

To: David Creery, Chief Administrative Officer

From: Amy Humphries, Deputy Chief Administrative Officer & City Clerk

Re: Minor Variance Number MV01-24– 124 Juno Crescent

AIM

To advise Council of an appeal received in connection with Minor Variance File Number MV01-24– 124 Juno Crescent.

BACKGROUND

At the January 15th, 2024 Woodstock Committee of Adjustment meeting, the Committee did not grant a minor variance application submitted by Drew Hallman for the property municipally known as 124 Juno Crescent. An appeal of the decision was filed with the Secretary-Treasurer of the Committee of Adjustment on February 2, 2024 and the appeal is being forwarded to the Ontario Land Tribunal (OLT).

COMMENTS

A minor variance application for 124 Juno Crescent was submitted to the Committee of Adjustment, requesting the following variances:

1. Relief from Section 5.2.6.2.1 – Commercial Vehicles, Recreational Vehicles and Utility Vehicles to permit a travel trailer to be parked in a Residential Zone in an exterior side yard;
2. Relief from Section 5.2.6.2.2 – Commercial Vehicles, Recreational Vehicles and Utility Vehicles to permit a travel trailer that exceeds 7.5 m (24.6 ft) in length and 2.7 m (8.9 ft) in height to permit a travel trailer with a length of 9.8 m (32.1 ft) in length within an unknown height to be parked in a residential zone;
3. Relief from Section 5.4.1.7 – Access to Parking Space to permit a parking space without unobstructed access from a public street either by a driveway or an aisle leading to a driveway;
4. Relief from Section 5.4.1.11.6 – Distance from an Intersection to reduce the minimum distance between a driveway and an intersection of street lines from 9 m (29.5 ft) to nil; and
5. Relief from Section 5.4.4.1, Table 7 – Yards Where Parking Areas Are Permitted to increase the maximum percentage of a front yard that may be used for a parking area from 50% to 61% to permit a large travel trailer to be parked in the exterior side yard of a single detached dwelling in a residential zone.

To facilitate the parking of a recreational vehicle on the subject lands on a lot zoned Residential Type 1 (R1) in the City of Woodstock.

The application was presented to the Committee of Adjustment on January 15th, 2024. The Community Planning Office recommended that the Committee of Adjustment not approve the application as it does not meet the four tests of a minor variance as set out in Section 45(1) of the Planning Act. Specifically, the requested variances are not considered to:

- (i) Maintain the general intent and purpose of the official plan;
- (ii) Maintain the general intent and purpose of the zoning by-law;
- (iii) Be desirable for the appropriate use of the land; and
- (iv) Be minor in nature.

The Committee of Adjustment agreed with the opinion provided in the planning report and did not approve the application. The planning report and the appeal are attached to this report for Council's review.

The Committee of Adjustment operates as an arms-length quasi-judicial body. As a result, there is no mechanism under the Planning Act for City Council to alter the decision of the Committee. However, City Council has an opportunity to declare its support of the decision. In this particular case, the Committee's decision was in accordance with the recommendations of the planning report. Therefore, the City can elect to send the author of the planning report to defend the Committee's decision at the OLT hearing and funding would only be required for legal representation.

If Council does not support the decision, legal representation on behalf of the City would not be provided to defend the Committee's decision. A notice of Council's decision should be sent to all persons who made submissions concerning the application and all neighbours within a 60 meter radius. By notifying all interested parties that the Committee will have no representation at the OLT hearing, the interested parties can determine how they wish to proceed at the hearing.

If Council does not wish to support the Committee's decision the following resolution is suggested:

That Woodstock City Council does not support the Committee of Adjustment's decision made on January 15th, 2024, for Minor Variance application MV01-24– 124 Juno Crescent;

And further that the City Clerk be instructed to advise all property owners within 60 meters of the subject lands and any parties who made submissions to the Committee of Adjustment.

RECOMMENDATION

That Woodstock City Council supports the Committee of Adjustment decision made on January 15th, 2024, for Minor Variance application MV01-24– 124 Juno Crescent;

Authored by: Amy Humphries, Deputy Chief Administrative Officer & City Clerk

Approved by: David Creery, Chief Administrative Officer

Community Planning

P. O. Box 1614, 21 Reeve Street

Woodstock Ontario N4S 7Y3

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Web site: www.oxfordcounty.ca

Our File: **MV01-24**

APPLICATION FOR MINOR VARIANCE

TO: City of Woodstock Committee of Adjustment

MEETING: January 15, 2024

REPORT NUMBER: CP 2024-16

OWNER: Drew Hallman
124 Juno Crescent, Woodstock ON N4T 0H6

VARIANCES REQUESTED:

1. Relief from **Section 5.2.6.2.1 – Commercial Vehicles, Recreational Vehicles and Utility Vehicles** to permit a travel trailer to be parked in a Residential Zone in an exterior side yard;
2. Relief from **Section 5.2.6.2.2 – Commercial Vehicles, Recreational Vehicles and Utility Vehicles** to permit a travel trailer that exceeds 7.5 m (24.6 ft) in length and 2.7 m (8.9 ft) in height to permit a travel trailer with a length of 9.8 m (32.1 ft) in length within an unknown height to be parked in a residential zone;
3. Relief from **Section 5.4.1.7 – Access to Parking Space** to permit a parking space without unobstructed access from a public street either by a driveway or an aisle leading to a driveway;
4. Relief from **Section 5.4.1.11.6 – Distance from an Intersection** to reduce the minimum distance between a driveway and an intersection of street lines from 9 m (29.5 ft) to nil; and
5. Relief from **Section 5.4.4.1, Table 7 – Yards Where Parking Areas Are Permitted** to increase the maximum percentage of a front yard that may be used for a parking area from 50% to 61% to permit a large travel trailer to be parked in the exterior side yard of a single detached dwelling in a residential zone.

LOCATION:

The subject property is described as Lot 28, Plan 41M-287, in the City of Woodstock. The property is located on southeast corner of Juno Crescent, between Munnoch Boulevard and Lansdowne Avenue, and is municipally known as 124 Juno Crescent.

BACKGROUND INFORMATION:

COUNTY OF OXFORD OFFICIAL PLAN:	Low Density Residential
CITY OF WOODSTOCK ZONING BY-LAW:	Residential Zone 1 (R1)
SURROUNDING USES:	Surrounding uses are primarily single detached dwellings with open space uses to the north associated with the Pittock reservoir.

COMMENTS:(a) Purpose of the Application:

The applicant is proposing relief from the above-noted provisions of the City's Zoning By-law to facilitate the parking of a travel trailer on the subject property.

The applicant has indicated that the relief is required to permit the trailer parking because of security concerns related to parking the trailer off-site in a storage facility and the potential for the trailer to be subject to break-in or other damage.

The subject property is approximately 391.4 m² (4,213 ft²) in area and contains a single detached dwelling. The above-noted travel trailer subject of this proposal is currently located on the lands.

Plate 1, Existing Zoning & Location Map, shows the location of the subject lands and the current zoning in the immediate vicinity.

Plate 2, Aerial Map (2020), shows the location of the subject lands and surrounding properties.

Plate 3, Applicant's Sketch, illustrates the location of the proposed trailer and the existing dwelling, as provided by the applicant.

Plate 4, Neighbour Letter, is a letter with photos provided and signed by a group of neighbours who oppose the requested variances.

Plate 5, Building Division Photos are photos provided by the Building Division with their comments. The photos were taken on September 5, 2023.

(b) Agency Comments

The City of Woodstock Engineering Department (Building Division) provided the following comments regarding the application:

1. The subject property is considered a corner lot as per the City's zoning bylaw, the front yard is the yard containing the attached garage. The exterior side yard is where the RV is parked.
2. Relief is requested to park the RV in the exterior side yard. Based on the provisions in Section 5.2.6.2.1 of the zoning bylaw, recreational vehicles are not permitted to be parked in the front or exterior side yard. To reinforce this provision, a report was received by City Council in October 2020, to obtain Council's direction concerning the parking of recreational vehicles in residential areas. Council approved the current provisions with an amendment to allow occasional parking in the front or exterior yard for up to 72 hours per month from May to October. This allows a property owner to load, unload or clean the RV at home. No amendment was considered to permit the permanent parking of the RV.

3. Relief is requested to increase the permissible length of an RV parked in a residential zone from 7.5 m to 9.8 m. Based on our comments in sentence 2 , we are not supportive of this request.
4. Relief is requested for Section 5.4.1.7 - the zoning bylaw requires any parking space be provided with unobstructed access to a public street by a driveway. Based on the photos a driveway is required to access the driving portion of the street. Based on our other comments we do not support the location of a driveway within 9 m of the intersection.
5. With the subject lot being a corner lot, any proposed driveway is required to be 9 m from the intersection of the street lines (front lot line and exterior lot line). Based on this provision, a driveway is not permitted in the proposed location. We are not supportive of the relief required. If approved, the relief should read "Where the lot line abutting a street is greater than 12.0 metres, the minimum distance between a driveway and an intersection of street lines shall be nil. For safety and visibility reasons, driveways are not permitted near a street corner or intersection.
6. Relief to increase the size of a driveway in the front yard is not supported by staff. These requests do come in, are not supported as you would see parking spaces stretched entirely across front yards.

We are not supportive of any type of RV parking in a front or exterior side yard.

(c) Public Consultation:

Public notice was provided to neighbouring property owners in accordance with the provisions of the *Planning Act*. At the time of writing this report, one letter of opposition was provided and signed by a group of neighbours. The neighbour's letter provides objections based on neighbourhood aesthetic, consistency in property/zoning standards, public safety (primarily related to traffic site lines), desirability and safety related to egress from the house through the window and is attached as Plate 4.

(d) Intent and Purpose of the Official Plan:

The subject lands are currently designated Low Density Residential in the Official Plan. Lands within the Low Density Residential designation are intended to be developed for low density residential uses.

Section 10.3.6 of the Official Plan establishes criteria for reviewing Committee of Adjustment applications and determining desirability. When considering desirability, the Committee shall take into account the following:

- Whether constraints and/or restrictions to meeting the requirements of the zoning by-law due to the physical or inherent conditions of the site are involved;
- Whether alternative designs of the proposal which would be in conformity with the relevant by-law are clearly not feasible or appropriate for the site;
- The concerns of the effect of the adjacent owners, residents and community in general have been considered;
- The approval of the minor variance would not create an undesirable precedent;
- That compliance with the standards of the relevant by-law would be unreasonable or impossible and would impose an undue hardship on the applicant.

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

The subject property is zoned 'Residential Zone 1 (R1)' according to the City's Zoning By-law. The R1 Zone permits a single-detached dwelling house, additional residential unit, bed and breakfast establishment and home occupation.

The applicant is proposing relief from a number of provisions contained in the Zoning By-law to permit the storage of an RV on the subject lands, as detailed previously in this report.

Section 5.2.6.2.1 does not permit recreational vehicles to be parked in front or exterior side yards. Large vehicles are not permitted to be parked in front yard or exterior side yards to prevent sightline issues, particularly at intersections and/or bends in the road, to prevent obstructions to municipal sidewalks, and to eliminate compatibility issues with residential neighbourhoods.

Section 5.2.6.2.2 does not permit any recreational vehicle to be parked in any yard, if that vehicle exceeds 7.5 m (24.6 ft) and/or 2.7 m (8.9 ft) in height. The applicant is proposing to increase the maximum permitted length for a recreational vehicle to 9.8 m (32.1 ft) to accommodate the existing trailer. The maximum height and length for recreational vehicles has been established to reduce compatibility issues with residential neighbourhoods.

Section 5.4.1.7 requires a parking area to have unobstructed access from a public street either by a driveway or an aisle leading to a driveway. The applicant requires relief from this provision because a gravelled area has been constructed for the trailer that does not have access to Juno Crescent and to access the gravel parking area, the trailer must travel across the grassed front lawn. This provision is intended to preserve the aesthetic character of the area and prevent excessive use of the required front yard from being used for driveway purposes.

Section 5.4.4.1 establishes a maximum driveway width of 50% of the lot frontage. The proposed relief, identified by the City's Building Department, is related to the above-noted relief (Section 5.4.1.7). A second driveway which extends to the sidewalk, but not the edge of pavement on the road, results in an overall driveway width equal to 61% of the lot frontage. This provision is intended to maintain on-street parking spaces, ensure compatibility and aesthetic qualities of the neighbourhood, and to provide space for maintenance and drainage.

Section 5.4.1.11.6 requires a minimum distance between a driveway and an intersection of street lines of 9 m (29.5 ft). The applicant is proposing relief to permit a minimum distance of nil to permit the parking of the recreational vehicle. The minimum setback is intended to ensure that vehicles can safely enter and exit the driveway and be visible to vehicles using the travelled portion of the right-of-way. The functional access for the trailer parking is essentially at the property line on the 90' bend of Juno Crescent and raises safety concerns for an access in this location.

(f) Desirable Development/Use:

It is the opinion of this Office that the proposed relief to accommodate the parking of a recreational vehicle on the subject lands is not minor or desirable for the development of the subject property.

With a view to the criteria contained in the Official Plan for determining the desirability of proposals for minor variance, approval of the requested variances would create an undesirable precedent that completely eliminates a number of zoning provisions adopted by Council that are intended to provide compatibility and safety within communities.

Further, the requested variances are not considered minor. The complete elimination of a number of provisions – setback from an intersection, requirement for unobstructed parking area, the location of the required parking – are not minor deviations from the zone provisions.

In light of the foregoing, it is the opinion of this Office that the proposed relief is not in keeping with the general intent and purpose of the Zoning By-law, is not considered minor or desirable development and should not be given favourable consideration.

