TREE PROTECTION NOTE

1. ALL EXISTING TREES WHICH ARE TO REMAIN SHALL BE FULLY PROTECTED WITH HOARDING, ERECTED BEYOND THEIR DRIP LINE PRIOR TO THE ISSUANCE OF THE BUILDING PERMIT. GROUPS OF TREES AND OTHER EXISTING PLANTINGS TO BE PROTECTED, SHALL BE TREATED IN A LIKE MANNER, WITH THE HOARDING AROUND THE ENTIRE CLUMP(S). AREAS WITHIN THE PROTECTIVE FENCING SHALL REMAIN UNDISTURBED AND SHALL NOT BE USED FOR THE STORAGE OF THE BUILDING MATERIAL AND EQUIPMEN

2. NO RIGGING CABLES SHALL BE WRAPPED AROUND OR INSTALLED IN TREES AND SURPLUS SOIL, EQUIPMENT, DEBRIS OR MATERIALS SHALL NOT BE PLACED OVER ROOT SYSTEMS OF THE TREES WITHIN THE PROTECTIVE FENCING. NO CONTAMINANTS WILL BE DUMPED OR FLUSHED WHERE FEEDER ROOTS OF TREES EXIST.

3. THE DEVELOPER OR HIS/HER/ITS AGENTS SHALL TAKE EVERY PRECAUTION NECESSARY TO PREVENT DAMAGE TO TREES OR SHRUBS TO BE RETAINED

4. WHERE LIMBS OR PORTIONS OF TREES ARE REMOVED TO ACCOMODATE CONSTRUCTION WORK, THEY WILL BE REMOVED CAREFULLY IN ACCORDANCE WITH ACCEPTED ARBORICULTURAL PRACTICE.

5. WHERE ROOT SYSTEMS OF PROTECTED TREES ARE EXPOSED DIRECTLY TO, OR DAMAGED BY CONSTRUCTION WORK, THEY SHALL BE TRIMMED NEATLY AND THE AREA BACKFILLED WITH APPROPRIATE MATERIAL TO PREVENT DESICCATION.

6. WHERE NECESSARY, THE TREES WILL BE GIVEN AN OVERALL PRUNING TO RESTORE THE BALANCE BETWEEN ROOTS AND TOP GROWTH OR TO RESTORE THE PPEARANCE OF THE TREES.

7. IF GRADES AROUND TREES TO BE PROTECTED ARE LIKELY TO CHANGE, THE OWNER SHALL BE REQUIRED TO TAKE SUCH PRECAUTIONS AS DRY WELLING, RETAINING WALLS AND ROOT FEEDING TO THE SATISFACTION OF THE PLANNING AND BUILDING DEPARTMENT OF THE TOWN OF OAKVILLE. 8. GRADE CHANGES WILL NOT OCCUR WITHIN THE TREE PROTECTION ZONE (TPZ) 9. UTILITY ACCESS CORRIDOR MUST BE OUTSIDE THE TPZ AND/OR NO OPEN TRENCH METHOD OF CONSTRUCTION BELOW-GROUND AS WELL AS NO ABOVE-GROUND LINES WITHIN THE TPZ.

STANDARD DEVELOPMENT NOTES:

(A) TRANSPORTATION AND WORKS DEPARTMENT 1. MUNICIPAL BOULEVARD TO BE RESTORED TO THE SATISFACTION OF ENGINEERING

CONSTRUCTION STAFF. 2. RESTORE THE PUBLIC ROADWAY TO TOWN STANDARDS AND CLEARLY INDICATE ON THE ENGINEERING DRAWINGS ALL RESTORATION, TO THE SATISFACTION OF THE ENGINEERING & CONSTRUCTION DEPARTMENT.

3. DRIVEWAYS ON THE MUNICIPAL RIGHT-OF-WAY SHALL BE PAVED BY THE APPLICANT. 4. AT THE ENTRANCES TO THE SITE, THE MUNICIPAL CURB AND SIDEWALK WILL BE CONTINUOUS THROUGH THE DRIVEWAY AND A CURB DEPRESSION WILL BE PROVIDED FOR THE ENTRANCE.

