

Summary of Comments

A-058 and A-059-2023 –
7982 Yonge St



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-058-2023 & A-059-2023
MEETING DATE: November 16, 2023
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: Keirsten Morris, Senior Planner
SUBJECT: Minor variance applications seeking relief from Section 3.25 b) of the Zoning By-law to decrease the required minimum landscape strip width from 3m to 1.85m on the south side of the subject lands (A-058-2023) and from Section 3.35 p) of the Zoning By-law to decrease the required minimum number of parking spaces from 21 parking spaces to 13 parking spaces (A-059-2023)

PROPERTY INFORMATION:

Municipal Address	7982 Yonge Street
Legal Description	Plan M37 Lot 13
Official Plan	Downtown Commercial Area (Schedule B7)
Zoning By-law	Commercial Village Exception (CV-3)

RECOMMENDATION:

The Planning Department recommends approval of A-058-2023 and A-059-2023 subject to the following condition.

CONDITION:

1. That the proposed development and any site alteration occur substantially as shown on the site plan submitted with the applications, specifically drawing number A0-04, revision number 13, dated November 9, 2023.
2. That the variance of 13 parking spaces only apply to the proposed medical office use.

REASON FOR APPLICATIONS:

The applicant is proposing to construct a 50m² addition to an existing real estate office for conversion into a medical office building. With the addition, the total gross floor area will be 306.28m². The minimum number of required parking spaces for a 306.28m² medical office building is 21 per Section 3.35 p) of the Zoning by-law. Therefore, the

application seeks relief from Section 3.35 p) to permit a minimum of 13 parking spaces, including 1 barrier free parking space. A parking study was submitted in support of the application. In addition, the applicant seeks relief from 3.25 b) of the Zoning By-law to decrease the required minimum landscaped strip between the commercial medical office use and the residentially zoned property to the south from 3m to 1.85m.

Application Number	By-law Section	Requirement	Proposed	Difference
A-058-2023	3.25 b)	3m	1.85m	1.15m
A-059-2023	3.35 p)	1 parking space per 15m ² of gross floor area = 306.28m ² /15m ² = 21 parking spaces	13 parking spaces	8 parking spaces

SURROUNDING LANDS:

North	7988 Yonge Street ,existing commercial zoned property
East	Yonge Street and existing commercial uses
South	7976 Yonge Street, existing residentially zoned property
West	8010 Yonge Street, vacant portion of commercial property

ANALYSIS:

Site Inspection Date	November 9, 2023
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated Downtown Commercial Area on Schedule B7 in the Town’s Official Plan and located within the village settlement area of Stroud. A range of commercial uses are permitted in the Downtown Commercial Area designation including medical offices.</p> <p>11.1.25 To minimize the impact of off-street parking on pedestrian streetscapes, parking lots should be located to the rear, side or to the interior of the lot. Where parking is provided to the side of buildings and abutting the street, it shall be screened by landscaping or built features such as low walls to provide a sense of enclosure along the street line. A landscaped strip at least three metres wide should be provided between parking areas and the street and should contain planters and street furniture consistent in design with a theme to be established by the Town. The site plan uses an existing asphalt driveway with a landscape strip depth to front lot line of well over 3m. The side yard landscape strip is proposed to be reduced only for the purpose of allowing an accessibility access ramp (the existing limit of asphalt is already within 3m from the side lot line and is a pre-existing condition which Staff wish to remain to allow for maximum parking). Cedar trees also provide an existing side yard buffer. Considering this, the Official Plan policy is considered to be met.</p>

	<p>The Downtown Commercial Designation is intended to provide a range of retail, entertainment, dining, groceries and personal care services. Although the number of parking spaces proposed for the medical office do not comply with the required number of spaces by the zoning by-law, staff are of the opinion that the parking study submitted in support of the application satisfactorily justifies the parking space reduction, as detailed in this memorandum. The site is serviced by private septic and well which constrains the area available for on-site parking. Staff are of the opinion that the proposed variance maintains the purpose and intent of the Official Plan by permitting a medical office in an area designated for commercial and personal service uses. The additional parking is also proposed to the side and rear of the subject lands in accordance with 11.1.25 of the Official Plan and the subject lands are in proximity to existing transit stops. Bike parking is also proposed on the subject lands which encourages active transportation which is a promoted by the Official Plan.</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 Commercial Village Exception (CV-3) which permits businesses and professional offices only. This would include a medical office.</p> <p>Section 3.35 p) of the Zoning by-law requires 21 parking spaces be provided for a medical office with a ground floor area of 306.28m². The subject application proposes 13 parking spaces including one barrier free space. Based on the size of the lot and the size of the required septic system, the developable area for parking is constrained. The application was also supported by a parking study which explains that the building will contain five office spaces, 6 examination rooms, two reception areas, a break room and two bathroom facilities. The study also indicates that based on the nature of the use and capacity of the space, the maximum number of people in the office at time (per hour) would be 11 consisting of one practitioner, five staff members and five patients. In addition the study notes there is existing transit service in the area including GO bus stops and uber as well as bicycle parking provided which encourages active methods of transportation to and from the office. Staff consider the proposed reduction in parking spaces to be reasonable based on the nature of the use and the constraints on the property.</p> <p>Section 3.25 b) of the Zoning By-law requires a landscaped strip with a minimum of 3m in width to be provided in all commercial zones that abut a residential zone. The property to the south of the subject lands is zoned Residential One (R1) and therefore a 3m landscaped strip is required to buffer the commercial use from the residential. The proposed ramp into the medical office building is setback 1.85m which reduces the required landscaped strip in that area by 1.15m. The intent of the required landscaped strip is to provide screening and buffering from competing commercial and residential uses. Staff note that the majority of the southern side yard maintains an adequate landscaped strip however due to the proposed new ramp, facilitating accessible access to the medical office, a 1.85m landscaped space is provided in that area only. There are existing</p>

	<p>cedar trees and a chain link fence that separates the existing commercial use from the southern residential zoned property which provides an existing buffer.</p> <p>Considering the above comments, Staff are of the opinion that the variances maintain the intent and purpose of the Zoning By-law subject to the conditions recommended, that specifically ensure the development occurs substantially as shown on the drawings submitted with the application.</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 variances will facilitate conversion of an existing building with a minor addition into a small scale medical office in an area where personal service uses are permitted. The decrease in parking spaces and landscaped strip on the south side yard is minor in nature and is generally compatible with surrounding uses.</p> <p>As such, staff consider the variances to be desirable for the appropriate and orderly development of the land, subject to the recommended conditions.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The proposed variances are not expected to cause any substantial impact to surrounding properties as detailed herein. Staff are of the opinion that the variances are minor in nature in the context of the justification provided, including the parking study, and subject to the recommended conditions.</p>

PREPARED BY: Keirsten Morris, Senior Planner

REVIEWED BY: Steven Montgomery, Supervisor of Development Planning



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: November 8, 2023

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

FILE/APPLICATION: A-058 & 059-2023

SUBJECT: 7982 Yonge 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



Engineering

MEMORANDUM TO FILE

DATE: November 9, 2023

FROM/CONTACT: Adil Khan ex 3244 akhan@innisfil.ca

FILE/APPLICATION: A-058 and A-059-2023

SUBJECT: 7982 Yonge 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):

1. Please check with the Planning 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 conditions of approval.