

Summary of Comments

A-079-2022 - 2 Evelyn Street



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-079-2022
RELATED APPLICATION(S): N/A
MEETING DATE: January 19, 2023
TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment
FROM: Darren Ding
Planner/Placemaker
SUBJECT: Minor variance application A-079-2022 seeking relief from Table 4.2a of the Zoning By-law to reduce the required front yard setback from 8m to 7.7m in support of a garage addition on the existing dwelling.

PROPERTY INFORMATION:

Municipal Address	2 Evelyn Street
Legal Description	PLAN 1153 LOT 16
Official Plan	Residential Low Density One (Schedule B2)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-079-2022, subject to the following condition:

CONDITION:

- 1.) That the variance applies exclusively to the submitted drawings and that any future development of the lands be subject to Planning Act regulations.

REASON FOR APPLICATION:

The applicant is proposing to construct a garage addition on the existing dwelling with a front yard setback of 7.7m. The applicant is seeking relief from Table 4.2a of the Zoning By-law which requires the front yard setback to be a minimum of 8m.

Application Number	By-law Section	Requirement	Proposed	Difference
A-079-2022	Table 4.2a	Minimum Front Yard Setback: 8m	7.7m	0.3m

SURROUNDING LANDS:

North	Vacant residential lot (2A Evelyn Street); single detached dwelling and accessory structures (9 Victoria Street West)
East	Evelyn Street; single detached dwelling and accessory structures (1 Evelyn Street); vacant residential lot
South	Single detached dwelling and accessory structures (4 Evelyn Street)
West	Single detached dwellings and accessory structures (1 & 3 Riley Street)

ANALYSIS:

Site Inspection Date	January 12, 2023
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 B2 to the Town’s Official Plan which permits single detached dwellings and accessory structures on the subject property. The subject property is within the settlement area of Cookstown. The property currently contains a single detached dwelling and accessory structures.</p> <p>The proposed garage addition respects and represents the character of Cookstown and does not stand out from a streetscape perspective. The Official Plan states in 10.1 44 attached garages facing the front yard shall be designed to be proportionate and not dominate the building façade, and should not project beyond the front façade of the dwelling or covered porch if provided. While it does project from the dwelling, it does not offend the Zoning By-law which actually allows garage projections on larger lots, where lots are greater than 20m in lot frontage (the subject lands have a frontage of about 36m). The garage does not dominate the façade and is proportionate, and while it does project beyond the main front wall, the Official Plan states that it ‘should not’, which is not compulsory language (e.g. such as the language ‘shall’). The general intent of the Official Plan in this regard is simply to ensure a typical street frontage is not dominated by garages, and with larger lot frontages this can be better managed in contrast to smaller lots where homes can be ‘hidden’ behind a large garage structure. The proposed reduction in the front yard setback will not detrimentally affect the streetscape. Subject to the proposed condition, and considering the general intent of the Official Plan with respect to garages not dominating the façade of dwellings, negatively affecting streetscape, Staff are of the opinion the application reasonably maintains the general purpose and intent of the Official Plan, in context.</p>
Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is zoned Residential 1 (R1) Zone in the Town’s Zoning By-law No. 080-13, which permits single detached dwellings and accessory buildings and structures.</p> <p>Table 4.2a requires a minimum front yard setback of 8m for single detached dwellings whereas the application proposes a front yard setback to Evelyn Road of 7.7m (0.3m difference). The purpose of the minimum front yard setback is to limit visual bulk and massing of buildings and structures, not be detrimental to the streetscape, provide sufficient amenity space, and provide sufficient sightlines for drivers.</p>

	<p>The proposed 7.7m setback would allow a reasonable amount of amenity space east of the existing dwelling and allow at least 6m for parking of vehicles in front of the garage face. Additionally, the proposed garage addition complies with all other zone provisions, including other setbacks, height, interior width of garage and lot coverage. It is considered that the garage addition into the front yard setback would not cause substantial concern with respect to streetscape, massing, or sightlines.</p> <p>As stated, garage projections are allowed where lot frontages are 20m or greater (3.18.1 e)), and the subject lands exceed 20m frontage at about 36m frontage. The proposed garage projection is reasonable in scale and does not result in the garage dominating the façade of the dwelling.</p> <p>Considering the above, Staff are of the opinion that the variance maintains the purpose and intent of the Zoning By-law, subject to the proposed condition.</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 addition to the existing single detached dwelling will facilitate an attached garage and additional indoor living accommodations for the subject lands. Further, the proposed garage addition takes advantage of an existing driveway and would have the least impacts to neighbouring properties since the proposed addition has a significant distance from any neighbouring structures. The variance is required due to the requirement of the minimum front yard setback. Vehicular parking spaces (typically a minimum of 6m in length) can be accommodated in front of the projecting garage.</p> <p>Given the location of the proposed garage addition and compliance with all other zoning provisions, Staff consider the variance desirable and appropriate for the use of the land, subject to the proposed condition.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>	<p>The proposed addition to the existing single detached dwelling should not directly impact the neighbouring property to the north or dominate the existing streetscape of Evelyn Road. Parking spaces (typically 6m in length) are sufficient in front of the face of the garage. Therefore, Staff are of the opinion that the proposed variance for a reduced front yard setback is considered minor in nature.</p>

PREPARED BY:

Darren Ding
Planner/Placemaker

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: November 28, 2022

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

FILE/APPLICATION: A-079-2022

SUBJECT: 2 Evelyn St.

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.