

# COMMITTEE OF ADJUSTMENT

## **CONSENT REPORT**

STATUTORY AUTHORITY: Section 53 of the *Planning Act*, 1990

**APPLICATION:** B24/03 (deferred May1/24)

**RELATED FILE** A/052/2024 & A/053/2024

### **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 May 14, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
A. FRANCIS	Andrew Walker Gagnon Walker Domes Ltd 7685 Hurontario St Brampton ON L6W 4P5	PLAN 1009 PT LOT 78 RP 20R1646 PART 4 317 Gloucester Ave Town of Oakville

**OFFICIAL PLAN DESIGNATION:** Low Density Residential, SP.  
**WARD:** 3

**ZONING:** RL1-0  
**DISTRICT:** East

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### **APPLICATION:**

An application has been made under subsection 53(42) of the *Planning Act*, the applicant is requesting to permit the consent for the creation of a New Lot.

The application is asking to convey a portion of and (SEVERED LANDS) approximately 1077.10m<sup>2</sup> in area with an approximate frontage of 23.56m (streetline Gloucester Avenue) to be severed from PLAN 1009 PT LOT 78 RP 20R1646 PART 4 for the purpose of creating a new lot. The retained parcel (RETAINED) is approximately 1069.20m<sup>2</sup> in area with an approximate frontage of 23.57m (streetline Gloucester Avenue). The property has an existing dwelling to be relocated on the Retained Lands.

This application is being considered with related **Minor Variance A/052/2024-Retained** and **A/053/3024-Severed**.

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

### **RECOMMENDATION**

1. That revised consent application B24/03 (1612), submitted by Gagnon Walker Domes Ltd. on behalf of Amelia Francis to create a new residential lot (severed lands) having a lot area of 1,077.1 m<sup>2</sup>, lot frontage of 23.57 m on Gloucester Avenue, and lot depth of 45.80 m, with the remaining lot (retained lands) having a lot area of 1,069.2 m<sup>2</sup>, lot frontage of 23.57 m, and lot depth of 45.47 m from property municipally known as 317 Gloucester Avenue (PLAN 1009 PT LOT 78 RP 20R1646 PART 4) be denied.

**Note:** This revised consent application should be considered together with revised minor variance applications CAV A/052/2024 and CAV A/053/2024 for the subject lands to address the deficient lot area and lot frontage requirements under Zoning By-law 2014-014, as amended, for both the severed and retained lands.

## LOCATION

The subject lands are located on the east side of Gloucester Avenue, south of MacDonald Road, and north of Sheddon Avenue at the terminus of Galt Avenue at Gloucester Avenue. The subject lands are municipally known as 317 Gloucester Avenue and legally described as PLAN 1009 PT LOT 78 RP 20R1646 PART 4. An aerial photo is provided in Figure 1.

