

SURVEYOR'S REAL PROPERTY REPORT
PART 1 - PLAN OF SURVEY SHOWING TOPOGRAPHY OF
PART OF
LOT 78
REGISTERED PLAN 1009
IN THE
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200

THE INTENDED PLOT SIZE OF THIS PLAN IS 800mm IN WIDTH BY 490mm IN HEIGHT WHEN PLOTTED AT A SCALE OF 1:200 (INCLUDING 15mm BEYOND EACH BORDER)
MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
 © 2024
KNOWN AS MUNICIPAL No. 317 GLOUCESTER AVENUE

PART 2 - REPORT SUMMARY (TO BE READ IN CONJUNCTION WITH PART 1)
 LAND REGISTRY OFFICE TITLE INFORMATION ON SUBJECT PROPERTY INCLUDING BOUNDARIES, EASEMENTS AND RIGHT OF WAYS - MARCH 1, 2024
REGISTERED EASEMENTS AND/OR RIGHTS-OF-WAY:
 - NONE
ADDITIONAL REMARKS:
 - REFER TO PART 1 OF SURVEY FOR THE LOCATION OF BUILDINGS, STRUCTURES, FENCES & UTILITIES

MacKAY, MacKAY & PETERS LIMITED grants AMELIA FRANCIS ("The Client"), their solicitor and other related parties permission to use "Original Copies" of the Surveyor's Real Property Report in transactions involving "The Client"

METRIC DISTANCES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

ASSOCIATION OF ONTARIO LAND SURVEYORS
PLAN SUBMISSION FORM
V-74039

THIS PLAN IS NOT VALID UNLESS IT IS AN EMBOSSED ORIGINAL COPY ISSUED BY THE SURVEYOR IN ACCORDANCE WITH REGULATION 1026, SECTION 29(3)

- LEGEND**
- DENOTES A SURVEY MONUMENT FOUND
 - SIB DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - IP DENOTES IRON PIPE
 - P1 DENOTES PLAN 20R-1646
 - P2 DENOTES PLAN BY DAVID HORWOOD LIMITED DATED FEBRUARY 24, 2010
 - P3 DENOTES REGISTERED PLAN 1009
 - P4 DENOTES PLAN 20R-9429
 - C1 DENOTES CALCULATED FROM P1 & P4
 - PIN DENOTES PROPERTY IDENTIFICATION NUMBER
 - (OU) DENOTES ORIGIN UNKNOWN
 - DS DENOTES DOOR SILL
 - CL DENOTES CENTRELINE
 - BF DENOTES BOARD FENCE
 - IF DENOTES IRON FENCE
 - CLF DENOTES CHAIN LINK FENCE
 - SRW DENOTES STONE RETAINING WALL
 - WVB DENOTES WATER VALVE BOX
 - FH DENOTES FIRE HYDRANT
 - CB DENOTES CATCH BASIN
 - SAN-MH DENOTES SANITARY MANHOLE
 - STM-MH DENOTES STORM MANHOLE
 - BP DENOTES BELL PEDESTAL
 - WHP DENOTES WOOD HYDRO POLE
 - OHW DENOTES OVERHEAD WIRE
 - OL DENOTES ORNAMENTAL LIGHT
 - GM DENOTES GAS METER
 - AC DENOTES AIR CONDITIONER
 - ⊙ DENOTES STUMP
 - DENOTES DECIDUOUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES
 - ★ DENOTES CONIFEROUS TREE SCALED TO CANOPY TRUNK SIZE SHOWN IN METRES

ALL BUILDING TIES ARE TO FOUNDATION AND ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED

BENCHMARK NOTE
 BENCHMARK No. 0011931U1999
 ELEVATION = 90.393 METRES (CGVD28:78 ADJUSTMENT)
 OAKVILLE FUNDAMENTAL BENCHMARK IN GEORGE SQUARE, 12.5 METRES NORTHEAST OF NORTHEAST EDGE OF TRAFALGAR ROAD, 29.3 METRES NORTHWEST OF NORTHWEST LIMIT OF SUMNER AVENUE, TABLET IN TOP OF MONUMENT

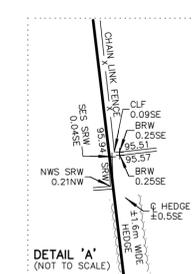
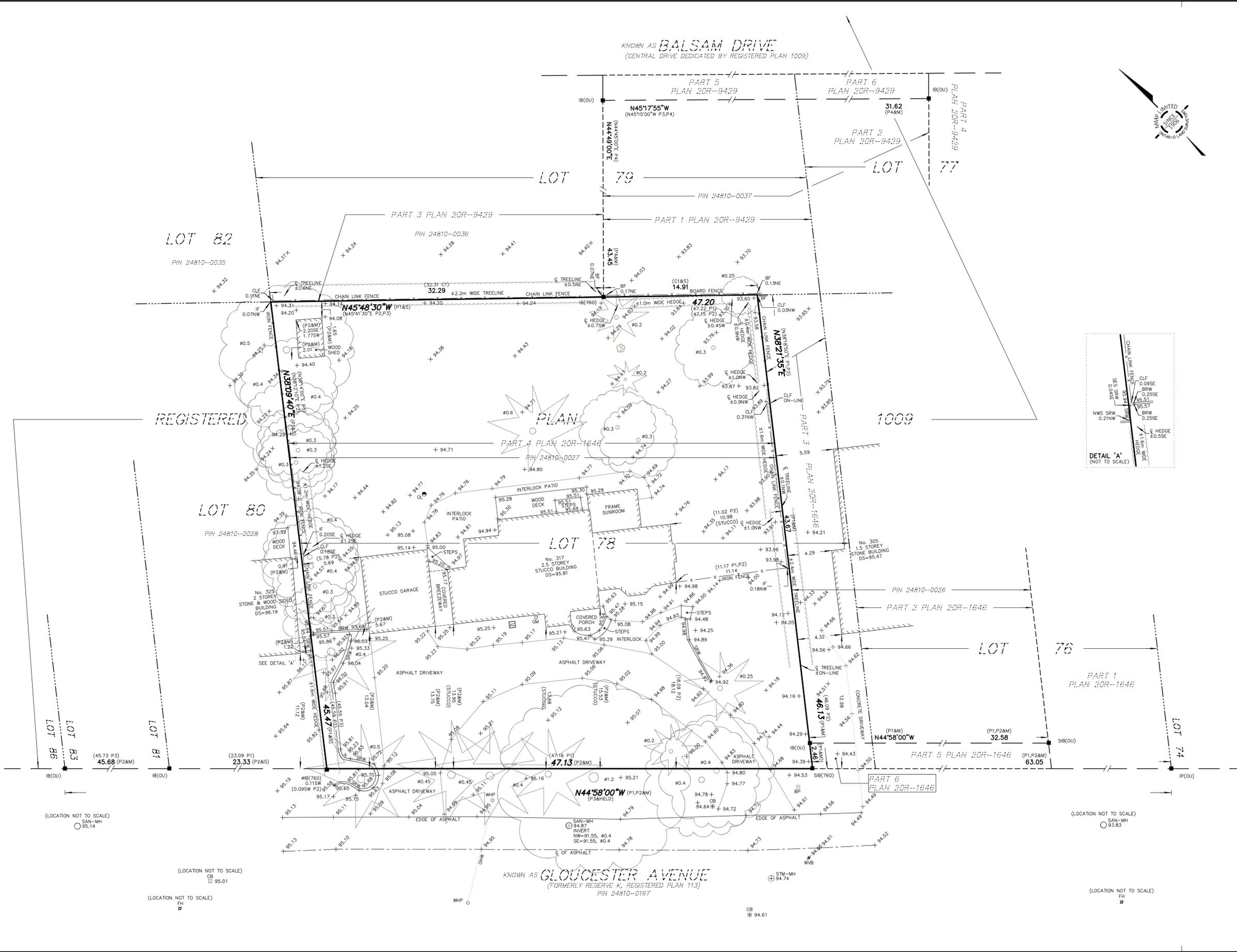
BEARING REFERENCE
 BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHEAST LIMIT OF GLOUCESTER AVENUE AS SHOWN ON REGISTERED PLAN 1009 HAVING A BEARING OF N44°58'00"W

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 8th DAY OF MARCH, 2024.

