

# COMMITTEE OF ADJUSTMENT

## MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

**APPLICATION: A/138/2025**

**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](http://oakville.ca) on Wednesday October 15, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
J. Valley T. Valley	Darren Sanger-Smith Structured Creations Inc 502-445 Elizabeth Street Burlington ON L7R 2L8	PLAN M255 LOT 12 402 Bonny Meadow Rd Town of Oakville

**OFFICIAL PLAN DESIGNATION: Low Density Residential**

**ZONING: RL3-0, 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 a single storey bay/box window addition to the existing 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 557.50 m <sup>2</sup> and 649.99 m <sup>2</sup> shall be 42.0%.	To increase the maximum residential floor area ratio to 54.66%.
2	<i>Table 6.4.2 (Row 2, Column 3)</i> The maximum lot coverage shall be 35% where the detached dwelling is greater than 7.0 metres in height.	To increase the maximum lot coverage to 40.95%.

## **CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED**

### **Planning & Development:**

(Note: Planning & Development includes comments from the relevant District teams, including Heritage, Urban Design, Policy and Development Engineering)

**A/138/2025 – 402 Bonny Meadow Road (East District) (Official Plan Designation: Low Density Residential)**

The applicant is proposing to construct a single-storey bay/box window addition to the existing 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 addition be constructed in general accordance with the submitted site plan dated August 26, 2025, and elevation drawings dated August 22, 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 variances to permit an increase in residential floor area and lot coverage are appropriate since the potential massing and scale impacts on neighbouring dwellings have been properly mitigated through the design and size of the rear window addition, as this feature is a one-storey element located on the first floor. Moreover, the proposed bay/box window addition projects a further 0.79 m from the rear main wall, ensuring there are no privacy or overlook conditions on abutting properties either. Besides the window addition at the rear of the dwelling, there are no other changes being proposed to the current building. There was a previous minor variance application that was supported by staff and approved by the Committee of Adjustment on May 3, 2023. The proposal was for a one-storey addition to the dwelling allowing for a maximum residential floor area ratio of 54.31% and a lot coverage of 40.61%. The current application is seeking to permit an increase in the maximum residential floor area ratio to 54.66% and a lot coverage to 40.95%. That is an increase of 0.35% and 0.34% respectively compared to what was previously approved on the lot. These minor increases do not substantially alter the dwelling or cause any undue adverse impacts on abutting neighbours. Furthermore, since the proposed addition is located at the rear of the dwelling, there are no impacts whatsoever on the public realm. As such, it is staff's opinion the proposed development maintains and protects the character of the existing neighbourhood and does not present any unacceptable impacts. 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.

**Oakville Hydro:** No comments.

**Halton Region:**

CAV A/138/2025 – J. Valley and T. Valley, 402 Bonny Meadow Road, 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 maximum residential floor area ratio to 54.66% and an increase in the maximum lot coverage to 40.95%, for the purpose of a single storey bay/box window addition to the existing dwelling on the Subject Property.

**Transit:** 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 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 addition be constructed in general accordance with the submitted site plan dated August 26, 2025, and elevation drawings dated August 22, 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.

*J. Ulcar*

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Jen Ulcar  
Secretary Treasurer  
Committee of Adjustment