

Addendum 1 to Comments

August 21, 2024

Committee of Adjustment

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

1)

CAV A/119/2024

401 Wedgewood Drive

PLAN 628 LOT 72

Proposed

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

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

1. To increase the maximum lot coverage to 30.87%.

Comments from:

Emails of Opposition – 4

Email of Opposition #1

16 August 2024

Via Email Only

To: Committee of Adjustment
Attn: Jennifer Ulcar, Secretary-Treasurer

File # CAV A/119/2024

Dear Ms. Ulcar (and our other esteemed Committee members),

I email concerning your above-referenced file number for the subject property at 401 Wedgewood Dr. PLAN 628 LOT 72 and the construction underway there. I own a property (at [REDACTED]), where I reside with my family, within 60 meters of the subject property.

I withheld any objection, on 16 August 2022, to a previous application for a minor variance that had been requested, by the subject property owner, to increase the size of a so-called "cabana" (now under construction) beyond original criteria set out in the zoning by-law. I understand that a minor increase was then approved.

I now additionally understand, however, that – in violation of any such approval – a significantly larger structure (like no cabana I've ever seen) is now under construction on the subject property.

In my respectful submission, such structure is inappropriate for the size of the lot and contravenes key criteria for any minor variance. For example, as follow:

- It does not comply with the official plan.
- It does not meet the intent of the zoning by-law.
- It is neither desirable nor appropriate. And,
- It is not minor in nature.

Additionally, I respectfully submit as follows:

- The proposal is not similar to the current usage of the land. And,
- The proposal is not more compatible with uses permitted by the current zoning by-law.

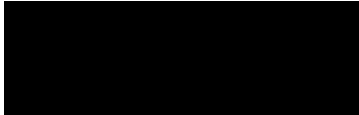
Principally for these reasons, I hereby lend my voice to the many outstanding objections, by neighbouring property owners, to the present CAV request.

Please do not hesitate to contact me with questions or concerns regarding this correspondence, or if you would like to discuss.

Respectfully,



Adrienne L. Holbeche



Email of Opposition #2

August 16, 2024

File # CAV A/119/2024 – 401 Wedgewood Drive

On August 16, 2022 with reluctance, we abstained from objecting to an increase in the size of the cabana beyond the original criteria set out in the zoning by-law.

In violation of that approval, this is what has been constructed instead:



This structure is completely inappropriate for the size of the lot and greatly contravenes all the criteria for a minor variance, namely:

- **It does not comply with the official plan,**
- **It does not meet the intent of the zoning by-law,**
- **It is neither desirable nor appropriate, and**
- **It is not minor in nature.**

Additionally:

- **The proposal is not similar to the current usage of the land, and**
- **The proposal is not more compatible with uses permitted by the current zoning by-law.**

It is upon the above basis that we strongly object to this CAV request.

Jacqueline Wade and Douglas Wade



Email of Opposition #3

August 18, 2024

Ms. Jennifer Ulcar
Secretary-Treasurer of Committee of Adjustment 1225
Trafalgar Rd
Oakville ON L6H 0H3
Via email: coarequests@oakville.ca

Re 401 Wedgewood Drive. File # CAV A/119/2024

We are writing to strongly object to this third Variance Request.

- The first request: On August 16, 2022. We reluctantly abstained from objecting to an increase in the maximum allowable lot coverage from 25% to 27.32%.
- The second minor variance request: On April 5, 2023, there was a further increase in maximum allowable lot coverage from 27.32% to 28.28% to accommodate a "cabana". NOTE: we did not receive Notice of this request.
- This third variance request in August 2024 proposes to further increase the maximum allowable coverage From 28.8% to 30.87%. The current zoning bylaw states that the maximum allowable lot coverage is 25%.
- Now we are looking at a total increase of 5.87% over and above the bylaw to apparently accommodate a new structure that was not identified in previous requests, and which has **already** been substantially constructed without approval. See below.

