

COMMITTEE OF ADJUSTMENT

CONSENT REPORT

STATUTORY AUTHORITY: Section 53 of the Planning Act, 1990

APPLICATION: B24/11

RELATED FILE: A/150/2024 74 Howard Ave. (Part 1)
A/151/2024 74 Howard Ave. (Part 2)

DATE OF MEETING: January 22, 2025

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
L. VAN ZEYL	Paul Demczak	PLAN 114 LOT 30 PT CLSD
C. VAN ZEYL	Batory Management	LANE RP 20R4200 PART 5
	4-1550 Kingston Rd.	74 Howard Ave
	Pickering ON L1V 6W9	Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 3

ZONING: RL3-0
DISTRICT: East

APPLICATION:

Under subsection 53(42) of the Planning Act, the applicant is requesting to permit the consent for the creation of a New Lot.

An application has been made for Consent for the creation of a New Lot. The application is asking to convey a portion of land (Part 2 on the severance sketch) approximately 773.79 m² in area with an approximate frontage of 15.24m on Howard Avenue to be severed from 74 Howard Avenue (Lot 30 on Plan 114 and Part of Lane on Plan 105 designated as Part 5 on 20R-4200) for the purpose of creating a new lot.

The retained parcel (RETAINED) is approximately 773.79m² in area with an approximate frontage of 15.24m on Howard Avenue. The property has an existing dwelling which will be proposed to be replaced by two 2 storey single detached dwellings – one on the retained lot and one on the severed lot.

The said parcels being more particularly described on the Severance Sketch, Figure 4 below.

This application is being considered with related **Minor Variance A/150/2024-Retained and A/151/2024-Severed**.

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)

RECOMMENDATION

That Consent application B24/11 (1711), submitted by Batory Planning + Management on behalf of Laura and Clemens van Zeyl to create a new residential lot (Part 2) having an area of approximately 773.79 square metres, a frontage of 15.24 metres, and depth of 50.80 metres on Plan 114, Lot 30 and Part of Lane Plan 105 RP 20R-4200 Part 5, with the retained portion (Part 1) having a similar site area of approximately 773.79 square metres, a frontage of 15.24 metres, and a depth of 50.78 metres, be approved subject to the conditions attached as Appendix "A".

Note: This Consent application should be considered together with Minor Variance applications A/150/2024 and A/151/2024 for the subject lands to address the deficient lot frontage requirements under Zoning By-law 2014-014, as amended, for both the severed and retained lands.

LOCATION

The subject lands are located south of Lakeshore Road East and north of Carson Lane on the west side of Howard Avenue. The municipal address is 74 Howard Avenue. The lands are legally described as Plan 114, Lot 30 and Part of Lane Plan 105 RP 20R4200 Part 5. An aerial photo of the existing site is provided in Figure 1.



Figure 1: Subject Lands

Photo images of the existing single detached dwelling on the subject lands are provided in Figures 2 and 3, below.



Figure 2: Photograph of subject lands – 74 Howard Avenue (taken January 14, 2025)



Figure 3: Photograph of subject lands – 74 Howard Avenue (taken January 14, 2025)

PURPOSE

The Consent application would sever the subject lands into two residential lots, being the retained lands (northern lot) and severed lands (southern lot). To facilitate the creation of the new lot, the existing dwelling will have to be demolished. The effect of this application is to permit two new single detached dwellings to be constructed, one on each lot. Both lots are proposed to have driveway access from Howard Avenue leading to a front-facing integral garage, as shown in the conceptual severance plan, elevation drawings, and streetscape plan in Figures 4, 5, 6 and 7 below.

