

Summary of Comments

A-047 & A-048-2022 - 1296 Maple
Road



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-047-2022 & A-048-2022

MEETING DATE: June 16, 2022

TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment

FROM: Chris Cannon
Placemaker/Planner

SUBJECT: Minor variance applications A-047-2022 and A-048-2022 seeking relief from 3.5 b) of the Zoning By-law which states that accessory dwellings are permitted to have a maximum gross floor area of 50% of the principal dwelling unit, up to a maximum gross floor area of 100 square metres and seeking relief from 3.5 j) which permits a maximum gross floor area of 50 m² for accessory dwelling units located in the rear yard.

PROPERTY INFORMATION:

Municipal Address	1296 Maple Road
Legal Description	Plan 722, Lot 53
Official Plan	Residential Low Density 1
Zoning By-law	Residential 1 (R1)

RECOMMENDATION:

The Planning Department recommends approval of A-047-2022 and A-048-2022 Minor Variance Applications requesting relief from Sections 3.5 b) and j) of the Town's Zoning By-law 080-13 subject to the following condition:

CONDITION:

- 1.) That any existing trees along the property lines be protected and maintained to the extent possible to the satisfaction of the Town. If any trees are proposed to be removed during construction, a tree preservation/planting plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement rates for any trees to be removed, location of new trees, and tree protection measures during construction of the accessory dwelling unit
- 2.) That the owner provide confirmation the accessory dwelling unit is in compliance with Section 3.5 g) of the Town's Zoning By-law or that a variance application be applied for to the Committee of Adjustment for the increased height.

REASON FOR APPLICATION:

The applicant is proposing to convert an existing workshop/detached garage to an accessory suite with a ground floor area of 133.78m². The applicant is seeking relief from 3.3 b) of the Zoning By-law which states that accessory dwellings are permitted to have a maximum gross floor area of 50% of the principal dwelling unit, up to a maximum gross floor area of 100 square metres. In addition, relief is requested for Section 3.5 i) in order to permit a maximum gross floor area of 50 m² for accessory dwelling units located in the rear yard.

SURROUNDING LANDS:

North	Single-detached dwelling and accessory structures
East	Single-detached dwelling and accessory structures
South	Single-detached dwelling and accessory structures
West	Single-detached dwelling and accessory structures

ANALYSIS:

Site Inspection Date	May 26, 2022
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated Residential Low Density 1 Area in the Official Plan. The Residential Low Density 1 designation permits single detached dwellings and accessory structures. The proposed increase in area for the accessory suite will provide opportunities for affordable housing and therefore meets the purpose and intent of the Official Plan.</p>
Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are zoned Residential 1 (R1) in the Town's Zoning By-law 080-13. The R1 zone permits, among other things; the single detached dwelling and accessory structures, as well as accessory suites.</p> <p>Section 3.5 b) of the Town's Zoning By-law requires a ground floor area maximum for accessory buildings of 100m², however converting the existing detached garage for an accessory dwelling unit is 133.78m² will not impose on the surrounding land uses. In addition, the applicant is seeking relief from Section 3.5 i) to permit the conversion of the existing garage located in the rear yard.</p> <p>The Zoning By-law allows for additional space and provides opportunities for affordable housing within the community without impacting the massing on the subject lands, the proposed accessory dwelling is to be located in the existing detached garage which is being converted to accommodate the proposal. As mentioned previously, while larger accessory dwellings can have negative impacts with respect to visual bulk and massing on neighbouring properties, this proposal is within the existing detached garage in the rear yard.</p> <p>Given the applicant is making efficient use of the existing structure located in the rear yard, while proposing an increase in ground floor area; Staff are of the opinion that the proposal maintains the general intent of the Zoning By-law. However, it is unclear as to whether the conversion of the existing structures is in compliance with Section 3.5</p>

	g) of the Town's Zoning By-law. Section 3.5 g) requires the maximum height for a detached accessory dwelling unit shall not exceed the height of the principal dwelling or 6 metres, whichever is less.
The variance is desirable for the appropriate/orderly development or use of the land: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	As previously mentioned, the applicant is maintaining the existing detached garage and converting the existing structure to provide for affordable housing on the subject lands the proposal is desirable for the appropriate/orderly development and use of the land.
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Given the applicant is maintaining the existing detached garage and converting it to an opportunity for an affordable housing option with a increase size, Staff view the proposed variances to be minor in nature.

PREPARED BY:

Chris Cannon, Placemaker/Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: June 8, 2022

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

FILE/APPLICATION: A-047 & 048-2022

SUBJECT: 1296 Maple Road

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. No comments

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