

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

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

APPLICATION: A/117/2025

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>
H. Schuringa J. Schuringa	Rebecca Muisse & Peter Giordano David Small Designs 1405 Cornwall Rd Suite 4 Oakville ON, L6J 7T5	PLAN 1 BLK 16 PT LOT B 260 Robinson St Town of Oakville

OFFICIAL PLAN DESIGNATION: Residential Medium Density

ZONING: RM1 Sp: 50

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 three-storey detached dwelling on the subject property proposing the following variances to Zoning By-law 2014-014:

No.	Zoning By-law Regulation	Variance Request
1	<i>Table 4.3 (Row 7)</i> The maximum encroachment into a minimum yard for window wells with a maximum width of 1.8 metres shall be 0.6m.	To increase the maximum encroachment into the minimum rear yard for the window well to 0.93 m with a maximum width of 3.25 metres.
2	<i>Section 5.8.2 c) i)</i> The maximum width of a driveway shall be 6.0 metres for a lot having a lot frontage of 12.0 metres or less.	To increase the maximum width of the driveway to 8.15 metres.
3	<i>Table 6.3.2 (Row 5, Column Detached Dwellings)</i> The minimum interior side yard shall be 1.8 m.	To reduce the minimum south westerly interior side yard to 1.2m.
4	<i>Table 6.3.2 (Row 8, Column Detached Dwellings)</i> The maximum height shall be 12.0m.	To increase the maximum height to 12.95m.

5	<p><i>Table 6.3.2 (Row 10, Column Detached Dwellings)</i></p> <p>The maximum lot coverage for the dwelling shall be 35%.</p>	To increase the maximum lot coverage to 39.99%.
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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/117/2025 - 260 Robinson St (East District) (OP Designation: Residential Medium Density)

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

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 and elevation drawings dated July 16 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:

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 subject site is located within neighbourhood characterized by a mix of detached dwellings, townhouses and multi-unit buildings. There is also a range of architectural styles and heights making three storey structure common along Robinson Street. The applicant is proposing to construct a three-storey dwelling that will include accessibility features, including a wheelchair-accessible entrance, widened driveway, and expanded window well for natural light. The proposed variances include the following:

- **Height:** The 0.95 m increase is largely due to mechanical and elevator servicing needs, not to create additional habitable floor area. The massing remains in keeping with nearby buildings.
- **Lot Coverage:** The proposed increase allows for appropriate landscaping and open space.
- **Driveway Width:** Enhanced width accommodates accessibility needs without dominating the streetscape.
- **Window Wells:** Provide necessary light and egress for basement areas without reducing usable amenity space.

- **Side Yard Setback:** It is noted that the existing side yard setback is currently 1.18m. The proposed setback will be a relative improvement as well as ensuring adequate separation and privacy to meet the intent of the Zoning By-law.

Bell Canada: No comments received.

Finance: No comments received.

Fire: No concerns for Fire.

Oakville Hydro: We do not have any comments.

Halton Region:

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- 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 maximum encroachment into the minimum rear yard for the window well to 0.93 m with a maximum width of 3.25 m, an increase in the maximum width of the driveway to 8.15 m, a decrease in the minimum south westerly interior side yard to 1.2 m, an increase in the maximum height to 12.95 m and an increase in the maximum lot coverage to 39.99% , under the requirements of the Town of Oakville Zoning By-law, for the purpose of constructing a three-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 and elevation drawings dated July 16 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