negative impacts on the function of the parking lot. Staff is of the opinion that the proposed variances meet the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the variances represent appropriate development of the Parking Level P1. The variances, both individually and cumulatively, are minor in nature and will not create any negative adverse impacts.

Recommendation:

Staff do not object to the proposed variances. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. That parking stalls R95, R96, R99 and R100, as well as parking aisle between parking stalls R21, R22, R23, R96, R96, R97, R101, R110 and R111, be constructed in general accordance with the Floor Plan Level P1 dated June 26, 2024.

Requested conditions from circulated agencies:

Fire: No concerns for Fire. Passed.

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Finance: No Comments received

Metrolinx: No Comments received

Heritage: No heritage concerns.

Halton Region:

- **RNHS:** Given the location of the proposed works in relation to the Regional Natural Heritage System (RNHS), the proposed development would trigger the Environmental Impact Assessment (EIA) requirements in accordance with Sections 118 (3) & (3.1)c) of the ROP. Staff would consider it appropriate to waive the Region's EIA requirements in this instance as the proposed development will not likely result in any impacts on the features or ecological functions of the Regional Natural Heritage System
- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit the columns located within 1.20 metres of the stall end to not require an increase in parking stall width for parking stalls R95, R96, R99 and R100 and a decrease to the aisle width to 6.8m adjacent to parking stalls R21, R22, R23, R95, R96, R97, R101, R110 and R111, under the requirements of the Town of Oakville Zoning By-law, for the purposes of permitting the development of condominium apartments on the Subject Property.
- **General ROP Policy**
The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as 'Urban Area' in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

Note: The following standard comments apply to all applications. Any additional application specific comments are as shown below.

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- Unless otherwise states, the Planning basis for the conditions referenced herein are as follows:
 - Building in general accordance with the submitted site plan and elevation drawings is required to ensure what is requested and ultimately approved, is built on site. This provides assurance and transparency through the process, noting the documents that are submitted with the application, provide the actual planning, neighbourhood and site basis for the request for the variances, and then the plans to be reviewed through the building permit and construction processes.
 - A two (2) year timeframe allows the owner to obtain building permit approval for what is ultimately approved within a reasonable timeframe of the application being heard by the Committee of Adjustment based on the requirements when it is processed, but cognizant of the ever-changing neighbourhoods, policies and regulations which might then dictate a different result. Furthermore, if a building permit is not obtained within this timeframe, a new application would be required and subject to the neighbourhood notice circulation, public comments, applicable policies and regulations at that time.

Requested conditions from circulated agencies:

1. That parking stalls R95, R96, R99 and R100, as well as parking aisle between parking stalls R21, R22, R23, R96, R96, R97, R101, R110 and R111, be constructed in general accordance with the Floor Plan Level P1 dated June 26, 2024.



Jennifer Ulcar
Secretary-Treasurer

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/130/2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on Wednesday, September 04, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
Rashna & Rajesh Jain	Stephanie Matveeva Glen Schnarr & Associates Inc 10 KINGSBRIDGE GARDEN Cir 700 Mississauga ON, Canada L5R 3K6	517 Morrison Rd PLAN 689 LOT 16

Zoning of property: RL3-0, 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 construction of a new two storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 43.97%.

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. 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.

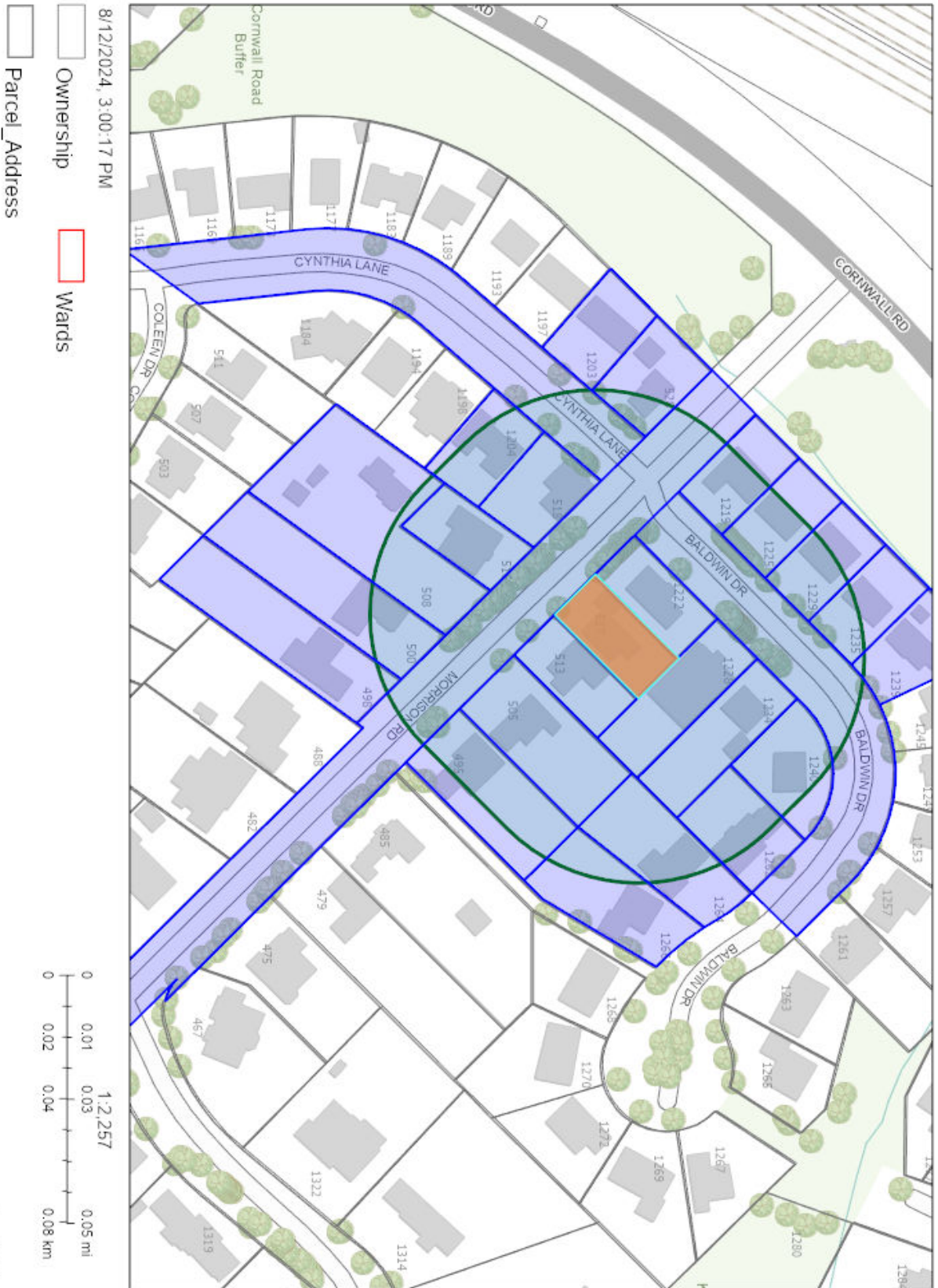
Contact information:

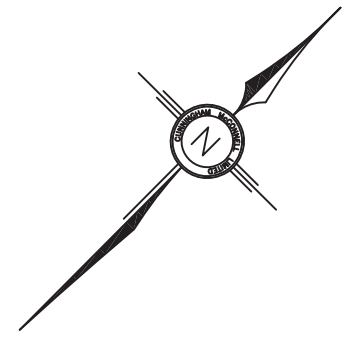
Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

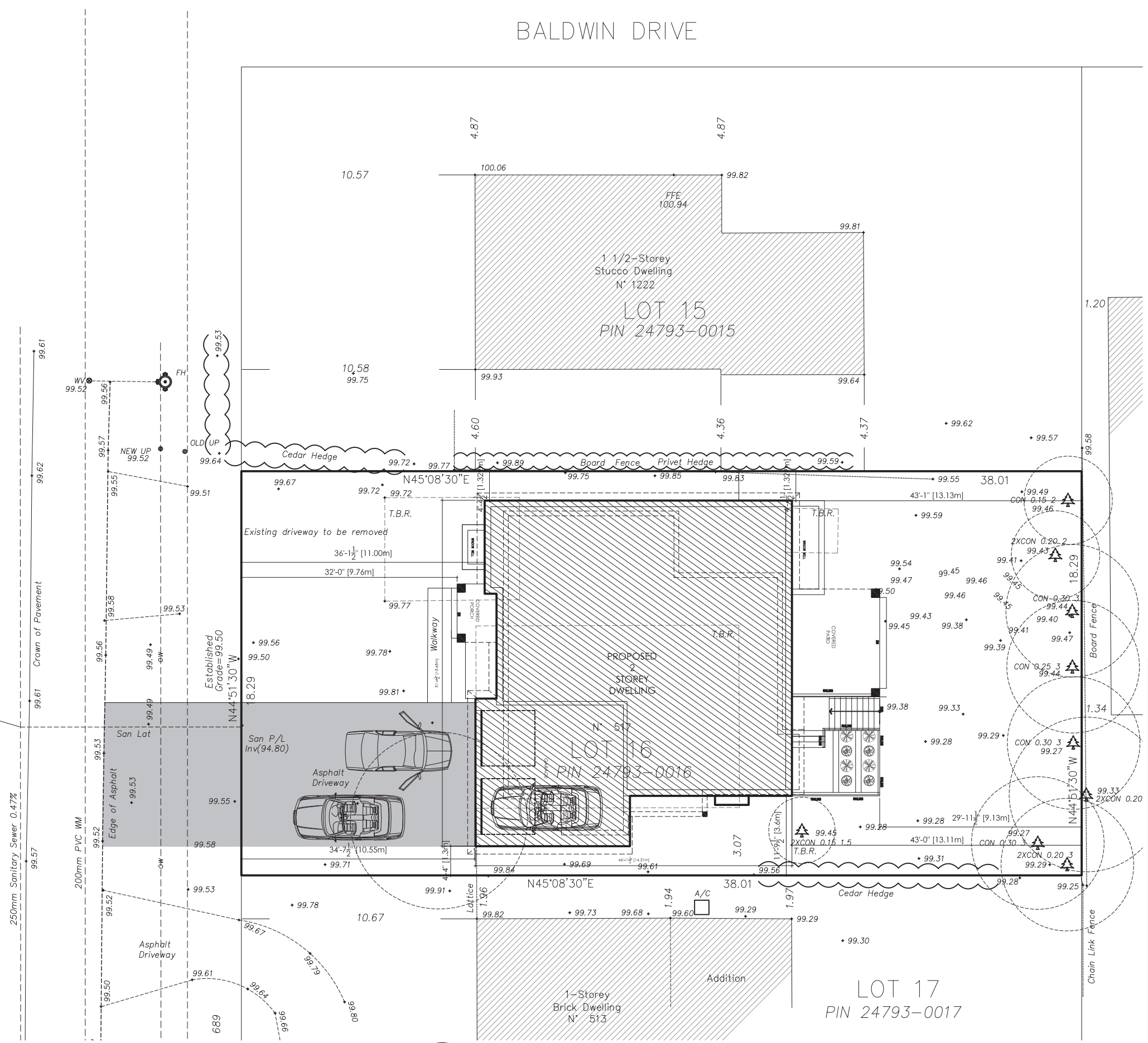
CAV A/130/2024 - 517 Morrison Road





BALDWIN DRIVE

MORRISON ROAD
 (DEDICATED BY REGISTERED PLAN 141)
 PIN 24793-0320



LOT 16
 REGISTERED PLAN 689
 TOWN OF OAKVILLE
 REGIONAL MUNICIPALITY OF HALTON

- SITE STATISTICS – ZONE RL3-0**
- LOT AREA = 695.20 m² (557.5 m² Minimum).
 - LOT FRONTAGE = 18.29m (18.00m Minimum).
 - AREAS FOR COVERAGE = 230.33m²
 - (A) MAIN DWELLING (Includes Garage) =200.84
 - (B) FRONT PORCH =4.47
 - (C) REAR PORCH =21.78
 - (D) SIDE COV AREA =3.24
 - LOT COVERAGE =33.13% (35.0% Maximum=243.32m²).
 - ESTABLISHED GRADE = 99.50m.
 - BUILDING HEIGHTS:
 - ROOF RIDGE = 8.99m (9.00m Maximum);
 - SETBACKS:
 - FRONT = 9.76m (Between 9.61m And 15.11m);
 - REAR = 9.13m (Dwelling) (7.50m Minimum);
 - SIDES: 1.33m AND 1.30m (1.20m & 1.20m Min);
 - FLOOR AREA =305.73m². (284.99m² Maximum)
 - FA/LOT RATIO = 43.97% (41% Maximum).

WITH A MINOR VARIANCE

PERMITTED : 41%
-FLOOR AREA =284.99 m ² . = 3067.60 sq.ft
PROPOSED :
-FLOOR AREA =305.73 m ² . = 3290.94 sq.ft
-FA/LOT RATIO = 43.97% (2.97% increase)
OVER BY=20.74 m ² . =223.34 sq.ft

ISSUE DATE AND REVISION LOG		
NO.	REVISION	DATE
01	CONCEPT DESIGN	APR 14 2023
02	PRELIMINARY DESIGN	APR 17 2023
03	FINAL DESIGN	JUN 30 2023
04	FOR COMMENTS	AUG 28 2023
05	FOR COMMENTS	SEP 20 2023
06	FOR COMMENTS	OCT 18 2023
07	FOR FINAL REVIEW	MAY 23 2024

SEAL

FOR ARCHITECTURAL & STRUCTURAL

DRAWING STAGE:

FOR COA

PROJECT NAME AND ADDRESS:

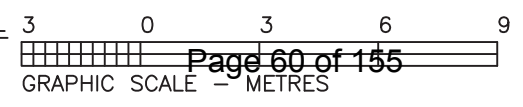
PROPOSED RESIDENCE FOR 517 MORRISON ROAD OAKVILLE

DRAWINGS TITLE	SHEET NO.
SITE PLAN	A100
DATE	APRIL 10 2023
SCALE	NOTED

PROPOSED SITE PLAN

1/16"=1'-0"

1
A100



ISSUE DATE AND REVISION LOG

NO.	REVISION	DATE
01	CONCEPT DESIGN	APR 14 2023
02	PRELIMINARY DESIGN	APR 17 2023
03	FINAL DESIGN	JUN 30 2023
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07	FOR FINAL REVIEW	MAY 23 2024

SEAL

FOR ARCHITECTURAL & STRUCTURAL

DRAWING STAGE:

FOR COA

PROJECT NAME AND ADDRESS:

**PROPOSED
RESIDENCE FOR
517 MORRISON ROAD
OAKVILLE**

DRAWINGS TITLE

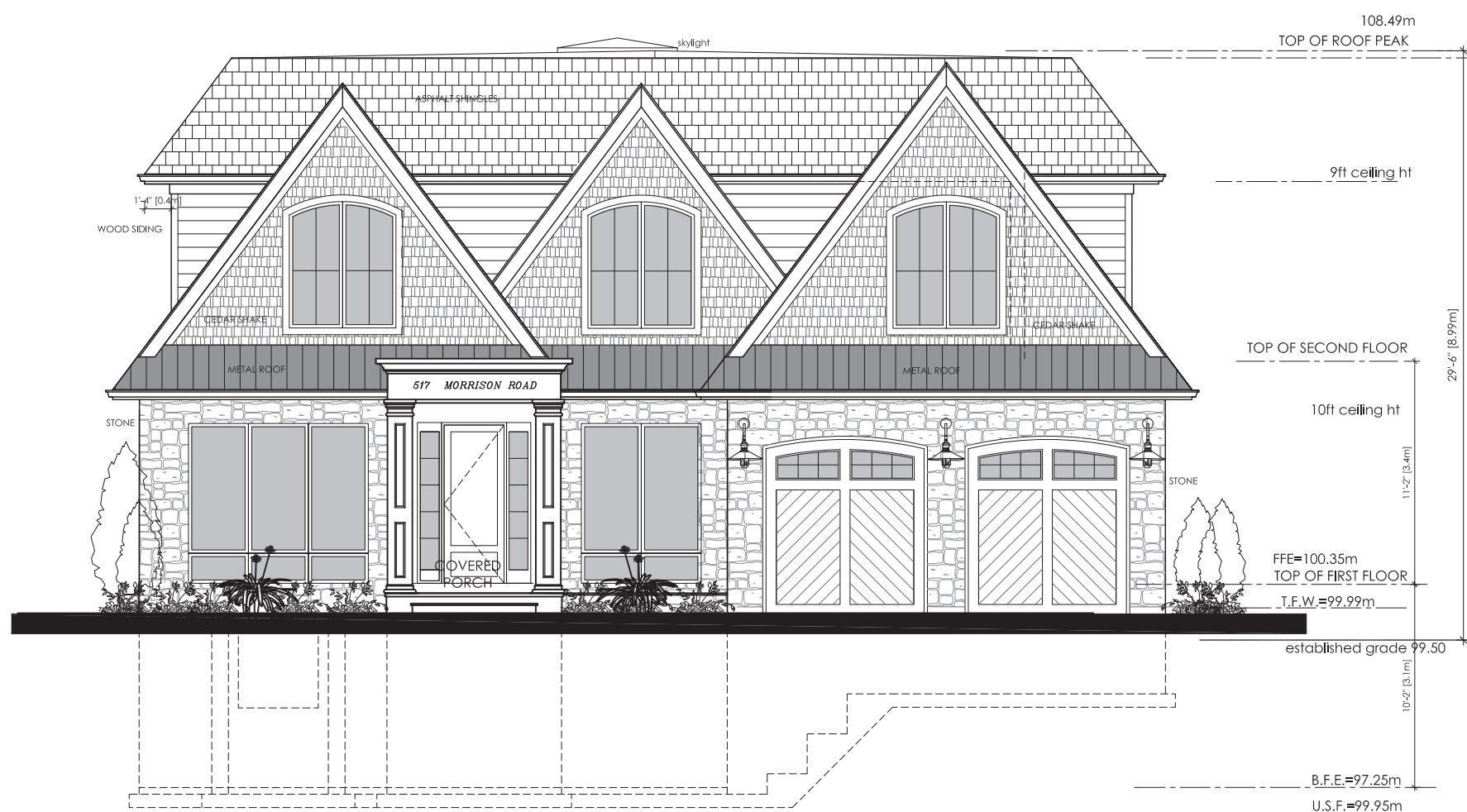
**FRONT
ELEVATION**

DATE
APRIL 10 2023

SCALE
NOTED

SHEET NO.

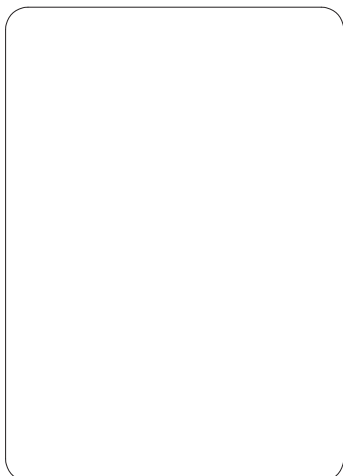
A200



WEST ELEVATION - FRONT

1/8"=1'-0"

1
A200



ISSUE DATE AND REVISION LOG

NO.	REVISION	DATE
01	CONCEPT DESIGN	APR 14 2023
02	PRELIMINARY DESIGN	APR 17 2023
03	FINAL DESIGN	JUN 30 2023
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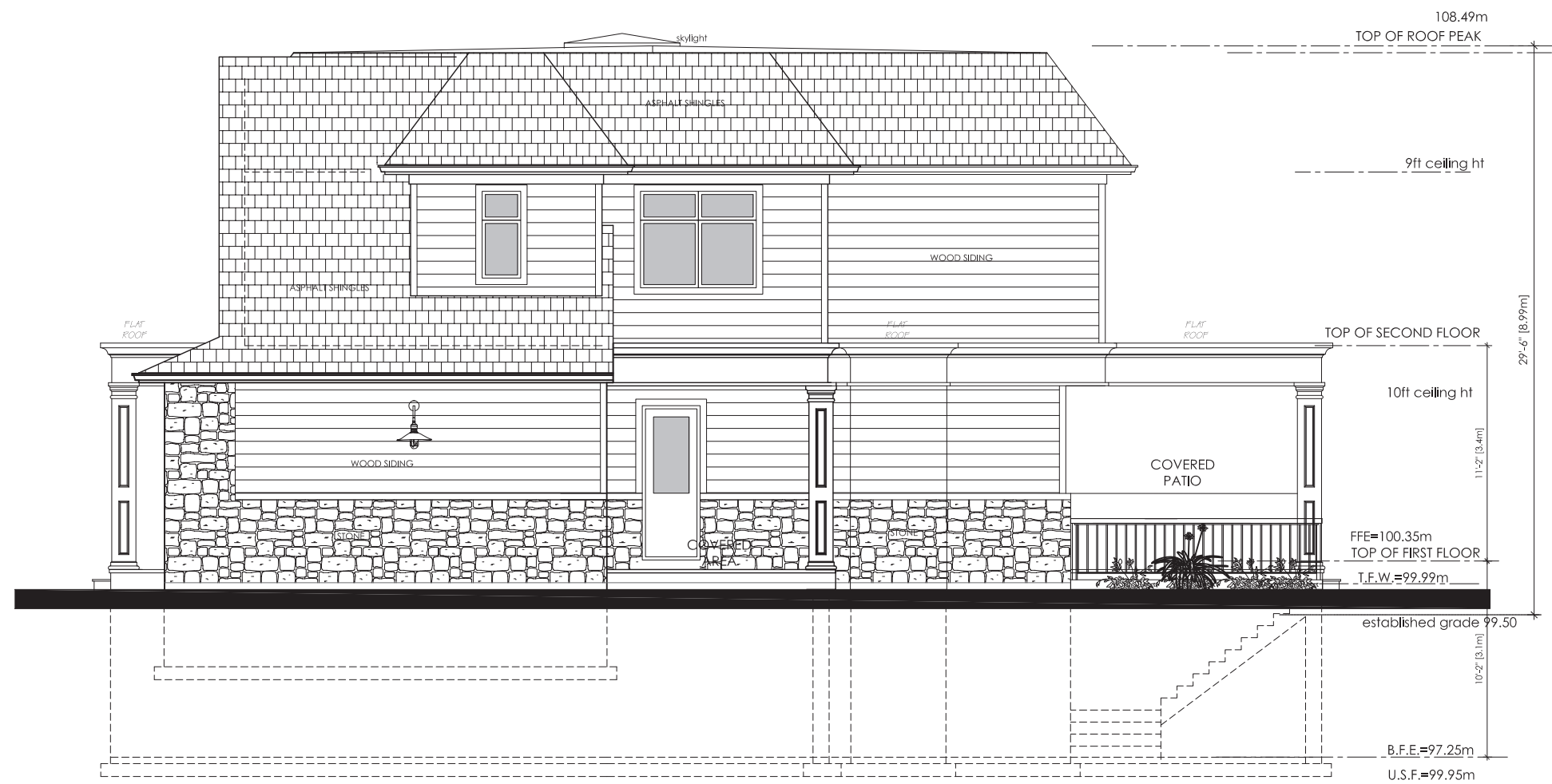
SEAL

FOR ARCHITECTURAL & STRUCTURAL

DRAWING STAGE:
FOR COA

PROJECT NAME AND ADDRESS:
PROPOSED RESIDENCE FOR 517 MORRISON ROAD OAKVILLE

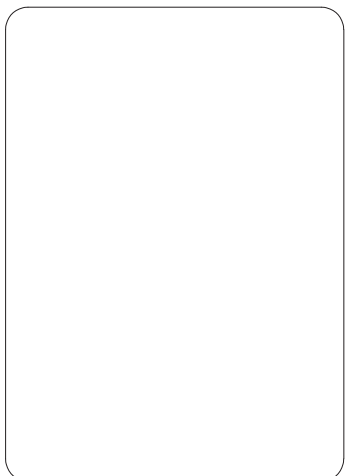
DRAWINGS TITLE SOUTH ELEVATION	SHEET NO. A202
DATE APRIL 10 2023	
SCALE NOTED	



SOUTH ELEVATION

1
 A202

1/8"=1'-0"



ISSUE DATE AND REVISION LOG

NO.	REVISION	DATE
01	CONCEPT DESIGN	APR 14 2023
02	PRELIMINARY DESIGN	APR 17 2023
03	FINAL DESIGN	JUN 30 2023
04	FOR COMMENTS	AUG 28 2023
05	FOR COMMENTS	SEP 20 2023
06	FOR COMMENTS	OCT 18 2023
07	FOR FINAL REVIEW	MAY 23 2024

SEAL

FOR ARCHITECTURAL & STRUCTURAL

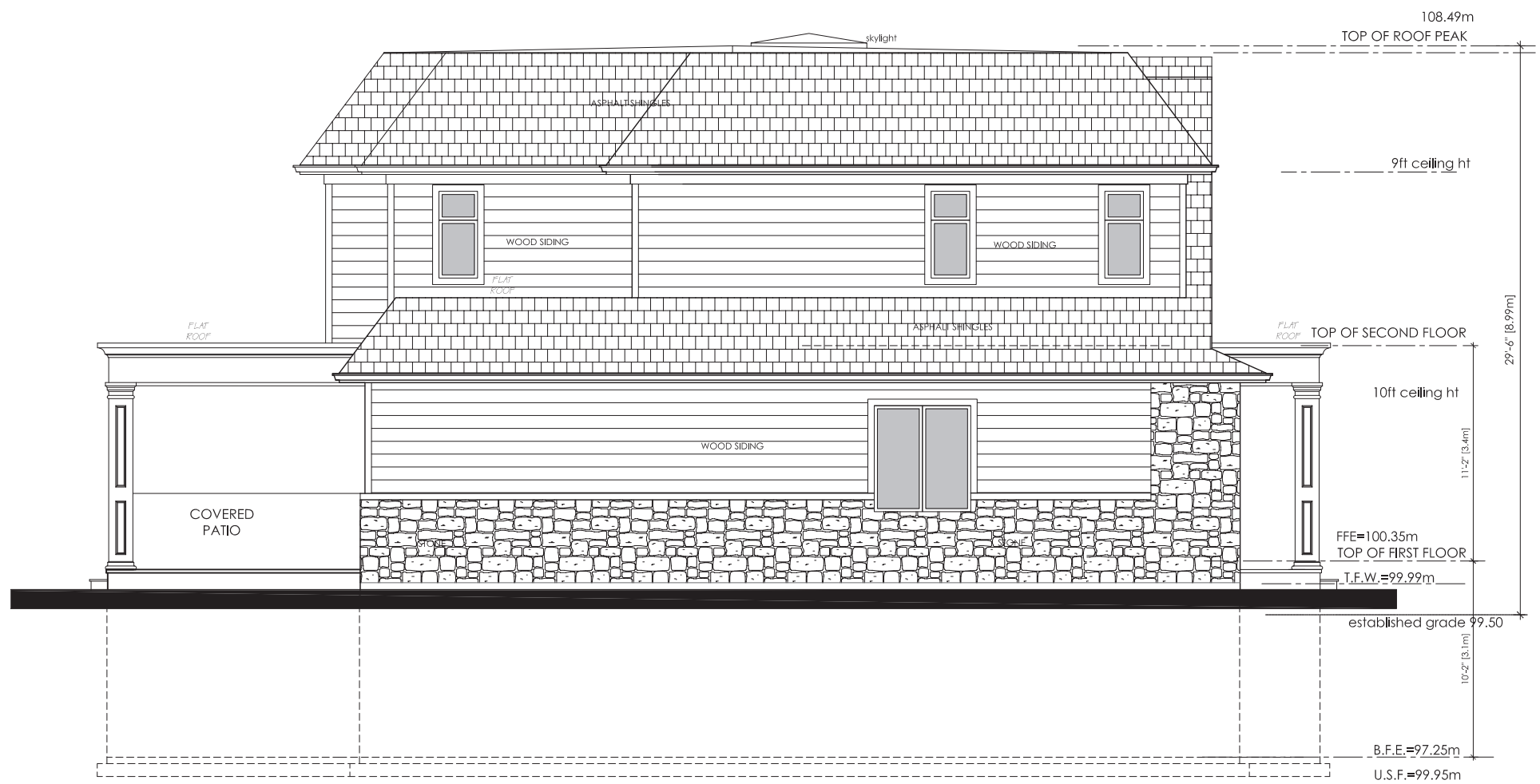
DRAWING STAGE:

