

Community Planning

P. O. Box 1614, 21 Reeve Street

Woodstock Ontario N4S 7Y3

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

Web site: www.oxfordcounty.ca

Our File: **A02-24**

APPLICATION FOR MINOR VARIANCE

TO: Township of East Zorra-Tavistock Committee of Adjustment

MEETING: August 7, 2024

REPORT NUMBER: CP 2024-235

OWNER: 2274581 Ontario Inc. (c/o Chrissy Yantzi)
210 Hope Street, Tavistock, ON N0B 2R0

VARIANCE REQUESTED:

1. Relief from **Section 12.2, Table 12.2 – Residential Type 1 Zone (R1) Lot Coverage Provision**, to increase the maximum lot coverage from 40% to 43.8%.

LOCATION:

The subject lands are described as Lot 9, Plan 41M371 in the Township of East Zorra-Tavistock. The lands are located on the north side of Fred Krug Avenue and municipally known as 100 Fred Krug Avenue in Tavistock.

BACKGROUND INFORMATION:

COUNTY OF OXFORD OFFICIAL PLAN:

| | | |
|----------------|--|-------------------------|
| Schedule 'C-3' | County of Oxford Settlement Strategy Plan | Serviced Village |
| Schedule 'E-1' | Township of East Zorra-Tavistock Land Use Plan | Settlement |
| Schedule 'E-2' | Village of Tavistock Land Use Plan | Low Density Residential |

TOWNSHIP OF EAST ZORRA-TAVISTOCK ZONING BY-LAW:

Residential Type 1 Zone (R1)

COMMENTS:(a) Purpose of the Application:

The applicant proposes to increase the maximum lot coverage permitted in the R1 Zone from 40% to 43.8% to facilitate the construction of a single detached dwelling on the subject lands. The preferred model of home for this site, which includes a covered rear deck, would exceed the permitted lot coverage of 40%, as stipulated in the Zoning By-law.

The subject lands are approximately 482.8 m² (5,196.8.2 ft²) in size with frontage on Fred Krug Avenue. Surrounding land uses are predominately comprised of lots zoned for single detached dwellings, at various stages of development, in the newest phase of the subdivision known locally as The Orchards.

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

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

Plate 3, Applicant's Sketch, illustrates the location and configuration of the proposed single detached dwelling on the subject lands, as provided by the applicant.

(b) Agency Comments

The Township's Fire Chief, the Township's Chief Building Official, and the Township's Public Works Manager have indicated no concerns with the proposal.

(c) Public Consultation

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

(d) Intent and Purpose of the Official Plan:

The subject lands are designated 'Low Density Residential' according to the Village of Tavistock Land Use Plan, as contained in the County Official Plan. Permitted uses on lands designated Low Density Residential include a range of low density residential uses, as well as accessory uses thereto.

Staff are satisfied that the use of the subject lands for a single detached dwelling is in keeping with the Low Density Residential designation policies of the Official Plan.

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

The subject lands are zoned 'Residential Type 1 Zone (R1)' in the Township Zoning By-law, which permits single detached dwellings and accessory structures thereto.

It is the intent of the maximum lot coverage provision to ensure that adequate space is maintained for private amenity areas, landscaping, parking and required building setbacks. Lot coverage provisions also are intended to ensure that there is sufficient impervious area maintained on private property so as not to create negative impacts on municipal storm sewers, stormwater management and drainage facilities.

The Township's Chief Building Official has reviewed the proposal and has indicated no concerns that the increased lot coverage will have an adverse impact on the overall stormwater capacity for the area. As the proposal is increasing the lot's lot coverage by 3.8% to a total of 43.8%, staff are satisfied that the increase of lot coverage will not adversely impact the stormwater infrastructure currently in place.

Planning staff are generally satisfied that the proposed increase to the maximum lot coverage allowance will continue to provide for sufficient area for parking, private amenities and lot grading and drainage. Staff are also satisfied that the minor increase to the permitted coverage will not negatively impact the stormwater management of the subdivision. As such, staff are of the opinion that the proposal maintains the intent of the Zoning By-law.

(f) Desirable Development/Use:

It is the opinion of this office that the applicant's proposal to obtain relief of the lot coverage zoning provision can be considered minor and desirable for the development of the subject property. As the proposed relief is not anticipated to impact the ability of the property to provide adequate parking, amenity space, or negatively impact drainage or overall subdivision stormwater management design or municipal stormwater management infrastructure, the requested relief can be considered minor. Further, staff are satisfied that the requested relief will maintain the existing and intended characteristics of surrounding land uses and, further, that proposed relief will not create an undesirable precedent for similarly zoned lands in the area.

In light of the foregoing, it is the opinion of this Office that the requested relief is in keeping with the general intent and purpose of the Official Plan and Township Zoning By-law and can be given favourable consideration, and staff are of the opinion that this proposal is minor in nature and satisfies the four tests for minor variance as set out in Section 45(1) of the Planning Act and can be supported from a Planning perspective.

