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Community Planning

P. O. Box 1614, 21 Reeve Street Woodstock Ontario N4S 7Y3

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Web site: www.oxfordcounty.ca

Our File: **MV 27-23**

APPLICATION FOR MINOR VARIANCE

TO: City of Woodstock Committee of Adjustment

MEETING: September 16, 2024

REPORT NUMBER: CP 2024-301

OWNERS: David Redford & Justin Byers

102 Parkview Drive, Woodstock ON N4T 0B5

VARIANCES REQUESTED:

- Relief from Section 6.0, Table 6.2 Zone Provisions, Lot Frontage, to reduce the minimum required lot frontage on the lands to be severed from 12 m (39.4 ft) to 11.5 m (37.7 ft);
- 2. Relief from **Section 6.0, Table 6.2 Zone Provisions**, **Lot Frontage**, to reduce the minimum required lot frontage on the lands to be retained from 12 m (39.4 ft) to 11 m (36.1 ft);
- 3. Relief from **Section 6.0, Table 6.2 Zone Provisions**, **Lot Area**, to reduce the minimum required lot area for the lands to be severed from 370 m² (3,982.6 ft²) to 348 m² (3,745.8 ft²);
- 4. Relief from Section 6.0, Table 6.2 Zone Provisions, Lot Area, to reduce the minimum required lot area for the lands to be retained from 370 m² (3,982.6 ft²) to 343 m² (3,692 ft²); and
- 5. Relief from Section 5.2.2.5 Established Building Line that Exceeds Front Yard Depth, to reduce the minimum required front yard depth from 9 m (29.5 ft) to 7.3 m (23.9 ft) to permit the construction of single-detached dwellings.

LOCATION:

The subject property is described as Part Lot 2, Plan 48, in the City of Woodstock. The property is located on the west side of Powell Street, lying between Parkinson Road and Salter Avenue, and is municipally known as 414 Powell Street.

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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.

COMMENTS:

(a) Purpose of the Application:

The applicant is proposing relief from the above-noted provision of the City's Zoning By-law to facilitate the construction of 2 single detached dwellings on the subject property. The lands were the subject of consent & minor variance applications B23-25-8 & A23-04-8 which proposed to sever the lands and construct a new single detached dwelling on the lot to be severed and the lot to be retained. Minor variances were also sought to permit a reduced lot area of 351 m² and reduced lot frontage of 11.4 m for single detached dwellings. Following the completion of a survey, the variances previously requested were determined not to be accurate; this application reflects the values determined by the survey. Oxford County Land Division Committee approved the previous applications at their September 7, 2023 meeting.

The applicants had previously requested a reduction to rear yard depth to maintain a consistent established building line; however, City staff have identified a preference to maintain a minimum rear yard depth of 7.5 m rather than maintaining the established building line. The amended application includes a request to reduce the established building line from 9 m (29.5 ft) to 7.3 m (23.9 ft). It should be noted that the typical zone provision for this setback, absent an established building line, is 6 m (19.7 ft).

The subject property is approximately 708 m² (7,6208 ft²) in area with frontage of approximately 22.8 m (74.8 ft) and contains a single detached dwelling. When the severance application is finalized, the lots to be severed and retained will have areas of 348 m² (3,745.8 ft²) and 343 m² (3,692 ft²), respectively. The existing single detached dwelling is proposed to be removed, and two new single detached dwellings are proposed.

Plate 1, <u>Location Map with Existing Zoning</u>, shows the location of the subject lands and the current zoning in the immediate vicinity.

Plate 2, Aerial Map (2021), shows the location of the subject lands and surrounding properties.

Plate 3, <u>Applicants' Sketch</u>, illustrates the location of the proposed dwellings, as provided by the applicants.

(b) Agency Comments

The <u>City of Woodstock Engineering Department (Building Division)</u> provided the following comments in support of the application:

1. The two subject lots have been created through Consent File B-23-25-8;A23-04-8 and included relief for a reduced lot area of 351 m² and reduced lot frontage of 11.4 m for the retained and severed lot.