FOR COA

PROJECT NAME AND ADDRESS:

**PROPOSED
RESIDENCE FOR
517 MORRISON ROAD
OAKVILLE**

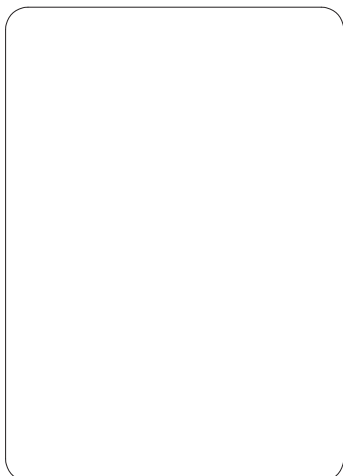
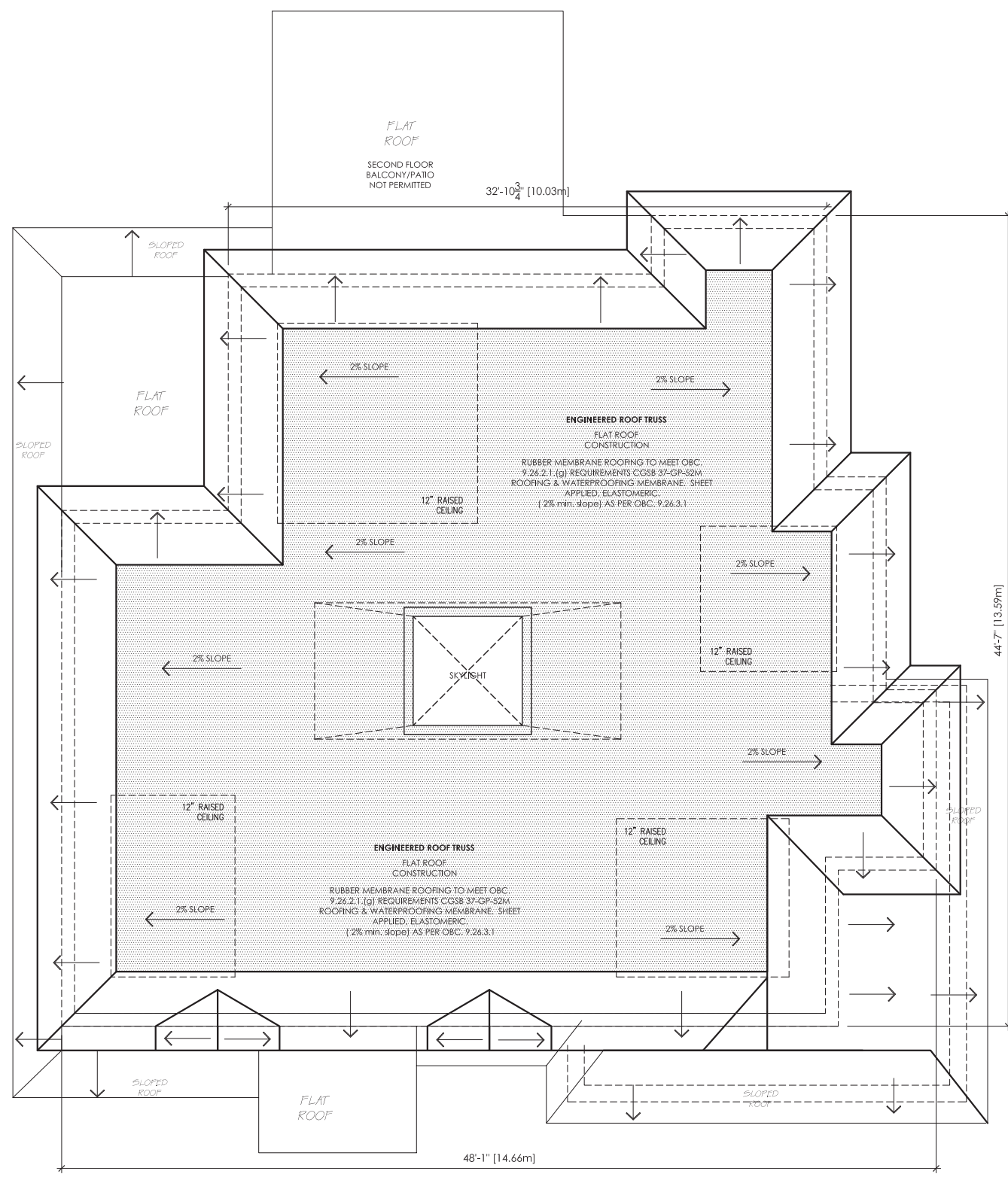
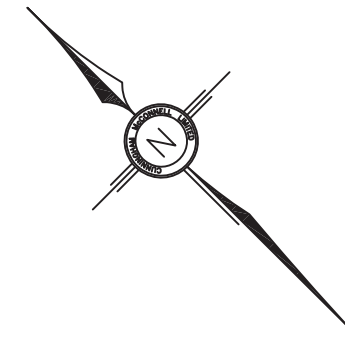
DRAWINGS TITLE	SHEET NO.
NORTH ELEVATION	A203
DATE	
SCALE	
APRIL 10 2023	NOTED



NORTH ELEVATION

1/8"=1'-0"

1
A203



ISSUE DATE AND REVISION LOG

NO.	REVISION	DATE
01	CONCEPT DESIGN	APR 14 2023
02	PRELIMINARY DESIGN	APR 17 2023
03	FINAL DESIGN	JUN 30 2023
04	FOR COMMENTS	AUG 28 2023
05	FOR COMMENTS	SEP 20 2023
06	FOR COMMENTS	OCT 18 2023
07	FOR FINAL REVIEW	MAY 23 2024

SEAL

FOR ARCHITECTURAL & STRUCTURAL

DRAWING STAGE:

FOR COA

PROJECT NAME AND ADDRESS:

**PROPOSED
RESIDENCE FOR
517 MORRISON ROAD
OAKVILLE**

DRAWINGS TITLE	SHEET NO.
ROOF PLAN	A303
DATE	
APRIL 10 2023	
SCALE	
NOTED	

ROOF PLAN

1/8"=1'-0"

1
A303

July 26, 2024

GSAI File: 1637-001

In Memoriam, Founding Partner:
Glen Schnarr

Secretary-Treasurer
Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

**RE: Minor Variance Application
Residential Development
517 Morrison Road, Town of Oakville**

Glen Schnarr & Associates Inc (GSAI) are the planning consultants to Rachna and Rajesh Jain (the 'Owner') of the lands municipally known as 517 Morrison Road, in the Town of Oakville (the 'Subject Lands' or 'Site'). On behalf of the Owner, we are pleased to provide this Minor Variance Application to facilitate a replacement dwelling on the Subject Lands.

In support of this Application, please find attached the following materials:

- A copy of the signed Application Form; and,
- A copy of the Architectural Plans, prepared by JRCP Designs Inc., dated May 23, 2024, including:
 - Site Plan (Drawing A100);
 - Front Elevation (Drawing A200);
 - East Elevation (Drawing A201);
 - South Elevation (Drawing A202);
 - North Elevation (Drawing A203);
 - First Floor Plan (Drawing A300);
 - Second Floor Plan (Drawing A301);
 - Basement Floor Plan (Drawing A302); and,
 - Roof Plan (Drawing A303).

Payment of full fees will be provided prior to circulation.

SITE & SURROUNDING AREA

The Subject Lands are located on the east side of Morrison Road, south of Cornwall Road. The Site, municipally known as 517 Morrison Road, has a lot area of approximately 695.20 square metres and approximately 18.29 metres of frontage on Morrison Road. The Subject Lands are currently improved with a 1-storey detached dwelling and attached private garage.

The area surrounding the Subject Lands is a well-established residential Neighbourhood characterized predominantly by 1-, 1½- and 2-storey detached dwellings. Mature, tree lined streetscapes are also present. Public parks are also interspersed. The Neighbourhood can be characterized as having an eclectic character given there is a diverse range of dwelling designs and sizes, including original homes and newer or renovated dwellings.

OFFICIAL PLAN & ZONING

The Subject Lands are designated 'Low Density Residential' by the in-effect Livable Oakville Plan. There are no applicable Secondary Plan or Area Specific policies.

The Site is subject to the Town of Oakville Zoning By-law 2014 – 014 ('By-law 2014-014'), as amended, which zones it as 'Residential Low Density (RL3-0)'. Detached dwellings are a permitted use.

REQUESTED RELIEF

The Owner is seeking permission to construct a new detached dwelling with an integrated garage. The existing dwelling is to be demolished. The proposed dwelling, as currently contemplated, has been planned and designed to comply with the applicable zoning regulations, to the greatest extent possible. The following is the variance for which the Owner is seeking approval:

1. **Section 6.4.1, By-law 2014-014**

A maximum residential floor area ratio, for lots with an area of 650 to 742.99 sq m, of 41% is permitted.

A residential floor area ratio of 43.97% is requested.

MINOR VARIANCE TESTS

Section 45(1) of the *Planning Act*, as amended, identifies the four tests which must be satisfied in order for the Committee to approve this application. Those tests are:

1. The variance maintains the general intent and purpose of the Official Plan.
2. The variance maintains the general intent and purpose of the Zoning By-law.
3. The variance is desirable for the appropriate development or use of the land.
4. The variance is minor in nature.

In my opinion, the requested variances are supportable and meet the four tests under the *Planning Act* in the following ways:

The Variance Maintains The General Intent & Purpose of the Official Plan

As mentioned above, the Subject Lands are designated 'Low Density Residential' by the in-effect Livable Oakville Plan. The intent of the 'Low Density Residential' designation is to facilitate a range of permitted low density housing types including single detached dwellings. The existing residential use and detached dwelling built form are permitted.

Livable Oakville directs that infill development in stable residential communities is to be evaluated against perspective criteria (Section 11.1.9). Specifically, Section 11.1.9 states:

"Development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- a) *The built form of development, including scale, height, massing, architectural character, and materials, is to be compatible with the surrounding neighbourhood.*
- b) *Development should be compatible with the setbacks, orientation, and separation distances within the surrounding neighbourhood.*

- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing."

The proposed dwelling (as demonstrated in the proposed Front Elevation on the right) has been designed to be complimentary to and compatible with both historical and surrounding development forms in the Neighbourhood. This is achieved through the provision of a refined, high-quality built form that is generally consistent with the placement on the lot of the existing dwelling, the incorporation of stepbacks above the ground level and built form features which are exhibited in similar dwellings found in the surrounding area, particularly along Morrison Road.



View of the proposed front elevation (image provided by JRCP Designs Inc.)

I also highlight that similar side yard setbacks, the presence of a covered front porch and an integrated, front yard private garage are features found throughout the immediate surrounding Neighbourhood. As such, the prevailing pattern of setbacks, orientation, height, massing and character are maintained. Furthermore, the proposed facades are to provide for similar, compatible material selections as those present in the surrounding Neighbourhood and provides for a built form, scale and massing that has clear ground level elements. Collectively, these attributes effectively and appropriately mitigate the appearance of a blank front main wall or a dwelling that visually overwhelms. This enables the provision of living areas that meet the changing needs of the Owner and the family, while also being appropriately and sensitively provided on the lot. Given the above, the proposal will provide for a built form, massing and built form features that will seamlessly integrate with the established and evolving character of the Neighbourhood.

Based on the above, it is my opinion that the requested variances conform to the policy objectives established by the Livable Oakville Plan and meet the general intent and purpose of the Official Plan.

The Variance Maintains The General Intent & Purpose of the Zoning By-law

As mentioned above, the Subject Lands are subject to By-law 2014-014, as amended. The requested variance seeks the following relief:

Increased Residential Floor Area Ratio

Section 6.4.1 of By-law 2014-014 states that the maximum residential floor area ratio permitted is 41%, whereas a residential floor area ratio of 43.97% is requested.

The purpose and intent of residential floor area ratio regulations is to control the overall building mass on a property. The residential floor area ratio regulation works hand-in-hand with building envelope regulations, including lot

coverage, to ensure that a reasonable built form and massing is provided. An appropriate mass is to be provided by regulating the amount of floor area that can be accommodated on a lot.

The proposed dwelling has been planned and designed to provide for a built form, scale and architectural features that are compatible with those in the surrounding Neighbourhood, while respecting the Neighbourhood character. Overall, the proposed dwelling includes stepbacks above the ground level and an integrated roofline – together, these features reduce the visual appearance of adverse massing and scale (as visually demonstrated in the proposed front elevation on page 3 above). There are clear ground level elements to assist in the visual reduction of mass and scale, while also contributing to the maintenance of the established Neighbourhood character. These design features, combined with a front covered porch, also avoid the appearance of blank or visually overwhelming front main walls. I highlight that the proposed dwelling incorporates built form features and stepbacks that are consistent with built forms in the surrounding area, including immediately north and south of the Subject Lands and elsewhere along Morrison Road as demonstrated in the images below.



View of 488 Morrison Road

View of 505 Morrison Road



View of 485 Morrison Road

As stated, the proposed dwelling incorporates a generous stepback above the ground level, in order to provide for a built form that is well-designed, of appropriate depth, massing and scale and that integrates with the surrounding Neighbourhood. In my opinion, the requested increase in residential floor area ratio will facilitate a high-quality, refined, appropriately sized dwelling that is consistent and compatible with the surrounding Neighbourhood. It will not visually overwhelm or adversely impact the established Neighbourhood character. Finally, I highlight that the requested residential floor area ratio is a minimal departure from current permissions, is consistent with existing building coverage patterns in the immediate area and is within range of approved increases, which range from 1.95% to 4.73% above what is permitted, in the surrounding area as further described below.

Surrounding Decision Analysis

In support of the proposed development, a residential floor area ('RFA') ratio analysis was undertaken to assess the appropriateness of the proposal in the context of the surrounding Neighbourhood. For clarity, the surrounding Neighbourhood boundaries were identified as being those lands south of Cornwall Road, east of Chamberlain Lane, west of Drummond Road and north of Devon Road. Furthermore, the surrounding Neighbourhood was established based on lands with a similar zoning category to the Subject Lands, similar lotting patterns to the Subject Lands and logical, natural boundaries. The result of this analysis is below.

Address	Permitted RFA	Proposed RFA	Change	Status	Visual
516 Morrison Road	41.0%	45.73%	4.73%	Approved (CAV A/167/2017)	
1198 Cynthia Lane	41.0%	44.82%	3.82%	Approved (CAV A/035/2018)	
1177 Cynthia Lane	40.0%	43.42%	3.42%	Approved (CAV A/003/2021)	
480 Chamberlain Lane	29.0%	31.55%	2.55%	Approved (CAV A/191/2017)	

Address	Permitted RFA	Proposed RFA	Change	Status	Visual
505 Morrison Road	29.0%	32.0%	3.0%	Approved (CAV A/061/2019)	
1298 Devon Road	37.0%	39.4%	2.40%	Approved (CAV A/097/2019)	
1225 Baldwin Drive	41.0%	42.95%	1.95%	Approved (CAV A/107/2020)	

Based on the above, there are instances where the Committee of Adjustment has granted increased residential floor area ratios in the surrounding Neighbourhood. Furthermore, the existing building patterns in the surrounding Neighbourhood also demonstrates that newer built forms generally include additional living areas when compared to historic built forms. As such, it is my opinion that the proposal is consistent and within range of approvals in the surrounding area, is consistent with the building pattern in the surrounding area and is appropriate for the Subject Lands. The proposal will provide for a built form and built form features that will break the visual massing of the dwelling and will facilitate a high-quality, refined dwelling that is consistent with the mass, scale and character of homes in the Neighbourhood. It will also respect the established character of the Subject Lands and the surrounding Neighbourhood.

Based on the above, it is my opinion that the proposed variances meet the general intent and purpose of the Zoning By-law.

The Variance is Desirable for the Appropriate Development or Use of the Land

Approval of the requested variance will allow for the proposed redevelopment of the Subject Lands. Reinvestment in lands in close proximity to services and amenities, such as that being proposed, is appropriate and desirable for the Town, the Neighbourhood, and this property.

The requested increased residential floor area ratio will maintain an appropriate built form, height, mass, and built-form features. The variance is desirable in recognizing the appropriate development and use of the Subject Lands.

Overall, it is my opinion that the proposed variance has been designed to be complimentary to the character of the Subject Lands and the surrounding Neighbourhood. The proposal will not negatively affect surrounding uses and represents an efficient, compatible, and appropriate development that is desirable for the Subject Lands.

The Variance is Minor in Nature

The requested variance will facilitate the introduction of a new dwelling on the Subject Lands and represents a minor departure from what is currently permitted. The variance required does not represent overdevelopment of the Subject Lands as the proposed dwelling will be complimentary to the surrounding Neighbourhood and will respect the existing physical character, massing and scale of the Site and the Neighbourhood.

Overall, the variance will allow for sensitive reinvestment to occur on the Subject Lands in a manner that is compatible and in keeping with the current physical character of the Neighbourhood. The variance requested will not result in adverse impact on adjoining properties or the surrounding Neighbourhood. Therefore, it is my opinion that the proposed variance is minor in nature.

CONCLUSION

As described above, the requested variances satisfy the four tests of Section 45(1) of the *Planning Act* and represent good planning.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



Stephanie Matveeva, MCIP, RPP
Associate

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: *Section 45 of the Planning Act, 1990*

APPLICATION: CAVA/130/2024

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.

Applicant / Owner	Authorized Agent	Subject Property
Rashna & Rajesh Jain	Stephanie Matveeva Glen Schnarr & Associates Inc 10 KINGSBRIDGE GARDEN Cir 700 Mississauga ON, Canada L5R 3K6	517 Morrison Rd PLAN 689 LOT 16

**OFFICIAL PLAN DESIGNATION: Residential Low Density
WARD: 3**

**ZONING: RL3-0
DISTRICT: East**

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 construction of a new two storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 43.97%.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 4, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

CAV A/130/2024 - 517 Morrison Road (East District) (OP Designation: Low Density Residential)

The applicant proposes to construct a two-storey detached dwelling, subject to the variance listed above.

Site Area and Context

The subject property is located in an area that has experienced redevelopment in the form of replacement dwellings and additions/alterations to existing dwellings. The neighbourhood consists of newer two-storey detached dwellings as well as one and one-half storey detached dwellings. Predominantly, newer two-storey dwellings consist of lowered roof lines, implement one-storey architectural elements and massing that is broken up to provide appropriate transition with existing dwellings in the surrounding area. Dwellings in the surrounding area consist of a variety of architectural styles and design elements that maintain and contribute to the established neighbourhood character.

In accordance with Bill 97, this property will be subject to a minor site plan application for review by Development Engineering staff to review any potential stormwater impacts.



Aerial Photo – 517 Morrison Road



Front Elevation – 517 Morrison Road

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from the provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met.

Staff's comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Low Density Residential by Livable Oakville. Development is required to be evaluated using the criteria established in Section 11.1.9 to maintain and protect the existing neighbourhood character. Staff is of the opinion that the proposal maintains the general neighbourhood character and complies with Livable Oakville.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 – Residential Floor Area (No Objection) – increased from 41% to 43.97%

The intent of the Zoning By-law provision for regulating the maximum residential floor area is to ensure a dwelling's mass and scale does not appear larger than the dwellings in the surrounding area. The overall massing and scale for the proposed dwelling is mitigated through the articulation of the primary façade, and incorporation of one-storey architectural elements and incorporation of the second storey rooflines into the primary façade. Staff are of the opinion that the request maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the proposal represents appropriate development of the subject property. The variance is minor in nature and will not create any undue adverse impacts to adjoining properties or the existing neighbourhood character.

Recommendation:

Staff do not object to the proposed variance. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated May 23, 2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.

Requested conditions from circulated agencies:

Fire: No concerns for Fire. Passed.

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Finance: No Comments received

Heritage: No heritage concerns.

Metrolinx: The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL • As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks). • The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor:

• Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities on such right-of-way in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or

successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Adjacent Development Review: CAV A/115/2024
564 Lyons Lane, Oakville, ON

Form of Easement

WHEREAS the Transferor is the owner of those lands legally described in the Properties section of the Transfer Easement to which this Schedule is attached (the "**Easement Lands**").

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night (provided that doing so is not contrary to law applicable to Metrolinx) with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, gaseous and particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations.

THIS Easement and all rights and obligations arising from the above easement shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of a party hereto, if such party comprises more than one person, shall be joint and several.

Easement in gross.

Halton Region:

- **RNHS:** Given the location of the proposed works in relation to the Regional Natural Heritage System (RNHS), the proposed development would trigger the Environmental Impact Assessment (EIA) requirements in accordance with Sections 118 (3) & (3.1)c) of the ROP. Staff would consider it appropriate to waive the Region's EIA requirements in this instance as the proposed development will not likely result in any impacts on the features or ecological functions of the Regional Natural Heritage System.

- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit an increase to the maximum residential floor area, under the requirements of the Town of Oakville Zoning By-law for the purpose of constructing a new two storey detached dwelling on the Subject Property.
- General ROP Policy
The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as 'Urban Area' in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

***Note:** The following standard comments apply to all applications. Any additional application specific comments are as shown below.*

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.

- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- Unless otherwise states, the Planning basis for the conditions referenced herein are as follows:
 - Building in general accordance with the submitted site plan and elevation drawings is required to ensure what is requested and ultimately approved, is built on site. This provides assurance and transparency through the process, noting the documents that are submitted with the application, provide the actual planning, neighbourhood and site basis for the request for the variances, and then the plans to be reviewed through the building permit and construction processes.
 - A two (2) year timeframe allows the owner to obtain building permit approval for what is ultimately approved within a reasonable timeframe of the application being heard by the Committee of Adjustment based on the requirements when it is processed, but cognizant of the ever-changing neighbourhoods, policies and regulations which might then dictate a different result. Furthermore, if a building permit is not obtained within this timeframe, a new application would be required and subject to the neighbourhood notice circulation, public comments, applicable policies and regulations at that time.

Requested conditions from circulated agencies:

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated May 23, 2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.



Jennifer Uicar
Secretary-Treasurer

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/131/2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at oakville.ca on Wednesday, September 04, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
S. Khan	Raman Kumar MEM Engineering Inc. 2355 Derry Road East, Unit 28 Mississauga, ON L5S 1V6	2175 North Ridge Trail PLAN M720 LOT 2

Zoning of Property: RL5 sp:206, 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 construction of an uncovered access stair below grade on the subject property proposing the following variance(s) to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 4.3 (Row 18)</i> The maximum encroachment into a minimum interior side yard for uncovered access stairs below grade shall be 0.0 m.	To increase the maximum encroachment into a minimum southerly interior side yard for the uncovered access stairs below grade to 0.36m.

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 hearing.

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. 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 \(oakville.ca\)](http://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.

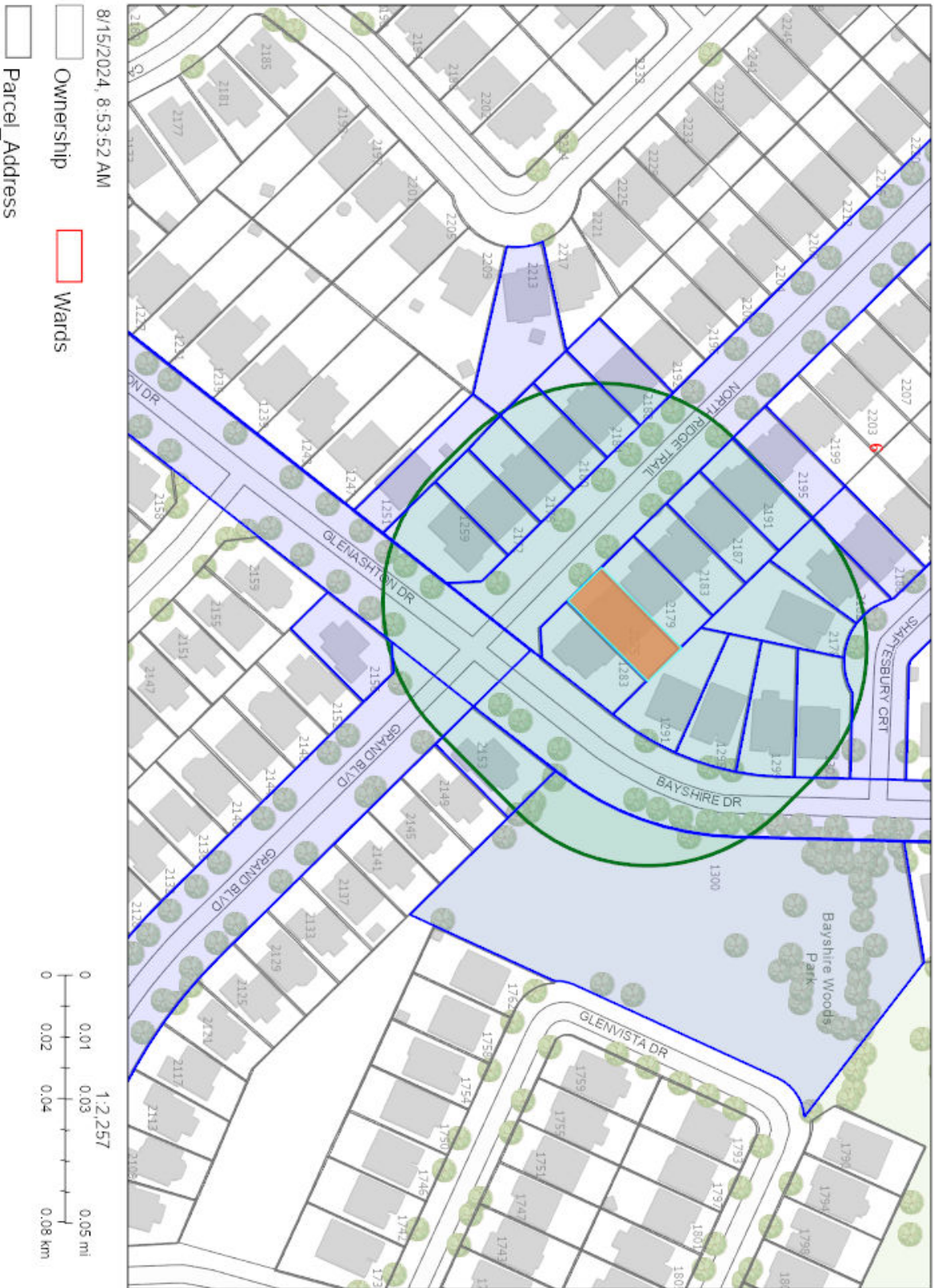
Contact information:

Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/131/2024 - 2175 North Ridge Trail



General Notes

- * CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANTS BEFORE PROCEEDING.
- * ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF CONSULTANTS AND MUST BE RETURNED AT THE COMPLETION OF WORK.
- * THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SIGNED BY THE CONSULTANT.
- * DRAWINGS ARE NOT TO BE SCALED.

