

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

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

APPLICATION: CAV A/037/2024

RELATED FILE: N/A

### DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON WEDNESDAY, MARCH 06, 2024 AT 7:00 P.M.

Owner/Applicant	Agent	Location of Land
Yucel Alkan	Glen Schnarr & Associates Inc c/o Stephanie Matveeva 700-10 Kingsbridge Garden Circle Mississauga ON L5R 3K6	PLAN 961 LOT 36 610 Trafford Crescent Town of Oakville

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

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

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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 construction of a two-storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m <sup>2</sup> and 742.99 m <sup>2</sup> shall be 41%.	To increase the maximum residential floor area ratio to 44.20%.

## 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)

The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on March 6, 2024. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated. The following comments are provided:

**CAV A/037/2024 - 610 Trafford Cres (West District)** (OP Designation: Low Density Residential)

The applicant proposes to construct a two-storey detached dwelling, subject to the variance listed above.

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met. Staff comments concerning the application of the four tests to this minor variance request are as follows:

## Site and Area Context

The subject property is in a neighbourhood containing dwellings that are original to the area, along with some newly constructed two-storey homes with a similar architectural style to that proposed at 610 Trafford Cres.



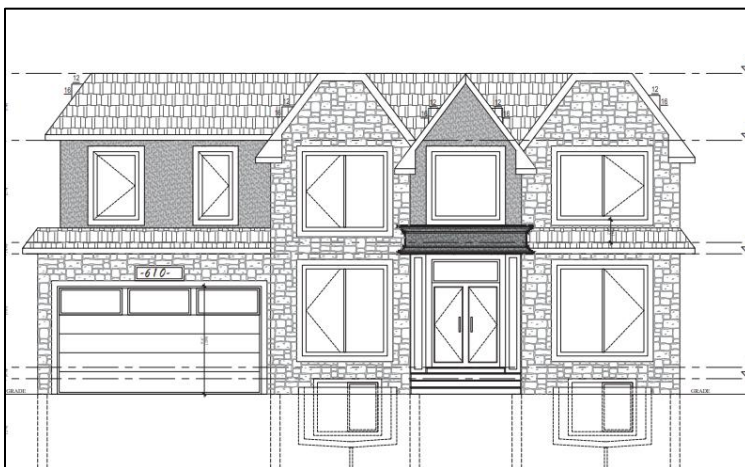
*Street View of 610 Trafford Crescent*



*Street View of 619 Trafford Crescent*



*Street View of 655 Trafford Crescent*



*Front Elevation of Proposed Dwelling at 610 Trafford Crescent*

## Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Low Density Residential within the Official Plan. Development is required to be evaluated using the criteria established in Section 11.1.9 to

maintain and protect the existing neighbourhood character. The proposal complies with Livable Oakville.

**Does the proposal maintain the general intent and purpose of the Zoning By-law?**

The intent of regulating residential floor area is to ensure that the dwelling does not appear larger than those in the surrounding area, and that the massing does not present any unacceptable, adverse impacts on neighbouring properties. As can be viewed in the image above, the west elevation of the proposed dwelling is slightly stepped back above the garage to reduce massing impacts on the abutting property. Furthermore, horizontal detailing has been used to de-emphasize the massing of the dwelling proposed. Staff are of the opinion that the requested variance for a 22.87m<sup>2</sup> increase in residential floor area ratio from that permitted maintains the general intent and purpose of the Zoning By-law.

**Is the proposal desirable for the appropriate development of the subject lands and minor in nature?**

Staff are of the opinion that the proposal represents appropriate development of the subject property. The variance is minor in nature and will not create any undue adverse impacts to adjoining properties or the existing neighbourhood character.

**Recommendation:**

Staff do not object to the proposed variance. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. That the proposed two-storey dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated January 4, 2024; 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.

**Fire:** No concerns for Fire.

**Oakville Hydro:** We do not have any comments for this minor variance application.

**Transit:** No Comments received.

**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 permitting the construction of a two-storey detached dwelling on the Subject Property.

**Bell Canada:** No Comments received

**Letter(s)/Emails in support:** One

**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, 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.
- Unless otherwise stated, the Planning basis for the conditions referenced herein are as follows:
  - 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.
  - 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.

Requested conditions from circulated agencies:

1. That the proposed two-storey dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated January 4, 2024.
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.




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Heather McCrae, ACST  
Secretary-Treasurer

Attachment:  
Letter/Email in Support – 1

Committee of Adjustment  
Town of Oakville,  
1225 Trafalgar Road,  
Oakville, Ontario

**Re: Minor Variance Application, 610 Trafford Crescent**

To Whom It May Concern,

I/We have reviewed the drawings/plans provided to me/us for the upcoming Minor Variance Application at the Town of Oakville. I/We have no objections to this application and would like to provide our full support.

Sincerely,



Signature(s)

Bayram Ozkan

Print Name(s)

Homeowner(s) of: 2101 Saxon rd.

Date: Feb- 23- 2024