

# Committee of Adjustment Notice of Decision

under Section 45 of the *Planning Act*, R.S.O. 1990 c. P13



File No. A/082/2025-Amended

Applicant / Owner	Authorized Agent	Property
J. Patterson	Darren Sanger-Smith Structured Creations Inc. 445 Elizabeth St., Unit 502 Burlington ON, L7R 2L8	59 Cudmore Rd PLAN 198 LOT 5

**Zoning of property:** RL5-0, Residential, By-law 2014-014, as amended

The request made under Section 45(1) of the *Planning Act* has been **approved** to authorize a minor variance to permit the construction of ground floor and second floor additions to the existing detached dwelling on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1	<b>Table 4.3 (Row 3)</b> The maximum encroachment into a minimum yard for eaves and gutters shall be 0.6 m.	To increase the maximum encroachment into the minimum front yard for the eaves and gutters to 0.78m.
2	<b>Section 4.27 a)</b> <del>A rooftop terrace is not permitted on the lot located in the Residential Low -0 Suffix Zone.</del>	<del>To permit a rooftop terrace on the lot located in the Residential Low -0 Suffix Zone.</del>
3	<b>Section 4.27 i)</b> <del>The maximum depth rooftop terrace located on the roof of the first storey shall be 1.5m, measured from the main wall.</del>	To increase the maximum depth rooftop terrace located on the roof of the first storey to 2.46m, measured from the main wall.
4	<b>Section 5.8.6 b)</b> 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 for the private garage to 49.46 square metres.
5	<b>Section 5.8.7 c)</b> Attached private garages shall not project more than 1.5 metres from the face of the longest portion of the main wall containing residential floor area that is on the first storey of the dwelling oriented toward the front lot line.	To increase the attached private garage projection to a maximum of 3.34 metres.
6	<b>Section 6.4.3 (a)</b> The minimum front yard on all lots shall be the yard legally existing on the effective date of this By-law less 1.0 metre. In this instance, the minimum front yard shall be 13.39 metres.	To reduce the minimum front yard to 11.71 metres.
7	<b>Section 6.4.6 c)</b> The maximum height shall be 9.0 metres.	To increase the maximum height to 9.97 metres.

The Committee considered all relevant information including the applicant's submission materials and presentation, observations from their site visit, town staff and agency comments, and written submissions from the public in support of the application. The Committee is of the opinion that the variances are considered minor in nature, desirable for the use of the land and in keeping with the general intent of the town's official plan and zoning by-law subject to the following conditions:

- That the dwelling be constructed in general accordance with the submitted site plan and elevation drawings as modified to remove the rooftop terrace to the satisfaction of the Director of Planning and Development; and,
- 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.

Signed by:  
*Michael Telawski*  
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M. Telawski, Member

Signed by:  
*Stuart Dickie*  
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S. Dickie, Member

Signed by:  
*Shery Mikhail*  
0CE5B1DD188544A...  
S. Mikhail, Chair

ABSENT

J. Hardcastle, Member

Signed by:  
*Susan Price*  
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S. Price, Member

Signed by:  
*J. Ulcar*  
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J. Ulcar, Secretary-Treasurer

Dated at the hearing held on June 25, 2025.

This decision is subject to appeal to the Ontario Land Tribunal (OLT) by filing with the OLT e-file service, or through the Town of Oakville’s Committee of Adjustment office, **no later than 4:30 p.m. on July 15, 2025.**

I hereby certify this is a copy of the Committee of Adjustment final and binding decision whereby no appeals were filed.

J. Ulcar, Secretary-Treasurer