

Summary of Comments

A-045, A-046 and A-047-2024 -
299 Sunnybrae Ave



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-045-2024, A-046-2024 & A-047-2024

MEETING DATE: November 21, 2024

TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment

FROM: Keirsten Morris, Senior Planner

SUBJECT: Minor variance applications seeking relief from Section 4.2 a) of the Zoning By-law to increase the permitted height of all proposed single detached dwellings from 9m to 10.25m (A-045-2024) within Innisfil Executive Estates draft approved plan of subdivision (Phase 2, File No. D12-2020-001). The applications are also seeking relief from Section 4.2 a) of the Zoning By-law to decrease the permitted exterior side yard setback for the proposed dwelling on Lot 1 of the draft approved plan of subdivision from 6m to 4m (A-046-2024) and relief from Section 3.18.3 d) of the Zoning By-law to increase the permitted width of an attached garage from 50% to 53% of the width of the main wall of the dwelling on Lot 1 (A-047-2024).

PROPERTY INFORMATION:

Municipal Address	299 Sunnybrae Avenue
Legal Description	PLAN 51M1045 BLK 39
Official Plan	Village Residential (Schedule B7)
Zoning By-law	Residential 1 Exception Hold (R1-52(H))

RECOMMENDATION:

The Planning Department recommends approval of A-045-2024, A-046-2024 and A-047-2024 subject to the following condition(s).

CONDITION:

1. That the variances only apply to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.

REASON FOR APPLICATIONS:

A-045-2024: The application seeks relief from Section 4.2 a) of the Zoning By-law to facilitate construction of twenty-one (21) draft approved single detached dwellings with an increased height of 10.25m.

A-046-2024: The application seeks relief from Section 4.2 a) of the Zoning By-law to facilitate construction of one (1) draft approved single detached dwelling on Lot 1 of the Draft Plan with a decreased exterior side yard setback of 4m.

A-047-2024: The application seeks relief from Section 3.18.3 d) of the Zoning By-law to facilitate construction of one (1) draft approved single detached dwelling on Lot 1 of the Draft Plan with an increased garage width of 53% of the width of the main dwelling.

Application Number	By-law Section	Requirement	Proposed	Difference
A-045-2024	4.2 a)	9m maximum height	10.25m	1.25m
A-046-2024	4.2 a)	6m minimum exterior side yard setback	4m	2m
A-047-2024	3.18.3 d)	Maximum permitted interior width of an attached garage is 50% of the width of the main wall of the principal dwelling on the lot	53%	3%

SURROUNDING LANDS:

North	Single detached dwellings within Innisfil Executive Estates Subdivision (Phase 1), Metrolinx rail corridor, vacant agricultural lands
East	Metrolinx rail corridor and agricultural lands
South	Single detached dwellings fronting on Victoria Street
West	Single detached dwellings within Innisfil Executive Estates Subdivision (Phase 1)

ANALYSIS:

Site Inspection Date	November 6, 2024
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are located within the Village Settlement Area of Stroud and are designated Village Residential on Schedule B7 in the Town’s Official Plan (OP). Single detached dwellings are permitted.</p> <p>The lands are currently vacant but are part of a draft approved plan of subdivision (File No. D12-2020-001) consisting of twenty-one (21) single detached dwelling units on partial municipal services (municipal water and private septic systems).</p> <p>Section 9.9.6 of the Official Plan states that development shall only be approved if it maintains the character of the adjacent area based on the size and configuration of lots, prevailing heights, massing, coverage and dwelling type, prevailing setbacks and</p>

	<p>open space patterns, the location and predominance of garages and the relationship to heritage buildings and landscapes. The dwellings on the adjacent properties to the west (Innisfil Executive Estates Phase 1) are characterized by large one and two storey estate dwellings with large, attached garages and high sloped roof designs, very similar to the elevations provided with the application. The proposed variances resulting in an increased height, decreased exterior side yard and increased interior garage width on Lot 1 will generally fit in with the existing heights, massing, dwelling type, garage predominance and design of the existing residential dwellings in the area.</p> <p>Section 10.1.40 states building height, massing and architectural features of infill development and intensification shall respect and fit into the context of the local character of the settlement in which they are located and Section 10.1.41 states the built form of development shall give consideration to the inclusion of architectural elements that reference the elements and characteristics of the communities which they are planned. As noted, the proposed dwellings will fit with the character of the existing dwellings in the area, being large estate dwellings with attached garages. The elevations submitted with the application are very similar to the design of the dwellings within Innisfil Executive Estates Phase 1 and are compatible with the existing character of the neighbourhood.</p> <p>Section 10.1.44 states attached garages facing the front yard shall be designed to be proportional and not dominate the building façade and should not project beyond the front façade of the dwelling or covered front porch if provided. The variance to increase the permitted interior garage width on Lot 1 (A-047-2024) is proposed in order to accommodate a similar dwelling design with a functional two car attached garage as what is proposed on adjacent lots within the subdivision on a lot that is narrower in width. The slight increase in garage width will not dominate the building façade in staff’s opinion and will be compatible with adjacent dwellings and attached garages.</p> <p>Staff are of the opinion that the applications maintain the general purpose and intent of the Official Plan, subject to the recommended condition.</p>
<p>Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are zoned Residential One Exception Hold (R1-52(H)). The holding provision (H) prevents development until water allocation has been granted and a Subdivision Agreement has been entered into. As the developer moves towards registration and these conditions are cleared, the holding provision will be lifted allowing building permits.</p> <p>Single detached dwellings are permitted in the R1-52 zone with a standard maximum height of 9m, standard exterior side yard setback of 6m and interior garage width of 50% of the width of the</p>

main wall of the dwelling. The site-specific exception on the lot establishes a minimum lot frontage of 14m and minimum setback of 30m from the adjacent Metrolinx rail corridor.

