

LOT 86  
 REGISTERED PLAN 545  
 TOWN OF OAKVILLE,  
 REGIONAL MUNICIPALITY OF HALTON  
 AS TAKEN FROM  
 SURVEY BY  
 J.H. GELBLOOM SURVEYING LIMITED  
 ONTARIO LAND SURVEYOR  
 DATED AUG 22, 2023  
 AS PROVIDED BY OWNER

**WEDGEWOOD DRIVE**  
 (BY REG'D PLAN 545)  
 PIN 24799-0134

Proposed New Residence:

**221 WEDGEWOOD DRIVE, Oakville**  
 Survey at 1:200  
 C100 - September 17, 2024



64 Rebecca Street, Oakville  
 Ontario, Canada L6K 1J2  
 Tel: (905) 842-9191  
 www.gusricciarchitect.com

SITE STATISTICS				
LOT DESCRIPTION	LOT 86, REGISTERED PLAN 545		TOWN OF OAKVILLE	REGIONAL MUNICIPALITY OF HALTON
MUNICIPAL ADDRESS	221 WEDGEWOOD DRIVE			
	ZONING REQUIREMENTS		PROPOSED NEW	
ZONING	BY-LAW 2014-014 RL1 -0			
LOT AREA	MINIMUM = 1,393.5 m <sup>2</sup> (15,000.00 sq.ft.)		EXISTING	1,526.88 m <sup>2</sup> (16,435.20 sq.ft.)
LOT FRONTAGE	MINIMUM = 30.5 m (100.1 ft)			37.13 m (121.82 ft.)
FRONT YARD SETBACK	MINIMUM = 11.47 m (37.63 ft) (-1m LESS THEN EXISTING BUILDING)			11.50 m (37.73 ft.)
REAR YARD SETBACK @DWELLING	MINIMUM = 10.5 m (34.45 ft) (1 STOREY EXTENSION LESS THEN OR EQUAL TO 7.50 m IN HEIGHT IS ALLOWED TO EXTEND AN ADDITIONAL 3.00 m INTO REAR YARD PROVIDED INTERIOR SIDE YARD OF 9.00 m ON EITHER SIDE AS PER 6.3.1. (1) - ZONING BY-LAW)		DWELLING SETBACK	9.40 m (30.84 ft.)
@ACCESSORY BUILDING	MINIMUM = 0.6 m (2.00 ft)		1 STORY EXTENSION SIDE YARD SETBACK	9.50 m (31.20 ft.)
SIDE YARD SETBACK (SOUTH)	MINIMUM = 4.20 m (13.80 ft)		BUILDING HEIGHT ENCROACHMENT	4.50 m (14.80 ft.)
SIDE YARD SETBACK (NORTH) @DWELLING	MINIMUM = 4.20 m (13.80 ft)			1.10 m (3.60 ft.)
@ACCESSORY BUILDING	MINIMUM = 0.6 m (2.00 ft)			0.91 m (3.00 ft.)
BUILDING DEPTH	MAXIMUM = 20.0 m (65.60 ft)			4.25 m (13.90 ft.)
BUILDING HEIGHT OVERALL/RIDGE (from established grade)	MAXIMUM = 9.00 m (29.53 ft)			5.60 m (18.40 ft.)
BUILDING HEIGHT (ACCESSORY BUILDING)	MAXIMUM = 4.00 m (13.12 ft)			0.91 m (3.00 ft.)
LOT COVERAGE	MAX = 25% = 381.75 m <sup>2</sup> (4,109.10 sq.ft) (INCLUDES ALL AREA COVERED BY A ROOF. EXCLUDES EAVES 0.6 m or LESS & BALCONIES)  ACCESSORY BUILDING MAX. LOT COVERAGE SHALL BE THE GREATER OF 5% OF LOT AREA = 76.34 m <sup>2</sup> (821.72 sq.ft) or 42.00 m <sup>2</sup> (452.10 sq.ft) OF BUILDING AREA.		PROPOSED DWELLING	243.70 m <sup>2</sup> (2,623.30 sq.ft)
GARAGE AREA	MAX = 56.0 m <sup>2</sup> (602.8 sq.ft) (as per 5.8.6. - Zoning Bylaw)		PROPOSED GARAGE	100.00 m <sup>2</sup> (1,075.30 sq.ft)
RESIDENTIAL FLOOR AREA	MAX = 29.0% = 404.10 m <sup>2</sup> (4,350.00 sq.ft)		COVERED PORCHES	5.10 m <sup>2</sup> (55.00 sq.ft)
DRIVEWAY WIDTH	9.00 m DRIVEWAY WIDTH		EXPOSED BASEMENT	8.20 m <sup>2</sup> (88.30 sq.ft)
			COVERED TERRACE	28.50 m <sup>2</sup> (307.00 sq.ft)
			SECOND FLOOR ABOVE	9.00 m <sup>2</sup> (97.40 sq.ft)
			PROPOSED POOL CABANA	29.50 m <sup>2</sup> (317.30 sq.ft)
			PROPOSED LOT COVERAGE	424.00 m <sup>2</sup> (4,563.60 sq.ft) = 27.80 %
			PROPOSED GARAGE FLOOR AREA	91.50 m <sup>2</sup> (985.00 sq.ft)
			PROPOSED MAIN FLOOR	243.70 m <sup>2</sup> (2,623.30 sq.ft)
			PROPOSED SECOND FLOOR	247.90 m <sup>2</sup> (2,667.80 sq.ft)
			PROPOSED FLOOR AREA	491.60 m <sup>2</sup> (5,291.10 sq.ft) = 32.20 %
			PROP. DRIVEWAY WIDTH	11.75 m (38.60 ft)

Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

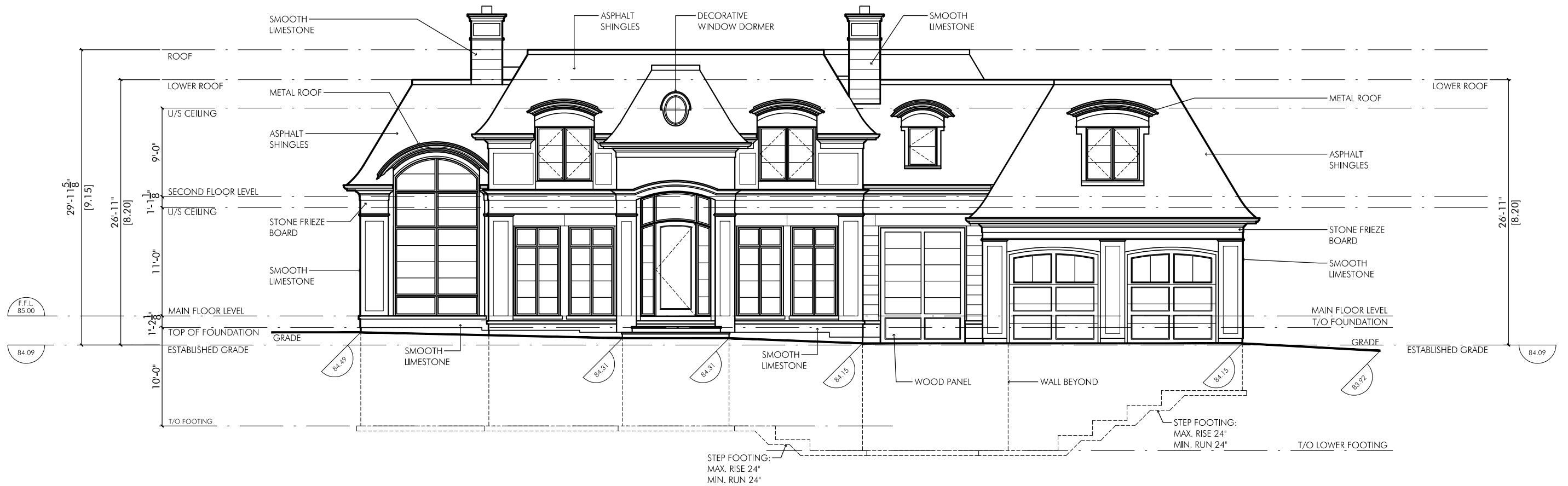
Site Stats

A102 - September 17, 2024



64 Rebecca Street, Oakville  
Ontario, Canada L6K 1J2  
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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

West Elevation at 3/32" = 1'-0"

A200 - September 17, 2024



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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

South Elevation at 3/32" = 1'-0"

A201 - September 17, 2024



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Proposed New Residence:

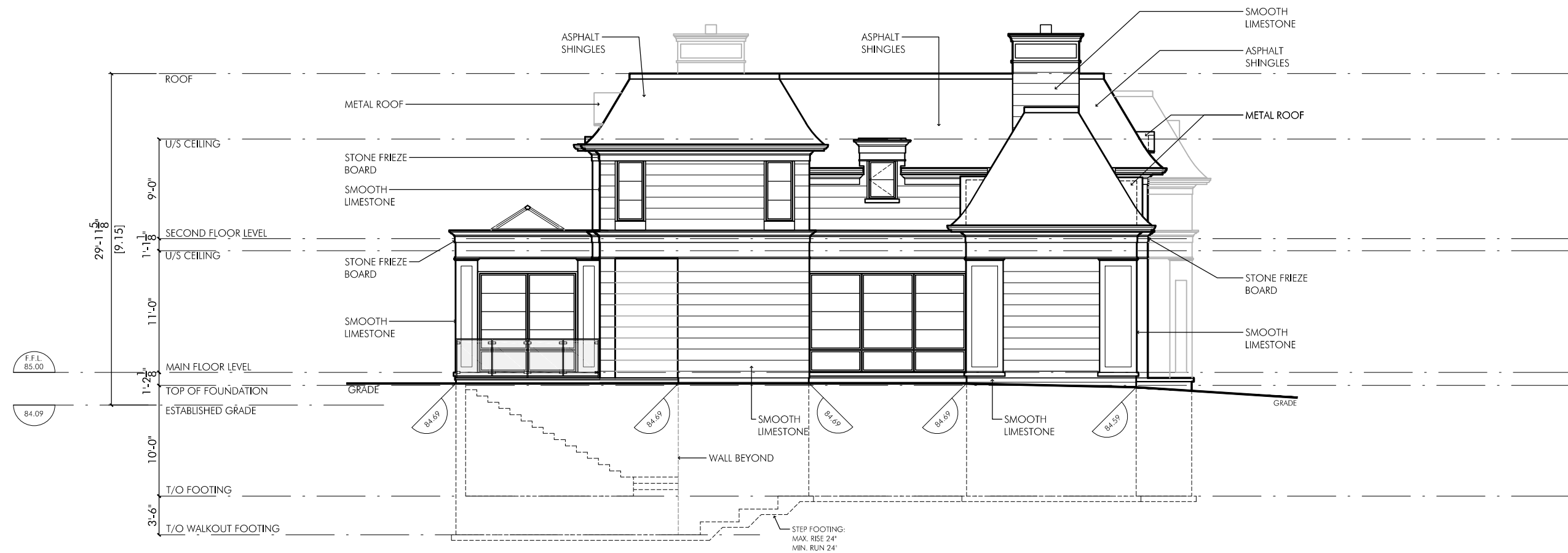
221 WEDGEWOOD DRIVE, Oakville

East Elevation at 3/32" = 1'-0"

