



# Committee of Adjustment Town of Oakville

## AGENDA

Date: April 2, 2025  
Time: 7:00 pm  
Location: Virtual Meeting

Live streaming video is available at [oakville.ca/live.html](http://oakville.ca/live.html) or the Town's YouTube channel at [youtube.com/user/townofOakvilleTV](https://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](mailto:coarequests@oakville.ca), or call 905-845-6601 ext. 1829, by noon the day before the hearing date.

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	<b>Pages</b>
1. Reading of Preamble	
2. Regrets	
3. Declarations of Pecuniary Interest	
4. Requests for Deferrals or Withdrawals of Applications	
5. Consent Application(s)	
None.	
6. Minor Variance Application(s)	
6.1 A/041/2025 - 2400 Baronwood Drive	3 - 13
6.2 A/042/2025 - 2202 Brookhaven Crescent	14 - 29
6.3 A/043/2025 - 1374 Sedgewick Crescent	30 - 44
6.4 A/044/2025 - 426 Brookside Drive	45 - 62
6.5 A/045/2025 - 3280 Post Road	63 - 72

6.6	A/046/2025 - 750 Redwood Square	73 - 85
6.7	A/047/2025 - 1321 Duncan Road	86 - 98
6.8	A/005/2025 - 363 Margaret Drive (Deferred from January 22, 2025)	99 - 153
6.9	A/018/2025 - 190 Donessle Drive (Deferred from February 19, 2025)	154 - 174
6.10	A/023/2025 - 2358 Rebecca Street (Deferred from February 19, 2025)	175 - 192

7. Confirmation of Minutes

8. Adjournment



# Notice of Public Hearing Committee of Adjustment Application



File # A/041/2025

### Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 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. Kachwala	MAULIN MAVANI DVM Engineering Inc. 6820 Kitimat Rd Mississauga ON, L5N 5M3	2400 Baronwood Dr PLAN M1024 PT BLK 5 RP 20R20826 PARTS 8 AND 9

**Zoning of property:** RM1 sp:269, Residential Medium

### 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 an attached additional residential unit on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 5.2.1 row 15)</i> An attached additional residential unit shall require 1.0 additional parking space.	To require no additional parking space for the attached additional residential unit.

### 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](http://oakville.ca). The live-stream will begin just before 7 p.m.

**More information:**

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

**Notice of decision:**

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

**Contact information:**

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

**Date mailed:**

March 18, 2025

A/041/2025 - 2400 Baronwood Drive



# FINISH BASEMENT – SECOND UNIT

## 2400 BARONWOOD DR, OAKVILLE

ISSUE TABLE		
NO.	DATE	DESCRIPTION
1.	01-23-2025	ISSUED FOR BUILDING PERMIT
2.	02-07-2025	ISSUED FOR MINOR VARIANCE

REVISION TABLE		
NO.	DATE	DESCRIPTION
1.	01-23-2025	ISSUED FOR BUILDING PERMIT



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**DVM ENGINEERING**

6820 KITIMAT RD., SUITE #8  
MISSISSAUGA, ON L5N 5M3  
Ph: (416) 451-5114  
info@dvmeng.com

PROJECT:

**FINISH BASEMENT  
SECOND DWELLING**

PROJECT ADDRESS:

**2400 BARONWOOD DR,  
OAKVILLE, ON L6M 0J7**

DRAWING TITLE:

**COVERPAGE**

DESIGNED BY: J.M.	DRAWN BY: G.M.	CHECKED BY: M.M.
PROJECT NO.: <b>24012</b>	SCALE: AS SHOWN	DATE: FEB 07, 2025
DRAWING NO.: <b>A-0.0</b>	REVISION NO.: <b>R1</b>	ISSUED FOR MINOR VARIANCE



PREPARED BY:

**DVM ENGINEERING**

6820 KITIMAT RD., SUITE #8  
MISSISSAUGA, ON L5N 5M3  
Ph: (416) 451-5114  
info@dvmeng.com

SITE DATA	
LOT AREA:	211.52 SQ M
ZONING	RM1 SP:269
BASEMENT FLOOR AREA:	56.19 SQ M
MAIN FLOOR AREA:	68.24 SQ M
SECOND FLOOR AREA:	65.01 SQ M

DRAWING LIST	
DWG. NO.	DWG. TITLE
A-0.0	COVERPAGE
A-1.0	GENERAL NOTES AND SITE PLAN
A-2.0	ALL FLOOR PLAN
A-3.0	ELEVATION AND SECTION
A-4.0	PLUMBING DETAIL
A-5.0	ASSEMBLY DETAIL

1 SITE DATA  
A-0.0 SCALE 1:50

2 DRAWING LIST  
A-0.0 SCALE 1:50

3 EXISTING FRONT ELEVATION  
A-0.0 SCALE 1:50



**GENERAL NOTES:**

1. READ IN CONJUNCTION WITH THE PROJECT SPECIFICATIONS.
2. CONTRACTOR IS RESPONSIBLE FOR ALL SITE PROTECTION AND SAFETY AND SHALL ENSURE THAT ALL CONSTRUCTION DEBRIS, MATERIAL STORAGE, DELIVERIES, EQUIPMENT, ETC. IS CONTAINED WITHIN THE PROJECT SITE BOUNDARIES.
3. CONTRACTOR SHALL ENSURE THAT ALL MATERIAL EXCLUDING NATIVE SOILS AND GRANULAR FILL SHALL BE STORED IN A DRY LOCATION AND PROTECTED FROM THE ELEMENTS.
4. CONTRACTOR SHALL REPORT ANY DISCREPANCIES BETWEEN THE DRAWINGS AND SITE CONDITIONS TO THE ARCHITECT PRIOR TO COMMENCING ANY WORK.
5. CONTRACTOR SHALL ENSURE THAT ALL EXISTING TREES WITHIN THE PROJECT AREA SHALL BE PROTECTED FROM DAMAGE DURING THE COURSE OF CONSTRUCTION.
6. CONTRACTOR SHALL COORDINATE AND OBTAIN ALL WRITTEN APPROVALS FROM AUTHORITIES HAVING JURISDICTION PRIOR TO COMMENCING ANY WORK.
7. CONTRACTOR SHALL COORDINATE WITH ALL MUNICIPAL AND PRIVATE SERVICE PROVIDERS TO OBTAIN UNDERGROUND AND / OR ABOVE GROUND SERVICES LOCATES PRIOR TO COMMENCING ANY WORK.
8. CONTRACTOR SHALL LAYOUT ALL PARTITION LOCATIONS FOR CONSULTANT'S REVIEW AND ADVISE CONSULTANT OF ANY DISCREPANCIES WITH THE DIMENSIONED PLANS OR CONFLICTS WITH OTHER PARTS OF THE WORK.
9. ALL HINGED JAMBS OF THE DOOR FRAMES SHALL BE LOCATED 4" (100MM) FROM ADJACENT WALLS UNLESS NOTED OTHERWISE.
10. CONTRACTOR TO FOLLOW ALL MANUFACTURER'S RECOMMENDED INSTALLATION AND SPECIFICATIONS FOR ALL FLOORING MATERIAL.
11. ALL FLOOR AREAS TO BE FEATHERED AS NECESSARY TO ENSURE THE SURFACE IS COMPLETELY SMOOTH PRIOR TO INSTALLATION OF FLOOR FINISHES. PROVIDE SKIM COAT AS REQUIRED.
12. WHERE A CHANGE OF FLOORING MATERIAL OCCURS, JOINT IS TO BE IN LINE WITH THE DOOR THRESHOLD AND CONTRACTOR TO ENSURE THAT JOINT IS SMOOTH AND TIGHT.
13. CONTRACTOR TO PROTECT ALL EXISTING FINISH SURFACES TO REMAIN DURING THE COURSE OF CONSTRUCTION.
14. ALL EXPOSED SURFACES SUCH AS ACCESS PANELS, GRILLES AND LINEAR DIFFUSERS ARE TO BE PAINTED TO MATCH THE CEILING COLOUR OR MATCH EXISTING LIKE MATERIALS UNLESS OTHERWISE NOTED.
15. ENSURE ALL JUNCTIONS BETWEEN DRYWALL AND ADJACENT SURFACES ARE SEAMLESS. PROVIDE CAULKING AT WOOD FRAME AND BASEBOARD JOINTS WHEN ADJACENT TO DRYWALL.
16. PROVIDE 'BLUESKIN' WATERPROOF MEMBRANE AROUND ALL WINDOWS AND DOOR OPENINGS.
17. PROVIDE CONTINUOUS METAL FLASHING AT ALL BASE LOCATIONS
18. PROVIDE BELOW GRADE 1-1/2" RIGID INSULATION TO A MIN. 2'-0" BELOW GRADE AT FOUNDATION WALLS.
19. ALL FLOOR JOISTS SHALL BE SUPPORTED WITH JOIST HANGERS FULLY SECURED AS PER MANUFACTURER'S SPECIFICATION IN ALL AREAS OF FLUSH WOOD LINTELS AND LEDGER BOARDS.
20. ALL WOOD BEAMS AND LINTELS SHALL HAVE A MINIMUM 6" SOLID BEARING.
21. UNLESS OTHERWISE NOTED ALL LEDGER WALL ANCHORS SHALL BE 1/2" FULLY THREADED ROD c/w WELD NUTS, 1/2" WASHERS, AND LOCK WASHERS SECURED FROM BOTH ENDS.
22. UNLESS OTHERWISE NOTED ALL LVL LUMBER SHALL BE GRADE 2E
23. UNLESS OTHERWISE NOTED ALL SOLID BEARING (SB) SHALL BE A MINIMUM 3 STUD MEMBERS SIZED TO MATCH WALL STUD.
24. UNLESS OTHERWISE NOTED ALL MULTIPLE WOOD MEMBERS SHALL BE MECHANICALLY SECURED TO ONE ANOTHER WITH A MINIMUM OF 3-29" ARDOX SPIRAL NAILS SPACED AT 6" o/c.
25. PROVIDE A MINIMUM 6" SOLID BEARING FOR ALL BEAM TYPES UNLESS OTHERWISE SPECIFIED.
26. CONTRACTOR SHALL ENSURE THAT ALL EXISTING FOOTINGS ARE PROTECTED AND ARE NOT DISTURBED AS A RESULT OF EXCAVATION REQUIREMENTS FOR NEW FOOTINGS.
27. CONTRACTOR SHALL BE RESPONSIBLE TO ERECT AND MAINTAIN ALL NECESSARY HOARDING AND SAFETY PRECAUTIONS IN ACCORDANCE WITH THE LATEST EDITION OF THE WSIB REGULATIONS. CONTRACTOR SHALL PROVIDE THE CLIENT WITH WRITTEN DOCUMENTATION FOR REVIEW PERTAINING TO THE TYPE, LOCATION, AND PHYSICAL REQUIREMENTS OF ANY HOARDING OR SAFETY PRECAUTIONS THAT MAY BE USED DURING THE COURSE OF THE WORK.
28. CONTRACTOR TO ENSURE THAT ALL SURFACES ARE PROPERLY CLEANED AND PREPARED TO RECEIVE FINISHES.
29. PATCH AND REPAIR ALL EXISTING SURFACES AFFECTED BY THE WORK AND PREPARE TO ACCEPT NEW FINISHES AS PER DOCUMENTS.
30. REFER TO SPECIFICATIONS, SCHEDULES AND PLANS FOR PRODUCTS AND COLOUR INFORMATION FOR ALL FINISHES. REMOVE ALL SURFACE APPLIED ACCESSORIES, COVER PLATES AND OTHER DEVICES PRIOR TO PREPARING WALLS FOR NEW FINISHES. REINSTALL AFTER FINISHING IS COMPLETE ENSURING ACCESSORIES ARE LEVEL AND CLEAN.
31. ENSURE ALL MATERIAL ON SITE IS STORED IN A DRY AREA FREE OF WATER AND MOISTURE. ENSURE ALL WOOD WHEN DELIVERED IS TAPED AND COVERED TO AVOID MOISTURE.
32. ALL MATERIAL JOINTS AT GARAGE DEMISING PARTITIONS TO BE CAULKED WITH ACOUSTICAL CAULKING TO ENSURE GAS/VAPOUR SEAL.
33. ATTIC HATCH SHALL BE A MINIMUM 1'-7 1/2" x 2'-4" c/w WEATHER-STRIPPING AND R-40 RIGID INSULATION BACKING

**SMOKE ALARMS/CARBON MONOXIDE DETECTORS:**

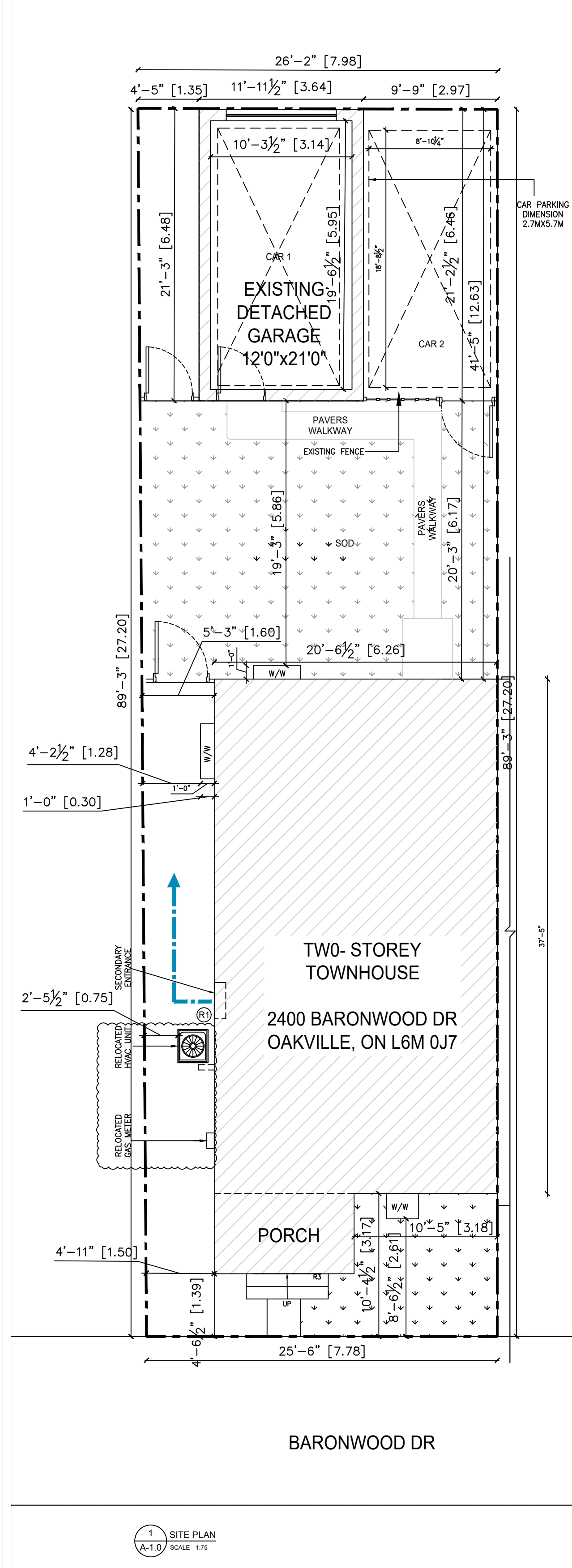
1. PROVIDE ONE SMOKE ALARM PER FLOOR WITHIN 2 METERS OF THE TOP OF EACH STAIR RUN.
2. PROVIDE SMOKE ALARMS IN OR OUTSIDE EACH BEDROOM, IF OUTSIDE WITHIN 5 METERS MEASURED FOLLOWING CORRIDORS AND DOORWAYS, OF THE BEDROOM DOOR.
3. EACH ALARM SHALL BE PERMANENTLY CONNECTED TO AN ELECTRICAL CIRCUIT AND SHALL HAVE NO DISCONNECT SWITCH BETWEEN THE OVERCURRENT DEVICE AND THE ALARM.
4. EACH ALARM SHALL BE WIRED SO AS TO ACTIVATE SIMULTANEOUSLY IF ONE ALARM IS ACTIVATED.
5. SMOKE ALARMS SHALL BE INSTALLED IN CONFORMANCE TO MANUFACTURERS INSTRUCTIONS.
6. CARBON MONOXIDE DETECTORS SHALL CONFORM TO: CAN./CGA-6.19 RESIDENTIAL CARBON MONOXIDE DETECTORS OR CSA 6.19 RESIDENTIAL CARBON MONOXIDE ALARMING DEVICES, OR UL 2034, SINGLE AND MULTIPLE STATION CARBON MONOXIDE DETECTORS.
7. PROVIDE CEILING MOUNTED CARBON MONOXIDE DETECTORS ADJACENT TO EACH BEDROOM.
8. EACH DETECTOR SHALL BE PERMANENTLY CONNECTED TO AN ELECTRICAL CIRCUIT AND SHALL HAVE NO DISCONNECT SWITCH BETWEEN THE OVERCURRENT DEVICE AND THE DETECTOR. EACH DETECTOR SHALL BE WIRED SO THAT ITS ACTIVATION WILL ACTIVATE ALL DETECTORS.
9. EACH DETECTOR SHALL BE EQUIPPED WITH AN ALARM THAT IS AUDIBLE WITHIN THE BEDROOMS WHEN THE INTERVENING DOORS ARE CLOSED, AND WHERE LOCATED ADJACENT TO BED ROOMS.

**STAIRS HANDRAILS AND GUARDS:**

- STAIRS:**
1. STAIR TREAD AND RISERS SHALL BE CONSTRUCTED WITH A UNIFORM RISE AND RUN IN ANY ONE FLIGHT.  
STAIR RISE, RUN, TREAD AND NOSING  
MAXIMUM RISE = 8"  
MAXIMUM RUN = 10"  
MAXIMUM TREAD = 10"  
MAXIMUM NOSING = 1"

- HEADROOM:**
1. THE HEADROOM MEASURED VERTICALLY FROM A LINE DRAWN THROUGH THE OUTER EDGES OF THE NOSINGS SHALL BE AT LEAST 6'-5".

- HANDRAILS:**
1. HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF STAIRS LESS THAN 3'-7" IN WIDTH AND TWO SIDES OF STAIRS GREATER THAN 3'-7" IN WIDTH.
  2. NO HANDRAILS ARE REQUIRED FOR INTERIOR STAIRS NOT MORE THAN 2 RISERS, AND EXTERIOR STAIRS NOT MORE THAN 3 RISERS.
  3. PROVIDE ONE HANDRAIL FOR EXTERIOR STAIRS HAVING MORE THAN 3 RISERS.
  4. HANDRAILS SHALL BE PLACED AT BETWEEN 2'-7" TO 3'-2" IN HEIGHT.
  5. PROVIDE A MINIMUM 1 1/4" CLEARANCE BETWEEN HANDRAILS AND WALLS.
  6. HANDRAILS SHALL BE ATTACHED TO WOOD STUDS, BLOCKING, STEEL STUDS OR MASONRY AT POINTS SPACED NOT MORE THAN 4'-8" APART.
  7. MINIMUM HEIGHT OF GUARD SHALL BE 3'-0" AFF WHERE THE WALKING SURFACE SERVED BY THE GUARD IS LESS THAN 6'-0" ABOVE THE FINISHED GROUND LEVEL.
  8. MINIMUM HEIGHT OF GUARD WHERE WALKING SURFACE EXCEEDS 6'-0" ABOVE THE FINISHED GROUND FLOOR LEVEL IS 3'-6".
  9. NO OPENING WITHIN THE GUARD SHALL ALLOW THE PASSAGE OF A 4" Ø SPHERE.



**SITE STATISTICS AND ZONING PROVISIONS**

MUNICIPAL ADDRESS:  
2400 BARONWOOD DR  
OAKVILLE, ON L6M 0J7

ZONING DESIGNATION: RM1 sp:269

PROJECT DESCRIPTION: BUILDING PERMIT APPLICATION FOR NEW DETACHED HOUSE AT 3151, MERRITT AVE, MISSISSAUGA, ON.

	PERMITTED	EXISTING	PROPOSED
MIN. LOT AREA		371.20 SQ M	371.20 SQ M
MIN. LOT FRONTAGE		12.19 M.	12.19 M.
GROSS FLOOR AREA			
BASEMENT FLOOR AREA			56.19 SQ M
MAIN FLOOR AREA		68.24 SQ M	68.24 SQ M
SECOND FL. AREA		65.01 SQ M	65.01 SQ M
TOTAL GROSS FLOOR AREA		133.25 SQ M	189.44 SQ M.
BUILDING COVERAGE AREA		76.90 SQ M	76.90 SQ M
MIN. FRONT YARD SETBACK		1.39 M	1.39 M
MIN. SIDE YARD RIGHT SIDE		0.0 M	0.0 M
MIN. SIDE YARD LEFT SIDE		1.50 M	1.50 M
MIN. REAR YARD		12.63 M	12.63 M
PARKING(NO)		2	2

NOTE FOR MINOR VARIANCE :  
OUR PROPERTY HAS TWO (2) PARKING SPACES: ONE (1) INTERIOR AND ONE (1) EXTERIOR. DUE TO SITE CONSTRAINTS, WE ARE UNABLE TO ACCOMMODATE A THIRD PARKING SPACE AS REQUIRED BY THE BY-LAW. THEREFORE, WE ARE REQUESTING A MINOR VARIANCE TO PERMIT AN EXEMPTION FROM THE REQUIREMENT FOR A THIRD PARKING SPACE.

**ISSUE TABLE**

NO.	DATE	DESCRIPTION
1.	01-23-2025	ISSUED FOR BUILDING PERMIT
2.	02-07-2025	ISSUED FOR MINOR VARIANCE

**REVISION TABLE**

NO.	DATE	DESCRIPTION
1.	01-23-2025	ISSUED FOR BUILDING PERMIT



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**DVM ENGINEERING**

6820 KITIMAT RD., SUITE #8  
MISSISSAUGA, ON L5N 5M3  
Ph: (416) 451-5114  
info@dvmeng.com

PROJECT:

**FINISH BASEMENT  
SECOND DWELLING**

PROJECT ADDRESS:

**2400 BARONWOOD DR,  
OAKVILLE, ON L6M 0J7**

DRAWING TITLE:

**GENERAL NOTES AND SITE  
PLAN, SITE DATA**

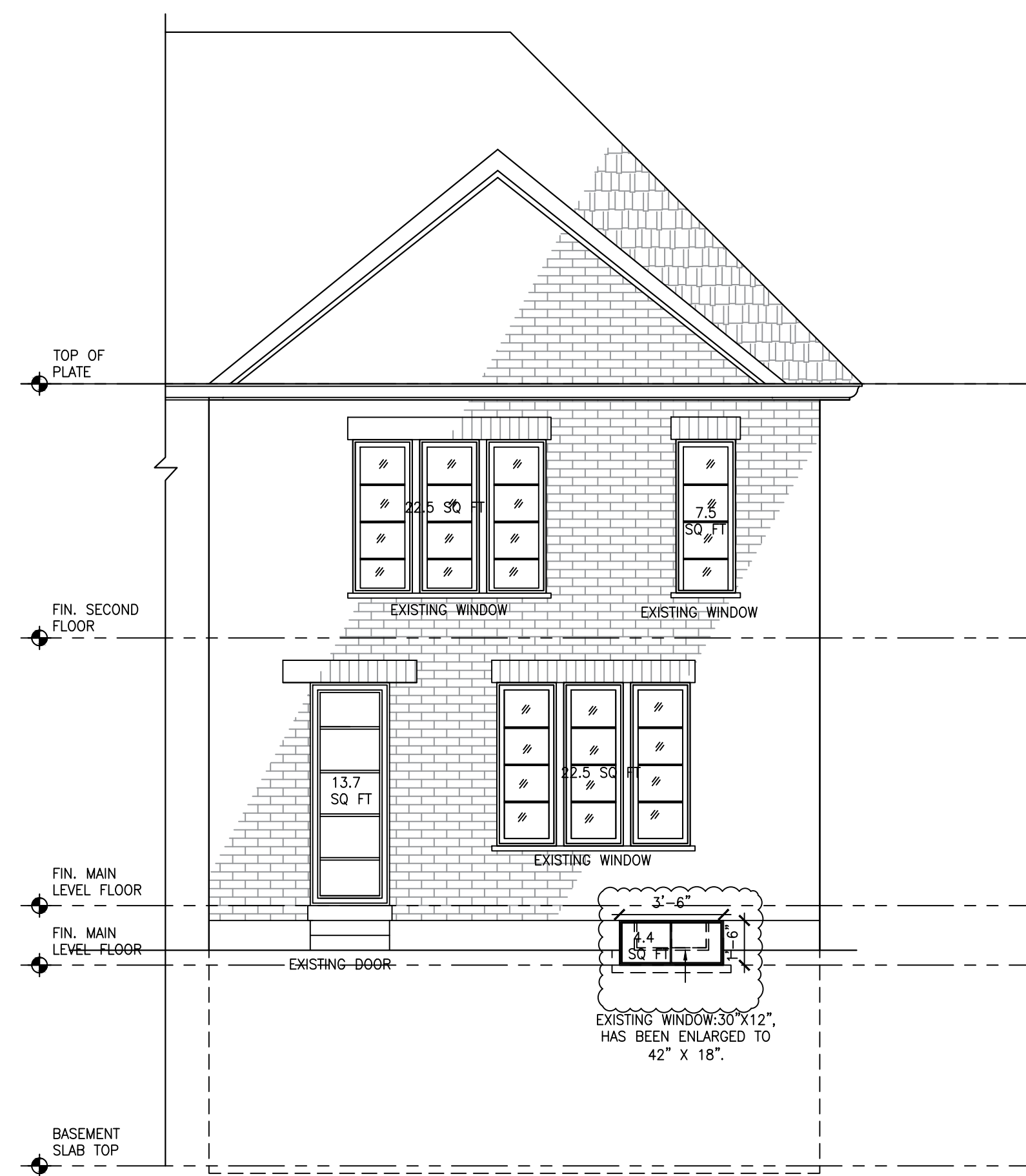
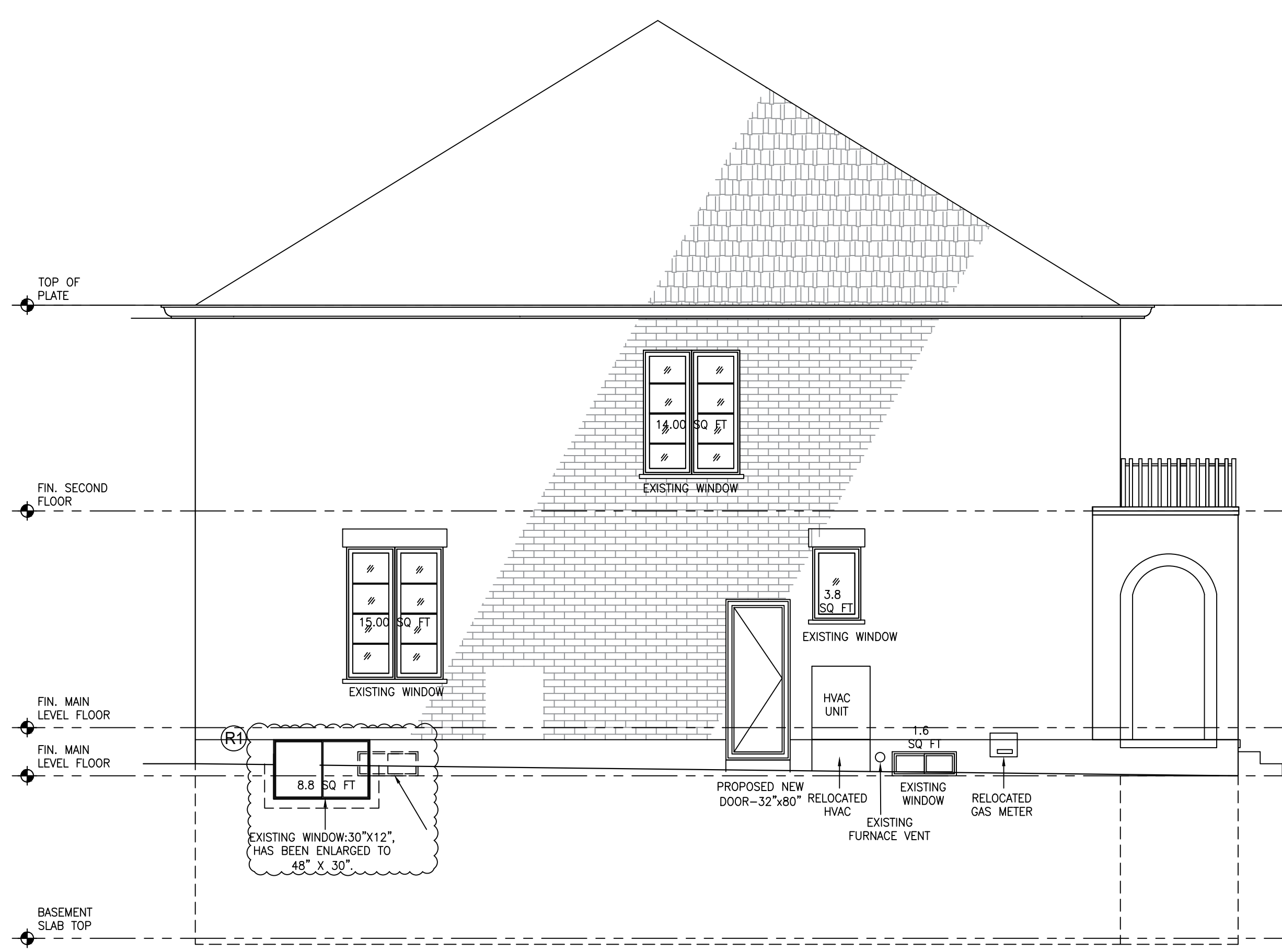
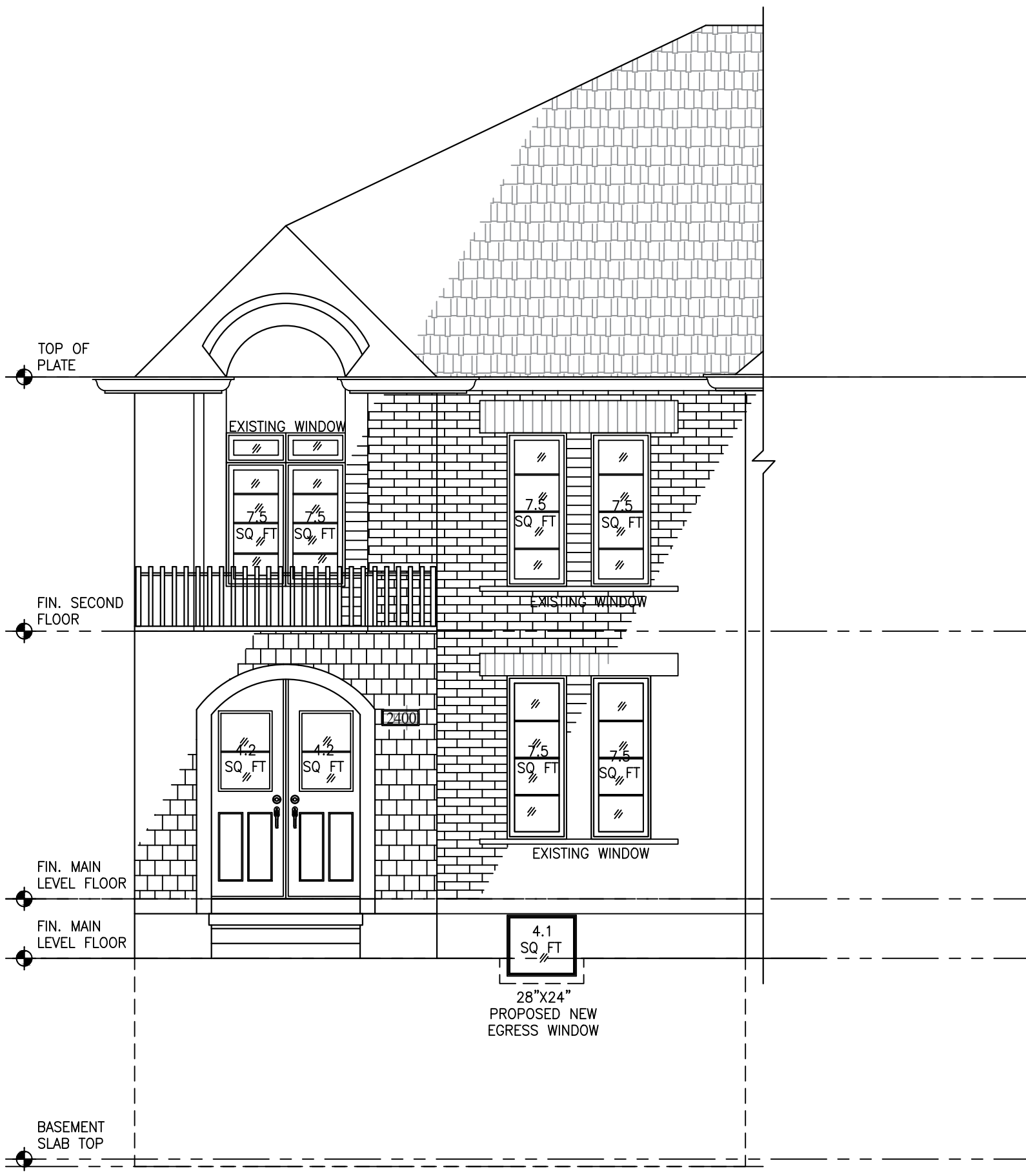
DESIGNED BY: J.M.	DRAWN BY: G.M.	CHECKED BY: M.M.
PROJECT NO.: <b>24012</b>	SCALE: AS SHOWN	DATE: FEB 07, 2025
DRAWING NO.: <b>A-1.0</b>	REVISION NO.: <b>R1</b>	

ISSUED FOR MINOR VARIANCE



ISSUE TABLE		
NO.	DATE	DESCRIPTION
1.	01-23-2025	ISSUED FOR BUILDING PERMIT
2.	02-07-2025	ISSUED FOR MINOR VARIANCE

REVISION TABLE		
NO.	DATE	DESCRIPTION
1.	01-23-2025	ISSUED FOR BUILDING PERMIT



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6820 KITIMAT RD., SUITE #8  
MISSISSAUGA, ON L5N 5M3  
Ph: (416) 451-5114  
info@dvmeng.com

PROJECT:

**FINISH BASEMENT  
SECOND DWELLING**

PROJECT ADDRESS:

**2400 BARONWOOD DR,  
OAKVILLE, ON L6M 0J7**

DRAWING TITLE:

**ELEVATION AND SECTION**

DESIGNED BY: J.M.	DRAWN BY: G.M.	CHECKED BY: M.M.
PROJECT NO.: <b>24012</b>	SCALE: AS SHOWN	DATE: FEB 07, 2025
DRAWING NO.: <b>A-4.0</b>	REVISION NO.: <b>R1</b>	
ISSUED FOR MINOR VARIANCE		

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/041/2025

RELATED FILE: N/A

### DATE OF MEETING:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
H. Kachwala	Maulin Mavani DVM Engineering Inc. 6820 Kitimat Rd Mississauga ON, L5N 5M3	PLAN M1024 PT BLK 5 RP 20R20826 PARTS 8 AND 9 2400 Baronwood Dr Town of Oakville

**OFFICIAL PLAN DESIGNATION: Medium Density Residential**

**ZONING: RM1 sp:269, Residential Medium**

**WARD: 4**

**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 an attached additional residential unit on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	Table 5.2.1 row 15) An attached additional residential unit shall require 1.0 additional parking space.	To require no additional parking space for the attached additional residential unit.

## CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

### Planning Services:

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

**A/041/2025 - 2400 Baronwood Drive (West District)** (OP Designation: Medium Density Residential)

The applicant proposes to construct an additional residential unit, 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's comments concerning the application of the four tests to this minor variance request are as follows:

## Site Area and Context

The area is characterized by semi-detached 2-3 storey dwellings with single car garages. Abutting the rear of the subject property is two eight-storey buildings with a total of 487 residential units and 515 parking spaces at 2333-2343 Khalsa Gate. The related plan of condominium received draft approval on August 12, 2024.



*Aerial Photo of 2400 Baronwood Drive*

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

The subject property is located within Palermo Village, designated Medium Density Residential within the Official Plan. The Medium Density Residential designation allows for a range of medium density housing types including multiple-attached dwelling units, apartments, retirement homes, and long term care homes.

It is staff's opinion that the proposed variance maintains 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** – Accessory Dwelling Unit Parking (No Objection) – 1 parking space reduced to 0 parking spaces

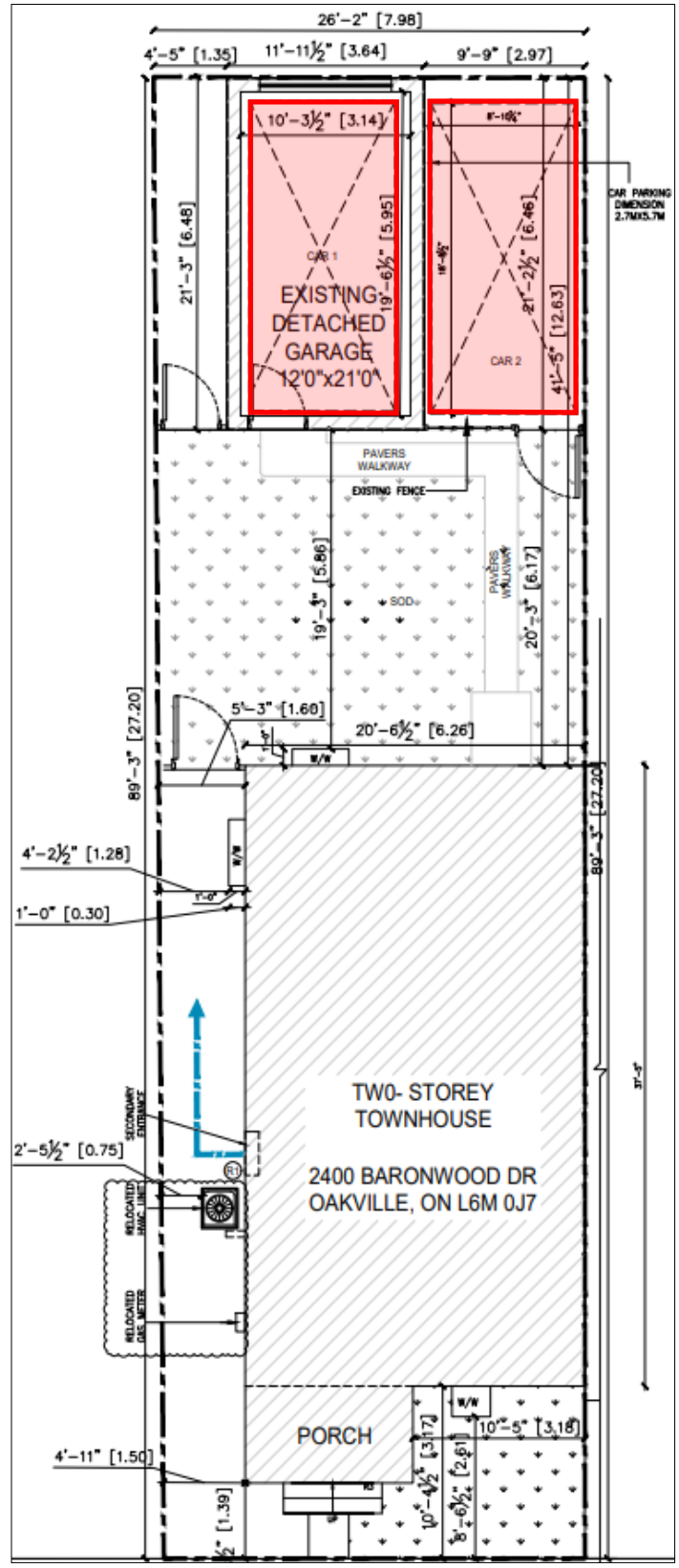
The applicant requests relief from Zoning By-law 2014-014, as amended, to waive the requirement for an additional parking space for an accessory dwelling unit. The intent of regulating the minimum number of parking spaces for an accessory residential unit is to ensure that there is an adequate and appropriate level of parking allocated for residents/tenants of the unit.

According to Table 5.2.1 of the Zoning By-law, a semi-detached dwelling requires a minimum of two parking spaces, and one additional space is required for each additional attached or detached residential unit. At this time, the subject property provides two parking spaces, as outlined in the image below, satisfying the requirements of the Zoning By-law. As shown on the site plan, there is not adequate space on the subject property to accommodate a third parking space for the additional residential unit required by the Zoning By-law.

It is recognized that this variance works towards addressing the goals and objectives of the Housing Strategy and Action Plan, which aims to create policy and regulation updates promoting and permitting accessory dwelling units. Given the context that the subject lands are



located within a growth area, and proximity to numerous transit options, commercial and employment uses and multi-use trails the proposed reduction of one parking space is warranted.



2400 Baronwood Drive Site Plan

**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 condition is recommended:

1. 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.

**Fire:** No concerns for Fire.

**Municipal Enforcement Services:** On street parking cannot be guaranteed.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- Regional staff has no objection to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act in order to require no additional parking space for an attached additional residential unit on the Subject Property, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting an attached additional residential unit on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**

**General notes for all applications:**

***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.
- The applicant is cautioned that during development activities, should archaeological materials be found on the property, the provincial Ministry of Citizenship and Multiculturalism (MCM) must be notified immediately ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)), as well as the Town of Oakville and, if Indigenous in origin, relevant First Nations communities. If human remains are encountered during construction, the proponent must immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate, as well as the Registrar, Ontario Ministry of Public and Business Service Delivery—who administers provisions of the *Funeral, Burial and Cremation Services Act*—to be consulted, as well as the MCM and the Town of Oakville, and, if considered archaeological, the relevant First Nations communities. All construction activity in the vicinity of the discovery must be postponed until an appropriate mitigation strategy is identified and executed.
- 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 approval expires two (2) years from the date of the decision if a Building Permit has not been issued for the proposed construction.

*J. Ulcar*

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Jennifer Ulcar  
Secretary-Treasurer  
Committee of Adjustment

# Notice of Public Hearing Committee of Adjustment Application



File # A/042/2025

**Electronic hearing:**

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 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. Singh J. Saini	Shivang Tarika Rely Solution Inc 106 Morningside Dr Georgetown ON, L7G 0M2	2202 Brookhaven Cres PLAN M895 LOT 41

**Zoning of property:** RL8, 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 an uncovered access stairs below grade on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 4.3 (Row 18)</i> The maximum encroachment for uncovered access stairs below grade in an interior side yard shall be a maximum of 0.0 metres.	To increase the maximum encroachment into the minimum northerly interior side yard for the uncovered access stairs below grade to 1.21 metres.

## **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](http://oakville.ca). The live-stream will begin just before 7 p.m.

### **More information:**

Town departments and agency comments regarding this application will be available online at [Agendas & Meetings \(oakville.ca\)](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:**

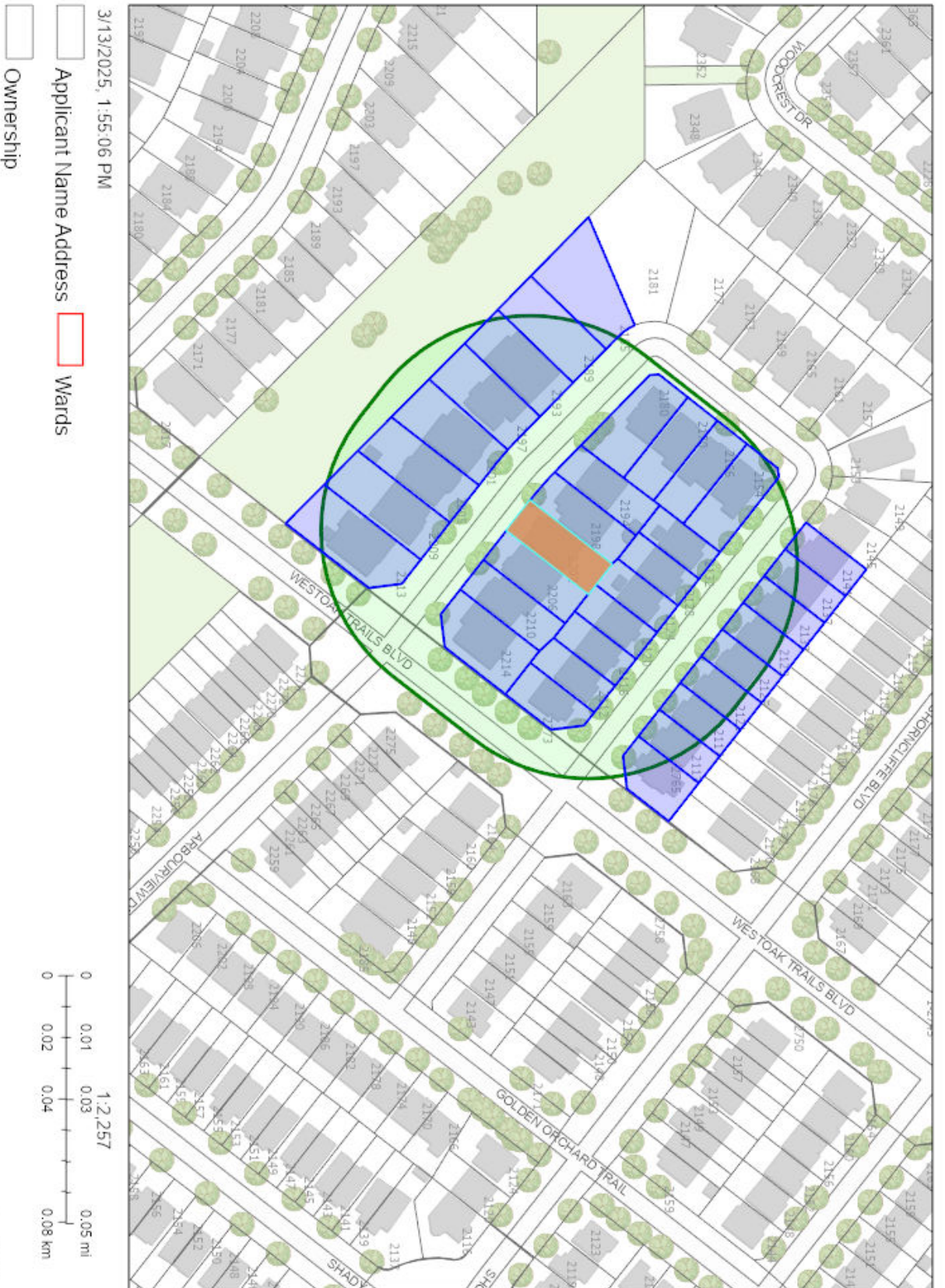
Jen Ulcar  
Secretary-Treasurer, Committee of Adjustment  
1225 Trafalgar Road  
Oakville, ON L6H 0H3  
Phone: 905-845-6601 ext. 1829  
Email: [coarequests@oakville.ca](mailto:coarequests@oakville.ca)

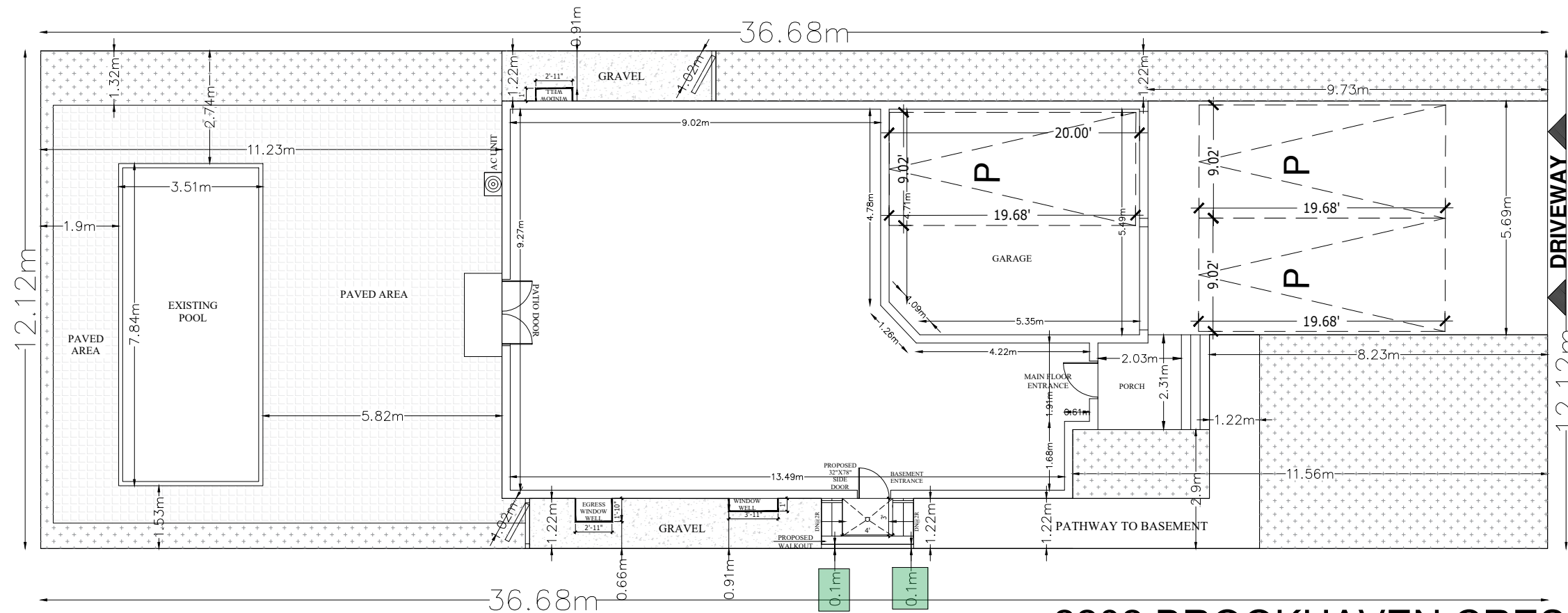
### **Date mailed:**

March 18, 2025



A/042/2025 - 2202 Brookhaven Crescent





**SITE PLAN**

SCALE 3/32"=1'-0"



**2202 BROOKHAVEN CRES**

**GENERAL NOTES**

DO NOT SCALE DRAWINGS  
 PROPERTY RIGHTS RETAINED BY:  
 BG CONSTRUCTION DESIGN  
 ANY REPRODUCTION IN WHOLE OR IN PART  
 UNDER THE RULES AND BY-LAWS OF THE  
 CORPORATION IS STRICTLY FORBIDDEN.  
 ANY REPRODUCTIONS MUST BE  
 AUTHORIZED BY  
 ALL DRAWINGS ARE IN METRIC SCALE

**SCOPE OF WORK**

**PROPOSAL TO CONSTRUCT  
 SECONDARY UNIT AND  
 BELOW GRADE ENTRANCE  
 FROM SIDE YARD.**

THE UNDERSIGNED HAS REVIEWED AND  
 TAKES RESPONSIBILITY FOR THIS DESIGN,  
 AND HAS THE QUALIFICATIONS AND  
 MEETS THE REQUIREMENTS SET OUT  
 IN THE ONTARIO BUILDING CODE  
 TO BE A DESIGNER.

**QUALIFICATION INFORMATION**  
 REQUIRED UNLESS DESIGN IS EXEMPT  
 UNDER DIV. C-3.2.5.1 OF THE BUILDING CODE

**SHIVANG TARIKA** 106440  
 NAME SIGNATURE BCIN

*SHIVANG TARIKA*

NO	REVISION / ISSUE	DATE

**SITE PLAN**

CITY : OAKVILLE

2202 BROOKHAVEN CRES

EXISTING DWELLING

PROJECT	SHEET <b>A1</b>
DEC 2024	
SCALE 3/32"=1'-0"	

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/042/2025

RELATED FILE: N/A

### DATE OF MEETING:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
S. Singh J. Saini	Shivang Tarika Rely Solution Inc 106 Morningside Dr Georgetown ON, L7G 0M2	PLAN M895 LOT 41 2202 Brookhaven Cres Town of Oakville

**OFFICIAL PLAN DESIGNATION: Low Density Residential**

**ZONING: RL8, Residential**

**WARD: 4**

**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 an uncovered access stairs below grade on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 4.3 (Row 18)</i> The maximum encroachment for uncovered access stairs below grade in an interior side yard shall be a maximum of 0.0 metres.	To increase the maximum encroachment into the minimum northerly interior side yard for the uncovered access stairs below grade to 1.21 metres.

## CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

### Planning Services:

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

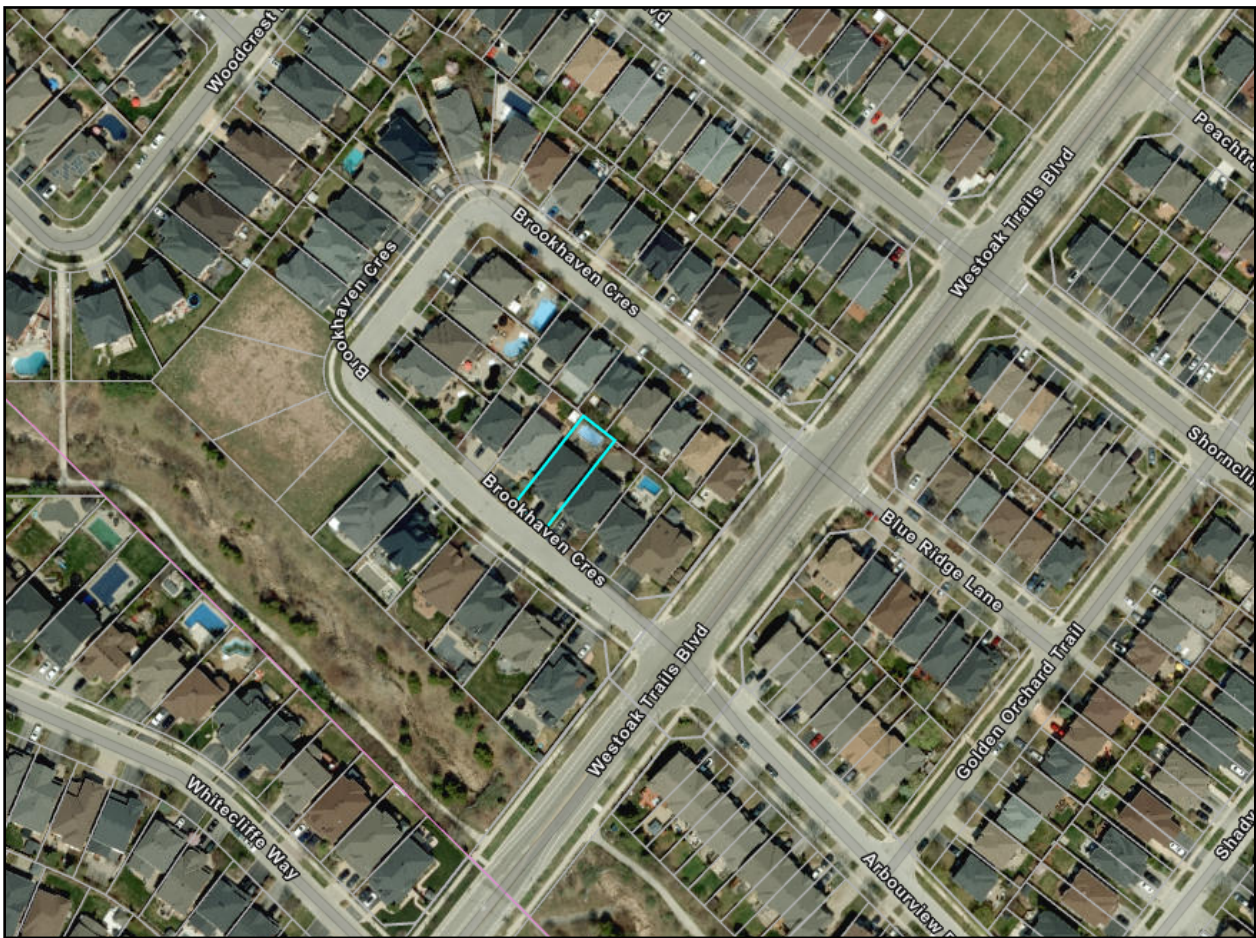
**A/042/2025 - 2202 Brookhaven Crescent (West District) (OP Designation: Low Density Residential)**

The applicant is proposing to construct a below grade access stair in the interior side yard subject to the variance listed above.

