



**SOUTH ELEVATION** 



122 PEARS AVENUE TORONTO CANADA M5R 1T2 TELEPHONE: 416.944.9900 FAX: 416.944.3006

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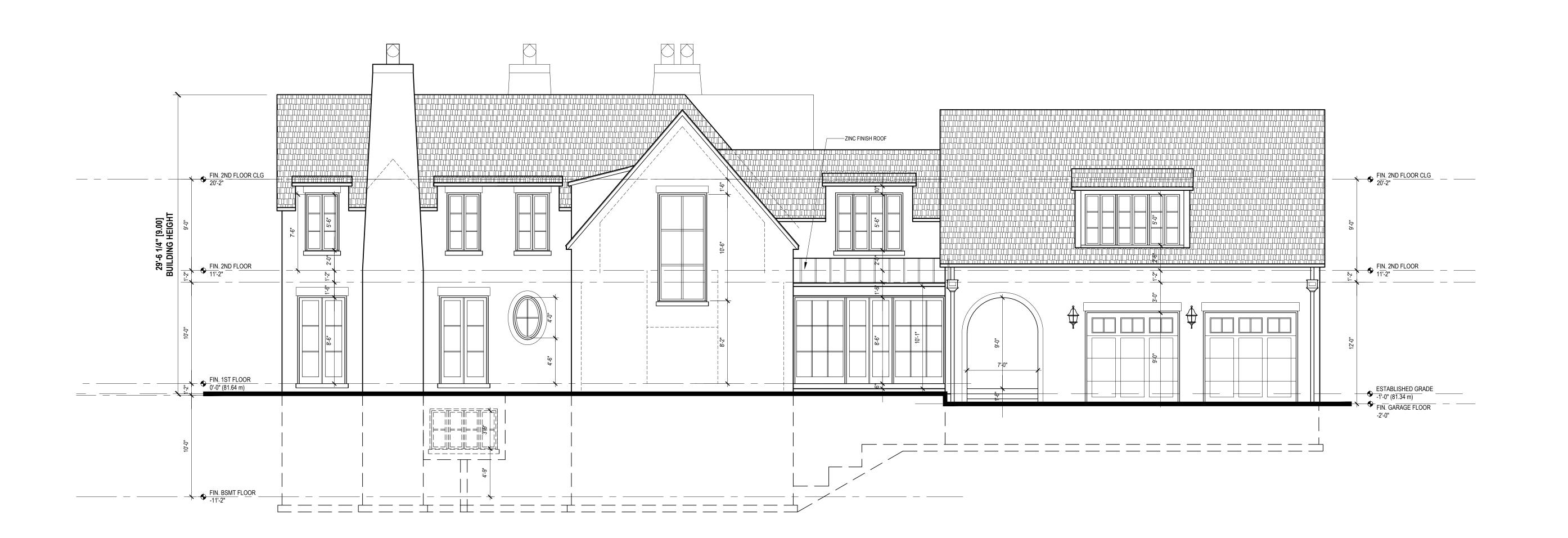
PROJECT:

24 COLONIAL CRESCENT OAKVILLE, ON

DRAWING:

PROPOSED SOUTH ELEVATION

DRAWN BY:	CHECKED BY:
L.K.	R.M
DATE: JULY, 2021	SCALE: 3/16" = 1'-0"
PROJECT No:	DRAWING No:



**EAST ELEVATION** 



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24 COLONIAL CRESCENT OAKVILLE, ON