A202 - September 17, 2024



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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

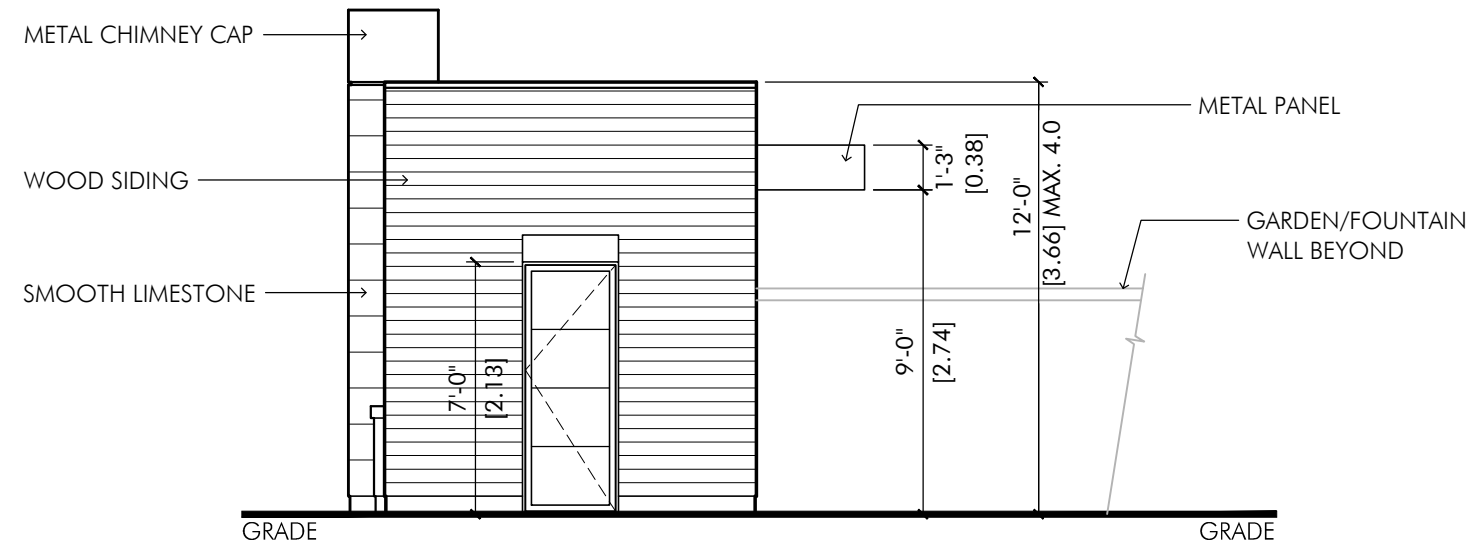
North Elevation at 3/32" = 1'-0"

A203 - September 17, 2024

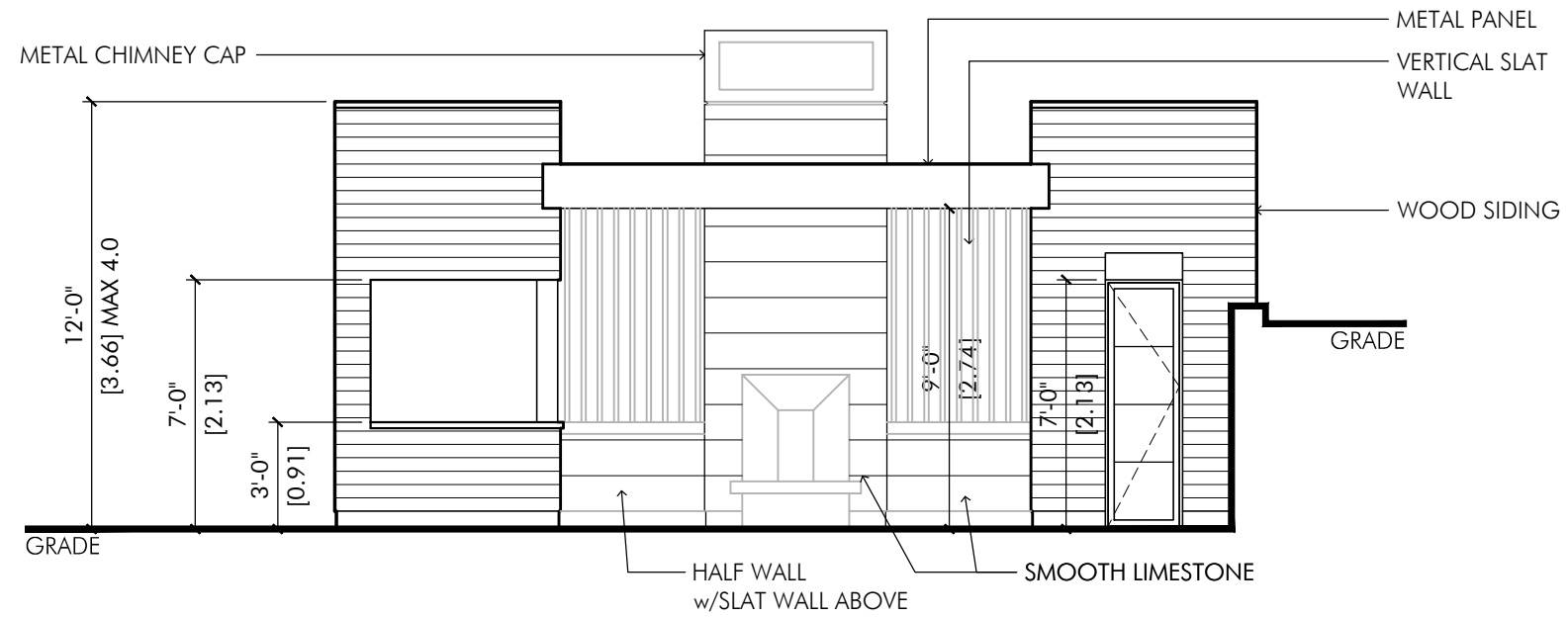


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WEST ELEVATION



SOUTH ELEVATION

Proposed New Residence:

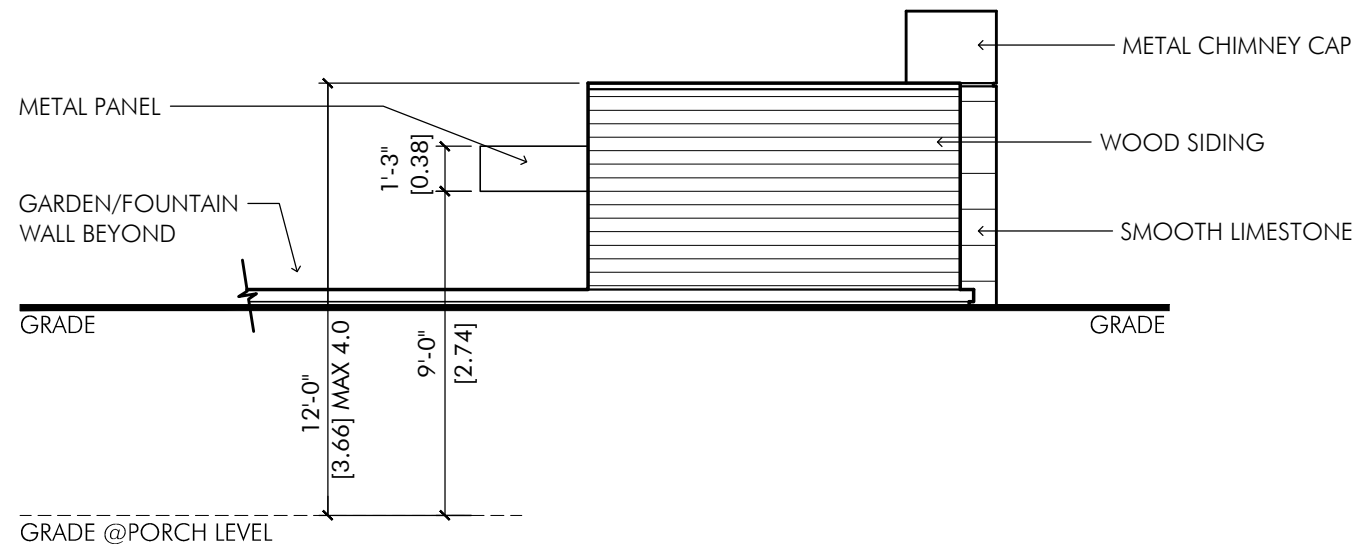
221 WEDGEWOOD DRIVE, Oakville

Cabana Elevations at 3/16" = 1'-0"

