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2	SITE INFORMATION	22/06/2022
3	SITE COORDINATION	07/09/2022

2	SPA SUBMISSION	07/09/2022
1	SPA SUBMISSION	27/01/2022
No.	Issued For	Date d/m/y

Drawing Title

SITE PLAN

Project

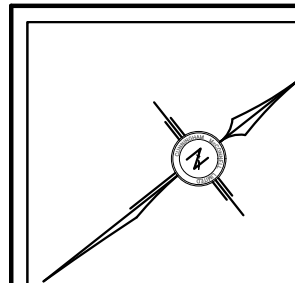
PRIVATE RESIDENCE

383 CHARTWELL ROAD
OAKVILLE, ONTARIO



RICHARD WENGLE
ARCHITECT INC.

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Toronto, Ontario M5R 2H3
T: (416) 787-7575/F: (416) 787-0635
e-mail: mail@rwengle.ca



Scale: AS NOTED

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Checked by: AD/RW

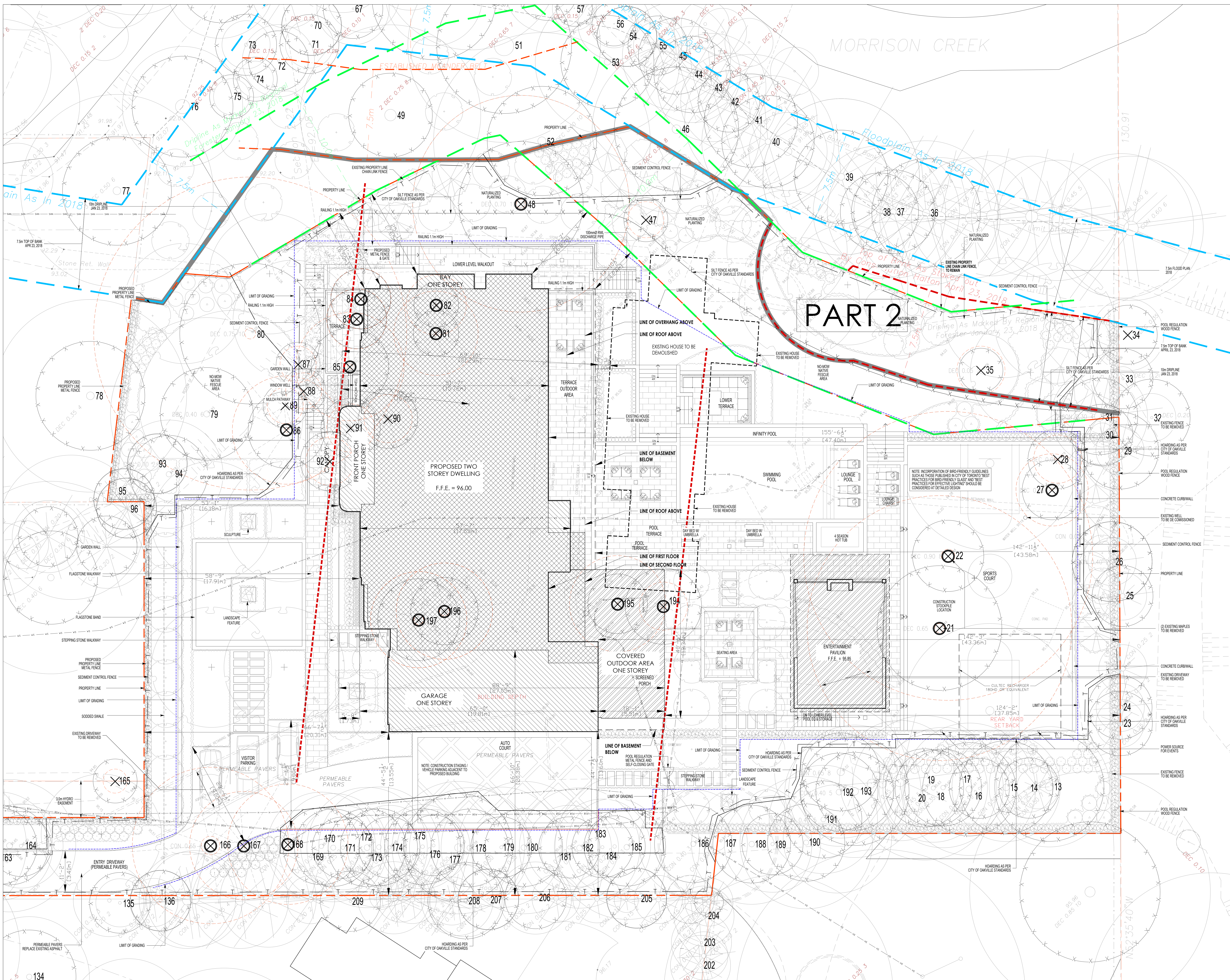
Project No.: 1855

Date: JAN. 2022

A1.1

Plotting Date: SEPTEMBER 7, 2022

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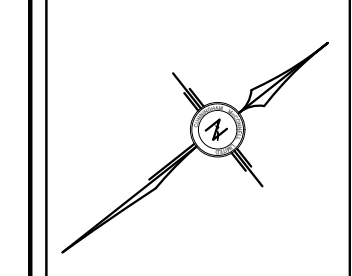
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Date: JAN. 2022

A1.2



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ARCHITECT INC.

WATKIN RESIDENCE

383 CHARTWELL ROAD
OAKVILLE, ONTARIO
SEPTEMBER 20, 2022



SITE SECTION AT FRONT

SCALE: 1/16" = 1'-0"



