

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/064/2025

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 May 14, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
2575600 ONTARIO INC	Kurtis Van Keulen Huis Design Studio 1a Conestoga Dr #301 Brampton ON L6Z 4N5	PLAN 576 LOT 70 318 Woodale Ave Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential
WARD: 2

ZONING: RL3-0
DISTRICT: West

APPLICATION:

Under Section 45(1) of the *Planning Act*, the applicant is requesting the Committee of Adjustment to authorize a minor variance to permit the construction of a two-storey detached dwelling on the subject property proposing the following variance to Zoning By-law 2014-014:

	Current zoning by-law requirements	Variance request
1	<i>Table 6.4.2 (Row 2, Column 3)</i> The maximum lot coverage shall be 35% where the detached dwelling is greater than 7.0 metres in height.	To increase the maximum lot coverage to 38.60%.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

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

A/064/2025 - 318 Woodale Avenue (West District) (OP Designation: Low Density Residential)

The applicant is proposing the construction of a two-storey detached dwelling, subject to the variance listed above.

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to authorize minor variances from 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 with an existing neighbourhood that consists of the original one and two-storey housing stock, and newly constructed two-storey dwellings.

The property will require the approval of a site alteration permit prior to proceeding with site works to demonstrating appropriate grading and drainage for the site.

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

The subject property is designated Low Density Residential in the Livable Oakville Plan. Development is required to be evaluated using the criteria established in Section 11.1.9 to maintain and protect the existing neighbourhood character. The proposed dwelling incorporates single storey elements to mitigate massing and scale impacts, is in keeping with the existing neighbourhood character and represents development that is compatible with surrounding neighbourhood. Further, impacts on adjacent properties are minimized in relation to grading and drainage and will be undergo detailed review. On this basis, it is staff's opinion that the proposal 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 – Lot Coverage (No Objection) – Increase from 35% to 38.6%

The applicant is seeking relief from the Zoning By-law 2014-014, as amended, to permit an increase in lot coverage from 35% to 38.6%. The intent of regulating lot coverage is to prevent the construction of a dwelling with a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. The proposed dwelling incorporates single storey architectural elements that contribute to mitigating potential impacts of the overall massing and scale on the surrounding neighbourhood. On this basis, staff are of the opinion that the requested variance maintains the general intent and purpose of the Zoning By-law.

Is the proposal desirable for the appropriate development of the subject lands and minor in nature?

It is staff's opinion that the requested variance maintains the general intent and purpose of the Official Plan and Zoning By-law as it results in new dwelling that is in keeping with the existing neighbourhood character and will not result in a dwelling with a mass and scale that appears larger than those in the surrounding neighbourhood. Further, the variance is minor in nature and appropriate for the development of the site as there are no negative impacts to abutting properties or the streetscape.

Recommendation

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

1. That the dwelling be constructed in general accordance with the submitted site plan drawing dated March 26, 2025 and elevation drawings dated March 24, 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.

Transit : No comments received.

Finance: No comments received.

Halton Region:

A/064/2025 – 2575600 Ontario Inc., 318 Woodale Avenue, Oakville

- 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 to the maximum lot coverage to 38.60% under the requirements of the Town of Oakville Zoning By-law, for the purpose of constructing a two-storey detached dwelling on the Subject Property.

Bell Canada: No comments received.

Union Gas: No comments received.

Letter(s) in support – 7

DATE: 05 / may / 2025

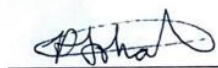
TO: Town Of Oakville // Committee of Adjustment

RE: 318, Woodale Ave, Oakville (Minor Variance 25 108425 COA)
Residential Development (Minor Variance - No Objections Letter)

To Whom it May Concern,

I/We Gurpreet Sohal are the residents of [REDACTED]
(neighboring property of 318, Woodale Ave). This letter is to confirm that we have reviewed the drawings of the proposed minor variance for two-story replacement dwelling and have no objections to the proposed minor variance)

Sincerely,



(Owner of [REDACTED])

