

Summary of Comments

A-042 and A-043-2023 –
3740 Sunreef Ave



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-042-2023 & A-043-2023
RELATED APPLICATION(S): N/A
MEETING DATE: August 17, 2023
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: David Riley, SGL Planning & Design Inc.
SUBJECT: Minor variance application A-042-2023 & A-043-2023 seeking relief from Section 5.2.1 and 5.2.4 (c) of the site-specific Zoning By-law 029-05, to allow for a resort residential building with a maximum height of 6 storeys on RRHC zoned lands.

PROPERTY INFORMATION:

Municipal Address	3740 Sunreef Avenue
Legal Description	Plan 51M-997 - Block 1
Official Plan	Resort Recreational Area / Resort Commercial
Zoning By-law	Resort Residential Hotel Commercial (RRHC) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-043-2023 subject to the following condition.

CONDITION:

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

REASON FOR APPLICATION:

The applicant is proposing to construct a resort residential building (flexbuilding) ranging from 4 to 6-storeys. The applicant is seeking relief from Section 5.2.1 of the site-specific Zoning By-law (029-05) for the portion of the building located within the RRHC Zone, which does not permit resort residential buildings (flexbuildings). Section 5.2.1 permits hotel, conference and resort ancillary uses such as spas, accessory recreational uses and retail and service commercial uses. Section 5.2.4 c) of the Zoning By-law permits hotel uses to a maximum height of 6-storeys. The applicant is seeking relief from Section 5.2.4 c) to permit the resort residential building (flexbuilding) use at a maximum height of 6-storeys.

Application Number	By-law Section	Requirement	Proposed
A-042-2023	5.2.1	Permits hotel, conference centre and resort recreational facilities	Additionally permit a flexbuilding (resort residential building).
A-043-2023	5.2.1 c)	Maximum 6 storeys permitted for hotel use	Apply 6-storey maximum height to new permitted flexbuilding use.

SURROUNDING LANDS:

North	Future development lands as part of this application
East	Existing residential
South	Recreation open space
West	Commercial use (Beach Club)

ANALYSIS:

Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The lands and southeastern portion of the building subject to this Variance are designated Resort Commercial. Section 8.6.3 of the Big Bay Point Secondary Plan states the Resort Commercial designation permits hotel, conference and resort ancillary uses such as spas, accessory recreational uses and retail and service commercial uses. The Resort Commercial designation also permits High Density Residential (apartment buildings or stacked townhouses) uses in mixed-use buildings. The remainder and majority of the building is designated Medium-High Density Resort Residential which also permits townhouses and apartment buildings. As such, the proposed building and use is permitted within both applicable land use designations, and the proposed variance to permit a resort residential building (flexbuilding) meets the purpose and intent of the Resort Commercial designation of the Big Bay Point Resort Secondary Plan.</p>
Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The lands and southeastern portion of the building subject to the proposed variances are zoned Resort Residential Hotel Commercial (RRHC). As stated in Section 5.2.1 of the site-specific Zoning By-law 029-05, the RRHC Zone only permits hotels and conference facilities, with grade related retail and service commercial uses as accessory uses. The RRHC Zone does fully implement the Resort Commercial designation in permitting High Density Residential uses. The remainder of the site and majority of the proposed building is zoned High Density Resort Residential 2-1 (HRR2-1) which permits a flexbuilding.</p> <p>Since the passing of site-specific Zoning By-law 029-05, analysis has determined the subject site and RRHC Zone location is not the location of the future resort hotel. The established planning framework for Friday Harbour, as amended, plans for a future hotel to be developed east of the boardwalk, which is zoned exclusively for hotel uses as approved by the Town (and secured by a \$500,000 surety bond to the Town), which will ensure the hotel function of the Resort and purpose of the RRHC Zone is still met.</p>

	<p>Permitting a flexbuilding on the subject lands would align with the adjacent northern HDRR2-1 Zone where the majority of the building is located and provide flexibility in the overall intent of the RRHC Zone.</p> <p>The performance standards of Section 5.2.3 d) ii) outlined in Zoning By-law 029-05 permit a maximum height of 4 storeys. The applicant is seeking to apply the performance standard of Section 5.2.4 c) for this Variance application for a flexbuilding, which states:</p> <p style="padding-left: 40px;">“Notwithstanding the height regulations in Section 5.2.3, a hotel may have a maximum building height of 6 storeys provided, however, that it is located a minimum of 50 metres from any existing residential zone. Any storey above the fourth storey shall be setback a minimum of 1.5 m from the storey below.</p> <p>The application seeks relief from Section 5.2.4 c) of the Zoning By-law to permit the flexbuilding use at height up to the same six-storey maximum permitted for a hotel and other flexbuildings in the Resort. The 50-metre buffer and 1.5-metre setbacks are not proposed to be varied, and have been incorporated into the proposed design. Applying the same maximum height to the flexbuilding, which takes the place of a potential hotel building that could otherwise be constructed on the site as-of-right, maintains the general purpose and intent of the Zoning By-law while also recognizing a flexible development approach consistent with the evolution of the Resort’s development.</p>
<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>	<p>Through the proposed variances, development of the flexbuilding will be subject to the same performance standards (including height) as the permitted hotel building on the subject lands, and therefore represents the desirable/orderly development of the site, consistent with built form standards that are otherwise permitted as-of-right and in conformity to Secondary Plan policies. The development of a resort residential flexbuilding is consistent with the mixed use nature of the overall Resort development and is already permitted within the Resort Commercial designation. Development of a flexbuilding on the subject lands will not detract from any other desired resort uses, including a hotel, on the broader Resort site.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Staff are of the opinion that both variances are minor in nature due to size of the subject lands zoned RRHC in relation to the overall building footprint in compliance with the HDRR2-1 Zone, full conformity of the proposed development with the Resort Commercial designation, the hotel use remaining an important and vital component of the overall Resort function, matching the maximum height already permitted for a hotel on the site and meeting all other provisions of the site-specific Zoning By-law 029-05.</p>

PREPARED BY:

David Riley, SGL Planning & Design Inc.

REVIEWED 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-042 & 043-2023

SUBJECT: 3740 Sunreef

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.



Engineering

MEMORANDUM TO FILE

DATE: August 14, 2023

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

FILE/APPLICATION: A-042-2023

SUBJECT: 3740 Sunreef Avenue

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. Please check with the Planning department.

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.

MEMORANDUM TO FILE**DATE: August 10, 2023****FROM/CONTACT: Aaron Nail, aaronn@innpower.ca****FILE/APPLICATION: A-042 and A-043-2023****SUBJECT: 3740 Sunroof Avenue**

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):

Please have your electrical engineer complete InnPower's Customer Connection Request form. This will provide more information to InnPower, which will allow us to confirm if we have the required Capacity from our Distribution Stations.

Additionally, the information this form will provide would also allow InnPower to review the loading of the proposed facility so that InnPower can begin to procure the required transformer, which is imperative as transformer lead times are still in the 40+ week range.

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)



A-042 and A-043-2023 – 3740 Sunreef Ave – Public Comment

I am not in agreement with these applications. Residential units on the East side will increase traffic on Big Bay Point Rd, which is already unsafe to walk, and increasing the heights will negatively impact residents on West Street.

Friday Harbour has notified their residents that have signed a letter of intent with Hilton for a 15 story hotel on that site. If this is current application is allowed, it is just opening the door to push through 15 stories that was never planned, approved or considered. No shadow analysis has been conducted and this site is not appropriate for 15 stories, the proposed increases and change of use.