APRIL 9, 2024
 DATE
 R. C. MAYO
 ONTARIO LAND SURVEYOR
 FOR MacKAY, MacKAY & PETERS LIMITED

E:\20\Halton\Registered Plans\RP1009\LOT 78\24-049\24-049.dwg

MMP MacKay, MacKay & Peters Limited LAND SURVEYORS & MAPPERS SINCE 1906	3380 South Service Road Unit 101 Burlington, ON L7N 3J5 (905) 639-1375 halton@mmplimited.com mmplimited.com	DRAWN BY: G.S. PARTY CHIEF: C.M. CHECKED BY: J.M. PROJECT No.: 24-049
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(LOCATION NOT TO SCALE)
 SAN-MH
 95.14

(LOCATION NOT TO SCALE)
 CB
 95.01

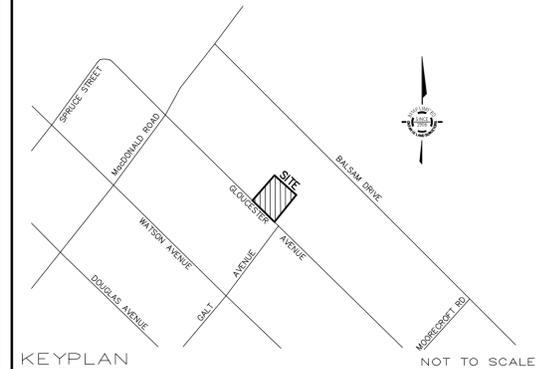
(LOCATION NOT TO SCALE)
 FH
 9

(LOCATION NOT TO SCALE)
 SAN-MH
 93.83

(LOCATION NOT TO SCALE)
 FH
 9

CB
 94.61

317 GLOUCESTER AVENUE
PLAN SHOWING PROPOSED SEVERANCE



KEYPLAN NOT TO SCALE

GEOGRAPHIC LOCATION NOTE
PART OF
LOT 78
REGISTERED PLAN 1009
IN THE
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON
SCALE 1 : 200

MacKAY, MacKAY & PETERS LIMITED - ONTARIO LAND SURVEYORS
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BENCHMARK NOTE
BENCHMARK No. 0011931U1999
ELEVATION = 90.393 METRES (CGVD 1928:1978 ADJUSTMENT)
OAKVILLE FUNDAMENTAL BENCHMARK IN GEORGE SQUARE, 12.5 METRES NORTHEAST OF NORTHEAST EDGE OF TRAFALGAR ROAD, 29.3 METRES NORTHWEST OF NORTHWEST LIMIT OF SUMMER AVENUE, TABLET IN TOP OF MONUMENT

- LEGEND**
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 - CL DENOTES CENTRELINE
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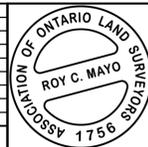
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- THIS PRODUCT IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED FOR TRANSACTION OR MORTGAGE PURPOSES
- THIS PRODUCT IS PROTECTED BY COPYRIGHT INCLUDING ALL RELATED DIGITAL PRODUCTS

CERTIFICATION NOTE
BOUNDARY DIMENSIONS SHOWN HEREON ARE DERIVED FROM LAND REGISTRY OFFICE RECORDS AND SURVEY RECORDS OF MMP LIMITED
PROPOSED SITE STATISTICS AS SHOWN

MARCH 5, 2025
DATE

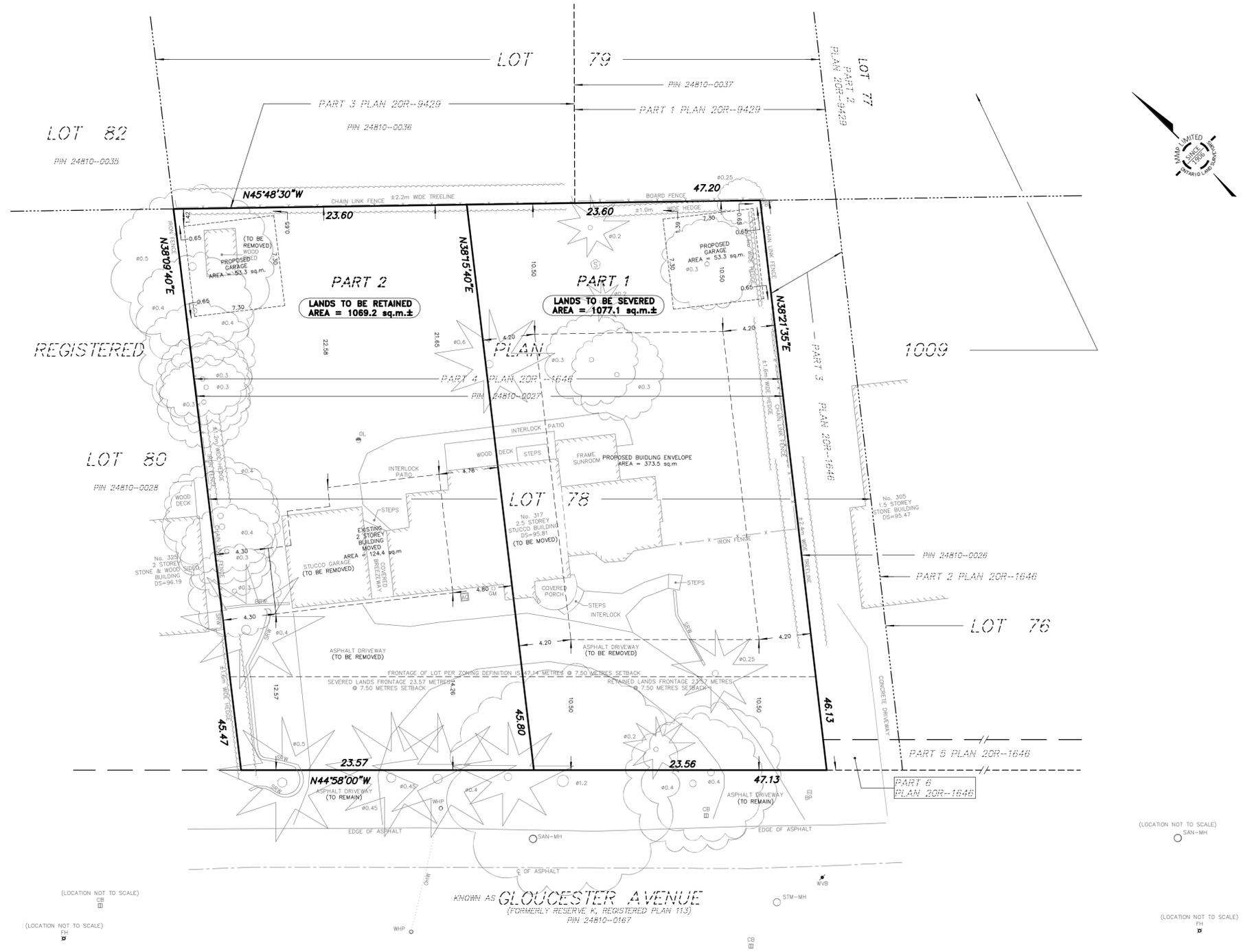
[Signature]
ROY C. MAYO
ONTARIO LAND SURVEYOR
FOR: MACKAY, MACKAY & PETERS LIMITED