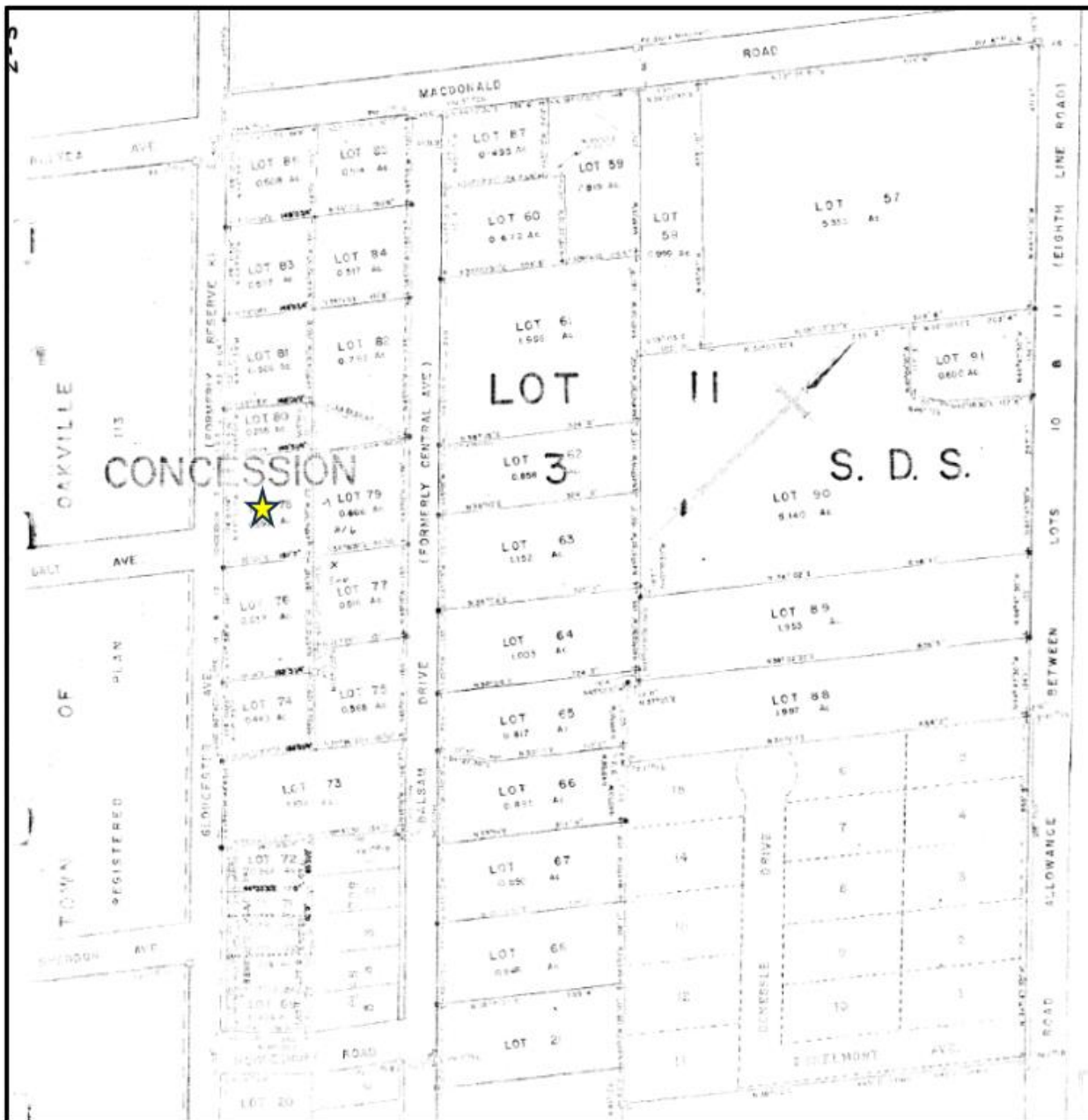


**Figure 1:** Air Photo of the Subject Lands

## BACKGROUND

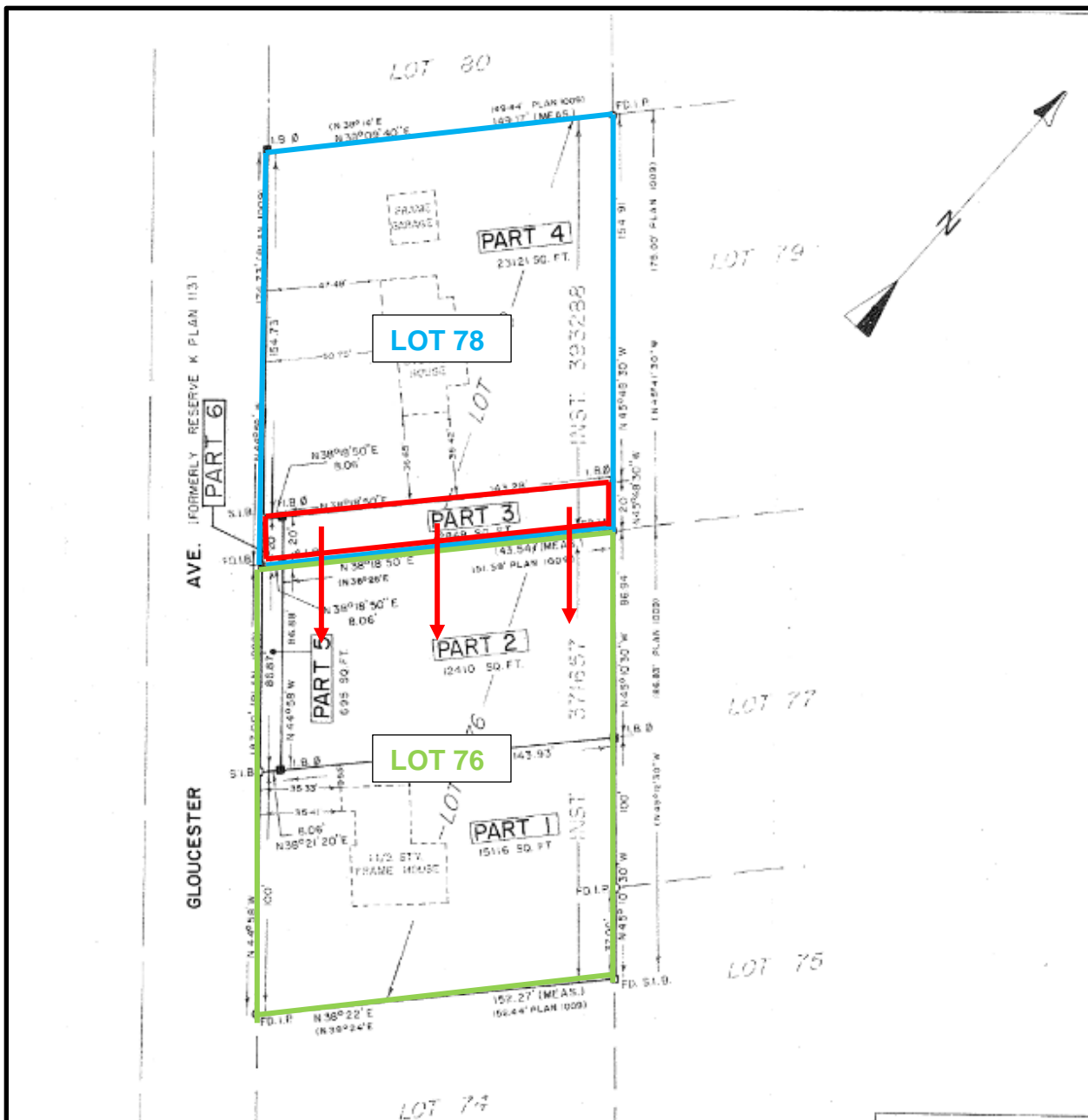
The subject lands are 2,146.30 m<sup>2</sup> (0.21 hectares) in size, with frontage of 47.13 m along Gloucester Avenue, and are occupied by an existing two-storey detached dwelling with a circular driveway and a detached garage with covered access connecting the garage to the dwelling.

The original plan of subdivision was registered in April 1960 and encompasses land area between Gloucester Avenue to the west, Chartwell Road to the east, Lakeshore Road to the south and Queen Elizabeth Way (QEW) to the north, an excerpt of which is shown in Figure 2 below.



**Figure 2:** Original Plan of Subdivision (RP 1009) Extract showing the subject lands identified with a star.

In August 1974, a consent application for a lot addition was approved for the subject lands, which had the effect of severing approximately 6m of frontage (Part 3) from the subject lands (Lot 78) that was added to the adjacent lot to the south (Lot 76) through Plan 20R-1646, as shown in Figure 3 below. The purpose of this lot addition was to provide enough frontage for Lot 76 (to the south), to be divided into two lots as per the By-law standards at the time. Consequently, the subject lands have a lot frontage of 47.13 m, 13.87 m less than the current minimum frontage standard of the Zoning By-law for two lots.