LEGENDS:-

REVISION		
NO.	DATE	DESCRIPTION

Firm Name and Address
MEM ENGINEERING INC
 2355 DERRY ROAD EAST
 MISSISSAUGA, ON, L5S 1V6
 905-673-9100
 Email: harry@memengineering.ca

PROJECT TITLE:
 2175 NORTH RIDGE TRAIL,
 OAKVILLE, ON L6H 6W7

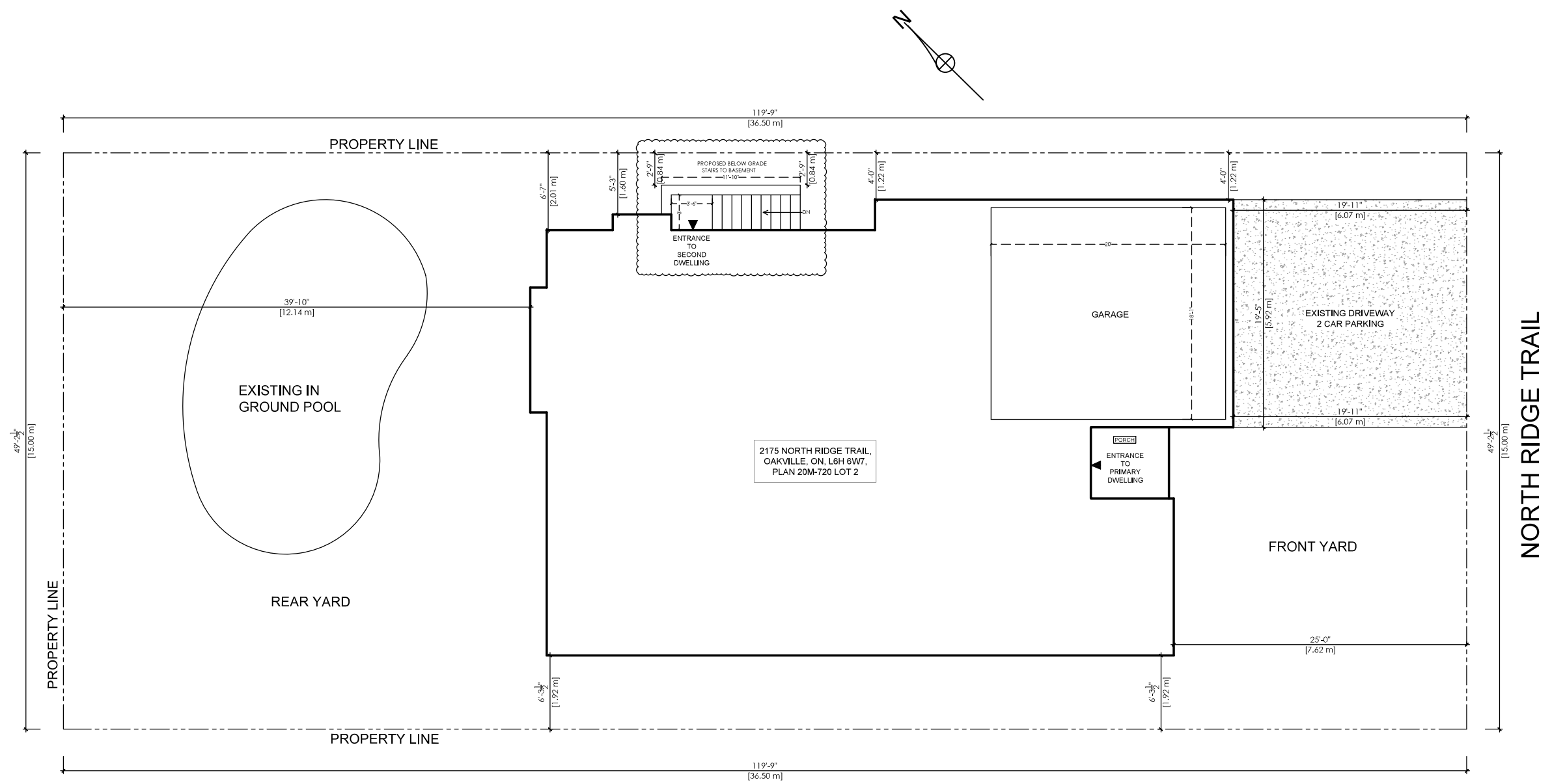
SHEET TITLE:
SITE PLAN

CLIENT EMAIL:

CLIENT CONTACT:

SCALE: 3/32" - 1'-0"	DRAWING NO.:
PLOT DATE: 2024-06-21	
DRAWN BY: SB	
CHECKED BY: HS	

A100



SITE PLAN
 SC: 3/32" - 1'-0"

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: *Section 45 of the Planning Act, 1990*

APPLICATION: CAVA/131/2024

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.

Applicant / Owner	Authorized Agent	Subject Property
S. Khan	Raman Kumar MEM Engineering Inc. 2355 Derry Road East, Unit 28 Mississauga, ON L5S 1V6	2175 North Ridge Trail PLAN M720 LOT 2

**OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 6**

**ZONING: RL5 sp:206
DISTRICT: East**

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of an uncovered access stair below grade on the subject property proposing the following variance(s) to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 4.3 (Row 18)</i> The maximum encroachment into a minimum interior side yard for uncovered access stairs below grade shall be 0.0 m.	To increase the maximum encroachment into a minimum southerly interior side yard for the uncovered access stairs below grade to 0.36m.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 4, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

CAV A/131/2024 – 2175 North Ridge Trail (East District) (OP Designation: Low Density Residential)

The applicant proposes to permit the construction of a below grade access stair in the southerly interior side yard, subject to the variance listed above.

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variances from provisions of the Zoning By-law provided the requirements

set out under 45(1) in the *Planning Act* are met. Staff comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Low Density Residential within the Livable Oakville Official Plan. Development is required to be evaluated using the criteria established in Section 11.1.9 to maintain and protect the existing neighbourhood character. The below grade access stairs in the southerly interior side yard are not visible from the public realm as they are inset towards the rear of the dwelling. Thus, there are no impacts to the streetscape or any deleterious effects on the existing character of the neighbourhood. Additionally, the setbacks provided from the below grade access stairs to the abutting property line still provides adequate space for access purposes or ingress/egress from the front yard area to the rear yard. The creation of an additional residential dwelling unit in an existing low density residential area provides for increased housing options in the neighbourhood and helps to meet the housing goals and initiatives of the Town. As such, the proposal complies with Livable Oakville.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 – Maximum encroachment into a side yar for uncovered access stair (No objection) – Increase from 0.0 metres to 0.36 metres

The intent of regulating projections/encroachments of below grade access stairs is to allow for adequate drainage and passage through a yard so that they do not impede access and to allow for adequate open space and landscaping. The below grade access stairs encroach 0.36 metres into the southerly interior side yard. The stairs are still setback 0.84 metres from the abutting property line providing adequate space for access purposes or ingress/egress from the front yard area to the rear yard. Additionally, the northerly side yard setback from the existing dwelling to the property line is 1.92 metres, allowing for any potential issues related to stormwater runoff to be more comfortably managed on-site. The below grade access stairs in the southerly interior side yard still provides for adequate drainage, open space, and landscaping to be maintained on site. As such, Staff are of the opinion that the requested variance maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the proposal represents appropriate development of the subject property and supports the creation of additional dwelling units within low density residential areas. The variance is minor in nature and will not create any negative adverse impacts to adjoining properties or the existing neighbourhood character.

Recommendation:

Staff do not object to the proposed variance. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. That the below grade access stair in the southerly interior side yard be constructed in general accordance with the submitted site plan drawing dated June 21, 2024; and,
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.

Requested conditions from circulated agencies:

Fire: No Concerns for Fire

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Finance: No Comments received.

Heritage: No heritage concerns.

Metrolinx: No Comments received.

Halton Region:

- **Archeological Potential:** The ROP also contains policies concerning archaeological potential and the preservation mitigation, and documentation of artifacts. It should be noted the site is identified as having archaeological potential overlay. However, the subject lands have been disturbed with the existing development, as such, an archaeological assessment would not have been required.
As a caution, however, please note that during any development activities, should archaeological materials be found on the property, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism must be notified immediately (archaeology@ontario.ca). If human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate and the Registrar, Ontario Ministry of Public and Business Service Delivery, who administers provisions of that Act related to burial sites, to be consulted.
- **RNHS:** Given the location of the proposed works in relation to the Regional Natural Heritage System (RNHS), the proposed development would trigger the Environmental Impact Assessment (EIA) requirements in accordance with Sections 118 (3) & (3.1)c) of the ROP. Staff would consider it appropriate to waive the Region's EIA requirements in this instance as the proposed development will not likely result in any impacts on the features or ecological functions of the Regional Natural Heritage System.
- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit a an increase to the macimum encroachment into a minimum southerly interior side yard for the uncovered access stairs below grade to 0.36m, under the requirements of the Town

of Oakville Zoning By-law for the purpose of permitted the construction of an uncovered access stair below grade on the Subject Property.

- **General ROP Policy**

The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as 'Urban Area' in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

Note: The following standard comments apply to all applications. Any additional application specific comments are as shown below.

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- Unless otherwise stated, the Planning basis for the conditions referenced herein are as follows:
 - Building in general accordance with the submitted site plan and elevation drawings is required to ensure what is requested and ultimately approved, is built on site. This provides assurance and transparency through the

process, noting the documents that are submitted with the application, provide the actual planning, neighbourhood

and site basis for the request for the variances, and then the plans to be reviewed through the building permit and construction processes.

- A two (2) year timeframe allows the owner to obtain building permit approval for what is ultimately approved within a reasonable timeframe of the application being heard by the Committee of Adjustment based on the requirements when it is processed, but cognizant of the ever-changing neighbourhoods, policies and regulations which might then dictate a different result. Furthermore, if a building permit is not obtained within this timeframe, a new application would be required and subject to the neighbourhood notice circulation, public comments, applicable policies and regulations at that time.

Requested conditions from circulated agencies:

1. That the below grade access stair in the southerly interior side yard be constructed in general accordance with the submitted site plan drawing dated June 21, 2024; and,
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.



Jennifer Ulcar
Secretary-Treasurer

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/133/2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at oakville.ca on Wednesday, September 04, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
H. Shaikh S. Sultana	Valiuddin Mohammed Mechways Inc. 6 Ripon St Mississauga ON, CANADA L4T 1E2	1328 Aymond Cres PLAN M1253 LOT 15

Zoning of Property: GU sp:101, 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 construction of side, and rear uncovered access stairs below grade to the existing two-storey detached dwelling proposing the following variance(s) to Zoning By-law 2009-189:

No.	Current	Proposed
1	<i>Table 4.21 (Row (h))</i> The maximum projection into a minimum rear yard for uncovered stairs below grade accessing a main building shall be 1.5m.	To increase the maximum projection into a minimum rear yard for uncovered stairs below grade accessing a main building to 1.78 m.
2	<i>Table 4.21 (Row (h))</i> The minimum distance to the side lot line for uncovered stairs below grade accessing a main building shall be 1.5m.	To reduce the minimum distance to the southerly interior side lot line to 0.21m.

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. 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.

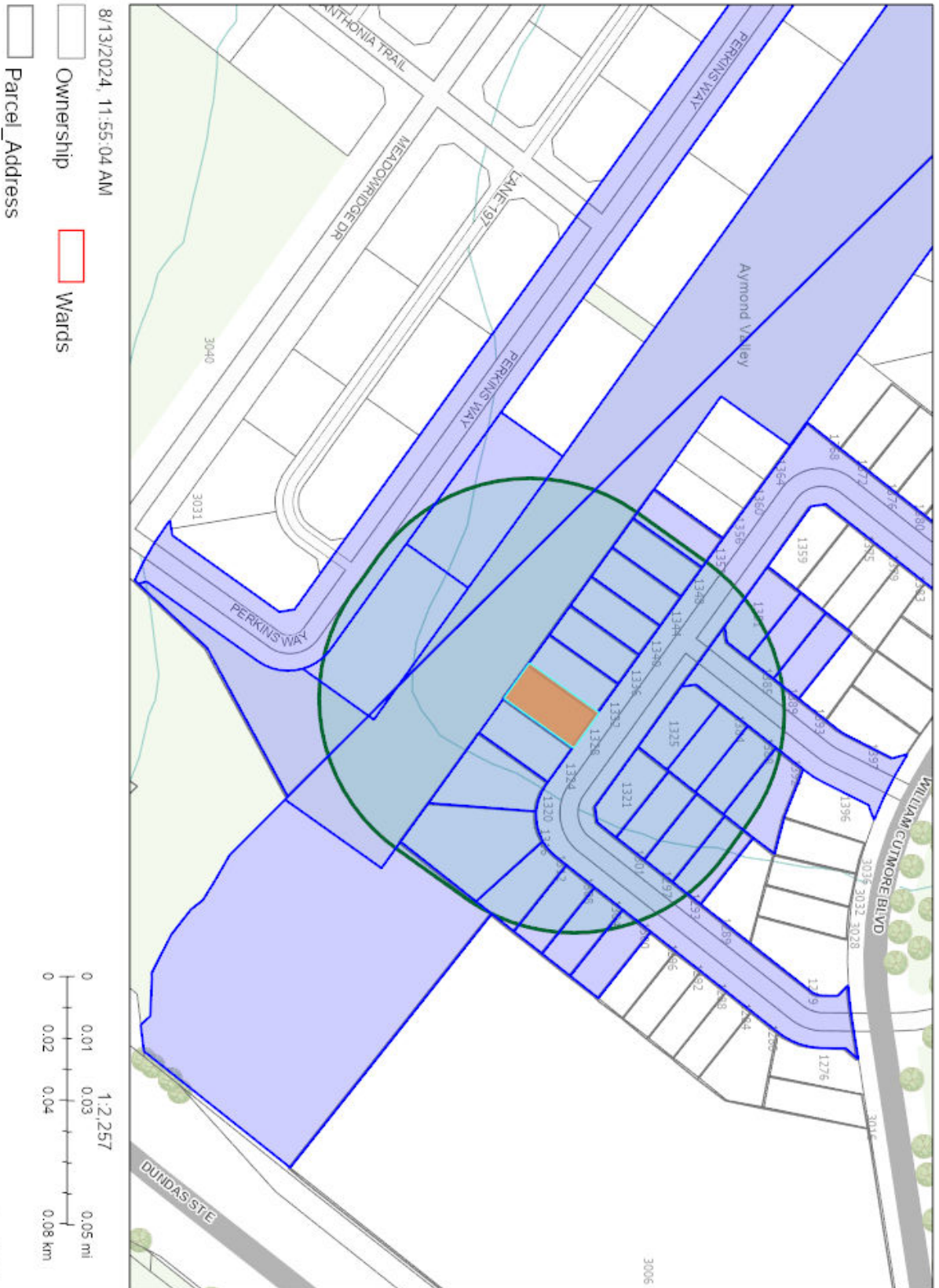
Contact information:

Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/133/2024 - 1328 Aymond Crescent



GENERAL NOTES:

DRAWINGS ARE TO BE READ NOT SCALED. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING THE WORK. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF MECHWAYS INC. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED.

SEAL:



NO.	DESCRIPTION	DATE
3	REVISION	MAY 24 2024
2	REVISION	MAY 8 2024
1	ISSUED FOR BUILDING PERMIT	APR 24 2024

ENGINEER:

Mechways Inc.

ADDRESS : 6 RIPON STREET MISSISSAUGA, ON L4T 2G8
 TEL : 416-527-4100
 EMAIL : INFO@MECHWAYS.COM
 WEBSITE : WWW.MECHWAYS.COM

CONSULTANT:

PROJECT:

**1328 AYMOND CRESCENT
 OAKVILLE, ON**

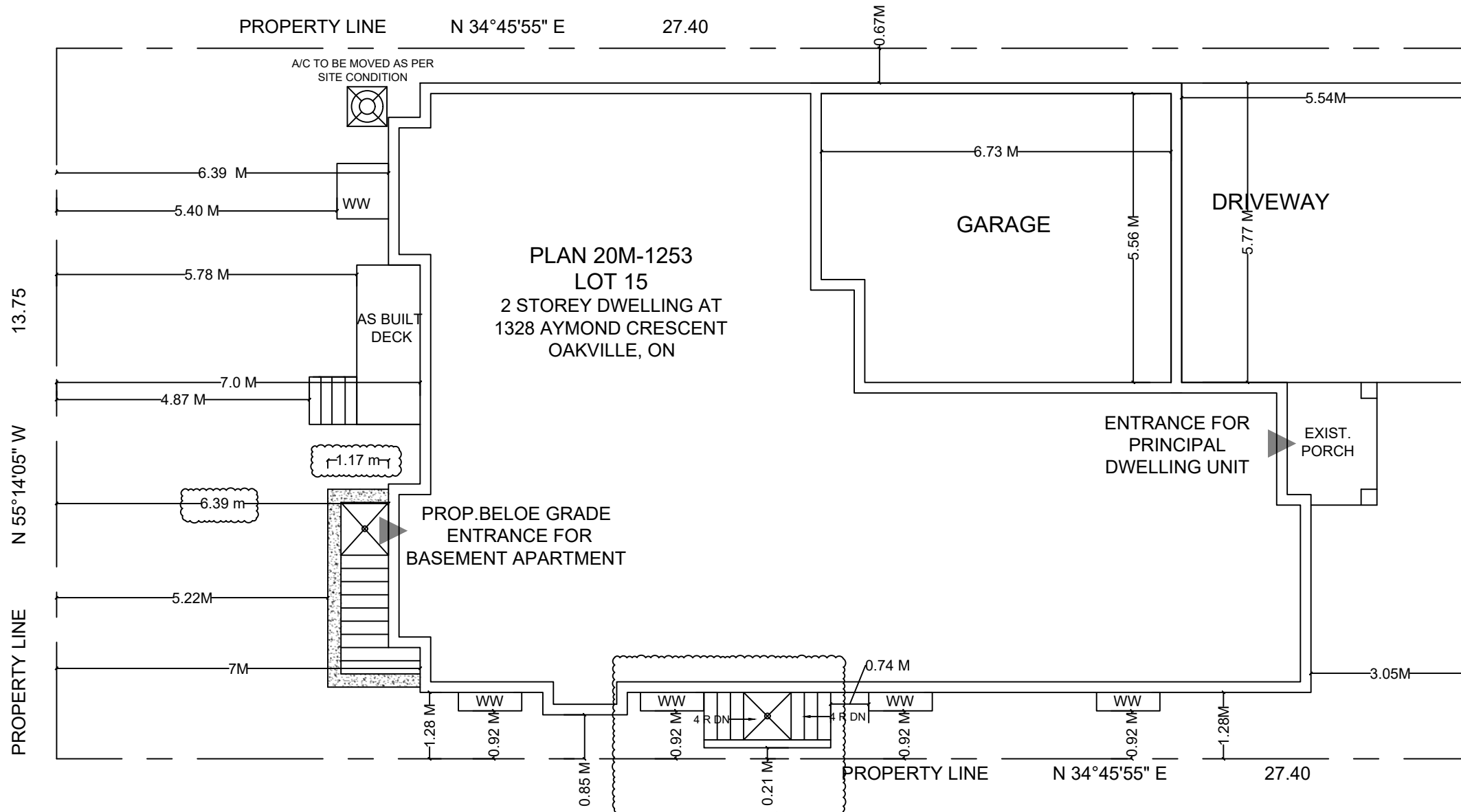
SHEET TITLE:

SITE PLAN

CHECKED: MSS
 DRAWN: MSA
 SCALE: 1 : 100
 DATE: APR 24 2024

DRAWING:

A 0.1



AREA STATISTICS

GROSS FLOOR AREA CALCULATIONS

PRINCIPAL RESIDENCE

EXISTING MAIN FLOOR G.F.A	= 150.23 M ²
EXISTING SECOND FLOOR G.F.A	= 175.49 M ²
TOTAL G.F.A	= 325.72 M²

BASEMENT APARTMENT G.F.A = 144.36 M²



SCOPE OF WORK

- ① PROPOSED BASEMENT APARTMENT
- ② ENLARGEMENT OF FOUR WINDOWS
- ③ PROPOSED ONE NEW WINDOW
- ④ PROPOSED BELOW GRADE ENTRANCE

**SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF LOTS 14, 15, 16,
17 AND 18
PLAN 20M-1253
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON**

SCALE 1:300
10m 5m 0 10m 20metres

R-PE SURVEYING LTD., O.L.S.

METRIC
DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

NOTES

- DENOTES MONUMENT FOUND
- PB DENOTES PLASTIC BAR
- P.I.N. DENOTES PROPERTY IDENTIFIER NUMBER
- D.U.C. DENOTES DWELLING UNDER CONSTRUCTION
- P DENOTES PORCH
- TOW DENOTES TOP OF WALL ELEVATION

ALL FOUND MONUMENTS BY R-PE SURVEYING LTD., O.L.S.
ALL TIES TO CONCRETE FOUNDATION.

BEARINGS ARE GRID AND ARE REFERRED TO THE
SOUTHWEST LIMIT OF AYMOND CRESCENT AS SHOWN
ON PLAN 20M-1253 HAVING A BEARING OF N55°14'05"W.

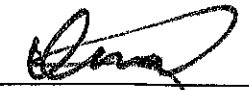
PART 2 (SURVEY REPORT)

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS: PART OF LOTS 14, 16 AND 17 DESIGNATED AS PARTS 12, 13 AND 14, PLAN 20R-22276 ARE SUBJECT TO AN EASEMENT IN GROSS AS SET OUT IN INST. No. HR1928342 THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON THE 14th DAY OF JANUARY, 2023.

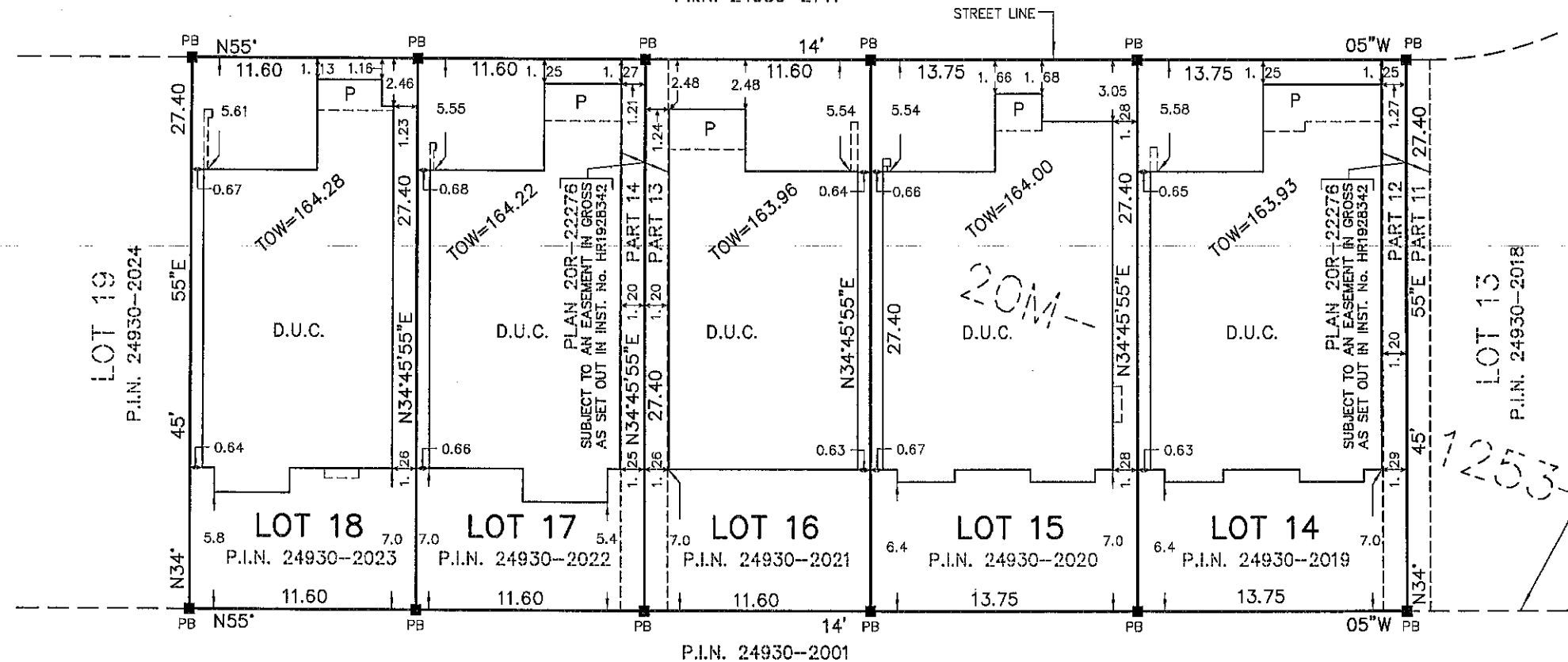
DATE JANUARY 27, 2023.




I. A. ABRAHAM
ONTARIO LAND SURVEYOR

PLAN

AYMOND CRESCENT
(BY PLAN 20M-1253)
P.I.N. 24930-2141



**ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2205411**



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 1026, Section 29(3).

PART 4, PLAN 20R - 22091
PART OF LOT 7, CONCESSION 1, NORTH OF DUNDAS STREET



R-PE SURVEYING LTD.
ONTARIO LAND SURVEYORS
643 Chrislea Road, Suite 7
Woodbridge, Ontario, L4L 8A3
Tel.(416)635-5000 Fax (416)635-5001
Tel.(905)264-0881 Fax (905)264-2099
Website: www.r-pe.ca

DRAWN: V.K. CHECKED: I.A.A./T.S.
CAD FILE No. 1253-14 JOB No. 22-312

THIS REPORT WAS PREPARED FOR
MATTAMY HOMES
AND THE UNDERSIGNED ACCEPTS NO
RESPONSIBILITY FOR USE BY OTHER PARTIES

©R-PE SURVEYING LTD., O.L.S. 2023.