### **Site Area and Context:**

The neighbourhood consists of predominantly two-storey detached dwellings that are original to the area.





*Aerial Photo – 2202 Brookhaven Crescent*

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 are as follows:

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

The lands are designated “Low Density Residential” in the 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 proposed uncovered access stairs may result in impacts on adjacent properties related to grading and drainage, location of service areas, and access and circulation. Thus, the proposal does not satisfy all policy requirements as set out in Section 11.1.9 to protect the established neighbourhood character and will result in impacts on adjacent properties. It is staff’s opinion that the proposal does not maintain the intent of the Official Plan and will result in impacts on adjacent properties.

**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** – Maximum encroachment for uncovered below grade stairs in the interior side yard (Objection) – Increase from 0.0 m to 1.21 m

The intent of regulating projections/encroachments of below grade access stairs is to allow for adequate drainage and passage through a yard so that access is not impeded and to allow for adequate open space and landscaping. The below grade access stairs located in the side yard will project 1.21 metres into the available 1.22 metres of open space leaving a 0.01 metres (1.0 cm) setback to facilitate drainage and passage through the yard. The reduction for the proposed below grade stairs will result 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 two risers down to the landing where the main entrance would be located for the additional unit,

and two 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 drainage swale in the side yard. The original subdivision design for the subject lands provided rear to front drainage; therefore, it is imperative that the side yards of the subject property remain unobstructed so as not to negatively impact grading and drainage of the subject property and neighbouring properties.

Additionally, the 0.01 metre setback from the side yard lot line does not provide for adequate separation between the structure and property line. 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 notes that one benefit of having 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 impedance to the minimum required side yard setback on both sides of the property (i.e. window wells, stairs, vegetation etc.). This proposal has the potential to create challenges to standard fire-fighting operations.

On this basis, it is staff's opinion that the variance does not maintain the general intent and purpose of the Zoning By-law as the introduction of the 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 the rear yard, and is not setback at a far enough distance from the abutting dwelling.

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

As noted above, the original subdivision design for the subject lands provided rear to front drainage; therefore, it is imperative that the side yards of the subject property remain unobstructed so as not to negatively impact grading and drainage of the subject property and neighbouring properties. The proposed below grade access stair would create a negative condition on the subject property and adjacent properties as drainage can not be appropriately managed should the proposal be approved. Staff are of the opinion that the variance proposed for an increase in the interior side yard projection, and ultimately the reduction of unobstructed interior side yard, is not desirable for the appropriate development of the subject property and the variance is not minor in nature.

**Recommendation:**

Given the foregoing, it is staff's opinion that the application does not maintain the general intent and purpose of the Official Plan, Zoning By-law, is not minor in nature, and is not desirable for the appropriate development of the subject lands. Accordingly, the application does not meet the four tests under the *Planning Act* and staff recommends that the application be denied.

**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. Re-submission required.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the minimum northerly interior side yard for the uncovered access stairs below grade to 1.21 metres, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting uncovered access stairs below grade on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**

*J. Ulcar*

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Jennifer Ulcar  
Secretary-Treasurer  
Committee of Adjustment

## **Addendum 1 to Comments**

April 02, 2025

Committee of Adjustment

**BY VIDEO-CONFERENCE AND LIVE-STREAMING ON TOWN WEBSITE**  
**OAKVILLE.CA**

1)

**A/042/2025**

2202 Brookhaven Crescent

PLAN M895 LOT 41

*Proposed*

**Under Section 45(1) of the *Planning Act***

**Zoning By-law 2014-014 requirements – RL8, Residential**

1. To increase the maximum encroachment into the minimum northerly interior side yard for the uncovered access stairs below grade to 1.21 metres.

**Comments from:**

**Letter of Objection – 7**

## coarequests

---

**From:** David Ross [REDACTED]  
**Sent:** March 29, 2025 2:45 PM  
**To:** coarequests  
**Cc:** Sophie Zabonas  
**Subject:** [EXTERNAL] RE: Adjustment Application File # A/042/2025

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** JEN

You don't often get email from [REDACTED] [Learn why this is important](#)

Jen,

I received via mail and subsequently via the City of Oakville website, details regarding the Committee of Adjustment Application submitted by a home on the street in which I reside.

Address of application: 2202 Brookhaven Cres  
Plan M895 Lot 41  
File # A/042/2025

1. Please accept this letter as my written request to be notified of the decision for this application and any future applications pursuant to the 2202 Brookhaven property regarding the pursuit of modifying their property to support the construction of a secondary unit and access to the unit via stairs at the side of the house.
2. Please accept this letter as my written letter in opposition of the proposed amendment and in full support of the staff's recommendation to deny the application.

In review of the documents I obtained on the website, it was noted that the proposed amendment is not minor in nature and:

- Does not maintain the general intent and purpose of the Zoning by-law and Official Plan
- Does not satisfy requirements to protect the established neighbourhood character
- Will negatively impact adjacent properties
- Will result in inadequate space for access purposes or ingress / regress from the front yard area to the rear yard
- Does not provide sufficient drainage or allow for the maintenance of a drainage swale in the side yard
- Has the potential to create challenges to standard fire fighting operations

In the documents on the website, it was noted the staff's recommendation is the application "does not maintain the general intent and purpose of the Official Plan, Zoning by-law, is not minor in nature, and is not desirable for the appropriate development of the subject lands. Accordingly, the application does not meet the four tests under the Planning Act and staff recommends that the application be denied".

I am also very concerned that this variance is a precursor to the proposal to construct a secondary unit in the dwelling as outlined in the site plan that was provided on the website. The homes on this residential street were not constructed to support multiple units within single family homes and ensuring that the current zoning by-laws are adhered to are important.

Sincerely,

David and Sophie Ross  
[REDACTED] Brookhaven Cres



## coarequests

**From:** Sandra Costantini [REDACTED]  
**Sent:** March 31, 2025 7:46 PM  
**To:** coarequests  
**Cc:** Doug Costantini  
**Subject:** [EXTERNAL] Adjustment Application File #A/042/2025

**Categories:** JEN

You don't often get email from [REDACTED] [Learn why this is important](#)

Jen,

Through the mail and website, we received details regarding the Committee of Adjustment Application submitted by a home on our street, Brookhaven Cres.

Address of application: 2202 Brookhaven Cres  
Plan M895 Lot 41  
File # A/042/2025

1. Please accept this letter as my written request to be notified of the decision for this application along with any future applications pursuant to the 2202 Brookhaven property regarding the request to modify their property supporting the construction of a secondary unit and access to the unit via stairs at the side of the house.
2. Please also accept this letter as my written letter in **opposition** of the proposed amendment and in full support of the staff's recommendation to **deny the application**.

In review of the documents and information sought, it was noted that the proposed amendment is not minor in nature and:

- Does not maintain the general intent and purpose of the Zoning by-law and Official Plan
- Does not satisfy requirements to protect the established neighbourhood character
- Will negatively impact adjacent properties
- Will result in inadequate space for access purposes or ingress / regress from the front yard area to the rear yard
- Does not provide sufficient drainage or allow for the maintenance of a drainage swale in the side yard
- Has the potential to create challenges to standard fire fighting operations

The documents on the website noted the staff's recommendations stating that the application "does not maintain the general intent and purpose of the Official Plan, Zoning by-law, is not minor in nature, and is not desirable for the appropriate development of the subject lands. Accordingly, the application does not meet the four tests under the Planning Act and staff recommends that the application be denied".

I am also very concerned that this variance is a precursor to the proposal to construct a secondary unit in the dwelling as outlined in the site plan that was provided on the website. The homes on this residential street were not constructed to support multiple units within single family homes. It is important that the current zoning by-laws are adhered to.

We do NOT condone the modification of 2202 Brookhaven Crescent nor the construction of a secondary unit and access to the unit via stairs at the side of the house.

Sincerely,

Sandra and Doug Costantini  
[REDACTED] Brookhaven Cres

## coarequests

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**From:** Eusebio Gomes [REDACTED]  
**Sent:** April 1, 2025 9:37 AM  
**To:** coarequests  
**Subject:** [EXTERNAL] Variance Request Notice - Attention: Jen Ulcar

**Categories:** JEN

You don't often get email from [REDACTED] [Learn why this is important](#)

Name - Eusebio Gomes  
Address - [REDACTED] Brookhaven Crescent, Oakville, ON L6M 5B8, Canada  
Address of variance request- 2202 Brookhaven crescent

Here are some of my concerns.

The construction proposed is on my side of the house very close to our main entrance -  
This will create an eyesore and loss of privacy.

We also have a large window in our living room directly overlooking the proposed construction thereby  
creating more privacy issues.

We are also concerned that this construction will adversely affect the value of my property.

Will this construction meet the fire code?

We are also concerned that this construction will create a parking problem directly in front of my front  
yard. Parking is only permitted on our side of the street.

We moved here 8 years ago on this beautiful well maintained crescent with all single dwellings. Our  
neighbors have been here for just over a year. They are a wonderful young couple and make for good  
neighbors. However, having an entrance to a rental property right next to our front entrance is not  
acceptable.

We hope that the concerns raised does not affect our relationship.

Kind regards,  
Eusebio Gomes.

## coarequests

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**From:** Varghese, Maril (he/him/his) [REDACTED]  
**Sent:** April 1, 2025 10:42 AM  
**To:** coarequests  
**Cc:** Dora Varghese [REDACTED]  
**Subject:** [EXTERNAL] Application Concerns - File # A/042/2025

**Importance:** High

You don't often get email from [REDACTED]. [Learn why this is important](#)

Good morning Jen Ucar and office of the Committee of Adjustment for the Town of Oakville,

My name is Maril Varghese and along with my wife, Dora Varghese, are the homeowners of [REDACTED] Brookhaven Crescent, Oakville, Ontario L6M 5B9 (located across the street from 2202 Brookhaven Crescent).

I am writing to you with respect to an adjustment application (A/042/025) and would like to share my concerns.

I recently moved into my home with my family and young children from Mississauga (36yrs there) because of the overcrowding and basement apartments that have been opening up in the area. I am very pleased with our decision to make Oakville our new home and appreciate all my neighbors. They are very friendly with plenty of children living on Brookhaven Crescent.

The concerns I have regarding the application for adjustment (adding a separate entrance at 2202 Brookhaven Crescent are:

1. Privacy/Safety – with rental tenants, there will be a turnover of people coming in and out of the home and my children often play with other children in the area
2. Fire codes – the lots on that side of the street are 40ft (or less) and a separate entrance would make it very challenging to address any fire at the rear of the homes on that side
3. Parking – our street is already narrow (compared with other neighboring streets). Often times in the winter, if the street is not plowed due to additional cars parked, we do not get serviced. We do have several elderly/seniors on the street including one that requires medical/transport quite frequently. Having additional cars, if they have to park on the street would be problematic (i.e. children, road clearing etc)
4. Home value – granted we purchased our home recently when prices were increased, the concern would be that with rental units, the street, with several custom homes on the opposite side, would realize a depreciation in value.

We want to make Oakville our home, invest in the community and have our children grow in a safe place. I am hoping the committee will take these concerns into account when making a decision whether to approve the application or not.

You can also reach out to me directly if you have any questions at [REDACTED]

Sincerely,  
Maril Varghese



## coarequests

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**From:** Henry C [REDACTED]  
**Sent:** April 1, 2025 11:50 AM  
**To:** coarequests  
**Subject:** [EXTERNAL] Attn: Jennifer Uicar Re File # A/42/2025 - 2202 Brookhaven Crescent  
**Categories:** JEN

You don't often get email from [REDACTED] [Learn why this is important](#)

**Name:** Henry Candalaria  
**Address:** [REDACTED] Brookhaven Cres Oakville L6M5B9

To whom it may concern,

I am writing in regards to the above file # and proposed variance request.

My concerns are as follows:

1) the staff report recommends not approving the variance request. I agree with this for the reasons outline in the report, including the area being zoned for low density housing. The proposed variance would allow for a potential separate basement rental unit which would change the character of the established neighbourhood, as noted in the staff report, as well as the current low density, single family residences, that are original to the area.

2) in the staff report, the fire department also identifies concerns regarding access for fire fighting purposes. This raises safety concerns in the event of a fire for 2202, and adjacent homes.

I am also concerned about the potential turn over of residents if a rental is considered given there are a number of young families, mine included, that live on the street. As new residents move in, getting to know neighbours is an important aspect of any healthy neighbourhood, and creating rental or future speculative opportunities is a concern, as the turnover can be at a greater frequency, again, changing the dynamic of the neighbourhood.

We have got to know the applicants since they have moved in 1.5 years ago, and we believe they are wonderful people. Unfortunately, we cannot support the application for the reasons identified in the staff report, and above.

I would like to also register to participate in the electronic hearing. Please provide meeting information so myself or my wife can attend virtually.

Thanks,

Henry

## coarequests

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**From:** Rod Oliveira [REDACTED]  
**Sent:** April 1, 2025 11:57 AM  
**To:** coarequests  
**Cc:** [REDACTED]  
**Subject:** [EXTERNAL] File # A/042/2025

You don't often get email from [REDACTED]. [Learn why this is important](#)

Attn: Committee of Adjustment

I am writing to voice my opposition over the proposal before the COA to consider the addition of a side yard uncovered access stairs below grade. I oppose this request under the following criteria:

1. Request does not comply with the official plan.
2. Intent does not meet the zoning bylaw of single family residential. This creates an independent secondary living suite.
3. The proposal is not desirable for the community which is exclusively single family residential.
4. The request is not minor in nature as it requires a major exception to the set back requirements and results in an encroachment on the property to the north of the subject property.

Thanks,

Honorato Oliveira  
[REDACTED] Brookhaven Cres.  
Oakville, On.  
L6M 5B8

**coarequests**

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**From:** Pat Thody [REDACTED]  
**Sent:** April 1, 2025 11:53 AM  
**To:** coarequests  
**Subject:** [EXTERNAL] Easement request 2202 Brookhaven Cr Oakville

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

I object this easement for these reasons

1. Privacy (the separate entrance would be near the neighbors front door) 2. parking 3. fire codes 4. spacing is very tight with the 40ft lot Pat Thody

[REDACTED] Brookhaven cr  
Sent from my iPhone

# Notice of Public Hearing Committee of Adjustment Application



File # A/043/2025

## Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 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
A. Kadhim I. El-Abed	Joris Keeren Keeren Design 11 Bronte Rd, Unit 31 Oakville ON L6L 0E1	1374 Sedgewick Cres PLAN 669 LOT 73

**Zoning of property:** RL2-0, 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>Section 5.8.6 b)</i> For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres.	To increase the maximum total floor area for a private garage to 59.0 square metres.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area 1,301.00m <sup>2</sup> or greater shall be 29%.	To increase the maximum residential floor area ratio to 30.5%.

## 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](http://oakville.ca). The live-stream will begin just before 7 p.m.

### **More information:**

Town departments and agency comments regarding this application will be available online at [Agendas & Meetings \(oakville.ca\)](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.

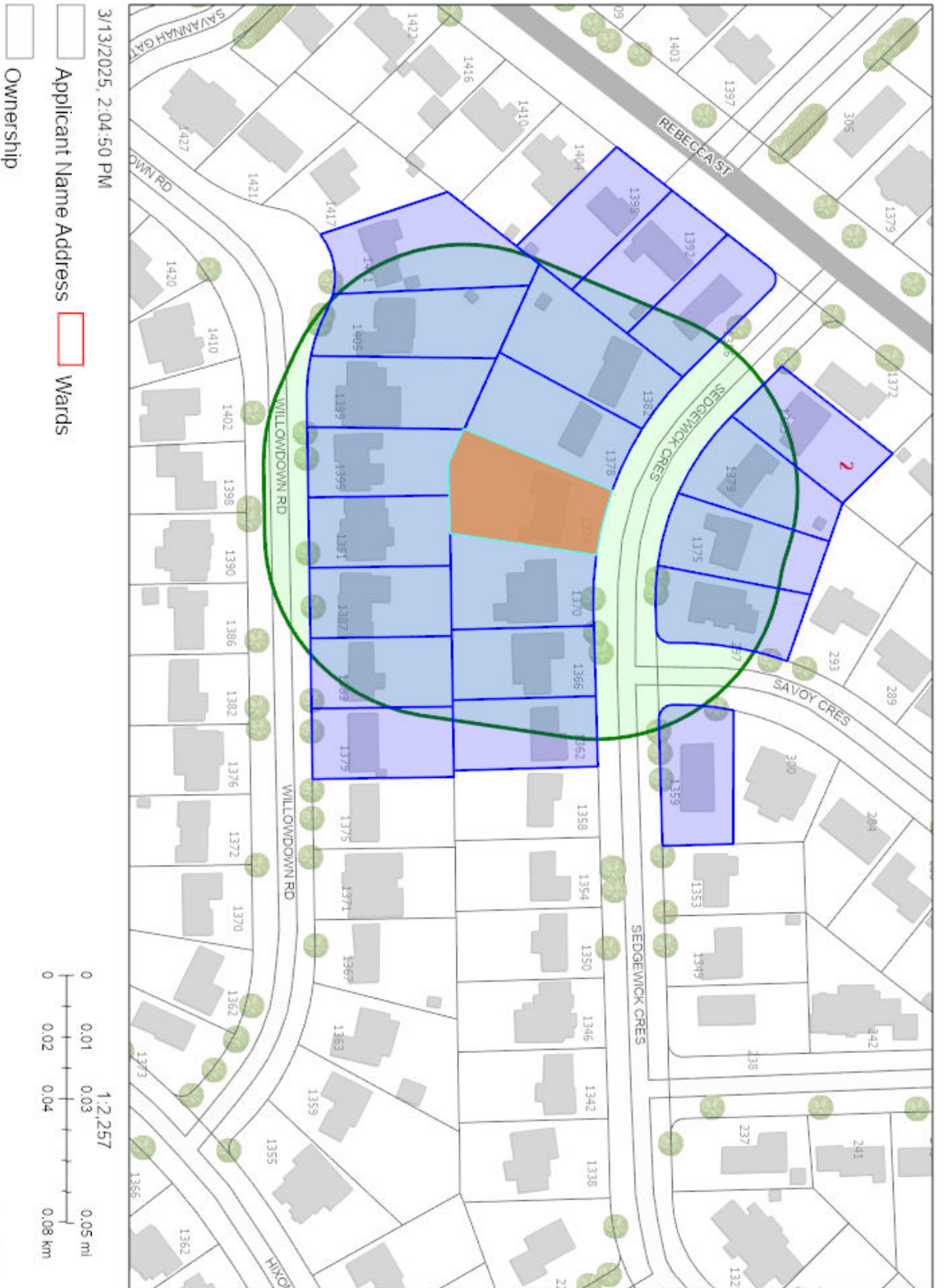
### **Contact information:**

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

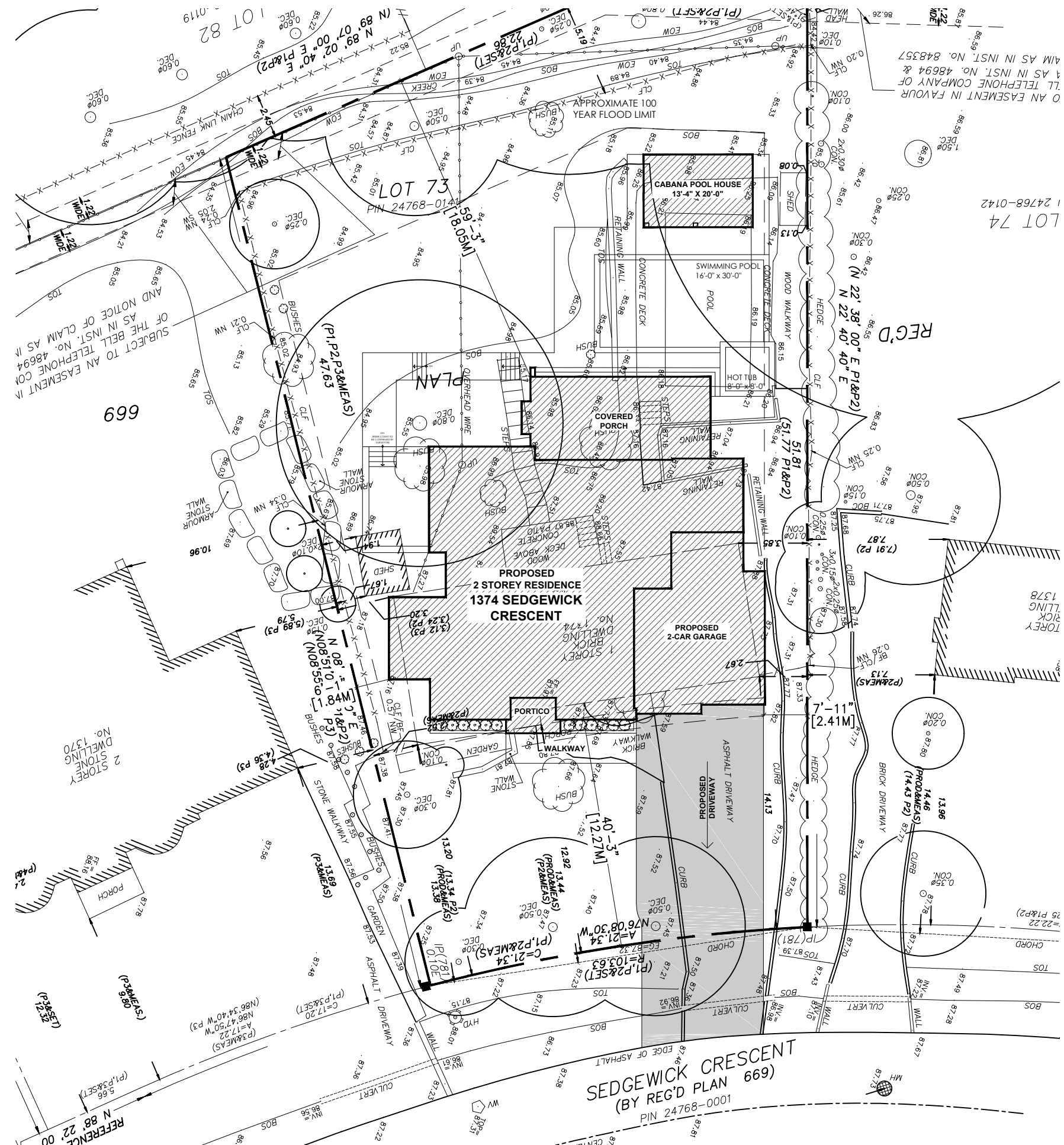
### **Date mailed:**

March 18, 2025

# A/043/2025 - 1374 Sedgewick Crescent







SITE STATISTICS: 1374 SEDGEWICK CRES.

ZONING:	RL2-0			
LOT AREA:	1,390.31M2			
	HOUSE	CABANA	TOTAL	ALLOWED
LOT COVERAGE :	322.47 M2	24.77 M2	347.24 M2	347.57M2 3,741.21 SQ. FT.
LOT COVERAGE :	23.2 %	1.78 %	24.98 %	25 %
R.F.A. :	424.03 M2	--- M2	--- M	403.18M2 4,339.79 SQ. FT.
R.F.A. :	30.50 %	--- %	30.50 %	29%
BLDG. HEIGHT (PEAK) :	8.99 M	4.0 M	--- M	9 M
GARAGE AREA	59 M2	--- M2	--- M	45 M2

MINOR VARIANCE REQUIRED

## SITE PLAN

SCALE: 1:150



**KEEREN DESIGN**  
RESIDENTIAL ARCHITECTURE

11 BRONTE RD. SUITE 31  
OAKVILLE, ON  
L6L 0E1

PHONE: (905) 847-2350

WWW.KEEREN.CA

FIRM BCIN #: 31181

JORIS KEEREN  
DESIGNER BCIN #: 25348

### REVISION

### DRAWING INFORMATION

INITIAL DESIGN : August 2024  
DESIGNER : Joris Keeren  
DRAWN BY : M.C.  
PLOT DATE : February 12, 2025  
Revision #:

These drawings are not to be used for construction purposes, unless approved and stamped by the Local Building Department.

PROJECT: 1374 Sedgewick Cres.

# A1





**KEEREN DESIGN**  
RESIDENTIAL ARCHITECTURE

11 BRONTE RD. SUITE 31  
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**PROJECT: 1374 Sedgewick Cres.**

**A3**



**FRONT PERSPECTIVE VIEW**





**FRONT ELEVATION**  
SCALE: 1:100



**REAR ELEVATION**  
SCALE: 1:100



**KEEREN DESIGN**  
RESIDENTIAL ARCHITECTURE

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REVISION

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PLOT DATE : February 12, 2025  
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**PROJECT: 1374 Sedgewick Cres.**

**A4**



**KEEREN DESIGN**  
RESIDENTIAL ARCHITECTURE

11 BRONTE RD. SUITE 31  
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L6L 0E1

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FIRM BCIN #: 31181

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REVISION

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INITIAL DESIGN : August 2024  
DESIGNER : Joris Keeren  
DRAWN BY : M.C.  
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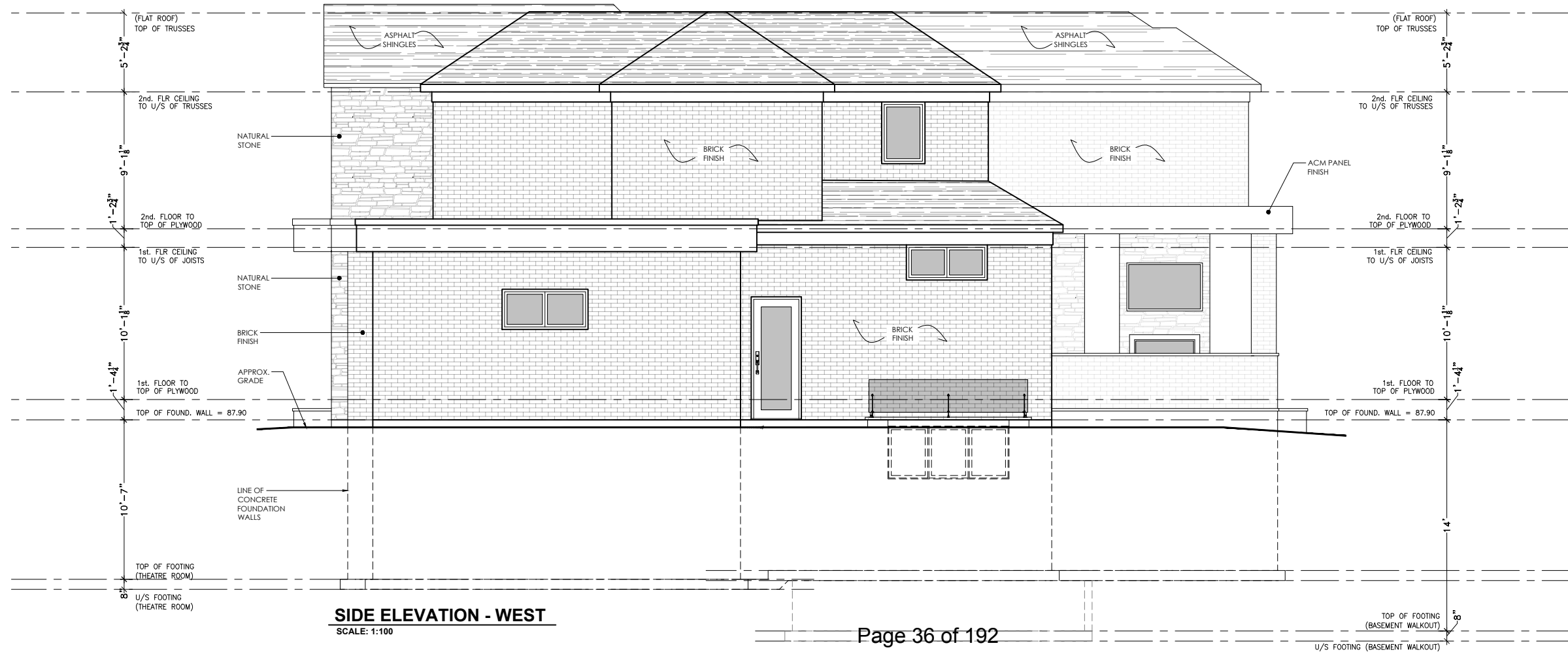
These drawings are not to be used for construction purposes, unless approved and stamped by the Local Building Department.

**PROJECT: 1374 Sedgewick Cres.**

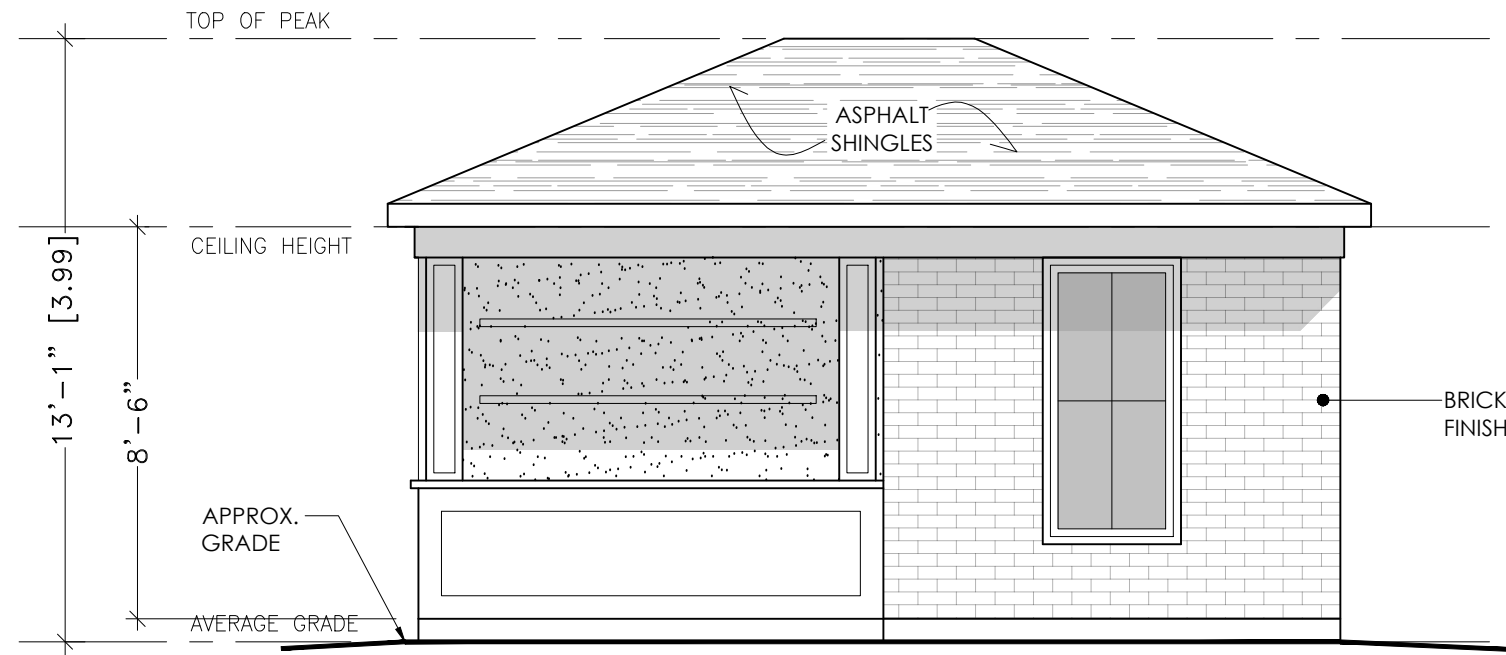
**A5**



**SIDE ELEVATION - EAST**  
SCALE: 1:100

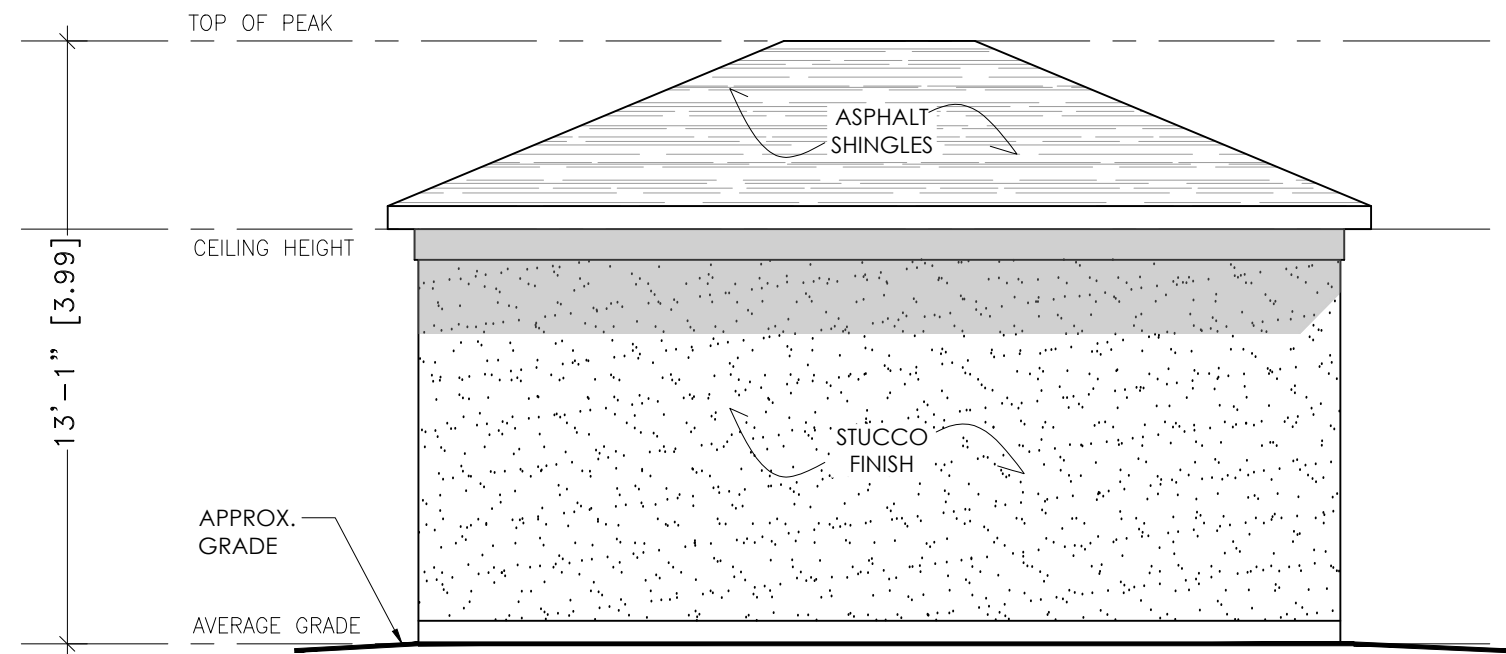


**SIDE ELEVATION - WEST**  
SCALE: 1:100



**CABANA - FRONT ELEVATION**

SCALE: 1:50



**CABANA - REAR ELEVATION**

SCALE: 1:50



**KEEREN DESIGN**  
RESIDENTIAL ARCHITECTURE

11 BRONTE RD. SUITE 31  
OAKVILLE, ON  
L6L 0E1

PHONE: (905) 847-2350

WWW.KEEREN.CA

FIRM BCIN #: 31181

JORIS KEEREN  
DESIGNER BCIN #: 25348

REVISION

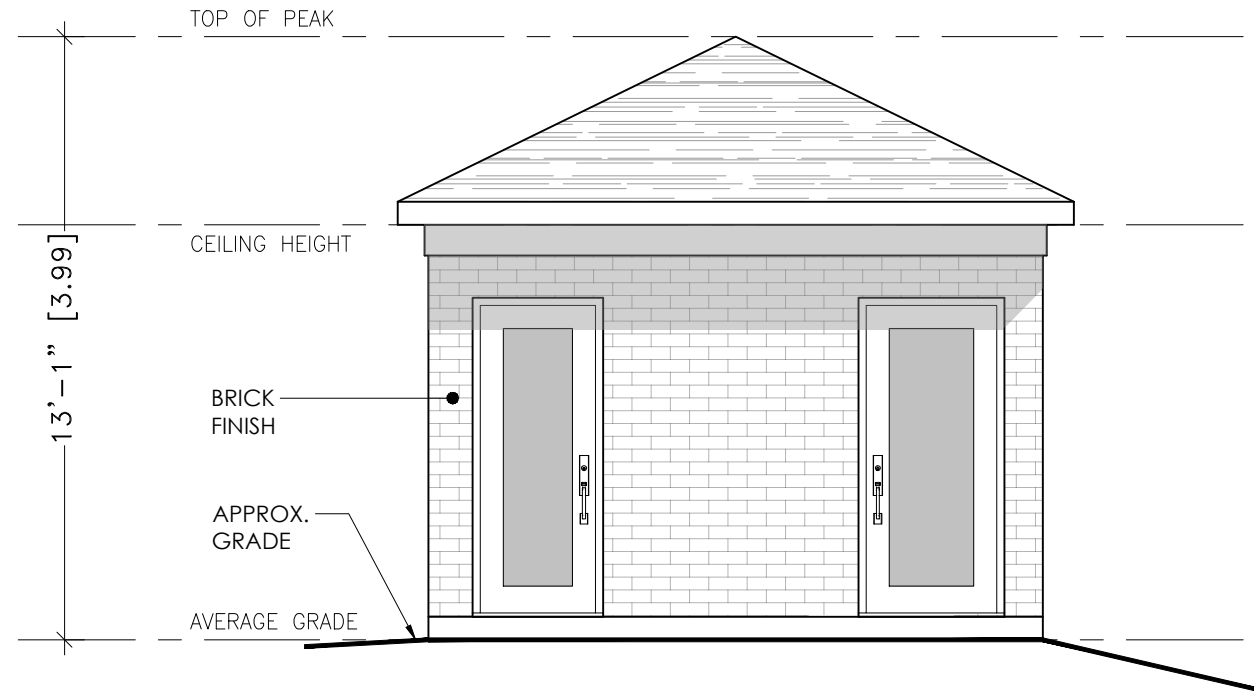
DRAWING INFORMATION

INITIAL DESIGN : August 2024  
DESIGNER : Joris Keeren  
DRAWN BY : M.C.  
PLOT DATE : February 12, 2025  
Revision #:

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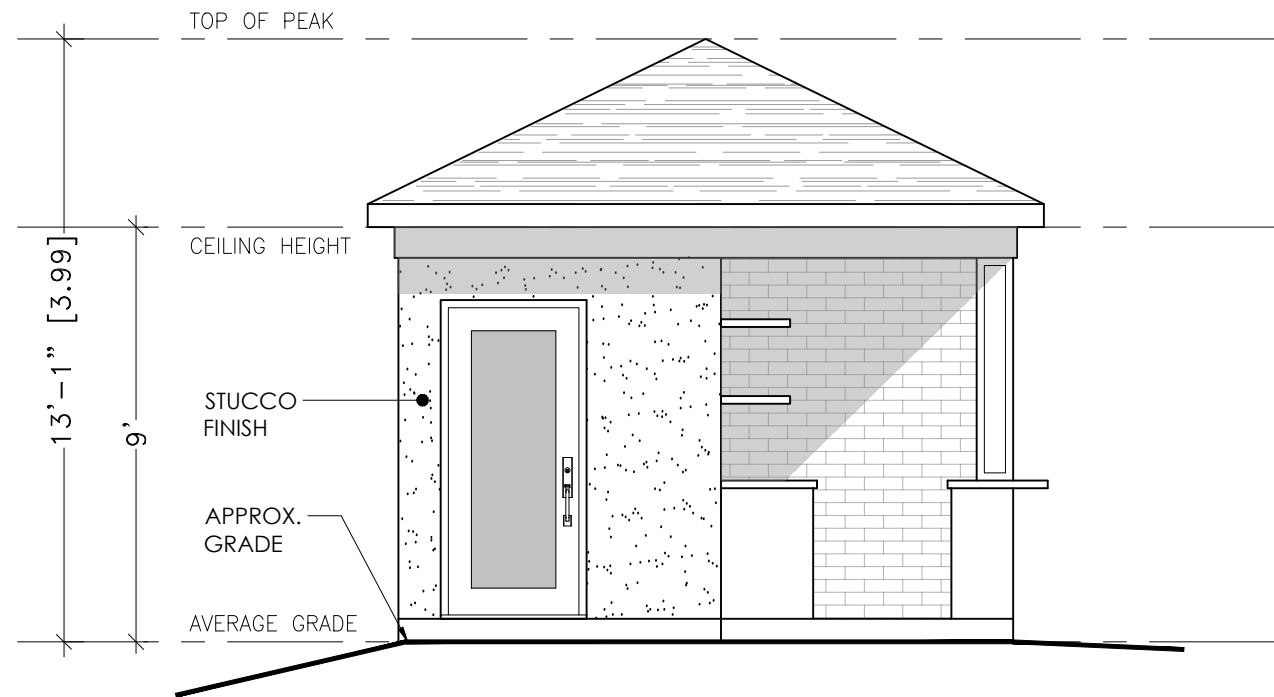
PROJECT: 1374 Sedgewick Cres.

**A7**



**CABANA - SIDE ELEVATION**

SCALE: 1:50



**CABANA - SIDE ELEVATION**

SCALE: 1:50



**KEEREN DESIGN**  
RESIDENTIAL ARCHITECTURE

11 BRONTE RD. SUITE 31  
OAKVILLE, ON  
L6L 0E1

PHONE: (905) 847-2350

WWW.KEEREN.CA

FIRM BCIN #: 31181

JORIS KEEREN  
DESIGNER BCIN #: 25348

REVISION

DRAWING INFORMATION

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DESIGNER : Joris Keeren  
DRAWN BY : M.C.  
PLOT DATE : February 12, 2025  
Revision #:

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PROJECT: 1374 Sedgewick Cres.

**A8**

## Cover Letter

**Property Address: 1374 Sedgewick Cres**

**Feb 18, 2025**

This application for minor variance is comprised of a proposed new single-family dwelling. The existing dwelling constructed circa 1960 will be completely demolished and new utility services will be installed as part of the redevelopment.

Storm Water Management: The subject property abuts an existing remnant channel at the rear property line, which has a known spill/flood zone affecting a portion of the rear yard. A Civil engineer has prepared a Storm water management plan which has been included in our Minor Site plan application, which has already been applied for in advance to allow Development Engineering staff an opportunity to review and provide input. Please note that my office completed a new dwelling directly behind the subject property two years ago, which abuts the same channel and faced similar flooding constraints; development engineering approval was obtained for that house and therefore we expect the same for this proposal.

The following variances are being requested:

1. To allow for a Floor Area Ratio of 30.5%, where as 29% is permitted
2. To allow a garage area of 59M2 whereas 45M2 is the maximum.

Justification and rationale for the variance requests:

1. The main dwelling complies fully with lot coverage, the additional sq. footage (RFA) is required to accommodate the needs of the immediate family for which the house is being built. This includes a total of four family members, since the owners are planning to occupy the home for the long term and into advanced age, the elevator is being added.
2. The additional area inside the garage is required for two vehicles and sufficient storage to accommodate various personal use items such as bicycles, lawn maintenance equipment etc.
3. The overall massing and scale of the dwelling is moderated by several features, including the 1 story front porch, the stepping and articulation of the front facade as well as the lowering of the left-side roofline.

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION:** A/043/2025

**RELATED FILE:** N/A

**DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
A. Kadhim I. El-Abed	Joris Keeren Keeren Design 11 Bronte Rd, Unit 31 Oakville ON, L6L 0E1	PLAN 669 LOT 73 1374 Sedgewick Cres Town of Oakville

**OFFICIAL PLAN DESIGNATION:** Low Density Residential

**ZONING:** RL2-0, Residential

**WARD:** 2

**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>Section 5.8.6 b)</i> For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres.	To increase the maximum total floor area for a private garage to 59.0 square metres.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area 1,301.00m <sup>2</sup> or greater shall be 29%.	To increase the maximum residential floor area ratio to 30.5%.

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Planning Services:**

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



The applicant is proposing to construct a two-storey detached dwelling, subject to the variances 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 that are original to the area. In accordance with Bill 97, this property will be subject to a Minor Site Plan application, coordinated by Development Engineering staff for review of potential stormwater impacts.



*Aerial Photo – 1374 Sedgewick Crescent*

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variances 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 in the Livable Oakville 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 proposed increase in garage floor area is being accommodated within the footprint of the principal dwelling and when considered in combination with the increase in residential floor area, the proposed dwelling will not appear larger than those in the surrounding area. The proposed dwelling will not have an adverse impact on adjacent or surrounding properties. It is staff’s opinion that the proposal

maintains the general intent and purpose of the Official Plan and is compatible with the existing neighbourhood character.

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

**Variance #1** – Maximum Garage Floor Area (No Objection) – Increase from 45m<sup>2</sup> to 59m<sup>2</sup>

The intent of regulating the garage floor area is to ensure that the garage is not a visually dominant feature of the dwelling. The proposed two storey dwelling integrates the garage floor area toward the rear of the proposed dwelling's footprint, mitigating the potential impacts that the additional garage floor area will have on the public realm. Additionally, the proposed garage is broken into two single garage doors, breaking up the massing of this feature and further reducing the visual impact of the garage on the public realm.

**Variance #2** – Maximum Residential Floor Area (No Objection) – Increase from 29% to 30.5%

The intent of regulating residential floor area is to prevent the construction of a dwelling that has a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. The proposed two storey detached dwelling has been designed to mitigate potential impacts of a dwelling having a mass and scale that would appear larger than those in the surrounding area. The proposed dwelling helps maintain and protects the established neighbourhood character. Staff are of the opinion that the requested minor variances, when considered cumulatively, 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 lands. The variances are 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 development. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. That the dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated February 12, 2025, 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.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the maximum total floor area for a private garage to 59.0 square metres, and an increase in the maximum residential floor area ratio to 30.5%, 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.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 1**

**coarequests**

---

**From:** Edward Boose [REDACTED]  
**Sent:** March 19, 2025 6:10 PM  
**To:** coarequests; Sandra Bolton  
**Subject:** [EXTERNAL] Committee of adjustment application file # A/043/2025  
**Categories:** JEN

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Jen Ulcar,

I am sending this email to serve as my written response to the adjustment application for the address at 1374 Sedgewick Crescent. I reside at [REDACTED] Sedgewick Crescent.

Please accept this as my written opposition to the 2 variance requests. The first to increase the total floor area of the garage and the second to increase the maximum residential floor area.

I believe that the current bylaws for the area are sufficient and the new homes being constructed are large enough without the need for additional size.

We have recently had a new home built on both sides of us and neither required any variance. Both are huge.

Living with on going construction is a nuisance and the additional size of this request will make that process even longer.

I kindly ask that you de line this variance request.

Regards

Edward Boose.

***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.
- The applicant is cautioned that during development activities, should archaeological materials be found on the property, the provincial Ministry of Citizenship and Multiculturalism (MCM) must be notified immediately ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)), as well as the Town of Oakville and, if Indigenous in origin, relevant First Nations communities. If human remains are encountered during construction, the proponent must immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate, as well as the Registrar, Ontario Ministry of Public and Business Service Delivery—who administers provisions of the *Funeral, Burial and Cremation Services Act*—to be consulted, as well as the MCM and the Town of Oakville, and, if considered archaeological, the relevant First Nations communities. All construction activity in the vicinity of the discovery must be postponed until an appropriate mitigation strategy is identified and executed.
- 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 dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated February 12, 2025, 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.

*J. Ulcar*

---

Jennifer Ulcar  
 Secretary-Treasurer  
 Committee of Adjustment



# Notice of Public Hearing Committee of Adjustment Application



File # A/044/2025

## Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 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
O. Akindipe	Kurtis Van Keulen Huis Design Studio 301-1a Conestoga Drive Brampton ON L6Z 4N5	426 Brookside Dr PLAN 620 LOT 13

**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>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 743.00m <sup>2</sup> and 835.99m <sup>2</sup> shall be 40%.	To increase the maximum residential floor area ratio to 41.72%.

## 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.

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**Watch the hearing:**

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

**More information:**

Town departments and agency comments regarding this application will be available online at [Agendas & Meetings \(oakville.ca\)](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:**

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

**Date mailed:**

March 18, 2025

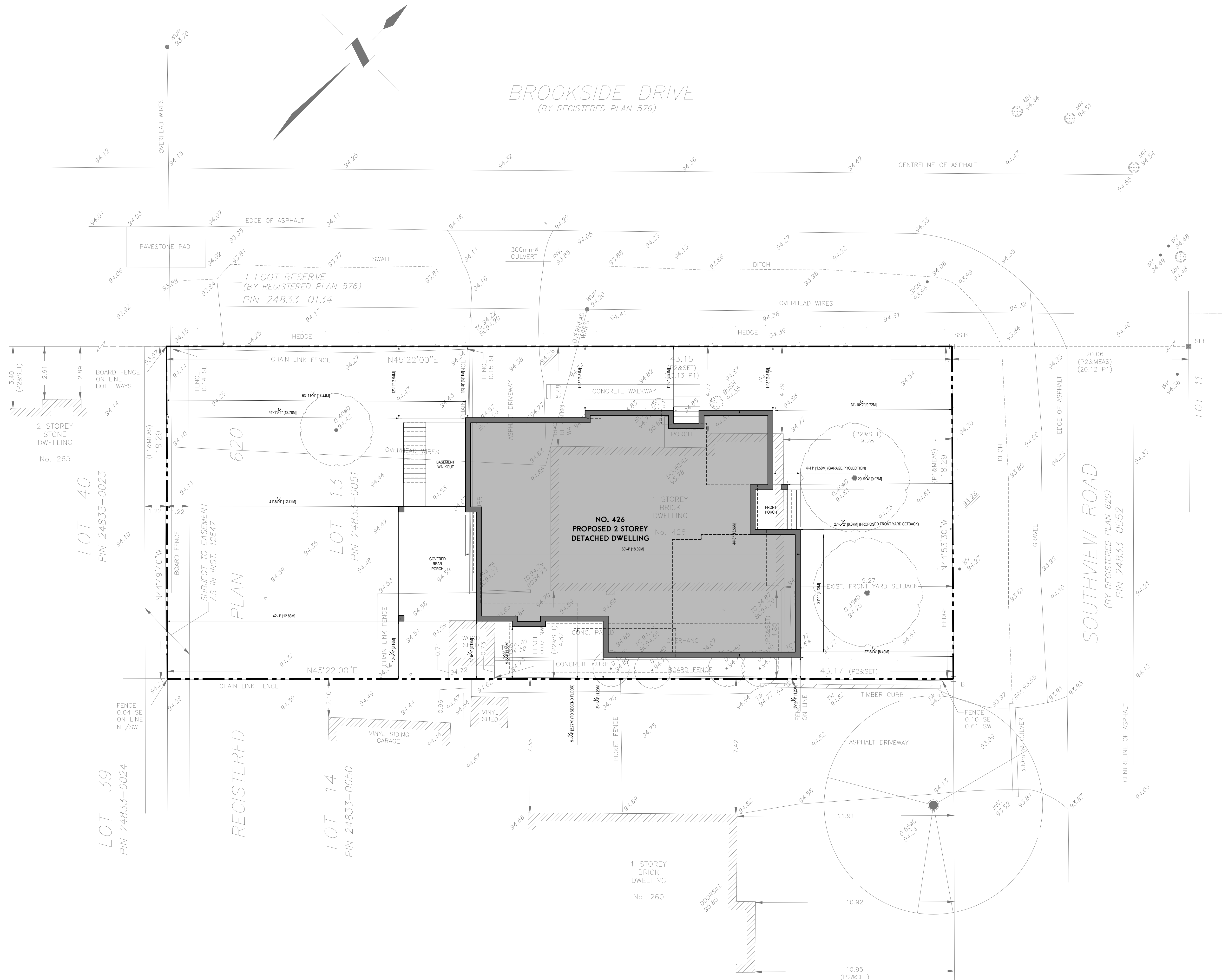


A/044/2025 - 426 Brookside Drive





SITE STATISTICS		
ADDRESS:	426 BROOKSIDE DRIVE	
ZONING:	RL3-0	
	<i>Proposed</i>	<i>Required</i>
LOT AREA	788.54 m <sup>2</sup>	557.5 m <sup>2</sup>
LOT FRONTAGE	18.27 m	18.00 m
ESTABLISHED GRADE	94.27	N/A
HEIGHT TO MID-POINT	7.91 m	N/A
HEIGHT TO HIGHEST RIDGE	9.00 m	9.00 m
HEIGHT TO EAVE	6.67 m	N/A
	<i>Proposed</i>	<i>Required</i>
<b>RFA (FLOOR AREA)</b>		
GROUND FLOOR	168.08 m <sup>2</sup>	N/A
SECOND FLOOR	177.31 m <sup>2</sup>	N/A
GARAGE (NOT INCL.)	47.64 m <sup>2</sup>	N/A
<b>SUBTOTAL</b>	<b>345.39 m<sup>2</sup></b>	N/A
OPEN AREAS (TO BE DEDUCTED)	16.45 m <sup>2</sup>	N/A
<b>TOTAL RFA</b>	<b>328.94 m<sup>2</sup></b>	315.42 m <sup>2</sup>
RFA TO LOT AREA (MAX 40%)	<b>41.72 %</b>	40 %
	<i>Proposed</i>	<i>Required</i>
<b>LOT COVERAGE</b>		
DWELLING FOOTPRINT (INCL GARAGE)	215.72 m <sup>2</sup>	N/A
FRONT PORCH	4.09 m <sup>2</sup>	N/A
REAR PORCH	26.85 m <sup>2</sup>	N/A
SECOND FLOOR OVERHANGS	0.63 m <sup>2</sup>	N/A
<b>TOTAL LOT COVERAGE:</b>	<b>247.29 m<sup>2</sup></b>	275.99 m <sup>2</sup>
MAX ALLOWED = 35%	<b>31.36 %</b>	35 %
	<i>Proposed</i>	<i>Required</i>
<b>SETBACKS</b>		
FRONT YARD (EXISTING (9.27M) - 1.00M)	8.37 m	8.27 m
FLANKAGE YARD	3.51 m	3.50 m
INTERIOR SIDE YARD	1.20 m	1.20 m
REAR YARD	12.72 m	7.50 m



1300 ARCHITECTURAL SITE PLAN

CUStOM HOME DESIGN

HUIS DESIGN STUDIO LTD.  
CUStOM HOME DESIGN  
1A COMESTOGA DRIVE #201 BRAMPTON ON L6Z 4N6  
T: 1.833.656.487 (HUIS) E: INFO@HUISDESIGNS.COM  
HUISDESIGNS.COM

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**QUALIFICATION INFORMATION**

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**REGISTRATION INFORMATION**

REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE.