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**NORTH ELEVATION** 



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**WEST ELEVATION** 



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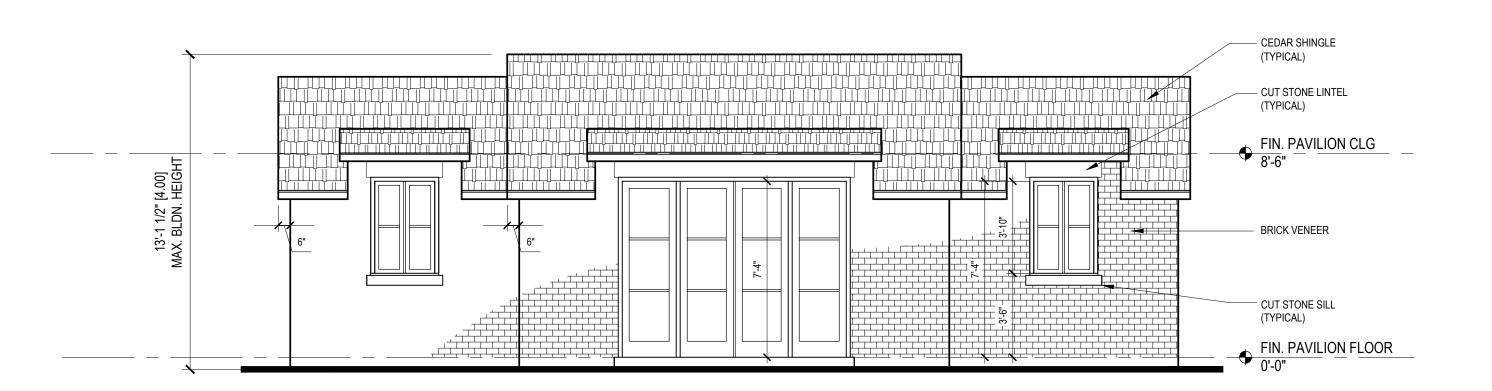
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## 24 COLONIAL CRESCENT OAKVILLE, ON

DRAWING:

PROPOSED
WEST ELEVATION

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**EAST ELEVATION** 



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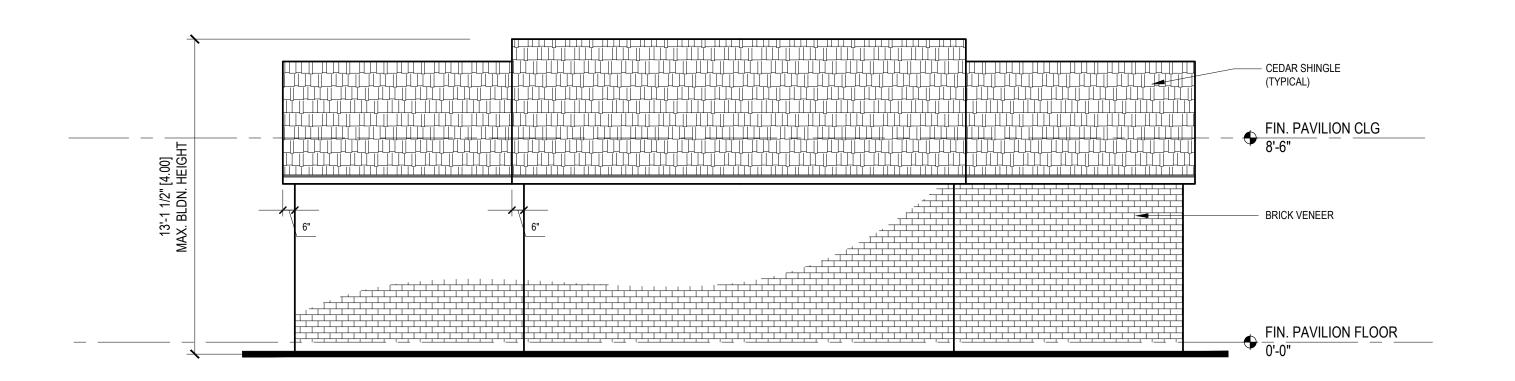
PROJECT:

24 COLONIAL CRESCENT OAKVILLE, ON

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PROPOSED
POOL PAVILION
EAST ELEVATION

·	DRAWN BY:	CHECKED BY:
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### **WEST ELEVATION**



