

July 27, 2023

By E-Mail Only to *townclerk@oakville.ca*

Mayor Rob Burton and Members of Council
Town of Oakville, Clerk's Department
1225 Trafalgar Road
Oakville, Ontario
L6H 0H3

Your Worship and Members of Council:

**Re: Block 21 on Deer Run Avenue, Oakville
Release of Subdivision Agreement
Planning and Development Council Meeting on August 14, 2023**

We are counsel to Bill Kennedy, Tim Kennedy, Ivan Pegoraro and Daniel Pegoraro, the owners of a vacant parcel of land at the east end of Deer Run Avenue in the Town of Oakville, known as "Block 21" (the "Property"). The Property is triangular in shape and is identified in the attached aerial photographs.

The purpose of this letter is to ask Council to clear the way to allow a single-detached house to be built on the Property.

For context, the parcels to the north and west of the Property were developed as part of a larger residential subdivision in the 1980s. The Property remained undeveloped, in part due to its irregular shape and the fact that the zoning by-law in effect at the time would not have permitted a house on the property without variances.

As part of the larger development, a Subdivision Agreement was registered on title to the Property and other parcels in 1985. The Subdivision Agreement, noting that the Property did not "satisfy the requirements of the Oakville zoning by-law" at the time, prevented the Property from being built on except in conjunction with another parcel.

Importantly, the Town's zoning by-law now allows a house to be built on the Property, without any variances required.

However, the Subdivision Agreement has remained registered on title to the Subject Lands for the last 38 years. This is the only thing standing in the way of a house being built on the Property.

We request that Council authorize the Town to terminate and release our clients from the Subdivision Agreement, and to have it deleted from title, so that a house can be built.

I am enclosing a site plan which shows where my clients propose to build a house on the Property, as well as an elevation drawing with their vision for the front of the house. The proposal is modest and the house would be in keeping with the character of the other houses in the neighbourhood.

Although it is not shown on the site plan, the sidewalk along Deer Run Avenue would be extended to the eastern end of the Property. We understand that Town staff would want our clients to commit to extend the sidewalk as part of a development agreement, and our clients are fully willing to do so. They will also pay the appropriate fee for the agreement.

There is an existing Canada Post mailbox and an existing transformer / hydro box along the street in front of the Property. The intention is to leave both where they are. Our clients would be responsible for connecting the adjacent water and sanitary connections to the Property so that it is fully serviced.

We hope Council agrees that allowing a house to be built on the Property is a sensible use of this vacant lot, which would allow one more family to join the neighbourhood.

Our client and one of my colleagues will be in attendance at the August 14, 2023 Planning and Development Council meeting to speak to this matter and answer any questions you have.

