

Addendum 1 to Comments

May 01st, 2024

Committee of Adjustment

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

1)

CAV A/069/2024

PLAN M24 Lot 126

2245 Yolanda Drive

Proposed

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

Zoning By-law 2014-014 requirements – RL2-0

1. To permit the existing outdoor swimming pool to be set back to 1.09m from the interior side lot line.

Comments from:

Email in Support – 1

Emails/Letters of Opposition – 5

From:

Sent: Sunday, April 28, 2024 10:33 AM

To: Heather McCrae <heather.mccrae@oakville.ca>

Subject: File #CAV A/069/2024 – 2245 Yolanda Drive, Oakville, ON L6L 2H9

Respective Team,

I am writing this letter to express my full support for the variance application submitted by Pramod Darmapuri for 2245 Yolanda Drive (PLAN M24 LOT 126), Oakville. As a neighbor in close proximity to the subject property, I believe that the proposed variance aligns with the spirit of the neighborhood and will have a positive impact.

Additionally, I would like to emphasize that Pramod Darmapuri has been proactive in communicating with the community, addressing concerns, and seeking feedback. This collaborative approach demonstrates a commitment to maintaining a harmonious neighborhood.

In conclusion, I believe that granting the requested variance is in the best interest of the community and will contribute to the overall improvement and enhancement of our neighborhood. I respectfully request that the Committee of Adjustment carefully considers this letter and supports the approval of the variance application.

If you require any further information or would like to discuss this matter in more detail, please do not hesitate to contact me at

Thank you for your time and consideration.

Sincerely,

REDDI KIRAN BOSIGARI

From:

Sent: Sunday, April 28, 2024 4:04 PM

To: Heather McCrae <heather.mccrae@oakville.ca>
Cc: Sean O'Meara <sean.o'meara@oakville.ca>; Jonathan McNeice <jonathan.mcneice@oakville.ca>
Subject: File #CAV A/069/2024 2245 Yolanda Dribe

Dear Heather McCrae, Committee of Adjustment
Last November the neighbourhood voiced concerns about the same application from 2245 Yolanda. The request for minor variance were denied at that time.

The drawing attached to the application is confusing as this is the proposed new home and difficult to decipher where the current home location is on the drawing. Although the application for minor variance concerns only the swimming pool, the drawing with the application shows the plan for the same large home denied last November on the previous application! I would like to request C of A to carefully review this application as it appears to be rejiggering as a means around the plan denied in November.

I am strongly opposed to this request as it will impact the peace and enjoyment of the neighbouring property.

Also Mr Venkat Bollu who has submitted his support of the 2245 application is a tenant renting the home at 2251 adjacent to the property and should not have an opinion in this matter.

Concerned neighbour
Barbara Keeley-Watt
2255 Yolanda Drive

From:
Sent: Sunday, April 28, 2024 9:03 PM
To: Heather McCrae <heather.mccrae@oakville.ca>
Subject: re; Letter of objection - File # CAV A/069/2024

We are sending our letter of objection reg. 2245 Yolanda Dr application;
File # CAV A/069/2024.
We also would like to pre-register in order to participate in the electronic hearing .

Sincerely;
Agata and Wojciech Sikora

To;

Committee of Adjustment
125 Trafalgar Road, Oakville ON L6H 0H3
Attention; Heather McCrae Secretary-Treasure

From;
Agata and Wojciech Sikora
354 Sunset Dr. Oakville On. L6L 3N1

Letter of Objection regarding application
File No; CAV A/069/2024- 2245 Yolanda Drive

We are writing as a member of the immediate neighborhood of 2245 Yolanda Dr.

The requested variance will directly affect our property. This particular variance was already denied by members of COA on November 15, 2023.

In our opinion, this variance together with variances related to the existing accessory buildings (gazebo and shed) and deck were already presented on November 15, 2023 and denied therefore should not be presented again.

In case the applicant legally can re-submit already denied variance we would like to express again our strong objection to requested variance.

