

Summary of Comments

A-048-2024 - 1014 Emily St



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: A-048-2024
MEETING DATE: November 13, 2024
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: Ingrid Li, Development Planner
SUBJECT: Minor variance application A-048-2024 seeking relief from Section Table 4.2a of Zoning By-law No. 080-13 to reduce the required minimum front yard setback from 8m to 6m in support of a new single detached dwelling.

PROPERTY INFORMATION:

Municipal Address	1014 Emily Street
Legal Description	PLAN 96 E PT LOT 548 & 549
Official Plan	Residential Low Density One (Schedule B3)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-048-2024 subject to the following conditions:

1. That the variance only applies to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.
2. That the Applicant/Owner obtain an entranceway permit from the Town of Innisfil prior to relocating the driveway off Emily Street.
3. That at time of building permit application, that the owner submitted a real property survey confirming the property boundary and setbacks.

REASON FOR APPLICATION:

The applicant is proposing to construct a new single detached dwelling with a front yard setback of 6m (Isabella Street). The applicant is seeking relief from Table 4.2a of the Zoning By-law which requires the front yard setback to be a minimum of 8m for the principal dwelling.

Application Number	By-law Section	Requirement	Proposed	Difference
A-048-2024	Table 4.2a	Minimum Front Yard Setback: 8m	6m	2m

SURROUNDING LANDS:

North	Isabella Street, Single detached residential lots
East	Emily Street, Vacant future development property
South	Single detached residential lots
West	Ewart Street, Single detached residential lots

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 property is designated Residential Low Density One on Schedule B3 Land Use: Lefroy-Belle Ewart in the Town’s Official Plan. The subject lands are within the urban settlement area of Lefroy-Belle Ewart.</p> <p>Section 10.2.2 Residential Low Density permitted use permits single detached dwellings and accessory structures on the subject property. The proposed variance with respect to the use of a new single detached dwelling, maintains the purpose and intent of the Official Plan. The proposed development 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.</p> <p>Section 10.2.7 states the maximum height of buildings shall not exceed two (2) storeys. The submitted preliminary elevation drawing conforms with this policy, proposing one (1) storey single detached dwelling.</p> <p>Subject to the recommended conditions, Staff are of the opinion that the application maintains the purpose and intent of the Official Plan.</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) in Zoning By-law 080-13, as amended, which permits single detached dwellings and accessory buildings and structures. Table 4.2a requires a minimum front side yard setback of 8m for single detached dwellings whereas the application proposes a front yard setback (Isabella Street) of 6m (2m difference).</p> <p>The purpose and intent of Section 4.2a of the Zoning By-law with respect to a minimum front side yard setback is to limit visual bulk and massing of buildings and structures, not be detrimental to the streetscape, provide sufficient amenity space, and provide sufficient sightlines for drivers. The property is surrounded by existing residential development and land use compatibility is not an issue.</p> <p>An exterior side yard is the longer frontage on a corner lot, whereas the front lot line/front yard setback is based on the shortest frontage on a corner lot. As per the submitted site plan, the application is proposing a single detached dwelling with an attached garage, front covered porch and rear covered patio. Given the garage door opening faces the exterior side yard (Emily Street), there would be no restriction</p>

	<p>on the width of the garage door opening. We note that any redesign of the garage door opening is subject to 3.18.3 d) of the Zoning Bylaw.</p> <p>The main driveway and parking area are, and will continue to be, accessed from Emily Street. Staff would recommend a condition with respect to relocating the driveway off Emily Street. The proposed development would not appear to impede daylighting triangles on the intersection of the two local roads, Emily Street and Isabella Street, as per Section 3.39.1 of the Zoning By-law.</p> <p>As stated in the application form, the application is requesting 2m relief of the Minimum Front Yard Setback in order to have a greater rear yard setback. Sufficient open space areas would be maintained on the property and the balance of zoning standards are met, the size and scale of the proposal would be in keeping with character of the neighbourhood and would not appear to cause adverse impact in the residential neighbourhood with respect to streetscape, massing, or sightlines. Further, Staff note in other residential zones such as R2 or R3, a 4.5m front yard setback has become the standard and does not cause issues in terms of sightlines, separation distance or grading.</p> <p>Regarding the proposed covered porch, staff note that as per Zoning Bylaw Section 3.54, unenclosed porches are permitted with a 3m encroachment into the required front yard setback. In this case, the required front yard setback is 6m as per minor variance application. According to Staff calculations on the submitted drawing, the porch meets this requirement (approx. 1.83m encroachment) however Staff note the exact setback will need to be illustrated on any future Building Permit application.</p> <p>Although a site plan to scale is acceptable for submission of an application, in regard to granting any reduced setback to a property line, staff recommend a condition that a real property survey be provided to confirm the property boundary and setbacks.</p> <p>In consideration of the above and subject to the recommended conditions, the subject application maintains the purpose and intent of the Town's Zoning By-law.</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 seeks to establish a design for their property that is enjoyable and desirable for a residential lot. The reduced front yard setback for the new development will not adversely affect the neighbourhood or the overall streetscape. Sufficient access space and open space will be maintained on the property. The size and scale of the proposed development is in compliance with all other zone provisions, and would be in keeping with character of the neighbourhood and would not appear to cause any adverse impact or sightline issues. As such, staff are of the opinion that the variance is considered desirable for appropriate/orderly development of the land, subject to the recommended conditions.</p>

The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	In addition to the above analysis, Staff are of the opinion that the proposed variance for a reduced exterior side yard is considered minor in nature, subject to the recommended conditions.
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CONCLUSION:

The Planning Department recommends approval of application A-048-2024 subject to the recommended conditions.

PREPARED BY:

Ingrid Li
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-048-2024

SUBJECT: 1014 Emily 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. 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-048-2024

SUBJECT: 1014 Emily Street

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. There are utilities in the area, ensure you have the necessary setbacks.
2. Grading and ditch need to be maintained.

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.