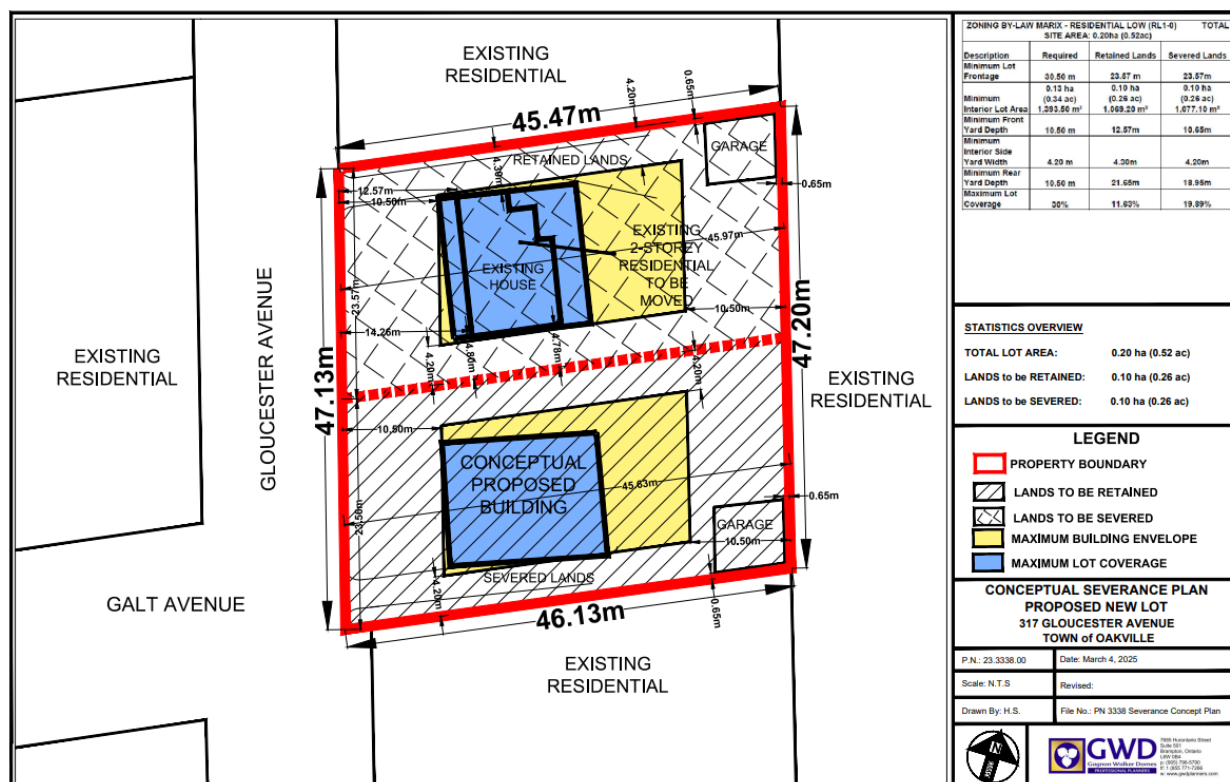


**Figure 3:** Plan 20R-1646

**PURPOSE**

The subject consent application would sever the subject lands into two residential lots, being the retained lands (southern lot) and severed lands (northern lot), as shown in Figure 2 below. The effect of this revised application is to permit two residential lots for detached dwellings, one on each lot. A portion of the existing dwelling on the subject lands is proposed to be relocated to the retained lands, with a new dwelling to be constructed on the severed lands. Both lots are proposed to have driveway access from Gloucester Avenue leading to detached garages in the rear yard, as shown in the conceptual severance plan in Figure 4.





**Figure 4: Conceptual Severance Plan**

The current proposal is a resubmission of the original application, which was deferred by the Committee of Adjustment on May 1, 2024, due to insufficient public notice. The previous application had incorrectly identified the lot frontage and areas of the severed and retained lots as being greater than what would be the actual outcome. The original submission was based on “best efforts”, whereas the revised application currently under consideration is based on a plan produced by an Ontario Land Surveyor. The revised application confirms that the lot frontages and lot areas of both the retained and severed lands are, in fact, more deficient than the original submission.

On this basis, associated minor variance applications (CAV A/052/2024 and CAV A/053/2024) have also been revised to reflect the current proposal, and have been evaluated in a separate report. Table 1 below demonstrates the deviations from the regulations of Zoning By-law 2014 for Lot Area and Frontage of the original application and the revised applications. For the reasons outlined in the separate report, staff are of the opinion that the revised minor variance applications for lot area and lot frontage result in lots that are not in keeping with the predominant lotting pattern of the surrounding neighbourhood and do not meet the four tests in Section 45(1) of the *Planning Act*.

**Table 1: Comparison of Zoning By-law 2014 Regulations and Proposed Consent**

317 Gloucester Ave – Retained Lands			
	Required	Original Proposal	Revised Proposal
Lot Area	1,393.5 m <sup>2</sup>	1,140.59 m <sup>2</sup>	1,069.2 m <sup>2</sup>
Frontage	30.5 m	24.26 m	23.57 m
317 Gloucester Ave – Severed Lands			

	<i>Required</i>	<i>Original Proposal</i>	<i>Revised Proposal</i>
Lot Area	1,393.5 m <sup>2</sup>	1,137.83 m <sup>2</sup>	1,077.1 m <sup>2</sup>
Frontage	30.5 m	24.26 m	23.57 m

## PROVINCIAL PLANNING STATEMENT (PPS), 2024

The Provincial Planning Statement 2024 (“**PPS**”) is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. Chapter 1 of the PPS recognizes municipal official plans as “the most important vehicle for implementing the PPS”, and that “Zoning By-laws ... should be forward-looking and facilitate opportunities for an appropriate range and mix of housing options for all Ontarians”.

Policy 2.3.1.2 speaks to promoting land use patterns within settlement areas that efficiently use land and resources, optimize existing and planned infrastructure, are transit supportive, as appropriate. Policy 2.3.1.3 states:

*“2.3.1.3 Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.”*

Chapter 6 of the PPS deals with implementation and interpretation. Policy 6.1.5 states:

*“6.1.5 Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and facilitate development in suitable areas. In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with the Provincial Planning Statement. The policies of the Provincial Planning Statement continue to apply after adoption and approval of an official plan.”*

As analyzed later in this report, the Town of Oakville Official Plan (Livable Oakville) provides policy direction for residential intensification within the municipality. The Plan includes a special policy area for the neighbourhood within which the subject lands are located that recognizes its unique character and seeks to protect the integrity of the large lots of the existing lot fabric. It is staff’s opinion that the proposal is generally consistent with the PPS, with the exception of Policy 6.1.5, as the proposed development does not adequately address policies within the Livable Oakville Official Plan.

