

# COMMITTEE OF ADJUSTMENT

## CONSENT REPORT

STATUTORY AUTHORITY: Section 53 of the *Planning Act*, 1990

**APPLICATION: B22/11 (1729)**

**RELATED FILES: CAV A/180/2022; CAV A/181/2022**

### **DATE OF MEETING:**

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

Owner/Applicant	Agent	Location of Land
Sutikshan and Bindu Anand 2250 Chancery Lane West Oakville ON L6J 6A3	W.E. Oughtred and Associates Inc c/o Lisa Christie 28-2140 Winston Park Drive Oakville ON L6H 5V5	PLAN M7 LOT 115 2345 Sovereign Street Town of Oakville

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

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

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### **APPLICATION:**

Under subsection 53(42) of the *Planning Act*, the applicant is requesting to permit the consent for the creation of a New Lot.

Application has been made for Consent for the creation of a New Lot. The application is asking to convey a portion of land (PART 1 – to be severed) approximately 464.5m<sup>2</sup> in area with an approximate frontage of 15.235m (streetline Sovereign Street) and a depth of 30.49m to be severed from PLAN M7 LOT 115 for the purpose of creating a new lot. The retained parcel (PART 2 – to be retained) is approximately 464.5m<sup>2</sup> in area with an approximate frontage of 15.235m (streetline Sovereign Street) and a depth of 30.49m. The existing two (2) structures on the subject property are to be removed.

This application is being considered with related **Minor Variance CAV A/180/2022 (Part 1 – Severed) and Minor Variance CAV A/181/2022 (Part 2 – Retained). Variance Notices below.**

The said parcels being more particularly described on the Severance Sketch prepared by Cunningham McConnell Limited, Ontario Land Surveyors, Plan N° 146-15-2 and dated November 20, 2021.

### **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 proposed Consent application for the Severed Parcel (Part 1) shown on the attached Severance Sketch of the subject property proposing the following variance(s):

No.	Zoning By-law Regulation	Variance Request
1	<b>Table 6.3.1 (Row 1, Column RL3)</b> The <i>minimum lot area</i> shall be 557.5 m <sup>2</sup> .	To permit the <i>minimum lot area</i> to be 464.5 m <sup>2</sup> .

2	<b>Table 6.3.1 (Row 2, Column RL3)</b> The <i>minimum lot frontage</i> shall be 18.0m m <sup>2</sup> .	To permit the <i>minimum lot frontage</i> to be 15.235m m.
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Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the proposed Consent application for the Retained Parcel (Part 2) shown on the attached Severance Sketch of the subject property proposing the following variance(s):

No.	Zoning By-law Regulation	Variance Request
1	<b>Table 6.3.1 (Row 1, Column RL3)</b> The <i>minimum lot area</i> shall be 557.5 m <sup>2</sup> .	To permit a <i>minimum lot area</i> to be 464.5 m <sup>2</sup> .
2	<b>Table 6.3.1 (Row 2, Column RL3)</b> The <i>minimum lot frontage</i> shall be 18.0m m <sup>2</sup> .	To permit the <i>minimum lot frontage</i> to be 15.235m m.

### **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)

### **RECOMMENDATION**

That Consent application B22/11 (1729) submitted by W.E. Oughtred & Associates Inc on behalf of the owners Sutikshan and Bindu Anand to create a new lot (Parts 1-Severed & Part 2 will be Retained) both lots having approximately 464.5 m<sup>2</sup> of area, frontage of 15.23 m on Sovereign Street, and depth of 30.49 m respectively, be approved subject to the conditions attached as Appendix "A".

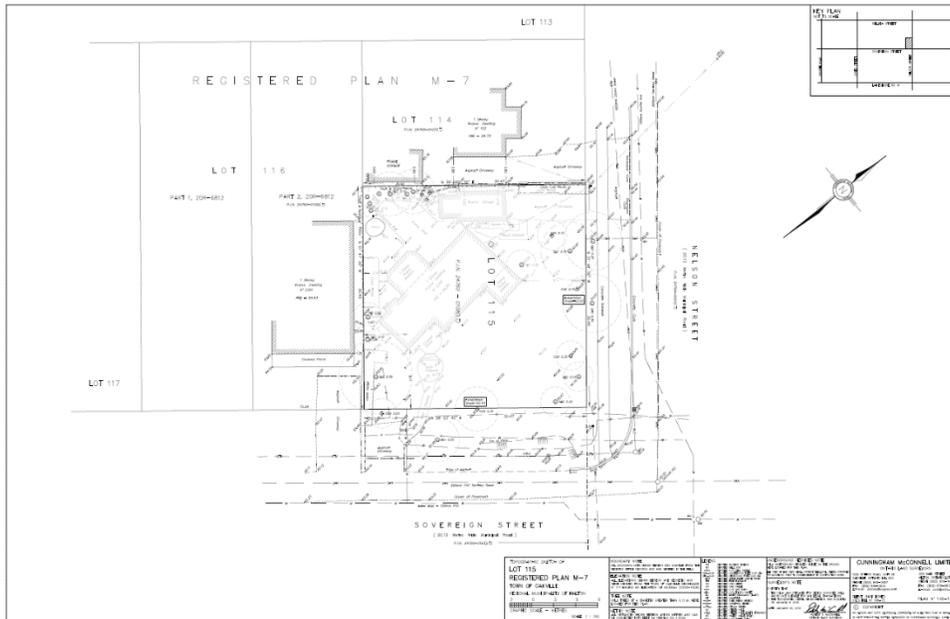
**Note:** The consent application should be considered together with Minor Variance applications CAV A/180/2022 and CAV A/181/2022.