RECOMMENDATION:

That the Township of East-Zorra Committee of Adjustment **approve** Application File A08-22, submitted by 2274581 Ontario Inc. for lands described as Lot 9, Plan 41M371 in the Village of Tavistock, being municipally known as 100 Fred Krug Avenue, as it relates to:

1. Relief from **Section 12.2, Table 12.2 – Residential Type 1 (R1) Zone Provisions**, to increase the maximum lot coverage allowance from 40% to 43.8%;

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

The proposed relief is a minor variance from the provisions of the Township of East Zorra-Tavistock Zoning By-law No. 2003-18;

The proposed relief is desirable for the appropriate development and use of the land;

The proposed relief maintains the general intent and purpose of the Township of East Zorra-Tavistock Zoning By-law No. 2003-18; and

The relief maintains the intent and purpose of the Oxford County Official Plan.

Authored by: *Original Signed by*

Dustin Robson, MCIP, RPP
Development Planner

Approved for submission by: *Original Signed by*

Eric Gilbert, MCIP, RPP
Manager of Development Planning



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



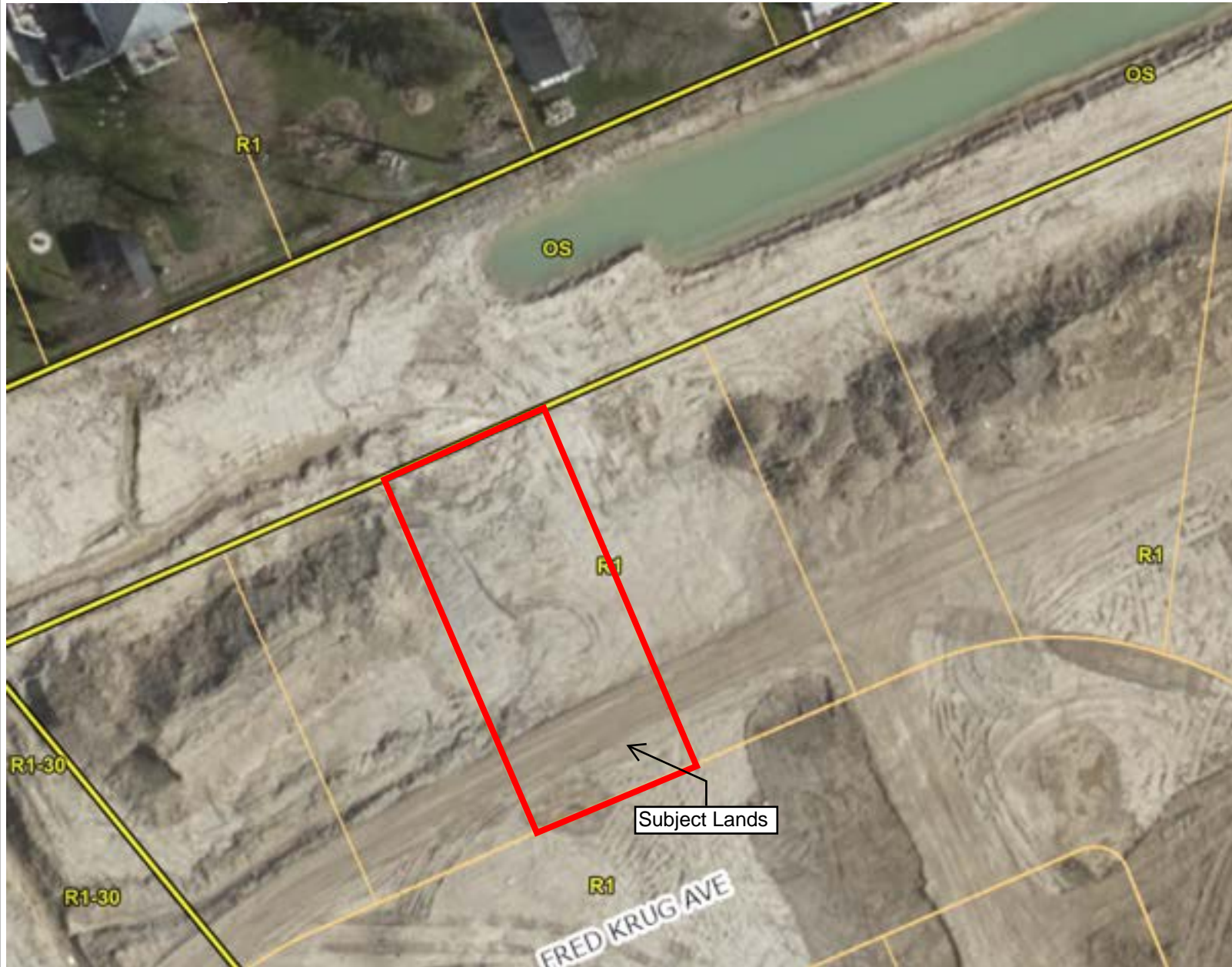
0 51 102 Meters

