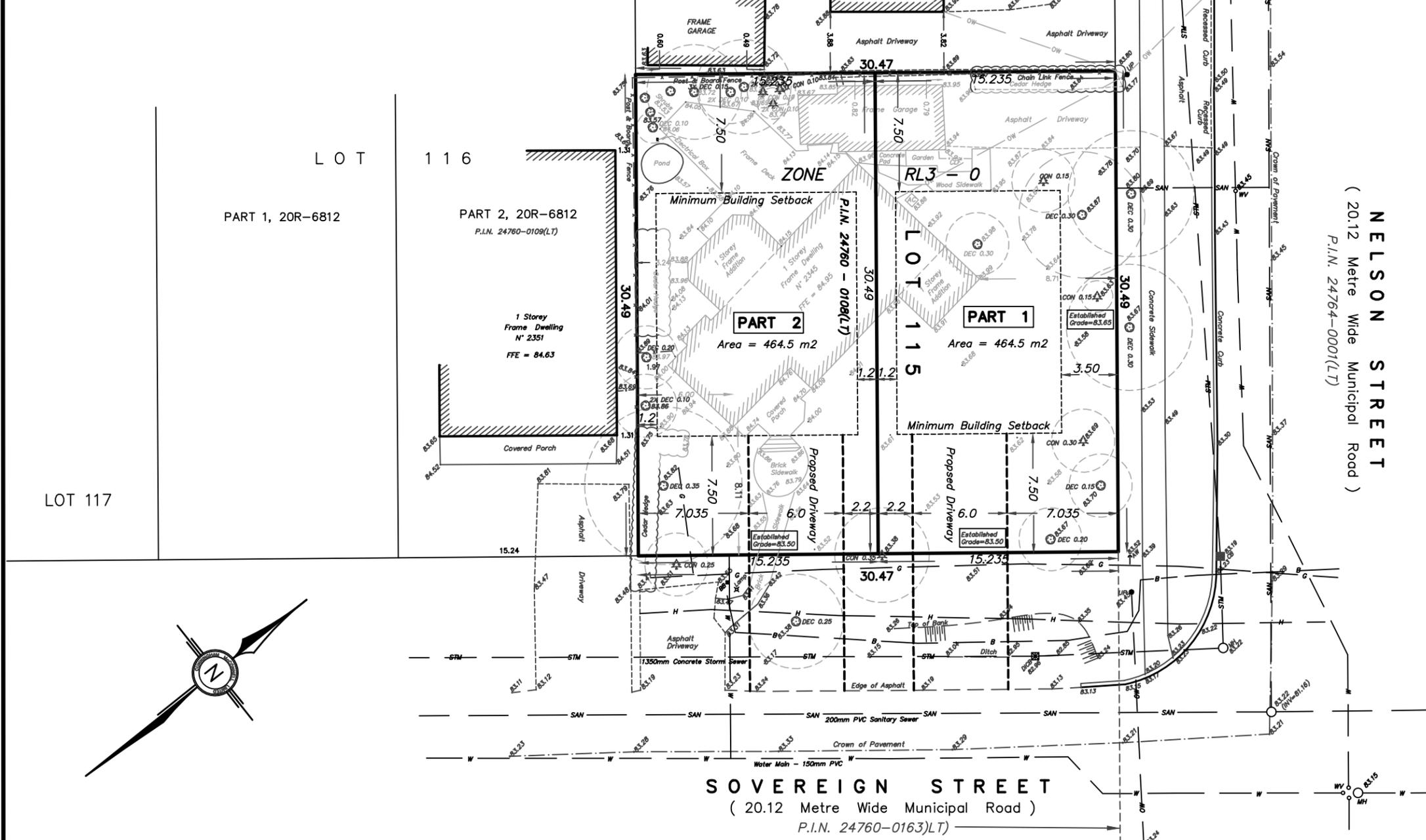


PARCEL STATISTICS

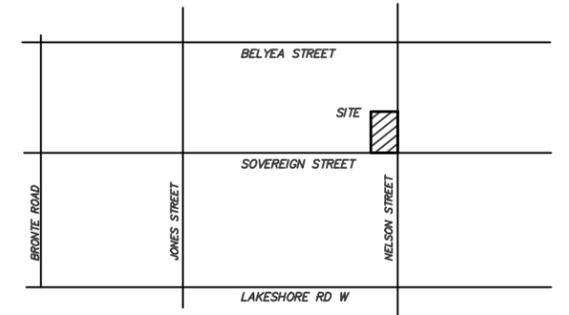
	PART 1 (To Be Severed)	PART 2 (To Be Retained)
PARCEL AREA (557.5 m ² Min.)	464.5 m ²	464.5 m ²
LOT FRONTAGE (18.0 m Min.)	15.235 m	15.235 m
REMARKS (Max. GFA)	43% - 199.7 m ²	43% - 199.7 m ²

REGISTERED PLAN M-7



KEY PLAN

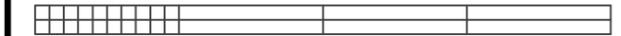
NOT TO SCALE



SKETCH ILLUSTRATING LAND DIVISION OF LOT 115 REGISTERED PLAN M-7
(REGISTERED AS BA-147 UNDER THE BOUNDARIES ACT)
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 300

6 0 6 12 18



GRAPHIC SCALE - METRES

BOUNDARY NOTE

ALL BOUNDARY DATA SHOWN HEREON WAS COMPILED FROM THE LAND REGISTRY OFFICE RECORDS AND WAS VERIFIED IN THE FIELD.

METRIC NOTE

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

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

1. THIS SKETCH WAS PREPARED FOR LAND DIVISION PURPOSES ONLY AND IS NOT SUITABLE FOR ANY LEGAL TRANSACTIONS.

DATE: NOVEMBER 20, 2021

Robert D. McConnell

ROBERT D. McCONNELL
ONTARIO LAND SURVEYOR

CUNNINGHAM McCONNELL LIMITED
ONTARIO LAND SURVEYORS

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

205 MAIN STREET
MILTON, ONTARIO L9T 1N7
PHONE (905) 878-7810
FAX (905) 878-6672

CLIENT: BASK CONSTRUCTION LTD.
O.L.S. FILE N° 146-15

PLAN N° 146-15-2

Planning Justification Report

Application for Consent and Minor Variances

2345 Sovereign Street, Oakville

September 27, 2022

Table of Contents

1.0 Introduction	3
2.0 Site Description and Neighbourhood Context	3
2.1 Site Description.....	3
2.2 Immediate Neighbourhood Context.....	3
2.3 Broader Neighbourhood Context.....	3
3.0 Development Proposal.....	4