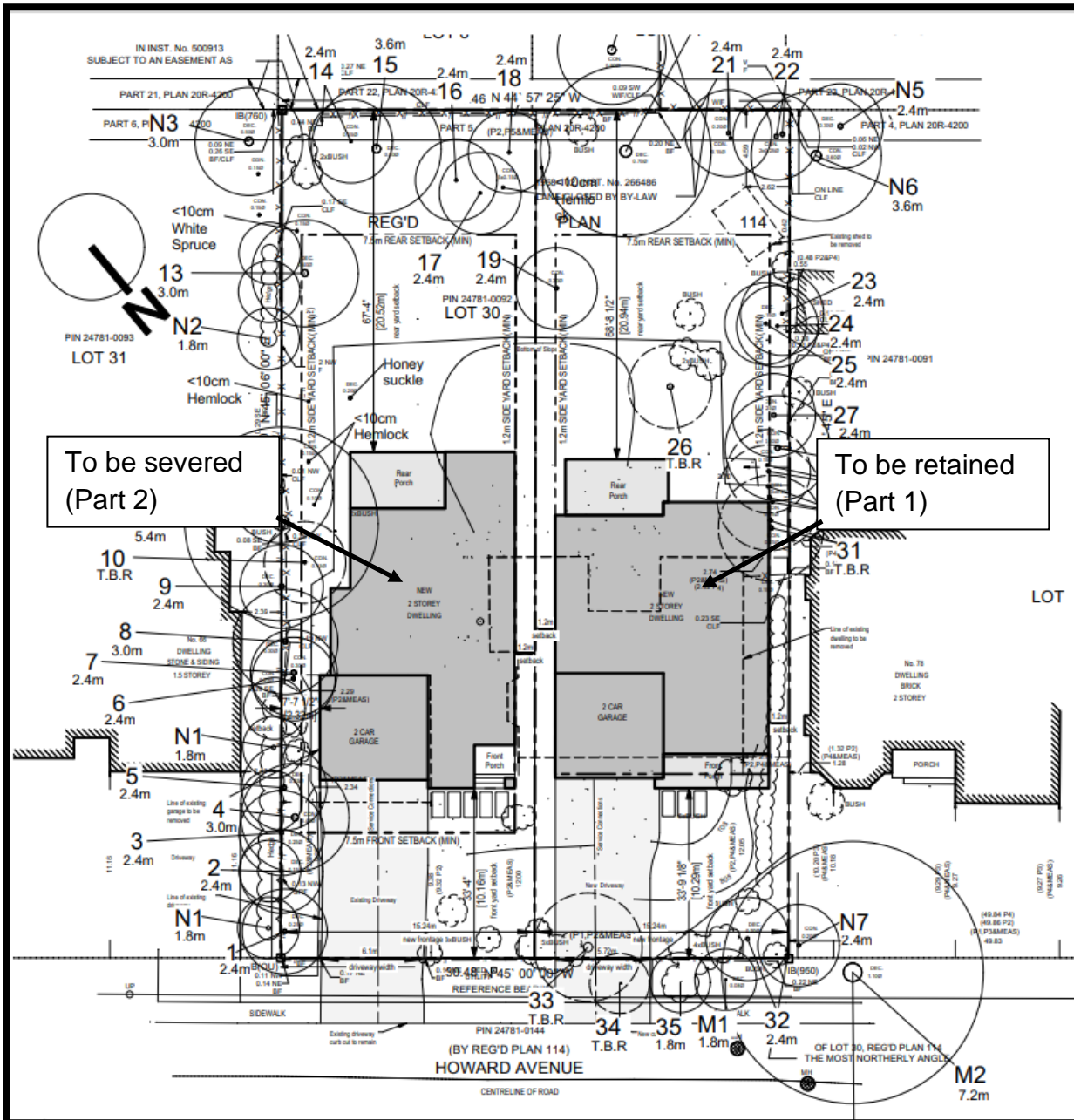


Figure 4: Severance Sketch



Figure 5: Concept Rendering for New Residential Dwelling – 74 Howard Avenue – Part 1 (Retained lands)



Figure 6: Concept Rendering for New Residential Dwelling – 74 Howard Avenue – Part 2 (Severed lands)



Figure 7: Streetscape Plan

BACKGROUND

The subject lands are 1,547.58 square metres (0.15 hectares) in size, with frontage of 30.48 metres along Howard Avenue. The site is currently occupied by an existing two-storey detached dwelling with a double-car width driveway leading to a detached garage.

All residential lots in the immediate neighbourhood character area are designated Low Density Residential and zoned RL3-0. There is however a single property located southeast of the subject lands, municipally known as 536 Carson Lane, which is zoned RL3. The current application to sever the subject lands to create an additional new lot is subject to Minor Variances for lot frontage for both the severed and retained lands. This Consent application is to be considered together with applications A/150/2024 and A/151/2024, which are evaluated in a separate report. For the reasons outlined in the separate report, Staff are of the opinion that the variance applications for reduced lot frontage result in two new lots that are generally in keeping with the predominant lotting pattern of the surrounding neighbourhood, are desirable for the appropriate development of the lands, are minor in nature, and maintain the general intent and purpose of the Official Plan and Zoning By-law, meeting the requirements of the four tests set out under Section 45(1) of the *Planning Act* for a minor variance application.

PROVINCIAL PLANNING STATEMENT (PPS), 2024

The PPS provides for efficient development and land use patterns and appropriate range and mix of land uses. Policies within Chapter 2 direct growth and development to settlement areas, which optimizes the efficient use of land and resources, existing and planned infrastructure, and promotes active transportation. The proposal is to create one new lot on the existing subject lands.

On this basis, the proposed Consent application is consistent with the PPS.

LIVABLE OAKVILLE PLAN

The subject lands are identified as 'Residential Areas' on Schedule A1 – Urban Structure, as shown in Figure 8 below. They are further designated as 'Low Density Residential' on Schedule G – South East

Land Use Plan (Figure 9) and are subject to the residential policies of Part D, Section 11 along with Section 2, Section 4, and Section 28.

