



Community and Strategic Planning

P. O. Box 1614, 21 Reeve Street

Woodstock Ontario N4S 7Y3

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Our File: A-8/10

APPLICATION FOR MINOR VARIANCE

TO: The Chair and Members of the
Town of Ingersoll Committee of
Adjustment

MEETING: August 19, 2010
REPORT NO: 2010-248

OWNERS:

Derek & Ingrid Eringa
260 Victoria Street
Ingersoll, ON N5C 2N4

REQUESTED RELIEF: Relief from Section 6.2 (Zone Provisions) to reduce the required rear yard depth from 7.5 m (24.6 ft.) to 6.64 m (21.8 ft.) to permit an addition to the rear of an existing dwelling.

PROPOSAL: The applicant seeks relief from the rear yard requirement in order to construct a 4.8 m (15.8 ft.) x 7.5 m (24.5 ft.) addition to the rear of the existing dwelling on the subject property.

LOCATION: Part Lot 8, and Lot 9, Block H, Plan 95 (201 George Street)

OFFICIAL PLAN: Schedule "I-1" Residential
Town of Ingersoll Land Use Plan
Schedule "I-2" Low Density Residential
Town of Ingersoll Residential Density Plan

ZONING BY-LAW: Residential Type 1 (R1)



Plate 1 - Existing Zoning
 Derek & Ingrid Eringa, Part Lot 8 & Lot 9, Block H, Plan 95
 File No.: A-8/10, Town of Ingersoll

PLANNING REVIEW:

Intent and Purpose of
the Official Plan:

The County of Oxford Official Plan states that the Committee of Adjustment, in determining whether the variance is desirable shall take into account the following:

- Whether constraints and/or restrictions to meeting the requirements of the 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 this site;
- The concerns of the effect on the adjacent owners, residents, and community in general have been considered;
- The approval of the minor variance would not create an undesirable precedent; and
- The compliance with the standards of the relevant by-law would be unreasonable or impossible and would impose an undue hardship on the applicant.

The subject property is designated as Low Density Residential within the County of Oxford Official Plan. This designation includes 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.

It is noted that the proposed residential addition is located within the Low Density Residential designation. This Office is of the opinion that the proposed variance is in keeping with the intent and purpose of the Official Plan policies.

Intent and Purpose of
the Zoning By-Law:

The subject property is zoned 'Residential Type 1 (R1)' within the Town of Ingersoll's Zoning By-Law 04-4160. The R1 Zone permits residential uses that consist of a single residential dwelling unit.

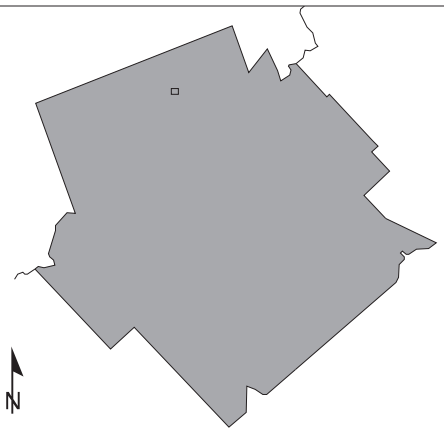
The primary function of the rear yard setback requirement is to ensure that sufficient private amenity area exists on the subject property. Additionally, the rear setback provision is to ensure a consistent setback relative to adjacent residential properties.

The applicant has indicated that the addition is proposed in order to accommodate an addition to an existing bedroom located at the rear of the existing dwelling. The applicant has advised that the minor encroachment into the rear setback will not impact on the rear amenity area of the subject property.

LEGEND

County Orthoimagery (2006)

Municipal Limits



INGERSOLL

Plate 2 - 2006 Air Photo
Derek & Ingrid Eringa, Part Lot 8 & Lot 9, Block H, Plan 95
File No.: A-8/10, Town of Ingersoll



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LAND RELATED INFORMATION SYSTEM
COUNTY OF OXFORD

CREATED ON: 13-AUG-2010

It is Planning staff's opinion that the encroachment into the required rear yard for the proposed addition meets with the intent of the Zoning By-Law provisions.

Desirable
Development/Use:

It is also noted that the subject property backs onto the Ingersoll District Collegiate Institute property to the immediate west and south and single detached residential uses are located to the north and east.

Plate 1, Existing Zoning, shows the zoning of the subject property and other properties in the immediate area.

Plate 2, 2006 Air Photo, is an aerial photograph which shows the property in greater detail, including the existing dwelling and detached garage on the subject property.

Plate 3, Applicant's Sketch, is a site plan which illustrates the location of the existing dwelling and detached garage and proposed addition onto the rear of the dwelling.

It is Planning staff's opinion that the proposed addition will not impact adjacent uses and is considered to desirable development on the subject property.

Summary:

The applicant has requested a variance from the provisions of the Zoning By-Law to permit an addition to the existing dwelling on the subject property.

Based on a review of the application, it is Planning staff's opinion that the application is acceptable and does not create an undesirable precedent. Based on Planning staff's review of the application, it is our opinion that the application meets the 4 tests of a minor variance and is supportable from a planning point of view.

