

Summary of Comments
A-064-2021 - 3538 Crescent
Harbour Road



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-064-2021

RELATED APPLICATION(S): N/A

MEETING DATE: December 9, 2021

TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment

FROM: Vanessa Witt, Senior Planner

SUBJECT: Minor variance application A-064-2021 seeking relief from Section 3.17.1 e) of the Zoning By-Law to construct a single detached dwelling with an attached garage projecting greater than one (1) metre beyond the main front wall of the principal building.

PROPERTY INFORMATION:

Municipal Address	3538 Crescent Harbour Road
Legal Description	PLAN 1016 LOT 17
Official Plan	Residential Shoreline Area & Key Natural Heritage Features and Key Hydrologic Features (Schedule B11)
Zoning By-law	Residential 1 (R1) Zone & Environmental Protection (EP) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-064-2021, subject to the following conditions:

CONDITIONS:

- 1.) That the variance applies exclusively to the garage 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, in accordance with TOI Engineering Standards, and location of new trees and tree protection measures during construction. The tree preservation/planting plan shall focus on maintaining some rear yard buffering to the existing EP Zone (Key Natural Heritage Feature (KNHF)).

REASON FOR APPLICATION:

The applicant is proposing to construct a two-storey single detached dwelling with an attached garage projecting 13.39 metres beyond the main front wall of the principal building. The applicant is seeking relief from Section 3.17.1(e) of the Zoning By-law which requires that on lots with a lot frontage of less than 20.0 metres, a detached or attached garage shall not be

permitted to project beyond 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-064-2021	3.17.1(e)	1 m	13.39 m	12.39 m

SURROUNDING LANDS:

North	Forested area and Single detached dwellings
East	Crescent Harbour Road, Single detached dwellings, Lake Simcoe
South	Single detached dwellings
West	Environmental Protection lands

ANALYSIS:

Site Inspection Date	November 19, 2021
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 Shoreline Area and Key Natural Heritage Features and Key Hydrologic Features (KNHF/KHF) in the Town's Official Plan for a Significant Woodland feature.</p> <p>An attached garage is proposed to extend substantially past the façade of the dwelling in the front yard of the subject lands within the Shoreline Residential Area designation. In the rear of the subject lands is the KNHF of a significant woodland. KNHFs, such as the woodlands located in the EP Zone at the rear of the subject lands, require 30m vegetation protection zones from new development. Considering the proposed dwelling and attached garage are proposed outside of the 30 metre minimum vegetation protection zone from the Key Natural Heritage Feature designation, and that the property owner has existing development rights within the Residential 1 Zone portion of the property (which corresponds with the Shoreline Residential Area designation), and that the development envelope is proposed entirely within the Residential 1 Zone, Staff are of the opinion the Official Plan policies for the KNHF/KHF are appropriately addressed, subject to the proposed conditions, which include a tree preservation/planting plan. To balance the existing development rights within the Residential 1 Zone with the KNFH policies, Staff request as much plant material be maintained in the rear yard as possible as a buffer to the existing EP Zone.</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> <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.</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) Zone and Environmental Protection (EP) Zone in Zoning By-law No. 080-13. The single detached dwelling and attached garage are proposed to be located entirely within the R1 Zone on the property, which permits a single detached dwelling. The application seeks relief from Section 3.17.1(e) to permit the garage to project more than 1 metre past the main wall of the principal building. The purpose of this provision is to reduce visual bulk and massing of the garage, and to maintain the garage as subordinate to the principal building. The submitted architectural drawings show the garage doors face the interior side lot line, which will reduce visual impacts from the street. Since the dwelling is proposed to be two-storeys, and the garage one-storey and approximately half the width of the dwelling, the dwelling appears to be the dominant structure on the property which maintains the general intent of this provision. In addition, any impacts are further reduced by the property being located near the cul-de-sac of a private road.</p> <p>The required front yard setback for the property is 8 metres, whereas the attached garage proposes a front yard setback of 36.9 metres, exceeding the minimum setback which further reduces the visual massing from the street. The proposed development complies with all other applicable provisions in the Zoning By-law, including height, lot coverage, and landscaped open space requirements.</p> <p>Staff note the building permit, including a grading plan, has already been submitted to the Town. As such, Staff have no concerns with grading or drainage for the proposed development.</p> <p>Considering the above, Staff are of the opinion the variance is in keeping with the general 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>Due to the limited lot width, Staff appreciate the architectural design for the dwelling and attached garage, while still maintaining setbacks, including interior side yard setbacks. The attached garage location is appropriate for the development of the lot with an adequate buffer to the Environmental Protection (EP) Zone at the rear of the property.</p> <p>Given the limited lot width, the adequate setbacks from lot lines including exceeding the minimum front yard setback, the architectural design of the dwelling and garage, existing vegetation surrounding the property, and compliance with all other zoning provisions, Staff consider the variance desirable and appropriate for the use of the land, subject to the proposed conditions.</p>
The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Staff are of the opinion the variance could be considered minor, subject to conditions, due to the limited lot width, appropriate front yard setback, locational context being near the cul-de-sac of a private road, and visual screening to neighbouring properties.</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: December 1, 2021

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

FILE/APPLICATION: A-064-2021

SUBJECT: 3538 Crescent Harbour Rd

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)