4.0 Land Use Policies.....	4
4.1 Planning Act.....	4
4.2 Provincial Policy Statement.....	4
4.3 Growth Plan for the Greater Golden Horseshoe.....	6
4.4 Halton Region Official Plan.....	7
4.5 Town of Oakville Official Plan.....	8
4.6 Town of Oakville Zoning By-law.....	11
5.0 Planning Analysis.....	11
5.1 Analysis of Lot Area and Frontage.....	11
5.2 Analysis of Severance Application.....	14
5.3 Analysis of Minor Variance Application.....	15
6.0 Conclusion.....	16

List of Figures

Figure 1 – Aerial Photo of Neighbourhood.....	19
Figure 2 – Map of Neighbourhood.....	20
Figure 3 – Severance Sketch for Retained and Severed Lots.....	21

1.0 Introduction

W.E. Oughtred & Associates Inc has been retained by the owners of 2345 Sovereign Street to assist with an application to sever the lot into two parcels for the eventual construction of two new homes. The existing dwelling and detached garage are proposed to be demolished.

2.0 Site Description and Context

2.1 Site Description

The subject lot is located at the northeast corner of Sovereign Street and Nelson Street, immediately north of Bronte Village. The legal description is Lot 115, Registered Plan M-7. The lot has a 30.47m frontage on Sovereign Street and a 30.49m frontage on Nelson Street, and a lot area of 929 m². There are few trees on the site, and the existing home sits diagonally on the property, with a detached garage along the north property line. The proposal includes demolition of the existing structures, consent to divide the lot and variances for reduced lot frontages and areas. A topographic survey has been submitted as part of the applications and an aerial photo is attached for reference (Figure 1).

