

## Addendum 5 to Comments

October 04<sup>th</sup>, 2022

Committee of Adjustment

### BY VIDEO-CONFERENCE AND LIVE-STREAMING ON TOWN WEBSITE OAKVILLE.CA

1)

**CAV A/153/2022**

PLAN 995 LOT 20 PT LOT 19

**1235 INGLEDENE DR**

*Proposed*

**Under Section 45(1) of the *Planning Act***

**Zoning By-law 2014-014 requirements – RL7-0**

No.	Zoning By-law Regulation	Variance Request
1	<b>Table 6.3.2 (Row 5, Footnote 1)</b> The <i>minimum interior side yard</i> shall be 1.2 m.	To permit a <i>minimum</i> (southerly) <i>interior side yard</i> of 0.71 m.
2	<b>Section 6.4.3 a)</b> The <i>minimum front yard</i> on all <i>lots</i> shall be the <i>yard</i> legally existing on the effective date of this By-law less 1.0 metre; (Existing 16.67 m -1.0 m = 15.67 m minimum).	To permit a <i>minimum front yard</i> of 9.18 metres.

#### **Comments from:**

Email in Opposition-1

File No. CAV A/153/2022

Property Address: 1235 Ingledene Drive

Hearing Date: October 4, 2022

1.

Please accept this letter of objection to the proposed variances. **I am also raising concerns about the Stable Top of Bank Hazard. The Region and Conservation Halton have not rendered opinions about the proposed major excavation into this hazard zone, and how this may impact the adjacent property (1239) because they were only asked to comment on the proposed variances themselves (which relate to parts of the construction being proposed for areas outside the hazard zone). However these proposed variances aren't being requested simply for the purpose of making changes to an existing dwelling; they are part of a new construction that would extend well into this hazard zone. This obviously poses serious concerns for the Town, the Region, Conservation Halton and their mandates relating to the natural heritage system, and to the safety and property issues affecting occupants of neighbouring properties. I believe this issue needs to be raised and addressed as a first priority.**

2.

The proposed variances to permit a minimum southerly interior side yard of 0.71m and a minimum front yard of 9.18m are surely not minor in nature. Even taken in isolation, they are for the purpose of constructing a large two-storey addition with a prominently placed double-garage plus parking area, with the addition to sit directly in front of the bungalow at 1231, blocking windows, and offering a view of these new parking facilities to the bungalow at 1239. The existing driveway would be widened to connect to the parking area, to form a large semi-circular driveway out to the street.

3.

To make room, all of the trees on the front lawn would be removed. This would mean cutting down a half dozen beautiful, healthy, mature trees, some rare, that were planted at least 50 years ago.

4.

Beyond the extremely negative aesthetic impact to adjacent properties and to the neighbourhood, these trees provide a valuable service to the street from an environmental standpoint by remediating our ongoing stormwater run-off problems. Even if replacement saplings are planted elsewhere, it won't fully redress the environmental impact to this vulnerable area.

5.

The rear setback variance requires clarity relating to height of the proposed seating/dining area. It overlooks adjacent properties, and the pre-existing cedar screening has already been removed from the south side of the proposed structure. On the north side, recent removal of many cedars (and other trees) and severe pruning practices on the few remaining mature (25 foot high) cedars, has all but destroyed the former privacy screening between the properties, and once the northerly construction would commence, those trees would be cut down as well. The Town did stipulate that the applicants re-plant a number of trees last fall, however most of them have already died.

6.

Given the policies of the Livable Oakville Plan as outlined in the Town's Design Guidelines for Stable Residential Communities document, the variances requested, even taken in isolation, do not appear to meet the overall objective to preserve and maintain the character and established patterns of the surrounding neighbourhood. I have a number of objections to other aspects of the proposal as a whole. I want to say something now about the STOB Hazard zone.

#### STOB Hazard issues relating to construction

8.

The property backs onto a natural heritage system which also serves as a storm water channel. The northeast area of the subject property is located within the Stable Top of Bank (STOB) Hazard zone (as per the Conservation Halton map provided by the Region) - photo attached, showing the source with my notation of the street addresses marked on it; website link: <https://camaps.maps.arcgis.com/apps/webappviewer/index.html?id=a2928bf280194294a4027111f8ff284a>

9.

The proposal calls for an extra-deep new basement below the recently-enclosed carport, (which has no basement), and for the demolition of the north wall of the existing basement and lowering of the floor. It has not been made clear why the survey shows two iron bars, marking the north side property line, without explanation as to why one was chosen, but it seems the plan is to excavate out to 1.2 metres (3 feet, 11 inches) from that line. The existing foundation sits approximately 16 feet, 6 inches back from the property line. The excavation would extend along the full length of the existing house. This will result in a sizeable excavation and demolition within the STOB Hazard zone.

