



**Community and Strategic Planning**

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Our File: A-7/10

**APPLICATION FOR MINOR VARIANCE**

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

MEETING: July 27, 2010  
REPORT NO: 2010-219

**OWNER:**

Jonathan Boddy & Charity Bowman  
105 Bruce Street  
Ingersoll, ON N5C 3W6

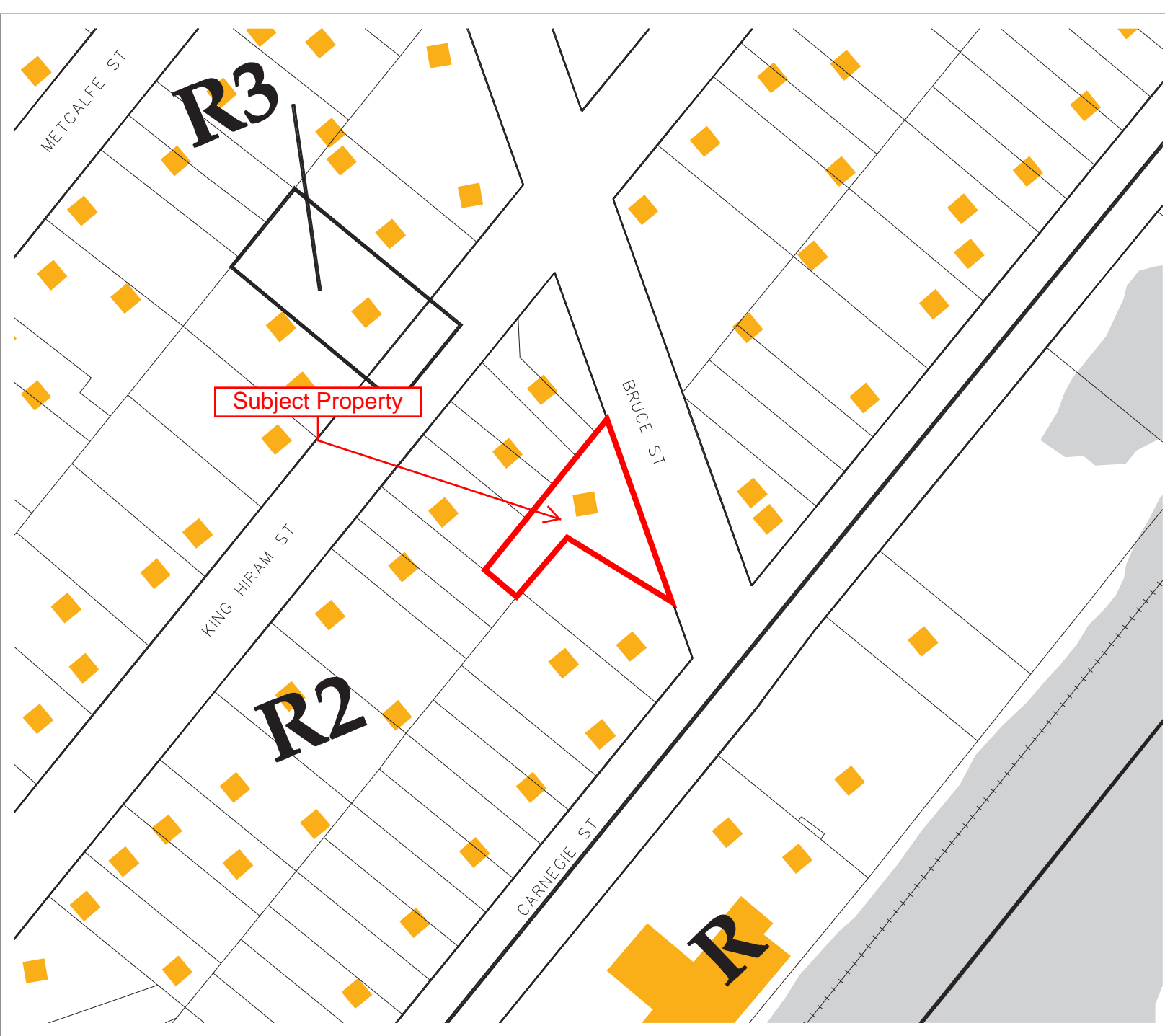
REQUESTED RELIEF: Relief from Table 5.1.1.3 (REGULATIONS FOR ACCESSORY USES) to permit a 6 m (20 ft.) x 6 m (20 ft.) detached garage to be permitted in the required front yard of the subject property.

