

Summary of Comments

A-010-2022 - 929 7th Line



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-010-2022
MEETING DATE: March 17, 2022
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: Maximilian Faulhammer, Future Planner
SUBJECT: Minor variance applications A-010-2022 seeking relief from Section 3.18.3 d) of the Zoning By-law to construct a garage with an interior width that is 64% of the main wall of the proposed house.

PROPERTY INFORMATION:

Municipal Address	929 7 th Line
Legal Description	INNISFIL CON 6 PT LOT 25 RP 51R41715 PART 3
Official Plan	Residential Low Density 1 & Hazard Land Area Overlay (Schedule B1)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-010-2022, subject to the following conditions:

CONDITIONS:

1. That the variance applies exclusively to the dwelling as shown substantially in conformity to the drawings submitted with this application.
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 or have been removed since 2018 (the year the Town's Official Plan came into effect with policies respecting urban reforestation and compensation), showing location of new trees and tree protection measures during construction.

REASON FOR APPLICATION:

The applicant proposes to construct a single detached dwelling with an attached garage where the interior width of the garage is 64% of the width of the main wall of the principal building. The applicant is requesting relief from Section 3.18.3.d) of Zoning By-law 080-13 which requires a maximum interior width of a private garage be a maximum of 50% of the width of the main wall of the principal building on the lot.

Application Number	By-law Section	Requirement	Proposed	Difference
A-010-2022	3.18.3 d)	50%	64%	14%

SURROUNDING LANDS:

North	7 th Line and vacant wooded lot
East	Single detached dwelling (933 7 th Line)
South	Single detached dwellings
West	Single detached dwelling (925 7 th Line)

ANALYSIS:

Site Inspection Date	March 8, 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 1 & Hazard Land Area Overlay (Schedule B1) in the Town's Official Plan. Section 10.2.2 permits single detached dwellings in the Residential Low Density One designation. Since a portion of the property is within the Hazard Land Overlay and the overlay area is noted as approximate, Staff rely on the Lake Simcoe Region Conservation Authority (LSRCA) for their review and comment in relation to hazard lands. Additionally, a portion of the subject property is regulated by the LSRCA.</p> <p>Section 10.2.7 states the maximum height of buildings shall not exceed two (2) storeys. Staff note the zoning also provides a maximum height of 9 metres, which would permit up to two (2) storeys for the proposal. Since the application proposes a two-storey dwelling, the proposal maintains the purpose and intent of policy 10.1.44.</p> <p>Section 10.1.44 states attached garages shall be proportional and not dominate the building façade. The general intent of the Official Plan policies is to ensure garages are recessed and do not dominate the façade of the building. Based on the drawings submitted, Staff support a 6.1-meter-wide garage since the garage uses an additional 14% of the main front wall and allows the applicant a two-vehicle garage on the narrow lot, while still complying with interior side yard setbacks. The garage does not appear to dominate the façade but appears in balance with the front porch and front door entrance.</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 for any trees removed since this policy came into effect (2018).</p> <p>Staff consider, in context, the application maintains the intent and purpose of the Official Plan policies, subject to the proposed conditions.</p>

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) in Town of Innisfil Zoning By-Law No. 080-13, which permits a single detached dwelling and attached garage. Section 3.18.3.d) does not permit the interior width of an attached garage to be more than 50% the width of the main front wall of the principal use (dwelling) for lots with frontage equal to or greater than 15 metres.</p> <p>The purpose and intent of this regulation is to ensure garages do not dominate the façade of the dwelling, consistent with Official Plan policies. In this case, the interior width is 6.1 meters but is about 64% of the width of the main front wall (whereas 50% is allowed). The garage is 14% wider than the maximum 50%, which in the context of the proposed house design is considered minor. The garage does not dominate the dwelling visually or project substantially beyond the dwelling which contains a porch area, front door, and a second storey. The proposal appears to comply with all other zone provisions, including setbacks, height, and lot coverage. Therefore, the proposal maintains the purpose and intent of the Zoning By-law.</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>One and two vehicle garages exist in the surrounding neighbourhood and are of similar size to the garage being proposed. While the proposed garage does not dominate the home visually and is in balance with the façade, the interior width exceeds the proposed dwellings main front wall width by 14% more than the 50% allowance. The scale of the variance is minor, and the development is considered an appropriate use of land. Staff support that the variance is desirable and orderly development of the subject land.</p>
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The variance to construct a single detached dwelling with an attached garage with an interior width of 64% of the main wall of the proposed house is considered minor in nature and scale. The garage does not appear to dominate the façade of the dwelling and does not exceed the provision for a maximum 9-meter interior width. Since the property directly across 7th Line is currently vacant and heavily wooded, Staff do not anticipate any visual impacts to the neighbouring lot. Considering the overall house design, project porch feature, two storeys, and narrow lot, the variance is considered minor in nature.</p>

PREPARED BY:

Maximilian Faulhammer, CAPM
Future Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
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-010 & A-011-2022

SUBJECT: 929 and 933 7th Line

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)

1. No comments