The intent of the maximum height of 9m for single detached dwellings is to limit massing and overshadowing of buildings and to ensure compatibility with adjacent uses. The variance for an increase in height from 9m to 10.25m has been requested to address variations in grade on the site and a high groundwater table as well as high ceilings and walkout basements proposed to match the estate design of adjacent dwellings. The Planning Justification Report submitted with the application indicates that the established grade on the lots is low which creates an increase in the overall height of the dwellings proposed however does not result in a major height difference from the height of surrounding dwellings visually.

Since the variance applies to all 21 single detached dwellings within the draft approved plan of subdivision on the lands, there would be limited massing and overshadowing to neighbouring lots. The character of the neighbourhood would be maintained with similar heights throughout the subdivision and surrounding dwellings. Surrounding lands are currently developed with one and two storey single detached dwellings therefore, staff do not have concerns with character or compatibility with the proposed increase in height and are of the opinion that the buildings will fit in with surrounding land uses. In addition, existing dwellings to the west within the Innisfil Executive Estates Phase 1 Subdivision and existing dwellings to the south on Victoria Street maintain large rear yard setbacks which provide a significant buffer to mitigate massing and overshadowing impacts that could result from the proposed increase in height. Staff note there have been situations in the past where grading challenges affected dwelling heights, such as Melrose, Innis Village, Sleeping Lion and 1205 Corm Street, and height relief was provided either through variance or zoning by-law amendment similar to what is being proposed for this subdivision.

Regarding the variances proposed for Lot 1, the exterior side yard setback requirement of 6m is intended to alleviate traffic safety concerns including sightlines and mitigate visual bulk and massing impacts from the street. The reduced exterior side yard setback of 4m is proposed to accommodate a similar sized dwelling on a narrower lot compared to other lots within the subdivision. Staff do not have concerns with the proposed 4m exterior side yard setback in regard to traffic safety, sightlines or visual bulk and massing impacts based on the siting of the proposed dwelling in relation to the proposed dwellings on adjacent lots. Staff note 3m exterior side yard setbacks are permitted in other residential zones (e.g. R2, R3).

The increase in interior garage width to 53% of the width of the main wall of the principal dwelling is also proposed in order to

	<p>accommodate a similar dwelling design that is compatible with the adjacent proposed dwellings and attached garages within the subdivision on a narrower lot. The intent of the zoning by-law in regulating interior garage width is to prevent the garage from visually dominating the lot. The proposed attached garage which is 6.25m in width does not visually dominate the dwelling which is 11.89m wide in Staff's opinion and will be consistent with attached garages on adjacent lots within the subdivision. Staff note that all other zone standards are proposed to comply including front yard, rear yard and interior side yard setbacks on all lots within the subdivision.</p> <p>Considering the above comments, staff are of the opinion that the variances are in keeping with the general purpose and intent of the Zoning By-law, subject to the recommended conditions.</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 variances will facilitate development of large estate single detached dwellings in a draft approved plan of subdivision while addressing site-specific grading requirements and while remaining compatible with adjacent uses. The proposed variances are minor in nature and will result in dwellings that are generally compatible with surrounding buildings. The variances will assist in the continued development and build out of the draft approved plan of subdivision.</p> <p>As such, staff consider the variances to be desirable for the appropriate and orderly development of the land, subject to the recommended conditions.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The proposed variances are not expected to cause any substantial impact to surrounding properties in terms of scale and massing. The increased height allowance will apply consistently within the entire subdivision, allowing a consistent architectural design, while at the same time addressing site-specific grading requirements. The proposed reduction in exterior side yard setback and increase in interior garage width on Lot 1 are not anticipated to cause any negative impacts and will generally be compatible with adjacent dwellings. The subject lands are located in an existing developed area of residential dwellings and the variances will facilitate development of single detached dwellings in an area where residential development exists while maintaining compatibility with surrounding uses. Staff are of the opinion that the variances are minor in nature, subject to the recommended conditions.</p>

PREPARED BY: Keirsten Morris, Senior Planner

REVIEWED BY: Steven Montgomery, 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-045, 046, 047-2024

SUBJECT: 299 Sunnybrae 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):

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)

No comments

MEMORANDUM TO FILE

DATE: November 14, 2024

FROM/CONTACT: Tony Mendicino, tonym@innpower.ca

FILE/APPLICATION: A-045-2024, A-046-2024, a-04-2024

SUBJECT: 299 Sunnybrae 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):

NO OBJECTIONS TO THE VARIANCE APPLICATION ON THE MAXIMUM HEIGHT OF THE HOMES. ALL OUR SERVICES WILL BE INSTALLED UNDERGROUND.

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)

