

To: Mayor and Members of City of Woodstock Council

From: Justin Miller, Development Planner, Community Planning

Application for Consent and Minor Variance B24-09-8; A24-04-8 – Jankovic

REPORT HIGHLIGHTS

- The application for consent proposes to create a vacant residential lot and retain a lot containing a converted dwelling. The applicant proposes to construct a duplex on the severed lands.
- The application for minor variance proposes relief from Section 7.2, Table 7.2 – R2 Zone Provisions to reduce the minimum lot area of the lands to be severed from 540 m² (5,812 ft²) to 278 m² (2,992.4 ft²); to reduce the minimum lot frontage of the lands to be severed from 18 m (59 ft) to 11 m (36.1 ft); and to reduce the minimum lot depth of the lands to be severed from 28 m (91.9 ft) to 24.5 m (80.4 ft). The minor variance also proposes to reduce the minimum rear yard depth of the lands to be retained from 7.5 m (24.6 ft) to 5.5 m (18 ft); and to reduce the minimum required front yard depth of the lands to be retained from 6 m (19.7 ft) to 2 m (6.6 ft).
- Planning staff are recommending deferral of the applications to address comments from the Building Department and to allow the applicant time to consider a different dwelling type.

DISCUSSION

Background

APPLICANT/OWNER:

Zachary Blake Jankovic
505402 Old Stage Road, Woodstock ON N4S 7V8

AGENT:

Mark Burke
28 Wellington Street North, Woodstock ON N4S 6P3

LOCATION:

The subject lands are described as Lot 8 s/s of Queen Street, Block H, Plan 52, in the City of Woodstock. The lands are located on the southwest corner of Douglas Street and Queen Street, and are municipally known as 306 Queen Street.

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule “W-1”	City of Woodstock Land Use Plan	Residential
Schedule “W-3”	City of Woodstock Residential Density Plan	Low Density Residential

CITY OF WOODSTOCK ZONING BY-LAW 8626-10:

Existing Zoning: ‘Residential Zone 2 (R2)’

PROPOSAL:

	<u>SEVERED LOT</u>	<u>RETAINED LOT</u>
Area	278 m ² (2,992.4 ft ²)	661 m ² (7,114.9 ft ²)
Frontage	11 m (36.1 ft)	20.7 m (68.1 ft)
Depth	24.5 m (80.4 ft)	29 m (95.1 ft)

The purpose of the application for consent is to create one new lot for residential purposes and retain a lot containing a converted dwelling. A duplex dwelling is proposed to be constructed on the severed lands.

The applicant is proposing to obtain relief from Section 7.2, Table 7.2 – R2 Zone Provisions to reduce the minimum lot area of the lands to be severed from 540 m² (5,8125 ft²) to 278 m² (2,992.4 ft²); to reduce the minimum lot frontage of the lands to be severed from 18 m (59 ft) to 11 m (36.1 ft); and to reduce the minimum lot depth of the lands to be severed from 28 m (91.9 ft) to 24.5 m (80.4 ft).

The applicant also proposes to reduce the minimum rear yard depth of the lands to be retained from 7.5 m (24.6 ft) to 5.5 m (18 ft), and to reduce the minimum required front yard depth on the lands to be retained from 6 m (19.7 ft) to 2 m (6.6 ft).

Surrounding land uses are primarily low density residential with commercial uses in close proximity to the west along Mill Street.

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

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

Plate 3, Applicant’s Sketch, provides the dimensions of the lots to be severed and retained, as provided by the applicant.

Application Review

2020 Provincial Policy Statement (PPS)

Section 1.1.1 of the PPS states that healthy, liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and cost-effective development patterns and standards to minimize land consumption and servicing costs.

Section 1.1.3.1 directs that settlement areas shall be the focus of growth and development. Further, according to Section 1.1.3.2, land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land, resources, existing infrastructure and public service facilities. A range of uses and opportunities for intensification and redevelopment should also be promoted where it can be accommodated in settlement areas.