**TOWN OF OAKVILLE ZONING BY-LAW 2014-014
ZONING REGULATION - RL1**

ZONE	REQUIRED	PROVIDED	
		PART 1 SEVERED	PART 2 RETAINED
LOT FRONTAGE (07.50 SETBACK)	30.50 m (min)	23.57*	23.57*
LOT AREA	1393.5 sq.m (min)	1077.1 sq.m*	1069.2 sq.m*
FRONT YARD	10.50 m (min)	10.50 m	12.57 m
REAR YARD	10.50 m (min)	10.50 m	21.65 m
SIDE YARD	4.20 m (min) (SOUTHEAST)	4.20 m	4.78 m
	4.20 m (min) (NORTHWEST)	4.20 m	4.30 m
LOT COVERAGE	25% (max)	TBD	16.6%

* VARIANCE MAY BE REQUIRED



(LOCATION NOT TO SCALE)
SAN-MH

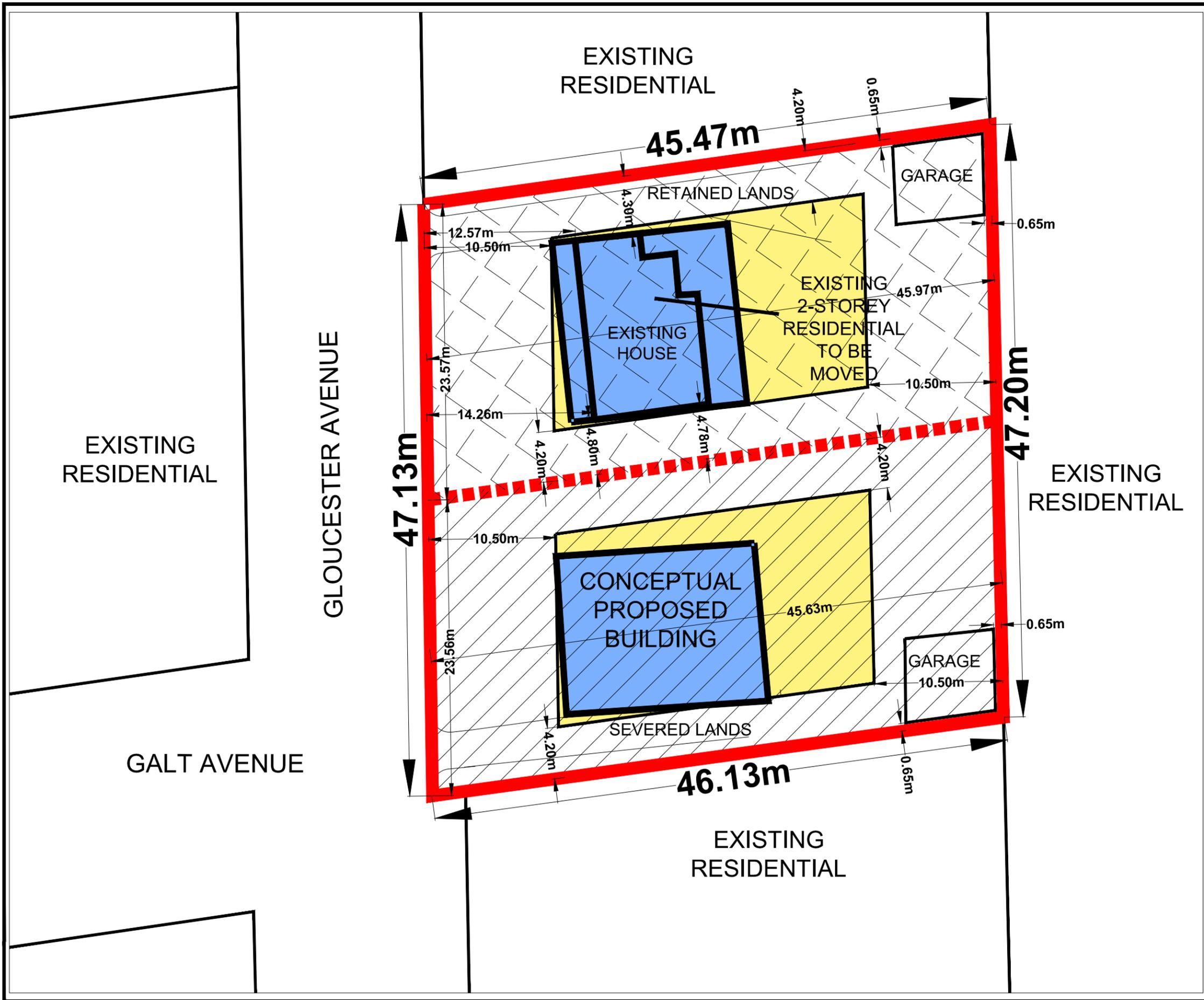
(LOCATION NOT TO SCALE)
CB

(LOCATION NOT TO SCALE)
SAN-MH

(LOCATION NOT TO SCALE)
ST

MMP
MacKay, MacKay & Peters Limited
LAND SURVEYORS & MAPPERS
SINCE 1906

3380 South Service Road
Unit 301
Burlington, ON
L7N 3J5
(905) 639-1375
halton@mmplimited.com
mmplimited.com



ZONING BY-LAW MARIX - RESIDENTIAL LOW (RL1-0)			TOTAL
SITE AREA: 0.20ha (0.52ac)			
Description	Required	Retained Lands	Severed Lands
Minimum Lot Frontage	30.50 m	23.57 m	23.57m
Minimum Interior Lot Area	0.13 ha (0.34 ac) 1,393.50 m ²	0.10 ha (0.26 ac) 1,069.20 m ²	0.10 ha (0.26 ac) 1,077.10 m ²
Minimum Front Yard Depth	10.50 m	12.57m	10.65m
Minimum Interior Side Yard Width	4.20 m	4.30m	4.20m
Minimum Rear Yard Depth	10.50 m	21.65m	18.95m
Maximum Lot Coverage	30%	11.63%	19.89%

STATISTICS OVERVIEW	
TOTAL LOT AREA:	0.20 ha (0.52 ac)
LANDS to be RETAINED:	0.10 ha (0.26 ac)
LANDS to be SEVERED:	0.10 ha (0.26 ac)

LEGEND

- PROPERTY BOUNDARY
- LANDS TO BE RETAINED
- LANDS TO BE SEVERED
- MAXIMUM BUILDING ENVELOPE
- MAXIMUM LOT COVERAGE

**CONCEPTUAL SEVERANCE PLAN
PROPOSED NEW LOT
317 GLOUCESTER AVENUE
TOWN of OAKVILLE**

P.N.: 23.3338.00	Date: March 4, 2025
Scale: N.T.S	Revised:
Drawn By: H.S.	File No.: PN 3338 Severance Concept Plan

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Brampton, Ontario
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w: www.gwdplanners.com



WATSON AVENUE

GALT AVENUE

GLOUCESTER AVENUE

BALSAM DRIVE

AIR PHOTO - CONTEXT MAP
317 GLOUCESTER AVENUE
TOWN of OAKVILLE, REGION of HALTON

LEGEND

 **PROPERTY BOUNDARY**

P.N.: 23.3338.00

Date: October 16, 2023

Scale: N.T.S

Revised:

Drawn By: H.S.