In violation of the 2023 approval, this is what has been constructed:



This structure replaces the proposed “cabana,” which measured 3.66 by 3.56 meters on Registered Plan 628. The new structure is 7.31 by 5.64 meters on the Request submitted for the hearing of August 21, 2024. We note however that the unfinished roof of the newly constructed cabana is **approximately 8.25m long**, measured along the rear fence line, **nearly 1m wider than indicated in the request**. An *actual* measurement of the width of structure is not easy to determine.

This structure contravenes all the criteria for a minor variance, namely:

- It does not comply with the official plan,
- It does not meet the intent of the zoning by-law,
- It is neither desirable nor appropriate, and
- It is not minor in nature.

Additionally:

- The proposal is not similar to the current usage of the land, and
- The proposal is not more compatible with uses permitted by the current zoning by-law.

This structure is completely inappropriate for the size of the lot, is not accurately portrayed on the Applicant’s photo rendering submitted for this hearing and it is not similar to the current usage of land in this neighbourhood.

The following picture shows the typical cabana structures in our neighbourhood (marked in yellow). This is one of several similar structures on neighbouring properties that were also marked on the Plans submitted by the Applicant for this hearing. The structure the Applicant has already put up (marked in red) is not minor, it is not desirable, and it is not appropriate for this neighbourhood.



If the applicant is concerned about shade in the yard, we submit that the numerous shade trees that were cut down on the subject property should be replaced. The photo rendering attached to the Applicant's Variance Request in no way represents the current tree coverage or proposed tree/shade coverage on the back of the lot abutting our property.

It is upon the above basis that we strongly object to this third CAV request.

In addition, the Committee should take note that we **did not** receive any Notice of Public Hearing, Committee of Adjustment Application on this file for a meeting in April of 2023, where the second variance request was approved.

Susan Hyatt-Diorio and Peter Diorio
[REDACTED]

Email of Opposition #4

From: [Joe Conte](#)
To: [coarequests](#)
Subject: [EXTERNAL] File # CAV A/119/2024
Date: August 18, 2024 3:31:00 PM

You don't often get email from contej@me.com. [Learn why this is important](#)

Dear Sirs/Madams:

We have received a notice of Public Hearing regarding a Committee of Adjustments application to increase the lot coverage at 401 Wedgewood Drive. We understand the hearing on this mater will be held on August 21, 2024 at 7 p.m. We own a neighbouring property (within 60 meters) at [REDACTED]

We first wish to point out that a perusal of the materials online suggests that this applicant has received two previous approvals for a variance permitting increased lot coverage for which we never received any notice. This seems odd.

What strikes us first and foremost about this latest application is that, in addition to having already built a home and backyard structure which is higher than any of the neighbouring homes around it and is out of keeping with the character of the neighbourhood in general, this applicant appears to have done what he wants at will, only asking for permission after the fact. He seems to have complete disregard for all Planning regulations, which govern all residents of Oakville. We find it odd that City staff support this application given what appears to be the complete disregard for Town rules and procedures shown by the applicant thus far.

Furthermore, in reading the submissions made, the applicant seems to be relying on the fact that the structure causing the issue is at the rear of the property and not visible from the street. This too cannot be a rationale upon which you can grant him his variance, since this would set a dangerous precedent that all structures not visible from the street can exceed or ignore planning regulations.

As well, it is our understanding that the applicant's statement that the cabana "gives privacy to the ... neighbour at the rear" has been contested by this neighbour. Despite the fact that the cabana does not directly impact our property or sight lines, given that the affected neighbour is only two doors from us, we are in support of their objections to this application. We point out that the purpose of the existing Planning Act restrictions are in part to maintain the character of the current area, where there is now large space between structures, especially at rear property lines. We feel that your approval of this application would be completely contrary to the intents and purpose of the Zoning Regulations in this area and, in this way, directly impact upon us as neighbouring property owners.

Approval of this application should not be granted as it is not in keeping with the character of this neighbourhood. Given the increasing amount of redevelopment taking place in this neighbourhood, it is incumbent on the Committee to reject this application in order to preserve both the rule of law and the character of the neighbourhood. Slowly eroding the lot coverage rules currently in place by drips and drabs should not be condoned.

Please accept this as our objection to granting the requested variance. Thank you.

Joe Conte and Sandra Thwaites