

Summary of Comments

A-022, A-023 & A-024-2024 -
2297 Webb St



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-022-2024, A-023-2024 & A-024-2024
MEETING DATE: August 15, 2024
TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment
FROM: Toomaj Haghshenas
Development Planner
SUBJECT: Minor variance applications A-022-2024, A-023-2024 and A-024-2024 seeking relief from Sections 3.5(b), 3.5(g) and 3.5(j) for an increase to the maximum permitted height of an accessory dwelling unit, an increase to the maximum permitted Gross Floor Area (GFA) of an accessory dwelling unit and an increase to the maximum permitted footprint of an accessory dwelling unit located in the rear yard.

PROPERTY INFORMATION:

Municipal Address	2297 Webb St
Legal Description	PLAN M349 LOT 64
Official Plan	Village Residential (B7)
Zoning By-law	Residential 1 (R1)

RECOMMENDATION:

The Planning Department recommends deferral of A-022-2024, A-023-2024 and A-024-2024 subject to the following requirements:

- a) That revised elevations are provided that reduce the 7.42 m height of the proposed ADU through a reduction of the first-floor ceiling height.
- b) That revised elevations are provided showing no second storey deck on the west facing wall of the Accessory Dwelling Unit or that the existing vegetation located along the west property line be maintained to provide adequate screening.

Alternatively, if the Committee of Adjustment approves A-024-2024, the Planning Department recommends the following conditions be included as conditions of approval:

- 1.) That no second storey deck be installed on the west facing wall of the proposed Accessory Dwelling Unit (ADU), or that existing vegetation located along the west property line be maintained to provide adequate screening.

- 2.) That the proposed height be reduced below the height of the principal dwelling (7.20 m).
- 3.) That a Hydrological study assessing the assimilative capability of the soils for the proposed septic system be provided to the satisfaction of the Town.
- 4.) That the 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 and accessory structure.

REASON FOR APPLICATION:

The applicant is proposing to construct a detached garage containing a second floor Accessory Dwelling Unit (ADU). The ADU will have a proposed Gross Floor area (GFA) of 105.17m² a proposed footprint of 105.21 m² and a proposed height of 7.42m. The applicant is seeking relief from Section 3.5 g) of the Zoning By-law which states that the maximum height for a detached accessory dwelling unit shall not exceed the height of the principal dwelling or 6m, whichever is lesser. In addition, relief is requested for Section 3.5 j) which permits a maximum building footprint of 50m² for detached ADUs located in the rear yard. And finally, relief is requested from Section 3.5 b) which permits a maximum 50% of the gross floor area of the principal dwelling on the lot, up to a maximum gross floor area of 100 square metres all ADUs in a residential zone.

Application Number	By-law Section	Requirements	Proposed	Difference
A-003-2024	3.5 j)	- 50m ² max. footprint if located in the rear yard	105.21m ²	+55.21m ²
A-003-2024	3.5 j)	- 100m ² max. footprint	105.17m ²	+5.17m ²
A-002-2024	3.5 g)	Max 6m height or height of principal dwelling, whichever is less	7.42m	+1.42m

SURROUNDING LANDS:

North	Webb Street and Single-detached dwellings
East	Single-detached dwelling
South	Single-detached dwelling
West	Single-detached dwelling

ANALYSIS:

Site Inspection Date	August 1, 2024
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The subject lands are within the settlement area of Stroud. The subject lands are designated Village Residential in the Official Plan (B7). As per Section 10.5.2 of the Official Plan, the Village Residential designation permits single detached dwellings and accessory structures including accessory dwelling units (ADUs). Section 14.3 of the Official Plan includes policies that promote development that

