

Summary of Comments

A-003 & A-004-2021 - 1 Wellington
Street



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-003-2022 & A-004-2022
RELATED APPLICATION(S): N/A
MEETING DATE: January 20, 2022
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: Chris Cannon
Placemaker/Planner
SUBJECT: Minor variance application A-003-2022 & A-004-2022 seeking relief from Table 4.2a of the Zoning By-Law to construct an addition with an interior side yard setback of 0.6 m and front yard setback of 1.9 m.

PROPERTY INFORMATION:

Municipal Address	1 Wellington Street
Legal Description	PLAN 32 N PT LOT 2 RP 51R12746 PART 1
Official Plan	Downtown Commercial Area (Schedule B2)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-003-2022 & A-004-2022 subject to the following condition(s).

CONDITION:

1. That the variance only apply to the submitted drawings and that any future development of the lands be subject to Planning Act regulations.

COMMENT(S):

N/A

REASON FOR APPLICATION:

The applicant is proposing to construct an addition to the existing dwelling with an interior side yard setback of 0.6m (Application A-003-2022). The applicant is seeking relief from Table 4.2a of the Zoning By-law which requires a minimum interior side yard setback of 1.2m.

The applicant is proposing to construct an addition to the existing dwelling with a front yard setback of 1.9m (Application A-004-2022). The applicant is seeking relief from Table 4.2a of the Zoning By-law which requires a minimum front yard setback of 8m.

SURROUNDING LANDS:

North	Wellington Street
East	Single-detached dwelling, driveway
South	Low Density Commercial
West	Driveway

ANALYSIS:

Site Inspection Date	January 6, 2022
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The subject lands are designated Downtown Commercial Area in the Official Plan, however the lot containing the existing dwelling and proposed addition is zoned Residential 1 (R1) Zone. The ultimate intent of the Official Plan Downtown Commercial Area designation is for this area to become a commercial area, however some of the properties within the Downtown Commercial Area still have an R1 Zone, reflecting their current land use as residential. The Residential 1 Zone permits single detached dwellings and accessory structures. The proposed reduction in the interior side yard setback and the reduction in the front yard setback will not detrimentally affect the streetscape and has been reviewed under the Cookstown Heritage Conservation District (HCD) policies. Staff consider the purpose and intent of the Official Plan to be met in the context of existing land uses and zoning, as an addition to an existing dwelling.
Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The subject lands are zoned Residential 1 (R1) in the Town's Zoning By-law 080-13. The R1 zone permits, among other things; single detached dwellings and accessory structures. Section 4.2a of the Town's Zoning By-law requires a front yard setback minimum of 8m, whereas the applicant is proposing a front yard setback of 1.9m. The existing single detached dwelling has a setback of 1.9m and is considered a legal non-complying setback. The fact that the proposed addition maintains the existing front yard setback and does not further reduce the non-complying front yard setback maintains the purpose and intent of the Zoning By-law. Section 4.2a requires an interior side yard setback of 1.2m. The proposed addition is requesting relief to permit a reduced side yard setback of 0.6m. Given the neighbouring dwelling to the west is not directly adjacent to the proposed addition and reduced side yard setback; the neighbouring property should not be affected and the streetscape will not be affected. Therefore, the reduced interior side yard setback maintains the purpose and intent of the Zoning By-law.
The variance is desirable for the	The addition to the single detached dwelling will facilitate an attached garage and additional indoor living accommodations for the subject

appropriate/orderly development or use of the land: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	lands. The proposed addition with a reduced front yard setback (which maintains the existing setback) and reduced interior side yard setback is desirable for the appropriate/orderly development of the land.
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The proposed addition to the existing single detached dwelling should not directly impact the neighbouring property to the west or dominate the existing streetscape of Wellington Street. Therefore, the proposed variances for a reduced front yard setback (which maintains the existing setback) and reduced interior side yard setback is considered minor in nature.

PREPARED BY: Chris Cannon, Placemaker/Planner

REVIEWED BY: Steven Montgomery, Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: January 10, 2022

FROM/CONTACT: Jocelyn Penfold ex 3506 jpenfold@innisfil.ca

FILE/APPLICATION: A-003 & 004-2022

SUBJECT: 1 Wellington Street

Comments to applicant/owner for information purposes (Comments help provide additional information regarding the development of the subject lands to the applicant. Comments are not conditions of approval):

1. The proposed variance appears to impact the spatial separation requirements regarding the proposed unprotected openings, i.e. windows and doors. A review by a qualified designer is to be submitted to meet the requirements of the Ontario Building Code 9.10.15.4. to the satisfaction of Community Development Standards Branch (Building Department).
2. The proposed variance appears to impact the spatial separation requirements regarding the proposed wall construction with regards to Fire Resistance Rating and type of construction. A review by a qualified designer is to be submitted to meet the requirements of the Ontario Building Code 9.10.14.5. to the satisfaction of Community Development Standards Branch (Building Department) with the building permit application.

Condition of Approval (Conditions of Approval are specific enforceable conditions regarding the subject lands should the Committee of Adjustment approve the application. For example: The applicant/owner shall apply for a building permit for the construction of a new dwelling to the satisfaction of Community Development Standards Branch)

1. No comments