FIRM NAME: B.C.I.N.  
REGISTRATION NUMBER: 2024-067

**REVISION LIST**

NO.	ISSUED FOR	DATE	BY
1	ISSUED FOR COA	02/21/2025	J.H.
2			
3			
4			
5			

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: 426 BROOKSIDE DRIVE

PROJECT ADDRESS: 426 BROOKSIDE DRIVE

PROJECT NO.: 2024-067

SHEET NO.: 1/10

CHECKED BY: K.V.K.

SCALE: 1:10

**SP**



NOT TO SCALE  
FRONT ELEVATION

**huis design studio**  
CUSTOM HOME DESIGN

HUIS DESIGN STUDIO LTD.  
CUSTOM HOME DESIGN  
1A CONESTOGA DRIVE #101 BRAMPTON, ON L6Z 0N6  
T: 905.466.8847 HUS@HUISDESIGN.CA  
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FIRM NAME: B.C.I.N.


REVISION LIST	
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ISSUE LIST	
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**DRAWING TITLE:** 3D SKETCH RENDERS  
**DRAWN BY:** J.H.  
**CHECKED BY:** K.V.K.  
**PROJECT ADDRESS:** 428 BROADSIDE DRIVE  
**SCALE:** 1/4" = 1'-0"  
**SHEET NO.:** A201



RIGHT ELEVATION



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HUIS DESIGN STUDIO LTD.  
CUSTOM HOME DESIGN  
1A CONESTOGA DRIVE #401 BRAMPTON, ON L6Z 4N5  
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HUISDESIGNS.COM

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FRM NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_

**REVISION LIST**

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**ISSUE LIST**

NO.	DATE	DESCRIPTION
1	02/21/2025	ISSUED FOR COA
2		
3		
4		
5		

**DRAWING TITLE:** ARCHITECTURAL ELEVATIONS  
**DRAWN BY:** J.H. **CHECKED BY:** K.V.K.  
**PROJECT ADDRESS:** 426 BROOKSIDE DRIVE  
**PROJECT NO.:** 2024-057  
**SHEET NO.:** A202



REAR ELEVATION

**FINAL DESIGN SIGN-OFF**  
 I, THE CLIENT, HEREBY STATE I HAVE REVIEWED THIS DRAWING SET IN ITS ENTIRETY AND HEREBY AGREE TO SIGN OFF ON ALL ARCHITECTURAL DESIGN WORK INCLUDED WITHIN THIS DRAWING SET. ANY MAJOR DESIGN CHANGES REQUESTED FROM THIS POINT FORWARD WILL INCUR AN HOURLY CHARGE, AS LISTED ON THE INITIAL ARCHITECTURAL SERVICES CONTRACT PROVIDED BY HUIS DESIGN STUDIO. ALL TERMS, CONDITIONS AND AGREEMENTS OF THE ORIGINAL CONTRACT WILL REMAIN IN EFFECT.

CLIENT INITIALS: \_\_\_\_\_ HUIS INITIALS: \_\_\_\_\_

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 CUSTOM HOME DESIGN  
 1A CONESTOGA DRIVE #101 BRAMPTON, ON L6Z 4N5  
 T: 888.498.4847 (HUIS) | E: INFO@HUISDESIGNS.COM  
 HUISDESIGNS.COM

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FIRM NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_  
 REGISTRATION INFORMATION  
 REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2 OF THE ONTARIO BUILDING CODE.  
 FIRM NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_

**REVISION LIST**

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1	ISSUED FOR COA	02/21/2025
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**ISSUE LIST**

NO.	DESCRIPTION	DATE
1	ISSUED FOR COA	02/21/2025
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DRAWING TITLE: ARCHITECTURAL ELEVATIONS  
 DRAWN BY: J.H. CHECKED BY: K.V.K.  
 PROJECT ADDRESS: 426 BROOKSIDE DRIVE  
 PROJECT NO.: 2024.057  
 SHEET NO.: \_\_\_\_\_  
**A203**





LEFT ELEVATION

**FINAL DESIGN SIGN-OFF**  
 I, THE CLIENT, HEREBY STATE THAT I HAVE REVIEWED THIS DRAWING SET IN ITS ENTIRETY AND HEREBY AGREE TO SIGN OFF ON ALL ARCHITECTURAL DESIGN WORK INCLUDED WITHIN THIS DRAWING SET. ANY MAJOR DESIGN CHANGES REQUESTED FROM THIS POINT FORWARD WILL INCUR AN HOURLY CHARGE, AS LISTED ON THE INITIAL ARCHITECTURAL SERVICES CONTRACT PROVIDED BY HUIS DESIGN STUDIO. ALL TERMS, CONDITIONS AND AGREEMENTS OF THE ORIGINAL CONTRACT WILL REMAIN IN EFFECT.

CLIENT INITIALS: \_\_\_\_\_ HUIS INITIALS: \_\_\_\_\_

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 HUIS DESIGN STUDIO LTD.  
 CUSTOM HOME DESIGN  
 1A CONESTOGA DRIVE #101 BRAMPTON, ON L6Z 4N5  
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**REGISTRATION INFORMATION**  
 REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2 OF THE ONTARIO BUILDING CODE.

FIRM NAME: \_\_\_\_\_ B.C.I.N.: \_\_\_\_\_

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5 -	MM.DD.YYYY

ISSUE LIST	
1 -	ISSUED FOR COA 02/21/2025
2 -	MM.DD.YYYY
3 -	MM.DD.YYYY
4 -	MM.DD.YYYY
5 -	MM.DD.YYYY

**DRAWING TITLE:** ARCHITECTURAL ELEVATIONS  
**DRAWN BY:** J.H. **CHECKED BY:** K.V.K.  
**PROJECT ADDRESS:** 426 BROOKSIDE DRIVE  
**PROJECT NO.:** 2024.057 **SCALE:** 1/8"=1'-0"  
**SHEET NO.:** **A204**





NOT TO SCALE  
3D VIEWS

**FINAL DESIGN SIGN-OFF**  
I, THE CLIENT/VEHICLE THAT I HAVE REVIEWED THIS DRAWING SET IN ITS ENTIRETY AND HEREBY AGREE TO SIGN OFF ON ALL ARCHITECTURAL DESIGN WORK INCLUDED WITHIN THIS DRAWING SET. ANY MAJOR DESIGN CHANGES REQUESTED FROM THIS POINT FORWARD WILL INCUR AN HOURLY CHARGE, AS LISTED ON THE INITIAL ARCHITECTURAL SERVICES CONTRACT PROVIDED BY HUIS DESIGN STUDIO. ALL TERMS, CONDITIONS AND AGREEMENTS OF THE ORIGINAL CONTRACT WILL REMAIN IN EFFECT.

CLIENT INITIALS: \_\_\_\_\_ HUIS INITIALS: \_\_\_\_\_

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FIRM NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_

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FIRM NAME: \_\_\_\_\_ B.C.I.N. \_\_\_\_\_

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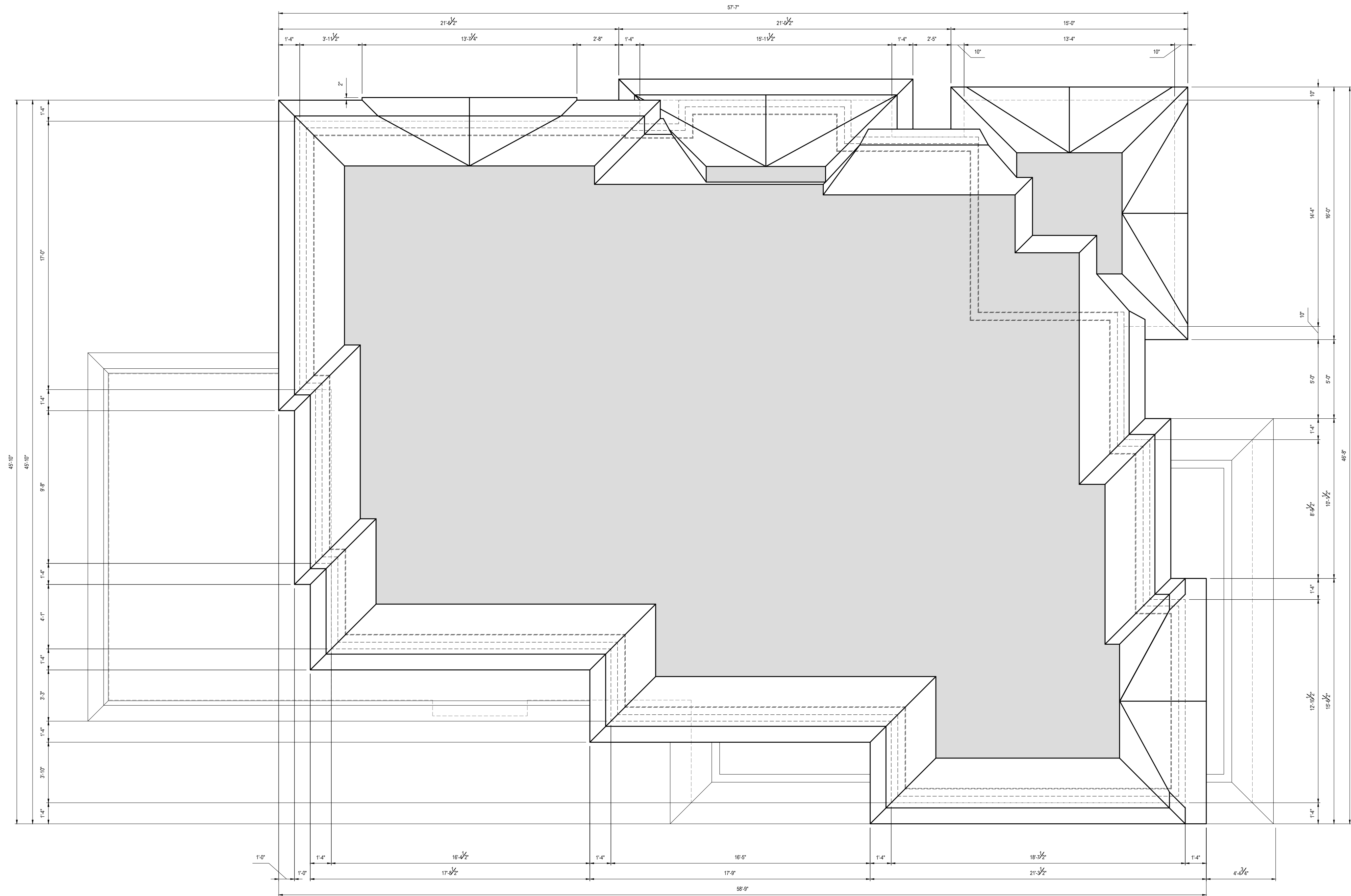
ISSUE LIST	
1	02/21/2025
2	
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**DRAWING TITLE:** 3D VIEWS  
**CHECKED BY:** K.V.K.  
**PROJECT ADDRESS:** 426 BROOKSIDE DRIVE  
**PROJECT NO.:** 2024-057  
**SHEET NO.:**

**A205**



11P-1-02  
**ROOF PLAN**



**huis design studio**  
CUSTOM HOME DESIGN

HUIS DESIGN STUDIO LTD.  
CUSTOM HOME DESIGN  
1A CONESTOGA DRIVE #101 BRAMPTON, ON L6Z 4N5  
T: 1.888.484.8847 (HUIS) | E: INFO@HUISDESIGNS.CA  
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**REGISTRATION INFORMATION**

ISSUED FOR COA  
REQUIRED UNLESS THE DESIGN IS EXEMPT UNDER DIV. C-3.2.4 OF THE ONTARIO BUILDING CODE.

REVISION LIST	
1	MW.DD.YYYY
2	MW.DD.YYYY
3	MW.DD.YYYY
4	MW.DD.YYYY
5	MW.DD.YYYY

PROJECT NORTH: TRUE NORTH

DRAWING TITLE: ROOF PLAN  
DRAWN BY: J.H. CHECKED BY: K.V.K.  
PROJECT ADDRESS: 426 BROOKSIDE DRIVE  
PROJECT NO.: 2024.057  
SHEET NO.: **A104**

P.N. 2024-067

March 5, 2025

**Attention:** Planning Staff  
 Planning Services  
 Town of Oakville  
 1225 Trafalgar Road  
 Oakville, Ontario

**Reference:** 426 Brookside Drive, Oakville.  
 Committee of Adjustment Application - File # A/044/2025

To whom it may concern,

We have attached an application for Minor Variance and the purpose for this letter is to further explain the justification for the requested variances. To date we have worked with your office to explore our design and ensure the massing is sympathetic to the area as well as the town’s design guidelines.

The lot is located in South Oakville, west of Dorval Dr. and south of Speers Rd. The lot is 788.54 m<sup>2</sup>. The surrounding area is comprised of a mix of older single storey or storey and a half dwellings as well as a large number of newer larger custom built estate dwellings. It is important to note that there are a number of 2 storey new builds just to the West and to the North of this lot. The westerly property is almost an identical example of the shape, massing and scale of what we are looking to build. For this reason, we have undertaken consultation with Planning Staff in order to best break up the massing of this dwelling while holding true to the homeowner’s desired architectural style.

The Requested Variance:

- 1. MAXIMUM RFA: The required maximum RFA is 315.42 m<sup>2</sup> (40.00% of lot area)( Table 6.4.1).**  
 The proposed RFA is 328.94 m<sup>2</sup> (41.72% of lot area). • This is a difference of about 13.52 m<sup>2</sup> or 145.53 ft<sup>2</sup>.

For the single requested variance, we have the following justification:

The massing of the dwelling is of the utmost concern when assessing the RFA minor variance, thus we have taken steps to mitigate the massing of the dwelling and its impact on the surrounding lots.

For the front entrance, even though it is an open to above space with an open ceiling to the second floor, we have lowered the roof line on the second floor and minimized the massing of the front entrance feature on the exterior of the façade in order to create a negative space in that area and minimize any potential massing impacts. See figure 1 below. Further to this, we have lowered the roof line of the front corner Living Room and further stepped down the massing of the home for this area. This would be the most visible corner feature of the home and we have designed this in such a way that it is the least impactful on the surrounding lots.

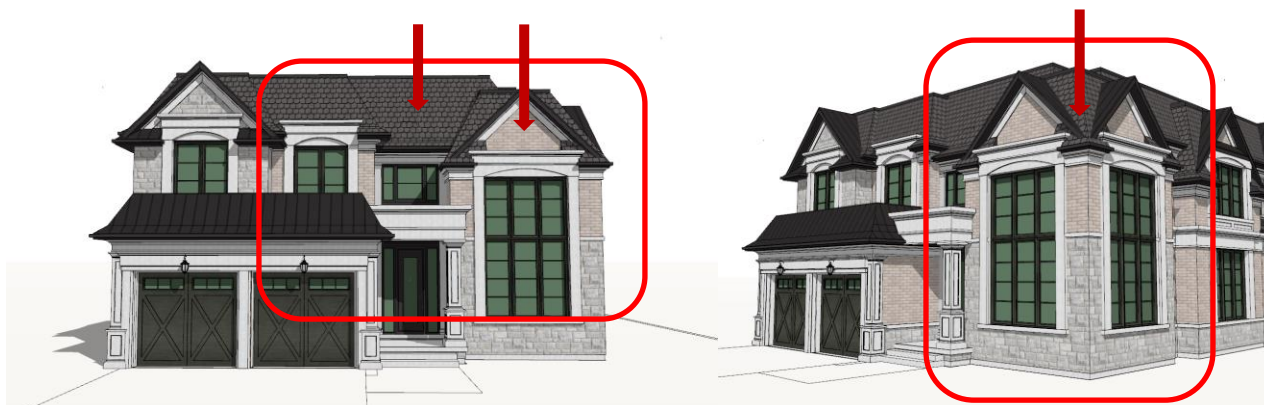


Fig. 1.0.

For the lot located to the south of the subject property, we have taken care to step back the main floor AND yet even further the second floor. On the roof plan shown below in Fig 2.0 the roof massing is distanced from the neighbouring bungalow and only a small portion of the second floor is spaced at the allowable set back. About 70% of the second floor has been pulled away from the left-hand side lot in order to create space from and buffer the impact of the new home from the existing dwelling located at 260 Southview Rd.

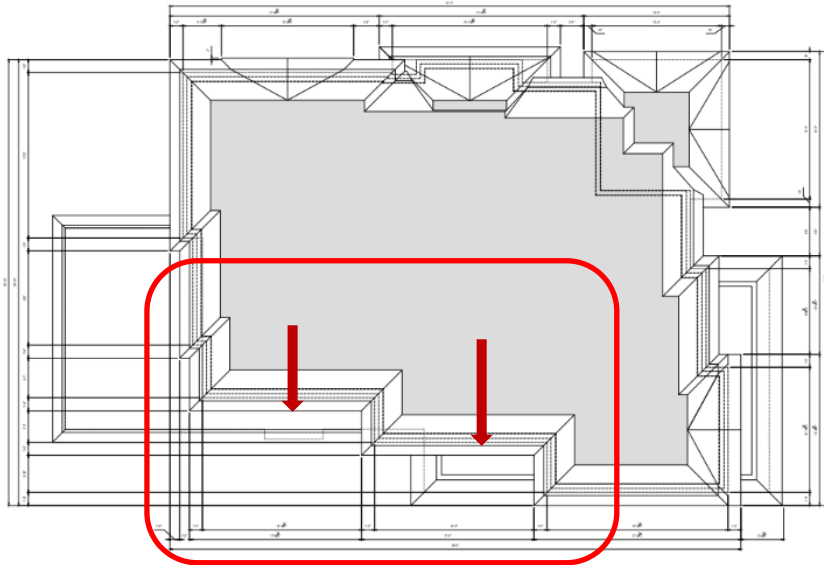


Fig. 2.0

Along with the Living Room, corner feature, height reduction, we have further designed the exterior corner façade of the dwelling with a number of projection and relief areas. You can see in Figure 3.0 that the façade is broken up into 3 segments. This segmenting of the façade not only creates interest for the side elevation view but also serves to provide relief from the over burden of massing when walking along the street. It is worth noting that the rear portion of the home will have a side lot line fence installed and it will cover some of the rear portion of the home on the first/main floor.



Fig. 3.0



For comparison purposes the lot just west of the subject property located at 265 Wooddale Ave is a similarly designed 2 storey dwelling with similar massing features. Both the subject property and 265 Wooddale Ave would appear to be well balanced and well placed when viewed next to each other from Brookside Dr. See below figure 4.0.



Fig. 4.0 - 265 Wooddale Ave. (Formerly 438 Brookside Dr.)

For comparison purposes the lot just north of the subject property located at 276 Southview Rd. is a 2 storey dwelling with massing features that are less broken up however do employ lower roof lines. Both the subject property and 276 Southview Rd. would appear to be well balanced and well placed when viewed next to each other from the intersection of Southview Rd. and Brookside Dr. See below figure 4.0.



Fig. 5.0 – 276 Southview Rd. (Formerly 425 Brookside Dr.)

Further observations into the RFA assessment from an internal floor area standpoint will lead us to highlight the importance of some floor area which is critical in the function and use of this home for the homeowners. The intention of this exercise is to identify the contributing factors for the RFA request and rationalizes why these areas are so integral to the development of this home.

Referring to Figure 06 below you can see the circled areas of the home study and the pathway leading to it. The combinations of these areas are attributing fully to the request for the additional RFA. The homeowners require a space to work from home that is well lit and this space is specifically reserved for this use.

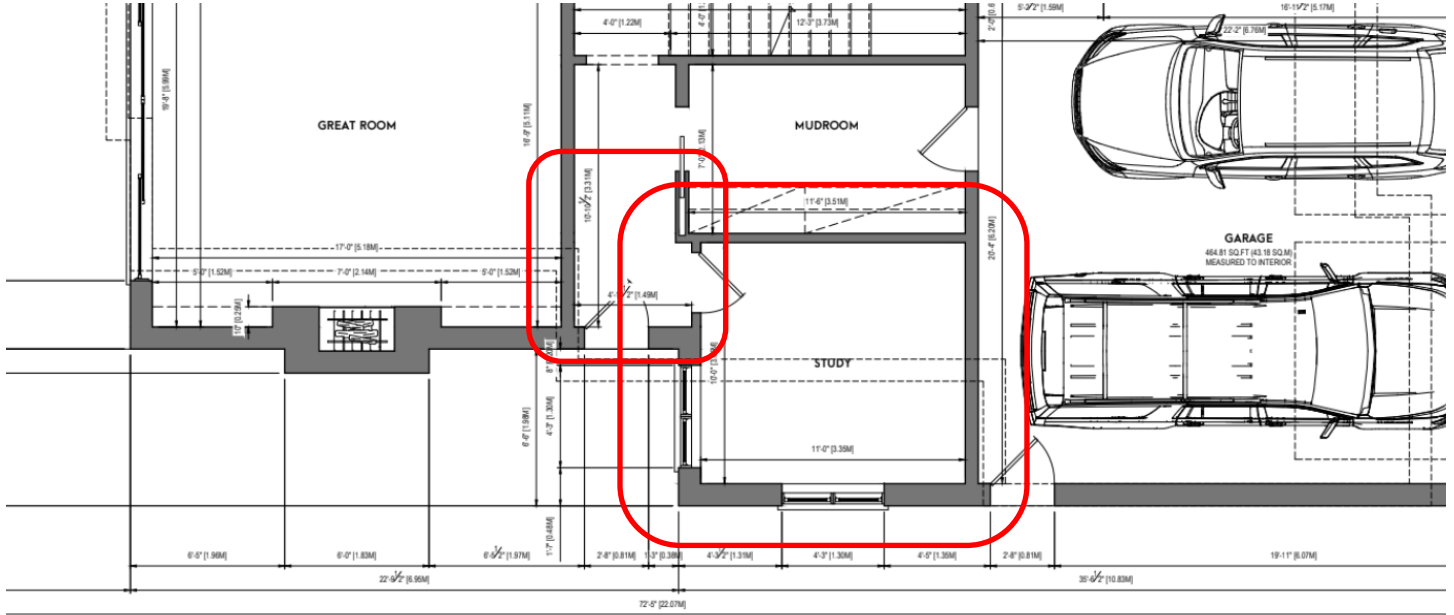


Fig. 6.0

In closing we feel that the above noted variances meet the prescribed Four Test of Section 45(1) of the Planning Act. All of these requested variances are minor in nature and the development of this site with of a home of this nature is desirable to the area. Furthermore, these variances are in keeping with the general intent of the Zoning By-Law and the Official Plan. If you require any additional information, please feel free to contact us.

Sincerely,

Kurtis Van Keulen, Principal.  
 T: 647 206 9655  
 E: [kurtis@huisdesigns.ca](mailto:kurtis@huisdesigns.ca)

Huis Design Studio  
[www.huisdesigns.ca](http://www.huisdesigns.ca)

# COMMITTEE OF ADJUSTMENT

## **MINOR VARIANCE REPORT**

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION: A/044/2025**

**RELATED FILE: N/A**

**DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
O. Akindipe	Kurtis Van Keulen Huis Design Studio 301-1a Conestoga Dr Brampton ON, L6Z 4N5	PLAN 620 LOT 13 426 Brookside Dr Town of Oakville

**OFFICIAL PLAN DESIGNATION: Low Density Residential**

**ZONING: RL3-0, Residential**

**WARD: 2**

**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>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 743.00m <sup>2</sup> and 835.99m <sup>2</sup> shall be 40%.	To increase the maximum residential floor area ratio to 41.72%.

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Planning Services:**

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

**A/044/2025 - 426 Brookside Drive (West District) (OP Designation: Low Density Residential)**

The applicant proposes to construct a new two-storey detached dwelling, subject to the variance 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 property is a corner lot in a neighbourhood containing mainly one-storey, dwellings that are original to the area, along with some newly constructed two-storey homes. Most newly constructed dwellings include a two-car garages and consist of and massing that is broken up into smaller elements to reduce potential impacts on the streetscape.



*Aerial Photo of 426 Brookside Drive*

Development Engineering staff note this development will need a Site Alteration Permit (DEPA) following this application, prior to proceeding with works. The Site Alteration Permit review will require development to provide for stormwater management on site to control post development flows to pre-development conditions.

### **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.

It is staff's opinion that the proposed two-storey detached dwelling maintains 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 – Residential Floor Area Ratio (No Objection) – 40% increased to 41.72%**

The intent of Zoning By-law provision for residential floor area ratio is to prevent a dwelling from having a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. The applicant is requesting relief from Zoning By-law 2014-014, as amended, to permit an increase in residential floor area ratio from 40% (315.42 square meters) to 41.72% (328.94 square meters) for a total increase of 13.52 square meters.

The proposed dwelling incorporates step backs of the second storey in various locations to reduce its mass and scale, ensuring a better fit within the surrounding neighborhood. Staff are of the opinion that the requested increase in residential floor area ratio is minor in nature, and meets the intent of the Zoning By-law. This proposal generally maintains the overall character of the existing neighbourhood while accommodating the proposed two-storey dwelling.

**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 the minor variance request be approved by the Committee, the following conditions are recommended:

1. That the dwelling be built in general accordance with the submitted site plan and elevation drawings dated February 21, 2025; 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.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the maximum residential floor area ratio to 41.72%, 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.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**

**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.
- The applicant is cautioned that during development activities, should archaeological materials be found on the property, the provincial Ministry of Citizenship and Multiculturalism (MCM) must be notified immediately ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)), as well as the Town of Oakville and, if Indigenous in origin, relevant First Nations communities. If human remains are encountered during construction, the proponent must immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate, as well as the Registrar, Ontario Ministry of Public and Business Service Delivery—who administers provisions of the *Funeral, Burial and Cremation Services Act*—to be consulted, as well as the MCM and the Town of Oakville, and, if considered archaeological, the relevant First Nations communities. All construction activity in the vicinity of the discovery must be postponed until an appropriate mitigation strategy is identified and executed.
- 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 dwelling be built in general accordance with the submitted site plan and elevation drawings dated February 21, 2025; 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.

*J. Ulcar*

---

Jennifer Ulcar  
Secretary-Treasurer, Committee of Adjustment

# Notice of Public Hearing Committee of Adjustment Application



File # A/045/2025

## Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 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. Wu	Gurdeep Singh CANAM ENGINEERING INC 98 Russell Creek Drive Brampton ON, L6R 4A1	3280 Post Rd PLAN M1214 LOT 312

**Zoning of property:** GU sp:40, 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 uncovered below grade access stairs on the subject property proposing the following variance to Zoning By-law 2009-189:

No.	Current	Proposed
1	<i>Table 4.21 (h)</i> Uncovered stairs below grade accessing a main building shall encroach a maximum of 1.5 metres into a minimum rear yard.	To increase the maximum encroachment into the minimum rear yard for uncovered below grade access stairs to 1.78 metres.

## 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](http://oakville.ca). The live-stream will begin just before 7 p.m.

**More information:**

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

**Notice of decision:**

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

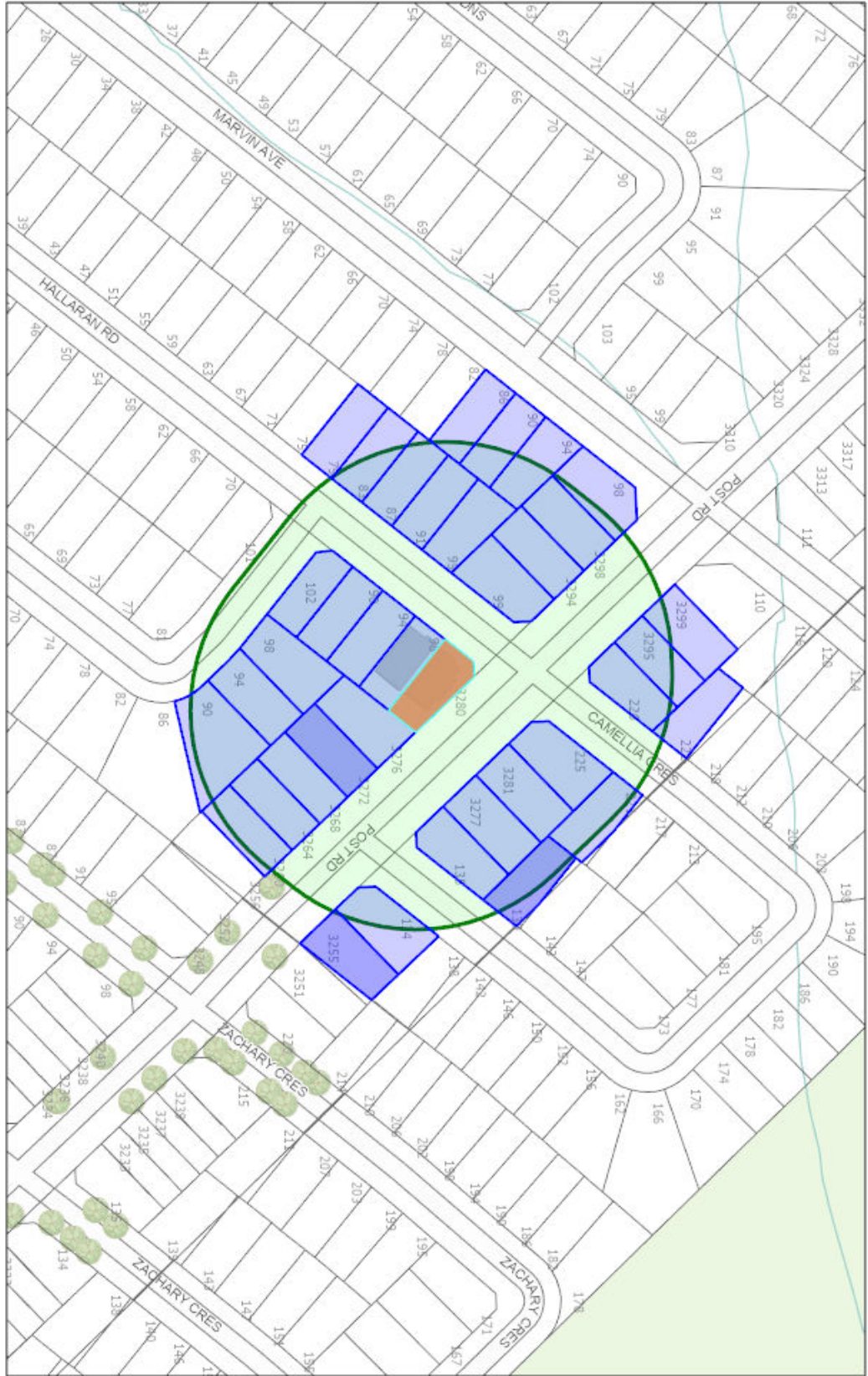
**Contact information:**

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

**Date mailed:**

March 18, 2025

# A/045/2025 - 3280 Post Road

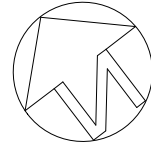


- 3/13/2025, 2:20:09 PM
- Applicant Name Address
- Ownership
- Wards

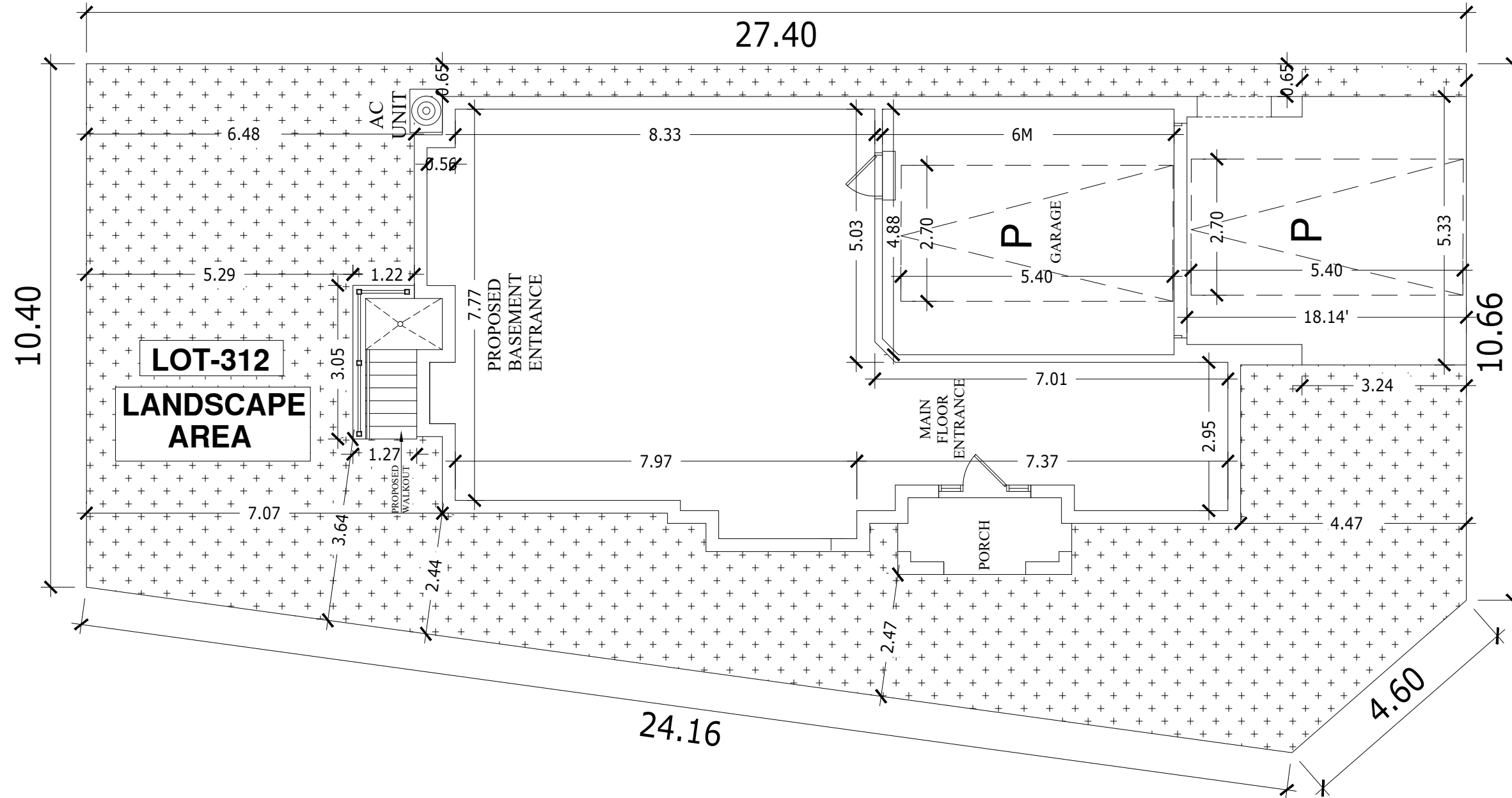


Town of Oakville  
2021 Town of Oakville

# SITE PLAN



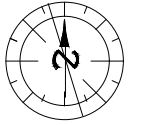
## 3280 POST ROAD



**NOTE: ALL DIMENSIONS ARE IN METRES**

PROJECT NORTH

TRUE NORTH



RELEASED FOR BUILDING PERMIT  
 \* 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.

Descriptions	Rev No.	Date
REVISIONS OF DRAWING		

Drawing Checked by :  
**CANAM ENGINEERING INC.**



27/2/25

Consultants :  
**Canam Engineering Inc**  
 Phone - 647 - 466 - 8315  
 Fax - 416 - 290 - 0792  
 info@canamengineering.com  
 98 Russell Creek Drive,  
 Brampton, ON, L6R 4A1

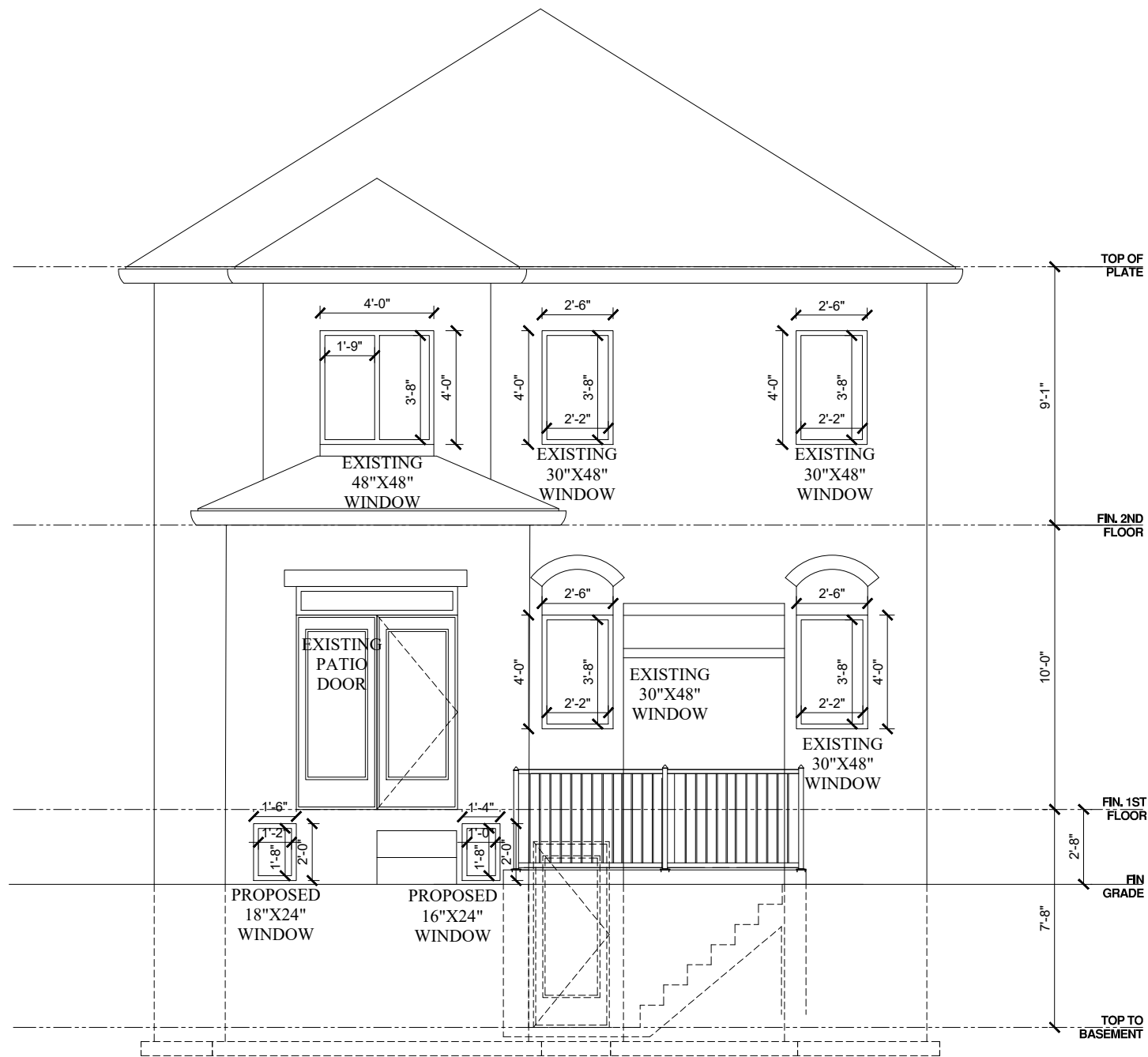
Project :  
**PROPOSAL TO CONSTRUCT  
 SECONDARY BASEMENT**

Project Location :  
 3280 POST ROAD,  
 OAKVILLE

Drawing Title :  
 SITE PLAN

NOV 2024	Scale : 1/8 = 1
Drawn by : N.A.	Drawing No. :
Project No. :	A-1





**REAR ELEVATION**  
SCALE 3/16"=1'-0"

PROJECT NORTH  
TRUE NORTH

RELEASED FOR BUILDING PERMIT  
\* CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK SITE AND REPORT DISCREPANCIES TO THE CONSULTANTS BEFORE PROCEEDING.  
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\* DRAWINGS ARE NOT TO BE SCALED.

Descriptions	Rev No.	Date
REVISIONS OF DRAWING		

Drawing Checked by :  
**CANAM ENGINEERING INC.**

11/11/24

Consultants :  
**Canam Engineering Inc**  
Phone - 647 - 466 - 8315  
Fax - 416 - 290 - 0792  
info@canamengineering.com

98 Russell Creek Drive,  
Brampton, ON, L6R 4A1

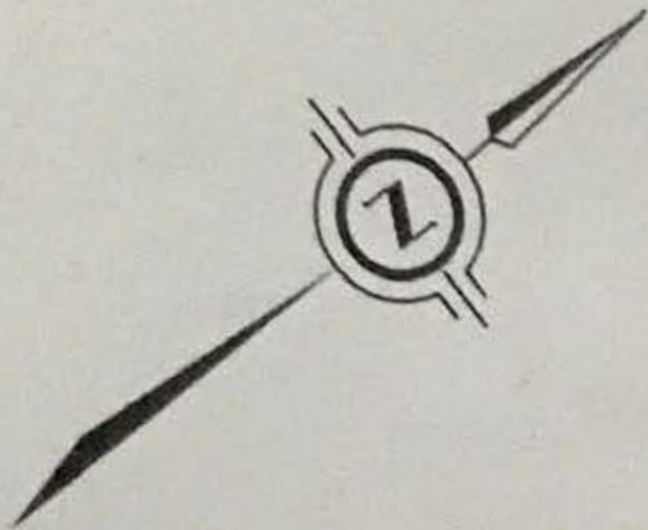
Project :  
**PROPOSAL TO CONSTRUCT  
SECONDARY BASEMENT**

Project Location :  
3280 POST ROAD,  
OAKVILLE

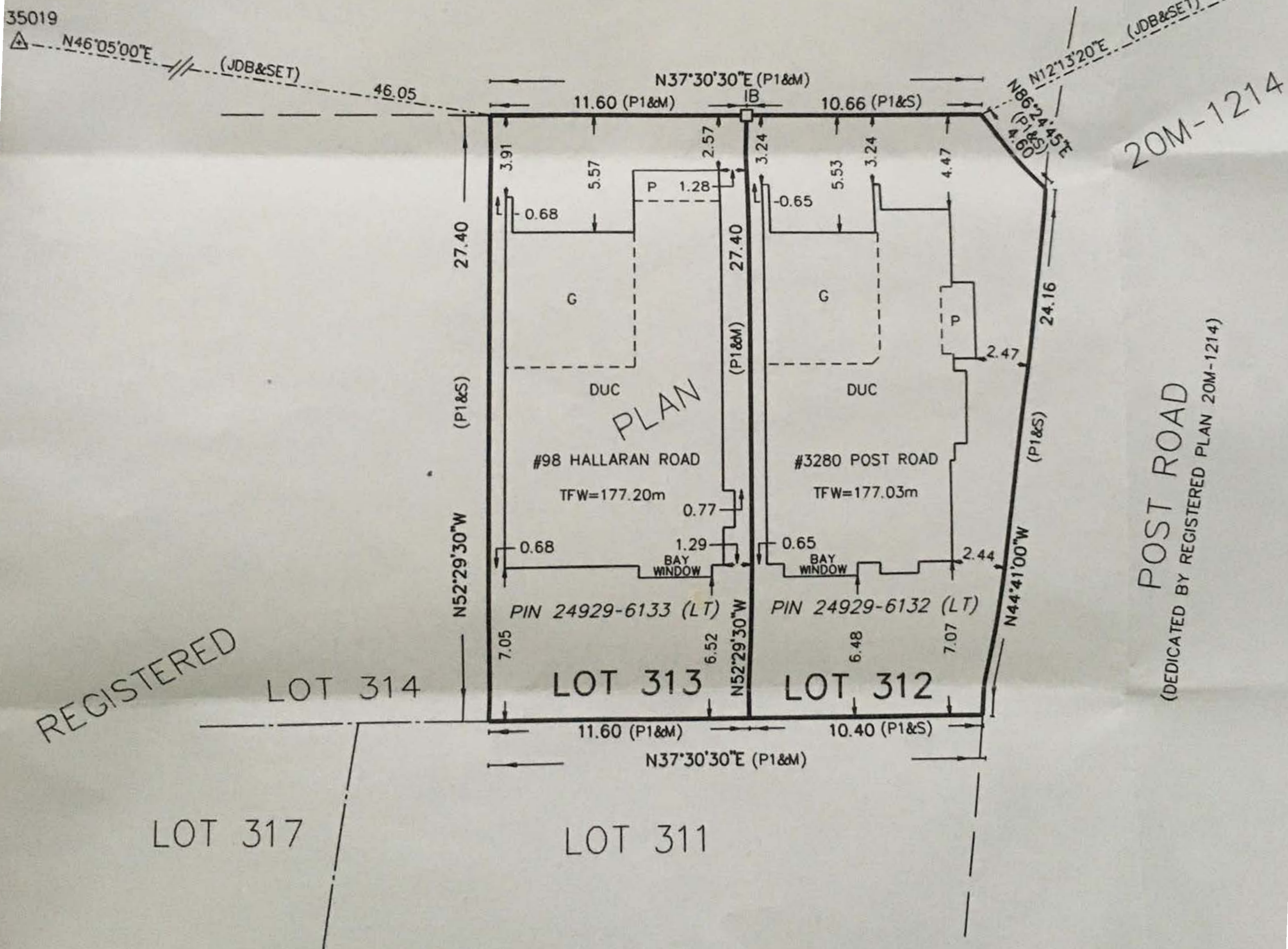
Drawing Title :  
REAR ELEVATION

NOV 2024	Scale : 3/16=1
Drawn by : N.A.	Drawing No. :
Project No. :	A-4





# HALLARAN ROAD (DEDICATED BY REGISTERED PLAN 20M-1214)



## NOTE

THIS IS A CONSTRUCTION SRPR BASED ON FOUND SURVEY EVIDENCE AND A CONTROL NETWORK SET FROM A BOUNDARY RETRACEMENT OF THE ENTIRE SUBDIVISION COMPLETED BY J. D. BARNES LTD. ON APRIL 5, 2019. REFERENCE POINTS #6 AND #35019 ARE ON RECORD WITH J.D. BARNES LTD.



# COMMITTEE OF ADJUSTMENT

## **MINOR VARIANCE REPORT**

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/045/2025

RELATED FILE: N/A

### **DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
J. Wu	Gurdeep Singh Canam Engineering Inc. 98 Russell Creek Dr Brampton ON, L6R 4A1	PLAN M1214 LOT 312 3280 Post Rd Town of Oakville

**OFFICIAL PLAN DESIGNATION: Neighbourhood Area, General Urban**

**ZONING: GU sp:40, Residential**

**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 construction of uncovered below grade access stairs on the subject property proposing the following variance to Zoning By-law 2009-189:

No.	Current	Proposed
1	<i>Table 4.21 (h)</i> Uncovered stairs below grade accessing a main building shall encroach a maximum of 1.5 metres into a minimum rear yard.	To increase the maximum encroachment into the minimum rear yard for uncovered below grade access stairs to 1.78 metres.

## **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

### **Planning Services:**

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

**A/045/2025 - 3280 Post Road (East District)** (OP Designation: Neighbourhood Area, General Urban)

The applicant proposes to construct a basement access stair in the rear yard, subject to the variance listed above.

### **Site Area and Context:**

The subject lands are located in North Oakville, and are a corner lot at Post Road and Hallaran Road. The surrounding area is comprised of detached dwellings with two car garages. This area of Oakville is relatively new, and there are only minor alterations in the rear yards of some

dwellings which include elevated porches and access stairs. Based on existing aerial photography, some properties have not yet installed privacy fencing.

Staff note that the rear yard setback for the subject lands is 7.0m. The rear yard for the subject lands is noted as 7.07m to the main wall and 6.48m to the bay window, which is a permitted encroachment.

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) and/or 45(2) (a) or (b) 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 Neighbourhood Area and identified as General Urban in Figure NOE1 by the North Oakville East Secondary Plan. The General Urban Areas is predominately made up of detached residential units. The proposed basement access stair is located within the rear yard, and not visible from the street. On this basis, the application maintains the general intent and purpose of the Official Plan.

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

The subject lands are Zoned GU SP42 in the North Oakville Zoning By-law 2009-189. The applicant is requesting relief from the by-law to permit a basement access stair in the rear yard having an encroachment of 1.78m whereas 1.5m is the maximum encroachment permitted. The intent of regulating the encroachment is to ensure that there are no negative impacts to drainage, access and the public realm. The proposed access stair is located in the rear yard and not visible from the street due to existing wooden fencing of the rear yard. On this basis, it is staff's opinion that the requested increase in encroachment for the basement 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. Staff note that a site plan application is required to be submitted for the proposed addition.

**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 proposed access stair be constructed in general accordance with the site plan and elevations dates Nov 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.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the maximum encroachment into the minimum rear yard for uncovered below grade access stairs to 1.78 metres, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of uncovered below grade access stairs on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**

***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.
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activity in the vicinity of the discovery must be postponed until an appropriate mitigation strategy is identified and executed.

- 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 proposed access stair be constructed in general accordance with the site plan and elevations dates Nov 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.

*J. Ulcar*

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Jennifer Ulcar  
Secretary-Treasurer  
Committee of Adjustment

# Notice of Public Hearing Committee of Adjustment Application



File # A/046/2025

## Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 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
Region of Halton	James Moulton The Salvation Army 94 York Blvd Hamilton ON, L8R 1R6	750 Redwood Sq PLAN M476 PT BLK 2 RP 20R9052 PARTS 9 TO 12

**Zoning of property:** E3 sp:263, Employment

## 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 a one-storey addition to the existing emergency shelter on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 15.263.2 b)</i> The maximum number of beds shall be 40.	To increase the maximum number of beds to 60.

## 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.

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**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.

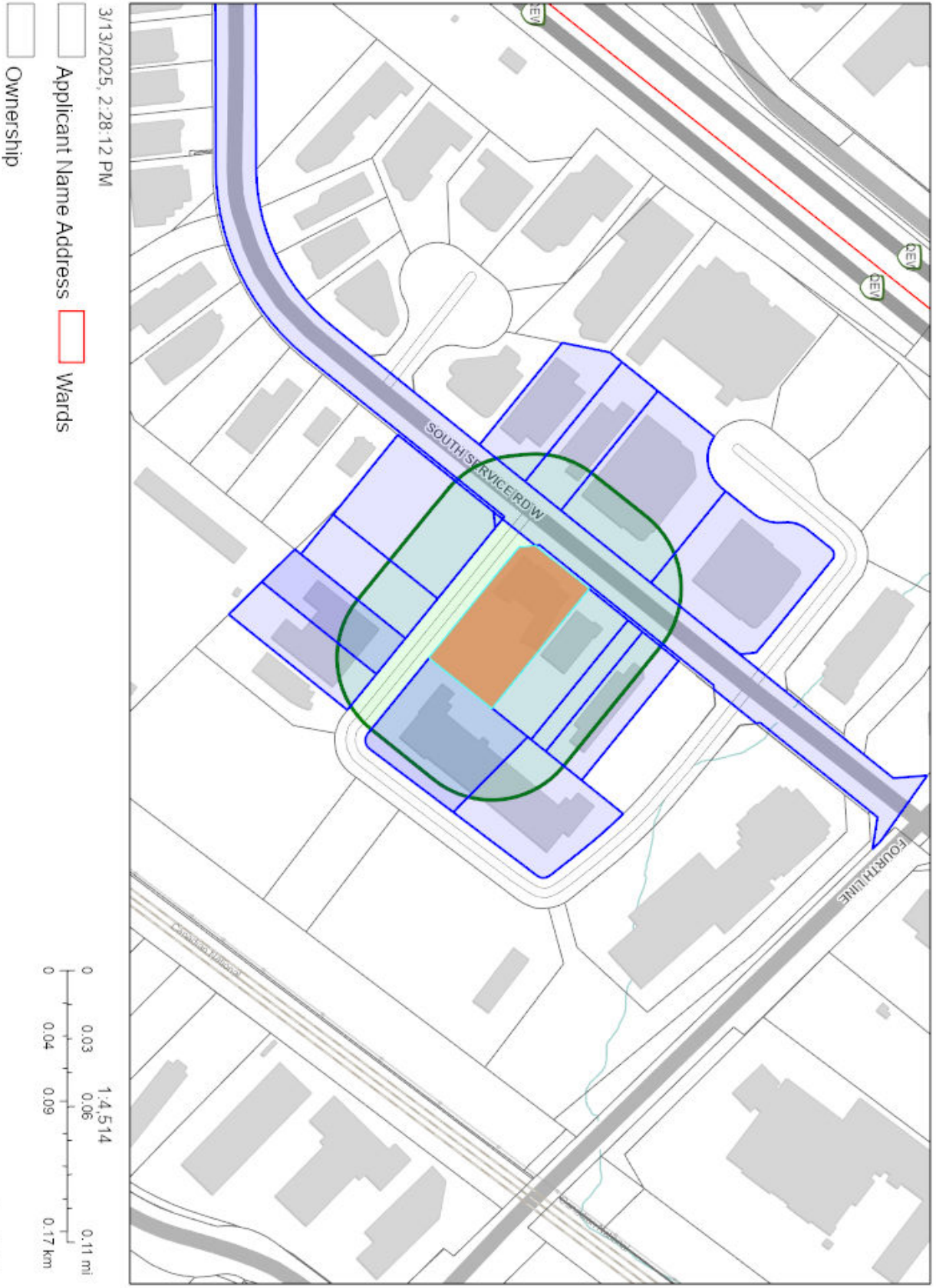
**Contact information:**

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

**Date mailed:**

March 18, 2025

A/046/2025 - 750 Redwood Square





Social & Community Services  
Housing Services  
1151 Bronte Road

November 20, 2024

Dear Town of Oakville,

**RE: Minor Variance Application 750 Redwood Square**

Please accept this additional information on behalf of Halton Region and the Salvation Army with respect to our joint application for a minor variance on the lands of 750 Redwood Square in Oakville. As you may know, Halton Region owns the land at this location and Salvation Army owns the building.

In the last year, a collaborative project between the Salvation Army, the Region and the Town of Oakville was completed at 750 Redwood Square to add capacity for nine (9) additional emergency shelter rooms at this location with accompanying office space and washrooms. Thank you for your partnership to make this renovation possible, we are now serving forty (40) individuals on site and are at 100% capacity every day.

Further to Regional Council report SS-05-24 re: "Allocation of Provincial Homelessness Prevention Program Funding in 2024-2025 and Federal Reaching Home 2024-2028 Update" (attached) the Region is relying extensively on third party hotel rooms to move individuals from unsheltered homelessness (encampments) in Oakville into emergency accommodations due to capacity issues at the Salvation Army Lighthouse. While hotel accommodations are useful to move individuals inside on a temporary basis, they are not sustainable on a long term horizon for the provision of shelter for individual with higher support needs, such as those coming out of encampments.

Halton Region is committed to making offers of emergency shelter to individuals in Oakville sleeping in encampments within 48-hours of being identified. To do so, additional capacity at our primary men's emergency shelter location is required to be able to provide the kind of 'on-site' supports required to support this population and extend these offers of shelter in a timely manner.