WATKIN RESIDENCE

383 CHARTWELL ROAD
OAKVILLE, ONTARIO
SEPTEMBER 20, 2022

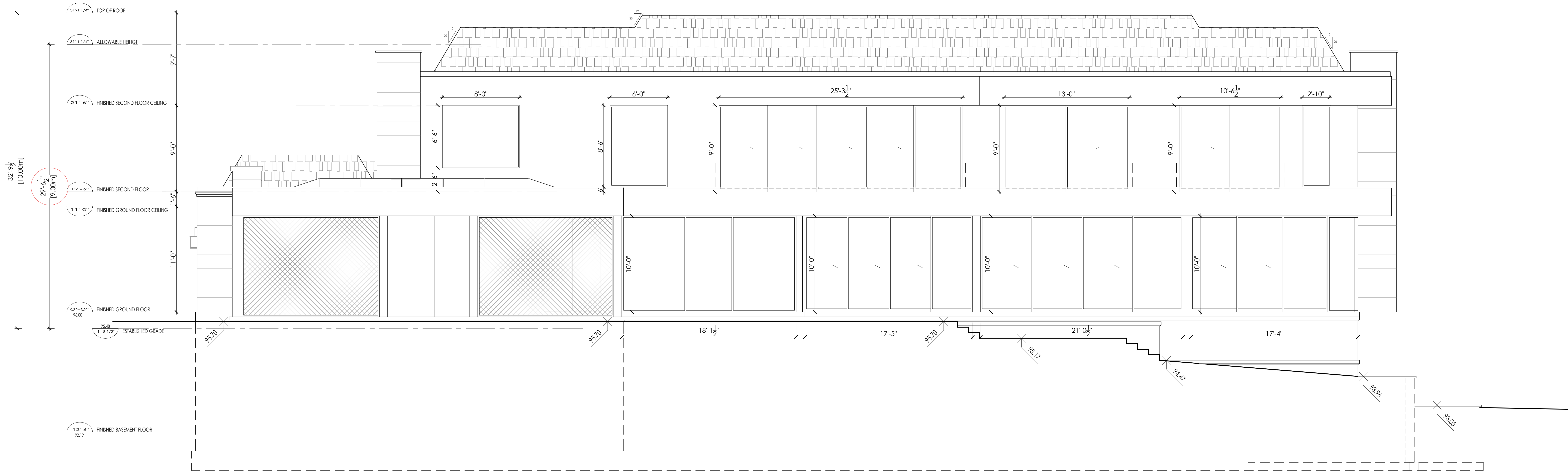


SITE SECTION AT SIDE

SCALE: 1/16" = 1'-0"



RICHARD WENGLE
ARCHITECT INC.



1 REAR ELEVATION
A3.1 SCALE: 1/4" = 1'-0"

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Drawing Title

REAR ELEVATION

Project

PRIVATE RESIDENCE

383 CHARTWELL ROAD
OAKVILLE, ONTARIO



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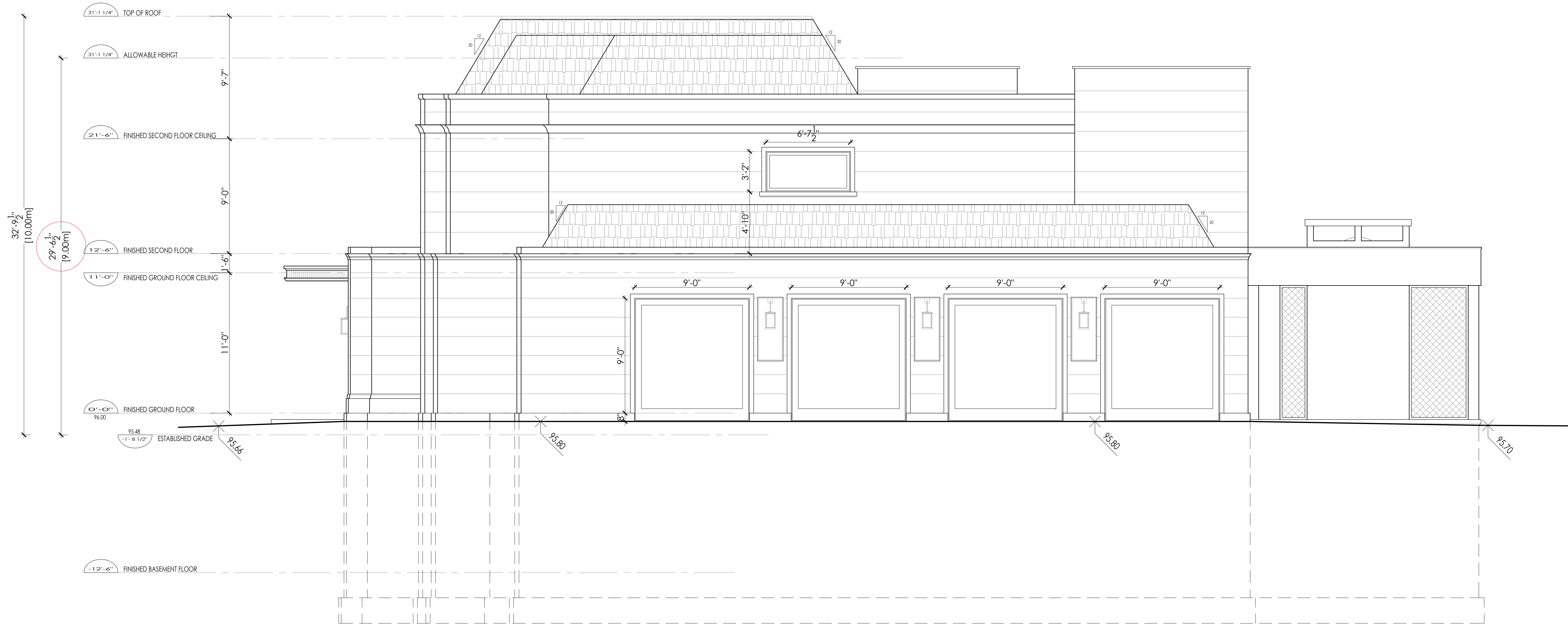
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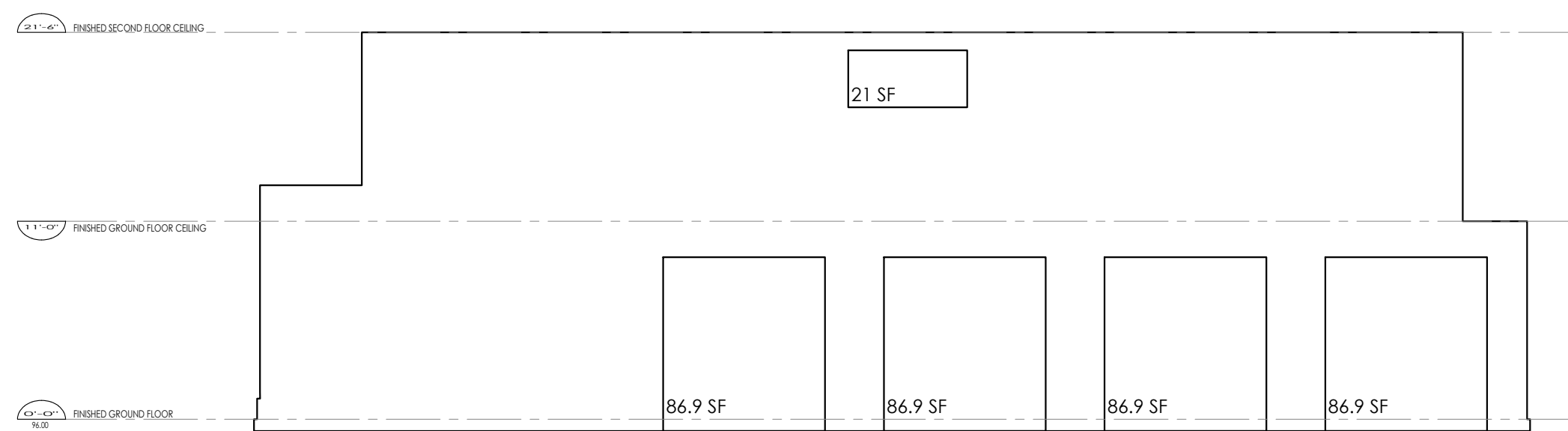
A3.1