2. It would appear the real survey produced lot areas and lot frontage values that were less than indicated in the Consent application. The relief is noted above and the variations are minor. We have no concerns.

3. Relief is requested for a reduced front yard depth from 9 m to 7.3 m. The difference is approximately 5.5 feet. Based on the selected house designs, staff prefer the reduced front yard depth and the minimum rear yard depth of 7.5 m be maintained to provide sufficient sized back yards. For newer developed residential streets, the minimum front yard depth is 6.0 m.

(c) <u>Public Consultation</u>:

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Public notice was provided to neighbouring property owners in accordance with the provisions of the *Planning Act*. At the time of writing this report, no comments or concerns had been received from the public.

(d) <u>Intent and Purpose of the Official Plan</u>:

The subject lands are designated 'Low Density Residential' according to the City of Woodstock Land Use Plan, as contained in the Official Plan. Lands so designated are intended for the development of a range of residential development, including single detached dwellings.

Planning staff are satisfied that the proposed residential uses on the subject lands, consisting of single detached dwellings is in keeping with the policy direction of the 'Low Density Residential' designation in the Official Plan.

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

The subject property is zoned 'Residential Zone 1 (R1)' according to the City of Woodstock Zoning By-law. The 'R1' zone permits single detached dwellings in accordance with the provisions of the R1 Zone. As previously indicated, the applicants obtained relief from the minimum required lot area and minimum required lot frontage from the Oxford County Land Division Committee.

The minimum lot frontage requirement is intended to ensure that adequate space is provided for off-street parking, services and drainage. The applicants are seeking to reduce this distance from 12 m (39.4 ft) to 11.5 m (37.7 ft) and 11 m (36.1 ft) for the severed and retained lands, respectively.

The minimum lot area requirement is intended to ensure that adequate space is provided for a building envelope, for drainage area and for amenity space. The applications are seeking to reduce the minimum lot area from 370 m² (3,982.6 ft²) to 348 m² (3,745.8 ft²) and 343 m² (3,692 ft²) for the severed and retained lands, respectively.

The established building line provisions are intended to ensure that a consistent streetscape is provided in established neighbourhoods. The applicants are seeking to reduce the minimum setback from 9 m (29.5 ft) to 7.3 m (23.9 ft) to maintain a minimum rear yard depth of 7.5 m (24.6 ft) as per City staff's recommendation.

Planning staff are generally satisfied that approval of the applicant's requests will not negatively impact surrounding land uses or compromise amenity or drainage space. Further, the dwellings will continue to exceed the typical front yard depth, where there is not an established building line, of 6 m (19.7 ft). Further, the dwellings will continue to meet all relevant yard setbacks, thereby ensuring that access to the dwelling for ongoing maintenance purposes is provided.

(f) <u>Desirable Development/Use</u>:

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It is the opinion of this Office that the proposed reliefs from the frontage, lot area and established building line of the Zoning By-law can be considered minor and desirable for the development of the lands and the neighbourhood in general. The relief sought through the applicants' proposal can be considered to be minor variances from the provisions of the City's Zoning By-law, and staff are generally satisfied that the requested relief will facilitate the construction of two single detached dwellings that are desirable for the development of the lands. Further, staff are of the opinion that the proposed development will have minimal impact on surrounding land uses and will not compromise the ability of the lands to provide adequate drainage, off-street parking and amenity space.

It is the opinion of this Office that the requested relief maintains the general intent of the Official Plan and the Zoning By-law and can be given favorable consideration.

RECOMMENDATION:

That the City of Woodstock Committee of Adjustment <u>approve</u> Application File MV 27-23, submitted by David Redford & Justin Byers, for lands described as Part Lot 2, Plan 48, in the City of Woodstock and municipally known as 414 Powell Street, as it relates to:

- Relief from Section 6.0, Table 6.2 Zone Provisions, Lot Frontage, to reduce the minimum required lot frontage on the lands to be severed from 12 m (39.4 ft) to 11.5 m (37.7 ft);
- 2. Relief from **Section 6.0, Table 6.2 Zone Provisions**, **Lot Frontage**, to reduce the minimum required lot frontage on the lands to be retained from 12 m (39.4 ft) to 11 m (36.1 ft);
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- 5. Relief from Section 5.2.2.5 Established Building Line that Exceeds Front Yard Depth, to reduce the minimum required front yard depth from 9 m (29.5 ft) to 7.3 m (23.9 ft) to permit the construction of single-detached dwellings.