### **LOCATION**

The subject lands are located at the northeast corner of Sovereign Street and Nelson Street, immediately north of the Bronte Village Growth Area. The municipal address is 2345 Sovereign Street and the lands are legally described as lot 115, Registered Plan M-7.



**Figure 1: Aerial Photo**



**Figure 2: Survey Sketch**

**PURPOSE**

An application has been submitted to create a new lot from the portion of lands at 2345 Sovereign Street. The existing lot contains a dwelling with a detached garage, which is proposed to be demolished. The proposal is to sever the lands at 2345 Sovereign Street to create two lots. Part 1 will be severed as the corner lot and the Part 2 will be retained as the interior lot. Both the lots will have an area of approximately 464.5 square metres, with frontage

of 15.235 m and a depth of 30.49 m. The resulting building envelopes with the applicable RL3-0 Zone setbacks are shown in Figure 3 below:

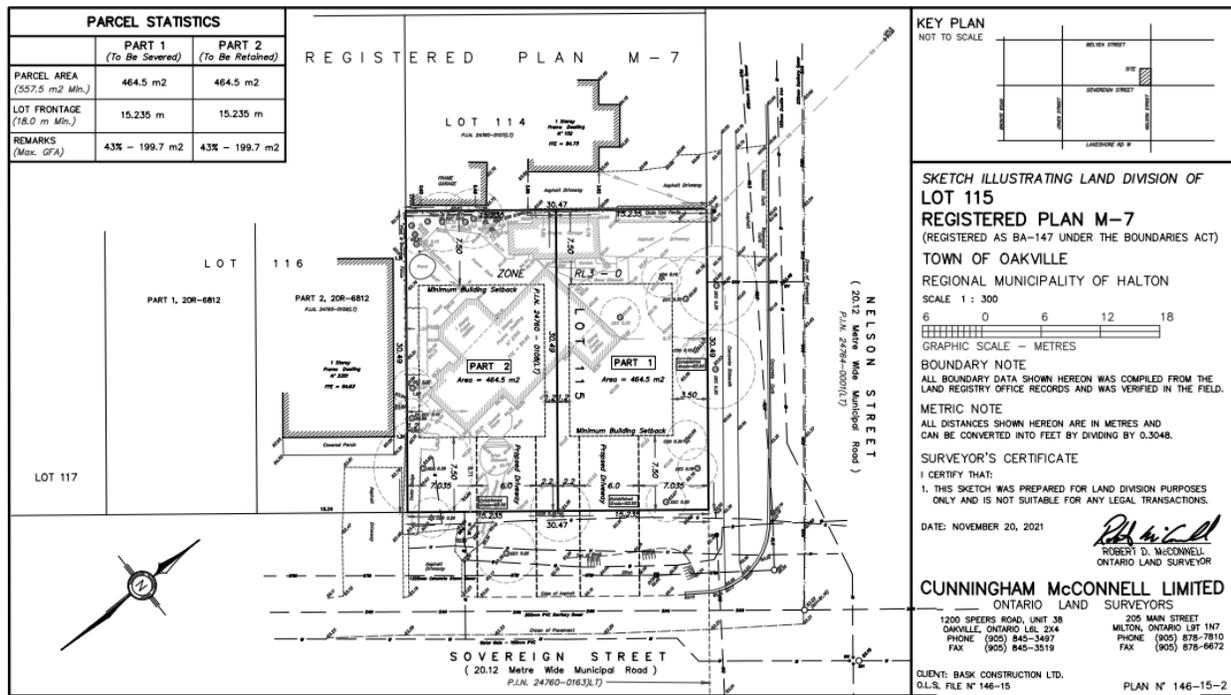


Figure 3: Severance Sketch

## PROVINCIAL POLICY STATEMENT (PPS), 2020

The Provincial Policy Statement 2020 (“**PPS**”) is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form. The PPS defines intensification as development of a property at a higher density than currently exists through underutilized lots within previously developed areas. The proposed consent provides an opportunity for intensification that is consistent with policies of section 1.1 that promote efficient land use and development patterns and ensure that healthy, livable and safe communities are sustained by directing intensification to settlement areas.

The policies of section 1.4.1 directs municipalities to provide an appropriate range and mix of housing types and densities. On this basis, the proposed consents are consistent with the PPS.

*PPS “1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area,…”*

### **PPS Definitions:**

*“Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act.”*

*“Intensification: means the development of a property, site or area at a higher density than currently exists through: a) redevelopment, including the reuse of brownfield sites; b) the development of vacant and/or underutilized lots within previously developed areas; c) infill development; and d) the expansion or conversion of existing buildings.”*

## GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2020

The Growth Plan for the Greater Golden Horseshoe (2020) (the “Growth Plan”) is a long-term plan that intends to manage growth, build complete communities, curb sprawl, and protect cultural heritage resources and the natural environment. The Growth Plan provides a framework implementing the Province’s vision for building stronger, prosperous communities by better managing growth. The Plan directs growth to built-up areas through intensification where development proposals can efficiently use existing transportation and servicing infrastructure.

