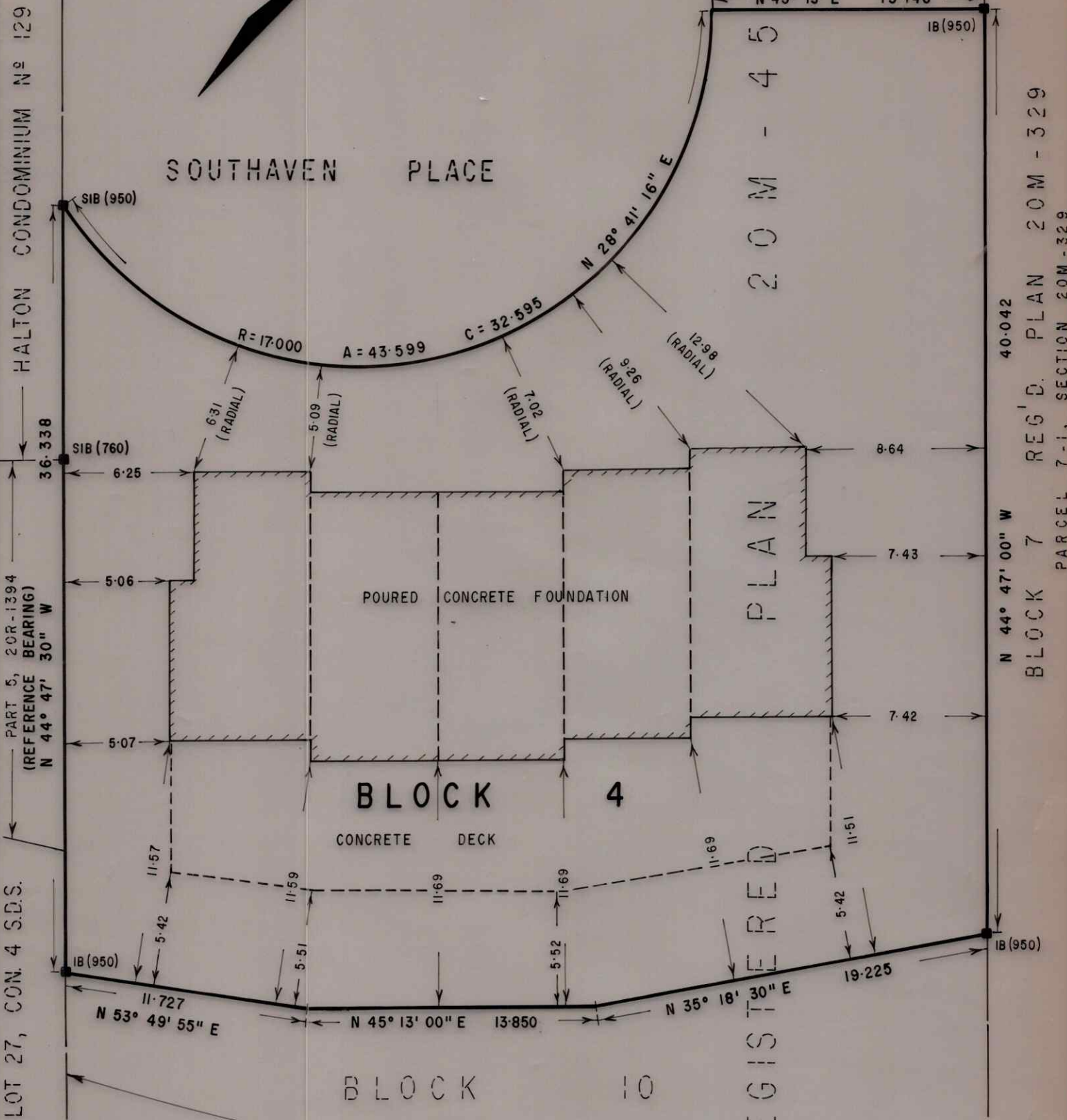
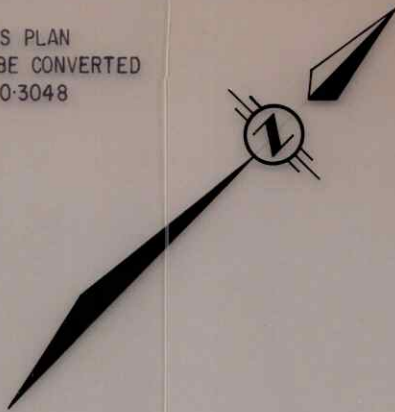


