

Community Planning

P. O. Box 1614, 21 Reeve Street

Woodstock, Ontario, N4S 7Y3

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

Website: www.oxfordcounty.ca

Our File: **MV A01-23**

APPLICATION FOR MINOR VARIANCE

TO: Town of Tillsonburg Committee of Adjustment
MEETING: June 14, 2023
REPORT NUMBER: CP 2023-167

OWNER: Meagan Donkervoort and Eric Lockey
18 William Street, Tillsonburg, ON, N4G 1L8

APPLICANT: Girard Engineering
682 Peel Street, Woodstock, ON, N4S 1L3

REQUESTED VARIANCES:

1. Relief from **Section 6.2 – Zone Provisions – Table 6.2:** Zone Provisions – Exterior Side Yard, Minimum Width - to reduce the minimum required width from 7.5 m (24.6 ft) to 6.1 m (20.0 ft); and,
2. Relief from **Section 6.2 – Zone Provisions – Table 6.2:** Zone Provisions – Rear Yard, Minimum Depth - to reduce the minimum required depth from 12 m (39.3 ft) to 6.8 m (22.3 ft).

LOCATION:

The subject lands are described as LT 23 PL 1078; S/T A66342, Town of Tillsonburg. The property is located on the southeast corner of William Street and Hemlock Drive, and known municipally as 18 William Street.

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: Residential R1 Zone

SURROUNDING USES:

The land uses to the north and east are single detached residential dwellings. Hemlock Drive is located adjacent to the property's northwest property line, and vacant residential lots are located to the west of the subject lands. An institutional use is located to the south of the property (church).

There are three (3) vacant parcels of land abutting the property that are also owned by the applicants. One of the properties is a small remnant parcel located between the subject lands and the Hemlock Drive road allowance. The other two vacant properties are located to the south (rear) of the subject lands, and are for the purposes of stormwater management for the adjacent subdivision.

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

The applicant is proposing relief from the above-noted provisions of the Town's Zoning By-law to facilitate the construction of an addition comprising approximately 148.16 m² (1,594.78 ft²) to the existing dwelling, which will consist of living space and a garage.

The subject property is approximately 1,329.45 m² (0.32 acre) in area, and contains an existing detached dwelling (constructed circa 1969), and two sheds. The applicant has indicated that the sheds will be removed.

Variances from the rear lot depth and the exterior side yard width provisions are required to facilitate the addition.

For Committee's information, the rear lot line of the subject lands is the southerly lot line, which abuts two vacant properties also owned by the owners of the subject lands. The minimum rear lot depth (between the nearest portion of the dwelling and the rear lot line) is 12 m (39.3 ft). The proposed addition to the existing dwelling will be located 6.8 m (22.3 ft) from the rear lot line, at its nearest point.

Regarding the proposed exterior side yard width, the subject lands abut small piece of vacant land (also owned by the owners of the subject lands) between the lands and Hemlock Drive. The minimum Exterior Side Yard width is 7.5 m (24.6 ft). To construct the addition in the location proposed, the addition will be 6.1 m (20 ft) from the exterior lot line.

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

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

Plate 3, Applicant's Sketch, shows the location, size and setbacks of the existing dwelling and existing sheds (which will be removed), as submitted by the applicant.

(b) Agency Comments:

Oxford County Public Works: No comments at this time based on the assumption that the proposed addition will be staying within the existing property and no new separate unit is proposed, and all the services (water and sanitary) will be kept as they are (i.e. no new service connection from Oxford County main lines on William Street or from any other location is proposed.)

Tillsonburg Engineering Services: Separate lot grading drawings and servicing plan drawings prepared by a professional engineer following the Corporation of The Town of Tillsonburg Development Guidelines and Design Criteria must be provided. The Development and Design Criteria can be found on Town of Tillsonburg Website under the engineering department section at www.tillsonburg.ca.

