

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: *Section 45 of the Planning Act, 1990*

APPLICATION: A/112/2025

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, August 20, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
D. Harris	Amy Talukder/Jeff Jansen Jansen Consulting 70 Main St N Campbellville ON, L0P 1B0	PLAN M16 LOT 34 2132 Hixon St Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential

ZONING: RL3-0, Residential

WARD: 1

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:

No.	Current	Proposed
1	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 743.00 m ² and 835.99 m ² shall be 40%.	To increase the residential floor area ratio to 42.84%.
2	<i>Section 6.4.6 c)</i> The maximum height shall be 9.0 metres.	To increase the maximum height to 9.375 metres.

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning & Development:

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

A/112/2025 - 2132 Hixon Street (West District) (OP Designation: Low Density Residential)

Recommendation:

Staff do not object to the proposed variance. 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 dated May 12, 2025, and the submitted elevation drawings; 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.

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 increased height is due to the established grade, which is lower than the elevation of the house on the lot, the calculated building height is 9.375 m. However, when measured from the finished floor, the height is 8.75 m. The proposed development maintains and protects the character of the existing neighbourhood and does not present unacceptable adverse impacts; and has been evaluated against the Urban Design Guidelines. The proposed design breaks up the massing by incorporating different roof heights, and adding projections such as covered entry, stepping parts of the front wall back, and used various material. On this basis, the application meets the four tests of the *Planning Act*.

Bell Canada: No comments received.

Finance: No comments received.

Fire: No concerns for Fire.

Oakville Hydro: We do not have any comments.

Halton Region:

CAV A/112/2025 – D. Harris, 2132 Hixon Street, 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 in the residential floor area ratio to 42.84% and an increase in the maximum height to 9.375 m, 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.

Oakville Transit: No comments received.

Union Gas: No comments received.

Email/Letter(s) in support – 0

Email/Letter(s) in opposition – 0

Note: The following standard comments apply to all applications. Any additional application specific comments are as shown below.

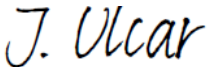
- The applicant is advised that permits may be required should any proposed work be carried out on the property i.e. site alteration permit, pool enclosure permit, tree preservation, etc.
- The applicant is advised that permits may be required from other departments/authorities (e.g. Engineering and 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. The dwelling be constructed in general accordance with the submitted site plan dated May 12, 2025, and the submitted elevation drawings; 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.



Jen Ulcar
Secretary-Treasurer
Committee of Adjustment