

Planning and Development Council Meeting
September 13, 2021

Comments Received Regarding Item 7.3
Recommendation Report

Site Plan Application, 3194 Shoreline Drive
File No. SP.1732.016/02

EXH 1B17 A1

| December 7, Revised | | | | | 2019 | | Variances requested for new builds | | | | | | | | | | | | |
|---------------------|---------------|--------|-------------|----------------------|------------------------|------------|------------------------------------|---------------|------------------|---|----------|--|--|--|--|--|--|--|--|
| Street | C of A Number | Zoning | Lot Size | Allowed Lot Coverage | Requested Lot Coverage | % Increase | Allowed GFA | Requested GFA | % Increase sq ft | Based upon 3194 Shoreline Dr 57.5% variance requested | Status | | | | | | | | |
| 3194 Shoreline Dr | A/049/2019 | RL 3-0 | 5350 sq ft | 35% | 37.90% | 2.90% | 43% | 57.50% | 14.50% | X | | | | | | | | | |
| | | | | | | | 2380 sq ft | 3080 sq ft | 266 sq ft | 1.73 X | Pending | | | | | | | | |
| 3266 Shelburne PL | A/135/2019 | RL 2-0 | 12224 sq ft | 25% | 27.48% | 25.86% | 35% | 37.51% | 1.34% | 2.51% | | | | | | | | | |
| | | | | | | | 4278 sq ft | 4584 sq ft | 4442 sq ft | | | | | | | | | | |
| 449 Tennyson Dr | A/006/2019 | RL 3-0 | 7500 sq ft | | | | 41% | 306 sq ft | 164 sq ft | | | | | | | | | | |
| | | | | | | | 3075 sq ft | 3300 sq ft | 225 sq ft | | | | | | | | | | |
| 421 Lees Lane | A/007/2018 | RL 3-0 | 7518 sq ft | | | | 41% | 42.50% | 1.50% | | | | | | | | | | |
| | | | | | | | 3082 sq ft | 3195 sq ft | 113 sq ft | 2.35 | Approved | | | | | | | | |
| 512 Pinegrove Rd | A/012/2019 | RL 3-0 | 11186 sq ft | | | | 37% | 41.81% | 11.30% | | | | | | | | | | |
| | | | | | | | 4138 sq ft | 4676 sq ft | 538 sq ft | 2.39 | Denied | | | | | | | | |
| 149 Sandwell Dr | A/014/2019 | RL 2-0 | 13326 sq ft | 25% | 25.71% | 0.71% | | | | | | | | | | | | | |
| | | | | | | | | | | | Approved | | | | | | | | |
| | | | | | | | | | | | Support | | | | | | | | |
| 430 Reynolds St | A/032/2019 | RL 5-0 | 5317 sq ft | | | | 43% | 50.30% | 7.30% | | | | | | | | | | |
| | | | | | | | 2286 sq ft | 2674 sq ft | 388 sq ft | 1.98 X | Pending | | | | | | | | |
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| 2070 Vickery Lane | A/033/2019 | RL 2-0 | 10387 sq ft | 25% | 26.98% | 1.98% | | | | | | | | | | | | | |
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| 1238 Crawford Crt | A/A045/2019 | RL 1-0 | 14391 sq ft | | | | 29% | 33.74% | 4.74% | | | | | | | | | | |
| | | | | | | | 4173 sq ft | 4855 sq ft | 682 sq ft | 2.96 | Pending | | | | | | | | |
| 2067 Deramore Dr | A/047/2019 | RL 2-0 | 11248 sq ft | 25% | 27.37% | 2.37 | | | | | | | | | | | | | |
| 349 Stanfield Dr | A/054/2019 | RL 2-0 | 11524 sq ft | | | | 37% | 39.54% | 7% | | | | | | | | | | |
| | | | | | | | 4263 sq ft | 4556 sq ft | 451 sq ft | 2.52 | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| 167 Nelson Street | A/036/2017 | RL 3-0 | 7895 sq ft | 35% | 39.90% | 4.90% | 41% | 45.92% | 4.92% | 2.17 | | | | | | | | | |
| | | | | | | | 3237 sq ft | 3625 sq ft | 388 sq ft | | Approved | | | | | | | | |
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A2

| Street | C of A Number | Zoning | Lot Size | Allowed Lot Coverage | Requested Lot Coverage | % Increase | Allowed G F A | Requested G F A | % Increase sq ft increase | Based on 3194 Shoreline Dr 57.5 % variance requested | Status |
|--------------------|---------------|--------|-------------|----------------------|------------------------|------------|---------------|-----------------|---------------------------|--|----------|
| 452 Sunset Dr | A/069/2019 | RL 3-0 | 6541 sq ft | | | | 42% | 44,70% | 7% | 2.23 | Pending |
| | | | | | | | 2747 sq ft | 2923 sq ft | 176 sq ft | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| 137 Westminster Dr | A/073/2019 | RL 3-0 | 11249 sq ft | 25% | 28,955 | 3.95% | 37% | 39,98% | 8% | 2.5 | Denied |
| | | | | | | | 4162 sq ft | 4497 sq ft | 335 sq ft | | |
| 1214 Bridge St | A/080/2019 | RL 3-0 | 7938 sq ft | | | | 41% | 47,30% | 23% | 2.36 | Approved |
| | | | | | | | 3254 sq ft | 3357 sq ft | 103 | | |
| 228 Tweedsdale Cr | A/087/2019 | RL 2-0 | 11416 sq ft | | | | 37% | 38,22% | 3,50% | 2.61 | Approved |
| | | | | | | | 4223 sq ft | 4363 sq ft | 140 | | |
| 475 Third Line | A/090/2019 | RL 3-0 | 7560 sq ft | | | | 41% | 43,90% | 7% | 2.27 | Pending |
| | | | | | | | 3099 sq ft | 3318 sq ft | 219 sq ft | | |
| 191 Waneta Dr | A/093/2019 | RL 3-0 | 7455 sq ft | | | | 41% | 43,06% | 5% | 2.32 | Approved |
| | | | | | | | 3056 sq ft | 3210 sq ft | 154 sq ft | | |
| 1298 Devon Rd | A/097/2019 | RL 2-0 | 11250 sq ft | 25% | 26,81% | 1.8% | 37% | 39,5 | 2,90% | 2.53 | Approved |
| | | | | | | | 4162 sq ft | 4443 sq ft | 281 sq ft | | |
| 155 Ulster Dr | A/103/2019 | RL 2-0 | 9949 sq ft | 25% | 31,39% | 6,39% | 39% | 40,59% | 1,59% | 2,46 | Approved |
| | | | | | | | 3880 sq ft | 4038 sq ft | 158 sq ft | | |
| 479 Brookside Dr | A/132/2019 | RL 3-0 | 7451 sq ft | | | | 41% | 43,80% | 2,80% | 2,28 | Approved |
| | | | | | | | 3054 sq ft | 3263 sq ft | 209 sq ft | | |
| 1404 Selkirk Ave | A/134/2019 | RL 3-0 | 7443 sq ft | | | | 41% | 42,81 | 1,81% | 2,33 | Approved |
| | | | | | | | 3051 sq ft | 3185 | 134 sq ft | | |
| 220 Southview Rd | A/155/2018 | RL 3-0 | 8547 sq ft | | | | 40% | 41,4 | 1,40% | 2,41 | Pending |
| | | | | | | | 3418 sq ft | 3538 sq ft | 120 sq ft | | |
| 1123 Morden Rd | 57/2018 | RL 2-0 | 11237 sq ft | | | | 37% | 38,84% | 1,84% | 2,57 | Approved |
| | | | | | | | 4115 sq ft | 4364 sq ft | 249 sq ft | | |
| | | | | | | | | | | | |
| 205 Trafalgar Rd | A/105/2019 | RL 4-0 | 10528 sq ft | | | | 38% | 42,21 | 4,21% | 2,36 | Pending |
| | | | | | | | 4000 sq ft | 4443 sq ft | 443 sq ft | | |
| 1453 Seagram Rd | A/164/2018 | RL 2-0 | 11250 sq ft | 25% | 28,06 | 3,06 | 37% | 39,18% 37,9 % | 2,97 % 0,9% | 2,63 | Approved |
| | | | | | | | 4162 sq ft | 4407/4263 sq ft | 101 sq ft | | |

Sample

Apply 3194 variances.

57,50%

3761 sq ft

15,5%

1014 sq ft

1.71

X

143

| Street | C of A Number | Zoning | Lot Size | Allowed Lot Coverage | Requested Lot Coverage | % Increase | Allowed G F A | Requested G F A | % Increase sq ft Increase | Based on Shoreline Dr 57.5% variance requested | 3194 | Status | |
|-------------------|---------------|--------------|-------------|----------------------|------------------------|------------|---------------|-----------------|---------------------------|--|------|----------|--|
| 1447 Pembroke Dr | A/129/2019 | RL 3-0 | 6636 sq ft | areas calculation | | | 42% | 54.70% | 12.70% | 1.82 | | Pending | |
| | | | | | | | 2787 sq ft | 3629 sq ft | 842 sq ft | | | | |
| | | | 9002 sq ft | full lot size | | | 39% | 40.28% | 1.28% | | | Pending | |
| | | | | | | | 3510 sq ft | 3626 sq ft | 116 sq ft | 2.48 | | | |
| 1473 Constance Dr | A/120/2019 | RL 3-0 | 7500 sq ft | | | | 41% | 46.03% | 5.03% | 2.18 | | Pending | |
| | | | | | | | 3075 sq ft | 3452 sq ft | 377 sq ft | | | | |
| 171 Woodhaven Pk | A/122/2019 | RL 2-0 | 11684 sq ft | 25% | 29.06% | 4.06% | | | | | | Pending | |
| | | | | | | | | | | | | | |
| 342 Spruce St | A/121/2019 | RL 3-0 SP 10 | 7378 sq ft | 19% | 24.80% | 5.80% | | | | | | Pending | |
| | | | | | | | | | | | | | |
| 64 First St | A/118/2019 | RL 3-0 SP 12 | 15214 sq ft | 25% | 28.80% | 4.90% | | | | | | Approved | |
| | | | | | | | | | | | | | |
| 130 Gloucester Av | A/116/2019 | RL 3-0 SP 10 | 13151 sq ft | 19% | 19.94% | 0.94% | | | | | | Approved | |
| | | | | | | | | | | | | | |
| 210 Gloucester Av | A/114/2019 | RL 3-0 SP 10 | 10068 sq ft | 22% | 27% | 5% | | | | | | Pending | |
| | | | | | | | | | | | | | |
| 1312 Hillhurst Av | A/070/2019 | RL 1-0 | 15133 sq ft | | | | 29% | 32.88% | 3.88% | 3.04 | | Approved | |
| | | | | | | | 4388 sq ft | 4975 sq ft | 587 sq ft | | | | |
| 183 Westdale Rd | A/058/2019 | RL 1-0 | 14960 sq ft | 25% | 26.10% | 1.10% | 29% | 31.90% | 2.90% | 3.13 | | Approved | |
| | | | | | | | 4338 sq ft | 4772 sq ft | 434 sq ft | | | | |
| 332 Chartwell Rd | A/050/2019 | RL 1-0 | 19230 SQ FT | | | | 29% | 32.21% | 3.21% | 3.1 | | Pending | |
| | | | | | | | 5576 sq ft | 6193 sq ft | 617 sq ft | | | | |
| 198 Douglas Ave | A/136/2019 | RL 3-0 SP 10 | 8801 sq ft | 19% | 24.96% | 5.96% | | | | | | Approved | |
| | | | | | | | | | | | | | |
| 320 Douglas Ave | A/136/2019 | RL 3-0 SP 10 | 8807 sq ft | 19% | 23.97% | 4.97% | | | | | | Approved | |
| | | | | | | | | | | | | | |
| 167 Nelson St | A/026/2017 | RL 3-0 | 7895 sq ft | 35% | 39.90% | 4.90% | 41% | 45.92% | 4.92% | 2.17 | | Approved | |
| | | | | | | | 3237 sq ft | 3626 sq ft | 389 sq ft | | | | |

A.4

REVISED PRIL 10, 2021

3190 - 3202

SHORELINE DRIVE HOUSE TO LOT SIZE COMPARISON

RL 3 -0

| Name | No. | Address | Lot Size | Sq ft | GFA ** | House size to lot size | 2019 GFA % Allowed | 2019 GFA Sq Ft Allowed | Increase/decrease from 1983 original build. | House size to Lot size % | Variances requested by 3194 Shoreline Dr 57.5 % GFA | Increase in house allowing 57.5 GFA ** |
|---------|------|--------------|----------|-------|--------|------------------------|--------------------|------------------------|---|--------------------------|---|--|
| Briggs | 3190 | Shoreline Dr | 6240 | 2380 | | 38 Per cent | 42 per cent | 2620 Sq Ft | | 2.38 | 3688 Sq Ft | 1068 Sq Ft |
| Horwood | 3194 | "" | 5350 | 2380 | | 44 percent | 43 "" | 2300 " | | 2.32 | 3080 Sq Ft | 780 Sq Ft |
| Spencer | 3196 | "" | 5670 | 2700 | | 47 percent | 43 "" | 2438 " | | 2.32 | 3260 Sq Ft | 822 Sq Ft |
| Elwood | 3198 | "" | 6150 | 2700 | ** | 44 percent | 42 "" | 2583 " | | 2.37 | 3536 Sq Ft | 953 Sq Ft |
| Hatch | 3200 | "" | 8100 | 2600 | | 31 per cent | 40 "" | 3240 | | 2.5 | 4657 Sq Ft | 1717 Sq Ft |
| Inneson | 3202 | "" | 8550 | 3600 | *** | 34 percent | 40 "" | 3420 | | 2.36 | 4916 Sq Ft | 1498 Sq Ft |

** sun room added
*** major renovation/addition

CUDMORE ROAD WEST SIDE RL 3 -0

| | | | | | | | | | | | | | |
|----------|-------------|------|------|--------------|--------|------|---------|-------|------|------|-------|------|-------|
| Examples | Cudmore Rd | 6500 | 2500 | 2.6 per cent | 42 " | 2730 | add 230 | Sq Ft | 2.38 | 3737 | Sq Ft | 1007 | Sq Ft |
| | Cudmore Rd | 7000 | 2600 | 2.7 per cent | 42 " " | 2940 | add 340 | Sq Ft | 2.38 | 4025 | Sq Ft | 1085 | Sq Ft |
| | Cudmore Rd | 7500 | 2700 | 2.7 per cent | 41 " " | 3075 | add 375 | Sq Ft | 2.43 | 4315 | Sq Ft | 615 | Sq Ft |
| | Cudmore Rd. | 8000 | 2700 | 2.9 per cent | 41 " " | 3280 | add 580 | Sq Ft | 2.43 | 4600 | Sq Ft | 1900 | Sq Ft |

CUDMORE ROAD EAST SIDE RL 5

12 HOMES

LOT SIZES VARY FROM 9000 TO 11500 SQ.FT

SKIPPER LANE EAST SIDE RL 3-0

SKIPPER LANE WEST SIDE RL 2-0

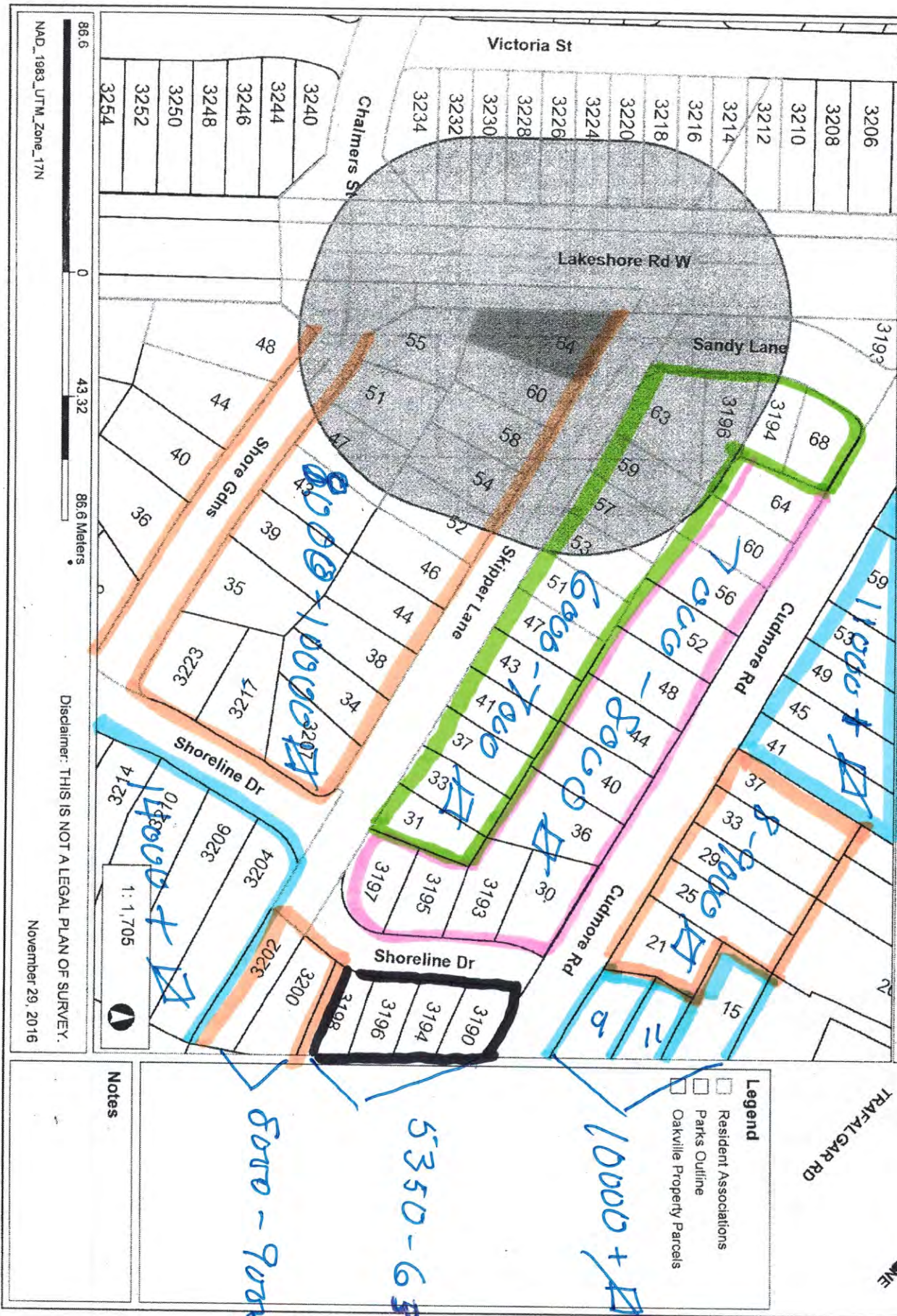
Average lot size 6000 - 7000 Sq ft
Average lot size 8 - 10000 sq ft
Average house size 2000 - 2400
Average house size 3 - 4000 sq ft

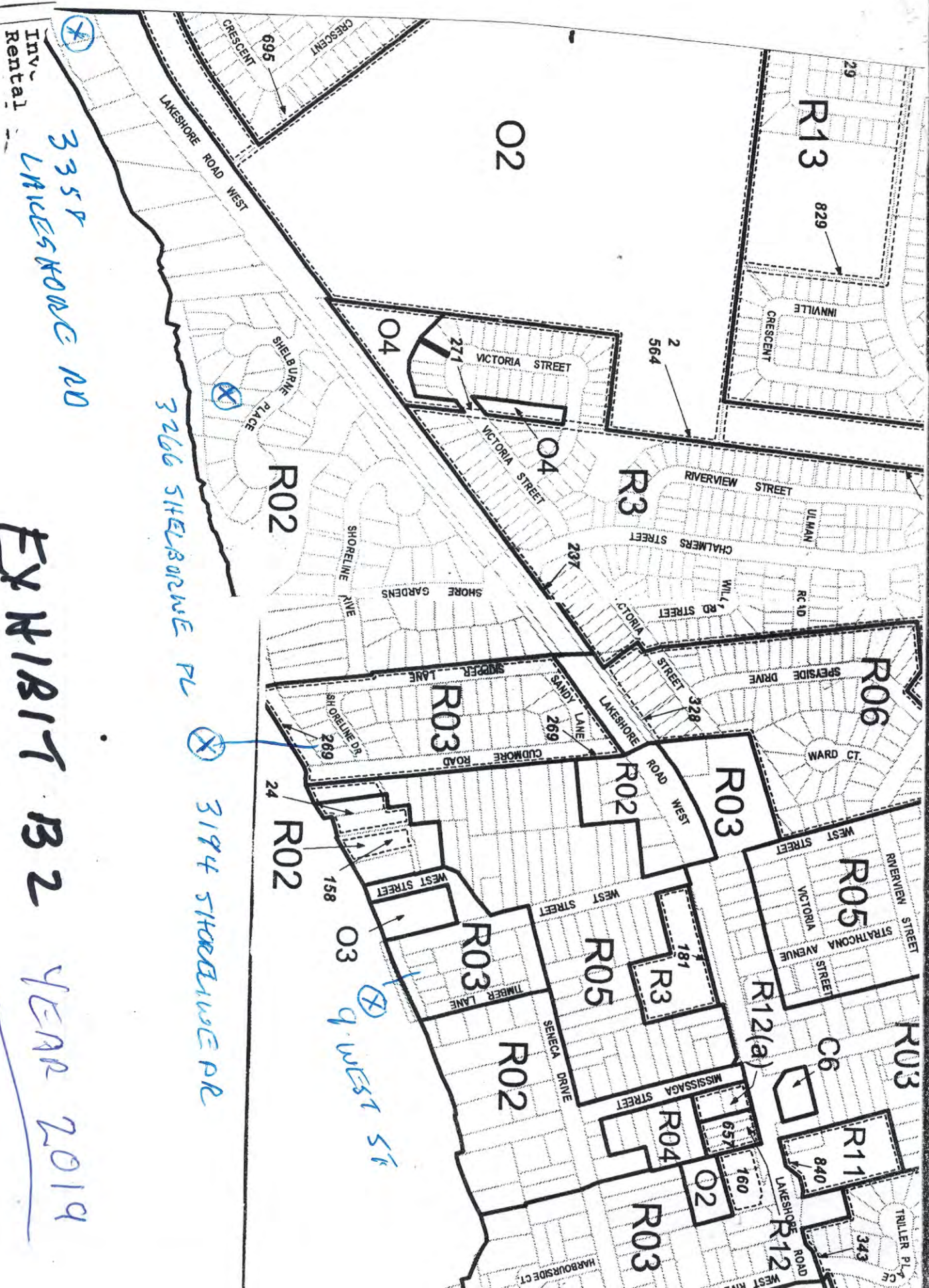
LOT 312ES



64 Skipper Lane
CAV A/2008/2016

EXHIBIT B1





Inv
Rental

3354
LAKESHORE RD

3266 SHELBORNE PL

3194 SHADDAWAVE PL

9 WEST ST

LAKEDONT COMPARABLES

EXHIBIT B2 YEAR 2019

R02

SHORELINE DRIVE

SHORE GARDENS

VICTORIA STREET

04

P33

EX1317
237

SKIPPER LANE

R03

SANDY LANE

269

CUDMORE ROAD

SHORELINE DR.

269

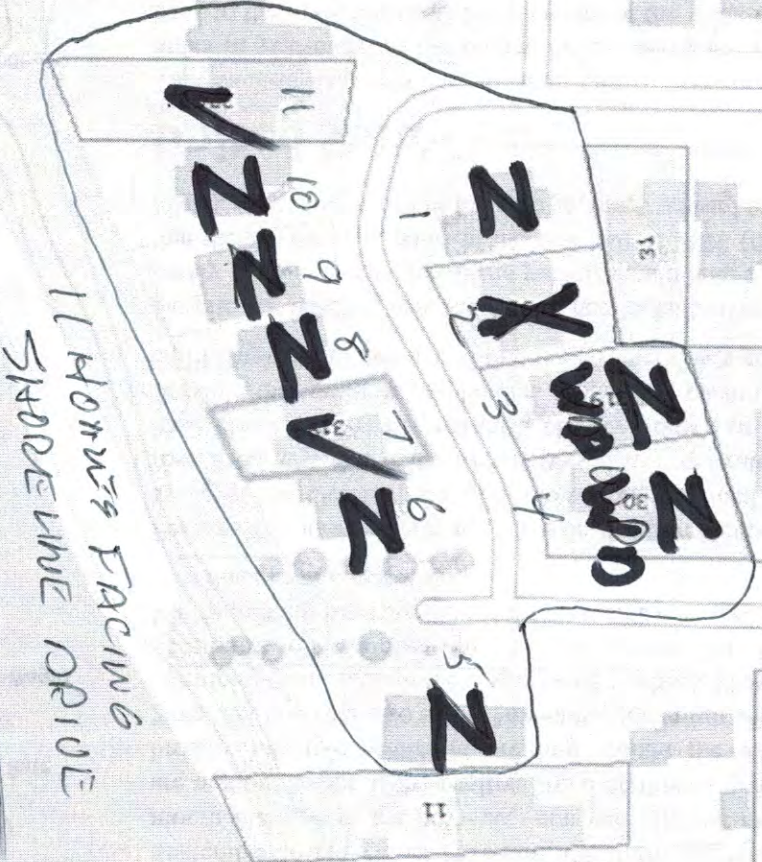
R05

24

R01

B 4

X DID NOT SIGN PETITION
 W/D WITHDRAW SUPPORT
 Z OBJECTS TO ANCU BUILD
 V SUPPORTS NEW BUILD

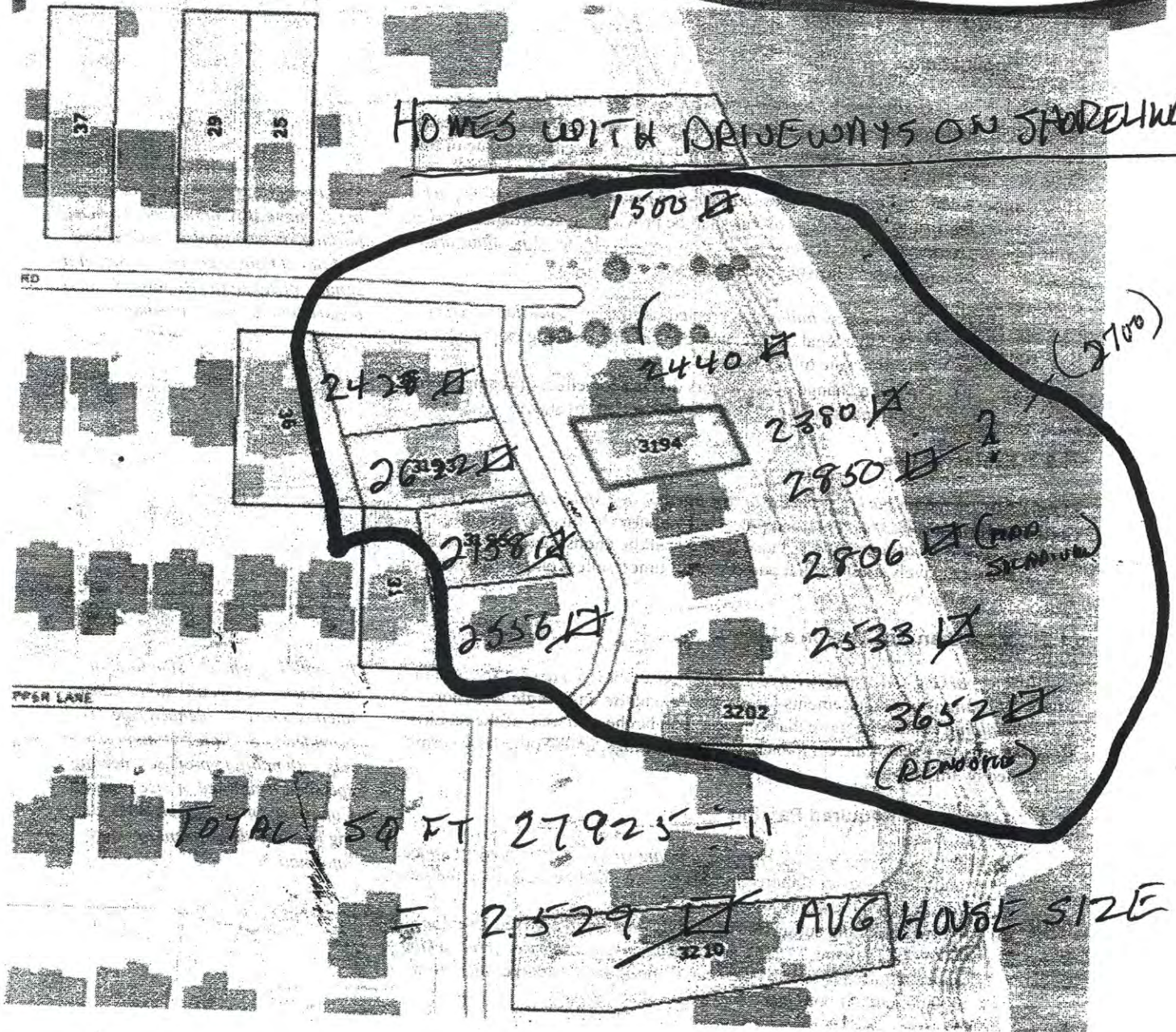


To be the most livable town in Canada.

