

Summary of Comments

A-031-2024 – 817 Booth Ave



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-031-2024
MEETING DATE: September 19, 2024
TO: Toomaj Haghshenas
Secretary-Treasurer Committee of Adjustment
FROM: Stephen A. Marano
Assistant Development Planner
SUBJECT: Minor variance application A-031-2024 seeking relief from Table 4.2 (b) to construct an in-ground pool with a deficient side yard setback of 1.22m; the required side yard setback is 3m.

PROPERTY INFORMATION:

Municipal Address	817 Booth Ave
Legal Description	Plan 51M836, Lot 1
Official Plan	Residential Low Density 1 (Schedule B1)
Zoning By-law	Residential 2 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-031-2024, subject to the following condition(s):

Condition(s):

- 1.) That the variance only applies to the submitted drawings and that any future development of the lands is subject to the Zoning By-law.

REASON FOR APPLICATION:

The applicant is proposing to construct a pool and gazebo in the exterior side yard of the subject lands. The applicant is seeking relief from Table 4.2 (b) of the Zoning By-law, which provides the minimum 3m exterior yard setback for an accessory building in a Residential 2 Zone.

Application Number	By-law Section	Requirement	Proposed	Difference
A-031-2024	Table 4.2 (b)	Minimum Exterior Side Yard for an accessory building in a Residential 2 Zone: 3 m	1.22 m Exterior Yard Setback	1.78m

SURROUNDING LANDS:

North	821 Booth Ave (Single Detached Dwelling)
East	Booth Ave and 818 Booth Ave (Single Detached Dwelling)
South	Nantyr Drive and Stormwater Management Pond
West	996 Nantyr Drive (Single Detached Dwelling)

ANALYSIS:

Site Inspection Date	September 10, 2024
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated Residential Low Density 1 on Schedule B3 in the Official Plan, which allows single-detached dwellings and accessory structures. The proposed pool will be located on the southwestern portion of this corner lot property. The Official Plan's intent concerning Residential Low-Density areas is to prevent development that is inconsistent with existing character (10.1.40, 10.1.41). The proposed variance does not affect the Official Plan's intent concerning these areas.</p> <p>Given the above, Staff believe the application maintains the general purpose and intent of the Official Plan, subject to the proposed condition(s).</p>
Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is zoned Residential 2 (R2) Zone in the Town's Zoning By-law No. 080-13. As per Table 4.2 (b), an accessory structure's Minimum Exterior Side Yard is 3m in an R2 zone. Additionally, section 3.42 of the Zoning By-law considers Swimming Pools as accessory structures and permits them in R2 zones.</p> <p>The Zoning Bylaw's intent concerning the minimum 3m exterior side yard setback for accessory structures is to reduce privacy impacts, visual bulk and massing of structures, and maintain sightlines for traffic along the flankage of a lot. In this situation, the pool cannot fit in the exterior side yard with the gazebo and maintain the minimum setback. The pool would not cause an issue in terms of privacy with existing fencing in place, nor would it cause an issue with visual bulk and massing, or sightlines for traffic.</p> <p>Considering the above, Staff believe that the application maintains the general purpose and intent of the Zoning By-law, subject to the proposed conditions.</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>The proposed swimming pool will be located on the southwest side of the property in the exterior side yard. As stated, the Zoning Bylaw lists a swimming pool as a permitted use in an R2 zone. The fence surrounding the property will lessen the negative effects of the swimming pool.</p> <p>Staff consider the variance desirable for the appropriate development of the land since the proposed use is permitted and suitable for a residential property.</p>
The variance is minor in nature: <input checked="" type="checkbox"/> Yes	<p>Staff are of the opinion the variance is minor subject to condition(s), due to the size of the lot, the proposed location of the swimming pool and gazebo on the property and having little impact on neighbouring</p>

<input type="checkbox"/> No	properties, and no impact on sightlines or visual bulk and massing of accessory structures.
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PREPARED BY:

Stephen A. Marano
Assistant Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: September 13, 2024

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

FILE/APPLICATION: A-031-2024

SUBJECT: 917 Booth Ave

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. A building permit is required prior to installing the pool, please ensure all proposed fences and gates comply with the Fence by-law 052-05 as amended.

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: September 9, 2024

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

FILE/APPLICATION: A-031-2024

SUBJECT: 817 Booth 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. 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.