



Community Planning

P. O. Box 1614, 21 Reeve Street

Woodstock Ontario N4S 7Y3

Phone: 519-539-9800 • Fax: 519-421-4712

Web site: www.oxfordcounty.ca

Our File: **A02-19**

APPLICATION FOR MINOR VARIANCE

TO: Town of Tillsonburg Committee of Adjustment
MEETING: March 25, 2019
REPORT NUMBER: 2019-75

OWNER: Simon Wagler Homes
RR#4 Aylmer ON, N5H 2R3

REQUESTED VARIANCE:

1. Relief from **Section 6.2, Lot Coverage**, to increase the maximum permitted lot coverage from 35% to 36%.

LOCATION:

The subject property is described as Lot 43, Plan 41M-145 in the Town of Tillsonburg. The property is located on the south side of Trillium Drive, lying between Primrose Drive and Morning Glory Drive, and is municipally known as 59 Trillium Drive, Tillsonburg.

BACKGROUND INFORMATION:

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule 'T-1' Town of Tillsonburg Land Use Plan Residential

Schedule 'T-2' Town of Tillsonburg Residential Density Plan Low Density Residential

TOWN OF TILLSONBURG ZONING BY-LAW:

Special Low Density Residential Type 1 Zone (R1-21)

SURROUNDING USES: Low density residential uses, consisting of single detached dwellings.

COMMENTS:**(a) Purpose of the Application:**

The applicant is requesting relief from the above-noted provision of the Town Zoning By-law to facilitate the construction of single detached dwelling. Due to the design of the proposed dwelling, which includes a covered porch, relief from the Zoning By-Law lot coverage provision is required.

The subject lands were rezoned in October 2018 to allow for an increase to lot coverage from 33% to 35% and a reduction to the minimum required rear yard depth from 12 m (39.3 ft) to 10.5 m (34.4 ft). The site specific 'R1-21' zone also allows for the encroachment of an attached garage up to 1.5 m (4.9 ft) into a required front yard. The applicant has since recognized that an increase to 36% coverage is necessary to facilitate the design of the proposed porch on the front of the dwelling and has requested this variance to facilitate the proposed development.

The subject property comprises approximately 660.6 m² (7,110.6 ft²) of area, with approximately 17.6 m (57.7 ft) of frontage on Trillium Drive and is currently vacant. A single detached dwelling with a covered porch is proposed for the subject lands. Surrounding land uses are predominately single detached dwellings.

Plate 1, Location Map with Existing Zoning and Parcel Lines, shows the location of the subject property and the zoning in the immediate vicinity.

Plate 2, 2015 Aerial Photo, shows the location of the subject lands and surrounding properties.

Plate 3, Applicant's Sketch, shows the dimensions and setbacks of the proposed single detached dwelling.

(b) Agency Comments:

The application was circulated to a number of public agencies. No comments of concern were received.

(c) Public Consultation:

Public Notice was mailed to surrounding property owners on March 15, 2019. As of the writing of this report, no comments or concerns had been received from the public.

(d) Intent and Purpose of the Official Plan:

The subject lands are designated 'Low Density Residential' according to the County Official Plan. Within the 'Low Density Residential' designation, permitted land uses primarily consist of low density housing forms including single detached dwellings, duplexes and street fronting town houses as well as accessory uses thereto. The use of the lands for a single detached dwelling conforms to the 'Low Density Residential' policies of the Official Plan.

(e) Intent and Purpose of the Zoning By-law:

The subject property is zoned 'Special Low Density Residential - Type 1 Zone (R1-21)', which permits the development of single detached dwellings, and requires a minimum lot area of 480 m² (5,166.8 ft²), a minimum lot frontage of 15 m (49.5 ft) and a minimum lot depth of 32 m (105

ft). The site specific provisions of the 'R1-21' zone also permit a maximum cumulative lot coverage of 35% (including accessory buildings and structures), a minimum rear yard depth of 10.5 m (34.43 ft) and an encroachment of 1.5 m (4.9 ft) for attached garages into a required front yard. These site specific provisions were implemented in October 2018 and apply to several properties in the vicinity of the subject lands.

The applicant is seeking relief of the 35% lot coverage provision to construct a covered porch on the proposed single detached dwelling. The purpose of the lot coverage provision is to limit the extent of buildings/structures on a lot to ensure sufficient area is maintained for parking and private amenity area as well as ensuring the general lot grading for the overall subdivision and the individual lot are not negatively impacted. The lot coverage provision is also intended to ensure that the general scale of development is consistent and appropriate for the size of the lot.

In this case, it is not anticipated that the minor increase in lot coverage will have a negative impact on lot grading or drainage. A preliminary lot grading plan will be reviewed as part of the building permit process to ensure the proposal will have no negative impacts on neighbouring properties.

(f) Desirable Development/Use:

It is the opinion of this Office that the applicant's request can be considered minor and desirable for the development of the subject property.

As the proposed relief is not anticipated to impact the ability of the property to provide adequate parking and amenity space, or negatively impact drainage, the requested relief can be considered minor. Sufficient separation width will also be provided from property lines to allow for normal building maintenance and access to the rear yard, and the applicant's request can also be considered desirable as it will facilitate the construction of a single detached dwelling that is consistent with the existing development in the area.

In light of the foregoing, it is the opinion of this Office that the requested relief is in keeping with the general intent and purpose of the Official Plan and Town Zoning By-law and should be given favourable consideration.

RECOMMENDATION:

That the Town of Tillsonburg Committee of Adjustment **approve** Application File A02-19, submitted by Simon Wagler Homes, for lands described as Lot 43, Plan 41M-145, Town of Tillsonburg, as it relates to:

1. Relief from **Section 6.2, Table 6.2 – Zone Provisions**, to increase the maximum permitted lot coverage of an 'R1-21' zoned lot from 35% to 36% of the lot area;

Subject to the following condition:

- i. a building permit for the proposed dwelling shall be issued within one year of the date of the Committee's decision;

As the proposed variance is:

- (i) a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;

- (ii) desirable for the appropriate development or use of the land;
- (iii) in-keeping with the general intent and purpose of the Town of Tillsonburg Zoning By-law No. 3295; and
- (iv) in-keeping with the general intent and purpose of the Official Plan.

Authored by: Heather St. Clair, MCIP, RPP, Development Planner

Approved for submission by: Eric Gilbert, MCIP, RPP, Senior Planner

Report Approval Details

Document Title:	A02-19_rpt.docx
Attachments:	- Report Attachments.pdf - a02-19t_appl-20190221.pdf - a02-19t_appl-sketch-20190221.pdf
Final Approval Date:	Mar 12, 2019

This report and all of its attachments were approved and signed as outlined below:



David Calder - Mar 12, 2019 - 10:12 AM