

File No.B22/01(1623)

Notice of Decision
Committee of Adjustment
Town of Oakville
 1225 Trafalgar Road
 Oakville, Ontario L6J 5A6

In the matter of the *Planning Act*: Revised Statutes of Ontario, 1990, Chapter P.13, and
In the matter of an application for Consent on behalf of:

GENDRON ACIER
2270 GARNEAU RUE
LONGUEUIL QC, J4G 1E7


RE: 1281 and 1291 SPEERS RD
CON 3 SDS PT LOT 23 RP 20R6381 PART 1
Town of Oakville, Regional Municipality of Halton


Under subsection 53(42) of the Planning Act, the application is asking to convey a portion of land (Part 1) approximately 5162.00 sq m in area with an approximate frontage of 43.18 m (street limit – Speers Road) and a depth of 120.81 m to be severed from CON 3 SDS PT LOT 23. The retained parcel (Part 2) is approximately 5206.00 sq m in area with an approximate frontage of 42.72 m (street limit-Speers Road) and a depth of 121.97 m. The owner of the property known as 1291 Speers Road purchased under the same name the abutting north-east property known as 1281 Speers Road, and as a results the two properties merged into one lot. This application is to rectify the merging of the two properties and create two (Part 1 =1281 Speers Road and Part 2 = 1291 Speers Road) separate lots as they previously existed.

This application is being considered with related **REVISED Minor Variance CAV A/031/2022 (for the severed parcel) and Minor Variance CAV A/032/2022 (for the retained parcel). Notices Attached.**

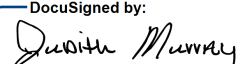
The said parcels being more particularly described on the attached draft Severance Sketch prepared by Cunningham McConnell Limited, Ontario Land Surveyors, Plan N 153-21-1 and dated February 16, 2022.

DECISION: No written or oral submissions from the public were received. Having considered the matters set out under Section 51(24) of the Planning Act, R.S.O. 1990, and as the application B22/01 (1623), conforms to the Livable Oakville Plan and complies with the Zoning By-law (subject to approval of CAV A/031/2022 & CAV A/032/2022), the Committee recommends that the application **be approved** subject to the following conditions attached as Schedule “A” and including the submitted Severance Sketch dated February 16, 2022 as the attached Schedule “B”

DocuSigned by:

 M. Telawski
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 Chairperson Committee of adjustment

DocuSigned by:

 J. Hardcastle
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I. Flemington Absent

DocuSigned by:

 J. Murray
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DocuSigned by:

 S. Mikhail
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 Chairperson Committee of adjustment

DATE OF DECISION: May 03rd, 2022

DATE OF MAILING: May 04th, 2022

I hereby certify this to be a true copy of the decision of the Committee of Adjustment for the Town of Oakville in the Regional Municipality of Halton and this decision was concurred by the majority of the members who heard the application.

DocuSigned by:
Jasmina Radomirovic
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Jasmina Radomirovic
Assistant Secretary Treasurer
Committee of Adjustment

Last date of filing an appeal to the Local Planning Appeal Tribunal under Section 53 of the Planning Act:
May 24th, 2022.

The Notice of Appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment, together with written reasons for the appeal and accompanied by the fee required by the Local Planning Appeal Tribunal. Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the **Ontario Land Tribunal** (formerly known as LPAT-Local Planning Appeal Tribunal). A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

You will be entitled to receive Notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

APPENDIX “A”

1. That the owner/applicant submit a digital copy of the reference plan showing the lands to be conveyed together with a registerable legal description of the lands to be conveyed, to the Secretary-Treasurer, prior to the issuance of Consent.
2. That the owner/applicant submit to the Secretary-Treasurer a final certification fee payable to the Town of Oakville at the rate prescribed at the time of payment.
3. Taxes as levied on the property are to be paid in full.
4. That the owner/applicant submit confirmation that the development is on full municipal water and sanitary sewer services, to the satisfaction of Halton Region.
5. That the owner/applicant determine the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lots on a drawing which also shows the relationship of these services to the new proposed lot lines, to the satisfaction of Halton Region.
6. That the owner/applicant agree that no sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines, to the satisfaction of Halton Region.
7. Any existing water service or sanitary service lateral to be disconnected from the system and abandoned must be decommissioned per the standards and specifications of the Region of Halton. The Proponent is required to obtain a Regional Service Permit for the disconnection

of existing services. The Proponent is advised to contact Halton's Planning and Public Works Department Service Permit Section for details on abandoning water and sanitary services should this be necessary. The Proponent shall contact the Regional Services Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer Services Permits, and pay all necessary fees.

8. That the owner/applicant submit Committee of Adjustment Decisions for approval of minor variance applications to address a deficient easterly interior side yard setback (retained lands) and minimum landscaping coverage (severed and retained lands) under Zoning By-law 2014-014, as amended (CAV A/031/2022 and CAV A/032/2022).

Notes

1. The owners, his successors and assign, are hereby notified that the Development Charges of the Town of Oakville are payable upon issuance of Building Permit at the rate in effect on the date issued.
2. The owners, his successors and assign, are hereby notified that Site Plan approval is required for both the retained and severed lots.
3. Should the proposed severance impact services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, please ensure that an application for gas service is submitted through the Union Gas on line application tool 'Get Connected'.

The Applicant must fulfill all of these conditions and the Certificate must be issued on or before the lapsing date of May 04th, 2023 (1 year from the giving of the notice).

The Notice of Appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment, together with written reasons for the appeal and accompanied by the fee required by the Ontario Land Tribunal. Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Ontario Land Tribunal. A Notice of Appeal may not be filed by an unincorporated association or group. However, a Notice of Appeal may be filed in the name of an individual who is a member of the association or group on its behalf.

You will be entitled to receive Notice of any changes to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