Our bigger concern is the noise level. Unfortunately, comments from the staff did not address this very important issue. Everybody is aware that enjoyment of the outdoor pool generates a significant noise level; therefore it is very important to have an adequate distance from the adjoining properties.

The 2245 Yolanda's pool is located only 1 meter from our property and noise level during pool parties is already significant and negatively affects enjoyment of our property. This situation will become drastically worse when the proposal development of Yolanda Dr. will get approval.

The new development of 2245 Yolanda Dr. will completely enclose the pool within very limited space separation between the new dwelling and our property, drastically magnifying an already high level of noise. This will have a negative affect on us; taking enjoyment of our property even more; severely decreased quality time and negatively affect our well being.

Working in the health care (both of us- my wife and I are healthcare professionals) is very stressful mentally and physically, thus it is very important for us to enjoy our yard in the summer or even just to keep our windows open.

By looking at the drawing of proposal development, we are under the impression that the owner of 2245 Yolanda Dr. is planning to maximize his benefits at the expense of the surrounding neighborhood again. The drawing is very similar to the one that was presented on November 15, 2023 and strongly opposed by the neighborhood (38 letters of opposition). Rather than reducing the size and scale, the owner of 2245 Yolanda Dr in order to meet Zoning By Law - Maximum Lot Coverage requirement decided to eliminate the existing gazebo and shed from proposal development.

During the November presentation the agent stated on more than one occasion that regardless of the neighborhood concerns, the owners of 2245 Yolanda will build the house like this whether through a variance application or within their rights.

Today, within our rights we oppose the requested variance. In our opinion, the variance is not minor- the applicant is asking for an additional 27.67 % reduction of minimum requirement. What is minor is very subjective but reduction over 27% is not a minor in our opinion. And as we stated; the variance will have a very negative impact on us and our property. We are equal and deserve the same treatment.

Last but not least; we are questioning the supportive letter from Mr. Venkat Bollu. According to our knowledge 2251 Yolanda Dr. is a rental property and Mr. Venkat Bollu is a tenant (moved in, last year in July 2023) not the owner. In addition he is a contractor involved in the custom home building. In our opinion potential conflict of interest should be disclosed before submitting the letter of support.

We strongly believe that all Committee of Adjustment members will understand our concerns and support our position.

Sincerely;
Agata and Wojciech Sikora

From:

Sent: Monday, April 29, 2024 8:43 AM

To: Heather McCrae <heather.mccrae@oakville.ca>

Cc:

Subject: Letter of Opposition - 2245 Yolanda Drive

Hi Heather,

Please find attached our letter to the Committee of Adjustment opposing the variance at 2245 Yolanda Drive.