To be the most livable town in Canada.

B5

HOMES WITH DRIVEWAYS ON SHORELINE

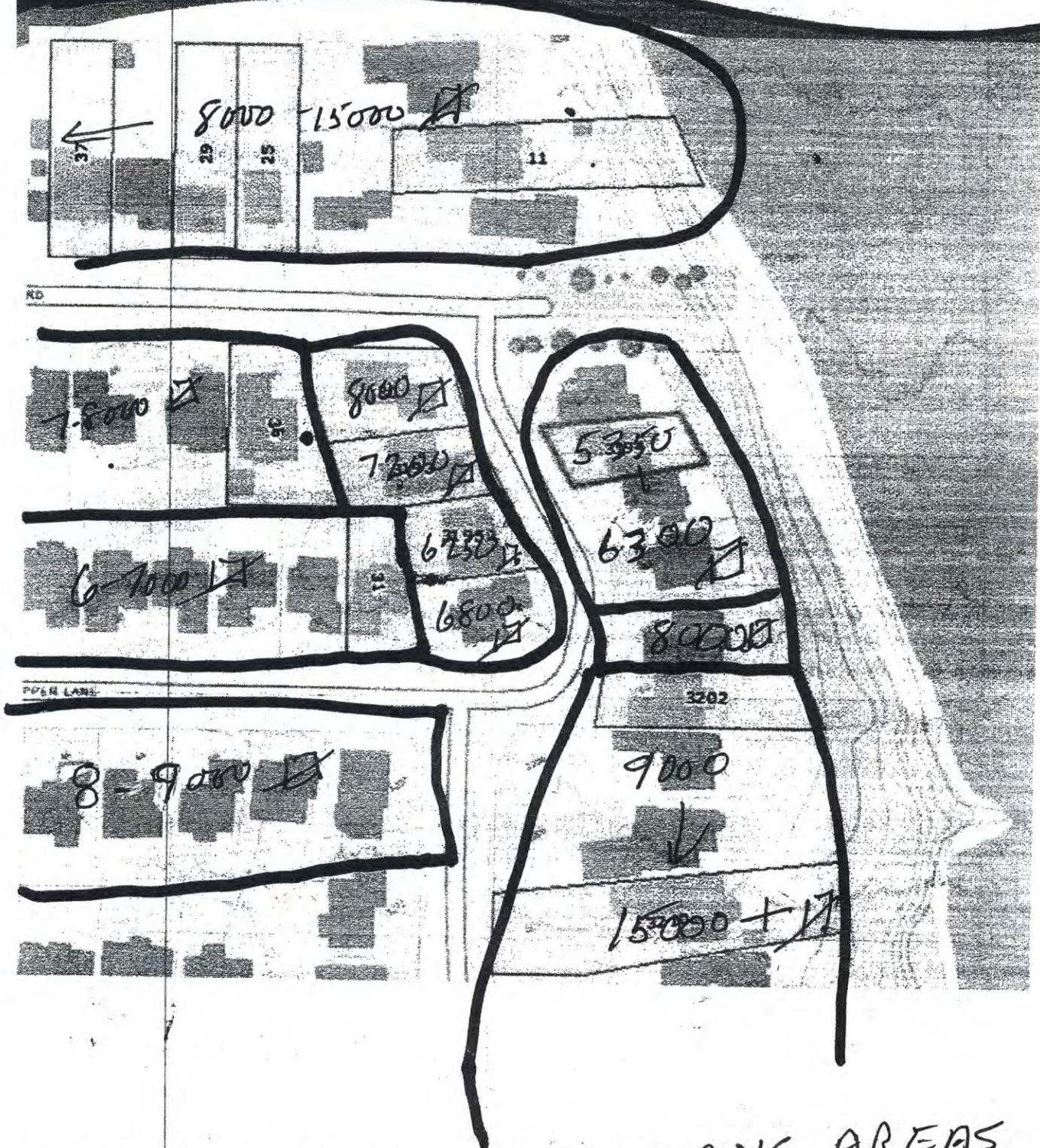


TOTAL SQ FT 27925 = 11

= 2529 ~~sq ft~~ AVG HOUSE SIZE

B6

To be the most livable town in Canada.



AVERAGE LOT SIZES IN SURROUNDING AREAS.

CURRENT LAKEFRONT PROPERTIES WITH COTA DECISION

2019-2020



FRONT ELEVATION
SCALE 3/16" = 1'-0"



EAST SIDE ELEVATION
SCALE 3/16" = 1'-0"



REAR ELEVATION
SCALE 3/16" = 1'-0"



WEST SIDE ELEVATION
SCALE 3/16" = 1'-0"



KEEREN DESIGN
RESIDENTIAL ARCHITECTURE

31 BRONTE RD. SUITE 31
OAKVILLE, ON
L6L 0E 1

PHONE (905) 847-3350

WWW.KEEREN.CA

FIRM BCIN # 31181

JORIS KEEREN
DESIGNER BCIN # 25348

REVISION

DRAWING INFORMATION

INITIAL DESIGN: JUNE 2019
DESIGNER: JORIS KEEREN
DRAWN BY: M. RICO
PLOT DATE: FEBRUARY 11, 2020
PERMIT # 19

These drawings are not to be
used for construction
purposes unless approved
and stamped by the Local
Building Department

PROJECT: 9 WEST STREET

A1

9 WEST ST

SCALE 1 : 150

J.H. Gelbloom Surveying Limited

Ontario Land Surveyor

2020

C-3A

METRIC

Distances shown on this plan are in metres and can be converted to feet dividing by 0.3048.

| ITEM DESCRIPTION | PERMITTED (METERS) | ACTUAL OR PROPOSED (METERS) |
|--------------------------------|--------------------|-----------------------------|
| OAKVILLE BY-LAW | 2014-014 | |
| ZONING DESIGNATION | RL3-0 | |
| LOT AREA (MINIMUM) | 557.50 SQ.M. | 417.88 SQ.M. |
| LOT FRONTAGE (MINIMUM) | 18.00 | 13.65 |
| BUILDING COVERAGE (MAXIMUM) | 125.36 SQ.M. / 30% | 103.06 SQ.M. / 24.66% |
| GARAGE COVERAGE (MAXIMUM) | 20.89 SQ.M. / 5% | 26.73 SQ.M. / 6.4% |
| TOTAL LOT COVERAGE % (MAXIMUM) | 146.26 SQ.M. / 35% | 129.79 SQ.M. / 31.06% |
| RFA (MAXIMUM) | 179.69 SQ.M. | 126.15 SQ.M. |
| RFA/LOT RATIO (MAXIMUM) | 43% | 30.19% |
| FRONT YARD SETBACK (BUILDING) | 11.90 | 12.30 |
| FRONT YARD SETBACK (GARAGE) | | 3.04 |
| SIDE YARD SETBACK (BUILDING) | 1.20 & 2.40 | 1.23 & 1.53 |
| SIDE YARD SETBACK (GARAGE)) | | 1.21 |
| REAR YARD SETBACK (MINIMUM) | 7.50 | 5.57 |
| OVERALL HEIGHT | 9.00 | 8.99 |
| OVERALL HEIGHT (GARAGE) | 4.00 | 4.90 |

LEGEND

CLF Chain Link Fence
 BF Board Fence
 TFW Top of Foundation Wall
 MH Maintenance Hole
 FF Finished Floor
 UP Utility Pole
 DEC. Deciduous Tree
 CON. Coniferous Tree
 ▼ Entrance

T.B.R. To Be Removed
 TOS Top of Slope
 BOS Bottom of Slope
 CSP Corrugated Steel Pipe
 WV Water Valve

9 WEST ST.

| ITEM | VARIATION |
|------|---|
| ① | The minimum interior side yard for 3-4m and 4-6m properties is 1.5m and 2.0m, respectively. |
| ② | The minimum rear side yard for 3-4m and 4-6m properties is 1.5m and 2.0m, respectively. |
| ③ | The minimum rear side yard for properties prepared 6/5/00 is 2.0m. |
| ④ | A minimum of 12% of the length of all lots must be preserved for the front lot line side yard to be located within the area on the lot owned by the applicant and must meet minimum front yards. 26.9/30 prepared fees (actual) |
| ⑤ | The maximum height for an accessory building (e.g. detached garage) shall be 6.0m maximum. Maximum front yard. The prepared 6/5/00 |
| ⑥ | In an front yard, the maximum yard for any accessory building or structure shall be the same as for the dwelling on the lot. The side yard shall be the same as for the dwelling on the lot. |
| ⑦ | Where a private garage is detached from the front lot line and is constructed by a driveway crossing the front lot line, the minimum side yard shall be closer to the side lot line than the minimum front yard side yard shall be. The side yard shall be the same as for the lot on which the driveway crosses the front lot line. Note, the minimum side yard shall be the same as for the private garage is 2.0m. The prepared 6/5/00 |
| ⑧ | Where a private garage has a vehicle entrance through the front lot line, the minimum side yard shall be the same as for the lot on which the private garage shall be set back. The side yard shall be the same as for the lot on which the private garage shall be set back. The prepared 6/5/00 |
| ⑨ | Detached private garages shall be set back from the front lot line from the face of the largest part of the main wall of the dwelling. The side yard shall be the same as for the lot on which the private garage shall be set back. The side yard shall be the same as for the lot on which the private garage shall be set back. The prepared 6/5/00 |

| No. | Date | Description | By |
|-----|---------------|---|------|
| 1 | AUG. 21, 2019 | SITE & GRADING | M.K. |
| 2 | OCT. 22, 2019 | ADDED EROSION & SEDIMENT FENCE | M.K. |
| 3 | NOV. 14, 2019 | ADDED TREE PROTECTION & DRIVEWAY MATERIAL | M.K. |
| 4 | JAN. 7, 2020 | TREE P LOCATION | J.G. |
| 5 | FEB. 5, 2020 | TOWN COMMENTS | M.K. |
| 6 | APRIL 8, 2020 | SHIFTED GARAGE AND ADJUSTED DRIVEWAY | M.K. |

REVISIONS

3.91 (GARAGE FRONT) + 10.62 (DWELLING FRONT)
= 14.53 (TOTAL FRONT WALLS)
3.91/14.53 = 26.91% FRONT YARD
THEREFORE 3.91/14.53 = 26.91% FRONT YARD WALL PROPORTIONALITY



KEY PLAN (NOT TO SCALE)

SITE PLAN FOR VARIANCE

LOTS 51 & 53
REGISTERED PLAN M-II
TOWN OF OAKVILLE
REGIONAL MUNICIPALITY OF HALTON

SCALE 1 : 150

J.H. Gelbloom Surveying Limited
Ontario Land Surveyor
2020

[illegible]

LEGEND

| | |
|------|------------------------|
| CLF | Chain Link Fence |
| BF | Bored Fence |
| TFW | Top of Foundation Wall |
| MH | Maintenance Hole |
| FF | Finished Floor |
| UP | Utility Pole |
| DEC. | Deciduous Tree |
| CON. | Coniferous Tree |
| ▼ | Entrance |

SITE ADDRESS
9 WEST STREET
OAKVILLE, ONTARIO

DON MOFFATT (OWNER)
107 MORRISON ROAD
OSKVILLE, ONTARIO

INFORMATION TAKEN FROM A SURVEY PREPARED BY
J.H. GELBLOOM SURVEYING LTD., O.L.S.
DATED : JUNE 5, 2019

BENCHMARK
Elevations are Referred to the Town
having an Elevation of 82.84 m.

SURVEYOR'S CERTIFICATE

I HAVE REVIEWED THE PLANS FOR THE CONSTRUCTION OF A TWO STORY DWELLING LOCATED AT 9 WEST STREET AND HAVE PREPARED THIS PLAN TO INDICATE THE COMPATIBILITY OF THE PROPOSAL WITH ALL ADJACENT PROPERTIES AND EXISTING MUNICIPAL SERVICES. IT IS MY BELIEF THAT ADHERENCE TO THE PROPOSED ELEVATIONS AND GRADIENTS SHOWN WILL PRODUCE ADEQUATE SURFACE DRAINAGE AND PROPER FACILITY OF THE MUNICIPAL SERVICES WITHOUT DETRIMENTAL EFFECT TO THE EXISTING DRAINAGE PATTERNS OR ADJACENT PROPERTIES.

I HEREBY CERTIFY THAT THE DIMENSIONS AND SET-BACKS ARE CORRECTLY SHOWN.

DATE: 10/25/2010
SIGNED: [Signature]



14 April 2020

14 APRIL 2020

 **J. H. Gelbloom Surveying Limited**
Ontario Land Surveyor
476 Morden Road, Unit 102, Oakville, Ont. L6K 3W4
office@jhgsurveying.ca
Phone: (905) 338-8210 Fax: (905) 338-9446

| | | |
|--------------------|------|----------------------|
| Project: 19-088 | 186% | Checked By: A.M. |
| Drawn By: M.K. | | Party Chief: D.L. |

9 West St

EXHIBIT C 4C
To be the most livable town in Canada.

Committee of Adjustment-Amended
Decision for: CAV A/019/2020

| Owner/Applicant | Agent | Location of Land |
|---|---|---|
| SHERIF SORIAL 5933 HEMINGWAY RD MISSISSAUGA ON, L5M 5M1 | RUSSELL CHEESEMAN 277 LAKESHORE ROAD E SUITE 211 OAKVILLE ON, L6J 1H9 | CON 4 SDS PT LOT 33 RP 20R4802 PART 1 3358 LAKESHORE RD W TOWN OF OAKVILLE |

This notice is to inform you that the request for variance made under Section 45(1) of the *Planning Act* has been **Approved** to permit the proposed new two storey detached dwelling under construction on the subject property with the following variances.

12766 ✓

| # | Zoning By-law 2014-014 requirements – RL2-0 | Variance request |
|---|--|--|
| 3 | Section 6.4.2 a) Row RL1 Column 3 The maximum lot coverage shall be 25% (411.28 m ²) where the detached dwelling is greater than 7.0 m in height; (Area of the lot is 1645.12 m ²). | To permit a lot coverage of 27.29 % for the detached dwelling which is greater than 7.0 m in height. |
| 4 | Section 6.5.2 e) For an accessory building the maximum lot coverage shall be the greater of 5% of the lot area or 42.0 square metres of building area. (82.26 m ²); (Lot area is 1645.12 m ²). | To permit an accessory building lot coverage of 7.32% (120.42 m ²) |

2.79 ✓

No written or oral submissions from the public were received. The Committee is of the opinion that the variance is considered minor in nature, desirable for the use of the land and in keeping with the general intent of the town's official plan – Livable Oakville Plan and the zoning by-law, subject to:

1. That the approval expires (2) years from the date of the decision if a building permit has not been issued for the proposed construction, and in cases where a building permit is not required, that the proposed scope of work has not been fully completed;
2. That the development proceed in general accordance with Site Plan, Elevation Drawings and revised Site Plan Approval to the satisfaction of the Director of Planning Services.

This notice is to inform you that the request for variance made under Section 45 (1) of the *Planning Act* has been **Denied**

5.152 ✓


| # | Zoning By-law 2014-014 requirements – RL2-0 | Variance request |
|---|--|---|
| 1 | Section 6.4.1 The maximum residential floor area ratio for a detached dwelling on a lot with an area 1301.00 or greater shall be 29%. (477.08 m ²); (Lot area is 1645.12 m ²). | To permit the maximum residential floor area ratio for the detached dwelling to be 33.91%. (557.88 m ²) |
| 2 | Section 6.4.3 a) The minimum front yard on all lots shall be the yard legally existing on the effective date of this By-law less 1.0 metre. (Existing 11.13 m -1.0 m = 10.13 m minimum). | To permit a minimum front yard of 5.06 m. |

6.251 ✓ 1.369 ✓

No written or oral submissions from the public were received. The Committee is of the opinion that the variance is not considered minor in nature, is not desirable for the use of the land and is not in keeping with the general intent of the town's official plan – Livable Oakville Plan and the zoning by-law.

4 c1

5. AGREED REQUEST TO LPAT RESPECTING VARIANCE REQUESTS

- 5.1 That the Appeal of the Town of Oakville Committee Of Adjustment Decision CAV A/019/2020 respecting 3358 Lakeshore Rd. West in the Town of Oakville be allowed in part to amend the Original Application, declare the Amendment minor, requiring no notice to those who received notice of the Original Application nor any others and to approve the Revised Application as so amended subject to the 3 Conditions Clause 5.4 below..
- 5.2 That the Applicant's Original Application in CAV A/019/2020 be amended by changing the site plan and elevation drawings for the proposed new 2-storey detached dwelling to the Revised Site Plan and Drawings attached as Schedule B to these Minutes of Settlement; and
- 5.3 That the Variance Request set out below in the Applicant's Original Application in CAV A/019/2020 be amended to eliminate Variance Request 3 related to residential floor area ratio ,confirm Variance Requests 1, 2 and 4 , and add a fifth Variance Request for height from 9.5m to 9.55 m.: 
- (a) permit a lot coverage of 27.29%for the detached dwelling which is greater than 7.0 metres in height rather than 25%;
- (b)To permit an accessory building lot coverage of 7.32% rather than 5%;
- (d)To permit a minimum front yard of 5.06 m. rather than 10.13 m;
- (e) To permit a maximum height of 9.55 m rather than 9.0m.
- 5.4 That should LPAT permit the Original Application to be amended as set out in these MOS and approve the Amended Application with the Revised Design as set out in in Schedule "B" to these MOS -Site Plan and Drawings and approve the Revised Variance Request in Clause 5.3 above, then LPAT be further requested to make any such approval subject to the 3 Conditions set out below

- a) That the approval expires two (2) years from the date of the LPAT Decision if a building permit has not been issued for the proposed construction; and

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EXHIBIT C

5-7C

Committee of Adjustment Application for variance CAV A/135/2019

| Owner/Applicant | Agent | Location of Land |
|---|---|---|
| VALTROL EQUIPMENT NEWFOUNDLAND LTD 2305 WYECROFT RD OAKVILLE ON, L6L 6R2 | AZMIN KHOSRAVI CARE ENGINEERING & DESIGN SERVICES INC. 603 ARGUS RD SUITE 207 OAKVILLE ON, L6J 6G6 | PLAN M251 LOT 10 3266 SHELBURNE PL TOWN OF OAKVILLE |

Meeting date: November 5, 2019 – 7:00pm

Town Hall, 1225 Trafalgar Road, Oakville — Bronte Room

You are receiving this notice because your property is within 60 metres of the property noted above. This meeting will allow you or any member of the public to speak to the committee regarding this request. You can also send your comments about this request to the Committee of Adjustment in writing prior to the meeting date. Further details of this request, including drawings, can be reviewed online at <https://securepwa.oakville.ca/eams/> or at the Building Services department at Town Hall, Monday to Friday from 8:30 a.m. to 4:30 p.m.

Variance(s) request:

A variance application has been filed with the Town of Oakville under Section 45(1) of the *Planning Act* to permit the proposed construction of a new two storey detached dwelling on the subject property with the following variances:

| # | Zoning By-law 2014-014 requirements – RL2-0 | Variance request |
|---|---|---|
| 1 | Section 5.8.6 b) For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres. | To permit the maximum total floor area for the private garage to be 56.09 square metres on a lot having greater than or equal to 12.0 metres in lot frontage. |
| 2 | Table 6.3.1 (Row 5, Column RL2) The minimum interior side yard shall be 2.4m and 1.2m. | To permit a minimum easterly interior side yard of 1.87m. |
| 3 | Section 6.4.1 The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 1,115.00m ² and 1,207.99m ² shall be 35% (397.51m ²); (Lot area is 1,135.73m ²). | To permit the maximum residential floor area ratio for the detached dwelling to be 36.34% (412.75m ²). |
| 4 | Section 6.4.2 a) (Row RL2, Column 3) The maximum lot coverage shall be 25% (283.93m ²) where the detached dwelling is greater than 7.0 metres in height; (Area of the lot is 1,135.73m ²). | To permit a maximum lot coverage of 25.86% (293.71m ²) for the detached dwelling which is greater than 7.0 metres in height. |

For more information regarding this application please contact:

Heather McCrae, ACST

Secretary-Treasurer

Committee of Adjustment

905-845-6601, ext. 3281

Heather.McCrae@oakville.ca

If you have any accessibility needs, please advise the Secretary-Treasurer one week prior to the meeting. Please note: any written material submitted to the Town of Oakville regarding this application forms part of the public record, pursuant to the *Planning Act*.

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6C

CAV A/135/2019 – 3266 Shelburne Place (West District) (OP Designation: Low Density Residential)

The applicant proposes to demolish the existing dwelling and construct a new two-storey dwelling. The applicant requests the variances listed above.

The neighbourhood consists of predominately two-storey dwellings that are original to the area with some newly constructed two-storey dwellings. There is a sidewalk along the north side of Shelburne Place. Mature street trees exist within the road allowance in addition to private vegetation and manicured planted areas which contribute to the character of the area. The property is located adjacent to Lake Ontario and the development is subject to Site Plan approval, which has received third submission comments.

The subject lands are designated Low Density Residential in the Official Plan. Section 11.1.9 provides that development which occurs in stable residential neighbourhoods shall be evaluated using criteria that maintains and protects the existing character. The proposal was evaluated against all the criteria established under Section 11.1.9, and the following criteria apply:

Policies 11.1.9 a), b) and h) state:

"a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.

b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.

h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing."

The request for an increase in floor area of the proposed private garage from 45 square metres to 56.09 square metres is internal to the building due to the double car garage configuration and internal storage. The applicant's first Site Plan submission consisted of a garage area of 60.34 square metres, which has been reduced and modified in the design to make it a less prominent portion of the dwelling, which meets the intent of the by-law. ✓

The proposed reduced easterly side yard setback of 1.87 m, whereas 2.4 m is required, is measured from the easterly lot line to the proposed planter in the rear yard. The applicant's first Site Plan submission consisted of interior side yard setbacks of 1.3 m on the west side and 1.51 m on the east side. The applicant's original plans have been revised to better reflect the staff feedback. It should be noted that the proposed setback is greater than the current setback of the existing dwelling. The intent of regulating the interior side yard setback is to provide adequate area for lot drainage and maintain the spatial separation between neighbouring properties. In this instance, the proposed reduced side yard setback will provide a consistent separation between dwellings and allow for lot drainage.

The request to increase the floor area ratio of the proposed dwelling from 35% to 36.34% would add an additional 15.24 square metres (164.04 square feet) of floor area. The applicant's first Site Plan submission consisted of a floor area ratio of 37.51% and a proposed balcony. The

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7c

applicant's original plans have been revised to better reflect the staff feedback to remove the balcony by enclosing the sitting area, removing windows on the west elevation, adding privacy walls and incorporating wood siding instead of full glass windows to the east elevation. The intent of regulating the residential floor area in the Zoning By-law is to prevent a dwelling from having a mass and scale that appears larger than surrounding dwellings. Staff are of the opinion that the current design is appropriate as it does not have a negative impact on adjacent properties or the surrounding area since the overall massing is broken up with a multiple mix of materials and the second storey design incorporates step backs from the ground floor on the front and rear elevations. The proposed dwelling would have a mass and scale that appears similar to the new dwellings in the surrounding neighborhood, which meets the intent of the Zoning By-law.

The request for additional lot coverage from 25% to 25.86% adds an additional 9.78 square metres (105.27 square feet) of covered area. The applicant's first Site Plan submission consisted of a lot coverage of 27.48% and a proposed front yard setback of 18.12 m. The applicant's original plans have been revised to better reflect the staff feedback. The intent of regulating lot coverage is to prevent the construction of a dwelling that has a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. Therefore, the request for additional lot coverage would result in a dwelling which is compatible and maintains and protects with the character of the area.

On this basis, it is staff's opinion that the requested variances maintain the general intent and purpose of the Official Plan and Zoning By-law as it results in a dwelling that maintains the character of the neighbourhood. Further, the variances are minor in nature and appropriate for the development of the site as there are no negative impacts to abutting properties or the streetscape.

Conclusion:

In summary, based on the application as submitted, staff are of the opinion that the application satisfies all four tests under the *Planning Act*. Should the Committee concur with staff's opinion, the following conditions are requested:

1. That the dwelling be built in general accordance with the final approved Site Plan to the satisfaction of the Director of Planning; 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, and in cases where a building permit is not required, that the proposed scope of work has not been fully completed.

Fire: No Comment to Provide

Transit: No Comments

Finance: None

Halton Region:

- The subject site falls within Conservation Halton (CH) regulated area. CH Staff should be consulted for their comments prior to approval of the variance application.
- Regional Staff offer no objection to the proposed variance application, subject to meeting any CH concerns.

1 (855) 500-SOLD Info@SearchRealty.ca



49 Cudmore Road Home For Sale

Oakville, Ontario L6L 2Y4

30768453

LOT 11.500 ☒

HOUSE 3382 ☒

3.40

♥ Add to Favourites

f t @ in

EXHIBIT D

10 PAGES

LOT SIZE AND HOUSE

Instantly Display All Photos

TO LOT RATIOS

LOCAL NEIGHBOURHOOD

Complete this form to instantly display all photos and information view as many properties as you wish.



SC



(https://images.goodalemillerteam.com/image/upload/s--VL5eiA8w--/c_fill,f_auto,h_854,q_auto,w_1280/v1429139213/homes/559/1390

[photos](#)
[video](#)
[map](#)
[street](#)
[bird's](#)

Bronte

37 Skipper Lane, Oakville MLS#: 2062752

Neighbourhood: [Bronte \(/en-ca/neighbourhoods/bronte\)](#)

Price: \$829,000

| | | | | |
|-------------|-------------|------------------|----------------------------|-------------------------|
| 4.1 beds | 2.2 bath | \$6,173 taxes | 1,955 sq ft above grade | 52.98 x 121 lot size |
|-------------|-------------|------------------|----------------------------|-------------------------|

LOT 6413
 140 USE 1955
 3.28
 CURRENT ZONING GFA 42% = 2.693
 3194 VARIANCE 57.5 = 3.681

VARIANCE
 3194
 1.73%

3197 SHORELINE Drive, Oakville, Ontario L6L5W9

For Sale

RESALE

\$1,899,000 CA

\$6,137/mo Get Mortgage



4 Beds



4 Baths

Open House

The COVID-19
open houses. Pl
authorities.