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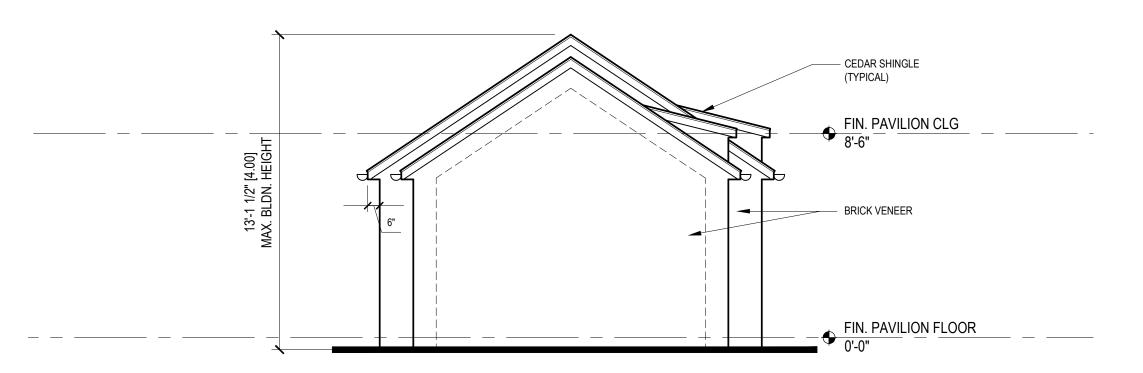
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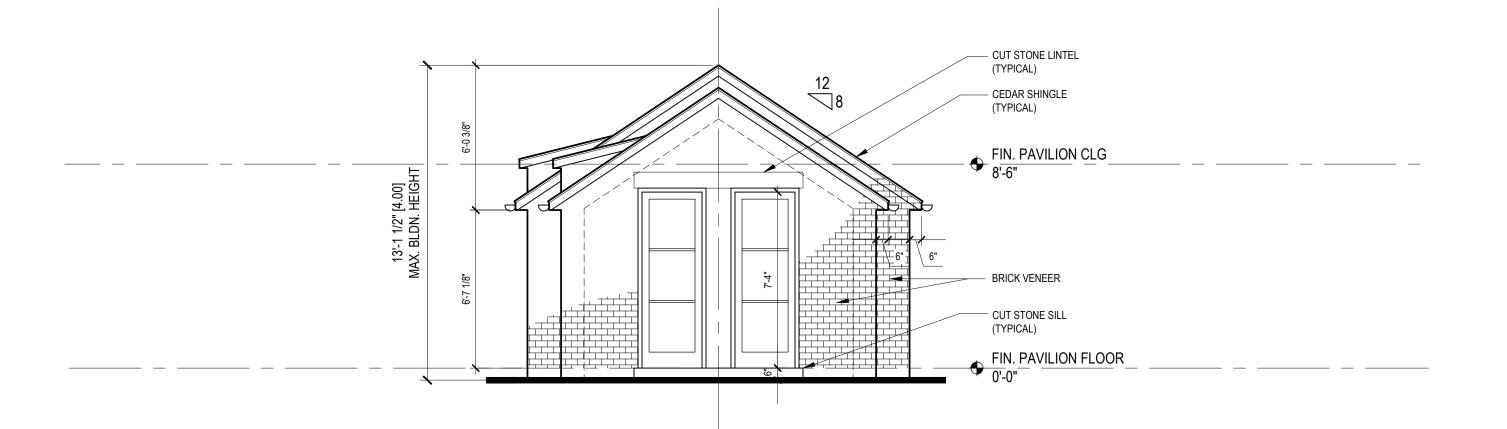
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24 COLONIAL CRESCENT OAKVILLE, ON

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### PLANNING JUSTIFICATION REPORT

March 2022

Subject Address:

24 Colonial Crescent, Oakville Ontario



#### 1.0 Introduction

Batory Management has been retained by the landowner as the planning consultant for the development at 24 Colonial Crescent in Oakville Ontario.

This Planning Justification Report provides a summary of the proposed development and justification of the required minor variance to support a proposed single detached dwelling at 24 Colonial Crescent, Oakville Ontario (the "subject site").

