



May 5, 2022

GSAI File: 1028-014

Committee of Adjustment
Town of Oakville
Planning Services
1225 Trafalgar Road
Oakville, ON L6H 0H3

Attn: Heather McCrae
Secretary Treasurer
Committee of Adjustment

Dear Ms, McCrae,

**RE: Minor Variance Application
Residential Development
189 Watson Avenue, Town of Oakville**

Glen Schnarr & Associates Inc. ('GSAI') are the planning consultants to James Ash and Kerstin Baker-Ash (the 'Owner') of the lands municipally known as 189 Watson Avenue, in the Town of Oakville (the 'Subject Lands' or 'Site'). On behalf of the Owner, we are pleased to provide this Minor Variance Application to facilitate the construction of a new single family detached dwelling.

In support of this Application, please find attached the following:

- A copy of the completed Minor Variance Application Form;
- A copy of the Architectural Plans, prepared by Rock Cliff Custom Homes, dated March 2022, including:
 - Site Plan (Drawing A -1.1);
 - Floor Plans (Drawing A-3.1);
 - Floor Plans (Drawing A-3.2);
 - Elevations (Drawing A-4.1); and,
 - Elevations (Drawing A-4.2).

Payment of full fees will be provided prior to circulation.

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SUBJECT LANDS & SURROUNDING AREA

The Subject Lands are located on the east side of Watson Avenue, south of Palmer Avenue and north of Summer Avenue. The Site, municipally known as 189 Watson Avenue, has approximately 14.63 metres of frontage on Watson Avenue. The Subject Lands are currently improved with a 2-storey detached dwelling with a detached private garage.

The area surrounding the Subject Lands is a well-established residential Neighbourhood. More specifically, the Neighbourhood is characterized predominantly by 1- and 2-storey detached dwellings. The Neighbourhood can be characterized as having an eclectic character given there is a diverse range of dwelling designs and sizes. I note that the Neighbourhood contains various older, single storey and 1 ½ storey detached dwellings as well as newer, 2-storey detached dwellings.

OFFICIAL PLAN & ZONING

The Subject Lands are designated 'Low Density Residential' by the in-effect Livable Oakville Plan ('Livable Oakville'). There are no applicable Secondary Plans or Site-Specific Policies.

The Site is also subject to the Town of Oakville Zoning By-law 2014 – 014 ('By-law 2014-014'), as amended, which currently zones the Subject Lands as 'Low Density Residential ('RL3-0 sp: 10'), Special Provision 10'. Detached dwellings are a permitted use.

REQUESTED RELIEF

The Owner proposes to demolish the existing dwelling and detached garage and construct a new 2-storey detached dwelling on the lot. The proposed dwelling has been planned and designed to comply with the applicable zoning regulations, to the greatest extent possible. The following are the variances for which the Owner is seeking approval:

- 1. Section 6.4.1, By-law 2014-014**
The maximum residential floor area ratio for a detached dwelling with a lot area of 650 square metres to 742.99 square metres is 41%.
A residential area ratio of 46.8% is requested.
- 2. Section 15.10.1.c), By-law 2014-014**
The maximum lot coverage for a dwelling having two storeys is 19%.
A lot coverage of 27.6% is requested.
- 3. Section 15.10.1.e), By-law 2014-014**
A minimum interior side yard for a detached dwelling having two storeys and an attached private garage is 1.8 metres.
A (south) interior side yard setback of 1.72 metres is requested.



MINOR VARIANCE TESTS

Section 45(1) of the *Planning Act*, as amended, identifies four tests which must be satisfied in order for the Committee to approve this Application. Those tests are:

1. *The variance maintains the general intent and purpose of the Official Plan.*
2. *The variance maintains the general intent and purpose of the Zoning By-law.*
3. *The variance is desirable for the appropriate development or use of the land.*
4. *The variance is minor in nature.*

In my opinion, the requested variances are supportable and meet the four tests under the *Planning Act* in the following ways:

The Variance Maintains The General Intent & Purpose of the Official Plan

As mentioned above, the Subject Lands are designated 'Low Density Residential' by the in-effect Livable Oakville. The intent of the 'Low Density Residential' designation is to facilitate a range of permitted low density housing types including single detached dwellings. The existing residential use and detached dwelling built form are permitted.

Livable Oakville directs that infill development in stable residential communities is to be evaluated against perspective criteria (Section 11.1.9). Specifically, Section 11.1.9 states:

'Development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- 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.'*

Given that the proposed dwelling has been designed to be complimentary to and compatible with both historical and recent development forms in the Neighbourhood, it is my opinion that the proposed variances conform to the above-noted development criteria in Livable Oakville. Furthermore, the proposed dwelling is to be sited generally in accordance with the footprint of the existing dwelling and in a similar fashion to newer built forms found in the surrounding Neighbourhood, including along Watson Avenue. As further demonstrated in **Appendix A** of this Letter, the Watson Avenue streetscape contains a range of massing, built forms and built form features. Given this, the proposal will provide for a built form that will seamlessly integrate with the established character of both the Neighbourhood and the Watson Avenue



streetscape. For the above-noted reasons, it is my opinion that the requested variances meet the general intent and purpose of the Official Plan.