2.2 Immediate Neighbourhood Context

The immediate neighbourhood is comprised of a block of established detached dwellings, except the southwest corner lots which are zoned for commercial uses. The block on which the subject property is located consists of an irregular lotting pattern with a mix of lot areas and frontages as well as a mix of older and newer homes. There are 26 residential lots in the block, of which 20 have frontages of 20m or less, with 14 of these being 15m and 16m frontages, which is less than the By-law requirement of 18m for this zone. The corner lots, and three mid-block lots, have frontages over 20m.

The lot areas range from 432 m² to 1 535m², again related to the irregular lotting pattern, similar to the lot frontages.

2.3 Broader Neighbourhood Context

Looking at the broader neighbourhood, the south side of Sovereign Street is the northern boundary of Bronte Village, which is identified as an area of growth in the Official Plan.

Properties in this block are zoned mixed use and medium density residential.

Lands to the north, west and east are primarily detached residential uses, with the same RL3-0 zone and similar varied lot frontages and areas. There are no natural features or hazard lands in the area.

A map of the neighbourhood can be found in Figure 2.

3.0 Development Proposal

The property owners are proposing to sever the lands at 2345 Sovereign Street to create two lots each with a frontage of 15.235m. Both the severed (corner) lot and retained (interior) lot will have frontage on Sovereign Street, with a lot depth of 30.49m and lot area of 464.5m² each. Since the proposed lots will not meet the By-law requirement for lot area of 557.5m², or lot frontage of 18m, associated minor variance applications are being submitted concurrently with the consent application.

The severance sketch is attached as Figure 3.

4.0 Land Use Policies

4.1 Planning Act, R.S.O. 1990, c. P.13

Section 2 of the Planning Act requires that public bodies making decisions on planning matters have regard for a number of matters, including:

f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

The lots will both be fully serviced, therefore will meet the intent of this policy.

p) the appropriate location of growth and development

The subject property is located within Town's Built Area. Transit services are available on Bronte Road, Rebecca Street and Lakeshore Road. The subject property can accommodate two lots for new homes with minor variances for lot area and frontage. The proposed development will be in keeping with the scale and character of the neighbourhood, specifically over half of the lots on this block with less than 20m frontages.

4.2 Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides overall policy direction to municipalities on growth management and land use planning. Municipal Official Plans and local decisions on planning matters must be consistent with the policies of the PPS. The following policies are relevant to the proposed development on the subject site:

1.1.1 Healthy, liveable and safe communities are sustained by:

- a) Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) Accommodating an appropriate, affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.

The creation of a new lot within a Built Area with water and sanitary sewer services available is a cost-effective development that minimizes servicing costs and land consumption.

1.1.2 Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

The creation of one additional lot represents appropriate level of intensification within an existing low density neighbourhood in a residential area.

1.1.3.1 Settlement areas shall be the focus of growth and development.

The subject property is located within the Town of Oakville Built Area.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public services facilities which are planned or available and avoid the need for unjustified and/or uneconomical expansion;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed.

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The proposed consent will provide additional density on a well-located property within a Built Area with existing municipal water service and sanitary sewer services. The site is within walking distance of schools, parks, shops, restaurants and community uses, and is located on the edge of Bronte Village Growth Area. New residents will have the option of accessing these facilities by walking or cycling. The proposed one lot severance is appropriate for the site's location within an established low density neighbourhood.

4.3 Growth Plan for the Greater Golden Horseshoe (Office Consolidation 2020)

The Growth Plan sets out the Government of Ontario's vision for how the Greater Golden Horseshoe (GGH) will grow and develop to the year 2041. The primary objectives of the Growth Plan are to curtail urban sprawl through policies that mandate more efficient use of land and infrastructure; protect and enhance natural resources; encourage development of complete communities that support alternative modes of transportation including public transit; protect employment zones; and increase the amount and variety of housing available.