The requested variance meets the four tests of a minor variance as set out in Section 45(1) of the Planning Act as follows:

- 1. The proposed relief is considered to be minor variances from the provisions of the City's Zoning By-law in that the reduced rear yard depth will not impact neighbouring properties, is compatible with surrounding land uses, is minor and is desirable for the development of the lands.
- 2. The proposed relief maintains the general intent and purpose of the City's Zoning By-law, and no negative impacts are anticipated associated reduced rear yard depth.
- 3. The relief is desirable for the use of the land as the said relief will allow for development that is permitted by the Zoning By-law, the use is compatible with planned development and is complimentary to proposed development in the area.

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4. The relief maintains the intent and purpose of the Official Plan as the proposed relief will facilitate development that is contemplated within the Low Density Residential designation.

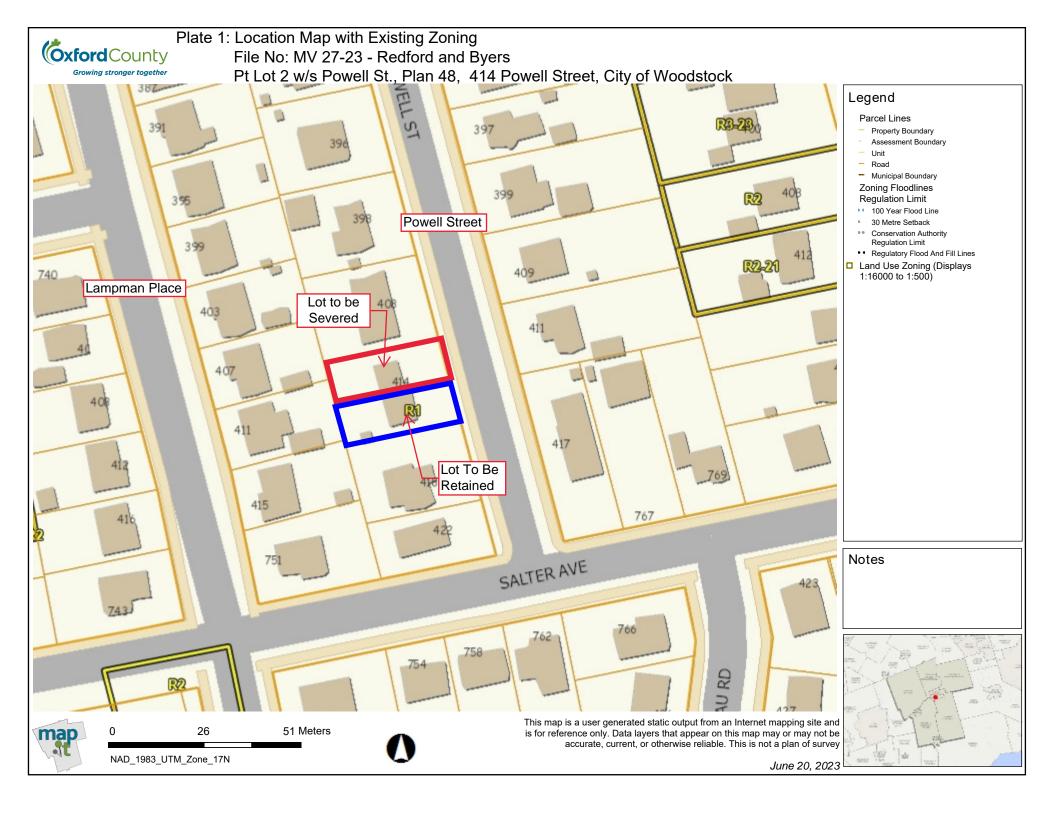
Authored by: Original signed by Justin Miller