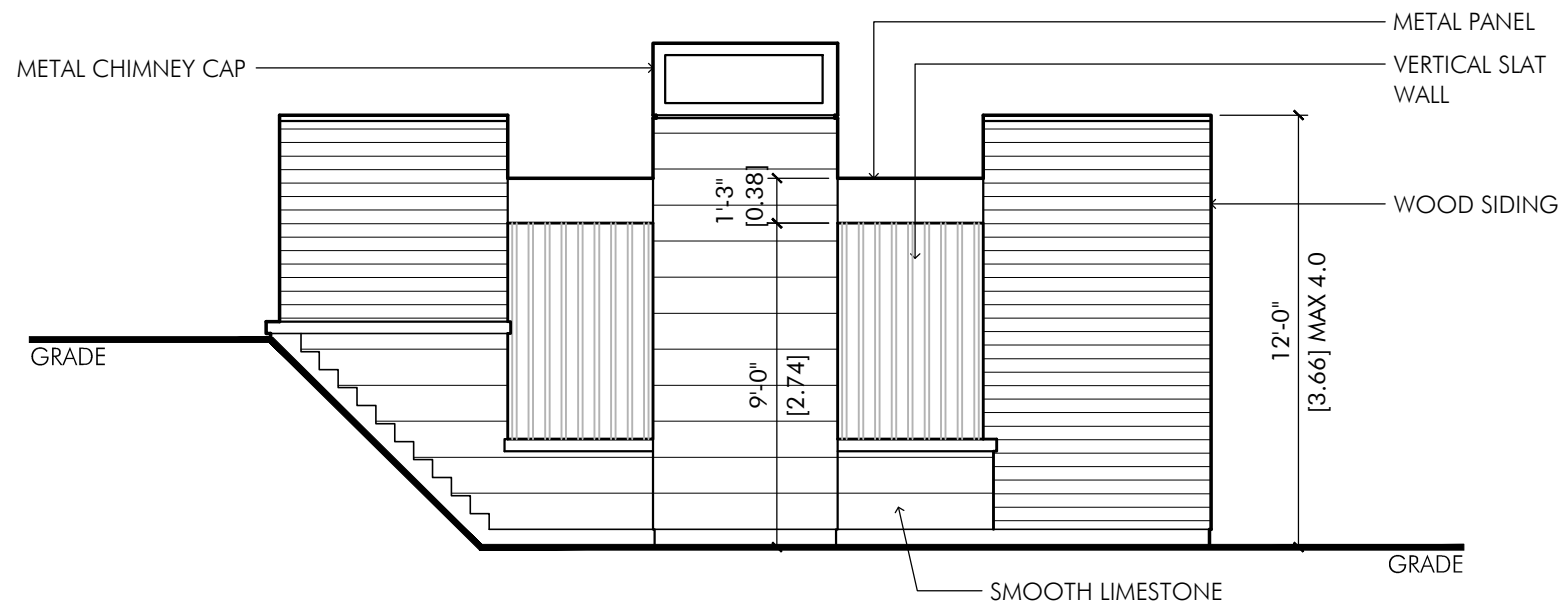
A204 - September 17, 2024



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EAST ELEVATION



NORTH ELEVATION

Proposed New Residence:

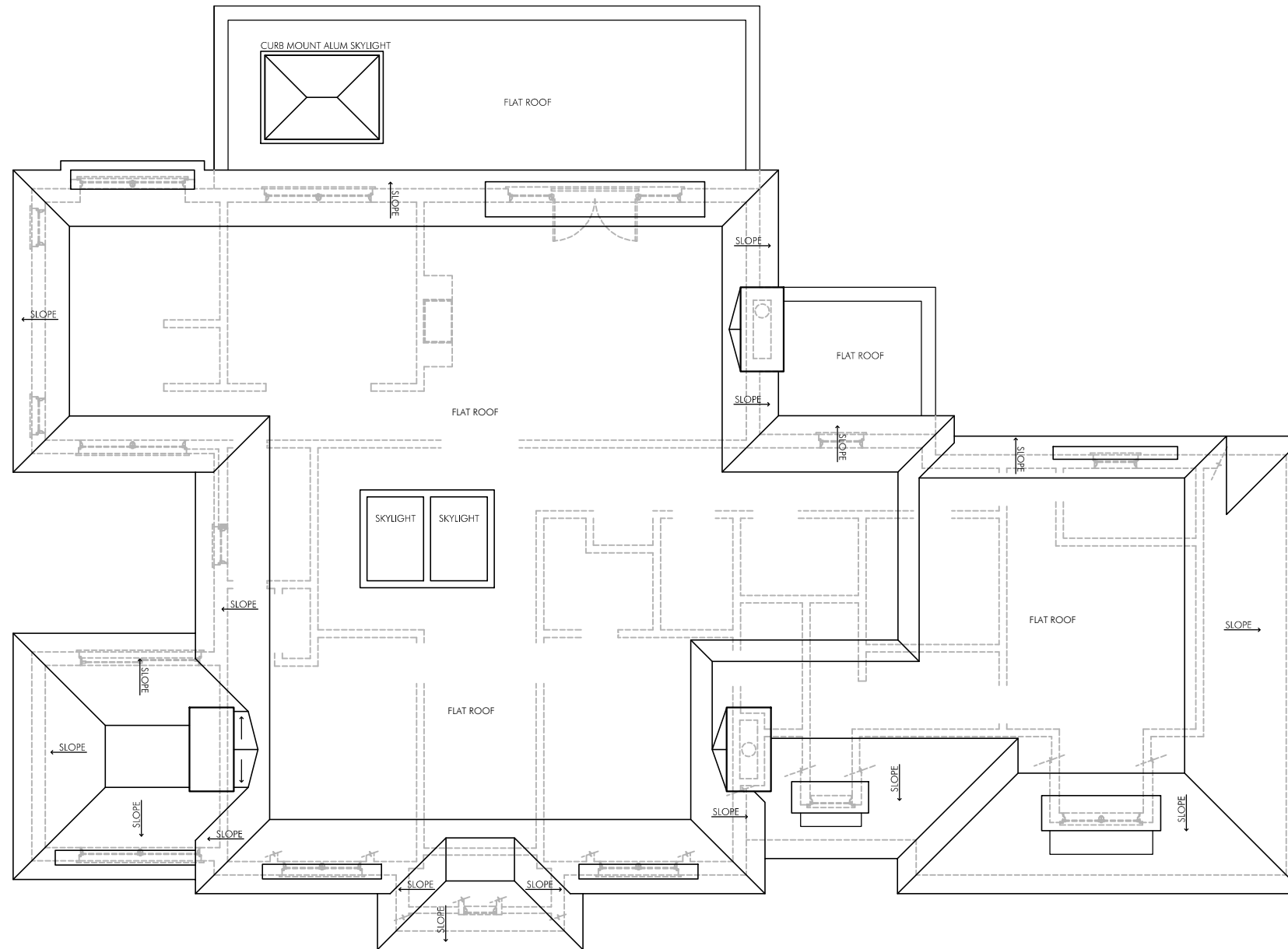
221 WEDGEWOOD DRIVE, Oakville

Cabana Elevations at 3/16" = 1'-0"

A205 - September 17, 2024



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Ontario, Canada L6K 1J2  
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Proposed New Residence:

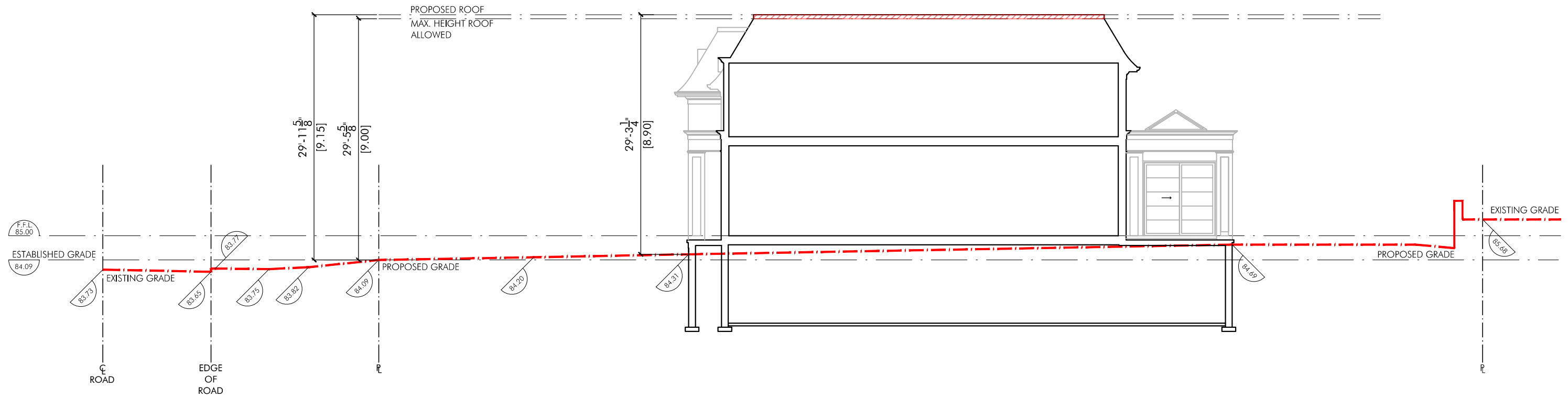
221 WEDGEWOOD DRIVE, Oakville

Roof Plan at 3/32" = 1'-0"

A303 - September 17, 2024



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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

Section Thru Site at N.T.S.

A400 - September 17, 2024



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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville  
 Roof Height Schematic (West Elevation) at 3/32" = 1'-0"  
 A401 - September 17, 2024



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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

Streetscape

R100 - September 17, 2024



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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

View To The South

R101 - September 17, 2024



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Proposed New Residence:

