

Summary of Comments

A-026-2022 - 3278 Oak Street



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-026-2022

MEETING DATE: April 21, 2022

TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment

FROM: Vanessa Witt, MCIP, RPP
Senior Planner

SUBJECT: Minor variance application seeking relief from Section 3.18.1(e) of the Zoning By-Law to seek relief from the maximum garage projection of 1 metre beyond the main front wall of the principal building.

PROPERTY INFORMATION:

Municipal Address	3278 Oak Street
Legal Description	PLAN 906 LOT 17
Official Plan	Residential Low Density One (Schedule B5)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-026-2022, subject to the following conditions:

CONDITIONS:

- 1.) That the applicant provides a revised front elevation drawing to the satisfaction of the Town to add architectural features to further blend the garage in with the dwelling.
- 2.) That the variance only applies to the submitted revised drawings noted in Condition #1 and that any future development of the lands be subject to the Zoning By-law.
- 3.) That the existing mature trees and hedges along the property lines be protected and maintained to the extent possible 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, location of new trees, and tree protection measures during construction of the dwelling and attached garage.

REASON FOR APPLICATION:

The applicant is proposing to construct a new single detached dwelling with an attached garage that projects 10.06m past the main front wall of the dwelling. Section 3.18.1(e) states on lots with a lot frontage of less than 20.0 metres, a detached or attached garage shall not be permitted to project past the main front wall of the principal building. Where a front porch is provided, the detached or attached garage may project no more than 1.0 metre beyond the main front wall of the principal building.

Application Number	By-law Section	Requirement	Proposed	Difference
A-026-2022	Section 3.18.1(e)	Maximum 1.0 metre garage projection	Projection of 10.06 metres	9.06 metre projection

SURROUNDING LANDS:

North	Low density residential
East	Oak Street, low density residential
South	Low density residential
West	Heavily wooded area, zoned Agricultural General (AG)

ANALYSIS:

Site Inspection Date	April 14, 2022
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 B5 in the Town's Official Plan. Section 10.2.2 permits single detached dwellings on the subject property.</p> <p>Section 10.1.41 states the built form of new development shall give consideration to the inclusion of architectural elements that reference the elements and characteristics of the communities within which they are planned. Section 10.2.7 states the maximum height of buildings shall not exceed two (2) storeys. The submitted elevation drawings note the dwelling is a bungalow with an attached two-car garage which fits within the character of the area of mainly one and two storey dwellings with attached garages. It is not uncommon for dwellings along Oak Street to have attached garages that project past the main wall of the dwelling since the lots are narrow.</p> <p>The rear portion of the property is within a Highly Vulnerable Aquifer. Section 15.3.2 states major development and land uses that prohibit infiltration on-site shall be directed away from Highly Vulnerable Aquifers. Since the proposed development does not meet the definition of development in the Official Plan, Staff have no concerns with the proposal conforming to this policy.</p> <p>Section 15.1.6 of the Official Plan states a tree protection plan shall be required as part of development applications that identifies, preserves, and compensates trees on the lot. As such, as a condition of approval, Staff require a tree preservation and planting plan be submitted to the satisfaction of the Town.</p>

	Given the above, Staff are of the opinion the application maintains the general purpose and intent of the Official Plan, subject to the proposed conditions.
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 1 (R1) Zone in the Town's Zoning By-law No. 080-13, which permits single detached dwellings.</p> <p>Section 3.18.1(e) states on lots with a lot frontage of less than 20.0 metres, a detached or attached garage shall not be permitted to project past the main front wall of the principal building. Where a front porch is provided, the detached or attached garage may project no more than 1.0 metre beyond the main front wall of the principal building. Based on a request to have a side facing garage similar to the existing garage as well as a proposed floor plan, and septic system in front yard, the application proposes a projection of 10.06 metres (33 feet) past the main front wall. Since a 1m (3.1 feet) projection is permitted due to the proposed front porch, the variance being requested is a 9.06m (29.72 feet) projection. The purpose of this provision is to ensure the garage does not dominate the streetscape. Since the front porch is 2.44m (8 feet) in depth, it reduces the visual impact of the garage which would look like a projection of 7.62m (25 feet) rather than 10.06m (33 feet) from the main front wall of the dwelling.</p> <p>The submitted elevation drawings show the garage doors are proposed to face the interior side yard rather than the front yard which will also reduce visual impacts from the garage. As a condition of approval, Staff request additional architectural features be added to the east elevation (front yard) (e.g., windows) to further blend the garage in with the dwelling. The placement of the attached garage also preserves rear yard amenity space and allows for the septic system location in the front yard away from the private well in the rear yard.</p> <p>There is existing mature vegetation including hedging and a tree line along the property lines, which Staff have requested, as a condition of approval, be preserved to help screen the garage and dwelling from view and to reduce visual impacts to neighbouring properties. Staff also note there is an existing detached garage on the property that projects much further past the existing dwelling than the proposed development. Since the existing dwelling and garage will be demolished, the proposal is an overall improvement to the site which will reduce the dominance of the garage on the streetscape as it will be more appropriately screened from view due to existing vegetation and its proposed increased front yard setback.</p> <p>Considering the above, the application maintains the 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>Staff consider the variance desirable for the appropriate and orderly development of the land. The owner wishes to establish a design for a new single detached dwelling with an attached garage that is consistent with the built form of neighbouring dwellings. The attached garage will be screened from view by existing mature vegetation, the garage will be set back much further than the existing garage, and the</p>

	<p>development complies with all other zone provisions including setbacks, height, and lot coverage.</p> <p>Considering the above, the variance is desirable for the appropriate and orderly development of the land.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Although the projection is not arithmetically minor, it can be considered minor in nature due to its improvement of existing conditions, mature vegetative screening, future architectural features to blend the garage in with the dwelling, fitting in with the character of the neighbourhood, and compliance with all other zoning provisions.</p> <p>In consideration of the above, Staff can consider the requested variance minor in nature.</p>

PREPARED BY:

Vanessa Witt, MCIP, RPP
Senior Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: April 14, 2022

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

FILE/APPLICATION: A-026-2022

SUBJECT: 3278 Oak 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).
2. 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).

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)