The guiding principles of Livable Oakville as stated in Policy 2.2.1:

“Preserving and creating a livable community in order to:

- a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*
- b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.”*

Further, to manage growth within the town, intensification is primarily directed to growth centres, however, Policy 4.3 states:

“Residential Intensification Outside of the Growth Areas

It is the policy of the Plan that the key focus for development and redevelopment to accommodate intensification will be the locations identified as Growth Areas. Lands outside of Growth Areas are predominantly stable residential communities which consist of established neighbourhoods. While the Plan encourages intensification generally throughout the built-up area, it also recognizes that some growth and change may occur in these areas provided the character of the areas is preserved and the overall urban structure of the Town is upheld. Intensification outside of the Growth Areas including additional intensification opportunities such as infill, redevelopment and greyfield and brownfield sites, will be considered in the context of this Plan.”

Additionally, Section 11 of the Livable Oakville Plan establishes the policy framework for assessing intensification with residential areas. Specifically, Policy 11.1.8 states:

“Intensification within the stable residential communities shall be provided as follows:

- a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, land division, and/or the conversion of an existing building into one or more units, may be considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of this Plan;*
- b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan; and,*
- c) Within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may occur*

within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan.”

Intensification is defined as:

“means the development of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of brownfield sites;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; or
- d) the expansion or conversion of existing buildings.”

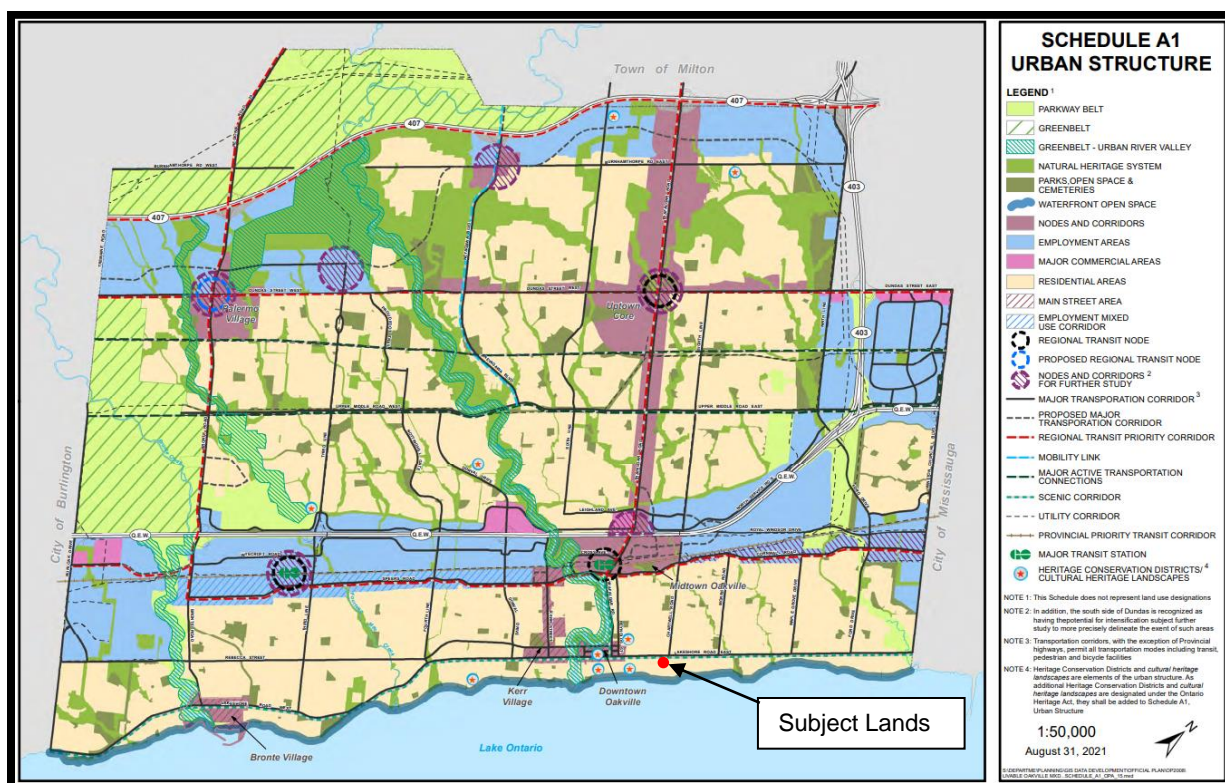


Figure 8: Livable Oakville Plan (Schedule A1 – Urban Structure)

