

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: **A05-24**

APPLICATION FOR MINOR VARIANCE

TO: Township of East Zorra-Tavistock Committee of Adjustment

MEETING: February 5, 2025

REPORT NUMBER: CP 2025-13

OWNER: 2825085 Ontario Inc.
13 Diamond Street, Tavistock, ON N0B 2R0

APPLICANT: Chrissy Yantzi
13 Diamond Street, Tavistock, ON N0B 2R0

VARIANCE REQUESTED:

1. Relief from **Section 12.2 – R1 Zone Provisions**; to decrease the minimum rear yard depth from 7.5 m (24.6 ft) to 6.1 m (20 ft).

LOCATION:

The subject lands are described as Lot 22, Plan 41M390 in the Township of East Zorra-Tavistock. The lands are located on the west side of Diamond Court and are municipally known as 920 Diamond Court.

BACKGROUND INFORMATION:

COUNTY OF OXFORD OFFICIAL PLAN:

Schedule 'C-1'	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 2003-18:

Residential Type 1 Zone (R1)

COMMENTS:(a) Purpose of the Application:

The applicant is proposing to obtain relief from the above noted provision of the Township's Zoning By-law to facilitate the construction of a single detached dwelling with a covered deck.

The subject lands are approximately 502 m² (5,403.4 ft²) in area, zoned 'Residential Type 1 Zone (R1),' and vacant of any buildings or structures. The applicant is proposing to construct a single detached dwelling with a ground floor area of 168.3 m² (1,812 ft²), representing a lot coverage of 33.5%. In order to facilitate the construction of the preferred dwelling model, the applicant is proposing to reduce the required rear yard depth from 7.5 m (24.6 ft) to 6.1 m (20 ft).

The subject lands are located within a developing residential community in various states of completion. To the west and north of the subject lands are established residential neighbourhoods consisting primarily of single detached dwellings.

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

Plate 2, Aerial Photography (2020), provides an aerial view of the subject lands and surrounding properties, as they existed in the spring of 2020.

Plate 3, Applicants' Sketch, shows the location of the proposed single detached dwelling and rear yard deck, as submitted by the applicant.

(b) Agency Comments

The Township Fire Chief, the Township Chief Building Official, and the Township Public Works Manager have indicated no concerns or objections regarding the proposed variances.

(c) Public Consultation:

Public Notice was mailed to surrounding property owners in accordance with 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 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, duplexes, triplexes, converted dwellings, and street townhouses.

Planning staff are generally satisfied that the construction of a single detached dwelling will have minimal impact on surrounding properties and will continue to utilize the lands for a use intended by the Official Plan. Based on this, Planning staff are of the opinion that the proposed variance maintains the intent and purpose of the Official Plan.

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

The subject lands are zoned 'Residential Type 1 Zone (R1)' according to the Township of East Zorra-Tavistock Zoning By-Law. The 'R1' zone permits a single detached dwelling, converted dwelling, a home occupation, or a group home.

The subject application proposes to reduce the required rear yard depth from 7.5 m (24.6 ft) to 6.1 m (20 ft) to permit the construction of a single detached dwelling with a covered deck on the subject lands. It is the intent of the rear yard depth provision to ensure that sufficient separation is maintained between development on private land and the rear lot line to allow for private amenity area, as well as area for grading and drainage. In this case, it is not anticipated that the reduced rear yard depth will have a negative impact on available amenity area of the subject lands, or the necessary lot grading and drainage provisions.

Section 5.32.1 of the Zoning By-law permits the projection of covered decks into the required rear yard provided that a minimum depth of 4 m (13.1 ft) is maintained between the covered deck and the rear lot line. According to the provided site sketch, a minimum depth of 4 m (13.1 ft) will still be maintained between the covered deck and rear lot line should the requested variance to the rear yard depth of 6.1 m (20 ft) be approved.

Planning staff are generally satisfied that that the requested reduction will continue to allow for sufficient rear yard depth between the single detached dwelling and the rear lot line to provide sufficient area for private amenity space. Planning staff are of the opinion that overall, the intent of the Zoning By-law can be maintained in this instance.

(f) Desirable Development/Use:

It is the opinion of this Office that the applicant's request can be considered minor and desirable for the development of the subject lands.

Staff are satisfied that the requested variance can be considered a minor deviation from the rear yard depth requirement. As the proposed relief is not anticipated to impact the ability of the lands to provide adequate amenity space or negatively impact drainage, the requested relief can be considered minor. Further, staff are satisfied that the proposed relief will add value to the residential dwelling on the subject lands by allowing additional living space without creating an undesirable precedent for similarly zoned lands in the area and the proposed development will be in keeping with the character of similar type development in the immediate community. No adverse impacts on surrounding lands uses are anticipated.

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's Zoning By-law and can be given favourable consideration.

RECOMMENDATION:

That the Township of East Zorra-Tavistock Committee of Adjustment **approve** Application File A05-24, submitted by 2825085 Ontario Inc., for lands described as Lot 22, Plan 41M390 in the Township of East Zorra-Tavistock as it relates to:

1. Relief from **Section 12.2 – R1 Zone Provisions**; to decrease the minimum rear yard depth from 7.5 m (24.6 ft) to 6.1 m (20 ft).