As such, this application is respectfully requesting a minor variance to increase the maximum capacity of emergency shelter clients at the Salvation Army Lighthouse up to 60 beds. Since the completion of the renovation on site to add 9 additional rooms, the facility has up to 20 beds sitting empty each night, which are not being filled due to the existing zoning restrictions on site. These empty rooms create inefficiencies in our emergency shelter system and are not sustainable over the long term horizon.

If we are unable to increase capacity at the Lighthouse, the Region will need to look for other options to increase the emergency shelter footprint in Oakville. In our view, the current location of the Salvation Army Lighthouse is ideal from the perspective of providing high-quality housing support services until individuals can move into permanent housing elsewhere in the Region. For this population, the existing converted employment lands can be enhanced to provide up to 60 beds of emergency shelter without negatively impacting any neighbours or infrastructure.



Thank you for considering our joint application for a minor variance on these lands. Please do not hesitate to reach out to me directly should you have any questions or require any further information from Halton Region related to the Salvation Army's application. I can be reached by e-mail at: Daryl.Kaytor@halton.ca or by telephone at: (289) 795-7509.

Sincerely,

**Daryl Kaytor**  
**Director of Housing Services**

Housing Services  
Social & Community Services

**Halton Region**

905-825-6000, ext. 4445 | 1-866-442-5866



**GENERAL NOTES**

- CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST STANDARDS OF THE REGIONAL MUNICIPALITY OF HALTON (INCLUDING REGION OF HALTON'S CONTRACTOR INFORMATION PACKAGE), TOWN OF OAKVILLE AND THE ONTARIO BUILDING CODE (PART 7), ONTARIO PROVINCIAL STANDARD SPECIFICATIONS AND DRAWINGS (OPSS & OPSD) SHALL BE USED IN ABSENCE OF LOCAL STANDARDS.
- THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL ARCHITECTURAL, MECHANICAL AND LANDSCAPE DRAWINGS.
- ALL INFORMATION SHOWN REGARDING THE LOCATION AND SIZE OF EXISTING UTILITIES AND/OR SERVICES HAS NOT BEEN VERIFIED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING LOCATION OF UTILITIES PRIOR TO CONSTRUCTION AND PROTECTING AND MAINTAINING DURING CONSTRUCTION.
- THE CONTRACTOR SHALL CHECK AND VERIFY ALL GIVEN GRADES AND ELEVATIONS PRIOR TO CONSTRUCTION AND REPORT ALL DISCREPANCIES TO THE ENGINEER.
- ALL GRADING CHANGES SHALL BE APPROVED BY THE ENGINEER AND TOWN OF OAKVILLE PRIOR TO IMPLEMENTATION.
- THE CONTRACTOR SHALL CLEAN ALL MUD TRACKED ON TO ADJACENT ROADWAYS.

**GRADING NOTES**

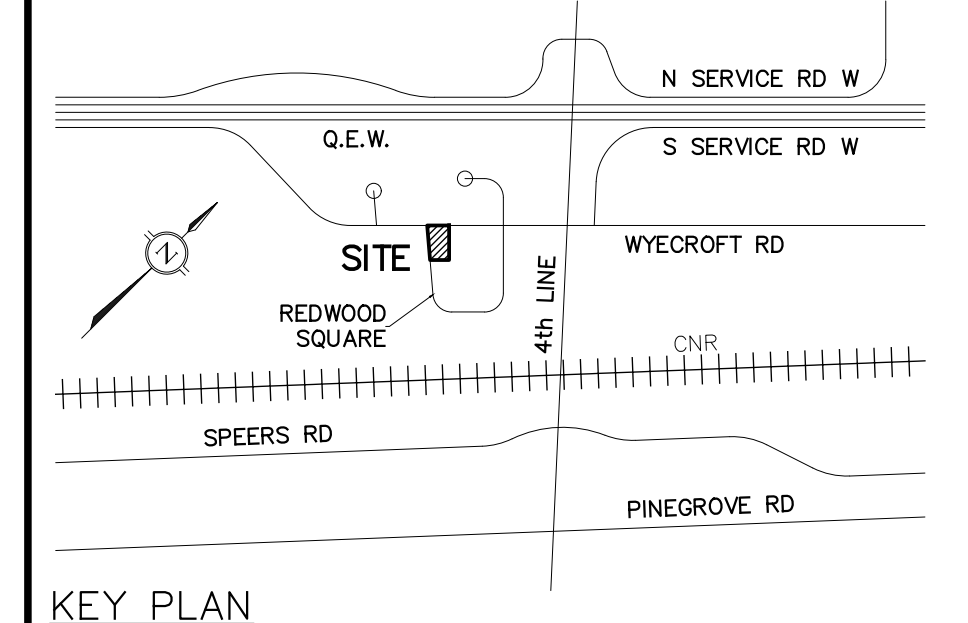
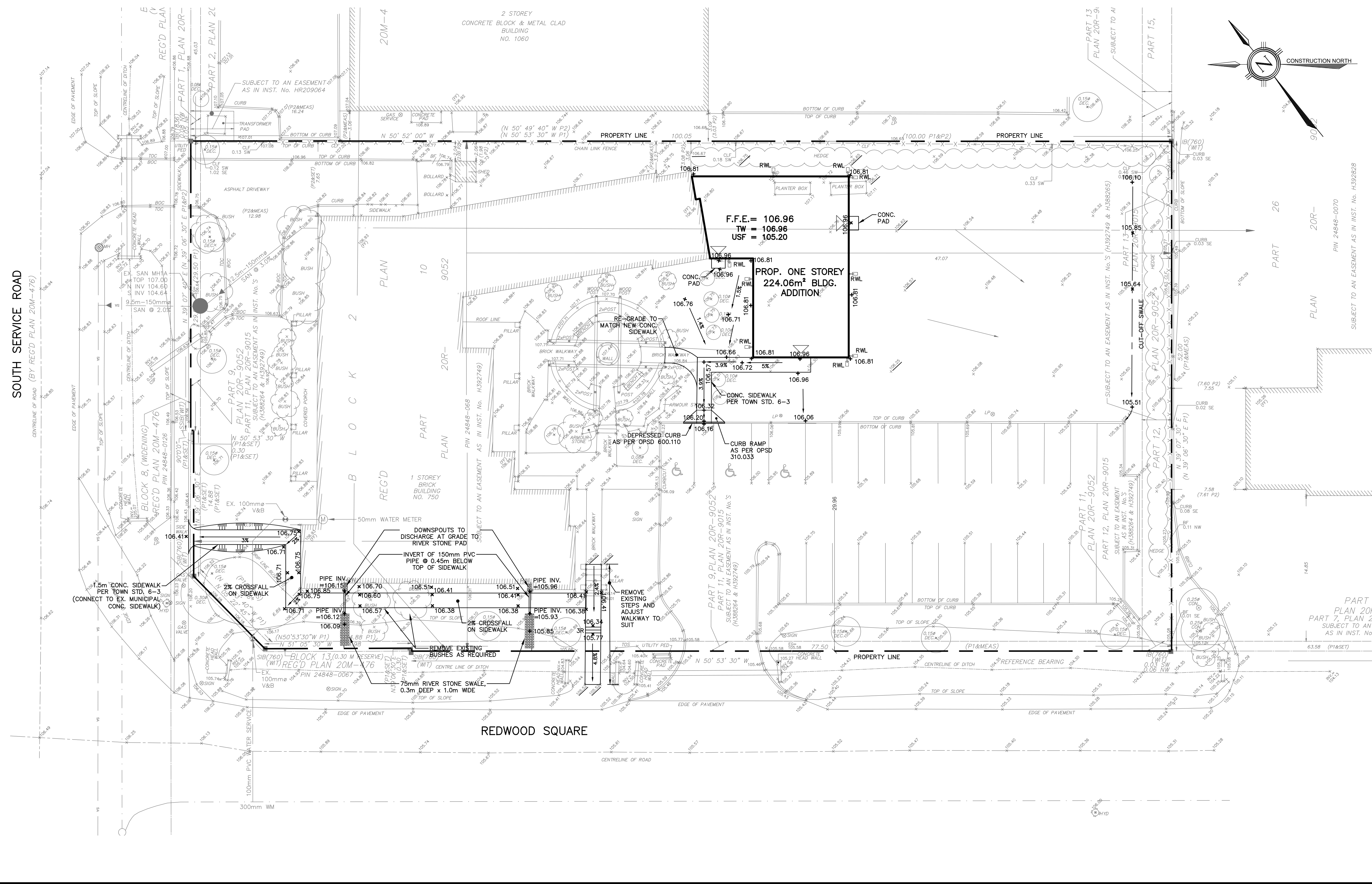
- SEDIMENT CONTROL MEASURES INCLUDING SILT FENCE AND MUD PAD ETC. SHALL BE INSTALLED PRIOR TO START OF CONSTRUCTION, CHECKED AND REPAIRED ON A REGULAR BASIS AND LEFT IN PLACE UNTIL PAVING AND LANDSCAPING IS COMPLETED. SEDIMENT CONTROL WHEN REMOVED SHALL BE DISPOSED OFF-SITE.
- ALL TOPSOIL SHALL BE STRIPPED PRIOR TO GRADING.
- ALL FILL PLACEMENT SHALL BE DONE IN ACCORDANCE WITH THE GEOTECHNICAL ENGINEER'S RECOMMENDATIONS.
- RETAINING WALLS WITH A HEIGHT GREATER THAN 0.6m ARE TO BE DESIGNED AND STAMPED BY A PROFESSIONAL ENGINEER.
- ALL DISTURBED AREAS TO BE RESTORED WITH 200mm UNCONSOLIDATED NATIVE TOPSOIL AND SOD.
- ALL DISTURBED AREAS WITH IN PUBLIC R.O.W TO BE REINSTATED TO THE SATISFACTION OF THE ENGINEERING & CONSTRUCTION DEPARTMENT. EXISTING BLVD. AREAS TO BE REINSTATED WITH 200mm TOPSOIL AND SOD.

**LOT GRADING CRITERIA**

- ALL YARD SURFACES SHALL HAVE A MINIMUM SLOPE OF 2.0%, UNLESS OTHERWISE INDICATED.
- REAR YARDS ARE TO HAVE A MAXIMUM GRADE OF 5.0% FOR A MINIMUM APRON LENGTH OF 5 METRE DISTANCE FROM THE REAR FACE OF THE DWELLING.
- THE MAXIMUM SLOPE ALLOWED ON ANY YARD SURFACE SIDE, FRONT AND REAR SHALL BE 3:1 (3 HORIZONTAL TO 1 VERTICAL).
- ALL SWALES SHALL HAVE A MINIMUM DEPTH OF 150mm AND A MINIMUM SLOPE OF 2.0% FOR A MAXIMUM LENGTH OF 60m BEFORE OUTFALL, UNLESS INDICATED OTHERWISE.
- ALL DOWNSPOUTS SHALL DISCHARGE ONTO SODDED AREAS USING SPLASH PADS FOR EROSION CONTROL. DIRECT CONNECTION OF THE DOWNSPOUTS TO THE STORM SYSTEM MUST HAVE PRIOR APPROVAL FROM THE TOWN OF OAKVILLE. THE LOCATION OF THE DISCHARGE IS NOT TO INTERFERE WITH ACCESS OR POSE A SAFETY HAZARD.

**ROADWORKS**

- ALL CONCRETE SIDEWALKS SHALL BE CONSTRUCTED AS PER TOWN STD.6-3 TO THE SATISFACTION OF THE TOWN.
- THE CONCRETE CURB RAMP SHALL BE CONSTRUCTED AS PER OPSD 310.033 AND MODIFIED PER TOWN SPECIFICATIONS (2008 GUIDELINES FOR DESIGN OF ACCESSIBLE FACILITIES - FIG 4.1.10.5) TO THE SATISFACTION OF THE TOWN.
- MIN. AND MAX. CROSS-FALL FOR HARD SURFACE PEDESTRIAN AREAS SHALL BE 2% AND 5% RESPECTIVELY, EXCLUDING SIDEWALKS.



**LEGEND**

+100.00	PROPOSED ELEVATION
+100.00	INTERPOLATED ELEVATION TO REMAIN
+105.18	EXISTING ELEVATION
+105.18	EXISTING ELEVATION TO REMAIN
(Symbol)	PROPOSED SLOPE
(Symbol)	PROPOSED SWALE DIRECTION
(Symbol)	PROPOSED DRAINAGE DIRECTION
(Symbol)	PROPOSED OVERLAND FLOW
(Symbol)	PROPERTY BOUNDARY
(Symbol)	AS-CONSTRUCTED INFORMATION

**TOPOGRAPHIC LEGEND**

(Symbol)	Survey Monument Found	N	Denotes North
(Symbol)	Survey Monument Set	S	Denotes South
(Symbol)	Standard Iron Bar	E	Denotes East
(Symbol)	Iron Bar	W	Denotes West
(Symbol)	Round Iron Bar	(OU)	Origin Unknown
(Symbol)	(760)	McConnell, Maughan Ltd., O.L.S.	
(Symbol)	(1836)	Avanti Surveying Inc. O.L.S.	
(Symbol)	(17)	Witness	
(Symbol)	P1	Plan 20R-9052	
(Symbol)	P2	Plan of Survey by Avanti Surveying Inc., O.L.S., dated July 29, 2013	
(Symbol)	FF	Finished Floor	
(Symbol)	EG	Established Grade	
(Symbol)	BF	Board Fence	
(Symbol)	UP	Utility Pole	
(Symbol)	DEC.	Deciduous	
(Symbol)	INV	Invert	
(Symbol)	HYD	Hydrant	
(Symbol)	CLF	Chain Link Fence	
(Symbol)	LP	Light Pole	
(Symbol)	MF	Metal Fence	
(Symbol)	TOC	Top of Curb	
(Symbol)	BOC	Bottom of Curb	
(Symbol)	TOS	Top of Slope	
(Symbol)	CSP	Corrugated Steel Pipe	

NO.	DATE	BY/DRAWN	REVISIONS
4	22/10/06	AP/JC	AS-CONSTRUCTED
3	21/12/10	PC/MF	ISSUED FOR CONSTRUCTION
2	21/10/21	PC/MF	ISSUED FOR SECOND SITE PLAN SUBMISSION
1	21/07/09	PC/GRL	ISSUED FOR SITE PLAN APPLICATION

CAD FILE: 1747GS - AC.dwg | PLOT SCALE: 1:1 | PLOT DATE: Oct 06, 2022

**BENCHMARK**

- ELEVATIONS ARE GEODETIC AND ARE REFERRED TO THE TOWN OF OAKVILLE BENCHMARK No. 251, HAVING AN ELEVATION OF 118.29m.
- THE TOPOGRAPHIC DETAIL SHOWN HEREON WAS ACQUIRED ON MARCH 1, 2021 BY J.H. GELBLOOM SURVEYING LIMITED, ONTARIO LAND SURVEYOR. PROJECT NUMBER 21-016

**NOTE**

NOTE

**RECORD NOTE:**

THIS IS A COMPUTER GENERATED COPY OF AN ORIGINAL DRAWING BEARING THE PROFESSIONAL SEAL AND SIGNATURE OF P. CIFONI DATED JULY 9 2021. AMENDED TO REFLECT "AS-CONSTRUCTED" INFORMATION.

DESIGNED BY: [Signature] APPROVED BY: [Signature]

**TRAFALGAR ENGINEERING**

81-481 MORDEN ROAD, OAKVILLE, ON, L6K 3W6  
www.trafalgareng.com

**PROJECT TITLE**

THE SALVATION ARMY HALTON LIGHTHOUSE BUILDING ADDITION SP.1624.045/01

**LOCATION**

750 REDWOOD SQUARE OAKVILLE, ON

**DRAWING TITLE**

SITE SERVICING AND GRADING PLAN

SCALE	1:200	DESIGN BY	MF	PROJECT No.	1747
DRAWN BY	GRL	CHECKED BY	PC	PLAN No.	G1-AC
DATE	2021/06/11	SHEET	1 OF 1		

# COMMITTEE OF ADJUSTMENT

## **MINOR VARIANCE REPORT**

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION: A/046/2025**

**RELATED FILE: N/A**

### **DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
Halton Regional Municipality	James Moulton The Salvation Army 94 York Blvd Hamilton ON, L8R 1R6	PLAN M476 PT BLK 2 RP 20R9052 PARTS 9 TO 12 750 Redwood Sq Town of Oakville

**OFFICIAL PLAN DESIGNATION: Industrial**

**ZONING: E3 sp:263, Employment**

**WARD: 2**

**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 a one-storey addition to the existing emergency shelter on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 15.263.2 b)</i> The maximum number of beds shall be 40.	To increase the maximum number of beds to 60.

## **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

### **Planning Services:**

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

**A/046/2025 - 750 Redwood Square (West District) (OP Designation: Industrial)**

The applicant is proposing an increase in number of beds for the existing emergency shelter, subject to the variance listed above.

### **Site Area and Context:**

In December 2021, the subject lands received Site Plan approval (SP.1621.045/01) for an additional 14 beds bringing the total number of beds on site to 40. The subject lands are zoned E3 SP 263, which permits a maximum number of 40 beds for the site, together with a maximum of 28 parking spaces. The applicant is seeking relief from the By-law to increase the number of

beds by 20, for a total number of 60 beds. No additional parking spaces are proposed for the increase in beds. The applicant has indicated that there is room for the 20 additional beds within the existing building and that no expansion to the building footprint is required. Should the building require an expansion to accommodate the additional beds, a Site Plan application would be required to be approved.

The lands are owned by Halton Region and have a long term lease agreement with Salvation Army (the applicant). Operating funding continues to be provided annually through the Community Homelessness Prevention Initiative (CHPI) and the proposed renovation was identified as a strategic priority by Regional Council.

As set out in the Housing Strategy and Action Plan that was approved by Planning and Development Council on December 9, 2024, the Town is committed to enabling a greater diversity of housing types in more places throughout the town, where appropriate, focusing on housing types, sizes and tenures that are in short supply ([Goal 2, Housing Strategy and Action Plan](#)). The proposed development is funded by the Region of Halton to provide additional emergency shelter opportunities.

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 Industrial in Livable Oakville. The Emergency Shelter is considered a "Community Use" as it is "intended to serve and support the health, educational, religious, recreational and cultural needs of the Town" and under Section 7.1.2 is permitted within the Industrial designation. Additionally, Section 27.1.12 of the Livable Oakville Plan permits special needs housing, limited to an emergency shelter, on the lands designated Industrial at the southwest corner of Wyecroft Road and Redwood Square.

The proposal provides more opportunities for addressing the needs of the town, by providing 20 additional emergency housing beds within an existing facility. As the proposed use is permitted by the Official plan, and no expansion of the building is proposed to accommodate the additional beds, nor site alteration, no impact to the planned employment function of the area is expected. On this basis, the application maintains the general intent and purpose of the Official Plan.

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

The subject lands are zoned E3 SP263, which permits the Emergency Shelter Use. The Emergency Shelter was introduced under the former Zoning By-law (1984-063), and was carried forward as a recognized use when By-law 2014-014 was brought into effect. Special Provision 263 provides a maximum of 40 beds for the site and a total of 28 parking spaces. Staff note that the parking spaces are intended for staff use. It is the understanding of staff that the applicant can accommodate the additional 20 beds within the existing building footprint without need for further extensions. However, should the applicant require additional floor area to accommodate the beds, the site plan provided with the submission demonstrates that an addition can be accommodated on the site. Should a building expansion be required, a site plan application must be submitted for review. It is also noted that with the recent Council adoption of the Town's Housing Strategy and Action Plan, opportunities for additional and emergency housing options is an important component of the housing stock within the town.

The intent of the By-law was to recognize a certain amount of scale that does not adversely impact the existing and planned employment function of the area. It is staff's opinion that an increase in beds is appropriate and in-line with the current needs of the town and no impact on

planned employment function of the area is expected as the additional 20 beds will be accommodated within the existing building.

On this basis, 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, no conditions are recommended.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the maximum number of beds to 60, under the requirements of the Town of Oakville Zoning By-law, for the purpose of increasing the number of beds permitted from 40 to 60 on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 1**



March 27<sup>th</sup>, 2025

Committee of Adjustment,

**This letter is submitted in response to the Notice of Public Hearing regarding Committee of Adjustment Application File # A/046/2025.**

We are the owners of two contiguous commercial properties located at 870 and 880 Equestrian Court, Oakville, held through Alson Development Inc. and ABJ Property Holdings Inc., respectively. These properties are currently leased to and occupied by The EPCM Group, a long-standing international company with operations in seven countries and its head office, R&D Centre, and manufacturing plant based at these locations.

Our concern relates to the proposed increase in the maximum number of beds—from 40 to 60—at the emergency shelter located at 750 Redwood Square, directly across the South Service Road from our properties. While described as a “minor variance,” we believe that a 50% increase in occupancy constitutes a significant change that will have direct and adverse effects on our properties and operations.

We have already experienced multiple issues linked to the current shelter population, including:

- Frequent discovery of used drug paraphernalia, including needles, on our premises.
- Shelter residents found unresponsive or passed out on our property, requiring police intervention.
- Inadequate response from shelter staff when incidents are reported.
- Removal of outdoor employee seating due to ongoing safety and hygiene concerns.
- Ongoing loitering and suspicious activity involving a nearby vacant lot and trailer, reportedly frequented by shelter residents.

As property owners and landlords, we are deeply concerned about the impact this proposed increase will have on the safety, security, and cleanliness of our facilities. It poses a risk not only to our tenants and their employees but also to the value and integrity of our investment in the area.

We respectfully request that the Committee of Adjustment reconsider the characterization of this proposal as a minor variance and take into full account the existing operational issues, as well as the potential for amplified negative impacts on surrounding businesses and properties.

Sincerely,

**Robert Stanley Jickling**

President

On behalf of Alson Development Inc. & ABJ Property Holdings Inc.

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***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.
- The applicant is cautioned that during development activities, should archaeological materials be found on the property, the provincial Ministry of Citizenship and Multiculturalism (MCM) must be notified immediately ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)), as well as the Town of Oakville and, if Indigenous in origin, relevant First Nations communities. If human remains are encountered during construction, the proponent must immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate, as well as the Registrar, Ontario Ministry of Public and Business Service Delivery—who administers provisions of the *Funeral, Burial and Cremation Services Act*—to be consulted, as well as the MCM and the Town of Oakville, and, if considered archaeological, the relevant First Nations communities. All construction activity in the vicinity of the discovery must be postponed until an appropriate mitigation strategy is identified and executed.
- 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:

There are no conditions recommended.

*J. Ulcar*

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Jennifer Ulcar  
 Secretary-Treasurer  
 Committee of Adjustment

**A/046/2025**

750 Redwood Square  
PLAN M476 PT BLK 2 RP 20R9052 PARTS 9 TO 12

*Proposed*

**Under Section 45(1) of the *Planning Act***

**Zoning By-law 2014-014 requirements – E3 sp:263, Employment**

1. To increase the maximum number of beds to 60.

**Comments from:**

**Metrolinx – 1**

**BY EMAIL ONLY**

**TO:** Town of Oakville – Committee of Adjustment  
1225 Trafalgar Road Oakville, ON L6H 0H3  
coarequests@oakville.ca

**DATE:** March 31st, 2025

**RE:** Adjacent Development Review: A/046/2025 750 Redwood Square, Oakville,  
ON Minor Variance

Dear Committee of Adjustment,

Metrolinx is in receipt of the Minor Variance application for 750 Redwood Square to permit the construction of a one-storey addition to the existing emergency shelter on the subject property to increase the maximum number of beds to 60, whereas the existing by-law only permits a maximum number of 40 beds on the subject lands. This item was circulated on March 14th, 2025, and to be heard at the Public Hearing on April 2nd, 2025, at 7:00PM. Metrolinx's comments on the subject application are noted below.

- 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 [jenna.auger@metrolinx.com](mailto:jenna.auger@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 unit:

• **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.

Should you have any questions or concerns, please contact [jenna.auger@metrolinx.com](mailto:jenna.auger@metrolinx.com).

Best Regards,

**Jenna Auger**

Third Party Project Review

Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2S3

T: (416)-881-0579

#### 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 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 (herein collectively called the "**Operational Emissions**").

THIS Easement and all rights and obligations arising from same shall extend to, be binding upon and enure to the benefit of the parties hereto and their respective officers, directors, shareholders, agents, employees, servants, 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 each party hereto, if more than one person, shall be joint and several.

Easement in gross.



# Notice of Public Hearing Committee of Adjustment Application



File # A/047/2025

## Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday, April 02, 2025 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
A. Keyes	Paul Mandrish Lakeland Engineering 1100 Sutton Dr Unit 1 Burlington ON, L7L 6R6	1321 Duncan Rd PLAN 592 LOT 37

**Zoning of property:** RL2-0, 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 with accessory structure (shed) on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 5.8.6 b)</i> For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres.	To increase the maximum total floor area for the private garage to 56.10 square metres.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 1022.00 m <sup>2</sup> and 1114.99 m <sup>2</sup> shall be 37%.	To increase the maximum residential floor area ratio to 40.54%.
3	<i>Table 6.4.2 (Row 1, Column 3)</i> The maximum lot coverage shall be 25% where the detached dwelling is greater than 7.0 metres in height.	To increase the maximum lot coverage to 28.91%.

## **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](http://oakville.ca). The live-stream will begin just before 7 p.m.

### **More information:**

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

### **Notice of decision:**

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

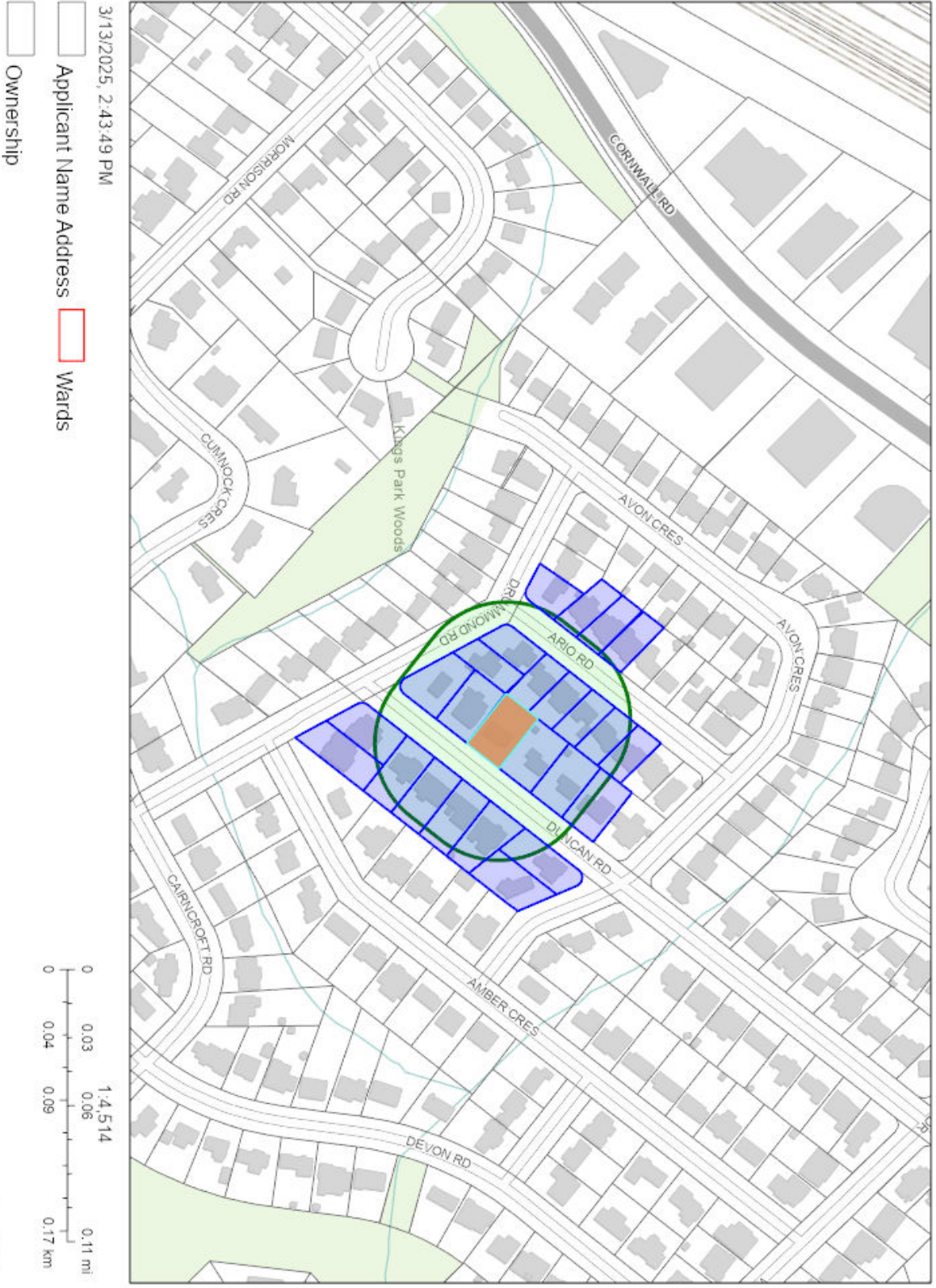
### **Contact information:**

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

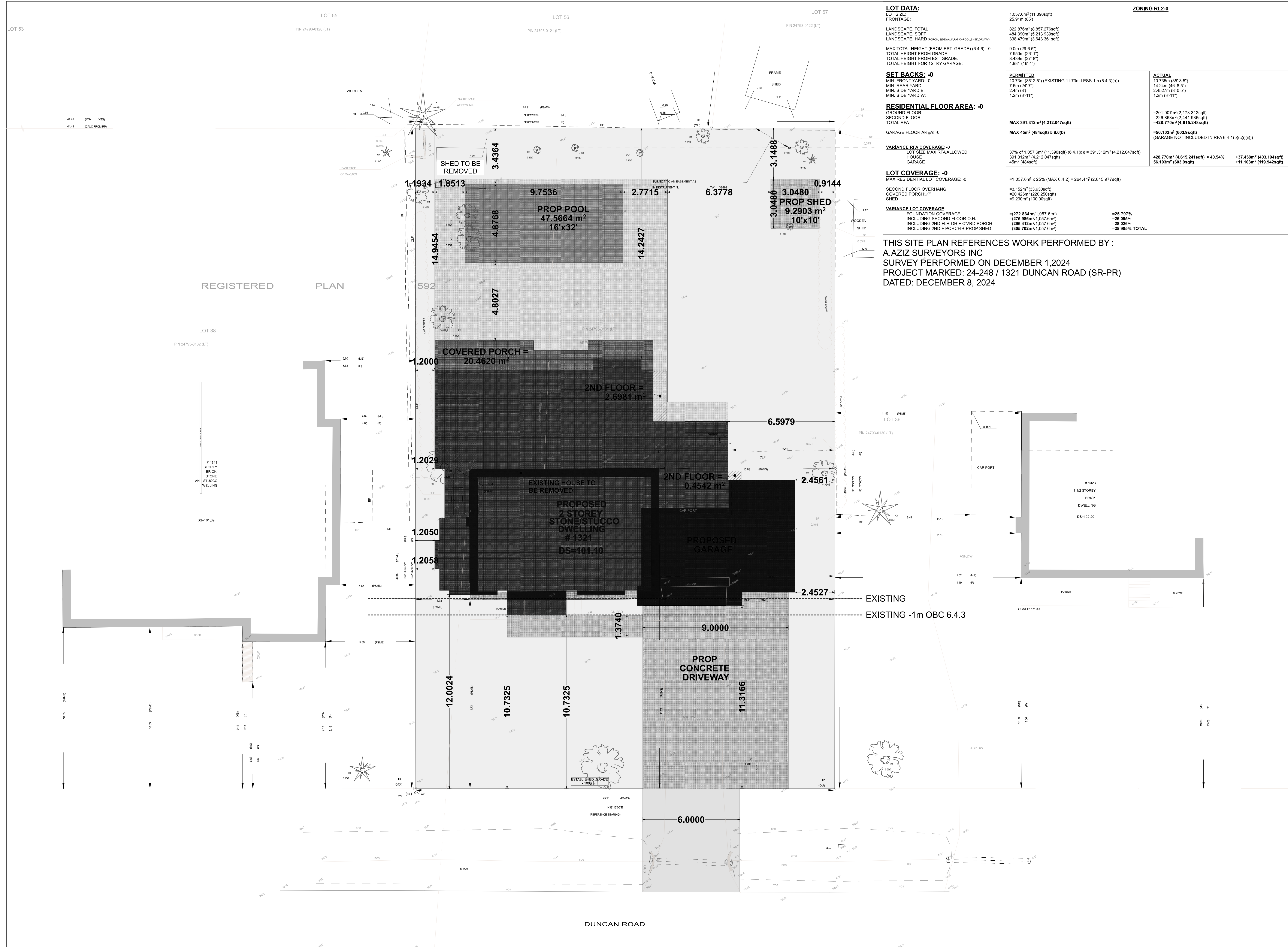
### **Date mailed:**

March 18, 2025

A/047/2025 - 1321 Duncan Road







**LOT DATA:**

LOT SIZE:	1,057.6m <sup>2</sup> (11,390sqft)
FRONTAGE:	25.91m (85')
LANDSCAPE TOTAL:	822.876m <sup>2</sup> (8,857,276sqft)
LANDSCAPE SOFT:	484.390m <sup>2</sup> (5,213,939sqft)
LANDSCAPE HARD (PORCH, SIDEWALK, PATIO, POOL, SHED, DRIVEWAY):	338.479m <sup>2</sup> (3,643,361sqft)
MAX TOTAL HEIGHT (FROM EST. GRADE) (6.4.6) -0:	9.0m (29-6.5')
TOTAL HEIGHT FROM GRADE:	7.950m (26'-1")
TOTAL HEIGHT FROM EST. GRADE:	8.430m (27'-8")
TOTAL HEIGHT FOR 1STRY GARAGE:	4.591 (16'-1")

**SET BACKS: -0**

MIN. FRONT YARD:	0
MIN. REAR YARD:	0
MIN. SIDE YARD E:	2.4m (8')
MIN. SIDE YARD W:	1.2m (3'-11")

**RESIDENTIAL FLOOR AREA: -0**

GROUND FLOOR:	10.73m (35'-2.5") (EXISTING) 11.73m LESS 1m (6.4.3)(a))
SECOND FLOOR:	7.5m (24'-7")
TOTAL RFA:	2.4527m (8'-0.5")
MAX 391.312m <sup>2</sup> (4,212.047sqft)	
MAX 45m <sup>2</sup> (484sqft) 5.8.6(b)	
37% of 1,057.6m <sup>2</sup> (11,390sqft) (6.4.1(d)) = 391.312m <sup>2</sup> (4,212.047sqft)	
391.312m <sup>2</sup> (4,212.047sqft)	
45m <sup>2</sup> (484sqft)	
428.770m <sup>2</sup> (4,615.248sqft) = 40.54%	+37.458m <sup>2</sup> (403.194sqft)
56.103m <sup>2</sup> (603.9sqft)	+11.103m <sup>2</sup> (119.942sqft)
	(GARAGE NOT INCLUDED IN RFA 6.4.1 (b)(c)(i)(ii))

**LOT COVERAGE: -0**

MAX RESIDENTIAL LOT COVERAGE: -0	=1,057.6m <sup>2</sup> x 25% (MAX 6.4.2) = 264.4m <sup>2</sup> (2,845,977sqft)
SECOND FLOOR OVERHANG:	=3.152m <sup>2</sup> (33,930sqft)
COVERED PORCH:	=20.426m <sup>2</sup> (220,250sqft)
SHED:	=9.290m <sup>2</sup> (100,000sqft)
FOUNDATION COVERAGE	=272.834m <sup>2</sup> (1,057.6m <sup>2</sup> )
INCLUDING SECOND FLOOR O.H.	=272.834m <sup>2</sup> (1,057.6m <sup>2</sup> )
INCLUDING 2ND FLR OH + CVRD PORCH	=296.412m <sup>2</sup> (1,057.6m <sup>2</sup> )
INCLUDING 2ND + PORCH + PROP SHED	=305.702m <sup>2</sup> (1,057.6m <sup>2</sup> )
	=26.797%
	=28.026%
	=28.965% TOTAL

THIS SITE PLAN REFERENCES WORK PERFORMED BY:  
 A.AZIZ SURVEYERS INC  
 SURVEY PERFORMED ON DECEMBER 1, 2024  
 PROJECT MARKED: 24-248 / 1321 DUNCAN ROAD (SR-PR)  
 DATED: DECEMBER 8, 2024

Read this drawing in conjunction with all Architectural, Structural and Mechanical Drawings and must be read in conjunction with drawings produced by SD CONSULTANTS.



**REVISIONS**

DATE	DESCRIPTION

**LEGEND**

E	DENOTES EXISTING TO REMAIN
R	DENOTES EXISTING TO BE RELOCATED
D	DENOTES EXISTING TO BE REMOVED
N	DENOTES NEW TO BE PROVIDED

**LAKELAND ENGINEERING**  
 1100 Sutton Dr, Burlington, Unit#1  
 P-905-332-8888  
 info@lakelandengineering.ca

Do not scale drawings. Contractor must verify all dimensions and advise the designer of any errors or omissions. No variations or modifications to work shown shall be implemented without prior written approval. All previous issues of this drawing is superseded by the latest revisions. All drawings and specifications remain the property of Lakeland Engineering.

PROJECT:  
**NEW RESIDENTIAL DWELLING**  
 1321 DUNCAN ROAD  
 OAKVILLE L6J 29P

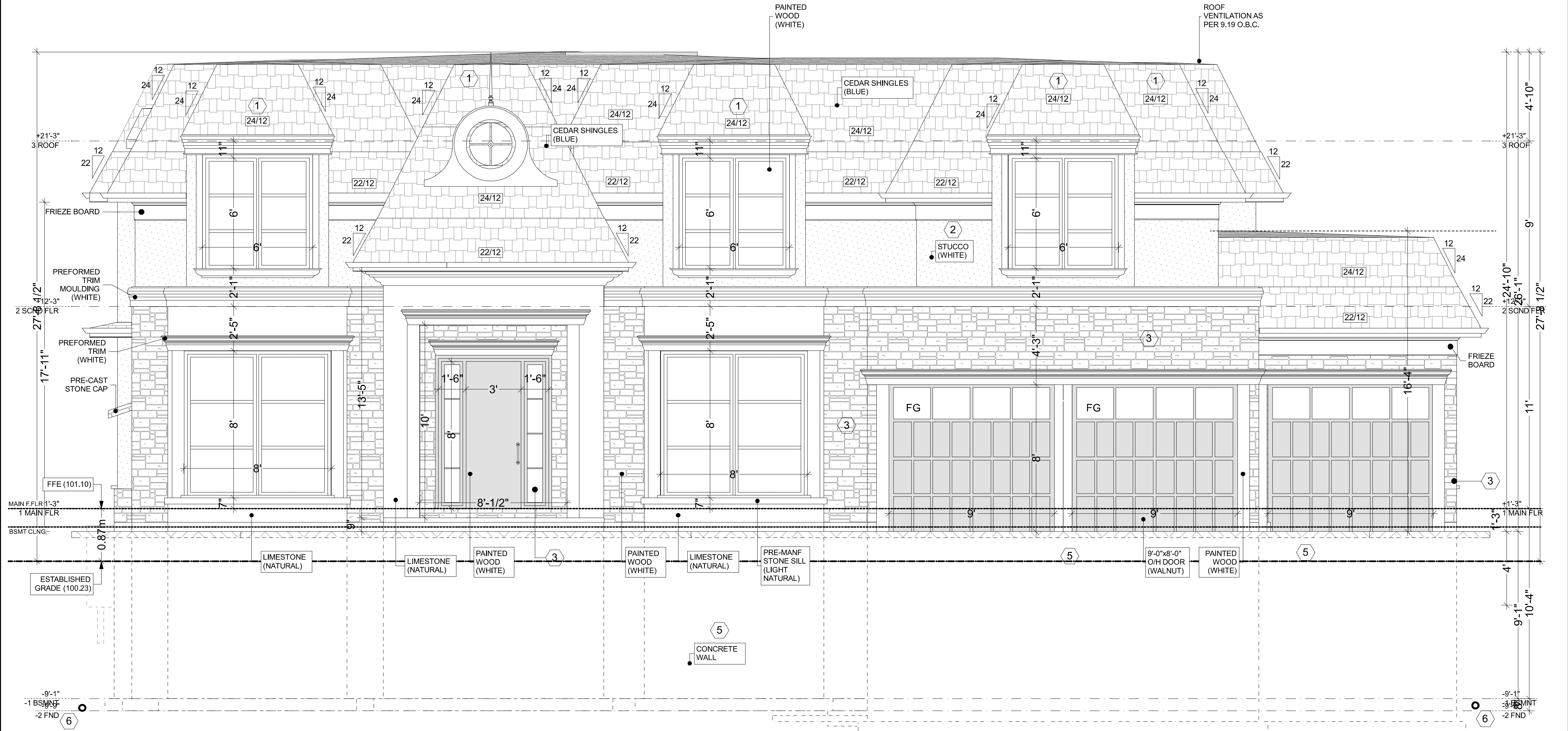
SHEET TITLE:  
**SITEPLAN**

DRAWN BY: SP & MB  
 DATE: 2025-02-12  
 SCALE: AS SHOWN  
 PROJECT: 24-103

A100-SITE PLAN



EXPOSED BUILDING FACE: 119.7749m<sup>2</sup>  
 AREA OF UNPROTECTED OPENINGS: 46.4515m<sup>2</sup>  
 LIMITING DISTANCE: 12.0024m  
 AUO%: 38.78%(MAX:55%)



FOR COMMITTEE OF ADJUSTMENT ONLY

REVISIONS

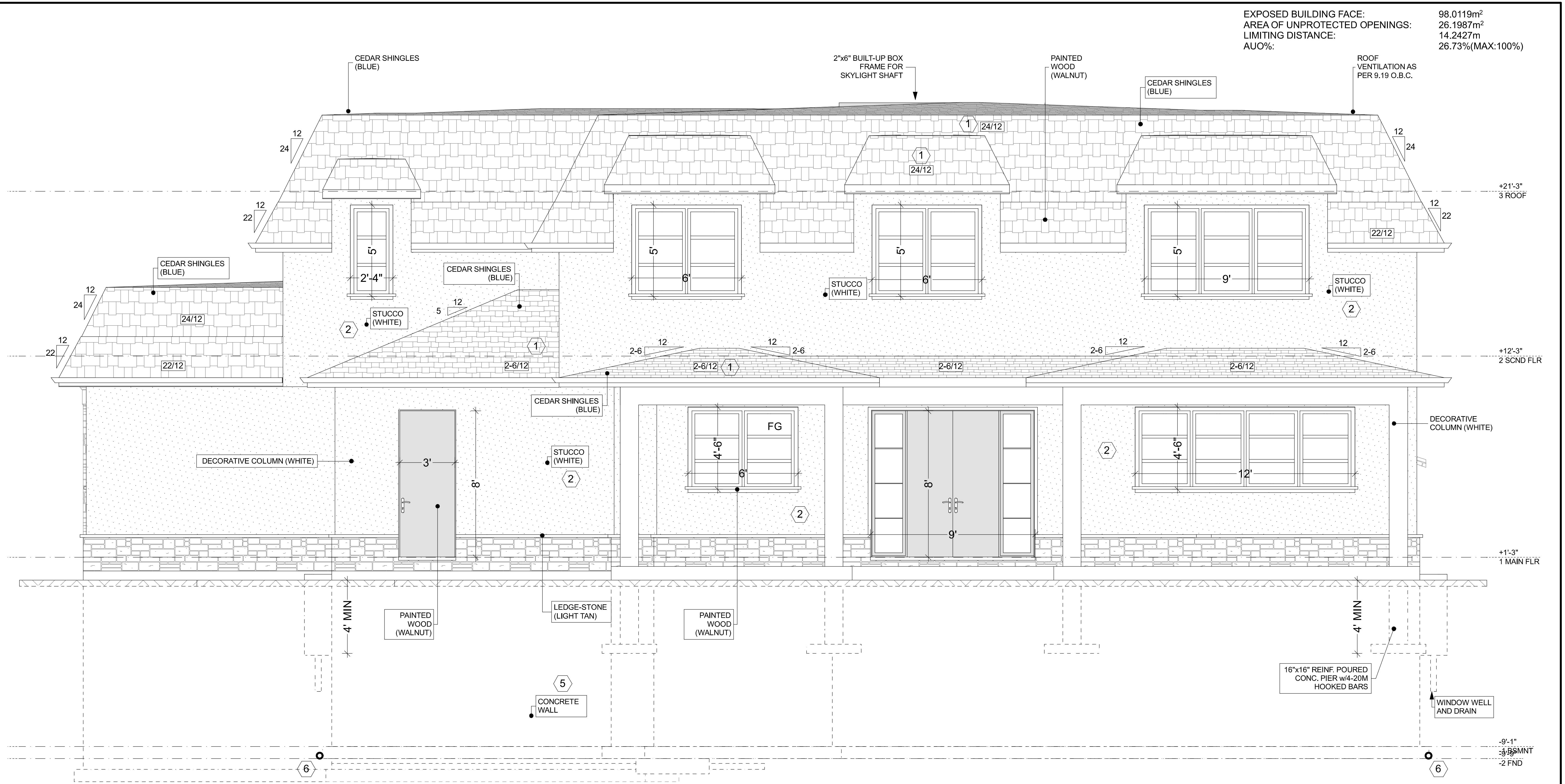
**LAKELAND ENGINEERING**  
 1100 Sutton Dr. Burlington, Unit#1  
 P: 905-332-8888  
 info@lakelandengineering.ca

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PROJECT:  
**NEW RESIDENTIAL DWELLING**  
 1321 DUNCAN ROAD OAKVILLE  
 L6J 29P

SHEET TITLE: <b>NORTH ELEVATION</b>	SCALE: 3/16" = 1'-0"
DRAWN BY: SJ & MB	<b>A105</b>
DATE: 2025-02-12	
SHEET 8 OF 17	

EXPOSED BUILDING FACE: 98.0119m<sup>2</sup>  
 AREA OF UNPROTECTED OPENINGS: 26.1987m<sup>2</sup>  
 LIMITING DISTANCE: 14.2427m  
 AUO%: 26.73%(MAX:100%)



REVISIONS

**LAKELAND ENGINEERING**  
 1100 Sutton Dr. Burlington, Unit#1  
 P: 905-332-8888  
 info@lakelandengineering.ca

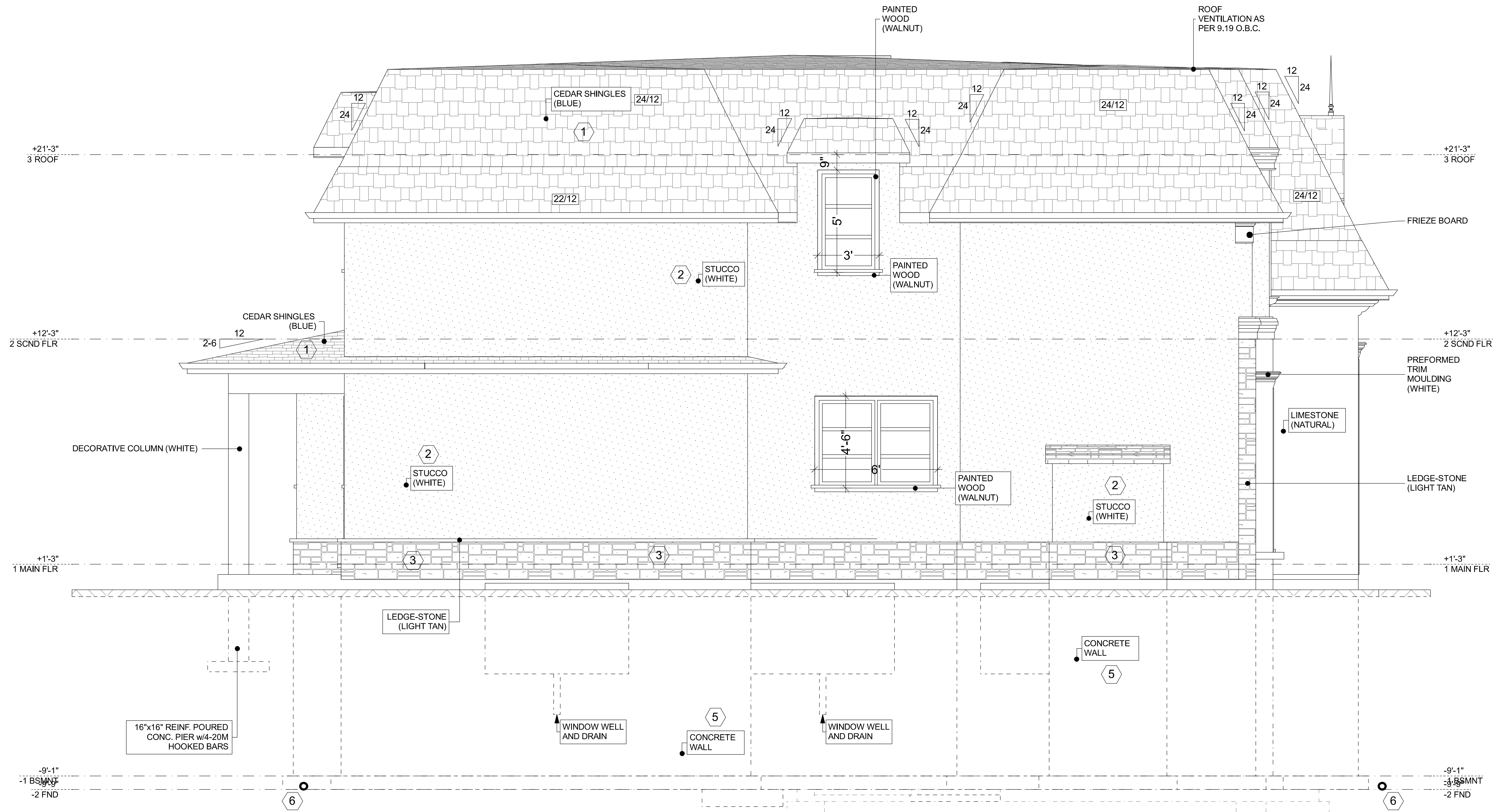
Do not scale drawings. Contractor must verify all dimensions and advise the designer of any errors or omissions. No variations or modifications to work shown shall be implemented without prior written approval. All previous issues of this drawing is superseded by the latest revisions. All drawings and specifications remain the property of Lakeland Engineering.

PROJECT:  
**NEW RESIDENTIAL DWELLING**  
 1321 DUNCAN ROAD OAKVILLE  
 L6J 29P

SHEET TITLE: <b>SOUTH ELEVATION</b>	SCALE: 3/16" = 1'-0"
DRAWN BY: SJ & MB	<b>A106</b>
DATE: 2025-02-12	
SHEET 9 OF 17	



EXPOSED BUILDING FACE: 73.9855m<sup>2</sup>  
 AREA OF UNPROTECTED OPENINGS: 3.9019m<sup>2</sup>  
 LIMITING DISTANCE: 1.2m  
 AUO%: 5.27%(MAX:7%)



Read this drawing in conjunction with all Architectural, Structural and Mechanical Drawings
REVISIONS

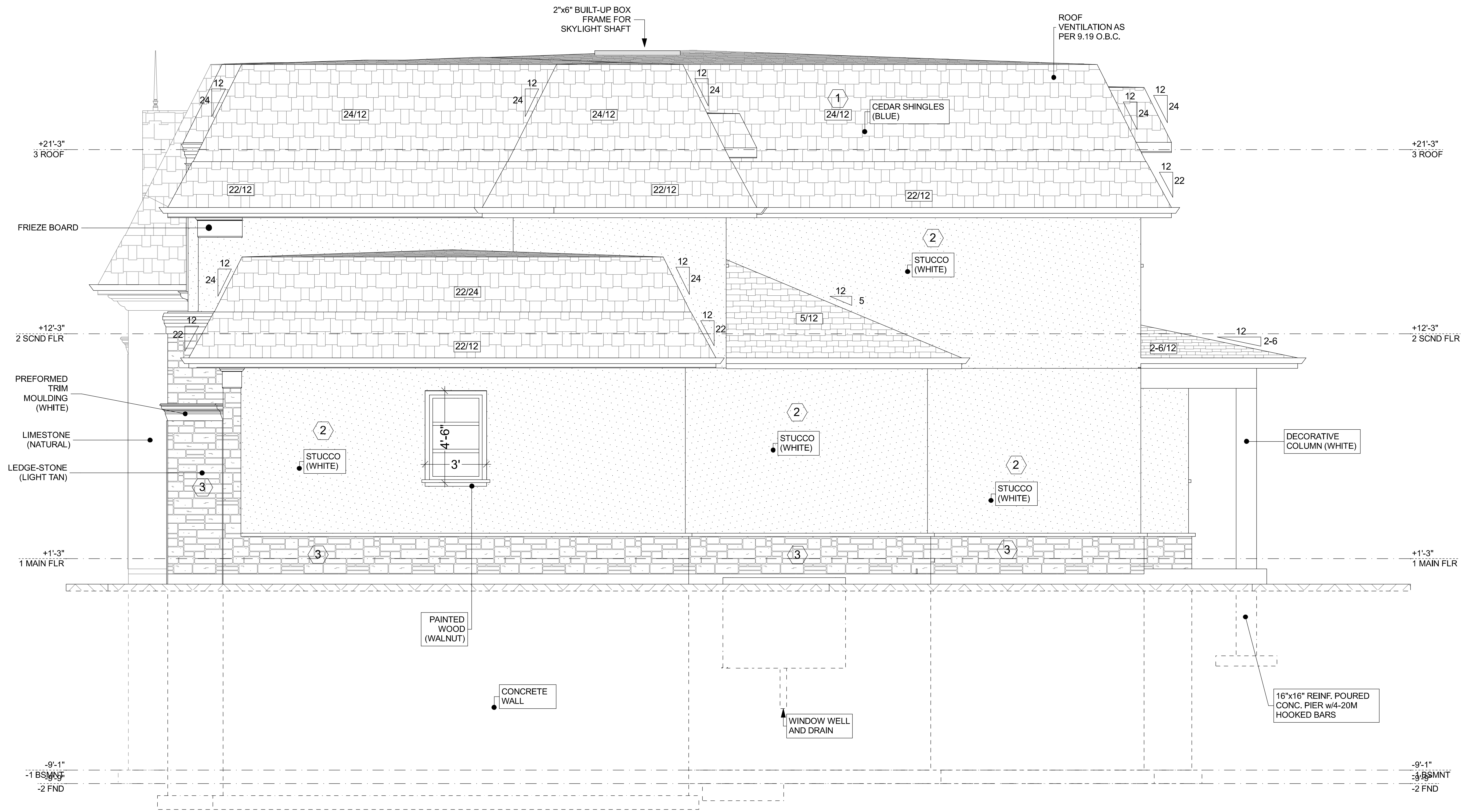
**LAKELAND ENGINEERING**  
 1100 Sutton Dr. Burlington, Unit#1  
 P: 905-332-8888  
 info@lakelandengineering.ca

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PROJECT:  
**NEW RESIDENTIAL DWELLING**  
 1321 DUNCAN ROAD OAKVILLE L6J 29P

SHEET TITLE: <b>WEST ELEVATION</b>	SCALE: 3/16" = 1'-0"
DRAWN BY: SJ & MB	<b>A107</b>
DATE: 2025-02-12	
SHEET 10 OF 17	

EXPOSED BUILDING FACE: 59.1334m<sup>2</sup>  
 AREA OF UNPROTECTED OPENINGS: 1.2542m<sup>2</sup>  
 LIMITING DISTANCE: 2.4527m  
 AUC%: 2.09%(MAX:10%)



FOR COMMITTEE OF ADJUSTMENT ONLY

Read this drawing in conjunction with all Architectural, Structural and Mechanical Drawings
REVISIONS

**LAKELAND ENGINEERING**  
 1100 Sutton Dr. Burlington, Unit#1  
 P. 905-332-8888  
 info@lakelandengineering.ca

Do not scale drawings. Contractor must verify all dimensions and advise the designer of any errors or omissions. No variations or modifications to work shown shall be implemented without prior written approval. All previous issues of this drawing is superseded by the latest revisions. All drawings and specifications remain the property of Lakeland Engineering.

