

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/043/2025

RELATED FILE: N/A

DATE OF MEETING:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
A. Kadhim I. El-Abed	Joris Keeren Keeren Design 11 Bronte Rd, Unit 31 Oakville ON, L6L 0E1	PLAN 669 LOT 73 1374 Sedgewick Cres Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential

ZONING: RL2-0, Residential

WARD: 2

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 two-storey detached dwelling on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 5.8.6 b)</i> For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres.	To increase the maximum total floor area for a private garage to 59.0 square metres.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area 1,301.00m ² or greater shall be 29%.	To increase the maximum residential floor area ratio to 30.5%.

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/043/2025 - 1374 Sedgewick Crescent (West District) (OP Designation: Low Density Residential)

The applicant is proposing to construct a two-storey detached dwelling, subject to the variances listed above.

Site Area and Context:

The subject property is located in an area that has experienced redevelopment in the form of replacement dwellings and additions/alterations to existing dwellings. The neighbourhood consists of newer two-storey detached dwellings as well as one and one-half storey detached dwellings that are original to the area. In accordance with Bill 97, this property will be subject to a Minor Site Plan application, coordinated by Development Engineering staff for review of potential stormwater impacts.



Aerial Photo – 1374 Sedgewick Crescent

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variances 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 in the Livable Oakville 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 proposed increase in garage floor area is being accommodated within the footprint of the principal dwelling and when considered in combination with the increase in residential floor area, the proposed dwelling will not appear larger than those in the surrounding area. The proposed dwelling will not have an adverse impact on adjacent or surrounding properties. It is staff's opinion that the proposal

maintains the general intent and purpose of the Official Plan and is compatible with the existing neighbourhood character.

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

Variance #1 – Maximum Garage Floor Area (No Objection) – Increase from 45m² to 59m²

The intent of regulating the garage floor area is to ensure that the garage is not a visually dominant feature of the dwelling. The proposed two storey dwelling integrates the garage floor area toward the rear of the proposed dwelling's footprint, mitigating the potential impacts that the additional garage floor area will have on the public realm. Additionally, the proposed garage is broken into two single garage doors, breaking up the massing of this feature and further reducing the visual impact of the garage on the public realm.

Variance #2 – Maximum Residential Floor Area (No Objection) – Increase from 29% to 30.5%

The intent of regulating residential floor area is to prevent the construction of a dwelling that has a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. The proposed two storey detached dwelling has been designed to mitigate potential impacts of a dwelling having a mass and scale that would appear larger than those in the surrounding area. The proposed dwelling helps maintain and protects the established neighbourhood character. Staff are of the opinion that the requested minor variances, when considered cumulatively, 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 lands. The variances are 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 development. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. That the dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated February 12, 2025, 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 to add.

Transit: No comments received.

Finance: No comments received.

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 an increase in the maximum total floor area for a private garage to 59.0 square metres, and an increase in the maximum residential floor area ratio to 30.5%, 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.

Union Gas: No comments received.

Bell Canada: No comments received.

Letter(s) in support – 0

Letter(s) in opposition – 1

coarequests

From: Edward Boose [REDACTED]
Sent: March 19, 2025 6:10 PM
To: coarequests; Sandra Bolton
Subject: [EXTERNAL] Committee of adjustment application file # A/043/2025
Categories: JEN

You don't often get email from [REDACTED] [Learn why this is important](#)

Hello Jen Ulcar,

I am sending this email to serve as my written response to the adjustment application for the address at 1374 Sedgewick Crescent. I reside at [REDACTED] Sedgewick Crescent.

Please accept this as my written opposition to the 2 variance requests. The first to increase the total floor area of the garage and the second to increase the maximum residential floor area.

I believe that the current bylaws for the area are sufficient and the new homes being constructed are large enough without the need for additional size.

We have recently had a new home built on both sides of us and neither required any variance. Both are huge.

Living with on going construction is a nuisance and the additional size of this request will make that process even longer.

I kindly ask that you de line this variance request.

Regards

Edward Boose.

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.
- The applicant is cautioned that during development activities, should archaeological materials be found on the property, the provincial Ministry of Citizenship and Multiculturalism (MCM) must be notified immediately (archaeology@ontario.ca), as well as the Town of Oakville and, if Indigenous in origin, relevant First Nations communities. If human remains are encountered during construction, the proponent must immediately contact the appropriate authorities (police or coroner) and all soil disturbances must stop to allow the authorities to investigate, as well as the Registrar, Ontario Ministry of Public and Business Service Delivery—who administers provisions of the *Funeral, Burial and Cremation Services Act*—to be consulted, as well as the MCM and the Town of Oakville, and, if considered archaeological, the relevant First Nations communities. All construction activity in the vicinity of the discovery must be postponed until an appropriate mitigation strategy is identified and executed.
- 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 dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated February 12, 2025, 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.

J. Ulcar

Jennifer Ulcar
 Secretary-Treasurer
 Committee of Adjustment