The Subject Lands are within the “Built-Up Area” of the Growth Plan where the intent is to use land efficiently, and in close proximity to transportation and servicing infrastructure. All planning decisions must conform to the Growth Plan, and it is Staff’s opinion that the proposed consent applications conforms to the Growth Plan.

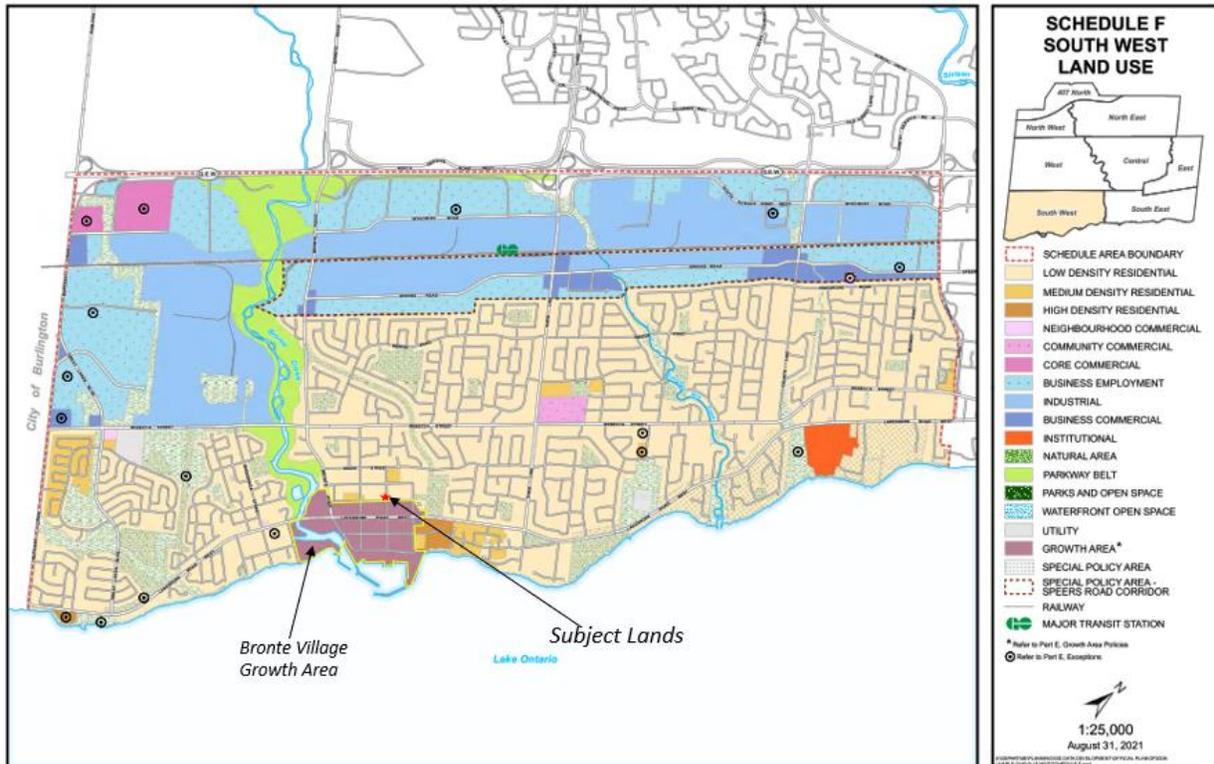
### HALTON REGION OFFICIAL PLAN

The Subject Lands are designated “Urban Area” in the Halton Region Official Plan (“**ROP**”). Lands within the “Urban Area” are intended for residential and employment growth. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the ROP.

Halton Region staff have reviewed the applications and are of the opinion that the proposal conforms to the relevant planning documents and have no objection to consent application B22/11(1729) subject to conditions being satisfied which are outlined in Appendix “B”.

### LIVABLE OAKVILLE PLAN

The subject lands (retained and severed parcel) are designated as *Low Density Residential* on Schedule F, Southwest Land Use (Figure 4). The area to the immediate south of the subject lands across the street are part of the Bronte Village Growth Area as shown in Figure 4 below:



**Figure 4:** Livable Oakville Plan (Schedule F Southwest Land Use)

The subject lands are subjected to the residential policies of Part D, Section 11. The guiding principles of Livable Oakville as stated in Policy 2.2.1:

*“Preserving and creating a livable community in order to:*

- a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*
- b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.”*

Further, to manage growth within the town, intensification is primarily directed to growth centres, however, Policy 4.3 states:

***“Residential Intensification Outside of the Growth Areas***

*It is the policy of the Plan that the key focus for development and redevelopment to accommodate intensification will be the locations identified as Growth Areas. Lands outside of Growth Areas are predominantly stable residential communities which consist of established neighbourhoods. While the Plan encourages intensification generally throughout the built up area, it also recognizes that some growth and change may occur in these areas provided the character of the areas is preserved and the overall urban structure of the Town is upheld. Intensification outside of the Growth Areas including additional intensification opportunities such as infill, redevelopment and greyfield and brownfield sites, will be considered in the context of this Plan.”*

Part D, Section 11.1.8 a) states

“Intensification within stable residential communities shall be provided as follows:

- a) Within stable residential communities, on lands designated Low Density Residential, ..., *land division*, ..., may be considered where it is *compatible* with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of the Plan.”