5. THE TOPS OF ANY CURBS BORDERING THE DRIVEWAYS WITHIN THE MUNICIPAL BOULEVARD WILL BE FLUSH WITH THE MUNICIPAL SIDEWALK AND ROAD CURB.

(B) GENERAL NOTES

1. THE EXISTING GRADES SHOWN ON THIS DRAWING ARE TO REMAIN UNCHANGED. 2. THERE IS NO EASEMENTS REGISTERED ON TITLE AND AFFECTING THE SUBJECT LANDS. 3. THE STOCKPILING OF CONSTRUCTION MATERIAL TO BE DONE AT THE FRONT OF THE PROPOSED DWELLING ON THE EXISTING DRIVEWAY

4. ALL ROOF DOWNSPOUTS FROM EAVESTROUGH TO DISCHARGE ONTO SURFACE AND THE RUNOFF DIRECTED TOWARDS THE REAR WHERE POSSIBLE AND TO THE ROAD. 5. ROOF DOWNSPOUT IS LOCATED IN SUCH MANNER AS TO DIRECT DRAINAGE AWAY FROM

WALKWAYS, DRIVEWAYS OR PATIO AREAS. 6. MAINTAIN EXISTING GRADES IN AREA AROUND TREES TO BE PRESERVED.

7. PRIOR TO CONSTRUCTION, CONTRACTOR TO VERIFY IN FIELD THE EXACT SIZE AND INVERTS OF THE EXISTING WATER SERVICE CONNECTION AND SEWER CONNECTIONS AND REPORT IT TO THE ENGINEER

8. ALL SURPLUS/EXCAVATED MATERIAL TO BE REMOVED FROM THE SITE. 9. CONTRACTOR TO MATCH EXISTING GRADES ALONG PROPERTY LINES.

10. ALL DISTURBED AREAS WITHIN EXISTING ROAD ALLOWANCE TO BE REINSTATED WITH TOPSOIL AND SOD TO THE SATISFACTION OF THE TOWN OF OAKVILLE.

11. THE CONTRACTOR IS TO CHECK AND VERIFY ALL DIMENSIONS, IF ANY DISCREPANCIES, THEY MUST BE REPORTED TO THE ENGINEER IMMEDIATELY PRIOR TO CONSTRUCTION. 12. THE CONTRACTOR IS RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES

DURING CONSTRUCTION. GAS, HYDRO, TELEPHONE OR ANY OTHER UTILITIES THAT MAY EXIST ON THE SITE OR WITHIN THE STREETLINE MUST BE LOCATED BY ITS OWN UTILITIES AND VERIFIED PRIOR TO CONSTRUCTION.

13. ALL CONNECTIONS SHALL BE INSTALLED AS PER REGION OF HALTON STANDARDS AND SUBJECT TO AN EASEMENT SPECIFICATIONS.

14. BUILDER IS TO VERIFY TO THE ENGINEER THAT THE FINAL FOOTING ELEVATION AND TOP OF FOUNDATION WALL ELEVATION ARE IN CONFORMITY WITH THE BUILDING CODE AND THE CERTIFIED GRADING PLAN PRIOR TO PROCEEDING.

15. OUTSIDE FINISHED GRADE TO BE A MINIUMUM OF 150 mm BELOW BRICK/STONE VENEER ELEVATION. 16. PRIOR TO ANY SODDING, THE BUILDER IS TO ENSURE TO THE SOIL CONSULTANT

AND/OR THE ENGINEER THAT THE LOT HAS BEEN GRADED AND TOPSOILED AND SODDED COMPLETELY WITH A MINIMUM DEPTH OF 200 mm OF TOPSOIL AND Nº 1 NURSERY SOD AND A MINIMUM DEPTH OF 150 mm CRUSHED STONE TO BE PROVIDED ON THE ENTIRE LENGTH OF EACH DRIVEWAY ON A FIRM SUBGRADE AND THE DRIVEWAY TO BE PAVED WITH A MINIMUM COMPACTED DEPTH OF 75 mm OF ASPHALT BETWEEN THE CURB AND THE GARAGE. 17. NO SODDING ON ANY LOT IS PERMITTED UNTIL PRELIMINARY INSPECTION IS DONE BY THE ENGINEER AND THE BUILDER.