The Variance Maintains The General Intent & Purpose of the Zoning By-law

As mentioned above, the Subject Lands are subject to By-law 2014-014, as amended. The requested variances seek the following relief:

Increased Residential Floor Area Ratio

Section 6.4.1 of By-law 2014-014 states that the maximum residential floor area ratio permitted is 41%, whereas a residential floor area ratio of 46.8% is requested.

The purpose and intent of residential floor area ratio regulations is to control the overall building mass on a property. The residential floor area ratio regulation works hand-in-hand with building envelope regulations, including lot coverage, to ensure that a reasonable built form and massing is provided. An appropriate mass is to be provided by regulating the amount of floor area that can be accommodated on a lot.

The proposed dwelling has been planned and designed to provide a built form that is sensitive to the surrounding context and is compatible. More specifically, it provides for a built form and massing that reflects other similar dwellings in the Neighbourhood (see **Appendix A** of this Letter). It also includes a series of architectural articulations, particularly along the eastern front elevation, which breaks up the massing of the dwelling. In my opinion, the requested increase in residential floor area ratio is of a scale that is consistent and compatible with the surrounding Neighbourhood.

Increased Lot Coverage

Section 15.10.1 of By-law 2014-014 states that a maximum lot coverage for a 2 storey detached dwelling with attached private garage of 19% is required, whereas a lot coverage of 27.6% is requested.

The general intent and purpose of lot coverage regulations is to ensure that a dwelling's overall scale and massing is appropriate. Specifically, lot coverage regulations are intended to ensure an appropriately sized dwelling is constructed on a lot and to ensure that a dwelling is in keeping with the character of the surrounding Neighbourhood. Lot coverage regulations work hand-in-hand with building envelope regulations, including residential floor area ratio regulations, to ensure that a reasonable building footprint is provided. An overall appropriate mass is to be provided by regulating the amount of floor area that can be accommodated on a lot.

I note that By-law 2014 – 014 requires that the floor area of covered porches be included in the calculation of lot coverage. This results in situations where proposed lot coverage is elevated. In



the case of the Subject Lands, appropriately 1.7% or 11.23 square metres of the requested lot coverage is contained in the front covered porch area. This porch design feature assists in providing architectural diversity to the proposed design and is a noted design feature of dwellings in the surrounding Neighbourhood. The proposed increased lot coverage will allow for the construction of a dwelling that is generally in keeping with the character of the surrounding Neighbourhood, is compatible with the historic built forms in the Neighbourhood and is within range of previous approvals. As further demonstrated in **Appendix B** of this Letter, recent Committee decisions in the surrounding area have approved increased lot coverages of 27%. Furthermore, existing building coverages that exceed 27% are common in the Neighbourhood. Based on the above, it is my opinion that the requested lot coverage is appropriate and is a minor departure from existing and previous approvals.

Reduced Side Yard Setback

Section 15.10.1 of By-law 2014-014 states that a minimum interior side yard setback of 1.8 metres is required, whereas a (south) interior side yard setback of 1.72 metres is requested.

The purpose and intent of setback regulations is to ensure sufficient spacing and buffering between buildings that are beside one another in order to provide adequate access and appropriate transition, while also avoiding privacy and overlook concerns.

A reduced (south) interior side yard setback, as measured from the perimeter of the dwelling to the southern property line, is being requested. In this case, the requested setback is reflective of the proposed optimized site design that will provide sufficient site access and circulation. The dwelling has been appropriately situated on the lot to provide for sufficient separation between dwellings that are beside one another and in fact is an improvement to existing conditions. Furthermore, the proposed dwelling will be visually screened by landscaping along the property lines. Overall, the proposed reduced interior side yard setback will not have any adverse physical impacts on the surrounding lands. The absence of windows from the southern façade and retention of a mature cedar hedge landscape feature ensures no privacy or overlook concerns will occur. Finally, I note that reduced side yard setbacks are found in the surrounding Neighbourhood. Therefore, the requested reduced interior yard setback is appropriate for the Subject Lands and will maintain the established character along Watson Avenue.

Based on the above, it is my opinion that the proposed variances meet the general intent and purpose of the Zoning By-law.

The Variance is Desirable for the Appropriate Development or Use of the Land

Approval of the requested variances will allow for the proposed redevelopment of the Subject Lands. Reinvestment in lands in close proximity to amenities, such as that being proposed, is appropriate and desirable for the Town, the Neighbourhood and this property.



The requested increased residential floor area ratio, increased lot coverage and reduced interior side yard setback will maintain an appropriate built form, height, mass and built-form features. The variances will accommodate contextually appropriate infill development with a dwelling that has been planned and designed to seamlessly integrate into the surrounding Neighbourhood. Additionally, the variances are desirable in recognizing the appropriate redevelopment of the Subject Lands.

Overall, it is my opinion that the proposed variances have been designed to be in keeping with the existing character of the Subject Lands and the established Neighbourhood. The proposal will not negatively affect surrounding uses and represents an efficient, compatible and appropriate development that is desirable.