RECOMMENDATION:

That the City of Woodstock Committee of Adjustment **not approve** Application File MV01-24, submitted by Drew Hallman, for lands described as Lot 28, Plan 41N287, in the City of Woodstock, municipally known as 124 Juno Crescent as it relates to:

1. Relief from **Section 5.2.6.2.1 – Commercial Vehicles, Recreational Vehicles and Utility Vehicles** to permit a travel trailer to be parked in a Residential Zone in an exterior side yard;
2. Relief from **Section 5.2.6.2.2 – Commercial Vehicles, Recreational Vehicles and Utility Vehicles** to permit a travel trailer that exceeds 7.5 m (24.6 ft) in length and 2.7 m (8.9 ft) in height to permit a travel trailer with a length of 9.8 m (32.1 ft) in length within an unknown height to be parked in a residential zone;
3. Relief from **Section 5.4.1.7 – Access to Parking Space** to permit a parking space without unobstructed access from a public street either by a driveway or an aisle leading to a driveway;
4. Relief from **Section 5.4.1.11.6 – Distance from an Intersection** to reduce the minimum distance between a driveway and an intersection of street lines from 9 m (29.5 ft) to nil; and
5. Relief from **Section 5.4.4.1, Table 7 – Yards Where Parking Areas Are Permitted** to increase the maximum percentage of a front yard that may be used for a parking area from 50% to 61% to permit a large travel trailer to be parked in the exterior side yard of a single detached dwelling in a residential zone.

To facilitate the parking of a recreational vehicle on the subject lands on a lot zoned Residential Type 1 (R1) in the City of Woodstock.

The requested variances are not considered to:

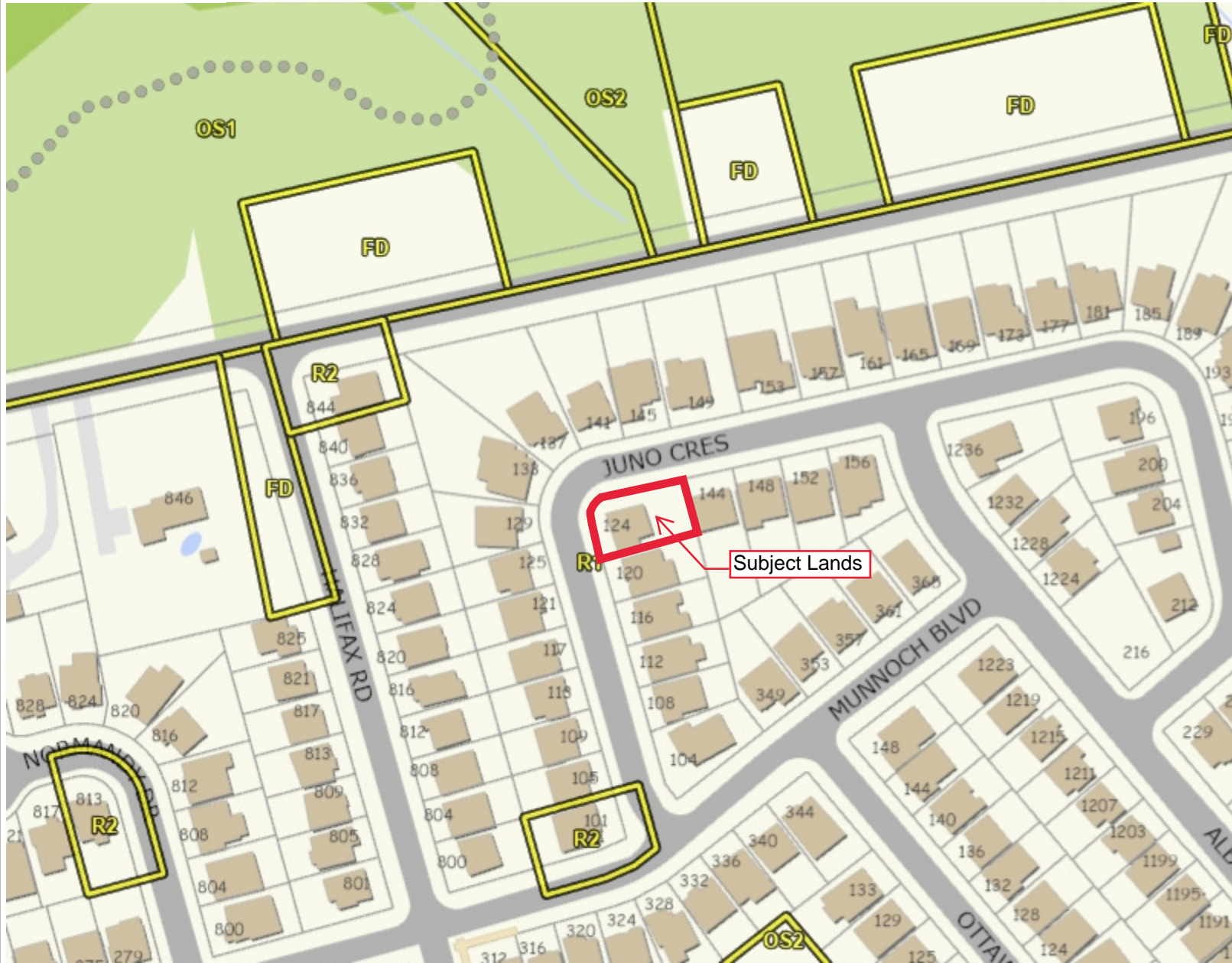
- (i) Maintain the general intent and purpose of the official plan;
- (ii) Maintain the general intent and purpose of the zoning by-law;
- (iii) Be desirable for the appropriate use of the land; and
- (iv) Be minor in nature.

Authored by: *Original signed by*

Eric Gilbert
Manager of Development Planning

Approved for submission by: *Original signed by*

Gordon K. Hough, RPP
Director



Legend

- Zoning Floodlines
- Regulation Limit
- ◆◆ 100 Year Flood Line
- ▲ 30 Metre Setback
- Conservation Authority Regulation Limit
- ◆◆ Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 to 1:500)

Notes



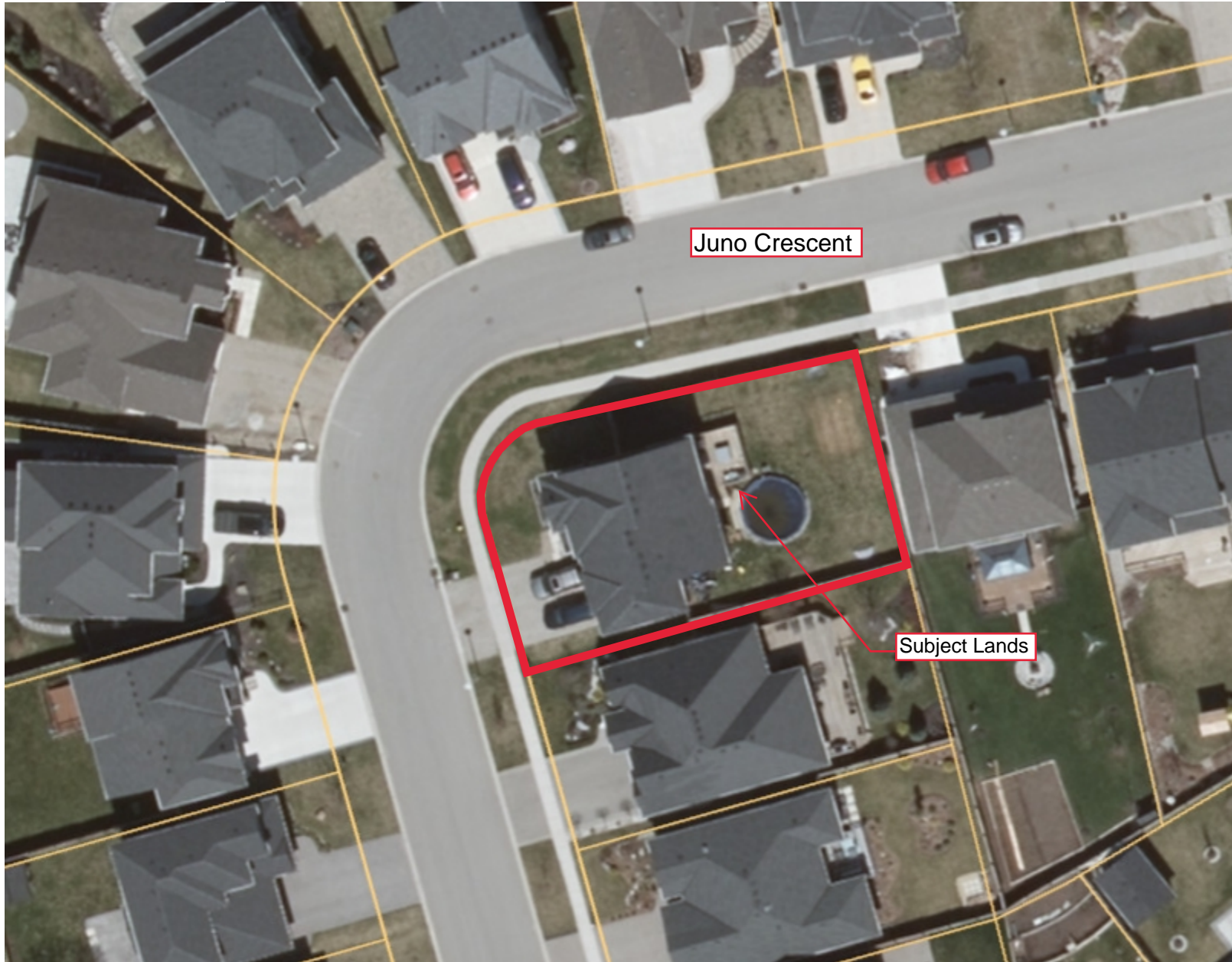
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NAD_1983_UTM_Zone_17N



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

January 9, 2024



Legend

Notes



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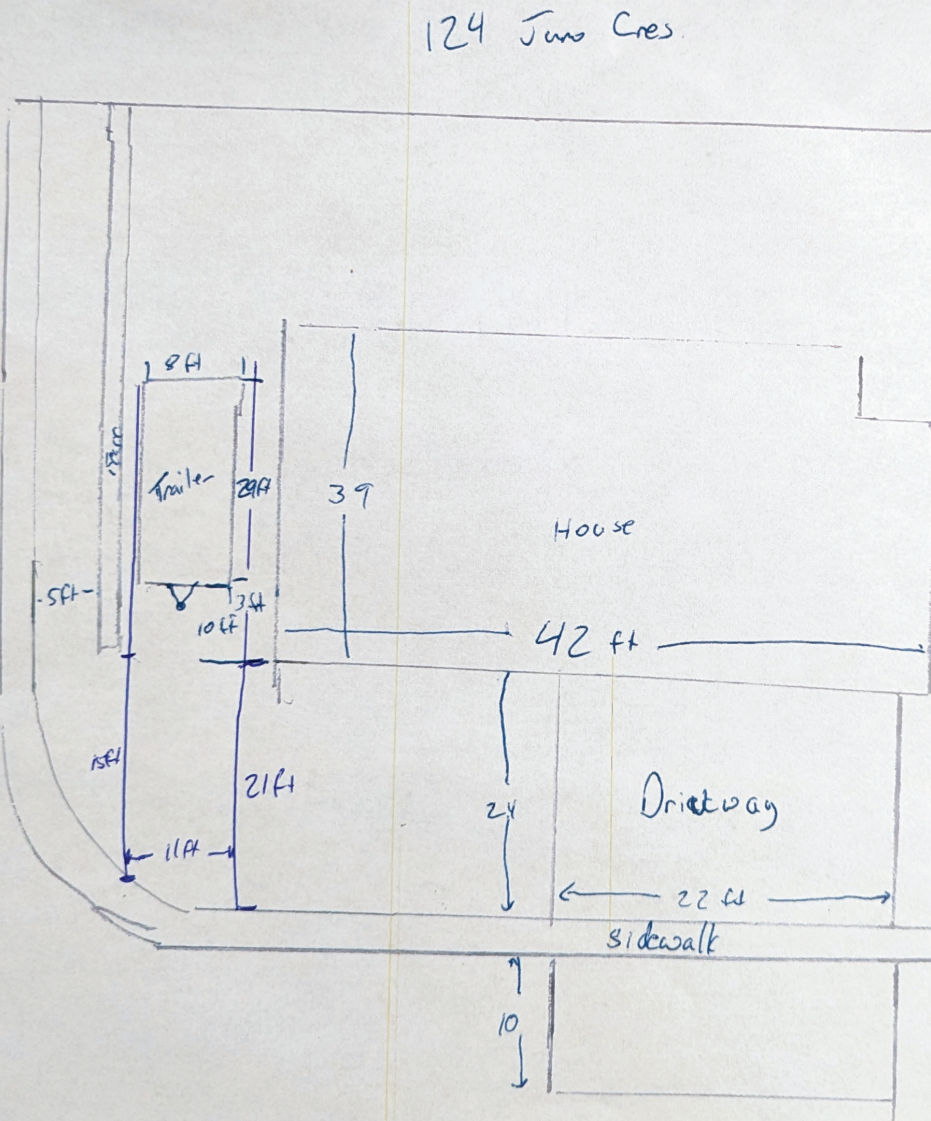
NAD_1983_UTM_Zone_17N



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January 9, 2024

Plate 3: Applicant's Sketch
MV 23-23 - Hallman - 2124 Juno Crescent, Woodstock



RECEIVED
MAY 22 2023
Engineering Office

Plate 4: Neighbour Letter
MV 23-23 - Hallman - 2124 Juno Crescent, Woodstock

**Citizens opposing City of Woodstock Zoning Bylaw Minor Variance Application
MV-01-24 relating to property at 124 Juno Crescent Woodstock**

Brian and Katharine McFadden [REDACTED]

Jarred and Emily Patten [REDACTED]

Carl and Noella Litt [REDACTED]

Adam and Stephanie Nace [REDACTED]

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Notice of Public Meeting

Oxford County GLIMR map of Juno Crescent

Relief from Bylaw 5.2.6.1.i Reasons for opposition

Relief from Bylaw 5.2.6.2.2 Reasons for opposition

Relief from Bylaw 5.4.1.7 Reasons for opposition

Relief from Bylaw 5.4.1.11.6 Reasons for opposition

Relief from Bylaw 5.4.4.1 Table 7 Reasons for opposition

Other concerns relating to MV-01-24

Summary

Street View of 124 Juno Crescent Photos - 1 to 3

Street View of Daylight Triangle Travelling North on Juno - Photos 4 to 6

Street View of Daylight Triangle Travelling West on Juno - Photos 7 to 11

Ontario Building Code – Egress Windows

Restrictive Covenant – Lots in Plan 41M-287

The City Of Woodstock Committee of Adjustment
Notice of Public Hearing

Date: December 21, 2023
File No. MV-01-24

Under Section 45 of the Planning Act, R.S.O. 1990, as amended. Please take notice that the City of Woodstock Committee of Adjustment, at a Public Hearing to be held:

Meeting Date:	January 15, 2024
Time:	6:00 PM
Location:	Woodstock City Hall, Council Chambers

The committee will consider the following application **MV-23-23** at which time the applicant and every other person who desires to be heard in favour of and/or against the application may speak to the Committee.