Further, Section 1.4.3 directs that planning authorities shall provide for an appropriate mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitating all forms of residential intensification and redevelopment and all forms of housing required to meet the social, health and well-being requirements of current and future residents, including special needs requirements;
- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- Promoting densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and support the use of active transportation and transit areas where it exists or is to be developed; and
- Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form while maintaining appropriate levels of public health and safety.

Official Plan

The subject property is located within the 'Low Density Residential' designation according to the City of Woodstock Residential Density Plan, as contained in the Official Plan. Low density residential areas include those lands that are primarily developed or planned for a variety of low rise, low density housing forms including single detached dwellings, semi-detached dwellings, duplex, converted dwellings, quadraplexes, townhouses and low-density cluster development. In these districts, 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 proposed severance is considered to be a form of infill housing. Infill housing is defined as the placement of new residential development (including the creation of a new lot), into established built-up areas on vacant or underutilized sites. In order to efficiently utilize the land supply designated for residential use and municipal servicing infrastructure, infill housing will be supported in Low Density Residential Areas.

More specifically, the proposed severance is considered to be a form of street oriented infill. The Official Plan states that the introduction of new residential housing into an established streetscape pattern will only be permitted if the proposal is deemed to be compatible with the characteristics of development on both sides of the same street. In order that the street oriented infill projects are sensitive to the continuity of the existing residential streetscape, the Land Division Committee and City Council will ensure that the proposal is consistent with the street frontage, setbacks, lot area and spacing of existing development within a two block area on the same street.

Further, the applicant has proposed minor variances to the City's Zoning By-law to reduce the lot area, lot frontage and lot depth of the lands to be severed; and to reduce the rear yard depth and front yard depth of the lands to be retained.

When considering an application for minor variance to the Zoning By-law, the Committee shall take into account the following:

- The objectives of the policies of the Official Plan can be met if the minor variance is granted;
- The request for variance constitutes a minor departure from the performance standards of the Zoning By-law;
- The general intent and purpose of the Zoning By-law; and
- Whether the variance is desirable for the appropriate development of the land.

In addition to the considerations outlined above, in determining whether the variance is desirable, the following shall be taken into account:

- 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 on 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.

City of Woodstock Zoning By-law

The subject lands are zoned 'Residential Zone 2 (R2)' according to the City's Zoning By-law. The 'R2' zone permits single detached dwellings, semi-detached dwellings, duplex dwellings, bed and breakfasts, and a home occupation in a permitted dwelling. The proposed severed and retained parcels appear to meet the relevant zoning provisions, with the exception of the requested variances, which have been detailed previously in this report.

The minimum lot area and lot depth provisions of the by-law are intended to ensure that lots have sufficient space to accommodate a reasonable building envelope, setbacks, amenity space, parking, and space for grading and drainage. The minimum lot frontage provisions of the By-law are intended to ensure lots are wide enough to accommodate an adequate building envelope that maintains sufficient setbacks and area for off-street parking. The minimum front yard depth provisions are intended to ensure that adequate space is provided to safely set the dwelling back from the right-of-way and to provide adequate off-street parking opportunities.

Agency Comments

The Oxford County Public Works Department has provided the following comments:

1. If approved, a condition of severance shall be that the owner agrees to satisfy all requirements, financial and otherwise, of the County, regarding the installation of water and sanitary sewer services, to the satisfaction of the County.
2. Both properties must be serviced (water/sanitary) independently, and any/all services crossing the proposed property line be disconnected to the satisfaction of the County of Oxford Public Works Department.
Water/sanitary servicing is available on Douglas Street and the applicant will be required to connect to the services for the new lot.

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

1. Municipal sanitary sewer and watermain are available on Douglas St.
2. If approved, a condition of severance shall be that the owner provide confirmation of the location of any existing overhead or underground services installed to the retained and severed lots. Services cannot traverse the adjoining lots and any conflicts must be re-directed or easements created. Any proposed easements shall be reviewed by the City of Woodstock.
3. If approved, a condition of severance shall be that the owner agrees to satisfy all requirements, financial and otherwise, of the City, regarding the installation of services and drainage facilities, to the satisfaction of the City.
4. If approved, a condition of severance shall be that the Owner enter into a severance agreement with the City of Woodstock for the severed lands. The severance agreement shall be registered on title by the owner as a first encumbrance.

