



**Town of Ingersoll
Committee of Adjustment Agenda
Town Centre, Council Chambers
Thursday, July 17, 2014, 6:30 p.m.**

Call to Order

Disclosures of Pecuniary Interest

Minutes of Previous Committee of Adjustment Meeting

- 1) [Minutes of Committee of Adjustment May 16, 2013](#)

Applications

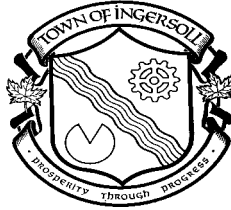
- 1) 1879784 Ontario Inc., for 45 Winders Trail, Lot 22 Reference Plan 41M-252

Correspondence

- 1) Community and Strategic Planning [Report 2014-185](#)

Decision

Adjournment



**COMMITTEE OF ADJUSTMENT MINUTES
CORPORATION OF THE TOWN OF INGERSOLL**

COMMITTEE OF ADJUSTMENT

**THURSDAY, MAY 16, 2013
TOWN CENTRE, COUNCIL CHAMBERS
6:30 p.m.**

PRESENT: Dave Phillips
John Fortner
Dave MacKenzie

Steve Couture, County Planner
Ann Wright, Acting Secretary Treasurer/ Deputy Clerk

CALL TO ORDER

Chair Dave Phillips calls the Committee of Adjustment meeting to order at 6:30 p.m.

DISCLOSURE OF PECUNIARY INTEREST

None Declared

MINUTES

Moved by Dave McKenzie; seconded by John Fortner

CA13-05-001 That the minutes of the Committee of Adjustment held on September 13, 2012 be adopted as printed and circulated.

CARRIED

CORRESPONDENCE

Chair Dave Phillips welcomes those in attendance and introduces the application for minor variance submitted by Warren Sinclair Construction Ltd.

- a) County of Oxford Report No. 2013-118 for File No. A-001/13
- b) Petition of Opposition submitted May 6, 2013
- c) Email of Opposition from Jay Hoogkamp of 8 Woodhatch Cr.
- d) Email of opposition from Dan & Jessica Burton of 6 Woodhatch Cr.

APPLICATIONS**Application No. A-001/13 – Warren Sinclair Construction Ltd., 175 Ingersoll St. North**

Dan Sinclair of Warren Sinclair Construction Ltd and Douglas Stewart of Stantec Consulting are present on behalf of the application.

Steve Couture, County Planner gives a review of the County Planning Report No. 2013-118. The application for Minor Variance was submitted by Warren Sinclair Construction Ltd. for the lands legally described as Block 60, Registered Plan 41M-217. The subject property is located on the west side of Ingersoll Street North, opposite Ridge Road, and is municipally known as 175 Ingersoll Street North. The application is requesting Relief from the provisions of Section 8.2 (Residential Type 3 Zone, Table 8.2 Zone Provisions), to allow a Rear Yard depth of 4.7 meters (15.4ft) in place of the requires minimum of 10.0 meters (32.8 ft), and to allow a setback from the centre-line of an Arterial Road being Ingersoll Street North, of 19.7 m (64.6 ft) in place of the required minimum of 20.5 m (67.3 ft), in order to permit construction of a multi-family dwelling complex (townhouses) with 41 dwelling units.

Steve also speaks to the petition and two emails of opposition received by the Town.

Councillor Fortner also speaks to the received emails and points out that some of the concerns that have been brought forward are outside of the realm of the Committee of Adjustment, and stresses that the committee can only consider the concerns relating to the setbacks.

Steve Couture, County Planner speaks about sidewalks at the development and says that the developer will be responsible for the sidewalks in front of his property and the Town may be responsible for the rest of the street. As far as the valid privacy concern the minimum requirements have been met and so nothing else can be done about that topic. Steve also speaks to the petition's concerns regarding; property value and that is not a topic on the table for the Committee's consideration, and says that 41 units achieves the minimum requirements and actually they could go higher; noise concern, this development will create noise but this area is already a noisy area with the trucks on Ingersoll Street and the surrounding residential noise, the noise created by this development will ne residential noise; and overflow parking, anyone can park on streets where permitted, this site has 92 parking spaces and there are only 62 requires which exceeds the minimum requirement and each unit will have a garage and there is visitor parking on this site too. In the planning department's opinion this application does not set an undesirable president. The recommendation from the Oxford County Community and Strategic Planning department to the Town of Ingersoll Committee of Adjustment is to approve Application A-001/12 as outlined in Report No. 2013-118.

