

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION:** A/007/2025

**RELATED FILE:** N/A

**DATE OF MEETING:** January 22, 2025

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage [oakville.ca](http://oakville.ca) at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
S. RAYALA S. KOPPAKA	Shivani Khapare Lifestyle Sunrooms Inc 944 Crawford Dr Peterborough ON K9J 3X2	PLAN 682 LOT 20 1111 Pinegrove Rd Town of Oakville

**OFFICIAL PLAN DESIGNATION:** Low Density Residential  
**WARD:** 2

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

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### **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 a one-storey addition to the existing dwelling proposing the following variance to Zoning By-law 2014-014:

	<b>Current zoning by-law requirements</b>	<b>Variance request</b>
1	<i>Section 6.4.3 a)</i> The minimum front yard on all lots shall be the yard legally existing on the effective date of this By-law less 1.0 metre. In this instance, the minimum front yard shall be 10.08 metres.	To reduce the minimum front yard to 8.03 metres.

## **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)

**A/007/2025 - 1111 Pinegrove Road (West District) (OP Designation: Low Density Residential)**

The applicant proposes to construct a deck and sunroom addition to the existing dwelling, subject to the variance listed above.

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variances 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 surrounding neighbourhood is predominantly comprised of one-storey existing housing stock and few newer one-and-a-half, and two-storey detached dwellings. Dwellings in the surrounding area share similar architectural characteristics and style.

The property will be subject to a minor site plan application for review by Development Engineering staff due to its location within the Bill 97 Buffer zone.



*Aerial Photo of 1111 Pinegrove Road*

### **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.

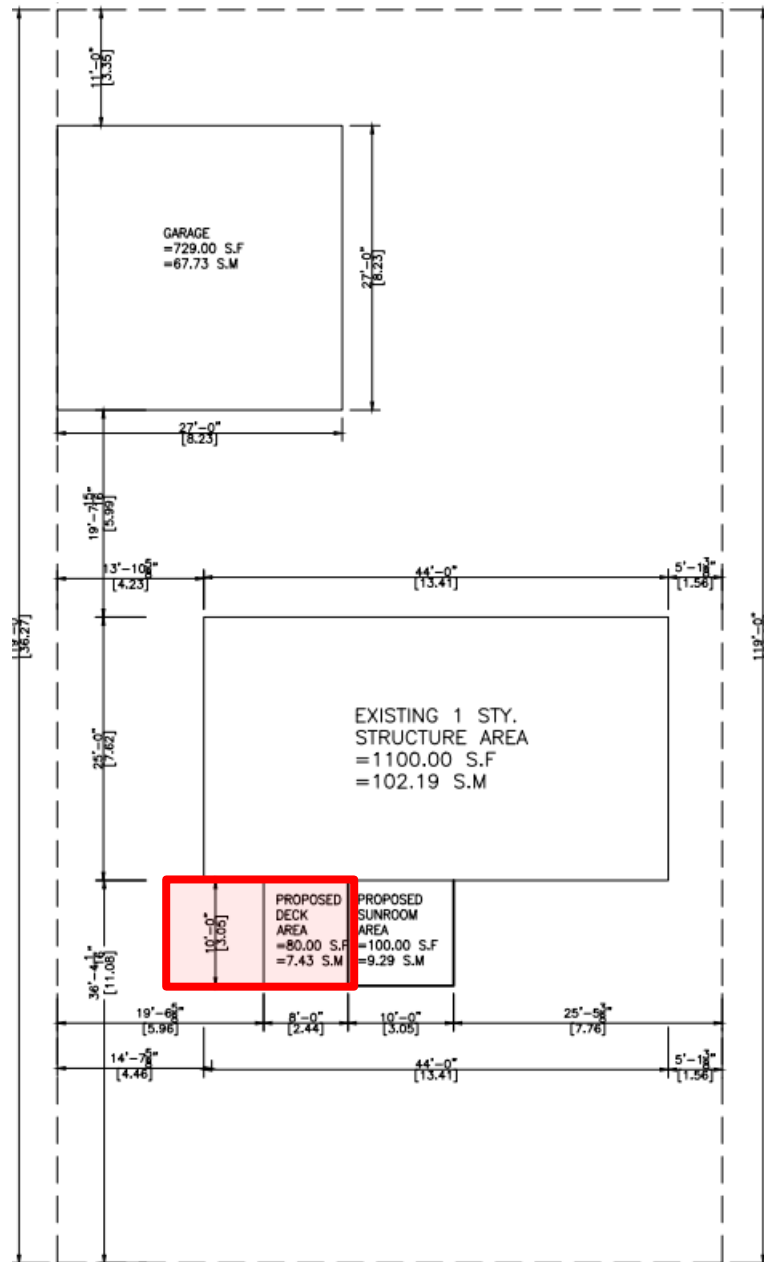
It is staff's opinion that the proposed deck and sunroom addition to the existing dwelling maintains the general intent and purpose of the Official Plan.

