

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/063/2025

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 30, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
K. Jones	Emelie Vea Willmott and Strickland Inc. 594 Chartwell Road, Suite 3 Oakville ON, L6J 4A5	PLAN 126 PT LOT 54 414 Reynolds St Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential

ZONING: RL5-0, Residential

WARD: 3

DISTRICT: East

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 two-storey addition with attached garage and a covered porch in the rear yard on the subject property proposing the following variance to Zoning By-law 2014-014:

No.	Current	Proposed
1	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area less than 557.5m ² shall be 43%.	To increase the maximum residential floor area ratio to 45.56%.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning & Development:

(Note: Planning & Development includes consolidated comments from the relevant district teams including Current, Long Range and Heritage Planning, Urban Design and Development Engineering)

A/063/025 - 414 Reynolds Street (East District) (OP Designation: Low Density Residential)

The applicant proposes to construct a two-storey addition with an attached garage and a covered porch in the rear yard, subject to the variance listed above.

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:

Site Area and Context

The subject lands are located in a neighbourhood primarily comprised of one-storey and two-storey detached dwellings with a consistent architectural style, and garages stepped back from the main façade of the dwelling. This neighbourhood is also characterized by mature tree-lined streets.

Staff note this development will need a Site Alteration Permit (DEPA) following this application, prior to proceeding with works. The Site Alteration Permit review will require development to provide for stormwater management on site to control post development flows to pre-development conditions.

Does the proposal maintain the general intent and purpose of the Official Plan?

The subject property is designated Low Density Residential in the Official Plan. Development within stable residential communities shall be evaluated against the criteria in Section 11.1.9 to ensure new development will maintain and protect the existing neighbourhood character. Staff note that the proposed garage addition is setback from the main façade of the dwelling, and the second floor addition is built into the roofline to further mitigate impacts of massing on the public realm.

Planning staff are of the opinion that the proposed variance to permit an increase in residential floor area ratio results in a dwelling that maintains the character of the existing neighbourhood. On this basis, it is staff's opinion that the proposed addition to the existing dwelling maintains the general intent and purpose of the Official Plan.

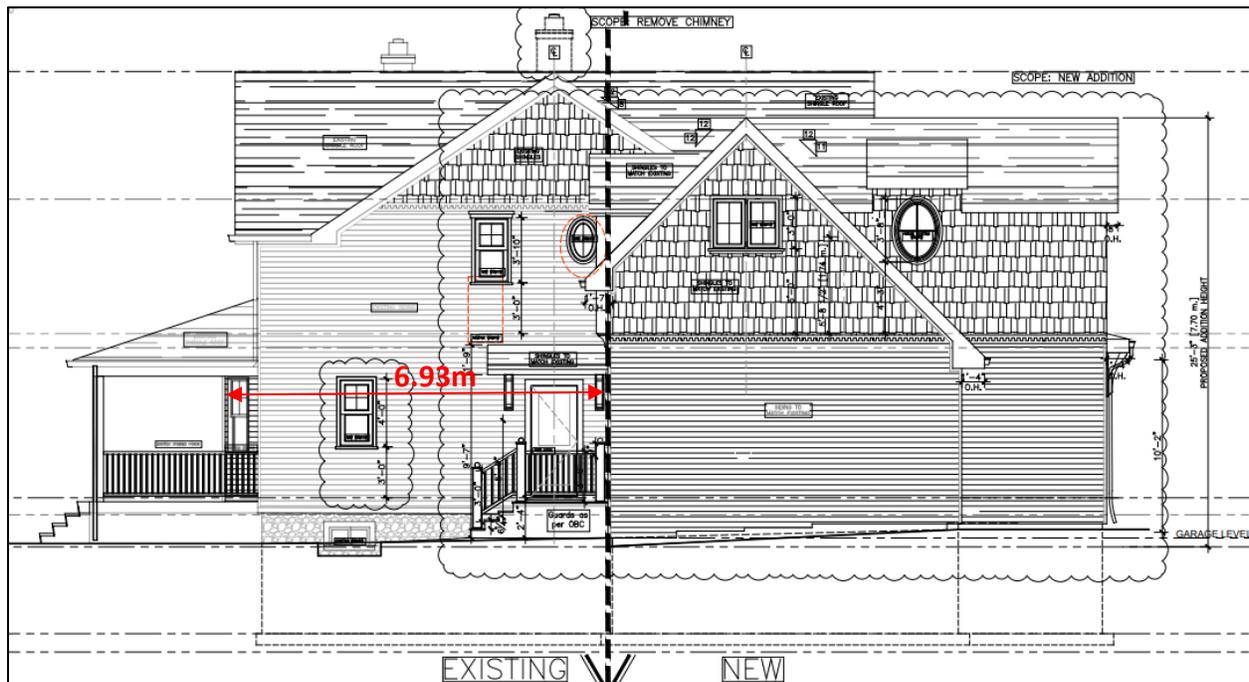
Does the proposal maintain the general intent and purpose of the Zoning By-law?