METRIC:

DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048



NOTE
 UPDATED APRIL 5, 1989 TO SHOW REAR CONCRETE DECKS.
 GREEN BROOK (1985) INVESTMENTS LTD.

NOTE
 760 DENOTES McCONNELL, MAUGHAN LTD., O.L.S.
 950 DENOTES F.G. CUNNINGHAM, O.L.S.

SURVEYOR'S CERTIFICATE:
 I CERTIFY THAT THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON THE 9th DAY OF MAY, 1988
 DATE: OCTOBER 6, 1988
 ROBERT T. FORCE, O.L.S.

BUILDING LOCATION SURVEY OF
BLOCK 4
REGISTERED PLAN 20M-457
 TOWN OF OAKVILLE
 REGIONAL MUNICIPALITY OF HALTON

NOTE:
 BEARINGS SHOWN HEREON ARE ASTRONOMIC AND ARE REFERRED TO THE NORTHEAST LIMIT OF BLOCK 4 ASSUMED TO BE N 44° 47' 00" W AS PER R.P. 20M-457

© McCONNELL, MAUGHAN LIMITED, O.L.S., 1987

LEGEND:
 SIB DENOTES STANDARD IRON BAR (0.025 x 0.025 x 1.22)
 IBØ DENOTES ROUND IRON BAR (0.018 DIA. x 0.61)
 IB DENOTES IRON BAR (0.015 x 0.015 x 0.61)
 CC DENOTES CUT CROSS WIT DENOTES WITNESS
 ■ DENOTES FOUND □ DENOTES PLANTED

mc connell, maughan limited CONSULTING ENGINEERS AND SURVEYORS
 OAKVILLE - TORONTO
 407 SPEERS ROAD, SUITE 209, OAKVILLE, L6K-3T5, TEL. (416) 845-3497

DRAWN BY **A. R.** CHECKED BY **R. T. F.** SCALE **1:250** PLAN N^o **223-87-3L**

40-042
 BLOCK 7 REG'D. PLAN 20M-329
 PARCEL 7-1, SECTION 20M-329
 N 44° 47' 00" W

December 13, 2024.

Jen Ulcar
Secretary-Treasurer of Committee of Adjustment
Town of Oakville

By email
Re: 9 Southaven Place
Minor Variance Application

Dear Ms. Ulcar:

Attached is a completed application form and required drawings for a minor variance application to request zoning relief to permit the installation of a new hot tub on an existing raised residential deck in the rear yard of 9 Southaven Place.

Site Context

9 Southaven Place is located on a cul-de-sac and backs onto Water's Edge Park, the Waterfront Trail, and Lake Ontario, as shown in Figure 1. The rear of the home is not visible from Southaven Place as shown in Figure 2.



Figure 1) Aerial Photo Showing Location of 9 Southaven Place.



Figure 2) Street View looking Southeast to 9 Southaven Place.

The configuration of the deck is unique in the fact that it acts as the backyard for the townhome development in which it is located. Below the deck is a driveway that serves to provide access to the townhome's garage, as shown in Figure 3. The topography of the site slopes towards the lake where the ground floor is at grade in the front and is one storey above grade in the rear. The deck is accessible only from the Home's interior and not from grade.



