



W. E. OUGHTRED and Associates Inc.
Real Estate Analysts / Development Consultants

June 27, 2024

Committee of Adjustment
1225 Trafalgar Road
Oakville, ON L6H 0H3

Dear Committee,

The house, shed, and landscaping at 3232 Shoreline Drive were built in 1986. In 2022, the property was sold to the current owners, Sheri and Andre Morin. The Morins began work on cosmetic updates to the house, including new roofs, windows, siding, deck railings, and repairs made to the existing retaining wall and shed which had been neglected with holes in the roof and a mouse infestation. All structures remain in the same location and footprint.

A by-law officer noticed that the existing shed and retaining wall extend beyond the property line. Additionally, the lot coverage does not comply with the current zoning by-law, which permits a 25% lot coverage. The owners were not informed of this existing encroachment and coverage deficiency until the by-law officer brought it to their attention.

In 1986, when the structures were built, zoning by-law 1984-063 was in effect. The property was designated residential zone R02 under zoning by-law 1984-063, which permitted a 30% lot coverage. With the help of zoning plans examiner Tony Ditella, we determined the following variances:

1. An existing lot coverage of 30.23%, whereas a maximum of 25% is permitted under zoning by-law 2014-014.
2. A rear yard setback to the existing pool shed of 0m, whereas 0.6m is required.
3. A side yard setback to the existing pool shed of 0.11m, whereas 2.4m is required.

The comments provided by the planner from the previously deferred application mention "impact on the neighbours." Many neighbours have provided letters of support regarding the shed and lot coverage, indicating that they have been in place for many years and do not negatively impact them. Arguably, denying the requested variances and forcing the Morins to remove the existing shed and retaining wall to rebuild just inches from where they currently exist would be far more impactful to both the neighbours and the environment than if they stay as established for the last 38 years.

The owners are willing to enter into an encroachment agreement regarding the minor encroachment of the shed and retaining wall onto publicly owned parkland.

With this submission, we have included the following for your consideration:

- Photos of the home and shed at the time of purchase and after the cosmetic upgrades were completed. You can see that the footprint has not changed on any parts of both the home and shed.
- Letters of support from neighbours at 3235 Shoreline Drive, 3230 Shoreline Drive, and 3236 Shoreline Drive.
- A statement from the contractor who completed the work confirming no enlargement.
- Excerpts from zoning by-law 1984-063.
- Correspondence with Tony Ditella regarding how the variances were determined.

Please let me know if you have any questions.

Sincerely,

Kristie Oughtred
W.E. Oughtred & Associates Inc



Figure 1 Image of 3232 Shoreline Dr rear yard from the 2022 listing photos. House and shed original to how they were built in the 1980's



Figure 2 Image of 3232 Shoreline Dr rear yard 2023 after cosmetic work and repairs

