

Summary of Comments
A-013-2024 - 3544 Crescent
Harbour Rd



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-013-2024
MEETING DATE: November 21, 2024
TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment
FROM: Toomaj Haghshenas
Development Planner
SUBJECT: Minor variance application A-013-2024 seeking relief from Table 4.2(a) Zoning By-law No. 080-13 for an increase to the maximum permitted building height of principal building or structure in a Residential 1 (R1) zone.

PROPERTY INFORMATION:

Municipal Address	3544 Crescent Harbour Road
Legal Description	PLAN 1016 LOT 18
Official Plan	Residential Shoreline Area and Key Natural Heritage Features & Key Hydrologic Features (Schedule B11)
Zoning By-law	Residential 1 (R1) and Environmental Protection (EP)

RECOMMENDATION:

The Planning Department recommends approval of A-013-2024, subject to the following conditions:

- 1.) That the variance only apply to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.
- 2.) That a detailed tree protection and preservation plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement for any trees to be removed, and location of new trees and tree protection measures during construction.

Application Number	By-law Section	Requirements	Proposed	Difference
A-013-2024	Table 4.2a	Max 9m	9.59m	+0.59 m

REASON FOR APPLICATION:

The applicant is proposing to construct a new single-detached dwelling with a height of 9.59 m. The applicant is seeking relief from Table 4.2a of the Zoning By-law which permits a maximum building height of 9m for principal buildings/structures in the Residential 1 (R1) zone.

SURROUNDING LANDS:

North	Vacant lot
East	Single-detached dwellings (shoreline)
South	Single-detached dwelling
West	Vacant lot (forested area/woodlands)

ANALYSIS:

Site Inspection Date	May 1, 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 Shoreline Residential Area and Key Natural Heritage Features & Key Hydrologic Features (Schedule B11). All development is contained within the Shoreline Residential Area designation which permits single detached dwellings. The subject lands are also within a Natural Heritage System (NHS) Overlay as per Schedule B of the Official Plan. Section 17.1.8 of the Official Plan requires a Natural Heritage Evaluation (NHE) for new development in the NHS; however, considering the proposed development is contained entirely within the Shoreline Residential Area designation and existing R1 zoning, outside any Lake Simcoe Region Conservation Authority (LSRCA) regulated area, Planning staff can accept a tree preservation and compensation plan in lieu of a NHE. The tree preservation and compensation plan will also be consistent with Section 15.1.6 of the Official Plan and Section 15.1.2, which states there shall be no net loss of trees as a result of development. The tree preservation plan requirements will be addressed through a condition of approval.</p> <p>The proposed single detached dwelling is considered of a reasonable scale proportionate to the lot that meets the intent of Section 10.1.40 regarding building massing respecting the context of the local character. The proposed dwelling is reasonable in terms of location (outside Key Natural Heritage Features & Key Hydrologic Features) and size and represents appropriate development within the context of the character of the neighborhood.</p> <p>The proposal in general meets the purpose and intent of the Official Plan subject to the proposed conditions.</p>
Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are zoned Residential 1 (R1) and Environmental Protection (EP) in the Town’s Zoning By-law 080-13. All development is contained within the R1 zone which permits single detached dwelling and accessory structures.</p> <p>Table 4.2 a of the Town’s Zoning By-law permits a maximum building height of 9m for principal buildings/structures in the Residential 1 (R1) zone. The height variance is required due to the high-water table on the property which requires the home to be built at a lesser depth within the ground. The dwelling will have a greater height per the zoning definition.</p> <p>The proposed development complies with all other provisions in the</p>

	<p>Zoning By-law, including lot coverage and all yard setbacks.</p> <p>The purpose and intent of Table 4.2a of the Zoning By-law with respect to a maximum 9m height is to ensure that dwellings do not overshadow and negatively impact neighbouring properties in terms of shadowing, noise or privacy, and also to reduce visual bulk and massing of structures in general on a property.</p> <p>Staff are of the opinion the variance is in keeping with the general purpose and intent of the Zoning By-law subject to the proposed conditions, in that it would not negatively impact neighbouring properties in terms of visual bulk and massing, shadowing, noise or privacy.</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 proposed development envelope is located outside the Environmental Protection (EP) zone. It is also contained outside the and Key Natural Heritage Features & Key Hydrologic Features designations.</p> <p>The height variance is required due to the high-water table on the property; and is not considered to have any substantial impacts to neighboring properties due to its scale.</p> <p>Given the proposed location and height of the dwelling and compliance with all other zoning provisions, Staff consider the variances desirable and appropriate for the use of the land.</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 the proposed variance could be considered minor, subject to the proposed conditions, due to the proposed scale and location of the structure which will have limited impacts to neighboring properties, and the proposed development meeting all other provisions of the Zoning By-law.</p>

PREPARED BY:

Toomaj Haghshenas,
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: November 14, 2024

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

FILE/APPLICATION: A-013-2024

SUBJECT: 3544 Crescent Harbour Road

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. When applying for building permit for a new dwelling, please provide a lot grading plan designed by a Professional Engineer or an Ontario Land Surveyor to the satisfaction of 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)

No comments.



Engineering

MEMORANDUM TO FILE

DATE: November 15, 2024

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

FILE/APPLICATION: A-013-2024

SUBJECT: 3544 Crescent Harbour Road

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.