

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/074/2025

RELATED FILE: B25/02, A/075/2025

DATE OF MEETING:

By videoconference and live-streaming video on the Town of Oakville's Live Stream webpage at oakville.ca on July 9, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
F. KHALILI	Joris Keeren Keeren Design 11 Bronte Rd Unit 31 Oakville ON L6L 0E1	PLAN 432 PT LOT 7 RP 20R7709 PART 9 1349 Clearview Dr Town of Oakville

OFFICIAL PLAN DESIGNATION: Residential Area
WARD: 3

ZONING: RL3-0
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 the proposed consent application for the retained parcel (Part 1) of the subject property proposing the following variance to Zoning By-law 2014-014:

	Current zoning by-law requirements	Variance request
1	Table 6.3.1 (Column RL3, Row 2) The minimum lot frontage shall be 18.0 metres.	To reduce the minimum lot frontage to 13.185 metres.

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/074/2025 - 1349 Clearview Drive (East District) (Low Density Residential)

The applicant proposes to sever the subject lands which currently contains a two-storey single detached dwelling, subject to the variance listed above. The application is associated with Consent Application B25/02.

Recommendation:

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

1. That the owner/applicant receive approval of Consent Application B25/02 and Minor Variance Application A/075/2025.

Analysis:

Staff have evaluated the application and found that it is minor in nature, is in keeping with the general intent and purpose of the Official Plan and Zoning By-law and is desirable for the appropriate development of the land. The proposed development maintains and protects the character of the existing neighbourhood and does not present unacceptable adverse impacts.

The intent of regulating the frontage of the lot in this zone is to provide relatively consistent lot widths along the street. The requested variance recognizes an existing and established lot fabric within the immediate neighbourhood that is consistent with the lot frontage being proposed. The subject lands are currently zoned RL3 by Zoning By-law 2014-014, as amended. The RL3 zone requires a minimum lot area of 557.7 m² and a minimum lot frontage of 18.0 m. The proposed severed and retained lands will have an area of 655.38 m² and 655.95 m², and a frontage of 13.185 m. Therefore, the proposed severed and retained lots comply with the Zoning By-law with respect to minimum lot area but do not comply with the minimum required lot frontage.

Notwithstanding the above, staff note that based on the analysis of the surrounding neighbourhood, the requested variance would result in the creation of two individual lots that are similar to others that already exist within the immediate area. Table 1 below provides an analysis of frontages in proximity to the subject lands.

Table 1 – Frontage Analysis

Property Address	Lot Frontage (approx.)	Land Use Designation / Zoning
1349 Clearview Drive (Existing)	26.3 m	RL3 Zone
Severed	13.2 m	RL3 Zone
Retained	13.2 m	RL3 Zone
1361 Clearview Drive	15.6 m	RL3 Zone
1365 Clearview Drive	14.4 m	RL3 Zone
1345 Clearview Drive	15.2 m	RL3 Zone
1338 Clearview Drive	14.2 m	RL3 Zone

As provided in the associated consent report (B25/02), if the lands are not divided, a dwelling could be constructed that would be larger than those in the surrounding neighbourhood; albeit, in compliance with the zoning by-law. On this basis, the application meets the four tests of the *Planning Act*.

Fire: No 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 note the proposed Minor Variance application was reviewed by staff within the Regional comment letter (dated June 6, 2025) for the associated Consent application B25/02.
- Regional staff noted no objections to the proposed minor variance application seeking relief under Section 45(1) of the Planning Act.

Halton Conservation: No comments for this agenda.

Bell Canada: No comments received.

Union Gas: No comments received.

Letter(s) in support – None

Letter(s) in opposition – 1

Town of Oakville
S. Coyne, Asst. Secretary-Treasurer
Planning and Development Department
1225 Trafalgar Road
Oakville, ON L6H 0H3
Subject: Opposition to Proposed Subdivision of
Residential Lot

Dear Members of the Planning and Development Department:

I am writing to formally express my opposition to the proposed subdivision of the residential lot located at 1349 Clearview Drive, Oakville. As a long-time resident of this neighborhood, I have serious concerns regarding the long-term implications this motion may have on the character and integrity of our community.

First and foremost, a clear precedent was set in the past when a similar request made by a neighboring property owner was denied by the Town. Allowing this subdivision now would not only appear inconsistent but could open the door to a series of similar applications, effectively altering the character that this neighborhood was built upon.

Additionally, the proposed subdivision would significantly impact the aesthetic cohesion of the street. The current lot sizes are designed to support spacious, visually harmonious homes that maintain a sense of privacy and uniformity. Introducing two homes on a previously single lot would disrupt this balance, leading to a mismatch in scale and style with existing properties. This also raises the question of market value of the current homes on the street. The majority of homes are of similar size and are on large, sought after lots, which maintains the property values on the street.

There are also concerns about potential pressure on local infrastructure such as sewage and stormwater systems. These factors combined pose a concern that residents in this area have come to value and expect.

I also believe the home in question is over 100 years old and could be considered of heritage value. I urge the Town of Oakville to consider these issues carefully and remain consistent in applying development standards that prioritize community integrity and long-term livability.

Thank you for your time and attention to this matter.

Sincerely,

Christine [REDACTED]

Oakville, Ontario

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 stated, 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 owner/applicant receive approval of Consent Application B25/02 and Minor Variance Application A/075/2025.



Sharon Coyne
Asst. Secretary-Treasurer
Committee of Adjustment