ROOM FINISHED SCHEDULE - BASEMENT								
ROOM NAME	FLOOR		WALL		CEILING		HEIGHT	REMARKS
	MATERIAL	FINISH	MATERIAL	FINISH	MATERIAL	FINISH		
LIVING, DINING, & KITCHEN	WOOD		DRYWALL	PAINT	GYPSUM BD.	PAINT	2641	
BEDROOM	WOOD		DRYWALL	PAINT	GYPSUM BD.	PAINT	2641	
RECREATION ROOM	WOOD		DRYWALL	PAINT	GYPSUM BD.	PAINT	2641	
WASHROOM	CERAMIC		DRYWALL	PAINT	GYPSUM BD.	PAINT	2641	
COLD ROOM	CONCRETE		CONCRETE		CONCRETE			
UTILITY ROOM	CONCRETE		DRYWALL		GYPSUM BD.		2641	

DOOR SCHEDULE

- ALL INTERIOR DOORS ARE SLAB DOOR 1-3/8 TH. HOLLOW CORE. THE SIZES ARE MENTIONED ON THE FLOOR PLAN. THE HEIGHT OF ALL DOORS ARE 80"
- EGRESS DOOR - PROP. BELOW GRADE EXTERIOR TYPE STEEL DOOR PROVIDES ACCESS TO THE OUTSIDE

WINDOW SCHEDULE

ONE WINDOW PER FLOOR TO HAVE AN UNOBSTRUCTED OPEN PORTION W/A MIN. AREA OF 0.35m² W/ NO DIMENSION LESS THAN 380mm & MAXIMUM SILL HEIGHT OF 1m ABOVE FLOOR WINDOW SIZES HAVE BEEN PROVIDED ON THE FLOOR PLANS

CONSTRUCTION NOTES

- FOUNDATION WALL INSULATION
FOUNDATION WALL, MOISTURE BARRIER, 2x4 STUDS @ 16" O.C., WITH R20ci INSULATION, 1/2" GYPSUM DRYWALL JOINTS TAPED AND SEALED AND PAINTED
- INTERNAL WALLS
EXISTING WOOD FRAMED WALL CONSISTING OF 2x4 WOOD STUDS @ 16" O.C. WITH 1/2" DRY WALL ON BOTH SIDES
- PROP. CEILING
PROVIDE 45 MIN. F.R.R AND 50 STC FOR THE CEILING WITH FOLLOWING SPECIFICATIONS
TABEL - 2 AS PER SB-3 (F9h)
ABSORPTIVE MATERIAL BETWEEN EXISTING JOISTS, RESELIENT METAL CHANNELS SPACED 610 mm O.C. TWO LAYERS OF 12.7 mm TYPE X GYPSUM BOARD ON CEILING SIDE
- 20 MIN. FIRE RESISTANCE RATED DOOR FOR COMMON AREA AND BETWEEN BASEMENT APARTMENT AND PRINCIPAL RESIDENCE WITH SELF CLOSING DEVICE
- EXISTING DUCT WORK LOCATED IN THE CEILING AND WALL HAS THE DIRECTION OF THE HEAT FLOW TOWARDS THE FLOOR
- MECHANICAL VENTILATION
50 CFM EXHAUST FANS IN KITCHEN AND WASHROOM
- IN COMPLIANCE WITH C152(b) SMOKE ALARMS ARE INSTALLED IN EVERY DWELLING UNIT AND COMMON AREAS IN CONFORMANCE WITH OBC 9.10.19. SMOKE ALARM SHALL BE WIRED AND INTERCONNECTED FOR THE ENTIRE BUILDING
- PROVIDE CARBON MONOXIDE ALARM CONFIRMING TO CAN/CSA-6.19 "RESIDENTIAL CARBON MONOXIDE ALARMING DEVICES" ADJACENT TO EACH SLEEPING AREA WITHIN EACH DWELLING UNIT. CARBON MONOXIDE ALARMS MAY BE HARDWIRED, BATTERY OPERATED OR THE TYPE THAT CAN BE PLUGGED INTO ELECTRICAL OUTLET
- FOR ALL ELECTRICAL WORK AND PERMIT CONTACT ELECTRICAL SAFETY AUTHORITY

GENERAL NOTES

- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, SITE CONDITIONS AND ELEVATIONS WITH ARCHITECTURAL DRAWINGS AND RESOLVE ANY DISCREPANCIES WITH THE ENGINEER PRIOR TO START OF WORK
- ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH PART 9 AND 4 OF ONTARIO BUILDING CODE 2012 AND CITY BY-LAWS AND STANDARDS
- IT IS ASSUMED THAT THE WORK DEPICTED WILL BE PERFORMED BY AN EXPERIENCED CONTRACTOR AND/OR WORKMEN HAVING WORKING KNOWLEDGE OF THE APPLICABLE CODE, STANDARDS, INSURANCES AND REQUIREMENTS OF INDUSTRY ACCEPTED STANDARD, AS NOT EVERY CONDITION OR ELEMENT IS (OR CAN BE) EXPLICITLY SHOWN ON THESE DRAWINGS.
- BY COMMENCING CONSTRUCTION OF A BUILDING FROM THESE DRAWINGS, THE OWNER AND/OR BUILDER ACKNOWLEDGES THAT THE GENERAL NOTES HAVE BEEN READ AND UNDERSTOOD
- THE DRAWINGS PREPARED BY THE DESIGNER IS FOR THE PERMIT IN COMPLIANCE WITH OBC AND CITY BY-LAWS.
- THE DESIGNER IS NOT LIABLE FOR COST INCURRED FOR RE-WORK, ALTERATION, DISCREPANCIES OR ANY KIND OF CONSTRUCTION RELATED WORK
- ALL WOOD USED IN THE CONSTRUCTION SHALL BE SPF NO.1 OR NO.2
- MINIMUM BEARING OF STEEL LINTELS 150 MM.
- MINIMUM BEARING OF WOOD BEAM / LINTELS 90 MM
- MINIMUM BEARING OF WOOD JOISTS 40MM
- VERIFY EXISTING SUPPORT SYSTEM, INCLUDING FOUNDATIONS, FOR LOADS IMPOSED BY THE PROPOSED CONSTRUCTION
- PROVIDE ALL BRACING, SHORING AND NEEDLING NECESSARY FOR THE SAFE EXECUTION OF THIS WORK
- INFORM CITY OF ALL INSPECTION AHEAD OF TIME AND AT EACH STAGE OF CONSTRUCTION
- ANY DISCREPANCIES SHALL BE BROUGHT TO THE NOTICE OF ENGINEER PRIOR TO START OF WORK
- CONTRACTOR TO PROVIDE THE DESIGNED WINDOW / DOOR OR ANY EQUIVALENT STANDARD SIZE AVAILABLE IN MARKET

- \$ SWITCH
- \$₃ 3 WAY SWITCH
INSTALL AT 3'-3" AFF
3 DENOTES 3-WAY SWITCH
SPECIFICATION GRADE WHITE,
WITH WHITE COVER PLATE
SHALL BE INSTALLED AT THE
ENDS OF EACH STAIRWAYS
- GFI WP 15A, 120V DUPLEX RECEPTACLE
SPECIFICATION GRADE WHITE,
C/W WHITE COVER PLATE
GFI - GROUND FAULT TYPE
WP -WEATHERPROOF COVER
C - ABOVE COUNTER
- RECEPTACLE 50A, 208V,
STOVE OR DRIER OUTLET.
- RECEPTACLE
- LIGHT
- SPOT LIGHT
- EMERGENCY LIGHT
- FD: FLOOR DRAIN
- SPRINKLER
- DUCT TYPE SMOKE DETECTOR
- SMOKE ALARM
- CARBON MONOXIDE DETECTOR
- EXHAUST FAN

GENERAL NOTES:

DRAWINGS ARE TO BE READ NOT SCALED. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING THE WORK. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF MECHWAYS INC. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED.

SEAL:



NO.	DESCRIPTION	DATE
1	ISSUED FOR BUILDING PERMIT	APR 24 2024

ENGINEER:

Mechways Inc.
 ADDRESS : 6 RIPON STREET MISSISSAUGA, ON L4T 2G8
 TEL. : 416-627-4100
 EMAIL : INFO@MECHWAYS.COM
 WEBSITE : WWW.MECHWAYS.COM

CONSULTANT:

PROJECT:

**1328 ALMOND
CRESCENT
OAKVILLE, ON**

SHEET TITLE:

GENERAL NOTES

CHECKED: MSS
 DRAWN: MSA
 SCALE: N.T.S
 DATE: APR 24 2024

DRAWING:

A 4.1



REAR SIDE ELEVATION

GENERAL NOTES:
 DRAWINGS ARE TO BE READ NOT SCALED. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING THE WORK. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF MECHWAYS INC. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED.



NO.	DESCRIPTION	DATE
1	ISSUED FOR BUILDING PERMIT	APR 24 2024

ENGINEER:
Mechways Inc.
 ADDRESS : 6 RIPON STREET MISSISSAUGA, ON L4T 2G8
 TEL. : 416-627-4100
 EMAIL : INFO@MECHWAYS.COM
 WEBSITE : WWW.MECHWAYS.COM

CONSULTANT:

PROJECT:
 1328 AYMOND CRESCENT
 OAKVILLE, ON

SHEET TITLE:
 REAR ELEVATION PLAN

CHECKED: MSS
 DRAWN: MSA
 SCALE: 3 / 16" = 1' - 0"
 DATE: JUNE/25/ 2021

DRAWING:
 A 2.1

SPATIAL AREA CALCULATION

TOTAL WALL AREA / BUILDING FACE = 1303 ft² / 121 m²
 LIMITING DISTANCE = 1.28 m
 MAXIMUM ALLOWABLE GLAZED AREA @ 7% = 91.2 ft² / 8.4 m²
 TOTAL GLAZED AREA ABOVE GRADE = 83.4 ft² / 7.7 m² = 6.4 %

GENERAL NOTES:

DRAWINGS ARE TO BE READ NOT SCALED. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING THE WORK. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF MECHWAYS INC. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED.



NO.	DESCRIPTION	DATE
2	REVISION	MAY 24 2024
1	ISSUED FOR BUILDING PERMIT	APR 24 2024

ENGINEER:

Mechways Inc.
 ADDRESS : 6 RIPON STREET MISSISSAUGA, ON L4T 2G8
 TEL. : 416-627-4100
 EMAIL : INFO@MECHWAYS.COM
 WEBSITE : WWW.MECHWAYS.COM

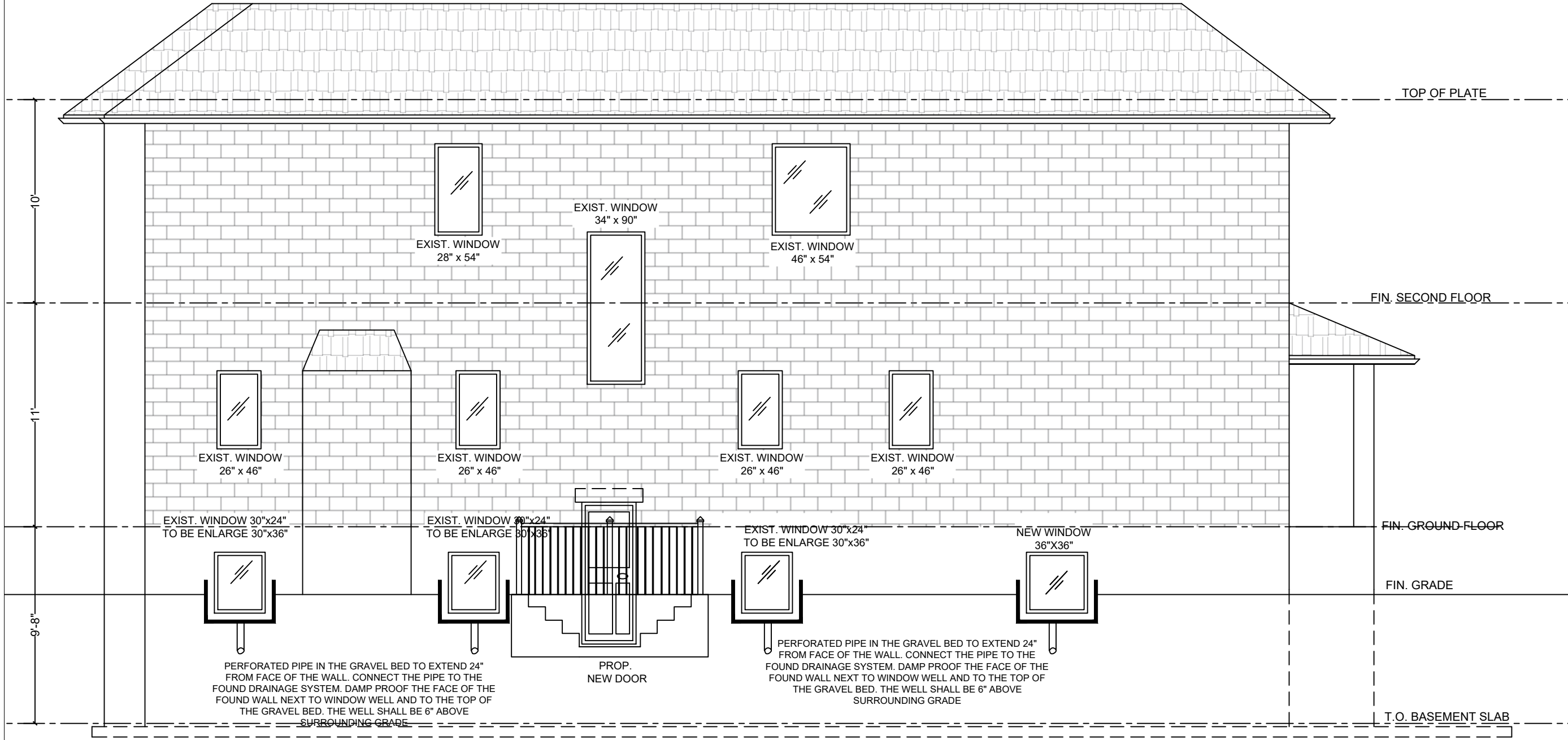
CONSULTANT:

PROJECT:
 1328 AYMOND CRESCENT
 OAKVILLE, ON

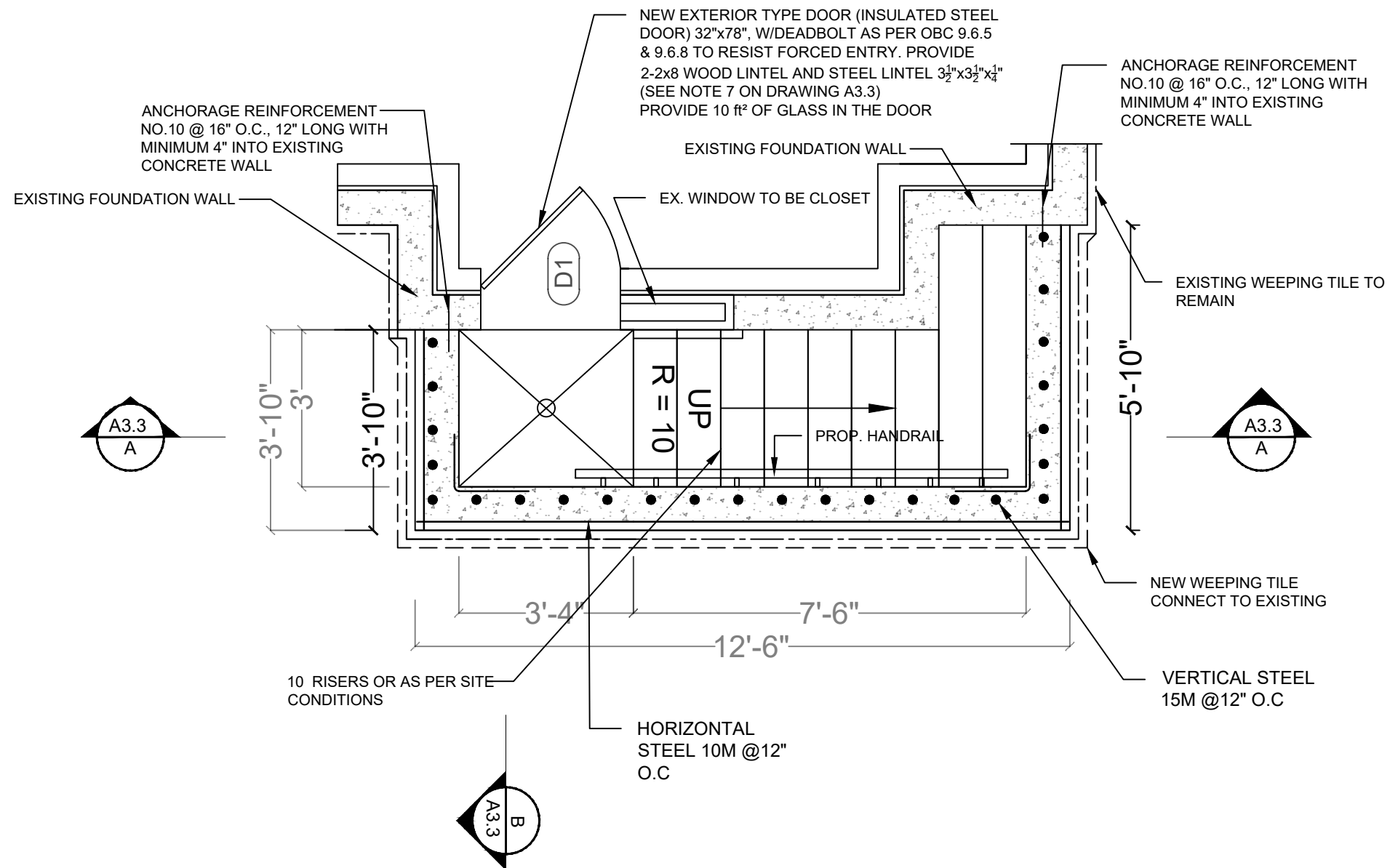
SHEET TITLE:
 LEFT ELEVATION PLAN

CHECKED: MSS
 DRAWN: MSA
 SCALE: 3 / 16" = 1' - 0"
 DATE: APR 24 2024

DRAWING:
 A 2.2



LEFT SIDE ELEVATION



GENERAL NOTES:

DRAWINGS ARE TO BE READ NOT SCALED. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND BE RESPONSIBLE FOR THE SAME. REPORT ANY DISCREPANCIES TO THE DESIGNER BEFORE COMMENCING THE WORK. THE DRAWINGS AND DOCUMENTS PROVIDED HERE WITHIN ARE THE EXCLUSIVE PROPERTY OF MECHWAYS INC. REPRODUCTION OF THE DOCUMENTS PROVIDED IS PROHIBITED WITHOUT THE CONSENT OF THE DESIGNER. ALL DESIGN AND CONSTRUCTION DOCUMENTATION ARE FINAL UNLESS REVISED BY THE DESIGNER. IF ANY DISCREPANCIES ARE DISCOVERED HERE WITHIN, THE DESIGNER SHALL BE NOTIFIED.

SEAL:



NO.	DESCRIPTION	DATE
1	ISSUED FOR BUILDING PERMIT	APR 24 2024

ENGINEER:

Mechways Inc.

ADDRESS : 6 RIPON STREET
MISSISSAUGA, ON L4T 2G8
TEL. : 416-627-4100
EMAIL : INFO@MECHWAYS.COM
WEBSITE : WWW.MECHWAYS.COM

CONSULTANT:

PROJECT:

1328 AYMOND
CRESCENT
OAKVILLE, ON

SHEET TITLE:

WALK-OUT PLAN

CHECKED: MSS
DRAWN: MSA
SCALE: 3/8" = 1' - 0"
DATE: APR 24 2024

DRAWING:

A 3.1

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the *Planning Act*, 1990

APPLICATION: CAV A/133/2024

RELATED FILE: N/A

DATE OF MEETING:

**BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE
AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.**

Applicant / Owner	Authorized Agent	Subject Property
H. Shaikh S. Sultana	Valiuddin Mohammed Mechways Inc. 6 Ripon St Mississauga ON, CANADA L4T 1E2	1328 Aymond Cres PLAN M1253 LOT 15

**OFFICIAL PLAN DESIGNATION: Neighbourhood Area
WARD: 6**

**ZONING: GU
DISTRICT: East**

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of side, and rear uncovered access stairs below grade to the existing two-storey detached dwelling proposing the following variance(s) to Zoning By-law 2009-189:

No.	Current	Proposed
1	<i>Table 4.21 (Row (h))</i> The maximum projection into a minimum rear yard for uncovered stairs below grade accessing a main building shall be 1.5m.	To increase the maximum projection into a minimum rear yard for uncovered stairs below grade accessing a main building to 1.78 m.
2	<i>Table 4.21 (Row (h))</i> The minimum distance to the side lot line for uncovered stairs below grade accessing a main building shall be 1.5m.	To reduce the minimum distance to the southerly interior side lot line to 0.21m.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 4, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

CAV A/133/2024 – 1328 Aymond Crescent (East District) (OP Designation: Neighbourhood Area)

The applicant proposes to permit the construction of below grade access stairs in the interior side yard and rear yard subject to the variances listed above.

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met. Staff comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject lands are designated Neighbourhood Area in the North Oakville East Secondary Plan Figure NOE 2 Land Use Plan. The lands are further identified as General Urban Area in the Master Plan Appendix 7.3. Policy 7.6.7.2 applies to the General Urban Area and is intended to accommodate a range of low and medium density residential development. Furthermore, Section 7.5.12 indicates that each neighbourhood will have distinctive characteristics and shall be primarily residential in character, but will include mixed use development including commercial, institutional, live-work and civic facilities. The proposal complies with the North Oakville East Secondary Plan.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The applicant is seeking relief from the Zoning By-law 2009-189, as amended, as follows:

Variance #1 – Maximum Projection into a Minimum Rear Yard for Below Grade Access Stairs (No Objection) – Increase from 1.5 metres to 1.78 metres

Variance #2 – Minimum Distance to the Side Lot Line for Below Grade Access Stairs (Objection) – Decrease from 1.5 metres to 0.21 metres

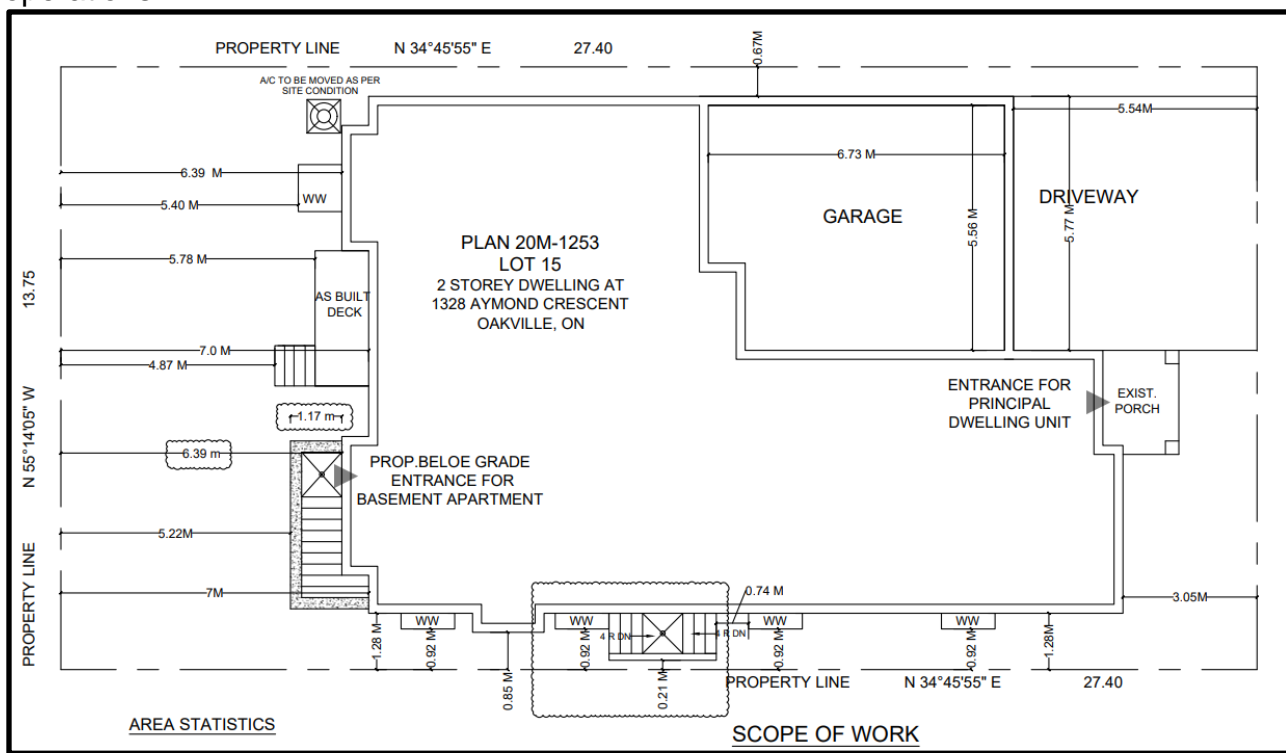
The intent of regulating projections/encroachments of below grade access stairs is to allow for adequate drainage and passage through a yard so that they do not impede access and to allow for adequate open space and landscaping. The below grade access stairs located in the rear yard only project a further 0.28 metres than the maximum requirement under the By-law. In this case, the below grade access stairs in the rear yard allows for adequate drainage, open space, and landscaping to be maintained on site.

However, the reduction in the southerly interior side yard setback for the proposed below grade access stairs results in a condition where there is inadequate space for access purposes or ingress/egress from the front yard area to the rear yard. Although the stairs include four risers down to the landing where the main entrance would be located for the additional residential unit in the basement, and four risers up to provide access to the rear yard, the introduction of below grade stairs in this location does not provide for sufficient drainage or allow for the maintenance of a graded swale. Additionally, the proposed 0.21 metres setback from the side yard lot line does not provide for adequate separation between this structure and the property line.

The northerly interior side yard is also quite constrained, as there is only a 0.67 metre setback from the existing dwelling to the property line. With the proposed setback reduction in the southerly interior side yard, this helps further exacerbate potential drainage issues and stormwater runoff concerns on-site. Based on the submitted site plan and floor plans, it

also appears as though the side yard entrance would provide access to both the additional residential unit in the basement and to the principal dwelling unit. As there is already an entrance to access the main dwelling unit from the front yard and a separate entrance within the rear yard to access the additional residential unit in the basement, the side yard entrance may be unnecessary and redundant in this particular case. The location of the below grade stairs in this interior side yard would not be an appropriate element on this residential lot. It is noted that drainage will continue to be reviewed as part of the building permit submission of detailed engineering plans, and this site would also need to go through the minor site plan process based on the Bill 97 buffer requirements.

Furthermore, Fire Prevention Services from the Town note that one benefit of having an adequate side yard setback is to provide room to maneuver equipment to the rear of the property to facilitate fire-fighting operations. Plans provided indicate an impedence to the minimum required side yard setback on both sides of the property (i.e. window wells, stairs, vegetation). This proposal has the potential to create challenges to standard fire-fighting operations.



On this basis, it is staff's opinion that variance 2 does not maintain the general intent and purpose of the Zoning By-law as the introduction of a below grade access stair in the interior side yard would result in negative impacts on drainage, impede access and ingress/egress from the front yard to rear yard, and is not setback at a far enough distance from the abutting dwelling. Variance 1 however does maintain the intent and purpose of the Zoning By-law, as the increase in the projection of the below grade access stairs into the rear yard still provides for adequate room for open space/landscaping and does not impede access.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the variance proposed for a decrease in the minimum distance to the side lot line for below grade access stairs is not desirable for the appropriate development of the subject property and the variance is not minor in nature. However, Staff

do not object to the requested variance related to the maximum projection into a minimum rear yard for below grade access stairs as it is minor in nature. It is Staff's opinion that variance 1 satisfies all four tests under the *Planning Act*.

Staff object to variance 2 on the basis that it does not satisfy the four tests under the *Planning Act*. Should the Committee's evaluation of the application differ from Staff, the Committee should determine whether approval of the proposed variances would result in a development that is appropriate for the site. If the request for minor variance 1 is approved by the Committee, the following conditions are recommended:

1. That the below grade access stairs in the rear yard be constructed in general accordance with the submitted site plan drawing dated May 24, 2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.

Requested conditions from circulated agencies:

Fire:

- COA to decrease side yard setback below 1.2m. One aspect of the side yard setback is to provide the minimum amount of room to maneuver equipment to the rear of the property to facilitate fire-fighting operations. Plans provided indicate an impedance to the minimum required side yard setback on both sides of the property (i.e. window wells, stairs, vegetation). This proposal creates a negative impact to standard fire-fighting operations.

Oakville Hydro: We do not have any comments.

Conservation Halton:

- The subject property is located adjacent to a tributary of Joshua's Creek. CH regulates 15m from the flooding and erosion hazards associated with this watercourse. The rear 7.5 metres of this property as taken from the rear property line is within CH's regulated area and as such, the proposed works will require a permit from our office.
- The applicant is seeking two variances to permit the construction of a side and rear uncovered access to the existing dwelling. CH does not object to the approval of the variances sought.
- The applicant will need to contact CH to obtain a permit for the works, if approved by the Committee of Adjustment. CH requires that the applicant, add a line on their site plan with a setback of 7.5 metres from the property line adjacent to the creek and label it "15m CH Regulatory Allowance". This line represents the 15m regulatory allowance from the hazards associated with Joshua's Creek. The lot was constructed at a distance of 7.5m from the hazards, however, since our regulation changed on April 1, 2024, we now regulate 15m from hazards rather than 7.5m.

Transit: No Comments received.

Finance: No Comments received.

Heritage: No heritage concerns.

Metrolinx: No Comments received.

