

Summary of Comments

A-006-2023 – 3785 Whitecap Drive



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-006-2023

MEETING DATE: March 16, 2023

TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment

FROM: Darren Ding
Planner/Placemaker

SUBJECT: Minor variance application seeking relief from Section 3.3 b) of the Zoning By-Law to increase the maximum gross floor area or footprint of a detached garage from 50m² to 65.5m² on the subject property.

PROPERTY INFORMATION:

Municipal Address	3785 Whitecap Drive
Legal Description	PLAN 1503 LOT 48 + ROW OVER PLAN 1503 BLK A
Official Plan	Shoreline Residential Area (Schedule B11)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-006-2023, subject to the following conditions:

CONDITIONS:

- 1.) That the variance only applies to the submitted drawings and that any future development of the lands be subject to Planning Act regulations.
- 2.) That a planting plan be submitted to the satisfaction of the Town, to visually screen the garage from the adjacent property to the south.

REASON FOR APPLICATION:

The applicant is proposing to construct a detached garage (accessory structure) with an increased gross floor area (GFA) or footprint of 65.5m². The applicant is seeking relief from Section 3.3 b) of the Zoning By-law which requires a maximum GFA or footprint of 50m².

Application Number	By-law Section	Requirement	Proposed	Difference
A-006-2023	3.3 b)	Maximum GFA or footprint 50m ²	65.5m ²	15.5m ²

SURROUNDING LANDS:

North	Single detached dwelling and accessory structures (3793 Whitecap Drive)
East	Single detached estate lot zoned R1-2 and EP-8 containing woodlands and dwelling
South	Single detached dwelling and accessory structures (3779 Whitecap Drive)
West	Whitecap Drive, Silver Birch Drive and single detached dwelling and accessory structures (3782 Whitecap Drive)

ANALYSIS:

Site Inspection Date	March 8, 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 Shoreline Residential Area on Schedule B11 to the Town's Official Plan, which permits accessory buildings and structures. The proposed detached garage is located on the southern portion of the property which is currently used for a detached carport. No tree removal is being proposed to accommodate the detached garage.</p> <p>Given the above, Staff are of the opinion the variance maintain the general purpose and intent of the Official Plan, subject to the proposed conditions.</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 allows a maximum 50m² detached accessory structure. The applicant proposes a GFA or footprint of 65.5m² (15.5m² difference).</p> <p>The purpose and intent of 3.3 b) of the Zoning By-law with respect to a maximum GFA or 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 (and a maximum of 20% for accessory structures including a swimming pool). The lot is of sufficient size to accommodate the increased floor area. As such, the applicant would be able to develop multiple accessory structures while still complying with the lot coverage provisions. The existing dwelling is larger in area than the proposed accessory structure, maintaining the dwelling as the principal building and use on the property. Additionally, the proposed accessory structure complies with all other provisions in the Zoning By-law, including maximum interior width, height and all yard setbacks.</p> <p>Considering the above, Staff are of the opinion the variance is in keeping with the general purpose and intent of the Zoning By-law, subject to the proposed conditions.</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>The proposed detached garage is located on the south side of the property in the interior side yard. The proposed garage takes advantage of an existing driveway and would have limited impacts to neighbouring properties since adequate setbacks from property lines and compliance with all other zoning provisions.</p> <p>The variances are required due to the requirements of the maximum GFA or footprint. The increase in the GFA or footprint is compatible with the surrounding uses and no trees to be removed to accommodate the detached garage. It is Staff's opinion that the proposed detached garage is desirable for the appropriate/orderly development and use. Generally speaking, Staff request a planting plan where an accessory structure that is requested to be enlarged and abuts a neighbouring property, to visually screen the structure from the neighbouring yard. Also, it appears windows face the adjacent property to the south. Therefore, Staff request a planting plan be submitted with hedging or other landscaping along the south face of the building, to visually screen the structure.</p>
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Staff are of the opinion the variance 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.</p>

PREPARED BY:

Darren Ding
Planner/Placemaker

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Acceleration

MEMORANDUM TO FILE

DATE: March 6, 2023

FROM/CONTACT: Milan Boldin, milanb@innpower.ca

FILE/APPLICATION: A-006-2023

SUBJECT: 3785 Whitecap 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):

Customer would be responsible for all costs to relocate existing underground service and meter base if new garage build interferes with service wires.

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)



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: March 8, 2023

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

FILE/APPLICATION: A-006-2023

SUBJECT: 3785 Whitecap 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).
2. The applicant/owner shall provide analysis of the limiting distance vs the prescribed limitations, for the right/south side of the garage to be submitted at the time of 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. The applicant/owner shall provide a site plan with proposed building and septic footprint, indicating setback (both tank and bed) from the proposed structure that meets all Ontario Building Code required clearances to the satisfaction of Community Development Standards Branch (Building Department).