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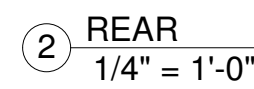
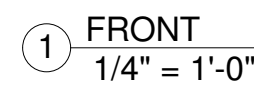
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ENGINEERING + CONSTRUCTION

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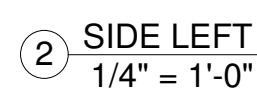
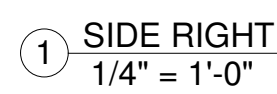
## THIRD LINE

(ROAD ALLOWANCE BETWEEN LOTS 25 AND 26)



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# PLANNING JUSTIFICATION REPORT

January 2024

Subject Address:

1594 Venetia Drive, Oakville Ontario



## **1.0 Introduction**

Batory Management has been retained as the planning consultant for the development at 1594 Venetia 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 1594 Venetia Drive, Oakville Ontario (the “subject site”).

## **1.1 Proposed Development**

The proposed development comprises a two-storey, four-bedroom, single-detached dwelling with an overall floor area of 386.76 square metres. The proposed detached dwelling would cover 25.51% of the property totaling 266.72 square metres. The proposed height of the building is 9.5 metres. The building has been located to fit appropriately onto the subject site, meeting or exceeding all required building setbacks, and with a front yard setback that reflects that of adjacent properties. It has been sited to accommodate the existing large canopy tree at the rear of the subject site and adjacent properties.

The architecture of the home has been carefully considered in terms of materials, roofline, and proportions to ensure compatibility with the adjacent properties and the local context, while contributing to the varied character of buildings in the immediate neighbourhood. A covered porch facing the street denotes the main entrance to the house with a prominent architectural feature. The front façade of the house comprises stone and a series of rectangular windows. The front façade is framed by stone chimneys at either end of the main portion of the house. The roofline features a series of building heights and indentations to mitigate impacts on adjacent properties. Further, an existing driveway at the front of the property connects to a two-car garage located at the north side of the site.



Figure 1 - 3D View



## 1.2 Subject Site

The Subject Site is located in a residential subdivision in the south west area of Oakville, east of Third Line and north of Lakeshore Road West. The subject site, measuring 1,045.37 square metres, is rectangular in shape. An existing two-storey detached dwelling with an integral garage is currently located on the subject site.

The subject site is designated as “Urban Area” by the Region of Halton Official Plan, is within the “Residential Areas” and “Low Density Residential” land use designation as shown on Schedule F – South West Land Use. The site is zoned RL2-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014.



Figure 1 - Immediate Context

## 1.3 Area Context

The subject site is located within an established neighbourhood in south west Oakville comprising one and two storey detached residential buildings on similar sized lots in a wide variety of architectural styles. The area is characterized by a mature tree canopy, although no trees exist within the front yard or boulevard of the subject site. Parking for area residences is provided in driveway spaces or in attached garage structures. A number of properties have rear yard pools.

Oakville Christian School is located immediately to the west of the subject site, and Sir John Colborne Recreation Centre for Seniors is located to the south of the site adjacent to Lakeshore Road West. Bronte Village is located to the west of the subject property, and the site is within close proximity to Lake Ontario to the south.