221 WEDGEWOOD DRIVE, Oakville

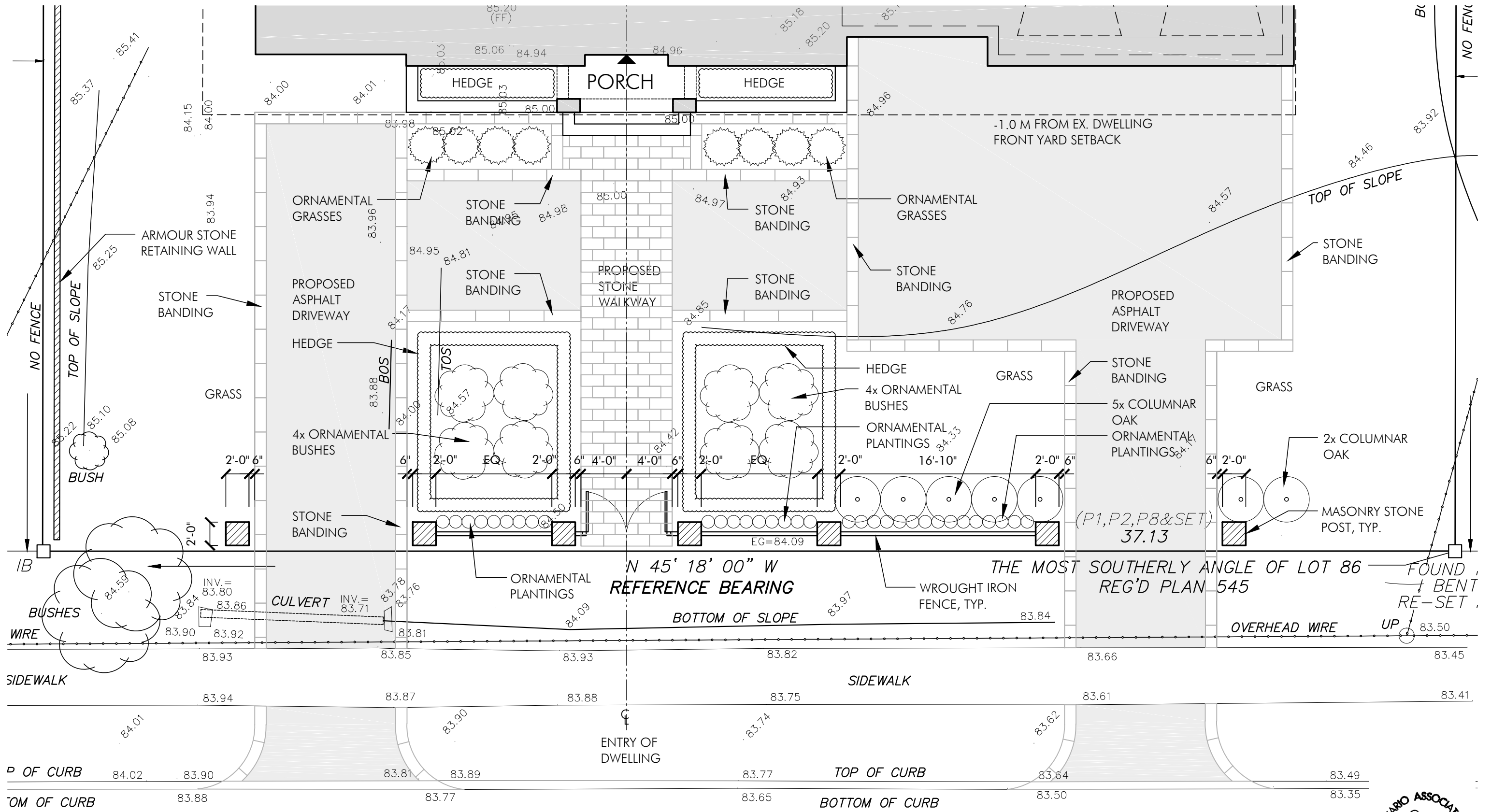
View To The North

R102 - September 17, 2024



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Proposed New Residence:

**221 WEDGEWOOD DRIVE, Oakville**  
 Conceptual Front Landscape Plan - at 1/8"=1'-0"  
 A101a - September 17, 2024



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 Ontario, Canada L6K 1J2  
 Tel: (905) 842-9191  
 www.gusricciarchitect.com

# ARBORIST REPORT

## TREE REMOVAL AND REPLANTING PLAN

### PREPARED FOR:

LAURA BRUTTO  
221 WEDGEWOOD DRIVE,  
OAKVILLE, ON, L6J4R6

### PREPARED BY:

JONATHAN CHANDLER

ISA CERTIFIED ARBORIST ON-1305AT

[WWW.JCFORESTRY.COM](http://WWW.JCFORESTRY.COM)

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(416) 953 9806



**JC FORESTRY**  
TREE CARE AND PRESERVATION





# Definitions

**"arborist"** means a person who has graduated from an accredited college or university with a diploma or degree in Urban Forestry, Arboriculture or equivalent

**"diameter or DBH"** means the diameter at breast height, measured outside the bark, of the stem or trunk of a tree, and shall be measured at a point 1.4 meters above the existing grade of the ground adjoining its base or, where there are multiple stems to a tree, means the total of diameter of all stems at a point 1.4 meters above the existing grade, or alternate methods approved by the Designated Official

**"Removal"** means remove specific tree outlined in chart, followed by images and location of tree

**"Action"** refers to method to be carried out, either remove, preserve, tpz,

**"injure/injury"** means damaging or destroying a tree by: removing, cutting, girdling, or smothering of the tree or roots; cutting more than 25% of tree canopy; interfering with the water supply; setting fire to a tree; applying chemicals on, around, or near the tree; compaction or re-grading within the drip line of a tree; damage caused by new development or construction related activities that are not evaluated as part of an approval under the Planning Act

**"lot"** means a parcel of land having specific boundaries which is capable of legal transfer;

**"ownership"** means the registered owner of a lot, either private or municipal

**"location"** means location of tree on subject property, either front yard, side, or backyard, location to be specified in

**"permit"** means a tree removal permit issued under this By-law to remove a tree on private property within the city

**"pruning"** means the appropriate removal of not more than 25% of the live branches or limbs of a tree as part of a consistent annual pruning program

**"Replacement tree"** means a tree that is required under this By-law to replace an existing tree that is approved for removal;

**"Assessment Agreement"** agreement set out by arborist includes disclosure of report and conditions

## Segment 1 - Overview

Jonathan Chandler was retained to complete an Arborist Report at the property located at 221 wedgewood drive, Town of Oakville for the submission of a tree removal permit application.

This report has been prepared to address the tree removal planning of species greater than 15 cm (or 6") for the subject property. This report will document the trees to be removed as well as trees to be replanted.

An inventory and assessment was conducted on September 24th 2024 to assess the trees to be removed under Town of Oakville guidelines as well as ISA standards. The purpose of this report is to:

- Provide an inventory and assessment of existing bylaw-protected trees as required by the Town of Oakville
- Location of trees
- Tree to be removed
- Tree to be replanted as per replanting plan

The proposed Trees were examined to determine species and were identified based on bud and bark patterns, shape and color as well as tree structure. Due to the time of year, live foliage was favorable for viewing. Trees were measured at DBH (diameter at breast height, or 1.4 m above ground surface) and condition was assessed based on presence of flaws, damage, and evidence of structural damage.

Indicated in this report will be trees that vary in condition based on visual observation, assessments made at the time of viewing are documented and prepared as accurately as possible.



## Segment 2 - Inventory of trees

The Town of Oakville private Tree Bylaw regulates the removal of trees on private property, the Bylaw states for the removal of trees that measure 15 cm (6") diameter at breast height (DBH) or greater, will require a permit.

**Table 1 - Tree inventory table description** (See tree inventory on next chart)

<b>Tree ID #</b>	This ID number is assigned to the tree on the plan/survey/overhead view
<b>Common Name</b>	Common name given to the species of tree
<b>Botanical Name</b>	Botanical name/Latin name given to species of tree
<b>DBH</b>	Diameter at breast height measured 1.4m from ground
<b>Health</b>	Visual assessment on health of tree ranging
<b>Structure</b>	Visible amount of structure remaining
<b>Crown</b>	Visual measurement of crown
<b>Ownership</b>	Tree will be privately owned or owned by city
<b>Location</b>	Location of tree on subject property
<b>Action</b>	Determination of tree, to either protect, injure or destroy (remove)

**TABLE 2 - Existing tree inventory**

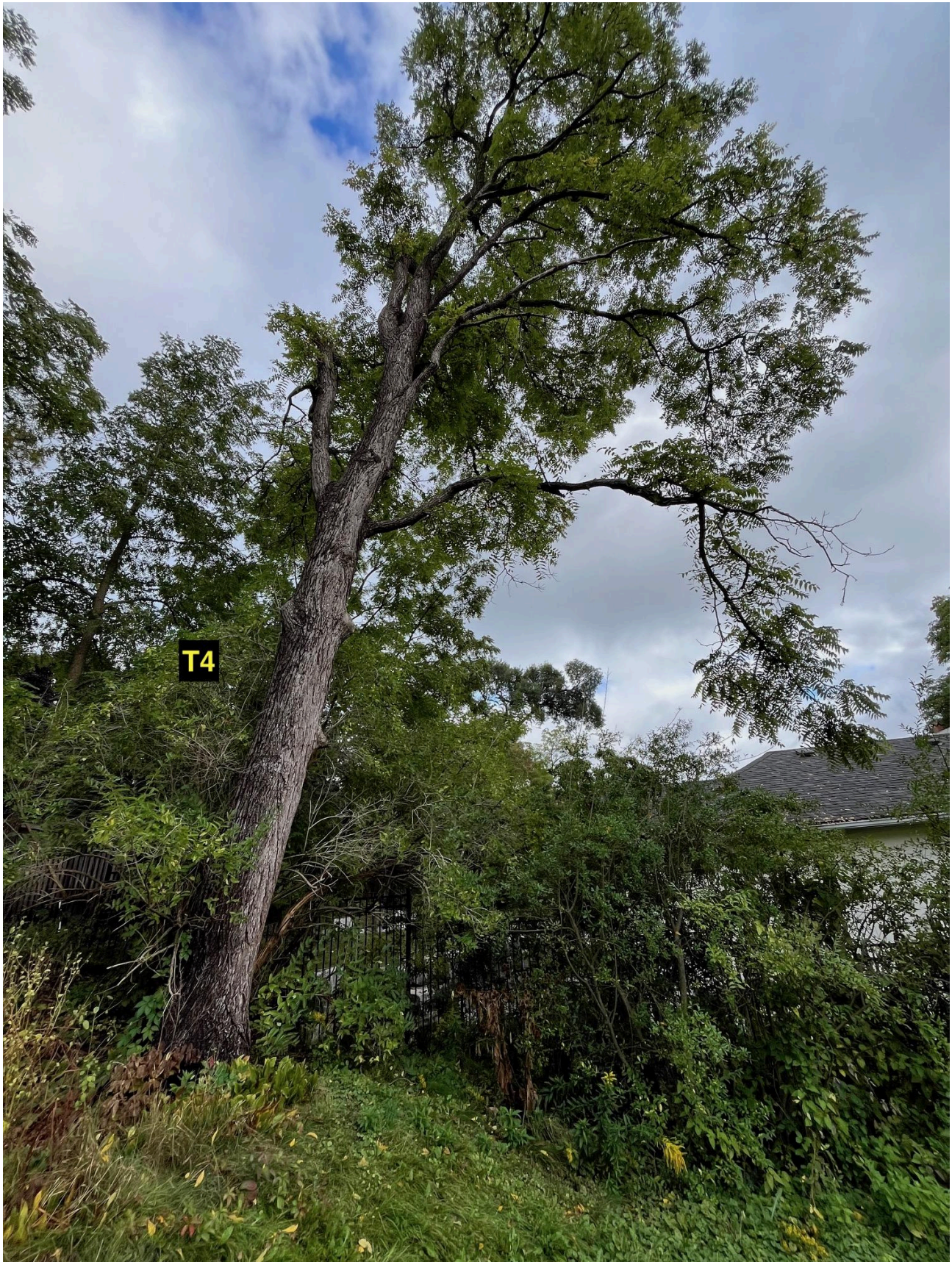
Tree #	Common Name	Botanical Name	DBH (cm)	Health/condition	Structure %	Crown (m)	Ownership	location	Action	Comments
T1	Norway Maple	<i>Acer platanoides</i>	37	fair	90	5	Private	frontyard	Removal	Tree is growing into service lines, located within proposed pedestrian walkway
T2	Norway Maple	<i>Acer platanoides</i>	20	Fair/poor	85	2	Private	Front yard (left side)	Removal	Limited canopy, leaning towards neighboring property
T3	White Cedar	<i>Thuja occidentalis</i>	18/32	good	95	3	Private	Backyard	Removal	Located within proposed dwelling
T4	Black Walnut	<i>Juglans nigra</i>	69	fair	85	9	Private	Backyard	Removal	Leaning towards neighboring house, on slope, needs to be removed