Part D, Section 11.1.9 outlines a number of criteria to evaluate new development within all stable residential communities to maintain and protect the existing neighbourhood character. These evaluation criteria reflect a number of matters including built form, lotting patterns, preservation and integration of heritage buildings, and infrastructure.

Part D, Section 11.2.1, Low Density Residential, Permitted Uses, states

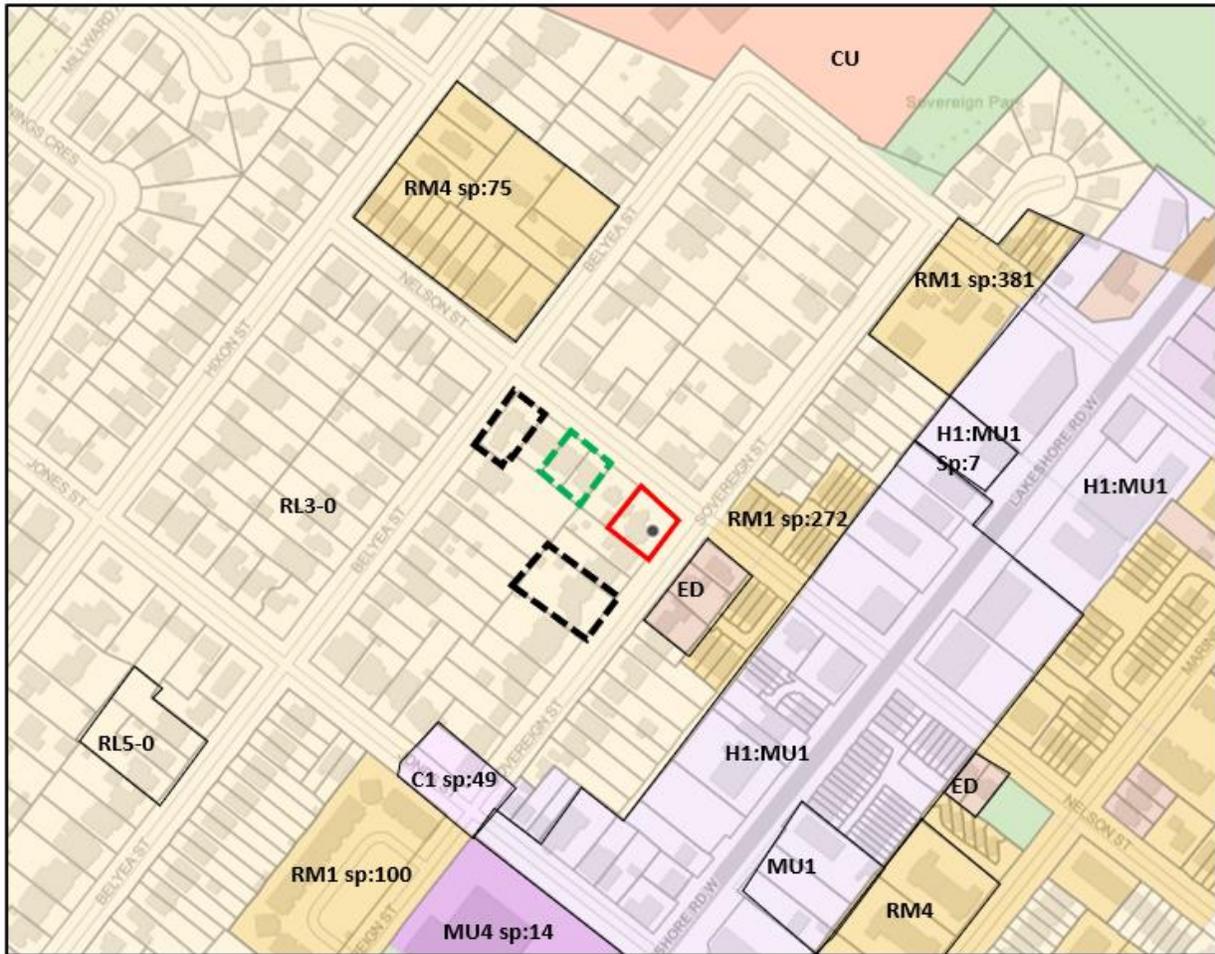
*“The Low Density Residential land use designation may permit a range of low density housing types including detached dwellings, semi-detached dwellings and duplexes.”*

Part F, Section 28.14.2, of Livable Oakville provides that consents to create new lots may only be granted where:

- a) a plan of subdivision is not necessary;*
- b) the number of resulting lots is three or less;*
- c) the lot can be adequately serviced by water, wastewater and storm drainage facilities;*
- d) no extension, improvement or assumption of municipal services is required;*
- e) the lot will have frontage on a public street and access will not result in traffic hazards;*
- f) the lot will not restrict the ultimate development of adjacent lands;*
- g) the size and shape of the lot conforms with the requirements of the Zoning Bylaw, is appropriate to the use proposed and is compatible with adjacent lots; and,*
- h) the consent conforms to all relevant policies of this Plan.*

For the purposes of this application, the proposed lots have frontage on public streets and can be adequately serviced by the existing municipal water, wastewater, and sanitary services as there are existing services within the municipal right-of-way that can be connected to directly.