Ploing Date: SEPTEMBER 7, 2022

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1 SOUTH EAST ELEVATION
SCALE: 1/4" = 1'-0"



LIMITING DISTANCE CALCULATION (SOUTH-EAST ELEVATION)	
GROSS AREA OF PERIPHERAL WALLS:	1476.7 SF (137.2 M)
GROSS AREA OF WINDOWS & GLASS DOORS:	368.6 SF (34.2 SM)
LIMITING DISTANCE:	13.55 M
OPENINGS ALLOWED:	69 %
OPENINGS PROVIDED:	25%

2 LIMITING DISTANCE CALCULATION
SCALE: 1/8" = 1'-0"

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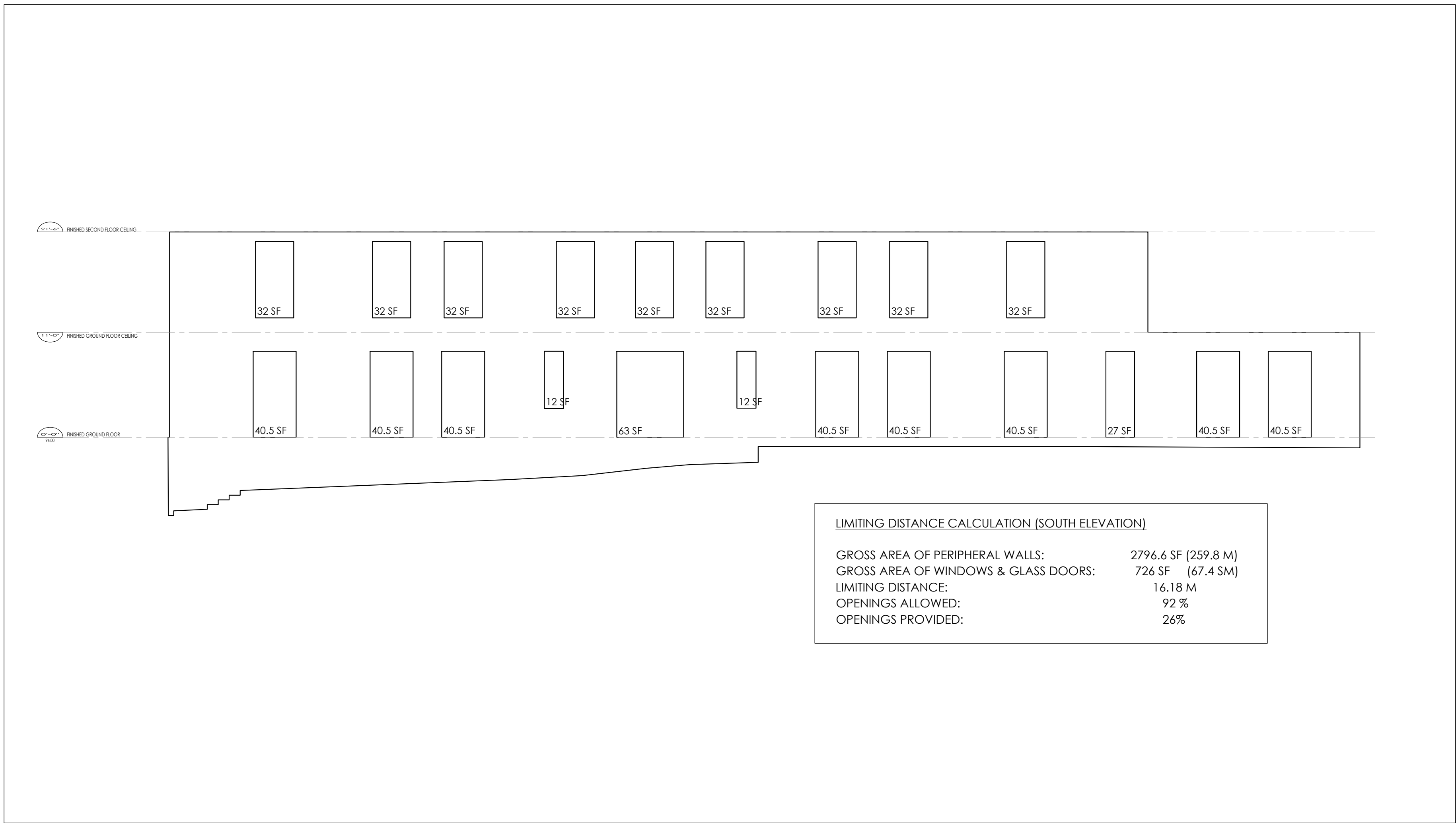

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Checked by: AD/RW
Project No.: 1855
Date: JAN. 2022

A3.3



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2 LIMITING DISTANCE CALCULATION
SCALE: 1/8" = 1'-0"

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Drawing Title

FRONT ELEVATION

Project

PRIVATE RESIDENCE
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OAKVILLE, ONTARIO



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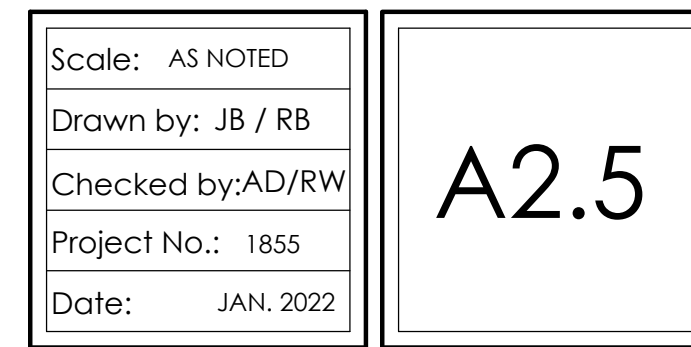
Drawing Title

ROOF PLAN



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Plotting Date: SEPTEMBER 7, 2022

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PLANNING JUSTIFICATION REPORT

September 2022

Subject Address:

383 Chartwell Road, Oakville Ontario

1.0 Introduction

Batory Management has been retained as the planning consultant for the development at 383 Chartwell Road in Oakville Ontario.

This Planning Justification Report provides a summary of the proposed development and justification of the required minor variances to support a proposed single detached dwelling at 383 Chartwell Road, Oakville Ontario (the “subject site”) to replace the existing single detached dwelling.