Dave Phillips, Committee Chair clarifies with Steve Couture that the Town Engineers have no objections to the storm water drainage or drainage and ensures that these are issues to be dealt with through the Site Plan process. Dave also asks

for clarification from Steve Couture that there are no causes of concern from the Public Works department and Steve confirms that there haven't been.

Douglas Stewart, Senior Planner at Stantec Consulting gives a brief review of the application and mentions that this application is at the beginning stages and that there has been significant consultation with staff to come up with a plan and to make sure that it was in compliance. The applicant has feels that it is advantageous to have two points of access into the development and this has been supported. Douglas states that in his professional opinion it meets the *Planning Act* and is good planning. He understands the concerns of the nearby residents but reminds them that the effect of this application is to meet the Official Plan. Douglas provided a drawing that outlines what the property will look like. Douglas states that he concurs with the related Planning Report and states that in his professional opinion the application meets the four tests of *the Planning Act* and when you look at the big picture it is appropriate land use and asks the Committee to approve the application.

Councillor Fortner asks for clarification on the square footage per unit.

Dan Sinclair of Warren Sinclair Construction Ltd. says that they are approximately 11,000 sq. ft for a one floor unit and 14,000 sq. ft for a two story unit.

Jim Stevely of 4 Woodhatch Cr. asks for clarification regarding the minimum requirements for the setbacks and expresses his concerns regarding drainage with the development. Jim requests that an independent review been complete to assess this issue.

Dave Phillips explains that the issue of drainage is dealt with through the Site Plan process and is not an issue to be dealt with through the Committee of Adjustment.

Steve Couture, County Planner explains the Site Plan process and says that there is no public review, but states that no drainage is to run to the surrounding houses from this development.

Councillor Fortner asks for clarification about when a Site Plan approval process is complete how is this communicated to the public and can the public get a copy.

Steve Couture, County Planner says that it is a public document and is available.

Moved by John Fortner; seconded by Dave McKenzie

CA13-05-002 **THAT** the Town of Ingersoll Committee of Adjustment approve application A-001/13, as submitted by Warren Sinclair Construction Ltd. For the lands described as Block 60, Registered Plan 41M-217, municipally known as 175 Ingersoll Street North as it relates to:

Relief from the provisions of Section 8.2 (RESIDENTIAL TYPE 3 ZONE, TABLE 8.2 ZONE PROVISIONS). To allow a Rear Yard depth of 4.7 meters (15.4ft) in place of the required minimum of 10.0 meters (32.8ft) and to allow a setback from

the centre-line of an Arterial Road (Ingersoll Street North) of 19.7m (64.6f) in place of the required minimum of 20.5m (67.3ft), subject to the following condition:

- i. That the relief granted by the Committee of Adjustment regarding application A-001/13 shall apply to permit the construction of a maximum of 41 dwelling units in a multi-family (townhouse) development as illustrated on Plate 3 of Report No.2013-118.

CARRIED

A copy of the Sign in List is attached hereto as Schedule A

ADJOURNMENT

On motion this meeting is adjourned.

7:35 p.m.