Figure 3) Photo of Existing Rear Yard Deck and Driveway access to Garage at Grade

The proposed hot tub will be located at the inside corner of the deck, approximately 0.6m from the patio doors accessing the deck. The proposed hot tub is 0.806m tall and would be minimally visible on the deck when observed from the park. The hot tub would not be visible when observed from the property line.



Figure 4) View to Northeast from Waterfront Trail

The Four Tests under the Planning Act

1) *Is the application minor?*

This application is minor in nature. It poses no visual impact to the surrounding private lands nor to the public realm.

2) *Is the application desirable for the appropriate development of the lands in question?*

This application is desirable and appropriate for 9 Southaven Place as it enhances the liveability of the home by increasing the leisure amenities of the home. This home does not have a traditional backyard in which to place a hot tub. The deck raised deck offers a private and secure location for the hot tub amenity.

3) *Does the application conform to the general intent of the Zoning By-law?*

The property is zoned RM1-SP1235 under Zoning By-law 2014-014. Section 4.16.1.e) of (contemplates the placement of hot tubs at grade and low platforms on typically flat sites. Conjecture) The intention of this zoning provision is to prevent the placement of a

hot tub in an above grade location where there is a perched overview of amenity space on adjacent properties. As noted in the photographs, this deck location is separated a distance from the public walkway by the driveway, the use of the lands to the immediate west is open landscaped space associated with the apartment building and to the east, the decks are separated by a privacy screen. There is limited opportunities for any overview from this location. The proposed variance meets the general intent of the zoning by-law.

- 4) Does the application conform to the general intent of the Official Plan?
The Official Plan designates this for residential uses. The proposed use is for an additional amenity feature in the rear of the residential use. The proposed variance meets the general intent of the Official Plan.

The proposed variances are as follows:

- 1) To allow a hot tub to be installed on a deck height of 3.3m, with the top of the hot tub measured at 4.3m above grade, whereas a maximum of 1.5m above grade is permitted.
- 2) To allow for a hot tub side yard setback to 0.0m be whereas 1.5m is required.

The homeowner has met with their immediate neighbour to the east to discuss the installation of the hot tub and has received an email of support. The neighbour requested confirmation from a structural engineer that the deck's construction would be adequate to support the added load of the hot tub. The structural engineer's report is attached as Appendix A. The neighbour's email is attached as Appendix B.

Conclusion

In my professional opinion, the above variances meet the four tests under the Planning Act and represent good planning.

Respectfully submitted,



Ruth Victor MCIP, RPP, MRTPI

APPENDIX A

STRUCTURAL ENGINEER'S LETTER

Structural Adequacy for Hot Tub Certificate

Project Name: Residential outdoor Hot Tub

Location: 9 Southaven Place, Oakville, ON

Report#: 1

To: Mr. Jim Scott

This is to certify that the existing hollow core slab deck, supported by a steel beam W16x36 in length of 21'-7" is capable to carry a hot tub with maximum operational weight of 4000 lb and size of 8 ft x 8 ft over the steel beam. The hot tub should be installed as instruction of manufacturer by a qualified technician into wood decking. No screw or drilling on hollow slab is not allowed unless the location of metal strands is verified by GRP or X-ray.

If you have any questions or concerns, please feel free to contact the undersigned.

Sincerely yours

Hamid Hemati, P.Eng
President, Structural Engineer
Smart Group



Site Photos:



PHOTO 1: STEEL BEAM AND HOLLOW CORE SLAB



PHOTO 2: APPROXIMATE LOCATION OF HOT TUB

APPENDIX B

EMAIL OF SUPPORT FROM NEIGHBOUR

Friday, December 13, 2024 at 13:23:23 Eastern Standard Time

Subject: Fwd: Hot Tub on Back Deck of 9 Southaven Place
Date: Monday, December 2, 2024 at 5:09:14 PM Eastern Standard Time
From: Jim Scott
To: Len Radomski

Hi Len;

We got the letter from our neighbour David Prescott.
Let me know if it is what the town of Oakville requires.
I can drop off a cheque for the application fees when needed.