1.1 Proposed Development

The proposed development, illustrated in figures 1 through 5, below, comprises a two-storey, single-detached dwelling with an overall floor area of 980 square metres on a large irregular shaped flag lot with an overall area of 4,707 square metres. The proposed detached dwelling covers 19.5% of the property totalling 920 square metres. The proposed height of the dwelling is 10.0 metres. The existing vehicle access from Chartwell Drive continues to be utilized. The proposed building has been located to fit appropriately onto subject site, falling within the required coverage and density requirements and meeting or exceeding required building setbacks, excepting the front yard setback.

The proposed dwelling has been sited to accommodate and protect numerous existing large canopy trees located on the subject site and adjacent properties. A total of one hundred and forty-four (144) trees located on the Subject Site are regulated under either the Town of Oakville’s Private Tree Protection By-law (2017-038) or the Town of Oakville Tree By-law (2009-025), of which twenty-four (24) will incur injury and eighteen (18) will require removal to facilitate the proposed construction.

The proposed architecture of the home has been carefully considered in terms of materials, roofline, and proportions that ensure compatibility with the site on which the building is located, adjacent properties, and the local context while contributing to the varied character of buildings in the immediate neighbourhood, effectively utilizing the dimensions of this large, irregular-shaped lot.

The front façade of the proposed building is characterized by a series of large rectangular windows situated across the 1st and 2nd floors. A prominent front entry is located at the center of the front façade. The building features a shingled, mansard roof on both the two storey main portion of the residence as well as on the 1 attached storey attached garage. The south east façade includes 4 garage doors and an otherwise similar façade treatment to the front of the building, and the rear elevation features a series of large rectangular windows overlooking the rear yard. An in-ground swimming pool, ‘sports court’, and ‘entertainment pavilion’ are proposed within the rear yard of the property along with a series of seating areas and landscaped spaces.

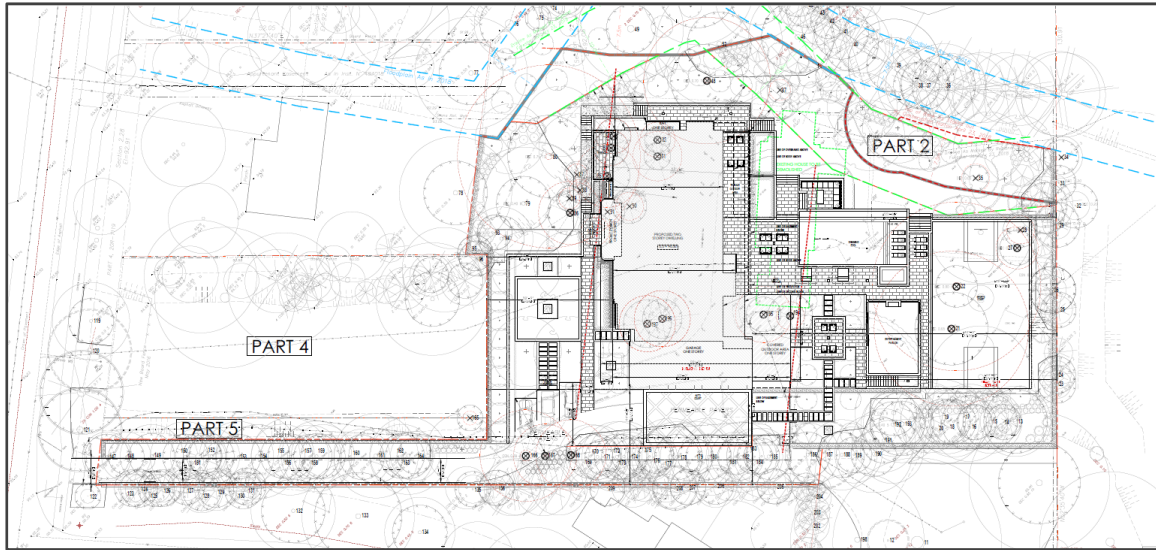


Figure 1 – Site Plan



Figure 2 – Front Elevation



Figure 3 –North West Elevation

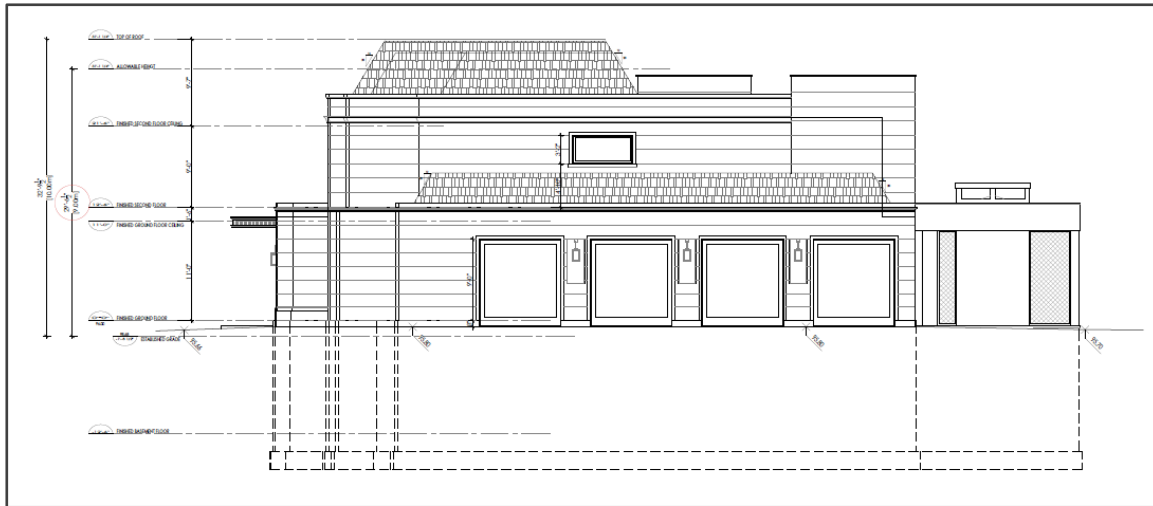


Figure 4 – South East Elevation

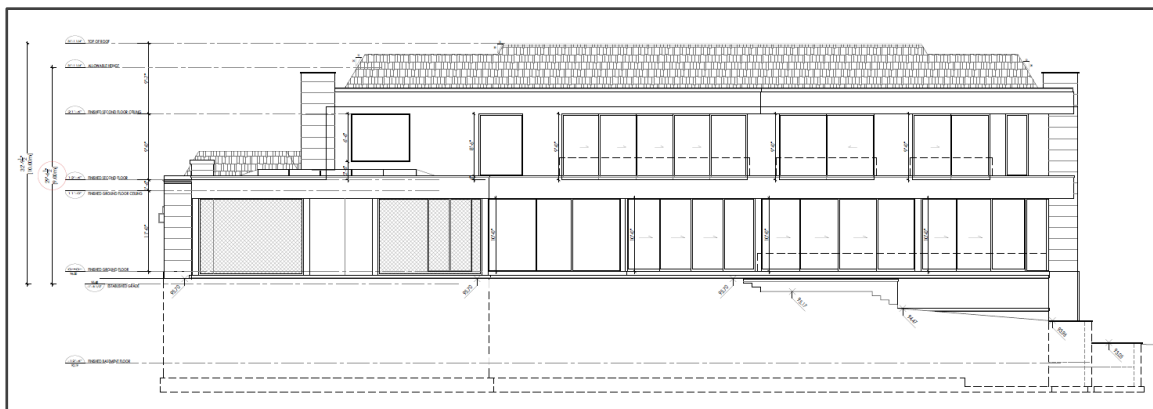


Figure 5 –Rear Elevation

1.2 Subject Site

The subject site, measuring 4704.7 square metres, is an irregular flag-shaped lot with 6.54 metres of frontage on Chartwell Road. A large, two-storey detached dwelling with an integral garage is currently located on the subject site.