PROJECT:  
**NEW RESIDENTIAL DWELLING**  
 1321 DUNCAN ROAD OAKVILLE  
 L6J 29P

SHEET TITLE: EAST ELEVATION	SCALE: 3/16" = 1'-0"
DRAWN BY: SJ & MB	A108
DATE: 2025-02-12	
SHEET 11 OF 17	



# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION: A/047/2025**

**RELATED FILE: N/A**

**DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday, April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
A. Keyes	Paul Mandrish Lakeland Engineering 1100 Sutton Dr, Unit 1 Burlington ON, L7L 6R6	PLAN 592 LOT 37 1321 Duncan Rd Town of Oakville

**OFFICIAL PLAN DESIGNATION: Low Density Residential**

**ZONING: RL2-0, Residential**

**WARD: 3**

**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 a two-storey detached dwelling with accessory structure (shed) on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 5.8.6 b)</i> For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres.	To increase the maximum total floor area for the private garage to 56.10 square metres.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 1022.00 m <sup>2</sup> and 1114.99 m <sup>2</sup> shall be 37%.	To increase the maximum residential floor area ratio to 40.54%.
3	<i>Table 6.4.2 (Row 1, Column 3)</i> The maximum lot coverage shall be 25% where the detached dwelling is greater than 7.0 metres in height.	To increase the maximum lot coverage to 28.91%.

## **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

### **Planning Services:**

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

### **A/047/2025 - 1321 Duncan Road (East District) (OP Designation: Low Density Residential)**

The applicant proposes to construct a two-storey detached dwelling, 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 property is located in Southeast Oakville, an established area primarily comprised of one-storey and two-storey detached dwellings with a classic architectural style, and a range of carports, one-car and two-car garages. The neighbourhood is characterized by its mature tree-lined streets and large lot sizes.



*Aerial Photo of 1321 Duncan Road*

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.

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

The subject lands are 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 Section 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 positively contribute to the surrounding neighbourhood character by incorporating building and site elements that provide a visual reference to existing neighbourhood features and that complement the qualities of the surrounding residential community.*

**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.*

**3.2.1 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.*

**3.2.6 Garage and Accessory Structures:** *New development should make every effort minimize the visual prominence of the garage and the surface parking area on the property frontage in order to maintain a positive pedestrian experience along the streetscape. New development with an attached garage should make every effort to incorporate this feature into the design of the building, to achieve compatibility with the overall massing, scale, and style of the dwelling and the immediate surroundings.*

While the proposed dwelling incorporates step backs of various portions of the building, the requested variances will contribute to a dwelling that does not maintain or preserve the scale or character of the surrounding neighbourhood. Staff are of the opinion that the three-car garage contributes to the proposed dwelling having a massing and scale that would result in a dwelling that appears larger than those in the surrounding area and the impacts are not being effectively mitigated. Therefore, 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** – Garage Floor Area (Objection) – 45 square meters increased to 56.10 square meters

**Variance #2** – Residential Floor Area Ratio (Objection) – 37% increased to 40.54%

**Variance #3** – Lot Coverage (Objection) – 25% increased to 28.91%

The intent of regulating the garage floor area is to prevent the garage from being a visually dominant feature of the dwelling and creating an adverse impact on the existing neighbourhood character and streetscape. The intent of Zoning By-law provisions for residential floor area ratio, and lot coverage are to prevent a dwelling from having a mass and scale that appears larger than the dwellings in the surrounding neighbourhood.

The three-car garage proposed serves to elongate the dwelling, contributing to the overall size of the proposed dwelling and enhance the overall massing and scale. An 11.10 sq m increase in garage area, combined with the request for an additional 37.5 square meters of residential floor area, results in an additional 48.6 square meters of building area.

Staff recognize that the increase in lot coverage is mainly due to the second-storey overhang, rear covered porch, and backyard shed. While these elements do not significantly impact the dwelling's façade from the street, when considered cumulatively with the increases in garage floor area and residential floor area ratio, they contribute to an overall increase in massing and scale. This could result in a dwelling that appears substantially larger than other homes in the neighborhood.

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

Staff are of the opinion that the variances proposed for garage floor area, residential floor area ratio, and lot coverage do not represent the appropriate development of the subject property. The proposed dwelling represents an overbuild of the site and may create negative impacts on the public realm in terms of massing and scale and does not maintain or protect the existing neighbourhood character.

Given the foregoing, it is Staff's opinion that the application does not maintain the general intent and purpose of the Official Plan, Zoning By-law, is not desirable for the appropriate development of the subject lands, and cumulatively, the impact of the variances are not minor in nature. Accordingly, the application does not meet the four tests under the *Planning Act* and staff recommends that the application as submitted be denied.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

## **Halton Region:**

- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the maximum



total floor area for the private garage to 56.10 square metres, an increase in the maximum residential floor area ratio to 40.54%, and an increase in the maximum lot coverage to 28.91%, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of a two-storey detached dwelling with accessory structure (shed) on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**

*J. Ulcar*

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Jennifer Ulcar  
Secretary-Treasurer  
Committee of Adjustment

# Notice of Public Hearing Committee of Adjustment Application



A/005/2025 – Deferred from January 22, 2025

### Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 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
Halton Community Housing Corporation	Cynthia Zahoruk Cynthia Zahoruk Architect Inc. 3077 New St., Unit 201 Burlington ON L7N 1M6	363 Margaret Dr E/S PLAN M62 BLK G

**Zoning of property:** RM4 sp88, 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 a three (3) storey apartment building on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 5.2.1 additional regulation #3</i> A minimum of 50% of the minimum parking spaces shall be provided within a private garage, carport, or parking structure.	To permit 100% of the minimum parking to be uncovered.
2	<i>15.88.1 d)</i> Maximum number of storeys shall be two (2).	To permit three (3) storeys.

## 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](http://oakville.ca). The live-stream will begin just before 7 p.m.

### **More information:**

Town departments and agency comments regarding this application will be available online at [Agendas & Meetings \(oakville.ca\)](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:**

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

### **Date mailed:**

March 18, 2025

A/005/2025 (Revised) - 363 Margaret Drive





## Planning Justification Report in Support of Minor Variance for 363 Margaret Drive, Oakville (SP.1617.059/01)

### 1 / BACKGROUND

Halton Community Housing Corporation (“HCHC”) owns 363 Margaret Drive, Oakville, which is an underdeveloped vacant parcel. The property is zoned “RM4 SP: 88” under the Town’s Zoning By-law. This zoning permits a range of medium density housing including the development of apartment dwellings, long term care facilities and retirement homes up to two storeys (and 15 meters) and permits a maximum of 30 dwelling units.

The proposed development is to construct a three (3) storey building containing 13 assisted family rental units comprised of:

- 3 Five-bedrooms units
- 5 Four-bedrooms units
- 5 Three-bedroom units (including 2 Barrier free units)

The proposed development is subject to Site Plan application No. SP.1617.059/01 and is part of the Region’s plan to create much needed new assisted family rental housing units in Oakville. The development will remain owned and operated by HCHC. Conditional Site Plan Approval was granted on July 5th, 2023, subject to various conditions to the satisfaction of the Town including zoning compliance which requires two minor variances.

*Subject Property*



*Site Plan*



A Minor Variance Application was submitted to the Town and considered at the Committee of Adjustment on January 22<sup>nd</sup>, 2025. At the Committee of Adjustment hearing two residents attended and voiced concerns related to the proposed development. Halton Region staff

requested that a decision on the Minor Variance Application be deferred so that the Region could consult with residents on the proposed development.

A virtual Public Information Centre was held, via MS Teams, on February 20th, 2025. There were six (6) community participants in attendance. A summary of comments and questions from attendees and staff responses is provided in Attachment 1 – Virtual Public Information Report.

## 2 / REQUESTED VARIANCES AND JUSTIFICATION

The subject lands are designated Medium Density Residential in the Livable Oakville Official Plan. This designation permits a range of medium density housing types. The property is zoned RM4 SP: 88” under the Town’s Zoning By-law. This zoning permits a range of medium density housing including the development of apartment dwellings, long term care facilities and retirement homes up to two storeys (and 15 meters) and permits a maximum of 30 dwelling units.

The following two variances are being requested for the proposed development:

	<b>Current Zoning By-law Requirements</b>	<b>Variance Request</b>
1	<i>Table 5.2.1 additional regulation #3</i> A minimum of 50% of the minimum parking spaces shall be provided within a private garage, carport, or parking structure.	To permit 100% of the minimum parking to be uncovered.
2	<i>15.88.1 d)</i> Maximum number of storeys shall be two (2).	To permit three (3) storeys.

The following is an analysis of how the application meets the four tests for evaluating minor variances in as set out in Section 45(1) of the *Planning Act*:

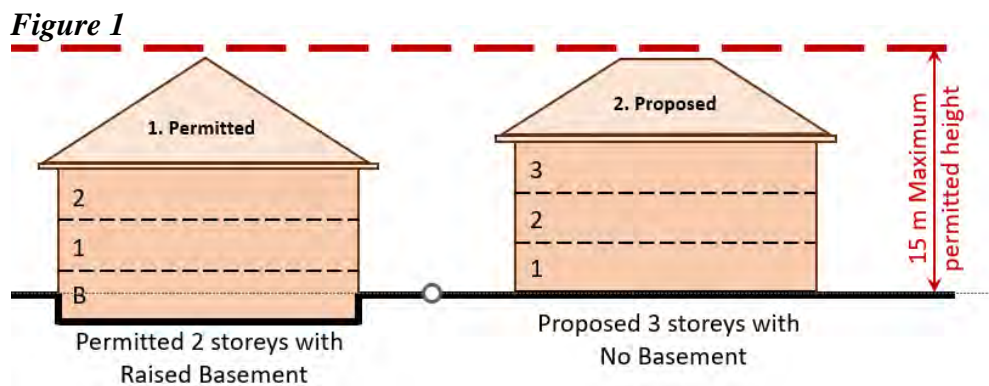
<b>Variance #1 - To permit 100% of the minimum parking to be uncovered whereas the Zoning By-law requires 50% of parking spaces to be provided within a private garage, carport, or parking structure.</b>	
The intent of this zoning regulation is to reduce surface parking and to assist with screening of parking areas so that they are not visible from the street. In this instance, covering the parking would have a greater impact on the public realm as it increases the overall massing of the proposed building. The proposed parking spaces are in the side/rear yard of the property and do not dominate the streetscape. The applicant is requesting this variance to design the site in such a way to avoid constructing a large and costly covered parking structure for only 10 parking spaces. In addition, due to the location of parking at the rear of the building, the required structure would also interfere with vehicle maneuvering.	
<b>Test</b>	<b>Analysis</b>
<b>Is the variance minor?</b>	The current development requires 20 parking spaces with 10 spaces being required within a private garage, carport or parking structure. Eliminating this requirement is minor in nature and will not produce any unacceptable adverse impacts on adjacent properties.

Test	Analysis
<p><b>Is the variance desirable for the appropriate development or use of the land, building or structure?</b></p>	<p>The requested variance is desirable for the appropriate development. Eliminating the requirement will eliminate vehicle maneuvering issues, long-term maintenance and drainage issues associated with the structure and remove an expensive feature that accommodates 10 vehicles that will impact the affordability of this assisted housing development.</p>
<p><b>Is it in keeping with the general intent and purpose of the Zoning By-law?</b></p>	<p>The general intent and purpose of the by-law is to regulate orderly development of land managing land use. The parking provisions of the by-law serve to ensure that adequate parking is provided and that parking areas are safe, accessible, and well integrated into the landscape. Under the current zoning provisions, the proposed development requires 20 parking spaces to facilitate the development. According to the by-law, 10 of these parking spaces are required to be located within a private garage, carport, or parking structure. The intent of this provision is to reduce the visual impact of large surface parking areas which can detract from the overall appearance of an area and impact the efficient use of land. In this instance, covering the parking would have a greater impact on the public realm as it increases the overall massing of the proposed building. The proposed parking spaces are in the side/rear yard of the property and do not dominate the streetscape. Because this is a smaller development there are only 20 parking spaces required, the visual impacts of the parking area are minimized by virtue of its size alone. Therefore, providing 100% of uncovered parking spaces at grade will not impact the efficient use or land nor detract from the overall aesthetics of the area. The general intent and purpose of the by-law is maintained.</p>
<p><b>Is it in keeping with the general intent and purpose of the Official Plan?</b></p>	<p>The subject property is designated Medium Density Residential in the Livable Oakville Official Plan. The general intent and purpose of the Official Plan is to facilitate medium density residential uses while ensuring that development is compatible with the surrounding area. The proposed use is permitted within the Medium Density Residential designation and maintains the general intent and purpose of the Official Plan. Permitting 100% uncovered parking optimizes the use of the property and avoids unnecessary costly construction of a parking structure for only 10 parking spaces. In addition, Section D.6.13, Parking Policies of the Livable Oakville Plan provides direction on the design of surface parking areas. In accordance with Policy D.6.13.2, the proposed uncovered parking spaces at grade are located within the side yard and do not dominate the streetscape. Granting this variance allows the overall site to be designed in a manner that respects the character of the existing neighbourhood and provides for a safe and attractive pedestrian environment. Therefore, the requested variance maintains the intent and purpose of the Official Plan.</p>

**Variance #2 - To permit a three (3) storey building whereas Site Specific Zoning By-Law (SP 88) only permits a two (2) storey building.**

The original design that was conditionally approved for Site Plan Approval was for a two (2) storey building with a raised basement, less than 15.0 meters height to the peak of the roof. The RM4 Zone permits a maximum of 4 storeys in height and 15 meters, however the Site Specific zoning applied to the property restricts maximum height to two (2) storeys but does not provide a maximum height in metres. Therefore, the maximum height in meters for the site defers back to the parent RM4 Zone regulation. The reason for requesting this variance is to elevate the partially below grade units by 1.25 meters so they are fully at grade to accommodate barrier free access on the first floor for individuals who require mobility aids. In addition, granting this variance will enable the design of a barrier free entrance and path of travel throughout the entire first floor of the building. This will allow individuals with mobility aids to safely evacuate in the event of a hazard that restricts the operation of the elevator. This variance does not increase lot coverage, unit size, or unit count.

Figure 1 below demonstrates the variance.



Test	Analysis
<p><b>Is the variance minor?</b></p>	<p>The proposed variance will increase the building height an additional 1.25 meters resulting in a three-storey building with a total of 14.10 meters in height. The proposed building complies with the maximum permitted height of 15 meters, however, to provide the accessible units at grade, the raised basement units must be elevated 1.25 meters resulting in a 3-storey building. Most of the land adjacent to 363 Margaret Drive is owned by the Region except for a parkette and approximately five privately owned dwelling units to the north. The relief being sought would not result in an increase in the number of units or overall height of the building (the roof has been redesigned to accommodate the additional height so that it is still within 15 meters overall). In addition, the proposed building exceeds the minimum side yard setback requirements of the zoning by-law which further mitigates building shadows and loss of privacy. Following the virtual Public Information Centre and comments received with regards to privacy concerns, the following measures will be incorporated into the design of the building: raising of the bedroom windowsills to 1.50 m A.F.F. on both the second and third storeys; and planting new black cedar hedges along the property line adjacent to properties 254 and 258 Elmwood Road. The height increase is minor in nature and will not produce any unacceptable adverse impacts on adjacent properties. For these reasons, it is concluded that the requested variances can be considered minor in nature.</p>



Test	Analysis
<b>Is the variance desirable for the appropriate development or use of the land, building or structure?</b>	The proposed development is desirable and appropriate for the lands as it will allow for the construction of a residential building with ground floor accessible units. The use is permitted in the Zoning by-law, and the overall height of the building complies with the maximum height permitted in the RM4 zone.
<b>Is it in keeping with the general intent and purpose of the Zoning By-law?</b>	The intent and purpose of the Town's Zoning By-law with respect to the RM4 zone is to facilitate the development of medium-density residential uses. Additionally, the current zoning permits up to 15 meters in height. The request for an additional storey relates to an additional 1.25 meters resulting in a total building height of 14.10 meters. The increase in height is to facilitate the development of accessible units at grade by elevating the raised basement units to grade level. The proposed variance does not result in exceeding the overall permitted height of this zone and therefore is in keeping with the intent and general direction of the Zoning By-law.
<b>Is it in keeping with the general intent and purpose of the Official Plan?</b>	The subject property is designated Medium Density Residential in the Livable Oakville Official Plan. The general intent and purpose of the Official Plan is to facilitate the development of medium-density residential uses while ensuring that development is compatible with the surrounding area. The proposed development satisfies this intent. There are no adverse impacts to adjacent landowners. The general intent and purpose of the Official Plan is maintained.

### 3 / CONCLUSIONS

To conclude, the proposed variances are being requested to improve accessibility of the building, improve functionality of the living and parking spaces, simplify the structural and civil designs and construction detailing resulting in a fully barrier free building with lower construction and maintenance costs.

Following the virtual Public Information Centre, Halton Region has committed to the following additional measures to address comments from residents who live adjacent to the development:

- Raise the bedroom windowsills facing the rear of the properties located on Elmwood Road, to be 1.50 m from finish floor level; and,
- Plant two new Black Cedar hedges between the new trees for enhanced privacy for properties 254 and 258 Elmwood Drive.

We believe the variances requested do not adversely impact the neighborhood or adjacent properties, are minor in nature and meet the intent of the Official Plan and Zoning By-law, therefore, it is our opinion that the application meets the four tests under Section 45(1) of the *Planning Act* and that the development represents good planning.

# **APPENDIX 1**

## **Virtual Public Information Centre Report**



## VIRTUAL PUBLIC INFORMATION CENTRE REPORT 363 MARGARET DRIVE, OAKVILLE

### 1 / INTRODUCTION

On February 20<sup>th</sup>, 2025, a virtual Public Information Centre was held by the Region of Halton to provide information to residents about the proposed residential development at 363 Maurice Drive, Oakville and to understand concerns the community may have in relation to the proposed development.

Notices were sent via Canada Post to all addresses within 60 metres of the subject property on February 4<sup>th</sup>, 2025, and February 12<sup>th</sup>, 2025. The meeting notice was also posted on Halton's website.

There were six (6) community participants in attendance.

The meeting began with a presentation by Halton Region staff followed by a question-and-answer period with attendees. A video recording of the meeting can be accessed on the Region's website at: [Halton - Assisted and Supportive Housing Construction](https://www.halton.ca/For-Residents/Roads-Construction/Construction-Projects/Housing-Projects) (<https://www.halton.ca/For-Residents/Roads-Construction/Construction-Projects/Housing-Projects>)

This report summarizes the comments received from meeting attendees about the proposed development.

### 2 / BACKGROUND

Halton Community Housing Corporation ("HCHC") owns 363 Margaret Drive, Oakville, which is an underdeveloped vacant parcel, identified as having near-term assisted rental housing development potential. The property is in an established residential neighbourhood adjacent to the Town of Oakville "Margaret Drive Parkette" which backs onto Saint-Marie Catholic elementary school. The property also abuts the backyards of five detached dwellings that front onto Elmwood (refer to Appendix 1).

The property is zoned "RM4 SP: 88" under the Town's Zoning By-law. This zoning permits a range of medium density housing including the development of apartment dwellings, long term care facilities and retirement homes up to two storeys and permits a maximum of 30 dwelling units.

The proposed development at 363 Margaret Drive in Oakville is part of Halton Region’s plan to create much needed new assisted family rental housing units in Oakville.

The property is subject to a Site Plan application (SP.1617.059/01) to facilitate the affordable housing development. Conditional Site Plan Approval was granted on July 5<sup>th</sup>, 2023, subject to various conditions to the satisfaction of the Town including zoning compliance which requires two minor variances.

A Minor Variance Application was submitted to the Town and considered at the Committee of Adjustment on January 22<sup>nd</sup>, 2025, for the following two variances:

	<b>Current Zoning By-law Requirements</b>	<b>Variance Request</b>
1	<i>Table 5.2.1 additional regulation #3</i> A minimum of 50% of the minimum parking spaces shall be provided within a private garage, carport, or parking structure.	To permit 100% of the minimum parking to be uncovered.
2	<i>15.88.1 d)</i> Maximum number of storeys shall be two (2).	To permit three (3) storeys.

At the Committee of Adjustment hearing two residents attended and voiced concerns related to the proposed development. Halton Region staff requested that a decision on the Minor Variance Application be deferred so that the Region could consult with residents on the proposed development.

A virtual Public Information Centre was held, via MS Teams, on February 20<sup>th</sup>, 2025. There were six (6) community participants in attendance. A summary of comments and questions from attendees and staff responses is provided in Section 3 below.

### **3 / SUMMARY OF PUBLIC COMMENTS/QUESTIONS AND RESPONSES**

*The questions/comments below are not verbatim.*

<b>COMMENT</b>	<b>RESPONSE</b>
My personal preference is to keep with the existing zoning of two storeys.	Noted.
Was there any consideration to doing away with that raised basement and just building a traditional two-storey building?	By removing the raised basement and only building two storeys, we will lose three affordable family units. Raising the basement by 4 feet (1.25 meters) does not change the overall height of the structure because the roofline has been adjusted (made smaller) to accommodate the extra 4 feet (1.25 meters). The overall structure is still within the permitted maximum height of the Zoning By-law which is 49 feet (15 meters).



<b>COMMENT</b>	<b>RESPONSE</b>
<p>Following the Committee of Adjustment meeting last month, one of the members of the committee had suggested possible changes to the plan as presented to limit the impact to the neighbours to the north. I think one of the things that was mentioned was a possible step back of that third storey. Is that a consideration?</p>	<p>Stepping back the third floor will have result in reduced interior space and have an impact on the ability to provide the larger family units on this floor. The building setbacks from the property line exceed the required 7.5-meter setback of the Zoning by-law which provides improved privacy for neighbours. There is only one unit on the third floor with a “common area” that faces the rear of the homes on Elmwood Road. The remainder of windows are bedrooms. To solve the privacy issue, the bedroom windows, on both the second and third floors, facing the homes on Elmwood Road can be designed smaller (i.e. raise the height of windowsills) to reduce direct sightlines into neighbouring properties. Black cedar hedges can also be planted along the property line behind existing house at 254 and 258 Elmwood Road for increased privacy. These cedar hedges will replace the proposed shrubs in the initial design to provide increased privacy.</p>
<p>What is the lot coverage?</p>	<p>Lot coverage on this property is 25.3%. There is no requirement for maximum lot coverage in the by-law.</p>
<p>How many trees will be cut down?</p>	<p>13 trees will be removed, two of which are diseased and a couple of which are located within the footprint of the building. There are five new deciduous trees being planted and two new areas with cedar hedges (made up of five cedar trees each). A tree permit is required. An Arborist report has been submitted to the Town and approved by the Town’s Arborist for any trees being removed and new trees being planted.</p>
<p>It is heartbreaking to see so many trees being removed. Is there anything you can do about that?</p>	<p>The Arborist report that was approved by the Town recommends the diseased trees be removed. There are several trees on the property that are not being removed. And five new trees being planted.</p>
<p>What is the maximum population?</p>	<p>This development proposed 13 family units. Population is dependant on how many people reside in each unit. Assuming 1 person per bedroom, population could be at least 50 people.</p>
<p>There are concerns with the parking lot being located behind the fence of properties and resulting in a great deal of noise.</p>	<p>The parking lot is located at the rear of the building in accordance with the Town’s Zoning By-law that requires the parking area to be sufficiently setback from the property line. The parking area exceeds the required setback of the Zoning by-law.</p>

<b>COMMENT</b>	<b>RESPONSE</b>
Can the cedar hedge be extended along the entire back of property 248 Elmwood Road?	Only a quarter of the property at 248 Elmwood Road shares the property boundary at 363 Margaret Drive. There is a new deciduous tree to be planted in this location. The Region does not own the other property that abuts the rear of 248 Elmwood Road.
There is a tree proposed to be removed to the left of new tree T3. Can this tree be saved?	The proposed tree to be removed is a black walnut tree. The arborist report recommends removal as it will be damaged during excavation and construction. Following the PIC, Halton staff reached out to the Arborist (on February 24 <sup>th</sup> , 2025) to determine whether there is any potential to save this tree during construction. The Arborist confirmed that the construction encroachment on the root system of this tree will cause decline in health and possible future impact to the tree's stability as structural roots will decay on the cut side. The Arborist maintains their recommendation of tree removal.
I appreciate such developments as they help people who are lower income and cannot afford higher rents.	Noted.

**4 / CONCLUSIONS**

Following the virtual Public Information Centre, staff propose to make the following changes to the Site Plan Application to address comments from residents with regards to privacy:

- Raise the bedroom windowsills facing the rear of the properties located on Elmwood Road; and,
- Plant two new Black Cedar hedges (containing five cedars each) behind properties 254 and 258 Elmwood Drive.

**5 / APPENDICES**

- Appendix 1 – Location Map
- Appendix 2 – Public Information Centre Presentation

Appendix 1 – Location Map



## **APPENDIX 2 - PIC Presentation**



# Virtual Public Information Centre 363 Margaret Drive, Oakville Housing Development

February 20, 2025 (6:30 – 8:00 p.m)

**Presented By:**

Alissa Mahood, Senior Planner, Halton Region

Ahmed Hussein, Project manager III, Halton Region

Mazen Rammal, Senior Project Advisor, Halton Region

Cynthia Zahoruk, Principal Architect, Cynthia Zahoruk Architect Inc.

Nevine Soliman, Architect, Cynthia Zahoruk Architect Inc.



# How to Ask a Question

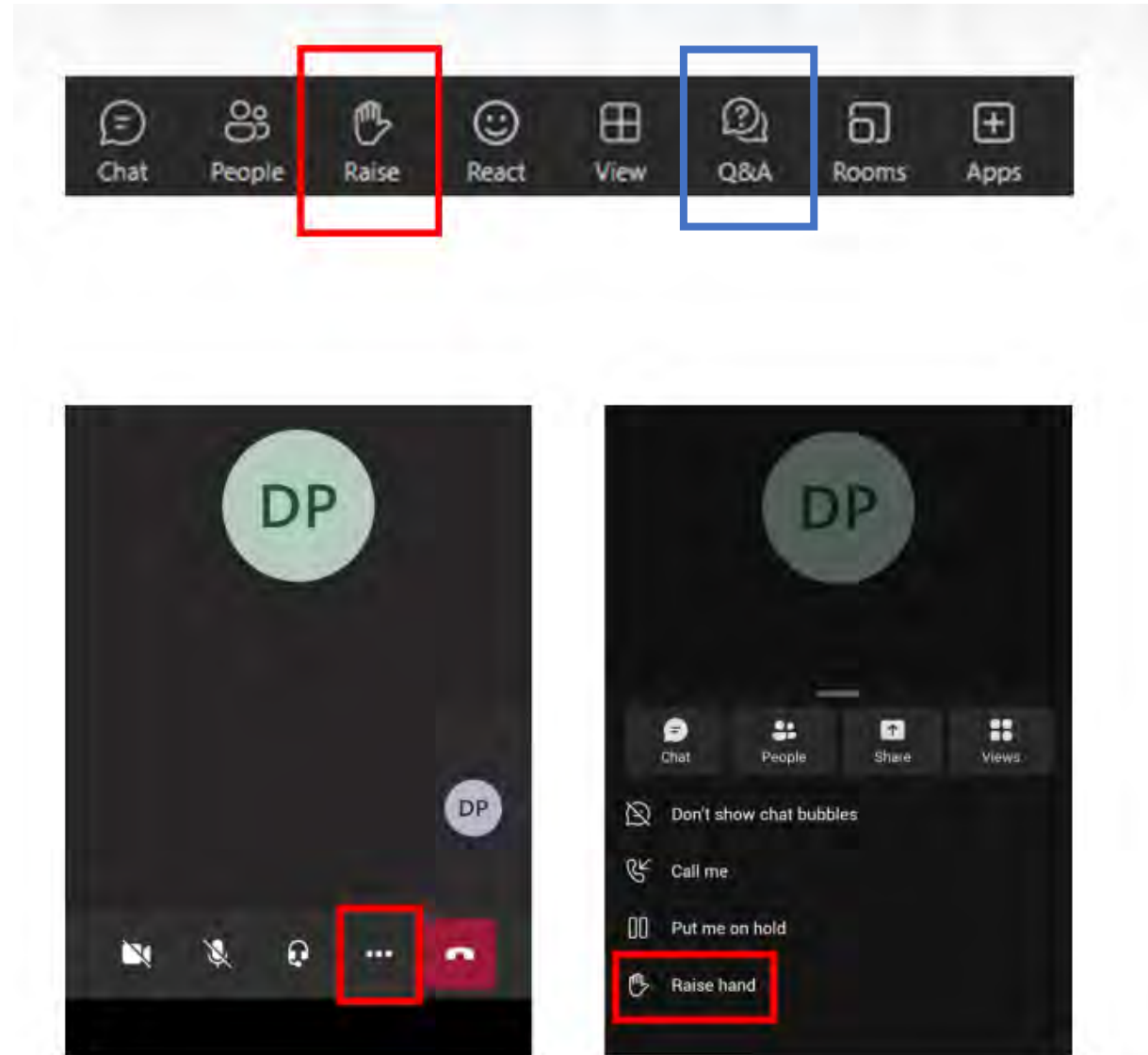
Internet Browser / MS Teams Application on computer: Click the **hand icon**

Smartphones: Click the three dots at the bottom. Select **'Raise Hand'** from the pop up

Type your question in the **Q&A icon**

By phone: Press \*5 to raise your hand

**The presentation will be recorded and posted on the project webpage**



# Agenda

- Welcome and Land Acknowledgement
- Why Are We Here? - Purpose of the Meeting
- Neighbourhood Context
- Planning Context
- Project Overview
- Next Steps
- Discussion (Q & A)



# Indigenous Land Acknowledgement

***Halton Region acknowledges the Treaty Lands of the Mississaugas of the Credit First Nation as well as the Traditional Territory of the Haudenosaunee, Huron-Wendat and Anishinabek on which we gather.***

***In stewardship with Mother Earth and the enduring Indigenous presence connected to these lands we acknowledge the Indigenous Nations of the past, present and future.***

***In the spirit of ally-ship and mutual respect, we will take the path of Truth and Reconciliation to create change, awareness and equity as we strive to elevate the collective consciousness of society.***

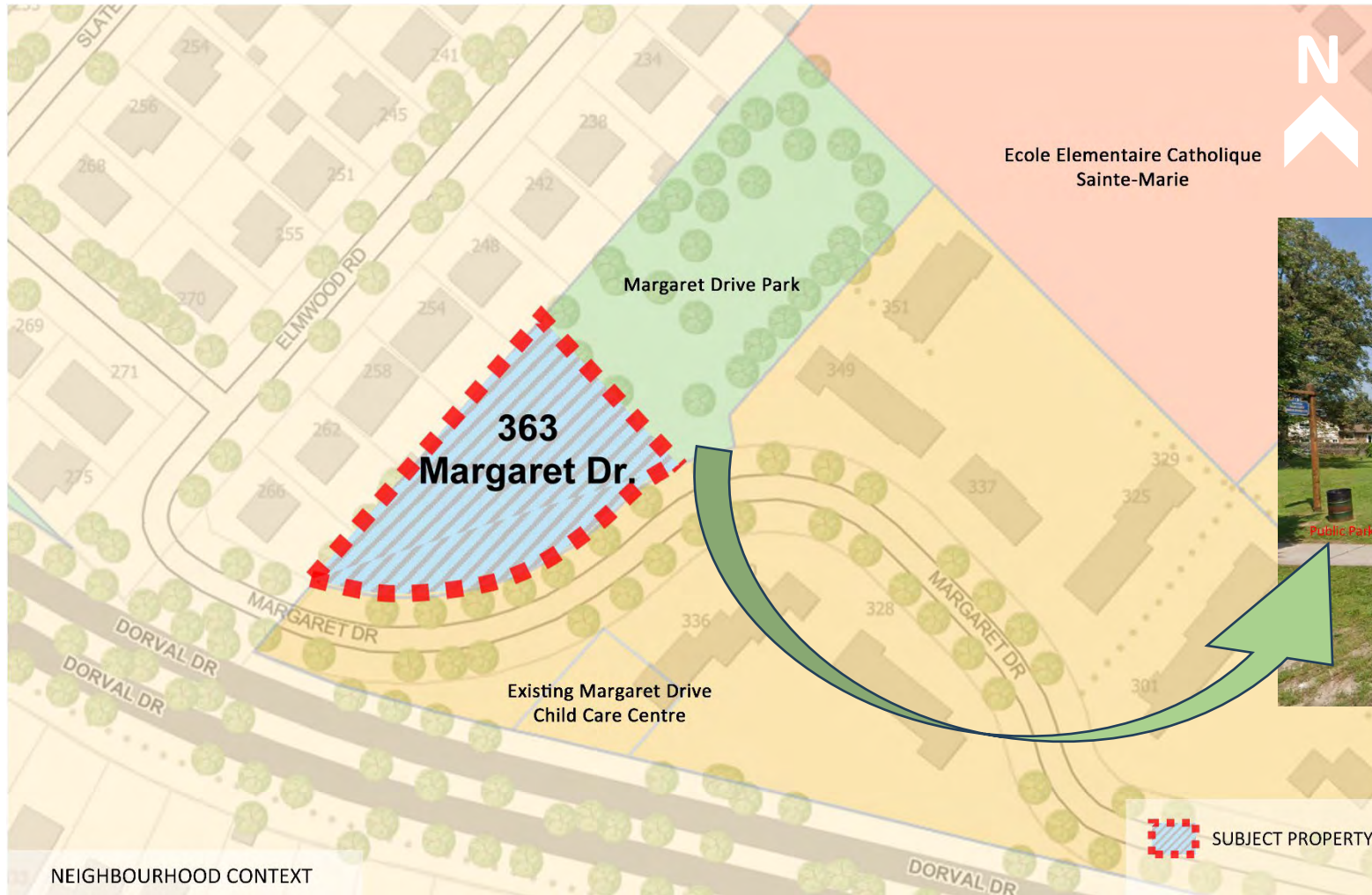




# Why Are We Here?

- To share information about the project
- Answer questions about the project
- We want to hear from you

# Neighbourhood Context



Existing entrance to Margaret Drive park

# Planning Context:

## Zoning: RM4 – Residential Medium Density 4, Special Provision 88

	RM4 Zone	Special Provision No. 88
Permitted Uses	Apartment dwellings, long-term care facilities and retirement homes	30 units
Max. # of storeys	4	2
Max. Height	15.0 meters (49 ft)	Not specified

### What can we build?

- Apartment building, long-term care facilities and retirement homes
- Max. 15 meters (49 ft) tall
- Max. 2 storeys
- Up to 30 units



# Project Overview – What are we building?

- 3 Storey Residential Building
- 13 family apartment units, including:
  - 3 Five-bedrooms units
  - 5 Four-bedrooms units
  - 5 Three-bedroom units, including 2 Barrier free units



*MARGARET DRIVE – PROPOSED RESIDENCES  
Front view from Margaret Drive*



# Project Overview - What are we building?

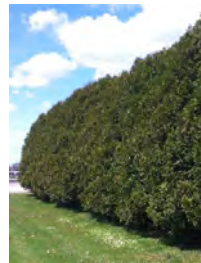
- Proposed development meets all zoning by-law required setbacks from property lines
- 20 parking spaces required (on site)
- 5 new trees and cedar hedges



T1 – T2  
Boulevard Trees



T3 - T4 - T5  
Autumn Fantasy Trees



Black Cedar  
Hedge



# Project Overview: What Approvals are Required from the Town?

## SITE PLAN APPLICATION

Allows the municipality to review and approve the following:

- Building location and site design
- The relationship of the proposal to surrounding land uses
- Driveways, curbing and traffic direction signs
- Loading and parking facilities
- Emergency vehicle routes
- All pedestrian accesses, such as walkways and ramps, and their proposed surfacing
- Landscaping for the site and for the protection of adjoining lands
- Waste material storage and collection areas
- Grading and servicing
- Need for City required road widenings
- Exterior design of buildings, including character, scale, and appearance
- **Not a public process under the *Planning Act*.**

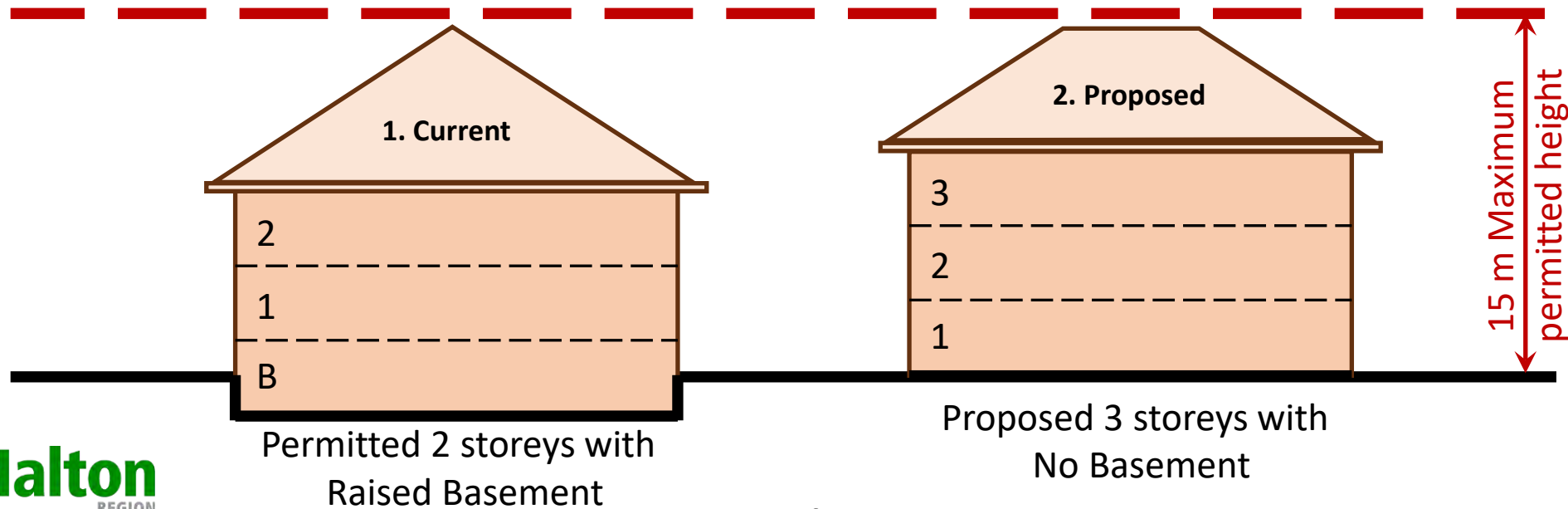
## MINOR VARIANCE APPLICATION

- A minor variance is a small variation from the requirements of the zoning by-law  
Examples:
  - reduced setback from a property line
  - increase the height of a structure
  - modifying parking requirements
- The application is evaluated based on a set of criteria that is provided in the ***Planning Act*** under Section 45(1).
- **Public Process under the *Planning Act*:** the public has the right to view the application, attend the Committee of Adjustment Meeting and provide comments on the application.

# Project Overview: Minor Variance Application

**Variance # 1:** To permit a 3-storey residential building, whereas the site-specific zoning by-law permits 2 storeys.

**WHY:** To elevate the partially below grade units by 1.25 meters (4 ft) so they are fully at grade to accommodate wheelchair access without requiring the use of an elevator.



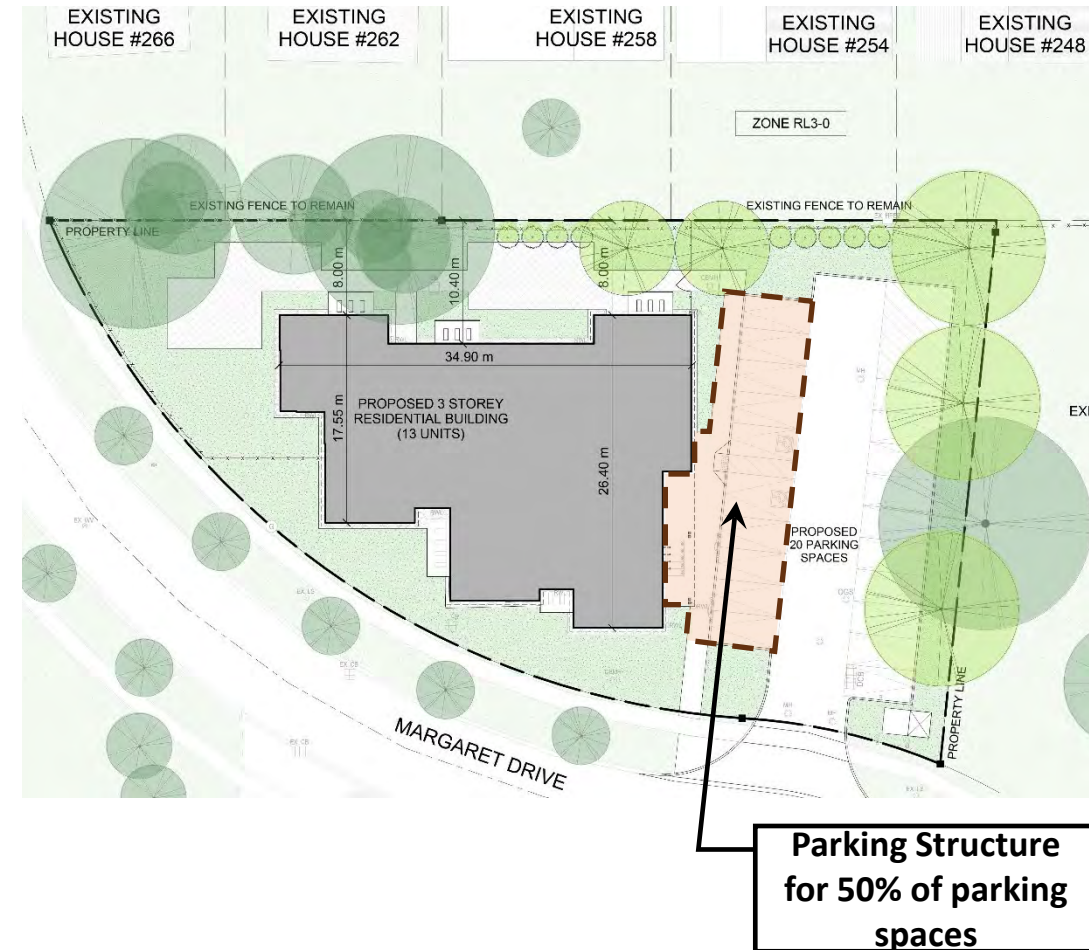


# Project Overview: Minor Variance Application

**Variance # 2 :** To provide 100% of required parking to be uncovered at grade, whereas the zoning by-law requires 50% of parking spaces to be provided within a private garage, carport or parking structure.

**WHY:** To design the site in a way that eliminates vehicle maneuvering issues and improves visibility and pedestrian safety.

To reduce the visual impact of a large covered parking area.





# Next Steps

- Finalize drawings
- Submit application to Committee of Adjustment for Minor Variance Hearing scheduled tentatively for April 2025.
  - Residents within 60 meters (200 ft) of the property will receive notice from the Town of Oakville regarding the application and meeting date
- Final Site Plan Approval
- Building Permits

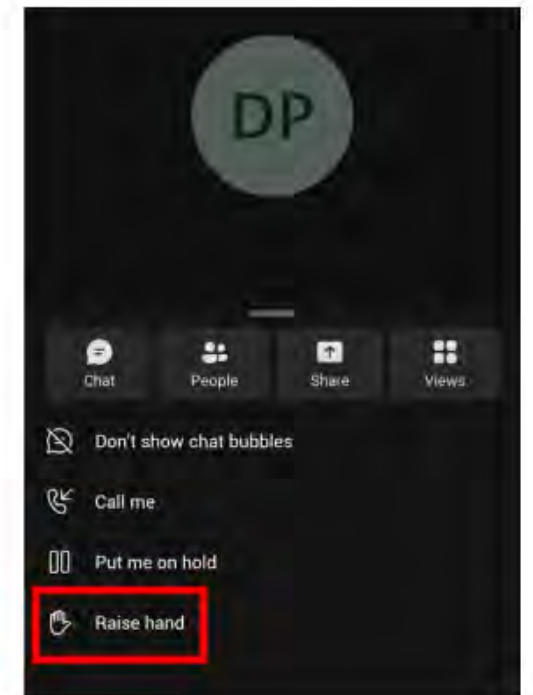
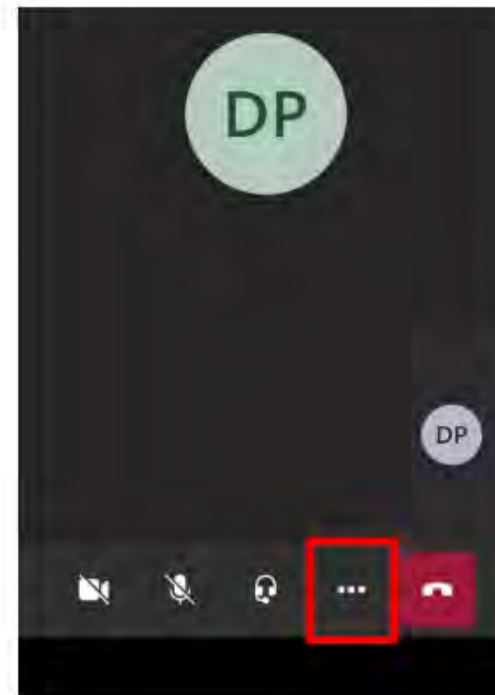
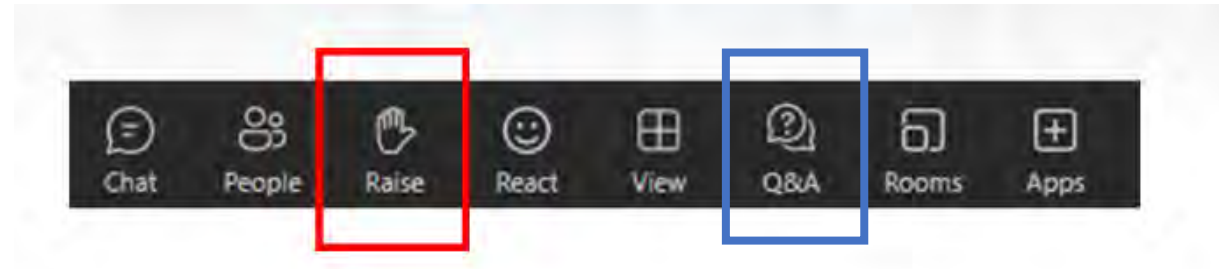
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# Project Contacts

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Halton Region

[ahmed.hussein@halton.ca](mailto:ahmed.hussein@halton.ca)

905-825-6000, ext. 7931

Alissa Mahood, Senior Planner

Halton Region

[alissa.mahood@halton.ca](mailto:alissa.mahood@halton.ca)

905-825-6000, ext. 7987

To learn more about our projects, visit [halton.ca/construction](https://halton.ca/construction)  
and click on [Assisted and Supportive Housing Construction](#)

*(A recording of this presentation will be available on the project webpage)*



Thank you!





March 04, 2025

Committee of Adjustment  
Town of Oakville

Re: 363 Margaret Drive - SP.1617.059/01  
Minor variance Application A/005/2025

Dear Sir/Madam:

I am pleased to provide our revised drawings and supporting documents for the subject Minor variance Application, to pursue approval for the increased number of storeys of the building and removal of the covered parking structure, in response to the comments received on the Committee of Adjustment Hearing meeting held on January 22<sup>nd</sup> 2025 and Halton Region virtual Public Information Centre held on February 20<sup>th</sup> 2025.

Attached you will find documents as identified in the following list:

1. This Cover letter
2. Revised Minor Variance Application
3. Revised Minor Variance Justification Brief
4. Revised Architectural drawings by Cynthia Zahoruk Architect Inc.
5. Revised Shadow study by Cynthia Zahoruk Architect Inc.
6. Survey plan by J,D Barnes Limited

Sincerely,

A handwritten signature in black ink, appearing to be "CZ", written in a cursive style.

Cynthia Zahoruk, Architect  
OAA, AIA, MRAIC,  
B. Arch, B.E.S, Passive House Designer  
LEED AP





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NOTE:  
THE CONTRACTOR WILL CHECK AND VERIFY DIMENSIONS AND SITE CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCY TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ARCHITECT. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. DO NOT SCALE THE DRAWING.