File Number: MV 27-23

Development Planner

Approved for submission by: Original signed by Eric Gilbert, MCIP RPP

Manager of Development Planning



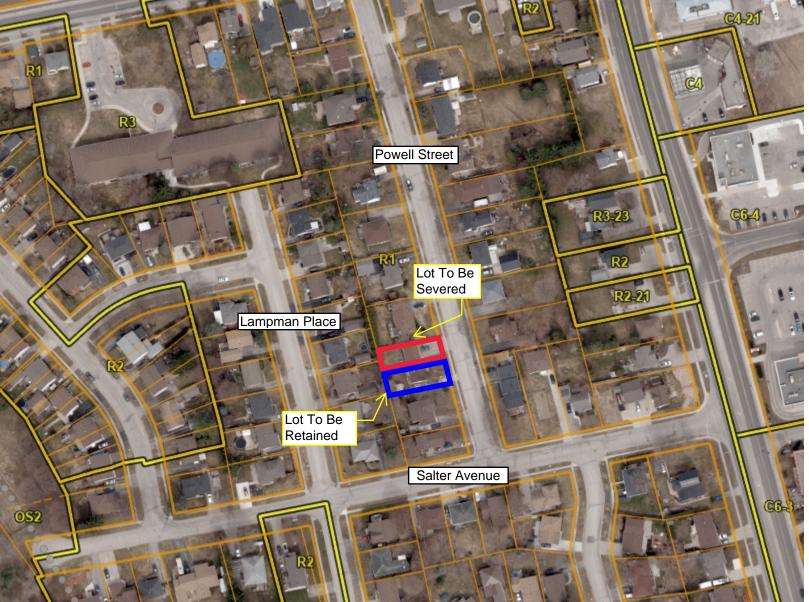
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Plate 2: Aerial Map (2021)

File No.:MV 27-23: Redford and Byers

Pt Lot 2 w/s Powell St., Plan 48- 414 Powell Street, City of Woodstock



Legend

Parcel Lines

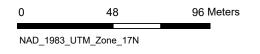
- Property Boundary
- Assessment Boundary
- Unit
- Road
- Municipal Boundary

Zoning Floodlines Regulation Limit

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

Notes





map



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

Plate 3: Applicants' Sketch

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Pt Lot 2 w/s Powell St., Plan 48- 414 Powell Street, City of Woodstock

