

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

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

APPLICATION: A/040/2025 (Deferred from March 19, 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>
Y. Zou	Joseph Domb JD COA Consulting 133 Torresdale Ave., Unit 207 North York ON, M2R 3T2	PLAN 581 LOT 32 2058 Glenforest Cres Town of Oakville

OFFICIAL PLAN DESIGNATION: Low Density Residential – Special Policy

ZONING: RL1-0, Residential

WARD: 3

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 construction of a new two-storey detached dwelling on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Current	Proposed
1.	<i>Table 6.3.1 (Row 5, Column RL1)</i> The minimum interior side yard shall be 4.2 m.	To reduce the minimum easterly interior side yard to 2.90 m.
2.	<i>Table 6.3.1 (Row 5, Column RL1)</i> The minimum interior side yard shall be 4.2 m.	To reduce the minimum westerly interior side yard to 3.44 m.
3.	<i>Table 6.4.1</i> The maximum residential floor area ratio for a detached dwelling on a lot with a lot area 1301.00 m ² or greater shall be 29%.	To increase the maximum residential floor area ratio to 33.65%.

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/040/2025 - 2058 Glenforest Crescent (East District) (OP Designation: Low Density Residential – Special Policy)

This application has returned to the Committee after being deferred at the March 19, 2025 meeting in order to address staff comments. The applicant proposes to construct a new 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 29, 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.

Analysis:

The proposal has been modified, and a revised set of plans have been submitted. **Table 1** below depicts the variances proposed on March 19, 2025, in comparison to the revised application.

Table 1 – Variance Comparison Chart

Town of Oakville Zoning By-law 2014-014		Agenda	
Regulation	Requirement	March 19, 2025	August 12, 2025
Easterly Interior Side Yard Setback	4.2m	1.04m	2.90m
Westerly Interior Side Yard	4.2m	0.85m	3.44m
Residential Floor Area Ratio	29%	35.3 %	33.65%
Lot Coverage	25%	26.13%	N/A
Dwelling Depth	21.08m	21.08m	N/A

Through the comments prepared for the March 19, 2025, Committee of Adjustment meeting, staff identified concerns regarding the cumulative impact of all variances on the dwelling's massing and scale, ultimately resulting in an overbuild of the subject property. Since the last iteration of the plans, the applicant has introduced several design modifications to address these concerns. These include reducing the width of

the dwelling at its pinch points by 4.45 m, increasing second-storey stepbacks, eliminating variances for dwelling depth and lot coverage, and reducing the residential floor area ratio.

In addition to the changes noted above, staff also recognize that the grading of the subject property slopes downward toward the front lot line. Because established grade is measured from the centre point of the front lot line to the peak of the roof, the calculated building height is 8.51 m. However, when measured from the finished floor, the actual height is 7.44 m, as illustrated in **Figure 1**. This reduced perceived height further mitigates the massing and scale impacts on the existing neighbourhood.

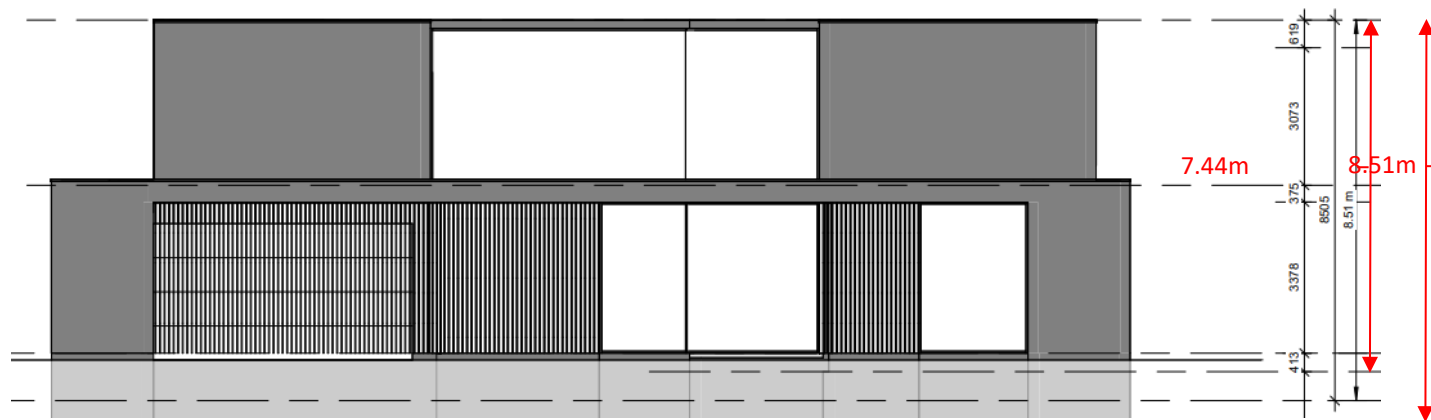


Figure 1: 2058 Glenforest Crescent Building Height

Based on the foregoing analysis, staff are satisfied that the application is minor in nature, maintains 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. On this basis, the application meets the four tests of the *Planning Act*.

As the subject lands are located within the Bill 97 buffer area, the proposed development will be required to go through the scoped Site Plan process and stormwater management control will be required for the 25mm volumetric event.

Bell Canada: No comments received.

Finance: No comments received.

Fire: No concerns for Fire.

Oakville Hydro: We do not have any comments.

Halton Region:

- It is understood that this application was deferred from March 19, 2025. Regional comments provided on March 13, 2025, still apply.
- 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 permit a decrease in the minimum easterly interior side yard to 2.90 m, a decrease in the minimum westerly interior side yard to 3.44 m and an increase in the maximum residential floor area ratio to 33.65%, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of a new two-storey detached dwelling on the Subject Property.

Oakville Transit: No comments received.

Union Gas: No comments received.

Emails/Letter(s) in support – 0

Emails/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 and elevation drawings dated May 29, 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.

J. Ulcar

Jen Ulcar
Secretary-Treasurer
Committee of Adjustment