#### 1.1 Proposed Development

The proposed development comprises a two-storey, four-bedroom, single-detached dwelling with an overall floor area of 609.82 square metres. The proposed detached dwelling would cover 21.22% of the property totalling 489 square metres. The proposed height of the building is 9.0 metres. The building has been located to fit appropriately on the subject site, meeting or exceeding all required building setbacks, and with a front yard setback that reflects that of adjacent properties, given the curvature of Colonial Crescent at this portion of the street. It has been sited to accommodate numerous existing trees located on the subject site and adjacent properties.

The architecture of the home has been carefully considered in terms of materials, roofline, and proportions to ensure compatibility with the adjacent properties and the local context while contributing to the varied character of buildings in the immediate neighbourhood. The subject property is a corner lot and the building facades facing Colonial Crescent include a range of building inundations in both the setbacks and roofline. A prominent architectural entry feature facing the street denotes the main entrance to the house, and the front façade of the house comprises a series of rectangular windows, dormers, and stone chimneys.

A driveway is proposed at the eastern portion of the property connecting to an attached two-car garage. The garage is connected to the main house via a breezeway. An inground swimming pool and accessory structure is proposed in the rear yard, and its design is complementary to the main house.

#### 1.2 Subject Site

The Subject Site is located in a mature residential subdivision in the south east area of Oakville, south of Lakeshore Road East and east of Morrison Road. The subject site, measuring 2304 square metres, is irregular in shape. A large, one and a half storey detached dwelling with an integral garage is currently located on the subject site.



The subject site is designated as "Urban Area" by the Region of Halton Official Plan, is within the "Residential Areas" and "Low Density Residential' land use designation as shown on Schedule G – South East Land Use. It is also subject to the Special Policy Area overlay. The site is zoned RL1-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014.



Figure 1 - Immediate Context

#### 1.3 Area Context

The subject site is located within an established neighbourhood in south east Oakville comprising one and two storey detached residential buildings on similar sized lots in a wide variety of architectural styles. The area is characterized by significant tree canopy. Parking for area residences is provided in driveway spaces or in attached garage structures. A number of properties have rear yard pools. The immediate neighbourhood is characterized by executive style dwellings on large lots.

The Oakville Go station is located a 10 minute drive from the Subject Site. Gairloch Gardens is located to the east of Colonial Crecent. The subject site is also within walking distance of both Dearcroft and Western Heights Montessori schools.



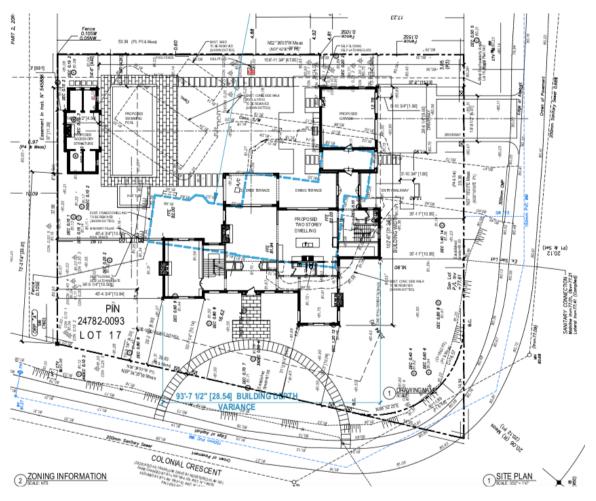


Figure 2 – Site Plan



Figure 3 – Front Elevation





Figure 4 -Exterior Side Elevation



Figure 5 - Rear





Figure 6 - Side

#### 1.4 Zoning By-law and Proposed Variances

The Town of Oakville Zoning By-law 2014-014 establishes standards for how land is to be used and developed. It includes regulations regarding permitted uses, siting, massing, and scales of buildings, minimum and maximum lot sizes, and parking requirements, among others. The Zoning By-law helps implement the policies of the Town's Official Plan. The current iteration of Oakville's Zoning By-Law is consolidated to September 8, 2020.



