

To: Mayor and Members of City of Woodstock Council

From: Justin Miller, Development Planner, Community Planning

Application for Consent and Minor Variance B24-50-8 and A24-15-8 – Wolfking Investments Inc.

REPORT HIGHLIGHTS

- The application for consent is proposing to sever vacant lands to permit the construction of a semi-detached dwelling on two separately conveyable lots.
- The application for minor variance proposes relief from Section 7.2, Table 7.2 – R2 Zone Provisions, to reduce the minimum required lot area for the lot to be retained from 290 m² (3,121.5 ft²) to 274 m² (2,949.3 ft²), and to reduce the minimum required lot area for the lot to be severed from 290 m² (3,121.5 ft²) to 276 m² (2,970.8 ft²).
- Through the commenting process, the City’s Building Department has identified the requirement for additional variances, including relief from Section 7.2, Table 7.2 – R2 Zone Provisions, to reduce the minimum required lot frontage for the lots to be severed and retained from 9 m (29.5 ft) to 8.9 m (29.2 ft) and relief from Section 5.2.2 to reduced the established building line (front yard depth) from 7.75 m (25.4 ft) to 7.7 m (25.2 ft).
- Planning staff are recommending approval of the applications as they are consistent with the Provincial Policy Statement and maintain the intent and purpose of the Official Plan.

DISCUSSION

Background

APPLICANT/OWNER: Wolfing Investments Inc.
751 Anzio road, Woodstock ON N4T 0B5

AGENT: Derek Truelove
35 Perry Street, Woodstock ON N4S 3C4

LOCATION:

The subject lands are described as Part Lot 22 w/s Norwich Avenue, Plan 189 as in 470905, in the City of Woodstock. The lands are located on the east side of Cronyn Street, between Dufferin Street and Cedar Street, and are municipally known as 31 Cronyn 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)'

SERVICES: municipal sanitary sewer and water

ROAD ACCESS: paved, municipal road (Cronyn Street)

PROPOSAL:

	<u>SEVERED LOT</u>	<u>RETAINED LOT</u>
Area	276 m ² (2,970.8 ft ²)	274 m ² (2,949.3 ft ²)
Frontage	9 m (29.5 ft)	9 m (29.5 ft)
Depth	31 m (101.7 ft)	31 m (101.7 ft)

The purpose of the application for consent is to sever a vacant lands to permit the construction of a semi-detached dwelling on two separately conveyable lots.

The application for minor variance proposes relief from Section 7.2, Table 7.2 – R2 Zone Provisions, to reduce the minimum required lot area for the lot to be retained from 290 m² (3,121.5 ft²) to 274 m² (2,949.3 ft²), and to reduce the minimum required lot area for the lot to be severed from 290 m² (3,121.5 ft²) to 276 m² (2,970.8 ft²).

Through the commenting process, the City's Building Department has identified the requirement for an additional variance: relief from Section 7.2, Table 7.2 – R2 Zone Provisions, to reduce the minimum required lot frontage for the lots to be severed and retained from 9 m (29.5 ft) to 8.9 m (29.2 ft). The Building Department has also identified that relief is potentially required from Section 5.2.2 to reduced the established building line (front yard depth) from 7.75 m (25.4 ft) to 7.7 m (25.2 ft); this relief will need to be confirmed via a survey, and, if required, must be approved by the City's Committee of Adjustment.

Surrounding land uses are a primarily single-detached dwellings with some commercial uses (south-west) and a townhouse block (north) in close proximity.

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.

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 applicant has also proposed minor variances to the City's Zoning By-law to reduce the minimum lot area of the retained and severed parcels as detailed previously in this report.

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, bed and breakfasts, a duplex, a home occupation in a permitted dwelling, a semi-detached dwelling and an additional residential unit subject to Section 5.2.8. The proposed severed and retained parcels appear to meet the relevant zoning provisions, with the exception of the minor variances, which have been detailed previously in this report.

The minimum lot area provisions of the By-law are intended to ensure lots have sufficient area to accommodate an adequate building envelope that maintains sufficient setbacks and provides space for amenities 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 established building line provisions are intended to provide a streetscape with consistent setbacks in established communities.

Agency Comments

The Oxford County Public Works Department provided the following comment:

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 & sanitary sewer services, to the satisfaction of the County.

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

1. The site is zoned R2 and permits the semi-detached dwelling.
2. As noted in the application, relief is required for the reduced lot areas. No concerns.
3. Relief is also required for a reduced lot frontage for each proposed lot from 9m to approximately 8.9m. Lot frontage means the horizontal distance between the side lot lines, such distance being measured perpendicularly to the line joining the middle of the front lot line with the middle of the rear lot line and measured at a point the minimum front yard depth requirement from the front lot line. The minimum front yard depth is 7.75m, calculated from the established building line provisions. The applicant should confirm through their surveyor.