Thank you,

Jessica Foran and Wajahat Mahmood

2260 Yolanda Drive

Jessica Foran and Wajahat Mahmood
2260 Yolanda Drive
Oakville, ON

April 29, 2024

Sent by email to heather.mccrae@oakville.ca

Heather McCrae
Secretary-Treasurer, Committee of Adjustment

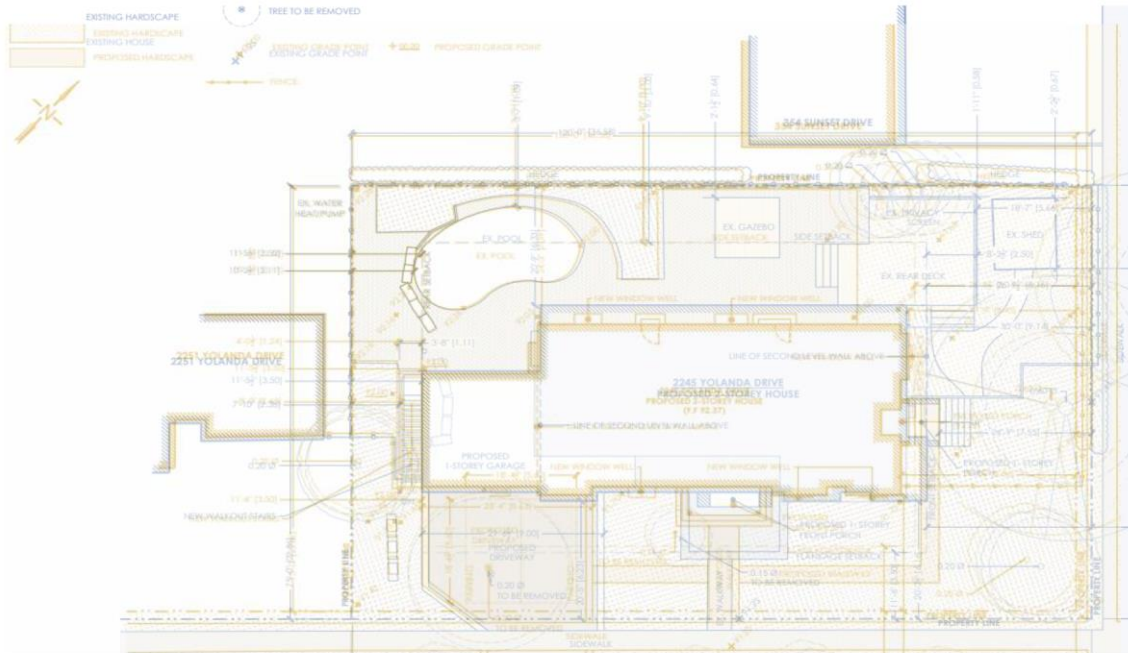
RE: 2245 Yolanda Drive Variance Request (File No. CAV A/069/2024 - 2245 Yolanda Drive)

To all Committee of Adjustment members,

We would like to strongly voice our opposition to the variance being requested for 2245 Yolanda Drive. The variance relates to an existing non-compliant feature, which in isolation may appear minor, but does not factor in the plan for a complete re-build (not a simple renovation) which will be overpowering to the streetscape. We urge the committee to consider if approving this non-compliant feature to allow for a complete re-build meets the 4 tests in terms of intent of the by-laws, desirability and alignment with the Official Plan. We believe the proposed build seeks to maximize size and scale without consideration for maintaining the character of the stable residential community. The comments from neighbours and the Committee of Adjustment from the owner's prior application in November have not been considered in any meaningful way. We would ask the committee to consider the following context and specific concerns:

1. Proposal is largely unchanged in terms of impact to the streetscape from the prior application.

This property had previously submitted a variance application (CAV A/091/2023) which was rejected by the COA in November 2023 and strongly opposed by the neighbours (>30 letters of opposition) on the basis of scale, massing and adverse impact to streetscape and adjacent properties. The new drawings show a build that is largely unchanged in terms of impact to the streetscape from the previously rejected proposal - Refer to below overlay of the two sets of drawings (November 2023 drawings in blue, April 2024 drawings in yellow):



The changes to decrease **lot coverage** from the prior application are primarily limited to removal of the existing backyard gazebo and shed to allow for additional lot coverage attributable to the house, and a decrease to the depth of the proposed house at the back. These updates do not change the adverse impact to the streetscape and do not reduce massing (primary concerns raised by the Committee at the November 15, 2023 meeting). The changes primarily impact the owner's own backyard space and are not visible to the street and neighbours on Yolanda. The intent of regulating lot coverage is to prevent the construction of a dwelling that has a mass and scale that appears larger than the dwellings in the surrounding neighbourhood – we do not believe the revised design meets the intent of the by-law.

Some aspects of the new design actually seem to be worse in terms of impact to the streetscape, such as the front porch feature which extends further in the new application than the November application.