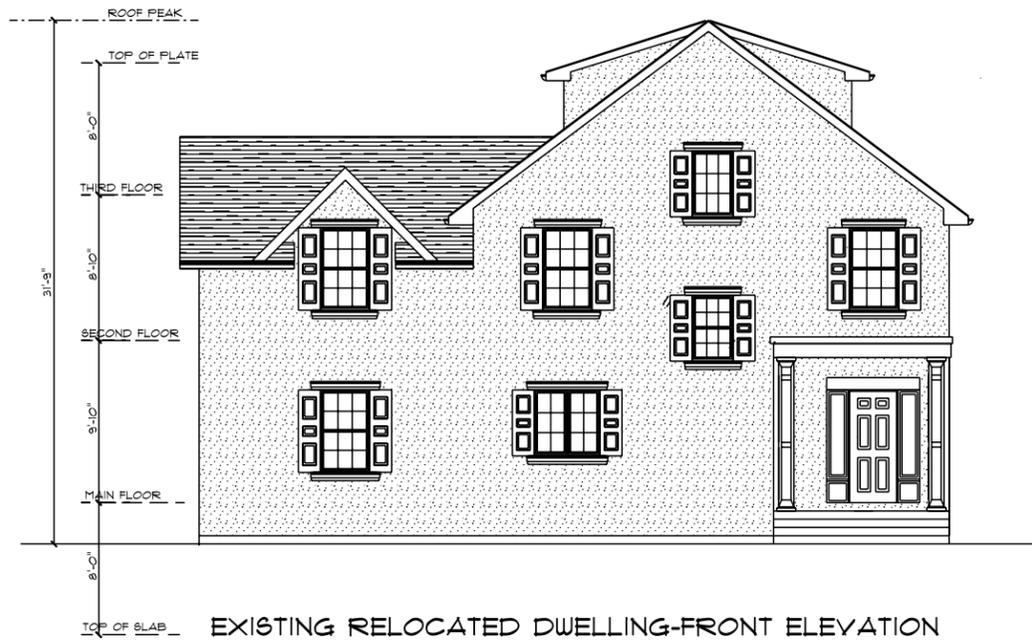
File No.: PN 3338 Context Map



GWD
Gagnon Walker Domes
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PROPOSED DWELLING-FRONT ELEVATION
SEVERED PROPERTY



EXISTING RELOCATED DWELLING-FRONT ELEVATION
RETAINED PROPERTY



PROPOSED DWELLING-FRONT ELEVATION
SEVERED PROPERTY
3D RENDERING



EXISTING DWELLING-FRONT ELEVATION

BCIN Stamp

THE UNDERSIGNED HAS REVIEWED AND TAKES RESPONSIBILITY FOR THIS DESIGN AND HAS THE QUALIFICATIONS AND MEETS THE REQUIREMENTS SET OUT IN THE ONTARIO BUILDING CODE TO BE A DESIGNER.

REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.4.1 OF THE 2006 O.B.C. SECTION C.3

KEVIN WEBSTER *Kevin A. Webster* 22400
FIRM SIGNATURE BCIN

REQUIRED UNLESS DESIGN IS EXEMPT UNDER 3.2.5.1 OF THE 2006 O.B.C.

KEVIN WEBSTER DESIGNS INC. 34740
FIRM NAME BCIN

Project:

**PROPOSED SEVERANCE
FRANCIS RESIDENCE
317 GLOUCESTER AVE
OAKVILLE, ONT.**

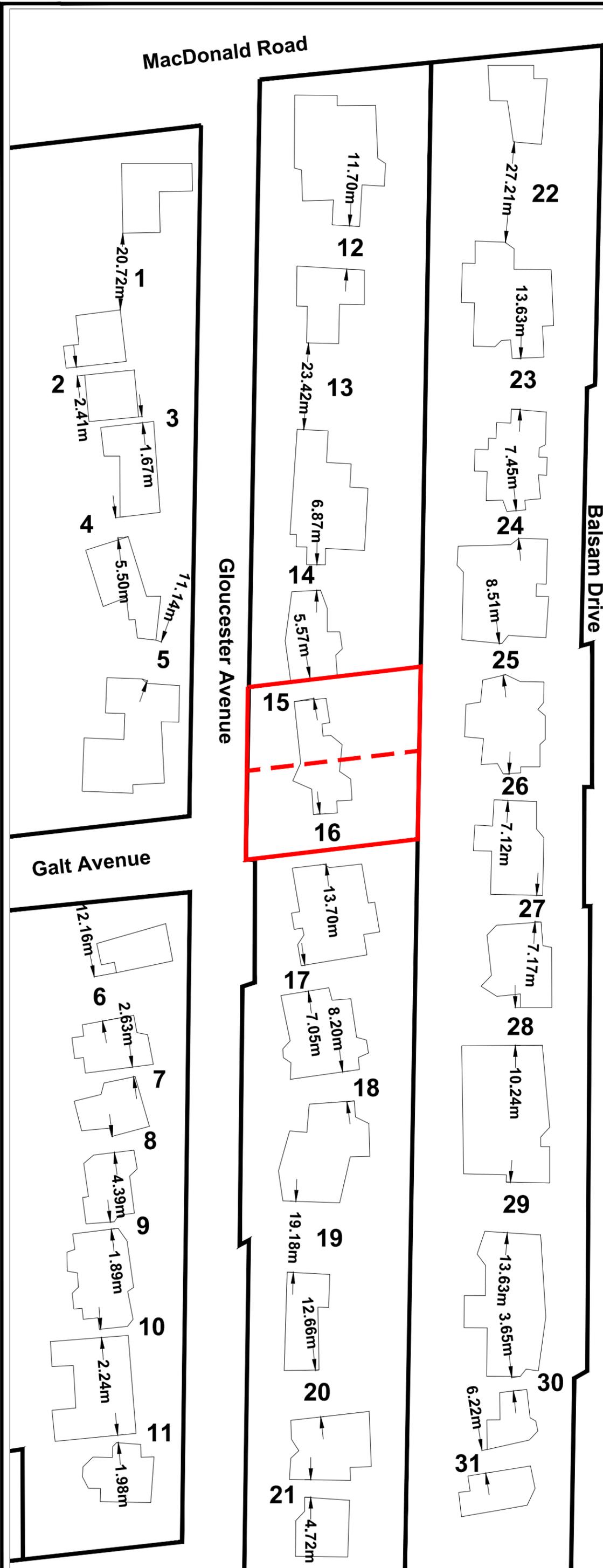
Kevin Webster Designs Inc.

68 North Valley Dr.
Welland, Ont. L3C 7L6
kevin@kwdesigns.ca 905-639-2009

DATE: **March 11, 2025**

DRAWN BY:

PAGE: **1**



Setback	Side Yard Width
1	20.72m
2	2.41m
3	1.67m
4	5.50m
5	11.14m
6	12.16m
7	2.63m
8	4.39m
9	1.89m
10	2.24m
11	1.98m
12	11.70m
13	23.42m
14	6.87m
15	5.57m
16	13.70m
17	7.05m
18	8.20m
19	19.18m
20	12.66m
21	4.72m
22	21.21m
23	13.63m
24	7.45m
25	8.51m
26	7.12m
27	7.17m
28	10.24m
29	13.63m
30	3.65m
31	6.22m