Ask for a p



Print



Original Listing

Is this home right up your alley? Get all the details no

2.565 ☒ HOUSE
LOT 6800 ☒

2.64

Property Summary for 3197 SHORELINE Drive

Type Single Family

Building Type House

MLS® Number 40022793

Half Bath Total 1

Lot Info 62.00ft x 155.00ft

Parking Info Garage

Basement Full (Finished)

Neighborhood Bronte Vill

Postal Code L6L5W9

S.B. 7820 ☒

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okies Settings. By clicking "Accept All Cookies" you are agreeing to our use of cookies. [Cookie Notice](#)

ADVERTISING



Price Match Guarantee
Coast Appliances - Burlington

NEW
RL-5

41 CUDMORE RD, Oakville, Ontario, L6L 2Y4
MLS® # W4761356

[Home](#) > [Ontario](#) > [Oakville](#) > [41 CUDMORE RD](#)

HOUSE FOR SALE IN OAKVILLE, ONTARIO

\$2,998,000



4+1 Beds



6 Baths

2,39



Details



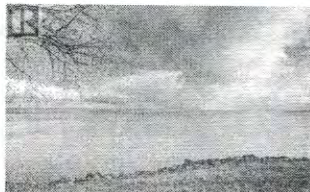
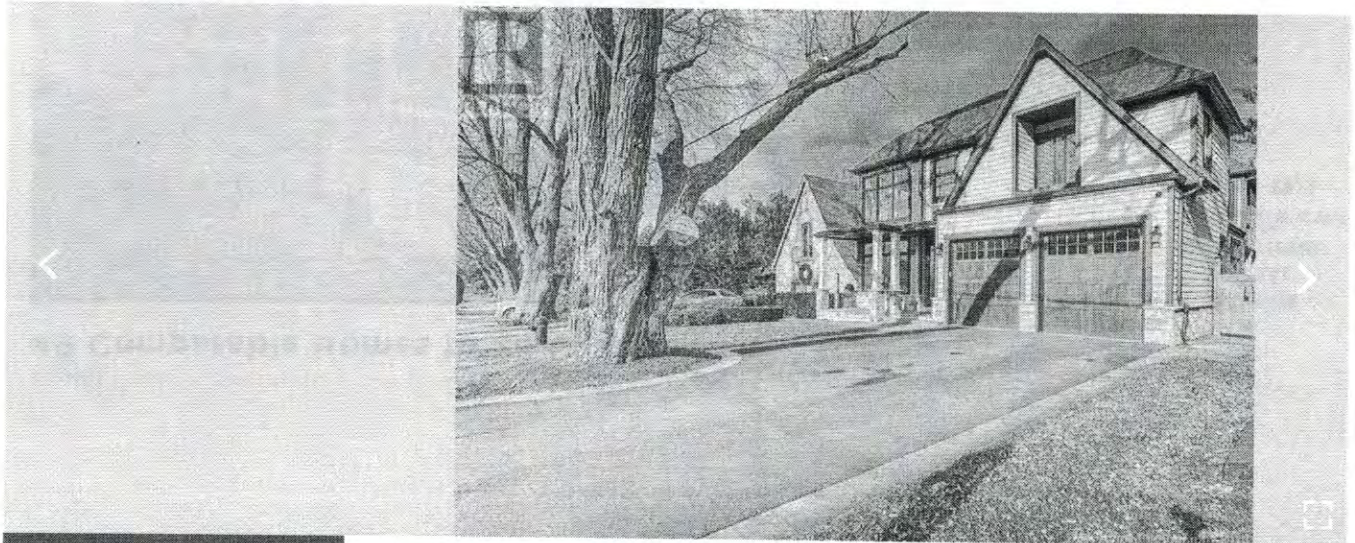
Map



Demographics



Street View



m i c h a e l B R E J N I K

RESALE

SOLD

60 Skipper Lane, Oakville

\$1,499,000

MLS #

H4053627

BEDROOMS

4+1

BATHROOMS

3.5

PROPERTY TAX

\$8434.24

LOT SIZE

62.76 FEET X 128.58 FEET

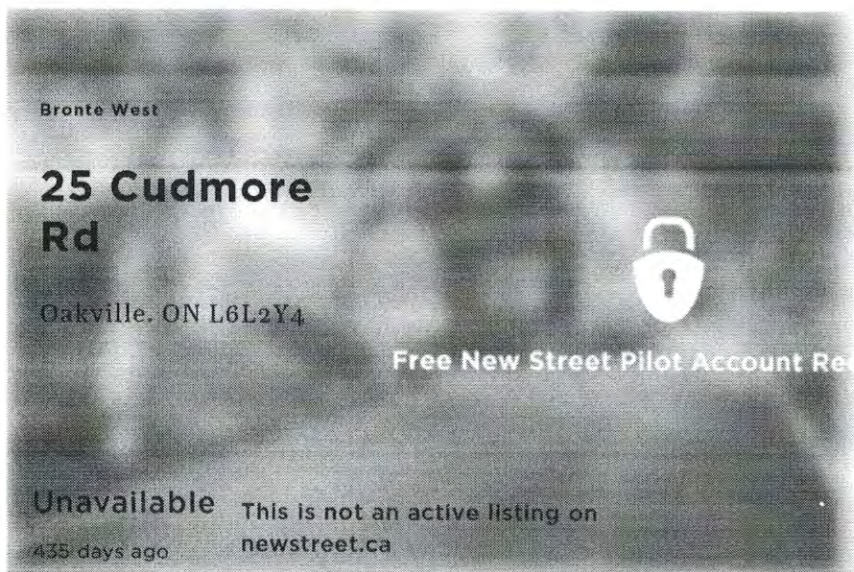
LOT SIZE
62.76 + 128.58
80 33 1/2
HOUSE SIZE 3200 1/2
2.51

Spacious 4+1 bedroom, 3 ½ bath home south of Lakeshore just steps to the lake. The kitchen has been beautifully updated with custom cabinetry, quartz counter tops, and stainless-steel appliances including a Wolf gas stove and SubZero fridge. Large principle rooms and a fully finished basement with recreation room and games area make this a great place to entertain family and friends. The back yard is a fantastic place to spend weekends BBQing on the deck or lying by the pool which has been completely redone. This is a great family home in a desirable location close to Bronte Harbour and Beach Park, and downtown Bronte and all it has to offer.

Mortgage Calculator

Land Transfer Tax Calculator

Share:    



NEW
 RL-5
 8500 SQ FT LOT
 3.40
 2500 SQ FT
 HOUSE



SAVE



SHARE

COVID-19
 SPECIAL
 OPERATIONS
 (<https://www.r/covid-19/>)

Facts

MLS ID #W4099119

Age of home: 0-5

Estimated mortgage amount ⓘ : \$9719

Property type: Detached

Style 2-Storey

1 kitchen

Lot size: 50.00 x 170.13

Gain More Information



Description

25 Cudmore Rd. has been unavailable for 435 days. Currently there is 49 similar homes for sale in the Bronte West neighbourhood of Oakville. The average price of a Detached for sale in the L6L2Y4 area is \$1785745.5, 2-Storey homes are \$2476407. The average sales price of similar homes with 3 beds and 4 baths in this area is \$1666000.

Local amenities around 25 Cudmore Rd in include

OR

1-CLICK FACEBOOK REQUEST
 (<https://www.facebook.com/v2.2/dialog>)

ADVERTISING

RESALE



10AM-6PM

Burlington

3233 SHORELINE Drive, Oakville, Ontario, L6L 5Z1
MLS® # 40020838

[Home](#) > [Ontario](#) > [Oakville](#) > [3233 SHORELINE Drive](#)

HOUSE FOR SALE IN OAKVILLE, ONTARIO

\$2,090,000



4+1 Beds



4 Baths



Details



Map

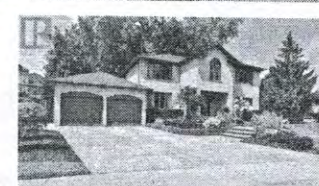


Demographics



Street View

Handwritten notes:
RL-5
10624 sq.
9.434
HOUSE 3324
2.83



3233 SHORELINE Drive, Oakville, Ontario, L6L 5Z1
\$2,090,000 MLS® # 40020838



Book a showing

Request information

7 Bedroom 4 Bathroom 3382 sqft

2 Level Fireplace Inground Pool Central Air Conditioning Forced Air

\$1,619,000

Distinctive residence nestled among majestic trees on a quiet sought-after street south of Lakeshore Road. Sprawling 50 x 230 exceptionally private lot with inground pool, just four houses from Lake Ontario with unobstructed views of the lake from the front lawn. This home boasts over 4,722 sq. ft. of living space (including finished basement). This residence offers 6+1 bedrooms! Perfect for a large family. Great bones - perfect for a reno. Customize it as you wish. This home is ideal for entertaining it provides huge principal rooms on the main floor, from the overly generous eat-in kitchen, expansive formal dining room, stately living room and huge family room with breathtaking views of the back yard and gardens. 2 fireplaces on the main floor one in the family room and the other in the formal living room and richly stained hardwood floors on the main floor. Handy sunken mudroom and powder room with heated floors complete the main floor layout. Master retreat with serene pool and treetop views, with huge 5-piece ensuite bathroom. Five additional bedrooms (which include a bonus room), are all equipped with closets. Gigantic room over the garage would be perfect for a 2nd floor family room, 6th bedroom, teenager's hangout, or nanny/in-law suite. The finished lower level offers a recreation room, a games area, large multipurpose room/office, a 7th bedroom, 3-piece bathroom, laundry room and plenty of extra storage space. (id:35167)

 Brochure PhotosOpen House 

3.1 beds 3.1 bath \$11,963 taxes 3,687 sq ft above grade

56.43' x 129.48' x 106.70' x 98.57'
lot size

[Back to search \(/en-ca/homes/in\)](#)

LOT SIZE — 9086 \boxtimes
14009E 3687 \boxtimes 2.46

Property Description

Located on a family friendly street with peekaboo views of the lake and a short walk to all the wonderful amenities Bronte Village has to offer. This 3.1 bedroom, 3.1 bathroom home boasts nearly 5,800 sq ft of finished living area with hardwood flooring, crown molding and wainscoting used extensively throughout.

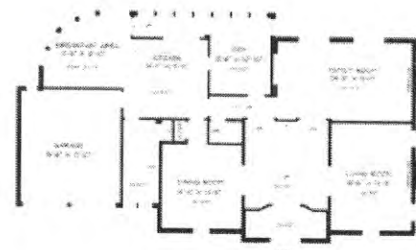
The entrance to this wonderful home begins with a spacious foyer leading to a dramatic Scarlett O'hara staircase featuring a 12-point chandelier with ceiling heights soaring to 20 feet. The separate formal living room with wood burning fireplace and formal dining room featuring a 12 point chandelier provide the perfect areas for entertaining. The spacious family room features 10' ceilings, wood burning fireplace, built-in book shelves, light sconces and two sets of French doors to the yard. The bright eat-in kitchen features a full wall of floor to ceiling windows with French doors to the flag stone patio providing the perfect setting for outdoor entertaining. The two piece powder room, den and mud room with second access to the front of the home and access to the two car garage complete the main level.

The second level includes a spacious master bedroom with four piece ensuite bath, walk-in closet with custom built-ins and three season sunroom. The remaining two bedrooms are both generous in size and the laundry and four piece main bath completes the second level. The fully finished lower level includes pot lights, a fourth bedroom, recreation room with wet bar and fireplace, gym, three piece bath, two storage rooms and mechanical room.

The fully fenced yard surrounded by mature trees and circular drive with parking for eight cars and security system completes this wonderful family home. Located near the Bronte Go station, QEW, 403/401 and just a short walk to Shell Park, Bronte Harbour, all the wonderful shopping and restaurants Bronte Village has to offer!

Features

| | |
|----------------------------|--------------------------------|
| Walk to Bronte Village | Double garage & circular drive |
| Peekaboo views of the lake | Sunroom in master bedroom |
| Fully fenced yard | Walk to Shell Park |



Downloads

[Feature Brochure \(/Scripts/pdf/web/viewer.html?file=https://images.goodalemillerteam.com/s--6VWum6d2--/v1545167721/homes/12104/31139/3207-shoreline-drive.pdf\)](#)

(.)

[Floor Plans \(all levels\) \(/Scripts/pdf/web/viewer.html?file=https://images.goodalemillerteam.com/s--z89RaLz7--/v1539893043/homes/12104/documents/3207-Shoreline-Drive-AllInOne.pdf\)](#)

(.)

[Main Level Floor Plan \(/Scripts/pdf/web/viewer.html?file=https://images.goodalemillerteam.com/s--8Udud6xz--/v1539893042/homes/12104/documents/3207-Shoreline-Drive-Main-Floor.pdf\)](#)

(.)

[Second Level Floor Plan \(/Scripts/pdf/web/viewer.html?file=https://images.goodalemillerteam.com/s--t3nE8dCi--/v1539893044/homes/12104/documents/3207-Shoreline-Drive-Second-Floor.pdf\)](#)

(.)

[Lower Level Floor Plan \(/Scripts/pdf/web/viewer.html?file=https://images.goodalemillerteam.com/s--WV44qXui--/v1539893041/homes/12104/documents/3207-Shoreline-Drive-Lower-Level.pdf\)](#)

(.)

[Survey \(/Scripts/pdf/web/viewer.html?file=https://images.goodalemillerteam.com/s--eijHxLnm--/v1545167820/homes/12104/31140/3207-shoreline-drive.pdf\)](#)

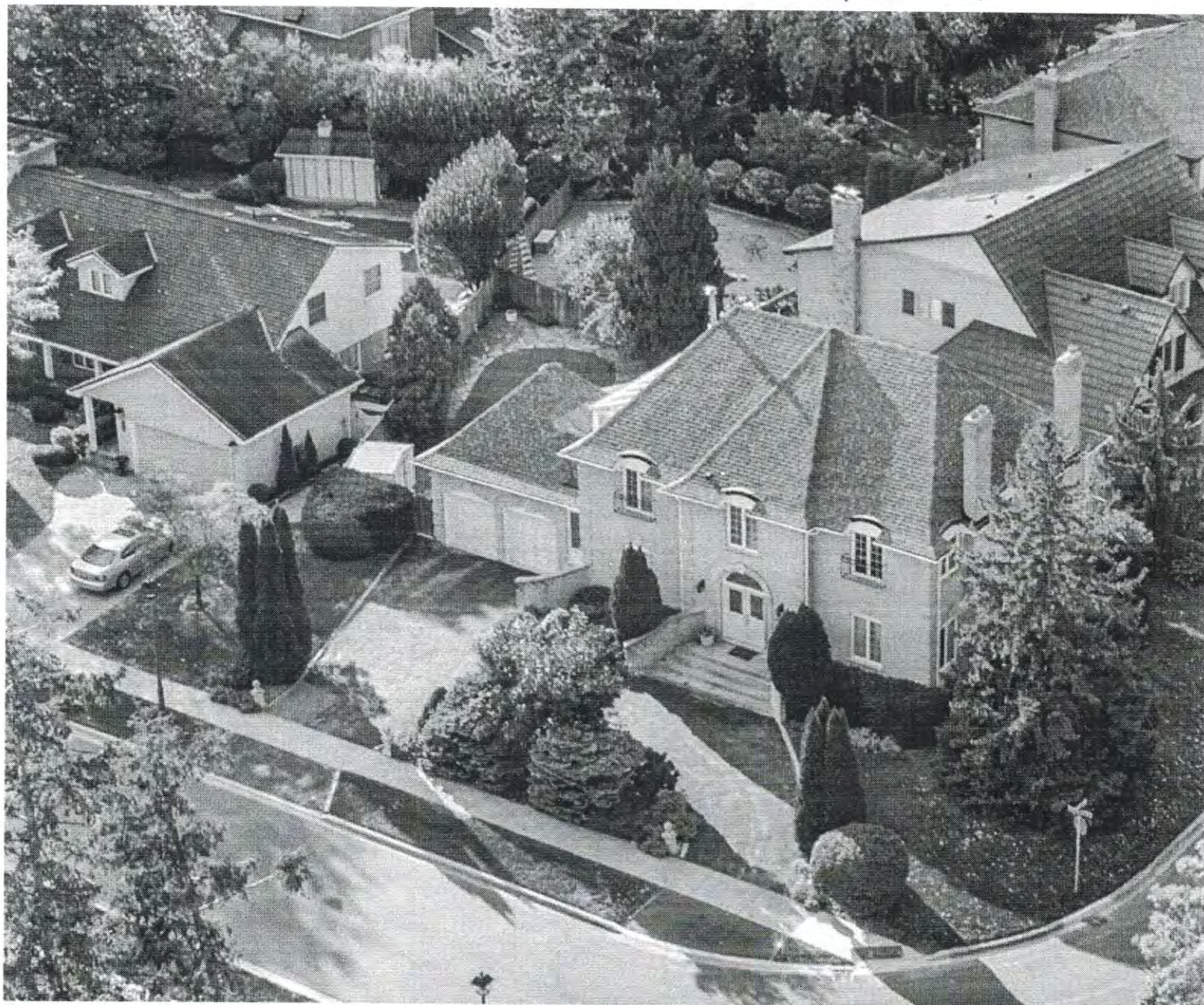
[Find a Home \(/en-ca/homes/in\)](/en-ca/homes/in)

[Neighbourhoods \(/en-ca/neighbourhoods\)](/en-ca/neighbourhoods)

[Find an Agent \(/en-ca/team\)](/en-ca/team)

[Blog \(/en-ca/blogs\)](/en-ca/blogs)

RESALE



(https://images.goodalemillerteam.com/image/upload/s--G_vHICD_--/c_fill,f_auto,h_854,q_auto,w_1280/v1540390865/homes/12104/51)

[photos](#)

[video](#)

[map](#)

[street](#)

[bird's](#)

South Oakville ~ Bronte

3207 Shoreline Drive, Oakville MLS#: 30699875

Neighbourhood: [Bronte \(/en-ca/neighbourhoods/bronte\)](/en-ca/neighbourhoods/bronte)

Price: \$1,388,000

RL-2

[REQUEST A SHOWING \(/EN-CA/CONTACT/3207-SHORELINE-DRIVE?HOMEID=12104\)](/EN-CA/CONTACT/3207-SHORELINE-DRIVE?HOMEID=12104)

① EXISTING C.F.A.
 ② BY L.A.M. C.F.A.
 ③ 57.5 C.F.A.

