



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: **A08-22**

APPLICATION FOR MINOR VARIANCE

TO: Town of Tillsonburg Committee of Adjustment
MEETING: May 24, 2022
REPORT NUMBER: 2022-219

OWNER: Johan Peters
81 Woodland Crescent, Tillsonburg ON, N4G 4G6

AGENT: Trevor Benjamins, CJDJL Consulting Engineers
261 Broadway, P.O. Box 640, Tillsonburg ON, N4G 4H8

REQUESTED VARIANCE:

- 1. Relief from **Section 7.5.23.2.1.1, R2-23 Zone Provisions – Lot Coverage, Maximum**, to increase the maximum permitted lot coverage from 45% of the lot area to 47.5% of the lot area, to facilitate the construction of a single detached dwelling.

LOCATION:

The subject property is described as Part of Block 86, Plan 41M-139, Part 4 of 41R-10084 in the Town of Tillsonburg. The property is located on the north side of Woodland Crescent, west of Quarter Town Line, and is municipally known as 79 Woodland Crescent, 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 2 Zone (R2-23)

SURROUNDING USES: Low density residential uses, consisting of single detached dwellings, semi-detached dwellings and street-fronting townhouse dwellings.

COMMENTS:(a) Purpose of the Application:

The proposed minor variance has been requested to facilitate the construction of a single detached dwelling on the subject lands, with an attached garage and a covered porch at the rear of the proposed dwelling. It is proposed that the dwelling will be approximately 334.64 m² (3,602 ft²) in size, according to the site sketch provided by the applicant.

The subject lands are approximately 706.28 m² (7,602 ft²) in area, with approximately 19.43 m (63.7 ft) of frontage on Woodland Crescent.

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

Plate 2, 2020 Aerial Map, provides an aerial view of the subject lands and surrounding properties.

Plate 3, Applicant's Sketch, shows the dimensions of the proposed dwelling on the subject lands.

(b) Agency Comments:

The Town Chief Building Official, the Town Fire Chief and the Oxford County Public Works Department have indicated they have no concerns with the proposal.

(c) Public Consultation:

Public Notice was provided to surrounding property owners on May 13, 2022 in accordance with the requirements of the Planning Act. 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 of Oxford 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 townhouses 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 2 Zone (R2-23)' in the Town Zoning By-law. The 'R2-23' zone permits the development of single detached dwellings and semi-detached dwellings subject to a number of site specific provisions, including a reduced rear yard depth, reduced setback from the centerline of Quarter Town Line, reduced exterior side yard width, and increased maximum lot coverage of 45 %.

The intent of the lot coverage provisions in the By-Law is to ensure that single detached dwellings maintain sufficient area and greenspace for stormwater management and infiltration, and proper area for drainage and lot grading.

In this instance, it is not anticipated that the increased lot coverage will have a negative impact on neighbouring property owners or appropriate lot grading or drainage, and it is noted that a final grading and drainage plan will be reviewed by the Town Engineering Department to ensure there are no adverse impacts as a result of the proposed construction. Further, staff are satisfied that the proposed construction will provide for sufficient amenity area and permeable surfaces for infiltration, which is in keeping with the intent of the Town Zoning By-law.

(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 will facilitate the development of a single detached dwelling that will still have sufficient greenspace, area for infiltration, and the requested relief is not anticipated to negatively impact drainage, it can be considered desirable development for the property.

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 can be given favourable consideration.

RECOMMENDATION:

That the Town of Tillsonburg Committee of Adjustment **approve** Application File A08/22 submitted by Johan Peters, for lands described as Part of Block 86, Plan 41M-139, Part 4 of 41R-10084 in the Town of Tillsonburg, as it relates to:

1. Relief from **Section 7.5.23.2.1.1, R2-23 Zone Provisions – Lot Coverage, Maximum**, to increase the maximum permitted lot coverage from 45% of the lot area to 47.5% of the lot area, to facilitate the construction of a single detached dwelling.

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) deemed to be a minor variance from the provisions of the Town of Tillsonburg Zoning By-law No. 3295;
- (ii) considered 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: *original signed by*

Eric Gilbert, MCIP, RPP
Senior Planner

Approved for submission by: *original signed by*

Gordon Hough, RPP
Director