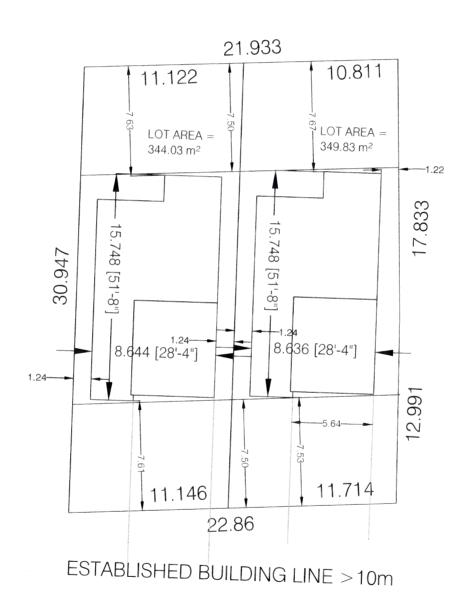
LOT No. 414 POWELL STREET SCALE: 1:200

PLAN No. 48

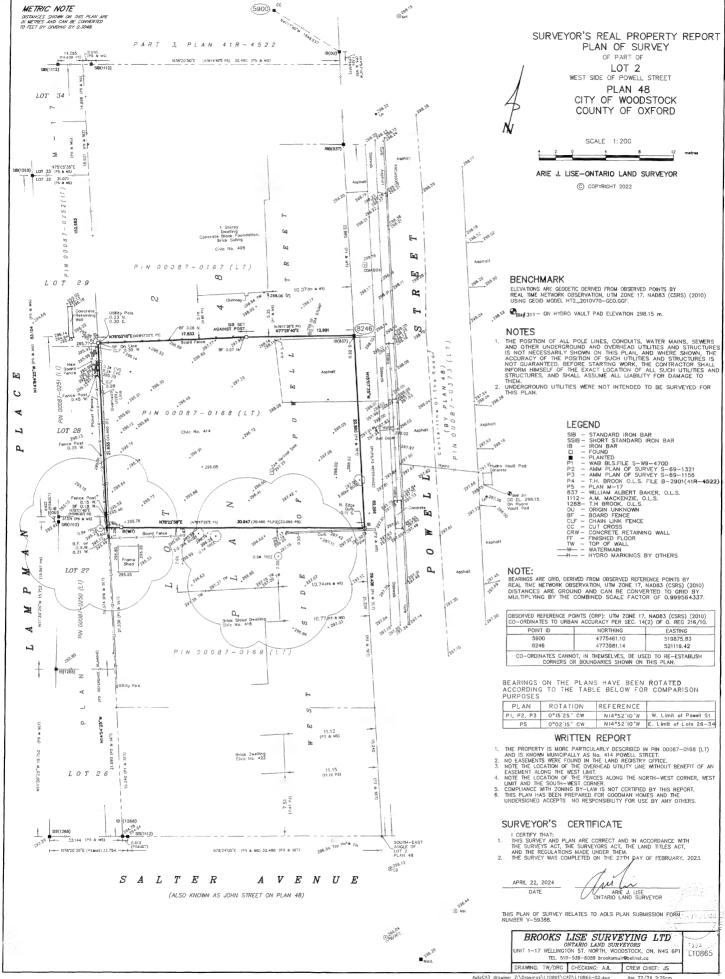
CLIENT: GOODMAN HOMES

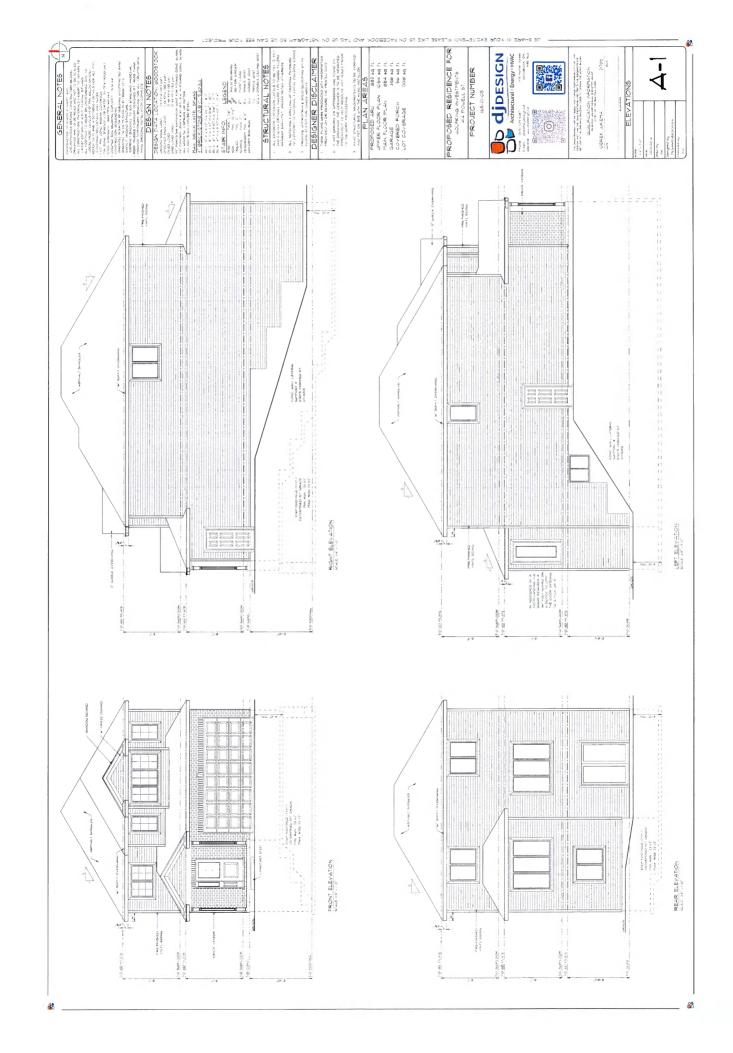
BENCH MARK