BLOCK

3190

3194

3196

3198

1 2440
 2 2670
 3 3634

1 2380
 2 3000
 3 3050

1 2700
 2 2438
 3 3263

1 2700
 2 2538
 3 3536

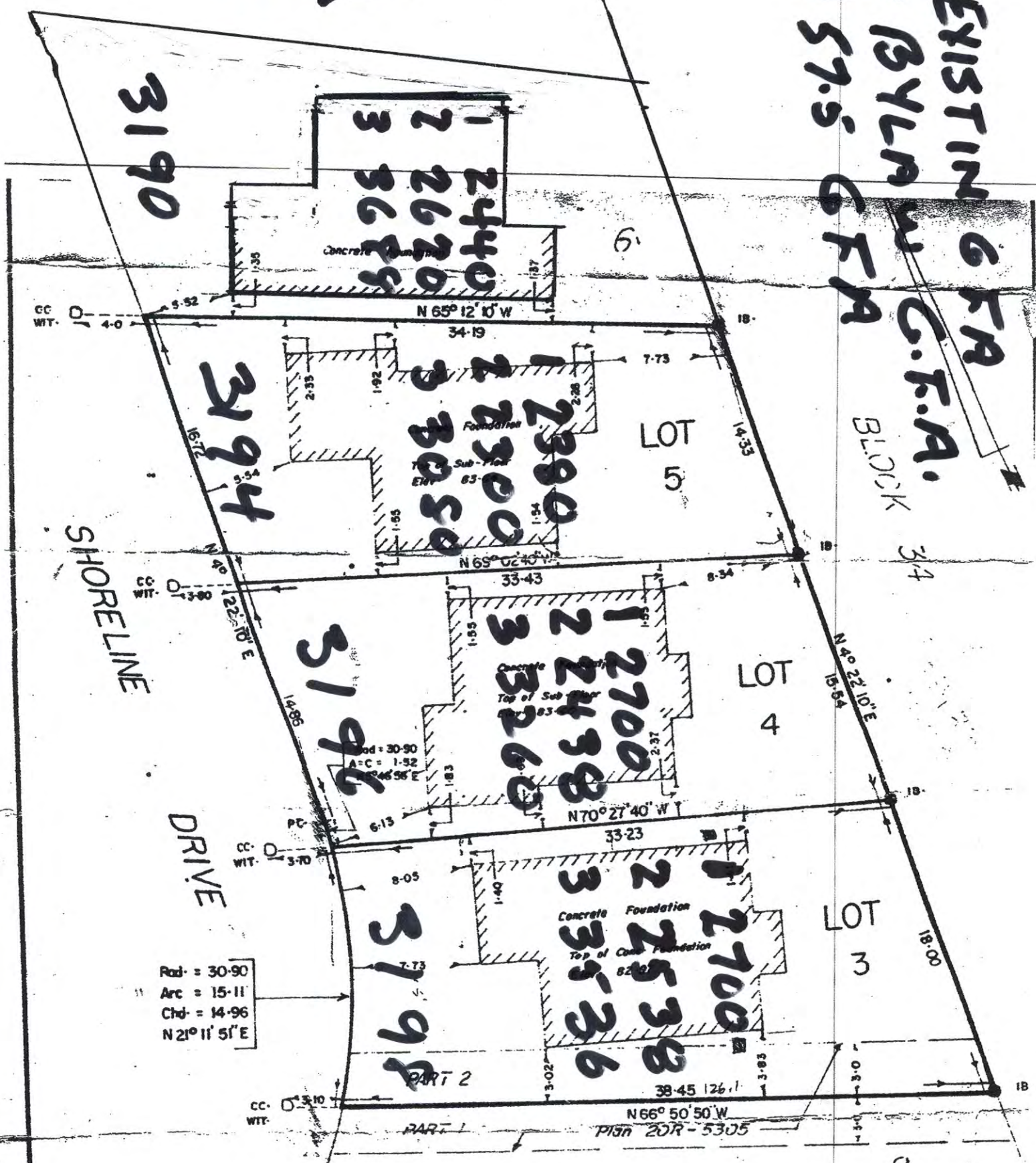
LOT 5

LOT 4

LOT 3

PART 2

Plan 20R-5305

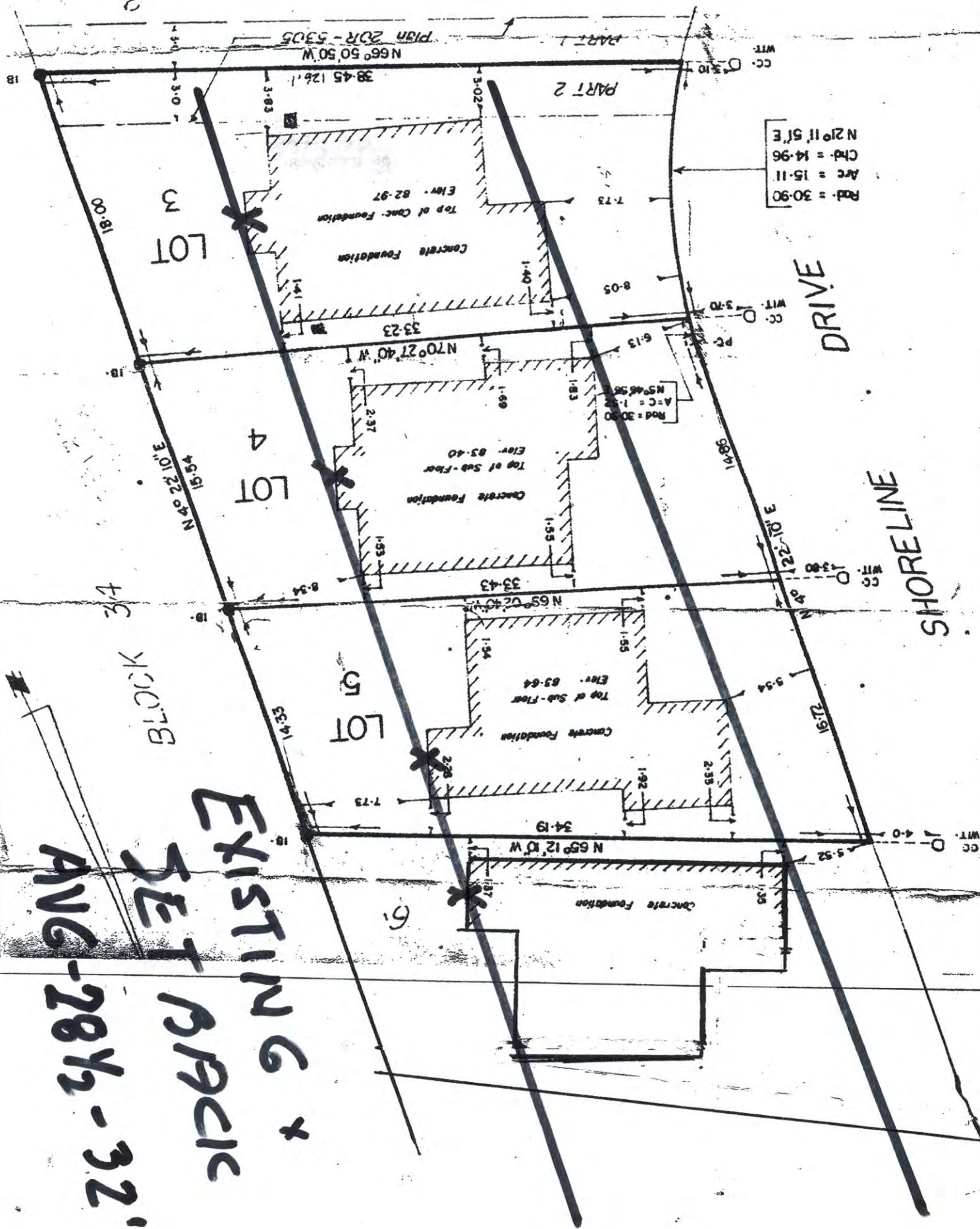


Rad. = 30-90
 Arc = 15-11'
 Chd. = 14-96
 N 21° 11' 51" E

SHORELINE

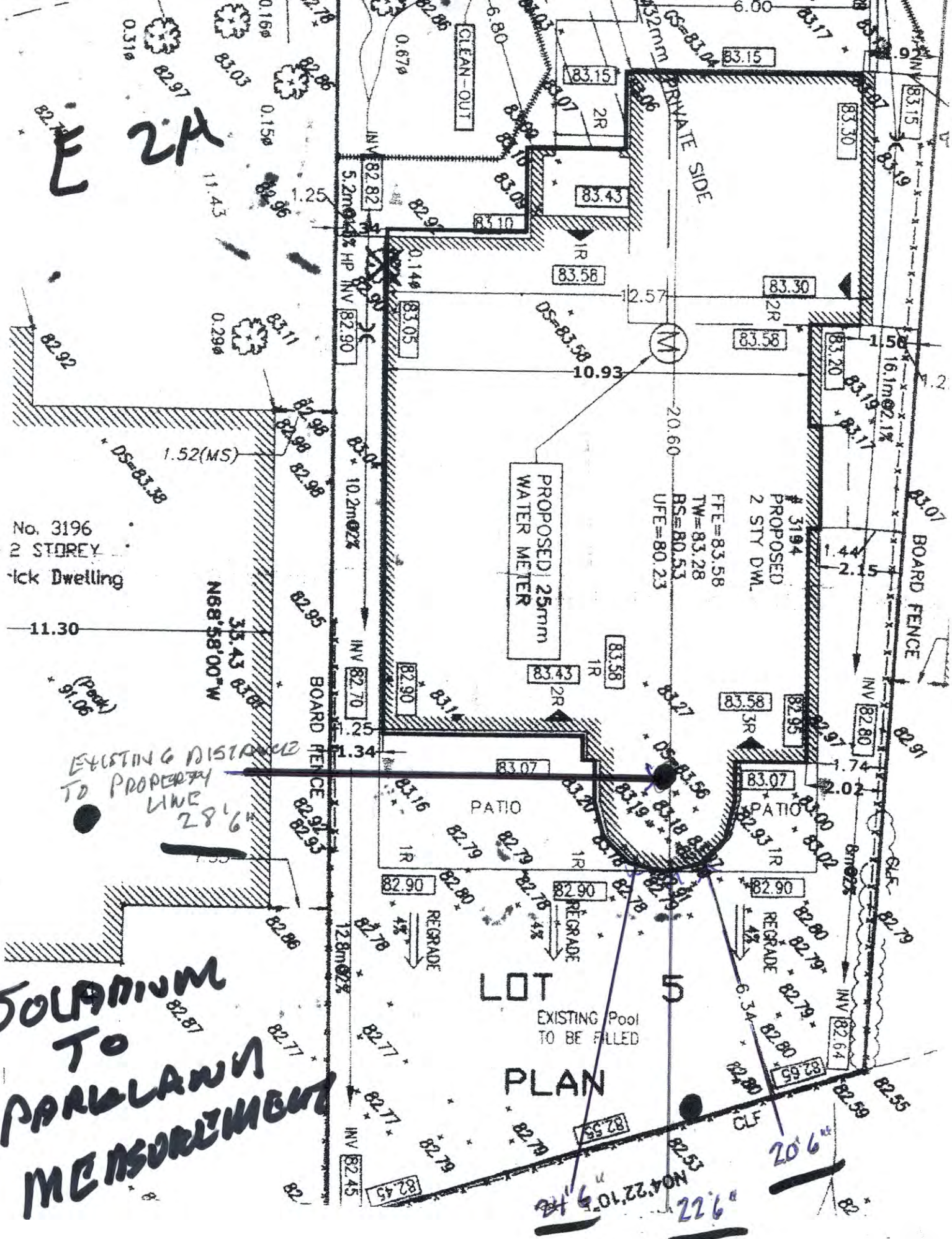
DRIVE

✓ E 1



TOURNAMENT
TO
PARALLEL
MEASUREMENT

LOT
EXISTING Pool
TO BE FILLED
PLAN



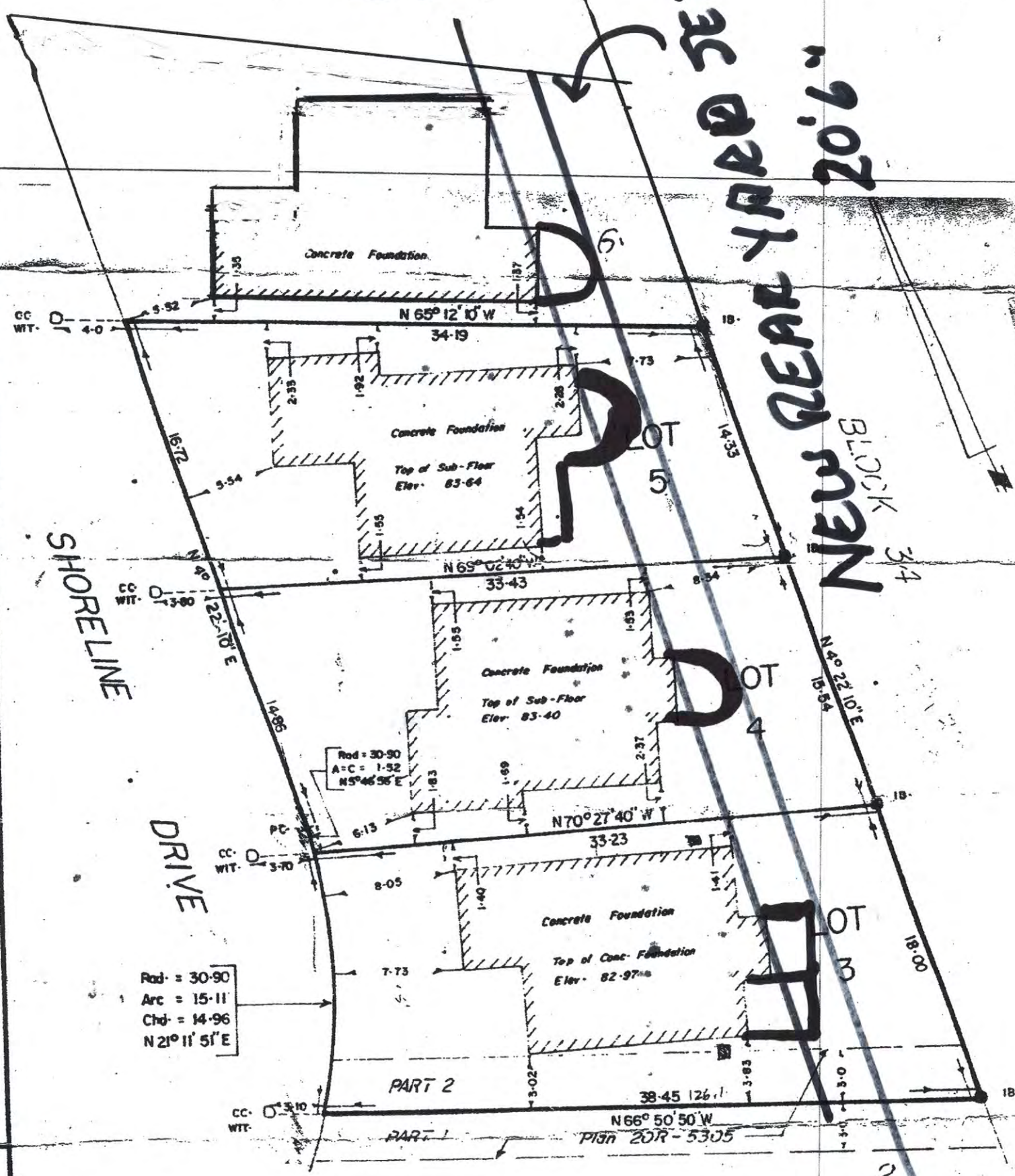
E3

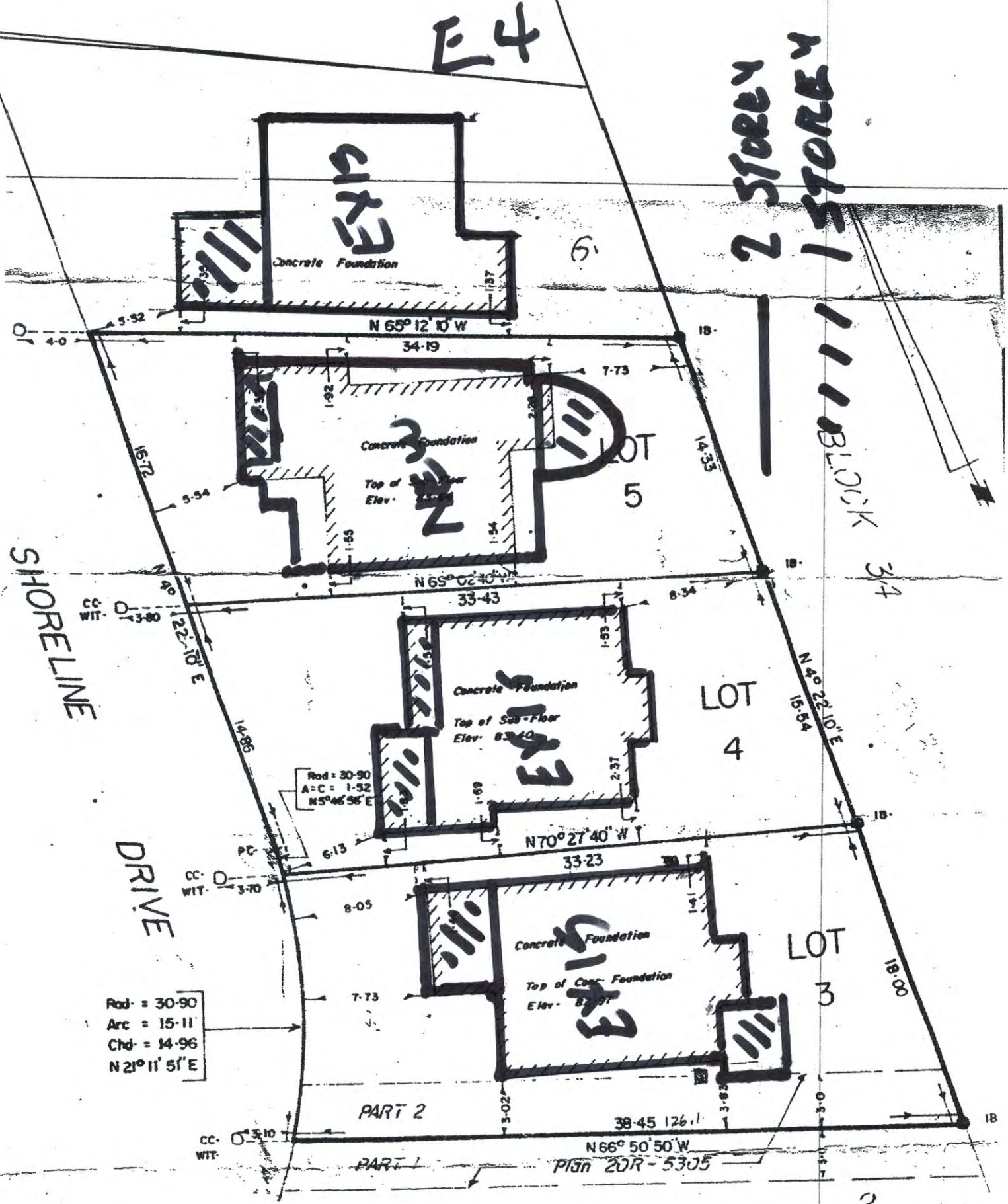
NEW REAR YARD 20'6"

BLOCK 5

SHORELINE

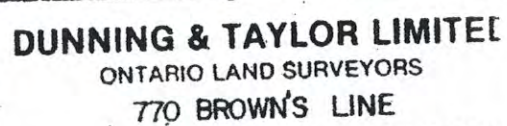
DRIVE





DUNNING & TAYLOR LIMITED
 ONTARIO LAND SURVEYORS
 770 BROWN'S LINE

NEW

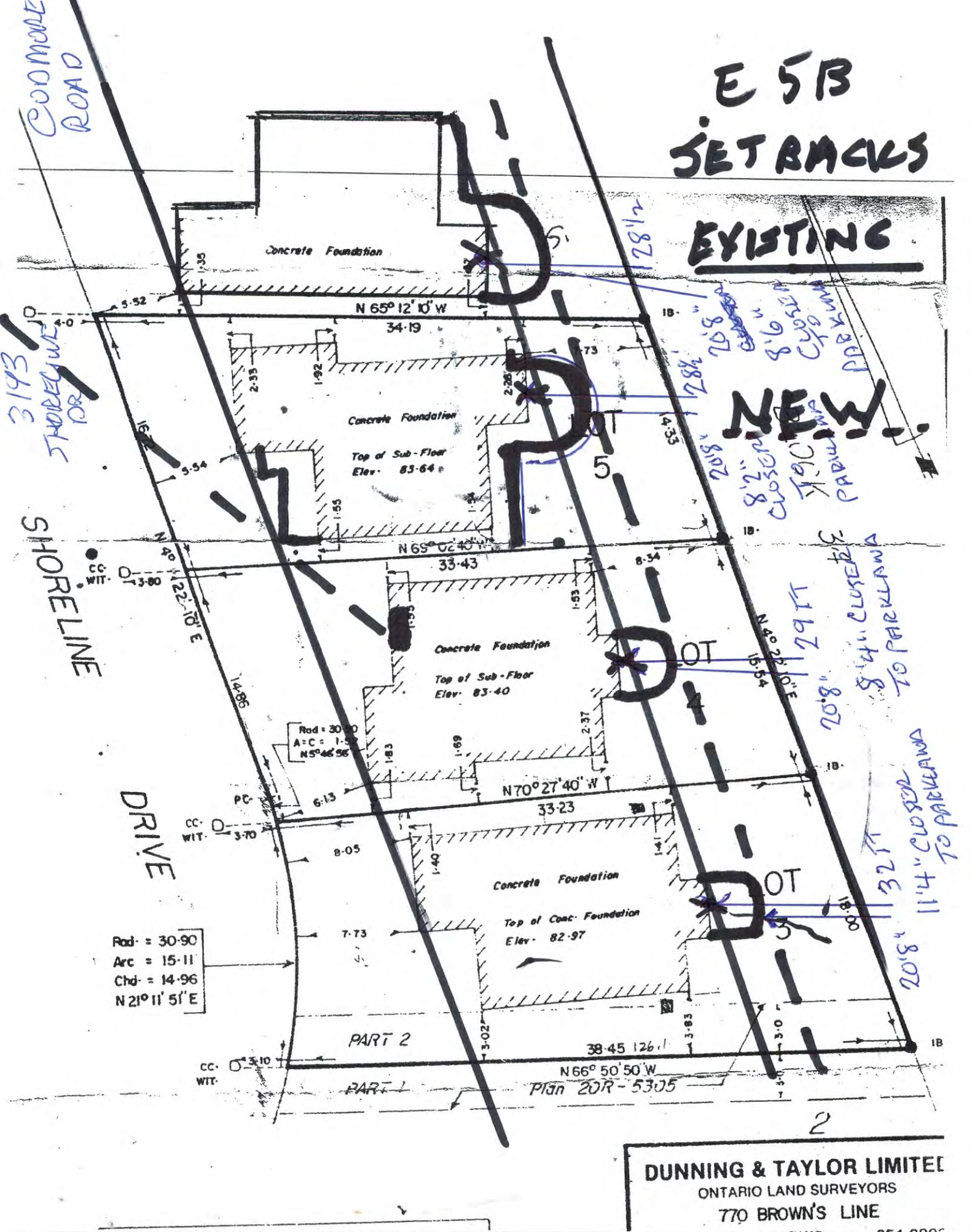


EXISTING

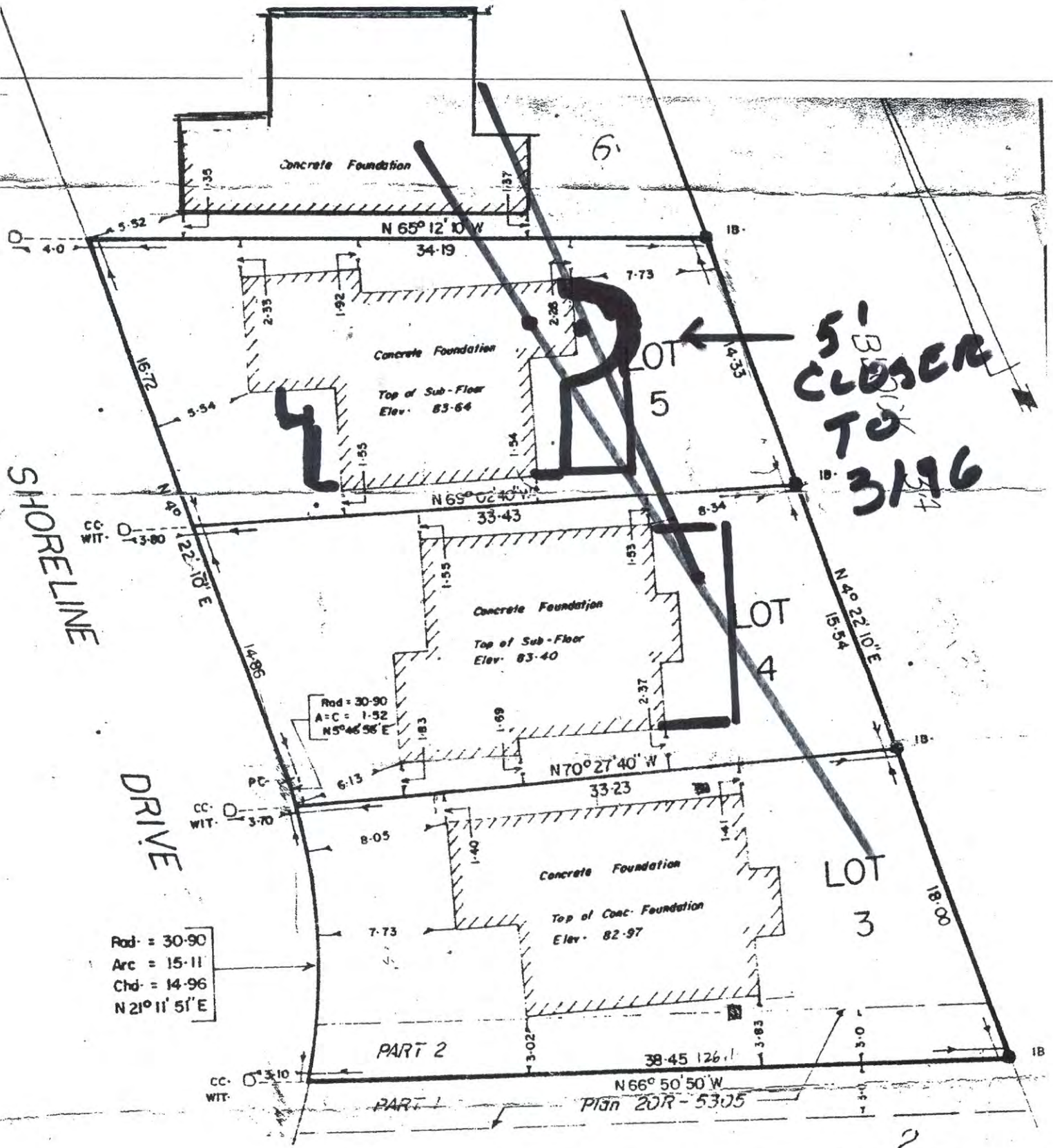
NEW.

Rad- = 30-90
Arc = 15-11'
Chd- = 14-96
N 21° 11' 51" E

DUNNING & TAYLOR LIMITED
ONTARIO LAND SURVEYORS
770 BROWN'S LINE



E 6



6A

2nd Floor
1st Floor

3190

Concrete Foundation

N 65° 12' 10" W

34.19

3194

Top of Sub-Floor
Elev. 83.64

LOT 5

N 65° 02' 40" W

33.43

Concrete Foundation

Top of Sub-Floor
Elev. 83.40

3196

LOT 4

Rad = 30.90
A-C = 1.52
N 5° 46' 58" E

N 70° 27' 40" W

33.23

Concrete Foundation

Top of Concrete Foundation
Elev. 82.97

3195

LOT 3

Rad = 30.90
Arc = 15.11'
Chd = 14.96
N 21° 11' 51" E

PART 2

PART 1

N 66° 50' 50" W

38.45 126.1

DUNNING & TAYLOR LIMITED
ONTARIO LAND SURVEYORS
770 BROWN'S LINE

E 6 B

OPEN
AREA
LOST

WINDOWS
BLOCKED

BLIND WALL

3194

17-28 INCHES
CLOSER TO
A LINE OF

319D

Rad. = 30-90
Arc = 15-11
Chd. = 14-96
N 21° 11' 51" E

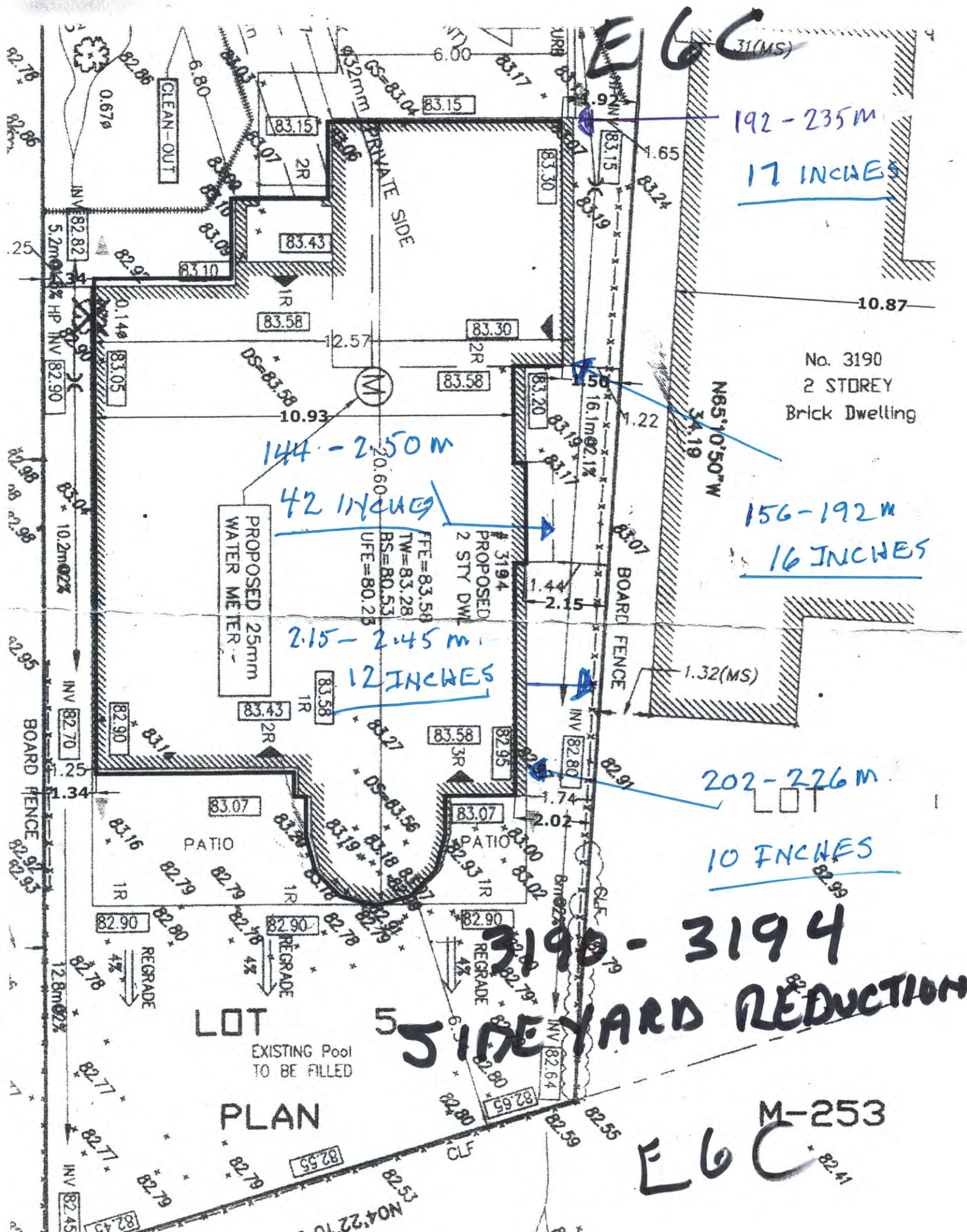
CC.
WIT.

PART 2

PART 1

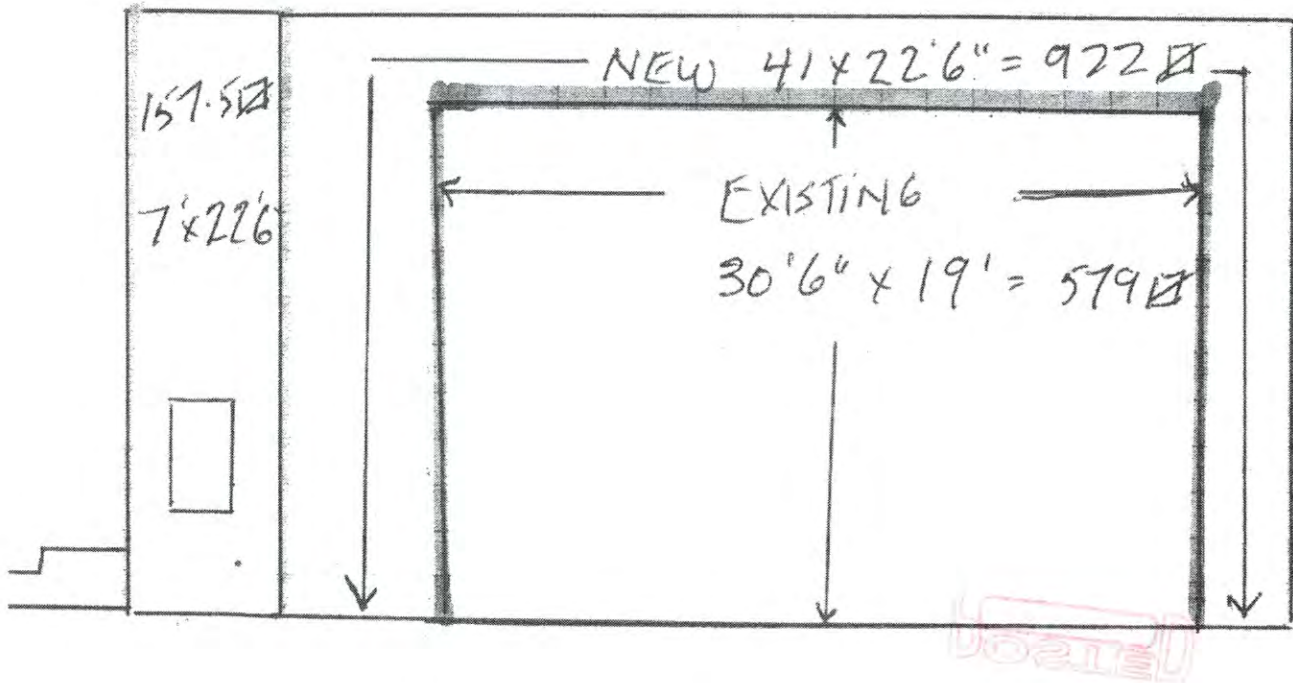
N 66° 50' 50" W
Plan 20R-5305

DUNNING & TAYLOR LIMITED
ONTARIO LAND SURVEYORS
770 BROWN'S LINE



E 6A

N T S



3194 2 STOREY EXISTING ENVELOPE FACING WEST.

579 sq ft

NEW

922 sq ft

60% INCREASE

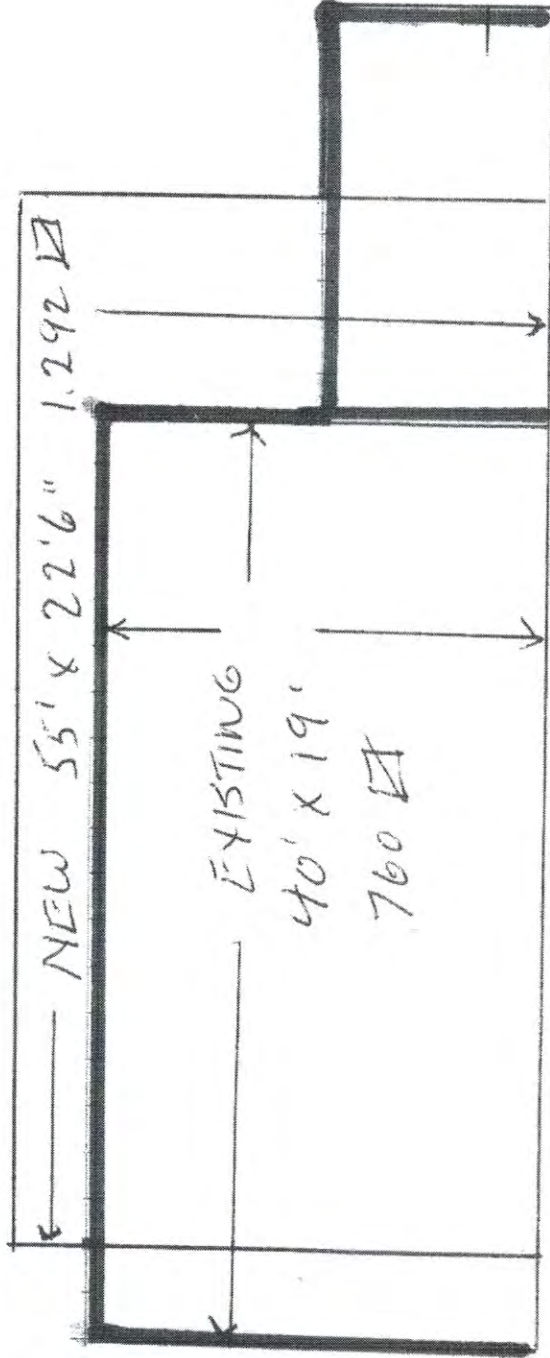
ADD

157.5 sq ft

1079 sq ft

85% INCREASE

NTS



E 7A

3190 2 STOREY EXISTING ENVELOPE FACING 3194

760' > 70% INCREASE
NEW 1.292'

[illegible]

3194 FINE LAKE

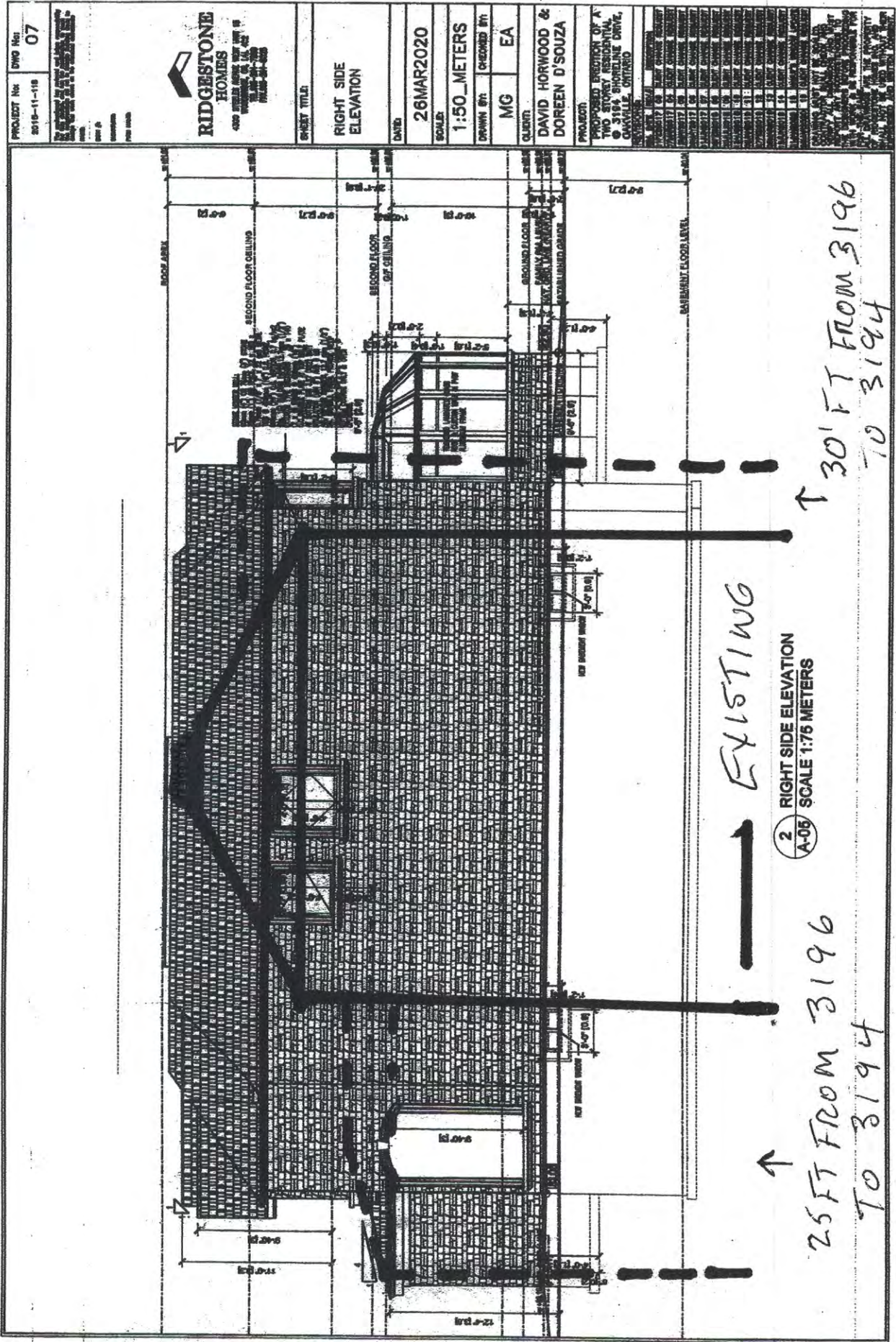
[illegible]

Facing Road 3194

[illegible]

3190 FACING EXISTING 3194

E 11A



HA

EXHIBIT

PETITION MAP

Legend
Address Lines
Road Lines
Outcrops
Property Parcels

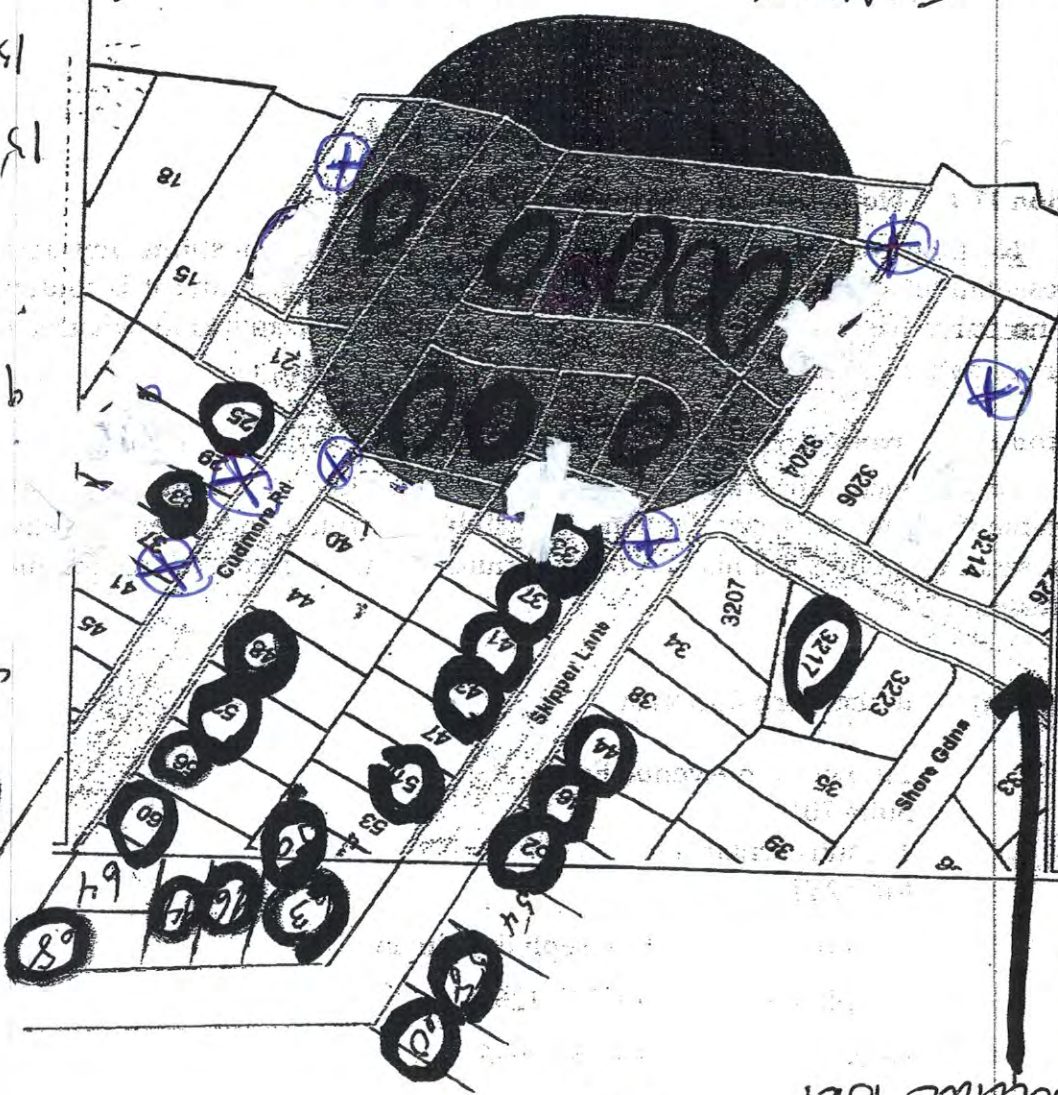
Notes

1

1:1,600

Disclaimer: THIS IS NOT A LEGAL PLAN OF SURVEY.

