



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



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

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Designer prior to proceeding with any of the work.

The undersigned has reviewed and issued responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code to be a Designer.

REGISTRATION AND QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.3.1. and/or 2.17.4.1 of the Ontario Building Code

FIRM BCIN: 111021
INDIVIDUAL BCIN: 36869

Name: A. Jarret McNamee
This document must be signed above to be valid.
Representations should not be accepted.

8	22-09-23	REVISED AS PER COMMENTS
7	22-09-12	ISSUED FOR CMA
6	22-06-13	ISSUED FOR S.P.A
5	22-05-30	ISSUED FOR STRUCTURAL
4	22-04-29	ISSUED FOR INT. DESIGNER
3	22-04-22	ISSUED FOR CLIENT REVIEW
2	22-03-14	GENERAL REVISIONS
1	22-02-07	ISSUED FOR CLIENT REVIEW
REF.	DATE	DESCRIPTION
REVISIONS / ISSUANCE:		

AJM DESIGNS INC.
#3 - 2526 Speers Road, Oakville ON, L6L 5M2
T: 905.825.0433 E: info@ajmdesigns.ca

CLIENT:
CUSTOM RESIDENCE

ADDRESS: 2038 WATERS EDGE DR.
CITY: OAKVILLE, ON

DRAWING TITLE:
NORTH AND EAST ELEVATIONS

DRAWN: J Mc
DATE: 22.03.10
JOB NUMBER: 440-21

SCALE: 1/4"=1'-0"
SHEET NUMBER: **A4.1**



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



2 WEST ELEVATION
SCALE: 1/4"=1'-0"

Drawings must NOT be scaled. Contractor must check and verify all dimensions, specifications and drawings on site and report any discrepancies to the Designer prior to proceeding with any of the work.

The undersigned has reviewed and issues responsibility for this design, has the qualifications and meets the requirements set out in the Ontario Building Code for a Designer.

REGISTRATION AND QUALIFICATION INFORMATION
Required unless design is exempt under 2.17.3.1. and/or 2.17.4.1 of the Ontario Building Code

FIRM BCIN: 111071
INDIVIDUAL BCIN: 36869

Name: A. Jarret McNamee
This document must be signed above to be valid.
Representations should not be accepted.

8	22-09-23	REVISED AS PER COMMENTS
7	22-09-12	ISSUED FOR CMA
6	22-06-13	ISSUED FOR S.P.A
5	22-05-30	ISSUED FOR STRUCTURAL
4	22-04-29	ISSUED FOR INT. DESIGNER
3	22-04-22	ISSUED FOR CLIENT REVIEW
2	22-03-14	GENERAL REVISIONS
1	22-02-07	ISSUED FOR CLIENT REVIEW

REF. DATE DESCRIPTION

REVISIONS / ISSUANCE:



CLIENT:
CUSTOM RESIDENCE

ADDRESS: 2038 WATERS EDGE DR.
CITY: OAKVILLE, ON
DRAWING TITLE:
SOUTH AND WEST ELEVATIONS

DRAWN: J Mc
DATE: 22.03.10
JOB NUMBER: 440-21
SCALE: 1/4"=1'-0"
SHEET NUMBER: A4.2



PLANNING JUSTIFICATION REPORT

September 2022

Subject Address:

2036 Waters Edge Drive, Oakville Ontario

Prepared For:

Muhammad Alam

1.0 Introduction

Batory Management has been retained by Muhammad Alam (the “owner”) as the planning consultant for the development at 2036 Waters Edge Drive 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 2036 Waters Edge Drive, Oakville Ontario (the “subject site”).

1.1 Proposed Development

The proposed development comprises a two-storey, 5-bedroom, single-detached dwelling with an overall floor area of 909 square metres on a waterfront lot with an overall area of 2,691 square metres. The proposed detached dwelling covers 27.7% of the property totalling 650 square metres. The proposed height of the dwelling is 10.5 metres. The existing vehicle access on the western portion of the property is being maintained, with one new access proposed on the eastern portion of the property. The proposed dwelling will be located towards the centre of the subject property, allowing ample setbacks from Lake Ontario and the Waters Edge Drive frontage.