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

The applicant is seeking relief from the Zoning By-law 2014-014, as amended, as follows:

**Variance #1** – Minimum Front Yard (No Objection) – 10.08 m reduced to 8.03 m

The intent of regulating front yard setback is to ensure a relatively uniform setback along the street. The proposed reduction in front yard setback is attributed to the deck and sunroom addition to the existing one-storey dwelling. Staff acknowledge that the addition will not extend the full length of the dwelling, but 5.49 meters of the 13.41-meter-long structure, with the remainder of the dwelling retaining the original setback. Additionally, it is staff's opinion that the deck and sunroom addition will not negatively impact the existing streetscape. As such, staff are of the opinion that the proposed minimum front yard setback is consistent with 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 the minor variance request be approved by the Committee, the following conditions are recommended:

1. That the addition be built in general accordance with the submitted site plan and elevation drawings dated August 26, 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 Provincial legislation, Halton Region's role in land use planning and development matters has changed. The Region is no longer responsible for the Regional Official Plan - as this has become the responsibility of Halton's four local municipalities.
- 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 a decrease to the minimum front yard to 8.03m, under the requirements of the Town of Oakville Zoning By-law for the purpose of constructing a one-storey addition to the existing dwelling on the Subject Property.

**Bell Canada:** No comments received.

**Metrolinx:**

Dear Committee of Adjustment,

Metrolinx is in receipt of the Minor Variance application for 1111 Pinegrove Rd to permit the construction a one-storey addition to the existing dwelling as circulated on January 16, 2025, and to be heard at the Public Hearing on January 22<sup>nd</sup>, 2025, at 7:00PM. Metrolinx's comments on the subject application are noted below.

- The subject property is located within 300m of the Metrolinx Oakville Subdivision which carries Metrolinx's Lakeshore West GO Train service.

**GO/HEAVY RAIL - ADVISORY COMMENTS**

- The Proponent is advised the following:
  - **Warning:** Metrolinx and its assigns and successors in interest operate commuter transit service within 300 metres from the subject land. In addition to the current use of these lands, there may be alterations to or expansions of the rail and other facilities on such lands in the future including the possibility that Metrolinx or any railway entering into an agreement with Metrolinx or any railway assigns or successors as aforesaid may expand their operations, which expansion may affect the environment of the occupants in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual units. Metrolinx will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under these lands.

Should you have any questions or concerns, please contact [Farah.Faroque@metrolinx.com](mailto:Farah.Faroque@metrolinx.com).

Best Regards,

**Farah Faroque**

Project Analyst, Third Party Project Review

Metrolinx | 10 Bay Street | Toronto | Ontario | M5J 2S3

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**Trans Canada Pipeline :** No comments received.

**Oakville Hydro:** No comments.

**Union Gas:** No comments received.

**Letter(s) in support – 0**

Letter(s) in opposition – 0

**General notes for all applications:**

**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 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.

Requested conditions from circulated agencies:

1. That the addition be built in general accordance with the submitted site plan and elevation drawings dated August 26, 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.

Sharon Coyne

Sharon Coyne

Assistant Secretary-Treasurer, Committee of Adjustment