OWNER(S)	AGENT(S)
Drew Hallman 124 Juno Cres Woodstock, ON N4T 0H6	

LOCATION:

Lot Number 28, Plan Number 41M287, municipally known as 124 Juno Cres..

VARIANCE(S) REQUESTED:

1. Section 5.2.6.2.1. No travel trailer, boat, motor home or similar recreational vehicle or utility trailer shall be stored or parked in any Residential Zone except: i) by the owner of such travel trailer, boat, motor home or similar recreational vehicle or utility trailer who resides in a dwelling unit on the same lot provided that such vehicle is stored or parked in the rear yard or interior side yard of such lot with a minimum setback from any lot line of 1.0 metre. Relief from Section 5.2.6.2.1.i) to be able to store travel trailer in Residential Zone in the exterior side yard.
2. Section 5.2.6.2.2. Notwithstanding subsection 5.2.6.2.1., no travel trailer, boat, motor home or similar recreational vehicle or utility trailer may be stored or parked in any Residential Zone where such vehicle exceeds a length of 7.5 metres and/or a height of 2.7 metres. Relief from Section 5.2.6.2.2. to be able to store travel trailer in Residential Zone where such vehicle is 9.8 metres in length and exceeds a height of 2.7 metres.
3. Relief from Section 5.4.1.7. Access to Parking Space; A parking space must have unobstructed access from a public street by either a driveway or an aisle leading to a driveway.
4. Relief from Section 5.4.1.11.6. Distance from Intersection i) Where the lot line abutting a street is greater than 12.0 metres, the minimum distance between a driveway and an intersection of street lines shall be 9.0 metres to allow 6.5 metres between a driveway and an intersection of street lines.
5. Relief from Section 5.4.4.1., Table 7 – Yards Where parking Areas Are Permitted; Special Conditions: Residential units with individual private driveways; a maximum of 50% of a front yard or exterior side yard may be used for a parking area, to allow a maximum of 61% of front yard or exterior side yard be used from parking area.

You are invited to present your comments regarding the application either in person at the Public Hearing or in writing to the Secretary-Treasurer prior to the Public hearing. If you do not attend or are not represented at this hearing, the Committee may proceed in your absence and you will not be entitled to any further notice of proceedings. If you wish to attend the meeting and require a sign language interpreter, please contact the City Clerk at least 7 days in advance of the meeting.

If you would like a copy of the Decision of the Committee of adjustment, please submit your request in writing for a "Notice of Decision" from the Secretary-Treasurer. This will also entitle you to be advised of a possible Ontario Land Tribunal hearing. If you are the applicant, you should request a copy of any appeals, since the Committee of Adjustment decision may be appealed to the OLT by the Minister or a specified person or public body.

TAKE NOTICE; The applicant, the Minister or a specified person or public body not later than 20 days after the giving of the notice of decision, may appeal the decision or any conditions imposed by the Committee of Adjustment or appeal both the decision and any condition to the Ontario Land Tribunal (OLT) by filing with the Clerk of the City of Woodstock not later than 4:00 p.m. on February 4, 2024.

Further information regarding the appeal process, can be found on the OLT Website <https://olt.gov.on.ca/>

Please be advised that the Oxford County Community Planning Office will be conducting a comprehensive review of this proposal and if you would like a copy of the Planning Report or have any question, please contact Eric Gilbert,

Bylaw 5.2.6.2.1.i We believe the intention of this bylaw is to establish consistency within the neighborhood so far as property use is related to the overall established neighbourhood property aesthetic.

Further, we believe that the bylaw is designed to create consistency in administering building and property standards throughout the municipality.

In addition, we believe this bylaw is created with public safety in mind by the establishment of property standards that will prevent public safety issues.

Lastly, we believe that this bylaw is intended to support the Official Plan which indicates that the subject property has been zoned R1 Residential intended for low density residential housing.

The requested relief does nothing to preserve or enhance the desired purpose of the bylaw. The granting of the requested relief would in effect diminish property standards so far as established neighborhood aesthetics and safety are concerned. Relief in this instance is an ongoing construct that would not be limited to the current property owner.

Further, if granted the relief would allow the current or future owners of this property the right to park vehicles of unknown size and type on this property thereby further impacting existing neighborhood aesthetics and public safety so far as traffic sightlines are concerned.

Relief in this situation if granted, would create inconsistencies in residential property standards within the neighbourhood.

Bylaw 5.2.6.2.2 As discussed in the previous item we believe the general intent of the bylaw will be compromised so far as neighborhood aesthetics, consistency of administration and public safety are concerned. The granting of a variance for an oversized vehicle would negatively impact these items.

The existing travel trailer measures in excess of 9.75 meters from the front hitch to the rear bumper and in excess of 2.7 meters in height from ground level to the top of the air conditioning unit. What would prevent the current or future property owners from parking even larger vehicles in this space if a variance were to be granted for an oversized vehicle? This use of the subject property is completely inconsistent with the zoning bylaw.

Granting of this relief also has the potential to cause a negative impact to traffic sightlines, as well as property aesthetics due to the creation of sightline blind spots.

In addition, we believe the granting of this type of variance would be precedent setting. This scenario has the potential to lead to additional requests for similar zoning variances, none of which would be positive for the neighbourhood.

Also, we are of the opinion that the granting of this relief will lead to administration and bylaw enforcement issues around the type and number of vehicles being parked in this space going forward.

Bylaw 5.4.1.7 The side yard parking space does not have driveway access from Juno Crescent without crossing the grassed area of the street boulevard as well as the front lawn of 124 Juno.

We believe that the intention of the bylaw is to once again preserve and ensure consistency of property standards relating to the existing characteristic of neighborhood aesthetics, as well as public safety.

This specific relief if granted would allow ongoing access across the grass boulevard at 124 Juno. Nothing is contained within the granting of this relief to consider the seasonality of soil conditions so far as oversize vehicles accessing the parking area causing ruts, damaging the curb, damaging the boulevard, the sidewalk and existing underground utilities.

Further, the required access will impact the daylight triangle as oversized vehicles may be parked within the safety sightline that is specified within the zoning bylaw as Juno Crescent makes a 90 degree turn directly adjacent to the entrance to the proposed parking area. The attached photos show the front yard access to the area in question being used for parking of vehicles other than the oversized travel trailer. It is our belief that this practice will continue if relief is granted. The enclosed photos make obvious the safety concerns for pedestrian and vehicular traffic using the street. It is also apparent from the photos that the blind spot created by allowing parking access within the daylight triangle will compromise the safety of neighboring residents as they enter and exit their private driveways.

5.4.1.11.6 The public interest is not served by this relief as public safety will be greatly diminished.

The proposed use of this area causes traffic sightlines to be negatively impacted as shown in photos 4 to 11. School vehicles pick up and drop off students at 149 and 113 Juno each school day. Further, student pedestrian traffic crosses Juno Crescent in this area daily. In addition, there is a private daycare operating at 108 Juno. The parents park on the Juno adjacent to the daycare location to pick-up and drop of children each day. Citizens living in the neighborhood regularly walk, jog, play hockey and ride bicycles in the street. Further to this, parking on the street and access to and from neighbouring driveways will be negatively impacted. Disruptions to vehicular and pedestrian traffic has and will continue to occur as this oversized travel trailer is backed into and removed from the proposed parking area.

The granting of this relief will cause these activities to become extremely unsafe as traffic sightlines will be negatively impacted due to the ongoing use of proposed driveway access and vehicle parking at 124 Juno taking place within the daylight triangle as established by the existing zoning bylaw.

5.4.4.1 Table 7 In this instance the requested relief would not be consistent with the existing neighbourhood characteristic relating to property aesthetics.

Further, we believe that environmental issues relating to drainage and reduction of greenspace will be created. Photos 1 to 3 will show the area impacted by this request. Sod and topsoil have been removed and replaced with a gravel base, thereby reducing the existing greenspace. Eavestrough drains from 124 Juno discharge into the gravel parking area which may overtime become hardpacked preventing the desired percolation of surface water into the ground. This has the potential to create unintended runoff to the boulevard and the street.

The negative impact that this relief if granted, would cause to property aesthetics and the local environment is made clear by reviewing the photos provided. Once again, the granting of this request would be precedent setting as others in the neighborhood may request similar relief. We believe that granting of this request creates inconsistency of property standards and does nothing to maintain the intent of the existing zoning bylaw.

Other Concerns – A copy of the Ontario Building Code as it relates to Egress Windows or Doors from Bedrooms is provided. It is our belief the appropriate egress is provided from the basement level at 124 Juno Crescent. However, we are concerned that parking of an oversized vehicle directly adjacent to this window, in an area bounded on 2 sides by a fence and a residential dwelling on the third side will create an unnecessary hazard for any person attempting to egress the basement level during an emergency using the window provided. We also have safety concerns for first responders needing to access this area in an emergency.

The requested relief would allow the oversized travel trailer which is constructed of combustible material and contains propane storage tanks to be parked directly adjacent to the emergency egress window. The creation of such a hazard is completely unnecessary and totally avoidable by rejection of the relief as it has been requested. The relief as requested does nothing to create a safe environment for emergency responders or the property owner and his family. Photo 3 shows the area of the basement egress window that is located at the lower rear corner of the travel trailer.

A further concern arises if relief is granted should the applicant choose to render the oversized travel trailer immobile subsequently converting it to an additional residential unit. We believe that the granting of relief as requested may eventually lead to this use of the item in question. This use scenario would seem to be far beyond the intent of the subject bylaws as they currently exist, as well as the related relief of those bylaws as currently sought by the applicant.

Lastly, upon closing of the agreement to purchase the property at 124 Juno the applicant would have agreed to abide by the terms outlined in Restrictive Covenant as registered against all lots in Plan 41M-287. Storage of trailers outdoors is prohibited as discussed on page 4 of the Restrictive Covenant document.

Summary – We have made numerous remarks citing examples of how we believe that the requested relief undermines the established neighbourhood characteristics around property aesthetics. Further, we have illustrated how public safety will be negatively impacted by granting the requested relief. We believe that the requested relief in its entirety would undermine the general intent and purpose of the existing zoning bylaw.

In addition, we are of the opinion that the property owner at 124 Juno Crescent has shown little regard for local bylaws or his neighbors as he requests relief after the fact from the Zoning Bylaws as discussed in the related application.

The need for relief comes about as local Bylaw enforcement had instructed the applicant to remove his travel trailer from the street where it had been parked in excess of 45 days this past Summer. Unfortunately the applicant did not undertake the level of due diligence needed to avoid an interaction with Bylaw enforcement, inconvenience to his neighbours and the expense incurred in building fencing and parking space. An understanding of any related zoning restrictions and a request for the necessary relief should have been completed by the applicant prior to parking the oversized travel trailer on the street or on his property at 124 Juno.



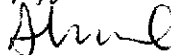
We are also of the opinion that adequate secure offsite parking facilities exist for the type of vehicle involved with this request. These storage facilities are within close proximity to the applicants' home. Therefore, we see no reason why it would be an inconvenience for the applicant to utilize these facilities for parking his travel trailer rather than needing a relief from zoning bylaws.

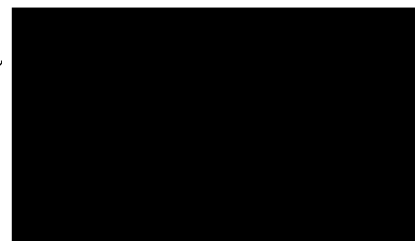
Lastly, we believe that the relief requested may not be minor in nature given the number of zoning bylaws that are related to this request for relief.

To close, we the undersigned urge the Committee to reject minor variance request MV-01-24 in its entirety. Upon rejection of this request for relief we also ask the committee to request that Bylaw enforcement instruct the property owner at 124 Juno to immediately remove the oversized travel trailer from his property. Also, we request that remediation of the area in the front and side yards be completed by removing gravel and replacing the topsoil and sod in this area to its original condition. Further, we ask that any resulting damage to the boulevard be repaired by the applicant and that any portion of the side yard fence that might impact the daylight triangle be removed. This remediation should be completed within a reasonable timeframe to be prescribed by the Committee or Bylaw Enforcement.