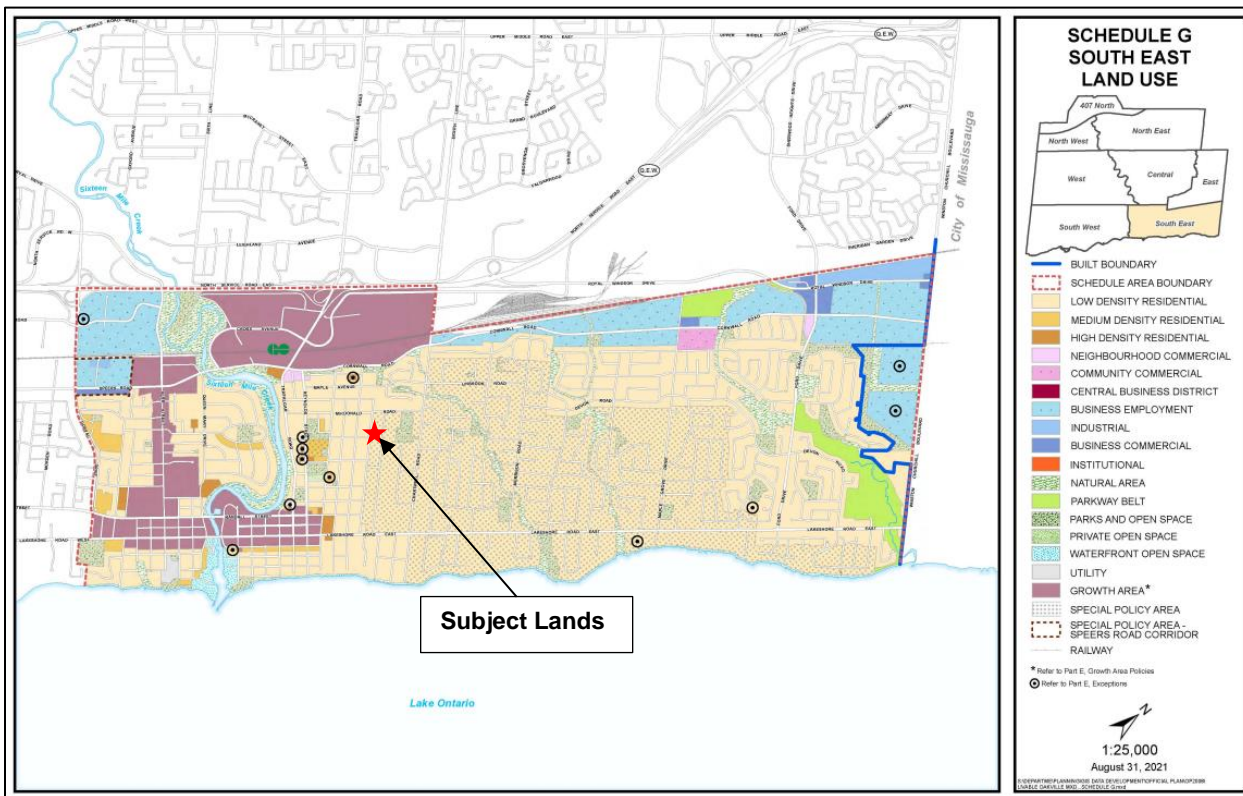
## HALTON REGION OFFICIAL PLAN

The subject lands are designated “Urban Area” and are located within the Built Boundary in the 2009 Halton Region Official Plan (ROP). The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. The Urban Area policies state that the range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning-By-laws, as per Policy 76. All development, however, is subject to the policies of the ROP. There is no change in use proposed under the revised consent application B24/03 (1612).

While the proposed development does not adequately demonstrate compatibility with the Livable Oakville Official Plan, staff is of the opinion that the proposal conforms with the Halton Region Official Plan.

## LIVABLE OAKVILLE PLAN

The subject lands are designated “Low Density Residential – Special Policy Area” on Schedule G, South East Land Use Plan and are subject to the residential policies of Part D, Section 11.



**Figure 5:** Livable Oakville Plan (Schedule G South East Land Use)

The subject lands are identified as Residential Areas within the town’s Urban Structure. Section 3.10 (Residential Areas) of the Official Plan indicates that:

*“Residential Areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of worship, recreational and commercial uses that serve the residents of the Town.*

*Some growth and change may occur in the Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld. The character of the Residential Areas will be significantly influenced by their relationship to the Natural Heritage System, parks and open space areas.”*

Further, 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, and subject to the policies of Section 11.1.9. The subject lands are located along a local street that serves as a boundary

of Special Policy Area. 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.”*

Policy 28.2.1 states that intensification (which includes infill development on a lot created through land division) shall be limited to new development which maintains the integrity and special attributes of the large lots found within the southeast Oakville, as follows:

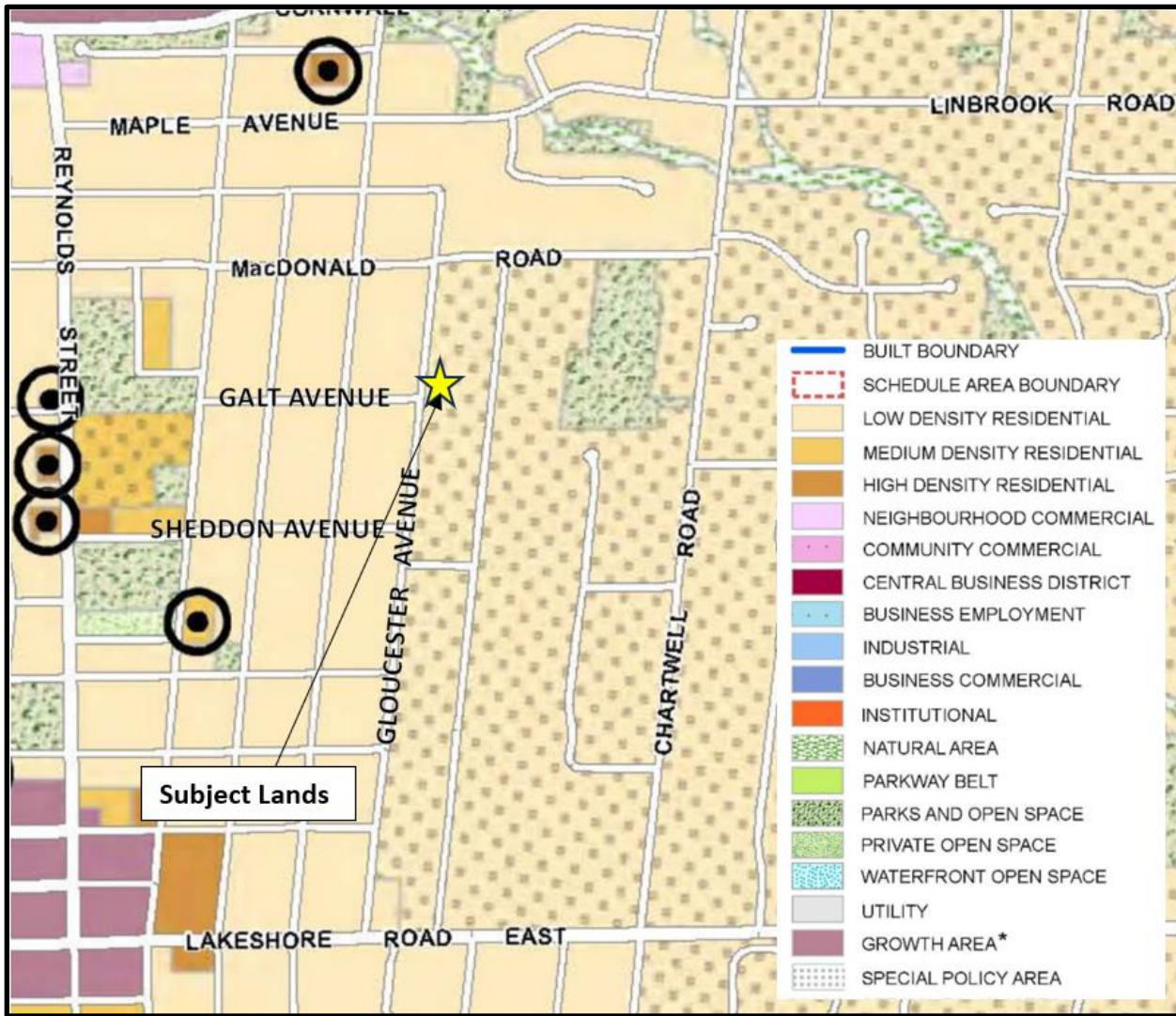
***“28.2 Residential Low Density Lanes (RL1 / RL1-0 Zones)***