Figure 7 – Zoning By-law 2014-014 map excerpt



The subject site is zoned RL1-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014. (See Figure 7). The RL1-0 zoning permits the use of a detached dwelling, as well as several other conditional uses, such as a day care and a private home day care. The "-0" suffix to the zone adds a series of requirements to the base RL1 zone, including those regarding lot coverage, front yard setbacks, main wall proportionality, height, and others.

The following variances are being requested to facilitate the proposed development.

28.54 metres

#### 1.5 Evaluation of the Proposed Minor Variances

In support of the proposed development, an application has been submitted to the Town of Oakville Committee of Adjustment seeking approval of a minor variance to permit the construction a new detached dwelling. This Planning Justification Report evaluates the requested variance based on the following four tests established in the Section 45(1) of the Planning Act:

- 1. Is the application minor in nature?
- 2. Is it an appropriate and desirable development for the area?
- 3. Is it in keeping with the purpose and intent of the Zoning By-law?
- 4. Is it in keeping with the purpose and intent of the Official Plan?

#### 2.0 Consistency with the General Intent of the Official Plan

The Subject site is located within a two-tier municipality and is subject to the Halton Region Official Plan and the Town of Oakville Official Plan titled the Livable Oakville Plan

#### 2.1 Halton Region Official Plan

The Halton Region Official Plan (ROP), formally known as Sustainable Halton, is intended to provide clear direction as to how physical development should take place in Halton to meet the current and future needs of its people. The ROP provides land-use guidance in developing a consistent vision for Burlington, Halton Hills, Milton and Oakville.

The subject site is designated as "Urban Area" as shown on Map 1h – Regional Urban Structure of the ROP.

The objectives of the Urban Area, as established in Policy 72 of the ROP, include:

72 (1) To accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create



healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently.

72 (3) To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.

#### 2.1.1 Halton ROP Analysis and Opinion

The proposed development replaces an existing detached dwelling within the urban area, consistent with the objectives of the ROP to accommodate growth in accordance with the Region's desire to create healthy communities and provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work, and leisure. In my opinion, the proposed development is consistent with the general intent and purpose of the Regional of Halton Official Plan.

#### 2.2 The Livable Oakville Plan

The Livable Oakville Plan (2009) (the "Plan") was adopted by the Town of Oakville on June 22, 2009 and approved by the Region of Halton on November 30, 2009. Its current iteration incorporates amendments up to August 31, 2021. Livable Oakville establishes the desired land use patterns for lands within the Town of Oakville. It coordinates land use and infrastructure requirements to ensure that the anticipated growth can be accommodated throughout the municipality, and establishes the policy framework for decision making to provide certainty in the planning process.

#### 2.2.1 Guiding Principles

Part B of the Plan provides Guiding Principles to create a livable community. Section 2.2.1 speaks to preserving and creating a livable community in order to:

a) preserve, enhance, and protect the distinct character, cultural heritage, living environment and sense of community of neighbourhoods,

Section 2.2.2 details the objective of providing choice throughout the Town to:

- a) enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs to the community throughout all stages in life; and
- c) foster the Town's sense of place through excellence in building and community design.

#### 2.2.2 Urban Structure and Land Use

Part C, of the Plan contains the general policies for the urban structure within the Town. According to Schedule A1 Urban Structure, the subject lands are located within "Residential Areas". The Plan intends that the character of Residential Areas be maintained. Policy 3.9 of the Plan notes that Residential Areas include low, medium, and high density residential uses as well as a range of compatible facilities. The Plan further states that some growth and change may occur in the Residential Areas



provided the character of the area is preserved and the overall urban structure of the Town is upheld.

The subject site is with the 'Low Density Residential' land use designation as shown on Schedule G – South East Land Use, and is subject to the Residential Low Density Lands (RL1 / RL1-0 Zones) policy overlay.