Respectfully,

Noella Cornelis LIT Mathias
CARL LITT
Adam Nace
Stephanie Nace



Signatures Continued

Handwritten signature

Katherine Jill McFadden



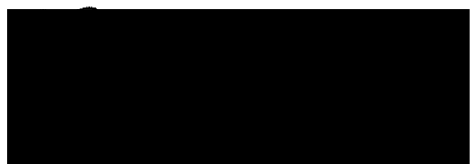
BRIAN McFADDEN

Handwritten signature



Emily Patten

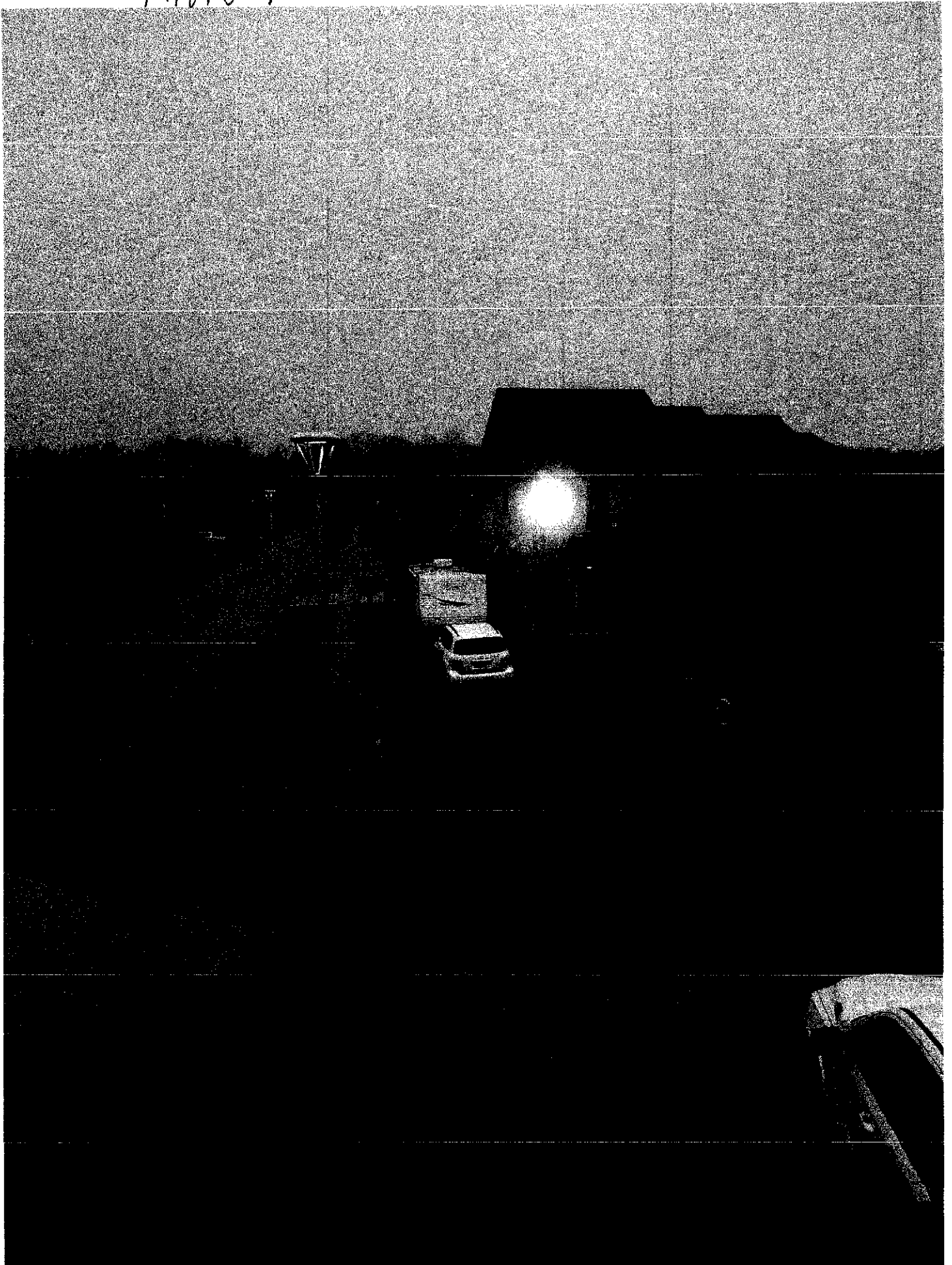
Handwritten signature



Jarred Patten

Handwritten signature

PHOTO 1



VIEW FROM 129 JUNO



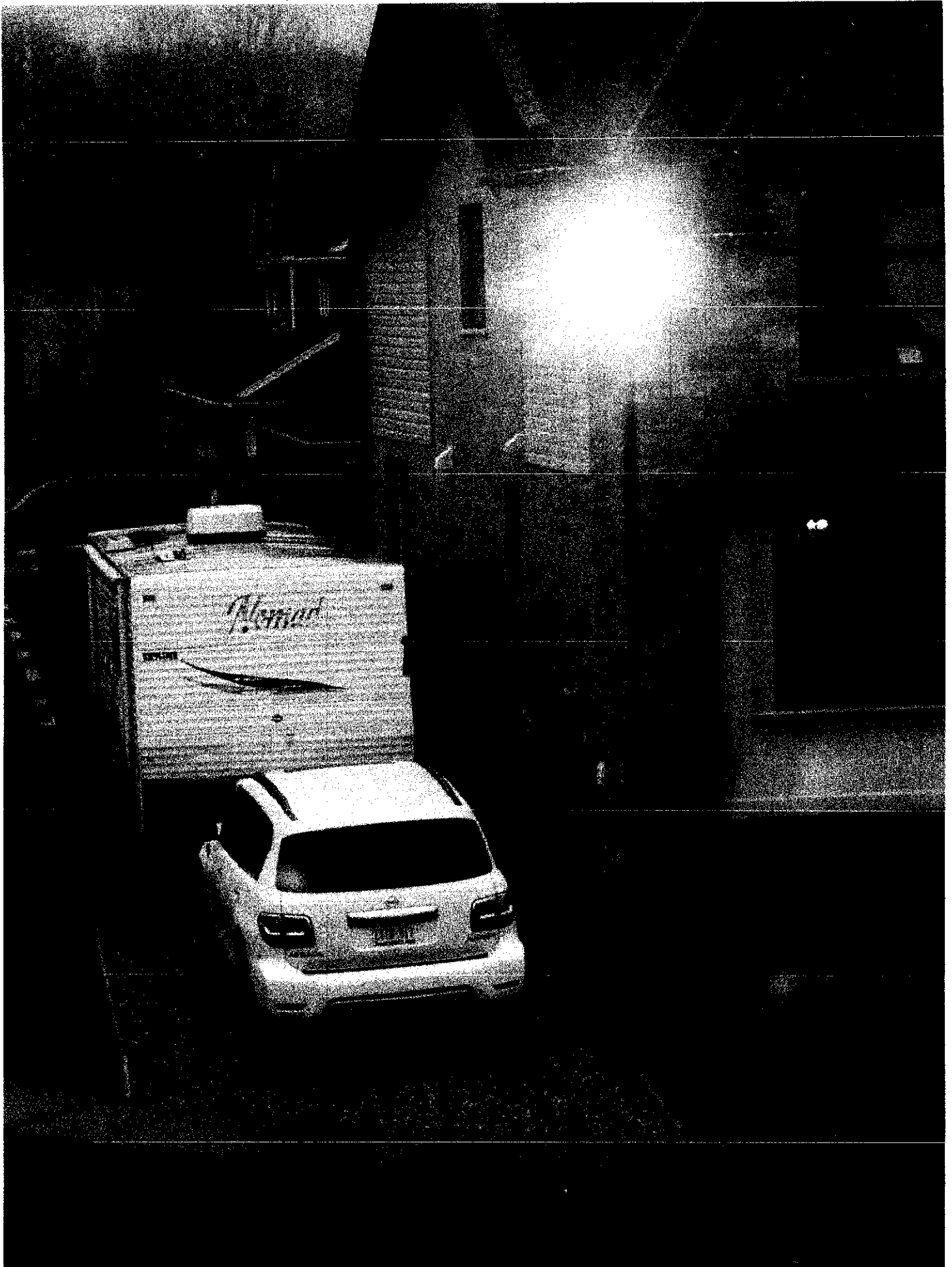
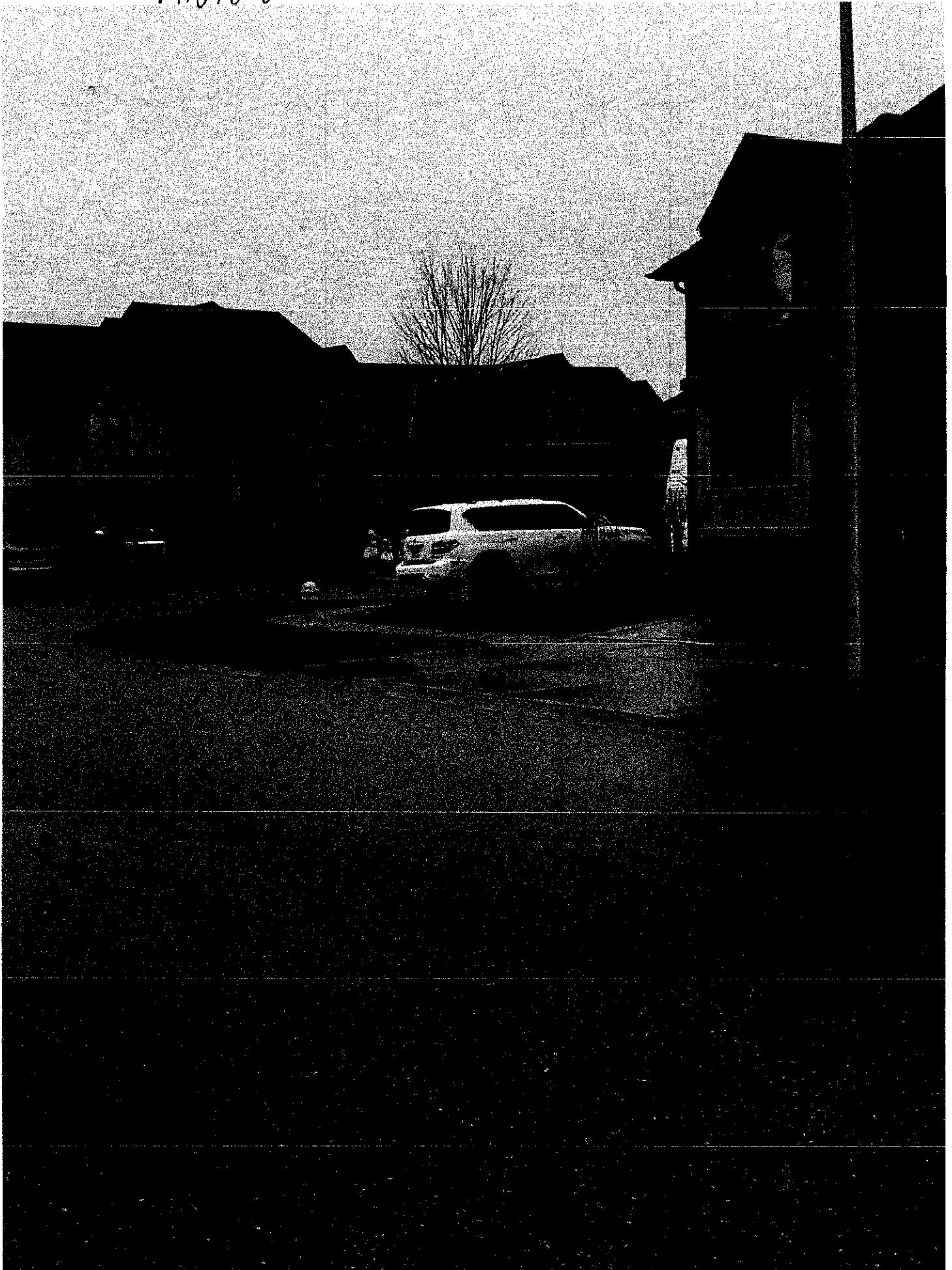


