

# **Summary of Comments**

A-018-2023 - 1525 Benson Ave



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-018-2023  
**RELATED APPLICATION(S):** N/A  
**MEETING DATE:** April 20, 2023  
**TO:** Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment  
**FROM:** Chris Cannon, Placemaker/Planner  
**SUBJECT:** Minor variance application A-018-2023 is seeking relief from Table 5.2b of the Zoning By-Law to increase the height of the proposed building to 15.6m whereas the By-law restricts the height of apartment buildings to 14m and 15m for commercial/mixed use buildings.

### PROPERTY INFORMATION:

<b>Municipal Address</b>	1525 Benson Street
<b>Legal Description</b>	Concession 8; S pt Lot 21; RP 51R-36611 Pt Part 1 RP
<b>Official Plan</b>	Residential Medium Density
<b>Zoning By-law</b>	Mixed Use 1 Exception (MU1-4)

### RECOMMENDATION:

The Planning Department recommends approval of A-018-2023 subject to the following condition(s).

### CONDITION:

1. That the variances only apply to the drawings submitted with this variance application, and that any future development of the lands be subject to *Planning Act* regulations.

Application Number	By-law Section	Requirement	Proposed	Difference
A-018-2023	Table 5.2 b)	14m (apartment buildings)	15.6m	1.6m

		15m (commercial/mixed use)		
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**REASON FOR APPLICATION:**

The applicant is proposing to construct four storey residential seniors building with an increased height of 15.6m. The applicant is seeking relief from Table 5.2b of the Zoning By-law.

**SURROUNDING LANDS:**

<b>North</b>	Benson Street, townhouses
<b>East</b>	Single-detached dwellings
<b>South</b>	Commercial plaza
<b>West</b>	20 Sideroad, agricultural lands, single-detached dwelling

**ANALYSIS:**

<b>Site Inspection Date</b>	April 12, 2023
<b>Maintains the purpose and intent of the Official Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The subject lands are designated Residential Medium Density Area in the Official Plan. The Residential Medium Density designation permits the use of a seniors residential apartment building as a site specific exception (10.3.11), up to seven storeys. The proposed increase in the height meets the purpose and intent of the Official Plan as the use is only four storeys rather than the maximum 7 storey permission, meets the land use permissions, and is considered compatible with the built form of the surrounding area. The increased height for proposed seniors building will not negatively affect the surrounding built form for the subject lands, as the building is oriented to the street on the extreme west side of the property.
<b>Maintains the purpose and intent of the Zoning By-law:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The subject lands are zoned Mixed Use Exception (MU1-4) in the Town’s Zoning By-law 080-13. The MU-4 zone permits, among other things; the midrise seniors residence. Section 5.2b of the Town’s Zoning By-law requires a height maximum of 14m for apartment buildings, whereas the applicant is proposing a height of 15.6m. The purpose of the maximum 14m height is to allow enough room in the MU1 Zone for four storey apartments – in this case it appears the structure has a taller than average first floor (over 10ft), and upper storey ceilings taller than the typical 8 ft. The proposed increase in the height maximum is respective of the surrounding built form as the building placement is on the western portion of the property, reducing impacts on the surrounding area. Four storeys is still proposed, with slightly taller ceilings. The height increase of 1.6m is considered minor, and is only 0.6m higher than maximum allowance if the building was mixed use in the Zoning By-law (mixed use buildings allow 15m height).

	In this context, the increase in height for the seniors residence can be considered to maintain the purpose and intent of the Zoning By-law in the opinion of Staff.
<b>The variance is desirable for the appropriate/orderly development or use of the land:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The proposed mid rise seniors residence will facilitate much needed living accommodations for the aging population on the subject lands. The location of the parking lot on the east side of the building provides a buffer from the residential uses east of the subject lands. The proposed structure with an increased height requirement is desirable for the appropriate/orderly development of the land.
<b>The variance is minor in nature:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The proposed mid rise seniors residence should not directly impact the neighbouring property to the south and should not dominate the existing streetscape of 20 Sideroad or over burden the surrounding properties. Therefore, the proposed variance for an increased height requirement is considered minor in nature.

**PREPARED BY:** Chris Cannon, Placemaker/Planner

**REVIEWED BY:** Steven Montgomery, Supervisor of Development Acceleration



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE:** April 14, 2023

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

**FILE/APPLICATION:** A-018-2023

**SUBJECT:** 1525 Benson Ave.

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**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

## MEMORANDUM TO FILE

**DATE:** April 12, 2023  
**FROM/CONTACT:** Tony Mendicino, [tonym@innpower.ca](mailto:tonym@innpower.ca)  
**FILE/APPLICATION:** A-018-2023  
**SUBJECT:** 1525 Benson Ave

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**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):

InnPower does not have any objection to the minor height variance application. However, servicing discussions need to happen with InnPower Engineering to confirm if there is enough capacity on our system to be able to service this property.

**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)