Thanks,

Jim Scott

----- Forwarded message -----
From: David Prescott [REDACTED]
Date: Mon, Dec 2, 2024 at 2:47PM
Subject: Hot Tub on Back Deck of 9 Southaven Place
To: [REDACTED]

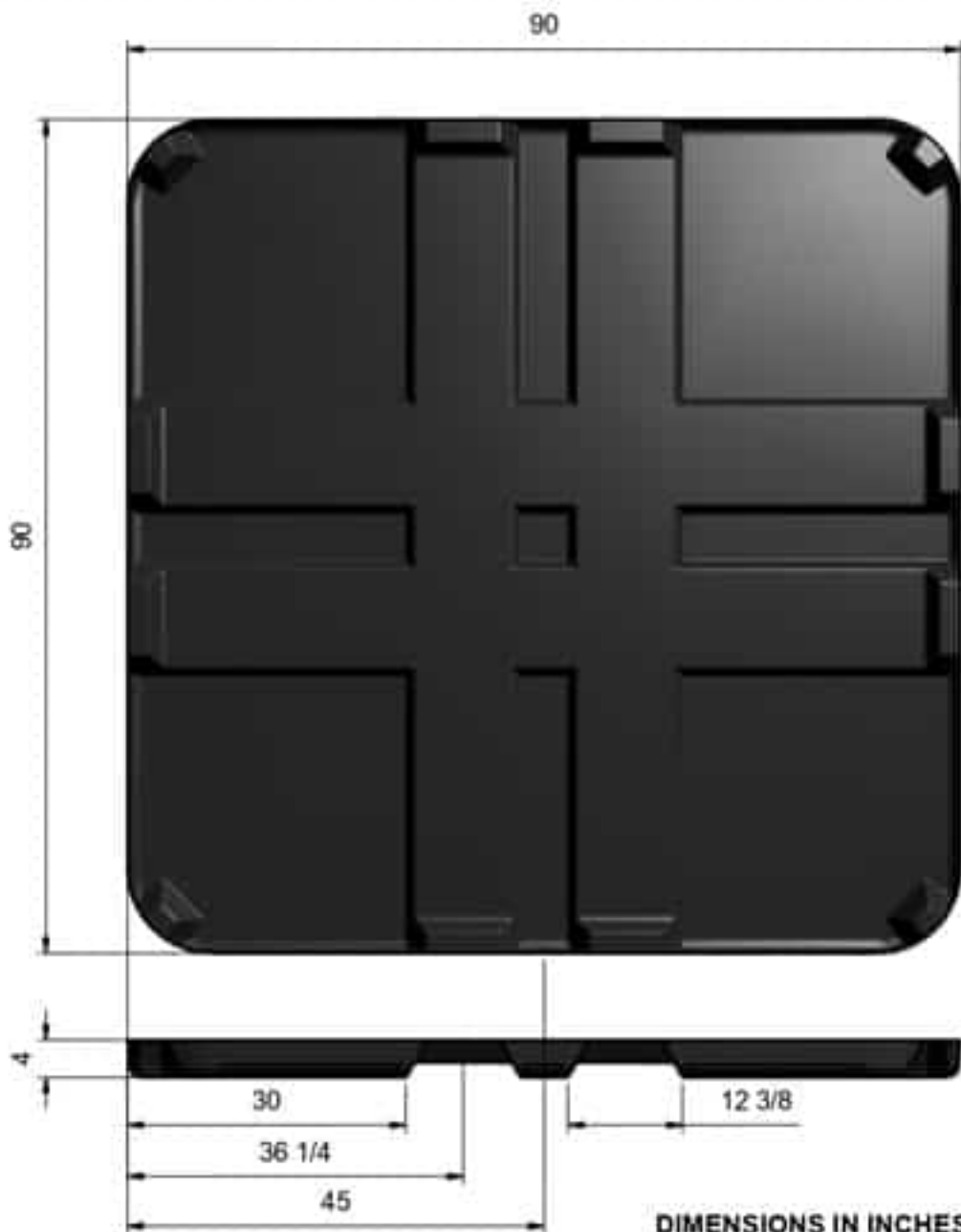
Jim,

In view of your engineer's report dated Dec 1, 2024 stating that the back deck is capable of supporting your proposed hot tub, and provided that the hot tub does not extend beyond approximately 10 feet from the rear wall of your townhome, I have no problem with your installing the hot tub as proposed.

I appreciate your consulting us about this installation, to the extent that it may affect us.