Tillsonburg Hydro Inc. (THI): Contact THI directly if any upgrades, additions, or modifications to the existing electrical services(s) are required.

Tillsonburg Building Services Department, Tillsonburg Water and Waste Water Department, Tillsonburg Economic Development and Marketing, and the Tillsonburg BIA have indicated that they have no comments or concerns regarding the proposed addition.

(c) Public Consultation

Notice was provided to surrounding property owners on June 2, 2023, 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 located within the 'Low Density Residential' designation according to the Town of Tillsonburg Residential Density Plan, as contained in the Official Plan.

Low Density Residential Districts are those lands that are primarily developed or planned for a variety of low-rise, low density housing forms including both executive and smaller single-detached dwellings, semi-detached, duplex, and converted dwellings, street-fronting townhouses and other, similar forms of development. Within these areas, it is intended that there will be a mixing and integration of different forms of housing to achieve a low overall density of use.

The use of the subject lands will remain residential. The use of the lands for single detached residential purposes is supported by the policies of the Official Plan for Low Density Residential areas and based on the applicant's submission, Planning staff are generally satisfied that the proposed addition will have minimal impact on surrounding properties in terms of compatibility and form.

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

The subject property is zoned 'Low Density Residential Type 1 (R1)' in the Town of Tillsonburg Zoning By-law, which permits the development of a single detached dwelling.

The intent of rear yard depth provisions and exterior side yard width provisions are to ensure that adequate setbacks are provided to act as buffers between adjacent properties and uses, provide

amenity area, and provide for adequate drainage. With respect to the rear yard depth provision, part of the proposed addition will be located approximately 6.8 m (22.3 ft) from the rear lot line. The rest of the addition will be constructed on an angle from the rear lot line with the other end of the addition located approximately 14.79 m (48.52 ft) from the rear lot line, well beyond the minimum required setback.

With respect to the exterior side yard width provision, the proposed addition will be located 6.1 m (20 ft) from the property line. This will be immediately adjacent to a small vacant remnant parcel that is also owned by the proponents, which separates the subject lands from the Hemlock Drive road allowance. For Committee's information, the Maximum Lot Coverage permitted on the subject lands is 35%. With the proposed addition, the lot coverage will be approximately 22.36% and well below the maximum amount, indicating a significant amount of on-site space for buffering from adjacent land uses.

(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. Specifically, the proposed addition will increase the usability of the subject lands while remaining within the maximum allowable coverage. Furthermore, based on the Applicant's submission, the addition will be generally compatible with the surrounding neighbourhood. The Applicant will be required submit a Lot Grading Plan which will ensure that there are no significant impacts with respect to drainage on the site.

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 A01-23, submitted by Meaghan Donkervoort and Eric Lockey, for lands described as LT 23 PL 1078; S/T A66342, 18 William Street, Town of Tillsonburg, as it relates to:

1. Relief from **Section 6.2 – Zone Provisions – Table 6.2:** Zone Provisions – Exterior Side Yard, Minimum Width - to reduce the minimum required width from 7.5 m (24.6 ft) to 6.1 m (20.0 ft); and,
2. Relief from **Section 6.2 – Zone Provisions – Table 6.2:** Zone Provisions – Rear Yard, Minimum Depth - to reduce the minimum required depth from 12 m (39.3 ft) to 6.8 m (22.3 ft)

to facilitate an addition comprising approximately 148.16 m² (1,594.78 ft²) subject to the following conditions:

1. Prior to the issuance of a Building Permit for the proposed addition, the Owner will submit a Lot Grading Plan in accordance with the Town of Tillsonburg Development Guidelines and Design Criteria, to the satisfaction of the Town.
2. A Building Permit for the proposed addition shall be issued within one year of the date of the Committee's decision.

As the proposed variances are:

- (i) deemed to be minor variances 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:

Laurel Davies Snyder, RPP, MCIP
Development Planner

Approved for submission by:

Gordon K. Hough, RPP
Director