



## Memorandum

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**To:** Heather McCrae, Secretary Treasurer

**From:** Planning Services

**Date:** October 19, 2017

**Subject:** Comments on Minor Variance Applications for the Committee of Adjustment Meeting – October 24, 2017

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The following comments are submitted with respect to the matters before the Committee of Adjustment at its meeting to be held on October 24, 2017. The following minor variance applications have been reviewed by the applicable Planning District Teams and conform to and are consistent with the applicable Provincial Policies and Plans, unless otherwise stated. The following comments are provided:

**CAV A/181/2017 - 428 Samford Place (West District)** (OP Designation: Low Density Residential)

The applicant proposes to demolish the existing one-storey dwelling and construct a new two-storey dwelling. The applicant requests the variance listed above.

### Official Plan – Livable Oakville

The subject lands are designated Low Density Residential in the Official Plan. Section 11.1.9 provides that development which occurs in stable residential neighbourhoods shall be evaluated using criteria that maintains and protects the existing character. The proposal was evaluated against all the criteria established under Section 11.1.9, and the following criteria apply:

Policies 11.1.9 a), b), and h) state:

*“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."*

#### Minor Variance

The applicant is requesting relief from By-law 2014-014 to permit an increase in residential floor area ratio from 41% to 44.94%. The intent of regulating the residential floor area is to assist in preventing a dwelling from having a mass and scale that is out of character with the surrounding neighbourhood.

#### Analysis

The subject site is located on the southern portion of Samford Place, on the west side of the street. The road allowance creates a bulb-like bend in the road which has an effect on the siting of the dwellings to the south of the subject property. This also results in the existing dwelling being sited in front of the dwelling to the south. The subject site is also abutting a newer two-storey dwelling to the north which was recently constructed in accordance with the Zoning By-law.

The applicant is seeking relief to permit a new two-storey dwelling with an increase in residential floor area ratio. The proposed dwelling has been moved forward 1m, consistent with the regulations of the Zoning By-law but further exacerbates the condition of the dwelling being in front of the one-storey dwelling to the south. Additionally, the proposed dwelling does not provide a sympathetic transition to the dwelling to the south and introduces a massing and scale that has negative impacts onto the abutting property and the streetscape.

On this basis, it is staff's opinion that the application does not maintain the general intent of the Official Plan as the proposed dwelling does not maintain or protect the character of the neighbourhood. Further, the requested variance is not appropriate for the development of the site as it results in negative impacts to the abutting properties and the streetscape.

#### Conclusion:

In summary, based on the application as submitted, staff are of the opinion that the requested variance does not maintain the general intent of the Official Plan and is not appropriate for the development of the lands. Should the Committee's evaluation of the application differ from staff, the Committee should determine whether approval of the proposed variances would result in a development that is appropriate for the site.

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