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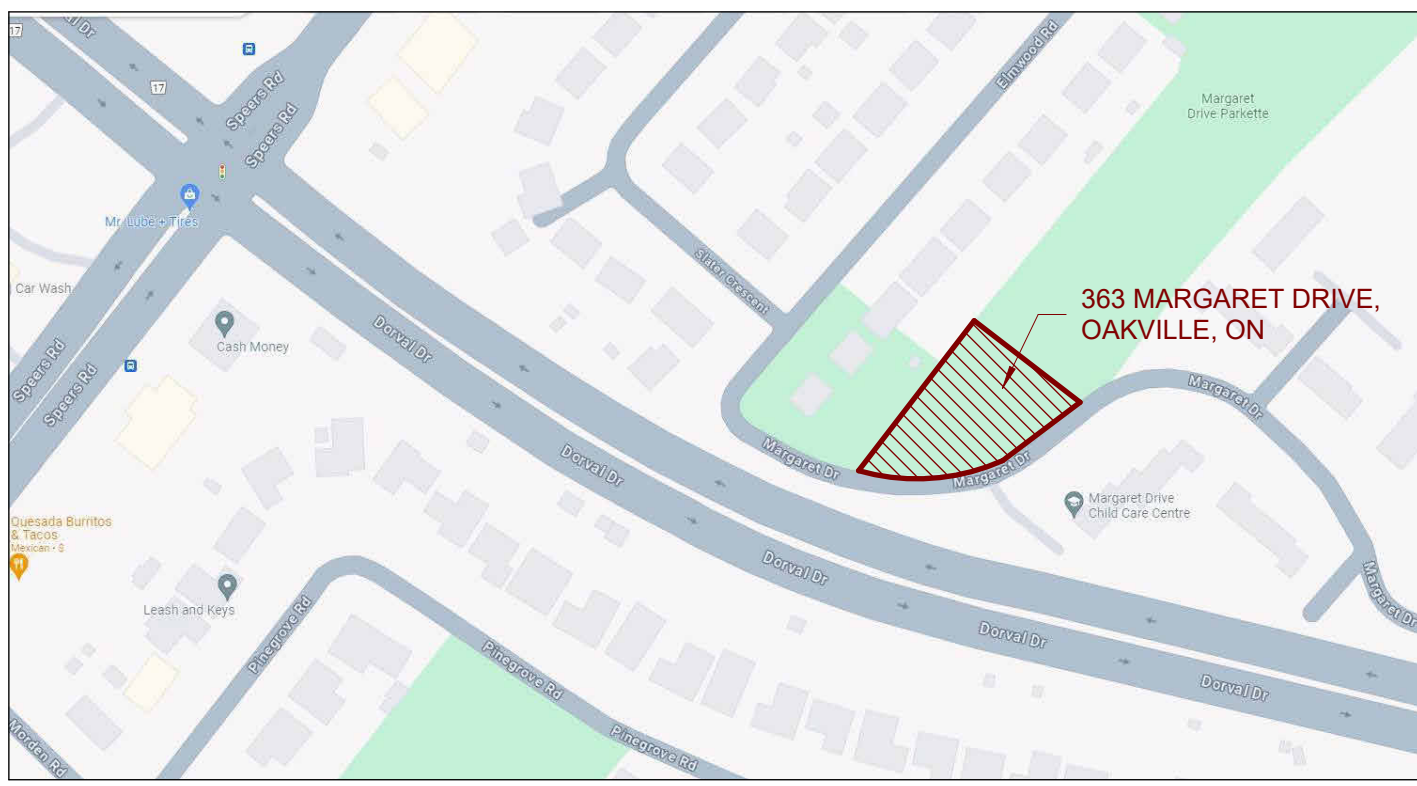
MARGARET DRIVE RESIDENCES  
363 MARGARET DRIVE  
OAKVILLE, ON L6K 3P2

REALISTIC RENDERING 3D PERSPECTIVE

A901

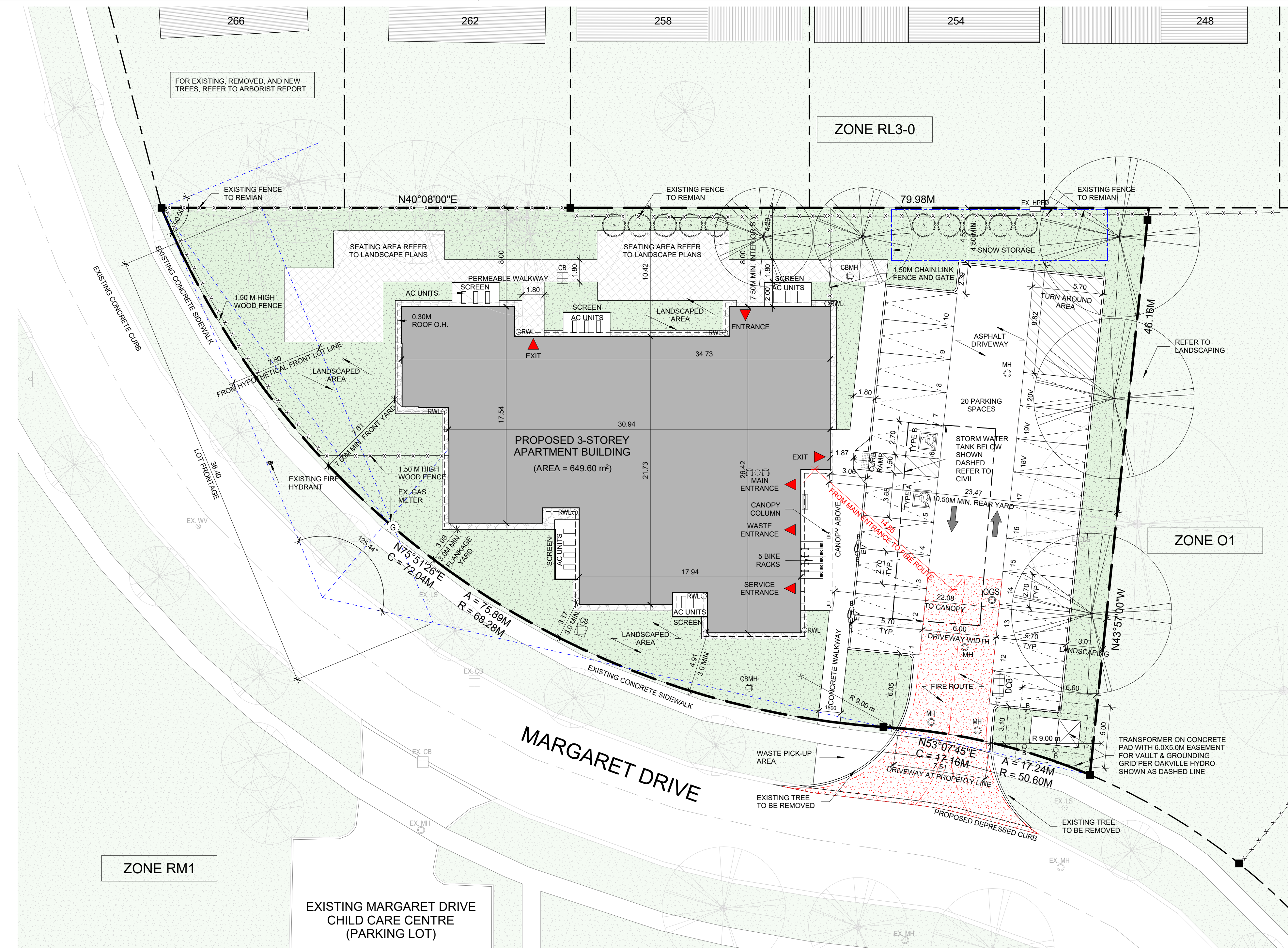


**SURVEY INFORMATION:**  
 THE SITE PLAN IS BASED ON A SURVEY DONE BY J.D.BARNES LIMITED  
 DATED MARCH 11, 2022 - REFERENCE NO. 22-30-843-00-A



**LOCATION MAP**  
 N.T.S.

LEGEND	
	PERMEABLE PAVEMENT
	PROPOSED BUILDING
	TACTILE PLATES
	CATCH BASIN MANHOLE
	CATCH BASIN
	EXISTING CATCH BASIN
	EXISTING HYDRO CHAMBER
	NEW TREES
	EXISTING TREES
	ENTRANCE/EXIT
	FIRE ROUTE
	FIRE HYDRANT
	MANHOLE
	EXISTING MANHOLE
	OIL & GRIT SEPARATOR
	RAIN WATER LEADER
	EXISTING WATER VALVE
	SIGN
	LIGHT STANDARD
	EXISTING LIGHT STANDARD
	BOLLARD
	FENCE
	FENCE GATE



**PROPOSED SITE PLAN**  
 1 : 200

Building Data		Proposed
Ground Floor	Residential Amenity Area - Ground Floor	107.00 m <sup>2</sup>
	Services (Mechanical Room, Storages, and Circulation)	204.10 m <sup>2</sup>
	Residential Use - Dwelling Units	338.50 m <sup>2</sup>
<b>Total Ground Floor Area</b>		<b>649.60 m<sup>2</sup></b>
Second Floor	Services (Circulation and Risers)	85.40 m <sup>2</sup>
	Residential Use - Dwelling Units	561.95 m <sup>2</sup>
<b>Total Second Floor Area</b>		<b>647.35 m<sup>2</sup></b>
Third Floor	Services (Circulation and Risers)	85.40 m <sup>2</sup>
	Residential Use - Dwelling Units	560.90 m <sup>2</sup>
<b>Total Third Floor Area</b>		<b>646.30 m<sup>2</sup></b>
<b>TOTAL FLOOR AREA</b>		<b>1,943.25 m<sup>2</sup></b>
Residential Unit Count		Proposed
Ground Floor	5-Bedroom Units	1 Unit
	4-Bedroom Units	0
	3-Bedroom Units	2 Units (Barrier Free)
<b>Total</b>		<b>3 Units</b>
Second Floor	5-Bedroom Units	1 Unit
	4-Bedroom Units	2 Units
<b>Total</b>		<b>5 Units</b>
Third Floor	5-Bedroom Units	1 Unit
	4-Bedroom Units	3 Units
<b>Total</b>		<b>5 Units</b>
TOTAL	5-Bedroom Units	3 Units
	4-Bedroom Units	5 Units
<b>3-Bedroom Units</b>		<b>5 Units</b>
<b>Total</b>		<b>13 Units</b>

DEVELOPMENT STATISTICS				February 24-2025
Project	MARGARET DRIVE RESIDENCES			
Municipal Address	363 Margaret Drive, Oakville, Ontario			
Legal Description	Plan M62 BLK G			
Proposed Use	Apartment Dwellings			
Zone	RM4-SP 88 - Residential Medium Zone			
Site Data	RM4-SP 88 - Residential Medium Zone	Proposed	Comply Yes / No	
Lot Area	1,486.50 m <sup>2</sup> min.	2,567.42 m <sup>2</sup>	Yes	
Lot Frontage	24.0 m min.	36.40 m (Distance between the interior side lot line and hypothetical flankage lot line, measured 7.50m back from the front lot line)	Yes	
Lot Coverage	N/A	25.30 %	Yes	
Building Height (m)	15.0 m max.	14.10 m	Yes	
No. of Storeys	2 Storeys max. (SP88)	3 Storeys	No	
No. of Dwelling Units	30 Units max. (SP88)	13 Units	Yes	
Yards and Setbacks				
Front Yard	7.50 m min. (SP88)	7.61 m	Yes	
Flankage Yard	3.0 m min.	3.09 m	Yes	
Interior Side Yard	7.50 m min. (SP88)	8.0 m	Yes	
Rear Yard	10.50 m min. (SP88)	23.47 m (To Building) 22.08 m (To Canopy)	Yes	
Yard Encroachments into a Minimum Yard				
Balconies	In Front & Rear Yards Only 1.50 m max. (Beyond the main wall)	No Balconies	Yes	
Eaves / Gutters	In All Yards - 0.60 m max.	0.30 m - To Fascia 0.45 m - To Gutter	Yes	
Landscaping				
Landscaping Coverage	10% min.	(1,154.50 m <sup>2</sup> ) = 44.97 %	Yes	
Width of Landscaping	3.0 m min. If abutting any Residential, Institutional, or Community Use Zones	3.01 m	Yes	
	4.50 m min. landscaping separating any surface parking area from any lot line with Residential use	4.55 m	Yes	
	3.0 m min. landscaping separating any surface parking area from any lot line abutting a road	3.10 m	Yes	
Location of Garbage Containers				
Location of Garbage Containers	Located within a building or fully enclosed structure	Located within the building	Yes	
Parking Statistics				
Number of Parking Spaces - Apartment Dwelling	1.0 per dwelling where the unit has less than 75.0 m <sup>2</sup> net floor area 1.50 per dwelling for all other units	All units have net floor area greater than 75.0 m <sup>2</sup> 1.50 x 13 units = 19.50 Spaces	Yes	
Visitors Parking Spaces	50% min. of the minimum parking spaces shall be provided within a private garage, carport, or parking structure 0.25 of the parking spaces required per dwelling shall be designated as visitors parking	No Parking Spaces within a private garage, carport, or parking structure 3 Visitor Spaces included in total parking spaces	No	
Total Parking Spaces	20 Spaces = (1.5x13 units)	20 Parking spaces provided	Yes	
Parking Space Size	2.70 m x 5.70 m (Where parking spaces are not located in a private garage) 2.80 m x 5.70 m (Where parking spaces are located in a private garage)	2.70 m x 5.70 m (All parking spaces are not located in a private garage)	Yes	
Number of BF Parking Spaces	1 Parking space for 3-25 spaces	2 Parking spaces provided	Yes	
BF Parking Space Size	Type A: 3.65 m x 5.70 m Type B: 2.70 m x 5.70 m	Type A: 3.65 m x 5.70 m Type B: 2.70 m x 5.70 m	Yes	
BF Parking Aisle Width	1.50 m min.	1.50 m min.	Yes	
Driveway Width	6.0 m min.	6.0 m min.	Yes	
Setback from Parking Spaces to Building	1.80 m min.	3.06 m min.	Yes	
Number of Bicycle Parking Spaces	In a building having fewer than 20 dwelling units, the minimum number of bicycle parking spaces required shall be zero. (0 spaces required)	5 Bike Racks provided	Yes	

**DEVELOPMENT STATISTICS**  
 1 : 10

NOT FOR CONSTRUCTION



NOTE:  
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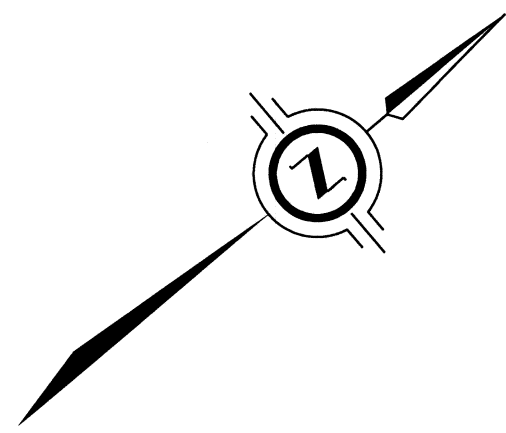


MARGARET DRIVE RESIDENCES  
 363 MARGARET DRIVE OAKVILLE, ON L6K 3P2

PROPOSED SITE PLAN & DEVELOPMENT STATISTICS

**A100**





PLAN OF SURVEY OF  
ILLUSTRATING TOPOGRAPHY ON  
**BLOCK G**  
**REGISTERED PLAN M-62**  
TOWN OF OAKVILLE  
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 250  
0 5 10 15 metres

J.D. BARNES LIMITED

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

**NOTES**  
BEARINGS ARE UTM GRID, DERIVED FROM OBSERVED REFERENCE POINTS A AND B, BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS) (2010.0).  
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY MULTIPLYING BY THE COMBINED SCALE FACTOR OF 0.999728.  
FOR BEARING COMPARISONS, A ROTATION OF 0°21'0" COUNTER-CLOCKWISE WAS APPLIED TO BEARINGS ON PLANS P1 AND P2.

INTEGRATION DATA		
OBSERVED REFERENCE POINTS (ORPs): UTM ZONE 17, NAD83 (CSRS) (2010.0).		
COORDINATES TO URBAN ACCURACY PER SECTION 14 (2) OF O. REG. 216/10.		
POINT ID	EASTING	NORTHING
ORP (A)	606 025.69	4 810 595.21
ORP (B)	606 120.72	4 810 707.92
COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.		

**ELEVATION NOTE**  
ELEVATIONS ARE OF GEODETIC ORIGIN (CGVD-1928:78), AND ARE DERIVED FROM GNSS OBSERVATIONS AND NATURAL RESOURCES CANADA'S GEOD MODEL HT2.0.

**LOCAL BENCHMARK**  
CUT CROSS ON MARGARET DRIVE APPROXIMATELY 27 METERS FROM SOUTH-EASTERN CORNER OF THE SUBJECT BOUNDARY.  
ELEVATION=98.37m

LEGEND	
■	DENOTES SURVEY MONUMENT FOUND
□	DENOTES SURVEY MONUMENT SET
SIB	DENOTES STANDARD IRON BAR
SSIB	DENOTES SHORT STANDARD IRON BAR
RIB	DENOTES ROUND IRON BAR
IB	DENOTES IRON BAR
PB	DENOTES PLASTIC BAR
P1	DENOTES SURVEYOR'S REAL PROPERTY REPORT BY CUNNINGHAM MCCONNELL LIMITED, O.L.S., DATED OCTOBER 10, 2018 (PLAN NO. 82-18-23)
P2	DENOTES REGISTERED PLAN M-62
626	DENOTES H.D. SEWELL, O.L.S.
950	DENOTES CUNNINGHAM MCCONNELL LIMITED, O.L.S.
1128	DENOTES DAVID HORWOOD, O.L.S.
OU	DENOTES ORIGIN UNKNOWN
MEAS	DENOTES MEASURED
N=NORTH / S=SOUTH / E=EAST / W=WEST	

TOPOGRAPHICAL LEGEND	
□	DENOTES SINGLE CATCHBASIN
HPED	DENOTES HYDRO PEDESTAL
MH	DENOTES MANHOLE
SMH	DENOTES SANITARY MANHOLE
LS	DENOTES LIGHT STANDARD
H	DENOTES FIRE HYDRANT
WV	DENOTES WATER VALVE
●	DENOTES CONIFEROUS TREE DIA=DENOTES DIAMETER OF TRUNK IN METRES
○	DENOTES DECIDUOUS TREE DIA=DENOTES DIAMETER OF TRUNK IN METRES

BEFORE DIGGING, UNDERGROUND SERVICES SHOULD BE LOCATED ON SITE BY THE RESPECTIVE AGENCIES.

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THAT LOCAL BENCHMARKS HAVE NOT BEEN ALTERED OR DISTURBED AND THAT THE RELATIVE ELEVATIONS AGREE WITH THE INFORMATION SHOWN ON THIS PLAN.

PRIMARY CONTOURS ARE AT 1.00m INTERVALS.  
SECONDARY CONTOURS ARE AT 0.25m INTERVALS.

**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 1st DAY OF MARCH, 2022.

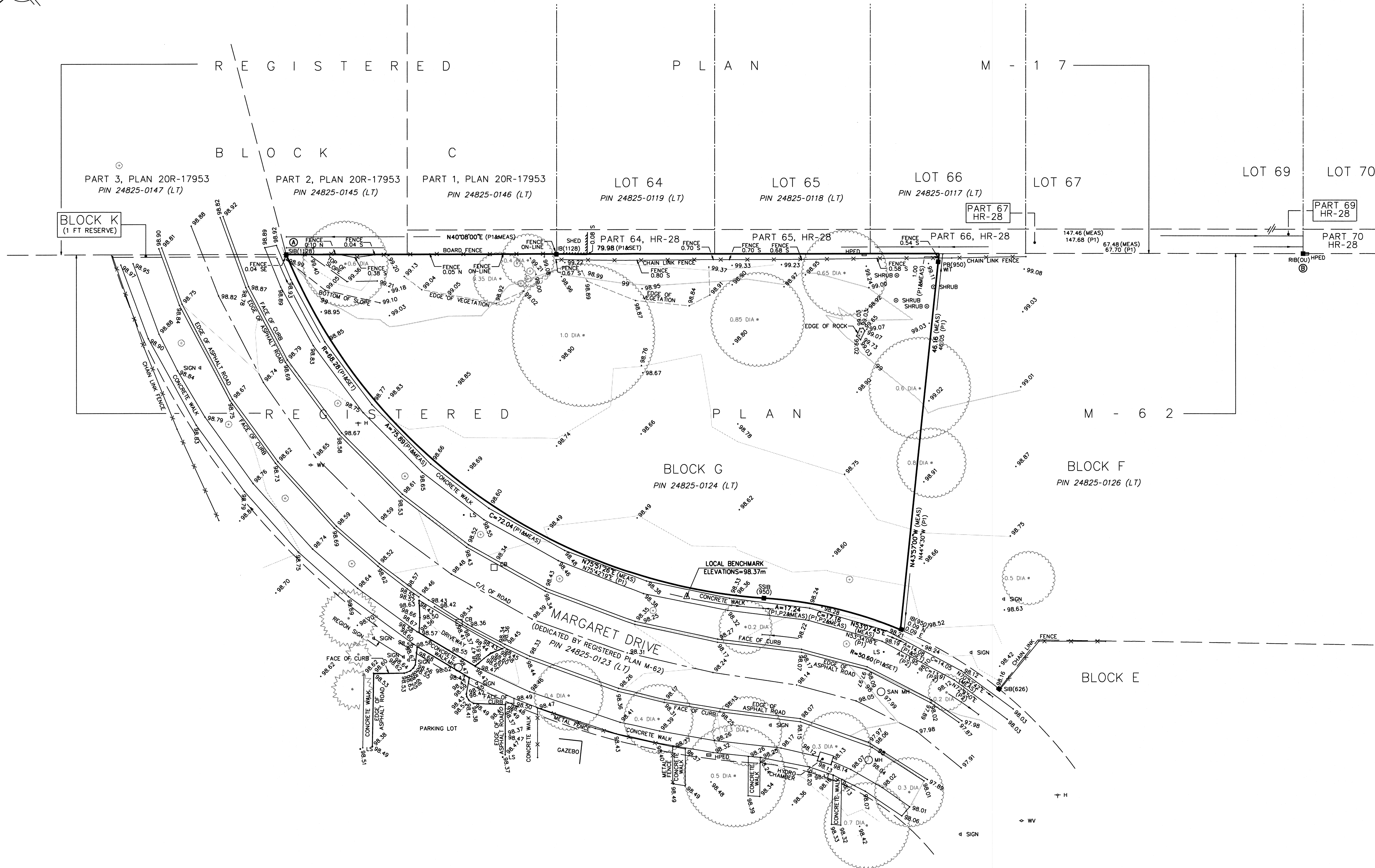
MARCH 10, 2022  
DATE  
R.S. QUERUBIN  
ONTARIO LAND SURVEYOR

ASSOCIATION OF ONTARIO  
LAND SURVEYORS  
PLAN SUBMISSION FORM  
2187156

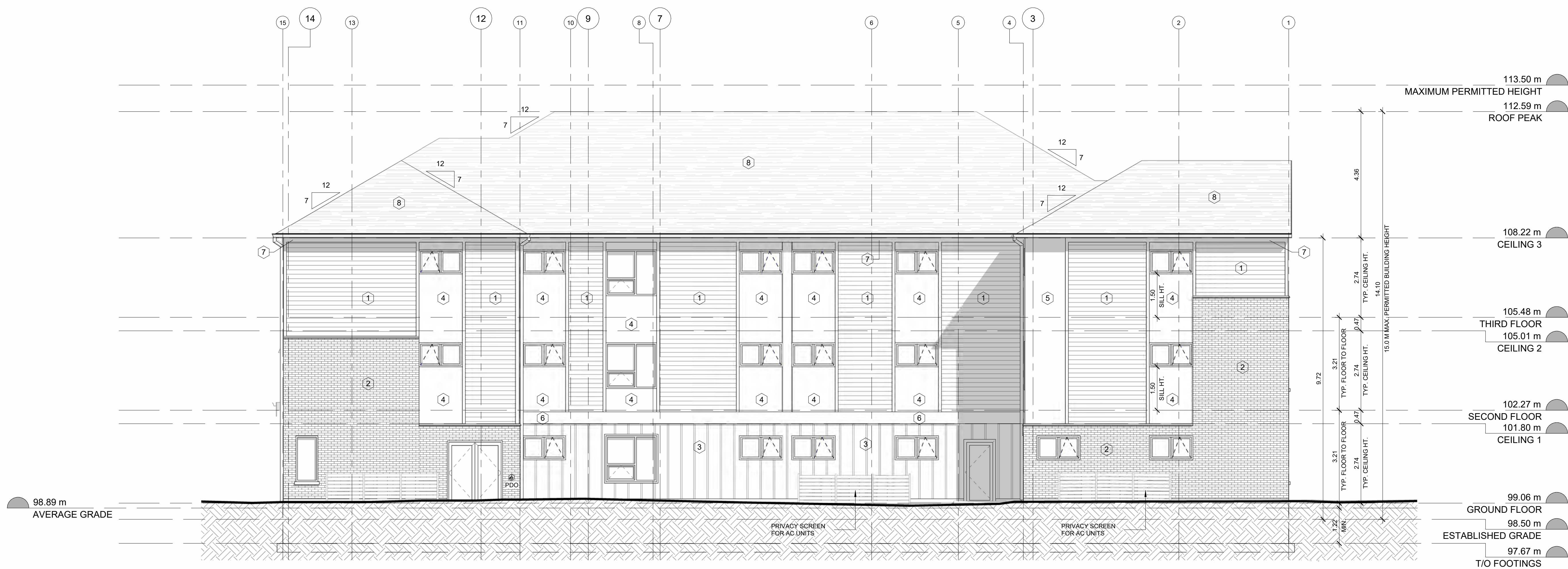
THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1026, SECTION 29(3).

**J.D. BARNES** SURVEYING  
MAPPING  
GIS  
LAND INFORMATION SPECIALISTS  
401 WHEELABRATOR WAY, SUITE A, MILTON, ON L9T 3C1  
T: (905) 875-9955 F: (905) 875-9956 www.jdbarnes.com

DRAWN BY: SG	CHECKED BY: RSQ	REFERENCE NO.: 22-30-843-00-A
PLOTTED: 3/11/22		DATED: MARCH 11, 2022







2 NORTH ELEVATION  
A201  
1:75

MATERIAL LEGEND	
1	LIGHT GREY HORIZONTAL SIDING
2	DARK GREY MASONRY BRICK
3	DARK GREY BOARD & BATTEN
4	DARK GREY PANEL
5	DARK RED PANEL
6	BLACK PANEL TRIM
7	GREY MOLDING TRIM
8	DARK GREY ASPHALT SHINGLES

NOT FOR CONSTRUCTION



**NOTE:**  
THE CONTRACTOR WILL CHECK AND VERIFY DIMENSIONS AND SITE CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCY TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ARCHITECT. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. DO NOT SCALE THE DRAWING.



1 SOUTH ELEVATION  
A201  
1:75

REVISIONS	
DATE	ISSUED
28/07/2024	ISSUED FOR SPA
30/10/2024	ISSUED FOR MVA
03/03/2025	REVISED FOR MVA

DRAWN BY: KANS  
SCALE: As indicated  
PRINT DATE: 2025-03-04 11:15:42 AM



MARGARET DRIVE  
RESIDENCES  
363 MARGARET DRIVE  
OAKVILLE, ON L6K 3P2

SOUTH & NORTH  
ELEVATIONS

A201





MATERIAL LEGEND	
1	LIGHT GREY HORIZONTAL SIDING
2	DARK GREY MASONRY BRICK
3	DARK GREY BOARD & BATTEN
4	DARK GREY PANEL
5	DARK RED PANEL
6	BLACK PANEL TRIM
7	GREY MOLDING TRIM
8	DARK GREY ASPHALT SHINGLES

NOT FOR CONSTRUCTION



NOTE: THE CONTRACTOR WILL CHECK AND VERIFY DIMENSIONS AND SITE CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCY TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ARCHITECT. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. DO NOT SCALE THE DRAWING.

2 EAST ELEVATION  
A202 1:75



REVISIONS	
DATE	ISSUED
26/07/2024	ISSUED FOR SPA
30/10/2024	ISSUED FOR MVA
03/03/2025	REVISED FOR MVA

DRAWN BY: KANS  
SCALE: As indicated  
PRINT DATE: 2025-03-04 11:15:57 AM



MARGARET DRIVE RESIDENCES  
363 MARGARET DRIVE  
OAKVILLE, ON L6K 3P2

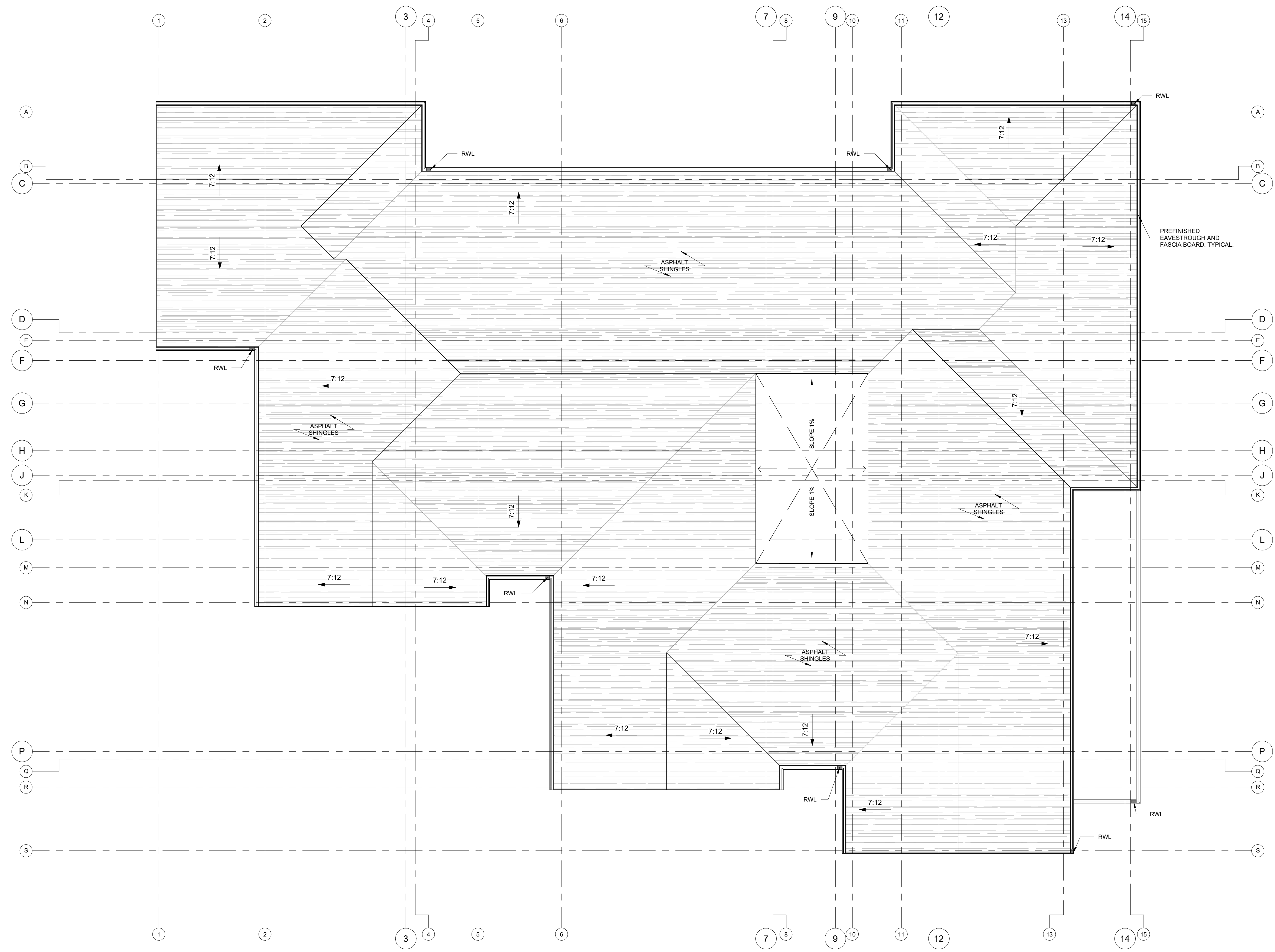
EAST & WEST ELEVATIONS

1 WEST ELEVATION  
A202 1:75

A202



NOT FOR CONSTRUCTION



NOTE:  
THE CONTRACTOR WILL CHECK AND VERIFY DIMENSIONS AND SITE CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCY TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ARCHITECT. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. DO NOT SCALE THE DRAWING.

REVISIONS	
DATE	ISSUED
28/07/2024	ISSUED FOR SPA
30/10/2024	ISSUED FOR MVA
03/03/2025	REVISED FOR MVA

DRAWN BY: KANS  
SCALE: 1 : 75  
PRINT DATE: 2025-03-03 2:57:20 PM

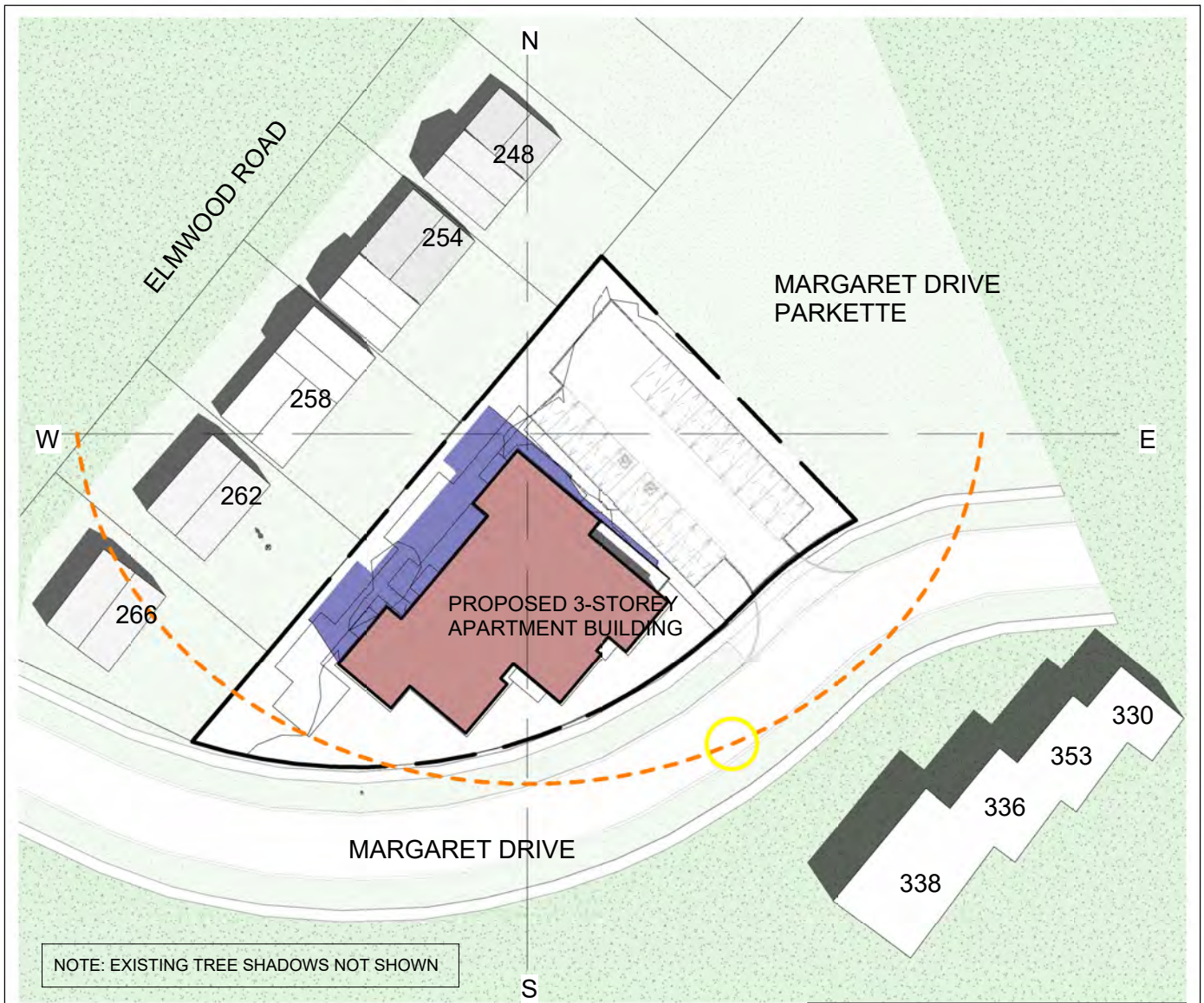


MARGARET DRIVE RESIDENCES  
363 MARGARET DRIVE OAKVILLE, ON L6K 3P2

ROOF PLAN

A104





NOTE: EXISTING TREE SHADOWS NOT SHOWN



**LEGEND**

- PROPOSED BUILDING
- NEW SHADOW
- EXISTING SHADOW
- PROPERTY LINE

**1** SHADOW STUDY-APRIL21-12pm  
 SS-01 1 : 750

**MARGARET DRIVE RESIDENCES**

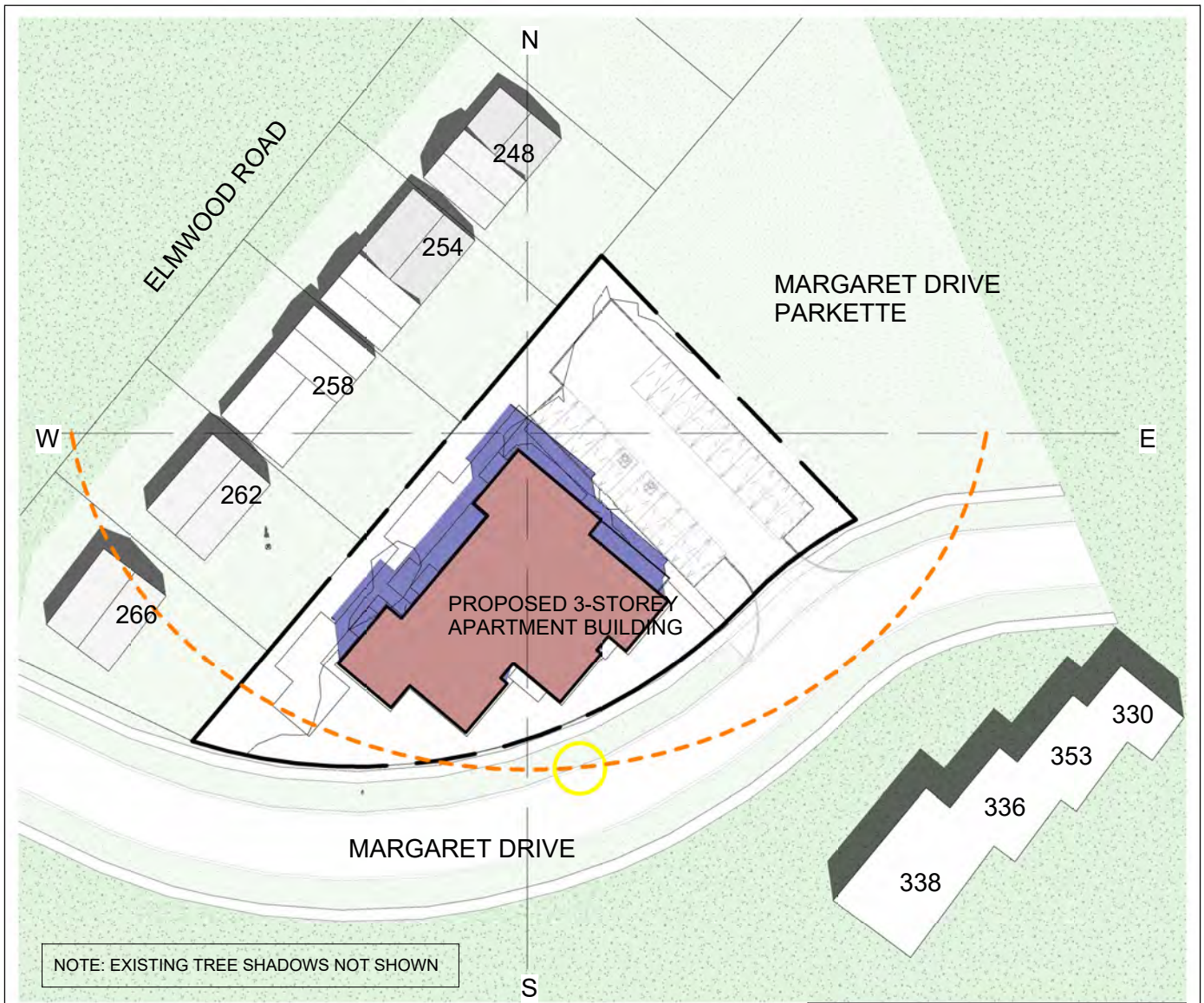
363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

April21-12PM

2025-01-28 2:15:32 PM

As indicated  
 Author





NOTE: EXISTING TREE SHADOWS NOT SHOWN



**LEGEND**

- PROPOSED BUILDING
- NEW SHADOW
- EXISTING SHADOW
- PROPERTY LINE

**1** SHADOW STUDY-APRIL21-1PM  
 SS-02 1 : 750

**MARGARET DRIVE RESIDENCES**

363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

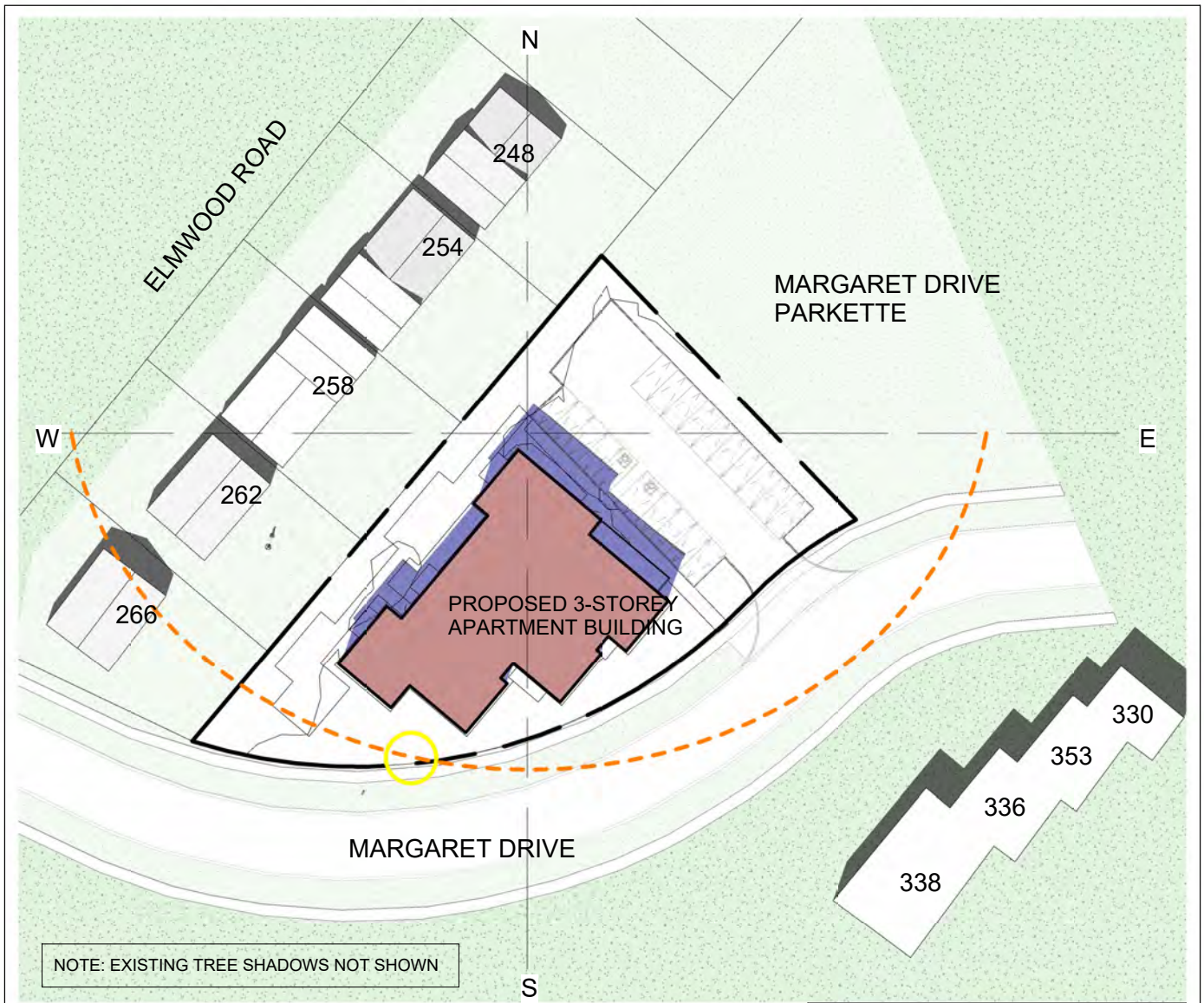
April21-1PM

2025-01-28 2:15:35 PM

As indicated  
 Author







NOTE: EXISTING TREE SHADOWS NOT SHOWN



**LEGEND**

- PROPOSED BUILDING
- NEW SHADOW
- EXISTING SHADOW
- PROPERTY LINE

**1 SHADOW STUDY-APRIL21-2PM.**  
 SS-03 1 : 750

**MARGARET DRIVE RESIDENCES**

363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

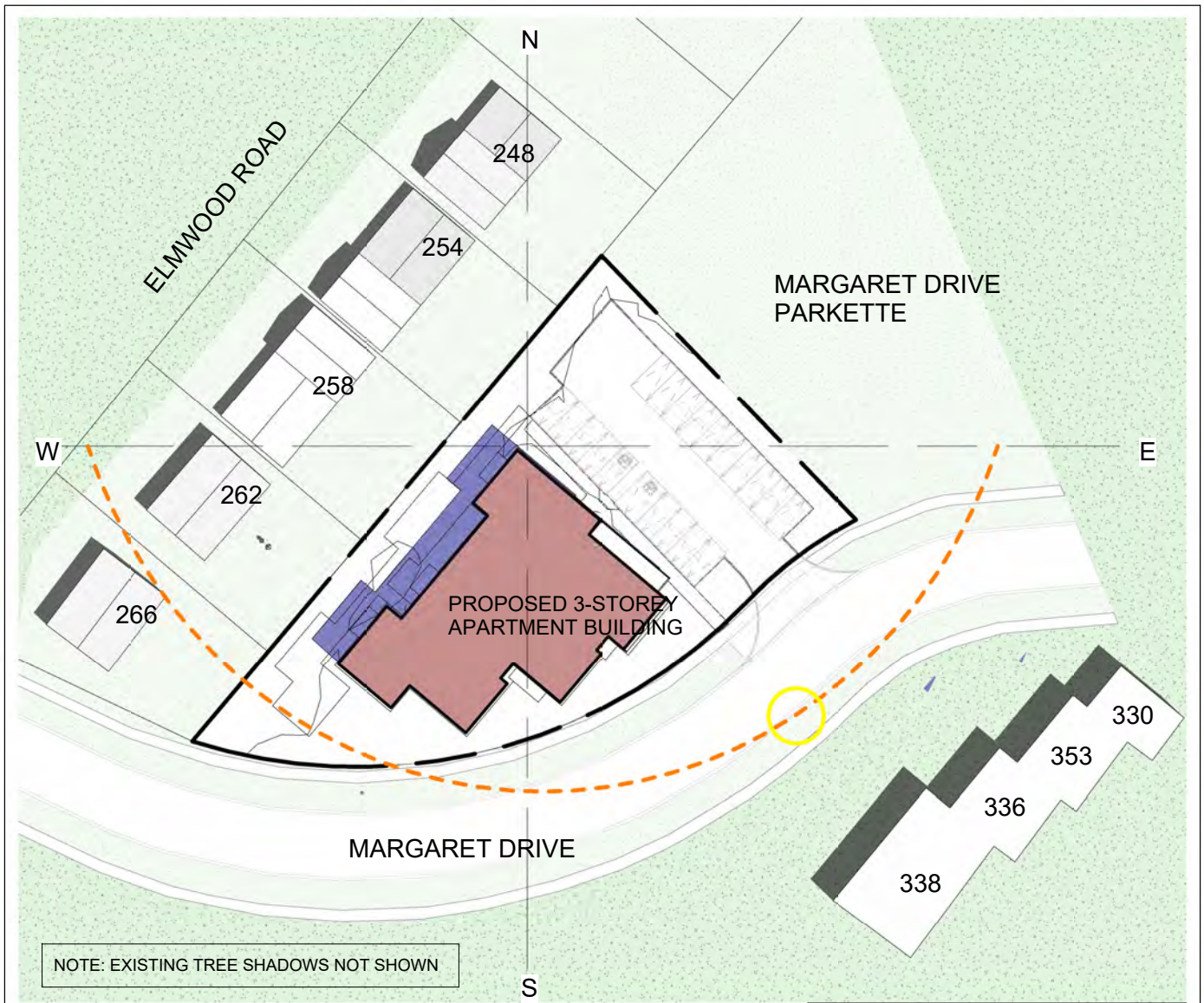
April21-2PM

2025-01-28 2:15:38 PM

As indicated  
 Author







NOTE: EXISTING TREE SHADOWS NOT SHOWN



**LEGEND**

- PROPOSED BUILDING
- NEW SHADOW
- EXISTING SHADOW
- PROPERTY LINE

**1** SHADOW STUDY-JUNE21-12PM  
 SS-04 1 : 750

**MARGARET DRIVE RESIDENCES**

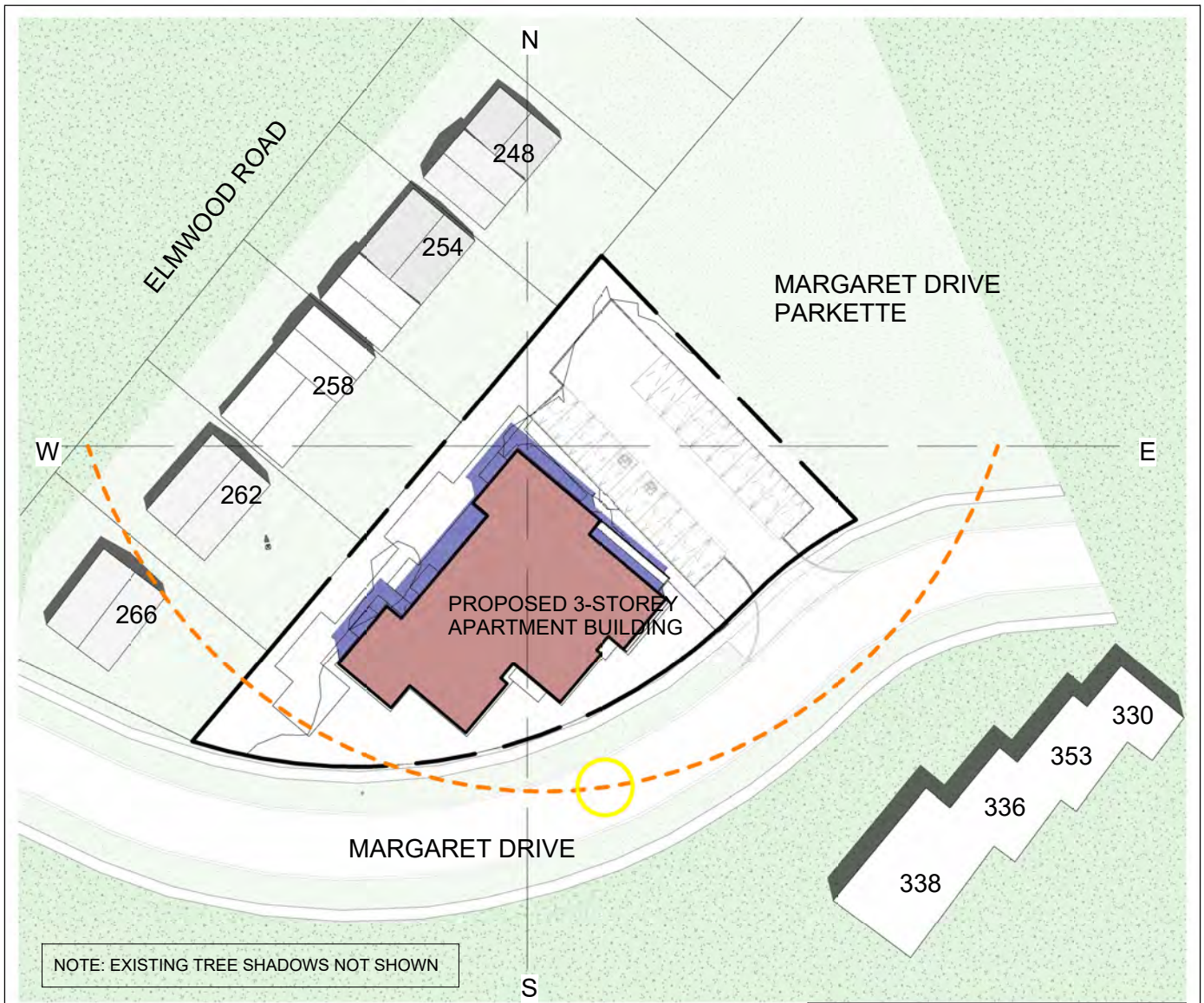
363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

June21-12PM

2025-01-28 2:15:41 PM

As indicated  
 Author





NOTE: EXISTING TREE SHADOWS NOT SHOWN



**LEGEND**

- PROPOSED BUILDING
- NEW SHADOW
- EXISTING SHADOW
- PROPERTY LINE

**1** SHADOW STUDY-JUNE21-1PM  
 SS-05 1 : 750

**MARGARET DRIVE RESIDENCES**

363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

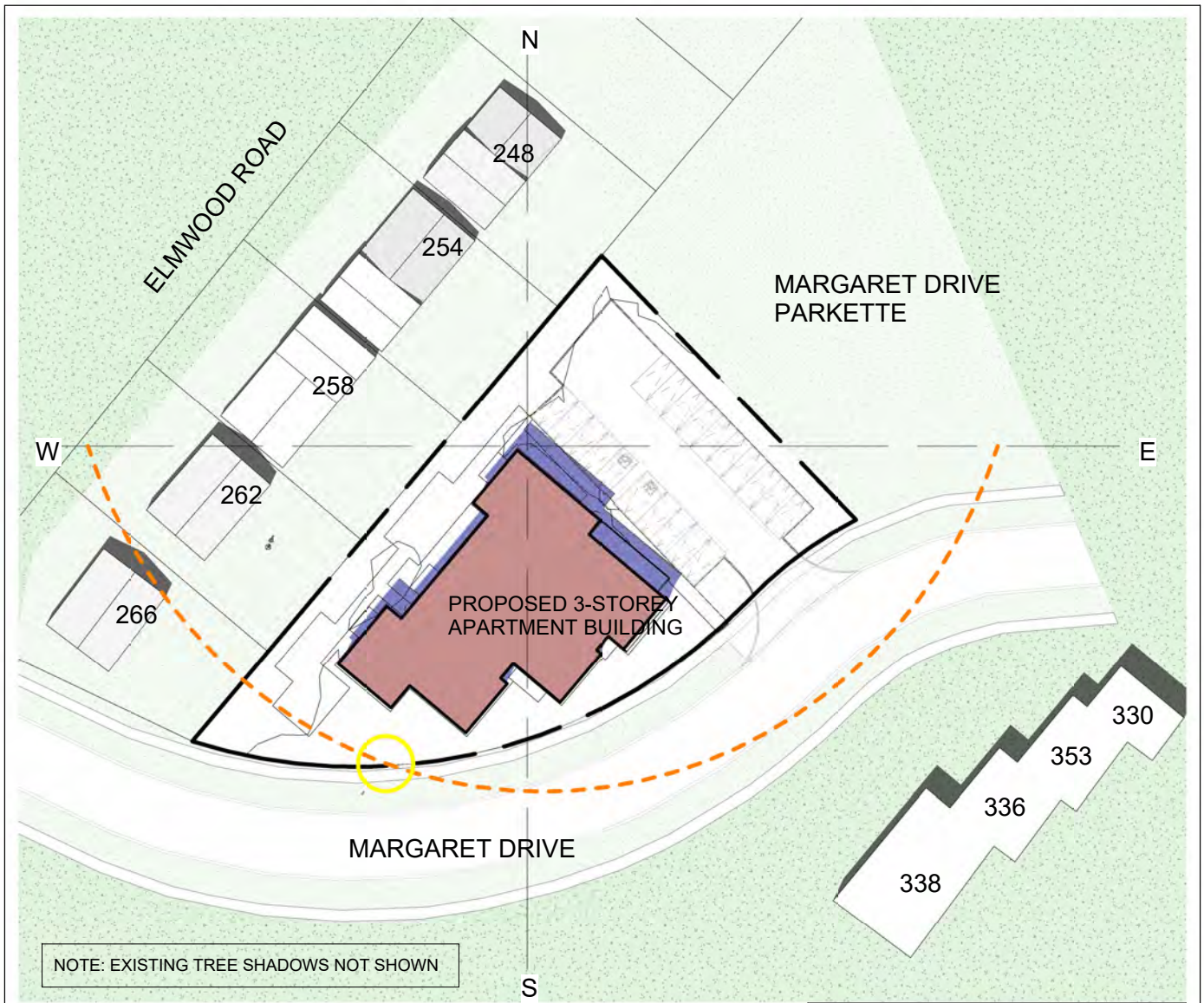
June21-1PM

2025-01-28 2:15:44 PM

As indicated  
 Author







NOTE: EXISTING TREE SHADOWS NOT SHOWN



**LEGEND**

- PROPOSED BUILDING
- NEW SHADOW
- EXISTING SHADOW
- PROPERTY LINE

**1** SHADOW STUDY-JUNE21-2PM.  
 SS-06 1 : 750

**MARGARET DRIVE RESIDENCES**

363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

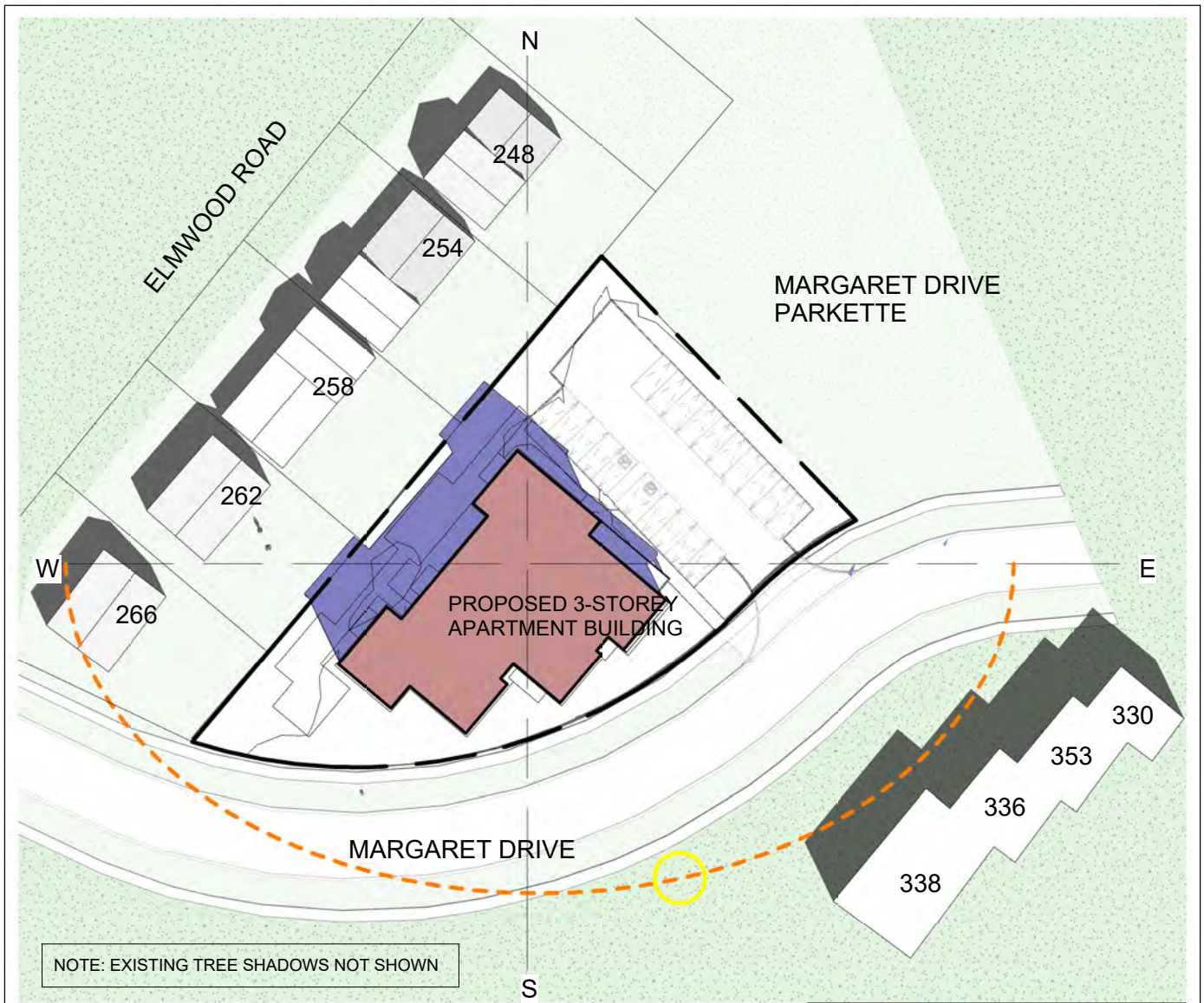
June21-2PM

2025-01-28 2:15:47 PM

As indicated  
 Author







NOTE: EXISTING TREE SHADOWS NOT SHOWN



LEGEND	
	PROPOSED BUILDING
	NEW SHADOW
	EXISTING SHADOW
	PROPERTY LINE

**1** SHADOW STUDY-SEPTEMBER21-12PM  
 SS-07 1 : 750

**MARGARET DRIVE RESIDENCES**

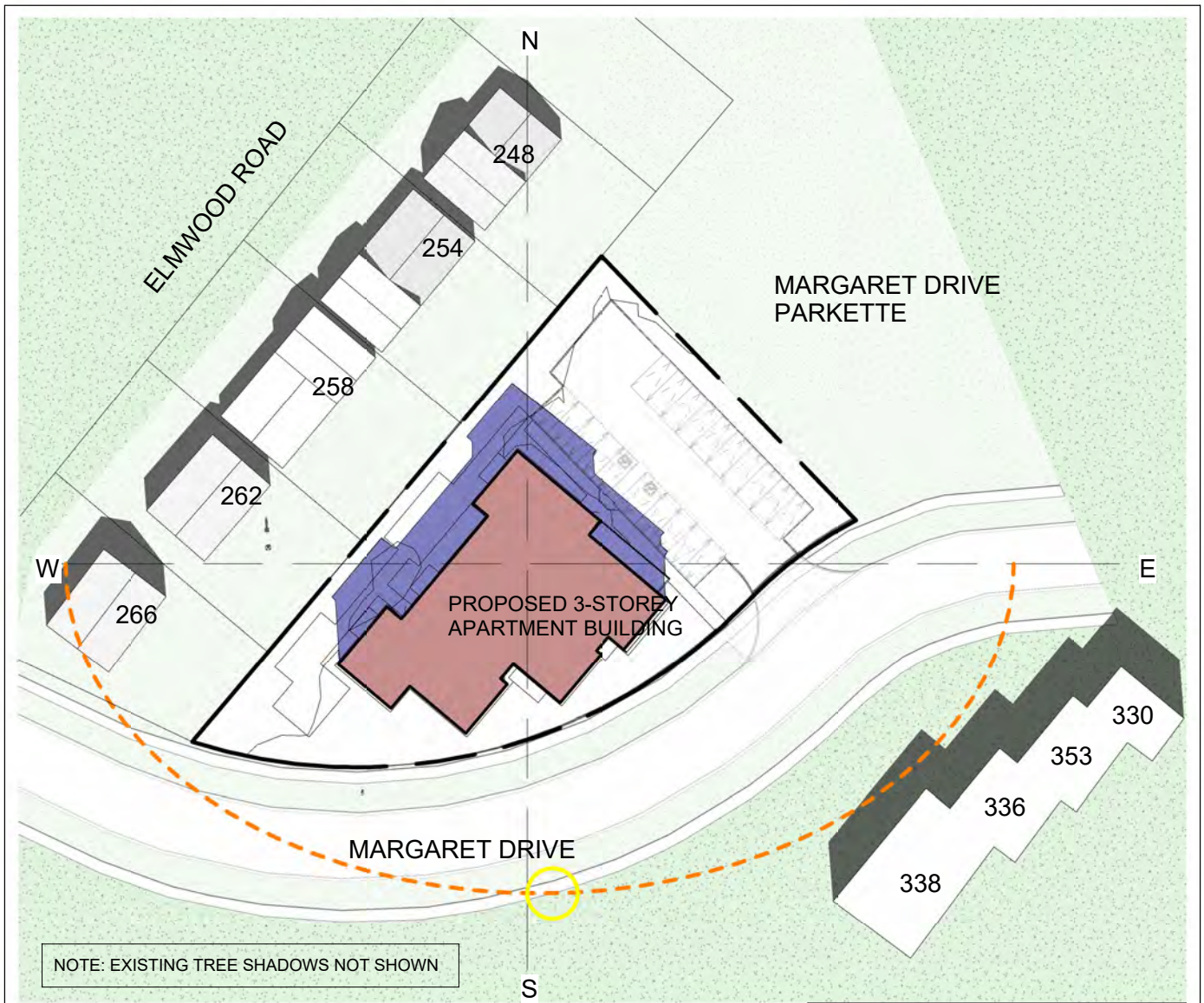
363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