Section 11 of the Livable Oakville Plan contains policies to guide the development of properties within the Residential Areas land use designation. The Plan states the following objectives which apply to all Residential Areas:

- a) maintain, protect and enhance the character of existing residential areas;
- b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
- c) promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing for all socio-economic groups
- d) encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities

Section 11.1.4 of the Plan states that development in Residential Areas shall conform with the policies relating to urban design and sustainability set out in Part C of the Plan.

The Plan generally considers Residential Areas as being stable with Sections 11.1.8 and Section 11.1.9 establishing the criteria against which Development in stable Neighbourhoods is evaluated, in order to maintain and protect the existing neighbourhood character. Character is defined by the plan as the collective qualities and characteristics that distinguish a particular area or neighbourhood.

The criteria for development within all stable residential communities, established in Section 11.1.9, includes the following:

- 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.

#### 2.2.3 Special Policy Area - Residential Low Density Lands (RL1 / RL1-0 Zones)

Section 26.2 of the Plan establishes special policy provisions for Residential Low Density Lands which are also subject to RL1 / RL1-0 zoning. The Special Policy Area is intended to protect the unique character of this area within the Town and limits intensification to development which maintains the integrity of the large lots characteristic of this area. The policy further directs that densities shall not exceed 10 units per site hectare, notwithstanding the Low Density Residential designation.



#### 2.2.4 Design Guidelines for Stable Residential Communities

Section 11.1.9 of the Plan notes the Design Guidelines for Stable Residential Communities (the "Guidelines") that are intended to implement the urban design and residential policies of the Official Plan. Endorsed by Planning and Development Council on April 29, 2013, the Guidelines apply to the development on the subject site and are an important tool in providing an assessment on the intent of the Official Plan.

Aligning with the policy text of the Plan, Section 3 of the Guidelines establish that 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.

Section 3.1.1 of the Guidelines recommends that new development be designed to maintain and preserve the scale and character of the site, provide a visual reference to existing neighbourhood features, and its immediate context and to create compatible transitions between the new dwelling and existing dwellings in the surrounding neighbourhood.

Section 3.1.3 of the Guidelines states that new development should not have the appearance of being substantially larger than the existing dwellings in the immediate vicinity.

Section 3.1.5 of the Guidelines directs that 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.

With regard to building design, Section 3.2 states that new development, when contextually designed, may reflect any architectural style and still maintain compatibility with the character of the surrounding neighbourhood.

Where new development is larger in overall massing than adjacent dwellings, section 3.2.1 recommends that, a thoughtful composition of smaller elements and forms that visually reflect the scale and character of the dwellings in the surrounding area be incorporated into the design. Such elements and forms include:

- projections and/or recesses of forms and/or wall planes on the facade(s);
- variation in roof forms;
- · subdividing the larger building into smaller elements;
- 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; and.
- variation in building materials and colours.



Section 3.2.2 suggests that new development with a full second storey incorporate facade articulation and different materials on the upper storey façade to minimize the appearance of greater height.

Section 3.2.3 intends that new development should be oriented and positioned on the lot to be compatible with the existing pattern of dwelling placement, in terms of front, side, flankage and rear yard setbacks and should maintain the setback or average of setbacks from the street frontage as the existing dwellings in the immediate area.

With regard to the design of the primary building façade, Section 3.2.4 of the guidelines recommend that new development incorporate a prominent primary entrance on the front façade to provide a clear sense of arrival, as well as a connection to the municipal sidewalk. Section 3.2.5 suggests that new development incorporate adequate window openings, designed in appropriate proportion, on the primary facade to add visual interest and to maximize light penetration and views, while minimizing overlook conditions onto neighbouring properties.

With regard to garage structures, the Guidelines recommend detached double vehicle garage design the garage openings with separated overhead doors, be facing and/or visible from the street, and be designed to be compatible with the quality, style, materials and colours of the primary dwelling.