*28.2.1 The Special Policy Area in Southeast, Central and Southwest Oakville that applied to the Low Density Residential designation is intended to protect the unique character of this area within the Town. Due to the special attributes of the large lots and related homes in this Special Policy Area, intensification shall be limited to development which maintains the integrity of the large lots. Densities in the Special Policy Area shall not exceed 10 units per site hectare notwithstanding the Low Density Residential designation.”*

It is noted that the consent application would result in two new detached dwellings on the subject lands with a density of 9.09 units per hectare which conforms to the maximum permitted density of 10 units per site hectare according to Policy 28.2.1.

Based on a comparison of the proposed lots with the existing lotting pattern and a site visit of the surrounding area, the proposed severance would not maintain the integrity of the large lots of this special policy area by introducing lots that are smaller in size. More specifically, Gloucester Avenue acts as the boundary between the “Low Density Residential” located to the west and “Low Density Residential – Special Policy Area” to the east, as shown in Figure 6.





**Figure 6:** Livable Oakville Plan (Schedule G South East Land Use) Extract

The consent policies contained within Section 28 provide direction on when the creation of a new lot may be granted. Staff note that Policy 30.14.2 states:

*“30.14.2 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.”*

In regard to criteria g) and h) noted above, the consent application results in lots that fail to meet both the minimum lot size and frontage requirements of the Zoning By-law, which is why the applicant has also submitted minor variance applications to address these deficiencies. It is staff's opinion that the proposal fails to maintain the integrity of the large lots of this special policy area, maintain and protect the existing neighbourhood character, and is not in keeping with lot area and frontages of the surrounding lots within the Special Policy Area overlay.

Within Part F, Section 31.5 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.”*

Regarding the lot area and lot frontage, both the proposed severed and retained lands fail to meet the minimum lot frontage and area requirements as set out in the town's Zoning By-law. Furthermore, based on the analysis of the surrounding neighbourhood, both the severed and retained lands would result in smaller lots than what exist in the surrounding area within the Special Policy Area and RL1-0 Zone as discussed later in this report.

The subject lands are located on the east side of Gloucester Avenue, which predominantly contains larger lots due to the Special Policy Area overlay. Staff note that along the east side of Gloucester Avenue, the properties municipally known as 257, 263, 269, and 325 Gloucester Avenue are smaller lots that were created through the original subdivision (RP 1009) in 1960. Most lots to the west of Gloucester Avenue are smaller in size and are visibly distinct from the large lot character of the Special Policy Area and RL1-0 Zone across the street. The proposed severance would result in lots that would be similar in size to the lots west of Gloucester Avenue, which is the dividing line between two distinct neighbourhoods having different designations and zones. In staff's opinion, the lotting pattern on the west side of the Gloucester Street should not influence that of the east side of the street and the proposed consent represents a departure from the large-lot character of the Special Policy Area. Furthermore, staff are of the opinion that the proposed lots, being smaller, are not compatible with the predominant lotting pattern of the lots within the Special Policy Area and do not comply with Policy 11.1.9 d) and Policy 28.2.1 of the Official Plan.

On this basis, and for the reasons outlined in this report, the proposed consent application does not conform to the Livable Oakville Plan.

## **ZONING BY-LAW 2014-014**

The subject lands are zoned RL1-0 in Zoning By-law 2014-014, and implements the Special Policy Area in the Official Plan. It is noted that the west side of the street is zoned RL3-0 and subject to Special Provision 10. The RL3-0 has different zoning regulations for lot frontage and lot area that support a more compact built form. As discussed above, it is staff's opinion that the neighbourhood character is

maintained by ensuring that the established lotting fabric of the west side of the street does not influence the established lotting fabric of the east side. Both the severed and retained lots fail to meet the minimum required lot area and lot frontage requirements of the Zoning By-law.