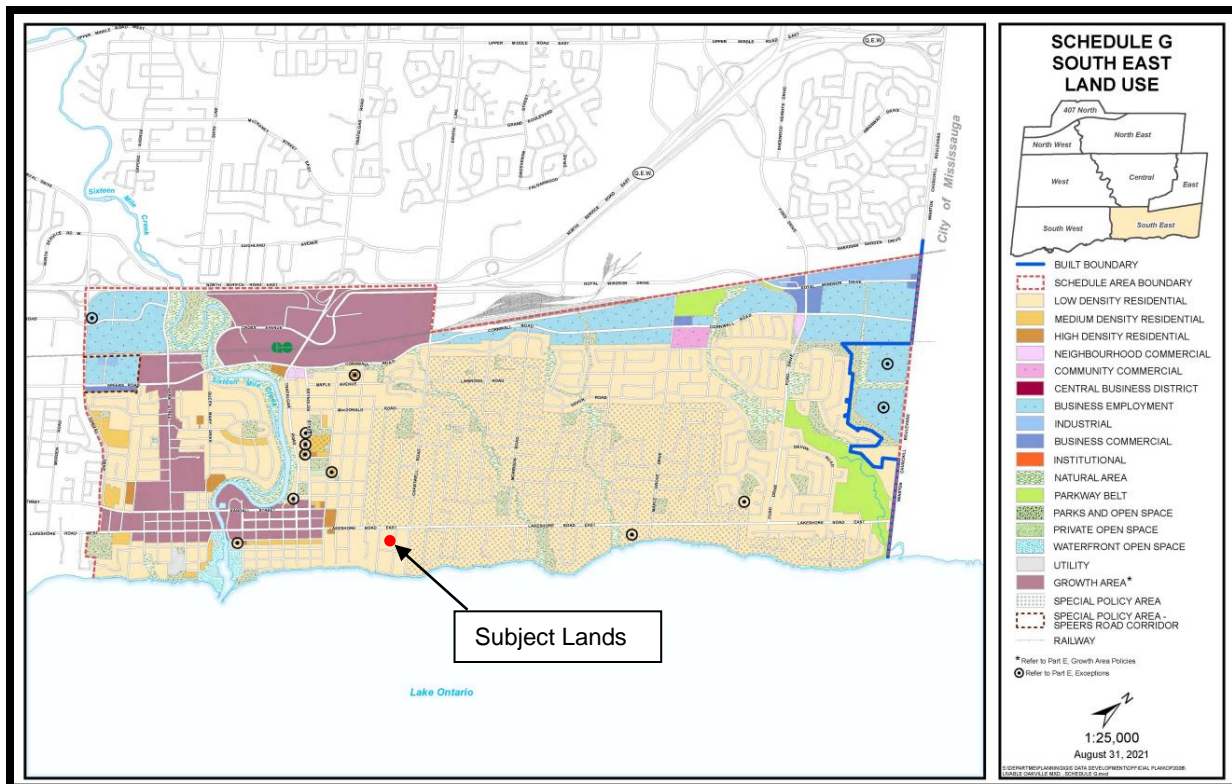


Figure 9: Livable Oakville Plan (Schedule G – South East Land Use)

As noted above, Policy 11.1.8 permits intensification within the stable residential communities provided the new lots are compatible with lot area and frontages of the surrounding neighbourhood. The subject lands are also located along a local street as defined under the Town of Oakville’s road network classification system. Lot area and frontages of the surrounding neighbourhood are two factors that affect the lot fabric of a neighbourhood and consequently impact its character.

Section 11.1.9 states that development within all stable residential communities shall be evaluated using criteria to maintain and protect the existing neighbourhood character.

In relation to policy 11.1.9 d) of the Official Plan, it states:

d) Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.

Section 29.5 of the Official Plan defines “compatible” as:

Means the development or redevelopment of uses which may not necessarily be the same as, or similar to the existing development, but can coexist with the surrounding area without unacceptable adverse impact.

The consent policies contained within Section 28 provide direction on when the creation of a new lot can be granted. Staff note that Policy 28.14.2 states:

“Applications for consent to create new lots may only be granted where:

- a) a plan of subdivision is not necessary;
- b) the number of resulting lots is three or less;
- c) the lot can be adequately serviced by water, wastewater and storm drainage facilities;
- d) no extension, improvement or assumption of municipal services is required;
- e) the lot will have frontage on a public street and access will not result in traffic hazards;
- f) the lot will not restrict the ultimate development of adjacent lands;
- g) the size and shape of the lot conforms with the requirements of the Zoning By-law, is appropriate to the use proposed and is compatible with adjacent lots; and,
- h) the consent conforms to all relevant policies of this Plan.”

Regarding policy g) noted above; although both the proposed severed and retained lands do not meet the minimum lot frontage requirements as set out in the Town’s Zoning By-law, they are compliant with the minimum required lot area. Based on staff’s analysis of the surrounding area, both the severed and retained lands would maintain the similar lotting fabric that currently exists within the immediate neighbourhood, are appropriate to the future uses proposed, being two future single detached dwellings, and are compatible with adjacent lots within the RL3-0 Zone as shown in the chart below.