Regards,

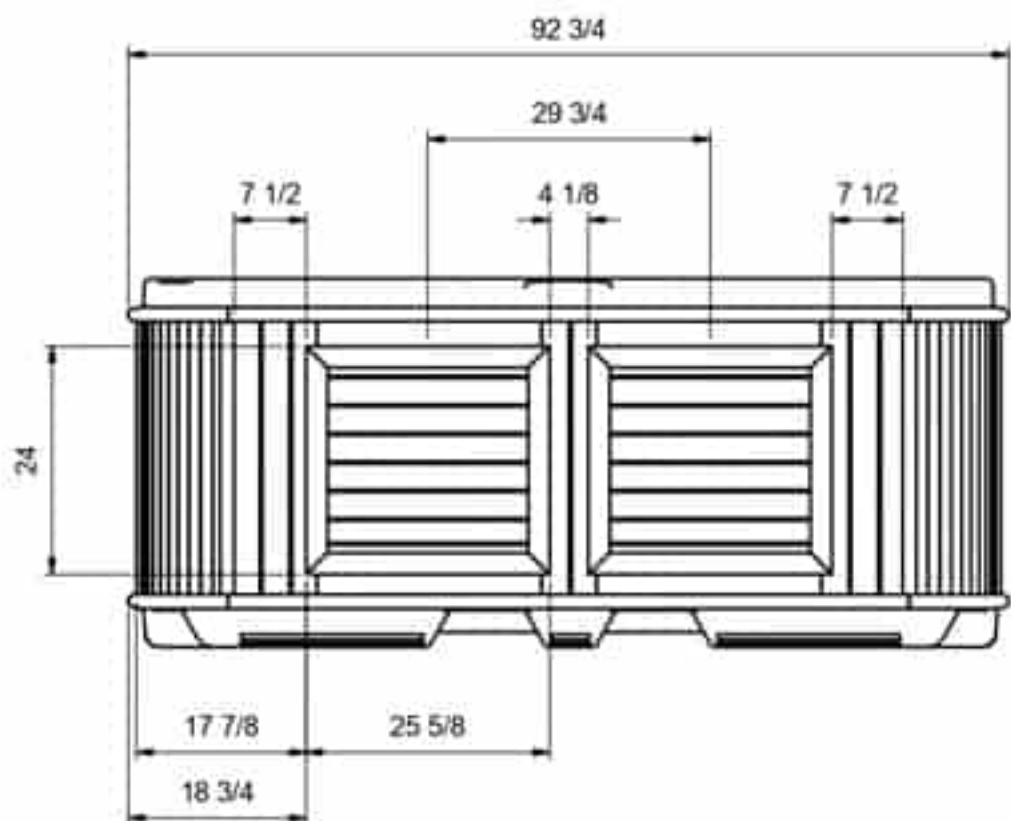
David Prescott



DIMENSIONS IN INCHES


*** DIMENSIONS ARE APPROXIMATE ***

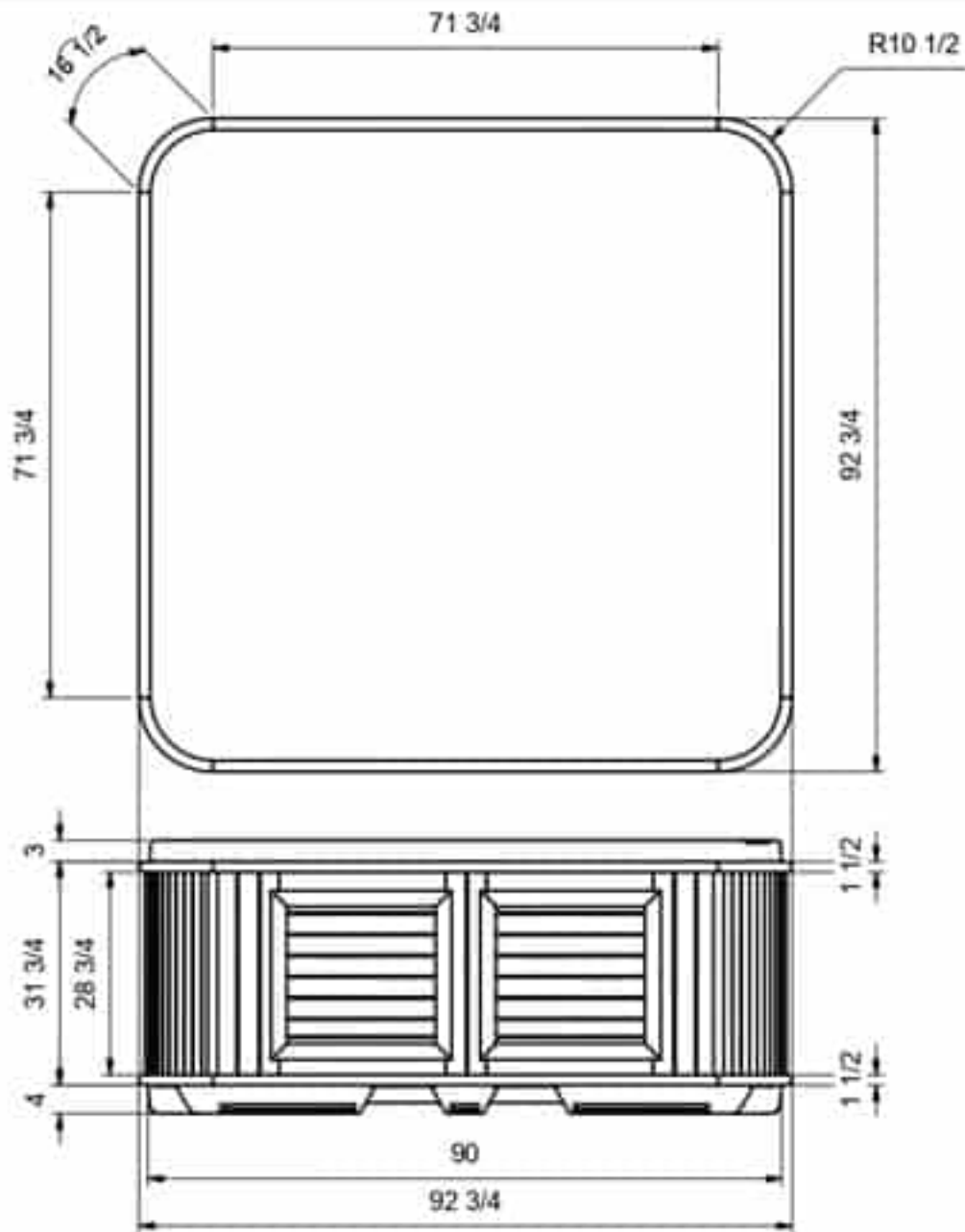
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QA		TITLE	
MFG		8' SHELL_CABINET_FLOOR DIMENSIONS (in)	
APPROVED		SIZE	DWG NO.
		A4	REV
		SCALE	SHEET 3 OF 3



