

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

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

APPLICATION: CAV A/147/2022

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON TUESDAY, SEPTEMBER 13, 2022 AT 7:00 P.M.

Owner/Applicant	Agent	Location of Land
Atta Ullah Aziz 412 Wildwood Drive Oakville ON L6K 1T5	IDM (2005) Consultants Inc c/o Prem Tewari 5325 Harvester Road Burlington ON L7L 5K4	PLAN 576 LOT 8 412 Wildwood Drive Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 2

ZONING: RL3-0
DISTRICT: West

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of a one storey addition proposing the following variance(s):

No.	Zoning By-law Regulation	Variance Request
1	Section 6.4.1 The maximum <i>residential floor area ratio</i> for a <i>detached dwelling</i> on a <i>lot</i> with a <i>lot area</i> between 650.00 m ² and 742.99 m ² shall be 41% (287.37 m ²); (Lot area is 700.9 m ²).	To permit the maximum <i>residential floor area ratio</i> for the <i>detached dwelling</i> to be 42.8% (299.9 m ²).

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

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

CAV A/147/2022 - 412 Wildwood Dr (West District) (OP Designation: Low Density Residential)

The applicant proposes to construct an additional entry to the rear of the dwelling.

The subject property is located at the corner of the intersection of Wildwood Drive and Southview Drive within an area characterized by one-storey dwellings original to the area and new two-storey construction with a sidewalk on Wildwood Drive.

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:

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 advised that the Town will comment on stormwater management controls for the 25mm storm as per the Town of Oakville Stormwater Master Plan through the Development Engineering Site Plan (DESP) process.

[illegible]

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 addition be built in general accordance with the submitted site plan and elevation drawings dated March 23, 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: SFD. Adequate Fire Access

Oakville Hydro: We do not have any objection or comments for this Minor Variance Application.

Transit: Oakville Transit staff would like to remind the applicant that Wildwood Drive 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 on Wildwood Drive between Weighton Drive and Morden Road, approximately 136m from the site.

Finance: None

Halton Region:

- 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, 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: No Comments received

Letter(s)/Emails in support: None

Letter(s)/Emails in opposition: None

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

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments / authorities (e.g. Engineering and Construction, Building 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 addition be built in general accordance with the submitted site plan and elevation drawings dated March 23, 2022.
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.

A rectangular box containing a handwritten signature in blue ink. The signature appears to read "Heather McCrae".

Heather McCrae, ACST
Secretary-Treasurer