Property Address	Lot Area (approx.)	Lot Frontage (approx.)	Land Use Designation / Zoning
74 Howard Avenue (Existing)	1,547.58 m ²	30.48 m	RL3-0 Zone
74 Howard Avenue (Proposed)	773.79 m²	15.24 m	RL3-0 Zone
74 Howard Avenue (Retained)	773.79 m²	15.24 m	RL3-0 Zone
95 Howard Avenue	710.0 m ²	14.7 m	RL3-0 Zone
89 Howard Avenue	746.1 m ²	15.3 m	RL3-0 Zone
88 Howard Avenue	1,443.3 m ²	31.7 m	RL3-0 Zone
85 Howard Avenue	1,116.3 m ²	21.4 m	RL3-0 Zone
81 Howard Avenue	742.0 m ²	15.2 m	RL3-0 Zone
78 Howard Avenue	926.5 m ²	18.3 m	RL3-0 Zone
77 Howard Avenue	737.7 m ²	15.2 m	RL3-0 Zone
67 Howard Avenue	2,211.2 m ²	45.7 m	RL3-0 Zone
66 Howard Avenue	1,539.8 m ²	30.4 m	RL3-0 Zone
63 Howard Avenue	763.2 m ²	22.1 m	RL3-0 Zone
58 Howard Avenue	1,487.4 m ²	30.5 m	RL3-0 Zone
57 Howard Avenue	820.4 m ²	23.6 m	RL3-0 Zone
44 Howard Avenue	767.5 m ²	15.2 m	RL3-0 Zone

the proposed severed and retained lots comply with the Zoning By-law with respect to minimum lot area but do not comply with the minimum required lot frontage.

Notwithstanding the above, staff note that based on the analysis of the surrounding neighbourhood, the Consent application would result in the creation of two individual lots that are similar to others that already exist within the immediate area. The application as submitted maintains the general intent and purpose of the Zoning By-law, and the resulting lots are compatible with the neighbourhood character.

As has been noted earlier, the concurrent Minor Variance applications proposing reductions in the minimum lot frontage for both the retained and severed lands have been evaluated separately. It is also noted that the conceptual Site Plan shows the proposed dwellings meeting all other RL3-0 Zone regulations such as setbacks, lot coverage, dwelling depth etc. When the proposed consent application is approved, it would be expected that a dwelling on both the retained and severed lands, would be constructed in full compliance with the Zoning By-law 2014-014, as amended. Staff will not support development (i.e. variances) of future homes that results in overbuilding of the proposed severed and retained lands, as the lots and building envelopes are proposed to be in keeping with the RL3-0 zone requirements found in the surrounding area.

The following is a summary of the minor variance applications for the retained lands and severed lands:

A/150/2024 – 74 Howard Avenue – Part 1 (Retained Lands)

No.	Current	Proposed
2	Table 6.3.1 (Row 2, Column RL3) The minimum frontage shall be 18.0 m.	To decrease the minimum frontage to 15.2 m.

A/151/2024 – 74 Howard Avenue – Part 2 (Severed Lands)

No.	Current	Proposed
2	Table 6.3.1 (Row 2, Column RL3) The minimum frontage shall be 18.0 m.	To decrease the minimum frontage to 15.2 m.

As discussed in the separate minor variance report, staff are of the opinion that the Minor Variance applications satisfy the applicable tests under the *Planning Act*. Staff are of the opinion that the variance applications for lot frontage results in the creation of two lots that are of a similar size to existing lots within the surrounding area, and are overall in keeping with the predominant lotting pattern of the immediate neighbourhood.

COMMENT

Consent Application B24/11 (1711) would have the effect of creating one new residential lot (Severed Lands – Part 2) and would result in the demolition of the existing detached dwelling on the property, along with the retention of a portion of the original lot (retained Lands – Part 1). The proposed Consent to create one new residential lot is in keeping with the existing lot fabric and is compatible with the neighbourhood. The subject land is an appropriate location for intensification in accordance with the Provincial and Municipal direction to promote residential growth within urban areas. Further, it is Staff's opinion that the proposed Consent maintains the character of the neighbourhood as the proposed lots fit within the neighbourhood lotting pattern and any future development of the site would be subject to a Site Alteration Permit Application and Private Tree By-law, which will further evaluate grading, servicing, drainage, and tree protection.

The application was circulated to various Town Departments and External Agencies. Staff note that if approved, careful alignment of any future driveways and utility services for the proposed two single detached dwellings will be required. Future development of the site, once the final design of the two single detached dwellings is approved, will also require an Arborist report in conjunction with a tree protection/preservation plan. The existing house on the subject lands is serviced by both water and sanitary sewer services through an existing watermain and sewer on Howard Avenue. Development Engineering has also noted that based on the existing drainage pattern and the increase in roof area and impervious landscape areas, stormwater management requirements will also be required and prescribed through the Site Alteration Permit. Conditions of approval were also identified through the staff review and agency feedback in response to the notice and circulation. These conditions are outlined in Appendix "A" of this report, and full comments from the various departments and agencies who reviewed the application have been provided in "Appendix B".

Six letters of support were provided to the Planning and Development Department on January 16, 2025, as part of the application submission material. The letters of support, signed by residents of various properties, note that they have reviewed the plans to divide the property and are in support of the severance and the associated minor variances. There were no emails in opposition to the Consent or Minor Variance applications received from members of the public. The letters of support have been included in "Appendix C".