DIMENSIONS IN INCHES


*** DIMENSIONS ARE APPROXIMATE ***

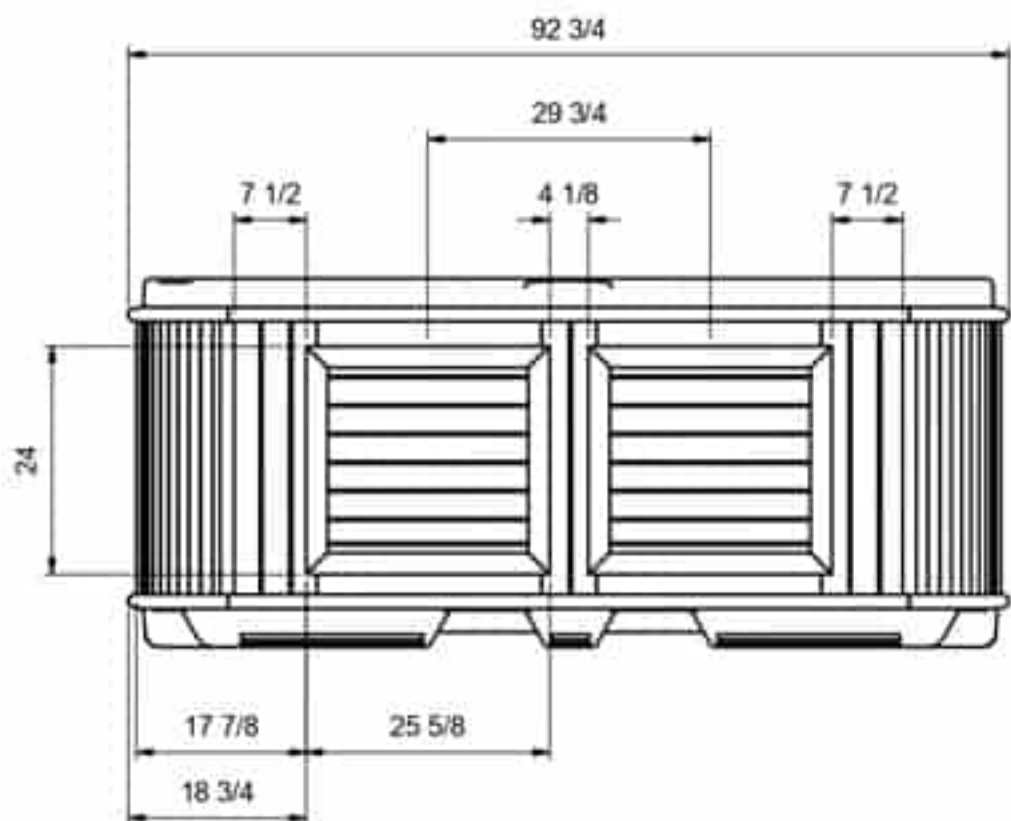
DRAWN J.T.	4/6/2016	Blue Falls Manufacturing Ltd.	
CHECKED			
QA		TITLE	
MFG		8" SHELL_CABINET_FLOOR DIMENSIONS (in)	
APPROVED		SIZE	DWG NO.
		A4	REV
		SCALE	SHEET 2 OF 3