**Ann Wright, Deputy Clerk
Acting Secretary Treasurer**

Schedule A – Sign-In Sheet



| NAME | ADDRESS | Phone Number | Email Address |
|-----------------|--------------------|--------------|---------------------|
| PLEASE PRINT | | | |
| T. ADAMS | 21 Ridge Road | 519-425-7873 | |
| PLEASE PRINT | | | |
| V. McHugh | 10 Woodhatch Cres | 519-425-0000 | |
| PLEASE PRINT | | | |
| D. Featherstone | 27 River view, Rd. | 226-271-6221 | |
| PLEASE PRINT | | | |
| Joe D'Ambrosio | 14 Woodhatch Cres | 519-425-4416 | |
| PLEASE PRINT | | | |
| Dayna Cresswell | 2 Woodhatch Cres | 519-709-0319 | dayna23@live.ca |
| PLEASE PRINT | | | |
| Jim Stevely | 4 Woodhatch CR. | 519-851-0677 | jstevely@rogers.com |
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Community and Strategic 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: **A-001/14**

APPLICATION FOR MINOR VARIANCE

TO: Town of Ingersoll Committee of Adjustment

MEETING: July 17, 2014

REPORT NUMBER: 2014-185

OWNER: 1879784 Ontario Inc., 827 Birchmount Dr. Waterloo, ON N2V 2R3

APPLICANT/AGENT: McKenzie Building Group Inc., 562 Wellington St., London, ON N6A 3R5

VARIANCE REQUESTED:

Relief from the provisions of Zoning By-law No. 04-4160, Section 6.2, Table 6.2 (R1 ZONE PROVISIONS), to allow a Lot Coverage of 36%, in place of the maximum of 35%, in order to permit construction of a 1-storey single detached dwelling having a building area of 201.9 sq.m. (2,173.3 sq.ft.) on a lot having an area of 561.1 sq.m. (6,039.8 sq.ft.).

LOCATION:

The subject property is described as Lot 22, Plan 41M-252, in the Town of Ingersoll. The property is located on the west side of Winders Trail, between Lewis Lane and Moffatt Avenue, and is municipally known as 45 Winders Trail.

BACKGROUND INFORMATION:

COUNTY OF OXFORD OFFICIAL PLAN:

Town of Ingersoll Land Use Plan -

Residential

Town of Ingersoll Residential Density Plan -

Low Density Residential

TOWN ZONING BY-LAW: Residential Type 1 Zone (R1)

SURROUNDING USES: Single detached dwellings and open space.

COMMENTS:

(a) Purpose of the Application:

The applicant is seeking relief from the provisions of the Town Zoning By-law regarding Lot Coverage to facilitate the construction of a new home on the subject property. The applicant seeks to increase the allowable Lot Coverage to 36% from the maximum of 35% allowed for the R1 zone.

The subject property has a lot area of 561.1 sq.m. (6040 sq.ft.), a lot frontage of 17.0 m (55.7ft), and lot depth of 33.0 m (108.3ft) and is vacant of any buildings or structures.

Plate 1, Location and Existing Zoning, shows the location of the subject lands and the zoning in the immediate vicinity, within the development known as Clover Ridge South.

Plate 2, Applicant's Site Sketch, illustrates the location and dimensions of the proposed new dwelling and the proposed building setbacks and yards on the subject property in addition to the existing lot characteristics.

(b) Agency Comments

No comments were received from the agencies circulated this application.

(c) Intent and Purpose of the Official Plan:

The subject lands are designated for low density residential use in accordance with the Land Use Plan for the Town of Ingersoll, as contained in the Official Plan. The use of the lands for the development of a single-detached dwelling is in-keeping with the planned uses in this neighbourhood and maintains the general intent and purpose of the Official Plan.

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

The subject property is zoned 'Residential Type 1 (R1)' in the Town Zoning By-Law No. 04-4160. Table 6.2 - R1 Zone Provisions – (Lot Coverage) limits the building footprint to a maximum of 35% of the lot area. The intent of this zone provision is to ensure the total area of all buildings on the residential property is limited in order to accommodate the required minimum 30% landscaped open space, the minimum yards and building setbacks and any private, off-street parking facilities and site drainage features necessary for single detached development.

The applicant's request to increase the allowable Lot Coverage to 36% would be in keeping with the intent of the Bylaw.

(e) Desirable Development/Use:

The application seeks relief from the allowable maximum coverage to accommodate the 1-storey building design that includes a covered front porch and a rear covered patio area, and an attached 2-car garage.

