

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: A/099/2025 – Deferred from July 23, 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, October 15, 2025 at 7 p.m.

<u>Owner (s)</u>	<u>Agent</u>	<u>Location of Land</u>
JNW Development Ltd.	Mengdi Zhen Z Square Consulting Inc. 2710 14TH Ave Markham ON, L3R 0J1	248 Jennings Cres PLAN M6 LOT 163

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 variance 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 650.00m ² and 742.99m ² shall be 41%.	To increase the maximum residential floor area ratio to 43.78%.

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/099/2025 - 248 Jennings Crescent (West District) (OP Designation: Low Density Residential)

The applicant proposes to construct a new two storey dwelling, subject to the variance 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. That the dwelling be constructed in general accordance with the submitted site plan and elevation drawings Revision 1 dated 06/02/2025; 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.

Background

The application was previously reviewed by staff and presented to the Committee on July 23, 2025 for an increase in residential floor area, which Staff objected to. The application was deferred, to allow the applicant to revise their plans which reduced the floor area, eliminated an open to below area, reduced the overall massing, improved the facades and removed proposed balconies. A comparison of the front elevation from the July 23, 2025 Hearing (“Original”) and the newly submitted front elevation (“Revised”) are seen below:



Figure 1: Original Front Elevation



Figure 2: Revised Front Elevation

Below is a table comparison of the (“Original”) and the newly submitted (“Revised”) variances:

Town of Oakville Zoning By-law 2014-014		Agenda	
Regulation	Requirement	July 23, 2025	October 15, 2025
Residential Floor Area Ratio	41%%	44%%	43.78%

Analysis:

Staff have evaluated the revised 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 development maintains and protects the character of the existing neighbourhood and does not present unacceptable adverse impacts. The requested variance has been evaluated against the Urban Design Guidelines and due to the pattern of newly built two-storey homes on the street, a mix of materials and single storey elements, the proposed dwelling will be compatible with the character of the neighbourhood. On this basis, the application meets the four tests of the *Planning Act*.

The proposed development will require a Site Alteration Permit (DEPA) following this application, prior to proceeding with on-site works. Site Alteration requires development of SWM to control post development flows to pre-development conditions. It should be noted that the proposed driveway is required to be setback minimum 1.0 m from any utility pole, box, etc.

Bell Canada: No comments received.

Finance: No comments received.

Fire: No concerns.

Oakville Hydro: No comments.

Halton Region:

CAV A/099/2025 – 248 Jennings Crescent, JNW Development Inc., Oakville

- It is understood that this application was deferred from July 23, 2025. Regional comments provided on July 17, 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 to permit an increase to the maximum residential floor area ratio to 43.78%, under the requirements of the Town of Oakville Zoning By-law, for the purpose of permitting the construction of two-storey detached dwelling on the Subject Property.

Transit: No comments received.

Union Gas: No comments received.

Email(s) / Letter(s) in support – None

Email(s) / 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. That the dwelling be constructed in general accordance with the submitted site plan and elevation drawings Revision 1 dated 06/02/2025; 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