It is staff's opinion that the proposed severance resulting in two lots will be of a size and shape that are consistent with the lot fabric of the neighbourhood and will not cause negative adverse impacts in terms of undermining the residential lots in the RL3-0 Zone. Due to the reasons mentioned above, staff recommends that the application for consent to sever subject lands municipally known as 74 Howard Avenue be approved.

CONCLUSION

1. That Consent application B24/11 (1711) represents an appropriate form of intensification for the neighbourhood and conforms to both the Livable Oakville Plan and the applicable Zoning By-law. On this basis, Staff recommends approval of Consent application B24/11 (1711) subject to the conditions attached as Appendix "A".

Submitted by:



Brian O'Hare
Planner, Current Planning

Reviewed by:



Brandon Hassan
MCIP, RPP
Acting Manager, Current
Planning, East District

Approved by:



Gabe Charles
MCIP, RPP
Director, Planning and
Development

APPENDIX A - CONDITIONS OF APPROVAL B24/11 (1711)

1. That the owner/applicant receive approval of Minor Variance applications A/150/2024 and A/151/2024.
2. That the owner/applicant submit a digital copy of the reference plan showing the lands to be conveyed together with a registerable legal description of the lands to be conveyed, to the Secretary-Treasurer, prior to the issuance of Consent.
3. 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.
4. That the owner/applicant pay all taxes as levied on the property in full.
5. The owner/applicant is to pay cash-in-lieu of parkland dedication, in accordance with provisions of Section 53 of the Planning Act. The owner / applicant is to contact the Towns Manager of Realty Services following provisional consent being final and no later than 60 days prior to the lapsing date of the conditions associated with such approval to arrange coordination of the necessary appraisal.
6. That the applicant determines the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line.
7. That a completed and signed Site Screening Questionnaire (SSQ) be submitted for review to establish any potential further requirements.
8. That the owner/applicant apply for and be granted any required permit(s) from the Town for the relocation, addition, construction, demolition etc. of the existing buildings and structures, prior to the issuance of Consent.

Notes:

- The owner/applicant is hereby notified that Oakville Hydro will require that the two new dwellings have their own underground hydro service installed from Howard Avenue.
- The owners, their successors and assign, are hereby notified that Development Charges are payable upon issuance of Building Permit at the rate in effect on the date issued.
- Driveways should be a minimum 1.5 m from utility poles/boxes. Catch basins should be offset from the driveway entrance and not located within the curb cut of a driveway.
- There are capacity concerns for the storm sewer on Howard Avenue. Based on the existing drainage pattern, the increase in roof area and impervious landscape areas, stormwater management requirements will be required and prescribed through the site alteration permit.
- The proposed drainage/grading of the site is to comply with the Town's Development Engineering standards/guidelines.

- Permits may be required should any proposed works be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- A site alteration will be required for the proposed development, grading, servicing, etc.
- Any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report and/or a tree preservation assessment.
- The applicant should be advised that the driveway location as are subject to review and approval by the Development Engineering Department and Engineering & Construction Department and will be reviewed in detail during the site plan process.
- A Site Plan application (and approval) may be required to develop the severed lands. The applicant should be advised that as part of the site plan process, the applicant will be required to submit an Arborist's report to address any impacts to the Town's trees to the satisfaction of the Development Engineering Department.
- The driveway design & spacing must comply with the Driveway By-law (by-law 2009-072).
- Careful alignment of any future driveways and utility services for the proposed two single detached dwellings will be required. Future development of the site, when the final single detached dwelling designs are approved, will also require an Arborist report in conjunction with a tree protection/preservation plan.
- The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.
- No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.

APPENDIX B - DEPARTMENT/AGENCY COMMENTS B24/11 (1711)

With respect to B24/11 (1711), the following Departments and Agencies have either not provided comments, or indicated no comments or concerns with the proposal:

- Building Services - Plan & Code Review
- Finance
- Fire Prevention
- Trans-Northern Pipelines Inc.
- Environmental Planning
- Heritage Planning
- Urban Design

Building Services – Zoning:

Subject to minor variance approval to permit a lot frontage of 15.2 m where the minimum lot frontage is 18.0 m for both the retained and severed lots.

Development Engineering:

Development Engineering has no comments to the consent application for the land severance.

The applicant is advised that:

- Driveways should be a minimum 1.5m from utility poles/boxes. Catch basins should be offset from the driveway entrance and not located within the curb cut of a driveway.
- There are capacity concerns for the storm sewer on Howard Ave. Based on the existing drainage pattern, the increase in roof area and impervious landscape areas, stormwater management requirements will be required and prescribed through the site alteration permit.
- The proposed drainage/grading of the site is to comply with the Towns Development Engineering standards/guidelines.
- Permits may be required should any proposed works be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- A site alteration will be required for the proposed development, grading, servicing, etc.
- Any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report and/or a tree preservation assessment.
- The applicant should be advised that the driveway location as are subject to review and approval by the Development Engineering Department and Engineering & Construction Department and will be reviewed in detail during the site plan process.
- A Site Plan application (and approval) may be required to develop the severed lands. The applicant should be advised that as part of the site plan process, the applicant will be required to submit an Arborist's report to address any impacts to the Town's trees to the satisfaction of the Development Engineering Department.
- The driveway design & spacing must comply with the Driveway By-law (by-law 2009-072).