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

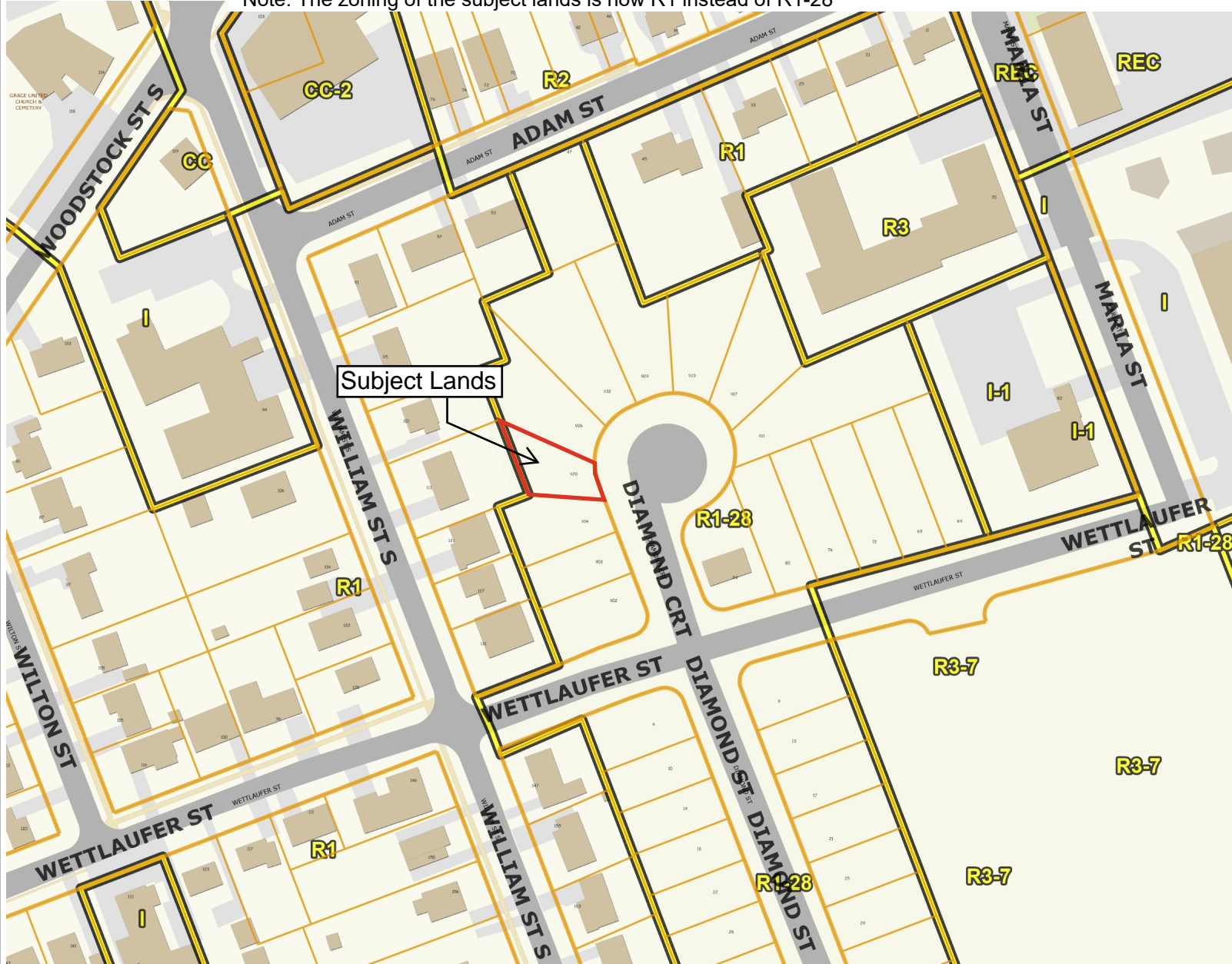
- i) deemed to be a minor variance from the provisions of the Township of East Zorra-Tavistock Zoning By-law No. 2003-18;
- ii) desirable for the appropriate development or use of the land;
- iii) in keeping with the general intent and purpose of the Township of East Zorra-Tavistock Zoning By-law No. 2003-18, and;
- iv) in keeping with the general intent and purpose of the Official Plan of the County of Oxford.

Authored by: *Original Signed by*

Dustin Robson, MCIP, RPP
Development Planner

Approved by: *Original Signed by*

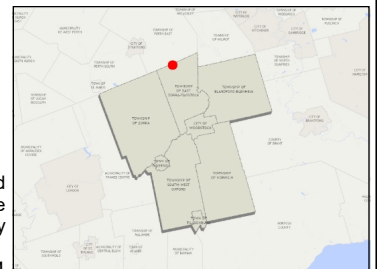
Heather St. Clair, MCIP, RPP
Senior Planner



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



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

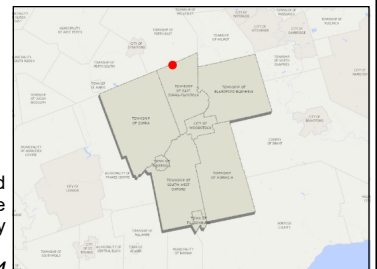
November 21, 2024



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



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

November 21, 2024