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 19 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 2 will incur injury and 8 will require removal to facilitate the proposed construction.

The proposed dwelling is utilizing a stone façade and high-quality materials to assist in the design of the dwelling. The proposed architecture of the home has been considered in terms of materials, roofline, and proportions that ensure compatibility with the site on which the building is located, as well as adjacent properties and the immediate neighbourhood context.

The proposed dwelling features a prominent front entry is located at the center of the front façade. The front façade includes a series of large windows situated across the 1st and 2nd floors, and a rear yard overlooking Lake Ontario. The proposed garage is located on the western side of the dwelling, and rear yard features a series of landscaped amenity spaces and open spaces for the benefit of the homeowner.

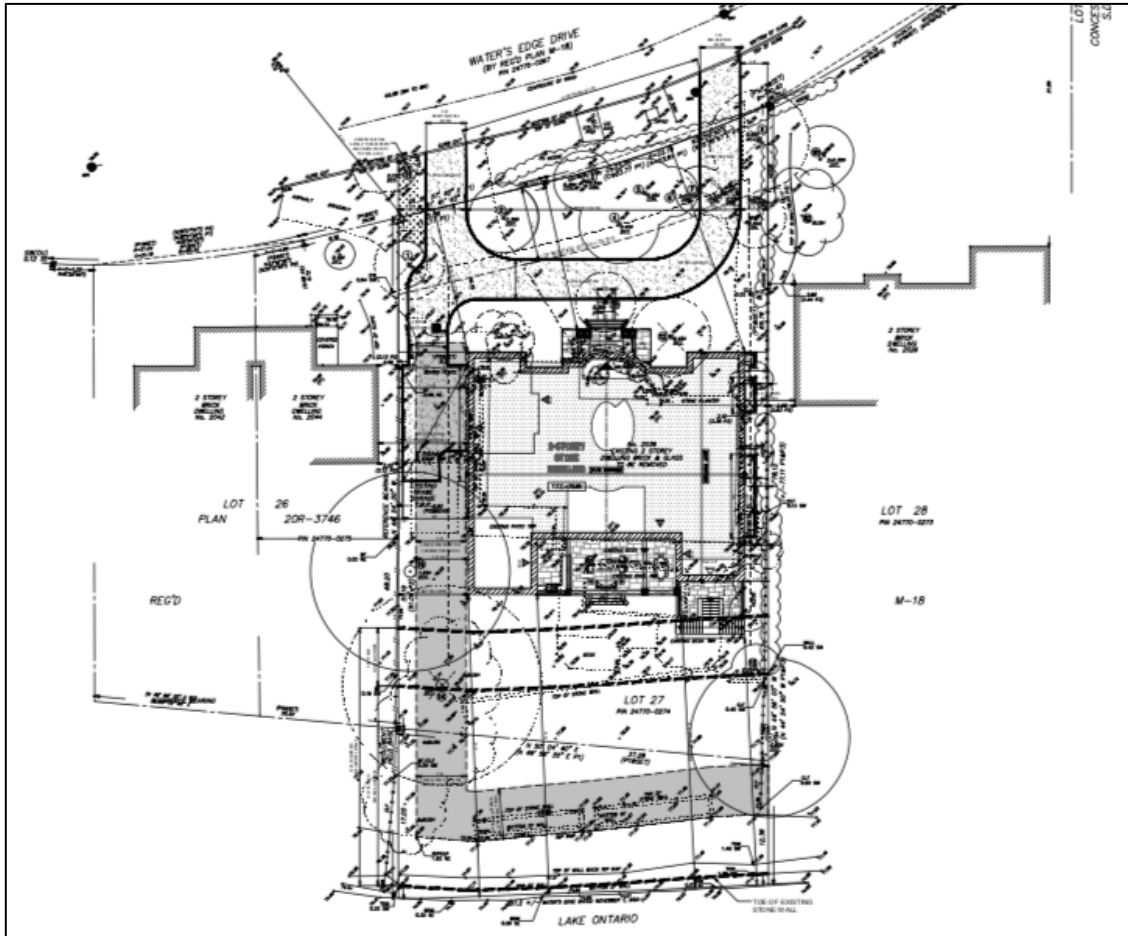


Figure 1 – Site Plan



Figure 2 – Front Elevation



Figure 3 –Rear Elevation



Figure 4 – West Elevation



Figure 5 – East Elevation

1.2 Subject Site

The subject site, measuring 2,691 square metres, is an interior lot with 38.7 metres of frontage on Waters Edge Drive. The subject site is currently occupied by a 2-storey single detached dwelling and is one of the largest lots on Waters Edge Drive within the immediate neighbourhood.

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 F – South West Land Use in the Oakville Official Plan. The site is zoned RL9: SP58, Residential Low Zone, Special Provision 58 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 west Oakville comprising primarily two storey residential buildings including single detached dwellings, semi-detached dwellings, and townhouse dwellings, all on a variety of lot sizes and shapes and in a wide variety of architectural styles. The local area is characterized by a mature tree canopy. Parking for area residences is provided in driveways and/or in attached or detached garages.

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 RL9 Residential Low Zone, Special Provision 58 by the Town of Oakville Zoning By-Law 2014-014. (See Figure 7). The RL9 zoning permits the use of a detached dwelling, semi-detached dwelling, as well as several other conditional uses, such as a day care and a private home day care. The Special Provision 58 to the zone adds a series of requirements to zone, predominantly adding additional minimum setback requirements.

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

By-law Provision	Requirement	Requested Variance