It appears that the proposed increase in Lot Coverage will have negligible impact on the neighboring properties and favourable consideration of this request would not set an undesirable precedent from a planning perspective.

It is the opinion of this Office that the applicant's proposal to obtain relief from the Town's Zoning By-law to facilitate the construction of a new single detached dwelling can be given favorable consideration.

RECOMMENDATION:

That the Town of Ingersoll Committee of Adjustment **approve** Application File A-001/14, submitted by McKenzie Building Group Inc. for lands described as Lot 22, Registered Plan 41M-252 and known as 45 Winders Trail, in the Town of Ingersoll, as it relates to:

1. Relief from **Section 6.2, Table 6.2 (R1 ZONE PROVISIONS)** – to increase the maximum Lot Coverage from 35% of the lot area to 36%, subject to the following condition:
 - i. That the relief granted by the Committee of Adjustment regarding A-001/14 shall apply to permit the construction of a single-detached dwelling comprising not more than 202 m² (2,173.3 ft²) as illustrated on Plate 2 of Report No. 2014-185

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 Town of Ingersoll Zoning By-law No. 04-4160 in that the request can be considered to be a minor departure from the performance standards of the R1 zone;

The proposed relief is desirable for the appropriate development and use of the land as the said relief will allow for the intended form of residential development to occur on the subject property;

The proposed relief maintains the general intent and purpose of the Town of Ingersoll Zoning By-law as the development meets the intent of the applicable zone provision; and,

The relief maintains the intent and purpose of the Official Plan as the development of single detached dwellings is planned for in this area of the Town of Ingersoll.

Authored by: "Stephen Couture"

Stephen Couture, MCIP RPP, Development Planner

Approved by: "Gordon K. Hough"