## Segment 3 - Pictures of trees listed in report

Pictures outlined in this report are taken on the day of the assessment, to provide a clear and detailed image of trees outlined in this arborist report, no alterations, changes, or enhancements will be made to photographs.







































## Segment 4 - Replanting

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- The requirements for replacement tree planting are: At least 1.8 m tall if it's a coniferous (evergreen) tree or at least 6 cm in diameter if it's a deciduous (leaves) tree. One replacement tree is required for 10 cm of the removed tree's DBH
- Selection of trees to be replanted will be post tree removal to ensure optimal growing conditions without any concern of damage. Third party contractors or the homeowner, will select the variety of species to be replanted, with the exception of any invasive or restricted tree species. If the homeowner decides to pay cash in lieu this will be described in the tree compensation chart.
- Requirements will be respected and met as per Town of Oakville guidelines. A follow up with city staff members for inspection will be required by the landowner once the trees have been successfully planted, or cash be paid in lieu of private tree removal

Trees being removed					
Tree #	Common Name	Botanical Name	DBH	Compensation Ratio Category	# of trees required to replant
T1	Norway Maple	<i>Acer platanoides</i>	37	1:10	Subject to town of oakville requirements
T2	Norway Maple	<i>Acer platanoides</i>	20	1:10	Subject to town of oakville requirements
T3	White Cedar	<i>Thuja occidentalis</i>	18/32	1:10	Subject to town of oakville requirements
T4	Black Walnut	<i>Juglans nigra`</i>	69	1:10	Subject to town of oakville requirements

- Homeowner will replant the required amount of trees based on the town of Oakville's requirements, in lieu of removal of current and existing trees located on property for compensation as per Town of Oakville guidelines
- Selection of trees will be to the specified to the chart provided by the Town of Oakville, this will not include invasive tree species, toxic or dangerous plants, fruit trees, or other trees not listed in the guide
- Placement/planting of trees will be to the sole discretion of the homeowner on where they want to plant, once planted the homeowner will advise the city inspector for further inspection

## **Assessment agreement and acknowledgement**

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It is the policy of Jonathan Chandler, consulting arborist, to attach the following clause in regards to limitations based on the assessment written in this report. This is to ensure that the client is fully aware of what is technically and professionally realistic in the preservation and evaluation of trees in the urban environment and their current setting.

The assessment of the trees in this report has been done in conjunction with and according to accepted arboriculture methods and techniques. These include an examination of the above ground parts of the tree for structural defects, scars, cracks, the overall condition of the root structures, the severity and direction of lean (if any), the general condition of the trees and the surrounding environment, external indications of decay such as fungal fruiting bodies, evidence of attack by insects, symptoms of infestation and pathogens, discolored foliage, and the proximity of potential targets should a tree fail.

The trees were not cored, probed or climbed and there was no detailed inspection of the root crowns involving excavations, or samples taken to be scientifically tested. Notwithstanding the recommendations and conclusions presented in this report, it must be acknowledged that trees are living organisms. They are not immune to changes in site conditions, dramatic weather events or seasonal variations in climate. Therefore it should always be recognized that trees are ever evolving and their health and vigor constantly vary over time.

While all reasonable efforts have been made to ensure that the subject trees are healthy, no guarantees are offered or implied that these trees or part(s) of any trees will remain intact. It is professionally and practically impossible to predict with absolute certainty the behavior of any tree. Most trees have the potential for failure under adverse weather conditions and the risk can only be completely eliminated if the tree is removed. Inherently, a standing tree will always pose some level of risk. Although every effort has been made to ensure that this assessment is reasonably accurate, trees should be reassessed periodically.

Jonathan Chandler reserves the right to withdraw this report and its recommendations, if any requirements are not met. If alterations/revisions are required it will solely be at the discretion of the consulting arborist who prepared this report based on the information requested.

# Arborist Report Prepared By

**Jonathan Chandler**  
Certified Arborist  
ON-1305AT



## The International Society of Arboriculture

Hereby Announces That

*Jonathan Mark Chandler*

Has Earned the Credential

### ISA Certified Arborist®

By successfully meeting ISA Certified Arborist certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

  
Caitlyn Pollihan  
CEO & Executive Director

4 April 2023	30 June 2026	ON-1305A
Issue Date	Expiration Date	Certification Number



## The International Society of Arboriculture

Hereby Announces That

*Jonathan Mark Chandler*

Has Earned the Credential

### ISA Tree Risk Assessment Qualification®

By successfully meeting ISA Tree Risk Assessment Qualification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

  
Caitlyn Pollihan  
CEO & Executive Director

19 April 2024	19 April 2029
Issue Date	Expiration Date



## The International Society of Arboriculture

Hereby Announces That

*Jonathan Mark Chandler*

Has Earned the Credential

### ISA Certified Tree Climber

By successfully meeting ISA Certified Tree Climber certification requirements through demonstrated attainment of relevant competencies as supported by the ISA Credentialing Council

  
Caitlyn Pollihan  
CEO & Executive Director

18 April 2009	30 June 2027	ON-1305AT
Issue Date	Expiration Date	Certification Number







64 Rebecca Street, Oakville  
Ontario, Canada L6K 1J2  
Tel (905) 842-9191  
Fax (905) 842-3382

September 26, 2024

Ms. Jasmina Radomirovic  
Assistant Secretary - Treasurer  
Committee of Adjustment  
**Town of Oakville**  
1225 Trafalgar Road  
Oakville, Ontario L6J 5A6

**RE: Committee of Adjustments application #A /071/2024 : 221 Wedgewood Drive, Oakville**

Dear Ms, Radomirovic, Chairperson and Committee Members,

The variance application for 221 Wedgewood Drive, Oakville was previously scheduled to be heard at a meeting on May 1, 2024. However, based on Planning comments we requested a deferral which was granted. We have been developing revised designs, discussing these with Planning staff and we are in a position to re-submit for a new meeting.

Please accept the attached revised application, drawings and planning justification report all in support of our variance application. We respectfully request to be heard at the next available date with the Committee of Adjustment and look forward to providing additional information if required when the application is heard.

Respectfully submitted,  
**Gus Ricci Architect**

A handwritten signature in blue ink, appearing to read "Gus Ricci", with a stylized flourish at the end.

Gus Ricci, B. Arch, OAA, MRAIC



# 221 WEDGEWOOD DRIVE

## OAKVILLE, ONTARIO



### PLANNING RATIONALE

### MINOR VARIANCE APPLICATION

## **1.0 Introduction**

Batory Management has been retained as the planning consultant for the development at 221 Wedgewood 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 221 Wedgewood Drive, Oakville Ontario (the “subject site”).

### **1.1 Proposed Development**

The proposed development, illustrated in figures 1 through 7 below, comprises a two-storey, single-detached dwelling with an overall floor area of 491.6 square metres on a large rectangular shaped lot with an overall area of 1,526.88 square metres. The proposed detached dwelling covers 27.8% of the property totalling 424 square metres. The proposed height of the dwelling is 9.15 metres. A new circular driveway is proposed and is designed to mitigate impacts on the existing tree canopy within the public right-of-way, while significant tree planting is proposed on the subject site within the front yard. The proposed building has been located to fit appropriately onto the subject site, falling within the setback requirements of the Zoning By-law.

The proposed architecture of the home has been carefully considered in terms of materials, roofline, and proportions that ensure compatibility with the site on which the building is located, adjacent properties, and the local context while contributing to the varied character of buildings in the immediate neighbourhood, effectively utilizing the dimensions of this large, rectangular shaped lot.

The front façade of the proposed building is characterized by a series of large rectangular windows situated across the 1<sup>st</sup> and 2<sup>nd</sup> floors. A prominent front entry is located toward the center of the front façade. The building features a shingled, sloped roof with various indentations and portions of the second floor and dormers designed within this roofline. A three-car attached garage is located on the south side of the dwelling, which includes an architectural treatment of the northern garage door which is designed to appear as a window, similar to the windows on the main dwelling. The rear elevation features a series of large rectangular windows overlooking the rear yard. An in-ground swimming pool and cabana are proposed within the rear yard of the property along with a series of landscaped spaces.