Maximum Driveway Width	9.0 m	10.77 m
Maximum Garage Area	45.0 m ²	60.46 m ²
Window Well Encroachment	Window wells with a maximum width of 1.8 metres shall encroach 0.6 metres	Window wells with a maximum width of 5.58 metres shall encroach 0.6 metres
Maximum Skylight Dimension	The maximum dimensions of the roof opening for the skylight shall be 2.4 metres in length and 2.4 metres in width	The proposed dimensions of the roof opening for the skylights shall be 1.17 m in width and 3.05 m in length

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 adjacent to Lake Ontario to the south of the site is identified as "Waterfront Open Space".

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 West Land Use.



Figure 9 – Livable Oakville Plan Schedule F – South West 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:

- 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.

Section 17 of the Plan establishes the Plan's policies for Waterfront Open Space. Lands designated Waterfront Open Space shall generally form a continuous band of public and private lands along the Lake Ontario waterfront including: a) natural features and hazard lands identified on Schedule B; and, b) lands back from the stable top-of-bank a minimum width of 15 metres.

The delineation and regulation of hazard lands, including the long-term stable top-of bank, is administered by the Conservation Authorities through the Conservation Authorities Act and their individual regulations as well as through the hazard lands policies in Part C of this Plan.

2.2.3 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.

Section 3.2.6 of the Design Guidelines recommends that new development should make every effort to minimize the visual prominence of the garage and the surface parking area on the property frontage in order to maintain a positive pedestrian experience along the streetscape.

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.

Section 3.3.2.2 of the Design Guidelines recommends that new development should be designed with the widest part of the driveway positioned directly in front of the garage door(s). The driveway width should be minimal at the property line to reduce the impact on the pedestrian environment and on street trees in the boulevard.

2.2.4 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 unique character and scale of dwellings in the area, and given the context of being one of the largest waterfront lots on Waters Edge Drive. The proposal represents gradual growth and change within the Residential Area, while providing for an executive dwelling that is commonly found on Oakville waterfront lots.