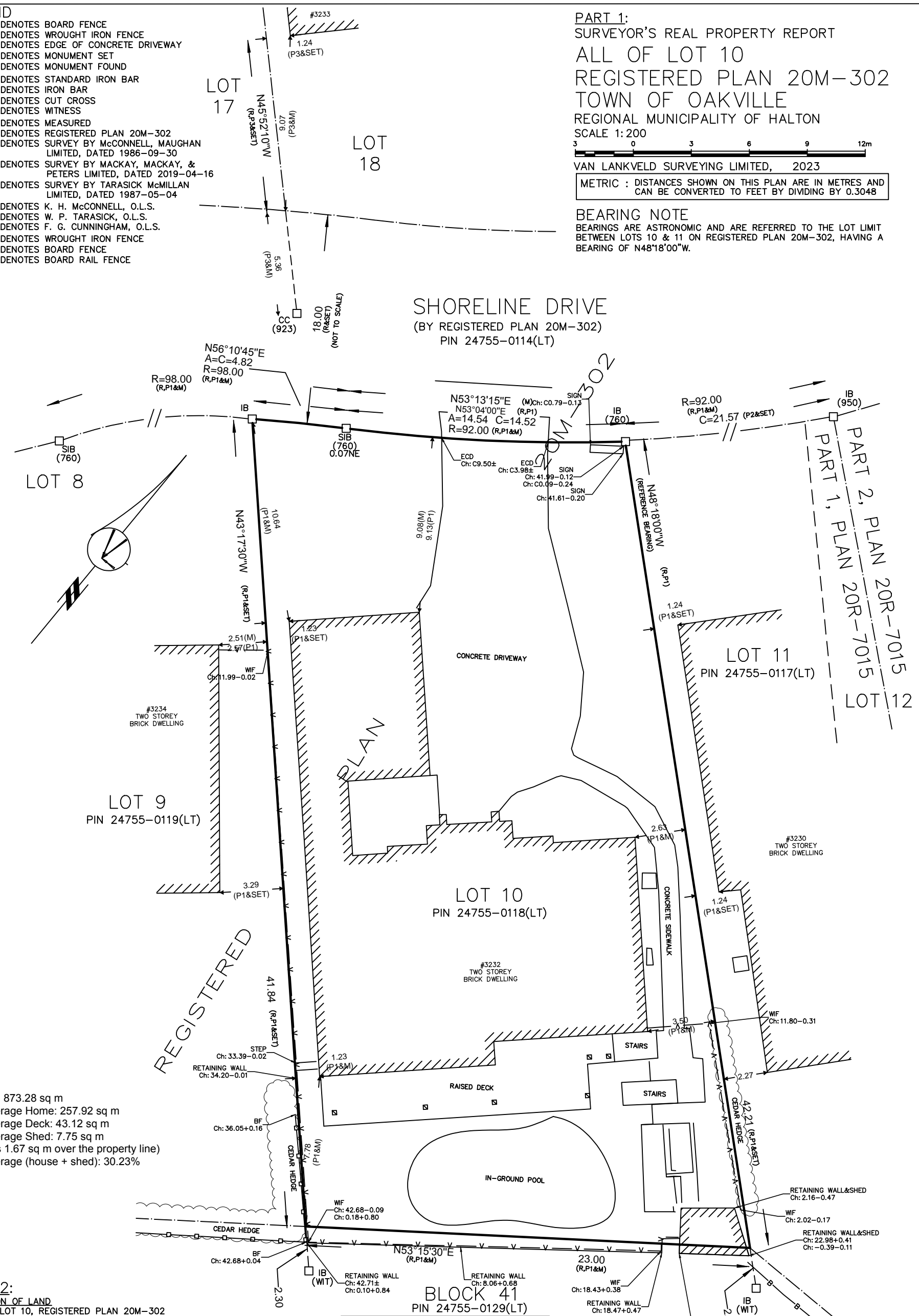
LEGEND

- BF DENOTES BOARD FENCE
- WIF DENOTES WROUGHT IRON FENCE
- ECD DENOTES EDGE OF CONCRETE DRIVEWAY
- DENOTES MONUMENT SET
- DENOTES MONUMENT FOUND
- SIB DENOTES STANDARD IRON BAR
- IB DENOTES IRON BAR
- CC DENOTES CUT CROSS
- WT DENOTES WITNESS
- M DENOTES MEASURED
- R DENOTES REGISTERED PLAN 20M-302
- P1 DENOTES SURVEY BY McCONNELL, MAUGHAN LIMITED, DATED 1986-09-30
- P2 DENOTES SURVEY BY MACKAY, MACKAY, & PETERS LIMITED, DATED 2019-04-16
- P3 DENOTES SURVEY BY TARASICK McMILLAN LIMITED, DATED 1987-05-04
- (760) DENOTES K. H. McCONNELL, O.L.S.
- (923) DENOTES W. P. TARASICK, O.L.S.
- (950) DENOTES F. G. CUNNINGHAM, O.L.S.
- v- DENOTES WROUGHT IRON FENCE
- DENOTES BOARD FENCE
- B- DENOTES BOARD RAIL FENCE