PHOTO 4

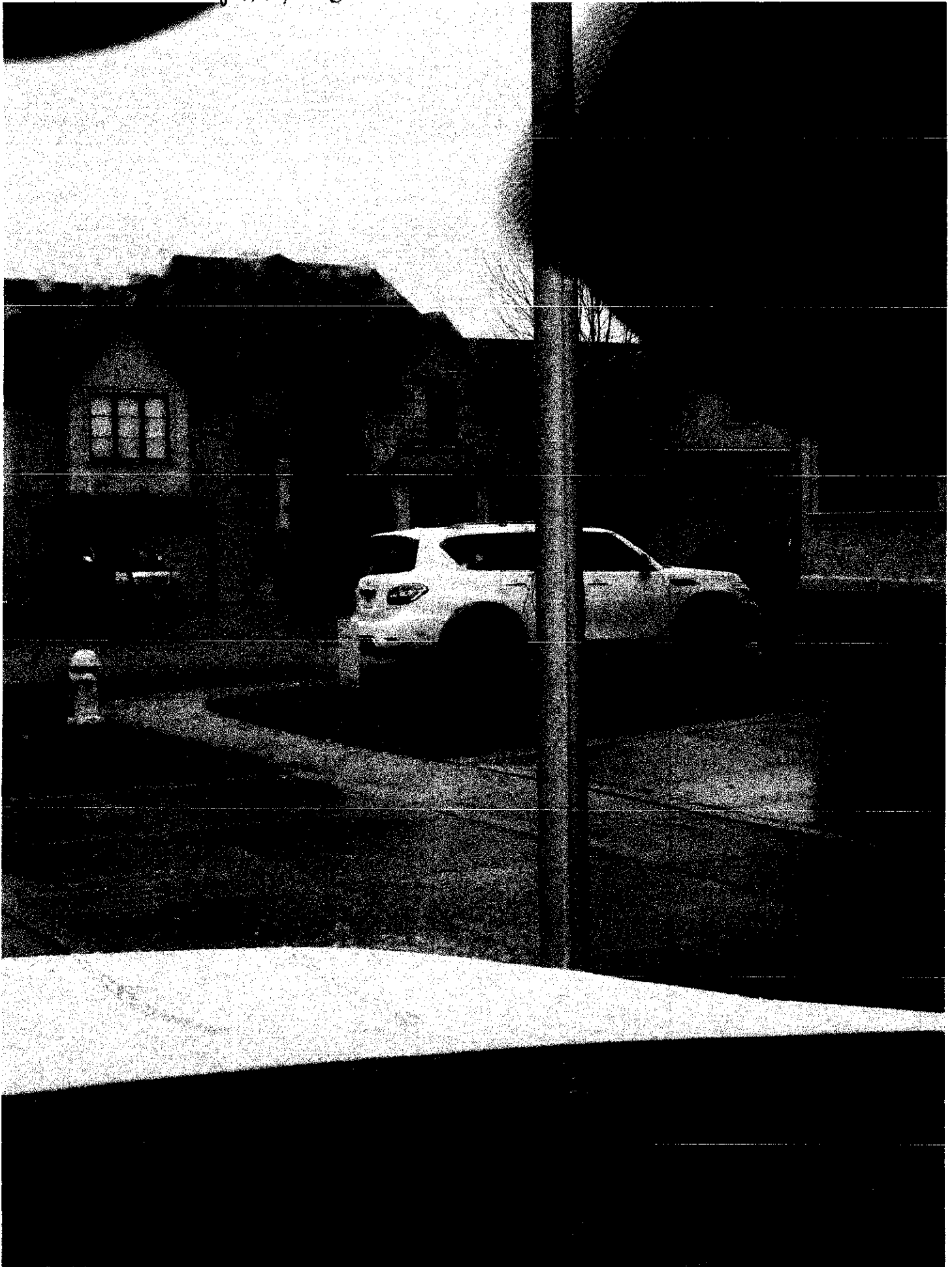


PHOTO 5



NORTH AT 125 JUNO

PHOTO 6



NORTH AT DRIVEWAY 124 JUNO

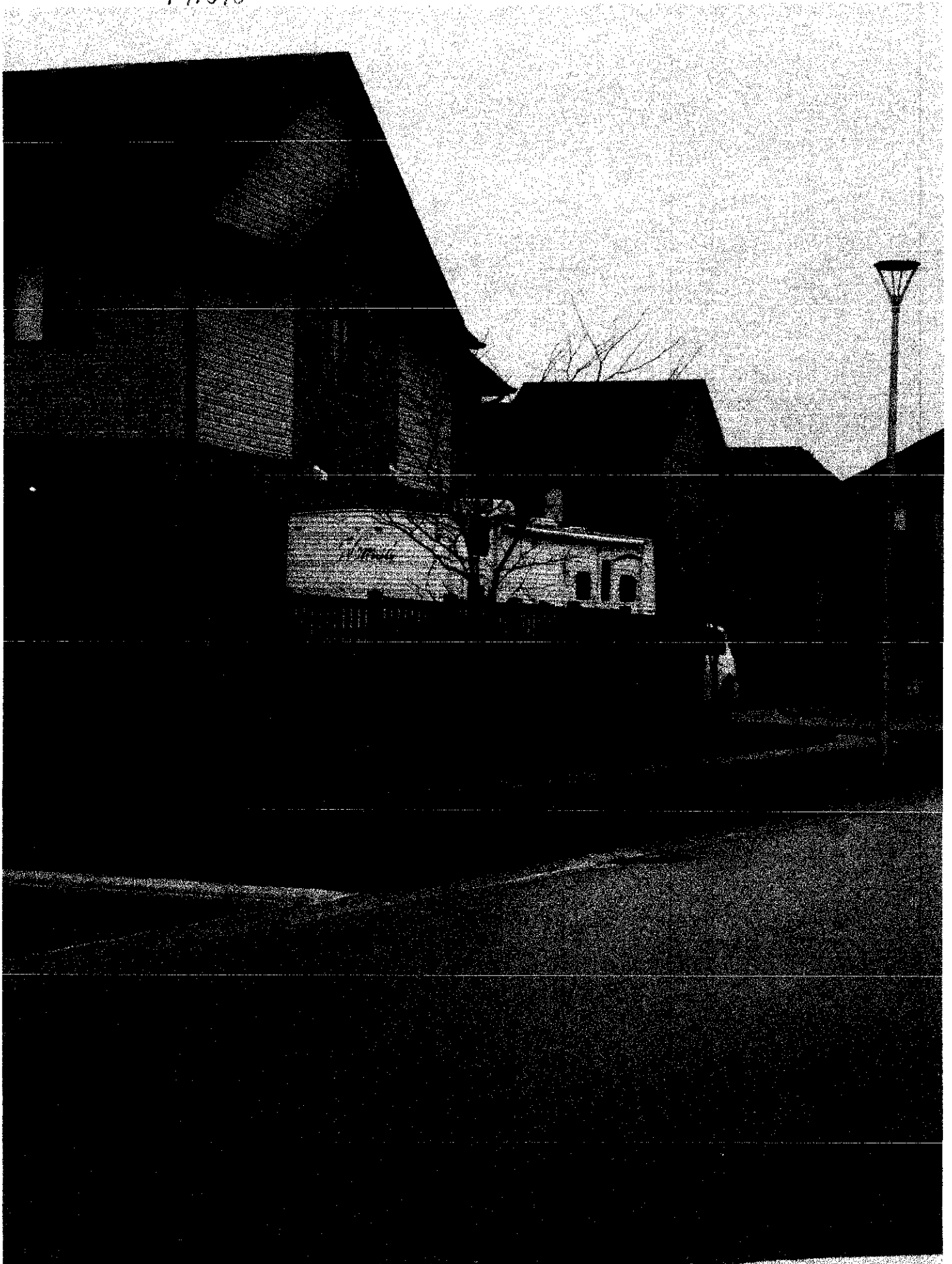
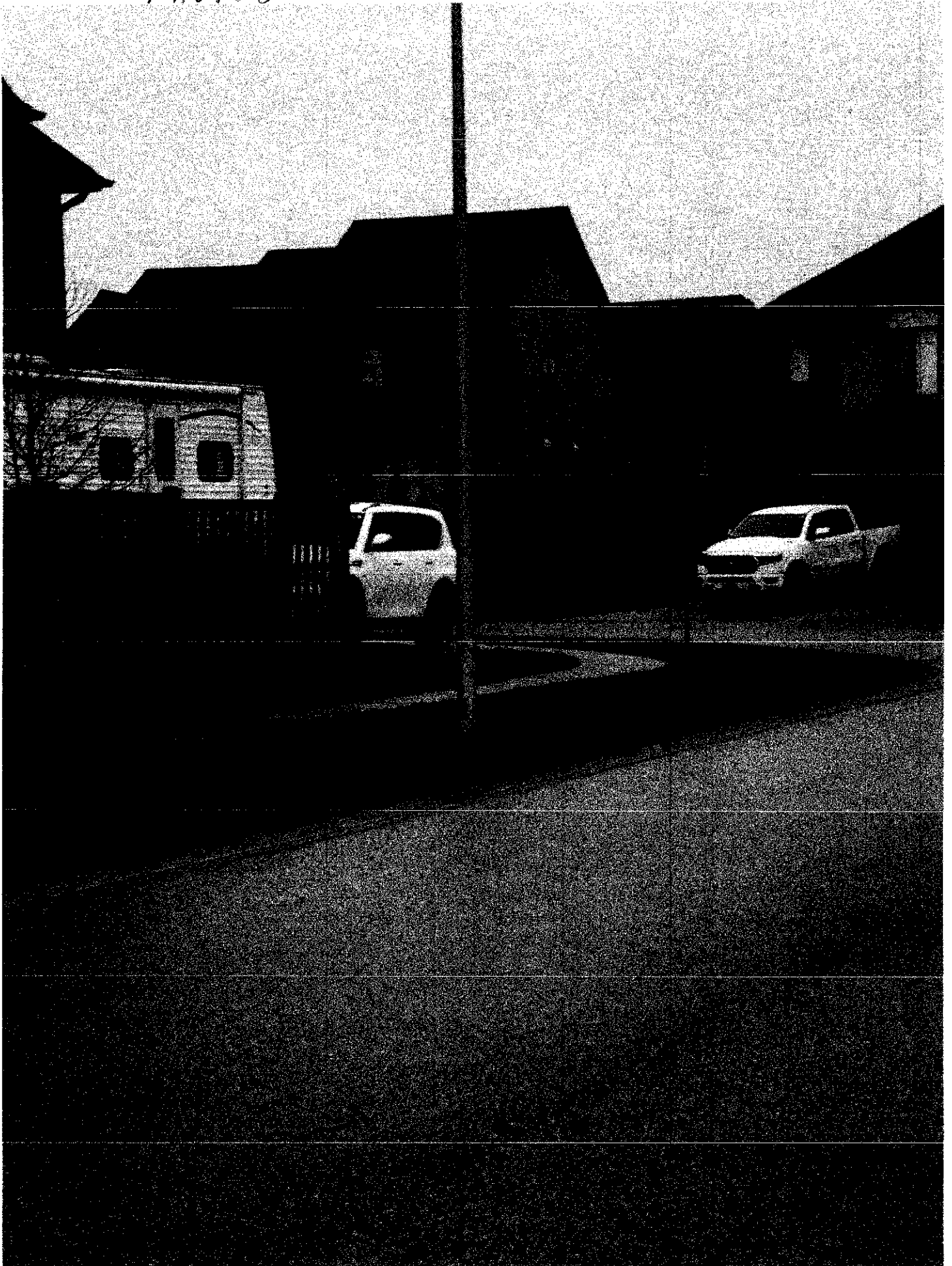
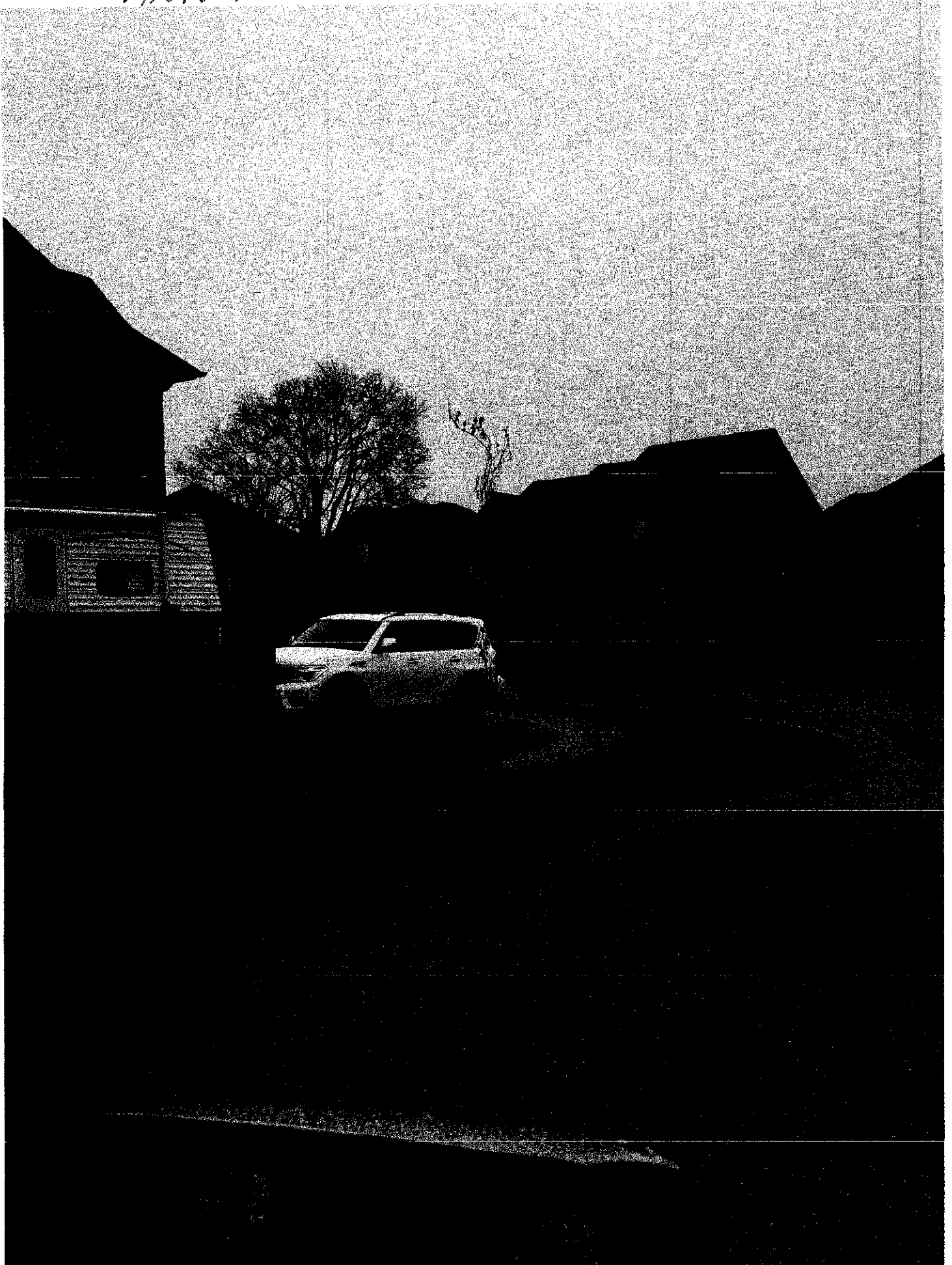