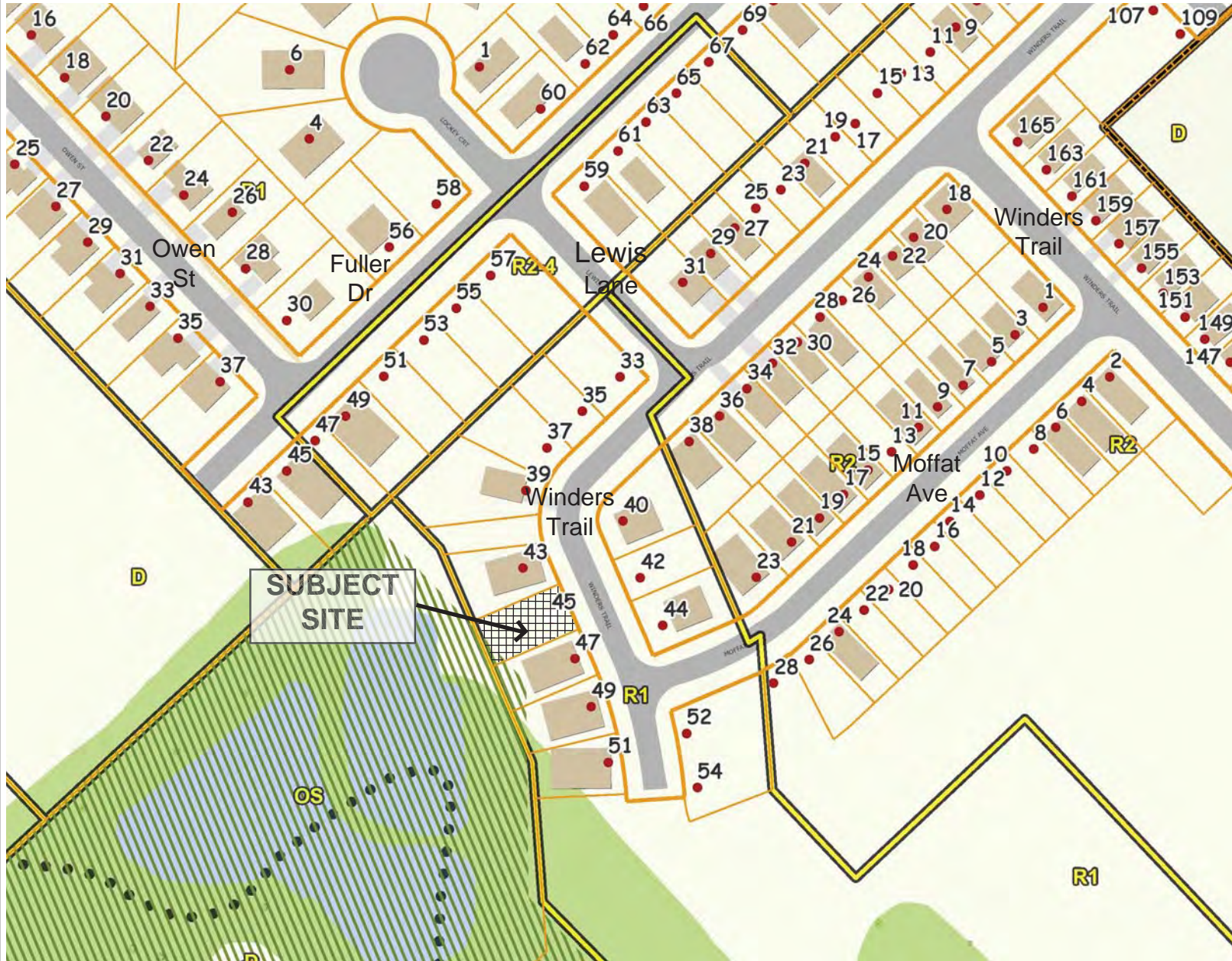
Gordon K. Hough, MCIP, RPP, Director

/SC

July 10, 2014

PLATE 1: Location and Existing Zoning

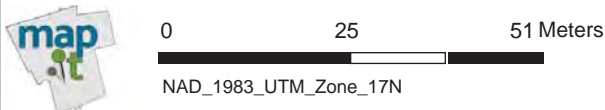
#A-01/14 (45 Winders Trail; Lot 22, Plan 41M-252)