Halton Region:

- Archeological Potential: The ROP also contains policies concerning archaeological potential and the preservation mitigation, and documentation of artifacts. It should be noted the site is identified as having archaeological potential overlay. Archaeological concerns were addressed through the original subdivision and ZBA applications (24T-20006/1307 & Z.1307.06). As such, there would be no further Regional requirements in this regard.
- RNHS: Given the location of the proposed works in relation to the Regional Natural Heritage System (RNHS), the proposed development would trigger the Environmental Impact Assessment (EIA) requirements in accordance with Sections 118 (3) & (3.1)c) of the ROP. Staff would consider it appropriate to waive the Region's EIA requirements in this instance as the proposed development will not likely result in any impacts on the features or ecological functions of the Regional Natural Heritage System.
- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional staff request the following condition be added to the Committee of Adjustment's decision for the subject lands:
 - The Owner should contact the Regional Services Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer Services Permits, and pay all necessary fees, if required.
- Regional staff has no objection, subject to the above-noted condition being included, to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit an increase to the maximum projection into a minimum rear yard for uncovered stairs below grade accessing a main building and a decrease in the minimum distance to the southerly interior side lot line under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of side and rear uncovered access stairs below grade to the existing two storey detached dwelling on the Subject Property.
- General ROP Policy
The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as 'Urban Area' in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

Note: The following standard comments apply to all applications. Any additional application specific comments are as shown below.

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- Unless otherwise states, the Planning basis for the conditions referenced herein are as follows:
 - Building in general accordance with the submitted site plan and elevation drawings is required to ensure what is requested and ultimately approved, is built on site. This provides assurance and transparency through the process, noting the documents that are submitted with the application, provide the actual planning, neighbourhood and site basis for the request for the variances, and then the plans to be reviewed through the building permit and construction processes.
 - A two (2) year timeframe allows the owner to obtain building permit approval for what is ultimately approved within a reasonable timeframe of the application being heard by the Committee of Adjustment based on the requirements when it is processed, but cognizant of the ever-changing neighbourhoods, policies and regulations which might then dictate a

different result. Furthermore, if a building permit is not obtained within this timeframe, a new application would be required and subject to the neighbourhood notice circulation, public comments, applicable policies and regulations at that time.

Requested conditions from circulated agencies:

1. That the below grade access stairs in the rear yard be constructed in general accordance with the submitted site plan drawing dated May 24, 2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.



Jennifer Ulcar
Secretary-Treasurer

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/134/2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on Wednesday, September 04, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
Brandon Cipolletta	N/A	489 Trillium Dr PLAN 543 LOT 29

Zoning of property: RL3-0, 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 construction of a two-storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 45.32%.

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 hearing.

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. 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.

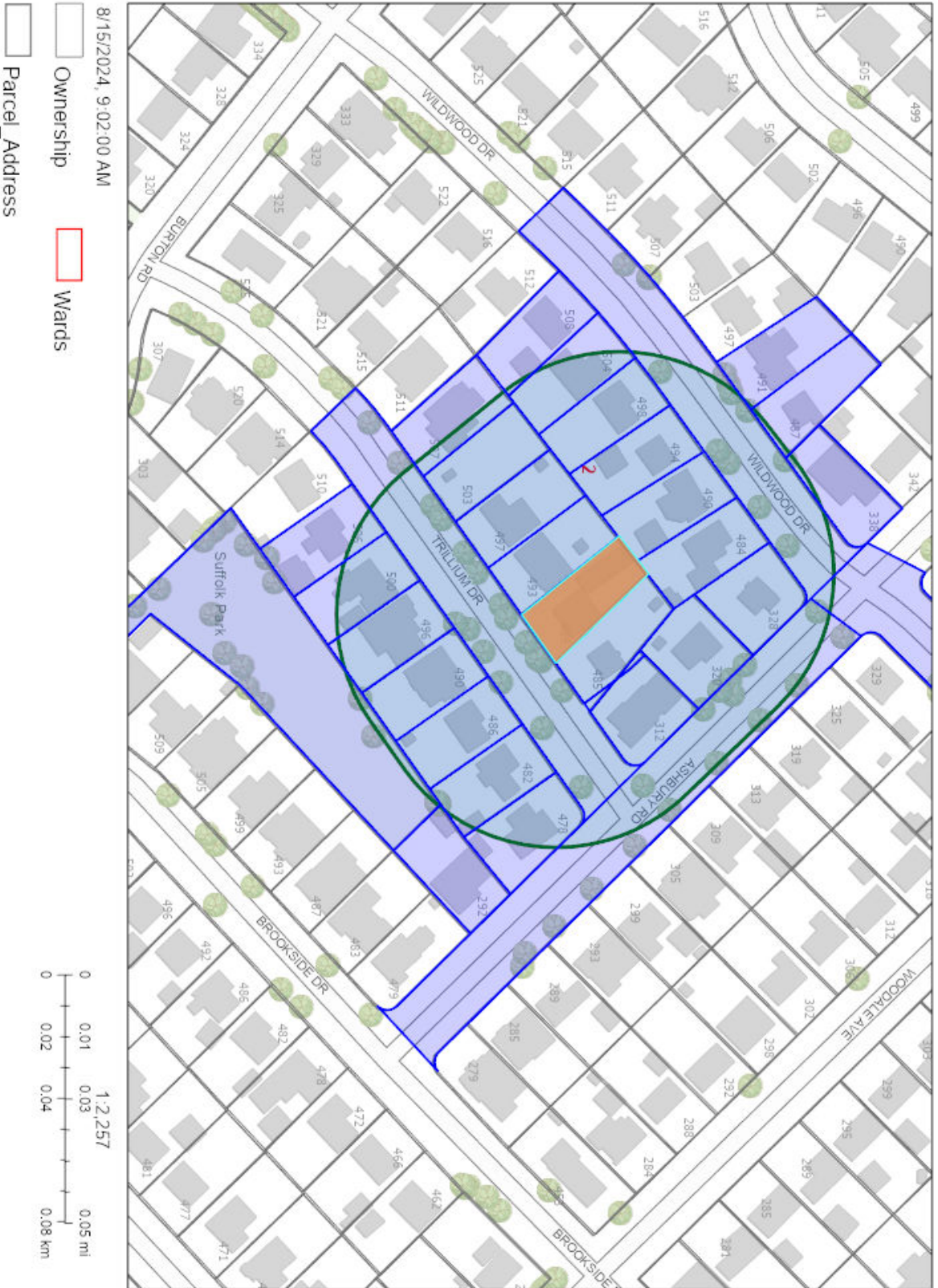
Contact information:

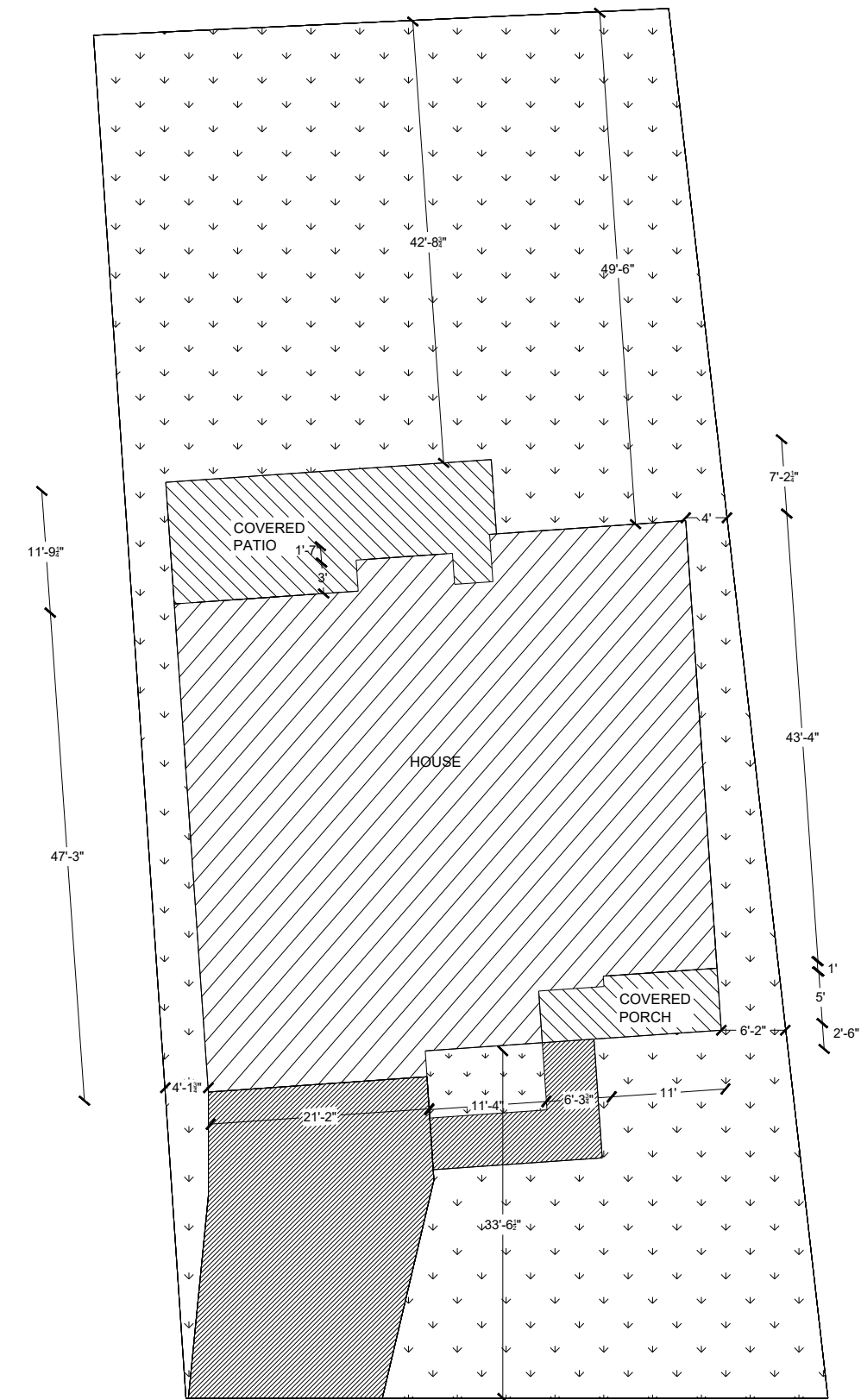
Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/134/2024 - 489 Trillium Drive





BY-LAW 2014-014 - ZONING RL3-0

	PROPOSED	PERMITTED
BASEMENT	178.60M2	
FIRST FLOOR	168.19M2	
SECOND FLOOR	160.24M2	
RESIDENTIAL FLOOR AREA RATIO	45.32% (329.59M2)	41% (298.20M2)
COVERAGE	34.98% (254.41M2)	35% (254.56M2)
HEIGHT	9M	9M
LOT AREA	727.31M2	

↑
PROJECT
NORTH

General Notes

No.	Revision/Issue	Date

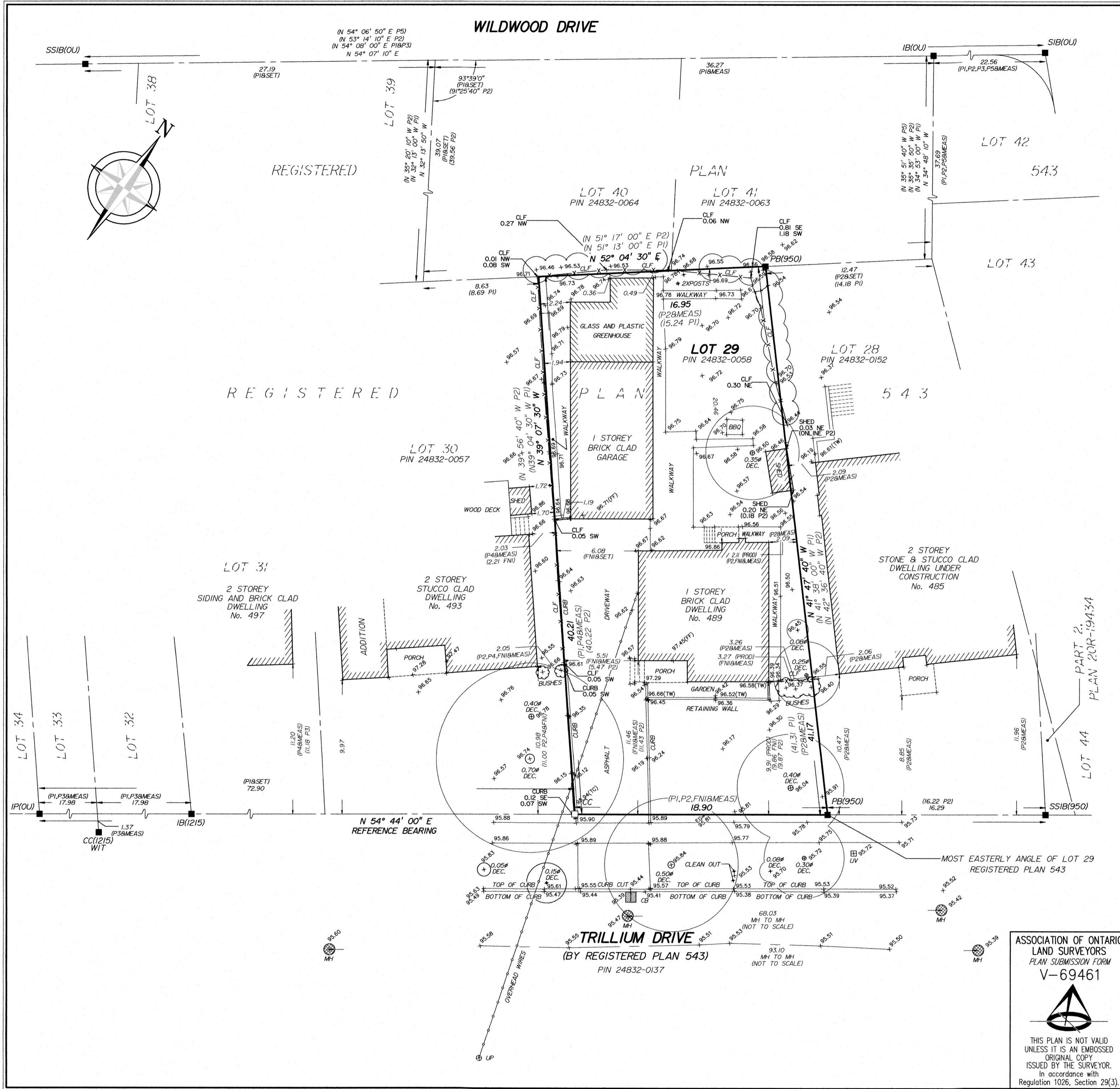
Firm Name and Address

Project Name and Address

489 TRILLIUM DRIVE

Project SITE PLAN Sheet

Date 8/7/2024	A1
Scale 1/16" = 1'0"	



SURVEYOR'S REAL PROPERTY REPORT - PART 1
 PLAN OF SURVEY AND TOPOGRAPHY OF
LOT 29
REGISTERED PLAN 543
TOWN OF OAKVILLE
 REGIONAL MUNICIPALITY OF HALTON
 0 5 10 15 Metres
 Scale 1:200
 J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor 2024

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SURVEYOR'S REAL PROPERTY REPORT - PART 2
 REGISTERED EASEMENTS AND/OR RIGHT-OF-WAY
 None

NOTABLES
 Note the location of the Fences around the Subject Property
 Note the location of the Curb along the Southwesterly limit of the Subject Property
 Note the location of the Walkway along the Southwesterly limit of the Subject Property
 Note the location of the Shed along the Northeasterly limit of the Subject Property

LEGEND

■	Survey Monument Found	N	Denotes North
□	Survey Monument Set	S	Denotes South
SSIB	Short Standard Iron Bar	E	Denotes East
IB	Iron Bar	W	Denotes West
IP	Iron Pipe	TW	Top of Wall
PB	Plastic Bar	TC	Top of Curb
CC	Cut Cross	EG	Established Grade
(OU)	Origin Unknown		
(950)	Cunningham McConnell O.L.S.		
(1215)	ERTL Surveyors O.L.S.		
P1	Registered Plan 543		
P2	Plan of Survey by Cunningham McConnell Ltd., O.L.S. dated December 4, 2023.		
P3	Plan of Survey by ERTL Surveyors O.L.S., dated November 3, 2020.		
P4	Plan of Survey by H.D. Sewell O.L.S., dated November 19, 1954		
P5	Plan of Survey by J.H. Gelbloom Surveying Ltd. O.L.S., dated August 31, 2023		
FNI	Field Notes dated November 17, 1954		
PROD	Denotes Production Distance		
FF	Finished Floor Elevation		
CLF	Chain Link Fence		
DEC.	Deciduous		
MH	Maintenance Hole		
CB	Catch Basin		
UV	Utility Vault		

BENCHMARK
 Elevations are Referred to the Town of Oakville Benchmark No. 79 having an Elevation of 96.4302 m.

NOTE
 This REPORT can be updated by this office, however NO ADDITIONAL PRINTS of this ORIGINAL REPORT will be issued, subsequent to the DATE OF CERTIFICATION.
 All building ties are from the foundation and are perpendicular to property lines, unless otherwise noted.

This REPORT was prepared for Sydney Capolletto and the undersigned accepts no responsibility for use by any other parties.

NOTE
 Distances shown on this plan are in metres and can be converted to feet by dividing by 0.3048.

BEARING NOTE
 Bearings are astronomic, and are referred to the Northerly limit of Trillium Drive as shown on Registered Plan 543, having a Bearing of N 54° 44' 00" E.

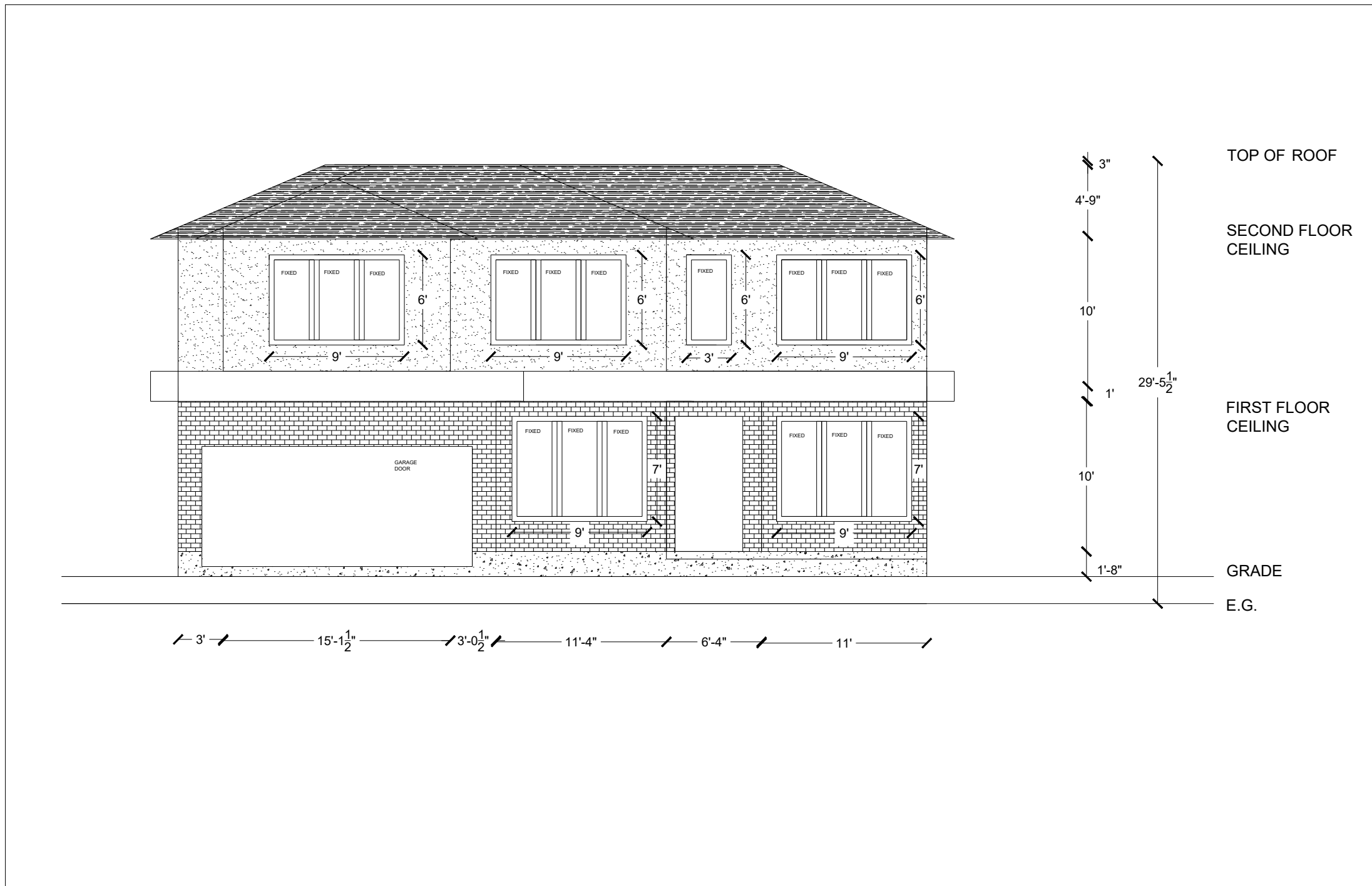
SURVEYOR'S CERTIFICATE
 I certify that:
 1: This survey and plan are correct and in accordance with the Surveys Act, the Surveyors Act, and the Regulations made under them.
 2: The survey was completed on the 12th day of June, 2024.

June 24, 2024
 Date
 Ashraf Rizk O.L.S.
 Party Chief: D.L. Drawn By: N.A. Checked By: A.R. Project: 24-104

ASSOCIATION OF ONTARIO LAND SURVEYORS
 PLAN SUBMISSION FORM
 V-69461

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR. In accordance with Regulation 1026, Section 29(3).

J. H. Gelbloom Surveying Limited
 Ontario Land Surveyor
 476 Morden Road, Unit 102, Oakville, Ont, L6K 3W4
 office@jhgsurveying.ca
 Phone:(905) 338-8210 Fax:(905) 338-9446



3"
 4'-9"
 10'
 1'
 10'
 1'-8"
 TOP OF ROOF
 SECOND FLOOR CEILING
 29'-5 1/2"
 FIRST FLOOR CEILING
 GRADE
 E.G.

3' 15'-1 1/2" 3'-0 1/2" 11'-4" 6'-4" 11'

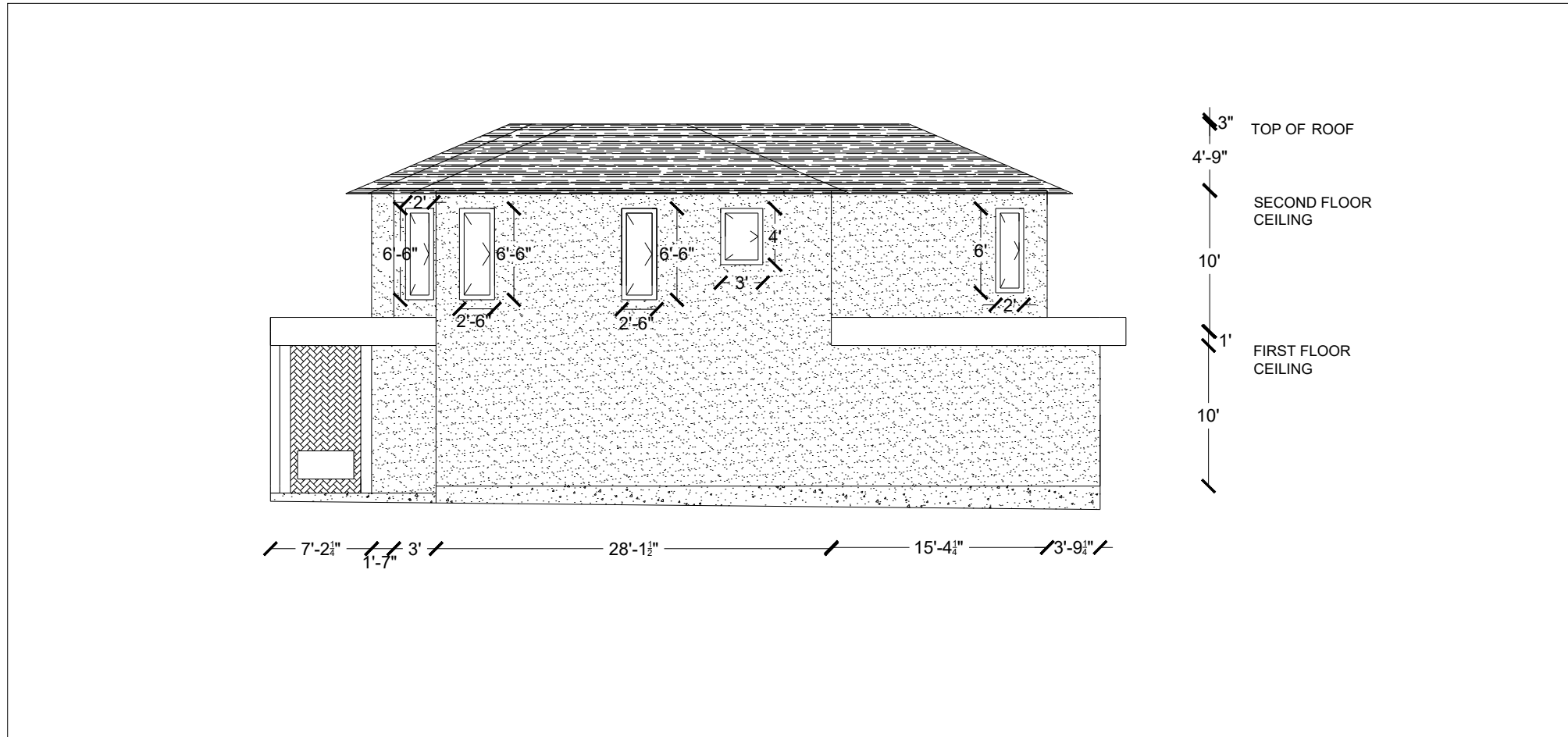
General Notes

No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
 489 TRILLIUM DRIVE

Project FRONT ELEVATION	Sheet A6
Date 7/31/2024	
Scale 1/8" = 1'0"	



3" TOP OF ROOF
 4'-9" SECOND FLOOR CEILING
 10' FIRST FLOOR CEILING
 1' FIRST FLOOR CEILING
 10'

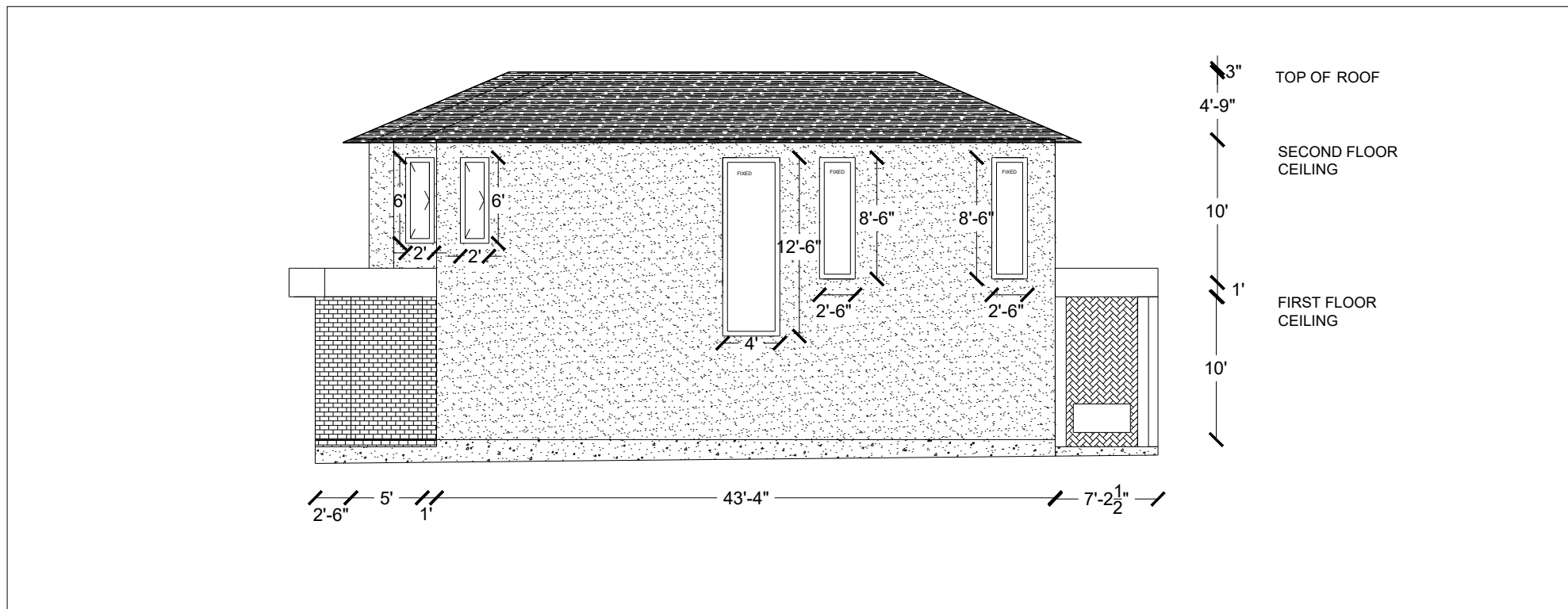
General Notes

No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
489 TRILLIUM DRIVE

Project WEST ELEVATION	Sheet A7
Date 7/31/2024	
Scale 3/32" = 1'0"	



