

# **Summary of Comments**

## **A-037-2023 – 862 Kennedy Rd**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-037-2023

**RELATED APPLICATION(S):** N/A

**MEETING DATE:** July 20, 2023

**TO:** Toomaj Haghsheenas, Secretary/Treasurer, Committee of Adjustment

**FROM:** Chris Cannon, Placemaker/Planner, Planning Services

**SUBJECT:** Minor variance application A-037-2023 seeking relief from Table 3.18.1 g) of Zoning By-law No. 080-13 to add an additional driveway on a residentially zoned lot. The applicant is seeking relief from Section 3.18.1 g) to add an additional driveway where only one (1) driveway shall be permitted per residentially zoned lot within a settlement area.

### PROPERTY INFORMATION:

<b>Municipal Address</b>	862 Kennedy Road
<b>Legal Description</b>	PLAN 881 LOT 76
<b>Official Plan</b>	Residential Low Density 1 (Schedule B1)
<b>Zoning By-law</b>	Residential 1 (R1) Zone

### RECOMMENDATION:

The Planning Department recommends approval of application A-037-2023, subject to the following condition:

- 1.) That applicant/owner shall obtain an entrance permit from the Town of Innisfil prior to connecting the additional driveway to Kennedy Road.
- 2.) That existing mature trees and boundary trees be protected and maintained to the satisfaction of the Town. A Tree Preservation/Planting Plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement rates for any trees to be removed, and location of new trees and tree protection measures during construction of the driveway

### REASON FOR APPLICATION:

The applicant is proposing to relief from 3.18.1 g) of Zoning By-law No. 080-13 to add an additional driveway on a residentially zoned lot. The applicant is seeking relief from Section 3.18.1 g) to connect a second driveway in the front yard, where only one (1) driveway shall be permitted per residentially zoned lot within a settlement area. An entrance permit is required to connect the new entrance to the street formally as a second driveway, and this is proposed as a condition.

Application Number	By-law Section	Requirement	Proposed	Difference
A-065-2022	3.18.1 g)	1 driveway/residentially zoned lot in a settlement area	2 driveways	1 additional driveway

#### SURROUNDING LANDS:

North	Single-detached dwelling and accessory structures
East	Single-detached dwelling and accessory structures
South	Single-detached dwelling and accessory structures
West	Single-detached dwelling and accessory structures

#### ANALYSIS:

Site Inspection Date	June 29, 2023
<b>Maintains the purpose and intent of the Official Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The property is located within the Primary Settlement Area of Alcona and is zoned as "Residential 1 (R1)". The subject lands are designated "Residential Low Density 1" on Schedule B1 which permits single-detached dwellings. The surrounding neighbourhood is characterized primarily by single detached dwellings. No policy in the Town Official Plan specifically restricts two entrances onto a local residential street, although policies are in place to minimize entrances onto arterial and collector roads to allow for enhanced traffic and trail circulation. The subject site is in keeping with the intended focus on growth for settlement areas and therefore staff are of the opinion that the proposed variance conforms to the policies of the Official Plan.</p>
<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 (R1) Zone within the Town of Innisfil Zoning By-law No. 080-13, which restricts the number of driveways within a settlement area to one (1) driveway. The applicant proposes to create a circular driveway by adding a second entrance on Kennedy Road, in addition to the existing driveway.</p> <p>The purpose and intent of Section 3.18 g) of the Zoning By-law, is to maintain a consistent streetscape, ensure front yards are not dominated by parking areas, and minimize traffic concerns. The proposed second driveway will maintain a consistent streetscape because it will comply with the zoning requirement of Section 3.35.2 k). Section 3.35.2 k) states "In a residential zone the minimum landscaped open space in the front yard or exterior side yard shall be 40%. In accordance with the submitted plans the proposal maintains greater than 40% of landscaped open space in the front yard. The proposal appears to be acceptable in terms of sightlines would not generate substantial traffic concerns. Staff note other circular driveways exist in the area (e.g. 1760 &amp; 1766 Cross Street directly to the east and 1715 Cedar Grove Avenue) so the proposal is not without precedent.</p>

	Staff are of the opinion that the proposed variance to permit an additional driveway meets the purpose and intent of the Zoning By-law.
<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 second driveway is appropriate for the area as it is proposed to be used for access to create additional parking for the dwelling unit on the subject lands while maintaining adequate landscaped open space. It will not impact surrounding residential properties, nor will it cause clutter and increased traffic within the neighborhood, and would not appear to cause any significant sightline issues or traffic concerns.
<b>The variance is minor in nature:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Staff are of the opinion that the proposed secondary driveway is minor in nature. Given the scale of the lot and other matters previously discussed, it can be considered minor.

**PREPARED BY:**

Chris Cannon, Placemaker/Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Acceleration



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE:** July 12, 2023

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

**FILE/APPLICATION:** A-037-2023

**SUBJECT:** 862 Kennedy Road

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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 comment.

**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 comment.



## MEMORANDUM TO FILE

**DATE:** July 7, 2023

**FROM/CONTACT:** Thomas Steube-Chapman, InnServices

**FILE/APPLICATION:** A-037-2023 862 Kennedy Road

**SUBJECT:** Minor Variance Application for 862 Kennedy Road – InnServices Comments and Conditions

**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. The driveway addition can not result in the water service curb stop becoming located within the driveway. Based on InnServices records, the existing water service curb stop is approximately 5.6 metres from the west lot line. Please reach out to InnServices to obtain the water service record sheet for 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):

1. That the proposed driveway extension be designed and constructed such that the existing water service curb stop valve does not become located within the driveway and the curb stop valve be offset from the edge of the driveway to the satisfaction of InnServices. The existing water service curb stop will not be relocated to accommodate the driveway extension.

MEMORANDUM TO FILE

**DATE:** July 14, 2023  
**FROM/CONTACT:** Anton Kalinin  
**FILE/APPLICATION:** A-037-2023 (862 Kennedy Road)  
**SUBJECT:** Committee of Adjustment Applications – July 2023  
Engineering Services Review Comments

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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):

- The Applicant/Owner shall ensure that all **swales on the property** meet the requirements set out in Section 7.3 of the Town of Innisfil (“Town”) Engineering Design Standards and Specifications Manual (“Town Standards”), as amended, and shall ensure stormwater (“SWM”) runoff does not adversely affect adjacent properties.
- The Applicant/Owner shall prepare and submit **engineering design** drawings, specifications, and reports that address, but may not be limited to, such matters as site layout, **lot grading**, stormwater management, **tree preservation and compensation for removal** (refer to Town Corporate Policy CP.09-08 Tree Policy for Development Approvals and Town Standard Section 8.3.3), servicing, and LID measures, to the satisfaction of the Town and InnServices Utilities Inc. (“InnServices”).
- The Applicant/Owner shall ensure that all **driveway locations** on the property meet the requirements set out in Section 2.4.4.12.2 of the Town Standards, as amended.

**Conditions 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):

- The Applicant/Owner shall prepare and submit **engineering design** drawings and all other supporting documents in accordance with Town Standards and to the satisfaction of the Town.
- The Applicant/Owner shall undertake and submit a **tree inventory, tree preservation, and tree compensation plan** to the satisfaction of the Town.