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

1. The severed lot is proposing a duplex. The severity of relief requested is large.
2. The reduced lot size and area is more suited for a single detached dwelling with no ARU.
3. We are not supportive of the proposed lot depth of 24.5m for the severed lot.
4. We prefer to see a minimum 7.5m rear yard depth maintained on the retained lot.
5. The proposed relief dimensions and values have not been provided through a proper survey and are subject to the information provided by a future survey.

Canada Post has indicated that mail delivery for this development will be via the existing community mailbox. The community mailbox in question is on the municipal easement fronting the sidewalk at the property in question. This mailbox (or relocation thereof) will need to be incorporated into the design for this plan.

Public Consultation

Notice of the proposal was provided to the public and surrounding property owners on April 29, 2024 in accordance with the requirements of the Planning Act. At the time of writing this report, no comments or concerns have been received from the public.

Planning Analysis

The purpose of the subject application is to create a residential lot and retain a lot containing a converted dwelling. The applicant intends to construct a duplex with units that are separated horizontally on the severed lands.

Following the Building Department's comments, the culmination of the requested variances in addition to the proposed housing type (duplex), has resulted in an application that cannot be considered minor. Staff are recommending deferral of the application to see if there is an opportunity to amend the application, including housing type and lot geometry, to see if there is an alternative configuration that staff can support.

In light of the foregoing, Planning staff are recommending deferral of the application.

RECOMMENDATIONS

That Woodstock Council defer Application Files B24-09-8 and A24-04-08, submitted by Zachary Jankovic, for lands described as Lot 8 s/s of Queen Street, Block H, Plan 52, City of Woodstock, to allow the applicant to consider amending the proposal to address the Building Department's comments.

SIGNATURES

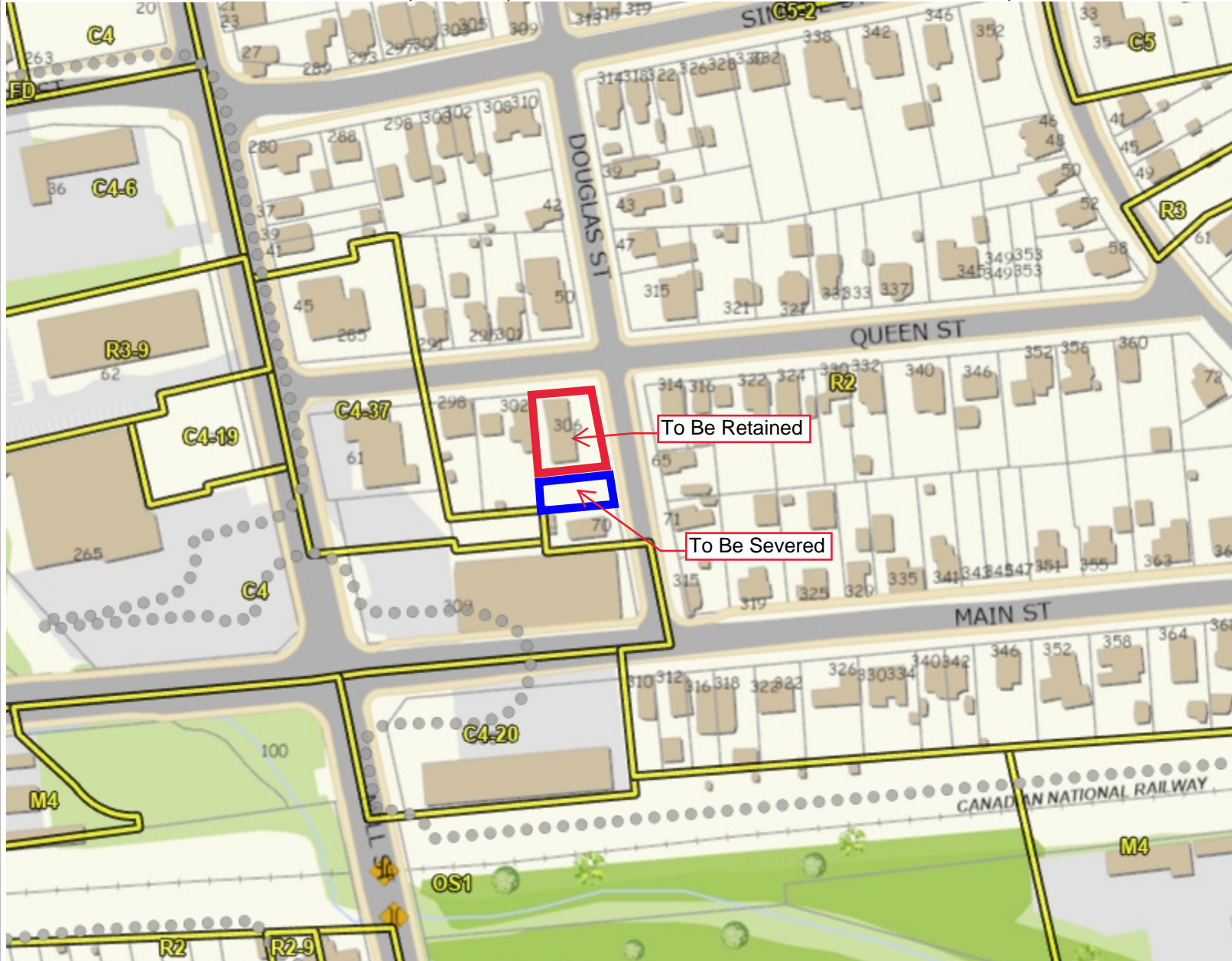
Authored by: *Original signed by* Justin Miller
Development Planner