PART 1:
 SURVEYOR'S REAL PROPERTY REPORT
 ALL OF LOT 10
 REGISTERED PLAN 20M-302
 TOWN OF OAKVILLE
 REGIONAL MUNICIPALITY OF HALTON
 SCALE 1:200

VAN LANKVELD SURVEYING LIMITED, 2023
 METRIC : DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING NOTE
 BEARINGS ARE ASTROMOMIC AND ARE REFERRED TO THE LOT LIMIT BETWEEN LOTS 10 & 11 ON REGISTERED PLAN 20M-302, HAVING A BEARING OF N48°18'00"W.



Lot Area: 873.28 sq m
 Lot Coverage Home: 257.92 sq m
 Lot Coverage Deck: 43.12 sq m
 Lot Coverage Shed: 7.75 sq m
 (Includes 1.67 sq m over the property line)
 Lot Coverage (house + shed): 30.23%

PART 2:

DESCRIPTION OF LAND
 ALL OF LOT 10, REGISTERED PLAN 20M-302

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS
 THERE ARE NO REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS ON SUBJECT PROPERTY

BOUNDARY FEATURES (COUNTER-CLOCKWISE)
 N-ERLY CORNER - PLEASE NOTE THE LOCATION OF THE IRON BAR
 N-WERLY LIMIT - PLEASE NOTE THE LOCATION OF THE STANDARD IRON BAR
 W-ERLY CORNER - PLEASE NOTE THE LOCATION OF THE IRON BAR
 S-WERLY LIMIT - PLEASE NOTE THE CHAINAGE MEASUREMENTS
 S-ERLY CORNER - PLEASE NOTE THE LOCATION OF THE IRON BAR,
 WITNESSING THE CORNER
 S-E-ERLY LIMIT - PLEASE NOTE THE CHAINAGE MEASUREMENTS
 E-ERLY CORNER - PLEASE NOTE THE LOCATION OF THE IRON BAR,
 WITNESSING THE CORNER
 N-E-ERLY LIMIT - PLEASE NOTE THE CHAINAGE MEASUREMENTS

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS
 COMPLIANCE WITH MUNICIPAL ZONING REQUIREMENTS IS NOT CERTIFIED BY THIS REPORT.

COMMENTS/REMARKS
 - PLEASE NOTE THAT ALL BUILDING MEASUREMENTS ARE TAKEN TO THE FOUNDATION, UNLESS NOTED OTHERWISE
 - PLEASE NOTE THAT ALL FENCE MEASUREMENTS ARE TAKEN TO THE CENTRE LINE OF SAID FENCE, UNLESS NOTED OTHERWISE
 - PLEASE NOTE THAT ALL RETAINING WALL MEASUREMENTS ARE TAKEN TO THE EXPOSED FACE

ASSOCIATION OF ONTARIO
 LAND SURVEYORS
 PLAN SUBMISSION FORM
2211520

THIS PLAN IS NOT VALID
 UNLESS IT IS AN EMBOSSED
 ORIGINAL COPY
 ISSUED BY THE SURVEYOR
 In accordance with
 Regulation 1026, Section 29(3).

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
 1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
 2. THE SURVEY WAS COMPLETED ON THE 7th DAY OF DECEMBER, 2023.

DATE: DECEMBER 15, 2023

Michael Van Lankveld
 MICHAEL VAN LANKVELD
 ONTARIO LAND SURVEYOR

VAN LANKVELD SURVEYING LIMITED

110 GOLDCREST ROAD BRAMPTON, ON L6S1H4 TEL(905) 792-6641 eMAIL: VLG-S@OUTLOOK.COM

41 MONCRIEFF DRIVE ETOBICOKE, ON M9W 2R3

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FIELD: M.V. DRAWN: M.V. CHECKED: T.V. JOB NO: 23-2659-SRPR
 DWG NAME: 23-2659-SRPR.DWG PLOT INFO: 2023-12-15

Bill Oughtred

From: Nic Martins <[REDACTED]>
Sent: Thursday, May 30, 2024 11:58 PM
To: Sheri Morin; Bill Oughtred
Subject: Re: Letter for 3232 Shoreline Drive

Hello Ms. Heather McCrae
Secretary-Treasurer, Committee of Adjustment

Re: Minor Variance Application for 3232 Shoreline Drive

I am writing regarding the minor variance application submitted for the property located at 3232 Shoreline Drive.

