

Summary of Comments

A-002-2023 - 1983 Romina Court



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-002-2023
RELATED APPLICATION(S): N/A
MEETING DATE: January 19, 2023
TO: Toomaj Haghshenas, Secretary/Treasurer, Committee of Adjustment
FROM: Chris Cannon, Placemaker/Planner, Planning Services
SUBJECT: Minor variance application A-002-2023 to legalize two existing sheds with a deficient rear yard setback of 0.69 m and a deficient interior side yard setback of 0.66 m. The applicant is seeking relief from Section 4.2(b) of the Zoning By-law which requires a minimum rear yard and interior side yard setback of 1 m for accessory structures.

PROPERTY INFORMATION:

Municipal Address	1983 Romina Court
Legal Description	Plan M701 Lot 31
Official Plan	Residential Low Density 2 (Schedule B1)
Zoning By-law	Residential 2 (R2) Zone

RECOMMENDATION:

The Planning Department recommends approval of application A-002-2023.

REASON FOR APPLICATIONS:

The applicant is proposing to relief from Section of Zoning By-law No. 080-13 from Section 4.2 b) in order to legalize two (2) existing sheds with a deficient rear yard setback of 0.66m, whereas the Zoning By-law permits a rear yard setback of 1 metre for accessory structures.

The following chart depicts the standards of Zoning By-law 080-13 and the relief sought through this application.

Application Number	By-law Section	Requirement (Accessory Structures)	Proposed	Difference
A-002-2023	4.2 b)	1m	0.66m	0.34m

SURROUNDING LANDS:

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

ANALYSIS:

Site Inspection Date	January 11, 2023
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The area of the property is located within the Residential Low Density 1 Area of the Official Plan on Schedule B1 which permits single-detached dwellings and accessory structures. Therefore, staff are of the opinion that the proposed variance conforms to the policies of the Official Plan.
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) Zone within the Town of Innisfil Zoning By-law No. 080-13, which permits, among other things, a single detached dwelling and accessory structures. The applicant proposes to legalize the two (2) existing sheds on the subject lands.</p> <p>The purpose and intent of Section 4.2 b) of the Zoning By-law, is to ensure there is enough separation distance from property boundaries and accessory structures and to reduce visual bulk and massing of structures on a property. Given the proposed Minor Variance is very minimal (0.34m), Staff are of the opinion that the proposed variance to permit a reduced rear yard setback meets the purpose and intent of the Zoning By-law.</p>
The variance is desirable for the appropriate/orderly development or use of the land: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The accessory structures are appropriate for the area as it is proposed that the primary use of the property will be maintained as a residential use and the accessory structures, which are existing, will not stick out from a visual perspective. It will not impact surrounding residential properties. The proposed accessory structures will maintain all other yard setback standards and all other provisions of the Zoning By-law.
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Staff are of the opinion that the proposed variances for the accessory structures with a reduced rear yard minimum of 0.34m is minor in nature, given the above mentioned considerations.

PREPARED BY:

Chris Cannon, Placemaker/Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP

Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: January 11, 2023

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

FILE/APPLICATION: A-002-2023

SUBJECT: 1983 Romina Court

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. There is currently an open case, being reviewed by the Municipal Law department, regarding the keeping of pigeons in the two sheds.
2. Building permits will not be required as the square footage of the structures is less than the provincial minimum.

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.