PHOTO 8



WEST AT 145 JUNO



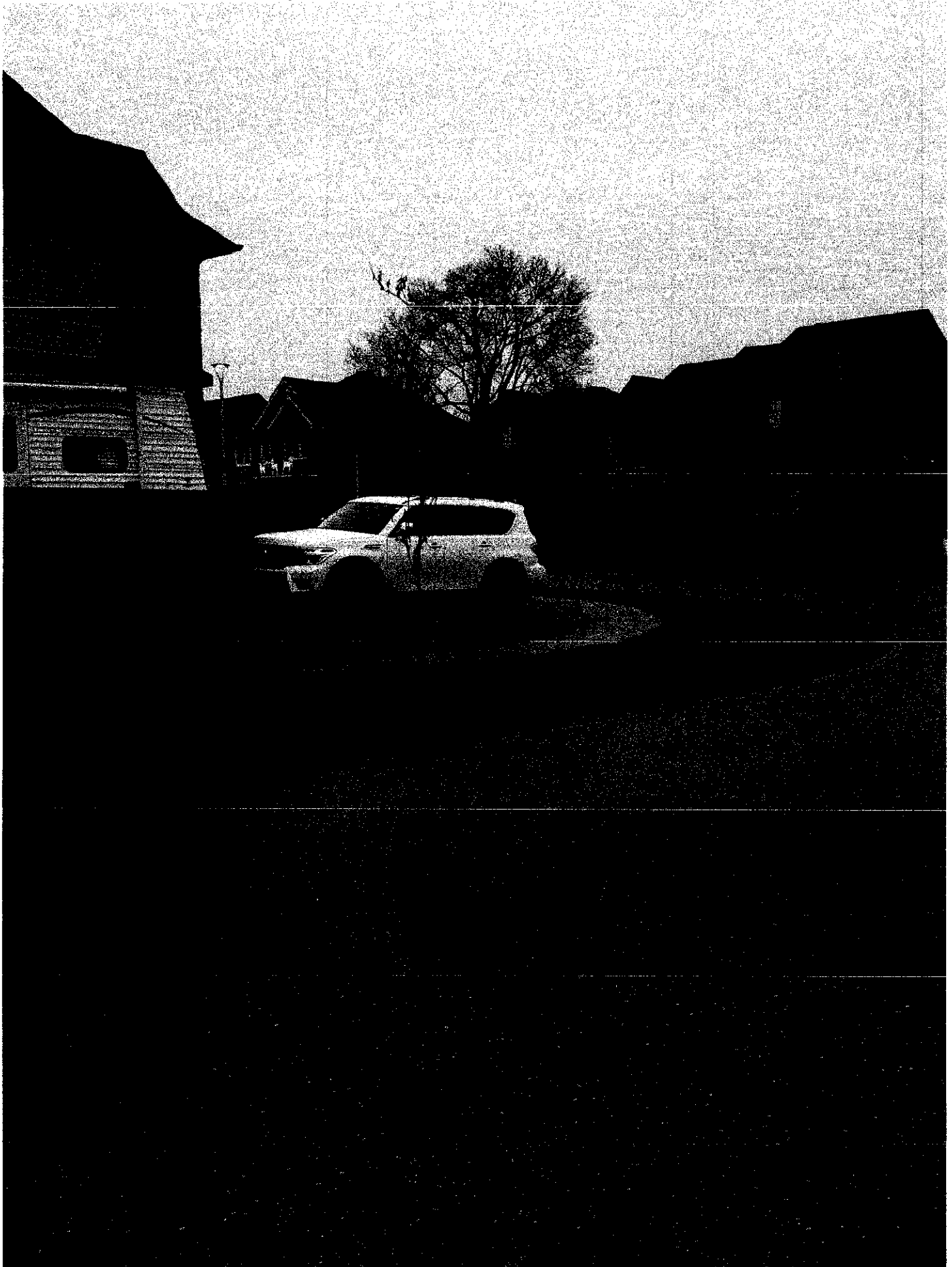
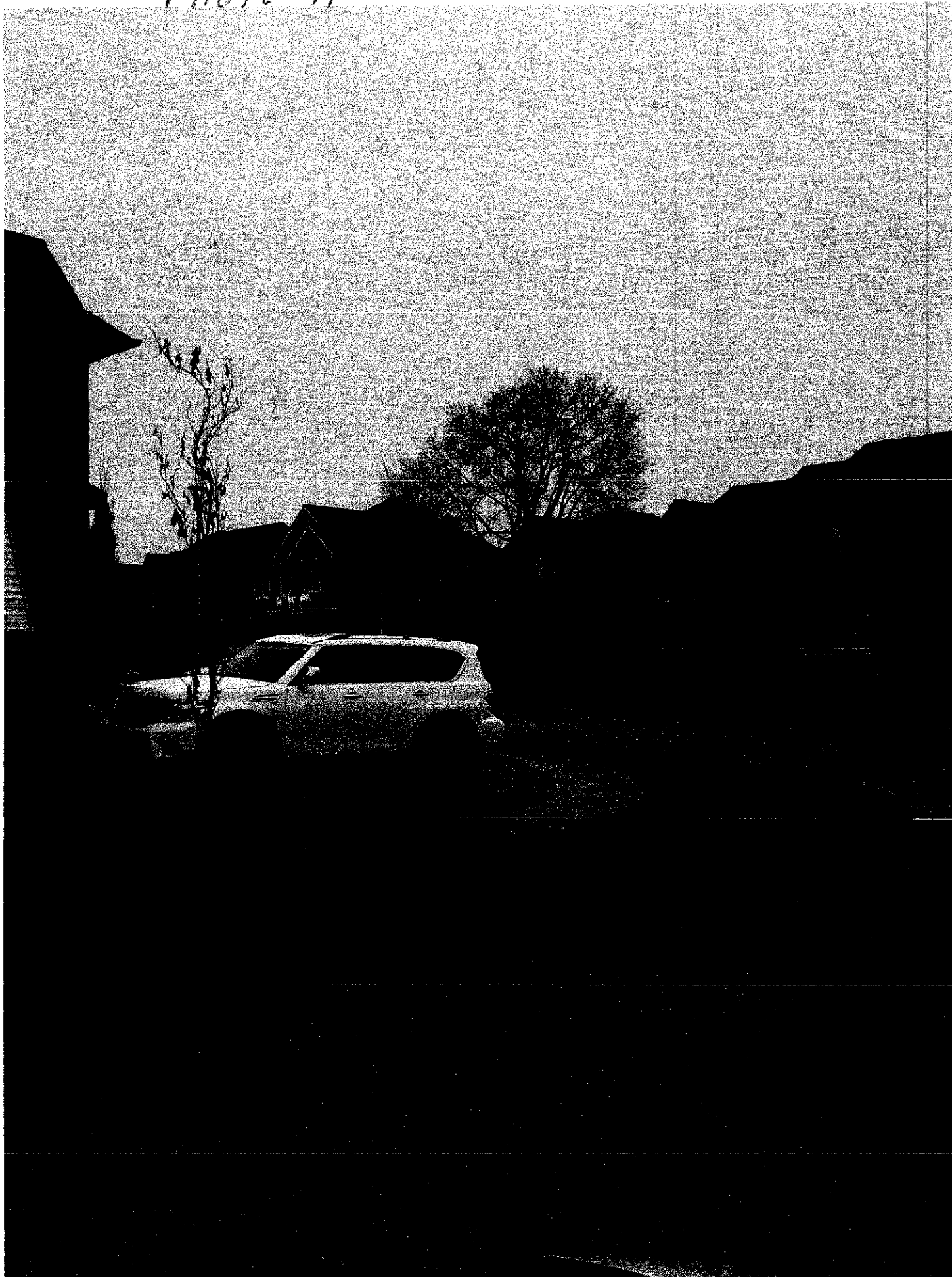


PHOTO 11



WEST AT DRIVEWAY 140 JUND

CODE.

9.9.10.1. EGRESS WINDOWS OR DOORS FOR BEDROOMS

Start Download

Microsoft 64/32 Bit Driver Download

NAVIGATE

- » Section 1
- » Section 3
- » Section 4
- » Section 5
- » Section 6
- » Section 7
- » Section 8
- » Section 9
- » Section 10
- » Section 11
- » Section 12

THE ONTARIO BUILDING CODE | EGRESS WINDOWS OR DOORS FOR BEDROOMS

9.9.10.1. Egress windows or doors for Bedrooms

(1) Except where a door on the same floor level as the bedroom provides direct access to the exterior, every floor level containing a bedroom in a *suites* shall be provided with at least one outside window that,

(a) is openable from the inside without the use of tools,

(b) provides an individual, unobstructed open portion having a minimum area of 0.35 m² with no dimension less than 380 mm, and

(c) maintains the required opening described in Clause (b) without the need for additional support.

(2) Except for *basement* areas, the window required in Sentence (1) shall have a maximum sill height of 1 030 mm above the floor.

(3) When sliding windows are used, the minimum dimension described in Sentence (1) shall apply to the openable portion of the window.

(4) Where the sleeping area within a *live/work unit* is on a *mezzanine* with no obstructions more than 1 070 mm above the floor, the window required in Sentence (1) may be provided on the main level of the *live/work unit* provided the *mezzanine* is not more than 25% of the area of the *live/work unit* or 20 m², whichever is less, and an unobstructed direct path of travel is provided from the *mezzanine* to this window.

(5) Where a window required in Sentence (1) opens into a window well, a clearance of not less than 550 mm shall be provided in front of the window.

(6) Where the sash of a window referred to in Sentence (5) swings towards the window well, the operation of the sash shall not reduce the clearance in a manner that would restrict escape in an emergency.

(7) Where a protective enclosure is installed over the window well referred to in Sentence (5), such enclosure shall be openable from the inside without the use of keys, tools or special knowledge of the opening mechanism.

9.9.11. Signs

Property Guarding | Concierge

Alpha Security Services provides Ontario Premium Security Guard Services
alphasecurityservices.ca

RESTRICTIVE COVENANTS

PROTECTIVE RESTRICTIONS ON RESIDENTIAL LANDS

This schedule is to be annexed to any Offer to Purchase, Agreement for Sale of lands sold for purposes, and contains the building restrictions referred to in the annexed documents and has been registered against all Lots in Plan 41M-287.

DEFINITIONS

In these restrictions, the following words and expressions shall have the following meanings:

VENDOR

"Vendor" means 2072627 Ontario Inc. or its successors and assigns.

PURCHASER

"Purchaser" herein means the Purchaser, Buyer, Grantee, or Transferee named in the annexed documents, and includes the heirs, executors, administrators, successors and assigns of the Purchaser.

LAND

"Land" means the land to be sold, conveyed, or transferred by the said document and described therein and where the land to be sold, conveyed, or transferred is used for the erection or more than one private dwelling house, shall where the context so requires mean that portion of the land upon which the erection of one private dwelling is permitted by these restrictions.

GROUND FLOOR AREA

"Ground Floor Area" shall mean the area of that portion of the land occupied by the dwelling house, exclusive of any open porch, garage, or breezeway.

STOREY

"Storey" shall mean that portion of the building, other than a cellar or basement, included between the surface of any floor and the surface of the floor, roof, deck, or ridge next above it, except an attic or half house.

GROUND STOREY

"Ground Storey" in a two-storey house shall mean the first storey, the floor of which is completely above ground on all sides of the house, and not more than four (4) feet above ground at the front of the house.

HALF STOREY

"Half Storey" shall mean the portion of the building situated within the roof space provided it is completely finished as living quarters and connected to the floor below by a finished stair and has a ceiling height of not less than seven feet six inches (7'6") over at least thirty-five per cent (35%) of the ground floor area.

INTERMEIDATE LEVEL

"Intermediate Level" shall mean a storey, the floor of which is at an intermediate level between the floor and ceiling of the basement of any other storey or between the floor and ceiling of the basement.

ONE STOREY HOUSE

TWO STOREY HOUSE

"Two Storey House" shall mean a house with a ground storey and a second storey only, and no intermediate level or half storey.

FRONT OF HOUSE

"Front of House" shall mean any side of the house facing the street.

WIDTH

"Width" when used with reference to a building shall mean the greatest dimension of the building paralleled to the street line, and the singular includes the plural, as the nature of the annexed document may require.

DURATION

These restrictions shall run with the land and be in force for a period of TWENTY-FIVE (25) years from August 29th, 2013.

BUILDING RESTRICTIONS

No building shall be erected on the land other than one (1) detached private dwelling house for R-1 lot and two (2) private dwellings for R-2 lots, and each such dwellings to be suitable for the use of and to be used by a single family only, and suitable only for the use of the occupants of such dwelling house and erected in accordance with the following specifications.

MINIMUM AREAS

The finished floor area of any house on Lots 8 to 28, inclusive shall not be less than ONE THOUSAND, SEVEN HUNDRED AND FIFTY (1750) square feet on a one (1) storey house and shall not be less than TWO THOUSAND, FIVE HUNDRED (2500) square feet on a two (2) storey house and a minimum of EIGHT HUNDRED (800) square feet on the main floor of a two (2) storey house and does not include basement levels or garage and in the case of split levels only the upper two (2) levels shall be considered in this allowance.

The finished floor area of any house other than the above noted lots in this subdivision shall not be less than ELEVEN HUNDRED (1100) square feet on a one (1) storey house and FOURTEEN HUNDRED (1400) square feet on a two (2) storey house and a minimum of EIGHT HUNDRED (800) square feet on the main floor of a two (2) storey house and does not include basement levels or garage and in the case of split levels only the upper two (2) levels shall be considered in this allowance.

EXTERNAL WALLS

In the case of a one-storey, one and one-half storey and two-storey house, the external walls of the first storey shall be of stone or brick veneer on the front elevations and stone, stucco, brick veneer or aluminum/vinyl siding on the side and rear elevations. In addition, that portion of the external walls above the ceiling level of the first storey may be stone, stucco, brick veneer or aluminum/vinyl siding or its equal on frame, SAVE AND EXCEPT LOTS 8 TO 28, INCLUSIVE, in which case, the external walls of all storeys on the front elevation shall be stone, stucco or brick veneer. No imitation of natural products shall be used on the exterior walls, except with the prior consent in writing of the Vendor. The external walls of the ground storey of the house and the garage shall form part of the general design and construction of the house. Exceptions may be granted with prior consent in writing from the Vendor.