Sept21-12PM

2025-01-28 2:15:49 PM

As indicated  
 Author





NOTE: EXISTING TREE SHADOWS NOT SHOWN



**LEGEND**

- PROPOSED BUILDING
- NEW SHADOW
- EXISTING SHADOW
- PROPERTY LINE

**1** SHADOW STUDY-SEPTEMBER 21-1PM  
 SS-08 1 : 750

**MARGARET DRIVE RESIDENCES**

363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

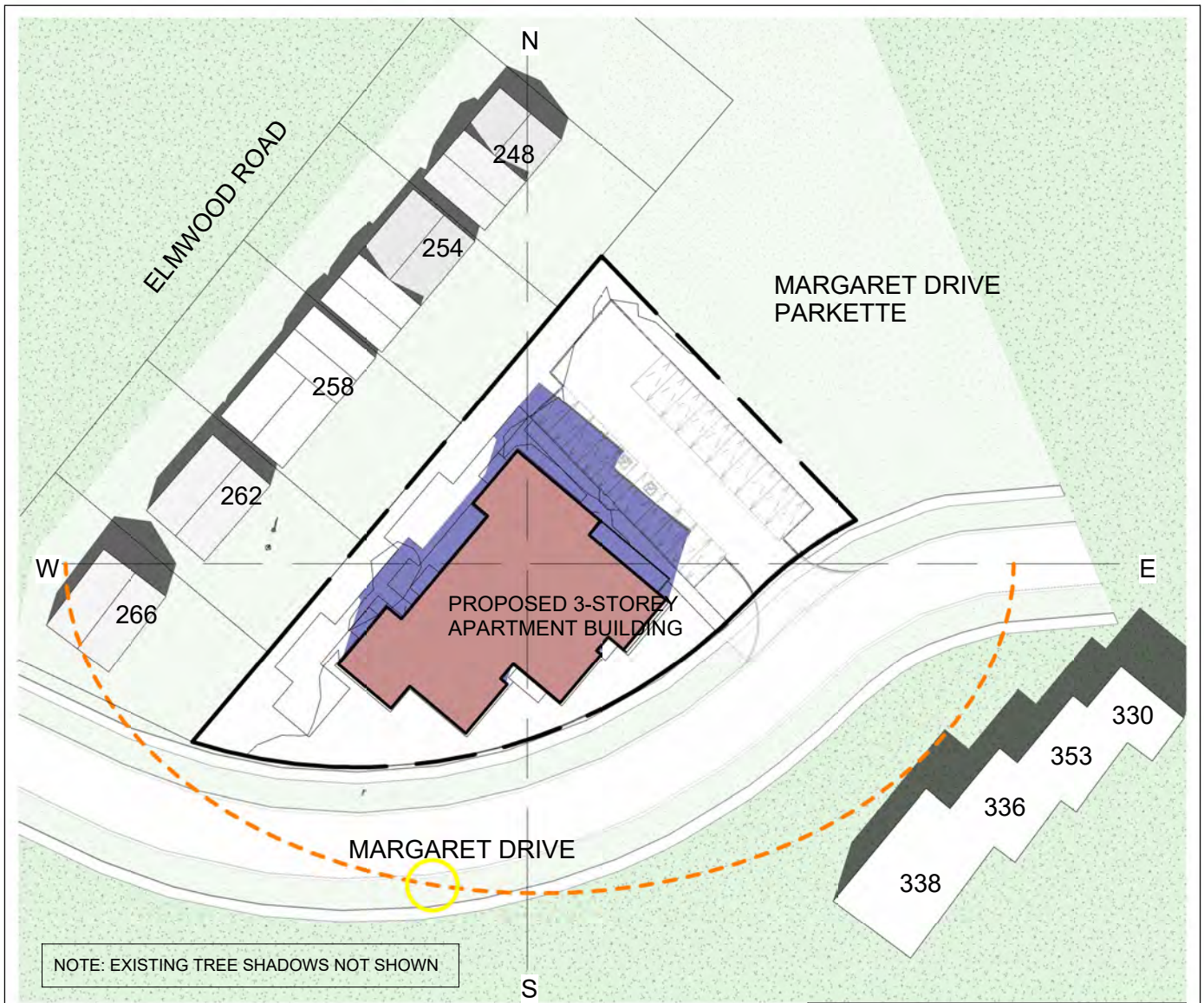
Sept21-1PM

2025-01-28 2:15:52 PM

As indicated  
 Author







NOTE: EXISTING TREE SHADOWS NOT SHOWN



LEGEND	
	PROPOSED BUILDING
	NEW SHADOW
	EXISTING SHADOW
	PROPERTY LINE

**1** SHADOW STUDY-SEPTEMBER21-2PM.  
 SS-09 1 : 750

**MARGARET DRIVE RESIDENCES**

363 MARGARET DRIVE  
 OAKVILLE, ON L6K 3P2

Sept21-2PM

2025-01-28 2:15:55 PM

As indicated  
 Author





# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION: A/005/2025 (Deferred from January 22, 2025)**

**RELATED FILE: N/A**

### **DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
Halton Community Housing Corporation	Cynthia Zahoruk Cynthia Zahoruk Architect Inc. 3077 New St, Unit 201 Burlington ON, L7N 1M6	PLAN M62 BLK G 363 Margaret Dr E/S Town of Oakville

**OFFICIAL PLAN DESIGNATION: Medium Density Residential**

**ZONING: RM4 sp88, Residential**

**WARD: 2**

**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 a three (3) storey apartment building on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 5.2.1 additional regulation #3</i> A minimum of 50% of the minimum parking spaces shall be provided within a private garage, carport, or parking structure.	To permit 100% of the minimum parking to be uncovered.
2	<i>15.88.1 d)</i> Maximum number of storeys shall be two (2).	To permit three (3) storeys.

## **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

### **Planning Services:**

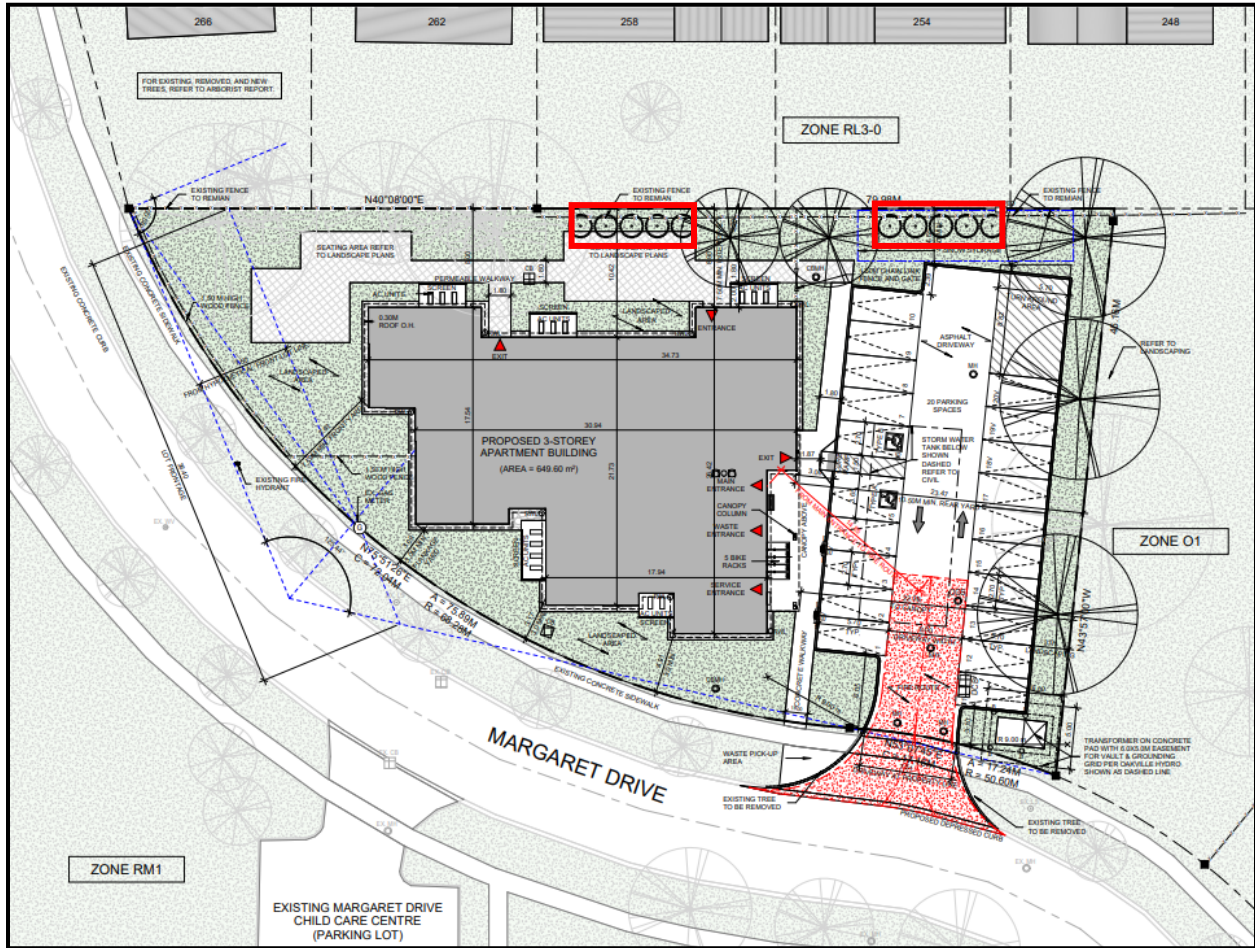
**(Note:** Planning Services includes a consolidated comment from the relevant district teams including, Current, Long Range and Heritage Planning, Urban Design and Development Engineering)

**A/005/2025 - 363 Margaret Drive (West District) (OP Designation: Medium Density Residential)**

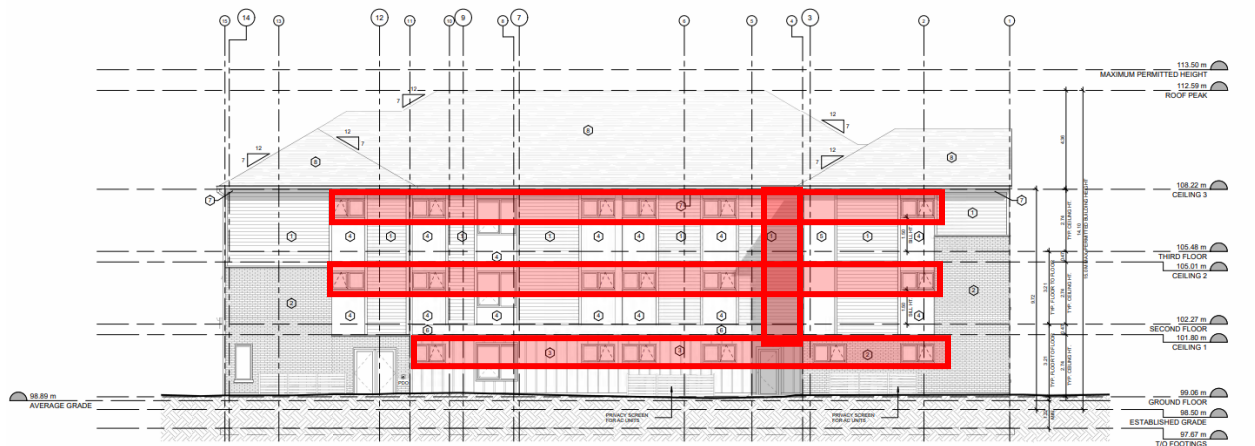
The applicant proposes to construct a three (3) storey apartment building, subject to the variances listed above.

A minor variance application was previously considered by the Committee on January 22, 2025. The application was deferred at the request of the applicant to provide an opportunity to consult

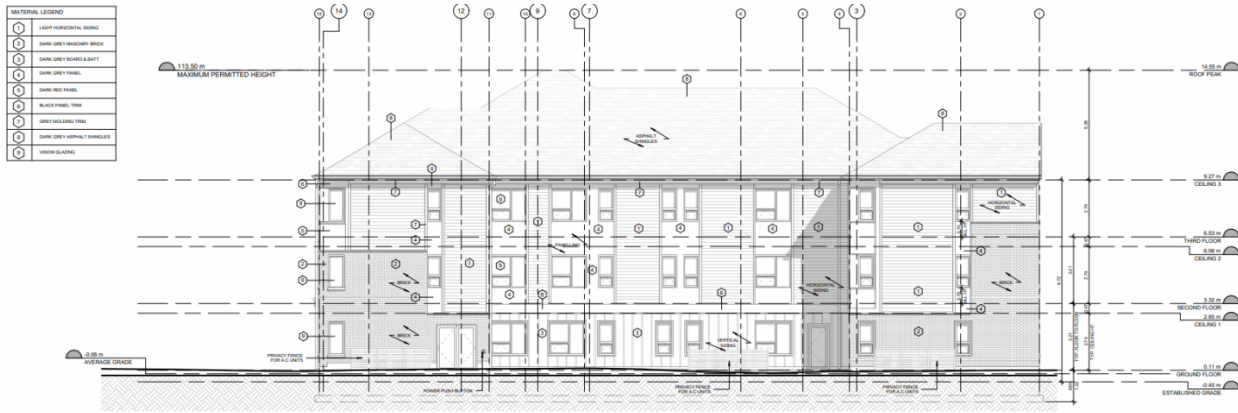
with neighbours of the property who had questions and concerns about what was proposed. The applicant held a public meeting on February 20, 2025 where six residents attended to express their concerns and learn more about the proposed development. Since that meeting, the applicant has proposed to address privacy concerns by modifying the windows by raising the sills facing the detached dwellings and adding additional evergreen hedges along the shared property line.



Excerpt of proposed Site Plan including additional plantings prepared by Applicant, dated March 3, 2025



Excerpt of proposed North Elevation prepared by Applicant, dated March 3, 2025 with windows modified and removed



Excerpt of previously proposed North Elevation prepared by Applicant, dated October 30, 2024

Staff continue to have no objections with the application. The following comments have been modified to reflect the proposed modifications to the application.

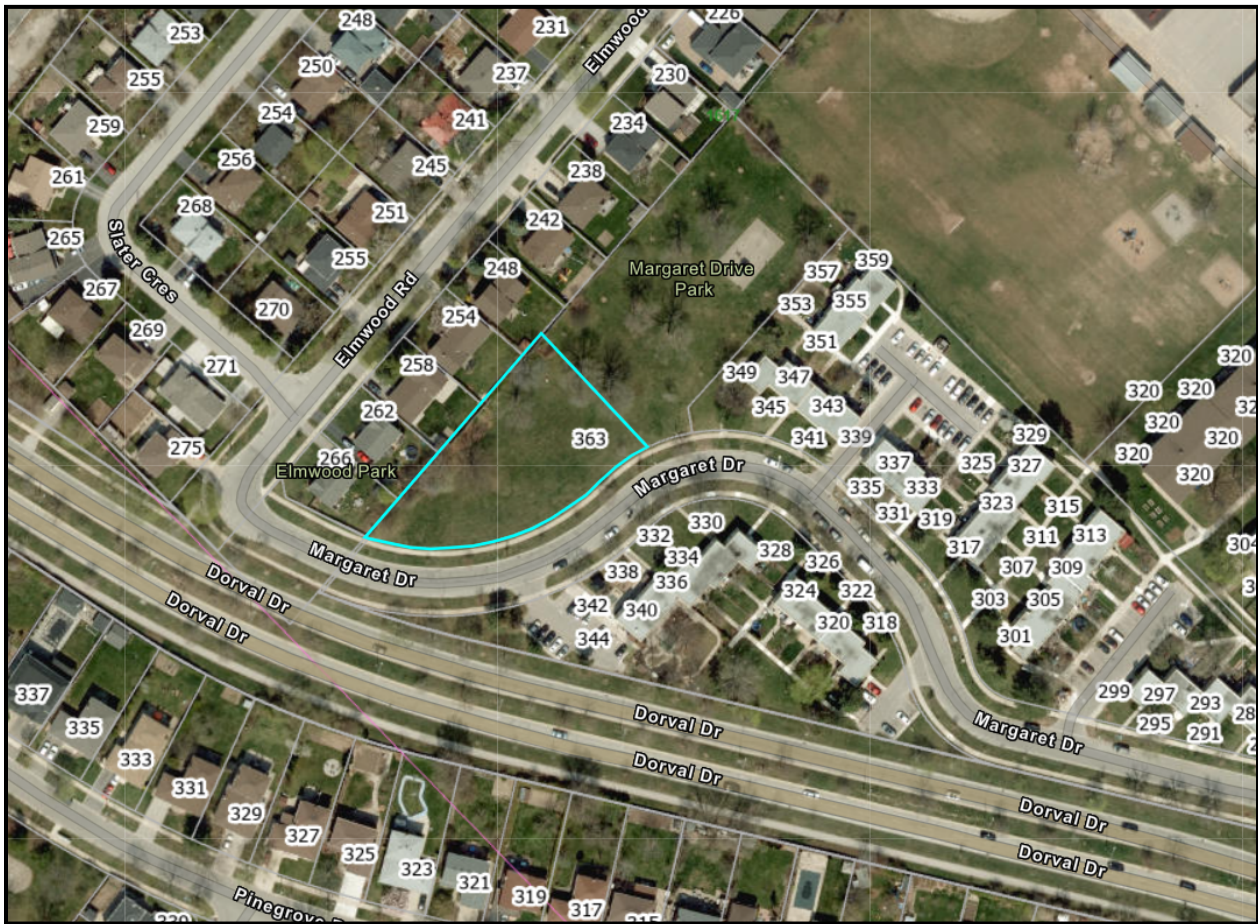
Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from the provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met. Staff's comments concerning the application of the four tests to this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

**Site Area and Context**

The subject property is a vacant property located across the street from a townhome complex, adjacent to Margaret Drive Park and abuts the backyards of 5 detached dwellings that front onto Elmwood.

The subject property is subject to a Site Plan application (SP.1617.059/01) to facilitate an affordable housing development proposed by Halton Region. The townhouses along Maragaret Drive are also owned by Halton Community Housing Corporation and the intention is that housing would be expanded through the development of this property. Conditional Site Plan Approval was granted on July 5, 2023 subject to various conditions to the satisfaction of the Town including Zoning compliance.





*Aerial Photo of 363 Margaret Drive*



*363 Margaret Drive – Taken January 14, 2024*





*Excerpt of proposed Rendering prepared by Applicant*

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

The subject property is designated Medium Density Residential which allows for a range of medium density housing types including multiple-attached dwelling units, apartments, retirement homes and long-term care homes.

Section 11.1.8 of the Livable Oakville Official Plan indicates that intensification within stable residential communities, on lands designated Medium Density Residential can occur subject to the requirements of section 11.1.9 and all other applicable policies of the Plan. The applicant has submitted materials which demonstrate compatibility with the adjacent properties. For instance, the building is setback a minimum of 8 metres to the property line abutting the detached dwellings and a shadow study was submitted which indicates minimal potential impacts on adjacent properties. Impacts are further mitigated through extensive planting and reduced window size to minimize privacy concerns.

Section 6.13 of the Livable Oakville Official Plan outlines the design of surface parking which includes locating surface parking in the rear or side yard or in areas appropriately screened, so they do not dominate the streetscape, but are sufficiently visible for safety and functionality. The subject property is considered a corner lot resulting in the proposed surface parking being located in the side / rear yard which assists in mitigating any impacts of the surface parking. The parking area is sufficiently set back from the property line to facilitate the preservation of existing trees and additional planting which assist with screening.

Staff are of the opinion that the proposed three storey apartment building meets 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** – 100% uncovered parking when 50% shall be provided within a private garage, carport, or parking structure (No Objection)

The intent of regulating the location of parking is to reduce surface parking and assist with screening of parking areas. In this instance, covering the parking would have a greater impact on the public realm as it would increase the massing of the building. The proposed uncovered parking spaces at grade are located within the side / rear yard and do not dominate the

streetscape. Staff are of the opinion that the design of the site meets the general intent and purpose of the Zoning By-law.

**Variance #2** – Maximum of three (3) storeys when two (2) are permitted (No Objection)

The intent of regulating the number of storeys of an apartment building is to regulate the massing of a building. The subject property is Zoned Residential Medium (RM4 sp: 88). The Residential Medium 4 (RM4) zone typically permits a maximum height of 15 metres and four (4) storeys; however special provision 88 (sp:88) limits the number of storeys to two (2). The Conditional Site Plan Approval reflected a proposal that complied with the maximum number of storeys by incorporating basement units. Since that time, the applicant has proposed main floor accessible units which results in the request for an additional storey. The proposed building complies with the maximum permitted height of 15 metres at it's highest point to accommodate an elevator. The roof is designed to incorporate lower roof portions and peaked elements which reduces the impact of the building on the public realm. The setback of 8 metres from the shared property line and the proposed plantings assist with mitigating impacts on the existing detached dwellings.

It is staff's opinion that the application as submitted 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 variances are minor in nature and will not create unacceptable adverse impacts to adjoining properties.

**Recommendation:**

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

1. That the building be built in general accordance with the final approved Site Plan (SP.1617.059/01) to the satisfaction of the Director of Planning and Development; 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.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- It is understood that this application was deferred from January 22, 2025. Regional comments provided on January 16, 2025, still apply.
- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- Regional staff note that concerns related to Development Engineering are being addressed through the corresponding Site Plan application for this property (SP.1617.059/01).



- 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 100% of the minimum parking to be uncovered and to permit three (3) storeys, under the Town of Oakville Zoning By-law, for the purpose of constructing a three (3) storey apartment building on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**

***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.
- The applicant is cautioned that during development activities, should archaeological materials be found on the property, the provincial Ministry of Citizenship and Multiculturalism (MCM) must be notified immediately ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)), as well as the Town of Oakville and, if Indigenous in origin, relevant First Nations communities. If human remains are encountered during construction, the proponent must immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate, as well as the Registrar, Ontario Ministry of Public and Business Service Delivery—who administers provisions of the *Funeral, Burial and Cremation Services Act*—to be consulted, as well as the MCM and the Town of Oakville, and, if considered archaeological, the relevant First Nations communities. All construction activity in the vicinity of the discovery must be postponed until an appropriate mitigation strategy is identified and executed.
- 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 building be built in general accordance with the final approved Site Plan (SP.1617.059/01) to the satisfaction of the Director of Planning and Development; 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.

*J. Ulcar*

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Jennifer Ulcar  
Secretary-Treasurer  
Committee of Adjustment

# Notice of Public Hearing Committee of Adjustment Application



File # A/018/2025 (Deferred from February 19, 2025)

## Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday, April 02, 2025 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
K. Heeney A. Dhanji	Sandra Gava Sandra Gava Architect Inc. 669 Montego Cres Burlington ON, L7N 2Y9	190 Donessle Dr PLAN 1103 LOT 2

**Zoning of property:** RL1-0, 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 following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 6.3.1 (Row 9, Column RL1)</i> The maximum dwelling depth shall be 20.0 m.	To increase the maximum dwelling depth to 22.29 m.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area 1301.00 m <sup>2</sup> or greater shall be 29%.	To increase the maximum residential floor area ratio to 30.58%.
3	<i>Section 6.4.6 c)</i> The maximum height shall be 9.0 metres.	To increase the maximum height to 9.45 metres.



## 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](http://oakville.ca). The live-stream will begin just before 7 p.m.

### **More information:**

Town departments and agency comments regarding this application will be available online at [Agendas & Meetings \(oakville.ca\)](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.

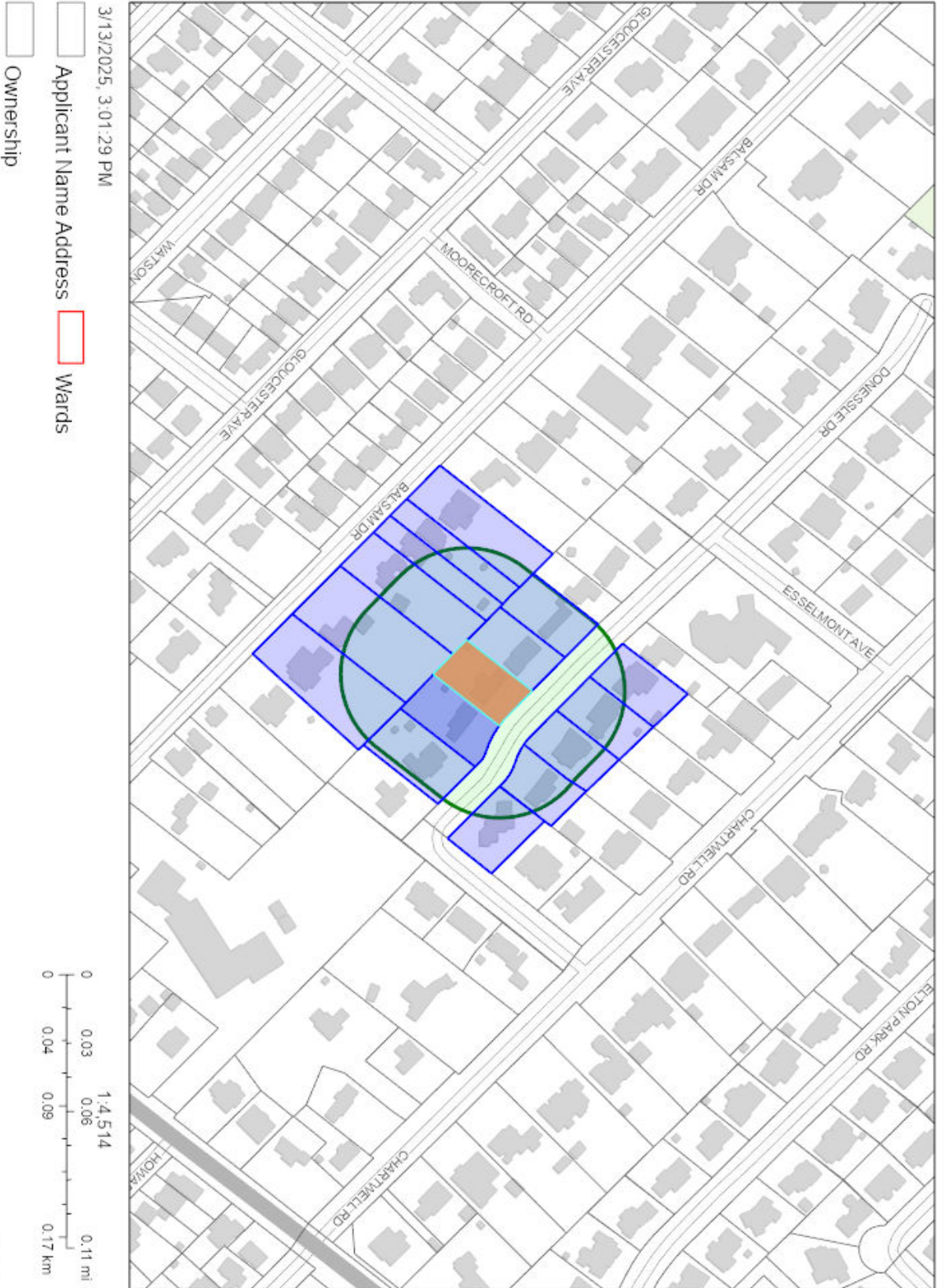
### **Contact information:**

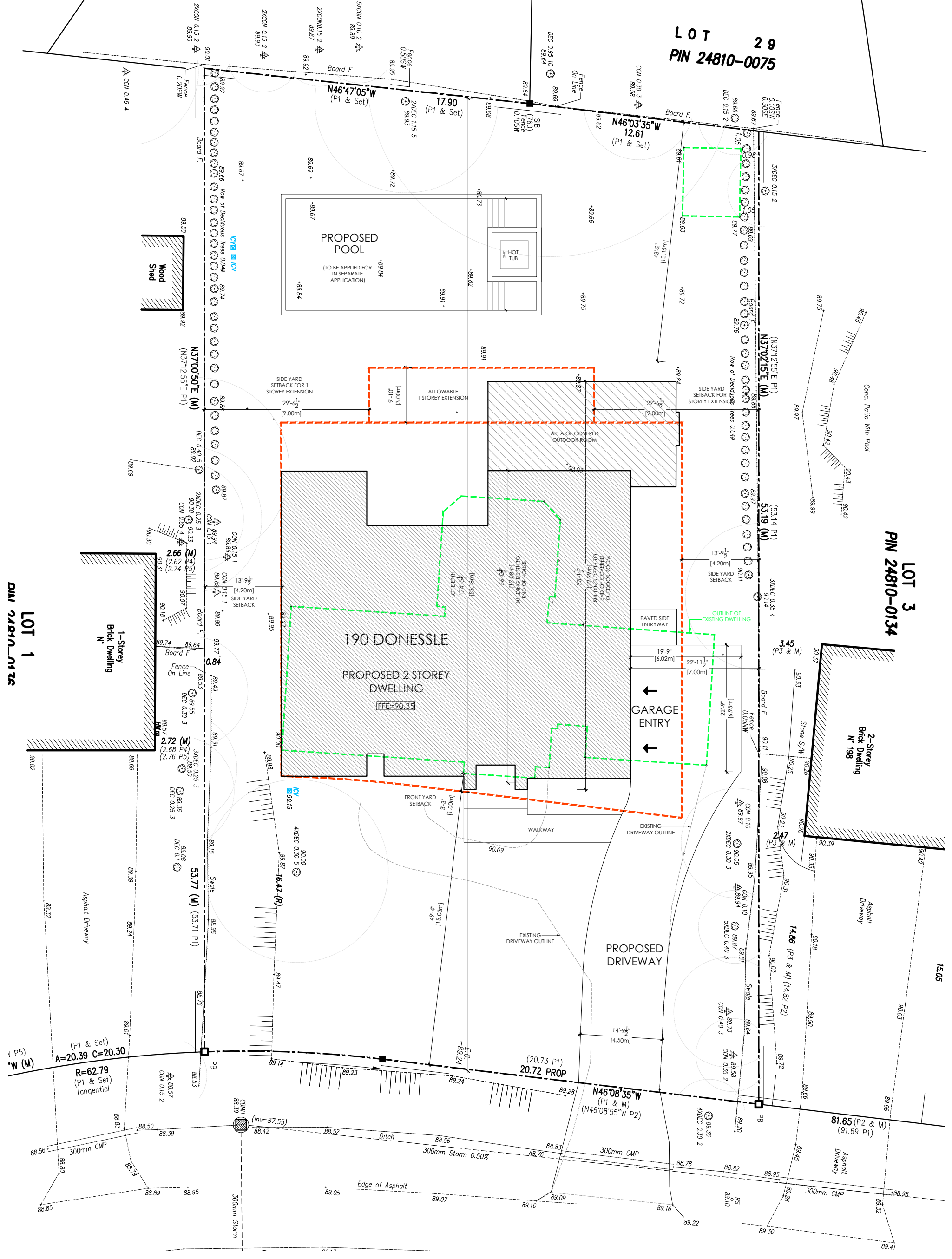
Jen Ulcar  
Secretary-Treasurer, Committee of Adjustment  
1225 Trafalgar Road  
Oakville, ON L6H 0H3  
Phone: 905-845-6601 ext. 1829  
Email: [coarequests@oakville.ca](mailto:coarequests@oakville.ca)

### **Date mailed:**

March 18, 2025

A/018/2025 (Revised) - 190 Donessle Drive

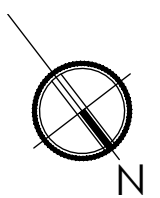




**SITE PLAN**  
SCALE: 1/16" = 1'-0"

**PRIVATE RESIDENCE**

190 DONESSLE DRIVE  
OAKVILLE, ONTARIO  
FEBRUARY 18, 2025  
PROJECT NO. 2403





## ZONING STATISTICS

ADDRESS: 190 DONESSLE DRIVE, OAKVILLE		DATE: FEBRUARY 18, 2025
ZONING DESIGNATION:		RL1-0
LOT FRONTAGE:		30.47 M
LOT AREA:		1,613 SQ.M.
NEW BYLAW:	PERMITTED	OPTION 1
FSI:		
GROUND:		259.50 SM
SECOND:		233.76 SM
TOTAL:	465.74 SQ.M. (5,013 SQ.FT.) (29%)	493.26 SM (30.58%)*
SETBACKS:		
FRONT:	15.03 M (EXISTING -1M)	15.03 M
SIDE (EAST):	4.20 M	4.20 M
SIDE (WEST):	4.20 M	4.20 M
REAR:	7.50 M	13.15 M
SETBACK TO GARAGE:	7.00 M	7.00 M
COVERAGE:		
	401.50 SQ.M. (4,321.7 SQ.FT.) (25%)	350.80 SM (21.75%)
BUILDING DEPTH:	20.00 M	22.29 M *
		17.08 M
HEIGHT OF GARAGE:	6.00 M	5.29 M
GARAGE AREA:		
	56.00 SM	38.74 SM
BUILDING HEIGHT:	9.00 M	9.45 M*

TO END OF COVERED OUTDOOR ROOM  
TO END OF ENCLOSED BUILDING

VARIANCE REQUIRED\*

## ZONING STATISTICS

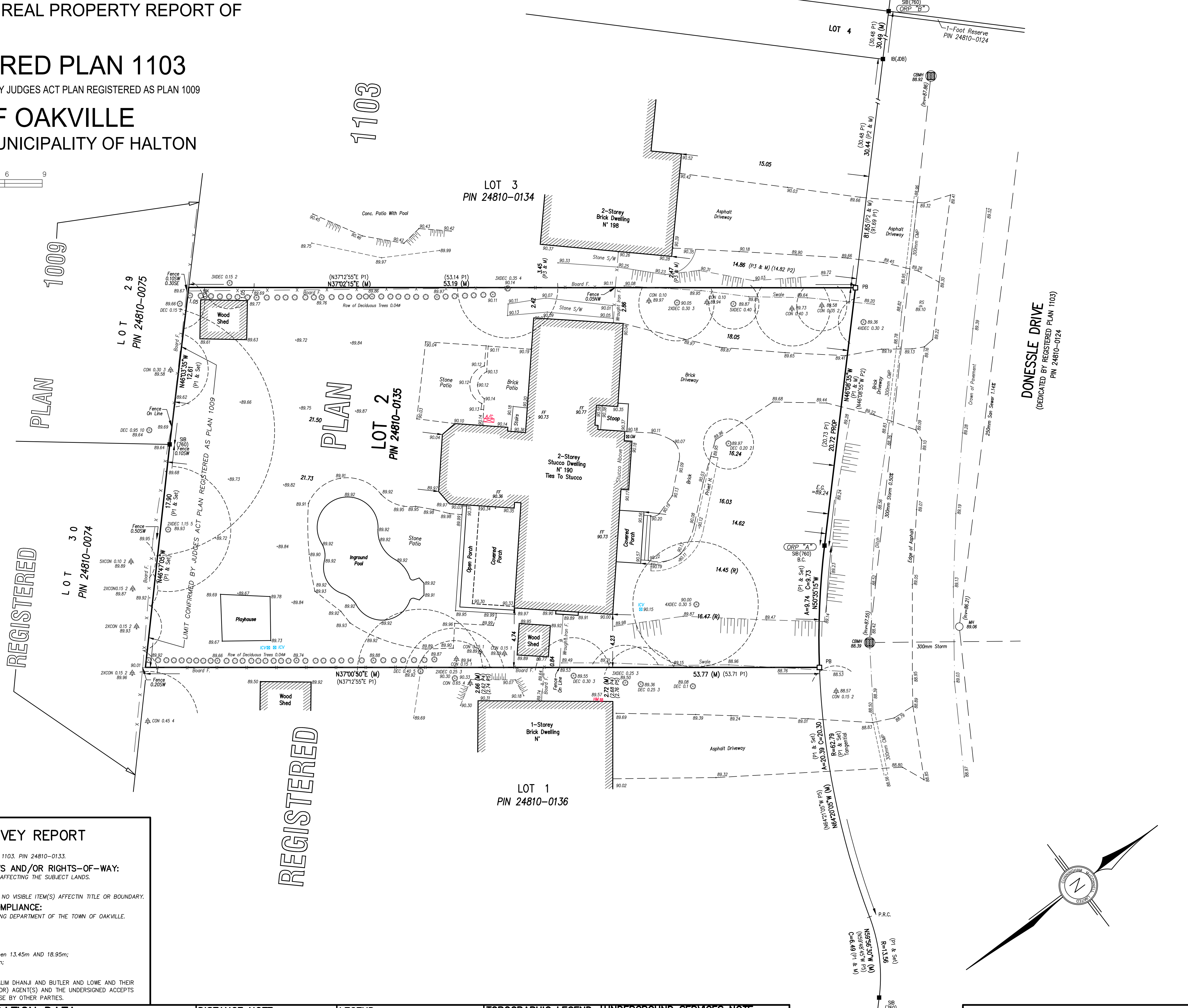
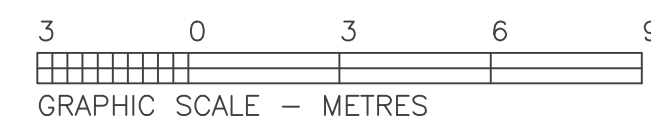
### PRIVATE RESIDENCE

190 DONESSLE DRIVE  
OAKVILLE, ONTARIO  
FEBRUARY 18, 2025  
PROJECT NO. 2403



SURVEYOR'S REAL PROPERTY REPORT OF  
**LOT 2**  
**REGISTERED PLAN 1103**  
REAR LIMIT CONFIRMED BY JUDGES ACT PLAN REGISTERED AS PLAN 1009  
**TOWN OF OAKVILLE**  
REGIONAL MUNICIPALITY OF HALTON

SCALE 1:150



**PART 2 – SURVEY REPORT**

1. **DESCRIPTION OF LAND:**  
ALL OF LOT 2, REGISTERED PLAN 1103, PIN 24810-0133.
2. **REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:**  
NONE REGISTERED ON TITLE AND AFFECTING THE SUBJECT LANDS.
3. **BOUNDARY FEATURES:**  
ASIDE FROM FENCING, WE FOUND NO VISIBLE ITEM(S) AFFECTING TITLE OR BOUNDARY.
4. **MUNICIPAL ZONING COMPLIANCE:**  
TO BE DETERMINED BY THE ZONING DEPARTMENT OF THE TOWN OF OAKVILLE.
5. **ZONING DATA:**
  - LOT AREA = 1,613 m<sup>2</sup>;
  - LOT FRONTAGE = 30.45m;
  - FRONTYARD SETBACK = BETWEEN 13.45m AND 18.95m;
  - ESTABLISHED GRADE = 89.24m;

**CLIENT'S NOTE**  
THIS REPORT WAS PREPARED FOR ALIM DHANJI AND BUTLER AND LOWE AND THEIR SOLICITOR(S), MORTGAGEE(S) AND (OR) AGENT(S) AND THE UNDERSIGNED ACCEPTS ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

**ASSOCIATION OF ONTARIO LAND SURVEYORS**  
PLAN SUBMISSION FORM  
V-85099

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR

**INTEGRATION DATA**

BEARINGS ARE UTM GRID, DERIVED FROM THE OBSERVED REFERENCE POINTS "A" AND "B" BY REAL TIME NETWORK (RTN) OBSERVATIONS, UTM ZONE 17, NAD83 (CSRS-2010.0).

CO-ORDINATES TO URBAN ACCURACY PER SEC. 14(2) OF O.R.E.G. 216/10.

POINT N°	NORTHING	EASTING
"A"	4,812,250.34	608,137.06
"B"	4,812,306.90	608,078.20

CO-ORDINATES CAN NOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.  
BEARING ROTATION PLAN P1, P5 = (-) 0°51'05"

**DISTANCE NOTE**  
DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED INTO GRID DISTANCES BY MULTIPLYING BY A SCALE FACTOR OF 0.999743839.

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

**ELEVATION NOTE**  
ALL ELEVATIONS SHOWN HEREON ARE GEODETIC AND WERE DERIVED FROM THE TOWN OF OAKVILLE BENCHMARK 0-251 HAVING AN ELEVATION OF 118.729m (CVD-1928:1978).

- LEGEND**
- SURVEY MONUMENT FOUND
  - STANDARD IRON BAR
  - IRON BAR
  - PLASTIC BAR
  - PROPERTY IDENTIFICATION NUMBER
  - BEGINNING OF CURVE
  - POINT OF REVERSE CURVE
  - PROPORTION
  - RADIAL
  - McCONNELL MAUGHAN LTD., O.L.S.
  - CUNNINGHAM MCCONNELL LIMITED
  - J.D. BARNES LTD.
  - REGISTERED PLAN 1103
  - PLAN BY JDB FEBRUARY 9, 2024
  - PLAN BY SEWELL & SEWELL APR 3/1963
  - PLAN BY SEWELL & SEWELL SEPT 1/1963
  - PLAN BY K.W. MCCONNELL SEPT 21/1961
- TOPOGRAPHIC LEGEND**
- ANCHOR WIRE(S)
  - BELL BOX
  - BELL CABLE
  - CENFEROUS TREE 0.20 DIA
  - DECIDUOUS TREE 0.20 DIA
  - FIRE HYDRANT
  - GAS METER
  - GAS VALVE
  - GAS MAIN
  - HYDRO CABLE
  - LIGHT STANDARD (LAMP)
  - MANHOLE
  - OVER-HEAD WIRE(S)
  - SANITARY SEWER
  - STORM SEWER
  - UTILITY POLE/LIGHT STANDARD
  - WATER VALVE (KE)
  - WATER MAIN

**UNDERGROUND SERVICES NOTE**  
ONLY UNDERGROUND SERVICES VISIBLE ON THE GROUND WERE LOCATED FOR THIS PLAN.  
THE USER OF THIS PLAN SHALL CONTACT THE LOCAL UTILITY COMPANIES FOR LOCATIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION WORKS.

**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 SEPTEMBER 5, 2024.

DATE: SEPTEMBER 5, 2024

JARON LECHE, M.S.S.  
Page 01 of 11

**CUNNINGHAM MCCONNELL LIMITED**  
ONTARIO LAND SURVEYORS

1200 SPEERS ROAD, UNIT 38  
OAKVILLE, ONTARIO L6L 2X4  
PHONE (905) 845-3497  
FAX (905) 845-3519  
info@cmisurveyors.ca

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

PLOT PAPER SIZE = 914mm BY 609mm | PLAN 68-24-1

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





AERIEL

## PRIVATE RESIDENCE

190 DONESSLE DRIVE  
OAKVILLE, ONTARIO  
DECEMBER 06, 2024  
PROJECT NO. 2403





## FRONT ELEVATION

SCALE: 1/8" = 1'-0"

## PRIVATE RESIDENCE

190 DONESLE DRIVE  
 OAKVILLE, ONTARIO  
 FEBRUARY 18, 2025  
 PROJECT NO. 2403



REAR ELEVATION

SCALE: 1/8" = 1'-0"

PRIVATE RESIDENCE

190 DONESLE DRIVE  
 OAKVILLE, ONTARIO  
 FEBRUARY 18, 2025  
 PROJECT NO. 2403



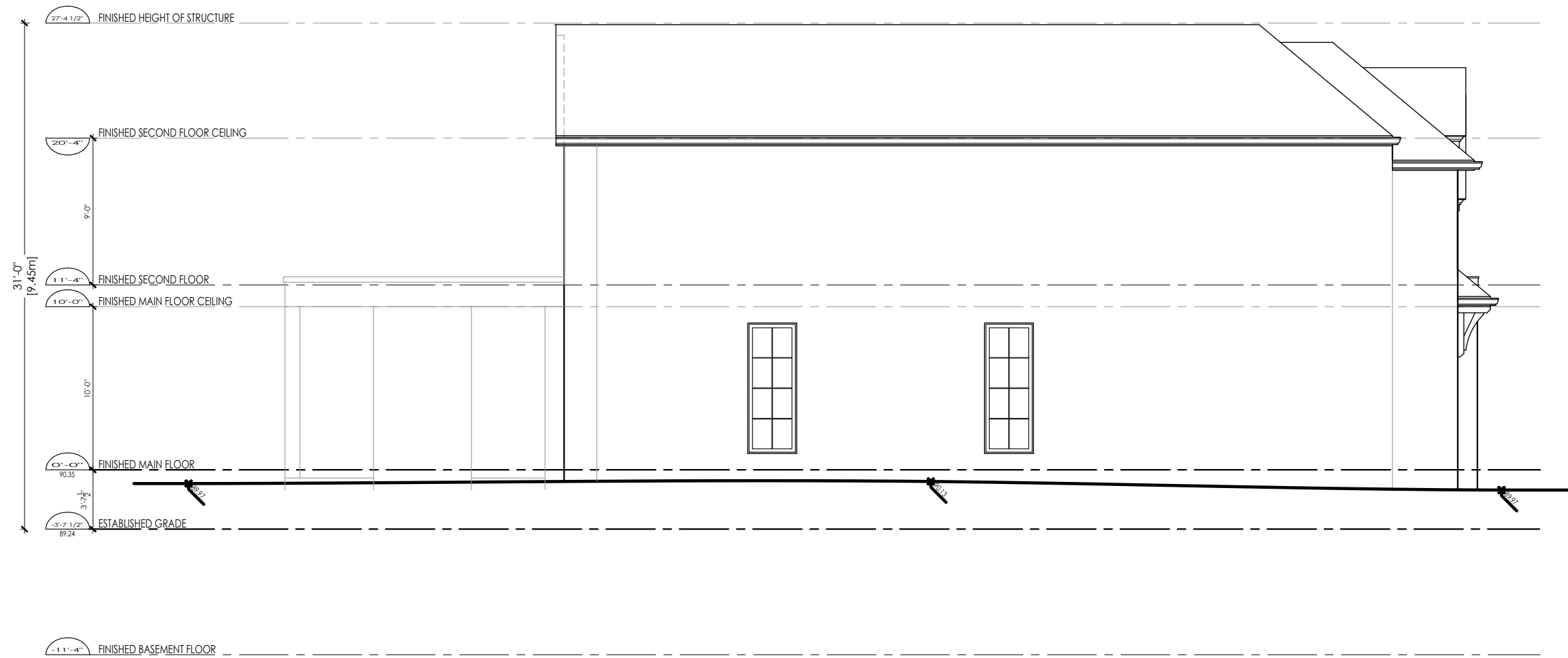
**EAST ELEVATION**

SCALE: 1/8" = 1'-0"

**PRIVATE RESIDENCE**

190 DONESLE DRIVE  
 OAKVILLE, ONTARIO  
 FEBRUARY 18, 2025  
 PROJECT NO. 2403





WEST ELEVATION

SCALE: 1/8" = 1'-0"

PRIVATE RESIDENCE

190 DONESSLE DRIVE  
 OAKVILLE, ONTARIO  
 FEBRUARY 18, 2025  
 PROJECT NO. 2403

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION: A/018/2025 (Deferred from February 19, 2025)**

**RELATED FILE: N/A**

**DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday, April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
K. Heeney A. Dhanji	Sandra Gava Sandra Gava Architect Inc. 669 Montego Cres Burlington ON, L7N 2Y9	PLAN 1103 LOT 2 190 Donessle Dr Town of Oakville

**OFFICIAL PLAN DESIGNATION: Low Density Residential – Special Policy Area**

**ZONING: RL1-0, Residential**

**WARD: 3**

**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 following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 6.3.1 (Row 9, Column RL1)</i> The maximum dwelling depth shall be 20.0 m.	To increase the maximum dwelling depth to 22.29 m.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area 1301.00 m <sup>2</sup> or greater shall be 29%.	To increase the maximum residential floor area ratio to 30.58%.
3	<i>Section 6.4.6 c)</i> The maximum height shall be 9.0 metres.	To increase the maximum height to 9.45 metres.

**CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

**Planning Services:**

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

**A/018/2025 – 190 Donessle Drive (East District)** (OP Designation: Low Density Residential – Special Policy Area)

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

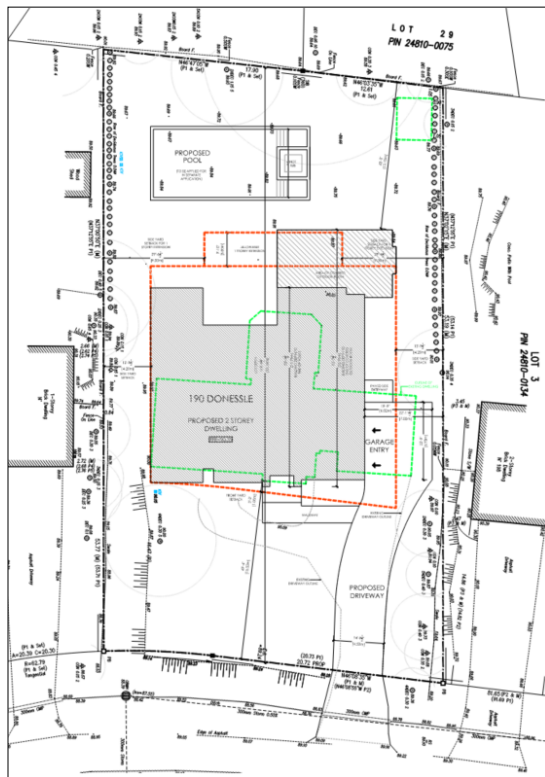
## Background

A Minor Variance application was previously submitted for consideration by the Committee on February 19, 2025. This application was deferred, at the request of the applicant, to provide the opportunity to address staff concerns with the proposed application.

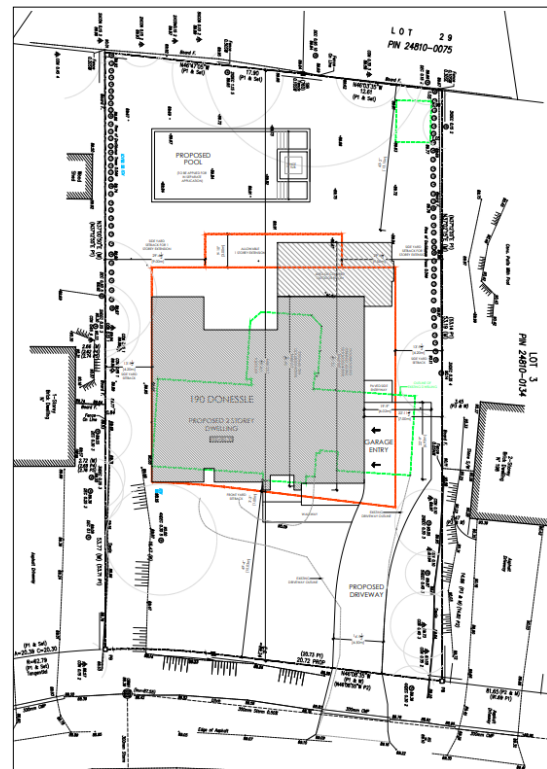
The revised application results in a reduced variance request for residential floor area ratio and updates to the dwelling design. Please see the table below for the variance proposed on February 19, 2025, and the variance brought forward today.