Section 3.3.1 of the Guidelines suggests that new development be designed and sited to retain established landscaping, such as healthy mature trees and existing topography, and incorporate landscaping and proposed trees into the design and development of the site for compatibility with the surrounding landscape patterns.

#### 2.2.5 Livable Oakville Plan and Design Guidelines Analysis and Opinion

The proposed development replaces an existing detached dwelling within the urban area, in a form compatible with the character of the existing large lot, low rise residential context, representing appropriate gradual growth and change within the Residential Area. The proposed dwelling type is consistent with of the surrounding context.

The scale, massing, height, and siting of the proposed development generally reflects the prevailing form of houses in the local context. The front yard setback aligns with the existing setback on the south side, and the setback from the western property line is accommodated with a number of building inundations and is appropriately setback given the curvature of Colonial Crescent as is it bends around the corner lot. The proposed setbacks, dwelling siting, and transition of the various building inundations to the adjacent built forms ensure an appropriate streetscape along both respective frontages of Colonial Crescent. The proposed side yard setbacks, exceeding 4.2 metres to the east and 13.8 metres to the north, site the building appropriately on the lot to maintain compatibility with adjacent residences and limit any overlook and privacy issues.



As the proposal constitutes the replacement of an existing large detached dwelling, the proposed development is consistent with the Residential Low Density Special Policy area requirement to maintain the integrity of the large lots characteristic of this area. As no new dwelling units are proposed on the lot, the area density, required to not exceed 10 units per hectare by the Plan, remains unchanged.

Design Guidelines for Stable Residential Communities are an important tool assessing a proposal's consistency with the intent of the Official Plan. The proposal has been designed to respond to the neighbourhood patterns and reoccurring characteristics and is consistent with the applicable guidelines contained within Guidelines.

As noted above, the proposed building has been appropriately sited on the lot to maintain compatibility with adjacent residences both in terms of prevailing setbacks and dwelling placement, with the intent of responding to the area character as well as limiting any overlook and privacy issues, consistent with Guideline section 3.2.3.

In accordance with Guidelines 3.2.1, several smaller elements and forms have been incorporated in the built form that visually reflect the scale and character of the dwellings in the surrounding area have been incorporated into the design. The proposal features a series of roof dormers to break up a roof pitch facing the street. The dormers also help articulate the upper portion of the building façade consistent with the intent of Guideline 3.2.2.

Variation in the front façade, building materiality, roof levels, and built form features all contribute to breaking up the massing and façade of the building in a way which diminishes the perception of its overall scale in relation to adjacent properties.

Consistent with the objective of section 3.2 in the Guidelines the proposed dwelling does not necessarily replicate or reflect any particular architectural style common the immediate neighbourhood context, but still maintains compatibility with the character of the surrounding neighbourhood. As noted in several instances above, the siting and scale of the building aligns with several other area residences, while the design subtly references certain architectural approaches and elements of dwellings in the immediate area.

Related to dwelling depth, section of the Town of Oakville Design Guidelines for Stable Residential Communities 3.1.3.1 states:

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.

The massing of the proposed dwelling has been appropriately broken up though a number of building elements, which include varying rooflines, dwelling depths, as well as an architectural character and proportions that appropriately respond to the context of the neighbourhood.



A number of mature trees are located on the subject site. The proposed residence has been sited to retain many of the non-hazardous trees located on the site.

In my opinion, the proposed development is consistent with the general intent and purpose of the Livable Oakville Plan and the Design Guidelines for Stable Residential Communities.

#### 3.0 Consistency with the General Intent of the Zoning By-law

The subject site is zoned RL1-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014. The RL1-0 zoning permits the use of a detached dwelling, as well as several other conditional uses, such as a day care and a private home day care. The "-0" suffix to the zone adds a series of requirements to the base RL1 zone, including those regarding lot coverage, front yard setbacks, main wall proportionality, height, and others.

A variance to the maximum dwelling depth requirements is being sought to permit the proposed development.

