

**Notice of Decision
Committee of Adjustment
Town of Oakville**

1225 Trafalgar Road
Oakville, Ontario L6J 5A6

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

William and Sandralee Cudmore
3175 Lakeshore Road West
Oakville ON L6L 1J7

**Re: PT LT 32, CON 4 TRAF, SDS, PARTS 2 & 3, 20R12966
3175 Lakeshore Road West
Town of Oakville, Regional Municipality of Halton**

TO DETERMINE an application made by the above-named Owner of the described property for Consent for the creation of a Lot Addition. The application is asking to convey a portion of land (PART 1 – PARCEL TO BE SEVERED (to be added to Block 78 Plan M257) approximately 203.95m² in area with an approximate frontage of 6.03m (@7.50m) and a depth of 29.29m to be severed from PT LT 32, CON 4 TRAF, SDS, PARTS 2 & 3, 20R12966 for the purpose of a Lot Addition. The retained parcel (PART 2 – PARCEL TO BE RETAINED) is approximately 1449.67m² in area with an approximate frontage of 45.41m (@7.50m on Lakeshore Road West) and a current depth of 41.37m. The property currently has a 2.5 storey brick dwelling that is to remain.

The said parcels being more particularly described on the attached Severance Sketch based on Field work performed by J. H. Gelbloom Surveying Ltd., Project 20-122 Date: January 11, 2022 and attached as 'SCHEDULE 'B'.

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, as amended, and as the application conforms to the Official Plan and Zoning By-law, the Committee recommends that the application **be approved** subject to the following conditions:

**PLEASE REFER TO SCHEDULE 'A' ATTACHED TO
AND FORMING PART OF THIS NOTICE OF DECISION**

M. Telawski _____ Absent	DocuSigned by: <i>John Hardcastle</i> 8982ADBE1B294F9... _____ J. Hardcastle
S. Mikhail _____ Chairperson, Committee of Adjustment	DocuSigned by: <i>Shery Mikhail</i> 0CE5B1DD188544A... _____
S. Dickie _____	DocuSigned by: <i>Lynsey You</i> 001C4EBA26984B7... _____ L. You
	DocuSigned by: <i>Stuart Dickie</i> FED5B97C565945C... _____

DATE OF DECISION: June 26, 2024

DATE OF MAILING: June 27, 2024

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
2692D94F90CD442...

Jasmina Radomirovic
Assistant Secretary-Treasurer
Committee of Adjustment

Last date of filing an appeal to the Ontario Land Tribunal under Section 53 of the *Planning Act*:
July 17, 2024.

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 applicants, specified persons 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 any other individual, person, unincorporated association or group.

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.

SCHEDULE 'A'

This is Schedule 'A' attached to and forming part of the Notice of Decision regarding application for Consent File B23/09 (1732).

APPENDIX A - CONDITIONS OF APPROVAL B23/09(1732)

1. That the owner/applicant submit the digital copy of a 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 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. The final consent certificate shall include the following clause to the satisfaction of the town's Legal Department.

Sections 50(3) and 50(5) of the Planning Act shall apply to any subsequent conveyance of or transaction involving the Severed Lands
4. That the owner/applicant receive approval of Minor Variance application CAV A/107/2023, prior to the issuance of Consent.
5. That the owner/applicant pay all taxes as levied on the property in full.
6. That the Owner and the adjoining landowner who is acquiring the Severed Lands ("Adjoining Owner") enter into a merger agreement with the Town to be registered on title to both the Owner's and Adjoining Owner's lands and pay the applicable fees associated with the preparation and registration of the merger agreement to the satisfaction of the Town.
7. That the owner/applicant enter into a Minor Variance and Consent agreement, inclusive of the submission of a tree security, to be registered on title and to the satisfaction of the Town of Oakville, reflecting a Property Information Sketch dated November 3, 2023, prepared by Planscape demonstrating a development envelope which protects Tree 4 as outlined in the Arborist Report prepared by Jackson Arboriculture Inc. dated June 2, 2023.
8. The Owner is required to provide a completed new Environmental Site Screening Questionnaire (ESSQ), to the satisfaction of Town of Oakville.

The Applicant must fulfill all of these conditions and the Certificate must be issued on or before the lapsing date of JUNE 27, 2026 (2 years from the giving of notice).

Notes

1. 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'.