2. Alignment with Intent of By-Laws – Orientation of front yard

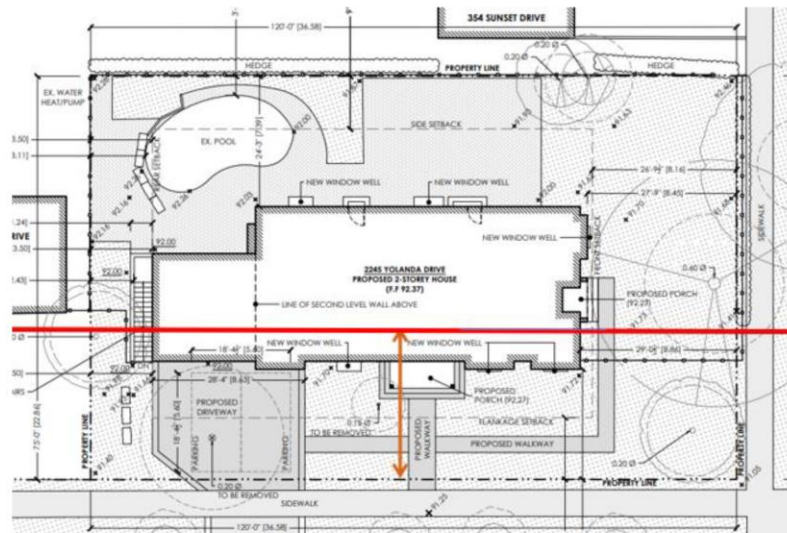
The submitted drawings present a house facing Yolanda Drive and using Yolanda Drive as the functional front yard (i.e. main entrance, walkway to front door and garage face Yolanda). We understand that by zoning definition the front yard is deemed to be Sunset Drive (Planning Staff Comments July 2023 CAV A/091/2023 application: *“the dwelling has frontage on both Yolanda Drive and Sunset Drive. By zoning definition, the front yard is deemed to be Sunset Drive but acts as the functional side yard with an existing fence and cedar hedge”.*)

In their variance application, the applicant has assessed compliance with by-laws by applying the minimum yard requirements as if the side facing Sunset is the front yard, when in fact the design uses Yolanda as the functional front yard. We do not believe this aligns with the intent of the by-laws. The design seeks to maximum the width of the home to great an imposing presence on the street.

We would ask the committee to consider the following:

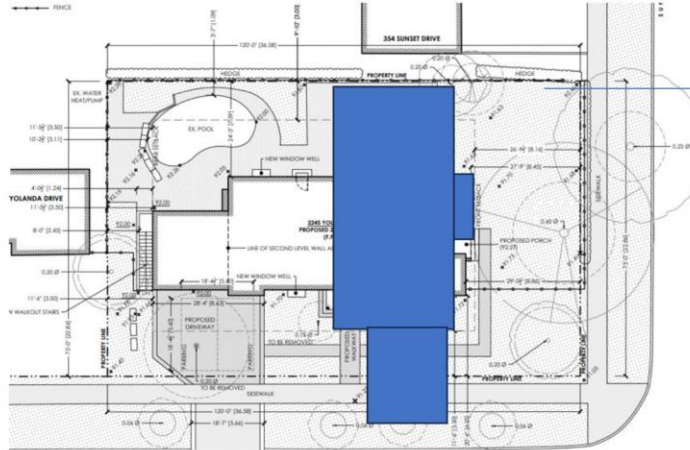
- **If zoning by-laws were applied assuming the front yard faces Yolanda Drive (aligned with functional front yard), additional variance approvals would be required:**

If Yolanda Drive were to be considered the front yard, the proposed build would not comply with the minimum front yard by-law for RL2-0 of 8.16m. There is a setback of only 6.25m from the front of the proposed house to the property line, not considering the proposed front porch which encroaches further on the front yard (measurements not available in the submitted drawings). See below for illustration of how far back the house would need to be set to comply with the front yard minimum (if Yolanda was presumed the front yard):



- **If the build was required to utilize Sunset Drive as the functional front yard (to align with the deemed front yard by zoning definition), massing and impact to the neighbourhood would be reduced.**

It would seem the intent of the by-laws is for the property to face Sunset. If the owner was required to align their proposed build with the deemed front yard by zoning definition, the proposed build would not be able fit within the property lines (see illustration below which illustrates the proposed build facing Sunset Drive).



