



vallee

*Consulting Engineers,
Architects & Planners*

May 16, 2022

County of Oxford
Planning and Development
21 Reeve Street, P.O. Box 1614
Woodstock, Ontario, N4S 7Y3

**Attention: Eric Gilbert, MCIP RPP
Senior Planner, Community Planning**

Dear Eric:

**Reference: Potters Gate Phase 4 – Minor Modifications to Zoning
Tillsonburg– Oxford County
Our File 21-002**

G. Douglas Vallee Limited has been retained by Oxnard Potters Gate Inc. to make application for approval of a draft plan of subdivision, Zoning By-law Amendment and a severance application to permit 79 dwelling units (25 street townhouses and 54 single detached units) on 5.029 hectares of land in the Town of Tillsonburg, Oxford County. All applications were approved by the Town and County.

Once approvals were obtained, the developer's surveyor and architect noticed minor challenges with zoning compliance and dwelling unit designs as the 'fit' on the approved lot fabric. Emails were exchanged with the County to discuss these modifications. As such, at the request of the County, this letter summarizes the minor changes to the zone provisions necessary to allow for zoning compliance and to avoid challenging dwelling unit designs changes for the Phase 4 subdivision.

Minor changes to the zoning by-law can be approved without subsequent public notice under Section 34(17) of the *Planning Act*. Subsection (17) states:

Further notice

(17) Where a change is made in a proposed by-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed by-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed by-law. R.S.O. 1990, c. P.13, s. 34 (17); 2006, c. 23, s. 15 (9).

The requested changes to the draft zoning by-law are as follows:

Firstly: Blocks 55 through to Block 60 (R3-23 and R3-24) frontages are very close to the minimums.

8.6.24.2.5 LOT FRONTAGE, CORNER LOT

Minimum	10.5 m (34.4 ft)	Proposed 10.2 m
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8.6.24.2.6 LOT FRONTAGE, INTERIOR UNIT

Minimum	7.5 m (24.6 ft)	Proposed 7.2 m
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8.6.24.2.7 LOT FRONTAGE, END UNIT

Minimum	9 m (29.5 ft)	Proposed 8.7 m
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For example:

Block 55 needs 26.1 m with these reductions. 27 m is provided.

Block 60 needs 33.3 m with these reductions. 34.5 m provided.

Secondly: Lot 3 (R2 -31) does not meet the amended rear yard depth of 29.0 its depth is 28.650. The amended yard depth of the R3-23 and R3-24 zone is 28.5m.

We request that the R2-31 lot depth be amended to reflect a minimum of 28.5 m. This would allow for lot depth to be consistent throughout the zone and Lot 3 would meet the minimum requirement.

Thirdly: The single detached dwelling lots are slightly narrow. The architect dwelling unit designs include 1.2m side yard setbacks for the R2-31 zoned lands. The by-law requires 1.5 m and 1.2 m on one side which would trigger minor variances or a redesign of each dwelling unit proposed for the R2-31 zoned lots.

There does not appear to be any planning impacts with the change of 0.3 metres to the interior side yard setback. We request that both interior side yard setbacks be required at minimum of 1.2m.

Conclusion:

The draft plan of subdivision for Potters Gate Phase 4 was originally designed too precise at the draft plan stage to consider updates from the surveyor and consultation with the developer's architect for unit dwelling design. In order to ensure all lots and future dwelling units comply with the zoning by-law, a modification of 0.3 metres is requested for the R3 category frontage requirements, the R2 lot depth requirement and the R2 interior side yard setback requirement.

These minor changes will allow for the draft plan approval to move forward through the clearance of conditions and final approval process while ensuring all lot comply with zoning and the architectural design of the dwelling units do not have to be redesigned. There does not appear to be any planning related impacts or functionality impacts resulting from these minor changes. Accordingly, we respectfully request that the forthcoming by-law to implement the proposed zoning changes, be supported by staff and approved by Council, and that Council resolve to determine that further notice does not need to be given in respect of the proposed by-law.

We encourage you to contact us should you have any questions or concerns.

Yours truly,



Eldon Darbyson, MCIP RPP
G. DOUGLAS VALLEE LIMITED
Consulting Engineers, Architects & Planners

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