10.

This excavation would take place directly between 1235 and 1239, and the foundation of 1239 sits within the STOB Hazard zone. The house was built over 60 years ago.

11.

It is not clear why the applicants' survey shows a retaining wall on the property at 1239, running parallel to the proposed construction, when a retaining does not exist in that location.

12.

The slope at 1239 is steeply undercut on the north third of the slope. At the top of the slope behind 1239 is a 300 year old oak tree which leans inward over the roof. This is close to the area.

13.

The bank has already eroded quite far back in the area in front of the proposed excavation.

14.

Removal of the remaining cedars and added hardscaping at the north side of the house, would result in more stormwater run-off in the Stable Top of Bank hazard zone.

15.

There would be insufficient light and space for replacement trees, and the added hardscaping would only add to the stormwater run-off issues.

16.

What effects would soil displacement, vibrations during demolition and construction, rainfall during construction, soil shifting, further erosion, trees and roots removed near the excavation site, have on the structural integrity of 1239, during and after the work?

17.

What might be the safety risks? How might this impact the bank and the slope? Might it cause future problems?

18.

What about marketability issues relating to structural damage?

19.

What assurances from the Town would be provided relating to any potential losses?

Thank you for the opportunity to provide these submissions.

Kindest regards,

Helen Thomson

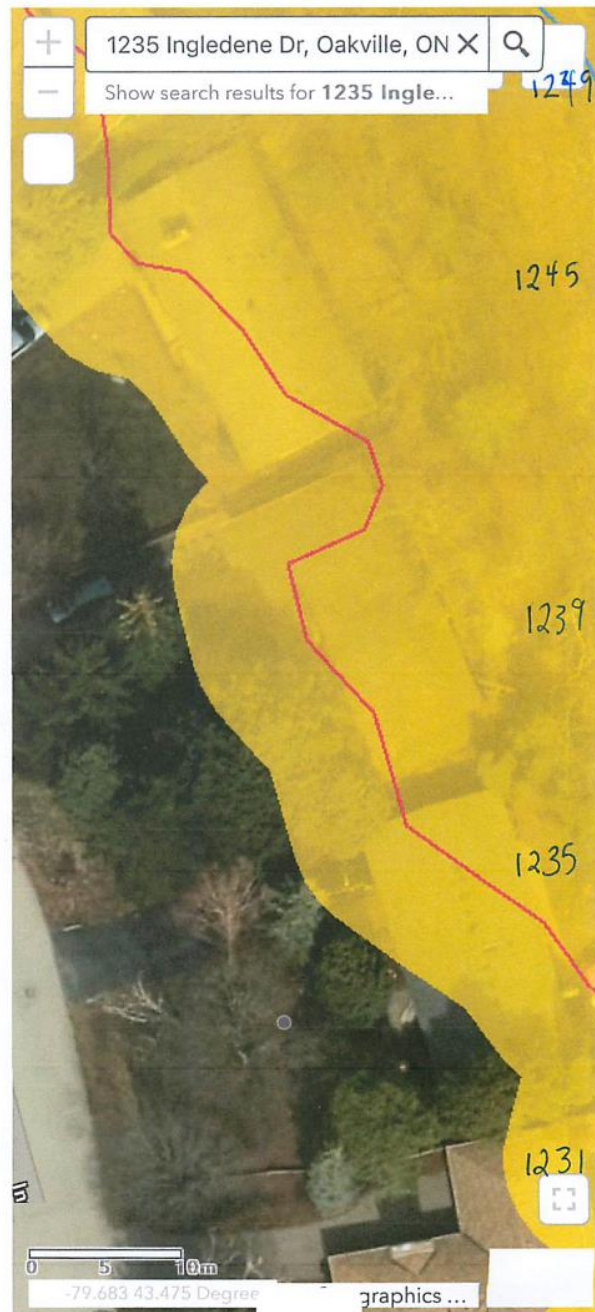
How to...

**Step 1.** Search for your property in the search bar or pan and zoom to your location.

*Note: Data displays at different scales. Please zoom in closer to your area of interest to see all layers.*

**Step 2.** If your property is within the yellow ARL or contains any of the ARL Hazards (See Legend below) you may require a permit.

- Regulation Limit (Approximate)
- ARL Hazards**
- Meander Belt Hazard
- Headwater Floodplain Hazard
- Floodplain Hazard
- Spill Zone Hazard
- Wetland Hazard
- Stable Top of Bank (STOB) Hazard
- Shoreline Hazard
- Shoreline Dynamic Beach Hazard
- Shoreline 100 Year Flood Elevation Hazard
- ARL Components**



All rights reserved