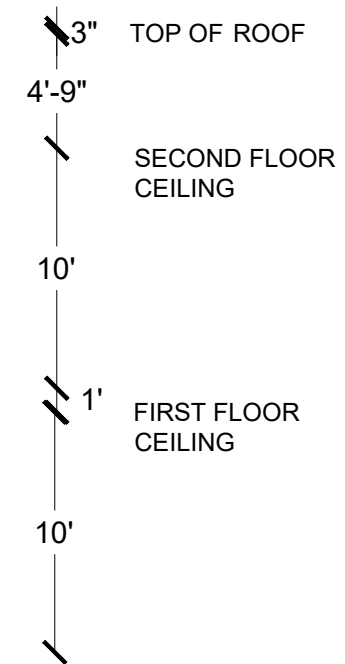
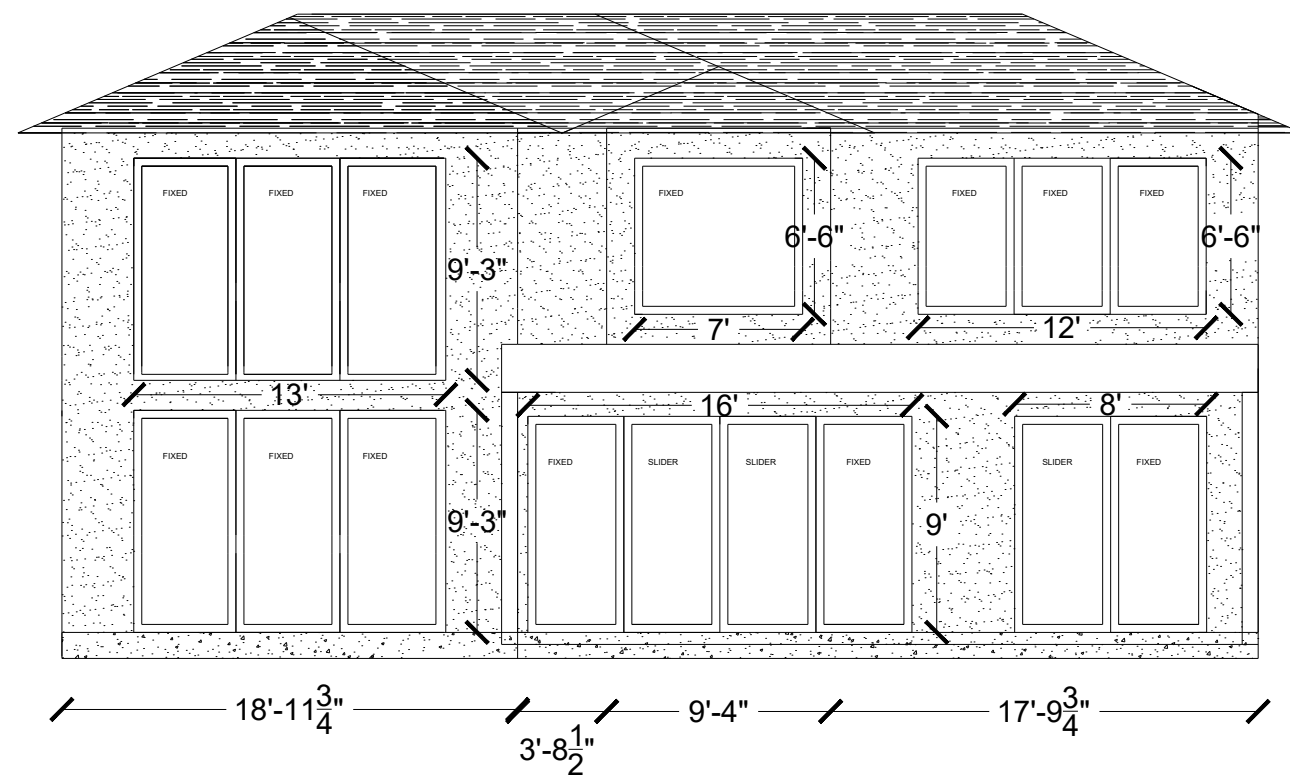
General Notes

No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
489 TRILLIUM DRIVE

Project EAST ELEVATION	Sheet A8
Date 7/31/2024	
Scale 3/32" = 1'0"	



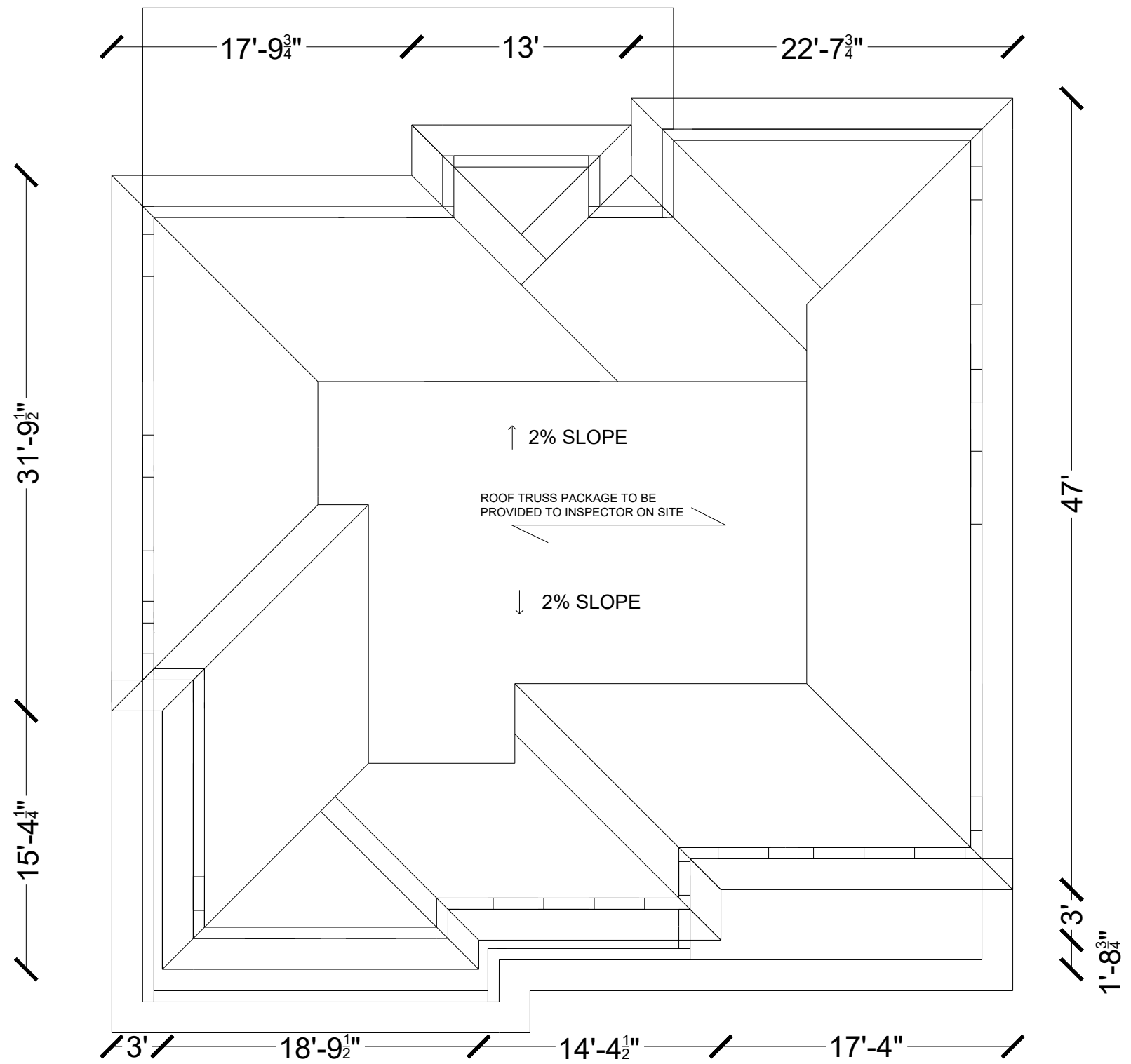
General Notes

No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
489 TRILLIUM DRIVE

Project REAR ELEVATION	Sheet A9
Date 7/31/2024	
Scale 1/8" = 1'0"	



General Notes

No.	Revision/Issue	Date

Firm Name and Address

Project Name and Address
489 TRILLIUM DRIVE

Project ROOF PLAN	Sheet A5
Date 7/31/2024	
Scale 1/8" = 1'0"	

Planning Justification Report:

We are looking to obtain 1 variance for the proposed new house. Residential Floor area. The allowable percentage based on the RL3 zoning area and the lot area is 41%. The proposal requests 45.32% RFA (329.59 M2).

Through past interactions with the planning department and reviewing the official plan we created a design that would keep with the general intent of the official plan. The overall structure complies with all setbacks, height and coverage requirements which indicates the mass and scale is keeping with the intent of the zoning bylaw and official plan on building envelope size. We also took the initiative to both stagger the house from left to right and set back the second floor. This essentially turns the 2 storey dwelling into 8 different 1 storey elements drastically reducing the mass and scale of the building which is a preference of the planning department. We also provide an increased front yard setback for part of the building of 12.64m and an increased side yard setback of 1.9m to further reduce the mass and scale from the street line.

Trillium Drive has been redeveloped in recent years with approximately 80% of the houses having undergone complete reconstruction. This proposal would bring the property more in line with the rest of the street. To date 6 of the 11 new houses have been approved through the Committee of Adjustment process. With all of them requesting RFA for 44% +. The neighboring building at 485 Trillium Drive is currently under construction. Their Committee of Adjustment request was approved in September 2021 for 45.28% RFA with the full support of planning as the design incorporated the same aspect as our design with the use of stepping back the second floor and the use of first floor roofs on the front and back to reduce the impact of mass and scale. This can also be seen in the other applications in our direct area (approximately 1 square block surrounding the home) where the proposals used roof lines and the step back approach to reduce mass and scale. These applications have been approved at Committee and supported by planning for variances ranging from 44.93%, 45.09%, 45.28%, 45.9% etc and they also involved other variance (coverage and height).

With this proposal we would also be reducing the hardscape on the lot from the existing 4617 sqft to a proposed 3560 sqft which will drastically reduce the risk of flooding and help with natural drainage for the area.

Based on the design elements implemented and the previous approvals on this street and the surrounding streets we believe this proposal keeps with the general intent of the zoning bylaw and official plan.

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the *Planning Act*, 1990

APPLICATION: CAV A/134/2024

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.

Applicant / Owner	Authorized Agent	Subject Property
Brandon Cipolletta	N/A	489 Trillium Dr PLAN 543 LOT 29

OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 2

ZONING: RL3-0
DISTRICT: West

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of a two-storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41%.	To increase the maximum residential floor area ratio to 45.32%.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 4, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

CAV A/134/2024 - 489 Trillium Drive (West District) (OP Designation: Low Density Residential)

The applicant proposes to construct a two-storey detached dwelling, subject to the variance listed above.

Site Area and Context

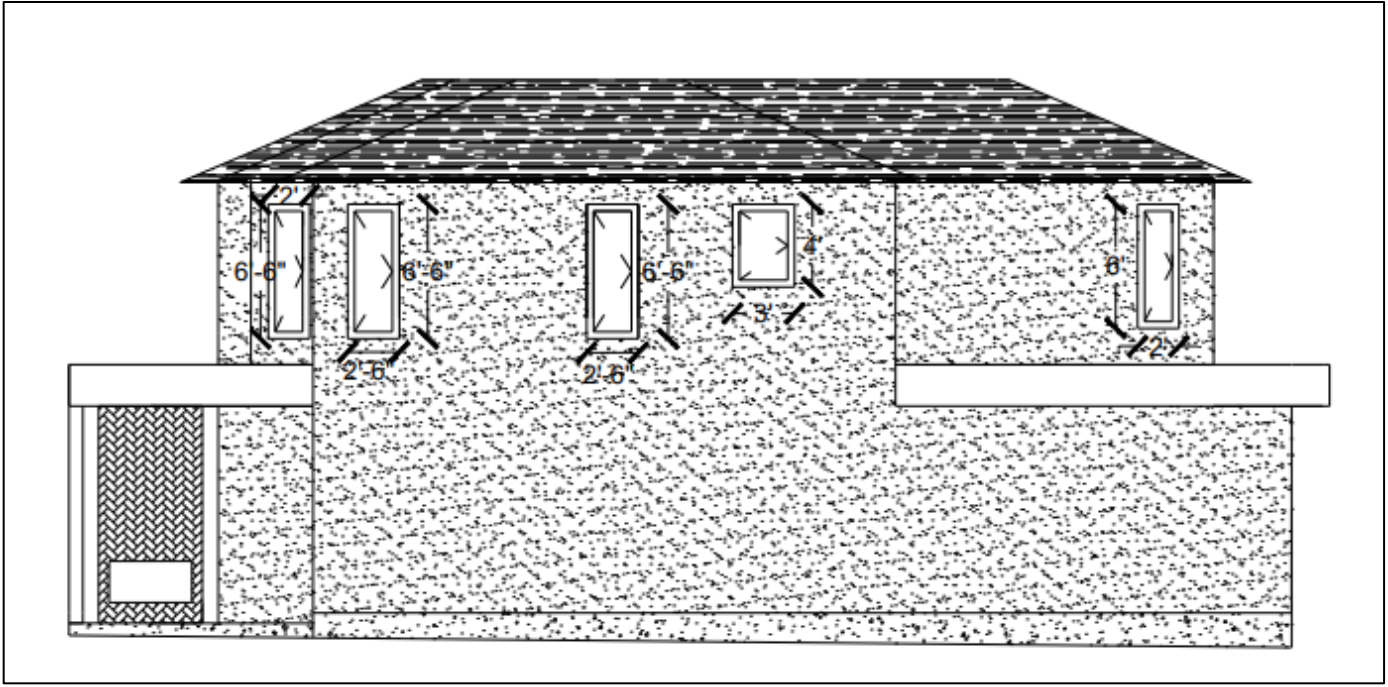
The subject property is located in an area that has experienced redevelopment in the form of replacement dwellings and additions/alterations to existing dwellings. The neighbourhood consists of original one-storey, one-half-storey, and two-storey detached dwellings, as well as newer two-storey detached dwellings. Newer two-storey dwellings in the surrounding area consist of a variety of architectural forms. The subject site is situated between two newer, two-storey detached dwellings with a number of newer two-storey dwellings in the immediate area.



Aerial Photo – 489 Trillium Drive



Front Elevation – 489 Trillium Drive



West Elevation – 489 Trillium Drive



Newly Constructed Neighbouring Dwelling (CAV A/146/2021) – 485 Trillium Drive

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from the provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met.

Staff's comments concerning the application of the four tests to this minor variance request are as follows:

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Low Density Residential by Livable Oakville. Development is required to be evaluated using the criteria established in Section 11.1.9 to maintain and protect the existing neighbourhood character. Staff is of the opinion that the proposal maintains the general neighbourhood character and complies with Livable Oakville.

Does the proposal maintain the general intent and purpose of the Zoning By-law?

Variance #1 – Residential Floor Area (No Objection) – increased from 41% to 45.32%

The intent of the Zoning By-law provision for regulating the maximum residential floor area is to ensure a dwelling’s mass and scale does not appear larger than the dwellings in the surrounding area. The subject property is bounded by newer two-storey detached dwellings and proposes mitigative measures that will reduce the dwelling’s mass and scale impacts on the established neighbourhood.

The impacts of the floor area increase of 4.32% or 31.39 m² are mitigated through the use of one-storey architectural elements, interior, rear yard and primary façade step backs. The overall massing and scale for the proposed dwelling is mitigated through the articulation of the façade, incorporation and use of one-storey architectural elements, and the one-storey step backs of the primary façade and the interior and rear yard step backs. Staff are of the opinion that the request maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

Staff are of the opinion that the proposal represents appropriate development of the subject property. The variance is minor in nature and will not create any undue adverse impacts to adjoining properties or the existing neighbourhood character.

Recommendation:

Staff do not object to the proposed variance. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. The dwelling be constructed in general accordance with the submitted site plan dated 8/7/2024 and elevation drawings dated 7/31/2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.

Requested conditions from circulated agencies:

Fire: No concerns for Fire. Passed.

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Development Engineering: No comments received.

Finance: No Comments received.

Heritage: No heritage issues

Metrolinx: No Comments received.

Halton Region:

- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional Staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit an increase to the maximum residential floor area ratio, under the requirements of the Town of Oakville Zoning By-Law, for the purpose of constructing a two storey detached dwelling on the Subject Property.
- **General ROP Policy**
The Region’s Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as ‘Urban Area’ in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

Note: *The following standard comments apply to all applications. Any additional application specific comments are as shown below.*

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building,

Conservation Halton etc.) should any proposed work be carried out on the property.

- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- Unless otherwise states, the Planning basis for the conditions referenced herein are as follows:
 - Building in general accordance with the submitted site plan and elevation drawings is required to ensure what is requested and ultimately approved, is built on site. This provides assurance and transparency through the process, noting the documents that are submitted with the application, provide the actual planning, neighbourhood and site basis for the request for the variances, and then the plans to be reviewed through the building permit and construction processes.
 - A two (2) year timeframe allows the owner to obtain building permit approval for what is ultimately approved within a reasonable timeframe of the application being heard by the Committee of Adjustment based on the requirements when it is processed, but cognizant of the ever-changing neighbourhoods, policies and regulations which might then dictate a different result. Furthermore, if a building permit is not obtained within this timeframe, a new application would be required and subject to the neighbourhood notice circulation, public comments, applicable policies and regulations at that time.

Requested conditions from circulated agencies:

1. The dwelling be constructed in general accordance with the submitted site plan dated 8/7/2024 and elevation drawings dated 7/31/2024; and
2. That the approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.



Jennifer Ulcar
Secretary-Treasurer

Notice of Public Hearing Committee of Adjustment Application



File # CAV A/092/2024- Deferred from June 12, 2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on Wednesday, September 04, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
Jin Ge	MENGDI ZHEN Z Square Consulting Inc. 2710 14th Ave MARKHAM ON, Canada L3R 0J1	147 Elmwood Rd PLAN 352 LOT 25

Zoning of property: RL5-0, 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 construction of a two-storey detached dwelling on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 6.3.1 (Row 5, Column RL5)</i> The minimum interior side yard shall be 1.2 m.	To reduce the minimum easterly interior side yard to 0.90 m.
2	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 557.50 m ² and 649.99 m ² shall be 42%.	To increase the maximum residential floor area ratio to 46.6%

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 hearing.

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. 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.

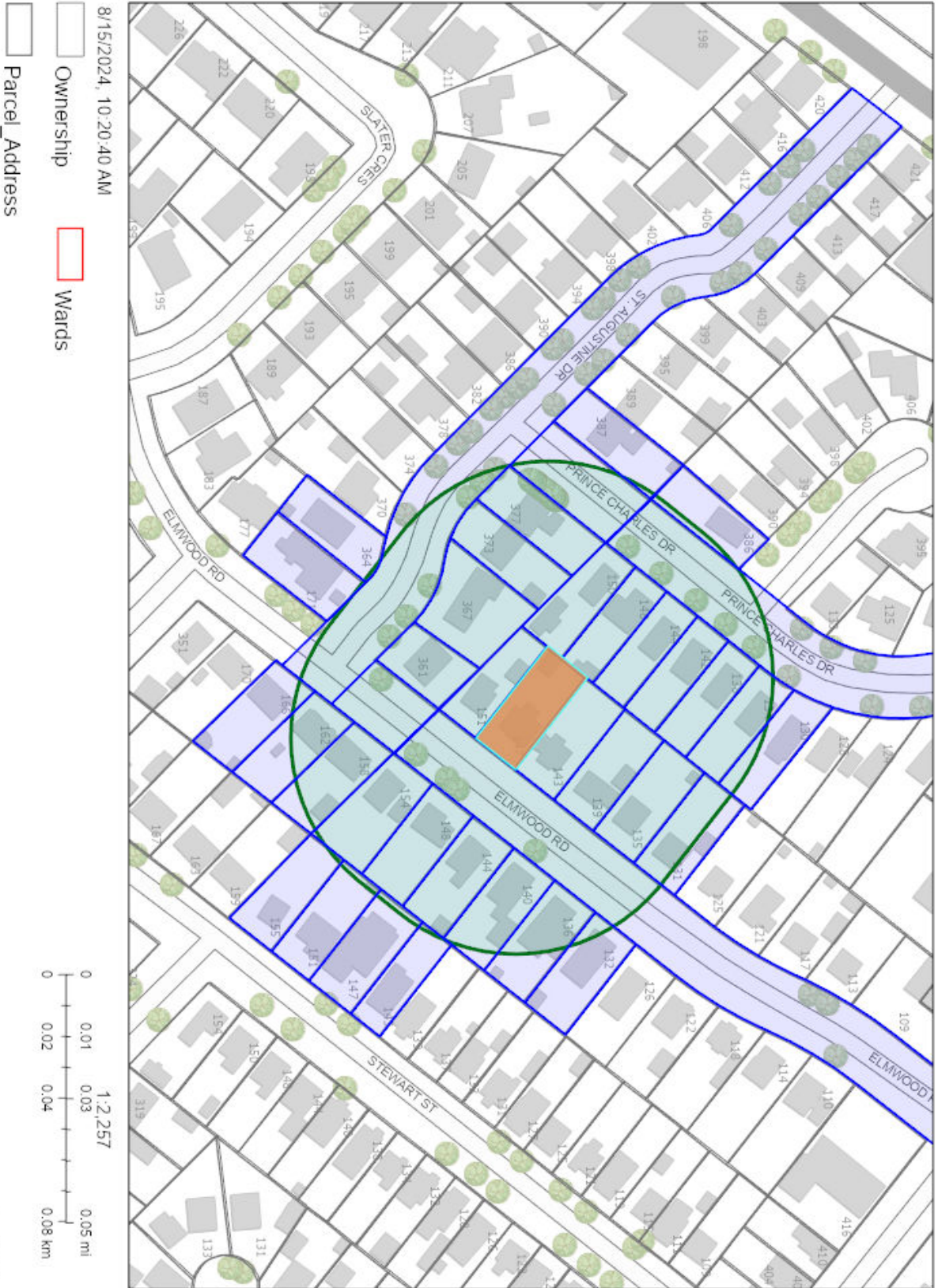
Contact information:

Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/092/2024 - 147 Elmwood Road (Revised)



SITE STATISTICS	PERMITTED	PROPOSED
LOT AREA:	6498.03 FT ² [603.69 M ²]	UNCHANGED
LOT COVERAGE: (ROOFED STRUCTURES)	MAX. 35 % 35 % x 6498.03 FT ² = 2274.3 FT ² [211.3 M ²]	2037 / 6498 = 31.3 % 2008 FT ² [186.55M ²]
RESIDENTIAL FLOOR AREA RATIO (GFA / LOT AREA)	MAX. 42 % 42 % x 6498.03 FT ² = 2729.2 FT ² [603.69 M ²]	3031.8 / 6498.03 FT ² = 46.6 %
FRONT YARD SETBACK	MIN. 1 M LESS EXISTING BUILDING ; 6.1M	6.1 M
REAR YARD SETBACK	MIN. 7.5 M	14.5 M
SIDE SETBACK	1.2 M (WITH ATTACHED GARAGE)	0.9 M
SIDE SETBACK	1.2 M (WITH ATTACHED GARAGE)	2.22 M
HEIGHT	MAX. 9.0 M ; 2 STOREYS	8.92 M ; 2 STOREYS
LOT FRONTAGE	MIN. 15.0 M	UNCHANGED ; 16.1 M
DRIVEWAY WIDTH	MIN. 3.0 M , MAX. 50% OF LOT FRONTAGE	4.9 M

RESIDENTIAL FLOOR AREAS:
 GROUND FLOOR : 1500 FT² (139.42m²)
 SECOND FLOOR : 1680 FT² (156.11m²)
 STAIRS & OPEN TO BELOW : -148.4 FT² (-13.79m²)

EXCLUDED AREAS:
 GARAGE : 486 FT²
 PORCH : 108.15 FT²
 REAR DECK : 183.98 FT²
 BASEMENT : 1465 FT²

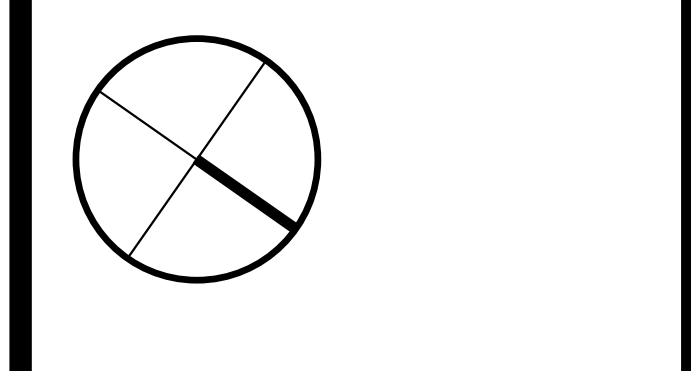
- NOTES:**
- ALL DIMENSIONS AND QUANTITIES OF MATERIALS ARE THE RESPONSIBILITY OF THE CONTRACTOR. AN ACCEPTABLE LEVEL OF FINISH MUST BE ACHIEVED AND APPROVED BY OWNER.
 - ALL TRADES TO VERIFY DIMENSIONS AND DATA HEREIN WITH EXISTING ON SITE.
 - REPORT ALL DISCOVERIES OF ERRORS, OMISSIONS OR DISCREPANCIES TO THE DESIGNER OR DESIGN ENGINEER AS APPLICABLE.
 - GENERAL CONTRACTOR TO PROVIDE ALL BLOCKING REQUIRED IN WALLS TO ACCOMMODATE INSTALLATION OF MILLWORK, ARTWORK, FURNITURE, WASHROOM ACCESSORIES, AND EQUIPMENT.
 - MOULD RESISTANT GYPSUM BOARD IN LIEU OF GYPSUM BOARD INDICATED ON WALL SURFACES WITHIN WASHROOMS & MUDROOMS.
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 - DO NOT SCALE DRAWINGS.