If built facing Sunset, the applicant would be required to adopt a building style that has a significantly less massing effect to the streetscape and less impact to adjacent houses. To fit on the smaller side of the lot (e.g. using the 75m side as the front yard instead of the 125m of the 75x125m lot), the garage would need to be built into/underneath the house similar to other new builds/renovations in the neighbourhood.

We do not see any other examples in the immediate neighbourhood within the RL2 zone, where new builds/re-builds face towards the longer side of the lot (e.g. built on the 125m of the 75x125m lot). Use of the lot in this manner does not seem to comply with the intent of the by-law or the Official Plan due to the massing effect of building a home with a width wider than anything existing in the neighbourhood.

Examples of other Corner Lot Re-builds- which use the smaller side of the lot as the front:

- 2225 Sloane Drive (now 395 Sunset) – This is a recent corner lot re-build in our neighbourhood (re-built in 2018), just down the street also in RL2 zone. The owner actually moved the orientation of the house from Sloane to Sunset (presumably to comply with the zoning by-laws and intended front-yard by zoning definition). The new home although bigger than the previous home is in keeping with the style of the neighbourhood and has reasonable massing and width. The owner re-built the home on the 75m side of the lot, not the 110m side -see below pictures:



2225 Sloane Corner Lot (original home) – view from Sloane Drive



New build at 2225 Sloane Corner Lot – view from Sloane Drive (front yard changed to Sunset, old driveway cut-out facing Sloane is circled)



New build at 2225 Sloane Corner Lot (now 395 Sunset) - View from Sunset Drive. The new build faces Sunset, the design, width and massing are consistent with neighbourhood

- ii) 2183 Sloane Drive - Similarly, 2183 Sloane is a re-built home on the corner of Sloane Drive and Stanfield Drive and has built their home on the 74m side of the 74x125m corner lot, not the 125m side. We note this house is a similar style to the preferred style of the owner of 2245 Yolanda Drive, however was built in a manner keeping with the intent of the by-laws and in alignment with the Official Plan, reducing massing to the streetscape.



New build at 2183 Sloane corner lot built on 74m side of a 74x125m lot.

3. Full drawings have not been submitted to the Committee (in this application) to allow for assessing alignment with the Official Plan

There are no drawings submitted to the Committee that illustrate what the proposed building will look like from the street. Without these drawings we are not able to see how the variance application aligns with the town's Official Plan and Design Guidelines for Stable Residential Communities. It is possible that the new design reverts to some of the design elements originally rejected by Planning Staff in the initial July 2023 submission, prior to deferral to November 2023 (e.g. two-storey elements in the proposed front porch which the planning staff noted increase massing). We believe for the variance to be fully assessed a full set of drawings showing the impact to the streetscape must be included in the application.

4. Consideration of Committee of Adjustment Feedback

The committee specifically advised the applicant on November 15, 2023 to reach out to the neighbours to discuss their concerns. We were not contacted, and we are not aware of any other neighbours who were contacted prior to this new application. We do not believe the applicant has meaningfully considered the feedback provided by the Committee regarding impact to the streetscape, massing and working with the neighbours to address concerns.

We believe the applicant intends to sell the Unit for profit following the re-build and has little consideration for impact to the existing neighbourhood. The drawings submitted were prepared for "Adept Homes & Properties Inc". Per publicly available records, this corporation's registered office location is 2245 Yolanda Drive and the directors of the corporation include Pramod Kumar Darmapuri (the owner and applicant), his wife Sridevi Darmapuri and two other individuals. The company was incorporated shortly before purchase of 2245 Yolanda implying the intent is to flip this property once re-built.

We acknowledge re-builds by developers are both allowable and expected, however it would appear the applicant is pushing forward with plans that are in substance unchanged from those rejected by longstanding members of the community in the immediate neighbourhood, focused only on their own self-interest.