We are Nic Martins and Karen Janes who live at [REDACTED] [REDACTED] across the road from the subject property. We have lived here for over 15 years.

I can confirm that 3232 Shoreline Drive has had a pre-existing shed on the property the entire time. The shed and the home were rundown when the current owners purchased the property. When we walked in the public park behind their home, we could see that the shed was dilapidated.

Now with the current owners we are thoroughly pleased with how they have renovated their entire property including the shed. The home and the shed are still on the exact same footprint as they were previously but now the shed has been re-sided to greatly improve the look of the shed, which complements their newly renovated home exterior.

I am a home contractor myself and can attest that they kept the shed exactly the same size as it was before and in fact utilized the pre-existing cinder block walls and timber beam walls that make up roughly the bottom half of the shed, and they simply resided the outside.

We are fully supportive of the shed being kept in the style that is fitting to this updated home, and are pleased with how this has improved the look of the neighbourhood and the view of the home from the public park.

Kind Regards,
Nic Martins / Karen Janes

Nic Martins

[REDACTED]

On Thu, May 30, 2024 at 1:19 PM Sheri Morin <[REDACTED]> wrote:
Hello Nick,

Bill Oughtred

From: Sheri Morin <[REDACTED]>
Sent: Thursday, May 30, 2024 2:57 PM
To: Bill Oughtred
Subject: Fw: Letter regarding 3232 Shoreline Drive Minor Variance
Attachments: IMG_4768.JPG; IMG_4767.jpg

Here's another letter with photo's that will likely be sent today.

From: Sheri Morin [REDACTED]
Sent: Wednesday, May 29, 2024 12:21 PM
To: Larysa. Neighbour [REDACTED]
Subject: Letter regarding 3232 Shoreline Drive Minor Variance

To: Heather McCrae, Secretary-Treasurer, Committee of Adjustment
Re: Minor Variance Application for 3232 Shoreline Drive

Dear Ms. McCrae,

I am writing to you again in relation to the minor variance application submitted for the property located at 3232 Shoreline Drive. As I confirmed in my last letter, I live at [REDACTED] which is the property immediately adjacent to the east of the subject property.

Today I would like to add that I have lived at my current residence for 24 years. During this time, I can attest that there has been a pre-existing shed located at the subject property for as long as I have been a neighbour. To my knowledge, the prior owners of 3232 Shoreline Drive, built the shed and pool when they first moved into the home in 1986.

The subject shed was a wooden structure. Despite its rustic charm, the ravages of the elements had taken their toll – even leaving a hole in the roof. It was clear the shed had reached the end of its serviceable life, making replacement essential for functionality and longevity.

To provide evidence of the pre-existing shed, I am attaching photographs that are screen captures taken from a video recorded during a birthday party on June 13, 2009, from my own property. These images show the shed in question situated on the subject property.

While the adjacent property already possessed an inherent charm and appeal in its prior state, I'm truly impressed in the way the new owners have accentuated its existing strengths, breathing new life into various elements. Particularly noteworthy is the thoughtful replacement of the aging shed structure. It greatly enhanced the aesthetics of the outdoor space. While the shed now has a fresh and modern aesthetic thanks to the re-siding, its fundamental structure remains unchanged.

The revitalized shed occupies the same footprint in that it retains its original size and positioning with portions of the original walls still intact.

I'd like to note that while we are the sole neighbouring property with a view of the shed, our view remains somewhat obscured by the cedar trees strategically planted to provide privacy between our respective properties.