In January 2019, Consent to Sever & Minor Variance Applications (File Number A/031/2019) were submitted to the Town of Oakville the properties located at 383 Chartwell Road and 1039 Cedar Grove Boulevard to create two new severed residential parcels and one retained residential parcel from an existing large, irregular shaped lot. An additional Block was also proposed to be created and conveyed to the Town of Oakville to expand the adjacent Morison Creek lands within public ownership.

The site is designated as “Urban Area” by the Region of Halton Official Plan and is within the “Residential Areas” and “Low Density Residential” land use designation as shown on

Schedule G – South East Land Use in the Oakville Official Plan. It is also subject to the Residential Low Density Lands (RL1 / RL1-0 Zones) policy overlay. The site is zoned RL1-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014.

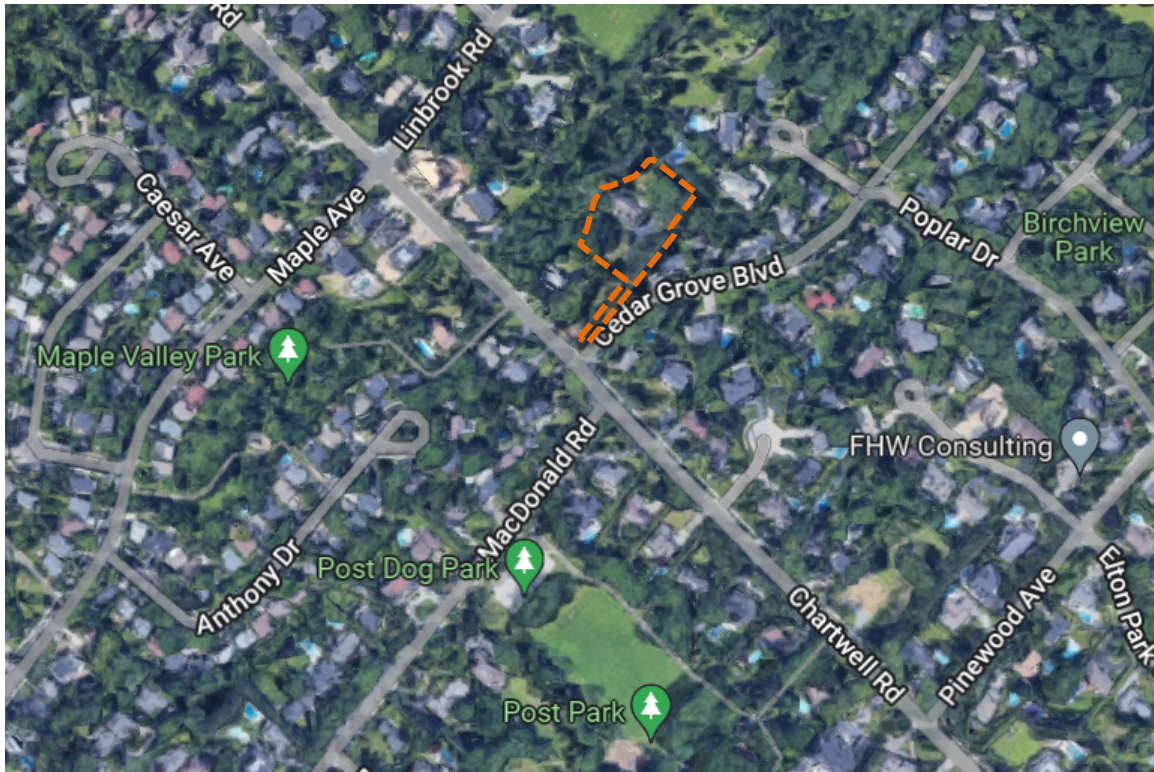


Figure 6 - Immediate Context

1.3 Area Context

The subject site is located within an established neighbourhood in south east Oakville comprising primarily two storey detached residential buildings on a variety of lot sizes and shapes and in a wide variety of architectural styles. The variation in the area of lots in the immediate vicinity of the site is due, in part, to the shape of the adjacent Morrison Creek Valley area to the west of the subject site. The local area is characterized by significant tree canopy. Parking for area residences is provided in driveways and/or in attached or detached garages. A number of properties have rear yard pools.

The Oakville Go station is located a 5 minute drive from the Subject Site. Post Park, Birchview Park, and Maple Valley Park are located in close proximity to the site. The subject site is within walking distance of Linbrook School and t. Mildred's-Lightbourn, and, EJ James Public School, St. Vincent Catholic Elementary School, and Darcroft and Western Heights Montessori schools are all within a 10 minute drive of the site.

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.