Thank you for your consideration of the above,

Jessica Foran and Wajahat Mahmood (2260 Yolanda Drive)

From:

Sent: Sunday, April 28, 2024 10:36 PM

To: coarequests <coarequests@oakville.ca>

Subject: Letter of Opposition to 2245 Yolanda Drive (CAV A/069/2024 - 2245 Yolanda Drive)

Heather ,

Please accept this letter as a Letter of Opposition to the above Application. See attached [ortunity](#)

Regards

Kevin and Leann Swalwell
2244 Yolanda Dr
Oakville, ONT
L6L 2H8

Kevin and Leann Swalwell
2244 Yolanda Dr,
Oakville, ONT
L6L2H8

April 28, 2024

To Heather McCrae and the Committee of Adjustment Members,

Re: Proposal for 2245 Yolanda Dr. [CAV A/069/2024 - 2245 Yolanda Drive](#)

Attached below is our third letter regarding the Committee of Adjustment Application for 2245 Yolanda Dr.

We are disappointed that the builder and homeowner have chosen to put forward a 3rd application to the Committee of Adjustment, solely based on the position of the Pool. To the

committee, I implore you to look at this application in its totality, and not just the surreptitious way that it is presented to you today. Please review the current application through the lens of the history of this builders' applications, the several planning questions that should be addressed, and the overall effect this new build will have on the neighbourhood, as per the Livable Oakville Plan of 2009.

At the Committee of Adjustment meeting in November of 2023, we witnessed a neighbourhood united in opposition to the Application, a builder who was openly contentious towards the Committee of Adjustment, and an application that deviated from the Town Plans for a "Livable Oakville."

The plans before you are not materially different from what was applied for previously. The shed and the deck is removed and that is it. The application was denied in November not because of the pool, rather the totality of the application itself. The size, scale and mass of the design proposal did not conform to the tenets of the "Livable Oakville" plan. The surreptitious nature of this third application seems to indicate that the application was denied in November solely because of the pool.

We believe that application was denied for several reasons, namely.

1. The overall dimensions of the house would be out of character for the neighbourhood. The picture entered into the previous Application showed the stark difference between what is there currently and what is proposed. Nothing has changed with this latest third proposal.
2. The Contemptuousness of the Builder. Last November, builder Matthew Fratarcangelli displayed contempt toward both the Committee of Adjustment and the neighbourhood. It was troubling to watch, and it portended the road ahead. The message from the owners and the builder was that they didn't care about the neighbourhood they just wanted to build "what they could." (As an interesting sidenote I recall a separate builder that same night presenting a 3rd Request for Variance in front of the committee. He was asking for an expansion of a Dining Room. The builder presented a case where the family "just couldn't see anyway that they could live in this house without the necessary expansion" (My paraphrasing) That evening the Committee looked through their naked ambition to flout the rules in place and denied that application. I fear that we are on the same path with this builder.
3. Neighbourhood Consultation. In watching applications come in front of the Committee of Adjustment, I noted in many instances of a substantial build in an existing neighbourhood, the question was asked whether the neighbours had been consulted on the build out of "consideration" rather than "nicety." After the Committee's decision in November, I note that no outreach has ever taken place. The homeowners who originally chose this neighbourhood because of "the sense of community and all of the trees" have chosen to remain silent and push forward their plans unabated rather than to attempt a neighbourhood outreach via email, letter, or face to face.

The last committee of adjustment meeting saw over 30 Letters of Opposition and only 1 Letter of Support. (The letter of support being from Venkat who is a both a friend of the Homeowner, a short-term renter in this neighbourhood, and I suspect a member of the building team, thus a conflicted letter of support.) Letters from direct neighbours to the proposal all objected based on the twelve requested variances AND objected to the build based on the "spirit" of the build. All referencing the picture of the proposed build on the current lot. A picture (that I might add) is missing from this latest Proposal.

Looking at the plans in front of you today, I would like to ask for clarity on three issues.

- 1) The inclusion of a Separate Apartment.