Sincerely,
DAVIES HOWE LLP



Kyle Gossen

KG:yl
encls.: as above

copy: Jennifer Huctwith, Assistant Town Solicitor, Town of Oakville



Yardspace Storage

Winston Churchill Blvd

Deer Run Ave

Cristan Farms

GJ MacRae
Foundation Repair

19

Ian Anderson House

Winston Churchill Blvd





Deer Run Ave

Deer Run Ave

Deer Run Ave

Deer Run Ave

Deer Run Ave

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Deer Run Ave

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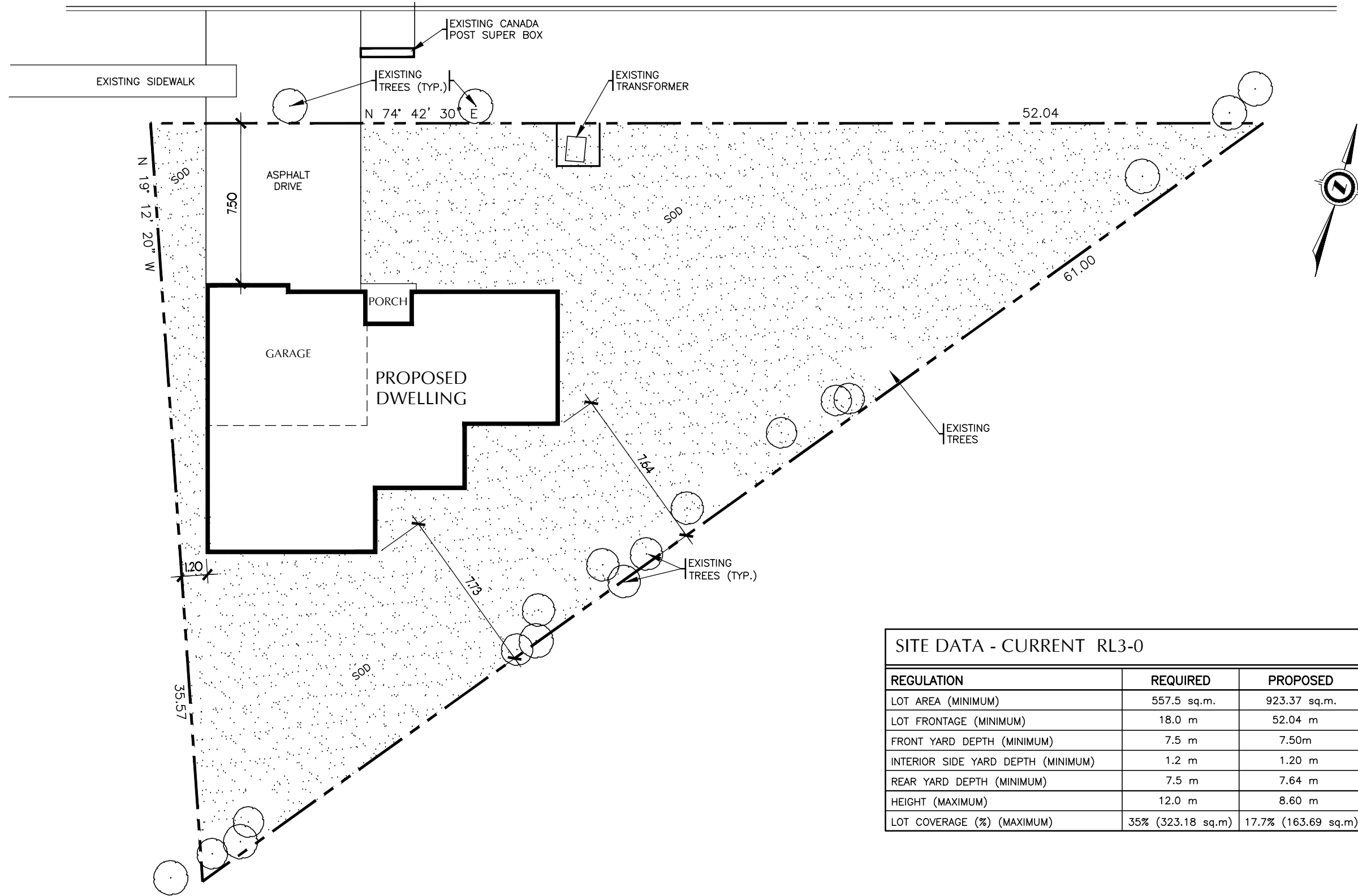
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I, **Carla McMillan**, review and take responsibility for the design work on behalf of our firm Orchard Design Studio incorporated registered under subsection 2.17.4 of the Building Code, I am qualified, and the firm is registered in the appropriate classes/categories.
Firm BCIN: 28615
Individual BCIN: 32875

Signed: *Carla McMillan*

DEER RUN AVENUE



SITE DATA - CURRENT RL3-0		
REGULATION	REQUIRED	PROPOSED
LOT AREA (MINIMUM)	557.5 sq.m.	923.37 sq.m.
LOT FRONTAGE (MINIMUM)	18.0 m	52.04 m
FRONT YARD DEPTH (MINIMUM)	7.5 m	7.50m
INTERIOR SIDE YARD DEPTH (MINIMUM)	1.2 m	1.20 m
REAR YARD DEPTH (MINIMUM)	7.5 m	7.64 m
HEIGHT (MAXIMUM)	12.0 m	8.60 m
LOT COVERAGE (%) (MAXIMUM)	35% (323.18 sq.m)	17.7% (163.69 sq.m)

STATUS: PRELIMINARY
 PLOTTED: 2022-05-06 10:45 AM
 SCALE: 1:200
 DWN BY: KSR
 DATE: FEBRUARY 2022
 REV. MAY 6/22 CM

PROJECT
CUSTOM HOME
2472 DEER RUN AVENUE
 OAKVILLE ONTARIO

TITLE
SITE PLAN

SHEET No.
A1.1



FRONT ELEVATION
AREA: 2,926 s.f.

2 STOREY HOUSE