April 2, 2019



SHORELINE DR.

H1

PETITION

I/We nearby residents of 3194 Shoreline Drive, Oakville have numerous objections to the proposed demolition of the existing dwelling and in the construction of a new proposed house as detailed in the Committee of Adjustment Application.

| DATE | NAME | ADDRESS | SIGNATURE |
|------------------|---|--------------------------------|--------------------------------------|
| 2019 APRIL 19 | DAVID AND MICHELE SPENCER | 3196 SHORELINE DRIVE, OAKVILLE | Michele Spencer D. Spencer |
| April 19 | LINDA & BILL HATCH | 3200 SHORELINE DRIVE, OAKVILLE | Brenda Hatch Brenda Hatch |
| April 19 | AUDREY & WELDON BRIGGS | 3190 SHORELINE DRIVE, OAKVILLE | Cheryl Briggs Cheryl Briggs |
| APRIL 19 | ROSE MARIE IP | 9 CUDMORE RD, OAKVILLE | Rose Marie Ip Rose Marie Ip |
| April 19 | Sean Cleary | 33 Cudmore Rd Oakville | Sean Cleary Sean Cleary |
| April 19 | David Dobson | 56 Cudmore Rd. | David Dobson David Dobson |
| April 19 | Michael Pitt & Melissa Pitt | 73 Cudmore Rd | Michael Pitt Melissa Pitt |
| April 19 | HELEN & MARK | 68 CUDMORE RD. | Helen Griffiths Mark Griffiths |
| April 19 | Tony & ELIZABETH PENRICE | 3194 SANDY LANE. | Elizabeth Penrice Tony Penrice |
| APR. 19 | GRAHAM HENDERSON | 3196 SANDY LANE | Graham Henderson Graham Henderson |
| April 19 2019 | Jordan + Megan Cote Schwartz and Cote on planning Dept. Cemicals. | 30 Cudmore Rd. | Jordan Cote Megan Cote |

A2

PETITION

43



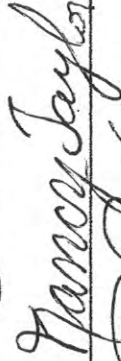




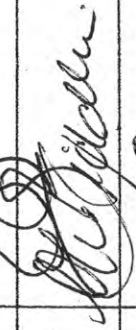



I/We nearby residents of 3194 Shoreline Drive, Oakville have numerous objections to the proposed demolition of the existing dwelling and in the construction of a new proposed house as detailed in the Committee of Adjustment Application.

| DATE | NAME | ADDRESS | SIGNATURE |
|-------------|--------------------------|-------------------------|--------------------------|
| April 19/19 | JANET KELLY | 52 CUDMORE RD. OAKVILLE | Janet Kelly |
| April 19/19 | David Nixon | 59 Skipper Lane | David Nixon |
| 19/04/19 | JAMES NOLAN | 51 SKIPPER LANE | James Nolan |
| 19/04/19 | NORMAN WALL | 43 SKIPPER LANE | Norman Wall |
| 19/04/19 | Astrida Henderson | 37 Skipper Lane | Astrida Henderson |
| 19/04/19 | Shawna Ellwood | 3198 Shoreline Drive | Shawna Ellwood |
| 19/04/19 | Shawn Cantor | 25 CUDMORE LOOP | Shawn Cantor |
| 20/04/19 | Shawn Cantor | 60 CUDMORE ROAD | Shawn Cantor |
| 20/04/19 | Mike and Eleanor Evans | 41 Skipper Lane | Mike and Eleanor Evans |
| 20/04/19 | MARY-JANE & SEAN BURKETT | 44 Skipper Lane | Mary-Jane & Sean Burkett |
| 20/04/19 | JAMES BELL | 3217 SHORELINE DR | James Bell |

PETITION

44

I/We nearby residents of 3194 Shoreline Drive, Oakville have numerous objections to the proposed demolition of the existing dwelling and in the construction of a new proposed house as detailed in the Committee of Adjustment Application.

| DATE | NAME | ADDRESS | SIGNATURE |
|----------|----------------------|----------------------|---|
| 04/20/19 | Conny Huggins | 3243 Shoreline Dr. |  |
| 04/20/19 | Ravi Ponnambalam | 48 Cudmore Road. |  |
| 04/20/19 | Nancy & Bob Taylor | 69 Cudmore Rd. |  |
| 04/20/19 | Bob Raval | 60 Skipper Ln |  |
| 04/20/19 | Ruth & Susan | 58 Skipper lane |  |
| 04/20/19 | Richard Nicholas | 52 Skipper Lane |  |
| 04/20/19 | George Fidler | 46 Skipper Lane |  |
| 04/21/19 | VICTORIA FIDLER | 46 SKIPPER LANE |  |
| 04/22/19 | Bruce & Susan Fidler | 33 Skipper Lane |  |
| 04/22/19 | Bevis Bullock | 3244 Shoreline Drive |  |
| 04/22/19 | Ravi Ponnambalam | 63 Skipper Lane |  |
| 04/23/19 | Ravi Ponnambalam | 3197 Shoreline Dr | by email |

キム・ヒョク

PETITION

I/We nearby residents of 3194 Shoreline Drive, Oakville have numerous objections to the proposed demolition of the existing dwelling and in the construction of a new proposed house as detailed in the Committee of Adjustment Application.

[illegible]

Oakville, Ontario April 23rd, 2019.

From: Leo Lorenzo

Resident at 3193 Shoreline Dr. Oakville, On.

RE: Application number CAV/049/2019 to be reviewed at Public Hearing Tuesday April 23th, 2019 at 7:00 PM.

Secretary - Treasurer for the Committee of Adjustments and members:

After careful consideration to the concerns and objections presented to me by the residents at 3190, 3196, 3198 and 3200 Shoreline Drive, regarding the proposed Variances being reviewed in this hearing today, I've decided to retract my previous none - objection stance towards the proposed changes to the Zoning by-Laws if, the aforementioned proposed variances fail to meet the Four Test Criteria applied to each Application for Minor Variances to the Zoning by - Laws and/ or compromise the right of each individual to the use and peaceful enjoyment of their property and the right not to be deprived thereof except in accordance with the Law.

Sincerely,










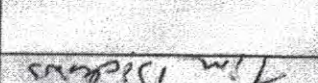
14.

~~Delivered by W. Allen
Apr 23 / 309 AM~~

H6

To be the most livable town in Canada.

I / we, nearby residents of 3194 Shoreline Drive, have no objections to the proposed demolition of the existing dwelling and in the construction of the new proposed dwelling as detailed in Committee of Adjustment application.

| Date | Name | Address | Signature |
|---------|-------------------|--------------------------------|---|
| 4/6/19 | Donna Moore | 3203 Shoreline Dr. S. H. Moore |  |
| 4/6/19 | Linda Dinning | 29 Cudmore Rd |  |
| 4/6/19 | Brian Confort | 25 Cudmore Rd |  |
| 4/6/19 | Leo Lorenzo | 3195 Shoreline Dr. |  |
| 4/7/19 | Megan Cote | 30 Cudmore Rd |  |
| 4/8/19 | Ronald Cieniewicz | 11 Cudmore Rd. |  |
| 4/8 | Dan Bloch | 36 Cudmore Rd |  |
| 4/12/19 | Jim Ball | 31 Skipper Lane |  |
| 4/15/19 | Bill Frank | 310 Shoreline Dr. |  |
| 4/16/19 | Tim D. S. | 37 Cudmore Rd |  |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

X WITH DRAWING

X
X
X
X

ALCOHOLICS
DRUGS
BY H.A.12
H.7

H 12345

April 2015

Arthur & Catherine

My name is Arthur (Bugs) Nelson &
I have owned our home @ 319 Altonia
Avenue for 36 years. We are the original
owners of the property - one of 6 houses on
the land. I would like to add we were
the first to move in on the street. When
we have been home and up until
now have been every minute. We do
not want it to become a building lot!
We have serious concerns about the
house not being torn down completely.
First of all, our bonds are not too low -
the city has 3194 would be considered
in 8 days of TOTAL neglect. The one object
to renovations or even changing the exterior
appearance is some in the neighborhood
have done very fairly. as of the 33
neighborhood with proper building
abiding the proper demolition and
reconstruction of another larger house,
even home built by the same builder
and we agree that we will build
worthy of keeping and not tear down.
The planning committee addressed our
concerns in 2017 and we would like to
commence them. All we ask for is that
the present bylaws reflect all in place
to protect what is needed! The purpose
of this is to protect the neighborhood
Applicant has ignored everything in the bylaws

Assuming you will approve this visit
next to the end of the day. For your
need to be guided by number of people
if they are allowed to demonstrate the power
structure.

Please take our sincere apologies
we feel this is a very unfortunate
situation. We are sorry to hear that
you are not getting on with the
people that are in support of them - a
lot of people have been their decision
which they were presented with the fact.
Perhaps you should check something
more to make things as being false.
I have known patterns and the
list and list from the 12 month build
not to mention the other from all the
reconstruction and construction is determined
to my heart. I will be more open to
and enjoy our deck and everything else
I spend countless hours because it could
bring a more positive effect. Also,
they can and they will be protected by a
stone wall from 6 hours 1 hour from
3 minutes and 3 on the other floor.
We take back in our home and
and positive - with an exception -
3194 Avenue (Come our next door neighbors).

24

Current buyers and are pleased
to see the heart of the neighborhood is
picked out in the most desirable town in
Canada. They bought the smallest lot on the
street, (a little less than 1/2 acre) for \$100 -
but a larger lot is in process and
will be sold at a price of \$1000 or more.
A decision will be made very
soon as to all.
Why should my health suffer because
our neighborhood is so small? Through
a non-possessing landlord's mistake!
The most beautiful place in Ontario!

SP

F

CONCRETE CURB

CONCRETE CURB

CC(P)
4.00W
(P16SET)

CC(P)
3.80W
(P16SET)

N04°22'10"E
16.73

BBX
D₀
LP

P16SET

Asphalt Driveway

Precast Curb

5.52P(P8SET)

N66°10'50"W
1.35P

2.36MS
2.37PU

BOARD FENCE
0.34S

Fence
D.26S

34.19(RP8SET)

1.32MS
1.37PI

LC
PIN

No. 3194
2 STOREY
Brick Dwelling

No. 3196
2 STOREY
Brick Dwelling

LOT
PIN 24755 - 0072

LOT
PIN 24755 - 0073

Brick Patio

Inground Pool
PLAN

Concrete Deck

Concrete Deck

14.37 MS
14.38 PU

CLF
D.05N
0.08E

CLF
D.16S
0.16S

1.32MS
1.37PI

34.19(RP8SET)

BOARD FENCE
0.34S

Fence
D.26S

2.36MS
2.37PU

Precast Curb

Asphalt Driveway

P16SET

BBX
D₀
LP

N04°22'10"E
16.73

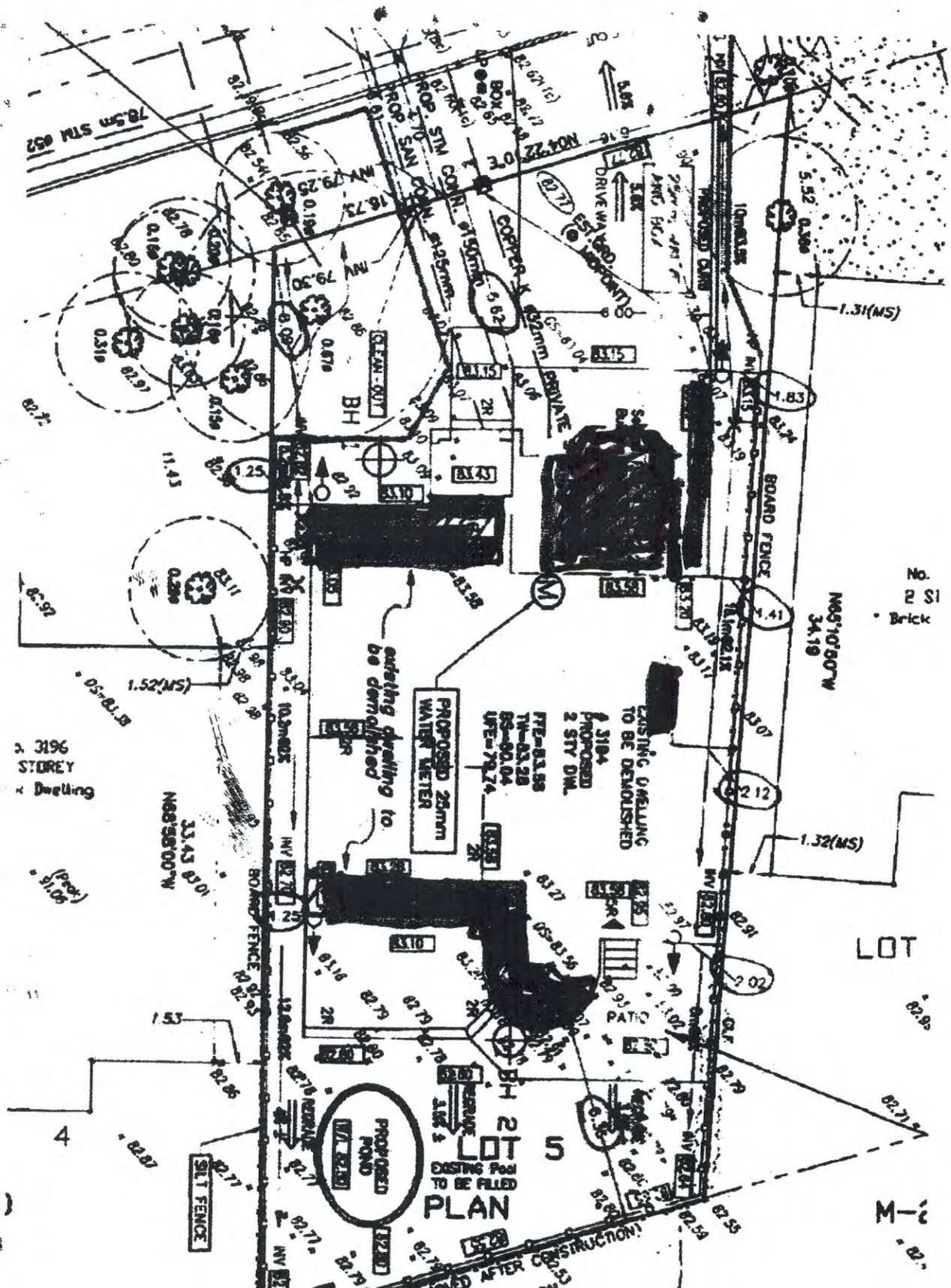
CC(P)
3.80W
(P16SET)

CONCRETE CURB

CONCRETE CURB

CC(P)
4.00W
(P16SET)

E-2A



3

SP3

No. 3190
2 STOREY
Brick Dwelling

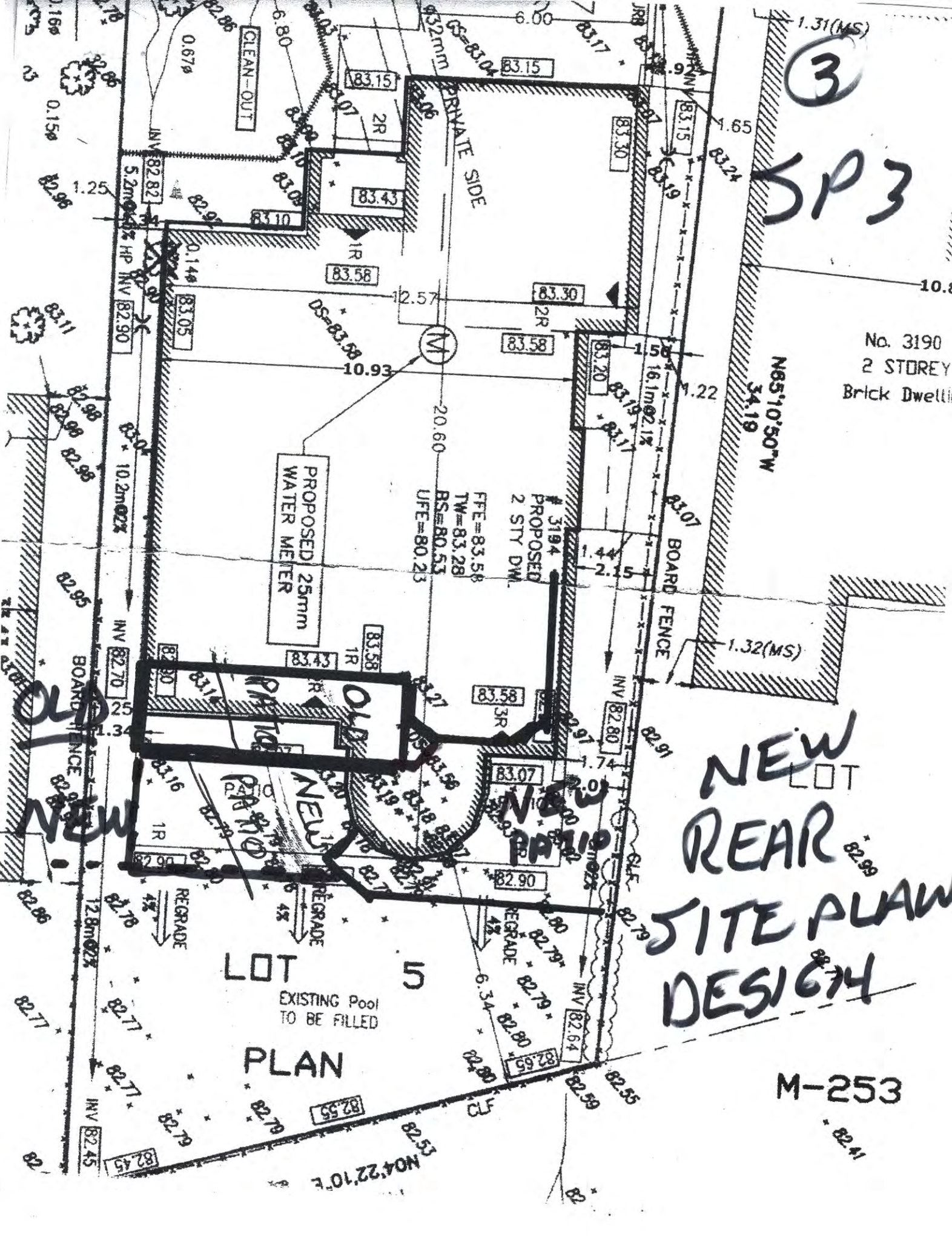
N65°10'50"W
34.19

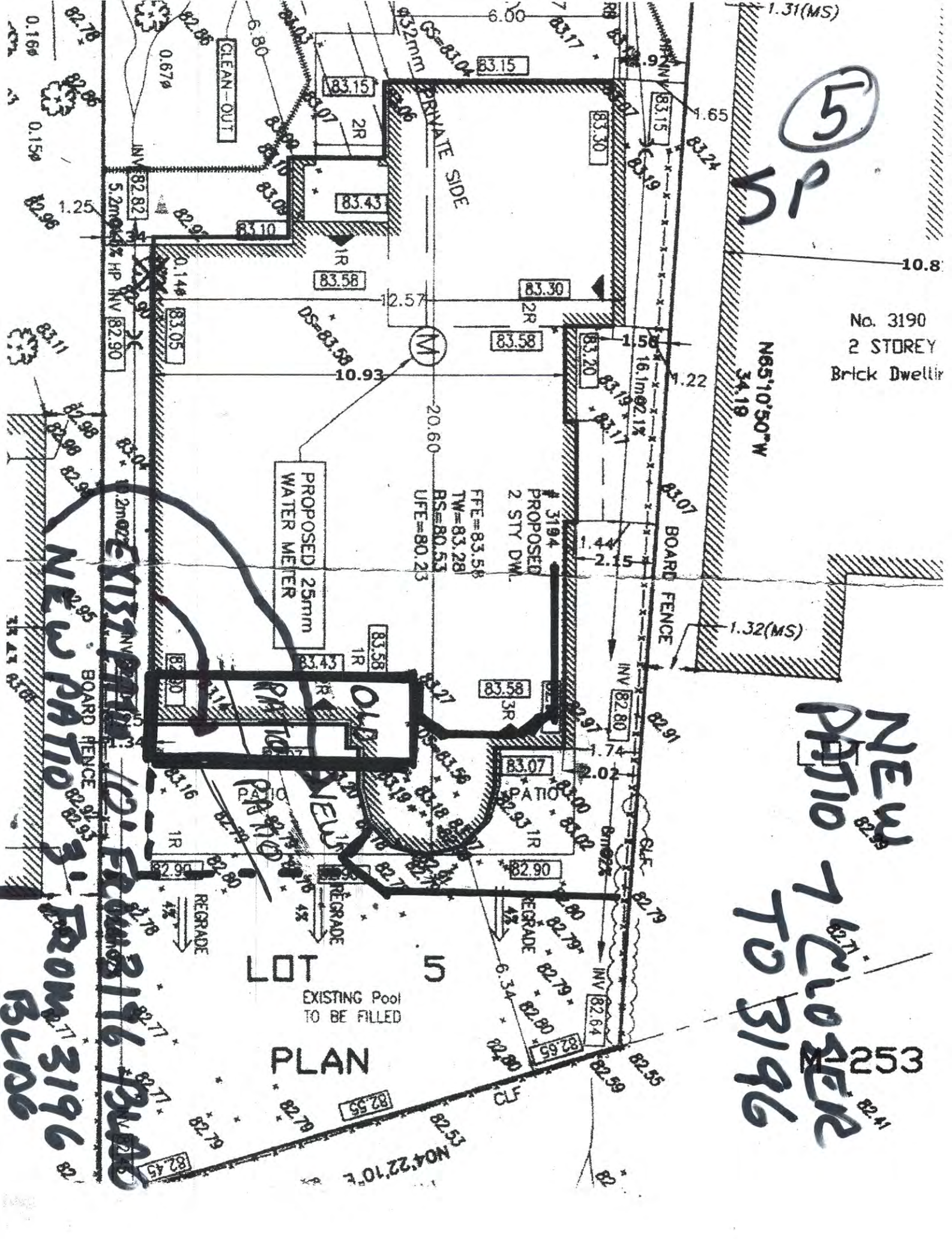
NEW LOT
REAR
SITE PLAN
DESIGN

M-253

LOT 5
PLAN

EXISTING Pool
TO BE FILLED





5
3P

No. 3190
2 STOREY
Brick Dweller

N65°10'50"W
34.19

NEW
PATIO 7.6m x 2.5m
TO 3196

NEW PATIO 3.1m x 3.1m
FROM 3196
BLVD

LOT 5
EXISTING Pool
TO BE FILLED
PLAN

PROPOSED 25mm
WATER METER

3194
PROPOSED
2 STY DWL
FFE=83.58
TW=83.28
BS=80.53
UFE=80.23

BOARD FENCE

1.32(MS)

10.8

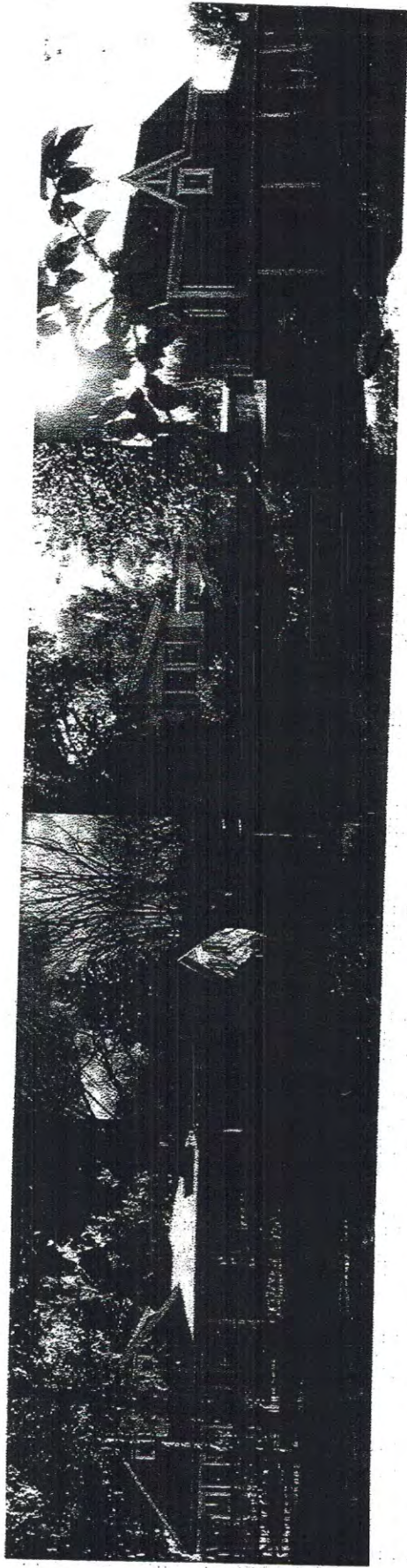
253

Livable ^{or plan}
by design

URBAN DESIGN MANUAL



OAKVILLE



Design Guidelines for Stable Residential Communities

2.0 POLICY DIRECTION

Section 6 of the *Livable Oakville Plan* outlines the urban design policy direction for development and redevelopment on lands south of Dundas Street and north of Highway 407.

