

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/088/2025

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 July 9, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
N. HABOUBI M. SAID	Joris Keeren Keeren Design 11 Bronte Rd Unit 31 Oakville ON L6L 0E1	PLAN M6 LOT 72 2436 Meadowood Cres Town of Oakville

**OFFICIAL PLAN DESIGNATION: RESIDENTIAL
WARD: 1**

**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 variances to Zoning By-law 2014-014:

	Current zoning by-law requirements	Variance request
1	<i>Section 5.8.6 b)</i> For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres.	To increase the maximum total floor area to 49.0 square metres.
2	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00m ² and 742.99m ² shall be 41%.	To increase the maximum residential floor area ratio to 44.4%.

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/088/2025 – 2436 Meadowood Crescent (Official Plan Designation: Low Density Residential)

The applicant is proposing to construct a new two-storey detached dwelling subject to the variances listed above.

Recommendation:

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

1. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated May 23, 2025.
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.

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 variance to permit an increase in garage floor area is appropriate since the dwelling still presents as having an integral two-car garage when viewed from the public realm, and the additional garage floor area has been located towards the interior of the dwelling. The potential impacts on abutting dwellings due to the increase in residential floor area have also been properly mitigated through the articulation of the front, rear, and side façades, the inclusion of a one-and-a-half-storey front porch element and window treatment, along with portions of the second floor being stepped back from the first floor. The footprint of the second storey has been reduced along the front of the dwelling so that any perceived massing or scale impacts upon the local streetscape have been thoroughly addressed. As such, it is staff's opinion the proposed development maintains and protects the character of the existing neighbourhood and does not present unacceptable adverse impacts. On this basis, the application meets the four tests of the *Planning Act*.

Fire: COA to decrease side yard setback below 1.2m. One aspect of the side yard setback is to provide the minimum amount of room to maneuver equipment to the rear of the property to facilitate fire-fighting operations. Plans provided indicate an impedance to the minimum required side yard setback on both sides of the property (i.e. window wells, stairs, vegetation). This proposal creates a negative impact to standard fire-fighting operations.

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 to the maximum total floor area to 49.0 metres and an increase to the maximum residential floor area ratio to 44.4%, 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.

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 – None

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. The dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated May 23, 2025.
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