PROPOSAL: The applicant seeks relief from the provision of the By-Law that does not permit the placement of an accessory building in the required front yard of a residential zoned lot.

LOCATION: Part Lots 8 and 9 (South of King Hiram Street), and Lot 11 (North of Carnegie Street), Block 103, Plan 279 (105 Bruce 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 2 (R2)



- LEGEND**
- Structures (2000)
  - Zoning**
  - Floodway
  - Floodfringe
  - Zoning Line
  - Municipal Limits

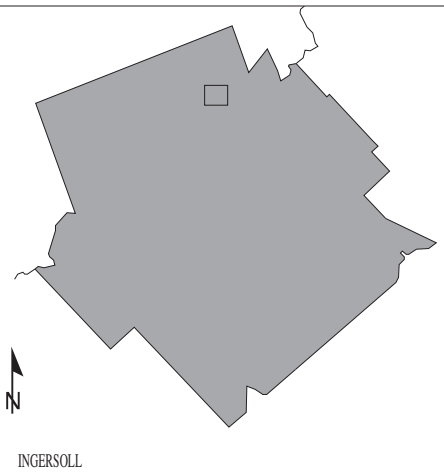


Plate 1 - Existing Zoning  
 Jonathan Boddy & Charity Bowman, 105 Bruce Street  
 File No.: A-7/10, Town of Ingersoll

## 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.

The construction of a building that functions as accessory use to the primary use (single family dwelling) is permitted with the Official Plan. It is Planning staff's opinion that the proposed application is in keeping with the intent of the Official Plan policies.

Intent and Purpose of  
the Zoning By-Law:

The subject property is zoned 'Residential Type 2 (R2)' within the Town of Ingersoll's Zoning By-Law 04-4160. The R2 zone permits single detached dwellings, a duplex dwelling unit or a semi-detached dwelling unit. It is noted that a single detached dwelling unit exists on the subject property.

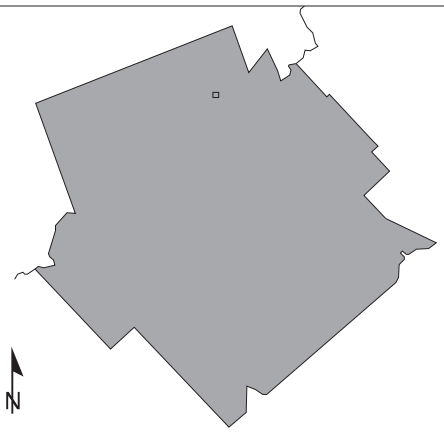
The provision restricting the placement of accessory buildings in the front yard of a residential property is to ensure that various types of sheds and storage buildings are not located closer to the street than the main use (dwelling) for streetscape purposes as well as ensuring that sufficient off-street parking is provided on the subject property. Additionally, the restriction is to ensure that sufficient landscape open space exists in the front yard.

Planning staff note that 2 off-street parking spaces are required on a residential zoned parcel within the Town's

**LEGEND**

County Orthoimagery (2006)

Municipal Limits



INGERSOLL

Plate 2 - 2006 Air Photo  
Jonathan Boddy & Charity Bowman, 105 Bruce Street  
File No.: A-7/10, Town of Ingersoll



© 1990-2007  
LAND RELATED INFORMATION SYSTEM  
COUNTY OF OXFORD

CREATED ON: 15-JUL-2010

Zoning By-Law. Having said this, staff acknowledge that the proposed garage is sufficiently sized to accommodate 2 vehicles and that sufficient area exists between the garage and dwelling to accommodate an additional parking space.

Considering the orientation of the lot and limited area that exists on the property to place the garage while maintaining access to Bruce Street and its proposed size (6 m (20 ft.) x 6 m (20 ft.)), it is the opinion of this Office that the application is in keeping with the intent of the Zoning By-Law.