"Good urban design is an integral part of the planning process, enabling the creation of stimulating, vibrant, and livable places; being a key component in creating a definable sense of identity. Tangible elements of the urban environment such as the built form, open space, and public realm, and their relationship to one another, should be organized and designed in an attractive, functional and efficient manner."

The Town is committed to achieving a high standard of urban design and architecture to provide an innovative and diverse urban form that promotes a sustainable, dynamic and livable environment." (Section 6)

"... general objectives for urban design:

- a) *to provide diversity, amenity, comfort, safety and compatibility with the existing community;*
- b) *to encourage attractive and safe public spaces, such as streetscapes, gateways, vistas and open spaces;*
- c) *to promote innovative and diverse urban form and excellence in architectural design; and*
- d) *to promote the creation of distinctive places and locales, including Midtown Oakville, the other Growth Areas and high profile locations such as gateways to the Town."* (Section 6.1.1)

In addition to the general urban design policy direction, specific residential policies were established to guide intensification and infill development within stable residential communities (Section 11):

"Section 11.1.8

Intensification within the stable residential communities shall be provided as follows:

- a) *Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, land division, and/or the conversion of an existing building into one or more units, may be considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of the Plan;*
- b) *Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with sections 11.1.9 and all other applicable policies of this Plan; and*
- c) *Within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan."*

2.0 POLICY DIRECTION

"Section 11.1.9

Development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character: (author's note: policies in bold below are those addressed specifically in this document)

- a) **The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.** ✕
- b) **Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.** ✕
- c) **Where a development represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development.** ✕
- d) **Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.** ✕
- e) Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.
- f) **Surface parking shall be minimized on the site.**
- g) A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.

- h) **Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.** ✕

- i) **The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.**

- j) Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.

- k) The transportation system should adequately accommodate anticipated traffic volumes.

Utilities shall be adequate to provide an appropriate level of service for new and existing residents."

"Section 29.5 (Glossary)

Character means the collective qualities and characteristics that distinguish a particular area or neighbourhood. ✕

Compatible means the development or redevelopment of uses which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without unacceptable adverse impact." ✕

3.1 NEIGHBOURHOOD CONTEXT

To achieve the policies of the *Livable Oakville Plan*, the design and placement of new dwellings, replacement dwellings and significant building additions within stable residential communities should to preserve and maintain the character and established patterns of the surrounding neighbourhood.

New development should be compatible with the dwellings in the surrounding neighbourhood; that is, designed to respond to the basic neighbourhood patterns and reoccurring characteristics, such as lot patterns, street edges, placement and orientation of dwellings, existing vegetation, topography, and other common or distinctive elements. The continuation and enhancement of these patterns and characteristics can be accommodated in new development, while still maintaining cohesive neighbourhoods.

Through the initial design phase, consideration should be given to the placement of a new dwelling, replacement dwelling and/or significant building addition to ensure compatibility with the existing neighbourhood character and context without an unacceptable adverse impact.

The following design guidelines can assist in assessing whether new development is compatible with the existing neighbourhood character of stable residential communities.



3.1.1 CHARACTER

Neighbourhood character is the collective qualities and patterns that distinguish a particular area from another. The objective is to ensure that new development maintains and protects the character of the existing surrounding neighbourhood.

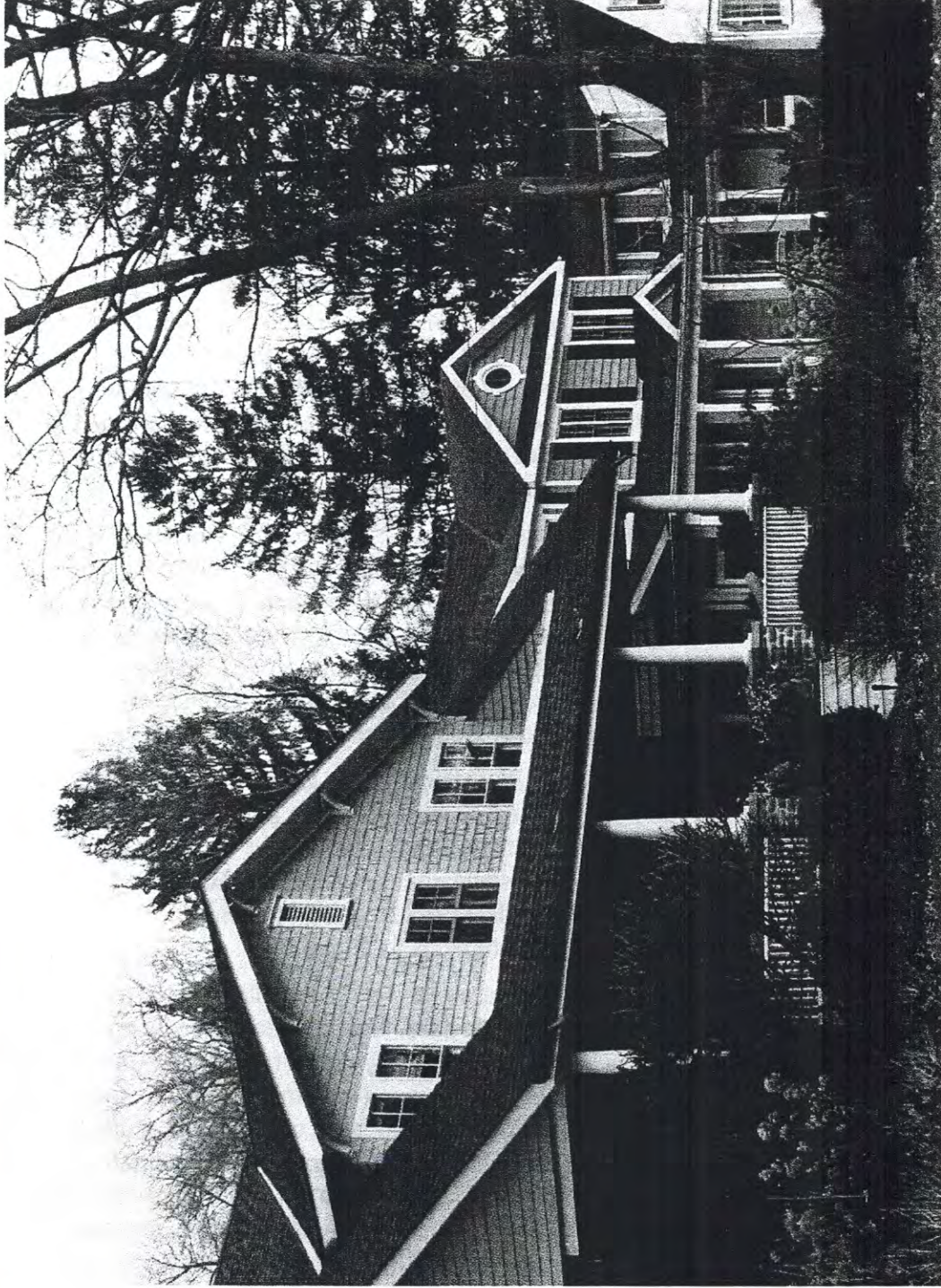
Through the design process, consideration should be given to these patterns and characteristics by focusing on achieving compatibility with the scale, massing, height, architectural character, building elements and materials of existing dwellings in the surrounding neighbourhood.

DESIGN GUIDELINES

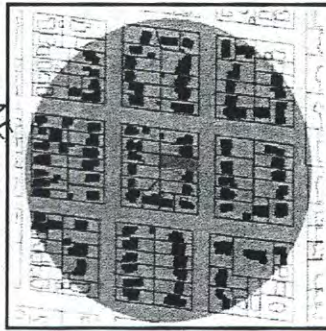
1. New development should positively contribute to the surrounding neighbourhood character by incorporating building and site elements that provide a visual reference to existing neighbourhood features and that complement the qualities of the surrounding residential community. ✕
2. New development should be designed to maintain and preserve the scale and character of the site and its immediate context and to create compatible transitions between the new dwelling and existing dwellings in the surrounding neighbourhood. ✕
3. In instances where more than one new dwelling is proposed on a series of vacant lots, each dwelling should be of a distinctive design and not repetitive.



Identifying the existing patterns is essential to understanding the neighborhood character.



22040144
 0505050
TELEPHONE
 TACALOE
 MET BAKER
 5
 03010144

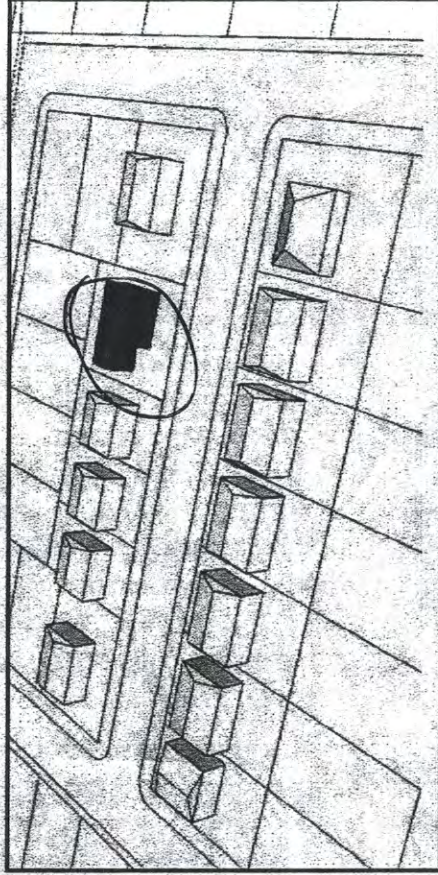


3.1.2 LOTTING PATTERN

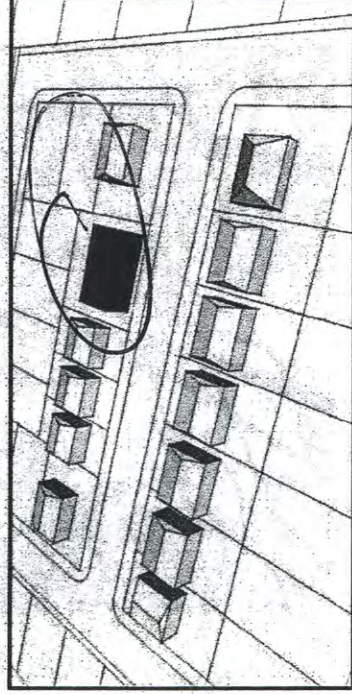
Residential neighbourhoods typically feature distinct patterns of development that are a result of the topography, era of initial development, the surrounding uses, and alterations over time. Through the design process, the common features and characteristic patterns of the neighbourhood should be identified so that new development can respond to the surrounding context and maintain the qualities that are important to the neighbourhood.

DESIGN GUIDELINES

1. New development should be compatible with the predominant pattern of lot width, lot depth and lot area as the adjacent properties to maintain and preserve the existing neighbourhood lotting pattern.
2. New development should maintain the setback or average of setbacks from the street frontage as the existing dwellings in the immediate area.
3. In instances where the lotting pattern has been altered through redevelopment, the placement of the new dwelling on the lot should maintain the pattern of the existing development for visual continuity along the streetscape and within the immediate neighbourhood.



Preferred. The setback and divided massing of the new dwelling maintains the existing pattern of the dwellings along the street.



Discouraged. The new dwelling design and placement is not compatible with the existing patterns and impacts the streetscape.

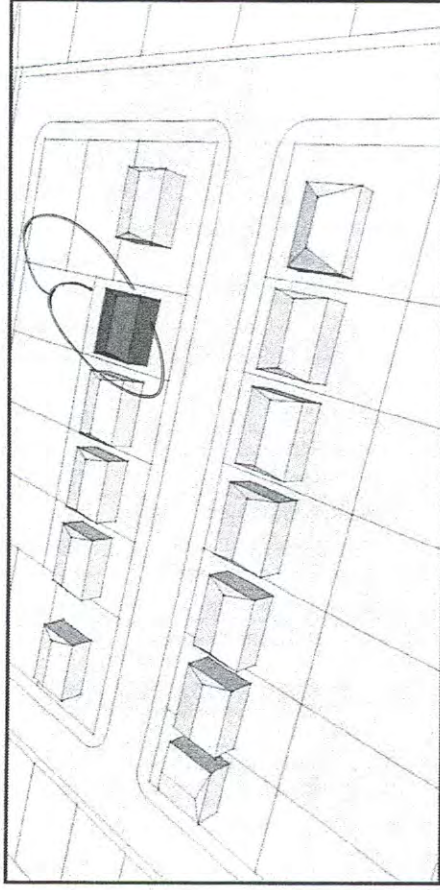
3.1.3 SCALE

Neighbourhoods consist of dwellings and surrounding spaces that are designed at a human scale, creating comfortable and walkable environments. Although architectural details or building elements may vary within a neighbourhood, they can still contribute to a pleasant and compatible environment.

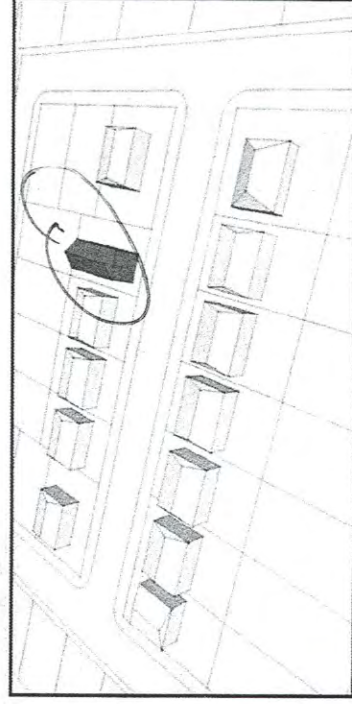
The scale of new development should be compatible with the scale and proportions of adjacent existing dwellings and dwellings in the surrounding neighbourhood.

DESIGN GUIDELINES

1. New development should not have the appearance of being substantially larger than the existing dwellings in the immediate vicinity. If a larger massing is proposed, it should be subdivided into smaller building elements that respond to the context of the neighbourhood patterns.
2. In instances where the lot patterning has been altered through redevelopment, the scale of the new development should be compatible with the scale of the surrounding buildings.



Preferred. The scale and proportions of a new dwelling should be compatible with those of adjacent existing dwellings.



Discouraged. The size, form and placement of the new dwelling is not compatible with the scale of the surrounding area.

3.1.5 REAR YARD PRIVACY

The design and placement of new development should make every effort to minimize the potential impacts on the privacy of rear yard amenity spaces of adjacent properties by carefully considering building massing and the placement of building projections, decks and balconies, and screening vegetation.

DESIGN GUIDELINES

1. New development, which projects beyond the established rear setback of adjacent dwellings, should be designed such that the height and massing of the projection does not cast significant shadows onto amenity space in the rear yards of adjacent properties. ✓
2. New development, which projects beyond the established rear setback of adjacent dwellings, should be designed so that the placement of doors, decks and balconies do not directly overlook adjacent rear and side yards.
3. New development should not include second storey decks and balconies, which may create an undesirable overlook condition onto adjacent properties.
4. New development is encouraged to incorporate appropriate fencing, screening, landscaping and other mitigative design measures that can assist in maintaining the privacy of adjacent dwellings and rear yards.



Preferred. An addition that projects minimally into the rear yard and maintains ample setbacks from the side lot lines can be appropriate.



Discouraged. A two-storey addition projecting into the established rear yard can create an undesirable overlook and shadowing condition on adjacent properties.

3.2 ARCHITECTURAL CONTEXT

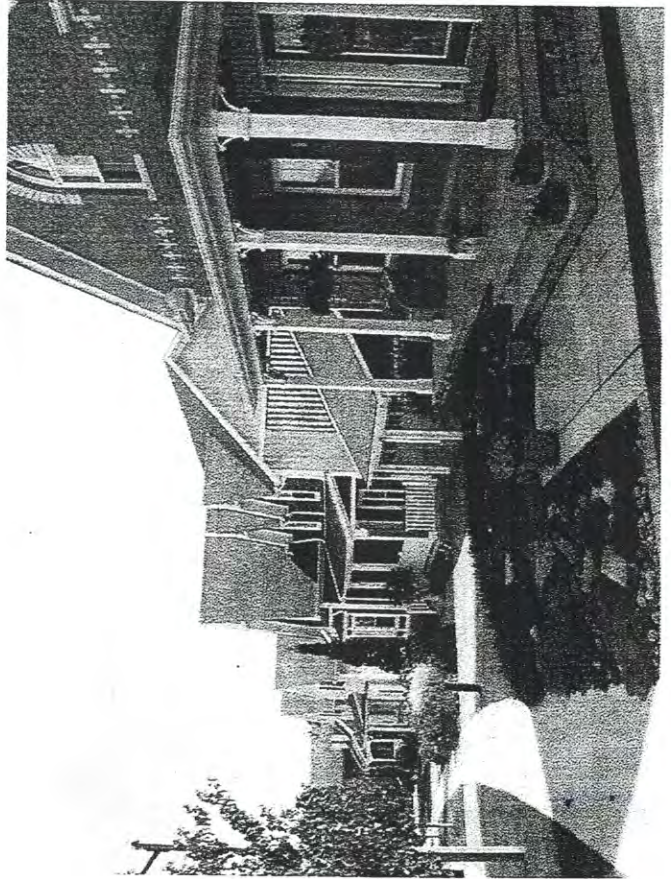
To achieve the policies of the *Livable Oakville Plan*, the design and placement of new dwellings, replacement dwellings and significant building additions within stable residential communities should preserve and maintain the character and the established patterns of nearby properties and those within the immediate surroundings.

The thoughtful design of dwellings is key for achieving visual continuity and compatibility throughout a neighbourhood. Commonly used architectural elements valued by the community are encouraged for consideration and incorporation into new development as key elements in establishing and maintaining the character of the area.

New development should not replicate the architecture of the adjacent dwellings or imitate historic styles; rather it should be designed to address the site and maintain the patterns found within the neighbourhood. New development, when contextually designed, may reflect any architectural style and still maintain compatibility with the character of the surrounding neighbourhood.

New development is encouraged to be designed to minimize environmental impacts and incorporate sustainable building techniques and technologies. Owners, designers and builders are encouraged to integrate sustainable design elements, such as passive building design, renewable energy technologies, natural habitat retention, and water use reduction and waste water technologies.

The following design guidelines assist in the assessment of architectural and built form compatibility.

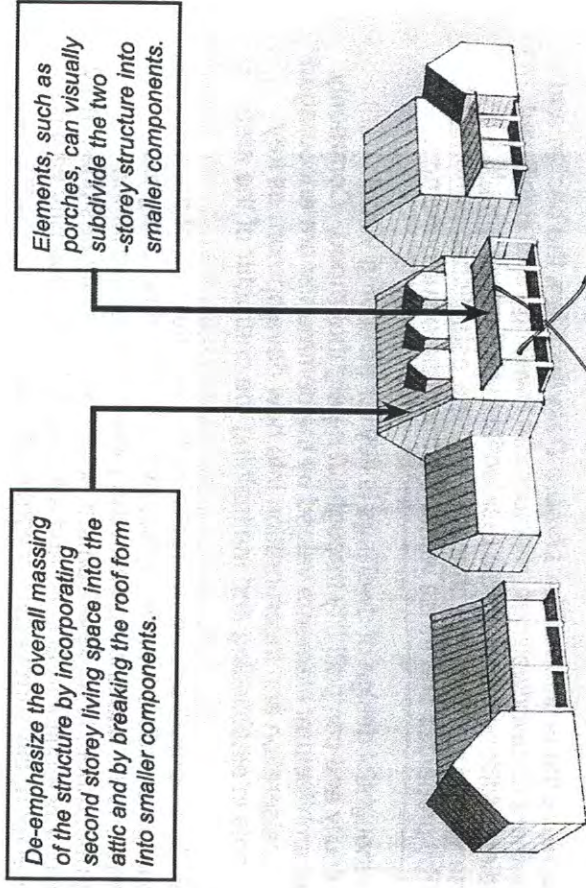


3.2.1 MASSING

The height and width of a dwelling are the dominant visual indicators in the perception of building size or massing in comparison to the surrounding dwellings. Well-proportioned massing may be achieved through an appropriate balance of building height and width and the proportion of building components that are compatible to dwellings within the surrounding context.

DESIGN GUIDELINES

1. New development, which is larger in overall massing than adjacent dwellings, should be designed to reduce the building massing through the thoughtful composition of smaller elements and forms that visually reflect the scale and character of the dwellings in the surrounding area. This design approach may incorporate:
 - projections and/or recesses of forms and/or wall planes on the façade(s)
 - single-level building elements when located adjacent to lower height dwellings
 - variation in roof forms
 - subdividing the larger building into smaller elements through additive and/or repetitive massing techniques
 - porches and balconies that can reduce the verticality of taller dwellings and bring focus to the main entrance
 - architectural components that reflect human scale and do not appear monolithic
 - horizontal detailing to de-emphasize the massing
 - variation in building materials and colours.
2. New development should be designed to mitigate potential impacts of overshadowing on adjacent properties by avoiding bulky massing close to the shared property line, by stepping down the height of the structure, and/or by increasing the setback(s) from the side and rear property lines.



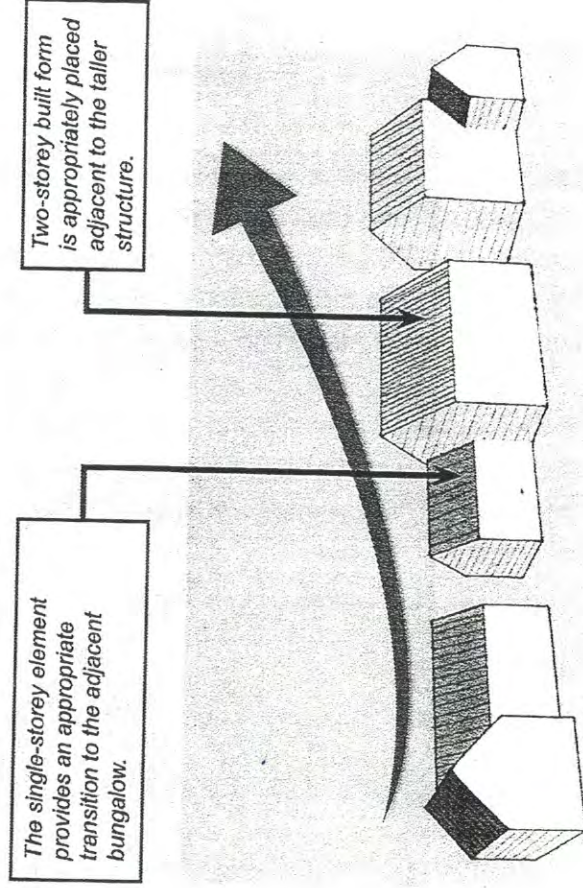
3.2.2 HEIGHT

In residential neighbourhoods, significant contrasts in dwelling heights can have an impact on the overall character of the area. Although new development may be designed as a taller structure in dimension than the nearby existing dwellings, every effort should be made so that it does not appear to be higher and maintains the character of the stable residential community.

MAS

DESIGN GUIDELINES

1. New development should make every effort to incorporate a transition in building height when the proposed development is more than a storey higher than the adjacent dwellings. The transition may be achieved by:
 - stepping down the proposed dwelling height towards the adjacent shorter dwellings
 - constructing a mid-range building element between the shorter and taller dwellings on either side
 - increasing the separation distance between the dwellings.
2. New development is encouraged to incorporate upper storey living spaces wholly or partially within the roof structure to de-emphasize the height and overall building scale, and to divide the massing of the roof. Dormer and end gable windows can provide adequate light into these spaces.
3. New development that is taller than the average dwelling in the surrounding area should make every effort to step back the higher portions of the dwelling façade and roof to minimize the verticality of the structure and presence along the building front.
4. New development with a full second storey is encouraged to incorporate facade articulation and different materials on the upper storey façade to minimize the appearance of greater height.



3.2.6 GARAGES AND ACCESSORY STRUCTURES

New development should make every effort to minimize the visual prominence of the garage and the surface parking area on the property frontage in order to maintain a positive pedestrian experience along the streetscape. Detached garages and accessory structures should be located within the rear or side yards to reduce their prominence on the streetscape.

DESIGN GUIDELINES

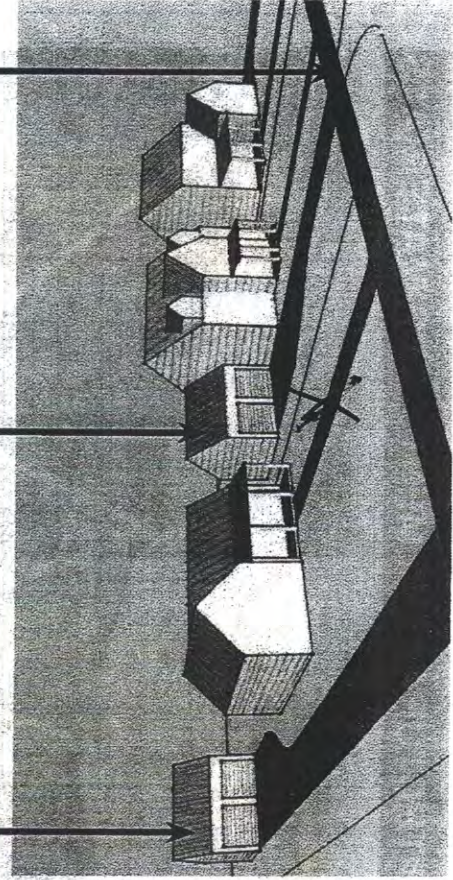
1. New development with an attached garage should make every effort to incorporate this feature into the design of the building, to achieve compatibility with the overall massing, scale and style of the dwelling and the immediate surroundings.
2. New development with an attached garage on the front façade should position the garage flush with or recessed behind the front façade of the dwelling. Where applicable, additional building elements, such as porches or trellises, are encouraged to extend along the garage face and primary façade to lessen the visual prominence of the garage.
3. New development with an attached garage on the front façade is encouraged to incorporate glazed panels within the doors and to apply a neutral colour that blends the doors into the façade.
4. New development with an attached or detached double vehicle garage is encouraged to design the garage openings with separated overhead doors to decrease the visual impact of the garage door on the streetscape.
5. New development which includes an accessory structure(s), such as a detached garage, carport, cabana, gazebo and/or storage structure, should design the structure(s) to be compatible with the quality, style, materials and colours of the primary dwelling.

6. New development with an accessory structure(s) should incorporate articulation on façade(s) of the structure which are located adjacent to and/or visible from a street or other public space. These facing walls should be articulated through the use of architectural elements compatible with the main dwelling.

Attached garages should be flush or recessed behind the main façade. For double garages, separated single doors are encouraged.

Narrow driveways can create a safer pedestrian environment and decrease the amount of hard surface area.

Detached garages should be located at the rear of the site.



319403

EXHIBIT J

NEIGHBOURS' WITHOUT PREJUDICE REQUEST TO SETTLE THE COA Appeal-3194 SHORELINE

IN ORDER FOR US TO NOT PERSUE FURTHER ACTIONS TO STOP THE BUILDING OF THE PROPOSED NEW HOUSE AT 3194 SHORELINE DRIVE, WE WOULD LIKE THE TOWN TO ASK FOR AND INCORPORATE INTO ANY AGREEMENT WITH THE OWNERS, THE FOLLOWING:

1 THE HOUSE FOOTPRINT WILL BE REDUCED IN LENGTH BY 2 FEET AT THE REAR OF THE HOUSE AND 2 FEET AT THE FRONT OF THE HOUSE THEREBY REDUCING THE IMPACT, SCALE AND MASSING WHICH IS OUT OF CHARACTER AND TOO LARGE FOR THE NEIGHBOURHOOD.

This item is a non-starter for my clients. We are not going to change the footprint any more that we already have.

As previously stated, 3194 wants to ram this new build thru no matter what bylaws and zoning issues are ignored. The Scale, Massing, Size and Architectural Design are totally out of character with the neighbourhood. The architectural design is certainly not compatible with the area. I question if the architect even walked or visited the area.

2 CONSTRUCTION AND ACCESS TO THE LOT DURING THE BUILDING OF THE NEW HOME UNTIL OCCUPANCY WOULD BE FROM SHORELINE WITH NO ENTRY TO THE REAR OF 3194 BEING ALLOWED THROUGH THE ADJACENT TOWN OF OAKVILLE PARKLAND. THIS WOULD INCLUDE PERSONNEL, MATERIALS, EQUIPMENT AND MACHINERY. FURTHER THE EXISTING REAR METAL FENCE WOULD BE MAINTAINED DURING CONSTRUCTION UNTIL OCCUPANCY AND AS WELL THE GATE WOULD BE LOCKED AT ALL TIMES.

