

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/046/2025

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](http://oakville.ca) on Wednesday April 02, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
Halton Regional Municipality	James Moulton The Salvation Army 94 York Blvd Hamilton ON, L8R 1R6	PLAN M476 PT BLK 2 RP 20R9052 PARTS 9 TO 12 750 Redwood Sq Town of Oakville

**OFFICIAL PLAN DESIGNATION: Industrial**

**ZONING: E3 sp:263, Employment**

**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 a one-storey addition to the existing emergency shelter on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Section 15.263.2 b)</i> The maximum number of beds shall be 40.	To increase the maximum number of beds to 60.

## 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/046/2025 - 750 Redwood Square (West District) (OP Designation: Industrial)**

The applicant is proposing an increase in number of beds for the existing emergency shelter, subject to the variance listed above.

### **Site Area and Context:**

In December 2021, the subject lands received Site Plan approval (SP.1621.045/01) for an additional 14 beds bringing the total number of beds on site to 40. The subject lands are zoned E3 SP 263, which permits a maximum number of 40 beds for the site, together with a maximum of 28 parking spaces. The applicant is seeking relief from the By-law to increase the number of

beds by 20, for a total number of 60 beds. No additional parking spaces are proposed for the increase in beds. The applicant has indicated that there is room for the 20 additional beds within the existing building and that no expansion to the building footprint is required. Should the building require an expansion to accommodate the additional beds, a Site Plan application would be required to be approved.

The lands are owned by Halton Region and have a long term lease agreement with Salvation Army (the applicant). Operating funding continues to be provided annually through the Community Homelessness Prevention Initiative (CHPI) and the proposed renovation was identified as a strategic priority by Regional Council.

As set out in the Housing Strategy and Action Plan that was approved by Planning and Development Council on December 9, 2024, the Town is committed to enabling a greater diversity of housing types in more places throughout the town, where appropriate, focusing on housing types, sizes and tenures that are in short supply ([Goal 2, Housing Strategy and Action Plan](#)). The proposed development is funded by the Region of Halton to provide additional emergency shelter opportunities.

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 Industrial in Livable Oakville. The Emergency Shelter is considered a "Community Use" as it is "intended to serve and support the health, educational, religious, recreational and cultural needs of the Town" and under Section 7.1.2 is permitted within the Industrial designation. Additionally, Section 27.1.12 of the Livable Oakville Plan permits special needs housing, limited to an emergency shelter, on the lands designated Industrial at the southwest corner of Wyecroft Road and Redwood Square.

The proposal provides more opportunities for addressing the needs of the town, by providing 20 additional emergency housing beds within an existing facility. As the proposed use is permitted by the Official plan, and no expansion of the building is proposed to accommodate the additional beds, nor site alteration, no impact to the planned employment function of the area is expected. On this basis, the application 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 subject lands are zoned E3 SP263, which permits the Emergency Shelter Use. The Emergency Shelter was introduced under the former Zoning By-law (1984-063), and was carried forward as a recognized use when By-law 2014-014 was brought into effect. Special Provision 263 provides a maximum of 40 beds for the site and a total of 28 parking spaces. Staff note that the parking spaces are intended for staff use. It is the understanding of staff that the applicant can accommodate the additional 20 beds within the existing building footprint without need for further extensions. However, should the applicant require additional floor area to accommodate the beds, the site plan provided with the submission demonstrates that an addition can be accommodated on the site. Should a building expansion be required, a site plan application must be submitted for review. It is also noted that with the recent Council adoption of the Town's Housing Strategy and Action Plan, opportunities for additional and emergency housing options is an important component of the housing stock within the town.

The intent of the By-law was to recognize a certain amount of scale that does not adversely impact the existing and planned employment function of the area. It is staff's opinion that an increase in beds is appropriate and in-line with the current needs of the town and no impact on

planned employment function of the area is expected as the additional 20 beds will be accommodated within the existing building.

On this basis, staff are of the opinion that the request 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 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 this minor variance request be approved by the Committee, no conditions are recommended.

**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 number of beds to 60, under the requirements of the Town of Oakville Zoning By-law, for the purpose of increasing the number of beds permitted from 40 to 60 on the Subject Property.

**Union Gas:** No comments received.

**Bell Canada:** No comments received.

**Letter(s) in support – 0**

**Letter(s) in opposition – 1**

March 27<sup>th</sup>, 2025

Committee of Adjustment,

**This letter is submitted in response to the Notice of Public Hearing regarding Committee of Adjustment Application File # A/046/2025.**

We are the owners of two contiguous commercial properties located at 870 and 880 Equestrian Court, Oakville, held through Alson Development Inc. and ABJ Property Holdings Inc., respectively. These properties are currently leased to and occupied by The EPCM Group, a long-standing international company with operations in seven countries and its head office, R&D Centre, and manufacturing plant based at these locations.

Our concern relates to the proposed increase in the maximum number of beds—from 40 to 60—at the emergency shelter located at 750 Redwood Square, directly across the South Service Road from our properties. While described as a “minor variance,” we believe that a 50% increase in occupancy constitutes a significant change that will have direct and adverse effects on our properties and operations.

We have already experienced multiple issues linked to the current shelter population, including:

- Frequent discovery of used drug paraphernalia, including needles, on our premises.
- Shelter residents found unresponsive or passed out on our property, requiring police intervention.
- Inadequate response from shelter staff when incidents are reported.
- Removal of outdoor employee seating due to ongoing safety and hygiene concerns.
- Ongoing loitering and suspicious activity involving a nearby vacant lot and trailer, reportedly frequented by shelter residents.

As property owners and landlords, we are deeply concerned about the impact this proposed increase will have on the safety, security, and cleanliness of our facilities. It poses a risk not only to our tenants and their employees but also to the value and integrity of our investment in the area.

We respectfully request that the Committee of Adjustment reconsider the characterization of this proposal as a minor variance and take into full account the existing operational issues, as well as the potential for amplified negative impacts on surrounding businesses and properties.

Sincerely,

**Robert Stanley Jickling**

President

On behalf of Alson Development Inc. & ABJ Property Holdings Inc.

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***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](mailto: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:

There are no conditions recommended.

*J. Ulcar*

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Jennifer Ulcar  
 Secretary-Treasurer  
 Committee of Adjustment