Approved for submission: *Original signed by* Gordon K. Hough, RPP
Director

Plate 1: Location Map with Existing Zoning

File Nos: B24-09-8; A24-04-8 - Jankovic

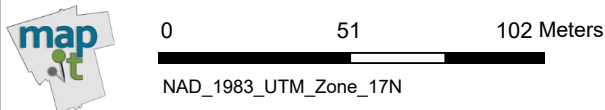
Plan 52, Block H, Lot 8 s/s of Queen Street - 306 Queen Street, Woodstock



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



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

February 16, 2024



Legend

Notes



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NAD_1983_UTM_Zone_17N



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February 16, 2024

306 Queen Street Woodstock

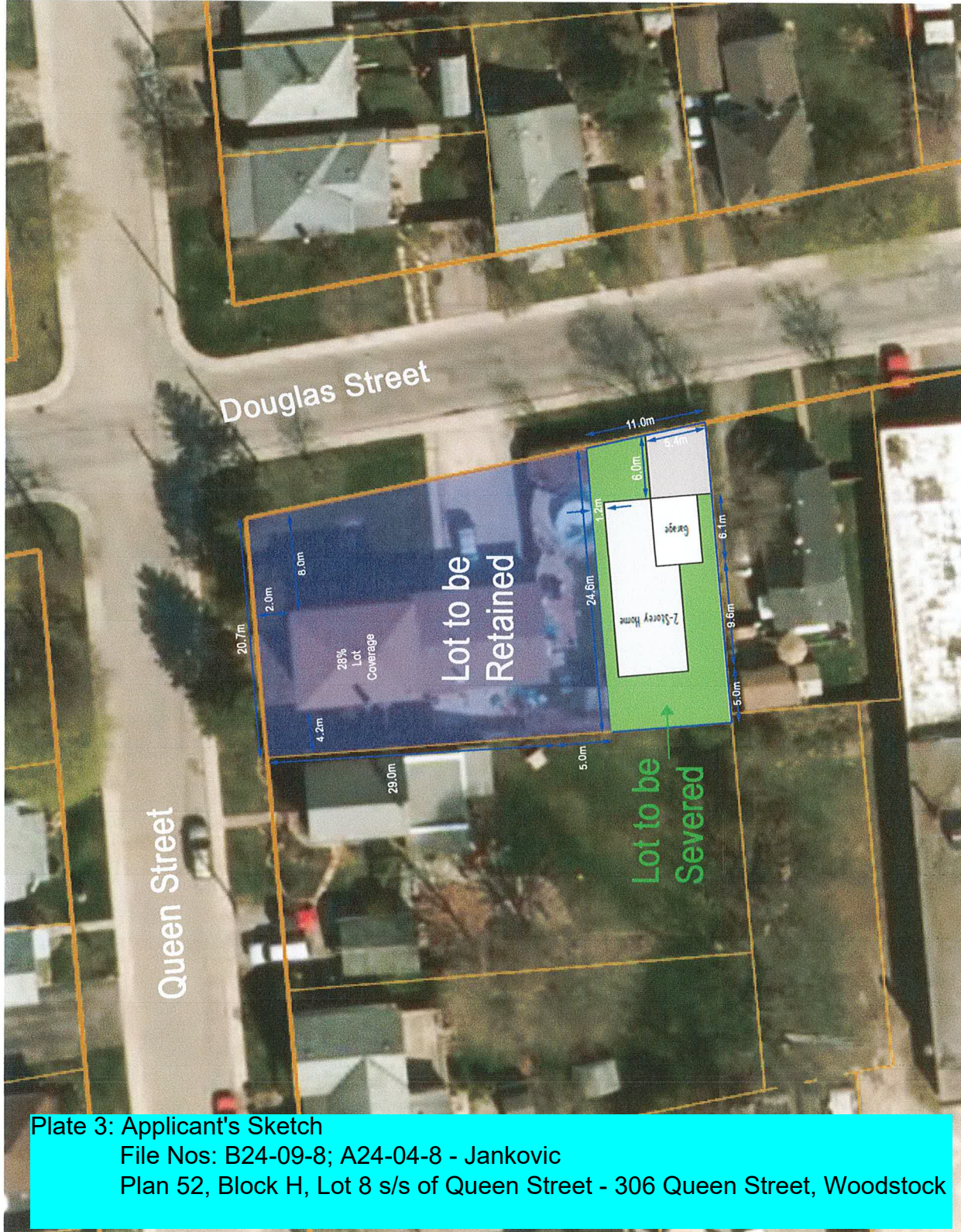


Plate 3: Applicant's Sketch
 File Nos: B24-09-8; A24-04-8 - Jankovic
 Plan 52, Block H, Lot 8 s/s of Queen Street - 306 Queen Street, Woodstock

Lot to be Retained	Existing side/side duplex	
	R2 Minimum	Maximum
Lot Area	Proposed 661	540m ²
Lot Coverage	28%	41%
Lot Frontage	20.77	18m
Lot Depth	29.00	28.0m
Front Yard Depth	2.0	6.0m
Rear Yard Depth	5.5	7.5m
Interior Side Yard Width	4.2	1.2m
Exterior Side Yard Width	8.0	4.5m
Setback	n/a	n/a
Landscaped Open Space	62%	0.3
Height	2-storey	11.0m
Dwelling unit area	68m ² & 103m ²	45m ²

Lot to be Severed	Create vacant lot	
	R2 Minimum	Maximum
Lot Area	Proposed 278	540m ²
Lot Coverage	32%	41%
Lot Frontage	11.00	18m
Lot Depth	24.50	28.0m
Front Yard Depth	6.0	6.0m
Rear Yard Depth	5.00	7.5m
Interior Side Yard Width	1.2	1.2m
Exterior Side Yard Width	n/a	4.5m
Setback	n/a	n/a
Landscaped Open Space	50%	30%
Height	2-storey	11.0m
Dwelling unit area	147m ² & 49m ²	45m ²

Notes



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October 8, 2023



25 Meters



NAD_1983_UTM_Zone_17N