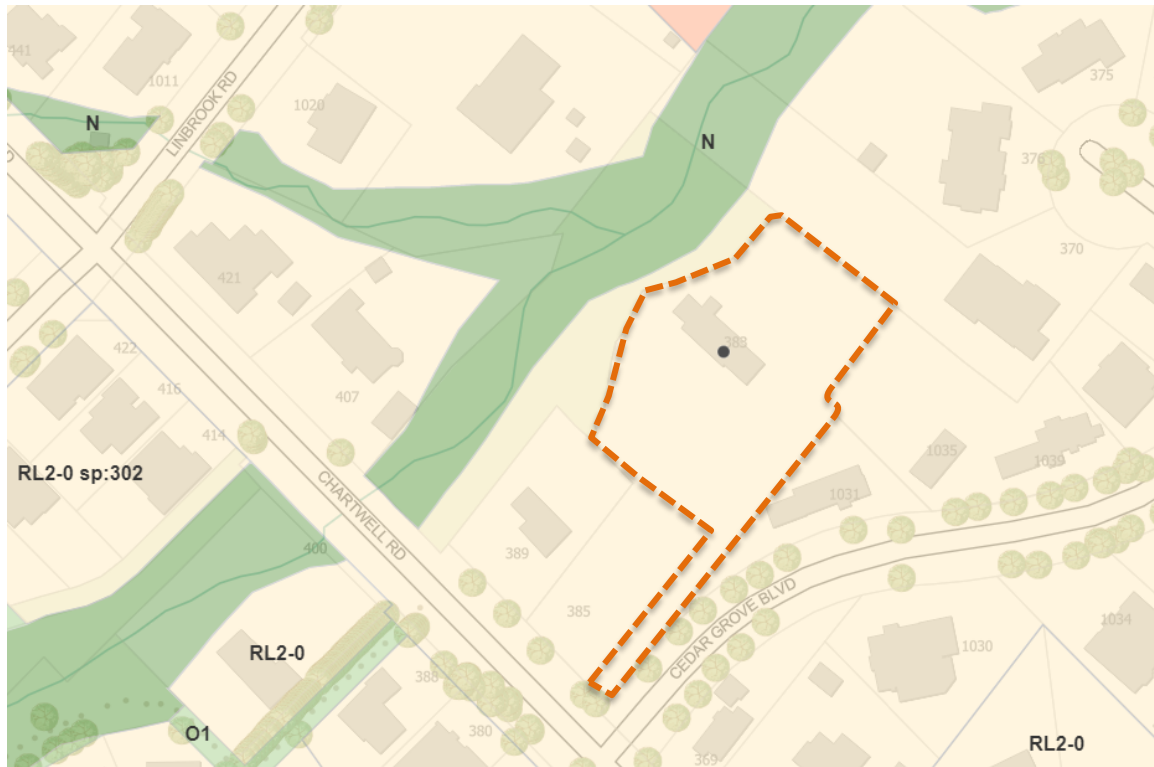


Figure 7 – Zoning By-law 2014-014 map excerpt

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.

By-law Provision	Requirement	Requested Variance
Maximum Building Height	9.0 metres	10.0 metres
Minimum Front Yard Setback	Existing, less 1 metre	Existing, less 21.29 metres
Maximum Building Depth	20.0 metres	27.05 metres
Maximum Garage Area & Garage Entrance	56 square meters with an access width of 9.0 metres	151.1 square meters with a maximum access width of 11 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 number of minor variances 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) Are the proposed variances consistent with the general intent and purpose of the Official Plan?
- 2) Are the proposed variances consistent with the general intent and purpose of the Zoning By-law?
- 3) Are the proposed variances appropriate and desirable development for the area?
- 4) Are the proposed variances minor in nature?

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 area of Morrison Creek to the northwest of the site is identified on Schedule 1A as a “Natural Heritage System”.

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.

Section 3.1 of the Plan establishes the Natural Heritage System as a linked system of natural areas including natural features, hazard lands, buffers and linkages. It is intended that these natural areas be protected from development and preserved for the long term in order to promote sustainability and contribute to the quality of life in the Town.

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. The natural area flanking Morrison Creek to the northwest of the site forms part of the Town and Regional Natural Heritage Systems.

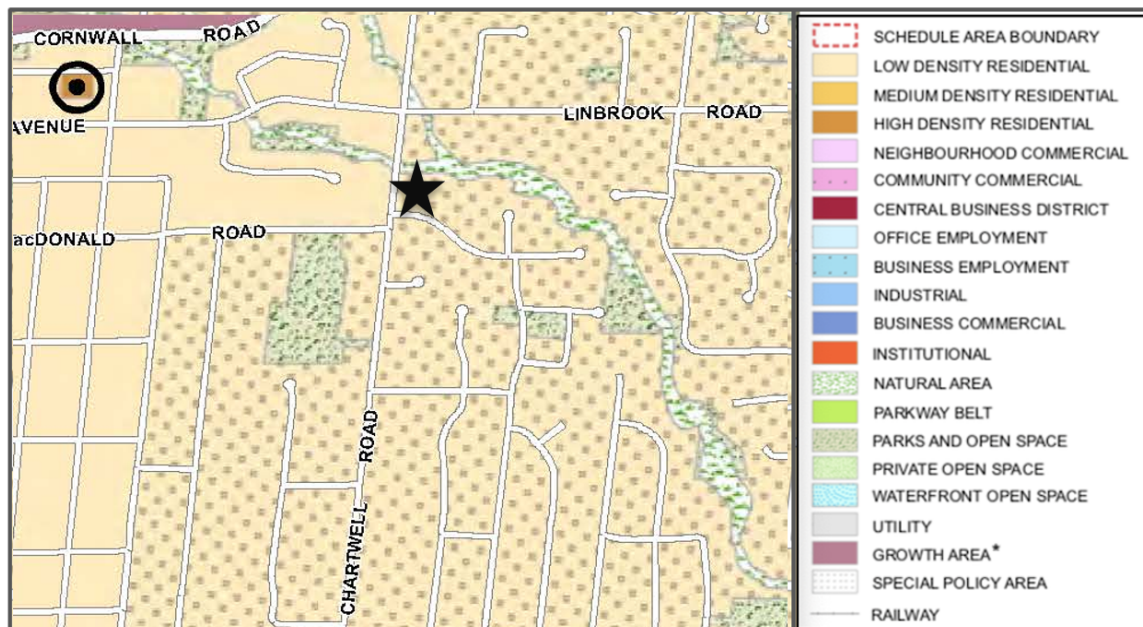


Figure 9 – Livable Oakville Plan Schedule G – South East Land Use Excerpt

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:

- maintain, protect and enhance the character of existing residential areas;
- encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
- 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.

Section 16 of the Plan establishes the Plan's policies for Natural Areas. These are identified as Oakville's rivers and streams, forests and natural areas. The Plan states that the purpose of the Natural Area designation is for the long-term preservation of natural features and functions. The plan intends these areas be maintained, restored or, where possible, improved, recognizing links or corridors between and among natural heritage features and areas, surface water features and groundwater features.

Morrison Creek, located adjacent to the subject site, is identified as a major valley and tributary in Section 16.1.9 of the Plan. The Plan directs that Development or site alteration shall not be permitted within the major valley or within 15 metres of the stable top-of-bank of major valleys and tributaries, except for compatible permitted recreational uses, essential public works and utilities subject to the requirements of this Plan.

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.

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 and scale of dwellings in the area and the prevailing low rise residential context. The proposal represents gradual growth and change within the Residential Area. The proposed dwelling type is consistent with of the surrounding context.