GREATER THAN MINIMUM
 LESS THAN MINIMUM

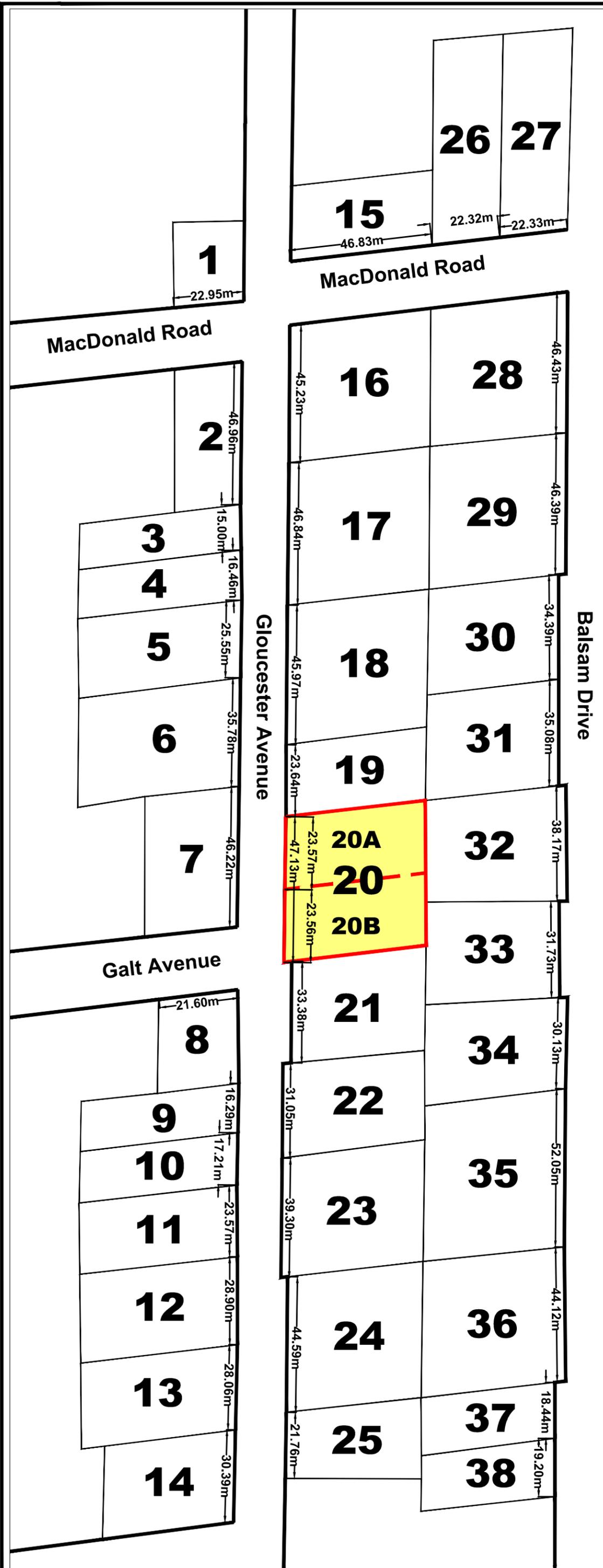
LEGEND

SUBJECT SITE

**SIDE YARD SETBACK MAP
317 GLOUCESTER AVENUE
TOWN of OAKVILLE**

P.N.: 23.3338.00	Date: January 18, 2024
Scale: N.T.S	Revised:
Drawn By: H.S.	File No.: PN 3338 Side Yard Setback Map





Site	Address	Frontage (m)	Lot Size (ac)
1	431 MacDonal Road	22.95m	0.15ac
2	356 Gloucester Avenue	46.96m	0.25ac
3	346 Gloucester Avenue	15.00m	0.19ac
4	342 Gloucester Avenue	16.46m	0.21ac
5	338 Gloucester Avenue	22.55m	0.34ac
6	328 Gloucester Avenue	35.78m	0.46ac
7	322 Gloucester Avenue	46.22m	0.35ac
8	436 Galt Avenue	21.60m	0.20ac
9	296 Gloucester Avenue	16.29m	0.20ac
10	294 Gloucester Avenue	17.21m	0.21ac
11	288 Gloucester Avenue	23.57m	0.30ac
12	284 Gloucester Avenue	28.90m	0.37ac
13	276 Gloucester Avenue	28.06m	0.35ac
14	268 Gloucester Avenue	30.39m	0.32ac
15	445 MacDonal Road	46.83m	0.28ac
16	363 Gloucester Avenue	45.23m	0.51ac
17	349 Gloucester Avenue	46.84m	0.53ac
18	335 Gloucester Avenue	45.97m	0.52ac
19	325 Gloucester Avenue	23.64m	0.27ac
20	317 Gloucester Avenue	48.52m	0.56ac
20A	317 Gloucester Avenue	24.26m	0.23ac
20B	317 Gloucester Avenue	24.26m	0.23ac
21	305 Gloucester Avenue	33.38m	0.36ac
22	299 Gloucester Avenue	31.05m	0.34ac
23	289 Gloucester Avenue	39.30m	0.45ac
24	275 Gloucester Avenue	44.59m	0.49ac
25	269 Gloucester Avenue	21.76m	0.26ac
26	457 MacDonal Road	22.32m	0.37ac
27	459 MacDonal Road	22.33m	0.36ac
28	362 Balsam Drive	46.43m	0.50ac
29	348 Balsam Drive	46.39m	0.51ac
30	334 Balsam Drive	34.39m	0.36ac
31	326 Balsam Drive	35.08m	0.37ac
32	316 Balsam Drive	38.17m	0.40ac
33	308 Balsam Drive	31.73m	0.35ac
34	300 Balsam Drive	30.13m	0.36ac
35	288 Balsam Drive	52.05m	0.58ac
36	280 Balsam Drive	44.12m	0.51ac
37	268 Balsam Drive	18.44m	0.20ac
38	264 Balsam Drive	19.20m	0.20ac

- GREATER THAN PROPOSED
- LESSER THAN PROPOSED

STATISTICS OVERVIEW 317 GLOUCESTER AVENUE	
TOTAL LOT AREA:	0.21 ha (0.53 ac)
LOT FRONTAGE:	47.13m (154.62ft)

LEGEND	
	SUBJECT SITE

PROPERTY INDEX MAP
LOT FRONTAGES & AREA ASSESSMENT
317 GLOUCESTER AVENUE
TOWN of OAKVILLE

P.N.: 23.3338.00	Date: September 25, 2023
Scale: N.T.S.	Revised:
Drawn By: H.S.	File No.: PN 3338 Property Index Map





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Principals

Michael Gagnon
Lena Gagnon
Andrew Walker
Richard Domes

March 11, 2025

Corporation of the Town of Oakville
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

Attn: Jennifer Ulcar, Secretary Treasurer, Committee of Adjustment

**Re: Committee of Adjustment
Consent to Sever and Minor Variance Applications
317 Gloucester Avenue,
Town of Oakville, Ontario
Ward 3
(GWD File: 3338.00)**

Dear Jennifer:

Gagnon Walker Domes Ltd. (GWD) acts as Planning Consultant to Ms. Amelia Francis, the Registered Owner of 317 Gloucester Avenue, in the Town of Oakville (hereinafter referred to as the "subject site").

In support of the Committee of Adjustment – Consent to Sever and Minor Variance Applications, GWD is pleased to submit the following submission package:

- One (1) completed application form (Committee of Adjustment Consent);
- Two (2) completed application forms (Committee of Adjustment Minor Variance);
- One (1) Cover Letter, prepared by GWD dated March 7, 2025;
- One (1) copy of the Severance Sketch, prepared by MMP Limited dated February, 27, 2025;
- One (1) copy of the Consent to Sever Plan and Minor Variance Plans, prepared by GWD dated March 4, 2025;
- One (1) Setback Map, prepared by GWD dated January 18, 2024;
- One (1) Property Index Map, prepared by GWD dated September 25, 2023; and
- One (1) copy of the Site Plan and Elevation Drawings, prepared by Kevin Webster Designs Inc. dated March 5, 2025;

GAGNON WALKER DOMES LTD.

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In addition, a Letter of Support and Petition signed by seven (7) neighbours within the surrounding neighbourhood is included with this submission to the Committee of Adjustment. As noted on the attached Letter of Support and Petition, the signatories thereto acknowledge that they are aware of the application and provide their support thereof.

1.0 Subject Property & Surrounding Area

The subject site is an irregular shaped parcel, located on the east side of Gloucester Avenue, south of MacDonald Road and north of Sheddon Avenue/Moorecroft Road. In addition, the subject site is immediately opposite Galt Avenue. The subject site measures approximately 0.20ha (0.52ac) and is occupied by an existing two (2) storey single detached dwelling, serviced by a private driveway with (2) access points to Gloucester Avenue, as well as a detached garage.

Surrounding land uses generally include single detached residential and open space uses.