If approved, please include the following conditions in the Notice of Decision for Consent.

- The Owner provides 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 an easement created. Any proposed easements shall be reviewed by the City of Woodstock.
- The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock regarding the installation of services and drainage facilities.
- The Owner shall submit a recent survey prepared by an OLS to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.

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

1. Municipal sanitary sewer and water is available on Cronyn St.
2. There is currently a semi-detached dwelling that is under construction on the subject property.
3. 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.
4. 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.
5. If approved, a condition shall be that the City advise the Secretary-Treasurer of the LDC that all requirements of the City have been complied with.

Public Consultation

Notice of the proposal was provided to the public and surrounding property owners on October 1, 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 applications is to sever a vacant lot to permit the construction of a semi-detached dwelling on two separately conveyable lots.

With respect to the PPS, the proposal is consistent with the intensification, redevelopment and housing policies as the application is considered an efficient use of land and municipal infrastructure within a serviced settlement area.

With respect to the relevant Official Plan policies for Low Density Residential areas, staff are of the opinion that the proposal is part of street-oriented infill and intensification that is supported by the Official Plan. This area of the city is characterized by a variety of lot sizes and the proposed severed and retained lots are compatible with other lots and development in the area in this regard.

In consideration of the requested minor variances to lot frontage, staff have reviewed the proposal in the context of the policies contained in the Official Plan and are of the opinion that the proposed variances are appropriate as they provide adequately sized lots and provide sufficient setbacks for neighbouring properties and space for off-street parking to the existing dwelling.

The existing lot fabric in the vicinity is characterized by varying lot frontages, depths and areas and the proposed lot to be severed and retained will not be out of place with the characteristics of the surrounding area. The resulting proposed lot fabric will continue to provide an adequate building envelope for the semi-detached dwelling. Staff are satisfied that the reduced lot areas and frontages are minor and desirable for the development of the lands and maintains the intent and purpose of the Zoning By-law with respect to the provision of adequately sized building envelopes and sufficient setbacks.

Planning staff are of the opinion that the proposed severance and the requested minor variances meet the tests for minor variances as outlined in Section 45(1) of the Planning Act and can be supported.

RECOMMENDATIONS

That Woodstock Council advise the Land Division Committee that the City supports Application File A24-15-8, submitted by Wolfking Investments Inc., for lands described as Part Lot 22 w/s Norwich Avenue, Plan 189 as in 470905, City of Woodstock, and municipally known as 31 Cronyn Street, as it relates to:

- 1. Section 7.2, Table 7.2 – R2 Zone Provisions to reduce the minimum lot area of the lands to be severed from 290 m² (3,121.5 ft²) to 276 m² (2,970.8 ft²);**
- 2. Section 7.2, Table 7.2 – R2 Zone Provisions to reduce the minimum lot area of the lands to be retained from 290 m² (3,121.5 ft²) to 274 m² (2,949.3 ft²);**
- 3. Section 7.2, Table 7.2 – R2 Zone provisions to reduce the minimum lot area for a duplex from 18 m (59 ft) to 13.7 m (44.9 ft);**
- 4. Section 7.2, Table 7.2 – R2 Zone provisions to reduce the minimum lot frontage for the lands to be severed and retained from 9 m (29.5 ft) to 8.9 m (29.2 ft); and**

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

- i) The relief is a minor variance from the provisions of the City’s Zoning By-law.**
- ii) The relief is desirable for the use of the land.**
- iii) The relief maintains the general intent and purpose of the City’s Zoning By-law.**
- iv) The relief maintains the intent and purpose of the Official Plan.**

And further, it is recommended that Woodstock Council advise the Land Division Committee that the City supports the proposal to sever the subject lands, subject to the following conditions:

- 1. The owner shall 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.**

2. **The owner shall satisfy all requirements, financial and otherwise, of the City, regarding the installation of services and drainage facilities, to the satisfaction of the City.**
3. **The owner shall satisfy all requirements, financial and otherwise, of the County, regarding the installation of water & sanitary sewer services, to the satisfaction of the County.**
4. **The owner shall agree, in writing, to satisfy all requirements, financial and otherwise, of the City of Woodstock regarding the installation of services and drainage facilities.**
5. **The Owner shall submit a recent survey prepared by an OLS to confirm lot sizes and building setbacks to the satisfaction of the City of Woodstock.**
6. **The Clerk of the City of Woodstock advise the Secretary-Treasurer of the Land Division Committee that all requirements of the City of Woodstock have been complied with.**