Relative to the overall size of the subject site, the scale, massing, height, and siting of the proposed development generally reflect the prevailing form of houses in the local context. The site itself - a 4704.7 square metre irregular flag-lot - is unique within the surrounding area. It is among the largest lots in the surrounding residential context and, unlike most area lots, is not roughly rectangular in shape. The narrow frontage and deep driveway access mean the proposed building does not enjoy the typical street frontage of many of the other large detached dwellings in the surrounding context and is largely hidden from street view. Regardless of the location of the proposed development having little ability to impact the character of the area streetscape, the dwelling is both suitable in size for the lot and has been sited with regard for adjacent properties. The proposed floor space index is 20.85%, and the proposed lot coverage is 19.5%, both well within the required maximums of 29%, and 25%, respectively, for this site.

The proposed setbacks result in a building that is situated appropriately on the lot to maintain compatibility with adjacent residences and limit any potential for overlook and privacy issues. With the exception of the front yard setback, for which a variance is being sought, all other requires setbacks are met or exceeded. Of note, the rear and southeast side yard setbacks, at 37.9 metres and 13.55 metres, respectively, are considerably deeper than the 10.5 metre rear yard and 4.2 metre side yard setbacks prescribed by the Zoning By-law.

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. It's notable that the site itself is nearly 0.5 hectares in area.

Morrison Creek is identified as a 'Natural Heritage System' and 'Natural Area', and is located adjacent to the subject site. The proposed development is located farther away from the top-of-bank than the existing dwelling, having been shifted to the south and east. A series of landscaped areas, tree planting, and rear yard amenity uses compatible with the Natural Area are proposed within the rear yard adjacent to the Morrison Creek Valley. A scoped EIS prepared by Terrastory Environmental Consulting, dated Jan 27, 2022, has been submitted in support of the proposed development. The EIS contains several recommendations to minimize impact on the Morrison Creek valley Natural Area.

Design Guidelines for Stable Residential Communities are an important tool assessing a proposal's consistency with the intent of the Official Plan. To the greatest degree possible, the proposal has been designed to respond to the neighbourhood patterns and reoccurring characteristics and is consistent with the applicable guidelines contained within Guidelines. In some cases, the irregular site configuration and its considerable area compared to other lots within the immediate context was necessary to consider in assessing compliance with the Guidelines.

As noted above, the proposed building has been appropriately sited on the lot to maintain compatibility with adjacent residences both in terms of 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. The distance between the proposed dwelling and the lot line abutting 1031 Cedar Grove Boulevard exceeds 13 metres and the distance from the proposed dwelling to the existing house at 389 Chartwell Road is approximately 45 metres.

The proposed residence is larger than the adjacent dwellings, however, due to the site dimensions and siting of the proposed residence, the proposed dwelling cannot contribute to, or detract from, the consistency of the either the scale and form of area dwellings or the sense of a consistent streetscape. The proposed building falls well within the prescribed floor space index and coverage provisions in the By-law. The proposed floor space index is 20.85%, and the proposed lot coverage is 19.5%, both well within the required maximums of 29%, and 25%, respectively, for this site.

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. The window treatment of the proposed dwelling has been designed in appropriate proportion on the primary facade to add visual interest and to maximize light penetration and views. Window placement and significant side yard setbacks minimize overlook conditions onto neighbouring properties, specifically towards 1031 Cedar Grove Boulevard.

The proposed garage doors and garage area are completely hidden from the public realm and the garage space is all located internal to the dwelling and partially below grade.

A total of 144 regulated trees are located on the subject site. In accordance with the Guidelines, the proposed residence has been sited to retain 126 of these trees, including the majority of trees around the periphery of the property. The proposed landscape treatment is compatible with the surrounding landscape, specifically the Morrison Creek valley located immediately adjacent to 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.

Variances to the prescribed maximum building height, minimum front yard setback, maximum building depth, and maximum garage area are being sought to permit the proposed development.

3.1 Maximum Building Height

The intent of the maximum building height is to limit potential for impacts related to overlook, shadow, and loss of sky view on adjacent properties, as well as maintain consistency in the areas physical character.

The maximum permitted building height is 9.0 metres. The proposed building height is 10.0 metres. Based on the design, siting, and size of the proposed dwelling relative to the lot size, and the characteristics of other houses in the immediate area, the proposed increase in height is not anticipated to result in any appreciable impact on adjacent properties or the character of the area.

The character of dwellings in the surrounding neighbourhood comprises primarily two-storey designs both in the style of the original building stock of the neighbourhood and newer, more contemporary two-storey houses. With an overall floor area of 980 square metres – resulting in a floor space index of 0.21 - the proposed dwelling is larger than many of the houses in the surrounding area, however its size relative to the lot is consistent with that of dwellings in the surrounding area, as well as the maximum 0.29 floor area ratio required by the By-law. In cases where a building is disproportionate in size relative to the lot on which it is proposed, additional height can be impactful on both adjacent properties and area character. This is not the case in this instance however. Despite the building being objectively large in context, it is not disproportionate to the lot on which it is situated and,

importantly, the building's generous setbacks and landscape features serve to satisfactorily limit any impact on adjacent properties associated with the proposed height.

The location of the proposed dwelling on the site, and the maintenance of numerous large boundary trees on the property, serve to ameliorate any issues which may otherwise result from the proposed 1.0 metre of additional building height. The proposed building steps down from two storeys to one towards the south east towards the nearest adjacent house located at 1031 Cedar Grove Boulevard. The distance between the two storey portion of the dwelling and the lot line abutting 1031 Cedar Grove Boulevard is greater than 20 metres and the distance from the one storey attached garage to the south east property line is greater than 13 metres. A series of trees line the southeast edge of the property, further obstructing the view of the proposed building from the existing house at 1031 Cedar Grove Boulevard. The other nearest adjacent dwelling, located at 389 Chartwell Road to the south, is located approximately 45 metres from the proposed dwelling, between which is located a series of existing and proposed boundary trees, to limit both the impacts of building height and any privacy or overlook issues.

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

3.2 Minimum Front Yard Setback

Typically, the intent of the minimum front yard setback provision is to ensure a consistent setback of buildings fronting the street line, and accommodate space for landscaping and parking. A generous setback from the street also delineates public space from private front yard space and supports privacy separation from the public street and any ground floor street facing windows on the dwelling.

The required minimum front yard setback is equal to the yard legally existing on the effective date of this By-law, less 1.0 metre. The proposed front yard setback is equal to the legally existing setback, less 21.29 metres.

In this case, given the irregular flag shape of the lot, it is not possible to situate the proposed building on the site in way which contributes to a consistent street line. The primary considerations in siting the building in this case were in limiting impacts on adjacent lots, providing adequate space for landscaping, and ensuring the proposed residence provided an appropriate setback from the adjacent Morrison Creek natural area.

The existing dwelling on the site is situated towards the north end of the property in close proximity to the adjacent Morrison Creek natural area. The proposed dwelling is situated towards the south west portion of the site, located closer to the front lot line on the property line, providing much greater separation distance to the adjacent natural area.

The siting of the building provides opportunity to maintain and enhance on-site landscaping, both through the preservation of existing trees, the planting of new trees, and the inclusion of a variety of hard and soft landscaped areas across the site.

