

Summary of Comments

A-005 & A-006-2022 – 1525 Benson
Street



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-005-2022 & A-006-2022
RELATED APPLICATION(S): N/A
MEETING DATE: March 17, 2022
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: Chris Cannon, Placemaker/Planner
SUBJECT: Minor variance application A-005-2022 & A-006-2022 seeking relief from Table 5.2b of the Zoning By-Law to increase the front yard setback maximum of 4m to 6.24m and relief from Section 3.35.1.1d which requires 1.5 parking spaces per unit to permit 1.0 parking spaces per unit.

PROPERTY INFORMATION:

Municipal Address	1525 Benson Street
Legal Description	Concession 8; S pt Lot 21; RP 51R-36611 Pt Part 1 RP
Official Plan	Residential Medium Density
Zoning By-law	Mixed Use 1 Exception (MU1-4)

RECOMMENDATION:

The Planning Department recommends approval of A-005-2022 and A-006-2022 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 *Planning Act* regulations.
2. That the variance of 1 parking space per unit shall apply exclusively to the use of a residential building that is marketed to seniors. Agreements of Purchase and Sale and/or rental agreements shall state only 1 parking space shall be available per unit. Use of the building as a standard apartment building marketed to all ages shall require 1.5 spaces per unit. These matters shall be incorporated into the Site Plan Agreement registered on title.

Application Number	By-law Section	Requirement	Proposed	Difference
A-005-2022	Table 5.2 b)	6.4m	4m	2.4m
A-006-2022	3.15.1.1 d)	1.5 parking space/unit	1 parking space/unit	<0.5 parking spaces per unit

REASON FOR APPLICATION:

The applicant is proposing to construct four storey residential seniors building with an increased front yard setback of 6.24m from the permitted 4m and a reduction in the parking requirement from 1.5 parking spaces per unit to 1 parking space per unit. The applicant is seeking relief from Section 5.2 b) and 3.35.1.1 d) of the Zoning By-law.

SURROUNDING LANDS:

North	Storm water management pond
East	Single-detached dwelling
South	Commercial plaza
West	Agriculture and single detached dwelling and accessory structures

ANALYSIS:

Site Inspection Date	January 6, 2022
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The subject lands are designated Residential Medium Density Area in the Official Plan. The Residential Medium Density designation permits the use of a seniors residential apartment building. The proposed increase in the front yard setback and reduced parking requirement meets the purpose and intent of the Official Plan. The increased front yard setback is primarily due to the irregular shape of the subject lands and the building is still oriented to the street. The parking is considered consistent with the proposed use.
Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The subject lands are zoned Mixed Use Exception (MU1-4) in the Town's Zoning By-law 080-13. The MU-4 zone permits, among other things; the midrise seniors residence. Section 5.2b of the Town's Zoning By-law requires a front yard setback maximum of 4m, whereas the applicant is proposing a front yard setback of 6.24m. The purpose of the maximum 4m setback is due to this zoning typically being located on Innisfil Beach Road where the intention is to create a 'buildings to the street', 'main street' effect. This is less applicable in this location (and it is a rarity that this zone is not located fronting onto Innisfil Beach Road). The proposed front yard setback is consistent with the setback of the neighbouring property to the south, and therefore maintains the purpose and intent of the Zoning By-law. Section 3.35.1.1d requires 1.5 parking spaces per unit for apartment dwellings in a Mixed Use zone. The proposed mid rise seniors residence is requesting relief to permit a reduced parking requirement

	<p>to 1 parking space per unit. Given the neighbouring property to the south has many on-site amenities provided for shopping within walking distance, and given the nature of the proposed use, Staff consider the parking reduction is reasonable. Staff note the definition of ‘retirement home’ allows 1 space per unit in the Town Zoning By-law (this project technically does not meet the definition because each unit has a kitchen whereas retirement home has common kitchen facilities, however the use of the building is intended for seniors residential purposes). This development is requesting to vary the parking requirements for a standard apartment building occupied by all ages. Also the developer has provided examples of other projects with similar parking ratios and no issue accommodating all vehicles. In this context, the reduced parking standards can be considered to maintain the purpose and intent of the Zoning By-law in the opinion of Staff.</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 mid rise seniors residence will facilitate much needed living accommodations for the aging population on the subject lands. The proposed structure with an increased front yard setback (which maintains the setback to the south) and reduced parking space requirement is desirable for the appropriate/orderly development of the land. Reduced parking is similar to other project examples provided by the developer for this land use, as stated.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The proposed mid rise seniors residence should not directly impact the neighbouring property to the south and should not dominate the existing streetscape of 20 Sideroad or over burden the surrounding properties. Therefore, the proposed variances for an increased front yard setback (which maintains the existing setback) and reduced parking space requirement is considered minor in nature.</p>

PREPARED BY: Chris Cannon, Placemaker/Planner

REVIEWED BY: Steven Montgomery, Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: March 7, 2022

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

FILE/APPLICATION: A-005 &A-006 -2022

SUBJECT: 1525 Benson 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. 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)

1. No comments

MEMORANDUM TO FILE

DATE: March 9, 2022

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

FILE/APPLICATION: A-005 & A-006-2022

SUBJECT: 1525 Benson 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):

A Customer Connection Application will need to be submitted to InnPower before we can give approval of the application. Contact; tonym@innpower.ca for the application.

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)

Not enough supply capacity at the current transformer distribution station. Expansion of our transformer is required to be able to supply power to this proposed development.