The Growth Plan policies that are specifically relevant when evaluating the proposed lot severance application can be found in Section 2.2.1 (Managing Growth) and Section 2.2.2 (Delineated Built Up Areas), as follows:

2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) The vast majority of growth will be directed to settlement areas that:
 - (i) have a delineated built boundary;
 - (ii) have existing or planned municipal water and wastewater systems; and
 - (iii) can support the achievement of completed communities;

- c) within settlement areas, growth will be focused in:
 - (i) delineated built-up areas;
 - (ii) strategic growth areas;
 - (iv) locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and
 - (v) areas with existing or planned public service facilities

The subject lot is located within the Town of Oakville Built Area and within a delineated built up area as shown on Schedule 2 of the Growth Plan. There are existing services available for the proposed new lot. Transit service operates on Bronte Road, Rebecca Street and Lakeshore Road.

2.2.2.1 By the time of the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

- a) A minimum of 50 per cent of all residential development occurring annually within each of the City of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area;

2.2.2.2 Until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply.

2.2.2.3 All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- c) encourage intensification generally throughout the delineated built-up area;

The subject property is located within a defined settlement area, immediately adjacent to Bronte Village, a designated Growth Centre. Bronte Village has a variety of shops, restaurants and services. Further the lands are well serviced by existing local transit as well as being close to parks and open space. The development will contribute to the achievement of the intensification targets set out in section 2.2.2.2 and supports general intensification throughout the built up area.

4.4 Halton Region Official Plan, Interim Office Consolidation November 10, 2021

The Region of Halton Official Plan provides clear direction as to how physical development of the Region should take place to meet the current and future needs of residents. The Plan outlines a long-term vision for Halton's physical form and community character. The plan also provides policy positions to be reflected in the Official Plans and Zoning By-laws of the Region's four local municipalities, Burlington, Milton, Oakville and Halton Hills.

The subject property is within the "Urban Area" as shown on Map 1 – Regional Structure. The following policies are relevant to the proposed lot severance:

65. The creation of new *lots* in any land use designation is permitted only by specific *policies* of this Plan.

72.1 The *objectives* of the Urban Area are:

- (9) To facilitate and promote *intensification* and increased densities.

75. The Urban Area is planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities as shown in Table 1 and the Regional phasing as shown in Table 2a and the targets for strategic Growth Areas as shown in Table 2b.

76. 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, shall be subject to the policies of this Plan.

77. It is the policy of the Region to:

(2.1) Direct, through Table 2 and Table 2a, to the Built-Up Area a minimum of 40 per cent of new residential development occurring annually within Halton in 2015 and every year thereafter.

86. It is the policy of the Region to:

(11) Permit intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained.

The subject property is within the Built-Up Area and the proposed severance will contribute to meeting the 40 percent target for new residential development. The proposal meets the policies of the local Official Plan and Zoning By-law requirements with the exception of the lot area and frontage requirements. The proposed lot severance will retain the character of the neighbourhood in terms of lotting pattern, orientation and lot frontage.

4.5 Town of Oakville Official Plan, Office Consolidation August 31, 2021

The subject property is located within a Residential Area as shown on Schedule A1 (Urban Structure) and is designated Low Density Residential as shown on Schedule F (Southwest Land Use) in the Livable Oakville Plan.

Section 3.9 of the Plan states that “some growth and change may occur in the Residential Areas provided that the character of the area is preserved and the overall urban structure of the Town is upheld. The character of the Residential Areas will be significantly influenced by their relationship to the Natural Heritage System, parks and open spaces.”

Section 4 of the Official Plan deals with the management of growth and change. The Plan directs the majority of growth to Growth Areas and the designated Urban Growth Centre in mid-town Oakville. However, some residential intensification is expected outside the growth areas as set out in Section 4.3:

“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 the Plan.

The proposed severance of the lot at 2345 Sovereign Street represents very minor intensification within a stable residential area. The severance for the eventual construction of two new detached dwellings will be consistent with the existing character of the neighbourhood and will preserve the Town's urban structure. The site is not proximate to any features in the Natural Heritage System.