The proposed scale, massing, height, and siting of the proposed development appropriately responds to the built form of houses in the local context. The site itself is an oversized waterfront lot on Waters Edge Drive, and is sited with a significant front yard setback relative to the adjacent dwellings to assist in mitigating any potential massing impacts, and the side and rear yard setbacks also exceed the requirements of the Zoning By-law.

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. The proposed coverage complies with the Zoning provisions, and no variances are being sought that would increase the proposed massing of the dwelling, relative to the requirements of the Zoning By-law.

The lands located adjacent to Lake Ontario are designated as Waterfront Open Space, and the proposed development seeks to meet the top-of-bank requirements by the

Conservation Authority. The applicant has submitted supporting studies including geotechnical and slope stability studies in support of the proposed development.

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 recurring characteristics and is consistent with the applicable built form 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 proposed residence does not seek to replicate the architecture of homes on Waters Edge Drive, however still maintains compatibility with the character of the surrounding neighbourhood. The proposed dwelling represents a scale that is commonly found on similar estate style lots commonly found on the Oakville waterfront, and represents a built form that is designed with high quality building elements, built form projections, porches and balconies, and materials and colours that appropriately reflect the proposed scale and size of the lot and is compatible with the character of dwellings in the immediate context.

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 to 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 façade to add visual interest and to maximize light penetration and views. Window placement, including the window wells, and appropriate side yard setbacks minimize overlook conditions onto neighbouring properties.

The proposed garage is located at the west side of the dwelling, and as such is not visible from the streetscape. Additionally, there is a significant setback from the front yard of the property as well as existing vegetation to mitigate views from the streetscape. The proposed development appropriately incorporates the widest part of the driveway at the side of the dwelling adjacent to the garage entrance, to allow for vehicular maneuvering to take place in this location, away from the Waters Edge Drive frontage.

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 RL9, Residential Low Zone, Special Provision 58, by the Town of Oakville Zoning By-Law 2014-014. The RL9 zoning permits the use of a detached dwelling, as well as several other conditional uses, such as a daycare and a private home day care. The Special Provision 58 to the zone adds a series of requirements to the zone, predominantly adding additional minimum setback requirements.

Variances to the prescribed maximum driveway width, maximum garage area, window well encroachment, and maximum skylight dimension are being sought to permit the proposed development.

3.1 Maximum Driveway Width

The intent of regulating the maximum driveway width is to ensure that reasonable vehicular access can be provided without the hard surface treatment of the driveway dominating the front yard area. The driveway width has been measured at the widest part of the driveway, which is located at the side yard of the dwelling, with a significant setback from Waters Edge Drive. The actual paved surface of the driveway for the majority of the driveway is within the Zoning By-law requirements for driveway width and widens toward the side of the dwelling to allow for appropriate vehicular movements to occur as vehicles enter the garage. The widest portion of the driveway will be mitigated at street level through the presence of the trees and other landscaped features on the northern portion of the site, and a significant front yard setback is proposed to further reduce impacts from the streetscape.

It is my opinion that the requested variance to the maximum driveway width is consistent with the intent of the Zoning By-Law

3.2 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, and further do not negatively impact the streetscape. The proposed dwelling and design of the garage on the property situates the garage doors facing the western elevation, which mitigates the impacts of the garage from a streetscape perspective. Further, the garage is an appropriately sized garage relative to the lot size and dwelling footprint, and the size of the garage is mitigated through the design and architecture of the proposed dwelling

It is my opinion that the requested variance to the parking garage area is consistent with the intent of the Zoning By-Law.

3.3 Window Well Encroachment

The intent of the maximum window well encroachment is to ensure that window wells do not negatively impact grading and drainage on adjacent properties, and to ensure that adequate access exists on a given minimum yard setback.