As noted earlier in this rationale, the proposed building has been sited with regard for the dwellings on adjacent properties. The distance between the dwelling and the lot line abutting 1031 Cedar Grove Boulevard is greater than 13 metres and the distance from the proposed dwelling to the existing house at 389 Chartwell Road is approximately 45 metres.

It is my opinion that the proposed front yard setback is consistent with the intent of the Zoning By-Law.

3.3 Maximum Building Depth

The intent of the maximum building depth provision is to ensure consistency in the depth of buildings so as to limit overlook and shadow issues that may occur when adjacent buildings have varying depths. The required building depth is 20 meters. The proposed building depth is 27.05 metres.

Similar to the rationale for other required variances, the size and irregular shape of subject site serves to support the construction of a dwelling that is objectively larger than other area detached houses but is nevertheless appropriately scaled in relation to the large subject site and appropriately situated in relation to adjacent lots and residences.

While the depth of the building exceeds that prescribed by the By-law, the intent of the provision is primarily to protect adjacent lots from impacts arising from inconsistently deep dwellings. In this case, the proposed dwelling is set back over 13 metres from the adjacent 1031 Cedar Grove Boulevard lot line to the southeast. As noted earlier in this rationale, a series of trees and landscaping borders the site on this property line as well. Given the orientation of the subject site, the adjacent property at 1031 Cedar Grove Boulevard would be impacted by an uncharacteristically large dwelling at 383 Chartwell Road were the impact of the increased depth of the dwelling not ameliorated by the proposed considerable setback and series of boundary trees. Based on the siting of the building and site landscaping, the proposed dwelling's depth will not result in any adverse impacts on the adjacent property at 1031 Cedar Grove Boulevard.

A large building depth variance can sometimes signal that a building is larger than should otherwise be accommodated on a site. In this case however, the proposed dwelling's floor space index is 20.85%, and the proposed lot coverage is 19.5%, both well within the required maximums of 29%, and 25%, respectively, for this site.

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

3.4 Maximum Garage Area

The intent of the maximum garage area provision is to ensure that dwellings do not contain uncharacteristically large parking garages within their building footprint. The maximum permitted parking garage area is 56 meters with an access width of 9.0 metres. The

proposed parking garage area is 151.1 square meters (including below grade) with a maximum width of 11 metres.

This provision is somewhat problematic when considered alongside other zoning criteria which regulate the overall size of a dwelling. In other cases, such as with Lot Coverage and Floor Space Index, requirements are expressed relative to the size of the site, not as a hard number. In many cases it is likely that 56 square metres is sufficient for vehicle parking, but in cases where a large dwelling is proposed on a large site, it may be appropriate for the garage area to bear some relationship to the overall size of the dwelling, especially in cases where the additional garage area creates no impact on adjacent properties. In this instance, the garage area is appropriate relative to the size of the proposed dwelling, which itself is appropriately scaled for the site, as discussed earlier in this report.

The proposed garage, a one-storey structure, is set back 13 metres from the adjacent property line on which a series of boundary trees are located. The size and location of the garage will not have any impact on the adjacent property at 1031 Cedar Grove Boulevard.

It is my opinion that the requested variance to parking garage area 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 minor in nature 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 Building Height

The maximum permitted building height is 9.0 metres. The proposed building height is 10.0 metres. As discussed above, the proposed height will not impact the neighbouring properties with regard to overlook, shadow, or loss of sky view. The proposed dwelling is located toward the center of the subject site, provides a significant setback from the southwest and southeast property lines, and is scaled appropriately when compared to the dwellings in the immediate context. The maintenance of a considerable number of boundary trees assists in screening the proposed two-storey building from adjacent properties.

In my opinion, the proposed building height variance is minor in nature.

4.2 Minimum Front Yard Setback

The required minimum front yard setback is equal to the yard legally existing on the effective date of this By-law, less 1.0 metre. The proposed front yard setback is equal to the legally existing setback, less 21.29 metres. In this case, given the irregular flag shape of

the lot, it is not possible to situate the proposed building on the site in way which contributes to a consistent street line. Further, given its location on the site, the proposed dwelling will barely be visible from the street and have no impact on the consistency of other dwellings on Chartwell Road.

In my opinion, the proposed front yard setback variance is minor in nature.

4.3 Maximum Building Depth

The Zoning by-law requirement for maximum building depth is 20 meters. The proposed building depth is 27.05 metres. In this case, the proposed dwelling is scaled appropriately for the large site on which it is situated and its size relative to the lot is consistent with that of dwellings in the surrounding area. It has a floor space index of 0.21 times the area of the site, while the prescribed maximum floor space index is 0.29 times the area of the site. The building is set back 13 metres from 1031 Cedar Grove Boulevard. The increased building depth both has no impact on adjacent properties nor does it contribute to a dwelling that is too large for the subject site.

In my opinion, the requested variance for building depth is minor in nature.

4.4 Maximum Parking Garage Area

The maximum permitted parking garage area is 56 meters with an access width of 9.0 metres. The proposed parking garage area is 151.1 square meters with a maximum width of 11 metres. In this instance, the proposed garage area, and its entrance, is appropriate relative to the size of the proposed dwelling, which itself is appropriately scaled for the site. The garage area is also located internal to the dwelling and partially below grade, and is not visible from the public realm. The garage area is set back 13 metres from the adjacent property at 1031 Cedar Grove Boulevard and the entrance area screened by both fencing and a series of boundary trees from the facing property.

It is my opinion that the proposed variance to parking garage area is minor in nature.

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 an appropriate form and scale of dwelling relative to the size and configuration of the subject site. The dwelling has been sited with regard for the setbacks and yards of adjacent properties as well as the adjacent Morrison Creek Valley. The southwest setback is significantly increased from the by-law minimum of 4.2 metres to 13.0 metres to both mitigate any potential height impacts associated with the requested 1.0 metre building height variance.

With consideration of the large size and unique layout of this lot, the proposed height and overall mass of the building fits appropriately both in the immediate context, particularly the more contemporary residences, and has been designed and sited with regard for the immediately adjacent dwellings.

The architecture of the home has been carefully considered, incorporating high quality materials, extensive landscaping, and proportions that ensure compatibility with the adjacent properties and the local context, while contributing positively to the varied nature of designs in the immediate neighbourhood. The proposed development is located within an established neighbourhood in the urban area and is within walking distance to parks and schools, and is a 5 minute drive from the Oakville Go Station.

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. Each of the proposed variances 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 variances are consistent with the general intent and purpose of the Halton Regional Official Plan, the Livable Oakville Plan, and applicable Zoning By-laws, are minor in nature, reflect appropriate and desirable development for the area, and represent good planning.

Respectfully submitted by,



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