REVISION RECORD

No.	Description	Date
1		2024-02-12

ISSUE RECORD

Z Square Consulting Inc.
 1100 Gordon Baker Road,
 Toronto, Ontario, M2H 3B3
 T 647 291 0088
 E info@zsquareconsulting.com
 W www.zsquareconsulting.com



NEW 2-STOREY DETACHED SINGLE FAMILY DWELLING

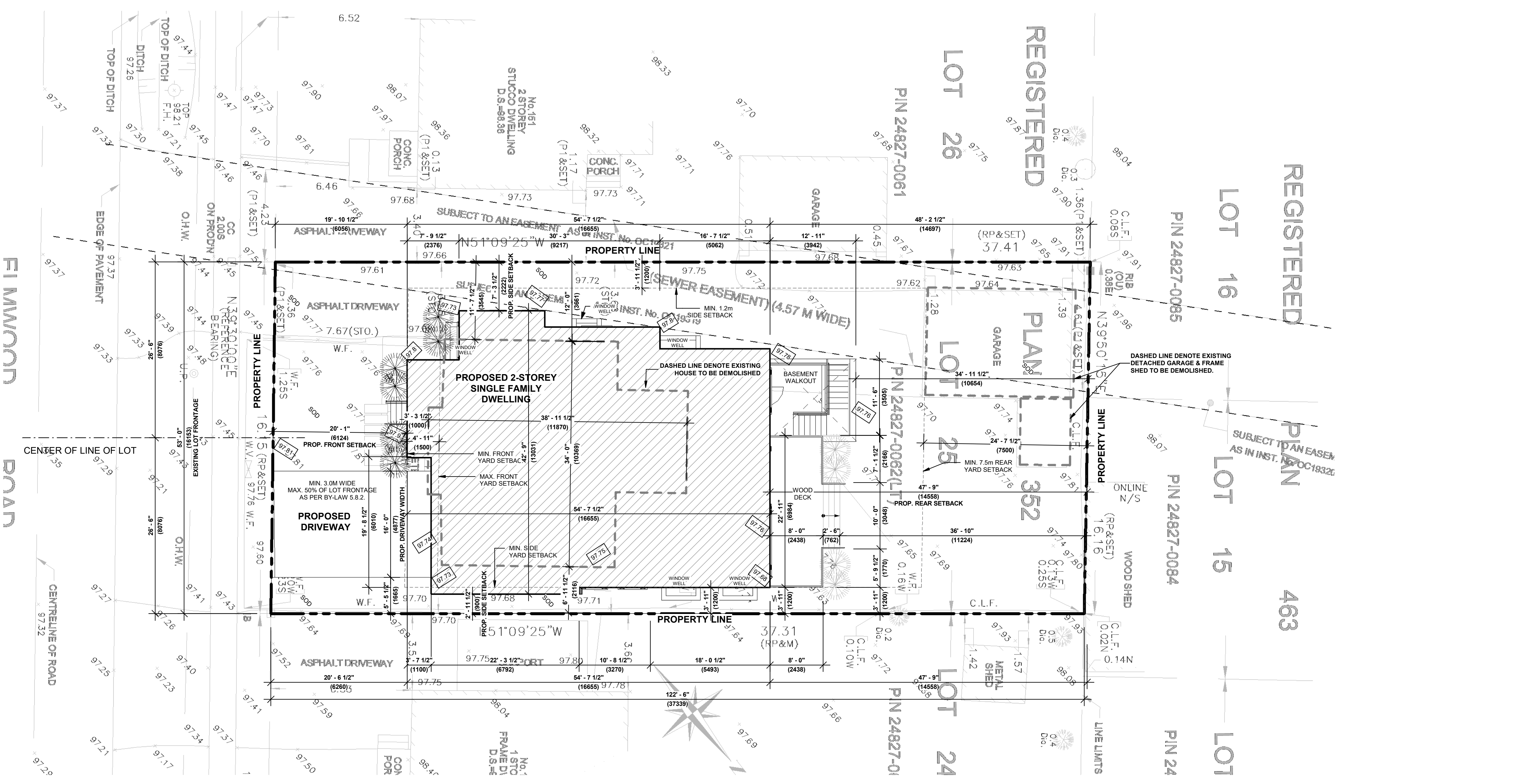
for

24003 As indicated MS ZMD
 PROJECT SCALE DRAWN REVIEWED

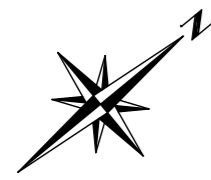
SITE PLAN

A1.1

Note: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.



1 A00 SITE PLAN
 1:100



PRINCE CHARLES DRIVE

REGISTERED PLAN 463

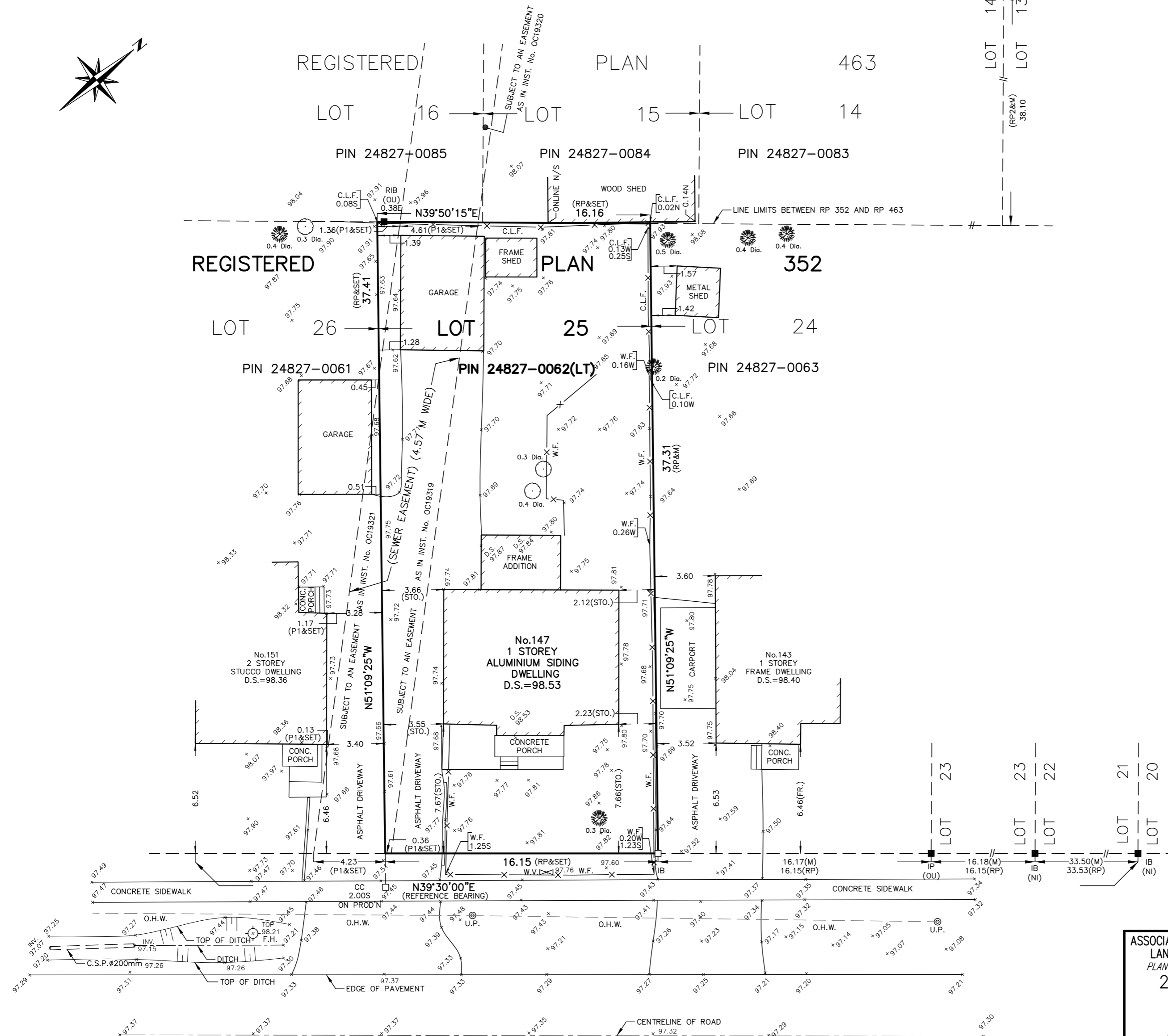
LOT 16 LOT 15 LOT 14

PIN 24827-0085 PIN 24827-0084 PIN 24827-0083

REGISTERED PLAN 352

LOT 26 LOT 25 LOT 24

PIN 24827-0061 PIN 24827-0062(LT) PIN 24827-0063



ELMWOOD ROAD
(BY REGISTERED PLAN 352)
PIN 24827-0060

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY OF
LOT 25
REGISTERED PLAN 352
TOWN OF OAKVILLE
COUNTY OF HALTON

SCALE 1:200



MANDARIN SURVEYORS LIMITED, O.L.S. ©

METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

LEGEND

- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- P1 DENOTES PLAN OF SURVEY BY H. C. SEWELL, O.L.S. DATE AUGUST 29, 1952
- RP DENOTES REGISTERED PLAN 352
- RP2 DENOTES REGISTERED PLAN 463
- PIN DENOTES PROPERTY IDENTIFIER NUMBER
- M DENOTES MEASURED
- N,S,E,W DENOTES NORTH, SOUTH, EAST, WEST
- W.F. DENOTES WIRE FENCE
- C.L.F. DENOTES CHAIN LINK FENCE
- NI DENOTES NOT IDENTIFIABLE
- OU DENOTES ORIGINAL UNKNOWN
- D.S. DENOTES DOOR SILL ELEVATION AT ENTRY
- O.H.W. DENOTES OVERHEAD WIRE
- STO. DENOTES TIE TAKEN FROM STONE
- FR. DENOTES TIE TAKEN FROM FRAME
- ⊕ F.H. DENOTES FIRE HYDRANT
- ⊙ M.H. DENOTES MANHOLE
- ⊙ U.P. DENOTES UTILITY POLE
- ⊗ W.V. DENOTES WATER VALVE
- C.B. DENOTES CATCH BASIN
- 🌲 DENOTES CONIFEROUS TREE
- 🌳 DENOTES DECIDUOUS TREE

ALL TIES TO CONCRETE FOUNDATION, UNLESS NOTED OTHERWISE.
BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHERLY OF ELMWOOD ROAD AS SHOWN ON REGISTERED PLAN 352 HAVING A BEARING OF N39° 30' 00"E.

BENCHMARK NOTE

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE REFERRED TO THE TOWN OF OAKVILLE BENCHMARK No.97 HAVING AN ELEVATION OF 95.019 M. LOCATED AT NE COR OF DOOR SILL AT No. 357 KERR STREET.

THIS REPORT WAS PREPARED FOR GE JIN AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR ITS USE BY OTHER PARTIES.

PART 2 (SURVEY REPORT)

1. REGISTERED EASEMENTS AND/OR RIGHT OF WAYS: SUBJECT TO AN EASEMENT AS IN INST. No. OC19319.
2. ADDITIONAL COMMENTS: NOTE THE LOCATION OF THE FENCES AROUND THE NORTHERLY AND EASTERLY LIMITS OF THE SUBJECT PROPERTY. NOTE THE LOCATION OF THE OVERHEAD WIRE.
3. THIS PLAN DOES NOT CERTIFY COMPLIANCE WITH ZONING BY-LAWS.

SURVEYOR'S CERTIFICATE

- I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 1st DAY OF FEBRUARY, 2024

FEBRUARY 10, 2024
DATE

Z. ZENG
ONTARIO LAND SURVEYOR

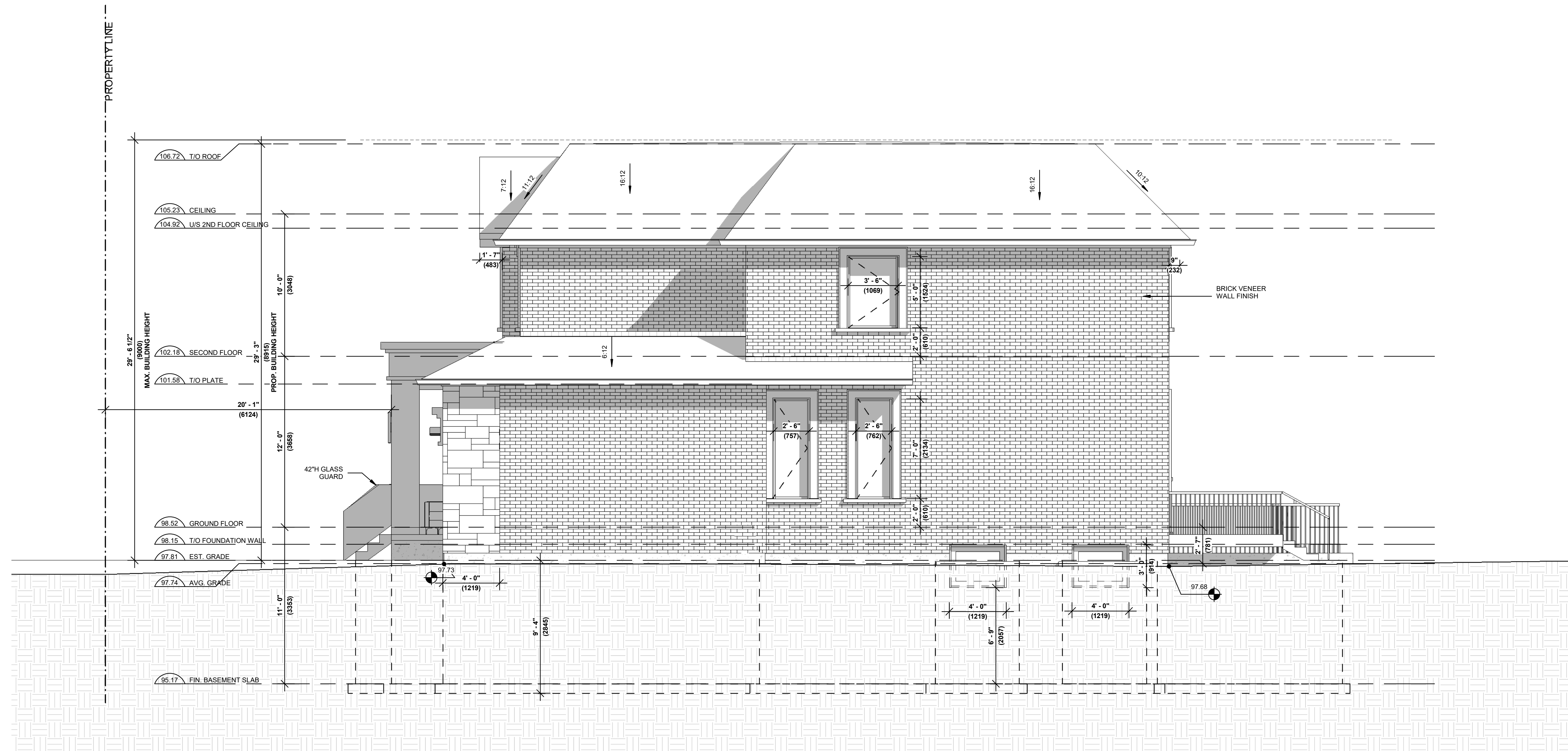
ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
2213064



THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR. In accordance with Regulation 1026, Section 29(3).

MANDARIN SURVEYORS LIMITED
ONTARIO LAND SURVEYOR CANADA LANDS SURVEYOR
WWW.MANDARINSURVEYORS.COM
2400 MIDLAND AVE., #121 PHONE: (647)430-1366
SCARBOROUGH, ONTARIO, M1S 5C1 E-MAIL: MANDARINSURVEYOR@GMAIL.COM

SURVEY BY: J.G. DRAWN BY: E.N. CAD No: 24-018SRPR JOB No: 2024-018



① SOUTH (SIDE) ELEVATION
1:50

NOTES:

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4. GENERAL CONTRACTOR TO PROVIDE ALL BLOCKING REQUIRED IN WALLS TO ACCOMMODATE INSTALLATION OF MILLWORK, ARTWORK, FURNITURE, WASHROOM ACCESSORIES, AND EQUIPMENT.
5. MOULD RESISTANT GYPSUM BOARD IN LIEU OF GYPSUM BOARD INDICATED ON WALL SURFACES WITHIN WASHROOMS & MUDROOMS.
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7. DO NOT SCALE DRAWINGS.

REVISION RECORD

No.	Description	Date
1		2024-02-12

ISSUE RECORD

Z Square Consulting Inc.
 1100 Gordon Baker Road,
 Toronto, Ontario, M2H 3B3
 T 647 291 0088
 E info@zsquareconsulting.com
 W www.zsquareconsulting.com

NEW 2-STOREY DETACHED SINGLE FAMILY DWELLING

for

24003 1:50 PROJECT SCALE LMS ZMD DRAWN REVIEWED

**SOUTH (SIDE) ELEVATION
A3.4**

Note: This drawing is the property of the Architect and may not be reproduced or used without the expressed consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the *Planning Act*, 1990

APPLICATION: CAV A/092/2024 Deferred from June 12, 2024

RELATED FILE: N/A

DATE OF MEETING:

**BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE
AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.**

Applicant / Owner	Authorized Agent	Subject Property
Jin Ge	MENGDI ZHEN Z Square Consulting Inc. 2710 14th Ave MARKHAM ON, Canada L3R 0J1	147 Elmwood Rd PLAN 352 LOT 25

**OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 2**

**ZONING: RL5-0
DISTRICT: West**

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of a two-storey detached dwelling on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 6.3.1 (Row 5, Column RL5)</i> The minimum interior side yard shall be 1.2 m.	To reduce the minimum easterly interior side yard to 0.90 m.
2	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 557.50 m ² and 649.99 m ² shall be 42%.	To increase the maximum residential floor area ratio to 46.6%

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 4, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated. The following comments are provided:

CAV A/092/2024 - 147 Elmwood Road (West District) (OP Designation: Low Density Residential) (*Deferred from June 12, 2024*)

The applicant proposes to demolish the existing one-storey dwelling and construct a new two-storey dwelling. The application was deferred from a previous meeting where staff were not supportive of the application. The proposed dwelling was designed partially within a Regional easement on the property, and in staff’s opinion did not maintain the character of the neighbourhood with the proposed rear yard projection.

The applicant has since revised their proposal to remove the conflict with the easement and providing a nominal improvement to the side yard setback deficiency, however the applicant now requests greater relief from the by-law as it relates to residential floor area as shown in the table below.

Regulation	Requirement	Original Proposal	Current Proposal
Minimum Side Yard	1.2m	0.89m	0.90m
Maximum Residential Floor Area Ration	42%	45.5%	46.6%

The applicant requests the variances listed above. Staff’s comments below are largely identical to the previous application.

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variances from provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met. Staff comments concerning the application of the four tests to this minor variance request are as follows:

Site Area and Context

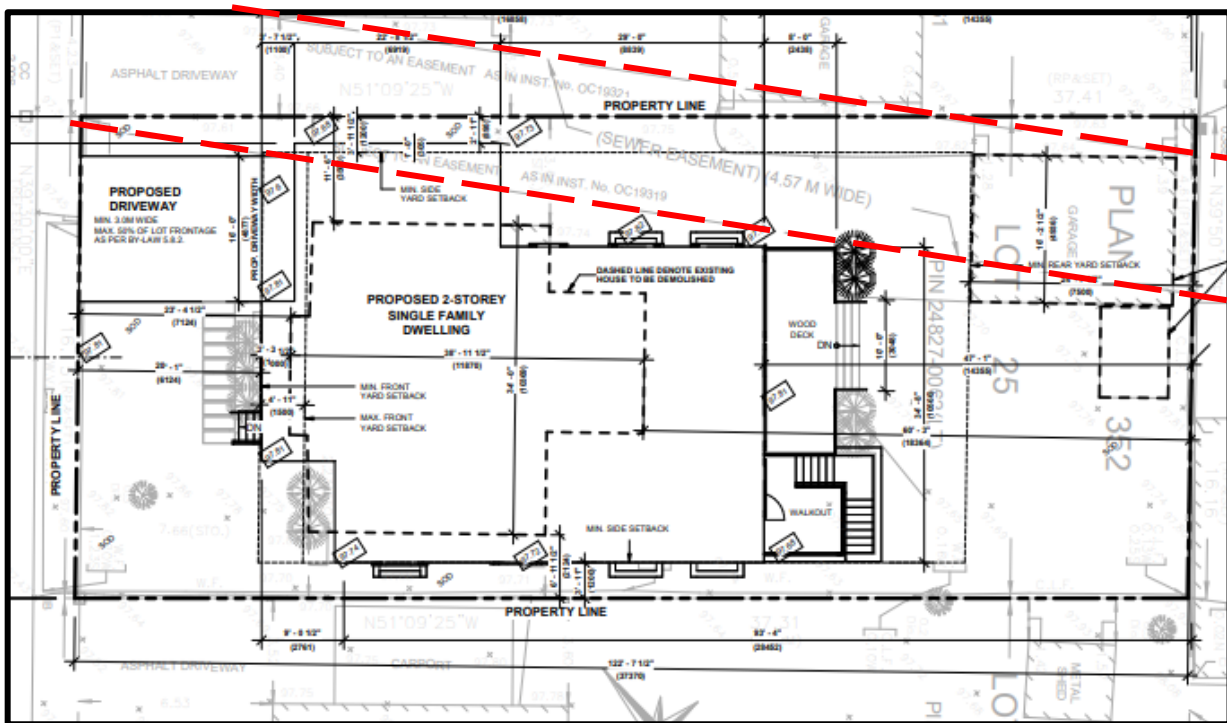
As previously stated in the June 12, 2024 comments:

“The subject lands are within a neighbourhood that predominately consists of original one-storey dwellings, with detached garages, carports, or no garages. The subject lands are adjacent to a two-storey dwelling with a detached garage (151 Elmwood Road) which appears to have undergone a renovation to add the second storey predominantly over the existing footprint, with a minor two-storey addition to the rear, which generally maintained the established rear yard condition of the street. As shown below, the dwellings on the north side of Elmwood Road create a generally consistent rear yard setback pattern for the main dwelling and any detached garages as shown below:



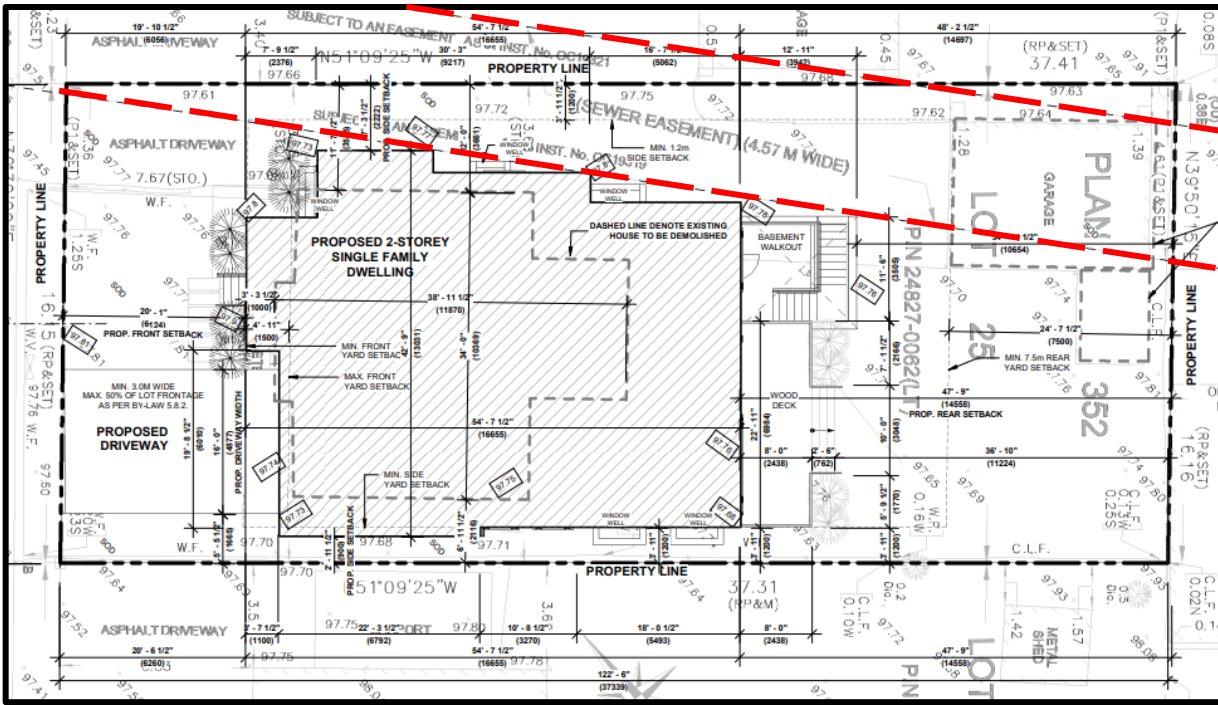
Rear Yard Setback Condition

Staff note that the west side of the subject property is encumbered by a Region of Halton servicing easement, on top of which there is an existing detached garage at the rear of the property. While it appears the applicant is proposing to remove the existing detached garage, the proposed dwelling will encroach into this easement to facilitate the new attached garage.



Previous proposal, Servicing Easement shown in dashed line

The applicant has chosen to relocate the garage to the east side of the lot, and has modified the dwelling to accommodate the easement, shown below.



Revised proposal, Servicing Easement shown in dashed line

The existing and proposed dwelling can be viewed in the images below.



147 Elmwood Road – Existing Dwelling



147 Elmwood Road – Proposed Dwelling June 12, 2024



147 Elmwood Road – Proposed Dwelling September 4, 2024

Staff acknowledge the changes the applicant has made with respect to the removing the dwelling from the easement. However, the nominal improvement in side yard setback from 0.89m to 0.90m and the further increase in residential floor area from 45.5% to 46.6% still results in a dwelling that is not consistent with or maintains the character of the neighbourhood due to the projection into the rear yard. The comments provided by staff for the June 12, 2024 meeting are still applicable and provided below:

“Does the proposal maintain the general intent and purpose of the Official Plan?”

The subject property is designated Low Density Residential in the Official Plan. Development within stable residential communities shall be evaluated against the criteria in Section 11.1.9 to ensure new development will maintain and protect the existing neighbourhood character. The proposal was evaluated against the criteria established under 11.1.9, and the following criteria apply: Policies 11.1.9 a), b), and h) state:

“a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.

b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.

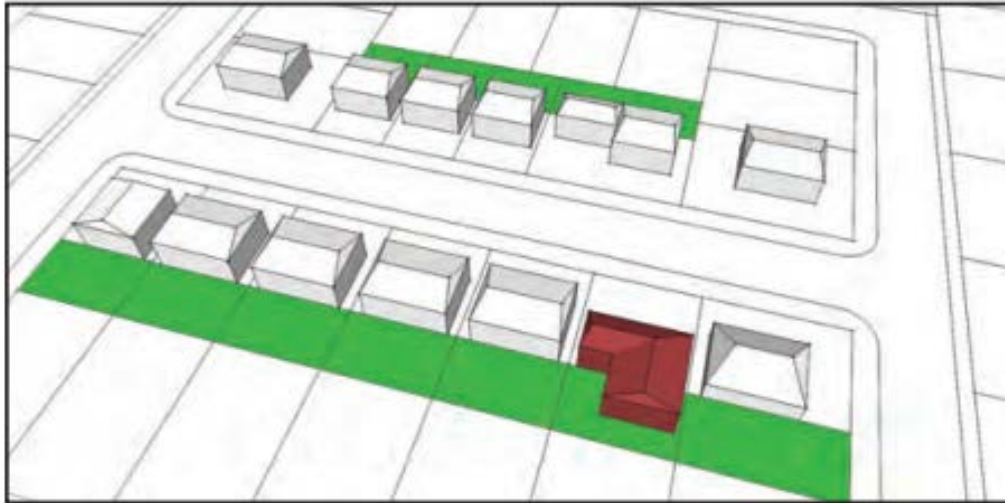
h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.”