TAB 1 includes Air Photos from Google Earth of the subject site and area context

2.0 Consent to Sever Application

It is proposed that the subject site be severed into two (2) residential properties; Lot 1 being the retained lands and Lot 2 being the severed lands. Lot 1 measures approximately 0.10ha (0.26ac) with approximately 23.57m (77.32ft) of street frontage on Gloucester Avenue. Lot 2 measures approximately 0.10ha (0.26ac) with approximately 23.56m (77.29ft) of street frontage on Gloucester Avenue.

The purpose of the Consent to Sever Application is to create two (2) single-detached residential dwelling lots. The original portion of the existing dwelling is to be maintained (the more recent addition is not being kept) and relocated onto Lot 1, with a new dwelling to be constructed on Lot 2. A Pre-Consultation Application was submitted for the severance of the subject site on October 20, 2023, and the meeting was held on November 22, 2023 (under File # PCON 317 Gloucester Avenue). The Consolidated Comments Report was issued on the same date.

The Committee of Adjustment Applications were filed on February 12, 2024, and were tabled for consideration at the Committee of Adjustment Meeting on May 1, 2024 (Files B24/03 (1612), CAV A/052/2024, and CAV A/053/2024). At that time, the applications were deferred in order to provide updates to the submission materials following the completion of an updated survey plan.

Access to both lots shall continue to be provided from Gloucester Avenue via two (2) separate individual driveways. As the original dwelling currently has two (2) access points (north and south), the newly created lots will use the existing accesses and will therefore not create any new access points on Gloucester Avenue.



TAB 2 includes the proposed Consent to Sever Plan prepared by Gagnon Walker Domes Ltd. dated March 4, 2025.

The following is a brief summary of the proposed Conceptual Severance Plan:

- Total Site Area: 0.20 hectares (0.52 acres)

Lot 1 – Retained Lands

- Area: 0.10 hectares (0.26 acres)
- Width: 23.57 metres (77.32 feet) at Street Lot Line
- Lot Frontage: 23.57 metres (77.32 feet) (measured at 7.50 metres back of Street Lot Line as per Town of Oakville Zoning By-law)
- Depth: 45.63 metres (149.70 feet)

Lot 2 – Severed Lands

- Area: 0.10 hectares (0.26 acres)
- Width: 23.56 metres (77.29 feet) at Street Lot Line
- Lot Frontage: 23.57 metres (77.32 feet) (measured at 7.50 metres back of Street Lot Line as per Town of Oakville Zoning By-law)
- Depth: 45.97 metres (150.82 feet)

3.0 Planning Analysis

The proposed Consent to Sever Application has been analyzed in the context of governing planning documents. The following represents a summary of the highlights of the Planning Analysis.

Planning Act

With regard to the Consent to Sever Application, our office has taken into consideration the provisions prescribed within Section 51(24) of the Planning Act (as summarized in the Chart below), and we are of the opinion that the proposed Consent to Sever Application represents good planning and should be supported from a land use perspective.

<u>Criteria To Be Considered</u>	<u>Analysis</u>
The effect of development of the proposed subdivision on matters of provincial interest;	The proposed severance has no significant effect on matters of provincial interest.
Whether the proposal is premature or in the public interest;	The proposed severance is neither premature nor contrary to any matters of public interest.



<p>Whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</p>	<p>The proposed severance conforms to the Official Plan, which designates the site Low Density Residential, which permits single-detached residential dwellings. The Official Plan also designates the site Special Policy Area, which further sets out the low density uses and character of the neighbourhood. The Retained lands are to maintain the original form of the existing dwelling (which will be relocated slightly), and the Severed Lands are intended to accommodate the proposed new single-detached residential dwelling. Lastly, the Official Plan identifies the site as a Residential Area, and the proposed uses of the Retained and Severed Lands are for residential purposes.</p>
<p>The suitability of the land for the purposes for which it is to be subdivided;</p>	<p>The subject site is suitable for the purposes of the severance. The subject site is designated for residential uses, and is in keeping with the character of the surrounding area, which consists of community and low-density residential uses. In addition, the proposal also meets the density provisions of the Official Plan Special Policy Area policies.</p>
<p>The number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;</p>	<p>The proposed severance does not present any concern with regard to the adequacy of the roadway network. The adjacent road network is suitable for residential purposes, including a residential dwelling, and the proposal serves to maintain the current use of the site for residential purposes.</p>
<p>The dimensions and shapes of the proposed lots;</p>	<p>The proposed lots to be created are appropriate in size and shape for the residential use. Two (2) associated Minor Variance Applications have been filed to address various performance related standards for the Severed and Retained lots; all of which are minor in nature. The variances related to performance standards include lot frontage and lot area for both the Severed and Retained lands. The proposed dimensions are in line with</p>



	the surrounding neighbourhood which is located within the Special Policy Area.
The restrictions or proposed restrictions, if any, on the land proposed to be subdivided; or the buildings or structures proposed to be erected on it and the restrictions, if any, on adjoining land;	There are no known restrictions or proposed restrictions on the lands to be subdivided.
The conservation of natural resources and flood control;	The proposed severance presents no concerns with regard to flood control and the conservation of natural resources.
The adequacy of utilities and municipal services;	There are no concerns with regard to the adequacy of utilities and municipal services.
The adequacy of school sites;	The proposed severance presents no concerns with regard to the adequacy of school sites.
The area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	There are no concerns related to conveyances for public as part of the Consent Application.
The extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy;	The proposed severance has no impact on matters of energy conservation.
The interrelationship between the design of the proposal and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41(2) of this Act.	The existing single-detached residential building is being maintained and relocated, and will continue to operate as a single-detached residential dwelling. A new single-detached residential dwelling is proposed on the severed lot. Both lots will remain in the same Official Plan designations.

4.0 Minor Variance Application

Concurrent with the Consent to Sever Application for the subject site, two (2) associated Committee of Adjustment Minor Variance Applications are also being submitted to the Town of Oakville, seeking relief from the Zoning By-law in order to address various performance standards in relation to the Severed and the Retained lands.

The requested relief from the Zoning By-law for the Severed Lands is as follows:

1. To permit a lot frontage of 23.57m whereas the Zoning By-law requires a minimum lot frontage of 30.50m.



2. To permit a lot area of 0.10 ha (0.26 ac) whereas the Zoning By-law requires a minimum lot area of 0.13 ha (0.34ac).

The requested relief from the Zoning By-law for the Retained Lands is as follows:

1. To permit a lot frontage of 23.57m whereas the Zoning By-law requires a minimum lot frontage of 30.50m.
2. To permit a lot area of 0.10 ha (0.26 ac) whereas the Zoning By-law requires a minimum lot area of 0.13 ha (0.34ac).

In regard to the requested frontage variances, the frontage value requested is calculated based on the frontage definition in Zoning By-Law 2014-014, which states that *“the horizontal distance between the side lot lines of a lot measured parallel to and 7.5 metres back from the front lot line, except in the case of a corner lot where the front lot line and the flankage lot line do not intersect at a 90 degree angle the front lot line and flankage lot line shall be deemed to extend to their hypothetical point of intersection where the horizontal distance between the interior side lot line and hypothetical flankage lot line is measured parallel to and 7.5 metres back from the front lot line”*.

With regard to the subject lands, the street lot line has a frontage of 47.13m (23.56m for the Severed Parcel and 23.57m for the Retained Parcel).

When applying the Town of Oakville’s Zoning By-law provision for calculating lot frontage (7.5m back from the front lot line), the lot frontage of the parcel is 47.14m (23.57 for the Severed Parcel and 23.57 for the Retained Parcel; as the side lot lines of the subject lands are not exactly parallel).

The proposed Committee of Adjustment Minor Variance Applications have been analyzed in the context of the governing planning documents. The following represents a summary of the highlights of the planning analysis.