My clients are okay with the intent of this section. However we are concerned about a complete ban on rear access, in the event that something unforeseen was to occur. We would like the wording to reflect that in the event that there was something that arose beyond what we currently contemplate, that we would be able to request a license from the Town of Oakville for Rear Access.

The rear parkland is a public walkway with 100 year old trees with exposed roots. No traffic of any kind for any business should cross the town parkland and certainly no permits issued for access. I agree that in the event of a fire, jump the fence.

3 THE EXISTING FENCES BETWEEN 3194 AND 3196 WILL BE MAINTAINED THROUGHOUT THE BUILD PERIOD UNTIL OCCUPANCY. AFTER OCCUPANCY THE FENCES SHOULD BE LEFT AS IS, TAKEN DOWN OR A NEW FENCE INSTALLED AS DESIRED ON EACH OWNERS PROPERTY. FURTHER ANY CURRENT OPEN UNFENCED PROPERTY LINE AREA BETWEEN 3194 AND 3196 SHALL BE TEMPORARILY FENCED BY 3194 INSIDE OF THE 3194 PROPERTY LINE UNTIL CONSTRUCTION IS COMPLETED WITH TEMPORARY FENCING TO THEN BE REMOVED. AS TO THE FENCE INSTALLED AT 3190 ON THE WEST SIDE PROPERTY LINE, THAT IS NEW AND 3194 SHOULD AGREE TO TAKE CARE DURING CONSTRUCTION THAT THE FENCE NOT BE DAMAGED BY CONSTRUCTION AND IF DAMAGED DURING CONSTRUCTION THEN RESTORED TO THE CONDITION BEFORE CONSTRUCTION AT 3194'S EXPENSE.

My clients are okay with the wording of this clause. We understand that the site would have to be completely fenced during construction, in any event.

The fence owned by 3194 is leaning on my property and he has told me to fix it myself and ----- off.

4 DUE TO THE LENGTH AND WIDTH OF THIS PORTION OF SHORELINE DRIVE, A TRAFFIC SAFETY PLAN WILL BE DEVELOPED BY 3194 TO ENSURE ORDERLY CONSTRUCTION TRAFFIC ON THE STREET AND MANAGED DELIVERIES, PARKING AND PERSONNEL .THE PLAN SHALL INCLUDE EDUCATING CONSTRUCTION PERSONNEL AS TO THE EXISTENCE OF 8 CHILDREN, AGES 1 TO 11 YEARS LIVING ACROSS THE STREET FROM THE NEW BUILD. THESE CHILDREN NEED TO USE THE SIDEWALKS AND HAVE TO CROSS ROADS FROM THE SCHOOL BUS DROP OFF TO SHORELINE AND CUDMORE ROAD.

We are not prepared to do a detailed traffic safety plan, as that is 'overkill' for the construction of one single family dwelling. We would be prepared to have a clause inserted in the Site Plan Agreement that would state that our client "will ensure that the General Contractor will inform the subcontractors and delivery personnel that the site is located on a residential street, that has primary school children living on it, and that extreme caution should be used when travelling along Shoreline Drive, and when crossing the sidewalk to enter and exit the subject site."

Overkill is a poor choice of words when we are dealing with the safety of 9 children whose lives and safety will be greatly affected by your lack of consideration.

5 DUE TO THE DEPTH AND CLOSENESS OF THE NEW BUILD FOOTINGS THAT WILL BE CLOSER AND DEEPER TO THE ADJACENT HOMES. THERE ARE CONCERNS REGARDING STABILITY OF THE BASEMENT WALLS OF THE ADJACENT HOMES DURING CONSTRUCTION AND POSSIBLE DAMAGE AS A RESULT OF DEMOLITION OF FOOTINGS AND WALLS AND VIBRATION FROM JACK HAMMERING OF THE EXISTING HOME AS IT IS TORN DOWN. THEREFORE BEFORE ANY DEMOLITION OF THE EXISTING HOME BEGINS THE OWNERS OF 3194 WOULD PERMIT THE ADJCENT OWNERS AND ANY CONSULTANTS THEY RETAIN TO EXAMINE THE ENGINEERS STAMPED FOR CONSTRUCTION STRUCTURAL DRAWINGS TO TRY AND SATISFY THEMSELVES THAT THEIR BASEMENT WALLS WILL NOT BE COMPROMISED.

We believe that this clause is not required. Demolition of the existing building and the erection of the new house is far enough away from the adjacent dwellings that no damage should occur, and we aren't aware of an occurrence of neighbouring foundations being damaged during demolition. However, if the owners of the adjacent homes wish to have their own buildings inspected and documented by independent professionals, prior to the start of any work on the site, at their own expense, and file that report with the Town, we would have no objection to that.

A foundation wall fell over on a house being built right around the corner on Cudmore Road 3 years ago

6 ANY TEMPORARY WASHROOM IS TO BE AT LEAST 5 FEET FROM THE TWO SIDE PROPERTY LINES.

We do not believe that we can guarantee that the temporary washroom will be located 5 feet from the side property lines. We know that it has to be located in the front yard of the property, and we will make every attempt to locate it as far away from the side property line as possible, but it can't interfere with construction on the site. We are prepared to have a clause that obligates us to keep it as far away from the side property line as is practically possible, but can't commit to the 5 foot distance.

UNBELIEVABLE, Just tell the site super to locate it 5 ft. from property between the two existing trees that you have to save.

7 THERE SHALL BE NO SAW CUTTING OF CONCRETE LIKE MATERIALS SUCH AS STONE, BRICK, INTERLOCK ETC THAT CREATE AIR BORNE DUST PARTICLES UNLESS IT IS A WET CUT(WITH WATER) OR IN A CONTROLLED DUST ENCLOSURE. IN OTHER WORDS, NO AIRBORNE DUST PARTICLES IN CONSIDERATION OF THE ADJACENT NEIGHBOURS' BREATHING AND ASTHMA ATTACKS.

This clause would significantly increase the time and cost of the installation of the brick and stonework on the property. We will commit to "having the builder keep the dust and disruption to a minimum." There may be times when a wet saw is used, in order to keep that dust down, but we cannot commit to using only a wet saw.

We (the neighbours) will monitor any saw cutting which puts air borne particulate matter into public and private areas as described by the Federal and Provincial Environment Ministries. We will also ensure that Oakville's current bylaws will be enforced.

In closing, it is obvious from the pathetic effort 3194 has put into our concerns that they have no intention of obeying the current zoning and building bylaws and never did. Possibly by reducing the size of the proposed new build to a reasonable size of house on their small 5350 sq ft lot. We would certainly entertain a proposal with a 36% lot coverage, a 2700 sq ft house, a lower roof line (eavestrough height)to be within 2 ft of existing adjacent houses. This, in our opinion, would be a "minor variance " and in keeping with our unique neighbourhood.

The neighbourhood is ready and willing to participate in the LPAT Tribunal and looks forward to stopping this precedent setting new build. I have asked LPAT for Party Status and sent in the forms

We want to participate in any other issues, including Site Plan Approvals, to do with the proposed new build.

David Spencer

Michele Spencer

Audrey Briggs

Weldon Briggs

EXHIBIT K

8 pages

Ontario Municipal Board
Commission des affaires municipales
de l'Ontario



ISSUE DATE: September 21, 2017

CASE NO(S):

PL170109

PROCEEDING COMMENCED UNDER subsection 45(12) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended

| | |
|-------------------------------|-------------------------------------|
| Appellant: | Town of Oakville |
| Applicant: | Khaled Momani |
| Subject: | Minor Variance |
| Property Address/Description: | 134 Miller Road |
| Variance from By-law: | 2014-014 |
| Municipality: | Town of Oakville |
| Municipal File No.: | CAV A/005/2017 |
| OMB Case No.: | PL170109 |
| OMB File No.: | PL170109 |
| OMB Case Name: | Town of Oakville v. Oakville (Town) |

Heard: July 6, 2017 in Oakville, Ontario

APPEARANCES:

Parties

Counsel*/Representative

Town of Oakville

Dennis Perlin*

Khaled Momani

Hany Kallini

DECISION DELIVERED BY HUGH S. WILKINS AND ORDER OF THE BOARD

INTRODUCTION

[1] This is the decision regarding an appeal by the Town of Oakville (the "Town") against the approval by the Town's Committee of Adjustment ("Committee") of an application made by Khaled Momani (the "Applicant") seeking a variance to the zoning standard for residential floor area ratio in order to permit the construction of a new single detached two-storey dwelling at 134 Miller Road (the "subject property"). The proposed development would replace an existing single detached dwelling on the site. The existing dwelling would be demolished.

[2] On January 17, 2017, the Committee approved the application.

[3] On February 2, 2017, the Town appealed the Committee's decision to the Board.

REQUIRED VARIANCE

[4] The Applicant's development proposal requires the following variance to the Town's Zoning By-law No. 2014-014 (the "Zoning By-law"):

Table 6.4.1

The maximum Residential Floor Area Ratio for a detached dwelling with a lot area between 650.00m² and 742.99m² shall be 41% (291.13m²).

The proposed variance is to permit a maximum Residential Floor Area Ratio of 45.4% (314.11m²) for a lot area between 650.00m² and 742.99m².



ISSUES

[5] The issue in this appeal is whether or not the proposed variance meets the four tests under s. 45(1) of the *Planning Act*. More specifically, does the proposed variance maintain the general purpose and intent of the Town's Official Plan, does it maintain the general purpose and intent of the Zoning By-law, is it desirable for the use of the property, and is it minor?

EVIDENCE

[6] The subject property is located on the south side of Miller Road east of Oxford Avenue. It is designated Low Density Residential in the Town's Official Plan and is zoned Low Residential (RL3-0) in the Zoning By-law.

[7] At the commencement of the hearing, James Greer, who owns property in the vicinity of the subject property, requested and was granted participant status.

[8] The Board heard evidence on behalf of the Town from Kate Mihaljevic and Christina Tizzard. Ms. Mihaljevic was qualified by the Board to give opinion evidence as an expert in land use planning and Ms. Tizzard was qualified by the Board to give opinion evidence on land use planning and urban design matters.

[9] Ms. Mihaljevic opined that the effect of the proposed variance would result in an overbuilding of the subject property and would result in a dwelling that has a built form and scale that is out of character with the existing neighbourhood.

[10] Ms. Mihaljevic stated the subject property is located in a stable neighbourhood of mostly modest-sized dwellings, including bungalows, side-splits and raised bungalows. She said they generally are one-storey and have large rear-yard setbacks. She said dwellings to the north and south of Miller Road are distinct from those on Miller Road where the subject property is located. She opined that the "neighbourhood" in which the subject property is located should be defined as the area on Miller Road between Oxford Avenue and Pembroke Drive.

[11] Ms. Mihaljevic acknowledged that the subject property is located within a "Built-Up Area of the Settlement Area" in the Growth Plan for the Greater Golden Horseshoe, 2017 (the "Growth Plan") and that the Applicant's minor variance application conforms with the Growth Plan. She also opined that it is consistent with the policies in the Provincial Policy Statement, 2014 (the "PPS"). She said it is located in an area

designated as "Urban Area" under the Halton Regional Official Plan and conforms to that Plan.

[12] Ms. Mihaljevic stated that the subject property is located in a stable residential community and is not in an area in transition. She stated that proposed developments in the Town's stable residential communities are evaluated based on whether they maintain and protect the existing neighbourhood character, taking into account criteria set out in policy 11.1.9 of the Town's Official Plan. She stated that these criteria include the built form of the development, whether it is compatible with the setbacks, orientation and separation distances in the neighbourhood, and whether impacts to adjacent properties will be minimized. For the reasons set out below, she opined that the proposed development does not meet these criteria.

[13] Ms. Mihaljevic stated that policy 11.1.4 of the Town's Official Plan requires that developments requiring approval under the *Planning Act* conform with the Town's policies relating to urban design and sustainability, including the Town's Urban Design Policies, which are set out in Part C of the Official Plan. Policy 6.1.2 of the Urban Design Policies states that development is to be evaluated in accordance with the Town's "Livable by Design Manual", which includes its "Design Guidelines for Stable Residential Communities" (the "Design Guidelines"). She stated that the Design Guidelines address the above-mentioned criteria in the Official Plan's policy 11.1.9 and that policy 6.9.2 of the Design Guidelines, for example, states that "[b]uilding design and placement should be compatible with the existing and planned surrounding context and undertaken in a creative and innovative manner".

[14] Taking into account the various factors to be considered under the Design Guidelines, Ms. Mihaljevic stated that the proposed development is not compatible with the surrounding neighbourhood context in terms of its character, scale and massing. She opined that the proposed increase in residential floor area ratio would result in an overbuilding of the subject property that results in an increase in the massing and scale of the dwelling and would not provide a sympathetic transition in built form to the

surrounding existing houses and would result in an adverse impact on the abutting residential uses and the streetscape. She said the proposed development also would have setbacks that are not consistent with those in the neighbourhood.

[15] Based on these considerations, Ms. Mihaljevic opined that the proposed development would not maintain or protect the existing character of the surrounding neighbourhood and would not be in keeping with the general intent and purpose of the Official Plan as required under s. 45(1) of the *Planning Act*.

[16] Regarding the other tests under s. 45(1) of the *Planning Act*, Ms. Mihaljevic stated that the proposed minor variance does not maintain the general purpose and intent of the Zoning By-law, which she stated aims to ensure that the character of neighbourhoods is maintained by restricting overbuilding on lots. She stated that the proposed variance will cause overbuilding on the subject property that will cause adverse negative impacts and is neither desirable for the use of the property nor minor. She stated that any overage would be overbuilding on the subject property given that the surrounding dwellings on Miller Road are under-built.

[17] Ms. Tizzard also provided opinion evidence on behalf of the Town. She said the main objective of the Design Guidelines is "to create a framework to guide decision-making on the layout, massing, functioning and relationships of new and modified dwellings in all stable residential communities to achieve an appropriate and compatible design that will preserve and maintain the existing neighbourhood character". She said built form is important and that the potential impacts and whether there is a transition or fit in the existing neighbourhood are important considerations. She supported Ms. Mihaljevic's definition of the relevant neighbourhood as being restricted to Miller Road between Oxford Avenue and Pembroke Drive.

[18] Ms. Tizzard stated that impacts on the stability of the existing neighbourhood, whether there will be overbuilding on the lot, and compatibility with the surrounding neighbourhood character are important factors to consider. She said that when

applying the Design Guidelines, the Town looks at the resulting built form and, in this case, would not focus solely on the residential floor area ratio variance, but rather on all of the evaluation criteria, including scale, massing, and height. She opined that the design of the proposed development does not reflect or respond to the neighbourhood context and does not mitigate the impact of this larger form on its surroundings or integrate it within the streetscape. She also said re-development on the subject property will set the tone for the area.

[19] Mr. Greer gave fact evidence as a participant. He stated that he opposes the proposed development stating that it is too large and would set a poor precedent for future development in the area. He said it would not fit in with the existing dwellings in the area.

[20] Mr. Kallini gave fact evidence on behalf of the Applicant. He stated that under the Zoning By-law's provisions, the Applicant may build as of right a two-storey dwelling on the subject property that does not maintain the character of the existing neighbourhood. He stated that apart from the residential floor area ratio, the proposed development complies with all of the other zoning requirements in the Zoning By-law and that there is no evidence that there will be shadowing or other adverse impacts on neighbours. He stated that the relevant neighbourhood should not be restricted to Miller Road between Oxford Avenue and Pembroke Drive, but that a wider area including larger homes should be considered. He said Miller Road will likely be subject to greater re-development in the future. He reiterated that even if the Applicant develops the subject property in accordance with the zoning provisions in the Zoning By-law, the new dwelling may look different from the surrounding existing dwellings in the area. He also described larger homes that are being built on other streets near Miller Road.

[21] Mr. Kallini said that he recalculated the floor area of the proposed development and that the Applicant was willing to amend his application and reduce the proposed variance to a residential floor area ratio of 44.2%. Ms. Mihaljevic replied that the proposed reduction would not change her opinion. She said that in this case any

residential floor area ratio exceedance beyond that set in the Zoning By-Law at 41% would be an overbuild.

FINDINGS

[22] The Board accepts and adopts the opinion evidence of Ms. Mihaljevic and Ms. Tizzard. Although the Board notes that Ms. Mihaljevic's definition of the relevant neighbourhood is restrictive, the Board received no opinion evidence to contradict it. The Board finds that the proposed increase in residential floor area ratio would result in an overbuilding of the subject property and that the proposed development would have a massing and scale that would result in an inappropriate transition in built form in relation to the existing houses in the neighbourhood and would have an adverse impact on the streetscape. The Board accepts the evidence of Ms. Mihaljevic that in this case any variance to the maximum residential floor area ratio requirements in the Zoning By-law would result in an overbuilding of the subject property, regardless of whether the variance is for a residential floor area ratio of 45% or 44%. Taking into account the provisions in policy 11.1 of the Town's Official Plan, the Design Guidelines, and the Town's Official Plan as a whole, the Board finds that the proposed variance does not maintain the general purpose and intent of the Town's Official Plan.

[23] The Board further finds that the proposed variance is not consistent with the aims of the Zoning By-law to implement the Town's Official Plan and protect the character of neighbourhoods. It finds that the proposed variance does not maintain the general purpose and intent of the Zoning By-law. The Board accepts the uncontradicted opinion evidence of Ms. Mihaljevic that the proposed variance will cause overbuilding on the subject property that will cause adverse negative impacts. It finds that the proposed variance is not desirable for the use of the property and is not minor.

[24] The Board relies on the expert opinion of Ms. Mihaljevic and Ms. Tizzard and finds that the proposed variance does not meet the four tests under s. 45(1) of the *Planning Act*. The Board allows the appeal and refuses the proposed variance.

ORDER

[25] The Board orders that the appeal is allowed and the requested variance is not authorized.

"Hugh S. Wilkins"

HUGH S. WILKINS
MEMBER

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Ontario Municipal Board

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

To be the most livable town in Canada

EXHIBIT L1

17 PAGES

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: CAV A/054/2019

RELATED FILE: N/A

DATE OF MEETING: April 23, 2019

| <u>Owner/Applicant</u> | <u>Agent</u> | <u>Location of Land</u> |
|--|---|--|
| TARVEEN KHANNA 566 NORTH PARK BLVD OAKVILLE ON L6M 0N7 | DAVID CAPPER GLEN SCHNARR & ASSOCIATES INC. 10 KINGSBRIDGE CIR 700 MISSISSAUGA ON, L5R 3K6 | PLAN 1060 LOT 42 349 STANFIELD DR TOWN OF OAKVILLE |

OFFICIAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL
WARD: 1

ZONING: RL2-0
DISTRICT: WEST

APPLICATION:

to permit the proposed construction of a new two storey detached dwelling on the subject property with the following variance:

| # | Zoning By-law 2014-014 requirements – RL2-0 | Variance request |
|---|---|--|
| 1 | Section 6.4.1 The maximum <i>residential floor area ratio</i> for a <i>detached dwelling</i> on a lot with a lot area between 1,022.00m ² and 1,114.99m ² shall be 37% (396.15m ²); (Lot area is 1,070.67m ²). | To permit the maximum <i>residential floor area ratio</i> for the <i>detached dwelling</i> to be 39.54% (423.40m ²). |

38.94 1.94%

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

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

CAV A/054/2019 - 349 Stanfield Drive (West District) (OP Designation: Low Density Residential)

APPROVED

The applicant proposes to demolish the existing one-storey dwelling and construct a new two-storey dwelling. The applicant requests the variances listed above.

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The neighborhood consists of one-storey dwellings that are original to the area and two-storey dwellings that are newly constructed. Many of the existing dwellings vary in design with some having single storey features such as front covered porches and single storey living areas. The lotting pattern is consistent throughout the neighbourhood and there is a sidewalk along the north side of Westdale Road.

The subject lands are designated Low Density Residential in the Official Plan. Section 11.1.9 provides that development which occurs in stable residential neighbourhoods shall be evaluated using criteria that maintains and protects the existing character. The proposal was evaluated against all the criteria established under Section 11.1.9, and the following criteria apply:

Policies 11.1.9 a), b), and h) state:

- a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*

The request for an increased residential floor area ratio of the proposed dwelling from 37% to 39.54% adds an additional 27.25 square metres (293.3 square feet) of floor area. Cumulatively with the large open to below space which pushes floor area to the perimeter of the building, the proposed dwelling has a scale that results in over building on the lot. Furthermore, the massing of the proposed dwelling is not considerate of visually appearing larger than existing dwellings in the immediate area. Therefore, the proposed dwelling based on the elevations submitted does not maintain or protect the existing character of the neighborhood and is not compatible with the pattern of new development.

The effect of the requested variance has the potential for negative impacts to the streetscape and abutting properties related to mass and scale. The Zoning By-law is the implementing tool to protect the stability of neighbourhoods as required in the Official Plan. The intent of establishing regulations that would have the effect of controlling the building envelope in relation to scale and mass, is to prevent a dwelling that is out of character with the existing neighbourhood. It is staff's opinion that the requested variance would result in a dwelling that is too large for the property and the surrounding neighbourhood. The proposed dwelling does not protect or represent an appropriate and desirable transition in the existing character of the neighbourhood, and therefore does not maintain the general intent and purpose of the Official Plan or Zoning By-law.

On this basis, it is staff's opinion that the variance does not maintain the intent of the Official Plan as the proposal is not in keeping with the character of the neighborhood. The requested variance is not appropriate for the development and is not minor in nature as the proposed dwelling creates negative impacts on abutting dwellings in terms of massing and does not fit within the context of the surrounding area.

Conclusion:

In summary, based on the application as submitted, staff are of the opinion that the variance should not be supported as it does not satisfy the four tests under the *Planning Act*. Should the Committee's evaluation of the application differ from staff, the Committee should determine

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L3

whether approval of the proposed variances would result in a development that is appropriate for the site.

Fire:

NO comment to provide.

Passed. CA

Transit : No comments.

Halton Region: CAV A/054/2019 – 349 Stanfield

a. Regional Staff offer no objection to this proposed minor variance application.

Bell Canada: Comments not received.

Union Gas: Comments not received.

Letter(s) in support – None.

Letter(s) in opposition – None.

General notes for all applications:

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 Services, 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.



Jasmina Radomirovic
Assistant Secretary-Treasurer
Committee of Adjustment

To be the most livable town in Canada.

24

Committee of Adjustment Decision for: CAV A/046/2016

| Owner/Applicant | Agent | Location of Land |
|---|---|---|
| USMAN MUHAMMAD 56 MISSISSAGA ST OAKVILLE ON L6L 3A4 | ILIA FURAT NOOR ARCHITECTS LTD. 2896 SOUTH SHERIDAN WAY UNIT 201 OAKVILLE ON L6J 7G9 | PLAN M11 LOT 10 56 MISSISSAGA ST TOWN OF OAKVILLE |

This notice is to inform you that the request for variance made under Section 45(1) of the *Planning Act* has been **Approved** to permit the proposed construction of a new 2-storey dwelling on the subject property with the following variances:

| # | Zoning By-law 2014-014 requirements – RL5-0 | Variance request |
|---|--|---|
| 1 | Table 6.4.1 The maximum Residential Floor Area Ratio shall be 41% for lots with an area between 650.00m ² -742.99m ² . | To permit a maximum Residential Floor Area Ratio of 46.70%. (324.4m ²). 5.1% |
| # | Zoning By-law 1984-63 as amended requirements – R05 | Variance request |
| 2 | Part II Section 40.3)b) The maximum Floor Area / Lot Ratio shall be 37% for lots with an area between 601 m ² -701m ² . | To permit a maximum Floor Area / Lot Ratio of 41.03%. (285m ²). 4.03% |

as the variances are considered minor in nature, desirable for the use of the land and in keeping with the general intent of the town's official plan – Livable Oakville Plan and the zoning by-law, subject to:

- The approval will expire two years from the date of decision if the proposed development does not proceed and/or a building permit is not issued.
- That the proposed 2-storey dwelling be constructed in general accordance with the plans dated December 22, 2015 as submitted.

M. Telawski _____ Absent _____ J. Hardcastle

S. Mikhail (Absent) _____ P. Chronis
Chairperson, Committee of Adjustment

M. Charlebois _____ J. Radomirovic
Assistant Secretary-Treasurer

Dated at the meeting held on March 8, 2016.

Last date of appeal of decision is March 28, 2016.

NOTE: It is important that the sign(s) remain on the property until a **FINAL** decision has been rendered regarding your Application. **The sign shall be removed the day following the last date of appeal.**

This is a certified copy of the Committee of Adjustment final decision whereby no appeals filed.

Jasmina Radomirovic

Assistant Secretary-Treasurer

2014

7500 ~~17~~ LOT
7500 ~~17~~ "

3075 ~~17~~ -41%

3500 ~~17~~ 46.7%

OAKVILLE

2.14%

425 ~~17~~

To be the most livable town in Canada.

L5

Committee of Adjustment Application for variance CAV A/046/2016

| Owner/Applicant | Agent | Location of Land |
|---|---|---|
| USMAN MUHAMMAD 56 MISSISSAGA ST OAKVILLE ON L6L 3A4 | ILIA FURAT NOOR ARCHITECTS LTD. 2896 SOUTH SHERIDAN WAY UNIT 201 OAKVILLE ON L6J 7G9 | PLAN M11 LOT 10 56 MISSISSAGA ST TOWN OF OAKVILLE |

Meeting date: **March 8, 2016 – 7:00pm**

Town Hall, 1225 Trafalgar Road, Oakville — Council Chamber

You are receiving this notice because your property is within 60 metres of the property noted above. This meeting will allow you or any member of the public to speak to the committee regarding this request. You can also send your comments about this request to the Committee of Adjustment in writing prior to the meeting date. Further details of this request, including drawings, can be reviewed online at <https://securepwa.oakville.ca/eams/> or at the Building Services department at Town Hall, Monday to Friday from 8:30 a.m. to 4:30 p.m.

Variance(s) request:

A variance application has been filed with the Town of Oakville under Section 45(1) of the *Planning Act* to permit the proposed construction of a new 2-storey dwelling on the subject property with the following variances:

| # | Zoning By-law 2014-014 requirements – RL5-0 | Variance request |
|---|--|---|
| 1 | Table 6.4.1 The maximum Residential Floor Area Ratio shall be 41% for lots with an area between 650.00m ² -742.99m ² . | To permit a maximum Residential Floor Area Ratio of 46.70%. (324.4m ²). |
| Zoning By-law 1984-63 as amended requirements – R05 | | Variance request |
| 2 | Part II Section 40.3)b) The maximum Floor Area / Lot Ratio shall be 37% for lots with an area between 601 m ² -701m ² . | To permit a maximum Floor Area / Lot Ratio of 41.03%. (285m ²). |

For more information regarding this application please contact:

Jasmina Radomirovic

Assistant Secretary-Treasurer

Committee of Adjustment

905-845-6601, ext. 7170

Jasmina.Radomirovic@oakville.ca

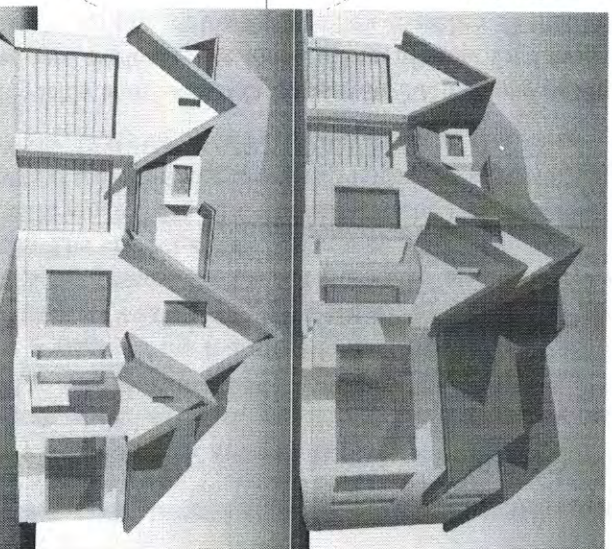
If you have any accessibility needs, please advise the Secretary-Treasurer one week prior to the meeting.

Please note: any written material submitted to the Town of Oakville regarding this application forms part of the public record, pursuant to the *Planning Act*.