Town of Oakville Zoning By-law 2014-014		Agenda	
Regulation	Requirement	February 19, 2025	April 2, 2025
Maximum Dwelling Depth	20.0m	22.95m	22.29m
Maximum Residential Floor Area Ratio	29%	31.76%	30.58%
Maximum Building Height	9.0m	9.45m	9.45m

The applicant has amended their proposed dwelling design since the original application, specifically to decrease the dwelling depth and residential floor area ratio. A comparison of the original and revised site plan and elevation plans are provided below.



*Proposed Site Plan – dated December 6/24*



*Proposed Site Plan – dated February 18/25*

The excerpts of the elevation drawings, below, provide a comparison of the changes that have been proposed to address concerns around massing of the dwelling.

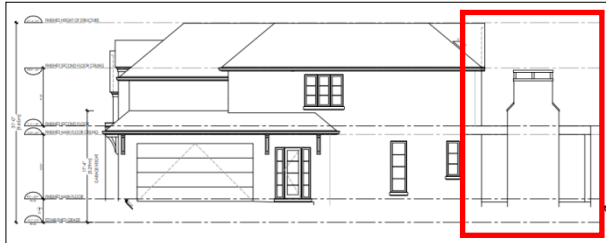




*Proposed Rear Elevation – December 6/24*



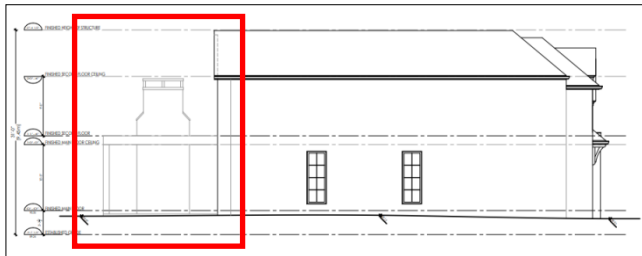
*Proposed Rear Elevation – February 18/25*



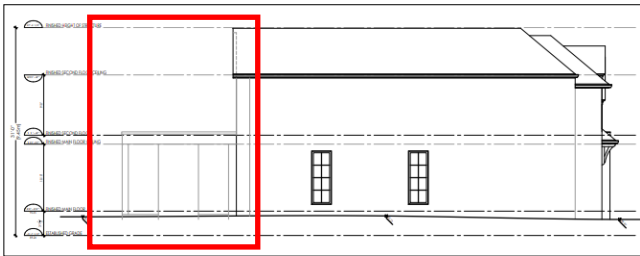
*Proposed East Elevation – December 6/24*



*Proposed East Elevation – February 18/25*



*Proposed West Elevation – December 6/24*

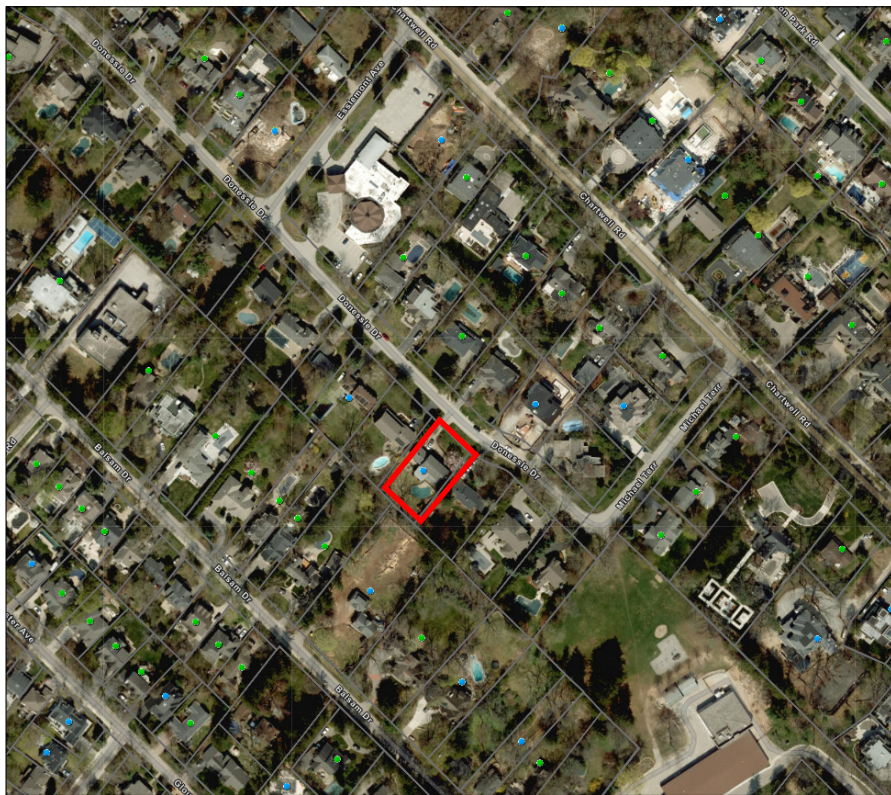


*Proposed West Elevation – February 18/25*

No substantive changes were made to the front elevation.

**Site Area and Context**

The subject lands are within a neighbourhood that consists of two-storey dwellings with some newer two-storey dwellings ranging in architectural forms and design with some having been constructed within recent years.



*Aerial Photo – 190 Donessle Drive*

The following images are of adjacent dwellings and recently constructed dwellings along Donessle Drive.



*Lands to the South – 182 Donessle Drive (Photo taken February 11, 2025)*





*Lands to the East – 191 Donessle Drive (Photo taken February 11, 2025)*



*Lands to the North – 198 Donessle Drive (Photo taken February 11, 2025)*





*208 Donessle Drive (CAV A/139/2024, OLT-24-001247) (Photo taken February 11, 2025)*



*Lands to the East – 199 Donessle Drive (Photo taken February 11, 2025)*



*183 Donessle Drive (CAV A/037/2022) (Photo taken February 11, 2025)*



*241 Donessle Drive (CAV A/101/2021) (Photo taken February 11, 2025)*

The existing dwelling is shown below:





*Existing Dwelling – 190 Donessle Drive (Photo taken February 11, 2025)*

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 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. Although there have been revisions to the previous concept reviewed by staff through the Pre-Consultation process and since the initial submission, Staff are of the opinion that the proposal still 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.*

**3.2.1 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...*

While the proposed dwelling incorporates some design elements that articulate the front façade and various portions of the building, the combination of increased dwelling depth, residential floor area ratio, and building height results in a design that does not maintain or preserve the scale and character of the existing neighbourhood, nor does the proposal sufficiently mitigate the impact of the massing and scale on abutting properties. Therefore, on the foregoing 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** – Dwelling Depth (Objection) – 20 m increased to 22.29 m

**Variance #2** – Residential Floor Area (Objection) – 29% increased to 30.58%

**Variance #3** – Maximum Building Height (Objection) – 9 m increased to 9.45 m

The intent of regulating the dwelling depth, residential floor area, and building height is to prevent a dwelling from having a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. Staff recognize that the requested increase in dwelling depth is attributed to a covered porch, while the principal dwelling measures 16.68 metres in depth. This is a reduction from the original proposal, which proposed a dwelling depth of 17.79 metres for the principal dwelling. Furthermore, the second storey aspect of the proposed chimney feature associated with the covered rear porch has been removed from the current proposal, reducing the impact of massing and respecting the rear yard privacy of the adjacent dwelling.

The residential floor area has been reduced from 31.76% to 30.58%, which is equivalent to an increase of 27.52 sq m (296.2 sq ft) over and above the maximum By-law regulation. The previously requested increase in residential floor area was 46.62 sq m (501.8 sq ft). In addition to the requested residential floor area, the submitted floor plans indicate there is an open to below above the family room that equals 45 sq m (486 sq ft), which is equivalent to 2.8% and contributes to the perceived massing of the proposed dwelling.

Staff note that there is only one other dwelling along the street (241 Donessle Drive) that exceeds the maximum building height permitted by the Zoning By-law and that staff did not support that variance, which was granted by the Committee of Adjustment in January 2022, to permit a height of 9.42m. In addition, for context, the proposed dwelling has a height of 9.45m, which coupled with the grade of the site being slightly higher than the adjacent street, will contribute the increased massing of the proposed dwelling.

Staff are of the opinion that the requested variances do not maintain 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?**

It is staff's opinion that the cumulative impacts of the requested variances result in a proposed dwelling that is not in keeping with the surrounding neighbourhood. The requested variances 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 existing neighbourhood.

**Recommendation:**

Given the foregoing, it is staff's opinion that the application does not maintain the general intent and purpose of the Official Plan, Zoning By-law, is not minor in nature, and is not desirable for the appropriate development of the subject lands. Accordingly, the application does not meet the four tests under the *Planning Act* and staff recommends that the application be denied.

**Note:**

Development Engineering staff advise that the proposed development is currently undergoing a review through the Development Engineering Permit Application process to address on-site stormwater management.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

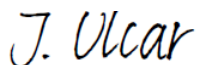
- It is understood that this application was deferred from February 19, 2025. Regional comments provided on February 13, 2025, still apply.
- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the maximum dwelling depth to 22.29 m, an increase in the maximum residential floor area ratio to 30.58%, and an increase in the maximum height to 9.45 m, 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.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**



---

Jennifer Ulcar  
Secretary-Treasurer  
Committee of Adjustment

# Notice of Public Hearing Committee of Adjustment Application



File # A/023/2025 – Deferred from February 19, 2025

### Electronic hearing:

By videoconference and live-streaming video on the Town of Oakville’s Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday, April 02, 2025 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
Allison Weir	N/A	2358 Rebecca St PLAN M6 LOT 126

**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(s) to Zoning By-law 2014-014:

No.	Current	Proposed
1.	<i>Table 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 <sup>2</sup> and 742.99 m <sup>2</sup> shall be 41%.	To increase the maximum residential floor area ratio to 44.33%.

### 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](http://oakville.ca). The live-stream will begin just before 7 p.m.

**More information:**

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

**Notice of decision:**

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

**Contact information:**

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

**Date mailed:**

March 18, 2025

# A/023/2025 (Revised) - 2358 Rebecca Street

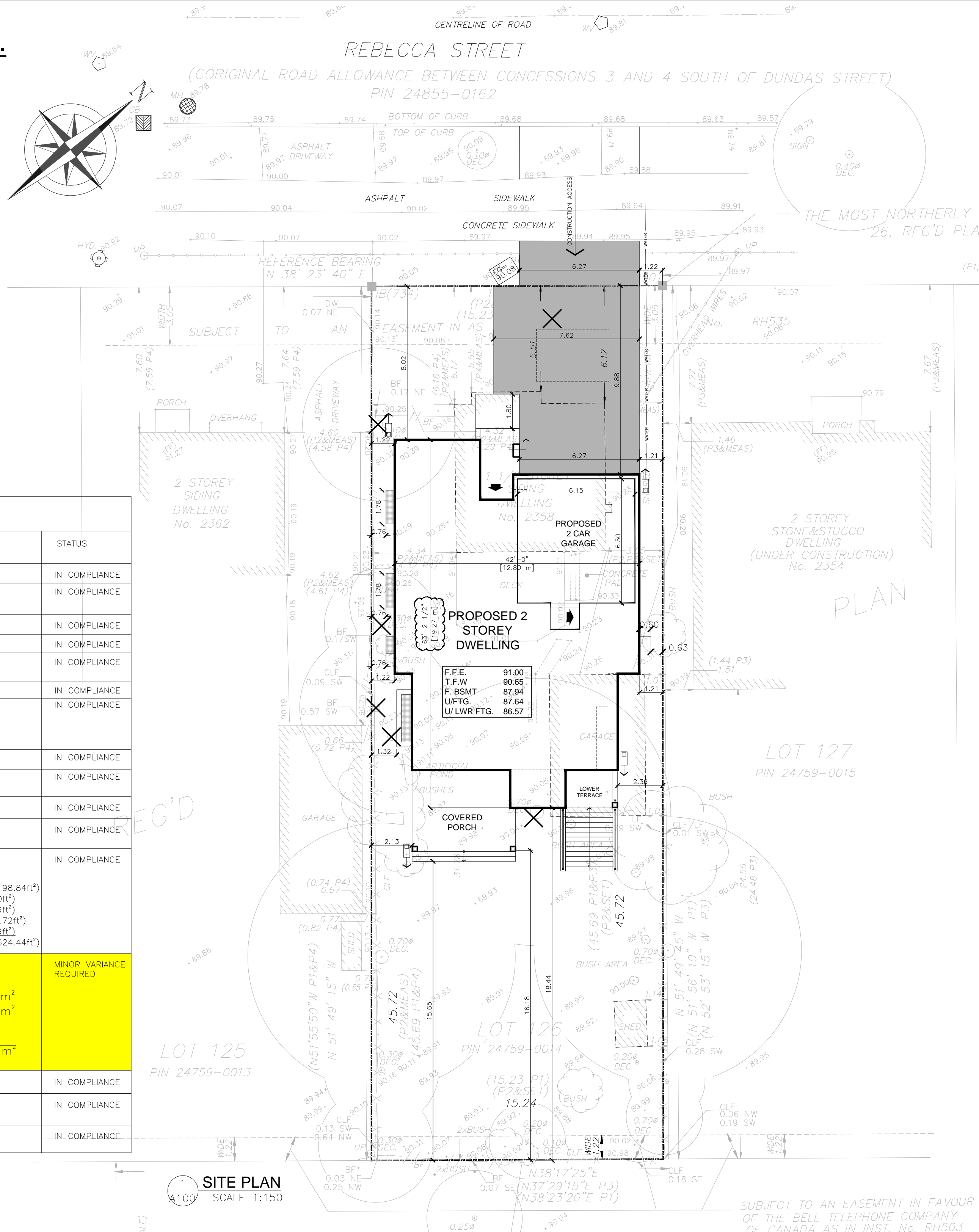




# 2358 REBECCA ST., OAKVILLE, ON.



2 3D VIEW  
A100



2358 REBECCA ST., OAKVILLE			
	ALLOWED AS PER BYLAW 2014-014	PROPOSED	STATUS
ZONE	RL3-0	SAME	IN COMPLIANCE
PERMITTED BLDGS+STRUCTURES	DETACHED DWELLING UNIT	NO CHANGE	IN COMPLIANCE
MIN. LOT FRONTAGE	18.0m	15.24m	IN COMPLIANCE
MIN. LOT AREA	557.5m <sup>2</sup>	697.55m <sup>2</sup> (7,508.37ft <sup>2</sup> )	IN COMPLIANCE
MIN. FRONT YARD	7.5m OR THE EXISTING FRONT YARD LESS 1.0m = 7.5m	8.02m	IN COMPLIANCE
MIN. FLANKAGE YARD	N/A	N/A	IN COMPLIANCE
MIN. INTERIOR SIDE YARD	1.2m & 1.2m WITH ATTACHED GARAGE (MIN. PARKING SPACE 5.6m WIDTH X 5.7m LENGTH)	WEST SIDE: 1.22m EAST SIDE: 1.21m	IN COMPLIANCE
MIN. REAR YARD	7.5m	16.18m	IN COMPLIANCE
MAX. NO. OF STOREYS	2 STOREYS	2 STOREYS	IN COMPLIANCE
MAX. HEIGHT	9.0 m	8.71 m	IN COMPLIANCE
MAX. DWELLING DEPTH	N/A	N/A	IN COMPLIANCE
MAX. LOT COVERAGE	35.0% 244.14m <sup>2</sup> (2,627.93ft <sup>2</sup> )	34.97% HOUSE GARGE INCL. FRONT PORCH 204.28m <sup>2</sup> (2,198.84ft <sup>2</sup> ) GARAGE CANOPY 7.98m <sup>2</sup> (85.90ft <sup>2</sup> ) REAR PORCH 7.17m <sup>2</sup> (77.19ft <sup>2</sup> ) WALKUP COVR'D 20.23m <sup>2</sup> (217.72ft <sup>2</sup> ) TOTAL 4.16m <sup>2</sup> (44.79ft <sup>2</sup> ) 243.82m <sup>2</sup> (2,624.44ft <sup>2</sup> )	IN COMPLIANCE
MAX. FLOOR AREA / LOT RATIO %	41% 286.00m <sup>2</sup>	RATIO = 44.33 % GF 151.95m <sup>2</sup> 2ND FL. 157.32m <sup>2</sup> TOTAL 309.27m <sup>2</sup>	MINOR VARIANCE REQUIRED
BASEMENT AREA	N/A	176.98m <sup>2</sup>	IN COMPLIANCE
MAX. DRIVEWAY WIDTH	50% OF THE LOT FRONTAGE BETWEEN 12m & 18m = 15.24/2=7.62m	7.62m	IN COMPLIANCE
MAX. PARKING SPACES AREA	45m <sup>2</sup>	42.02m <sup>2</sup>	IN COMPLIANCE

4 SITE STATISTICS  
A100

1 SITE PLAN  
SCALE 1:150  
A100

**SURVEY INFORMATION TAKEN FROM:**

J. H. GELBLOOM SURVEYING LIMITED  
TOPOGRAPHICAL SURVEY OF LOT 126  
REGISTERED PLAN m-6  
TOWN OF OAKVILLE  
REGIONAL MUNICIPALITY OF HALTON

REFER TO THE GRADING PLAN  
PREPARED BY YOUNG & YOUNG  
SURVEYING, FOR THE PURPOSE OF  
OBTAINING SITE GRADING INFORMATION

**LEGEND**

- BUILDING ACCESS/EGRESS POINTS
- LOWER LEVEL ACCESS/EGRESS POINT
- PROPERTY LINE
- EXISTING TREE TO BE REMOVED
- SURVEY MONUMENT SET
- SURVEY MONUMENT FOUND
- IRON BAR
- IRON PIPE
- PROPERTY IDENTIFIER NUMBER
- OVERHEAD WIRES
- WOOD UTILITY POLE
- CATCH BASIN
- CONIFEROUS TREE
- DECIDUOUS TREE
- DOOR SILL ELEVATION
- INVERT
- MANHOLE
- TOP OF ROOF ELEVATION
- WATER VALVE DIAMETER
- SUMP PUMP
- WATER METER
- DOWNSPOUT
- 80.04 EXISTING ELEVATION

ALL DIMENSIONS ARE TO BE CHECKED ON THE SITE BY THE CONTRACTOR. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

DRAWINGS ARE NOT TO BE SCALED.

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THEY MAY NOT BE ALTERED IN ANY WAY WITHOUT THE EXPRESS WRITTEN APPROVAL OF THE ARCHITECT.

1.	REVISED FOR COA	FEB. 18, 2025
NO.	ISSUE	DATE

REVISION

ONTARIO ASSOCIATION OF ARCHITECTS  
AMR ARCHITECTS INC.  
LICENCE 7516

NORTH PROJECT  
NORTH TRUE NORTH

**AMR architects inc.**  
5500 NORTH SERVICE RD., SUITE 300  
BURLINGTON, ONTARIO, L6L 6W6  
TEL. (1) 647 242 4206  
omr@amrarchitects.ca www.amrarchitects.ca

PROJECT TITLE  
**CUSTOM RESIDENCE**  
2358 REBECCA ST.  
OAKVILLE, ONTARIO

DRAWING TITLE  
**SITE PLAN**

DRAWN BY	SCALE	DATE
AI	1 : 150	SEP. 16, 2024

PROJECT NO.	DRAWING NO.
2413	<b>A100</b>





*Aerial Photo – 2358 Rebecca Street*

The following images are of adjacent dwellings and other dwellings along Rebecca Street.



*Lands to the East – 2346, 2350 and 2354 Rebecca Street*



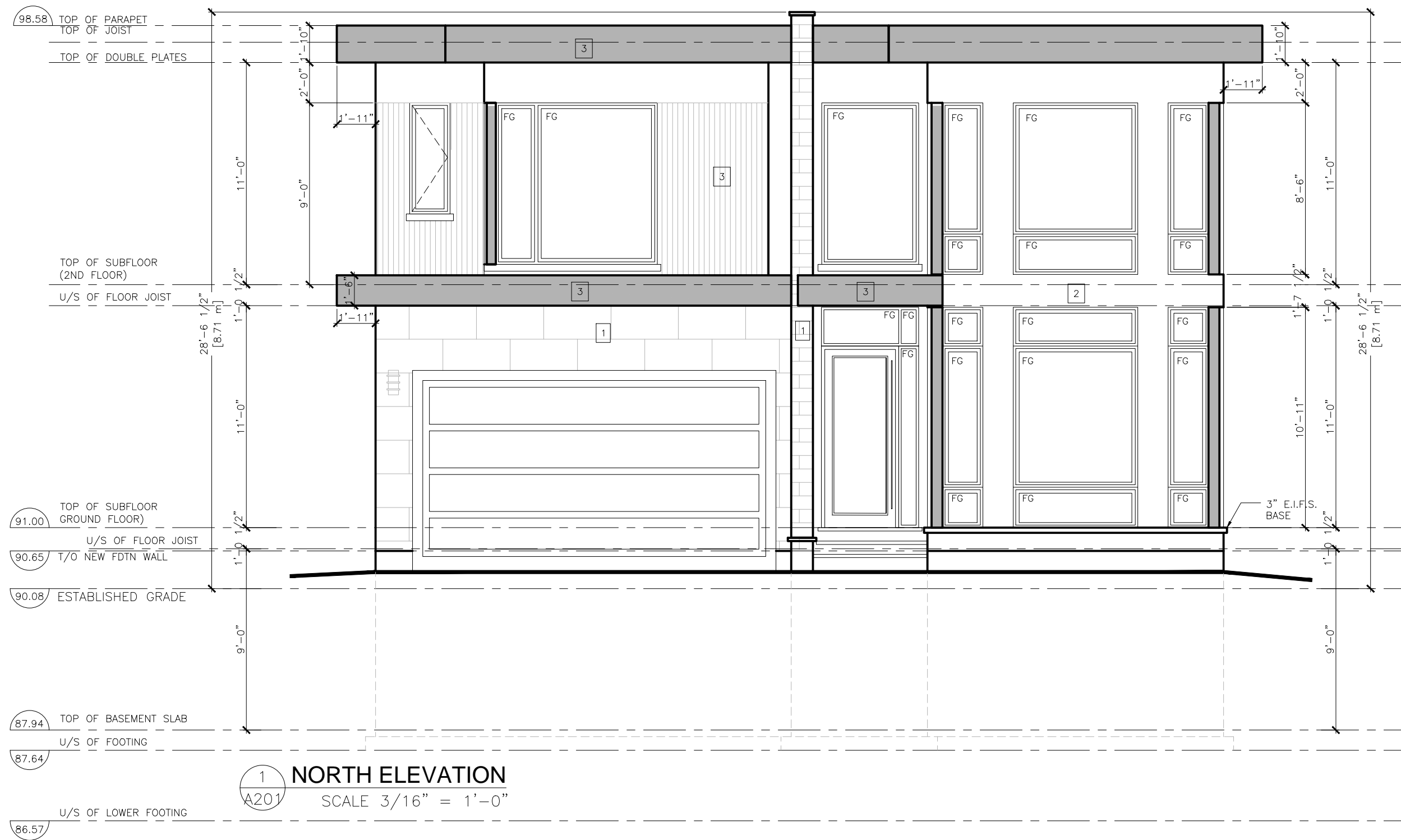


*Lands to the West – 2362, 2366 and 2370 Rebecca Street*

The following images illustrate the existing dwelling and proposed dwelling at 2358 Rebecca Street.



*Subject lands – 2358 Rebecca Street*



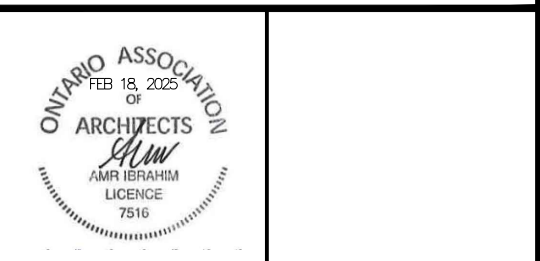
**LEGEND**

- 1 STONE VENEER
- 2 EIFS SYSTEM BY "DuROCK" - COLOR TO BE SELECTED BY THE ARCHITECT
- 3 METAL CLADDING

ALL DIMENSIONS ARE TO BE CHECKED ON THE SITE BY THE CONTRACTOR. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

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NO.	ISSUE	DATE
1.	REVISED FOR COA	FEB. 18, 2025

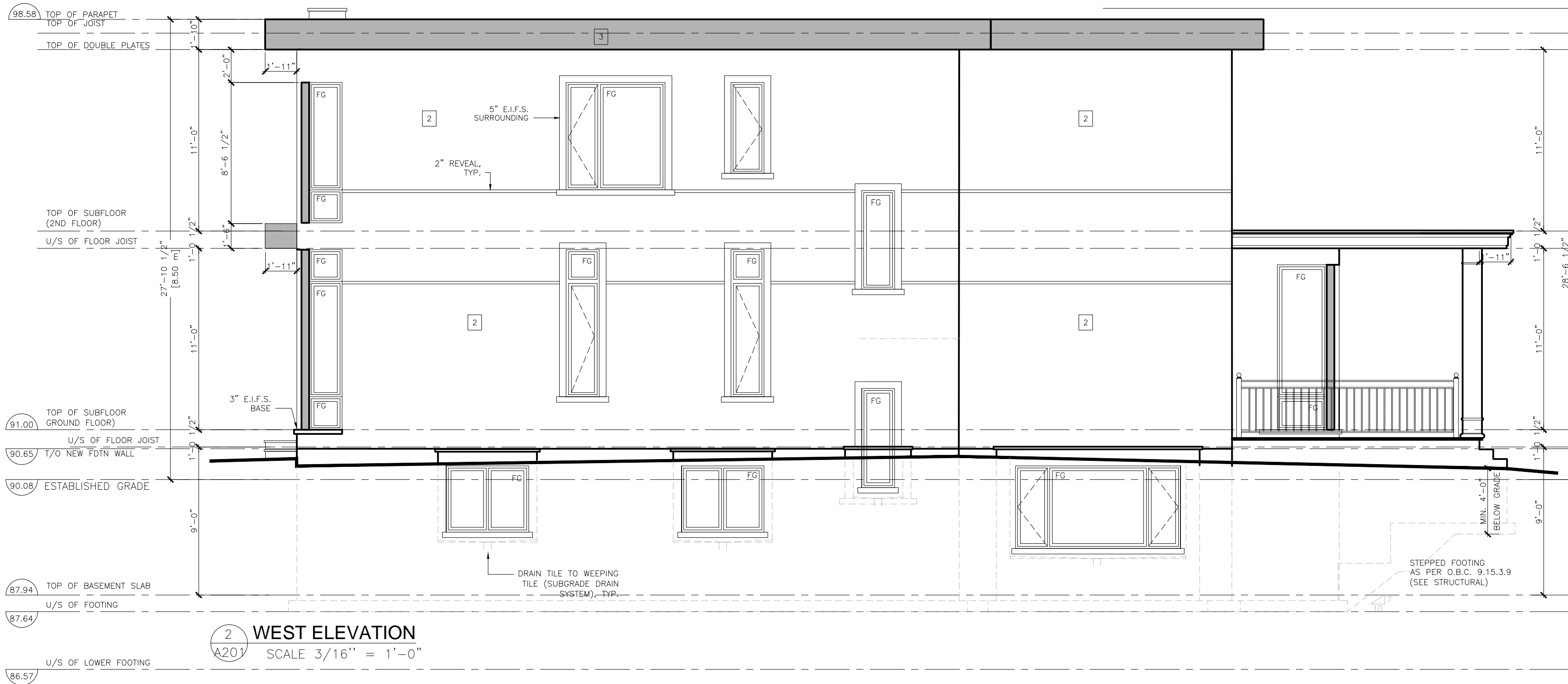


**AMR architects inc.**  
 5500 NORTH SERVICE RD., SUITE 300  
 BURLINGTON, ONTARIO, L7L 6W6  
 TEL. (1) 647 242 4206  
 amr@amrarchitects.ca www.amrarchitects.ca

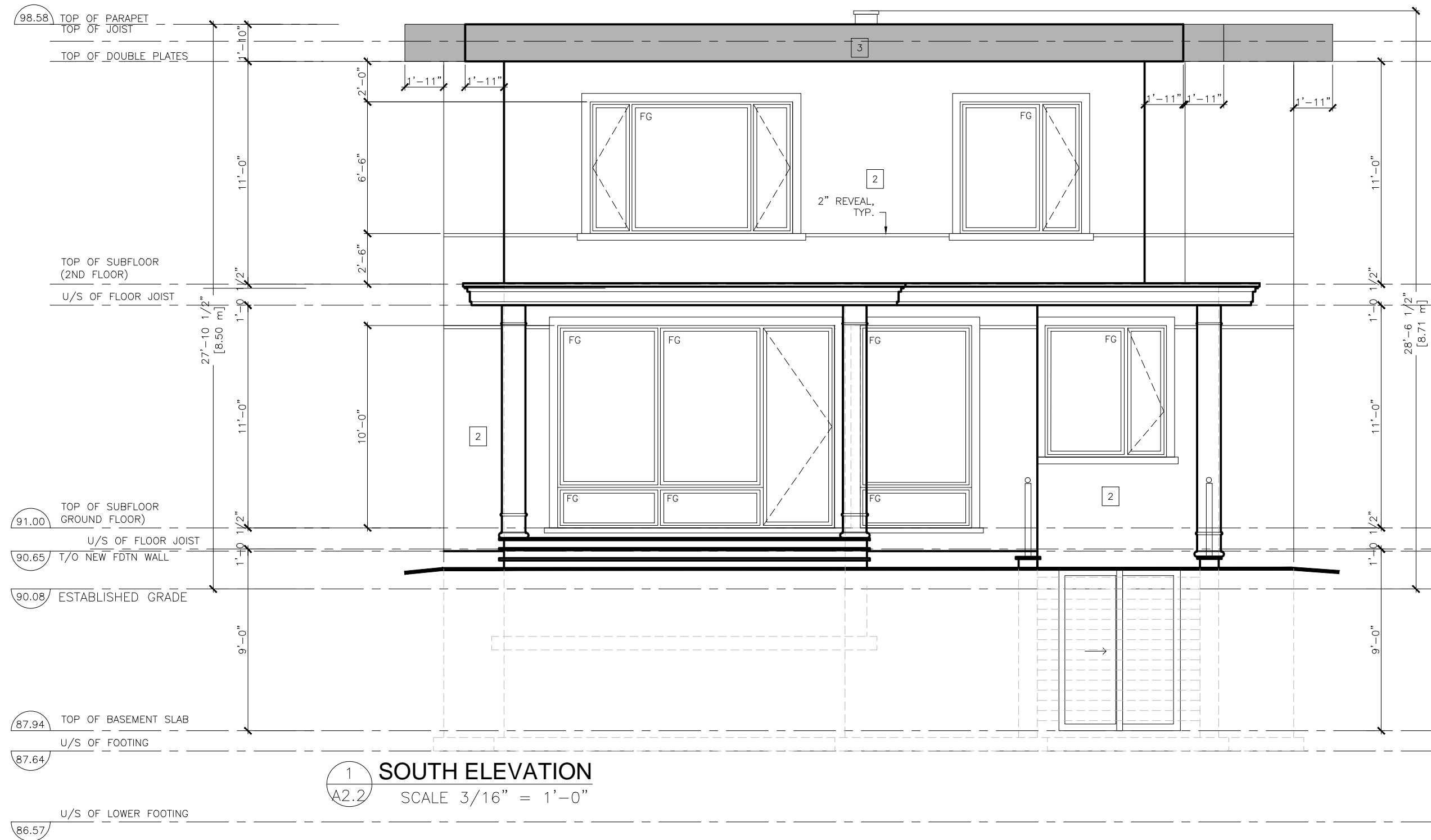
PROJECT TITLE  
**CUSTOM RESIDENCE**  
 2358 REBECCA ST.  
 OAKVILLE, ONTARIO

DRAWING TITLE  
**NORTH & WEST ELEVATIONS**

DRAWN BY AI	SCALE 3/16" = 1'-0"	DATE SEP. 16, 2024
PROJECT NO. 2413	DRAWING NO. <b>A201</b>	







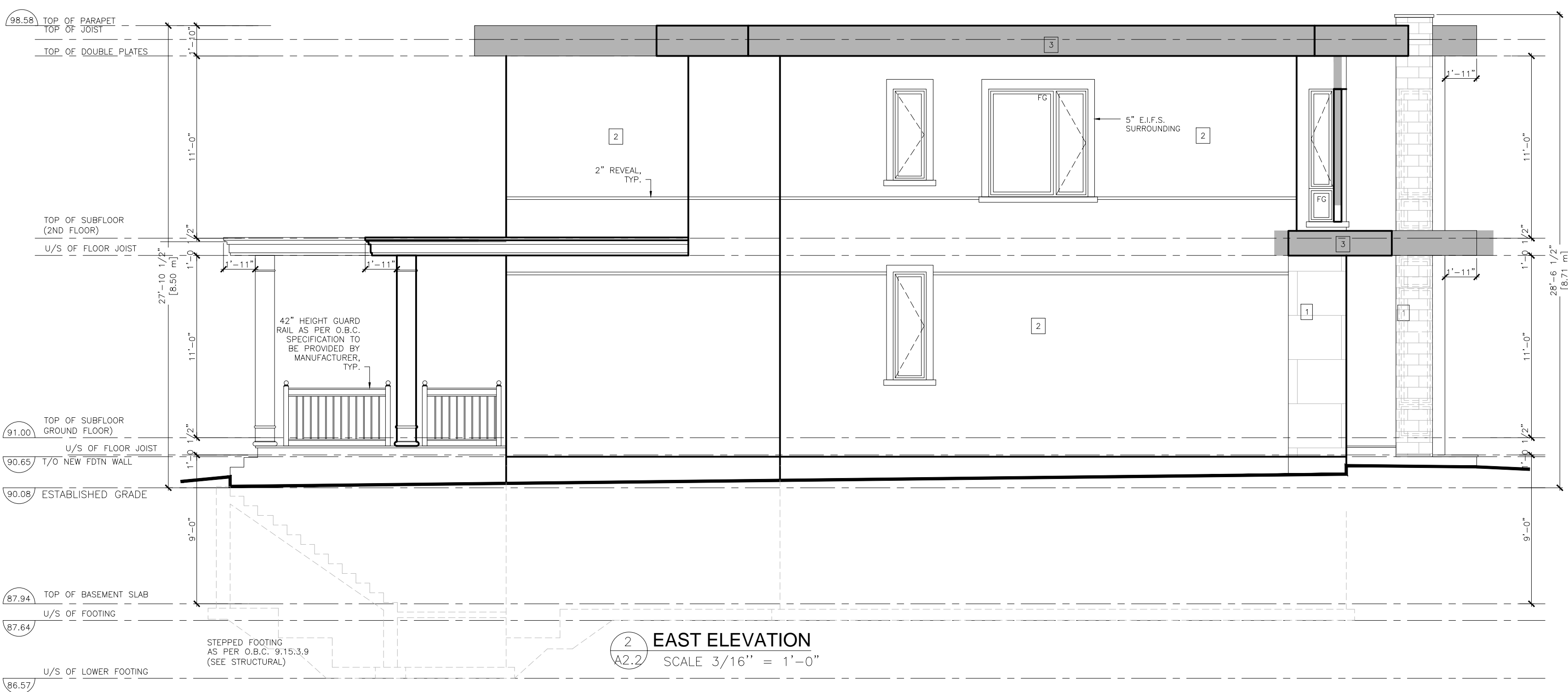
**1 SOUTH ELEVATION**  
 SCALE 3/16" = 1'-0"

**LEGEND**

- 1 STONE VENEER
- 2 EIFS SYSTEM BY "DuROCK" - COLOR TO BE SELECTED BY THE ARCHITECT
- 3 METAL CLADDING

ALL DIMENSIONS ARE TO BE CHECKED ON THE SITE BY THE CONTRACTOR. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

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**2 EAST ELEVATION**  
 SCALE 3/16" = 1'-0"

NO.	ISSUE	DATE
1.	REVISED FOR COA	FEB. 18, 2025

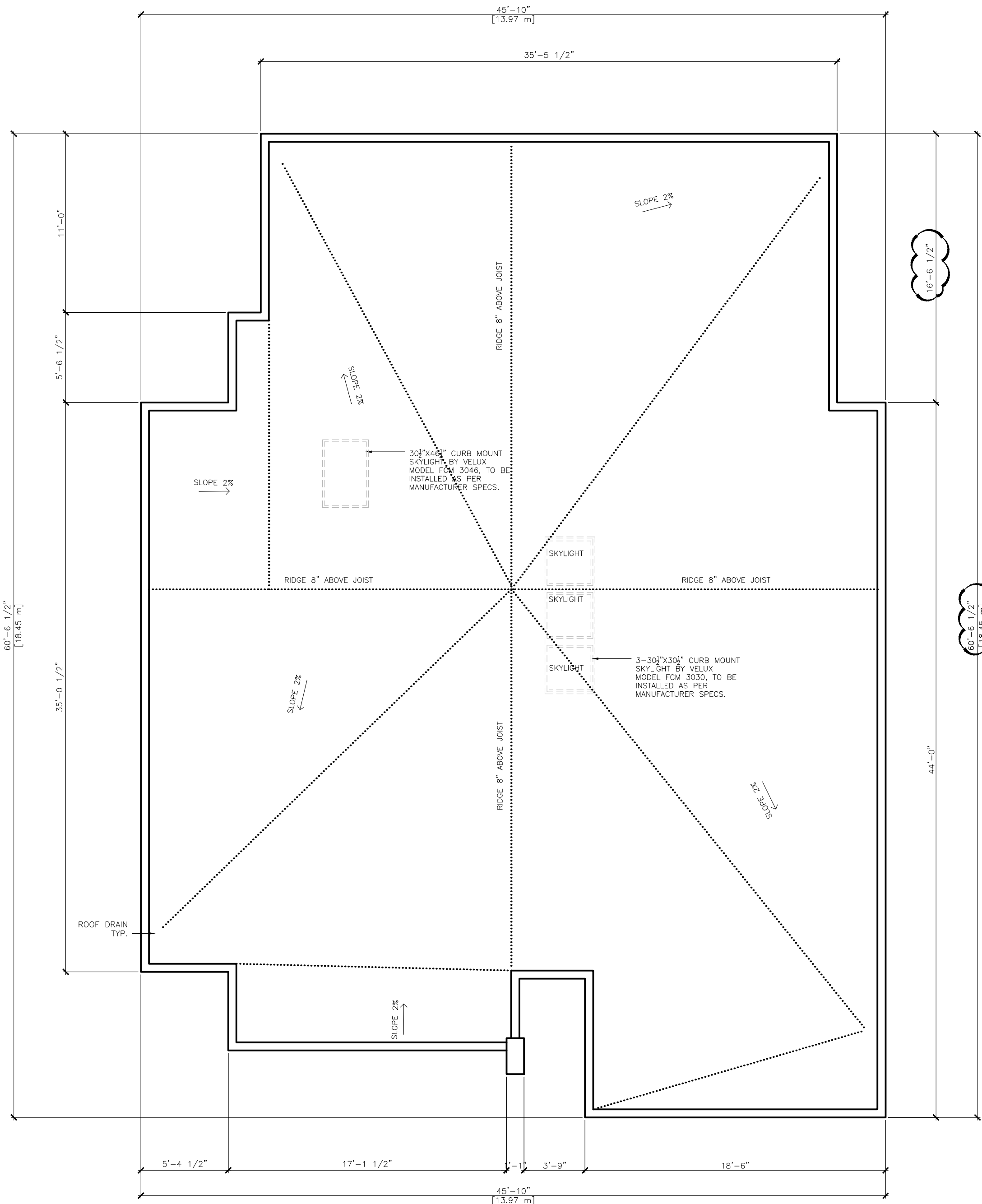


**AMR architects inc.**  
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 BURLINGTON, ONTARIO, L6L 6W6  
 TEL. (1) 647 242 4206  
 amr@amrarchitects.ca www.amrarchitects.ca

PROJECT TITLE  
**CUSTOM RESIDENCE**  
 2358 REBECCA ST.  
 OAKVILLE, ONTARIO

DRAWING TITLE  
**SOUTH & EAST ELEVATIONS**

DRAWN BY AI	SCALE 3/16" = 1'-0"	DATE SEP. 16, 2024
PROJECT NO. 2413	DRAWING NO. <b>A202</b>	



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1.	REVISED FOR COA	FEB. 18, 2025
NO.	ISSUE	DATE

REVISION



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 TEL. (1) 647 242 4206  
 amr@amrarchitects.ca www.amrarchitects.ca

PROJECT TITLE  
**CUSTOM RESIDENCE**  
 2358 REBECCA ST.  
 OAKVILLE, ONTARIO

DRAWING TITLE  
**ROOF PLAN**

DRAWN BY AI	SCALE 3/16" = 1'-0"	DATE SEP. 16, 2024
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PROJECT NO. 2413	DRAWING NO. <b>A304</b>
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# COMMITTEE OF ADJUSTMENT

## **MINOR VARIANCE REPORT**

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION: A/023/2025 (Deferred from February 19, 2025)**

**RELATED FILE: N/A**

### **DATE OF MEETING:**

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at [oakville.ca](http://oakville.ca) on Wednesday, April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
A. Weir	N/A	PLAN M6 LOT 126 2358 Rebecca St Town of Oakville

**OFFICIAL PLAN DESIGNATION: Low Density Residential**

**ZONING: RL3-0, Residential**

**WARD: 1**

**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 new two-storey detached dwelling on the subject property proposing the following variance(s) to Zoning By-law 2014-014:

No.	Current	Proposed
1.	<i>Table 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 <sup>2</sup> and 742.99 m <sup>2</sup> shall be 41%.	To increase the maximum residential floor area ratio to 44.33%.

## **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

### **Planning Services:**

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

**A/023/2025 – 2358 Rebecca St (West District) (OP Designation: Low Density Residential)**

The applicant proposes to demolish the existing one-and-a-half-storey dwelling and construct a new two-storey dwelling, subject to the variances listed above.

### **Background**

A Minor Variance application was previously submitted for consideration by the Committee on February 19, 2025. This application was deferred, at the request of the applicant, to provide the opportunity to address staff concerns with the proposed application.



The revised application results in a reduced variance request to increase the residential floor area ratio from 41% to 44.33%; whereas the previous request was to permit an increase of 45.87%. The original increase was equivalent to 34 sq m (366 sq ft) and the revised application seeks an increase of 23.27 sq m (250 sq ft). The reduction in residential floor area ratio is attributed to a reduced dwelling depth and the applicant has increased the front yard setback to minimize perceived impacts of scale and massing of the proposed dwelling.

### Site Area and Context

The subject lands are located along the south side of Rebecca Street between Jones Street and Vilma Drive, which is characterised as having a mix of one-, one-and-a-half and two-storey dwellings with some newer two-storey dwellings having been constructed in recent years.



*Aerial Photo – 2358 Rebecca Street*



The following images are of adjacent dwellings and other dwellings along Rebecca Street.



*Lands to the East – 2346, 2350 and 2354 Rebecca Street (Photo taken February 11, 2025)*



*Lands to the West – 2362, 2366 and 2370 Rebecca Street (Photo taken February 11, 2025)*



The following images illustrate the existing dwelling and proposed dwelling at 2358 Rebecca Street.



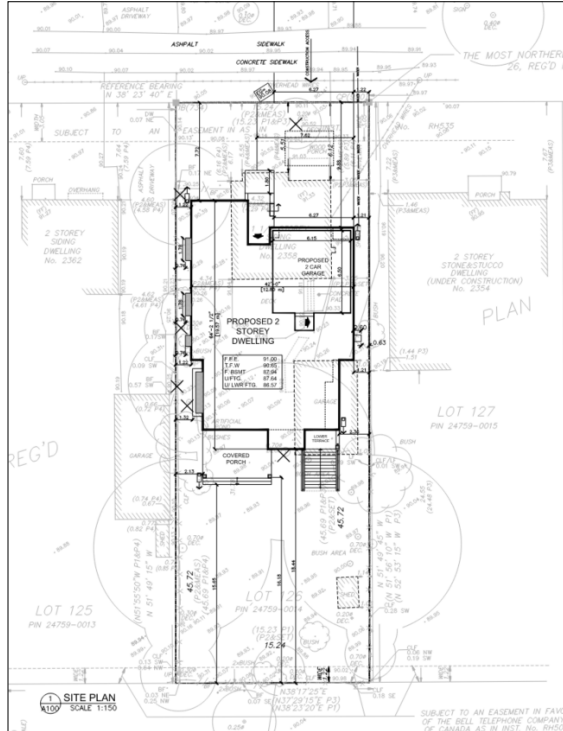
*Subject lands – 2358 Rebecca Street (Photo taken February 11, 2025)*



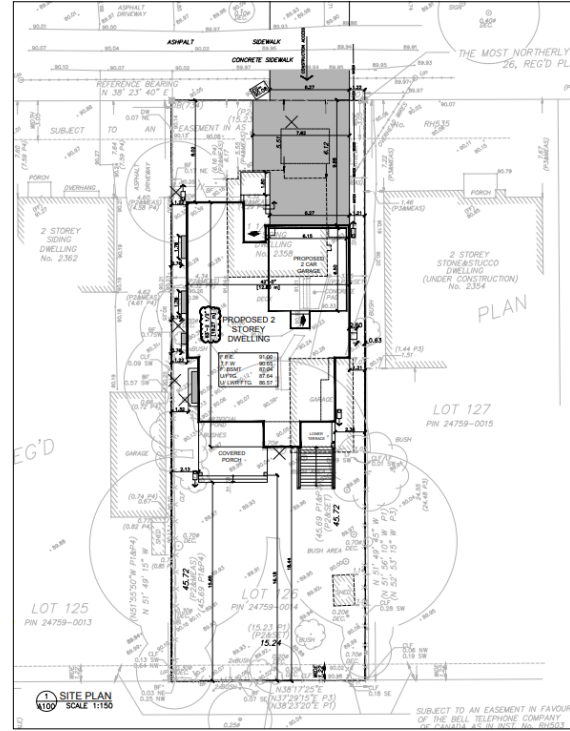
*Excerpt of 3D View – 2358 Rebecca Street*



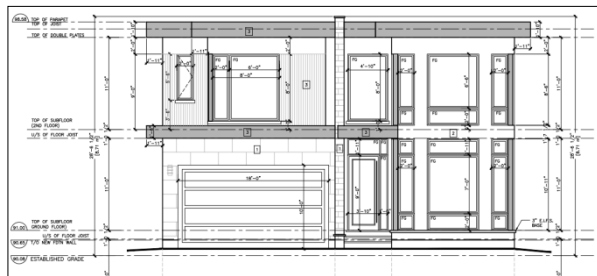
The following images are excerpts of the revised site plan and elevations submitted with the application.



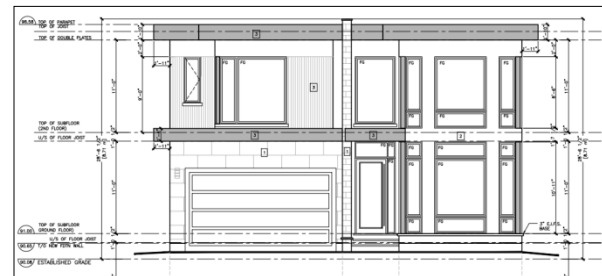
Proposed Site Plan –September 16, 2024



Proposed Site Plan –February 18, 2025



Proposed Front Elevation – September 16, 2024



Proposed Front Elevation – February 18, 2025

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 in 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 proposal was evaluated against the criteria established under Section 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.”*

The revised submission fails to address staff's previous concerns regarding architectural mitigation of the scale and massing of the proposed dwelling, such as the incorporation of varying building materials and step backs along the sides of the building towards the front of the property. Two-storey elements along the front façade, such as the double height of the entrance and living room, remain unchanged, which further emphasize the massing and scale of the building. As such, the proposal results in a development that appears to be substantially larger than the surrounding dwellings, including recently constructed dwelling to the east, and would result in negative cumulative impacts on the surrounding neighbourhood.

On this basis, it is staff's opinion that the proposed variance does not maintain the general intent and purpose of the Official Plan, as it would contribute to a proposed development that would not maintain nor protect the character of the existing neighbourhood.

### **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, to increase the Residential Floor Area from 41% to 44.33%, which is equivalent to an increase of 23.27 sq m (250 sq ft). The intent of regulating residential floor area is to prevent a dwelling from having a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. In addition to the requested increase in residential floor area, the open to below areas above the living room and foyer continue to push the second-storey floor area to the perimeter of the dwelling, resulting in effectively an overall increase of approximately 19 sq m (212.8 sq ft) in residential floor area and a perceived built-form increase of 2.7%. While the open-to-below areas do not technically count towards the residential floor area, the full two-storey massing adjacent the public realm contributes to the massing and scale of the dwelling in a manner that does not maintain or protect the existing neighbourhood character. Furthermore, the increase to the front yard setback results in the proposed dwelling being shifted further into the rear yard and significantly beyond the adjacent dwelling to the east, which was recently constructed.

Therefore, the proposal fails to address staff's previous concerns regarding architectural mitigation of the scale and massing of the proposed dwelling and the proposal does not maintain 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 does not represent the appropriate development of the subject lands as the variance is not minor in nature and will result in a dwelling that appears larger than those in the immediate area. Although there are other newer two-storey dwellings along this portion of Rebecca Street, they were either built in compliance with the Zoning By-law or staff did not support the requested increases to residential floor area ratio. For example, the Minor Variance Application submitted for 2366 Rebecca Street requested an increase to 45.99% residential floor area and, following a deferral, withdrew their application (CAV A/008/2018). The Minor Variance Application submitted for 2354 Rebecca Street (adjacent lands to the east) proposed an increase in residential floor area of 43.92% (CAV A/059/2022); however, the dwelling design included stepping back the second storey in various locations. The recently constructed dwelling located at 2356 Rebecca Street has a similar architectural design to the subject application, although it was constructed in compliance with the Zoning By-law.

The proposed dwelling for the subject site would create negative impacts on the adjacent lands and streetscape, in terms of massing and scale, and ultimately it does not fit within the context

of the surrounding neighbourhood. Accordingly, in staff's opinion the proposal is not desirable for the appropriate development of the subject lands and not minor in nature.

**Recommendation:**

Given the foregoing, it is staff's opinion that the application does not maintain the general intent and purpose of the Official Plan, Zoning By-law, is not minor in nature, and is not desirable for the appropriate development of the subject lands. Accordingly, the application does not meet the four tests under the *Planning Act* and staff recommends that the application be denied.

**Note:**

Development Engineering staff advise that the proposed development will be subject to the Site Alteration process and that a "best-efforts" approach for stormwater management will need to be implemented (25mm retention is recommended), as the hardscaped area of the site is significantly increasing. Staff also note that the westerly interior side yard will be heavily constrained due to the proposed window well locations. A grading plan has not been submitted, so it is difficult for staff to provide additional comments at this time.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments to add.

**Transit:** No comments received.

**Finance:** No comments received.

**Halton Region:**

- It is understood that this application was deferred from February 19, 2025. Regional comments provided on February 13, 2025, still apply.
- Due to Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan, as this has become the responsibility of Halton's four local municipalities.
- 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 in the maximum residential floor area ratio to 44.33%, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of a new two-storey detached dwelling on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 1**



Tilo Blankenfeldt  
Sussex Street  
Oakville, ON  
L6L 3H1

March 26, 2025

Jen Ulcar  
Secretary-Treasurer, Committee of Adjustment  
1225 Trafalgar Rd  
Oakville, ON L6L 0H3

**Subject: Variance Request by Allison Weir for Subject Property  
2358 Rebecca Street, PLAN M6 LOT 126**

Let me give you a brief Background before addressing our concerns in regards to the above application. We have lived at [redacted] Sussex Street for a number of decades. It has for the most part been a quiet neighborhood in which we raised our children. The construction of the Bronte bridge changed traffic patterns in the area dramatically. It is not unusual to see the late afternoon rush hour traffic on the west bound Rebecca Street backing up from Bronte Rd past Sussex Street, making entry to and exit from Sussex Street difficult all the while the traffic on Sussex Street is backing up to St.Dominics Crescent and at times beyond.

Now to the application before us.

While it is difficult to object to a neighbor's house being slightly larger than allowed, there are some points worth considering before approval is given. And perhaps some conditions should be in place before proceeding.

It is obvious that a larger home requires: more building materials, deliveries, contractors and workers, longer construction time, and upgrading of the lot's services and infrastructure (200 amp electrical from 100amps, Sewer and Water, Gas, Communications lines and cables). And in regards to the later, I can't even recall how often the Eastbound lane of this busy through fare has been ripped up over the past few years for the two properties constructed on the south side of Rebecca, just East and West to the applicant's property.

Living on Sussex Street, our neighbors and our family, had the unpleasant experience over the last few years to being impacted by the construction of above mentioned two homes on the south side of Rebecca. Sussex Street became the staging area for their building materials. Meaning, dumping material on the road in front of our homes and leaving it there until needed: Bricks, gravel, soil, dirt. All day long, smaller but none the less, noisy frontend loaders were shuttling between construction site and the afore mentioned materials. With an almost constant beep — beep — beep, while going in reverse. Between 6am and 10am Big trucks with flat beds were unloading heavy construction and excavation equipment. All the while big diesel engines were running. All contractors and their employees were parking their vehicles in the few spaces left available on both sides of Sussex Street, leaving only one lane open for both directions of traffic, thereby resulting in traffic chaos especially during the morning and afternoon rush hours. Collection services of brush and garbage was also impacted. The Garbage collection trucks were forced to block the only available lane and their personnel had difficulty retrieving the waste materials from the roadside because they were blocked by the aforementioned parked vehicles and deposited building materials.

In summary, our street and our homes are negatively impacted by the effects of new large home construction on Rebecca Street and unless a satisfactory solution or an acceptable

compromise can be found, we are opposed, not necessarily to new construction, but the way it is carried out. We are also deeply concerned over our declining quality of living on Oakville, and particularly on Sussex Street. The noise, from the construction site, the noise and vibration from the heavy construction equipment on our street, rude contractors (blocking our driveway for hours) and the traffic congestion contribute to an unpleasant, dirty and annoying environment.

Perhaps it is time to look for some new solutions. It may be possible to work out an arrangement with St.Dominics Church to utilize their empty parking lot during weekdays. And maybe some traffic controls could be implemented to regulate traffic and minimize the risk of mishap or accidents. Other jurisdictions require a police officer present for extended lane closures, as on Rebecca. It would also help if the town were to restrict construction in residential areas to the hours from 8am to 6pm Monday to Saturday, from the current 6am to 10pm on any day.

Whatever you decide, we are not looking forward to another summer of construction congestion, excessive noise and dirt.

Oh, and one more thing: At no time did the home owners, their construction companies or contractors of the two above mentioned properties on Rebecca contact us to prepare us for what was going to happen or god forbid, even apologize for any inconvenience. Rather, they have treated our Street as if they owned it.

Please consider this letter also as our request to be notified in writing, of your decision for the application under consideration.

Sincerely,

Tilo and Doris Blankenfeldt

*J. Ulcar*

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Jennifer Ulcar  
Secretary-Treasurer  
Committee of Adjustment