Legend

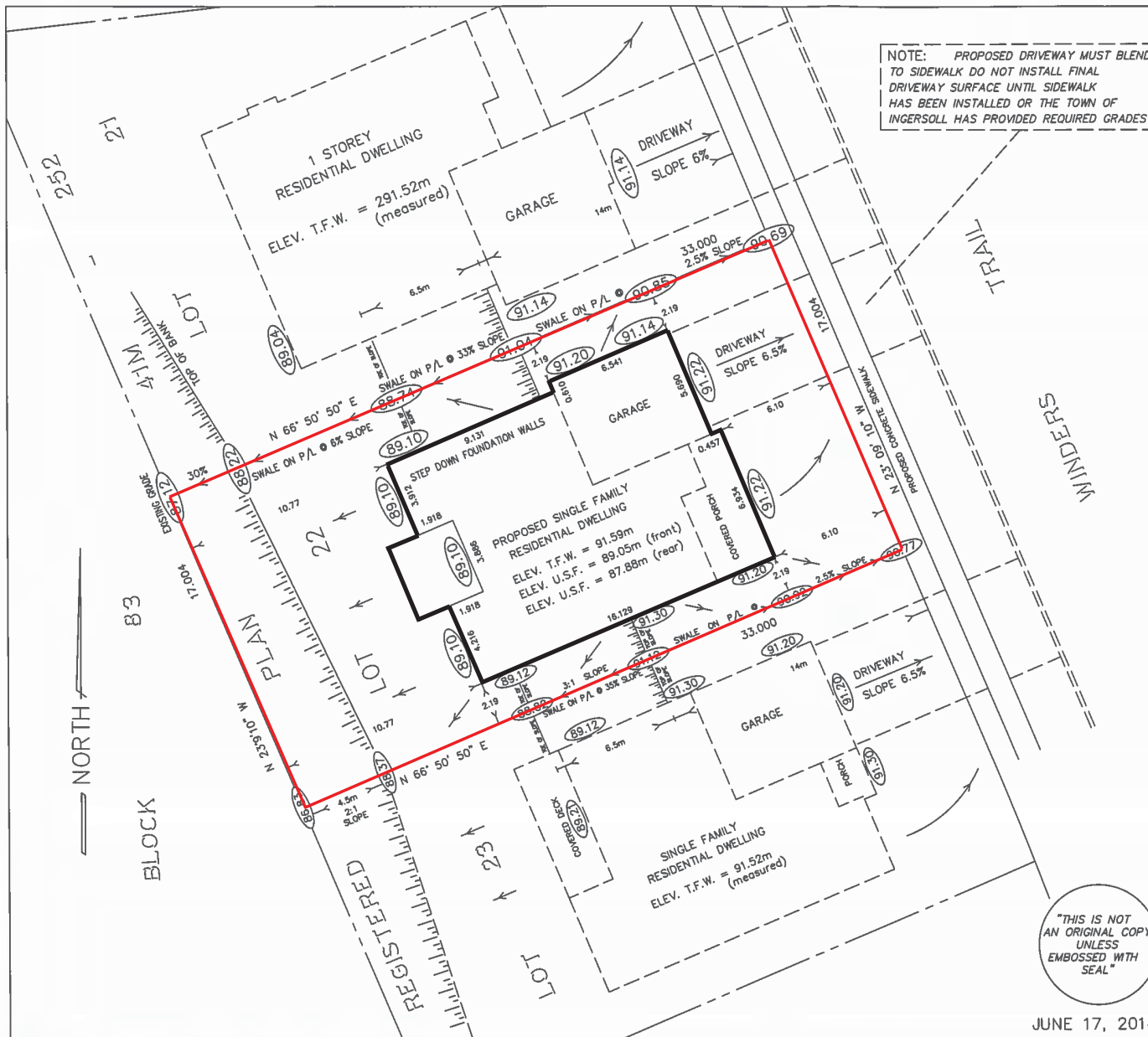
- Civic Address
- Parcel Lines
 - Property Boundary
 - Assessment Boundary
 - Unit
 - Road
 - Municipal Boundary
- Environmental Protection/Flood Overlay
 - Flood Fringe
 - Floodway
 - Environmental Protection (EP1)
 - Environmental Protection (EP2)
- Zoning Floodlines/Regulation Limit
 - 100 Year Flood Line
 - 30 Metre Setback
 - Conservation Authority Regulation Limit
 - Regulatory Flood And Fill Lines
- Zoning

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

June 19, 2014



NOTE: PROPOSED DRIVEWAY MUST BLEND TO SIDEWALK DO NOT INSTALL FINAL DRIVEWAY SURFACE UNTIL SIDEWALK HAS BEEN INSTALLED OR THE TOWN OF INGERSOLL HAS PROVIDED REQUIRED GRADES

PLATE 2: Applicant's Site Sketch

LOT 22
 REGISTERED PLAN 41M-252
 TOWN OF INGERSOLL
 COUNTY OF OXFORD

SCALE 1:200
 METRIC
 DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

NOTES

- (1) - PROPERTY DIMENSIONS ARE AS SHOWN ON REGISTERED PLAN 41M-252 AND HAVE NOT BEEN VERIFIED BY FIELD SURVEY.
- (2) - PROPOSED BUILDING POSITION BY CALCULATIONS, NOT BY ACTUAL SURVEY
- (3) - AREA OF LOT 22 = 561.1 SQUARE METRES
- (4) - AREA OF PROPOSED DWELLING, GARAGE, COVERED PORCH AND COVERED DECK = 201.9 SQUARE METRES
- (5) - PROPOSED LOT COVERAGE 36 %
- (4) - THIS SKETCH WAS COMPLETED ON

CAUTION

THIS IS NOT A PLAN OF SURVEY OR SURVEYOR'S REPORT AND SHALL NOT BE USED FOR TRANSACTION OR FINANCING PURPOSES

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JUNE 17, 2014

PROJECT: 11-9670 REFERENCE: FILE