Desirable  
Development/Use:

The subject property is surrounded by residential uses in each direction.

Plate 1, Existing Zoning, shows the location of the property in relation to the abutting properties, the existing zoning in the area and existing structures in the area.

Plate 2, 2006 Air Photo, is an aerial photograph which shows the property in greater detail, including the existing dwelling and storage shed (to be removed) on the subject property.

Plate 3, Applicant's Sketch, is a site plan which illustrates the location of the existing dwelling and proposed addition on the subject property.

Considering that a number of existing dwellings encroach on the front yard setback of the R2 zone along Bruce Street, it is Planning staff's opinion that the proposed detached garage will not impact the streetscape along Bruce Street.

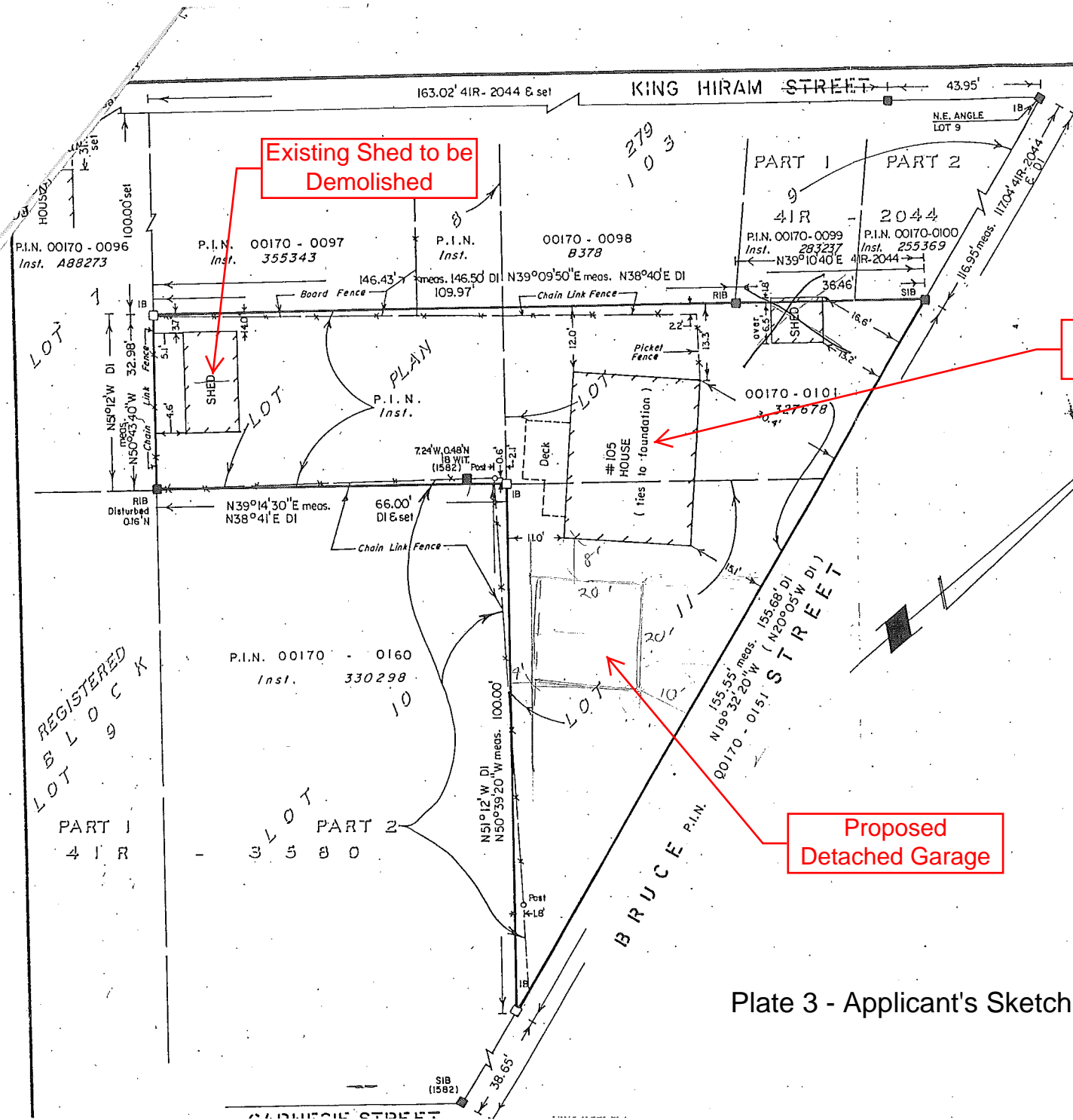
As a result, the proposed detached garage is considered to desirable development on the subject property.