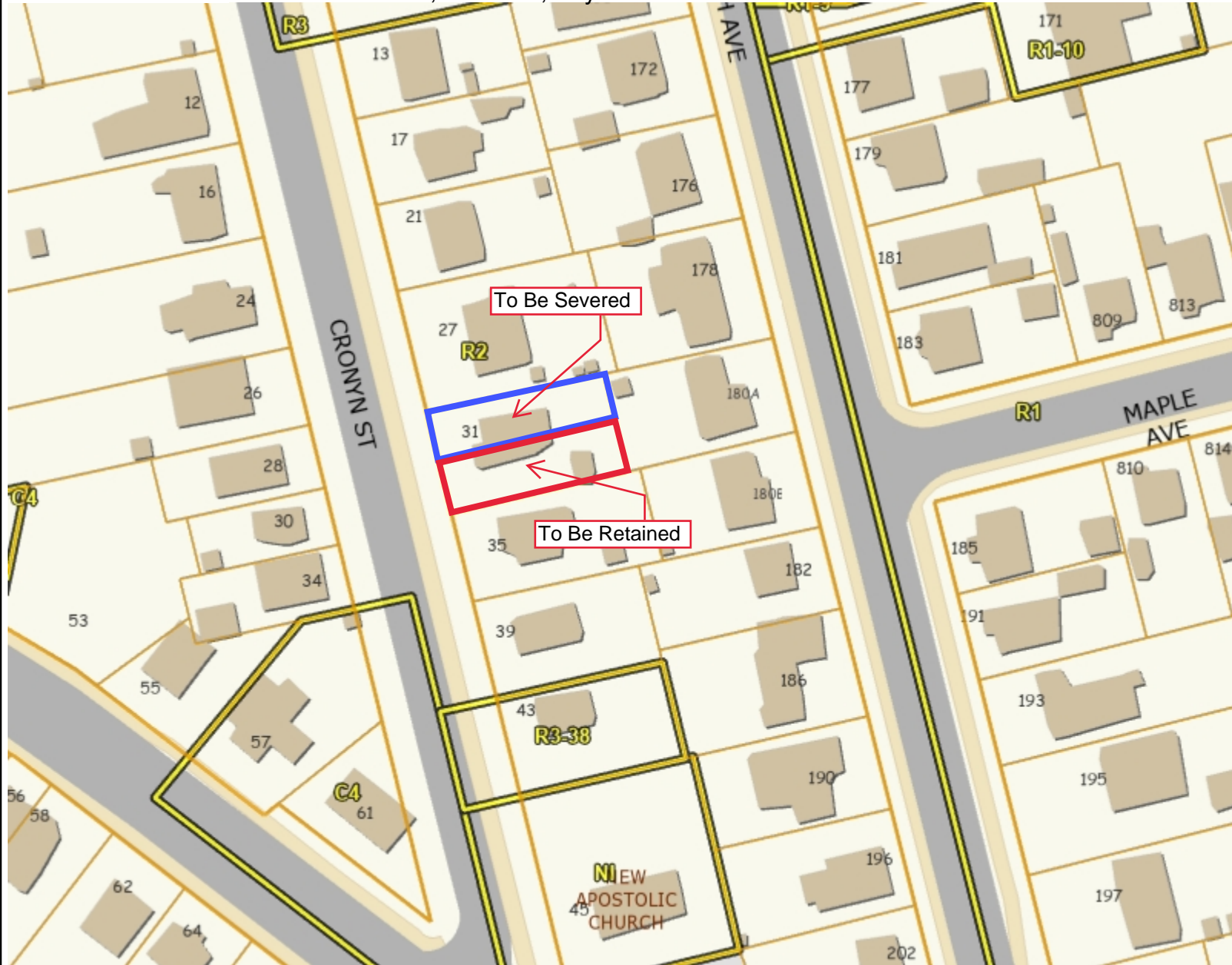
SIGNATURES

Authored by: *“Original Signed by”* Justin Miller
Development Planner

Approved for submission: *“Original Signed by”* Eric Gilbert, MCIP, RPP
Manager of Development Planning

Plate 1: Location Map with Existing Zoning

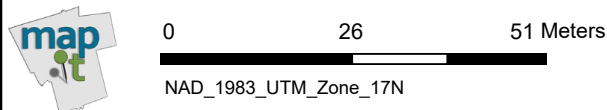
File Nos.: B24-50-8; A24-15-8: Wolfking Investments Inc.
Part Lot 22, Plan 189, City of Woodstock