Section 9 of the Official Plan discusses the provision of services, as follows:

9.1.1 Development of all lands within the urban area shall be based on full urban water and sanitary sewers.

The subject property is fully serviced with both municipal water and sanitary sewer systems.

Section 11 of the Official Plan provides policies for lands identified as Residential Areas on Schedule A. Residential Areas represent stable residential communities that accommodate a variety of house types, forms and densities in a compact urban form, on lands that are designated Low Density, Medium Density and High Density Residential. Intensification outside of the Growth areas within the stable residential communities will be subject to policies that are intended to maintain and protect the existing character of these communities. Policies that apply to the lot severance application are:

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

- a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, land division, and/or the conversion of an existing building into one or more units, may be considered where it is compatible with the lot area and lot frontage of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of this Plan;
- b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan;

The subject property is located immediately north of Bronte Village, at the intersection of Sovereign Street and Nelson Street, both of which are local residential roads. The proposed retained and severed lots are compatible with the existing lots in the immediate neighbourhood due to the irregular lotting pattern in the block on which the subject site is located. As the lot frontage and area analysis in section 5.1 of this report demonstrates, the

proposed lots are not excessively smaller than those in the immediate area, and are an example of gentle intensification as encouraged by Provincial planning policies.

11.1.9 Development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- d) Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.
- e) Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.
- j) Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future transit services.
- k) The transportation system should adequately accommodate anticipated traffic volumes.
- l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents.

The intent of this evaluation criteria is to ensure that new development in stable communities maintains the character of the neighbourhood. The lotting pattern is compatible with the pattern in the surrounding neighbourhood, in so much as the existing pattern is irregular and there is not one consistent size or shape in this or in nearby residential blocks.

As the proposal is to add one new lot to the block in an existing built up area, access to all neighbourhood and community amenities will be no different than for the existing residents in the area. There should be little to no impact on municipal services, including fire protection, traffic and utilities. Both the retained and severed lots will be subject to site plan approval under which the proposed grading, drainage, location of services and driveways will be evaluated.

Policies for lands designated Low Density Residential area found in section 11.2 of the Official Plan, as follows:

11.2.2 A density of up to 29 dwelling units per site hectare may be permitted in areas designated Residential Low Density.

The proposed density of the immediate block, when the new lot is added to the calculation, is approximately 11.6 units per hectare (27 units on a 2.32 ha block), which is well below that permitted in the Official Plan.

Section 28.14 provides policies for consent applications, as follows:

28.14.1 Consents may be permitted for the creation of a new lot, boundary adjustments, rights-of-way, easements, long-term leases and to convey additional lands to an abutting lot, provided an undersized lot is not created.

28.14.2 Applications for consent 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 By-law, is appropriate to the use proposed and is compatible with the adjacent lots; and
- h) The consent conforms to all relevant policies of this Plan.

The proposed severance will result in two lots. A plan of subdivision is not necessary for the orderly development of the lots which are currently serviced. The lots will have frontage on Sovereign Street, a public road. Sovereign Street can accommodate the minimal traffic from the new dwelling. The size and shape of the proposed lots is consistent with typical suburban lots, that is, they are both rectangular.

4.6 Town of Oakville Zoning By-law 2014-014

The proposed lot severance will result in two lots that do not meet the By-law requirement for lot frontage and lot area. A minor variance for lot frontage of 15.235m and a lot area of 464.5m² will be required for both the retained and severed lands; whereas the By-law requires a minimum lot frontage of 18m and a lot area of 557.5m².

5.0 Planning Analysis

5.1 Analysis of Lot Area and Frontage

We have reviewed the lot area and frontage of existing lots in the block on which the subject property is located – bounded by Sovereign Street, Nelson Street, Belyea Street and Jones Street. Measurements were taken from the on-line zoning map, so may not be entirely accurate with surveyed areas/frontages, but the methodology is consistent. The properties are all zoned RL3-0.

Table 1 contains the frontages and areas of the lots on the block noted above. The block has developed in a random manner, as no two lots have the same area and frontage, except for two smaller lots at 156 and 160 Nelson Street which are almost identical.