Summary:

The applicant has requested a variance from the provisions of the Zoning By-Law to permit the construction of a detached garage within the front yard of a residential zoned property.

Considering the orientation of the property and limited area that exists to locate the garage and the size of the proposed garage, it is Planning staff's opinion that the proposed location is the only area where the structure can be accommodated 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.



**SURVEYOR'S REAL PROPERTY REPORT**

Part A - Plan  
 OF PART OF  
**LOTS 8 & 9 (South of King Hiram St.)**  
 AND ALL OF  
**LOT 10 (North of Carnegie St.)**  
**BLOCK 103**  
**REGISTERED PLAN 279**  
 IN THE  
**TOWN OF INGERSOLL**  
**COUNTY OF OXFORD**  
 SCALE 1" = 20'  
 1991

**Plate 3 - Existing Dwelling**

**Proposed Detached Garage**

THIS PLAN MUST BE READ IN CONJUNCTION WITH A LETTER DATED OCTOBER 8, 1991. (Surveyor's Real Property Report Part B)  
 THIS REPORT WAS PREPARED FOR JO-ANN EATOCK & MR. M. BORNDABL.  
 THIS PLAN HAS NOT BEEN PREPARED FOR REGISTRATION PURPOSES AND IS NOT VALID IF SIGNATURE IS NOT ORIGINALLY EMBOSSED WITH SURVEYOR'S SEAL.  
 THIS REPORT CAN BE UPDATED BY THIS OFFICE, HOWEVER ADDITIONAL PRINTS OF THIS ORIGINAL REPORT CANNOT BE ISSUED SUBSEQUENT TO THE DATE OF CERTIFICATION.

**SURVEYOR'S CERTIFICATE**

I CERTIFY THAT :  
 THE FIELD SURVEY REPRESENTED ON THIS PLAN WAS COMPLETED ON  
8 OCT 1991  
 DATE Robert Hanson  
 R. T. HANSON  
 ONTARIO LAND SURVEYOR

BEARINGS ARE ASTRONOMIC AND ARE RELATED TO THAT PART OF THE EASTERLY LIMIT OF PART 2 - 4IR-2044 HAVING A BEARING OF N 19°32'20" W ACCORDING TO THE SAID PLAN.

- FOUND SURVEY MONUMENT (WAB unless otherwise noted)
- PLANTED SURVEY MONUMENT
- IB IRON BAR
- SIB STANDARD IRON BAR
- RIB ROUND IRON BAR
- meas. MEASURED
- \*-\*- FENCING
- 1582 DENOTES KIM HUSTED SURVEYING LTD.
- WAB DENOTES W.A. BAKER SURVEYING INC.
- DI DENOTES INSTRUMENT 327678



**W. A. BAKER SURVEYING INC. ©**  
 ONTARIO LAND SURVEYORS  
 WOODSTOCK - ONTARIO  
 DATE : 4 OCTOBER 1991. DRAWN BY : Y.E.NEAVE  
 JOB NO. : C-5415 CHECKED BY : JBM  
 NOTES : I - 21 : 18 & 19 FILE : S-II4-265

**Plate 3 - Applicant's Sketch**

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.

Authored by:

Approved by:

*"Ron Versteegen"*

*"Margaret Misek-Evans" for*

\_\_\_\_\_  
Ron Versteegen, MCIP, RPP  
Development Planner

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Gordon K. Hough, MCIP, RPP  
Senior Development Planner

July 16, 2010  
RV/vl

*File: i7-10i\_rpt.doc*