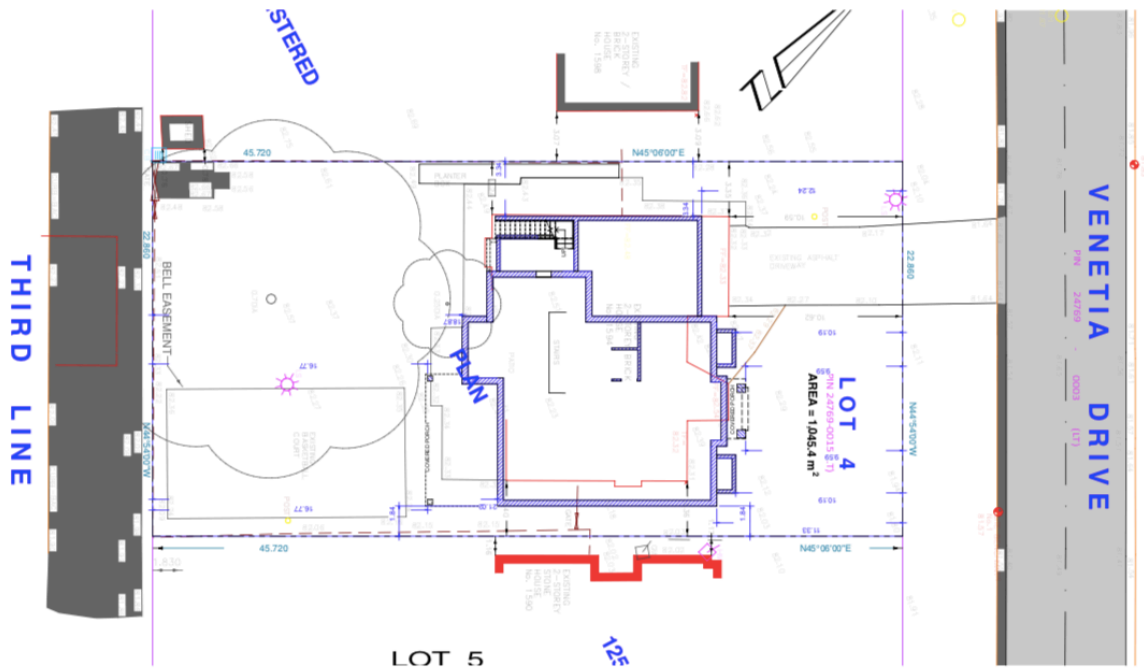


Figure 2 – Site Plan



Figure 3 – Front Elevation





Figure 4 –Rear Elevation



Figure 5 – Side (Right) Elevation



Figure 6 – Side (Left) Elevation

#### 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.

The subject site is zoned RL2-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014. The RL2-0 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 RL2 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	9.5 metres
Maximum Lot Coverage	25% (261.34 sqm)	25.51% (266.72 sqm)



### **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 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.

The subject site is designated as a ‘Low Density Residential’ land use designation as shown on Schedule F – South West Land Use.

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.

#### **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”) 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. Such elements and forms include:

- projections and/or recesses of forms and/or wall planes on the façade(s);
- variation in roof forms;
- subdividing the larger building into smaller elements;
- porches and balconies that can reduce the verticality of taller dwellings and bring focus to the main entrance;
- architectural components that reflect human scale and do not appear monolithic; and ,
- variation in building materials and colours.

Section 3.2.2 suggests that new development with a full second storey incorporate facade articulation and different materials on the upper storey façade to minimize the appearance of greater height.

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 of the existing lot and low rise residential context, representing appropriate gradual growth and change within the Residential Area. The proposed dwelling type is consistent with the surrounding context.

The scale, massing, height, and siting of the proposed development generally reflect the prevailing form of houses in the local context. The front yard setback aligns with the average setback of the houses on either side of the lot, ensuring consistency in the series of facades along Venetia Drive. The proposed side yard setbacks, exceeding 3.3 metres to the north and 1.8 metres to the south, site the building appropriately on the lot to maintain compatibility with adjacent residences and limit any overlook and privacy issues.

Design Guidelines for Stable Residential Communities are an important tool in assessing a proposal's consistency with the intent of the Official Plan. The proposal has been designed to respond to the neighbourhood patterns and reoccurring characteristics and is consistent with the applicable guidelines contained within Guidelines.

As noted above, the proposed building has been appropriately sited on the lot to maintain compatibility with adjacent residences both in terms of prevailing 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.

In accordance with Guidelines 3.2.1, several smaller elements and forms that visually reflect the scale and character of the dwellings in the surrounding area have been incorporated into the design. The proposal features a series of building indentations to break up a roof pitch facing the street.

Variation in the front façade contributes to breaking up the massing and façade of the building in a way which diminishes the perception of its overall scale in relation to

adjacent properties. Several dwellings in the immediate area employ a similar approach to breaking up the extent of their respective facades.

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. As noted in several instances above, the siting and scale of the building aligns with several other area residences, while the design subtly references certain architectural approaches and elements of dwellings in the immediate area.

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. While some windows are located on the north and south facades, their placement and significant side yard setbacks contribute to minimizing overlook conditions onto neighbouring properties.

In accordance with the Guidelines, the proposed residence has been sited to retain the largest tree located on the site located at the rear yard of 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 RL2-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014. The RL2-0 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 RL2 zone, including those regarding lot coverage, front yard setbacks, main wall proportionality, height, and others.

Variances to the maximum building height as well as to maximum lot coverage and maximum floor area ratio requirements 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 area physical character.

The maximum permitted building height is 9.0 metres, while the proposed building height is 9.5 metres. The prevailing character of the surrounding neighbourhood comprises a mix of one and two storey dwellings, including more contemporary two-



storey houses that have been recently constructed from the original housing stock. The proposed development is similar in both scale and massing to that of these other 2-storey detached houses and adds its own architectural approach to the local context.