TAB 3 includes the proposed Minor Variance Plan prepared by Gagnon Walker Domes Ltd. dated March 4, 2025.

Town of Oakville Official Plan, 2009 (Livable Oakville Plan)

The Town of Oakville Official Plan (OOP) designates the subject site as ‘**Residential Areas**’ and ‘**Low Density Residential**’, as well as being located within a ‘**Special Policy Area**’, as noted on Schedules A1 and G of the OOP. Uses permitted on lands designated **Low Density Residential** and **Residential Areas** are predominantly residential; including low, medium, and high density residential uses. Complimentary uses are permitted ranging from schools, places of worship, recreational facilities, and commercial uses (Policy 3.9).

In addition, Policy 3.9 notes that some growth and change may occur in the **Residential Area** provided the character of the area is preserved and the overall urban structure of the Town is upheld. In this regard the proposed Severance and Minor Variance



Applications seek to permit single-detached residential dwellings on both the Severed and Retained Lands. The resultant lot sizes, lot frontages, and uses are in keeping with the character of the existing surrounding neighbourhood.

It is the policy of the OOP that development and redevelopment to accommodate intensification will be located within areas identified as Growth Areas. It is noted that the subject site is located outside of the OOP identified Growth Areas. Policy 4.3 of the OOP provides policy direction on residential intensification outside of the Growth Areas. This policy notes that 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.

The proposed development maintains and preserves the overall urban structure of the Town, as the proposal seeks to locate two (2) single-detached residential dwellings in an area of the Town designated for such uses; the applications do not seek to permit uses that are not permitted by the current planning designation.

In addition, while the variances for a minor reduction in lot area and frontage are being sought, the Severed and Retained lots are sufficiently and appropriately sized to accommodate the residential uses and is in keeping with the character of the existing surrounding neighbourhood. We have undertaken a review of the lot areas and frontages within the neighbourhood and note that there is a range of frontages and areas including a number of lots that have a lesser lot frontage and lot area than the proposed Severed and Retained lands. In this regard, we are of the opinion that the proposed Severed and Retained lands maintain the character of the existing neighbourhood and as such meets the intent and purpose of the Official Plan.

TAB 4 includes the Property Index Map prepared by Gagnon Walker Domes Ltd. dated September 25, 2023.

The OOP talks about the need to protect the existing trees in the Town. During the Pre-Consultation discussion, staff raised concerns about loss of tree canopy and maintaining the trees along the frontage of the subject site. The proposed layout being advanced through this application has adjusted the proposed access driveways to each of the lots in order to avoid the existing frontage trees/natural features. In addition, the proposal serves to increase the landscaping/vegetation on the two (2) new parcels through additional planting (Policy 6.10.2).

Residential

The residential policies of the Town of Oakville can be found in Section 11 of the Official Plan. In this regard, the Town of Oakville notes that residential areas represent the areas that provide for stable residential communities. Policy 11 of the OOP goes on to note that intensification outside of the Growth Areas within the stable residential communities will be subject to policies that are intended to maintain and protect the existing character of those communities.



As noted previously, the proposed Severance and associated Minor Variance Applications serve to locate two (2) single-detached residential dwellings on lots that are sized appropriately to accommodate the use. The size of the lots, their frontages, and the uses themselves are in keeping with the character of the existing surrounding neighbourhood and will not result in the destabilization of the existing community.

Policy 11 identifies a number of objectives that apply to all **Residential Areas**. We note the following as it relates to the proposed application:

- Maintain, protect, and enhance the character of the existing **Residential Areas** (Policy 11.a).
- Encourage an appropriate mix of housing types, densities, design and tenure throughout the Town (Policy 11.b).

As previously noted, the proposed development and associated minor reduction in lot area and frontage serves to provide appropriately sized lots delivering single-detached dwellings that are in an area of the Town of Oakville that is designated for such use, and are in keeping with the character of the existing surrounding neighbourhood. The Severed and Retained lots are suitably sized to accommodate the single-detached dwelling while providing an appropriate level of circulation and openness within and around the subject site.

With regard to intensification within stable residential communities, the OOP states that on lands designated **Low Density Residential**, land division may be considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood (Policy 11.1.8.a).

In analyzing the lot frontages and lot areas within the surrounding neighbourhood (see TAB 4), we note that there is a range of lot frontages from 15.00m to 52.05m, and a range of lot areas from 0.15ac to 0.58 ac. It is noteworthy that these surrounding properties have the same land use policy designations, including the **Special Policy Area** provisions. The Severed lot will have lot frontage of 23.57m and the Retained lot will have a lot frontage of 23.57m. Both lots will have a lot area of 0.26ac; all within the range of the existing surrounding neighbourhood. In this regard, the character of the existing neighbourhood is maintained by the proposed Severance and Minor Variances.

The OOP includes a number of development criteria to evaluate development within all stable residential communities in order to maintain and protect the existing neighbourhood character (Policy 11.1.9). The following is a summary of how the proposed development meets relevant criteria:

- A) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood. The scale and height of the proposed and existing dwelling is compatible with the surrounding neighbourhood. The buildings are proposed to be two (2) storeys in height which is consistent with all the other properties in the neighbourhood. The



buildings will be designed with a sympathetic character and materials to those in the neighbourhood.

- B) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood. No variances for side yard setback are required for either the Severed lot or the Retained lot; the minimum 4.20m is being maintained for each. With regard to the compatibility test with regard to setbacks, orientation, and separation distances within the surrounding neighbourhood, we have analyzed the side yard width between all of the lots within the immediate surrounding neighbourhood (See TAB 5). In this regard, we note that many of the lots within the surrounding neighbourhood are less than the required minimum, however the distances between the subject site and the surrounding lots is within the same range and context as with all of the other properties within the surrounding neighbourhood.
- D) Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood. The predominant lotting pattern of the surrounding neighbourhood is for single-detached residential dwellings on lots of various sizes. As noted previously, the proposed lot frontages and areas of the Retained and Severed lands is within the range of lot frontages and areas of the existing surrounding neighbourhood. The proposed Retained and Severed lands are appropriately sized to accommodate a single-detached dwelling which meets all minimum yard setbacks resulting in lots that are open and that have proper circulation around the dwelling.
- E) Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection. The subject site is located on a public road, with full municipal services to which the dwellings that are to be located on the Severed and Retained lands can avail themselves of.
- H) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing. The Severed and Retained lands are appropriately sized to accommodate a single-detached residential dwelling, including the accommodation of grading, drainage, access and circulation, etc.

The **Low Density Residential** designation permits a range of low density housing types which include detached dwellings, semi-detached dwellings, and duplexes (Policy 11.2.1). The proposed development of the Severed and Retained lands through this Consent to Sever and associated Minor Variance Applications is to permit single-detached dwellings which are a permitted use.

A density of up to 29 dwelling units per site hectare may be permitted in areas designated **Low Density Residential** (Policy 11.2.2). The density of the proposed development is 9.09 units per site hectare and as such is in conformity with this policy requirement. In this regard, we note that the **Special Policy Area** policies provide for an alternate density figure; see the discussion on Policy 26.2.1 below in this planning justification memo.



The **Special Policy Area** in Southeast, Central and Southwest Oakville that applies to the **Low Density Residential** designation is intended to protect the unique character of the area. Due to the characteristically large lots and homes located in this **Special Policy Area**, intensification shall be limited to development which maintains the large lots character of the neighbourhood. Densities in the **Special Policy Area** shall not exceed 10 units per site hectare notwithstanding the **Low Density Residential** designation (Policy 26.2.1).