18. DRIVEWAY GRADES SHOULD BE NOT LESS THAN 1.0% AND NOT GREATER THAN 7.0%. 19. LAWN AND SWALES SHALL HAVE MINIMUM SLOPE OF 2.0% AND A

MAXIMUM SLOPE OF 5.0% AND HAVE A MINIMUM DEPTH OF 150mm. 20. WHERE GRADES IN EXCESS OF 5.0% ARE REQUIRED, THE MAXIMUM SLOPE SHALL BE 3:1.

GRADE CHANGES IN EXCESS OF 1.0 m ARE TO BE ACCOMPLISHED BY USE OF A RETAINING WALL. RETAINING WALLS HIGHER THAN 0.6 m SHALL HAVE A FENCE INSTALLED ON THE HIGH SIDE. 21. THE SERVICE CONNECTION TRENCH THROUGH THE TRAVELLED PORTION OF THE ROAD ALLOWANCE SHALL BE BACKFILLED WITH UNSHRINKABLE BACKFILL MATERIAL AS PER TOWN OF OAKVILLE STANDARDS UNLESS OTHERWISE SPECIFIED PRIOR APPROVAL FOR OTHER BACKFILL MATERIAL HAS BEEN OBTAIN.

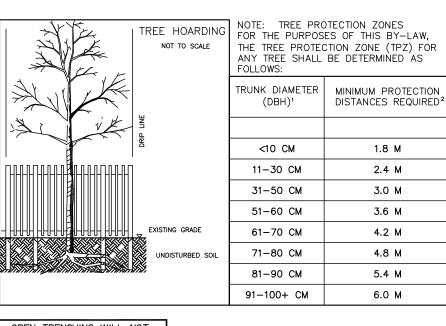
22. ALL WATERMAINS AND WATER SERVICE MATERIALS AND CONSTRUCTION METHODS MUST CORRESPOND TO CURRENT REGION OF HALTON STANDARDS AND SPECIFICATIONS. 23. WATERMAINS AND/OR WATER SERVICES ARE TO HAVE A MINIMUM DEPTH OF 1.7 m WITH A MINIMUM HORIZONTAL SPACING OF 2.5 m FROM THEMSELVES AND OTHER SERVICES.

24. SEDIMENT CONTROL FENCE TO BE INSTALLED AS PER THE TOWN OF OAKVILLE STANDARDS. 25. ALL DAMAGED AND DISTURBED AREAS TO BE REINSTATED WITH TOPSOIL AND SOD.

(C) UTILITIES CONNECTION

1. SANITARY: (A) MUNICIPAL SANITARY SEWER AVAILABLE ON THE SITE.

(A) SERVICE CONNECTIONS TO BE 25mm DIA. TYPE 'K' SOFT COPPER TUBING UNLESS OTHERWISE NOTED AS PER REGION OF HALTON STANDARDS. 2. WATER: 3. STORM: (A) A SUMP PUMP WILL BE REQUIRED TO DRAIN THE BASEMENT FACILITIES.