CC TOP OF HYDRO VAULT PAD OPPOSITE 414 POWELL ST. ELEV. = 298.15m

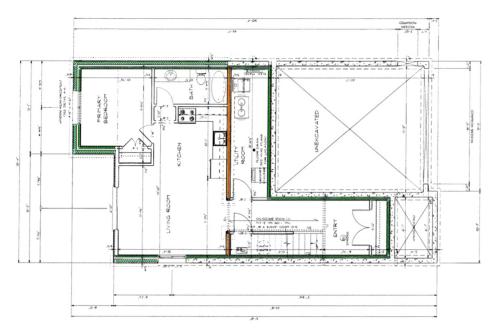




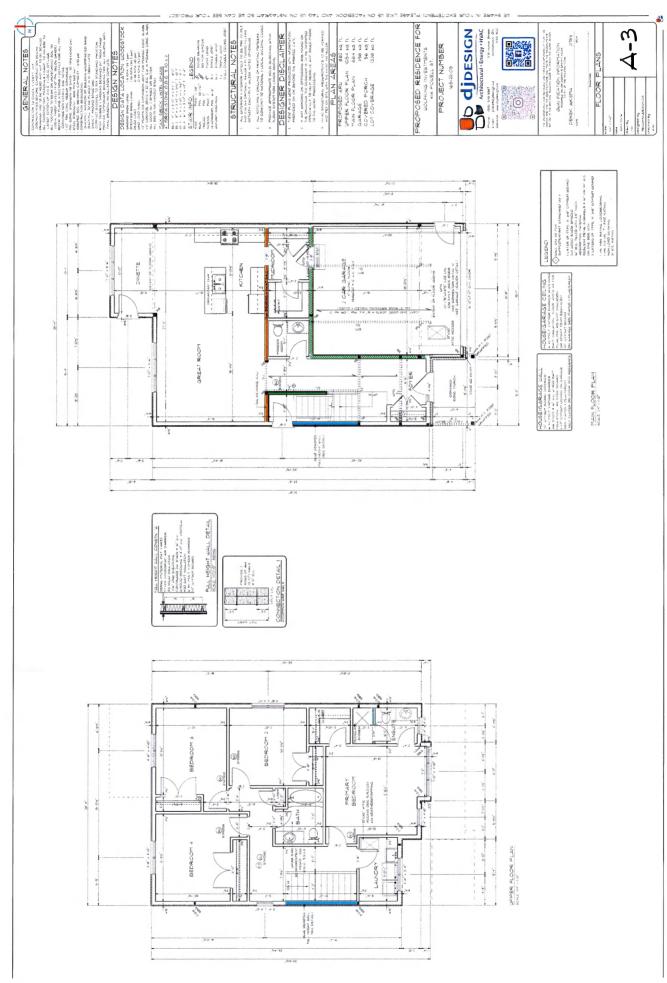


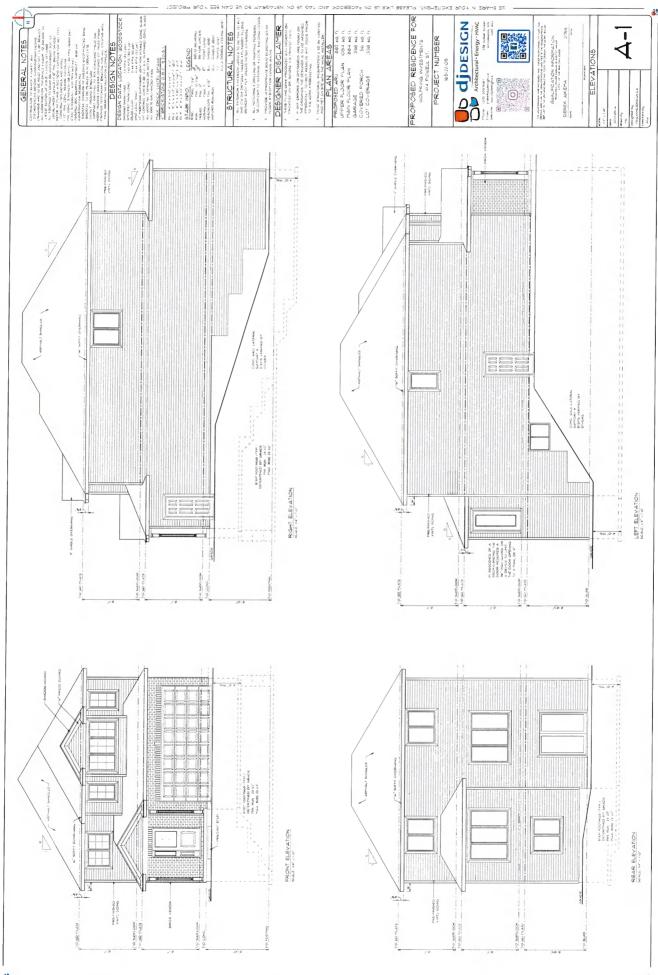


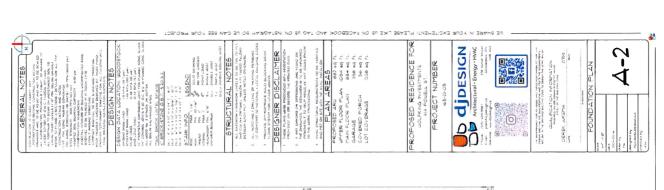