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

Variance #1 – Residential Floor Area Ratio (No Objection) – 43% increased to 45.56%

The intent of regulating the residential floor area is to prevent a dwelling from having a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. The applicant is requesting relief from By-law 2014-014, as amended, to permit an increase in residential floor area ratio from 43% (238.15 square meters) to 45.56% (252.33 square meters), for a total increase of 14.18 square meters from that permitted.

Staff recognize that the addition as can be viewed along the west elevation is stepped back 6.93 meters from the front wall of the existing dwelling, and the remainder of the addition will be located at the rear of the existing dwelling. Furthermore, the addition is proposed to have a maximum height of 7.0 meters, providing for breaks in the massing with the existing dwelling maintaining a maximum height of 8.53 meters.



West Elevation – 414 Reynolds Street

Staff are of the opinion that the 14.18 square meter increase in residential floor area ratio will not substantially impact the massing and scale of the existing dwelling. This proposal generally maintains the overall character of the existing neighbourhood while accommodating the addition.

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, the following conditions are recommended:

1. That the addition be constructed in general accordance with the submitted site plan and elevation drawings dated March 14, 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.

Transit: No comments.

Metrolinx: No comments/concerns.

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 residential floor area ratio to 45.56%, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting a two-storey addition with attached garage and a covered porch in the rear yard on the Subject Property.

Bell Canada: No comments received.

Union Gas: No comments received.

Letter(s) in support – 3

Letter(s) in opposition – 0

Date: MARCH 25, 2025

Committee of Adjustment
Town of Oakville
1225 Trafalgar Road, P.O. Box 310
Oakville, ON
L6J 5A6

Dear Members of the Committee:

Regarding: Application for Minor Variance
414 Reynolds Street

I/We are aware of the above noted application for minor variance(s) submitted by the Owners Adam and Kristyn Jones.

Having reviewed the design drawings proposed for the new additions and the minor variance requested, I/we do not have any objection to the request for minor variance(s) and therefore support the application as presented. *We celebrate the updating of homes to better accommodate local families that live in the neighbourhood.*
Sincerely,

PAUL & ERIKA MANN

Name(s) (print)

INGLEHART ST. SOUTH, OAKVILLE, L6J 3J5.

Erika H. Mann
Signature(s)

[Signature]

Rear Neighbours. @ [Redacted] Inglehart St. South.
Address

Date: APRIL 14/2025

Committee of Adjustment
Town of Oakville
1225 Trafalgar Road, P.O. Box 310
Oakville, ON
L6J 5A6

Dear Members of the Committee:

**Regarding: Application for Minor Variance
414 Reynolds Street**

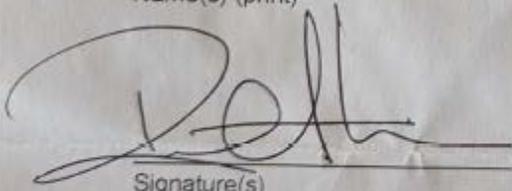
I/We are aware of the above noted application for minor variance(s) submitted by the Owners Adam and Kristyn Jones.

Having reviewed the design drawings proposed for the new additions and the minor variance requested, I/we do not have any objection to the request for minor variance(s) and therefore support the application as presented.

Sincerely,

RAY CHRISTOLM

Name(s) (print)



Signature(s)

Address

Singlehart St.

Date: MARCH 24

Committee of Adjustment
Town of Oakville
1225 Trafalgar Road, P.O. Box 310
Oakville, ON
L6J 5A6

Dear Members of the Committee:

**Regarding: Application for Minor Variance
414 Reynolds Street**

I/We are aware of the above noted application for minor variance(s) submitted by the Owners Adam and Kristyn Jones.

Having reviewed the design drawings proposed for the new additions and the minor variance requested, I/we do not have any objection to the request for minor variance(s) and therefore support the application as presented.

Sincerely,

SHIRLEY O'QUINN
Name(s) (print)

Shirley O'Quinn
Signature(s)

REYNOLDS ST
Address OAKVILLE ON
L6J3M4

General notes for all applications:

Note: The following standard comments apply to all applications. Any additional application specific comments are as shown below.

- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and Construction, Building, Conservation Halton etc.) should any proposed work be carried out on the property.
- The applicant is advised that any current or future proposed works that may affect existing trees (private or municipal) will require an arborist report.
- The applicant is advised that any current or future proposed works will require the removal of all encroachments from the public road allowance to the satisfaction of the Engineering and Construction Department.
- The applicant is advised that the comments provided pertain only to zoning and are not to be construed as a review or approval of any proposal for the site. This review will be carried out through the appropriate approval process at which time the feasibility/scope of the works will be assessed.
- The proponent is cautioned that during development activities, should archaeological materials be found on the property, the 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:

Staff do not object to the proposed variance. Should this minor variance request be approved by the Committee, the following conditions are recommended:

1. That the addition be constructed in general accordance with the submitted site plan and elevation drawings dated March 14, 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

Jen Ulcar
Secretary-Treasurer
Committee of Adjustment