The proposed window well encroachments are all located on the eastern side of the dwelling, which includes a setback from the side lot line of 2.34 metres, which is in excess of the Zoning By-law requirement of 1.8 metres. As such, the window well encroachment allows for an adequate setback of 1.2 metres to the window well to ensure that appropriate grading and drainage can occur, as well as access through the eastern side yard for maintenance purposes.

It is my opinion that the requested variance to the window well encroachment is consistent with the intent of the Zoning By-Law.

3.4 Maximum Skylight Dimension

The intent of the maximum skylight dimension and skylight provisions in the Zoning By-law is to ensure that rooflines are architecturally designed to be compatible within a given neighbourhood, and further that privacy and overlook impacts are mitigated.

The proposed skylight width is compliant with the By-law provisions, however the length of 3 metres is greater than the permitted length of 2.4 metres. It is noted that the total area of the proposed skylight is 3.5 square metres, whereas the Zoning By-law provisions allow for an area of up to 5.76 square metres. As such, the proposed dimensions of the skylight and placement of the skylight on the dwelling is not anticipated to cause any overlook or privacy impacts, and the design, shape, and area of the skylight feature is appropriate for the proposed estate style home.

It is my opinion that the requested variance to the skylight dimension 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 Driveway Width

Disproportionate driveway widths impact the streetscape when the additional width contributes to an excessive proportion of the front yard being paved, particularly when this driveway area is near the street. In the context of the proposed development, the large front yard ensures that an extensive front yard remains landscaped and the building configuration and existing vegetation ensure that much of the view of the internal driveway court will not be within a sightline from Waters Edge Drive, as well as from neighbouring properties. This driveway width is also needed for vehicular movements and turnaround area, specifically required for access to the garage which is designed to interface with the westerly side yard and mitigates impact to the streetscape.

4.2 Maximum Garage Area

The proposed garage area exceeds the provision outlined in the Oakville By-law. It is noted that the garage entrance will be accessed from the western portion of the dwelling, and the garage will not be visible from Waters Edge Drive. The garage is also appropriately setback from the street with a significant setback from the neighbour to the west. The garage is further mitigated with existing vegetation adjacent to Waters Edge Drive.

4.3 Window Well Encroachment

A window well encroachment has the potential to negatively impact the grading, drainage, and access to a minimum yard setback, particularly when the anticipated setbacks are further reduced beyond what is contemplated in the By-law. In the context of the proposed dwelling, the easterly side yard setback exceeds the requirements of the Zoning By-law to allow for the additional window well encroachment, which still maintains a setback to the easterly side yard which adequately allows for grading, drainage, and access that mitigates potential impact to the adjacent property.

4.4 Maximum Skylight Dimension

Disproportionately large skylight dimensions and designs can negatively impact the roofline of a proposed dwelling, as well as impact privacy. As noted, the proposed skylight maintains an area that is within the typical parameters of the Zoning By-law, and the size of the skylight is not disproportionate to the roof of the proposed estate style dwelling. Further, no privacy impacts are anticipated through the proposed design of the roofline or the design of the skylight feature.

5.0 Appropriate and Desirable Development for the Area

The proposed development is located within an established residential area, adjacent to other waterfront lots with large, single detached dwellings, semi-detached dwellings, and townhouse dwellings in the immediate neighbourhood context. 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, which is one of the largest lots in terms of lot area and lot frontage in the immediate context. The dwelling has been sited with regard for the setbacks and yards of adjacent properties as well as the adjacent Lake Ontario shoreline. The estate style architectural design reflects the character and built form features that is commonly found on similar large waterfront lots in Oakville, and the proposed development mitigates impacts on trees and the streetscape through the architectural design, building proportions, and siting of the dwelling.

With consideration of the large size and unique features of this lot, the proposed variances do not seek to impact the built form requirements of the Zoning By-law, and the building

fits appropriately both in the immediate context, 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.

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, semi-detached dwellings, and townhouse dwellings on large waterfront 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 provides for a 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 'estate' 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,

Paul Demczak, MCIP, RPP
Principal, Batory Management