The neighbourhood analysis below indicates that the proposed severed and retained lands (Part 1 & Part 2) are compatible with the neighbourhood, which contains varying lot sizes and frontages. The intensification of the subject lands outlined in Figure 5 would create lots that are consistent with the surrounding lot fabric and would be compatible with the lots in the neighbourhood. It is Staff's opinion that the proposed consent conforms to the Official Plan, specifically Policy 28.14.2.



**Figure 5:** Neighbourhood Lotting Pattern

### Neighbourhood Analysis

A neighbourhood lot analysis has been provided below in Table 1 with the lot area and lot frontage near the subject lands which provides a comparative analysis of the lots. The table displays other lots of similar size and shape to the proposed lots. The lots to the north of the subject site are of similar sizes and created through earlier consent (156 & 160 Nelson Street) are outlined in green, two large lots to the north (2350 Belyea Street) & east (2359 Sovereign Street) are outlined in black. These lots are identified in Figure 5 below and are within the RL3-0 Zone.

### Lot Area

Both lots have been proposed with a lot area of 464.5 m<sup>2</sup> (Part 1 & Part 2). The Zoning By-law requires a minimum lot area of 557.5 m<sup>2</sup>. A mix of lot frontages and areas exist in the surrounding neighbourhood. To the north of the subject lands along Nelson Street are two lots (156 Nelson Street & 160 Nelson Street) with lot areas 432 m<sup>2</sup> and 437 m<sup>2</sup> which is below the minimum requirements of the Zoning By-Law. The proposed lot areas are compatible with the neighbourhood lot fabric and could coexist with the surrounding lot areas, without unacceptable adverse impact.

### Lot Frontage

The Zoning By-law requires a minimum lot frontage of 18 m, whereas lot frontages of 15.23 m for both the severed and retained lots (Part 1 & Part 2) are proposed.

Staff note that the lotting pattern and neighbourhood character within the streetscape is defined by lots with smaller frontages and varying lot sizes. A number of lots on Sovereign Street, Nelson Street, Beylea Street and Jones Street have frontages that range from 15 – 38 m. From the streetscape perspective, the reduced frontage will not create negative impacts.

The proposed lot frontages are compatible with the neighbourhood lot fabric and complies with the intent of the Zoning By-law and could coexist with the surrounding lot frontages without unacceptable adverse impact to the streetscape and character of the neighbourhood.

### Size and Shape of Proposed Lots

Part F, Section 28.14.2(g) of Livable Oakville provides that applications for consent may only be granted where the size and shape of the lot conforms with the requirements of the Zoning By-law, is appropriate to the use proposed and is compatible with adjacent lots.

Staff consider the proposed frontages and lot area to be compatible within the existing lot fabric of the neighbourhood. The proposed development is compatible with the character and appropriate in the context of the neighbourhood. Staff are of the opinion that the size and shape of the lot meets the intent of Part F, Section 28.14.2 (g), and therefore the consent application conforms to the Livable Oakville Plan policies.

Address	Frontage (m)	Lot Area (m <sup>2</sup> )
2345 Sovereign Street	15	464.5
2345 Sovereign Street	15	464.5
2351 Sovereign Street	15	730
2355 Sovereign Street	16	710
2359 Sovereign Street	29	1535
2371 Sovereign Street	28	1305
2375 Sovereign Street	17	665
2379 Sovereign Street	15	842
2383 Sovereign Street	16	907
2389 Sovereign Street	18	648
152 Nelson Street	18	570
156 Nelson Street	16	432
160 Nelson Street	17	437
164 Nelson Street	19	565
2350 Belyea Street	38	800