The Variance is Minor in Nature

The requested variances will permit the development of a new detached dwelling on the Subject Lands and represents a minor departure from what is currently permitted. The variances required do not represent overdevelopment of the Subject Lands. Overall, the variances will allow for sensitive reinvestment to occur on the Subject Lands in a manner that is compatible and in keeping with the current physical character of the Neighbourhood. The variances requested will not result in adverse impact on adjoining properties or the surrounding Neighbourhood. Collectively and individually, it is my opinion that the proposed variances are minor in nature.

CONCLUSION

As described above, the requested variances satisfy the four tests of Section 45(1) of the *Planning Act* and represent good planning.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.


Stephanie Matveeva, MCIP, RPP
Associate



GLEN SCHNARR & ASSOCIATES INC.
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

APPENDIX A / *Streetscape Analysis*





APPENDIX B / *Lot Coverage Analysis*



A.1 / Lot Coverage Analysis

In support of the proposed development, a lot coverage analysis was undertaken to assess the appropriateness of the proposal in the context of the surrounding Neighbourhood. The results of this analysis is presented below.

Address	Permitted Coverage	Lot Area (sq m)	Building Footprint (sq m)	Building Coverage (%)
209 Douglas Avenue	19%	564.2	92.1	16%
395 Palmer Avenue	19%	558.9	175.6	31%
208 Watson Avenue	25%	1017.5	150.7	15%
213 Watson Avenue	25%	561.8	143.3	26%
421 Palmer Avenue	19%	543.3	136.8	25%
425 Palmer Avenue	22%	539.6	127.2	24%
431 Palmer Avenue	25%	686.6	146.6	21%
210 Gloucester Avenue	22%	930.8	199.3	21%
196 Gloucester Avenue	19%	885.1	187.5	21%
188 Gloucester Avenue	19%	1020.8	128.5	13%
182 Gloucester Avenue	19%	687.7	172.09	25%
178 Gloucester Avenue	19%	677.4	130.5	19%
435 Summer Avenue	19%	713.4	166	23%
177 Watson Avenue	19%	1038.5	232.5	22%
185 Watson Avenue	19%	989.1	179.4	18%
189 Watson Avenue	19%	661	164.3	25%
193 Watson Avenue	19%	656.1	150.78	23%
197 Watson Avenue	19%	1008.5	333.9	33%
406 Palmer Avenue	19%	607.6	111.1	18%
192 Watson Avenue	19%	673.1	192.1	29%
188 Watson Avenue	19%	662.4	95.9	14%
184 Watson Avenue	19%	660	127.3	19%
180 Watson Avenue	19%	672.3	119.8	18%
405 Summer Avenue	19%	690.6	113.7	16%
175 Douglas Avenue	19%	688.6	114.6	17%
179 Douglas Avenue	19%	633.7	169.1	27%
183 Douglas Avenue	19%	673.6	115.1	17%



187 Douglas Avenue	19%	657.6	154.3	23%
191 Douglas Avenue	19%	571.5	55.6	10%
197 Douglas Avenue	25%	565.4	151.6	27%
<i>Minimum</i>				10%
<i>Maximum</i>				33%
<i>Average</i>				21%
<i>Sample Size At or Above 27%</i>				5
<i>Sample Size Below 27%</i>				25
<i>Sample Size</i>				30

Based on the above, there are a number of instances where building coverage exceeds the lot coverage permissions of By-law 2014-014. As such, there is a broad range of coverages present both along Watson Avenue and within the surrounding Neighbourhood. Therefore, it is my opinion that the proposed dwelling is appropriate for the Subject Lands and is within range of building coverages found in the surrounding Neighbourhood. Furthermore, the proposal provides for a scale and massing that is generally consistent with recent developments and the established character of the Neighbourhood.

A.2 / Surrounding Decision Analysis

In addition to the above lot coverage analysis, an analysis of surrounding Committee of Adjustment Decisions regarding lot coverage was undertaken. The following is what we found.

Address	Required Lot Coverage	Proposed Lot Coverage	Change
189 Watson Avenue	19%	26.5%	7.5%
180 Watson Avenue	19%	24.9%	5.9%
231 Watson Avenue	19%	20.8%	1.8%
146 Gloucester Avenue	22%	23.71%	1.71%
188 Gloucester Avenue	19%	24.9%	5.9%
210 Gloucester Avenue	22%	27.0%	5%
435 Sumner Avenue	19%	25.5%	6.5%
405 Sumner Avenue	19%	22.98%	3.98%
241 Douglas Avenue	19%	24.8%	5.8%
179 Douglas Avenue	19%	23.69%	4.69%
145 Douglas Avenue	25%	25.15%	0.15%



431 Palmer Avenue | 19% | 24.89% | 5.89%

Based on the above, it is my opinion that the proposal, with a proposed lot coverage of 27.6%, is consistent with lot coverage approvals for the surrounding area. The proposal is to provide for architectural articulations that will break the visual massing of the dwelling and will facilitate a built form and built form features that are consistent with those in the Neighbourhood.