Gurpreet Sohal

(Signature)

DATE: 05 / may / 2025

TO: Town Of Oakville // Committee of Adjustment

RE: 318, Woodale Ave, Oakville (Minor Variance 25 108425 COA)
Residential Development (Minor Variance - No Objections Letter)

To Whom it May Concern,

I/We KABIR. KAI are the residents of [REDACTED]
(neighboring property of 318, Woodale Ave). This letter is to confirm that we have
reviewed the drawings of the proposed minor variance for two-story replacement
dwelling and have no objections to the proposed minor variance)

Sincerely,

KABIR. KAI (Owner of [REDACTED])

[Signature] (Signature)

DATE: 5/5/25

TO: Town Of Oakville // Committee of Adjustment

RE: 318, Woodale Ave, Oakville (Minor Variance 25 108425 COA)
Residential Development (Minor Variance - No Objections Letter)

To Whom it May Concern,

I/We Wole ADESIGN are the residents of [REDACTED]
(neighboring property of 318, Woodale Ave). This letter is to confirm that we have
reviewed the drawings of the proposed minor variance for two-story replacement
dwelling and have no objections to the proposed minor variance)

Sincerely,

WOLE ADESIGN (Owner of [REDACTED])

[Signature] (Signature)

DATE: 05 May 2025

TO: Town Of Oakville // Committee of Adjustment

RE: 318, Woodale Ave, Oakville (Minor Variance 25 108425 COA)
Residential Development (Minor Variance - No Objections Letter)

To Whom it May Concern,

I/We F RASHID
R MANZOOR are the residents of [REDACTED]
(neighboring property of 318, Woodale Ave). This letter is to confirm that we have
reviewed the drawings of the proposed minor variance for two-story replacement
dwelling and have no objections to the proposed minor variance)

Sincerely,

FR (Owner of [REDACTED])

Farkhand Rashid
(Signature)

R Manzoor (Owner of [REDACTED])

[Signature] (Signature)

DATE: 05 May 2025

TO: Town Of Oakville // Committee of Adjustment

RE: 318, Woodale Ave, Oakville (Minor Variance 25 108425 COA)
Residential Development (Minor Variance - No Objections Letter)

To Whom it May Concern,

I/We BOBUN AKINYELE are the residents of [REDACTED]
(neighboring property of 318, Woodale Ave). This letter is to confirm that we have
reviewed the drawings of the proposed minor variance for two-story replacement
dwelling and have no objections to the proposed minor variance)

Sincerely,

BOBUN AKINYELE (Owner of [REDACTED])

Akinyele (Signature)

DATE: 05 May 2025

TO: Town Of Oakville // Committee of Adjustment

RE: 318, Woodale Ave, Oakville (Minor Variance 25 108425 COA)
Residential Development (Minor Variance - No Objections Letter)

To Whom it May Concern,

I/We RABIA TAHR are the residents of [REDACTED]
(neighboring property of 318, Woodale Ave). This letter is to confirm that we have
reviewed the drawings of the proposed minor variance for two-story replacement
dwelling and have no objections to the proposed minor variance)

Sincerely,

RABIA TAHR (Owner of [REDACTED])

Tahr (Signature)

DATE: May 05, 2025

TO: Town Of Oakville // Committee of Adjustment

RE: 318, Woodale Ave, Oakville (Minor Variance 25 108425 COA)
Residential Development (Minor Variance - No Objections Letter)

To Whom it May Concern,

I/We KAI WANG are the residents of [REDACTED]
(neighboring property of 318, Woodale Ave). This letter is to confirm that we have reviewed the drawings of the proposed minor variance for two-story replacement dwelling and have no objections to the proposed minor variance)

Sincerely,

KAI WANG

(Owner of [REDACTED])

Wang

(Signature)

Letter(s) in opposition – 0

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:

1. That the dwelling be constructed in general accordance with the submitted site plan drawing dated March 26, 2025 and elevation drawings dated March 24, 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.



Sharon Coyne
Asst. Secretary Treasurer
Committee of Adjustment