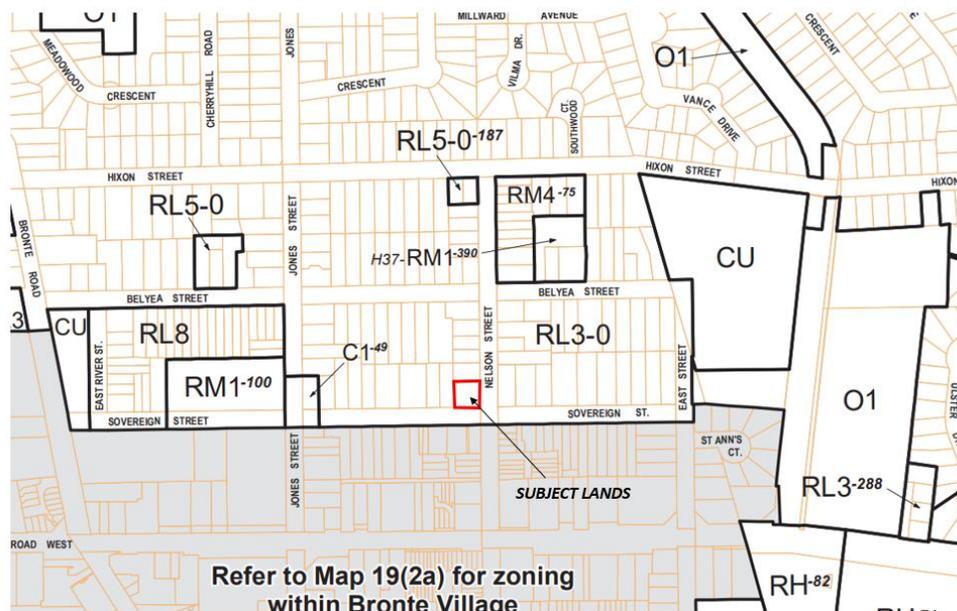
2356 Belyea Street	20	1738
2360 Belyea Street	16	1056
2364 Belyea Street	15	1100
2368 Belyea Street	17	1040
2372 Belyea Street	15	1060
2376 Belyea Street	16	1087
2380 Belyea Street	16	684
2384 Belyea Street	16	715
165 Jones Street	25	825
159 Jones Street	22	800
153 Jones Street	18	1000
149 Jones Street	19	718
<b>*AVERAGE:</b>	<b>18.78</b>	<b>848</b>
<b>*MAXIMUM:</b>	<b>38.0</b>	<b>1738</b>
<b>*MINIMUM:</b>	<b>15.0</b>	<b>432</b>

*\*Calculations exclude highlighted rows.*

**Table 1: Neighbourhood Analysis**

## ZONING

The subject lands are currently zoned Residential Low Density (RL3-0) in By-law 2014-014. The proposed severed and retained lots do not comply with the Zoning By-law with respect to minimum lot area and frontage. Staff note that the neighbourhood consists of a variety of Zoning: RL5-0, RM1, RM4 Special Provision Zones to the north, MU1 & RM1 Special Provision Zones to the south and RL3-0 (Residential Low) within the broader surrounding area. The RL3-0 zone requires a minimum lot area of 557.5 m<sup>2</sup> and a minimum frontage of 18 m.



**Figure 6: Zoning Map Excerpt (Subject lands Outlined in RED)**

Minor variance applications CAV A/181/2022 & CAV A/180/2022 have been filed with the Town of Oakville Committee of Adjustment to accommodate for the future development of two detached dwellings having reduced minimum lot frontages of 15.23 m and reduced lot areas of

464.5 m<sup>2</sup> for both the severed and retained lots, whereas the Zoning By-law requires a minimum lot frontage of 18 m and a minimum lot area of 557.5 m<sup>2</sup>.

Variances required for the retained lot are outlined below:

		<b>By-law 2014-014</b>	<b>CAV A/181/2022</b>
1.	Minimum Lot Area	557.5 m <sup>2</sup>	464.5 m <sup>2</sup>
2.	Minimum Lot Frontage	18m	15.235 m

Variances required for the severed lot are outlined below:

		<b>By-law 2014-014</b>	<b>CAV A/180/2022</b>
1.	Minimum Lot Area	557.5 m <sup>2</sup>	464.5 m <sup>2</sup>
2.	Minimum Lot Frontage	18 m	15.235m

Staff have recommended approval of both variance applications. The proposed lots and development comply with all other relevant zoning regulations for the RL3-0 zone. With the approval of the proposed consent it should be noted that Staff will not support oversized homes on newly created lots, as they must be compatible in mass, scale, height, setbacks with dwelling in the surrounding neighbourhood. If the future owners of the severed and retained lots require relief from the Zoning By-law for the proposed future dwellings, they will be evaluated at that time with respect to the required regulations, zone provisions, policy and guidelines that are applicable.

## **COMMENT**

The proposed consents to create a new residential lot is in keeping with the existing lot fabric and is compatible with the neighbourhood. The subject lands are an appropriate location for intensification in accordance with the provincial direction to promote residential growth within urban areas. The subject site is a corner lot, and the proposed consent would divide the lands with one interior (Part 2- Retained) and one corner lot (Part 1- Severed) fronting both along Sovereign Street. A preliminary assessment of the building envelopes and resulting dwelling orientations has been completed by the applicant.

As set out in this report, it is Staff's opinion that the proposed consent is an appropriate form of intensification as the neighbourhood analysis indicates that the proposed lots are compatible with similar lots having similar lot frontage and lot area. Standard conditions were identified through the Staff review and agency comments in response to the notice and circulation. These conditions have been included in Appendix "A" of this report. Staff and agency comments are included in Appendix "B" of this report.

## **CONCLUSION**

That application B22/11 (1729) is appropriate form of intensification for the neighbourhood, conforms to the Livable Oakville Plan and the applicable Zoning By-law subject to the approval of CAV A/180/2022 (Part 1 -Severed) & CAV A/181/2022 (Part 2 – Retained). On this basis, Staff recommends approval of consent application B22/1 (1729) subject to the conditions attached as Appendix "A".

