

Summary of Comments

A-066 & A-067-2022 – 3339 Mason
Drive



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-066-2022 & A-067-2022

MEETING DATE: January 19, 2023

TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment

FROM: Darren Ding
Planner/Placemaker

SUBJECT: Minor variance applications seeking relief from Section 3.3 b) of the Zoning By-law to increase the maximum footprint of a detached garage from 50m² to 67m² and seeking relief from Section 3.18.3 d) to increase the maximum interior width of a private garage from 50% of the width of the main wall of the principal building to 51.6% on the subject property.

PROPERTY INFORMATION:

Municipal Address	3339 Mason Drive
Legal Description	PLAN 1032 LOT 6
Official Plan	Residential Low Density 1 (Schedule B5)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-066-2022 & A-067-2022, subject to the following conditions:

CONDITIONS:

- 1.) That the variances only apply to the submitted drawings and that any future development of the lands be subject to Planning Act regulations.
- 2.) That the applicant provides a Tree Planting Plan in lieu of a Natural Heritage Evaluation to the satisfaction of the Town as per the recommendations of LSRCA.
- 3.) That the existing boundary trees be protected and maintained to the satisfaction of the Town. A tree protection plan shall be prepared to the satisfaction of the Town, for tree protection measures during construction.

REASON FOR APPLICATION:

The applicant is proposing to construct a detached garage (accessory structure) with an increased footprint of 67m² and with an increased interior width of 51.6% of the width of the main wall of the

principal building. The applicant is seeking relief from Section 3.3 b) of the Zoning By-law which requires a maximum footprint of 50m²; and seeking relief from Section 3.18.3 d) which requires the maximum interior width of a private garage up to 50% of the width of the main wall of the principal building on the lot.

Application Number	By-law Section	Requirement	Proposed	Difference
A-066-2022	3.3 b)	Maximum footprint 50m ²	67m ²	17m ²
A-067-2022	3.18.3 d)	Maximum interior width can not exceed 50% of the width of the main wall of the principal building	51.6%	1.6%

SURROUNDING LANDS:

North	Single detached dwelling (3341 Mason Drive)
East	Woodlands, Key Natural Heritage Features and Key Hydrologic Features Designation
South	Single detached dwelling (3333 Mason Drive)
West	Mason Drive and single detached dwelling (3340 Mason Drive)

ANALYSIS:

Site Inspection Date	September 28, 2022
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is designated Residential Low Density 1 on Schedule B5 to the Town's Official Plan. Accessory uses, buildings and structures are permitted within Residential Low Density 1 designation.</p> <p>The subject property is within the settlement area of Sandy Cove. The proposed detached garage is located on the southern portion of the property. There are unevaluated woodlands to the east of the subject property. In accordance with Section 17.1.15, 17.1.16, 17.1.22 and 17.1.24 of the Town's Official Plan, development shall not be permitted on adjacent lands to Key Natural Heritage Features and Key Hydrologic Features unless the ecological function of the adjacent lands have been evaluated through a Natural Heritage Evaluation (NHE). As the subject property abuts the Key Natural Heritage Features and Key Hydrologic Features, a planting plan in lieu of an NHE is recommended by the Lake Simcoe Region Conservation Authority (LSRCA). As a condition of approval, a planting plan is to be submitted in support of the proposed development and to the satisfaction of the Town.</p> <p>Section 15.1.6 of the Official Plan states a tree protection plan shall be required as part of development applications that identifies, preserves, and compensates trees on the lot. Considering the proposed development being in the proximity of the boundary trees to the south and east, Staff require a tree protection plan be submitted to the satisfaction of the Town as a condition of approval (can be included on</p>

	<p>tree planting plan). Tree Protection Fencing along the southern and eastern property line is recommended to protect trees from being injured during construction.</p> <p>Given the above, Staff are of the opinion the proposed development maintain the general purpose and intent of the Official Plan, subject to the proposed conditions.</p>
<p>Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>	<p>The subject property is zoned Residential 1 (R1) Zone in the Town's Zoning By-law No. 080-13, which allows a maximum 50m² detached accessory structure. The applicant proposes a footprint of 67m² (17m² difference).</p> <p>The purpose and intent of 3.3 b) of the Zoning By-law with respect to a maximum footprint of 50m² is to reduce visual bulk and massing of accessory structures on the property, to ensure the main structure on the subject property, in terms of scale and land use, is the principal dwelling, allowing for sufficient amenity space, and assisting in the regulation of lot coverage in terms of potential drainage/run-off.</p> <p>The proposal is within the maximum permitted lot coverage of 35% for the Residential 1 (R1) Zone and is also within the permitted 10% lot coverage specifically for accessory structures. The lot is of sufficient size to accommodate the increased footprint.</p> <p>Staff also note Section 3.18.3.d) does not permit the interior width of a detached garage to be greater than 50% the width of the main front wall of the principal building for lots with frontage equal to or greater than 15 metres. The purpose and intent of regulating interior width is to prevent the garage from being a visually dominant feature of the property. The interior width of the garage is approximately 51.6% of the width of the main front wall. The garage is 1.6% wider than the maximum 50%, which in the context of the proposed house design is considered minor. The garage does not dominate the dwelling visually and is in the rear yard which has a significant distance from the front lot line. The proposal appears to comply with all other zone provisions, including setbacks and height. Therefore, the proposal maintains the purpose and intent of the Zoning By-law.</p> <p>Considering the above, Staff are of the opinion both variances are in keeping with the general purpose and intent of the Zoning By-law, subject to the proposed conditions.</p>
<p>The variance is desirable for the appropriate/orderly development or use of the land: <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>	<p>The proposed detached garage is located on the east side of the property in the rear yard and has a significant distance from any neighbouring structures. Further, the proposed garage takes advantage of an existing second driveway and would have the least impacts to neighbouring properties since the proposed garage is to be well screened by the existing boundary trees to the south. The variances are required due to the requirements of the maximum footprint and minor increase in the interior width. The increases in the footprint and interior width are compatible with the surrounding uses.</p>

	It is Staff's opinion that the proposed detached garage is desirable for the appropriate/orderly development and use.
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Staff are of the opinion both variances could be considered minor, subject to conditions, due to the size of the lot, proposed location of the accessory structure on the property, having limited impacts to neighbouring properties, and the accessory structure meeting all other provisions of the Zoning By-law.

PREPARED BY:

Darren Ding
Planner/Placemaker

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: January 10, 2023

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

FILE/APPLICATION: A-066 & 067-2022

SUBJECT: 3339 Mason Drive

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. All structures over 50m² will require a lot grading plan to be submitted at time of building permit application. The lot grading plan shall be prepared by an OLS or P.Eng and deemed satisfactory by the Community Development Standards Branch (Building Department).

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.