Legal Department - Realty:

The owner/applicant is to pay cash-in-lieu of parkland dedication, in accordance with provisions of Section 53 of the Planning Act. The owner / applicant is to contact the Towns Manager of Realty Services following provisional consent being final and no later than 60 days prior to the lapsing date of the conditions associated with such approval to arrange coordination of the necessary appraisal.

Oakville Hydro:

Oakville Hydro does not have any objection with Notice of Consent Application B24/11 (1711). Please note, the two new dwellings will require their own underground hydro service installed from Howard Ave.

Parks and Open Space:

A site inspection has revealed that a 10cm DBH Town Ivory Silk Lilac is located on the road allowance at 74 Howard Ave. Careful alignment of any future driveways and utility services for the proposed (2) two storey single detached dwellings will be required. Future development of the site, when the final two storey single detached dwellings design is approved, will also require an Arborist report in conjunction with a tree protection/preservation plan.

Halton Region (Comments for B24/11 (1711)):

October 25, 2024

Jen Ulcar, Secretary-Treasurer
Planning and Development Department
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3

Dear Jen Ulcar:

**RE: Region of Halton Comments – 1st Submission
Consent Application
File: B24/11 (1711)
C. & L., Van Zeyl
74 Howard Avenue, Town of Oakville**

Bill 185 – Cutting Red Tape to Build More Homes Act, 2024:

Due to recent Provincial legislation, as of July 1, 2024, the Halton Region's role in land use planning and development matters is changing. 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 the continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional rights-of-way;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g. sourcewater protection, public health); and
- Other Regional services that have a land component.

The Region will be providing comments, in accordance with the Regional Transition Plan Response Letter (June 14, 2024). Any comments the Region provides to a local municipality to support transition will be provided separately from the comments associated with the remaining Regional interests listed above and defined through the MOU.

Background:

Regional staff are forwarding comments in response to the circulation of the 1st submission for the above-noted application circulated on October 7, 2024. The application has been made for Consent for the creation of a New Lot. The purpose of the application is to convey a portion of land (Part 2 on the severance sketch) approximately 773.79 m² in area with an approximate frontage of 15.24m on Howard Avenue to be severed from 74 Howard Avenue (Lot 30 on Plan 114 and Part of Lane on Plan 105 designated as Part 5 on 20R-4200) for the purpose of creating a new lot. The retained parcel (Part 1 on the severance sketch) is approximately 773.79 m² in area, with an approximate frontage of 15.24m on Howard Avenue. The property has an existing dwelling which will be proposed to be replaced by two 2 storey single detached dwellings – one on the retained lot and one on the severed lot.

In addition, should the consent applications be approved, the Proponent will require various minor variance applications for the severed (CAV A/151/2024) and retained (CAV A/150/2024) parcel. The proposed variances are seeking relief under Section 45(1) of the Planning Act in order to permit a decrease in lot frontage and a decrease in front yard setback, under the requirements of the Town of Oakville Zoning By-law. Regional staff have no objections to the above noted Minor Variance applications.

Regional staff has no objection to the above-referenced application, subject to the conditions outlined in *Schedule A*.

Water and Wastewater Servicing:

In accordance with the MOU and to ensure water and wastewater services are provided in accordance with Regional requirements, Halton Region provides the following comments.

The following information is a review of the existing services adjacent to the subject lands, and Regional Servicing comments and conditions as they relate to the proposed development:

Watermain:

- A 150mm dia. watermain is located on Howard Avenue adjacent to the property.

Sanitary Sewer:

- A 200mm dia. sanitary sewer is located on Howard Avenue adjacent to the property.

Regional staff note that no documentation or drawing was submitted with the application showing the location of the existing water service and/or sanitary sewer lateral for the existing property. Regional records indicate that the existing house on the property is currently serviced by both an existing water service and sanitary sewer lateral that are connected to the existing services on Howard Avenue. It is possible that these existing service connections could be reused for the retained parcel.

Regional staff have no objections to this consent provided that the below conditions are satisfied to determine that the locations of the existing and proposed services do not cross property lines.

Regional conditions related to municipal servicing matters on this application are outlined in *Schedule A*.

Finance:

The Owner will be required to pay all applicable Regional Development Charges (DCs) in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement. In addition, commencing January 1, 2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery Payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.

The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.

Please visit our website at <https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment> to obtain the most current information which is subject to change.

Conclusion:

In accordance with the MOU and to support Regional and local objectives, to ensure water and wastewater services are provided in accordance with Regional requirements and to ensure an effective Regional infrastructure.

Regional staff have no objection to the proposed application, subject to the conditions outlined in *Schedule A*.

