

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: CAV A/156/2024 372 Stanfield Dr.

RELATED FILE: N/A

DATE OF MEETING: October 30, 2024

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
K. HANNA F. DANKHA	Tom Kolbasenko Our Cool Blue Architects Inc. 213-450 BRONTE ST S Milton ON L9T 8T2	PLAN 1060 LOT 35 372 Stanfield Dr Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 1

ZONING: RL2-0
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 the construction of a rear two-storey addition to the existing detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

	Current zoning by-law requirements	Variance request
1	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 1022.00 m ² and 1114.99 m ² shall be 37%.	To increase the maximum residential floor area ratio to 40.94%.
2	<i>Table 6.4.2 (Row RL2, Column 3)</i> The maximum lot coverage shall be 25% where the detached dwelling is greater than 7.0 metres in height.	To increase the maximum lot coverage to 27.57%.

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)

CAV A/156/2024 - 372 Stanfield Drive (West District) (OP Designation: Low Density Residential)

The applicant proposes to construct a rear two-storey addition to the existing detached dwelling, subject to the variances listed above.

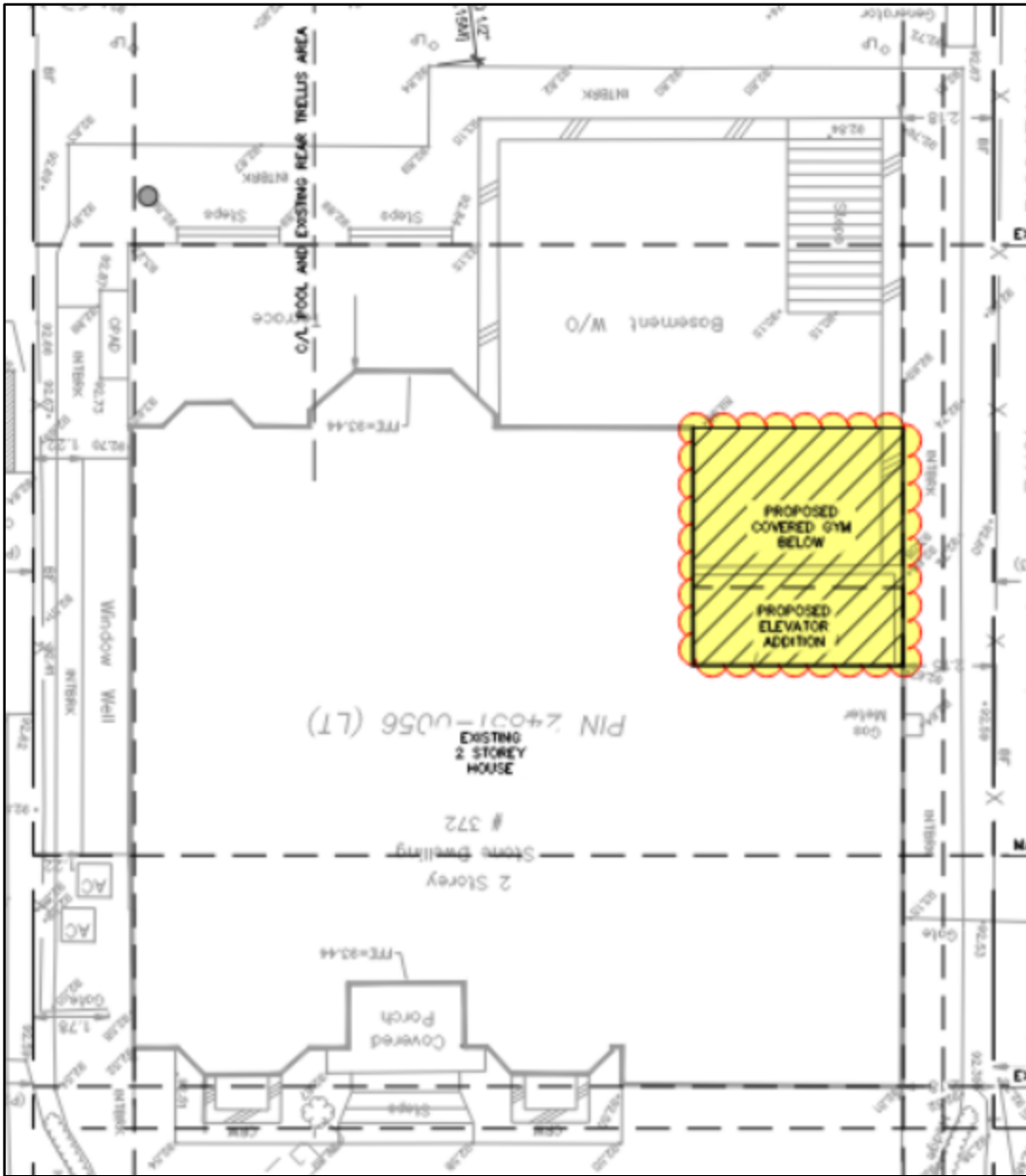
Site Area and Context

The subject property is located in an area that has experienced some redevelopment in the form of replacement dwellings and additions/alterations to existing dwellings. The neighbourhood consists of two-storey and one-storey existing housing stock and newer two-storey replacement dwellings. Dwellings in the surrounding area consist of a variety of architectural styles and design elements that maintain and contribute to the established neighbourhood character.

The Committee previously considered and granted approval for a variance (CAV A/109/2017) to permit an increase in the maximum residential floor area ratio from 37% to 39%. The dwelling has been constructed in general accordance with the previously submitted plans as part of CAV A/109/2017. The applicant is seeking additional permission to enhance the residential floor area and lot coverage of the dwelling by way of a rear yard two-storey addition.



Aerial Photo - 372 Stanfield Drive



Site Plan - 372 Stanfield Drive



Rear Elevation – 372 Stanfield Drive



Side Elevation – 372 Stanfield Drive

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variance from the provisions of the Zoning By-law provided the requirements set out under 45(1) in the *Planning Act* are met.

Staff's comments concerning the application of the four tests to this minor variance request are as follows:

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

The subject property is designated Low Density Residential by Livable Oakville. Development is required to be evaluated using the criteria established in Section 11.1.9 to maintain and protect the

existing neighbourhood character. The proposed addition does not contribute to the establishment of a dwelling that appears larger than those in the surrounding area. Staff is of the opinion that the proposal maintains the general neighbourhood character and complies with Livable Oakville.

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