DIMENSIONS IN INCHES

*** DIMENSIONS ARE APPROXIMATE ***

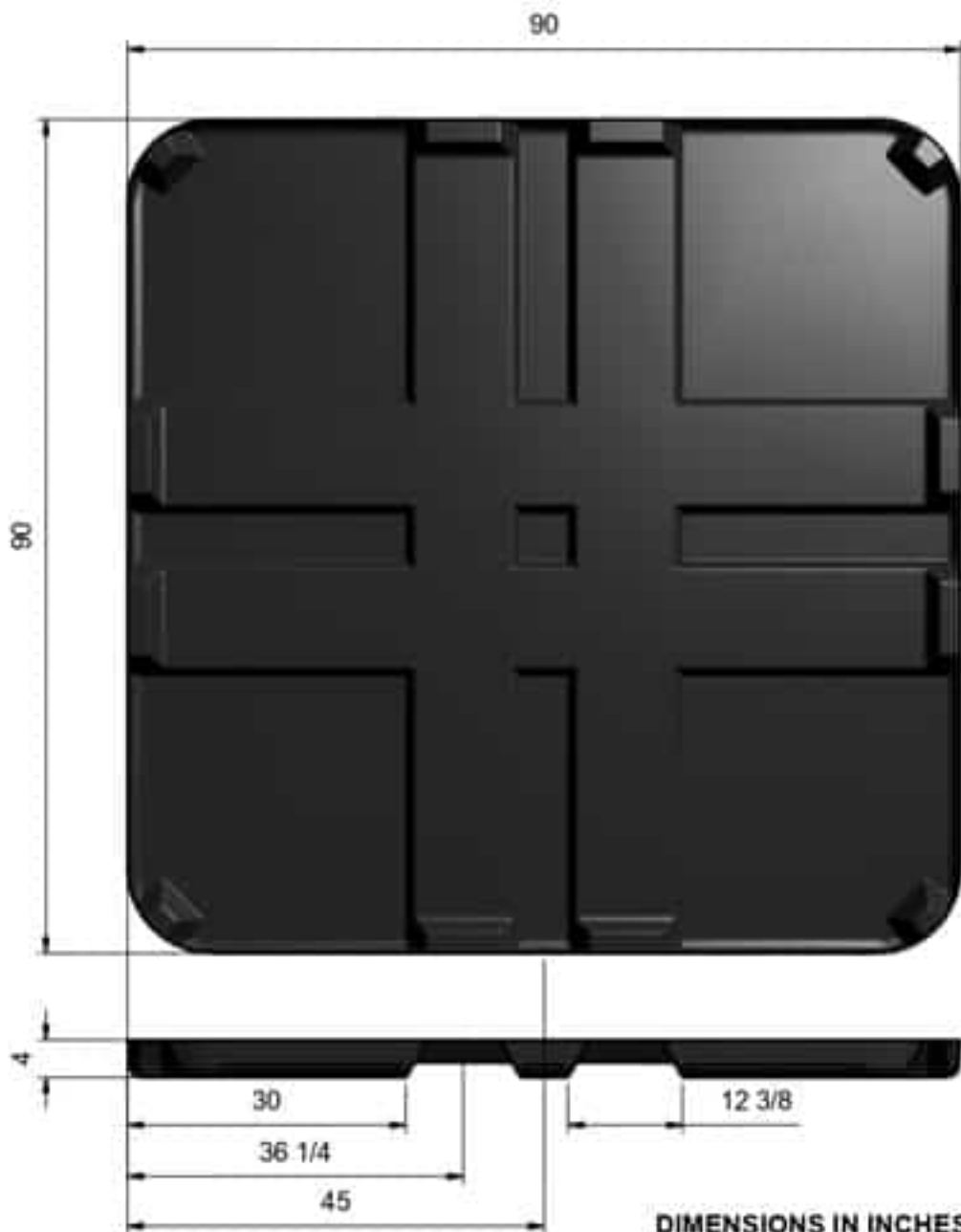
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CHECKED			
QA		TITLE	
MFG		8' SHELL_CABINET_FLOOR DIMENSIONS (in)	
APPROVED		SIZE	DWG NO
		A4	REV
		SCALE	SHEET 1 OF 3



DIMENSIONS IN INCHES

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APPROVED		SIZE	DWG NO.
		A4	REV
		SCALE	SHEET 2 OF 3



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I can drop off a cheque for the application fees when needed.

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Jim Scott

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Date: Mon, Dec 2, 2024 at 2:47PM
Subject: Hot Tub on Back Deck of 9 Southaven Place
To: <hijimscott@gmail.com>

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Regards,

David Prescott