- a. The plans reference a Separate Apartment to the house. Has this been reviewed and fully vetted? Are the stairs to the bottom of the garage taken into the calculation of the overall percentage of the home to the property? Where is the Emergency Exit to the apartment?
- 2) New Build versus existing Foundation. The two drawings submitted for this application have the foundation with drastically different lengths and widths. The distance from the Property Line facing Sunset Drive to the foundation is currently 9.19 meters, while the proposal is 8.86 meters. The distance to the foundation measured from the Property on the north is currently 6.37 meters, and the proposal is for 7.39 meters. Saying nothing of the proposed new Window wells, it seems such a change to the foundation is indicative of a “new” foundation being created, not a buildout from the existing. As such should the proposal fall under the purview of a “New Build” not a minor variance?
- 3) Canopy of Trees. We see the removal of two trees on the Proposed plans. The trees being removed are a Magnolia and a Maple tree. While the Magnolia may not be large (likely a 10 CM caliper sized tree) the Maple is larger (likely more than 15CM caliper sized tree.) We note that according to the Town of Oakville with the removal of trees at that size there needs to be a replanting of several trees in their place. The proposal shows no additional trees being planted.

Heather, Committee of Adjustment members, I would ask that you look at this Proposal not just from the myopic matter of a Pool, but from the effect that this build would have in totality on a neighbourhood. We have lived in this neighbourhood for 20 years. We have seen and come to expect change, as that is a part of life. We have seen new builds surround us, such as the houses at the old QE Park, and the newer builds on Yolanda Drive. All are within reason and in keeping with the neighborhood. The proposal for 2245 Yolanda is an exception to that.

The old quote that “a picture is worth a thousand words” comes to mind with this proposal. I note in this application there is no picture of the proposed house, merely a two-dimensional footprint. I suspect that was by design and left out intentionally. To include pictures of the proposed new build would show how truly deleterious this build would be on the surrounding neighbourhood. I suspect it would also bring to light that the proposal has not complied with the “Livable Oakville” standards. Namely Page 21, Section 2.2.1, sub-section a) “preserve, enhance, and protect the distinct *character*, cultural heritage, living environment, and sense of community of neighbourhoods.”

I implore you to reject this latest application and send the builder back to a create a plan for a reasonable new build that is more in line with the existing neighborhood.

Thank you.

Kevin and Leann Swalwell

From:

Sent: Monday, April 29, 2024 10:36 AM

To: Heather McCrae <heather.mccrae@oakville.ca>

Subject: re: 2245 Yolanda drive, (CAV A069/2024 - 2245 Yolanda Drive)

To Heather McCrae
Secretary-Treasurer, Committee of Adjustment

Re: 2245 Yolanda Drive Variance Request (file CAV A/069/2024 - 2245 Yolanda Drive)

To the Committee of Adjustment

We are writing as concerned neighbours near 2245 Yolanda drive. We have already voiced our comments when the homeowner applied for a variance in November when they were seeking approval for permission to dramatically enlarge their home. Our concern this time is that it appears to us that the homeowner is trying to quietly manipulate his property so that in the future he can prove the land useage is enough to allow the construction of a much larger structure. We are aware that the Committee of Adjustment must make rulings based on applicable rules and bylaws. However, we are also aware that they have the obligation and responsibility of listening to concerns of neighbours.

We are not engineers, or architects, just concerned neighbours who have lived in our current home since it was built, which is over 50 years ago. We do not have the technical know how or abilities when it comes to quoting rules and regulations regarding this requested variance. What we are concerned about is the impact this small variance, if approved, will have on the future of our neighbourhood.

We would like to thank the committee of adjustment for their hard work in trying to make our Town of Oakville maintain its high standards in regards to beauty and cohesiveness. We truly have a wonderful neighbourhood that is now on the verge of perhaps being manipulated into a situation where we can lose what we have strived so hard to achieve.

Sincerely

Edward and Donna Cooper

420 Yale Crescent