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

July 5, 2024



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



0 13 26 Meters

NAD_1983_UTM_Zone_17N

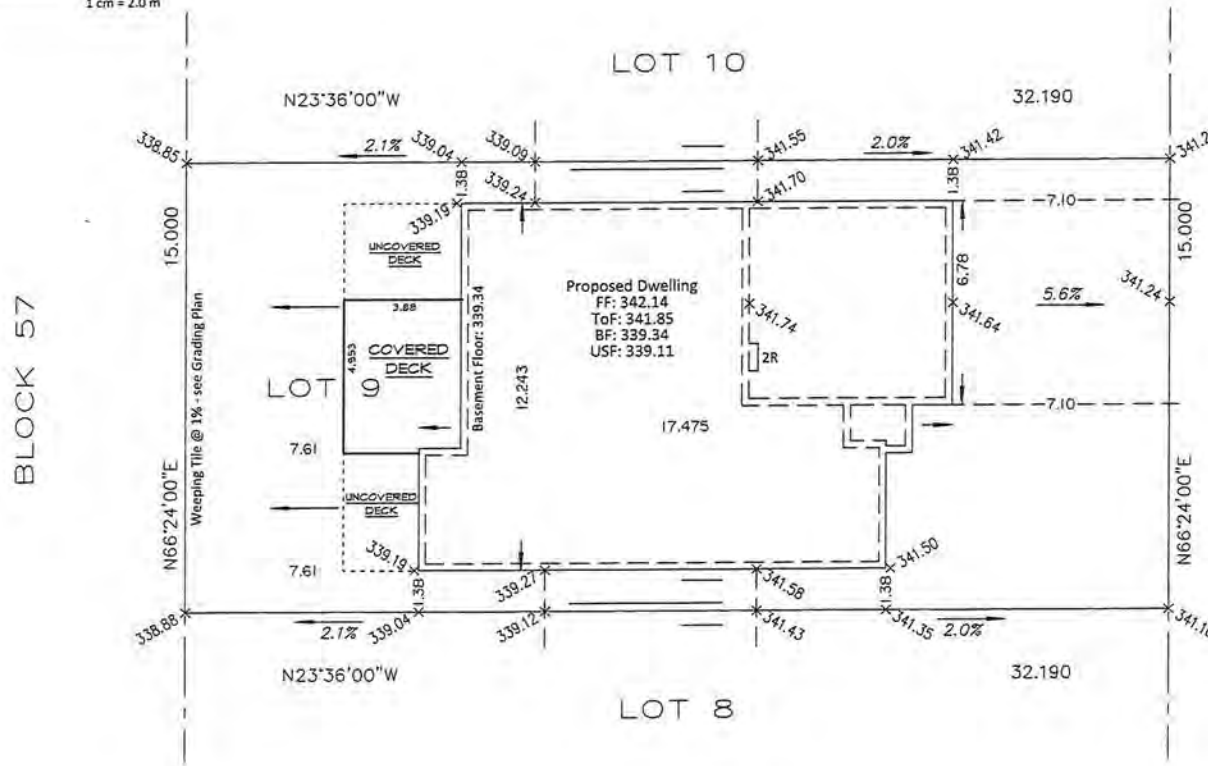
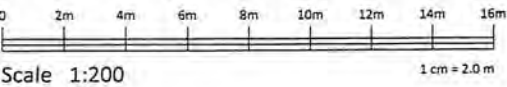


This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. This is not a plan of survey

July 5, 2024

Sketch prepared for: Building Permit Application
 Lot 9 Registered Plan 41M-371
 Township of East Zorra-Tavistock

METRIC:
 DISTANCES HEREON ARE IN METRES.
 TO CONVERT TO FEET DIVIDE BY 0.3048.



Note:
 Step walls and footings to suit.
 Rear Frost Footing required: 337.97
 ToF to USF: 2.74 m

CAUTION:
 THIS IS NOT A PLAN OF SURVEY AND
 SHALL NOT BE USED FOR MORTGAGE
 OR TRANSACTION PURPOSES.

NOTE:
 LOT DIMENSIONS ARE AS SHOWN ON PLAN 41M-371
 AND HAVE NOT BEEN VERIFIED BY SURVEY. PROPOSED
 BUILDING POSITIONED BY CALCULATION, NOT BY SURVEY.

| WITH COVERED DECK | |
|--------------------------------|--------------------------------|
| LOT AREA: 482.8 m ² | Lot Area: 482.8 m ² |
| GFA: 211.1 m ² | GFA: 192.2 m ² |
| COVERAGE: 43.7% | Coverage: 39.8% |

J.D.BARNES LTD.
 Builder: Apple Home Builders Ltd.
 File: 21-42-538-00-(9)
 June 4, 2024

© COPYRIGHT - 2024