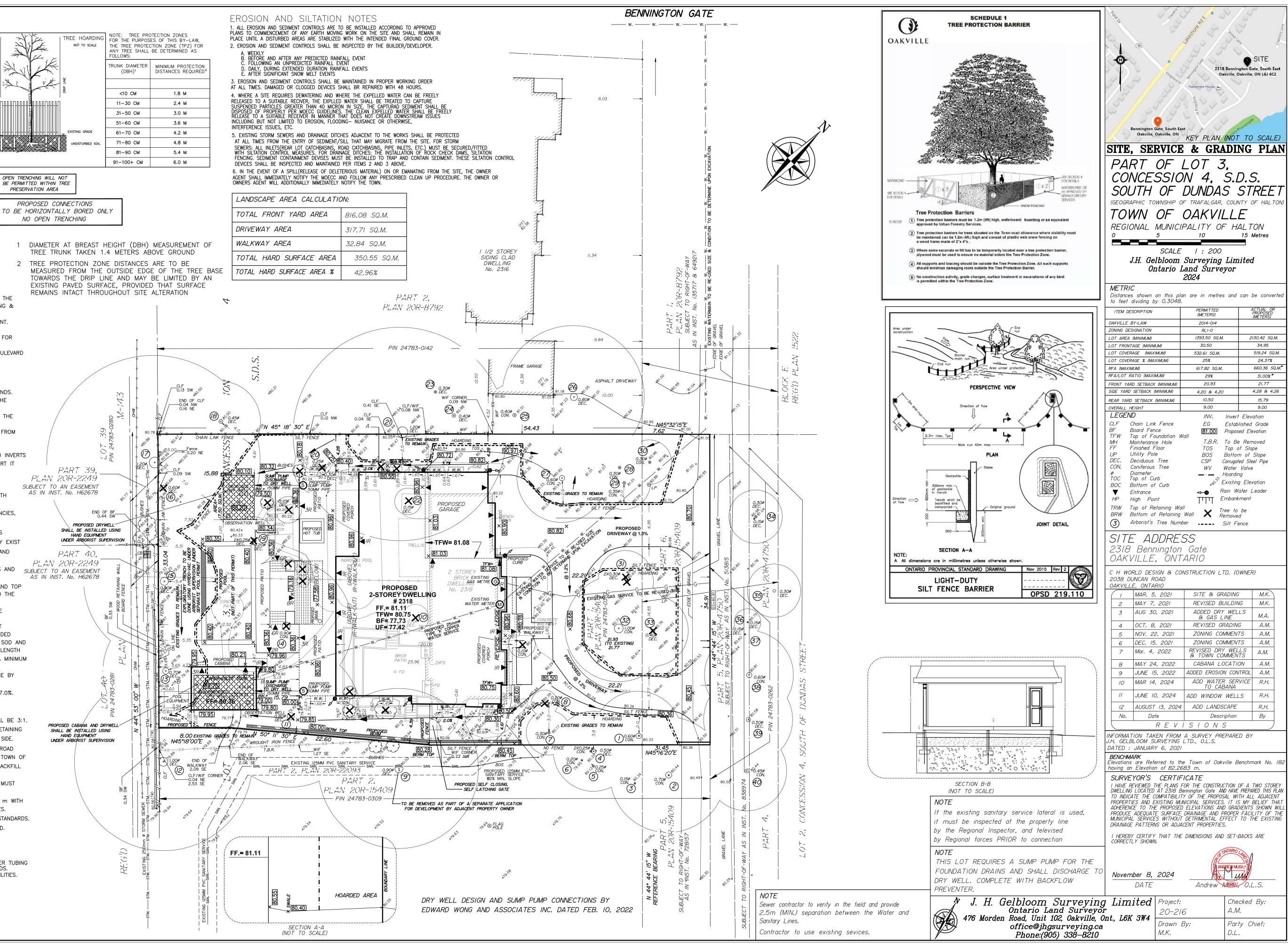


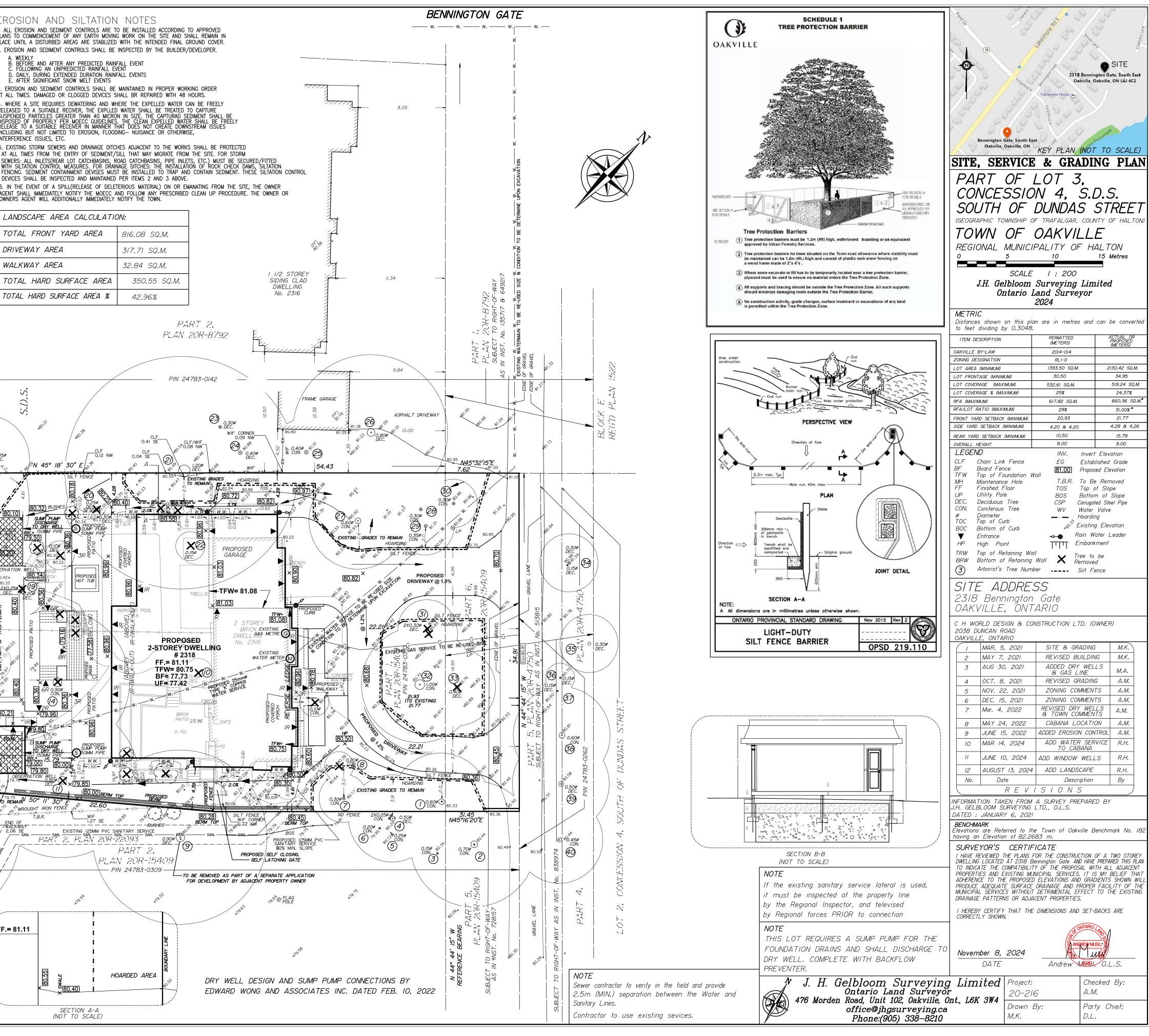
PRESERVATION AREA

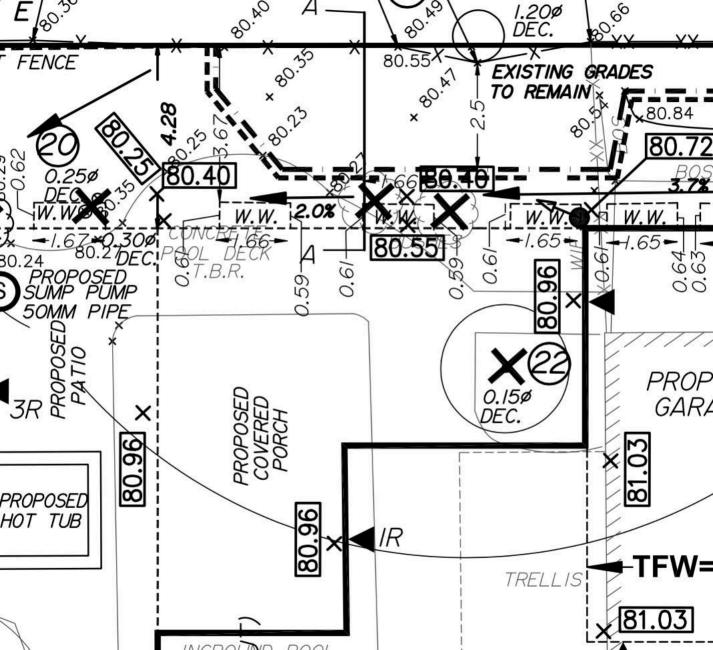
PROPOSED CONNECTIONS O BE HORIZONTALLY BORED ONLY