ZONING

All structures erected on the said lots shall comply in every way with the City of Woodstock Zoning By-laws including By-law 5899-81 as amended from time to time.

HEIGHT OF FENCE, SIGNS, ETC.

No structure other than a house and garage as herein specified shall be erected on the land other than fences, hedges or walls, the height of which shall not exceed six (6) feet for any fence, hedge or walls emplaced in the side or rear yards and any fence, hedge or wall emplaced between the dwelling set back line and the street line shall not exceed two feet six inches (2'6") in height.

No signs, billboards, notices or advertising matter of any kind shall be placed upon the land or anything growing thereon, or upon or in any buildings, fences or other things erected or placed thereon, except with the prior consent in writing of the Vendor, other than one (1) sign advertising the property for sale or rent not larger than three feet by two feet (3' x 2'). Any sign erected by a medical or dental practitioner shall not exceed two (2) square feet in area showing the practitioners name, calling and visiting hours.

ANTENNAS

No antenna of any type, satellite dish, other than a satellite TV Dish not more than 36" in diameter radio telecommunications transmissions equipment shall be erected upon the land, or anything growing, erected or placed thereon.

EXCAVATIONS REMOVAL AND DISPOSITION OF SOIL, ETC.

No excavation shall be made on the land other than an excavation made for the purpose of erecting thereon a permitted building or buildings and one (1) only swimming pool, immediately followed by the orderly and continuous erection of such building or buildings or swimming pool completion thereof, including the completion of lawns, walks and driveway and no soil or gravel shall be removed from the said land.

BUILDING TO BE COMPLETED BEFORE OCCUPATION

No building erected or in course of erection on the land nor any part thereof, shall be occupied or used as a dwelling house until the whole building is finished substantially and occupancy is permitted in accordance with the approved Subdivision Agreement.

DRIVEWAY

The Purchaser shall within one (1) year next following the commencement of constructions provide a paved (asphalt, concrete, paving stone) driveway to the traveled portion of the road.

SODDING

The Purchaser agrees to sod the boulevard in front of the dwelling erected on the subject lot and shall do so at the same time it sods the front, side and rear yards of the dwelling erected on the subject lot and said sodding shall take place within one (1) year next following the commencement of construction.

WASTE MATERIAL

No building, waste or other materials of any kind shall be dumped or stored on the land, except clean earth for the purpose of leveling in connection with the erection of a building thereon and the road.

TRAILERS

No camping trailer, house trailer, mobile home, boat trailer, tractor trailer or such other things shall be stored on the said property except in an enclosed garage provided that this prohibition does not extend to the overnight parking of such vehicles by overnight or short term visitors of the owner of the subject lands.

GARBAGE

No garbage shall be left uncontained or maintained in visible containers upon subject lands except on designated garbage collection days.

COMMENCEMENT OF CONSTRUCTION

The Purchaser shall commence construction within one (1) year of closing hereof.

ARCHITECT DESIGNED

The house and garage and additions or alterations thereto shall be designed by a registered architect of good standing. Exceptions may be granted with prior consent in writing from Vendor.

VENDORS APPROVAL OF PLANS

Before commencing construction of the house and garage and therefore any additions or alterations, the plans and location of the house and garage to be erected must be approved in writing by the Vendor.

VARIATION OF RESTRICTIONS

The vendor may, by agreement with the purchaser, amend, vary or cancel and remove any restrictions herein contained and substitute any other restrictions in the respect of the land.

GARAGE

A minimum single car garage shall be attached to the house.

IN THE EVENT that any one or more of the a foregoing restrictions shall be adjudged void or voidable then only that or those restrictions so adjudged shall be affected, with all other restrictions maintaining in full force and effect.

Plate 5: Building Division Photos
MV 23-23 - Hallman - 2124 Juno Crescent, Woodstock



To Whom it May Concern,

The reason for the appeal is as follows. On May 28th we had our travel trailer parked on the road, there was a complaint about it being on the road. Dillon Newton, bylaw officer, for the city of Woodstock came out, I had a discussion with him and explained, that we would be putting a pad on the exterior side yard that we would be parking our trailer on. I showed him the location and he approved it. At no point did he state that we were going to need a minor variance to place it there due to size of the trailer or the location. The trailer is 29ft long which falls outside of the size restriction outline in bylaw 5.2.6.2.2 which is a maximum of 7.5m (24ft).

Due to delays, we moved the trailer on June 28th to the location outline in the corner lot visibility picture. Please see attached. From there it sat there from June 28th to Aug 30th with no complaints. On Aug 27 I emailed Dillon and explained that it will be parked on the road for a couple of days while we had a contractor dig a gravel pad for the trailer.

On Aug 30th, I received an email that we needed to apply for a minor variance to place the trailer there along with the pad. The pad, from the city's perspective is classified as a driveway, even though it does not cross the sidewalk and over the boulevard. On November 24th, after some delays I applied for the minor variances outlined in the appeal.

A letter was written by 4 households to the City Planning Commission outlining the refusal of the variance requests. One of those households has a personal relationship with members of the Planning Commission which influenced the decision to deny the appeal. Prior to the meeting on January 18th, I asked all the members of the neighbourhood to sign a petition that allowed both the trailer and the pad. All 17 households that I visited approved the trailer. I have attached the petition with all household numbers, names and phone numbers.

One additional argument from the 4 neighbours is that we violate the Restrictive Covenant for subdivision, that does not allow trailers at all. As you can see in Figure 2, there is a trailer parked in the driveway directly across from our property. Also another Restrictive Covenant is that you cannot have a fence over 6 ft tall. As you can see in Figure 3, there is a fence that is 7ft tall. The purpose of a minor variance is to allow exceptions. In the 2 figures, neither household has applied for a minor variance.

In May of 2020, city council approved the parking of a longer trailer on a front and exterior side yard for 72 hours a month between the months of May and October. My thoughts are if a trailer is allowed to be parked for that length of time, if it is not creating a safety risk, why would it not be allowed to be parked permanently. As you can see in the corner lot picture attached, the trailer does not impede view, in fact it is tucked behind the corner of the house.

City of Stratford, which is 30 min north of Woodstock close to the same population, allows all trailers on the property as long as they do not pose a safety risk. Please see the attach Stratford Bylaw.

The final point and the main reason that I am applying for the appeal is that unfortunately, the City of Woodstock has a very large issue with crime, and that especially applies to storage facilities that has outdoor storage for travel trailers. I had attached reviews from local storage facilities that show customers trailers have been broken into and damaged while stored there. At my home, I have cameras, and I can monitor and check the trailer.

Please let me know if you have any further questions,

Drew Hallman

124 Juno Cres

Storage Negative Reviews

Rating ▾ Hours ▾

Access Storage - Woodstock North (Self-Serve)
 4.8 ★★★★★ (81) Self-storage facility
 215 Bysham Park Dr (226) 271 1112
 Open Closes 6 p.m
 Access Open Closes 11 p.m

Public Storage
 4.7 ★★★★★ (376) Self-storage facility
 1310 Dundas St (506) 300-1174
 Open Closes 5 p.m.
 🗣️ Just needed a place to park my trailer this time "

APPLICABLE YOUR RECORDS AS WE STRIVE TO PROVIDE THE BEST EXPERIENCE possible at our facilities. At the time of rental all tenants are explained the lease. When a [More](#)

edwin ross
 1 review
 ★ 5 months ago

I rented a space in their yard for my travel trailer had the mount and spare tire stolen while it was there They told me they aren't liable and wouldn't help otherwise They have had multiple break ins and all they do is patch up the fence Their yard workers like to lean their tools up against your trailers They throw their hands up and go "oh well" \$100 a month you would expect better Their office worker actually told me I should be blunt and warn people to stay away

Like

Access Storage - Woodst...
 4.8 ★★★★★ (81) Self-storag
 215 Bysham Park Dr
 Open Closes 6 p m (226) 271
 Access Open Closes 11 p m

Public Storage
 4.7 ★★★★★ (376) Self-stora
 1310 Dundas St
 Open Closes 5 p m (506) 300
 🗣️ "This is the place I would go for any storage solution "

Access Storage - Woodst...
 4.7 ★★★★★ (101) Self-stora
 1038 Parkinson Rd
 Open Closes 6 p m (226) 271
 Access Open 24 hours

WOODSTOCK STOR IT INC
 4.5 ★★★★★ (57) Self-storag
 1101 Dundas St
 Closed Opens 9 a m Mon (51
 🗣️ " never any issues with

Public Storage
 4.7 ★★★★★ (376) Self-stora
 1310 Dundas St
 Open Closes 5 p m (506) 300
 🗣️ "This is the place I would go for any storage solution "

Access Storage - Woodst...
 4.7 ★★★★★ (101) Self-stora

JR
 11 reviews 18 photos
 ★ 2 years ago

For years we stored our RV outdoor at this location until recently Staff and management are friendly enough But like so many others we presumed it was safe & secure to keep our weekend toys here However that all changed one late nite in November 2020 when thieves climbed over a fence that was not covered by a video camera In fact despite the very large size lot we learned after the fact it only had 4 cameras that only 'protected' a small percentage of the outdoor lots and they were rendered almost useless under the inadequate lighting No outdoor motion detectors or outdoor alarms The thieves had all the time they wanted while proceeding to break into or vandalize (or both!) 14 recreational vehicles No one came to stop them because their systems never told anyone an issue was in progress The damage was heartbreaking well beyond the physical damage to all the trailers Management advised they were gathering quotes to update their security systems Too late for the 14 or so families affected Woodstock Police have no leads The sign out front says 'secure' but take that with a grain of salt A 5-star review only lasts until a break-in occurs to your unit. They are friendly people though And it is conveniently located if you live in town

Update Facts are facts as of my original posting date If Dundas Stor it would have had efficient current technology at the time of the break-ins it may never have occurred in the first place But the fact is 14 (or so) families had their RV's badly damaged or broken into on this storage facilities premises and Stor It was apparently unaware until long after the sun rose the next morning to shine light on the situation A lot of money in insurance deductibles paid out

the next morning to shine light on the situation A lot of money in insurance deductibles paid out

All the facts in my review came from Management the investing Officer with Woodstock Police Service and my own observations on-site and after speaking with other RV owners who s units were broken into If Dundas Stor It has since updated their surveillance systems terrific Clearly it was badly needed and long overdue -AND too late for those families who had their RV's very badly vandalized and out of pocket \$ When I asked about compensation or splitting the cost of the insurance deductible I was told rather abruptly "Read your contract They accepted zero responsibility

2

Access Open Closes 11 p m

Public Storage

4.7 ★★★★★ (376) Self-storage
1310 Dundas St

Open Closes 5 p m (506) 300

👤 "This is the place I would go for any storage solution"



WEBSITE



DIRECTIONS



Nora Murphy

Local Guide 32 reviews 26 photos

★ a year ago

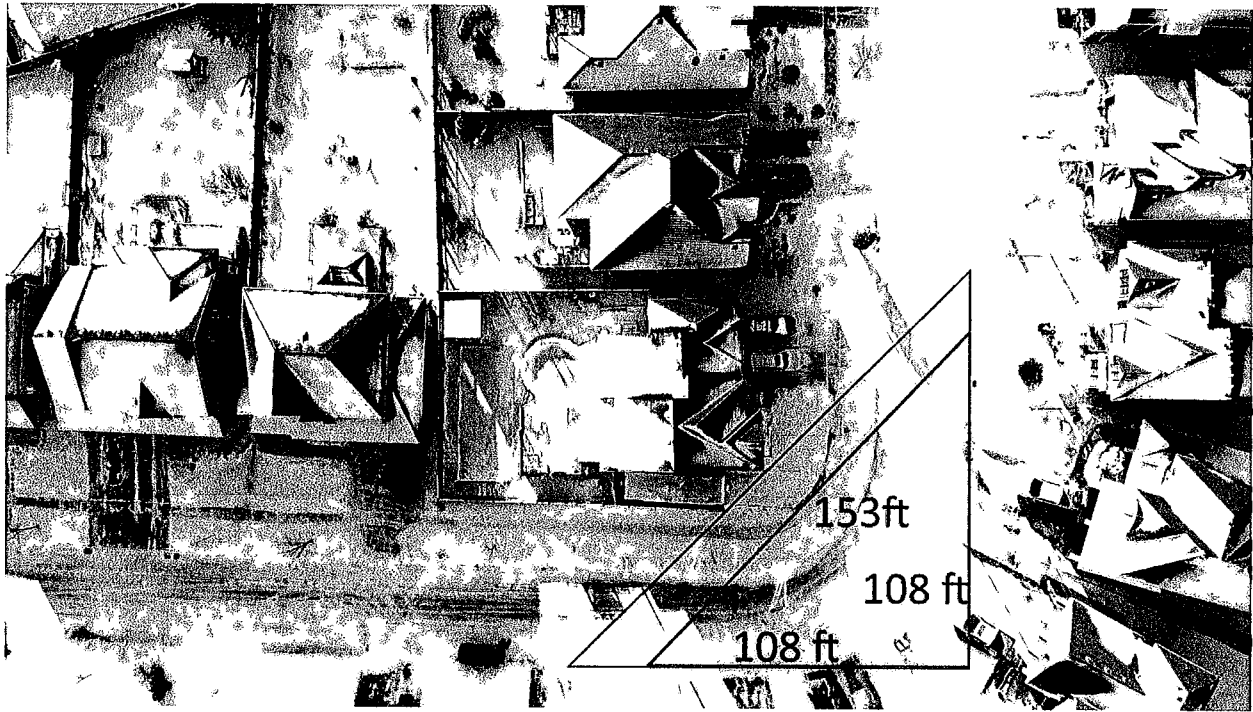
Not happy my trailer got broken into

👍 Like







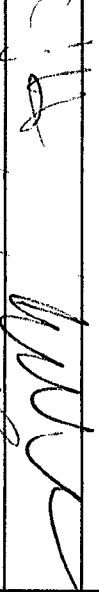
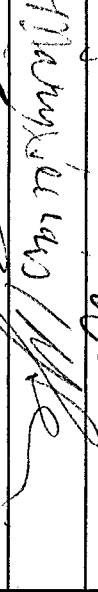