It is recommended that the requirements for clearance of the conditions be provided as a complete package and not in a piecemeal manner.

We trust that these comments are of assistance. Should you have any questions or require additional information, please do not hesitate to contact the undersigned. Please send notice of the Town's decision on this application.

Sincerely,

Michaela Campbell

Michaela Campbell

Intermediate Planner

michaela.campbell@halton.ca

cc: Michael Di Febo, Senior Planner (via email)
Alex Hilder, Development Project Manager (via email)
Nick Challis, Intermediate Planner (via email)

SCHEDULE 'A' CONDITIONS – B24/11 (1711)

The following Regional Conditions must be satisfied and/or included in the Consent application.

Applicant: C. & L., Van Zeyl

Municipal Address: 74 Howard Avenue, Town of Oakville

Application File Number: B24/11 (1711)

Condition	Status
Water and Wastewater Servicing	
1. The development shall be subject to full municipal water and sanitary sewer services to the satisfaction of the Region of Halton.	Not addressed within the 1st submission. This matter remains outstanding.

2. That the applicant determines the location of all existing and proposed municipal water services, curb valves, hydrants and sanitary sewer laterals that service this property and the proposed lot and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot line.	Not addressed within the 1st submission. This matter remains outstanding.
3. No sanitary sewer laterals or water service connections for these lots are to cross existing or proposed property lines.	Not addressed within the 1st submission. This matter remains outstanding.

APPENDIX "C" – PUBLIC COMMENTS B24/11 (1711)


Docusign Envelope ID: A8FB9B52-4120-4629-9AB5-8EF099814A2F

**To: Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3**

Subject: 74 Howard Avenue, Oakville, ON – Letter of Support

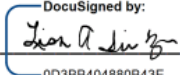
Dear Sir/ Madam,

I / WE, LISA ANN SWITZER the owner(s) of

 HOWARD AVENUE, Oakville, ON, have reviewed the consent and minor variance applications located at 74 Howard Avenue, Oakville, ON, and would like to express our full support of the subject application.

Sincerely,

Print Name: Lisa A Switzer

Signature:  0D3BB404880B43E...


Date: 1/16/2025 | 8:48 AM PST

**To: Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3**

Subject: 74 Howard Avenue, Oakville, ON – Letter of Support

Dear Sir/ Madam,

I / WE, CHRISTOPHER JOHN DUNNING the owner(s) of

 HOWARD AVENUE, Oakville, ON, have reviewed the consent and minor variance applications located at 74 Howard Avenue, Oakville, ON, and would like to express our full support of the subject application.

Sincerely,

Print Name: Christopher John Dunning

Signature: 
771DD022C86F406...

Date: 1/13/2025 | 3:45 PM EST

**To: Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3**

Subject: 74 Howard Avenue, Oakville, ON – Letter of Support

Dear Sir/ Madam,

I / WE, CANDACE CHERYLE WHITNEY the owner(s) of



HOWARD AVENUE, Oakville, ON, have reviewed the consent

and minor variance applications located at 74 Howard Avenue, Oakville, ON, and would like to

express our full support of the subject application.

Sincerely,

Print Name: Candace C Whitney

Signature: 
E23EDE347402435...


Date: 1/13/2025 | 5:14 PM PST

**To: Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3**

Subject: 74 Howard Avenue, Oakville, ON – Letter of Support

Dear Sir/ Madam,

I / WE, XIAO XUAN SUN the owner(s) of

 Howard Avenue, Oakville, ON, have reviewed the consent and minor variance applications located at 74 Howard Avenue, Oakville, ON, and would like to express our full support of the subject application.

Sincerely,

Print Name: Xiao Xuan Sun

Signature: 
AC9D2B82349D40E...

Date: 1/13/2025 | 6:42 AM PST

**To: Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3**

Subject: 74 Howard Avenue, Oakville, ON – Letter of Support

Dear Sir/ Madam,

I / WE, JANET GAIL STERN the owner(s) of



HOWARD AVENUE

, Oakville, ON, have reviewed the consent
and minor variance applications located at 74 Howard Avenue, Oakville, ON, and would like to
express our full support of the subject application.

Sincerely,

Print Name: Janet G Stern

Signature: 
Signed by:
A2BD984FD36442E...

Date: 1/13/2025 | 4:22 PM EST

**To: Committee of Adjustment
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3**

Subject: 74 Howard Avenue, Oakville, ON – Letter of Support

Dear Sir/ Madam,

I / WE, GINO CANTALINI the owner(s) of



HOWARD AVENUE

, Oakville, ON, have reviewed the consent
and minor variance applications located at 74 Howard Avenue, Oakville, ON, and would like to
express our full support of the subject application.

Sincerely,

Print Name: GINO CANTALINI

Signature: *Gino Cantalini*
Signed by:
931B3B72845E401...

Date: 1/13/2025 | 8:38 AM EST

Sharon Coyne
Sharon Coyne
Assistant Secretary-Treasurer
Committee of Adjustment