The subject site is located within the Southeast Special Policy Area as noted on Schedule G, Southeast Land Use. As noted previously, the proposed lot frontages and lot areas as noted in the Minor Variance Applications is within the range of lot frontages and areas within the existing surrounding neighbourhood. As such, the proposed development maintains the character of the neighbourhood. Further, the side yard setbacks meet the requirements of the RL1-0 Zoning designation which applies to the subject site and surrounding neighbourhood; no variances are required. Lastly, a single-detached residential dwelling is proposed for both the Severed Lands and the Retained Lands, which is the building typology of all the surrounding properties.

A density of 9.09 units per site hectare is proposed which complies with the policy (not to exceed 10 units per site hectare). In this regard, the subject site maintains the character of the surrounding neighbourhood as the proposed density is in line with, but not exceeding, the density provisions of the Official Plan in Policy 26.2.1. The intent of this policy of the OOP is to maintain the large lots character of the neighbourhood through the implementation of the density provision to not exceed 10 units per site hectare. As noted, the density of the proposed development approaches but does not exceed the density requirements of the Official Plan, thereby maintaining the character of the area.

It is our opinion that the proposed Consent to Sever and associated Minor Variances conforms to the general intent and purpose of the Official Plan.

Zoning By-law 2014-014

The subject site is zoned '**Residential Low (RL1-0)**'.

The '**Residential Low (RL1-0)**' Zoning only permits the following uses:

- Accessory Dwelling Unit;
- Bed and Breakfast Establishment;
- Conservation Use;
- Day Care;
- **Detached Dwelling**;
- Emergency Service Facility;
- Home Occupation;
- Lodging House;
- Public Park;
- Private Home Day Care;
- Short-Term Accommodation; and



- Stormwater Management Facility.

The proposed Consent to Sever application does not change the land use of the subject site. The subject site is designated **Low Density Residential** in the OOP and **Residential Low (RL1-0)**, both of which permit single-detached residential dwellings. Single-detached residential dwellings are proposed for both the Severed and Retained lots. The residential function of the subject site will remain; no new uses are proposed.

The requested variances will facilitate the advancement of a proposal for two (2) single-detached residential dwellings which maintain the character of the existing surrounding neighbourhood. The variance for the lot area reflects the total area of the Severed and Retained lands following the splitting of the original subject site into two (2) separate parcels, and reflects a modest reduction in minimum lot area. The variance for lot frontage reflects the total frontage of the Severed and Retained lands following the splitting of the original subject site into two (2) separate parcels, and reflects a modest reduction in minimum lot frontage.

It is our opinion that the proposed Severance and Minor Variances conform to the general intent of the Zoning By-law.

May 1, 2024 Staff Report Comments and Responses

Town of Oakville staff tabled three (3) staff reports to the May 1, 2024 Committee of Adjustment Meeting in regard to the Consent to Sever and two (2) Minor Variance Applications. With regard to the Minor Variance Applications, staff indicated as an overall comment that the proposed lot areas and lot frontages resulted in lots that are not in keeping with the predominant lotting pattern of the surrounding neighbourhood and that they do not meet the four tests in Section 45(1) of the Planning Act.

In contrast, Region of Halton staff reviewed the consent and minor variance applications and came to the opinion that the proposal conforms to the relevant planning documents and as such had no objection to the consent and minor variance applications. In addition, Town of Oakville staff acknowledge that the applications are not in conflict with the 2020 Provincial Policy Statement and the 2020 Growth Plan.

With regard to Town staff's position that the proposed frontages and lot areas would not meet the character of the surrounding neighbourhood, a review of the lot areas and frontages within the surrounding community (see TAB 4) indicates that the proposed frontages and lot areas are in fact in line with the surrounding community. It is noteworthy that the surrounding community has the same zoning designation and are within the same Special Policy Area as the subject site. In this regard, the proposed consent to sever application maintains the existing character of the surrounding neighbourhood.

Town staff note that the Special Policy Area policies are designed to limit lot division and keep larger lots in the neighbourhood. We note that the subject site is located on the border of the Special Policy Area, and the lots on the opposite side of the street are smaller than the proposed lots. One of the policy objectives of the OOP and as noted by Town staff in their reports is that the development is to maintain the existing character of



the surrounding neighbourhood. Notwithstanding the fact that the Special Policy Area only applies to the east side of Gloucester Avenue, any resident and or visitor to the area experiences the 'character' of the neighbourhood by observing both sides of the street.

In addition, as noted previously and illustrated within TAB 4, we note that there are various lots within the Special Policy Area that are also smaller than the proposed lots. The proposed lot areas and frontages for the subject site are well within the range of areas and frontages within the surrounding neighbourhood. Further, the density of the proposed lots resulting from the severance is 9.09 units per hectare, which conforms to the maximum permitted density of 10 units per hectare as set out in the Special Policy Area policies. In this regard, when viewing the neighbourhood holistically, we are of the opinion that the Retained and Severed lots are in keeping with and maintain the existing character of the surrounding community.

Town staff suggest that the proposed variances are not minor in nature, and therefore do not meet the four (4) tests of the Planning Act. However, we are of the opinion that they are in fact minor in nature. The proposed lots would still be larger than some of the lots, as well as being within the range of lot area and frontage that currently exists in the Special Policy Area, as noted above and illustrated in TAB 4. The Minor Variance applications propose a modest reduction in lot area and frontage that result in two (2) lots that will continue to have generous lot frontages and areas when compared to typical single detached lots, and are not expected to have an adverse impact on the adjacent properties or the neighbourhood in general. The design of the proposed homes on the lots would also be of the same character that currently exists in the neighbourhood, and as such, the lots would not feel out of place in the community.

We are of the opinion that the applications to sever the parcel and associated minor variances are minor in nature, and does not deviate from the intent and nature of the Special Policy Area, and are therefore supportable.

Desirable and Appropriate Development of the Land

The submitted Minor Variance and Consent Applications will facilitate the creation of two (2) new lots (the severed and retained lands) for single detached residential uses, which is in keeping with the general intent of the Official Plan and Zoning By-law. The new lots are of a size, shape, density, and land use which is compatible, respects the current neighbouring parcel fabric, and efficiently utilizes existing and planned infrastructure.

The subject site is located in an area that is designated for residential purposes, including single-detached residential dwellings. In this regard, we are of the opinion that the proposed variances are considered desirable and appropriate for the development of the land.

Minor in Nature

In determining whether the variances are minor, it is imperative that it not become an exercise of arithmetic but a contextual analysis. The proposed variances are not expected



to have an adverse impact on the adjacent properties or the neighbourhood in general. They will serve to maintain the character of the existing surrounding neighbourhood.

The variances are modest deviations from the Zoning By-law standards. In this regard, we are of the opinion that the proposed variances are considered minor in nature and should be supported.

Should you require additional information or have any questions, please do not hesitate to contact the undersigned.

Yours truly,

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Email: hsingh@gwdplanners.com

PETITION

**LETTER of SUPPORT
Consent to Sever Application
Committee of Adjustment Applications**

We the undersigned, being residents of the neighbourhood have met personally with Ms. Amelia Frances, the registered owner and occupant of 317 Gloucester Avenue to review the attached plans (Air Photo, Site Plan and Elevations) which illustrate her intentions to create a 'new' lot by severing her property in half. We support her plans to divide the property, relocate a portion of her 'existing' dwelling onto a 'new' foundation to be located on the south half of the property (the Retained Lands), and build herself a 'new' home on the north half of the property (the Severed Lands). We also support the Minor Variances being sought in connection with relief from the Town of Oakville Zoning By-law governing 'minimum' Lot Frontage (approximately 24.26 m versus 30.5m) and Lot Area (approximately 1,137.8m² versus 1,393.5m²).

Name	Property Address	Phone Number/Email	Signature	Date
ELLIOTT BER JULIE VERGIAA	████████ 660VCESTER AVE	416-419-9804		Jan 21/24
PAT CAMILLERI	416-709-2148			
PAT CAMILLERI	████████ MACDONALD RD	416-709-2148	P. Camilleri	Jan 22/24