	<p>provides affordable and accessible housing which includes ADUs. The proposed ADU would provide an opportunity for a more affordable housing option and increase the housing diversity within the Town which in general is consistent with the purpose and intent of the Town’s Official Plan.</p> <p>Section 19.2.10 of the Official Plan states that development shall be undertaken in conformity with the residential design policies of Section 10.1. Section 10.1.40 of the Official Plan requires that building height, mass and architectural features of infill development and intensification fit into the context of the local character. Surrounding properties include a mix of single and two-storey single family dwellings.</p> <p>Staff have no objections to a proposed ADU on the subject lands, however there are concerns with the proposed height of 7.41 m. The required variance is inconsistent with similar approved height variances for ADUs. Staff are of the opinion that a 7.41 m height is excessive and best efforts need to be made to reduce the height of the proposed structure through a reduction of the first-floor ceiling height, similar to concessions made in previous application involving variances to section 3.5 j) of the Zoning By-law. Thus, deferral is recommended. Alternatively if the Committee of Adjustment supports the proposal, Staff recommend a condition to address the proposed height of the ADU being higher than the principal dwelling second storey deck, conditions addressing the proposed second storey deck and a Hydrogeological Assessment (as per Section 10.5.5 of OP). . As a general principle of built form hierarchy, the principal structure on the lot (principal dwelling) should be the predominant structure in terms of size, height and scale, as reflected in the zoning regulations which require ADUs to be 6m or the height of the principal dwelling, whichever is the lesser. The proposed ADU has a height greater than the principal dwelling and over 6m.</p> <p>Staff have no objections to the proposed footprint and GFA which in general meets the purpose and intent of the Official Plan.</p>
<p>Maintains the purpose and intent of the Zoning By-law: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The subject lands are zoned Residential 1 (R1) in the Town’s Zoning By-law 080-13. The R1 zone permits single detached dwelling and accessory structures, as well as accessory dwelling units.</p> <p>Section 3.5 g) of the Town’s Zoning By-law states that the maximum height for a detached ADU shall not exceed the height of the principal dwelling or 6m, whichever is less. The principal dwelling has a height of 7.20, therefore the 6m maximum height would apply. The ADU is proposed to have a height of 7.42m, which is 1.42m over the permitted maximum height. The purpose of this provision is to ensure the ADU is accessory to the principal dwelling in terms of size, height and scale, and to reduce visual bulk and massing of structures on a property; as well a reduce privacy concerns with neighboring properties. Staff are of the opinion that a reduction of the proposed first floor (garage) ceiling will result in a reduced overall height. As such, staff recommend deferral until best efforts are made to reduce</p>

	<p>the ADU height.</p> <p>In addition, the applicant is seeking relief from Section 3.5 j) to permit an ADU structure with a footprint of 105.21m² to be located in the rear yard. Section 3.5 j) of the By-law permits a maximum building footprint of 50m² for an ADU in a rear yard. The purpose of this provision is to ensure appropriate privacy is provided to neighboring properties, as well as limiting the visual bulk and massing of structures on the lot while providing for substantial rear yard amenity space. Staff have no concerns with the application meeting the intent of this provision in terms of footprint due to the scale of the lot and existing vegetation, but do request that no second-storey deck be installed on the west, east and south wall of the ADU to address privacy concerns caused by the close proximity of the structure to the neighboring lots of the subject lands, or that the existing vegetation on the subject lands be maintained.</p> <p>Finally, the applicant is seeking relief from Section 3.5 b) to permit an ADU structure with a GFA of 105.171m². Section 3.5 b) of the By-Law permits a maximum a maximum 50% of the gross floor area of the principal dwelling on the lot, up to a maximum gross floor area of 100m² for all ADUs in a residential zone. In this instance, the 100 m² limit would apply. The purpose of this provision is to ensure that that principal dwelling remains the predominant structure on the lot. Given the minimal variance of 5.17 m², or roughly 5%, as well as the location of the proposed ADU, staff are of the opinion that the intent of this provision is met.</p> <p>Staff would be satisfied that the proposed variances meet the purpose and intent of the Zoning By-law subject to best efforts in reducing the structure’s height through a reduction of the first floor height. Deferral is recommended so Planning Staff can reach a compromise with the applicant to reduce the proposed ADU height. Alternatively if the Committee of Adjustment supports the proposal, Staff recommend a condition to address the proposed height of the ADU being higher than the principal dwelling second storey deck, conditions addressing the proposed second storey deck, and a Hydrogeological Assessment.. As a general principle of built form hierarchy, the principal structure on the lot (principal dwelling) should be the predominant structure in terms of size, height and scale, as reflected in the zoning regulations which require ADUs to be 6m or the height of the principal dwelling, whichever is the lesser. The proposed ADU has a height greater than the principal dwelling and over 6m</p> <p>All other provisions of the Zoning By-law are met.</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>The applicant is proposing to construct a second storey accessory dwelling unit (ADU) addition to an existing one storey detached garage which will provide for affordable housing on the subject lands.</p> <p>Staff are recommending deferral so that best efforts can be made to reduce the height of the ADU. Subject to the height being reduced, and subject to removal of the proposed deck located on the west wall of</p>

	the ADU or maintenance of existing vegetation, Staff are of the opinion that the proposal would be considered desirable for the appropriate and orderly development and use of the land.
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Staff are of the opinion the requested variances could be considered minor, subject to a reduction in proposed height, through a redesign of the roof, and the proposed development meeting all other provisions of the Zoning By-law.

PREPARED BY:

Toomaj Haghshenas,
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: August 8, 2024

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

FILE/APPLICATION: A-022, 023 & 024-2024

SUBJECT: 2297 Webb St.

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. All structures over 50m² will require a lot grading plan to be submitted at time of building permit application. The lot grading plan shall be prepared by an OLS or P.Eng and deemed satisfactory by the Community Development Standards Branch (Building 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. The applicant/owner shall provide a site plan with proposed building and septic footprint that meets all Ontario Building Code required clearances to neighbouring wells and on-site sewage systems, to the satisfaction of Community Development Standards Branch (Building Department).