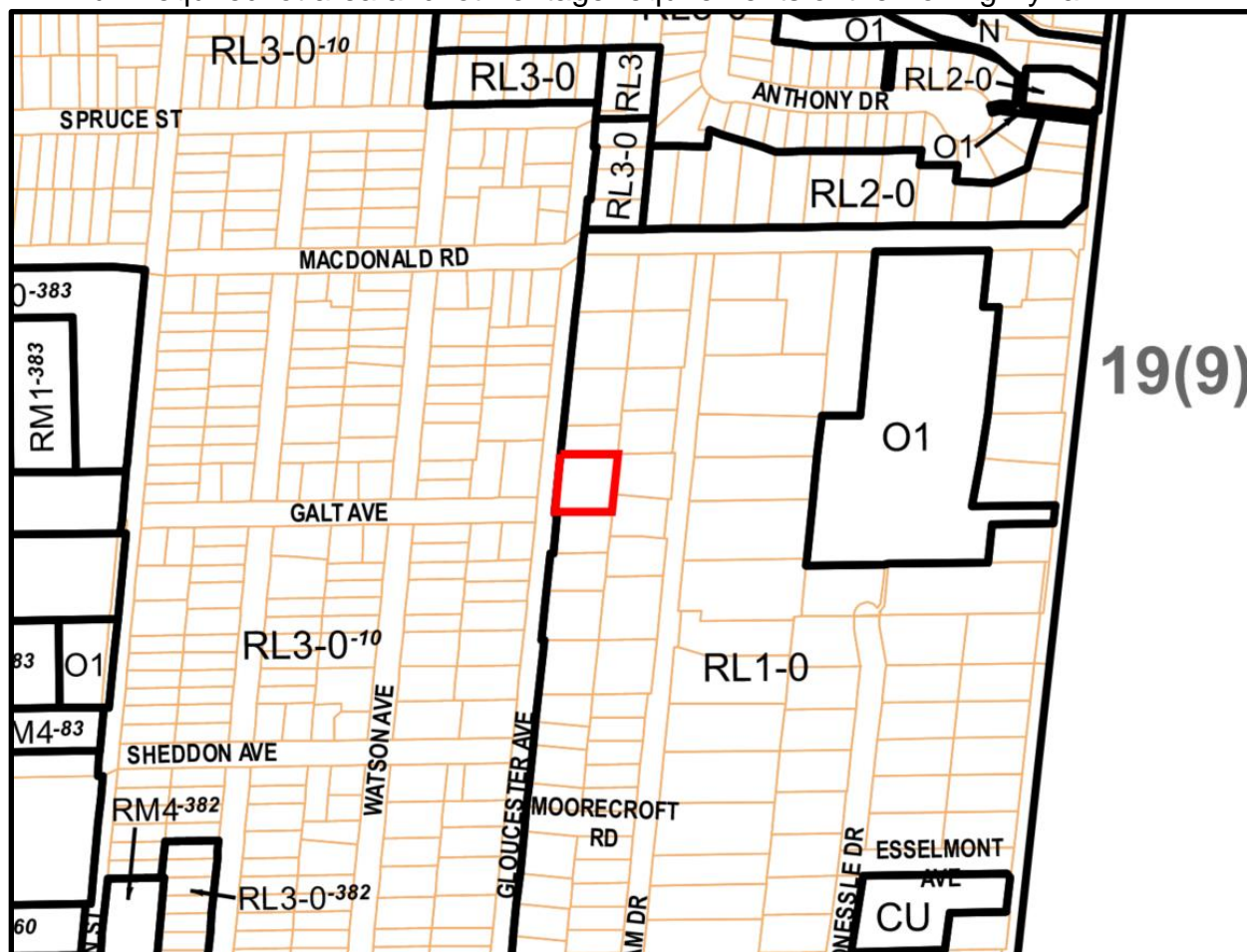


Figure 7: Zoning Map Extract

Figure 7 above, demonstrates the predominantly large lot character unique to RL1-0 Zone east of Gloucester Avenue and the smaller lots within RL3-0 SP10 Zone west of Gloucester Avenue.

As demonstrated in Table 3 below, the lot areas for the proposed severed and retained lots are approximately 316.4 m<sup>2</sup> and 324.3 m<sup>2</sup> (respectively) less than the required lot area for the RL1-0 Zone. Similarly, the lot frontage for both the retained and severed lands is approximately 6.93 m less than the required lot frontage for the RL1-0 Zone.

Table 3: Zone Comparison

	RL1-0 Zone	RL3-0 Zone; SP10
<b>Lot Area</b>	1393.5 m <sup>2</sup>	557.5 m <sup>2</sup>
<b>Lot Frontage</b>	30.5 m	18 m

The proposed severance will result in lots that are smaller in size and comparable to the existing lots in RL3-0 SP10 Zone which would be a deviation from the predominantly large lots in the RL1-0 Zone. As stated earlier, the lotting pattern on the west side of Gloucester Street should not influence that of the east side of the street because the lands are subject to different designations and zones. Staff are

of the opinion that the proposed severance does not maintain the general intent and purpose of the RL1-0 Zone.

As has been noted earlier, the concurrent minor variance applications proposing reductions in the minimum lot area and frontage for both the retained and severed lands have been evaluated separately. As discussed in a separate report, staff are of the opinion that the associated minor variance applications do not satisfy the applicable tests under the *Planning Act*. Staff is of the opinion that the variance applications for lot area and lot frontage result in lots that are not in keeping with the predominant lotting pattern of the surrounding neighbourhood.

## COMMENT

The application was circulated to various town departments and external agencies. Staff note that, if approved, several large town trees located along Gloucester Avenue may be negatively affected by the construction of the proposed dwellings. An arborist report and tree protection plan would be required for both lots to ensure the health of the mature Town trees. The existing house on the subject lands is serviced by both water and sanitary sewer services through an existing watermain and sewer on Gloucester Avenue. If severed, Development Engineering has noted that a servicing plan will be required through the Site Alteration Permit process to demonstrate how each lot will be serviced. A grading plan will also be required at that time to ensure that overland flow route will not negatively affect the drainage on the adjacent properties. Full comments from various departments and agencies have been provided in Appendix "A".

Seven letters of support for the original severance were provided as part of the submission material for the revised application. Of the seven letters of support, four were signed by residents within 50 m of the subject lands, which staff consider to be within the immediate vicinity of the subject lands. Two emails were received in opposition from the abutting landowner to the south, received on April 18, 2024 and April 28, 2025. The emails in opposition note the smaller lot sizes as a result of the severance will not be in keeping with the neighbourhood character. All public comments have been included in Appendix "B".

## CONCLUSION

Staff have provided a thorough analysis of the policy framework and an assessment of the impacts of the proposed severance of the subject lands. Staff do not support the application from a land use planning perspective. The following points summarize staff's opinion:

- This revised consent application is consistent with the Provincial Planning Statement, 2024, and conforms to the Region of Halton Official Plan, with the exception that the proposal is not locally appropriate and does not recognize the importance of the local context.
- This revised consent application does not comply with the Livable Oakville Plan as the proposed consent would have the effect of creating two lots that are not compatible with the character of the surrounding neighbourhood within Low Density Residential – Special Policy Area.



- The revised minor variance applications for reductions in lot area and lot frontage necessary to implement this revised consent application do not meet the four tests in Section 45(1) of the *Planning Act*.
- This application does not meet the criteria set out in Section 51(24) of the *Planning Act* as is not in the public interest, it does not conform to the Official Plan and the dimension and shape of the lots are not appropriate.

Due to the reasons mentioned above, staff recommend that revised Consent Application B24/03 (1612) to sever the subject lands, municipally known as 317 Gloucester Avenue, be denied.

Submitted by:



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Delia McPhail,  
MCIP, RPP  
Planner, Current  
Planning – East District

Reviewed by:



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Kate Cockburn,  
MCIP, RPP  
Manager, Current  
Planning – East District

Approved by:



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Gabe Charles,  
MCIP, RPP  
Director of Planning &  
Development

## **APPENDIX “A” – DEPARTMENT/AGENCY COMMENTS B24/03 (1612)**

With respect to B24/03 (1612), 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 Department

### **Building Services – Zoning**

Subject to approval of minor variance applications CAV A/052/2025 and CAV A/053/2025.