The height of the proposed building at the roof peak exceeds the permitted building height by 0.5 metres. This increase in height is not anticipated to result in any appreciable impact on adjacent properties, in part because the peak is centralized on the site and the extent of the additional height is restricted to the upper peak of the roof. Further, the building has been sited to ensure there are no inappropriate shadowing impacts to the property to the north, having a greater set back and lower roof line adjacent to the north property line.

A variance to maximum building height was granted by the Committee of Adjustment in February 2017 for the adjacent property to the south at 1590 Venetia Drive, and the dwelling has been designed to transition with a roof height that would be compatible with the existing streetscape.

The proposed development, with a centralized, sloped roofline, minimizes the impact of the requested 0.5 metre variance to the permitted 9.0 metre maximum height while contributing to the variation in roofline character in the surrounding community. With regard to impacts, the incremental increase will not create appreciable overlook, shadow, or loss of sky view impacts on adjacent properties when compared to a building built to the as-of-right height. The potential for any impact is ameliorated by the residence's considerable north setback and roof height design.

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

### **3.2 Maximum Lot Coverage**

The intent of the maximum lot coverage is to regulate developable area and restrict excess development for the purpose of maintaining area physical character as well as maintain appropriate areas for green space. The maximum permitted lot coverage is 25% or 261.34 square metres. The proposed lot coverage is 25.51% or 266.72 square metres.

The proposed building coverage maintains significant front yard landscaping space, a common characteristic of lots in the immediate context. The proposed coverage also maintains or exceeds side yard setbacks for the purpose of access, drainage, and maintenance, and a rear yard depth to accommodate landscaping and amenity, which are all consistent with that of structures and lots in the local context, specifically the immediate neighbouring properties. The resulting lot coverage does not result in excess development, but rather development which reflects the neighbourhood's existing physical character.

Of note, the proposed front porch and rear covered porch account for 4.18 square metres of coverage. The proposed porches help break up the massing and façade of the building in accordance with the objectives of the Official Plan and the Design Guidelines for Stable Residential Communities. Further, the entry portico creates a prominent primary entrance on the front façade in accordance with the objectives of the Guidelines. The dwelling also features a rear single storey covered porch, which includes 35.4 square metres. Were these areas absent from the proposed design, the total coverage would be 227.14 square metres, well within the permitted maximum coverage for the site. However, these areas and features are important to ensure the proposed residence meets the intent of several key design guidelines to ensure fit within the local context.

The proposed lot coverage results in a residence that meets or exceeds all required yard setbacks, creating no adverse impact on adjacent properties, and is designed and sited to achieve the Town's stated neighbourhood character objectives. It is my opinion that the requested variance to lot coverage 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 a minor variance 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'.

#### **4.1 Maximum Building Height**

The maximum permitted building height is 9.0 metres. The proposed building height is 9.5 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 being located toward the center of the subject site, provides a meaningful setback from the north property line, and is scaled appropriately when compared to the dwellings in the immediate context. The proposed sloped roofline assists in further limiting any incremental impacts resulting from the additional requested 0.5 metre building height. In my opinion, the proposed building height variance is minor in nature.

#### **4.2 Maximum Lot Coverage**

Despite exceeding the maximum coverage by a marginal amount, the applicant has provided attention to appropriately site the proposed dwelling with regard for all prescribed setbacks and utilize the site's size to create variations in massing to achieve various policy and guideline objectives with regard to the character of the local context. The inclusion of the entry portico rear covered patio is intended to ensure these objectives are met and result in the requested variance to lot coverage. These open areas do not create the perception of an unnecessarily large building on the site, nor do



they impact any of the surrounding properties. In my opinion, the requested variance for lot coverage 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 the prevailing form of houses in the local context. The dwelling has been sited with regard for the setbacks and side yards of adjacent properties. The north setback has been increased to both mitigate any potential height impacts associated with the requested 0.5 metre building height variance, and to accommodate a setback to the roofline which breaks up the overall mass of the proposed residence facing the street.

The proposed height and overall mass of the building fits appropriately both in the immediate context, particularly the more contemporary residences, and has regard for the immediately adjacent dwellings.

The architecture of the home has been carefully considered in terms of high quality materials, roofline, and proportions to ensure compatibility with the adjacent properties and the local context, while contributing positively to the varied nature of designs in the immediate area.

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 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,



Paul Demczak, MCIP, RPP  
Principal, Batory Management