Variance #1 – Residential Floor Area (No Objection) – Increased from 37% to 40.94%

Variance #2 – Lot Coverage (No Objection) – Increased from 25% to 27.57%

The intent of the Zoning By-law provision for regulating the maximum residential floor area is to ensure a dwelling's mass and scale does not appear larger than the dwellings in the surrounding area. The intent of the Zoning By-law provision for regulating the maximum permitted lot coverage is to ensure a dwelling's mass and scale does not appear larger than those in the surrounding area and to mitigate any potential grading and drainage impacts from decreased permeability. The additional residential floor area and lot coverage is proposed at the rear of the dwelling, will not have an impact on the public realm and does not propose additional windows into the side yard. The neighbouring property adjacent to the subject property is a two-storey detached dwelling. The proposed variances will not result in the establishment of a dwelling that appears larger than those in the surrounding area and will not negatively impact the public realm.

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 variances are cumulatively minor in nature and will not create any undue adverse impacts to adjoining properties, the public realm or the existing neighbourhood character.

Recommendation:

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

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated October 3, 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.

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 an increase to the maximum residential

floor area ratio to 40.94% and an increase to the maximum lot coverage to 27.57%, under the requirements of the Town of Oakville Zoning By-law for the purpose of constructing a new two-storey residential dwelling on the Subject Property.

Halton Conservation: No comments.

Hydro: No comments.

Metrolinx : No comments.

Union Gas: No comments.

Letter(s) in support – 0

Letter(s) in opposition – 1

I am writing about file # CV A/156/2024 374 Stanfield Dr.

I am [REDACTED] I realize that the addition is going to happen, but I want to voice my concern. When the house was built a few years ago, the construction went on for a long time. I know this is a reality of the situation. The stone cutters did not follow regulations. They dry cut the stone, I finally called to complain after a full summer of dust. I was told they had to wet cut. After the complaint they switched to wet cutting but only for a while. There was so much dust, it was impossible to keep our pool chemicals right. I see that there is a lot of stone on the addition as well. Can you please enforce the wet cutting regulation. I don't want to go through another summer like we did before.

Thank you in advance

Cindy Underhill.

General notes for all applications:

Note: *The following standard comments apply to all applications. Any additional application specific comments are as shown below.*

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- 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 states, 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.

Sharon Coyne

Sharon Coyne
Assistant Secretary-Treasurer
Committee of Adjustment