1 DIAMETER AT BREAST HEIGHT (DBH) MEASUREMENT OF TREE TRUNK TAKEN 1.4 METERS ABOVE GROUND

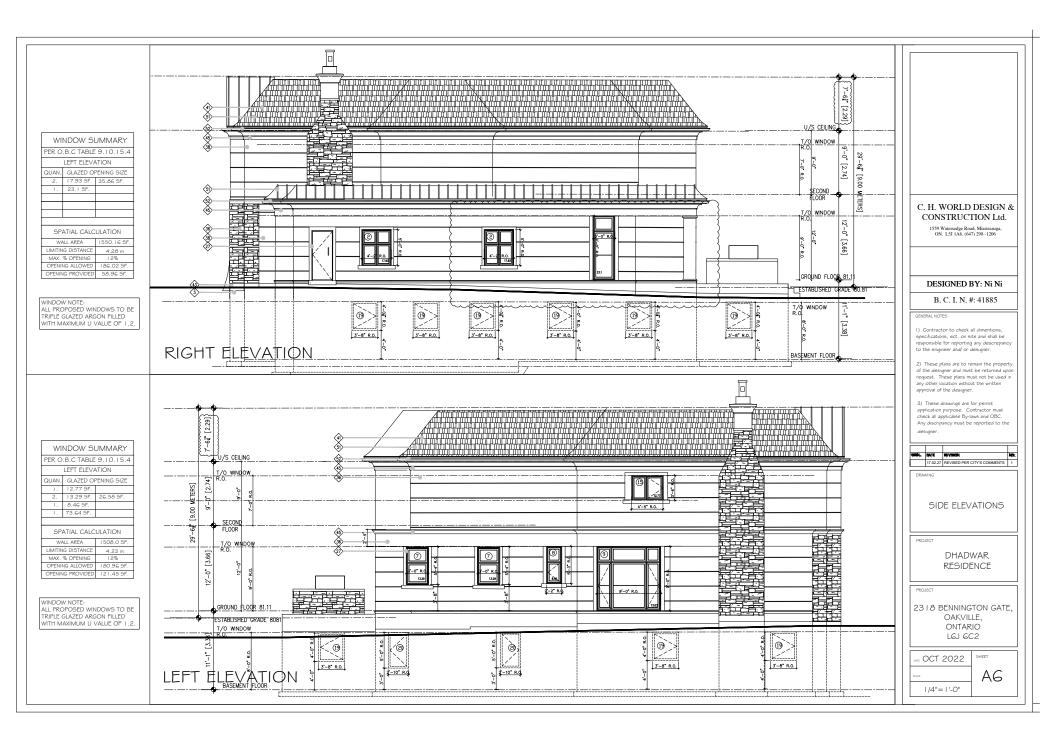
2 TREE PROTECTION ZONE DISTANCES ARE TO BE MEASURED FROM THE OUTSIDE EDGE OF THE TREE BASE TOWARDS THE DRIP LINE AND MAY BE LIMITED BY AN EXISTING PAVED SURFACE, PROVIDED THAT SURFACE REMAINS INTACT THROUGHOUT SITE ALTERATION