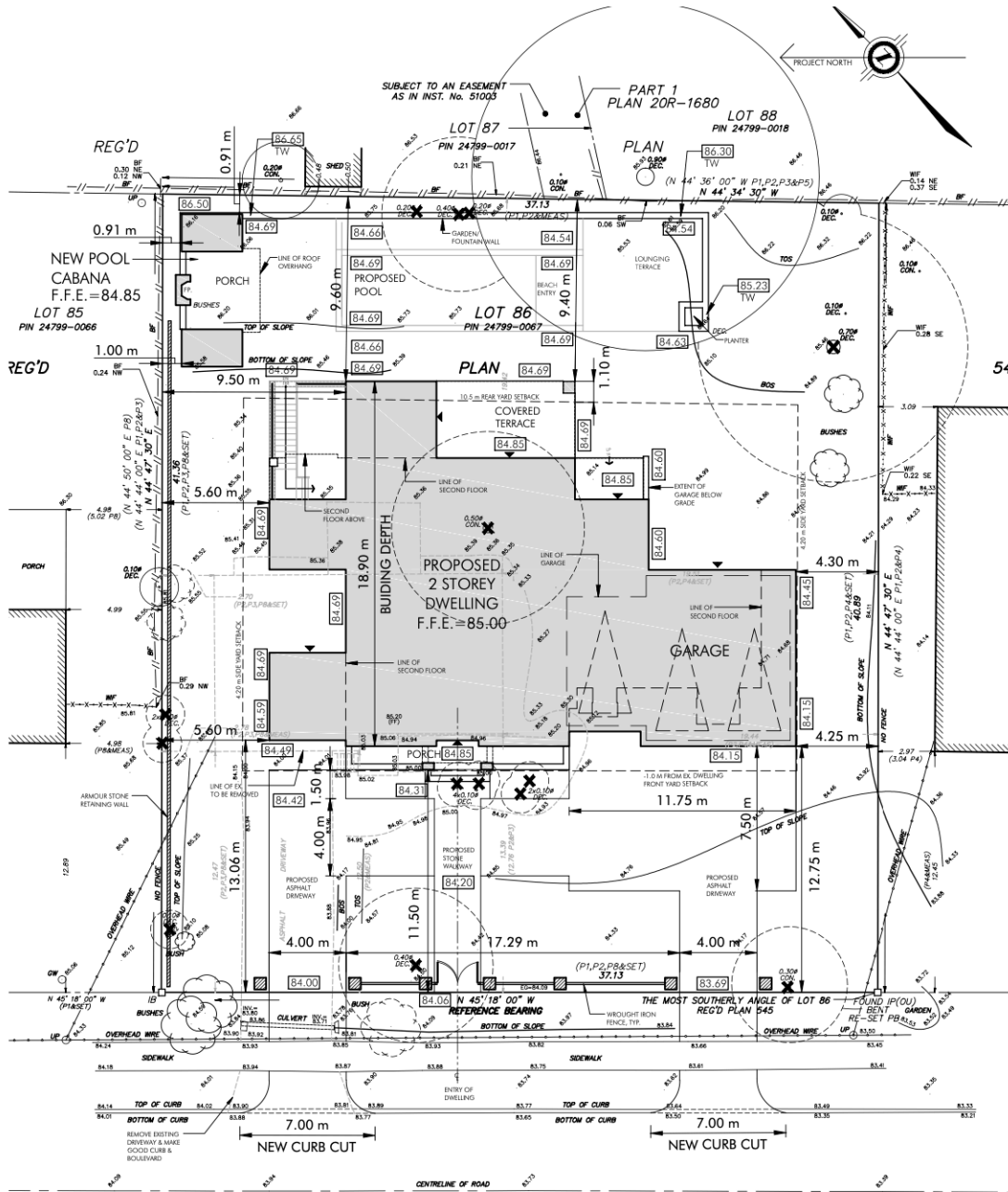
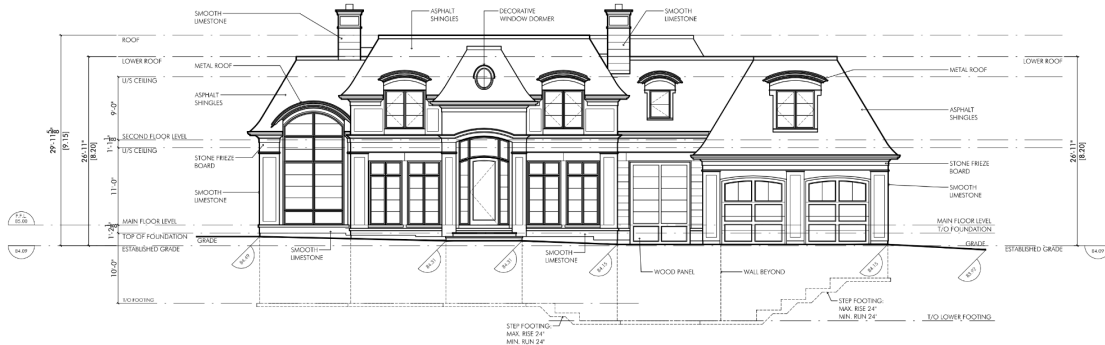


Figure 1 – Site Plan

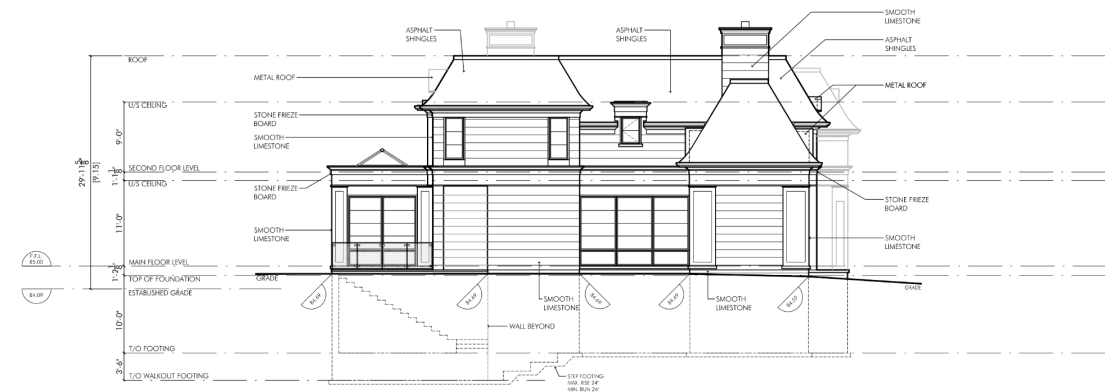




**Figure 2 – Front Elevation**



**Figure 3 – Rear Elevation**



**Figure 4 – North Elevation**



**Figure 5 –South Elevation**



**Figure 6 – Rendering: Front Elevation A**



**Figure 7 – Rendering: Front Elevation B**

## 1.2 Subject Site & Application History

The subject site, measuring 1,526.884 square metres, is a rectangular-shaped lot with 37.13 metres of frontage on Wedgewood Drive. The subject site is currently occupied by an existing single detached dwelling with a reverse grade driveway on the north side of the site which leads to an attached below-grade garage.

An active Minor Variance Application (File Number A/071/2024) was deferred by the Town of Oakville Committee of Adjustment on May 1, 2024. The requested variances included an increase to the maximum permitted driveway entrance width, an increase to the maximum permitted floor area for a private garage, an increase in the maximum residential floor area, an increase in the permitted lot coverage, and an increase to the maximum permitted height. A detailed summary of these requested variances compared to the revised application are found later in this report.

The site is designated as “Urban Area” by the Region of Halton Official Plan and is within the “Residential Areas” and “Low Density Residential” land use designation as shown on Schedule G – South East Land Use in the Oakville Official Plan. It is also subject to the Residential Low Density Lands (RL1 / RL1-0 Zones) policy overlay. The site is zoned RL1-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014.

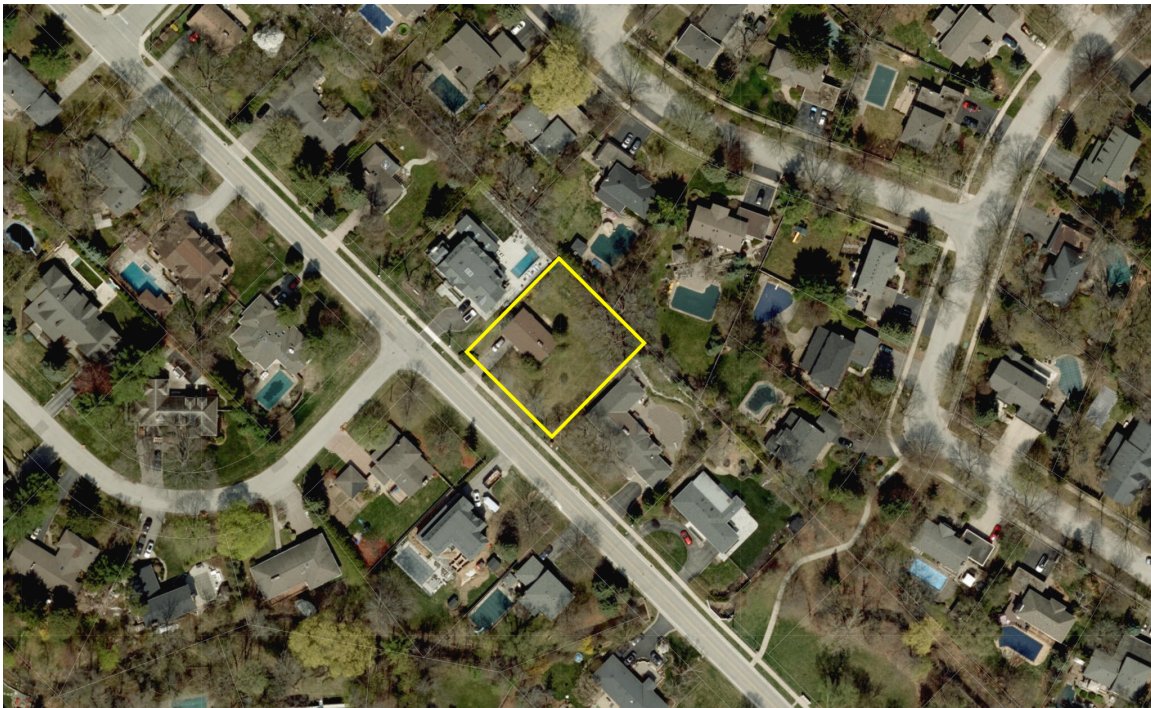


Figure 8 – Immediate Context



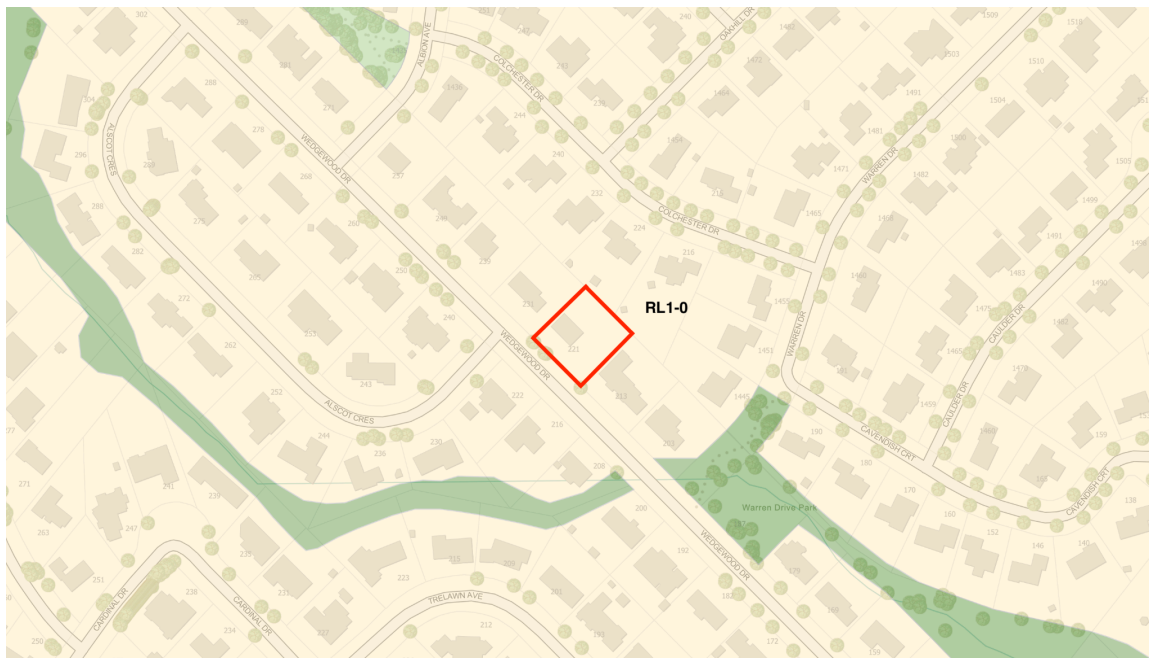
### 1.3 Area Context

The subject site is located within an established neighbourhood in southeast Oakville comprising primarily one and two-storey detached residential buildings on a variety of lot sizes and shapes and in a wide variety of architectural styles. The local area is characterized by significant tree canopy, as well as numerous re-constructed dwellings in recent years. Parking for area residences is provided in driveways in attached garages. A number of properties have rear yard pools.

