

# **Summary of Comments**

## **A-041-2023 – 887 Green St**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-041-2023

**MEETING DATE:** August 17, 2023

**TO:** Toomaj Haghshenas  
Secretary Treasurer Committee of Adjustment

**FROM:** Brandon Correia, Manager of Planning

**SUBJECT:** Minor variance application seeking relief from Section 4.3.3.26 (b) of the Zoning By-Law to seek relief from the requirement that accessory structures have an interior side yard setback of 1.2m.

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### PROPERTY INFORMATION:

<b>Municipal Address</b>	887 Green Street
<b>Legal Description</b>	PLAN 51M-1099 LOT 58
<b>Official Plan</b>	Residential Low Density One
<b>Zoning By-law</b>	Residential 1 Exception (R1-26) Zone

### RECOMMENDATION:

The Planning Department recommends approval of A-041-2023, 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 the Zoning By-law.

### REASON FOR APPLICATION:

The applicant has constructed an accessory structure/pergola which does not comply with the required with the required interior side yard setback of 1.2m. The applicant is seeking relief to permit the pergola to have an interior side yard setback of 0.76m.

Application Number	By-law Section	Requirement	Proposed	Difference
A-041-2023	Section 4.3.3.26 b)	1.2m interior side yard setback	0.76m	0.44m

**SURROUNDING LANDS:**

<b>North</b>	Low density residential and accessory structures
<b>East</b>	Low density residential and accessory structures
<b>South</b>	Low density residential and ravine lands
<b>West</b>	20 <sup>th</sup> Sideroad

**ANALYSIS:**

<b>Site Inspection Date</b>	July 27, 2023
<b>Maintains the purpose and intent of the Official Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is designated Residential Low Density One on Schedule B3 in the Town's Official Plan. Section 10.2.2 permits single detached dwellings and accessory buildings and structures on the subject property.</p> <p>Given the above, as stated, Staff are of the opinion the application maintains the general purpose and intent of the Official Plan, subject to the proposed conditions.</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 property is zoned Residential 1 Exception (R1-26) Zone in the Town's Zoning By-law No. 080-13, which permits single detached dwellings and accessory buildings and structures.</p> <p>Section 4.3.3.26 b) states that accessory buildings and structures shall have a minimum interior side yard setback of 1.2m. The proposed Variance for the pergola is located in the rear yard, adjacent to a property line privacy fence which should not result in issues with the adjacent property's ability to enjoy their private amenity space.</p> <p>The proposed variance maintains the purpose and intent of the Zoning By-law, subject to the proposed conditions.</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	<p>Staff consider the variance desirable for the appropriate and orderly development of the land. The accessory structure/pergola will be screened from view by existing privacy fence and 20<sup>th</sup> Sideroad to the west.</p> <p>The proposed variance is desirable for the appropriate and orderly development of the land, and will not adversely impact the swale/lot grading of the subject lands</p>
<b>The variance is minor in nature:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The requested Variance for the accessory structure/pergola is fitting in with the character of the neighbourhood, and compliance with all other zoning provisions.</p> <p>Staff consider the requested variance minor in nature.</p>

**PREPARED BY:**

Brandon Correia, MCIP, RPP  
Manager of Planning



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE:** August 10, 2023

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

**FILE/APPLICATION:** A-041-2023

**SUBJECT:** 887 Green St.

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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. Ensure swales are maintained in accordance with the approved grading plan for the 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. No comment.



Engineering

## MEMORANDUM TO FILE

**DATE:** August 14, 2023

**FROM/CONTACT:** Adil Khan ex 3244 akhan@innisfil.ca

**FILE/APPLICATION:** A-041-2023

**SUBJECT:** 887 Green St.

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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 conditions of approval.