Submitted by:

*Shradha Arun*

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Shradha Arun, B.Arch, MCP  
Planner

Reviewed by:

*Charles McConell*

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Charles McConell, MCIP, RPP  
Current Planning – West District

Approved by:



Digitally signed  
by Gabriel Charles  
Date: 2022.12.09  
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Gabe Charles, MCIP, RPP  
Director of Planning Services

### **APPENDIX A - CONDITIONS OF APPROVAL B22/11(1729)**

1. That the owner/applicant submit a digital copy of the reference plan showing the lands to be conveyed and 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 receive approval of Minor Variance application CAV A/180/2020 & CAV A/181/2021 OR, that the owner/applicant confirms compliance with the Zoning By-law and that any deficiencies be brought into compliance with the Zoning By-law to the satisfaction of the Building Services Department, prior to the issuance of the Certificate of Official.
3. That any structures on the severed lot be demolished prior to issuance of consent.
4. That the owner/applicant provide proof of payment of any outstanding property taxes at the time of the issuance of Consent to the satisfaction of the Town of Oakville Finance Department.
5. That the owner/applicant submit to the Deputy Secretary-Treasurer a final certification fee payable to the Town of Oakville.
6. That the owner/applicant pay cash-in-lieu of parkland to the satisfaction of the Realty Services Department.
7. The Owner is required to provide a completed Environmental Site Screening Questionnaire to the satisfaction of Halton Region.
8. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.
9. That the applicant confirm the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submits to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line.
10. That the applicant confirms that no sanitary sewer laterals or water service connections for these lots cross existing or proposed property lines, to the satisfaction of Halton Region.

## 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 owner/applicant is required to meet all applicable requirements of Halton Region.
3. Should deeply buried archaeological remains/resources be found on the property during construction activities, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism should be notified immediately. In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and the Registrar, Ontario Ministry of Public and Business Service Delivery, who administers provisions of that Act related to burial sites, to be consulted.

## APPENDIX B - DEPARTMENT/AGENCY COMMENTS

With respect to B22/11 (1729), the following Departments/Agencies have indicated no comments or concerns with the proposal:

- Building Services - Plan & Code Review
- Licensing & By-law Enforcement
- Fire Prevention
- Oakville Hydro
- Building Services – Zoning
- Parks and Open Space
- Development Engineering
- Legal Department

### **Finance:**

No concerns at this time. Development Charges are payable at the rate in effect at building permit issuance.

Taxes outstanding and are to be paid in full.

### **Halton Region:**

Legislative & Planning  
Services  
Planning Services  
1151 Bronte Road  
Oakville, ON L6M 3L1  
Fax: 905-825-8822

November 11, 2022

Heather McCrae, Secretary-Treasurer  
Planning and Development Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville, ON L6H0H3

Dear Heather McCrae:

**RE: Region of Halton Comments – 1<sup>st</sup> Submission**  
**Consent Application**  
**File: B22/11 (1729)**  
**S. & B. Anand**  
**2345 Sovereign Street, Town of Oakville**

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Regional staff are forwarding comments in response to the circulation of the 1<sup>st</sup> submission for the above-noted application circulated on October 17, 2022. The application proposes the creation of a new lot. The application is asking to convey a portion of land (PART 1 – to be severed) approximately 464.5m<sup>2</sup> in area with an approximate frontage of 15.235m (street line Sovereign Street) and a depth of 30.49m to be severed from PLAN M7 LOT 115 for the purpose of creating a new lot. The retained parcel (PART 2 – to be retained) is approximately 464.5m<sup>2</sup> in area with an approximate frontage of 15.235m (street line Sovereign Street) and a depth of 30.49m. The existing two (2) structures on the subject property are to be removed.

In addition, should the consent application be approved, the Proponent will require various minor variance applications for the severed (CAV A/180/2022) and retained (CAV A/181/2022) parcel. The proposed variances are seeking relief under Section 45(1) of the Planning Act in order to permit decreases in the minimum lot areas and minimum lot frontages, under the requirements of the Town of Oakville Zoning By-law. Regional staff have no objections to the above noted Minor Variance applications.

Staff have considered the proposed consent application within the context of Provincial planning documents and the Regional Official Plan, and have **no objection** subject to the comments and conditions herein.

#### **Region of Halton Official Plan:**

Land use:

The Region's Official Plan provides goals, objectives and policies to direct physical development and change in Halton. The proposed development are located on the lands that are designated as 'Urban Area' are located within the Built Boundary in the 2009 Halton Region Official Plan (ROP). The policies of Urban Area designation support range of uses and the development of vibrant and healthy mixed use communities which afford maximum choices for residence, work and leisure. The Urban Area policies state that the range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning-By-laws. All development, however, will be subject to the policies of the ROP.

Regional staff are satisfied that the submitted Consent Application conforms to the Urban Area policies of the ROP, subject to the inclusion of the conditions outlined in Schedule 'A'.

#### *Archaeological Potential:*

The ROP also contains policies with respect to archaeological potential, and the preservation and mitigation and documentation of artifacts. Staff note that the subject site is identified as having archaeological potential and historic towns overlay. However, the subject lands have been disturbed with the existing development, as such, an archaeological assessment is not required. As such, Regional staff are satisfied in this regard.

The proponent is cautioned that during development activities, should archaeological materials be found on the property, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism should be notified immediately ([archaeology@ontario.ca](mailto:archaeology@ontario.ca)). In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and the Registrar, Ontario Ministry of Public and

Business Service Delivery, who administers provisions of that Act related to burial sites, to be consulted.