I'd also like to note that the shed serves as an enclosure for the pool equipment, including pumps, heaters and piping, which have been in place, to my knowledge, since the pool's installation circa 1986. We greatly prefer that this utility equipment remains concealed and safely secured within the shed and shielded from visibility from our property and the adjacent public park.

I hope this letter and the accompanying visual evidence are useful to the Committee in evaluating any matters related to the shed on the subject property.

Please let me know if you require any further information or clarification from me.
Thank you for your time and consideration.

Sincerely,
Larysa P. Foty



Dear Ms. H. McCrae

Re: Minor Variance Application for 3232 Shoreline Drive

My wife, Shelley, and I reside at [REDACTED] and are neighbours to 3232 Shoreline Drive. Shelley and I are writing this email jointly in support of our neighbours at 3232 Shoreline Dr.

Shelley and I have knowledge of the variance request made to the Town. I am pleased to confirm that we are fully supportive of their variance request. They have greatly improved their home and the shed. The work done is immaculate and has always been respectful of the community in general. Our neighbours at 3232 are welcome addition to the neighborhood.

Specifically, regarding the variance requested, as a lawyer, I can confirm that, to the best of my knowledge, the shed has been in the same location for the entire 9 years that we have lived in our home at [REDACTED] and we have been advised by the homeowner at 3232 that it was constructed when the home was built in 1986. We are advised by the homeowner and do verily believe that the new owners have simply taken the same shed, not changing the size or footprint, and upgraded the outside of the shed by putting on new siding.

The overall look and appearance fits nicely with the home and creates a much better visual appearance when walking through the park on the backside of their lovely home. These homeowners should be commended for their dedication to beautify their own home and the neighbourhood as a result. They are an asset to our close community in Brontë.

Please feel free to contact me at my office anytime if you have any questions.

Best Regards,

Keith M. Elliott
Barrister and Solicitor
O'Marra & Elliott, Associates at Law
125 Lakeshore Rd. E., Suite 203
Mississauga, Ontario L5G 1E5
Tel: (905) 278-7277
Fax: (905) 278-5805

Afternoon,

There is no active application for 3232 Shoreline Drive as it was deferred at the May 29th Committee of Adjustment meeting.

If/When the application is re-scheduled you can submit your email in support of the application; or you can provide this email to the home owner/agent who can then submit it if/when the application is re-scheduled.

Regards,
Heather

Heather McCrae
Secretary Treasurer - CofAdj
Building Services

Town of Oakville | 905-845-6601, ext. 3281 | www.oakville.ca

Vision: A vibrant and livable community for all

Please consider the environment before printing this email.

<http://www.oakville.ca/privacy.html>

From: Ofer Winkler <oferw@landcon.ca>

Sent: Friday, May 31, 2024 1:48 PM

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

Subject: Re: Variance Request for Shed at 3232 Shoreline Drive

You don't often get email from oferw@landcon.ca. [Learn why this is important](#)

Dear Ms. McCrae

Secretary-Treasurer,
Committee of Adjustment

RE: Minor Variance Application for 3232 Shoreline Drive

I am the owner of Land-Con Limited, and we are the contractors that renovated the backyard, pool, patio, deck and shed for 3232 Shoreline Drive in 2023.

I can confirm that the shed in question in the Variance Request, is smaller than 10x10 in size and was pre-existing. We renovated the shed but used the pre-existing cinder block wall on one side that is approximately 5 feet high. We utilized the pre-existing wood beams on the other 3 sides that are approximately 3 feet high. They were all pre-existing to the old shed. The old shed did not appear to have been renovated since it was originally built, and this was apparent as it had greatly deteriorated over the past 30+ years.

We simply resurfaced the outside with new siding to match the design of the home. We did not change the footprint, or size of

the shed, but did lower the height of the shed as the new roof is lower vs. the pre-existing shed.

The overall look of the shed is well in line with the design of the home, and improves the look of the property immensely.

Please feel free to reach out to me should you wish to further discuss,

Thanks,

Ofer Winkler
Co-Founder, Land-Con Ltd

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