Section 6.1.2 c) of Livable Oakville provides that the urban design policies of Livable Oakville will be implemented through design documents, such as the Design Guidelines for Stable Residential Communities, and the Zoning By-law. The variances have been evaluated against the Design Guidelines for Stable Residential Communities, which are used to direct the design of the new development to ensure the maintenance and protection of the existing neighbourhood character in accordance with Section 11.1.9 of Livable Oakville. Staff are of the opinion that the proposal does not implement the Design Guidelines for Stable Residential Communities, in particular, the following sections:

3.1.1 Character: *New development should be designed to maintain and preserve the scale and character of the site and its immediate context and to create compatible transitions between the new dwelling and existing dwellings in the surrounding neighbourhood.*

3.1.3 Scale: *New development should not have the appearance of being substantially larger than the existing dwellings in the immediate vicinity. If a larger massing is proposed, it should be subdivided into smaller building elements that respond to the context of the neighbourhood patterns.*

3.1.5 Rear Yard Privacy: *The design and placement of new development should make every effort to minimize the potential impacts on the privacy of rear yard amenity spaces of adjacent properties by carefully considering building massing and the placement of building projections, decks and balconies, and screening vegetation.*



Discouraged. A two-storey addition projecting into the established rear yard can create an undesirable overlook and shadowing condition on adjacent properties.

3.2.1 Massing: New development, which is larger in overall massing than adjacent dwellings, should be designed to reduce the building massing through the thoughtful composition of smaller elements and forms that visually reflect the scale and character of the dwellings in the surrounding area. The design approach may incorporate:

- Projections and/or recesses of forms and/or wall planes on the façade(s).
- Single-level building elements when located adjacent to lower height dwellings.
- Variations in roof forms.
- Subdividing the larger building into smaller elements through additive and/or repetitive massing techniques.
- Porches and balconies that can reduce the verticality of taller dwellings and bring focus to the main entrance.
- Architectural components that reflect human scale and do not appear monolithic.
- Horizontal detailing to de-emphasize the massing.
- Variation in building materials and colours.

The proposed dwelling creates an undesirable projection into the rear yard and does not provide an adequate transition to dwellings and their associated amenity areas on abutting properties. Along the eastern and western façades, the proposed dwelling does not incorporate design elements that would help to mitigate the impact of the massing and scale on abutting properties. It is staff's opinion that the requested variance for an increase in residential floor area exacerbates this condition.

Further, the reduced side yard setback to the proposed attached garage does not appear to provide adequate space for grading and drainage for the site. On this basis, it is staff's opinion that the requested variances do not maintain the general intent and purpose of the Official Plan."

Does the proposal maintain the general intent and purpose of the Zoning By-law?

The applicant is seeking relief from the Zoning By-law 2014-014, as amended, as follows:

Variance #1 – Interior Yard Setback (Objection) – 1.2m decreased to 0.90m (revised from 0.89m)

The intent of regulating the side yard setback is to ensure adequate spatial separation between dwellings and no negative impacts on drainage. The applicant has modified their proposal and moved the garage to the eastern side of the property and continues to present concerns related to the ability to support drainage on this side. On this basis, staff are of the opinion that the request does not maintain the general intent and purpose of the Zoning By-law.

Variance #2 – Residential Floor Area (Objection) – 42% increased to 46.6% (revised from 45.5%)

The intent of regulating the residential floor area is to prevent a dwelling from having a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. The applicant has made modifications to their proposal that has had the effect of increasing the residential floor area rather than reducing it to better comply with the by-law. The additional floor area continues to exacerbate the rear yard projection of the dwelling by introducing an undesirable massing into the rear yards of the abutting dwellings. The proposed increase in residential floor area contributes to the development of a dwelling that does not maintain or protect the neighbourhood character. On this basis, staff are of the opinion that the requested variance does not maintain the general intent and purpose of the Zoning By-law.

Is the proposal minor in nature or desirable for the appropriate development of the subject lands?

It is staff's opinion that the cumulative impacts of the additional residential floor area and resulting footprint of the dwelling including deficient side yard setback for the attached garage, are not minor in nature or appropriate for the development of the lands. The variances intend to facilitate a development that does not maintain the character of the neighbourhood and proposes additional encumbrance onto the Region of Halton easement.

Recommendation:

On this basis, it is staff's opinion that the application does not maintain the general intent and purpose of the Official Plan, Zoning By-law and is not desirable for the appropriate development of the subject lands. Accordingly, the application does not meet the four tests.

Requested conditions from circulated agencies:

Fire: No concerns for Fire. Passed.

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Finance: No Comments received.

Heritage: No heritage issues.

Halton Region:

- It is understood that this application was deferred from June 12, 2024. Regional comments provided on June 6, 2024 still apply.
- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- Regional staff note that there is a Regional easement on the Subject Property. Buildings, structures, landscaping and other encumbrances are not to be constructed or placed on existing or proposed Regional easements. Regional easement rights must be maintained at all times and not be infringed upon.
- The Region has restricted comments to the subject of this minor variance; the proposed two-storey detached dwelling. There is an existing detached garage located on the easement which is in conflict with the Town of Oakville's Bylaw. The Region understands that this garage is to be demolished which would resolve this issue.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to permit a reduction to the minimum westerly interior side yard and an increase to the maximum residential floor area ratio, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of a two-storey detached dwelling on the subject property.
- General ROP Policy
The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as 'Urban Area' in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: One (1)



Jennifer Ulcar
Secretary-Treasurer

Attachment:
Letter in Opposition - 1

M. VIRGINIA MACLEAN, K.C. L.S.M.
Barrister & Solicitor



Certified Specialist: Municipal Law - Local Government/
Land Use Planning and Development Law

235 Lakeshore Rd. East
Suite 206
Oakville, Ontario L6J 1H7
Tel: 416-365-1993
Email: virginia@virginiamaclean.com
Website: www.virginiamaclean.com

August 30 2024

Jennifer Ulcar
Secretary-Treasurer, Committee of Adjustment,
1225 Trafalgar Rd
Oakville On L6H 0H3

Delivered by E mail

Dear Ms Ulcar::

Re File # CAV A/092/2024- Committee of Adjustment Agenda September 4 2024 item
6.71- 147 Elmwood Rd Deferred from June 12, 2024

This letter of objection to the above identified application is made on behalf of [REDACTED]
[REDACTED] principal, the owner of [REDACTED] Elmwood Rd that abuts the
subject property to the east.

An objection was filed to the first application on behalf of my client and the objection
remains for the amended application. Not only has the applicant/ owner failed to
contact me or my client to discuss the changes but also, in order to leave the Regional
easement clear, he has flipped the house so the garage is now next to my client's
property and is seeking a reduced easterly side yard and increased maximum
residential floor area thereby increasing the negative impacts on my client's property.

The planning staff comments filed with the Committee on June 7 were discussed with
my client. He fully supports those comments in opposition to the application. I have not
seen the planning staff comments on this amended application but I have difficulty
understanding how it can in any way be favourable when it fails to comply with the rear
yard privacy and massing policies of Liveable Oakville. The applicant has totally
disregarded these comments in amending the application. The proposed increase in
maximum residential floor area ratio will adversely impact the use of the rear lot of [REDACTED]
Elmwood and the character of this neighbourhood and does not satisfy one of the four
tests for the granting a variance under section 45 of the *Planning Act*.

My client wishes to urge the Committee to refuse the amended application for reason of
non compliance with section 45 of the *Planning Act* and also, to refuse any further
deferral requests by this applicant.

Notice of Public Hearing Committee of Adjustment Application



File # A/115/2024 – Deferred from August 07, 2024

Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at oakville.ca on Wednesday September 04, 2024 at 7 p.m.

Why am I receiving this notice?

You are receiving this notice because the applicant noted below has submitted 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
Michael Hohnjec	Russell Cheeseman 277 Lakeshore Road E Suite 211 Oakville ON, CANADA L6J 6J3	564 Lyons Lane CON 3 SDS PT LOT 15 RP 20R5733 PARTS 1,2,3,4

Zoning of property: N, Natural Area, By-law 2014-014, as amended

Variance request:

Under Section 45(2) (a) (ii) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to permit six (6) dwelling units within the existing legal non-conforming residential building containing one (1) dwelling unit on the subject property.

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 hearing.

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. 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.

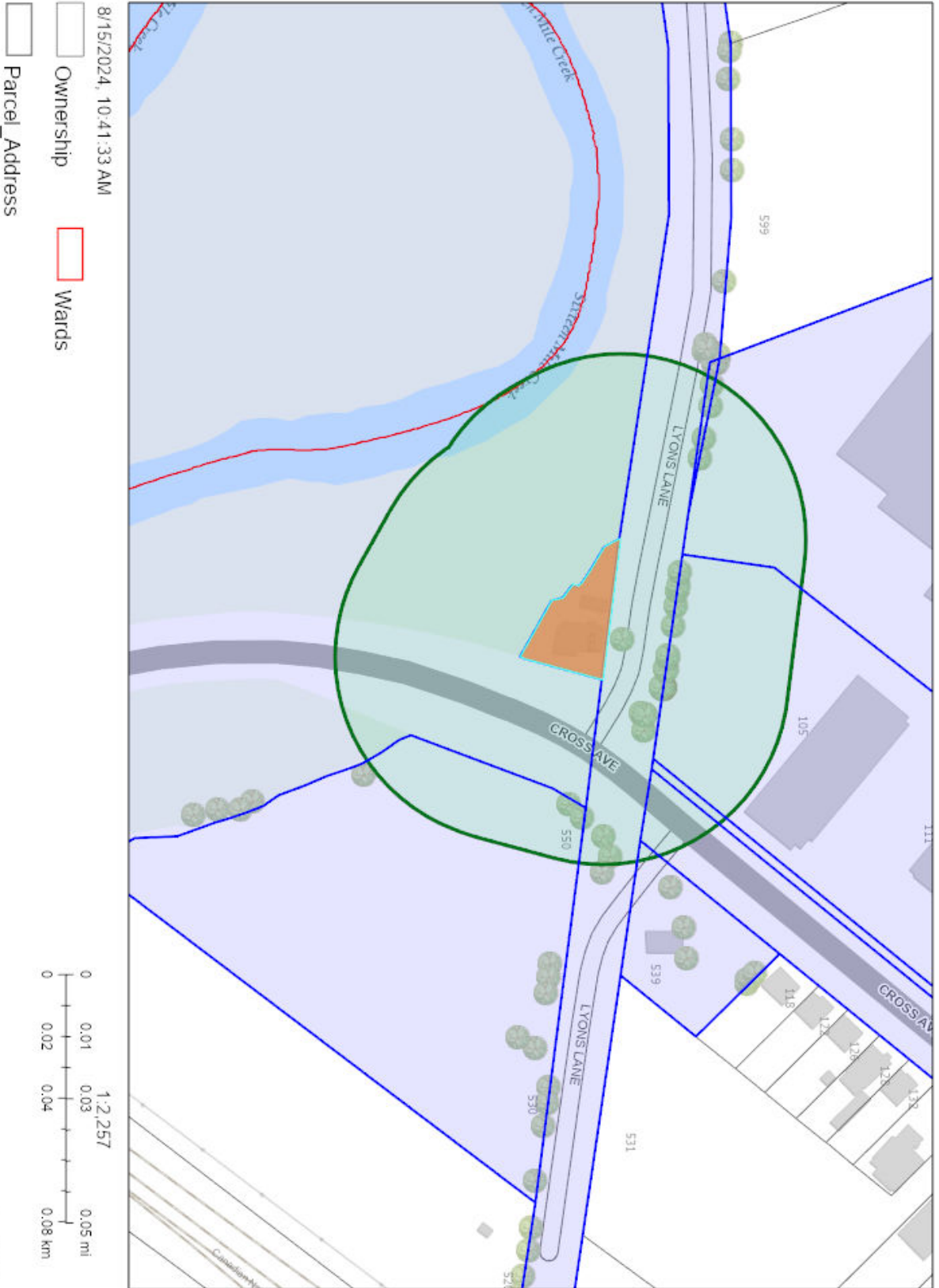
Contact information:

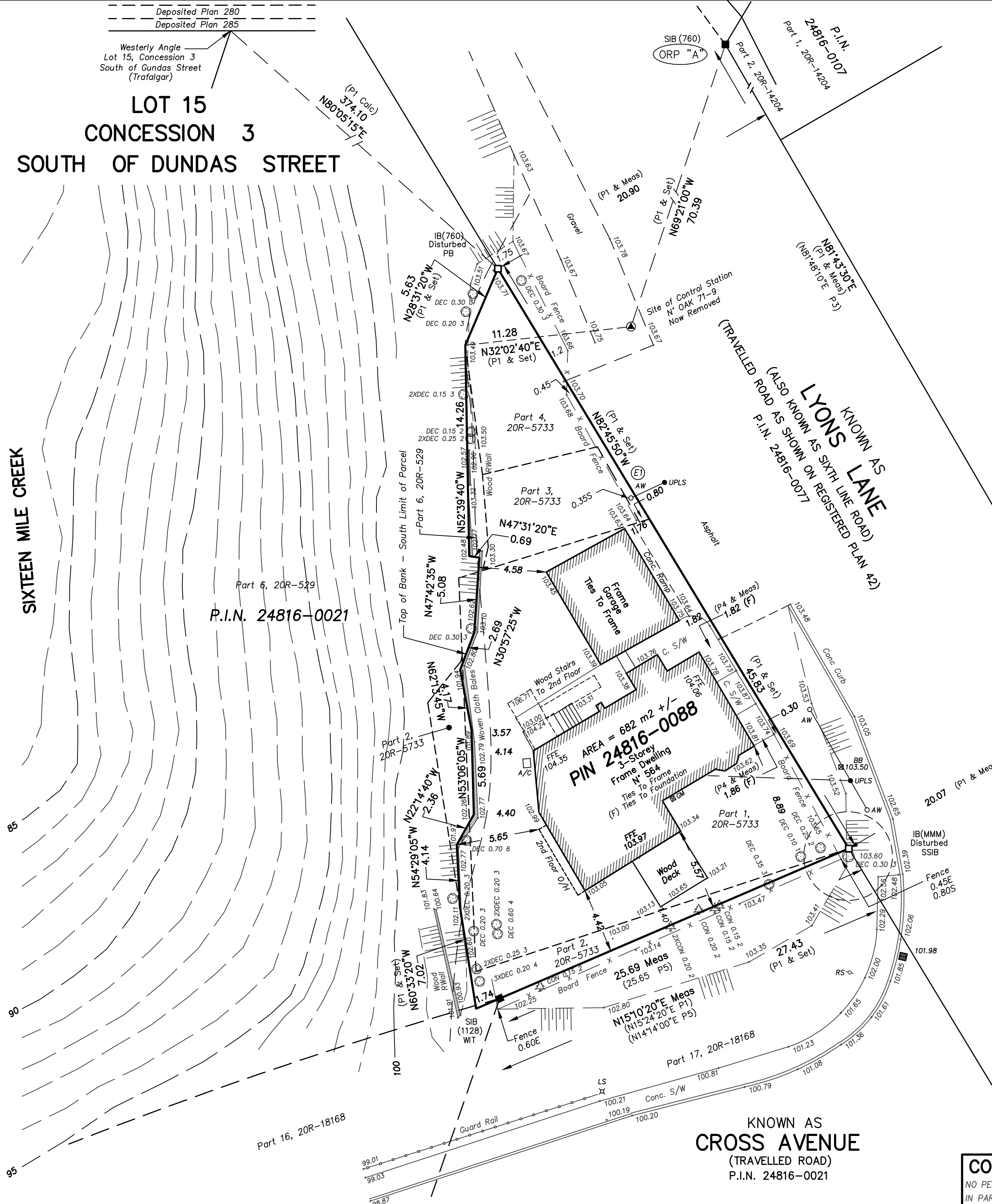
Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3
Phone: 905-845-6601 ext. 1829
Email: coarequests@oakville.ca

Date mailed:

August 20, 2024

CAV A/115/2024 - 564 Lyons Lane (Deferred from Aug. 07, 2024)





PART 2 – SURVEY REPORT

1. LEGAL DESCRIPTION:
PART OF LOT 15, CONCESSION 3 SOUTH OF DUNDAS STREET (TRAFALGAR) BEING PARTS 1,2,3 AND 4, PLAN 20R-5733 SAVE AND EXCEPT PART 6, PLAN 20R-529. THE DESCRIPTION SETS THE SOUTH LIMIT PARTLY AT THE TOP OF BANK OF THE SIXTEEN MILE CREEK.

3. FENCES:
AS INDICATED ON FACE OF THE PLAN.

4. NOTABLE FEATURES:
ASIDE FROM FENCING, THE FOLLOWING ITEM MAY CONSTITUTE AN ENCROACHMENT:
(E1) ANCHOR WIRE ASSOCIATED WITH THE UTILITY POLE AT LYONS LANE IS WITHIN THE LIMITS OF THE SUBJECT LANDS.

5. EASEMENTS/RIGHTS-OF-WAY:
NONE REGISTERED ON TITLE AND AFFECTING THE SUBJECT LANDS.

6. CONSERVATION HALTON:
THE SUBJECT LANDS ARE WITHIN THE SIXTEEN MILE CREEK VALLEY AND SUBJECT TO REGULATION BY THE CONSERVATION HALTON AND PROVINCIAL LAWS AND REGULATIONS.

6. ZONING:
TO BE DETERMINED BY THE ZONING DEPARTMENT OF THE TOWN OF OAKVILLE.

CLIENT'S NOTE
THIS REPORT WAS PREPARED FOR MICHAEL HOHNJEC AND HIS SOLICITOR(S), MORTGAGEE(S) AND (OR) AGENT(S) AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SURVEYOR'S REAL PROPERTY REPORT
PLAN OF SURVEY OF
PART OF LOT 15
CONCESSION 3
South of Dundas Street
(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200

4 0 4 8 12
GRAPHIC SCALE – METRES

BEARING NOTE
ALL BEARINGS SHOWN HEREON ARE UTM GRID, 3° MTM PROJECTION, CENTRAL MERIDIAN 79°30' WEST LONGITUDE, ZONE 10 BEING NAD-83 (CSRS-2010.0) AND WERE DERIVED FROM THE GPS OBSERVATIONS AT POINTS "A" AND "B".
OBSERVED REFERENCE POINTS (ORPs): MTM ZONE 10, NAD-83 (CSRS-2010.0). CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.R.G. 216/10.

POINT N°	NORTHING	EASTING
"A"	4,812,672.73	289,536.02
"B"	4,812,653.56	289,667.76

DISTANCE NOTE
ALL DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED INTO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.9999.

ELEVATION NOTE
ALL ELEVATIONS SHOWN HEREON ARE GEODETIC AND WERE DERIVED FROM THE TOWN OF OAKVILLE BENCHMARK N° 251 HAVING AN ELEVATION OF 118.729m (CGVD-1928:1978).

TREE NOTE
ONLY TREES OF A DIAMETER GREATER THAN 0.15 m WERE RELOCATED FOR THIS PLAN.

METRIC NOTE
ALL DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED INTO FEET BY DIVIDING BY 0.3048.

TOPOGRAPHIC LEGEND

AW	DENOTES ANCHOR WIRE(S)
BB	DENOTES BELL BOX
CON-0.20	DENOTES CONIFEROUS TREE 0.20 DIA
DEC-0.20	DENOTES DECIDUOUS TREE 0.20 DIA
FH	DENOTES FIRE HYDRANT
GM	DENOTES GAS METER
LS	DENOTES LIGHT STANDARD (LAMP)
MH	DENOTES MANHOLE
-OW-	DENOTES OVER HEAD WIRE(S)
UP	DENOTES UTILITY POLE
UPLS	DENOTES UTILITY POLE/LIGHT STANDARD

LEGEND:

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES PLASTIC BAR
CC	DENOTES IRON CUT CROSS
FB	DENOTES PLASTIC BAR
P.I.N.	DENOTES PROPERTY IDENTIFICATION NUMBER
(E1)	DENOTES ENCROACHMENT REFERENCE
(N)	DENOTES NO IDENTIFICATION
(760)	DENOTES MCCONNELL MAUGHAN LTD., O.L.S.
(950)	DENOTES CUNNINGHAM MCCONNELL LIMITED
(1128)	DENOTES D. HORWOOD, O.L.S.
(MMM)	DENOTES MARSHALL MACKLIN MONAGHAN
WIT	DENOTES WITNESS
P-1	DENOTES PLAN 20R-5733
P-2	DENOTES PLAN 20R-529
P-3	DENOTES PLAN 20R-14204
P-4	DENOTES PLAN BY MCCONNELL MAUGHAN DATED JULY 7, 1981
P-5	DENOTES PLAN 20R-18168

ASSOCIATION OF ONTARIO LAND SURVEYORS
LAND SURVEYORS PLAN SUBMISSION FORM
2137647

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR
In accordance with Regulation 1026, Section 29(3).

LEGEND:

■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
IB	DENOTES PLASTIC BAR
CC	DENOTES IRON CUT CROSS
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P-3	DENOTES PLAN 20R-14204
P-4	DENOTES PLAN BY MCCONNELL MAUGHAN DATED JULY 7, 1981
P-5	DENOTES PLAN 20R-18168

SURVEYOR'S CERTIFICATE
I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON NOVEMBER 10, 2020.

DATE: NOVEMBER 12, 2020

JARO A. LEGAT, M.Sc.
ONTARIO LAND SURVEYOR

PIN 24816-0109
PART 3, 20R-14204

CC (950)
ORP "B"

CUNNINGHAM MCCONNELL LIMITED
ONTARIO LAND SURVEYORS
1200 SPEERS ROAD, UNIT 38
OAKVILLE, ONTARIO L6L 2X4
PHONE (905) 845-3497
FAX (905) 845-3519
info@oak@cmlsurveyors.ca

205 MAIN STREET
MILTON, ONTARIO L9T 1N7
PHONE (905) 878-7810
FAX (905) 878-6672
milton.office@cmlsurveyors.ca

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NO PERSON MAY COPY, REPRODUCE, DISTRIBUTE OR ALTER THIS PLAN IN WHOLE OR IN PART WITHOUT THE WRITTEN PERMISSION OF CUNNINGHAM MCCONNELL LIMITED.

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the *Planning Act*, 1990

APPLICATION: CAVA/115/2024 Deferred from August 7, 2024

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, SEPTEMBER 4, 2024 AT 7:00 P.M.

Applicant / Owner	Authorized Agent	Subject Property
Michael Hohnjec	Russell Cheeseman 277 Lakeshore Road E Suite 211 Oakville ON, CANADA L6J 6J3	564 Lyons Lane CON 3 SDS PT LOT 15 RP 20R5733 PARTS 1,2,3,4

OFFICIAL PLAN DESIGNATION: Natural Area – Midtown Growth Area, Lyons District

ZONING: Natural Area

WARD: 3

DISTRICT: East

APPLICATION:

Under Section 45(2) (a) (ii) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to permit six (6) dwelling units within the existing legal non-conforming residential building containing one (1) dwelling unit on the subject property.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

Note: Planning Services includes a consolidated comment from the relevant district teams including, Current, Policy and Heritage Planning, Urban Design and Development Engineering.

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on September 4, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated.

CAV A/115/2024 - 564 Lyons Lane (East District) (OP Designation: Natural Area – Midtown Growth Area, Lyons District)

The application was presented to the Committee on August 7, 2024 when it was deferred at the request of the Committee to obtain additional clarity on the proposal.

The applicant presented their proposal and raised a number of items that the Committee had questions on. In addition to the Planning Staff comments previously provided for the August 7, 2024 meeting, Planning Staff provide the following clarity for the Committee's consideration.

The conclusion provided by staff in the August 7, 2024 comments indicated that conformity with the Official Plan should be considered by the Committee in making its decision. It is staff's opinion that while recognition of the Official Plan policies regarding Legal Non-Conforming uses in Section 28.10 may be valuable to the Committee, it is not part of the test in this application. In other words, the appropriate test is that of similarity as provided by Section 45(2)(a)(ii) of the *Planning Act*.

Should the Committee approve the application, it should be satisfied that in its opinion, the proposal "*is similar to the purpose for which it was used on the day the by-law was passed or is more compatible with the uses permitted by the by-law than the purpose for which it was used on the day the by-law was passed.*"

Requested conditions from circulated agencies:

Fire: No concerns for Fire. Passed.

Oakville Hydro: We do not have any comments.

Transit: No Comments received.

Finance: No Comments received.

Heritage: No heritage issues.

Metrolinx:

- The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

GO/HEAVY-RAIL – CONDITIONS OF APPROVAL

- As per section 3.9 of the Federation of Canadian Municipalities and Railway Association of Canada's Guidelines for New Development in Proximity to Railway Operations, the Owner shall grant Metrolinx an environmental easement for operational emissions. The environmental easement provides clear notification to those who may acquire an interest in the subject property and reduces the potential for future land use conflicts. The environmental easement shall be registered on title of the subject property. A copy of the form of easement is included for the Owner's information. The applicant may contact Farah.Faroque@metrolinx.com with questions and to initiate the registration process. (It should be noted that the registration process can take up to 6 weeks).
- The Proponent shall provide confirmation to Metrolinx, that the following warning clause has been inserted into all Development Agreements, Offers to Purchase, and Agreements of Purchase and Sale or Lease of each dwelling unit within 300 metres of the Railway Corridor:
 - Warning: The Applicant is advised that the subject land is located within Metrolinx's 300 metres railway corridor zone of influence and as such is advised that Metrolinx and its assigns and successors in interest has or have a right-of-way within 300 metres from the subject land. The Applicant is further advised that there may be alterations to or expansions of the rail or other transit facilities or such right-of-way in the future including the possibility

that Metrolinx or any railway entering into an agreement with Metrolinx to use the right-of-way or their assigns or successors as aforesaid may expand or alter their operations, which expansion or alteration may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual lots, blocks or units.

Adjacent Development Review: CAV A/115/2024
564 Lyons Lane, Oakville, ON

Form of Easement

WHEREAS the Transferor is the owner of those lands legally described in the Properties section of the Transfer Easement to which this Schedule is attached (the "Easement Lands").

IN CONSIDERATION OF the sum of TWO DOLLARS (\$2.00) and such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the Transferor, the Transferor transfers to the Transferee, and its successors and assigns, a permanent and perpetual non-exclusive easement or right and interest in the nature of a permanent and perpetual non-exclusive easement over, under, along and upon the whole of the Easement Lands and every part thereof for the purposes of discharging, emitting, releasing or venting thereon or otherwise affecting the Easement Lands at any time during the day or night (provided that doing so is not contrary to law applicable to Metrolinx) with noise, vibration and other sounds and emissions of every nature and kind whatsoever, including fumes, odours, dust, smoke, gaseous and particulate matter, electromagnetic interference and stray current but excluding spills, arising from or out of, or in connection with, any and all present and future railway or other transit facilities and operations upon the lands of the Transferee and including, without limitation, all such facilities and operations presently existing and all future renovations, additions, expansions and other changes to such facilities and all future expansions, extensions, increases, enlargement and other changes to such operations.

THIS Easement and all rights and obligations arising from the above easement shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, tenants, sub-tenants, customers, licensees and other operators, occupants and invitees and each of its or their respective heirs, executors, legal personal representatives, successors and assigns. The covenants and obligations of a party hereto, if such party comprises more than one person, shall be joint and several.

Easement in gross.

Halton Region:

- It is understood that this application was deferred from August 7, 2024. Regional comments provided on August 1, 2024 still apply.
- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become 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 is

being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.

- Regional staff request the following condition be added to the Committee of Adjustment's decision for the subject lands:
 - The Owner should contact the Regional Services Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer Services Permits, and pay all necessary fees, if required.
 - As part of the Services Permit Review, the Owner may be required to comply with Halton Region's multi-unit servicing policy as set out in report PPW01-96, specifically Section 3.3.
- Regional staff has no objection, subject to the above-noted condition being included, to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting six (6) dwelling units within the existing legal non-conforming residential building containing one (1) dwelling unit on the Subject Property.
- General ROP Policy
The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. All proposed Minor Variances are located on lands that are designated as 'Urban Area' in the 2009 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 which 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. All development, however, will be subject to the policies of the ROP.

Union Gas: No Comments received

Bell Canada: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

Note: The following standard comments apply to all applications. Any additional application specific comments are as shown below.

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.

- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.



Jennifer Ulcar
Secretary-Treasurer