Legend

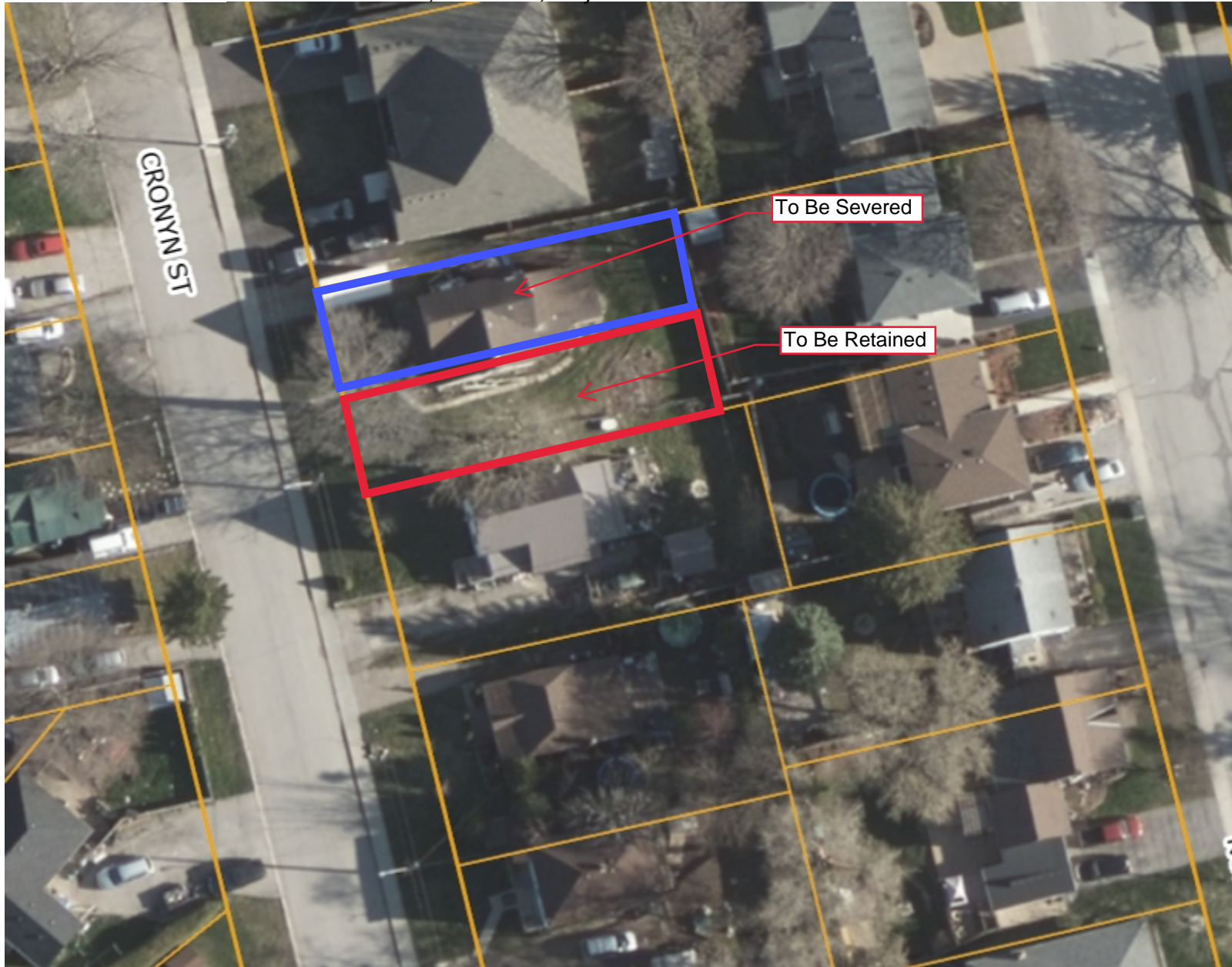
- Parcel Lines**
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Zoning Floodlines**
- Regulation Limit**
 - ◆ 100 Year Flood Line
 - ▲ 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Land Use Zoning (Displays 1:16000 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

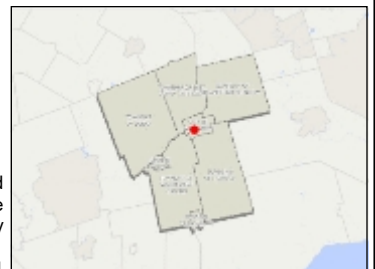
August 13, 2024



Legend

- Parcel Lines
- Property Boundary
- Assessment Boundary
- Unit
- Road
- Municipal Boundary

Notes



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August 13, 2024

Plate 3: Applicant's Sketch

File Nos.: B24-50-8; A24-15-8: Wolfking Investments Inc.

Part Lot 22, Plan 189, City of Woodstock