#### 3.1 Maximum Dwelling Depth

The maximum dwelling depth regulation is intended to regulate the scale and massing of a dwelling. The general intent of dwelling depth regulation is to ensure that there is a reasonable degree of consistency in the massing in relation to those dwelling units in the general surrounding area.

The additional dwelling depth will not create massing that is out of character with the surrounding area. Further, the only portions of the dwelling depth that exceed the bylaw requirements are for the northern wing of the dwelling, which is significantly setback from the adjacent property with over 13.8 metres to the northern property limit.

The architectural details of the dwelling reinforce the neighbourhood context and the dwelling depth is compatible with other dwellings in the neighbourhood including the adjacent dwelling to the north, preserving the neighbourhood character. The potential for any impacts is ameliorated by the residence's considerable north setback and dwelling siting.

It is my opinion that the requested variance to dwelling depth is consistent with the intent of the Zoning By-Law.

#### 4.0 Minor in Nature

The primary basis for determining whether a requested variance is minor in nature is one of impact. This determination is not a mathematical exercise and, even though a variance may be a considerable numerical change, it may still be properly judged to be a minor variance if the actual effects of the variance do not result in significant adverse



impacts on the surroundings, which include neighbouring properties as well as the 'streetscape'. In my opinion, the requested variances are minor in nature.

#### 4.1 Maximum Dwelling Depth

The proposed dwelling depth of 28.54 metres exceeds the maximum 20 metre Zoning By-law requirement, however, the design features and context of the dwelling minimize the impact of this depth. The architectural design of the dwelling features a variety of built form inundations and rooflines, which break-up the appearance of potential massing impacts. The siting of the dwelling and proposed built form on the corner lot is an appropriate design that mitigates any impacts of the variance.

Therefore, such depths are not out of keeping with the area nor is a building extending to such depth of the property going to add a different character element to the area.

#### 5.0 Appropriate and Desirable Development for the Area

The proposed development is located within an established large lot residential area. The requested variances are necessary to permit the construction of a dwelling that is consistent in all but minor regard from the metrics for a detached dwelling contemplated on the Town of Oakville Zoning By-Law 2014-014, as amended.

The scale, massing, height, and siting of the proposed development reflect the prevailing form of houses in the local context. The dwelling has been sited with regard for the setbacks and side yards of adjacent properties. The north setback has been significantly increased to both mitigate any potential dwelling depth and massing impacts associated with the requested variance.

The proposed massing of the building fits appropriately both in the immediate context, particularly the large estate residences in the immediate neighbourhood, and has regard for the immediately adjacent dwellings.

The architecture of the home has been carefully considered in terms of high quality materials, roofline, and proportions to ensure compatibility with the adjacent properties and the local context, while contributing positively to the varied nature of designs in the immediate area.

In my opinion, the proposed development represents appropriate and desirable development for the area.

#### 6.0 Planning Conclusion

The proposed development is located within an established neighbourhood of single detached dwellings on large landscaped lots within the urban area. The requested variances are necessary to permit the proposed detached dwelling with a scale and character that is consistent in all but minor regard from the metrics for a detached dwelling contemplated on this lot by Zoning By-Law 2014-014, as amended. The proposed variance has been reviewed in relation to the current requirements of the



Zoning By-law and specifically examined with respect to the adverse impact, if any, that would be experienced on the nearby properties should the variances be granted.

The proposed development replaces an existing detached dwelling within the urban area, in a form compatible with the character of the existing low rise residential context, representing appropriately gradual growth and change within the Residential Area. The proposed dwelling type is consistent with that common to the surrounding context pursuant to the policies of the Livable Oakville Plan and the Design Guidelines for Stable Residential Communities.

In my opinion, the proposed variance is is consistent with the general intent and purpose of the Halton Regional Official Plan, the Livable Oakville Plan, and applicable Zoning By-laws, is minor in nature, reflects appropriate and desirable development for the area, and represents good planning.

Respectfully submitted by,

Paul Demczak, MCIP, RPP Principal, Batory Management