Greg Waters

Corner Lot Visibility:



Juno Cres Trailer Approval

Juno #	Name	Signature	Phone Number
101	William Stewart		226-226-8338
104			
105			
108	Darcy Lakait		519-603-721
117 109	JASON Lecky		226 501 8341 -text only
112			
113	Mr J Stewart		519-808-1721
116	Richard		416-574-1110
109 117	Ashley, speaker		519 720-0607
120	Jessica Murray / Mike Jordan		519 241 8053
121	Mary/Maria Sewers		519 421 2039
124	Donna Hillman		726-252-4035
125	CHENG SONG		519-500-0848
129			

133			
137	John ...	...	519-585-3802
141			
144	Asprelli Bill	...	617-767-3399
145	Clayton Robinson	...	519-535-4950
148			
152	KURT Schreite,	...	517-608-2140
153			
156	Henry Greider	...	579-536-0961
157			
161	...	...	...
165			
169			
173	Mike ...	...	519-533-3973
177	...	...	2369189 4143
181			
185			

**BY-LAW NUMBER 141-2002
OF THE CORPORATION OF
THE CITY OF STRATFORD**

Being a by-law of The Corporation of the City of Stratford pursuant to the *Building Code Act, S.O. 1992, c.23*, as may be amended from time to time, for prescribing standards for the maintenance and occupancy of property within the City of Stratford and for prohibiting the occupancy of use of such property that does not conform with the standards and for requiring property that does not conform with the standards to be repaired and maintained to conform with the standards or for the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition and to repeal By-law 92-75 and Amending By-law 96-77, By-law 4953, and By-law 65-73.

WHEREAS there is in effect in the City of Stratford an Official Plan that includes provisions relating to property conditions.

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF STRATFORD ENACTS AS FOLLOWS:

1.0 DEFINITIONS:

For the purpose of this By-law,

- 1.1 **Accessory Building** shall mean a detached subordinate building or structure on the same lot as the main building and is not intended for human habitation.
- 1.2 **Approved** means acceptance by the Officer.
- 1.3 **Balustrade** means a row of balusters or spindles surmounted by a railing.
- 1.4 **Basement** means a storey or storeys of a building located below the first storey.
- 1.5 **Bathroom** shall mean a room that contains a shower or bathtub, water closet, and wash basin.
- 1.6 **Boarding & Rooming House** means a single detached dwelling occupied by the owner thereof as his principal residence and contains two or more guest rooms rented or intended to be rented for a weekly or longer period, and includes a rooming house.
- 1.7 **Borders or Roomers** means persons who rent living accommodation, without separate cooking facilities, for a term of not less than one week, within a dwelling unit.
- 1.8 **Brush** means limbs or branches from trees or shrubs.
- 1.9 **Building Code** means O. Reg. 403/97, as amended, made pursuant to the *Building Code Act*.
- 1.10 **Building Code Act** means the *Building Code Act, 1992, S.O. 1992 c. 23*, as amended.

- 1.11 **Chief Building Official** means the Chief Building Official appointed by City Council under Section 3 of the Building Code Act.
- 1.12 **City** means The Corporation of the City of Stratford.
- 1.13 **Committee** means the Property Standards Committee established under this by-law.
- 1.14 **Compost** means a layered structure of kitchen and/or garden refuse, soil, or decayed plants used as a fertilizer, and may only include the materials listed in 2.4 (c).
- 1.15 **Crawl Space** means an enclosed space between the underside of a floor assembly and the ground cover directly below, with a clearance less than 1 800 mm (5ft 11 in) in height.
- 1.16 **Dwelling** means a building or structure or part of a building or structure occupied or capable of being occupied in whole or in part for the purpose of human habitation and includes the land and premises appurtenant thereto and all accessory buildings thereon or therein.
- 1.17 **Dwelling Unit** means a suite operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.
- 1.18 **Fire Department** means the City of Stratford Fire Department.
- 1.19 **Fire Separation** means a construction assembly that acts as a barrier against the spread of fire, as defined in the Building Code.
- 1.20 **First Storey** means the storey with its floor closest to grade and having its ceiling more than 1.8m (5 ft 11 in) above grade.
- 1.21 **Garbage** means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food or drink.
- 1.22 **Good Repair** means that a building, structure or appurtenances thereto, including mechanical & electrical equipment, shall be maintained so as to be:
- ◆ free from injury or health hazard,
 - ◆ free from accident or fire hazard,
 - ◆ structurally sound,
 - ◆ in good working order,
 - ◆ not unsightly by reason of deterioration, neglect, damage or defacement,
 - ◆ able to perform its intended function, and;
 - ◆ protected from freezing
- 1.23 **Guard** means a protective barrier around openings in floors or at the open sides of stairs, landings, balconies, retaining walls, mezzanines, galleries, raised walkways or other locations to prevent accidental falls from one level to another and such barrier may or may not have openings through it and may or may not include a handrail.
- 1.24 **Habitable Room** means a room which can be used at all times throughout the year and is designed for living, sleeping or dining, and, when used in reference to a dwelling, includes any room other than a non-habitable room as defined in this by-law.

- 1.25 **Landscape Area** means a deliberately implemented garden which may include perennials, annual flowers, shrubs, grasses, and structures such as rock, retaining walls etc.
- 1.26 **Means of Egress** means a continuous, unobstructed path of travel provided by a doorway, hallway, corridor, exterior passage way, balcony, lobby, stair, ramp, or other exit facility used for the escape of persons from any point within a building, a floor area, a room, or a contained open space to a public thoroughfare or an approved area of refuge usually located outside the building.
- 1.27 **Medical Officer of Health** means the Medical Officer of Health for the City of Stratford.
- 1.28 **Natural Area** means any growth which forms part of a natural garden that has been deliberately implemented, or exists naturally to produce ground cover, including one or more species of wildflowers, shrubs, perennials, grasses or combinations of them, whether native or non-native, consistent with a managed or natural landscape other than a turf grass area or landscaped area.
- 1.29 **Non-Habitable Room** when used in reference to a dwelling, means any room or other area in a dwelling, other than a habitable room, and includes, without limiting the generality of the foregoing, a laundry room, a pantry, a bathroom, a lobby or vestibule, a communicating corridor, a stairway, a closet, a basement recreation room, an unfinished attic or basement, a sunroom, verandah, porch or balcony, a garage, or any space used for the service and maintenance of such dwelling or for vertical travel between storeys.
- 1.30 **Non-Residential Property** means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or structures thereon or therein.
- 1.31 **Occupant** means any person or persons over the age of eighteen years in possession of the property.
- 1.32 **Officer** means an inspector appointed by City Council under the authority of the *Building Code Act*.
- 1.33 **Owner** includes:
- a) The person for the time being managing or receiving the rent of the land or premises in connection with which the word is used, whether or the person's own account or as agent or trustee of any other person or who would receive the rent if the land and premises were let; and
 - b) A lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property.
- 1.34 **Person** means an individual, firm, corporation, association or partnership.
- 1.35 **Plumbing Code** means any Provincial code and any by-laws of the Corporation of the City of Stratford relating to plumbing and drainage.
- 1.36 **Property** means a building or structure or part of a building or structure and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether theretofore or hereafter erected and includes vacant property.

- 1.37 **Repair** includes the provision of facilities, the making of additions or alterations or the taking of any other action that shall cause any system, appliance, equipment or material to perform its intended function and will ensure that a property conforms with the standards established in this by-law. And includes taking any action which the officer, at the direction of the chief building official, considers necessary for the protection of the public.
- 1.38 **Rubbish** means any combustible or non-combustible discarded or waste materials and items, including appliances and furniture, except garbage or brush.
- 1.39 **Sewage** shall mean any liquid waste containing animal, vegetable, or mineral matter in suspension or solution, but does not include storm water.
- 1.40 **Sewage System** means a sewage system as defined in Part 1 of the Building Code.
- 1.41 **Standards** means the standards of physical conditions and occupancy set out in this by-law.
- 1.42 **Suite** means a single room or series of rooms of complementary use, operated under a single tenancy, and includes dwelling units, individual guest rooms in motels, hotels, boarding houses, rooming houses and dormitories as well as individual stores and individual or complementary rooms for business and personal services occupancies.
- 1.43 **Turf Grass Area** means a regularly maintained area to a maximum height of 20-cm (8 inches) consisting of desirable turf grass species such as blue grass, fescues, perennial ryes and all tall fescues, and may include other types of plant material.
- 1.44 **Vermin** means any small animal, bird or insect that is considered as a pest but shall not mean any domestic animal or pet.
- 1.45 **Weeds** means all noxious and local weeds designated under the provisions of the *Weed Control Act*.
- 1.46 **Yard** means the area of a property not occupied by buildings or structures.
- 1.47 **Zoning By-law** means the City of Stratford Zoning By-law 201-2000 as amended, and any successors thereto.

MAINTENANCE AND OCCUPANCY STANDARDS

2.0 YARDS

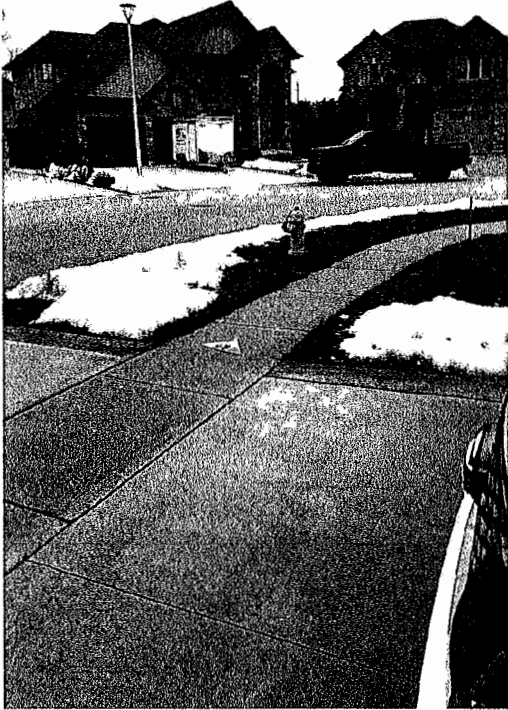
- (a) Yards shall be kept free from rubbish, garbage, brush or other debris as well as nests of bees, wasps, hornets, termites, rodents, or other vermin.
- (b) Yards shall be kept clear and free of dilapidated or collapsed structures that are a health, fire or accident hazard.
- (c) Yards shall not contain objects or conditions which could cause a health, fire or accident hazard.
- (d) No person shall alter existing grading so as to negatively impact adjacent properties by causing erosion, ponding or increased ponding of storm water.
- (e) Yards shall be kept free of dead, decaying or damaged trees.

- (f) The storm water run-off from all downspouts or impervious surfaces shall be contained within the limits of the property from which it originated and discharge to the abutting municipal storm drainage facility. When the natural grade of the land prohibits an immediate discharge from the premises to a storm drainage facility, the run-off shall be directed to its natural course in such a way as to avoid damage to adjacent properties.
- (g) No owner or occupant of property shall allow the growth of turf grass or weeds on his or her property to exceed twenty 20 centimeters (8 inches) in height.
- (h) Landscaped areas shall be maintained in good repair.
- (i) No wrecked, dismantled, inoperative, discarded, unused or unlicensed vehicles, trailers, machinery or objects or parts thereof shall be placed, stored or left on land, except:
 - (i) where the occupant of the premise is actively carrying on the repair of one vehicle for his own use and not for commercial purpose.
 - (ii) where such articles are required and used for business purposes permitted under the City's land use by-laws and where such articles are placed, stored or left in a manner which avoids an unsafe or unsightly condition deleterious to the neighbouring environment or,
 - (iii) ~~where a recreational vehicle and/or its trailer, tent-trailer or a travel-trailer is being stored, it shall be in a manner so as to not create a health or safety problem.~~
- (j) Surface Conditions of yards shall be maintained so as to:
 - (i) prevent surface & subsurface water run-off from entering basements or cellars
 - (ii) not exhibit an unsightly appearance
 - (iii) be kept free of deep ruts and holes
 - (iv) provide safe passage under normal use and weather conditions, day or night and
not to create a nuisance to other property and;
 - (v) prevent erosion
- (k) Pools, spas, hot tubs, ponds or any similar structure and any appurtenance thereto shall be maintained in good repair.
- (l) Yards shall be maintained in good repair.

2.1 SEWAGE AND DRAINAGE

- (a) Every plumbing fixture in every building shall discharge water, liquids or sewage into drainage piping which shall be connected to a municipal service or sewage system approved by the City.
- (b) Storm water from the roof or driveway or other surface shall not be drained to the sanitary sewage system.
- (c) Sewage or wastes of any kind shall not be discharged onto the surface of the ground whether into a natural or artificial surface drainage system.
- (d) Water run-off from roof surface shall be discharged by way of eavestroughs or roof gutters, and downpipes, unless it can be demonstrated to an Officer that installation of eavestroughs, roof gutters, and downpipes is not necessary due to

Trailer in Driveway: 133 Juno Cres



Fence Higher then 6 ft: 149 Juno Cres 153 Juno Cres

Actual Height 101 inch's



