

Summary of Comments

A-050, A-051 and A-052-2024 -
1123 Stoney Point Rd



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: A-050-2024, A-051-2024 & A-052-2024
MEETING DATE: January 23, 2025
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: Toomaj Haghshenas, Development Planner
SUBJECT: Minor variance applications A-050-2024, A-051-2024 and A-052-2024 seeking relief from Table 4.2a of Zoning By-law No. 080-13 for minimum front yard setback, minimum rear yard setback and maximum lot coverage.

PROPERTY INFORMATION:

Municipal Address	1123 Stoney Point Road
Legal Description	CON 3 PLAN 616 LOT 10
Official Plan	Residential Low Density 1 (Schedule B3)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-050-2024, A-051-2024 and A-052-2024 subject to the following conditions:

1. That the variances apply exclusively to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.
2. That the existing mature trees and boundary trees be protected and maintained 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, and the location of new trees and tree protection measures during the construction of the dwelling.
3. That owner authorization be provided prior to obtaining a building permit for any development occurring outside the lot boundary (i.e. the proposed pathway on lands comprising part of the Stoney Point Road private road).
4. That two off-street tandem parking spaces and new well location, subject to a hydrogeological study, be provided on a revised site plan drawing, to the satisfaction of the Town.

REASON FOR APPLICATION:

The applicant is proposing to construct a new single-detached dwelling, replacing the existing dwelling/cottage on the subject lands. Due to the irregular private road allowance located in the

front of the property, the proposed dwelling will have a deficient front yard setback of 0.5 m, deficient rear yard setback of 4.16 m and a lot coverage of 45%. The applicant is seeking relief from Table 4.2a of the Zoning By-law which requires a minimum front yard setback of 8 m, a minimum rear yard setback of 6 m and a maximum permitted lot coverage of 35%.

Application Number	By-law Section	Requirement	Proposed	Difference
A-050-2024	4.2a (B)	Minimum front yard setback of 8 m	0.5 m	- 7.5 m
A-051-2024	4.2a (E)	Minimum rear yard setback of 6 m	4.16 m	- 1.84m
A-052-2024	4.2a	Max lot coverage of 35%	45%	+ 10%

SURROUNDING LANDS:

North	Stoney Point Rd, single-detached dwellings
East	Single-detached dwellings
South	Single-detached dwellings (shoreline)
West	Single-detached dwellings

ANALYSIS:

Site Inspection Date	January 8, 2024
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are within the settlement area of Lefroy/Belle-Ewart. The subject lands are designated Residential Low-Density 1 in schedule B3 of the Official Plan which permits single-detached dwellings. The surrounding neighbourhood is characterized primarily by single detached dwellings.</p> <p>Section 10.2.1 of the Official Plan states the purpose of the Residential Low-Density 1 area is to maintain the low density of neighbourhoods in the Primary and Urban Settlement Areas, while 10.2.2 also allows single-detached dwellings.</p> <p>The proposed development is considered of a reasonable scale that meets the intent of Section 10.1.40 regarding building massing respecting the context of the local character. 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>In this case, the proposed reductions in front and rear yard setbacks, and the proposed increase in the lot coverage, are a result of a private road allowance going through the front of the property resulting in an irregular shaped and sized lot.</p>

	<p>Considering the above, Staff are of the opinion the application conforms to the Town of Innisfil Official Plan, subject to the recommended conditions.</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 1 (R1) in Zoning By-law 080-13, which permits single detached dwellings and requires a minimum 8m front yard setback a minimum 6m rear yard setback and a maximum lot coverage of 35%.</p> <p>As noted, the applications propose to reduce the front yard setback to 0.5m, the rear yard setback to 4.16m and increase the lot coverage to 45%. All three variances are a result of an irregular lot layout due to a private road allowance (Stoney Point Road).</p> <p>The purpose and intent of the Zoning By-law with respect to minimum front yard setbacks is to ensure adequate separation of structures to the road and to establish a continuous and consistent streetscape, to reduce building massing along the street and to allow space for amenities and vehicle parking.</p> <p>The proposed variances will not change the existing character of the streetscape and is only required to accommodate the existing road allowance. The proposed development will stay consistent with the existing layout, as well as neighboring properties on Stoney Point Rd.</p> <p>Please note the updated plans show parking within the Lot boundary of the subject lands. Two off-street parking spaces are required per the Zoning By-law (Section 3.35.1.1 a)). This is proposed as a condition to be shown on a revised site plan drawing.</p> <p>The proposed development meets all other provisions of the Zoning By-law. 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>As stated, the proposed variances are compatible with surrounding dwellings in the neighbourhood. The variances will facilitate a building envelope limited by constraints associated with the existing private road allowance. In the opinion of Staff, the variance is considered desirable for appropriate/orderly development of the land, subject to the recommended conditions which include a requirement to meet the two off-street parking space requirements of the Zoning By-law, which can be provided in tandem.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Staff are of the opinion the variance is considered minor in nature, subject to the conditions, due to the limited impacts to neighbouring properties and the proposed development fitting into the character of the area.</p>

CONCLUSION:

The Planning Department recommends approval of application 050-2024, A-051-2024 and A-052-2024, subject to the recommended conditions.

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-050, 051, 052-2024

SUBJECT: 1123 Stoney Point 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-050-2024, A-051-2024, & A-052-2024

SUBJECT: 1123 Stoney Point 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. 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.