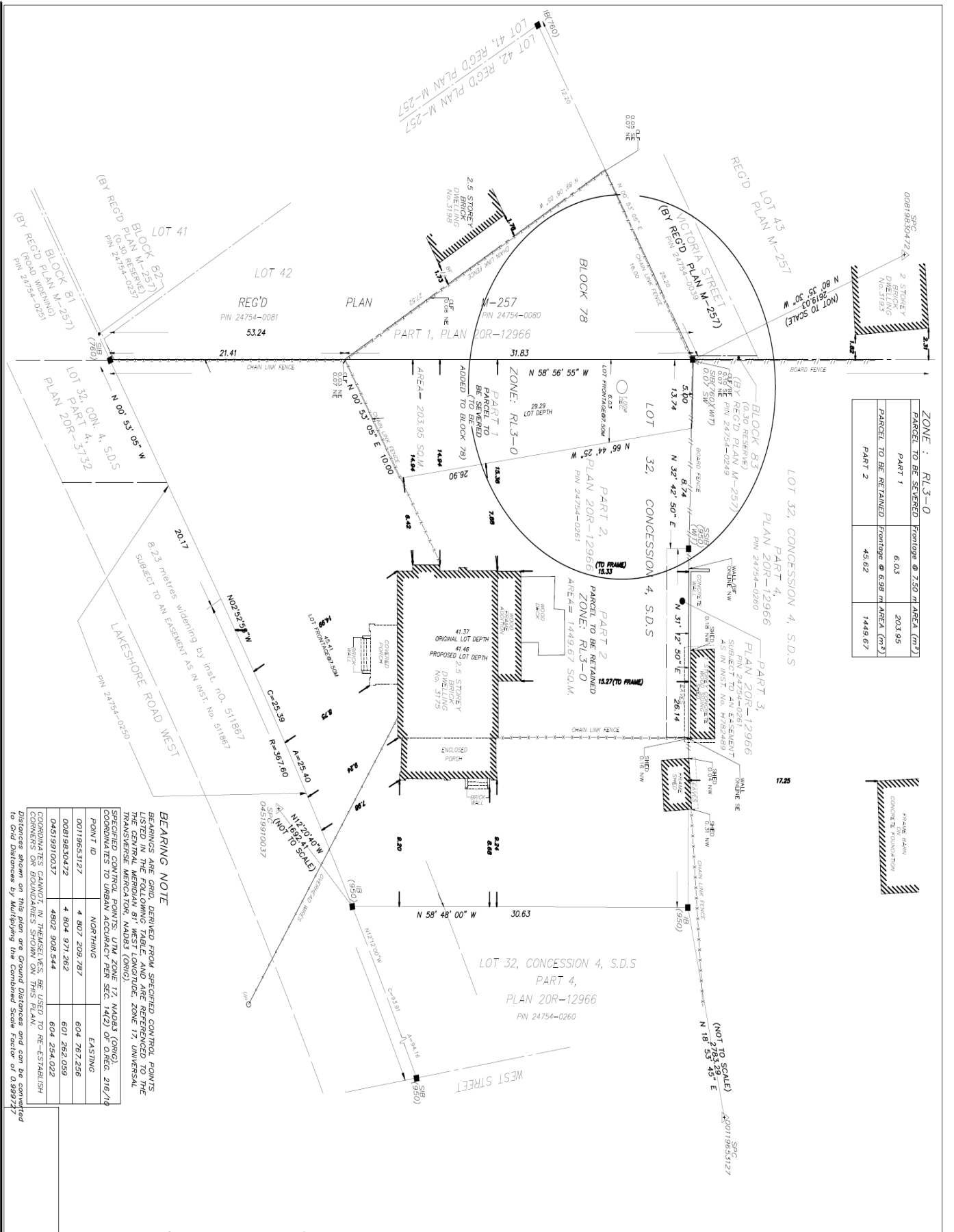
Jasmina Radomirovic
Assistant Secretary-Treasurer
Committee of Adjustment

DATE OF DECISION: JUNE 26, 2024

DATE OF MAILING: JUNE 27, 2024

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JULY 17, 2024.

SCHEDULE "B"



Z:\jobs\2020\20-122\Severance Sketch\Untitled.png

SITE

SCALE 1 : 200

KEY MAP (NOT TO SCALE)

SEVERANCE SKETCH OF

PART OF LOT 32

CONCESSION 4, SOUTH OF

DUNDAS STREET

(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)

METRIC

Distance shown on this plan are in metric and can be converted to feet by dividing by 0.3048.

LEGEND

- Survey Monument Found
- ▣ SIB from Bar
- ▣ (WRT) from Bar
- ▣ (WRT) from Bar
- ▣ Witness Cunningham Inc. O.L.S. (780)
- ▣ McCormick Knighan Ltd. O.L.S. (780)
- ▣ N
- ▣ Denores North
- ▣ S
- ▣ Denores South
- ▣ E
- ▣ Denores East
- ▣ W
- ▣ Denores West
- ▣ Chain Link Fence
- ▣ Board Fence
- ▣ UP
- ▣ SPC
- ▣ Specified Control Point

BEARING NOTE

BEARINGS ARE GRID, DERIVED FROM SPECIFIED CONTROL POINTS LISTED IN THE FOLLOWING TABLE, AND ARE REFERENCED TO THE CENTRAL MERIDIAN BY WEST LONGITUDE, ZONE 17, UNIVERSAL TRANSVERSE MERCATOR, NAD83 (TORO).

SPECIFIED CONTROL POINTS: UTM ZONE 17, NAD83 (TORO)

POINT ID	NORTHING	EASTING
0019653127	4 807 208.787	604 767.256
00819630472	4 804 971.282	601 262.022
04519910037	4802 908.544	604 294.022

COORDINATES CANNOT BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

Distances shown on this plan are Ground Distances and can be converted to Grid Distances by Multiplying the Combined Scale Factor of 0.999717

Date: JANUARY 11, 2022

Party Chief:	
Drawn By:	M.A.
Project:	20-122
Checked By:	A.M.