The average of all the frontages is 18.78m, but if the longest frontage for the corner lot at Belyea/Nelson is excluded, the average frontage falls to 17.37m, which is below the by-law requirement.

The average lot size however, is much larger, at 848 m². Again if the outlier (significantly largest lot) is excluded, the average lot area falls to 784m².

Despite this being significantly higher than the proposed lot sizes, there are two lots on Nelson Street (see above) that are smaller than the proposed lots. This speaks to the non-uniform way in which the block has developed and having one of the larger lots divided into two lots is still in keeping with the character of the neighbourhood.

Table 1: Analysis of Lot Areas and Frontages in Immediate Neighbourhood (Block)

Address	Lot Frontage	Lot Area	
2345 Sovereign Street	15 metres	464.5 m ²	Subject site
2345 Sovereign Street	15 metres	464.5 m ²	(not included)
2351 Sovereign Street	15 metres	730 m ²	
2355 Sovereign Street	16 metres	710 m ²	
2359 Sovereign Street	29 metres	1535 m ²	
2371 Sovereign Street	28 metres	1305 m ²	
2375 Sovereign Street	17 metres	665 m ²	
2379 Sovereign Street	15 metres	842 m ²	
2383 Sovereign Street	16 metres	907 m ²	
2389 Sovereign Street	18 metres	648 m ²	
152 Nelson Street	18 metres	570 m ²	
156 Nelson Street	16 metres	432 m ²	
160 Nelson Street	17 metres	437 m ²	
164 Nelson Street	19 metres	565 m ²	
2350 Belyea Street	38 metres	800 m ²	
2356 Belyea Street	20 metres	1738 m ²	
2360 Belyea Street	16 metres	1056 m ²	
2364 Belyea Street	15 metres	1100 m ²	
2368 Belyea Street	17 metres	1040 m ²	
2372 Belyea Street	15 metres	1060 m ²	
2376 Belyea Street	16 metres	1087 m ²	
2380 Belyea Street	16 metres	684 m ²	
2384 Belyea Street	16 metres	715 m ²	
165 Jones Street	25 metres	825 m ²	
159 Jones Street	22 metres	800 m ²	
153 Jones Street	18 metres	1000 m ²	
149 Jones Street	19 metres	718 m ²	
Average	18.78m	848 m ²	
Avg deducting corner lot frontage (2350 Belyea)	17.56m		
Avg deducting largest lot (2356 Belyea)		809 m ²	

5.2 Analysis of Severance Application – Planning Act Requirements

Section 51 (24) sets out criteria to be considered in establishing whether a severance application is appropriate, as follows:

- a) The effect of development of the proposed subdivision on matters of provincial interest as referred to in Section 2;

We are not aware of any matter of provincial interest that would be impacted by the proposed severance.

- b) Whether the proposed subdivision is premature or in the public interest.

The proposed severance represents an appropriate level of intensification in an established low density neighbourhood. The lots will have municipal services, and this is a type of gentle intensification in keeping with Provincial interests.

- c) Whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any.

The proposed severance conforms to the Official Plan and adjacent lots.

- d) The suitability of the land for the purposes for which it is to be subdivided;

The subject property is currently used for residential purposes and will continue to be used for residential purposes.

- e) The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;

The subject lands are located at the intersection of two public roads, Sovereign Street and Nelson Street. The access to the retained and severed lands will be from Sovereign Street which is adequate to accommodate the driveways for two dwellings as well as the minor increase in traffic volume.

- f) The dimensions and shapes of the proposed lots;

The dimensions and shapes of the proposed lots are consistent with lots on this block, in that they are rectangular.

- g) The restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;

There are no restrictions, existing or proposed.

- h) Conservation of natural resources and flood control;

The subject site is not within the vicinity of any natural features or hazard lands.

- i) The adequacy of utilities and municipal services;

Municipal services and utilities are adequate to service one additional dwelling.

- j) The adequacy of school sites;

We do not anticipate that local schools would have concerns with accommodating students from one additional dwelling.

- k) The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;

No road widenings are anticipated as a condition of this severance.

- l) The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and

Creating two lots from one, consistent with the Town's Official Plan, is an efficient use of land in a built up area.

