

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: **CAV A/057/2022**

RELATED FILE: N/A

DATE OF MEETING: April 5, LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON TUESDAY, APRIL 05TH, 2022 AT 7:00 P.M.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
RENJIE DU 529 MAPLE AVE OAKVILLE ON, L6J 2J6	RAED AL-RAWI PROFESSIONAL FLOOR PLANS INC. 5147 PRESERVATION CIR MISSISSAUGA ON, L5M 7T4	529 MAPLE AVE PLAN M30 LOT 2

OFFICIAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL
WARD: 3

ZONING: : **RL5-0**
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 on the subject property proposing the following variance:

No.	Zoning By-law Regulation	Variance Request
1	Section 6.4.1 The maximum residential floor area ratio for a detached dwelling on a lot with a lot area less than 557.50 m ² shall be 43% (199.93 m ²); (Lot area is 464.96 m ²).	To permit the maximum residential floor area ratio for the detached dwelling to be 49.99% (232.43 m ²).

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)

CAV A/057/2022 - 529 Maple Ave (East District) (OP Designation: Low Density Residential)

The applicant is proposing to construct a new two-storey detached dwelling subject to the variance listed above.

The neighbourhood consists of one and two-storey dwellings original to the area and two-storey new construction.

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.”

Variance # 1 – Residential Floor Area Ratio (Supported)

The applicant is requesting relief from Zoning By-law 2014-014, as amended, to permit an increase in residential floor area ratio from 43% (199.93 square metres) to 49.99%. (232.43 square metres) for an increase of 32.5 square metres. The overall massing and the scale of the proposed dwelling is mitigated by the design including stepbacks of the second storey, one storey elements, articulation and a lowered roofline. Staff are of the opinion that the requested increase in residential floor area is minor and this variance will not have a negative impact on adjacent properties or the surrounding area.

On this basis, it is staff's opinion that the requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law as it results in a dwelling that is in keeping with the character of the neighbourhood. Further, the variance is minor in nature and appropriate for the development of the site as there are no negative impacts to abutting properties or the streetscape.

Conclusion:

In summary, based on the application as submitted, Staff are of the opinion that the application satisfies the applicable tests under the *Planning Act*. Should the Committee concur with staff's opinion, the following conditions are requested:

1. That the dwelling be built in general accordance with the submitted site plan and elevation drawings submitted for the proposed dwelling dated February 28, 2022; 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.

The planning basis for the conditions are as follows, in keeping with the numbering of the conditions above:

1. 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.
2. 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.

Fire: Comments not provided.

Transit : CAV A/057/2022 (529 Maple Ave.)

Oakville Transit staff would like to remind the applicant that Maple Avenue is an existing transit corridor. Any existing bus stop locations will remain. New bus stop locations and amenities such as bus shelter can be installed at any time. Existing bus stops are located at Chartwell Road approximately 90m from the site.

Halton Region: 6.7 CAV A/057/2022 – R. Du, 529 Maple Avenue, Oakville

- The subject property is within 120 metre of the Regional Natural Heritage System (RNHS), the proposed development would trigger the Environmental Impact Assessment (EIA) requirements in accordance with Sections 118 (3) & (3.1)c) of the Regional Official Plan (ROP). Staff would consider it appropriate to waive the Region's EIA requirements in this instance as the proposed development will be constructed within the manicured lawn area and partially within the existing dwelling footprint, and will be setback sufficiently from any sensitive natural features or areas, and will not likely result in any impacts on the features or ecological functions of the Regional Natural Heritage System.
- 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 for a detached dwelling, under the requirements of the Town of Oakville Zoning By-law, for the purpose of constructing a two-storey detached dwelling on the subject property.

Bell Canada: Comments not received.

CNR: Comments not provided.

Union Gas: Comments not received.

Letter(s) in support – 10

Letter(s) in opposition – None

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 Services, 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.

Requested conditions from circulated agencies:

1. That the dwelling be built in general accordance with the submitted site plan and elevation drawings submitted for the proposed dwelling dated February 28, 2022; 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.



Jasmina Radomirovic
Assistant Secretary-Treasurer
Committee of Adjustment

Letter of Supports:

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3

Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, Tom Snyder, owners of 516 Maple Ave, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the ~~design drawings~~ and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours



Signature

Name: Tom Snyder

Address: 516 Maple Ave

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3

Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, CRAIG & LAURA McLAUGHLIN, owners of 522 MAPLE AVENUE, OAKVILLE, ON L6J 2J4, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours

Signature

Name: CRAIG & LAURA McLAUGHLIN

Address: 522 MAPLE AVENUE, OAKVILLE, ON L6J 2J4

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3

Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, Ken & Lynn Hillier, owners of 526 Maple Ave, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours

Signature

Name: Ken Hillier

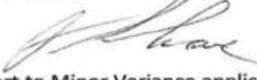
Address: 526 Maple Ave.

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3

Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, , owners of 530 MAPLE AVE, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours

Signature 
Name: J SHALE

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3

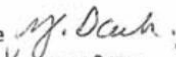
Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, , owners of 533 Maple Ave, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours

Signature 
Name: YOGENDRA SAWH
Address: 533 MAPLE AVE.

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3

Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, Dominic, owners of 534 Maple Ave, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions


Sincerely yours

Signature

Name:

Address:

Email:


DOMINIC D'URSO
534 MAPLE AVE.

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3

Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, , owners of 439 CAESAR AVE, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.


Kindly feel free to contact me for any questions

Sincerely yours

Signature

Name:

Address:


YOGENDRA SAWH
439 CAESAR AVE

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3


Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, MICHELLE-ALBANY HENDERSON, owners of 445 CAESAR AVENUE, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours

Signature 
Name: ALEXANDER (SANDY) HENDERSON
Address: 445 CAESAR AVENUE

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3


Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, HANG LI / Siyaobang, owners of 422 Chartwell Rd, Oakville, L6J 4A3, would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours

Signature 
Name: HANG LI
Address: 422 Chartwell Rd, Oakville, L6J 4A3

Jan. 31st, 2022

To: Committee of Adjustment
Town of Oakville
1225 Trafalger Road
Oakville, Ontario, L6H 0H3


Subject: 529 Maple Ave., Oakville, ON L6J 3Z1– Support letter

Dear Sir/Madam,

I/We, _____, owners of 434 Chartwell Rd., would like to express our support to Minor Variance application for 529 Maple Ave., Oakville, ON L6J 3Z1. We have seen the design drawings and request to exceed Zoning bylaw allowance for Floor Area Ratio by only 35.91 sq.m (386.5 sq.ft) and we believe that this request is minor and will not have any adverse effect on the neighborhood landscape.

Kindly feel free to contact me for any questions

Sincerely yours

Signature: 
Name: D. Badowski
Address: 434 Chartwell Rd.