The Oakville Go station is located a 10 minute drive from the subject site. Warren Drive Park and Albion Park are located in close proximity to the site. The subject site is within walking distance of Oakville Trafalgar High School, Maple Grove Public School, and St. Vincent Catholic Elementary School.

### 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 December 12, 2023.



**Figure 9 – Zoning By-law 2014-014 map excerpt**

The subject site is zoned RL1-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014 (see Figure 9). The RL1-0 zoning permits the use of a detached dwelling, as well as several other conditional uses, such as a daycare and a private home day care. The “-0” suffix to the zone adds a series of requirements to the base RL1 zone, including those regarding lot coverage, front yard setbacks, main wall proportionality, height, and others.

The following chart provides the previous and current variances being requested to facilitate the proposed development.

By-law Provision	Requirement	May 1, 2024 Variances	Current Variance Requested
Maximum cumulative width of driveway entrances at the point of crossing the front lot line	9.0 metres	12.0 metres	N/A
Maximum Garage Area	56.0 square metres	94.80 square metres	91.5 square metres
Maximum Floor Area Ratio	29.0% (404.1 sq. m.)	36.30%	32.2% (491.6 square metres)
Maximum Lot Coverage	25%	29.90%	27.8%
Maximum Building Height	9.0 metres	9.75 metres	9.15 metres
Maximum Driveway Width	9.0 metres	N/A	11.75 metres

### 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 revised variances 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 for how physical development should take place in Halton to meet the Region's current and future needs. 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 provides for a 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, interconnected and complete communities of various sizes, types, and characters, affording 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. The Plan 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:

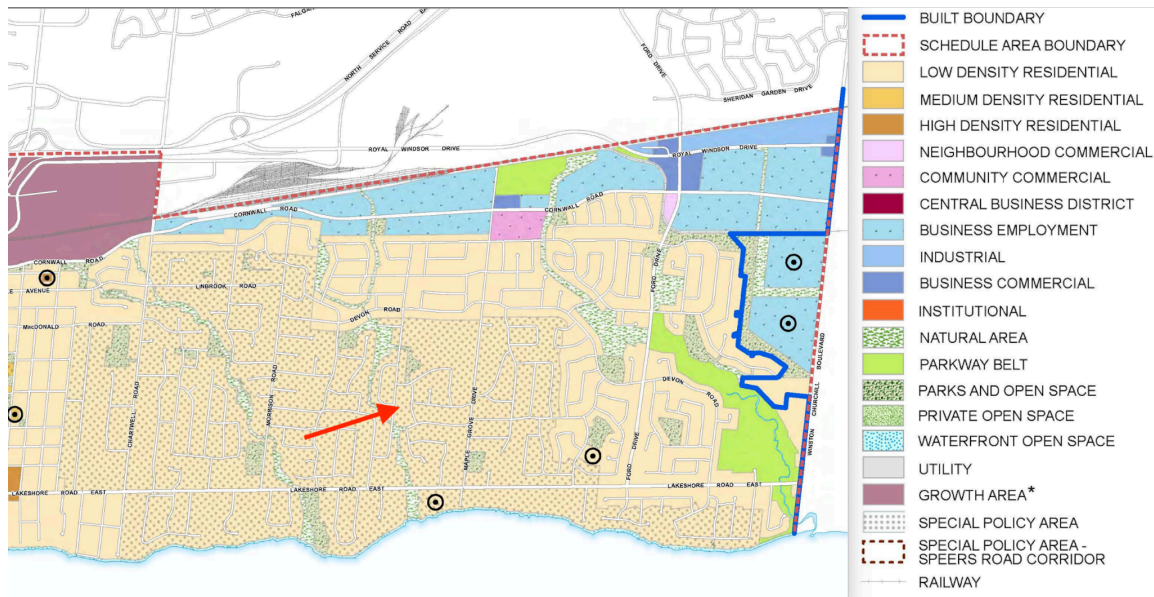
- a) enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs to the community throughout all stages in life; and
- c) foster the Town's sense of place through excellence in building and community design.

### **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 within the 'Low Density Residential' land use designation as shown on Schedule G – South East Land Use, and is subject to the Residential Low Density Lands (RL1 / RL1-0 Zones) policy overlay.



**Figure 10 – Livable Oakville Plan Schedule G – South East Land Use Excerpt**

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.

### **2.2.3 Special Policy Area-- Residential Low Density Lands (RL1 / RL1-0 Zones)**

Section 26.2 of the Plan establishes special policy provisions for Residential Low Density Lands which are also subject to RL1 / RL1-0 zoning. The Special Policy Area is intended to protect the unique character of this area within the Town and limits intensification to development which maintains the integrity of the large lots characteristic of this area. The policy further directs that densities shall not exceed 10 units per site hectare, notwithstanding the Low Density Residential designation.

### **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”) that 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 assessing the intent of the Official Plan.

Aligning with the policy text of the Plan, Section 3 of the Guidelines establishes 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.

Section 3.2.2 states that new development is encouraged to incorporate upper storey living spaces wholly or partially within the roof structure to de-emphasize the height and overall building scale, and to divide the massing of the roof. Dormer and end gable windows can provide adequate light into these spaces.

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 recommends 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 façade to add visual interest and to maximize light penetration and views, while minimizing overlook conditions onto neighbouring properties.

Section 3.2.6 of the Design Guidelines recommends that new development should make every effort to minimize the visual prominence of the garage and the surface parking area on the property frontage in order to maintain a positive pedestrian experience along the streetscape.

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.

Section 3.3.2.1 of the Design Guidelines recommends that new development should be designed with minimal paved areas in the front yard. These paved areas should be limited in width to accommodate a driveway plus a pedestrian walkway.

Section 3.3.2.2 of the Design Guidelines recommends that new development should be designed with widest part of the driveway positioned directly in front of the garage door(s). The driveway width should be minimal at the property line to reduce the impact on the pedestrian environment and on street trees in the boulevard.

### **2.2.5 Livable Oakville Plan and Design Guidelines Analysis and Opinion**

The proposed development provides for a new detached dwelling within the urban area, in a form compatible with the character and scale of dwellings in the area and the prevailing low rise residential context. The proposal represents gradual growth and change within the Residential Area. The proposed dwelling type is consistent with the surrounding context.

Relative to the overall size of the subject site, the scale, massing, height, and siting of the proposed development reflects the prevailing form of houses in the local context. The site itself is a rectangular-shaped lot, similar to many of the lots in the immediate area. The frontage of the property is comparable to the frontages of many lots within the immediate neighbourhood. The dwelling is suitable in size for the lot and has been sited with regard for adjacent properties and the respective dwellings on these lots. The proposed coverage for the main dwelling, excluding unenclosed portions of the building, is within the required maximum for this site, and further, the proposed setbacks result in a building that is situated appropriately on the lot to maintain compatibility with adjacent residences and limit any potential for overlook and privacy issues. All setback provisions of the Zoning By-law are being met or exceeded.

The proposed development is consistent with the Residential Low Density Special Policy area requirement to maintain the integrity of the large-lot characteristic of this area. As a single-detached dwelling is proposed on the lot, the area density does not exceed 10 units per hectare as required by the Plan.

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

The proposed development has been designed to maintain and preserve the scale and character of the site as well as the immediate context. The dwelling is situated within an neighbourhood that is characterized by large, single-detached dwellings with heights, floor area, dwelling depths, and setbacks that in many instances are greater than the

typical provisions of the Zoning By-law. The dwelling has been further sited on the lot to create compatible transitions between the new dwelling and existing dwellings in the surrounding neighborhood, consistent with Section 3.1.1 of the Guidelines. Further, the proposed dwelling does not have the appearance of being substantially larger than the existing dwellings in the immediate vicinity, consistent with Section 3.1.3 of the Guidelines.

The proposed massing of the dwelling and building projections, has been designed to mitigate potential impacts on the privacy of rear yard amenity spaces of adjacent properties, consistent with Section 3.1.5 of the Guidelines. The dwelling siting includes a front yard setback that is compliant with the provisions of the Zoning By-law and assists in mitigating any potential rear yard amenity impacts on the adjacent rear yards.

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. The window treatment of the proposed dwelling has been designed in appropriate proportion on the primary façade to add visual interest and to maximize light penetration and views. The development incorporates a prominent primary entrance adjacent to Wedgewood Drive, which provides a clear sense of arrival. The proposed building design is compatible with the immediate neighbourhood, which includes a significant variety of architectural styles, materials, and built form features. The proposed dwelling does not appear to be larger in overall massing in comparison to adjacent properties, and provides for a thoughtful composition of building elements and forms that reflect the scale and character of dwellings in the surrounding neighbourhood. These built form features include portions of the second storey and roof structure that have been designed to de-emphasize the height and overall building scale, consistent with Section 3.2.2 of the Guidelines. These elements also include the roof design above the garage on the north elevation, as well as the roof design on the front elevation that breaks up the overall massing of the dwelling.

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

The driveway design of the development features a circular driveway and a widened portion of the driveway located in front of the garage doors with significant landscaping proposed to mitigate potential impacts. The paved area in the front yard is compliant with the Zoning By-law requirements and features a pedestrian walkway to the front entrance of the dwelling, and the widest part of the driveway is positioned in front of the garage door, consistent with Section 3.3.2 of the Guidelines.