- m) The interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located with a site plan control area designated under subsection 41 (2) of the Act or subsection 114 (2) of the City of Toronto Act, 2006.

The future development of both lots will be subject to site plan approval.

5.3 Analysis of Minor Variance Applications – Planning Act Requirements

As noted, both the retained and severed lots will require variances for lot area and lot frontage. Section 45 (1) of the Planning Act sets out four tests for a minor variance application, as follows:

1. Does the minor variance meet the general intent of the Official Plan?

The subject property is located in a Residential Area and is designated Low Density Residential. Although the Official Plan directs the majority of growth and new development to designated Growth Areas, non-growth areas are anticipated to accommodate some

growth and change, subject to the policies of the plan. The variances required for the proposed severance generally meet the intent of the Official Plan.

2. Does the minor variance meet the general intent of the Zoning By-law?

The intent of the lot area and frontage requirement is to retain consistency of lots within a neighbourhood and ensure lots are large enough to accommodate buildings with sufficient setbacks, consistent landscape areas, room to retain mature trees and outdoor amenity space. The variances requested will permit two lots with areas and frontages that are approximately 16% less than the required areas and frontages. This is not unreasonable given that the range of lot sizes on this block span from those smaller than what is proposed, to those that are many times larger. There are existing zones in the Town of Oakville that have similar or smaller lot area and lot frontage requirements, therefore it is feasible to accommodate appropriate future development that meets the above criteria on lots of this size.

As there is little consistency in existing lot sizes, it is reasonable to conclude that the new lots meet the intent of the by-law.

3. Is the minor variance desirable for the appropriate development or use of the land?

The subject property is a large lot currently developed with a single detached dwelling and detached garage with driveway access from Nelson Street. The lot is currently underutilized. The proposed severance will create an additional lot for residential purposes. The required variances for lot area and frontage are appropriate for the development and use of the lands.

4. Is the variance minor in nature?

The area of the proposed lots is 464.5 m², which is 93 m² less than the required lot area. This represents a deficiency of approximately 16% of the required lot area. A similar percentage is required for the proposed frontages. Given that there are two lots just north of the subject site with similar lot frontages and smaller lot areas, the variances can be considered minor and appropriate.

6.0 Conclusion

It is our opinion that the proposed lot severance and associated minor variance applications are appropriate and represent good planning for the following reasons:

1. The proposal conforms to the policies of the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2020), and the Halton Region Official Plan (Interim Office Consolidation November 10, 2021), and the Town of Oakville Official Plan (Office Consolidation August 31, 2021). The provincial and local policies are all supportive of sensitive intensification that is appropriate for the neighbourhood at locations within settlement areas that make use of existing and planned transit, infrastructure and public services.

2. The proposed lot areas and frontages are suitable for the existing neighbourhood as the lot areas and frontages in the immediate block are not consistent in size, frontage or shape. As there are two properties, located just one lot north of the subject site, that are similar to what is proposed, it cannot be argued that smaller lots are not appropriate in this neighbourhood.
3. The severance application meets the requirements set out in Section 51 (24) of the Planning Act. The severance application is therefore considered appropriate.
4. The minor variance applications meet the four tests as set out in Section 45 (1) of the Planning Act. The minor variances meet the general intent of the Official Plan and Zoning By-law, are desirable for the appropriate development of the lands and are minor in nature.

Based on the foregoing, we respectfully recommend approval of the applications for lot severance and associated minor variances.

Yours truly,

A handwritten signature in black ink, appearing to read 'William Oughtred', written in a cursive style.

William Oughtred

W.E. Oughtred and Associates Inc.

William Oughtred is a Development Consultant who has been providing planning services in the Greater Toronto Area for more than 30 years. Mr. Oughtred has extensive experience in the preparation of Planning Justification Reports and Urban Design Briefs for development applications throughout Ontario. On numerous occasions, he has been qualified to provide evidence and opinion at the Ontario Municipal Board.

FIGURES



Figure 1: Aerial Photo of Neighbourhood



Figure 2 – Map of Neighbourhood