### **Development Engineering:**

#### **1. Site Servicing and Grading Plan**

A conceptual servicing plan is required to demonstrate how the site will be serviced once severed. A conceptual Grading Plan is required to demonstrate that the over land flow route will not negatively impact the drainage on the adjacent properties. The drawing is to display existing information such as the building, retaining walls, and existing grades. The plan should include the discharge locations of any proposed sump pumps. As per Town of Oakville standards, sump pump discharge to the side yard is not permitted.

#### **2. Conceptual Stormwater Management**

For Development Engineering to support the severance application, the applicant needs to demonstrate that the proposed lots will be able to manage the drainage on site to the Town requirements. The applicant will need to apply for site alteration permits when the development is ready to proceed, and through this Development Engineering will require SWM through a site based on a best efforts, pre-post approach. Through the Towns Stormwater Master Plan, 25mm retention on site is recommended to improve existing drainage on developed sites.

- Please note that rain barrels will not be considered as a formal stormwater control as their benefits are limited and the Town cannot ensure they are well maintained by the owner.
- All dry wells must be no closer to any buildings than 5 m as per the Ontario Building Code and soil conditions must be favourable.

Through this consent application, Development would like to see a conceptual design to ensure SWM requirements can be achieved. Specific details can be submitted at the time of Site Alteration.

#### **3. R-Plan**

The R-Plan shall show any easements required for servicing. The R-Plan shall also include any road widening required.

### **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).

### **Parks and Open Space:**

As per the severance sketch and aerial imagery, I can confirm trees present on/near the severance line.

Prior to any demolition and development on the property, an Arborist report and Tree Protection Plan will be required.

Additionally, it appears the existing asphalt driveway on the property is proposed for removal within the tree protection zones of town trees. The Arborist Report and Tree Protection Plan must address this impact accordingly.

### **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:**

We do not have any objection with Consent Application B24/03 (1612). Please note, each lot will require a new underground hydro service from Gloucester Avenue.

### **Enbridge Pipelines**

1. There is gas service to the property, this service will need to be abandoned prior to any new construction.
2. A capacity review will need to be conducted once the new gas load is known.
3. Please have the developer reach out to Katharine Holtforster at [katharine.holtforster@enbridge.com](mailto:katharine.holtforster@enbridge.com) regarding requirements for this project.
4. For location of the gas main and gas service please reach out to Ontario One Call for locates.

### **Halton Region (Comments for B24/03(1612))**

Public Works  
Development Services  
1151 Bronte Road  
Oakville, ON L6M 3L1

April 8, 2025

Jen Ulcar, Secretary-Treasurer  
Planning and Development Department  
Town of Oakville  
1225 Trafalgar Road  
Oakville, On L6H0H3

Dear Jen Ulcar:

**RE: Region of Halton Comments – 2<sup>nd</sup> Submission**  
**Consent Application**  
**File: B24/03 (1612)**  
**A., Walker**  
**317 Gloucester Avenue, Town of Oakville**

Due to Provincial legislation, as of July 1, 2024, 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. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities has been signed 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 right-of-ways;
- 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.

### **Regional Contaminated Sites Database:**

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports including: Geotechnical Studies, Hydrogeological Studies, Phase One and/or Two Environmental Site Assessments, Remediation Reports, Risk Assessments, Record of Site Condition (RSC), and/or Certificate of Property Use (CPU).

### **Background:**

Regional staff are forwarding comments in response to the circulation of the 2<sup>nd</sup> submission for the above-noted application circulated on March 26, 2024. The application has been made for Consent for the creation of a New Lot. This revised application is asking to convey a portion of land ("Severed Lands" on the severance sketch) which is approximately 1,052.18 m<sup>2</sup> in area with an approximate frontage of 23.56 m on Gloucester Avenue to be severed from 317 Gloucester Avenue for the purpose of creating a new lot.

Regional staff understand that the above noted application, along with its associated minor variance applications, was deferred at the May 1, 2024 Committee of Adjustment hearing. The applications were deferred at that time in order for the agent to provide updates to the submission materials following the completion of an updated survey plan.

In addition, should the consent application be approved, the Proponent will require various minor variance applications for the severed (CAV A/053/2024) and retained (CAV A/052/2024) parcel. The proposed variances are seeking relief under Section 45(1) of the *Planning Act* in order to permit decreases in the minimum lot area and minimum lot frontage, under the requirements of the Town of Oakville Zoning By-law. Regional staff have no objections to the above noted Minor Variance applications.

Please note that this letter supersedes the previous letter issued on March 26, 2025. The comments in this letter specifically provide updates to Development Engineering matters (please refer to the respective comment sections, including the conditions section). Regional comments per waste management and finance generally remain the same.

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

### **Downstream Approvals:**

As identified by Regional Mapping, it appears that existing services will fall within the severed parcel created as part of B24/03 (1612). It is the expectation of Halton Region that both the severed and retained parcel shall be on full municipal services. Post approval should the consent and minor variance applications be approved by the Committee of Adjustment, the Owner shall contact the Regional Services Permit Section for review and approval of the proposed water and sanitary services, to obtain water and sanitary sewer Services Permits, and pay all necessary fees.

### **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.

#### Watermain:

- A 150mm diameter watermain is located on Gloucester Avenue adjacent to the property.

#### Sanitary Sewer:

- A 300mm diameter sanitary sewer is located on Gloucester Avenue adjacent to the property.

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 is connected to the existing watermain and sewer on Gloucester Avenue.

Regional staff have no objections to this consent provided that the below conditions are satisfied, that it is determined that the locations of the existing services or proposed services do not cross property lines and a service permit is issued for the new lot.

### **Waste Management:**

To ensure that Regional waste collection services can be provided in a safe and cost effective manner, this proposal has been reviewed against the *Region's Development Design Guidelines for Source Separation of Solid Waste*.

Regional waste notes that the Region will service both lots for full curbside waste collection services once construction is completed and the dwellings are occupied.

## **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, staff offer the following comments:

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

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 a copy of the Town's decision on this application.