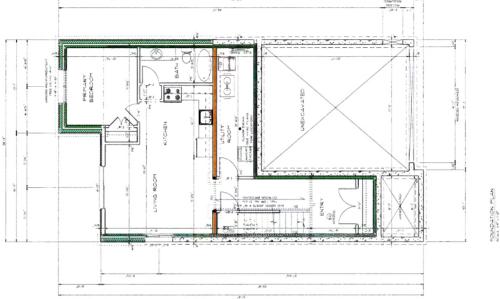


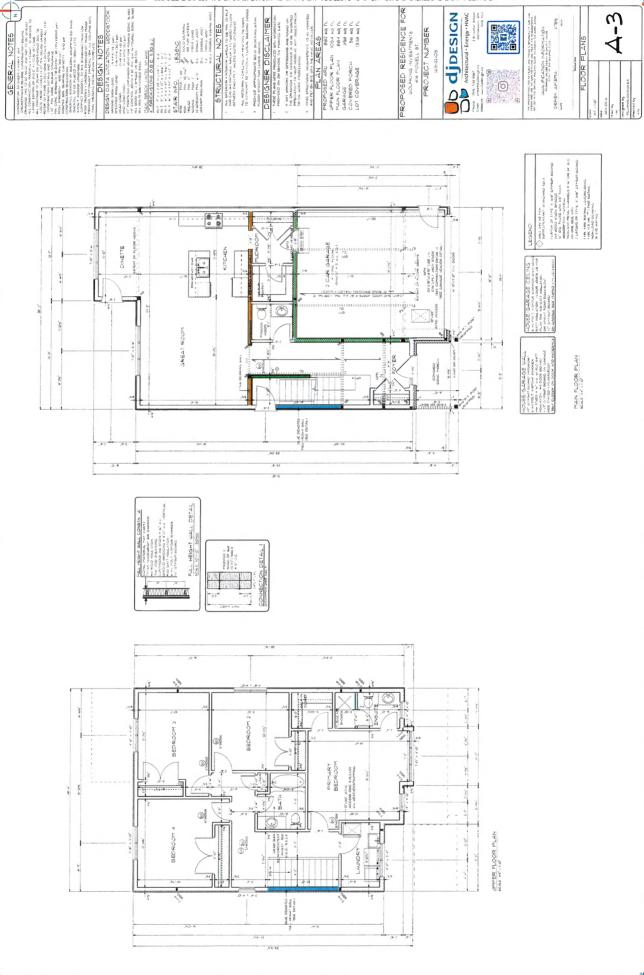
FOUNDATION PLAN











PLAN No. 48

CLIENT: GOODMAN HOMES

BENCH MARK

CC TOP OF HYDRO VAULT PAD OPPOSITE 414 POWELL ST. ELEV. = 298.15m