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 RL1-0 Residential Low Zone by the Town of Oakville Zoning By-Law 2014-014. The RL1-0 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 RL1 zone, including those regarding lot coverage, front yard setbacks, main wall proportionality, height, and others.

Variances to the prescribed maximum building height, maximum lot coverage, maximum floor area ratio, maximum driveway width, and maximum garage area 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’s physical character.

The maximum permitted building height is 9.0 metres. The proposed building height is 9.15 metres. Based on the design, siting, and size of the proposed dwelling relative to the lot size, and the characteristics of other houses in the immediate area, the proposed increase in height is not anticipated to result in any appreciable impact on adjacent properties or the character of the area. The proposed increase in dwelling height also is only applicable to the centre portion of the roofline, which is setback in excess from the side lot lines well in excess of the Zoning By-law requirements. Further, there is approximately a 1 metre difference in grade from the north property line to the south property line, which slightly impacts the established grade and design of the dwelling on the lot.

The character of dwellings in the surrounding neighbourhood comprises primarily one and two-storey designs both in the style of the original building stock of the neighbourhood and newer, more contemporary two-storey houses. In cases where a building is disproportionate in size relative to the lot on which it is proposed, additional height can be impactful on both adjacent properties and area character. However, these impacts are not present in this case. The proposed height is not disproportionate to the lot on which it is situated and, importantly, the building’s setbacks, varying roofline design, and landscape features serve to satisfactorily limit any impact on adjacent properties associated with the proposed height.

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

### 3.2 Maximum Driveway Width

The intent of regulating the maximum driveway width is to ensure that reasonable vehicular access can be provided without the hard surface treatment of the driveway dominating the front yard area.

The driveway width has been measured at the widest part of the driveway, which is located at the southern side of the front of the dwelling, in front of the proposed garage doors.. The driveway features a circular design which is permitted as-of-right, and is further mitigated with significant planting in the front yard.

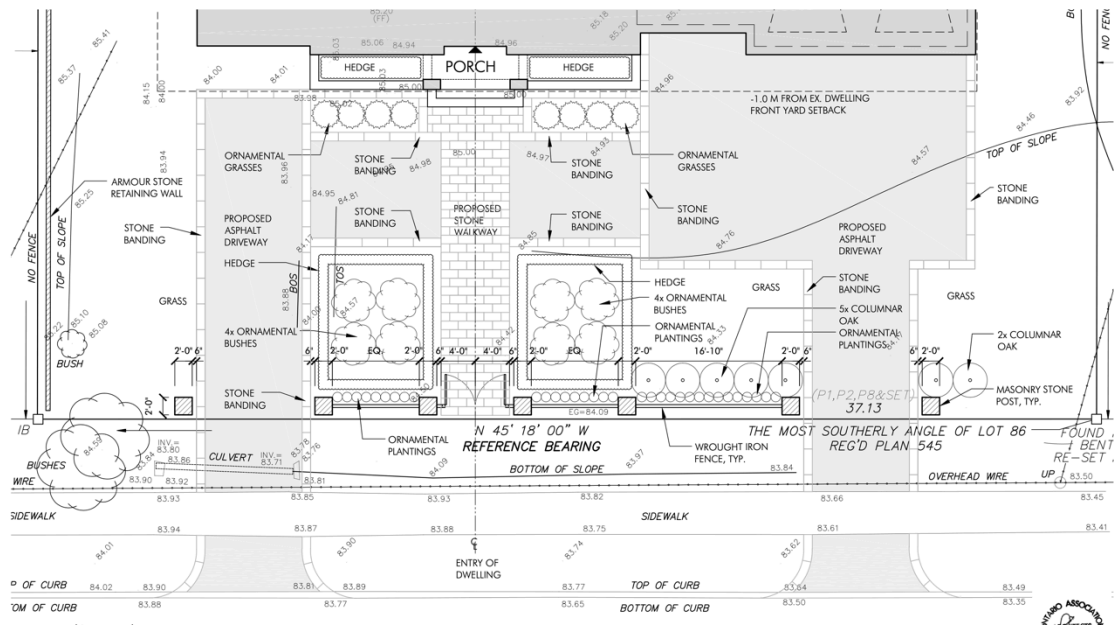


Figure 11 – Concept Landscape Plan

Further, the circular driveway design has been limited to 4.0 metres in width for significant portions of the driveway design to limit impacts on the streetscape, and the proposed paved surface of the driveway for the majority of the driveway has been significantly reduced from the original application submission.

It is my opinion that the requested variance to the maximum driveway width is consistent with the intent of the Zoning By-Law.

### **3.3 Maximum Residential Floor Area Ratio and Lot Coverage**

The intent of the maximum residential floor area ratio and maximum lot coverage provision to ensure a dwelling does not have a mass and scale that appears larger than the dwellings in the surrounding neighbourhood.

Consistent with the intent of the By-law, the proposed design features an entry portico, and a roofline and built form features that provide for a variety of building proportions in the architecture of the home. These massing approaches contribute to breaking up the building mass, diminishing the perception of building scale from the street. The building also locates some of the 2<sup>nd</sup> floor area within its roofline, further diminishing the perception of building mass from the street.

The proposed dwelling features un-enclosed building components including a rear single storey covered terrace and a front porch which assists in breaking up the massing of the dwelling. The footprint of the main portions of the dwelling are within the permitted lot coverage provisions, albeit these features are counted towards the lot coverage of the proposed dwelling.

Of note, a number of dwellings in the immediate vicinity of the subject property feature floor area ratios and lot coverages in excess of the Zoning By-law. The proposed variances will not have a negative impact on adjacent properties or the surrounding area since the overall massing and scale of the proposed dwelling is similar to existing dwellings in the surrounding neighbourhood. The request for the additional floor area ratio and lot coverage is compatible and in keeping with the pattern of new development in the area.

It is my opinion that the requested variances to residential floor area ratio and lot coverage are consistent with the intent of the Zoning By-Law.

### **3.4 Maximum Garage Area**

The intent of the maximum garage area provision is to ensure that dwellings do not contain uncharacteristically large parking garages within their building footprint and further to mitigate potential streetscape impacts. The maximum permitted parking garage area is 56 meters with an access width of 9.0 metres, whereas the proposed parking garage area is 91.5 square meters.

This provision is somewhat problematic when considered alongside other zoning criteria which regulate the overall size of a dwelling. In other cases, such as with Lot Coverage and Floor Space Index, requirements are expressed relative to the size of the site, not as a hard number. In many cases it is likely that 56 square metres is sufficient for vehicle parking, but in cases where a large dwelling is proposed on a large site, it may be appropriate for the garage area to bear some relationship to the overall size of the dwelling, especially in cases where the additional garage area creates no impact on

adjacent properties. In this instance, the garage area is appropriate relative to the size of the proposed dwelling, which itself is appropriately scaled for the site, as discussed earlier in this report.

The proposed garage, a one-storey structure with three garage doors, is provided with a garage design which includes a third door that appears as a window, similar to the architecture proposed for the windows of the main dwelling. Significant tree and vegetation planting is also proposed to mitigate impacts of the garage on the streetscape.

It is my opinion that the requested variance to parking garage area 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 strictly a mathematical exercise and, even though a variance may present a considerable numerical change, it may still be properly judged as minor in nature 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.'

In my opinion, the requested variances are minor in nature.

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

The maximum permitted building height is 9.0 metres, while the proposed building height is 9.15 metres. As discussed, the proposed height will not impact the neighbouring properties with regard to overlook, shadow, or loss of sky view. The proposed dwelling's massing is broken up by varied architectural components, provides a significant setback from the north property line, and is scaled appropriately when compared to the dwellings in the immediate context. The proposed roofline further assists in limiting any incremental impacts resulting from the additional requested 0.15 metre building height.

In my opinion, the proposed building height variance is minor in nature.

#### **4.2 Maximum Driveway Width**

Disproportionate driveway widths impact the streetscape when the additional width contributes to an excessive proportion of the front yard being paved, particularly when the driveway area is near the street. In the context of the proposed development, the large front yard, driveway design, and proposed planting and landscaping ensures that an extensive front yard remains landscaped, and significant portions of the driveway will be screened from the streetscape. The requested driveway width only pertains to the



southern portion of the site, and hardscape areas have been significantly reduced for the development. for vehicular movements and turnaround area, specifically required for access to the garage that is designed to interface with the northern side yard and mitigates impact to the streetscape.

In my opinion, the proposed maximum driveway width variance is minor in nature.

#### **4.3 Maximum Residential Floor Area Ratio and Lot Coverage**

The proposed design of the proposed residence breaks up the building mass through a series of architectural elements, including the entry portico, north façade setback, varying building proportions, and roofline of the dwelling. These design elements and building siting diminish the perception of building scale from the street to ensure that the proposed development is consistent with the massing of other similar two-storey residences in the immediate context.

In my opinion, the proposed variances to the residential floor area ratio and lot coverage are minor in nature.

#### **4.4 Maximum Garage Area**

The proposed garage area exceeds the provision outlined in the Oakville By-law. It is noted that the northern garage door entrance is designed to not appear as a typical garage door, and the garage will be significantly screened via trees and vegetation from the streetscape along Wedgewood Drive. The garage is also appropriately setback from the street with and further features architectural treatment to mitigate any potential impacts.

In my opinion, the requested variance for the garage area 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 an appropriate form and scale of dwelling relative to the size and configuration of the subject site. The dwelling has been sited with regard for the setbacks and yards of adjacent properties. The northern setback is significantly increased from the By-law minimum of 4.2 metres to 5.6 metres to mitigate any potential massing impacts associated with both the requested height and floor area ratio variances.

With consideration of the large size and unique layout of this lot, the proposed height and overall mass of the building fits appropriately in the immediate context, particularly

with the more contemporary residences, and has been designed and sited with regard for the immediately adjacent dwellings. The architecture of the home has been carefully considered, incorporating high quality materials, extensive landscaping, and proportions that ensure compatibility with the adjacent properties and the local context, while contributing positively to the varied nature of designs in the immediate neighbourhood. The proposed development is located within an established neighbourhood in the urban area, and is within walking distance to parks and schools.

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 on large, landscaped lots 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 provides for a new 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 is consistent with 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 Planning + Management**



*Batory Planning & Management is a multidisciplinary urban planning and project management consulting firm with a focus on helping our clients improve the built environment and embrace unique opportunities within the real estate spectrum. The firm integrates urban planning, project management, and real estate consultancy, prioritizing a customer-focused experience for our clients.*