2. **Chronicled and written to be ready with you**
 a. **What's your cell number and the cell number of the cell you're in?**
 b. **What's your cell number and the cell number of the cell you're in?**
 c. **What's your cell number and the cell number of the cell you're in?**

| | | | | | | |
|--------------------------|--|---|-----------------------------------|------------------------------------|------------------------------------|---------------------------------|
| 3 ZONING DATA | | | | | | |
| ADDRESS | 56 MISSISSAGA ST., OAKVILLE, ON | | | | | |
| ZONING DESIGNATION | 1984-63-R05 & 2014-014 (RL5-0) | | | | | |
| LEGAL DESCRIPTION | LOT 10 - REGISTERED PLAN M-11 | | | | | |
| BUILDING TYPE | RESIDENTIAL - DETACHED | | | | | |
| REGULATIONS | TOWN OF OAKVILLE ZONING BY-LAW 1984-63 | TOWN OF OAKVILLE ZONING BY-LAW 2014-014 | EXISTING | PROPOSED PROPOSED OLD BY-LAW | | |
| MIN. LOT AREA | 464.50 M ² | 464.50 M ² | 694.66 M ² | | 694.66 M ² | |
| MIN. LOT FRONTAGE | 15.00 M | 15.00 M | 19.02M | | 19.02M | |
| MAX. # OF STOREYS | 2 STOREY(S) | 2 STOREY(S) | 1 STOREY(S) | | 2 STOREY(S) | |
| MAX. HEIGHT | 9.00 M | 9.00 M | 4.8 M (APPROX) | | 9.00 M | |
| LOT COVERAGE | 35% = 243.13 M ² | 35% = 243.13 M ² | 19.94% (138.54M ²) | | 33.67% (233.88 M ²) | |
| SET BACKS | | | | | | |
| MIN. FRONT YARD | 7.5 M | 7.5 M | 7.50 M | | 7.77 M | |
| MIN. REAR YARD | 7.5 M | 7.5 M | 21.57 M | | 10.06 M | |
| MIN. SIDE YARD | 1.20 M and 1.20 M | 1.20 M and 1.20 M | 3.80 M and 5.10 M | | 1.21 M and 1.32 M | |
| MAX. FLOOR AREA RATIO | 37% =257.02 M ² | 41% =294.81 M ² | 11.63% 80.77 M ² | | 41.03% 285.00 M ² | 46.70% 324.40 M ² |
| MIN FLOOR AREA | 111.00 M | N/A | N/A | | N/A | N/A |
| MAIN FLOOR AREA | EXCLUDING GARAGE | | | | 80.77 M ² | 156.08 M ² |
| SECOND FLOOR AREA | | | | | N/A | 168.32 M ² |
| TOTAL FLOOR AREA | EXCLUDING GARAGE/ DECK/ PORCHES | | | | 285.00 M ² | 324.40 M ² |
| GARAGE | 2 CAR GARAGE MAX AREA 45 M ² | | | | 28.94 M ² | 44.88 M ² |



SI.1

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: CAV A/064/2021

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON TUESDAY, MAY 04, 2021 AT 7:00 P.M.

| Applicant / Owner | Authorized Agent | Subject Property |
|--|---|-------------------------------------|
| VANEET KHURANA JYOTI KHURANA 7 EDMONTON ST BRAMPTON ON, L6Y 5K9 | JORIS KEEREN KEEREN DESIGN INC 11 BRONTE RD UNIT 31 OAKVILLE ON, L6L 0E1 | 220 SOUTHVIEW RD PLAN 620 LOT 22 |

OFFICIAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL
WARD: 2

ZONING: RL3-0
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 new two storey detached dwelling on the subject property proposing the following variances:

| No. | Zoning By-law Regulation | Variance Request |
|-----|---|--|
| 1 | Section 5.8.6 b) For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres. | To permit the maximum total floor area for the private garage to be 54.6 square metres on a lot having greater than or equal to 12.0 metres in lot frontage. |
| 2 | Section 6.4.1 The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 743.00m ² and 835.99m ² is 40% (317.64m ²); (Lot area is 794.10m ²). | To permit the maximum residential floor area ratio for the detached dwelling to be 41.4% (328.76m ²). |

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

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

CAV A/064/2021 - 220 Southview Rd (West District) (OP Designation: Low Density Residential)

The applicant proposes to demolish the existing one-storey dwelling and construct a new two-storey dwelling. The applicant requests the variance listed above.

The neighbourhood consists of predominately one-storey dwellings that are original to the area and two-storey dwellings that are newly constructed. There is a sidewalk along the east side of Southview Road and large mature trees located at the front of the property which is a defining feature of the lot. It should be noted that CAV A/155/2019-Revised was supported by Staff and

approved by the Committee on March 12, 2019, however said approval has subsequently lapsed and the applicant requires a new Minor Variance application.

L8

The subject lands are designated Low Density Residential in the Official Plan. Section 11.1.9 provides that development which occurs in stable residential neighbourhoods shall be evaluated using criteria that maintains and protects the existing character. The proposal was evaluated against all the criteria established under Section 11.1.9, and the following criteria apply:

Policies 11.1.9 a), b), and h) state:

- a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*

Variance #1 – Garage Area (Supported)

The request for an increase in floor area of the proposed private garage from 45.0 square metres to 53.6 square metres is internal to the building due to the double car garage configuration. Therefore, it would not be a visually dominant feature of the dwelling, which meets the intent of the by-law.

Variance #2 – Residential Floor Area Ratio (Supported)

The request for an increased floor area ratio of the proposed dwelling from 40% to 41.4% would add an additional 11.06 square metres (119.05 square feet) of floor area. The applicant's pre-submission plans originally consisted of a floor area ratio of 42.6% including a large rear yard projection of the covered porch. The applicant's original plans have been revised to better reflect the staff feedback. The design revisions are reflective in the current plans as submitted. Staff are of the opinion that the current design is appropriate as it does not have a negative impact on adjacent properties or the surrounding area since the overall massing is broken up and the second storey design incorporates step backs from the ground floor. The proposed dwelling has a mass and scale that appears similar to the dwellings in the surrounding neighborhood, which meets the intent of the Zoning By-law.

Overall the design of the proposed dwelling maintains and protects the existing character of the neighbourhood by incorporating elements that are sympathetic to existing bungalows and new two-storey dwellings in the area. The building is set back to be in-line with the dwellings on adjacent properties and complies the setback requirements of the by-law.

On this basis, it is staff's opinion that the requested variances maintain the general intent and purpose of the Official Plan and Zoning By-law as it results in a dwelling that is in keeping with the character of the neighbourhood. Further, the variances are minor in nature and appropriate for the development of the site as there are no negative impacts to abutting properties or the streetscape.

Conclusion:

In summary, based on the application as submitted, staff are of the opinion that the application satisfies all four tests under the *Planning Act*. Should the Committee concur with staff's opinion, the following condition is requested:

1. That the dwelling be built in general accordance with the submitted site plan and elevations dated April 14, 2021; and

COMMITTEE OF ADJUSTMENT

L9

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: **CAV A/025/2021** Deferred from March 9, 2021

RELATED FILE: N/A

DATE OF MEETING:

BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT OAKVILLE.CA ON TUESDAY, MAY 04, 2021 AT 7:00 P.M.

| Applicant / Owner | Authorized Agent | Subject Property |
|--|--|--------------------------------------|
| JULIAN BEUCK 2137 GHENT AVE BURLINGTON ON, L7R 1Y4 | GRAHAM BARRETT 1575 DUNDAS ST W UNIT 2 TORONTO ON, M6K 1T9 | 1177 SUMMERLEA ST PLAN 716 LOT 68 |

OFFICIAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL
WARD: 2

ZONING: RL2-0
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 new two storey detached dwelling on the subject property proposing the following variances:

| No. | Zoning By-law Regulation | Variance Request |
|-----|--|---|
| 1 | Section 5.8.6 b) For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres. | To permit the maximum total floor area for the private garage to be 57.62 square metres on a lot having greater than or equal to 12.0 metres in lot frontage. |
| 2 | Section 6.4.2 a) (Row RL2, Column 3) The maximum lot coverage shall be 25% (273.20 m ²) where the detached dwelling is greater than 7.0 metres in height; (Area of the lot is 1,092.78 m ²). 11.793 | To permit the maximum lot coverage to be 28.32% (309.43 m ²) for the detached dwelling which is greater than 7.0 metres in height. |

3.341
2.950
391

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

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

CAV A/025/2021 - 1177 Summerlea St (West District) (OP Designation: Low Density Residential) (Deferred from March 9, 2021)

This application is being presented to the Committee for the second time after being deferred at the March 9, 2021 meeting by the applicant due to the comments provided by Conservation Halton. A revised set of plans have been submitted with a slight change to only the front elevation, which maintains the previously requested variances. The Staff comments previously provided remain as follows:

L 10

The applicant proposes to demolish the existing dwelling and construct a new two-storey dwelling. The applicant requests the variances listed above.

The neighbourhood consists of one-storey dwellings that are original to the area and two-storey dwellings that are newly constructed. There are no sidewalks along Summerlea Street and driveways along the street contain culverts to maintain the drainage patterns within the road allowance. The lotting pattern is fairly consistent throughout the area, which results in a relatively similar built form of new and existing dwellings.

The subject lands are designated Low Density Residential in the Official Plan. Section 11.1.9 provides that development which occurs in stable residential neighbourhoods shall be evaluated using criteria that maintains and protects the existing character. The proposal was evaluated against all the criteria established under Section 11.1.9, and the following criteria apply:

Policies 11.1.9 a), b), and h) state:

- "a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing."*

Variance #1 – Garage Area (Supported)

The request to increase the floor area of the proposed private garage from 45 square metres to 57.62 square metres would be internal to the building due to the double car garage and storage configuration. Therefore, it would not be a visually dominant feature of the dwelling, which meets the intent of the by-law.

Variance #2 – Lot Coverage (Supported)

The request for additional lot coverage from 25% to 28.32% adds an additional 36.23 square metres (389.97 square feet) of covered area. This includes the proposed covered front and rear porches, which contributes 41.61 square metres (447.88 square feet) or 3.8% lot coverage, while the remainder of the proposed dwelling contributes 24.52%. The applicant's pre-submission plans originally consisted of a lot coverage of 30.88%, residential floor area of 38.38%, a large rear yard projection and undesirable two-storey massing on the side elevations. The applicant's plans have been revised to better reflect the Staff feedback. The intent of regulating lot coverage is to prevent the construction of a dwelling that has a mass and scale that appears larger than the dwellings in the surrounding neighbourhood. Staff are of the opinion that the current design is appropriate as it would not have a negative impact on adjacent properties or the surrounding area since the covered porches which contribute the additional lot coverage are one-storey elements from a massing perspective. Further, the dwelling incorporates step backs from the first to second floor, dormers with floor space built into the attic area, single storey elements and a multiple mix of materials to visually reduce the mass and scale of the building. Therefore, the request for additional lot coverage would maintain and protect the character of the area.

On this basis, it is staff's opinion that the requested variances maintain the general intent and purpose of the Official Plan and Zoning By-law as it results in a dwelling that is in keeping with the character of the neighbourhood. Further, the variances are minor in nature and appropriate for the development of the site as there are no negative impacts to abutting properties or the streetscape.

Conclusion:

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: CAV A/060/2021

RELATED FILE: N/A

DATE OF MEETING: May 4, 2021
DATE OF MEETING:
BY VIDEOCONFERENCE AND LIVE-STREAMING VIDEO ON THE TOWN'S WEBPAGE AT
OAKVILLE.CA ON TUESDAY, MAY 04, 2021 AT 7:00 P.M.

| Applicant / Owner | Authorized Agent | Subject Property |
|---|--|-------------------------------------|
| IVA HOMES LTD 5100 SOUTH SERVICE RD UNIT 20/21 BURLINGTON ON, L7L 6A5 | JORIS KEEREN KEEREN DESIGN INC 11 BRONTE RD UNIT 31 OAKVILLE ON, L6L 0E1 | 2435 APPLEWOOD DR PLAN M6 LOT 29 |

OFFICIAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL
WARD: 1

ZONING: RL3-0
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(s):

| No. | Zoning By-law Regulation | Variance Request |
|-----|--|--|
| 1 | Section 5.8.6 b) For detached dwellings on lots having greater than or equal to 12.0 metres in lot frontage, the maximum total floor area for a private garage shall be 45.0 square metres. | To permit the maximum total floor area for the private garage to be 47 square metres on a lot having greater than or equal to 12.0 metres in lot frontage. |
| 2 | Section 6.4.1 The maximum residential floor area ratio for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41% (274.26 m ²); (Lot area is 668.95m ²). | To permit the maximum residential floor area ratio for the detached dwelling to be 43% (287.65 m ²). |

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

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

CAV A/060/2021 - 2435 Applewood Dr (West District) (OP Designation: Low Density Residential)

The applicant proposes to demolish the existing one-storey dwelling and construct a new two-storey dwelling. The applicant requests the variance listed above.

The neighbourhood consists of predominately one-storey dwellings that are original to the area and two-storey dwellings that are newly constructed. There are no sidewalks along Applewood

L 11

- 3099.12
2962
13712

Drive and the lotting pattern is consistent throughout the neighbourhood, which results in relatively similar built form of existing and newly built dwellings.

L12

The subject lands are designated Low Density Residential in the Official Plan. Section 11.1.9 provides that development which occurs in stable residential neighbourhoods shall be evaluated using criteria that maintains and protects the existing character. The proposal was evaluated against all the criteria established under Section 11.1.9, and the following criteria apply:

Policies 11.1.9 a), b), and h) state:

- a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*

Variance #1 – Garage Area (Supported)

The request for an increase in floor area of the proposed private garage from 45.0 square metres to 47 square metres is internal to the building due to the double car garage and storage configuration. Therefore, it would not be a visually dominant feature of the dwelling, which meets the intent of the by-law.

Variance #2 – Residential Floor Area Ratio (Supported)

The request for an increased floor area ratio of the proposed dwelling from 41% to 43% would add an additional 13.39 square metres (144.13 square feet) of floor area. The applicant's pre-submission plans originally consisted of flipped dwelling orientation, which proposed the driveway on the east side of the property and would result in tree and vegetation loss. The applicant's original plans have been revised to better reflect the Staff feedback. Staff are of the opinion that the current design is appropriate as it does not have a negative impact on adjacent properties or the surrounding area. The overall built form is broken up and the second storey design incorporates step backs from the ground floor, lowered rooflines, single storey elements and a mix of materials. The proposed dwelling has a mass and scale that appears similar to the dwellings found in the surrounding neighborhood, which maintains and protects the character of the area.

Overall the design of the proposed dwelling maintains and protects the existing character of the neighbourhood by incorporating elements that are sympathetic to existing bungalows and new two-storey dwellings in the area. The building is set back to be in-line with the dwellings on adjacent properties and complies the setback requirements of the by-law.

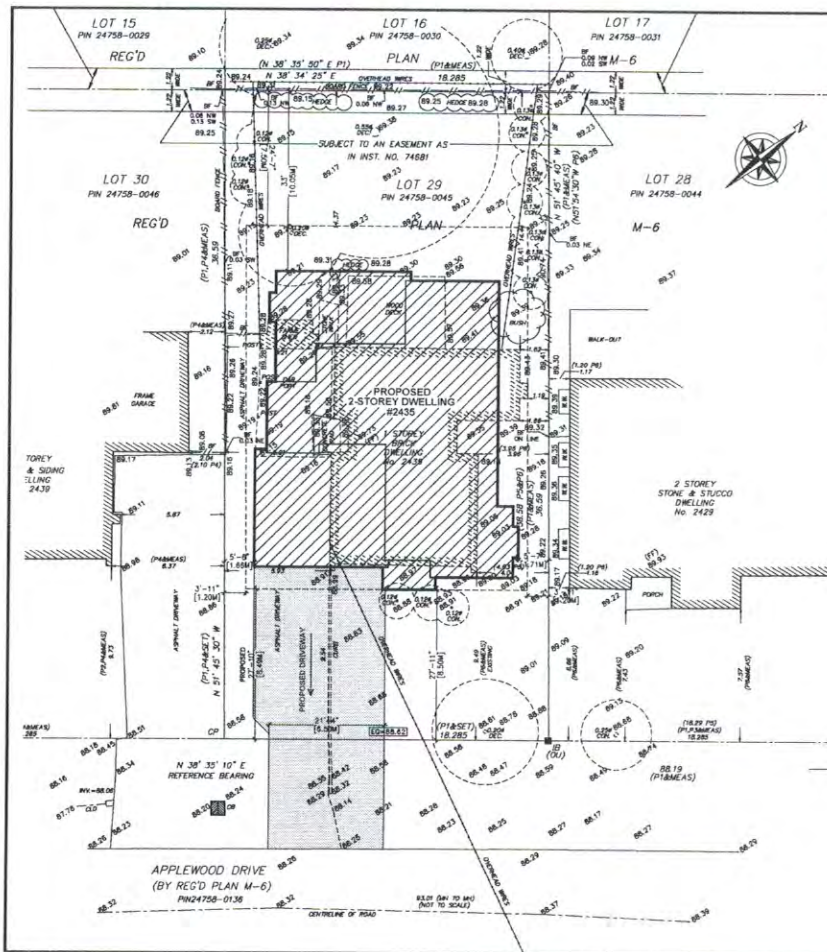
On this basis, it is staff's opinion that the requested variances maintain the general intent and purpose of the Official Plan and Zoning By-law as it results in a dwelling that is in keeping with the character of the neighbourhood. Further, the variances are minor in nature and appropriate for the development of the site as there are no negative impacts to abutting properties or the streetscape.

Conclusion:

In summary, based on the application as submitted, staff are of the opinion that the application satisfies all four tests under the *Planning Act*. Should the Committee concur with staff's opinion, the following condition is requested:

1. That the dwelling be built in general accordance with the submitted site plan and elevations dated April 7, 2021; and

L 13



SITE STATISTICS: 2435 Applewood Dr.

| | EXISTING | PROPOSED | TOTAL | ALLOWED |
|---------------------|----------|-----------|--------|----------|
| ZONING: | RL3-0 | | | |
| LOT AREA: | 668.95M2 | | | |
| LOT COVERAGE: | --- M2 | 228.37 M2 | --- M2 | 234.1 M2 |
| LOT COVERAGE: | --- | 34.14 % | --- | 35 % |
| R.F.A. : | --- M2 | 287.65 M2 | --- M2 | 274.26M2 |
| R.F.A. : | --- | 43 % | --- | 41 % |
| GARAGE AREA : | --- M2 | 47 M2 | --- M2 | 45 M2 |
| BLDG. HEIGHT (PEAK) | --- M | 8.99 M | --- M | 9 M |

SITE PLAN

SCALE: 1:200



KEEREN DESIGN

RESIDENTIAL ARCHITECTURE

300 BRONTE RD. SUITE 10

DAVALE, ON

L6R3J3

PHONE: (905) 847-0290

FAX: (905) 847-6724

WWW.KEEREN.CA

FIRM B01 # 33181

JORIS KEEREN

DESIGNER B01 # 25348

REVISION

DRAWING INFORMATION

DATE: 2020-07-10

BY: JORIS KEEREN

PROJECT: 2435 APPLEWOOD DR.

REVISION # 1

These drawings are not to be

used for construction

purposes, unless approved

and stamped by the Local

Building Department.

To be the most livable town in Canada.

L-14

Committee of Adjustment Decision for: CAV A/182/2017

| Owner/Applicant | Agent | Location of Land |
|---|-------|---|
| ADEL BASTA 64 SKIPPER LANE OAKVILLE ON, L6L 5Y8 | N/A | PLAN M302 LOT 40 64 SKIPPER LANE TOWN OF OAKVILLE |

This notice is to inform you that the request for variance made under Section 45(1) of the *Planning Act* has been **Approved** to permit the proposed construction of a new two storey detached dwelling on the subject property with the following variances:

| # | Zoning By-law 2014-014 requirements – RL2-0 | Variance request |
|---|---|---|
| 1 | Table 6.4.1 The maximum <i>residential floor area ratio</i> for a detached dwelling with a lot area between 836.00m ² and 928.99m ² shall be 39% (346.32m ²). Lot area is 888.00m ² . | To permit a maximum <i>residential floor area ratio</i> for a detached dwelling with a lot area between 836.00m ² and 928.99m ² of 42.9% (381.16m ²). 4.114 |
| 2 | Table 6.4.2 row RL2 – Where a detached dwelling is greater than 7.0 metres in height the maximum <i>lot coverage</i> shall be 25% (222.0m ²). Lot area: 888.0m ² . 9596 | To permit a maximum <i>lot coverage</i> of 28.8% (255.86m ²) where a detached dwelling is greater than 7.0 metres in height. 11.437 |

No written or oral submissions from the public were received. The Committee is of the opinion that the variances are considered minor in nature, desirable for the use of the land and in keeping with the general intent of the town's official plan – Livable Oakville Plan and the zoning by-law, subject to:

- The approval will expire two years from the date of decision if the proposed development does not proceed and/or a building permit is not issued.
- That the proposed dwelling be constructed in general accordance with the plans dated October 1, 2017 as submitted.

M. Telawski

J. Hardcastle

S. Mikhail

P. Chronis

Chairperson, Committee of Adjustment

M. Charlebois Absent

J. Radomirovic

Assistant Secretary-Treasurer

Dated at the meeting held on October 24, 2017.

Last date of appeal of decision is November 13, 2017.

NOTE: It is important that the sign(s) remain on the property until a **FINAL** decision has been rendered regarding your Application. The sign shall be removed the day following the last date of appeal.

This is a certified copy of the Committee of Adjustment final decision whereby no appeals filed.

Jasmina Radomirovic
Assistant Secretary-Treasurer

To be the most livable town in Canada.

L-15

COMMITTEE OF ADJUSTMENT

MINOR VARIANCE REPORT

STATUTORY AUTHORITY: Section 45 of the Planning Act, 1990

APPLICATION: CAV A/164/2018

RELATED FILE: N/A

DATE OF MEETING: December 18, 2018

| Owner/Applicant | Agent | Location of Land |
|---|---|--|
| STEPHEN TARASENKO 1453 SEAGRAM AVENUE OAKVILLE ON L6L 1W9 | MARIN ZABZUNI 1140 THE QUEENSWAY TORONTO ON M8Z 1P7 | PLAN 1104 LOT 4 1453 SEAGRAM AVENUE TOWN OF OAKVILLE |

OFFICIAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL
WARD: 2

ZONING: RL2-0
DISTRICT: WEST

APPLICATION:

to permit the proposed construction of a detached two storey dwelling on the subject property with the following variances:

| # | Zoning By-law 2014-014 requirements – RL2-0 | Variance request |
|---|--|--|
| 1 | Section 5.8.6 b) For <i>detached dwellings</i> on lots having greater than or equal to 12.0 metres in <i>lot frontage</i> , the maximum total <i>floor area</i> for a <i>private garage</i> shall be 45.0 square metres. | To permit the maximum total <i>floor area</i> for the <i>private garage</i> to be 53.15 square metres on a <i>lot</i> having greater than or equal to 12.0 metres in <i>lot frontage</i> . |
| 2 | Table 6.3.1 (Row 5, Column RL2) The <i>minimum interior side yard</i> shall be 2.40m. | To permit a <i>minimum westerly interior side yard</i> of 2.27m. |
| 3 | Section 6.4.1 The maximum <i>residential floor area ratio</i> for a <i>detached dwelling</i> on a <i>lot</i> with a <i>lot area</i> between 1022.00m ² and 1114.99m ² shall be 37% (386.72m ²); (Lot area is 1045.19m ²). | To permit the maximum <i>residential floor area ratio</i> for the <i>detached dwelling</i> to be 39.18% (409.51m ²). 2.85% |
| 4 | Section 6.4.2 a) (Row RL2 Column 3) The maximum <i>lot coverage</i> shall be 25% (261.30m ²) where the <i>detached dwelling</i> is greater than 7.0 metres in <i>height</i> . | To permit a maximum <i>lot coverage</i> of 28.06% (293.33m ²) for the <i>detached dwelling</i> which is greater than 7.0 metres in <i>height</i> . 3.9% |

CIRCULATED DEPARTMENTS AND AGENCIES COMMENTS RECEIVED

Planning Services:

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

L 16

Committee of Adjustment

Decision for: CAV A/066/2021

| Owner/Applicant | Agent | Location of Land |
|---|---|---|
| Susan Jo 302 Douglas Avenue Oakville ON L6J 3S4 | Ruth Victor and Associates c/o David Nelson 191 Main Street South Waterdown ON L0R 1R0 | PLAN 113 LOT 83 302 Douglas Avenue Town of Oakville |

This notice is to inform you that the request for variance made under Section 45(1) of the *Planning Act* has been **Approved** to authorize a minor variance to permit the construction of a two-storey detached dwelling on the subject property proposing the following variance(s):

| No. | Zoning By-law Regulation RL3-0 sp:10 | Variance Request |
|-----|--|--|
| 1 | Section 6.4.1 The maximum <i>residential floor area ratio</i> for a detached dwelling on a lot with a lot area between 650.00 m ² and 742.99 m ² shall be 41% (269.22 m ²); (Lot area is 656.63 m ²). <i>7-054.1/2905.12</i> | To permit the maximum <i>residential floor area ratio</i> for the detached dwelling to be 48.73% (319.97 m ²). <i>3448.12</i> |
| 2 | Section 15.10.1 c) The maximum <i>lot coverage</i> for a dwelling having two storeys shall be 19% (124.76 m ²); (Area of the lot is 656.63 m ²). | To permit the maximum <i>lot coverage</i> to be 27.76% (182.26 m ²) for the detached dwelling. |

The Committee of Adjustment considered the written submissions in support of the application in coming to this decision. The Committee is of the opinion that the variances are considered minor in nature, desirable for the use of the land and in keeping with the general intent of the town's official plan – Livable Oakville Plan and the zoning by-law, subject to:

- 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.
- That the dwelling be constructed in general accordance with the submitted site plan and elevation drawings dated March, 2nd, 2021.

DocuSigned by:
M. Telawski Michael Telawski
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DocuSigned by:
John Hardcastle John Hardcastle
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DocuSigned by:
S. Mikhail S. Mikhail
Chairperson, Committee of Adjustment

DocuSigned by:
Ian Flemington Ian Flemington
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DocuSigned by:
J. Murray Judy Murray
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DocuSigned by:
Jasmina Radomirovic Jasmina Radomirovic
Secretary Treasurer, Committee of Adjustment

Dated at the meeting held on May 18, 2021.

Last date of appeal of decision is June 07, 2021.

NOTE: It is important that the sign(s) remain on the property until a **FINAL** decision has been rendered regarding your Application. **The sign shall be removed the day following the last date of appeal.**

This is a certified copy of the Committee of Adjustment final decision whereby no appeals filed.

Heather McCrae, ACST
Secretary-Treasurer

Committee of Adjustment

Decision for: CAV A/070/2021

L 17

| Owner/Applicant | Agent | Location of Land |
|--|--|---|
| Renjie Du 529 Maple Avenue Oakville ON L6J 3Z1 | Professional Floor Plans Inc c/o Raed Al-Rawi 5147 Preservation Circle Mississauga ON L5M 7T4 | PLAN 228 LOT 16 23 Washington Avenue Town of Oakville |

This notice is to inform you that the request for variance made under Section 45(1) of the *Planning Act* has been **Approved** to authorize a minor variance to permit the construction of a two-storey detached dwelling on the subject property proposing the following variance(s):

| No. | Zoning By-law Regulation RL5-0 | Variance Request |
|-----|--|--|
| 1 | Section 6.4.1 The maximum residential floor area ratio for a detached dwelling on a lot with a lot area less than 557.5 m ² shall be 43% (168.59 m ²); (Lot area is 392.08 m ²). | To permit the maximum residential floor area ratio for the detached dwelling to be 50.10% (196.44m ²). |

The Committee of Adjustment considered the written submission in opposition to the application in coming to this decision. Notwithstanding, the Committee is of the opinion that the variance is considered minor in nature, desirable for the use of the land and in keeping with the general intent of the town's official plan – Livable Oakville Plan and the zoning by-law, subject to:

- 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.
- That the dwelling be built in general accordance with the submitted site plan and elevations REV. 01 dated APR. 15th, 2021.

DocuSigned by:
M. Telawski Michael Telawski
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John Hardcastle J. Hardcastle
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DocuSigned by:
S. Mikhail [Signature]
Chairperson, Committee of Adjustment

DocuSigned by:
Ian Flemington I. Flemington
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DocuSigned by:
J. Murray Daisy Murray
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DocuSigned by:
Jasmina Radomirovic H. McCrae
2892D94F89CD412
Secretary-Treasurer, Committee of Adjustment

Dated at the meeting held on May 18, 2021.

Last date of appeal of decision is June 07, 2021.

AREA IN TRANSITION

NOTE: It is important that the sign(s) remain on the property until a **FINAL** decision has been rendered regarding your Application. **The sign shall be removed the day following the last date of appeal.**

This is a certified copy of the Committee of Adjustment final decision whereby no appeals filed.

Heather McCrae, ACST
Secretary-Treasurer

27 WASH NEW H
4250
2103 ✗ 1.96
AREA IN TRANSITION

LOT 4233 ✗

| | | |
|-------|---------|-------|
| 43% | 1.820 ✗ | 296 ✗ |
| 50% | 2.116 ✗ | |
| 1.96% | | |