

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: CAV A/152/2024

RELATED FILE: N/A

DATE OF MEETING: October 30, 2024

Owner (s)	Agent	Location of Land
ARGO BRONTE RIVER CORP	Stephanie Matveeva Glen Schnarr & Associates Inc. 700-10 Kingsbridge Garden Cir Mississauga ON L5R 3K6	CON 2 SDS PT LOT 31 RP 20R15001 PART 3 RP 20R2730 PARTS 1 AND 2 Bronte Rd Town of Oakville

OFFICIAL PLAN DESIGNATION: Low & Medium Density Residential ZONING: RL 6 sp.429  
WARD: 1 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 82 two and three-storey detached dwellings located on the proposed lots noted on the draft 20R plan proposing the following variances to Zoning By-law 2014-014:

	Current zoning by-law requirements	Variance request
1	<i>Section 15.429.1 d)</i> The minimum rear yard may be reduced to 1.2m for a one storey addition for a maximum of 55% of the dwelling width measured at the rear of the main building.	To permit the minimum rear yard to be reduced to 1.2m for a one storey addition to a maximum of 65% of the dwelling width measured at the rear of the main building for parts 1, 2, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, 20, 23, 26, 27, 29, 30, 31, 34, 35, 36, 39, 40, 41, 44, 45, 50, 51, 52, 55, 57, 63, 65, 66, 67, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 80, 81.
2	<i>Section 15.429.1 d)</i> The minimum rear yard may be reduced to 1.2m for a one storey addition for a maximum of 55% of the dwelling width measured at the rear of the main building.	To permit the minimum rear yard to be reduced to 1.2m for a one storey addition to a maximum of 63% of the dwelling width measured at the rear of the main building for parts 12, 13, 14, 15, 21, 22, 28, 37, 38, 46, 47, 48, 49, 56, 58, 59, 60, 61, 62, 82.
3	<i>Section 15.429.1 d)</i> The minimum rear yard may be reduced to 1.2m for a one storey addition for a maximum of 55% of the dwelling width measured at the rear of the main building.	To permit the minimum rear yard to be reduced to 1.2m for a one storey addition to a maximum of 72% of the dwelling width measured at the rear of the main building for parts 3, 11, 18, 24, 25, 32, 33, 42, 43, 53, 54, 64, 73, 74.
4	<i>Section 15.429.1 k)</i> The maximum encroachment into a minimum rear yard for uncovered platforms having a floor height less than or equal to 3.0m measured from grade shall be up to 1.2m from the rear lot line.	To permit the maximum encroachment into a minimum rear yard for uncovered platforms having a floor height greater than 3.0m measured from grade to be up to 1.2m from the rear lot line for parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64.

## **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

### **Planning Services:**

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

The applicant has requested a deferral of the above noted variances. Planning staff will provide comments on application CAV A/152/2024 when this application is referred back to the Committee.

**Fire:** No concerns for fire.

### **Halton Region:**

- Due to recent Provincial legislation, as of July 1, 2024, the Region will no longer be responsible for the Regional Official Plan – as this will become the responsibility of Halton’s four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities is being prepared that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued of interests for the Region and the Conservation Authorities in these matters. Going forward, comments offered through minor variance applications will be reflective of this changing role.
- 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 the following variances under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting 82 two and three-storey detached dwellings located on the proposed lots noted on the draft 20R plan proposing the following variances to Zoning By-law 2014:
  - The minimum rear yard to be reduced to 1.2m for a one storey addition to a maximum of 65% of the dwelling width measured at the rear of the main building for parts 1, 2, 4, 5, 6, 7, 8, 9, 10, 16, 17, 19, 20, 23, 26, 27, 29, 30, 31, 34, 35, 36, 39, 40, 41, 44, 45, 50, 51, 52, 55, 57, 63, 65, 66, 67, 68, 69, 70, 71, 72, 75, 76, 77, 78, 79, 80, 81.
  - The minimum rear yard to be reduced to 1.2m for a one storey addition to a maximum of 63% of the dwelling width measured at the rear of the main building for parts 12, 13, 14, 15, 21, 22, 28, 37, 38, 46, 47, 48, 49, 56, 58, 59, 60, 61, 62, 82.
  - To permit the minimum rear yard to be reduced to 1.2m for a one storey addition to a maximum of 72% of the dwelling width measured at the rear of the main building for parts 3, 11, 18, 24, 25, 32, 33, 42, 43, 53, 54, 64, 73, 74.
  - To permit the maximum encroachment into a minimum rear yard for uncovered platforms having a floor height greater than 3.0m measured from grade to be up to 1.2m from the rear lot line for parts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64.
- Regional Natural Heritage System: Given the location of the proposed works in relation to the Regional Natural Heritage System (RNHS), the proposed development would trigger the Environmental Impact Assessment (EIA) requirements in accordance with Sections 118 (3) & (3.1)c) of the ROP. There are a number of outstanding conditions related to the RNHS associated with the current OPA, Subdivision and ZBA applications (Z1531.03, 24T-21009/1531, and OPA1531.05).
- Archaeology: The ROP contains policies concerning archaeological potential and the preservation mitigation, and documentation of artifacts. The site is identified as having archaeological potential. The applicant as part of the live Subdivision and ZBA application has submitted Stage 1, 2 and 3 archaeological studies. The Stage 3 report concluded that the site has been sufficiently assessed and that it holds no further Cultural Heritage Value or interest.

**Halton Conservation:** No comments.

**Hydro:** No comments.

**Metrolinx :** No comments.

**Union Gas:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 0**

*Sharon Coyne*

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Assistant Secretary-Treasurer

Committee of Adjustment