

Date: April 14, 2021

Report To: Committee of Adjustment

From: Cody Vangel, Chief Building Official & Municipal Planner

Re: A3-2021: 908 Kaitlyn Drive – Minor Variance Application

Application Purpose

An application for minor variance (File A3-2021) has been submitted by Joanna McQuarrie requesting a minor variance related to rear yard setback in the Residential Type One (R1) zone at 908 Kaitlyn Drive.

The application proposes the construction of a 16' by 20' addition at the rear (north side) of the dwelling. Section 4.4.2.c of the Zoning By-law requires a rear yard setback of 7.5m, whereas the application requests reduction in the rear yard requirements from 7.5m to 5.07m (2.43m reduction).

Property History

Information contained on file shows that the primary dwelling was constructed in 1999.

Official Plan

The property is designated as a **Living Area** which promotes a wide range of residential type developments.

Zoning By-Law 03/14

4.4 RESIDENTIAL TYPE ONE (R1) ZONE

No person shall within a Residential Type One (R1) Zone, use any land or erect, alter or use any building or structure except in accordance with the following:

4.4.1 Permitted Uses

- a) single detached dwelling
- b) home occupation
- c) group home
- d) community garden

4.4.2 Regulations for Permitted Uses

- | | |
|----------------------------------|--------------------|
| a) Minimum Lot Area | 460 m ² |
| b) Minimum Lot Frontage | 15 m |
| c) Minimum Yard Requirements | |
| Front Yard | 7.5 m |
| Interior Side Yard | 1.5 m |
| Exterior Side Yard | 3.0 m |
| Rear Yard | 7.5 m |
| d) Maximum Lot Coverage | 40% |
| e) Minimum Landscaped Open Space | 20% |
| f) Maximum Height of Building | 12 m |
| g) Minimum Floor Area | 79 m ² |

Divisional Comments

Fort Frances Power Corporation: No concerns.

Fort Frances Fire Rescue: No concerns.

Fort Frances Public Works: No concerns.

Fort Frances Planning & Development: No concerns.

Sample Conditions

The Committee of Adjustment may wish to impose conditions on the minor variance including but not limited to the following:

- That the owner or applicant apply for a building permit within one year of approval of the application.

Summary/Recommendation:

Administration acts as an advisory body to the Committee of Adjustment. Comments received are provided in the form of recommendations to assist the Committee.

Section 45(1) of the Planning Act gives the authority of granting minor relief from the provisions of the Zoning By-law to the Committee of Adjustment. Such relief can only be granted if the Minor Variance passes four tests. If the Committee is not satisfied on all four tests, then the Minor Variance cannot be approved.

The four tests are:

1. The application maintains the general intent and purpose of the Town of Fort Frances Official Plan
2. The application maintains the intent of the zoning by-law;
3. The requested variance represents appropriate development of the land; and
4. The requested variance is minor.

Should the Committee of Adjustment find it appropriate to approve this application, the previously noted conditions have been recommended.

Respectfully submitted



Cody Vangel
Chief Building Official & Municipal Planner