

# **Summary of Comments**

## **A-028-2023 – 63 Victoria St E**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-028-2023  
**RELATED APPLICATION(S):** N/A  
**MEETING DATE:** June 15, 2023  
**TO:** Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment  
**FROM:** Chris Cannon, Placemaker/Planner  
**SUBJECT:** Minor variance application A-028-2023 is seeking relief from 4.3.3.20 b) of the Zoning By-Law to increase the size of the proposed deck with additional lot coverage to 49% whereas the By-law restricts overall lot coverage to 40%.

### PROPERTY INFORMATION:

<b>Municipal Address</b>	63 Victoria Street East
<b>Legal Description</b>	51M1057; Lot 2
<b>Official Plan</b>	Residential Low Density One (Schedule B2)
<b>Zoning By-law</b>	Residential 1 Exception (R1-21)

### RECOMMENDATION:

The Planning Department recommends approval of A-028-2023 subject to the following condition(s).

### CONDITION:

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

Application Number	By-law Section	Requirement	Proposed	Difference
A-028-2023	4.3.3.20 b) (iii)	Lot coverage maximum 40%	49%	9%

### REASON FOR APPLICATION:

The applicant is proposing to construct a deck in the rear yard with an increased lot coverage of 49%. The applicant is seeking relief from Section 4.3.3.20 b) (iii) of the Zoning By-law.

### SURROUNDING LANDS:

<b>North</b>	Victoria Street East, Single detached dwellings and accessory
<b>East</b>	Single detached dwellings and accessory structures
<b>South</b>	Single detached dwellings and accessory structures
<b>West</b>	Single detached dwellings and accessory structures

### ANALYSIS:

<b>Site Inspection Date</b>	May 4, 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 Low Density One in the Official Plan (Schedule B2). The Residential Low Density One designation permits single detached dwellings and accessory structures. Decks are a permitted accessory structure, subject to zoning regulations. The proposed increase in lot coverage meets the purpose and intent of the Official Plan. The increased lot coverage will not affect the surrounding built form for the subject lands, as the proposed deck will be located in the rear yard of the property. Staff are of the opinion that the purpose and intent of the Official Plan is maintained.
<b>Maintains the purpose and intent of the Zoning By-law:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are zoned Residential 1 Exception (R1-21) in the Town's Zoning By-law 080-13. The R1-21 zone permits single detached dwellings and accessory structures. Section 4.3.3.20 b) (iii) of the Town's Zoning By-law requires a lot coverage maximum of 40%, whereas the applicant is proposing a lot coverage of 49%. The purpose of the maximum lot coverage is to avoid visual bulk and massing of structures on the lands while maintaining amenity areas. The proposed increase in the lot coverage maximum is respective of the surrounding built form as the surrounding properties mostly have decks or patios in the rear yard. It is considered the deck is a reasonable scale, only covering a portion of the rear yard, and meets the required interior side yard and rear yard setbacks for a deck, and therefore maintains the purpose and intent of the Zoning By-law.</p> <p>In this context, the increase in lot coverage for a deck in the rear yard can be considered to maintain the purpose and intent of the Zoning By-law in the opinion of Staff.</p>
<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	Based on its scale, the proposed deck in the rear yard is considered reasonable in size, will not result in substantial visual bulk and massing of structures, and will provide for an amenity space. The proposed deck with an increased lot coverage is desirable for the appropriate/orderly development of the land.

<b>The variance is minor in nature:</b> <input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	The proposed deck in the rear yard should not directly impact the neighbouring properties and should not dominate the massing or existing built form or over burden the surrounding properties. Therefore, the proposed variance for an increased lot coverage in the rear yard is considered minor in nature.
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**PREPARED BY:** Chris Cannon, Placemaker/Planner

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



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE:** June 9, 2023

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

**FILE/APPLICATION:** A-025-2023

**SUBJECT:** 63 Victoria St. E.

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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):

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)

No comments.