### **Other Regional Comments:**

#### ***Water and Wastewater Servicing:***

Section 89(3) of the ROP requires that all new development within the Urban Areas be on the basis of connection to Halton's municipal water and wastewater service.

The following information is a review of the existing services adjacent to the subject lands, and Regional Servicing comments and conditions as they relate to the proposed development:

#### ***Watermain:***

- A 150mm dia. watermain is located on Sovereign Street adjacent to the property.
- A 150mm dia. watermain is located on Nelson Street adjacent to the property.

#### ***Sanitary Sewer:***

- A 200mm dia. sanitary sewer is located on Sovereign Street adjacent to the property.
- A 200mm dia. sanitary sewer is located on Nelson Street adjacent to the property.

Regional staff note no documentation or drawing was submitted with the application showing the location of the existing water service and/or sanitary sewer lateral for the existing property. Regional records indicate that the existing dwelling on the property is currently serviced by both an existing water service and sanitary sewer lateral. The existing water service is connected to the existing watermain located on Sovereign Street. The existing sanitary sewer lateral is connected to the existing sewer located on Nelson Street.

Conditions speak to this in Schedule 'A'.

#### ***Finance:***

The Owner will be required to pay all applicable Regional Development Charges (DCs) in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery Payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at <https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment> to obtain the most current information which is subject to change.

**Conclusion:**

Regional staff have no objection to the proposed application, subject to the following conditions attached as Schedule "A" being satisfied.

We trust that these comments are of assistance. Should you have any questions or require additional information, please do not hesitate to contact the undersigned. **Please send a copy of the Town's decision on this application.**

Sincerely,

*Michaela Campbell*

Michaela Campbell

Intermediate Planner

[michaela.campbell@halton.ca](mailto:michaela.campbell@halton.ca)

*cc: Bernie Steiger, Acting Manager – South (via email)*

*Ron MacKenzie, Development Project Manager (via email)*

**SCHEDULE 'A'  
CONDITIONS – B22/11 (1729)**

**The following Regional Conditions must be satisfied and/or included in the Consent application.**

**S. & B. Anand  
2345 Sovereign Street  
B22/11 (1729)**

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1. The Owner is required to provide a completed Environmental Site Screening Questionnaire to the satisfaction of Halton Region.
  2. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.
  3. That the applicant confirm the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submits to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line.
  4. That the applicant confirm that no sanitary sewer laterals or water service connections for these lots cross existing or proposed property lines, to the satisfaction of Halton Region.

The following NOTES are required to be included in the Decision:

1. Should deeply buried archaeological remains/resources be found on the property during construction activities, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism should be notified immediately. In the event that human remains are encountered during construction, the proponent should immediately contact the appropriate authorities (police or coroner) and the Registrar, Ontario Ministry of Public and Business Service Delivery, who administers provisions of that Act related to burial sites, to be consulted.



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Heather McCrae, ACST  
Secretary-Treasurer

Attachment:  
Letters/Emails of Opposition – 1-Representing 3 residents

To: The Town of Oakville Committee of Adjustments  
Re: Application B22/11 (1729); CAV A/180/2022 and CAV A/181/2022  
Subject property: 2345 Sovereign Street; Plan M7 Lot 115

My name is Brian Gore. I have been a builder of infill housing in Oakville for the past 15 years. I have been asked by the following neighbours to represent them at this hearing.

- Michael Bennett and Suzanne McCabe, 2351 Sovereign Street (immediate neighbour - 16 years on Sovereign Street, 34 years Oakville resident)
- Dave Pearson, 2356 Sovereign Street (43 years on Sovereign Street)
- Steve Gilliam, 130 Nelson Street (directly across the street - family has lived on the lot for 100+ years)

The two major concerns we have regarding the above application are:

1. The potential for oversized houses on undersized lots and
2. Traffic at the corner of Nelson and Sovereign.

### **Oversized homes on Undersized Lots**

Per the current zoning by-laws for this property these variances represent a reduction of 17% of lot area and 15% of lot frontage from the allowable MINIMUMS.

The subsequent reductions in allowable maximum dwelling sizes under the zoning by-laws of MAXIMUM lot coverage (35%) and MAXIMUM residential floor area (43%) will result in allowable maximum dwellings of lot coverage of 162 square meters and RFA of just under 200 square meters.

We understand the desire of the applicant for the lot severance, but are against any subsequent variance application that may be made to allow for oversized houses for these undersized lots. The dwellings should be of proportionate scale and massing for the neighbourhood.

We are willing to withdraw this objection provided we are guaranteed that the maximums noted above will be adhered to and the dwellings are built within the allowable building envelopes as outlined on the application.

### **Traffic at the corner of Nelson and Sovereign**

There are stop signs on Sovereign at Nelson. We have witnessed three accidents at this intersection in the past five years. Drivers often think that this is a four way stop and have driven into traffic travelling on Nelson when expecting them to stop.

With the addition of a dwelling so close to this intersection there will be reduced visibility for drivers.

This neighborhood has changed in the last 5 years as many young families with children have moved in. There will be greater risk to children being injured in traffic accidents due to the severance of the lot and the proximity of a new dwelling to the corner.

Brian Gore  
Equinox Custom Homes  
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Oakville, On  
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