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October 31, 2024

Committee of Adjustment Town of Oakville By email:

Re: Minor Variance Application 2318 Bennington Gate

Official Plan Policies

Development within stable residential communities is to be evaluated using the criteria found in Part D, Section 11.1.9 of the Official Plan. The intent of the Plan is to maintain the existing neighbourhood character. The relevant polices of Section 11.1.9 are provided below with comments as to how the policy is being met through this application.

• The built form of *development*, including scale, height, massing, architectural *character* and materials, is to be *compatible* with the surrounding neighbourhood.

The building which is under construction was approved through Building Permit number xxxxxx and that permit was issued as the height of the building, lot coverage, setbacks and Residential Floor Area met the requirements of the by-law. The owner of the property wishes to enclose an open patio area which already has a roof overhead and use the space for a home office/sun room. The zoning parameters noted above are met except for the RFA which increases from 29% of the lot area to 31%. We note that while there is reliance on precedent by the Committee of Adjustment in processing an application that the RFA ratio was increased from 29% to 30.9% on the property to the south. Height, massing and architectural treatment are compatible with existing buildings in the neighbourhood.

• *Development* should be *compatible* with the setbacks, orientation and separation distances within the surrounding neighbourhood.

These parameters are met through the issuance of the building permit for the subject property.

• Where applicable, the proposed lotting pattern of *development* shall be *compatible* with the predominant lotting pattern of the surrounding neighbourhood.

The predominant lotting pattern is rectangular lots. This lotting pattern was established in 2003 through approval of the creation of the subject lot through an Ontario Municipal Board decision. This lotting pattern is unchanged through the application for an increase in RFA.

• Roads and/or municipal *infrastructure* shall be adequate to provide water and wastewater service, waste management services and fire protection.

The subject lands are located on a private lane which has existed since 1961 when the first severance of a lot from the lakefront lot owned by William Stone was approved by Trafalgar Township East. The lane provides access to 5 lots and contains the water services two of those lots. The lane is of adequate width to provide for emergency services access to the properties. Wastewater services to the subject property and the abutting property to the south are provided through easements leading to Chancery Lane West.

• Surface parking shall be minimized on the site.

Surface parking is minimized as a three-car garage is incorporated into the building design.

• 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.

A Site Plan was approved by Planning Staff in 2023, and these issues were considered at that time. The grading plan included with the building permit application ensured that water from the site was not spilled onto abutting properties.

In conclusion we consider that the intent of the policies in the Official Plan are met in this application as there is no change to building height, building massing, lot coverage and building setbacks through the approval of the minor variance application.

Zoning By-law

A building permit was issued for the construction of the building based on compliance with building height, building setbacks, lot coverage and RFA. The application seeks to enclose a roofed area to create a home office/sun room, and this requires the approval of a minor variance for the RFA /lot area ratio contained in Table 6.4.1 of By-law 2014-014. The intent of the by-law is to limit building massing through the application of the ratio. The building massing is unchanged through this application.

In conclusion we consider that the intent of the Zoning By-law is maintained through approval of this application.

Application is Minor in Nature

We consider that the determination of whether an application is minor in nature is related to the impact of the approval on neighbours. The new walls enclosing the existing roofed area are visible to one neighbour to the north from their rear lot. There is no change to the massing of the building or setbacks that could impact the use of those neighbouring properties, and we note that there is existing vegetation along the rear and westerly lot lines which softens views to thee subject dwelling.

Respectfully submitted.

D. Nelson

David Nelson