Starr, Marshall, Parker, Ross & Borndahl,
 Barristers and Solicitors,
 P. O. Box 160,
 INGERSOLL, Ontario,
 N5C 3K5

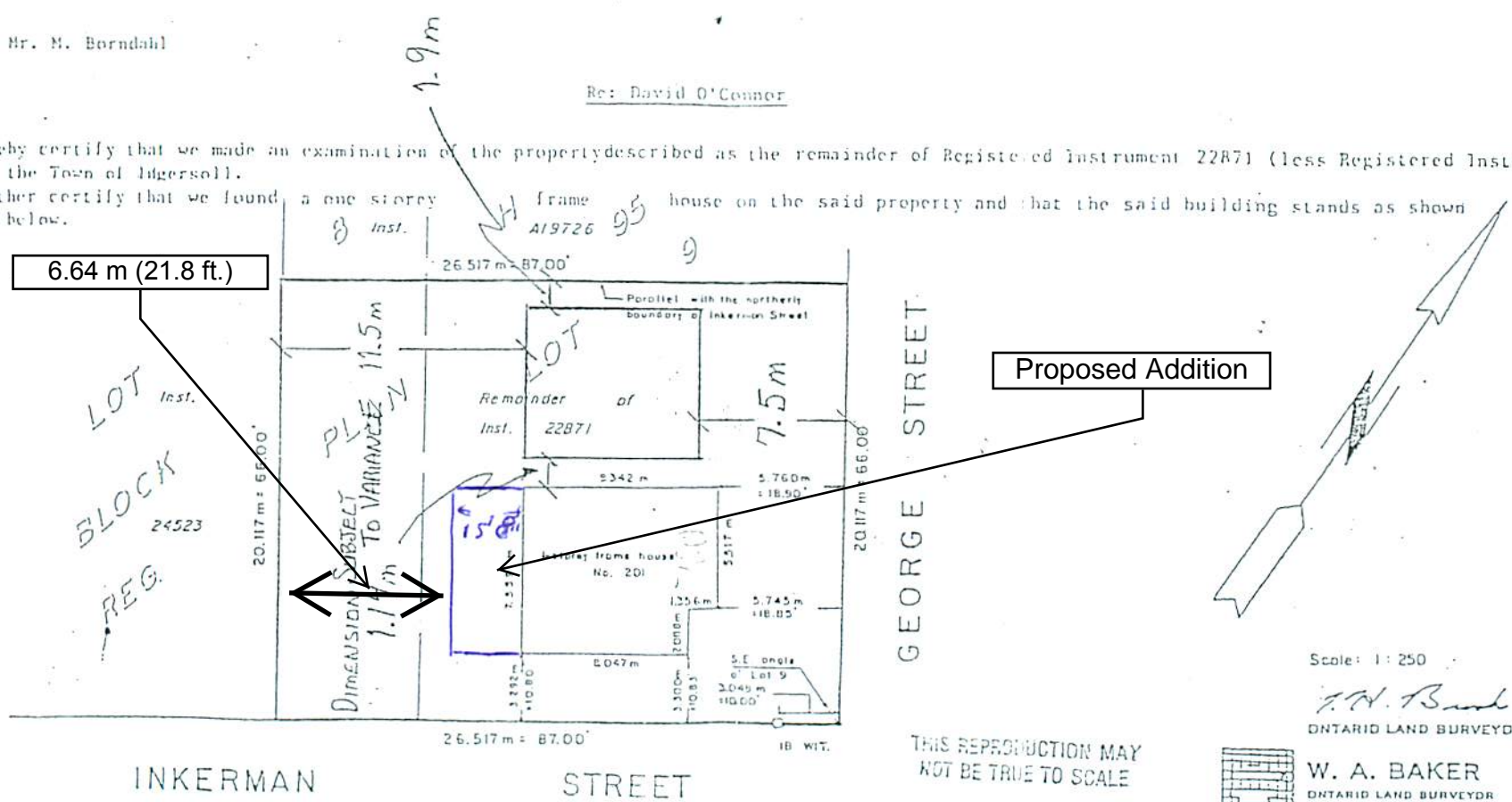
Attention: Mr. M. Borndahl

Re: David O'Connor

Dear Sir:

I hereby certify that we made an examination of the property described as the remainder of Registered Instrument 22871 (less Registered Instrument 24523), in the Town of Ingersoll.

I further certify that we found a one storey frame house on the said property and that the said building stands as shown on the sketch below.



6.64 m (21.8 ft.)

Proposed Addition

Plate 3 - Applicant's Sketch

Scale: 1:250

J. W. Baker
 ONTARIO LAND SURVEYOR

W. A. BAKER

ONTARIO LAND SURVEYOR
 WOODBUCK, ONTARIO

DATE: July 29, 1981

JOB NO.: C-3281

NOTED: 1-15-84

FILE:

C-I-14



THIS REPRODUCTION MAY
 NOT BE TRUE TO SCALE

1B Denotes 5/8" x 5/8" x 2.0' long iron bar with aluminum collar.

Checked by: J This sketch has not been prepared for registration purposes.

RECOMMENDATION:

Whereas the variance requested:

- (i) is a minor variance from the provisions of the Zoning By-law No. 04-4160;
- (ii) is desirable for the appropriate development or use of the land, building or structure;
- (iii) is in keeping with the general intent and purpose of the Zoning By-law No. 04-4160; and
- (iv) is in keeping with the general intent and purpose of the Official Plan of the County of Oxford,

This office is of the opinion that the application is acceptable from a planning point of view and should be granted, subject to the following condition:

- i) the relief granted shall only apply to permit an addition measuring approximately 48.8 m (15.8 ft.) x 7.5 m (24.5 ft.).

Authored by:

Approved by:

“Ron Versteegen”

“Gordon K. Hough”

Ron Versteegen, MCIP, RPP
Development Planner

Gordon K. Hough, MCIP, RPP
Senior Development Planner

August 13, 2010
RV/vl

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