Sincerely,

*Michaela Campbell*

Michaela Campbell

Intermediate Planner

[michaela.campbell@halton.ca](mailto:michaela.campbell@halton.ca)

cc: Michael Di Febo, Senior Planner, Regional Development Review (via email)



**SCHEDULE 'A'**  
**CONDITIONS – B24/03 (1612)**

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

**Applicant:** A., Walker

**Municipal Address:** 317 Gloucester Avenue, Town of Oakville

**Application File Number:** B24/03 (1612)

Condition	Status
<b>Water and Wastewater Servicing</b>	
1. 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 lots and submit to the Region's Developer Project Manager a drawing showing the relationship of these services to the new proposed lot lines.	Not addressed within the 1 <sup>st</sup> submission. This matter remains outstanding.
2. The Owner must demonstrate that no private sanitary sewer laterals, pipes and/or private water service connections, lines or pipes cross existing or proposed property lines in accordance with Region bylaws and policies to the satisfaction of the Region.	Not addressed within the 1 <sup>st</sup> submission. This matter remains outstanding.
3. The Owner is required to provide a separate water service connection and sanitary sewer lateral from the existing services on Gloucester Avenue to the new lots that is to be created.	Not addressed within the 1 <sup>st</sup> submission. This matter remains outstanding.
4. The Owner shall contact the Regional Services Permit Section for review and approval of the proposed water and sanitary servicing, to obtain water and sanitary sewer Services Permits, and pay all necessary fees.	Not addressed within the 1 <sup>st</sup> submission. This matter remains outstanding.
5. Any existing water service, sanitary service lateral, watermain and/or sanitary sewers to be disconnected from the system and abandoned must be decommissioned per the standards and specifications of the	Not addressed within the 1 <sup>st</sup> submission. This matter remains outstanding.

Region of Halton. The applicant is advised to contact Halton's Permits and Development Inspection Section for details on abandoning water and sanitary services.	
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## APPENDIX “B” – PUBLIC COMMENTS B24/03 (1612)

**Delia McPhail**

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**From:** coarequests  
**Sent:** Monday, April 28, 2025 2:18 PM  
**To:** Delia McPhail  
**Cc:** Kate Cockburn  
**Subject:** FW: [EXTERNAL] 317 Gloucester Ave - Objection to Minor Variance A/052/2024-Retained and A/053/2024

FYI

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**From:** Michael Stanley [REDACTED]  
**Sent:** Monday, April 28, 2025 1:26 PM  
**To:** coarequests <coarequests@oakville.ca>  
**Subject:** [EXTERNAL] 317 Gloucester Ave - Objection to Minor Variance A/052/2024-Retained and A/053/2024

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

Secretary Treasurer  
Committee of Adjustments

re: Application CAV A/052/2024 and A/053/2024

As residents of [REDACTED] Gloucester Ave we are contacting you with comments regarding the above application. Our property abuts the applicants property and are not in favour of any severance of the property


The applicant is, for the second time, seeking relief from the Zoning By-law 2014-014.

- the reduction in lot area and lot frontage does not maintain the general intent and purpose of the Zoning By-law and is not in keeping with the existing neighbourhood character
- in the opinion of your staff (from the previous application) the proposed variances should be rejected on the basis that they do not satisfy the four tests under the Planning Act. Nothing has changed.
- the property is located on the east side of Gloucester Avenue which predominantly contains larger lots due to the Special Policy Area overlay. Most lots to the west of Gloucester Avenue are smaller in size and are visibly distinct from the large lot character of the Special Policy Area and RL1-0 Zone across the street. The proposed severance would result in lots which would be similar in size to the lots west of Gloucester Avenue. In our opinion and the opinion of your staff from the previous application, this would be a departure from the large lot character of the Special Policy Area. Furthermore, staff were of the opinion that the proposed lots being smaller are not compatible with the predominant lotting pattern of the lots within the Special Policy Area, and therefore does not comply with Policy 11.1.9 d) and Policy 26.2.1 of the Official Plan.
- the consent application results in lots that both fail to meet the minimum lot size and frontage requirements of the Zoning By-law1, and both, in our and the staff's previous opinion, fail to maintain the integrity of the large lots of this special policy area, maintain and protect the

existing neighbourhood character and are not compatible with lot area and frontages of the surrounding lots within the Special Policy Area overlay.

We ask that you please deny this application

Regards,  
Michael Stanley  
Carol Stanley

 Gloucester Ave



## Muzaib Riaz

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**From:** Heather McCrae  
**Sent:** Friday, April 19, 2024 8:31 AM  
**To:** Muzaib Riaz  
**Subject:** FW: Application CAV A/052/2024

Fyi

**Heather McCrae**  
**Secretary Treasurer - CofAdj**  
**Building Services**  
Town of Oakville|905-845-6601,ext. 3281|[www.oakville.ca](http://www.oakville.ca)

**Vision: A vibrant and livable community for all**

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<http://www.oakville.ca/privacy.html>

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**From:** Michael Stanley <[REDACTED]>  
**Sent:** Thursday, April 18, 2024 5:12 PM  
**To:** Heather McCrae <[heather.mccrae@oakville.ca](mailto:heather.mccrae@oakville.ca)>  
**Subject:** Application CAV A/052/2024

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**SECURITY CAUTION:** This email originated from outside of The Town of Oakville. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Heather McCrae**  
**Secretary Treasurer**  
**Committee of Adjustments**

re: Application CAV A/052/2024

As residents of [REDACTED] Gloucester Ave we are contacting you with comments regarding the above application. Our property abuts the applicants property.

In principal we are not against the severance of the property.

However, in our opinion, the newly severed lots sizes would not be in keeping with the character of the neighbourhood. The applicant has not used a proper sample of comparable lots and has selectively biased the report to influence the committee. We moved into this area, Gloucester north of Sheddon Ave and south of MacDonald Rd, because its character is unique to Oakville, where smaller homes on smaller lots are an exception.

We believe that the by-laws have purpose and should not be subjectively assessed. Any structures on a severed property should be built in adherence to the by-laws. A good architect can work within the parameters given!

With regards to the proposed drawings, we would like to see the location of the garage moved to minimize the visual distraction (eye sore), and the risk of damage that vehicle movement could have

on our well maintained cedar hedging. Locating the garage to the rear area between the newly proposed homes is a solution.

One more comment, and I suppose it could be considered somewhat petty. The applicant has been somewhat disingenuous with the submitted letters of support. Of the seven letters of support, three are well outside the notification zone of 60 metres and will not be impacted by any new build and one letter of support is from the owner (a developer) of a vacant property who is deeply conflicted. The three abutting properties most effected by the severance and construction received no communication from the applicant.

Thank-you

Michael Stanley  
Carol Stanley

**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 1,137.8m<sup>2</sup> versus 1,393.5m<sup>2</sup>).

[illegible]

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[illegible]

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[illegible]

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

[illegible][illegible]



**PETITION**

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

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Name	Property Address	Phone Number/Email	Signature	Date
ELWITT BER JULIE PERINA	317 GLOUCESTER AVE	[REDACTED]	[Signature]	Jan 21/24
PAT CAMILLERI	[REDACTED]	[REDACTED]		
PAT CAMILLERI	[REDACTED] MACDONALD RD	[REDACTED]	P. Camilleri	Jan 22/24