

## STAFF REPORT

**TO:** Committee of Adjustment

**FROM:** Andrew McNeill, CAO

**SUBJECT:** **A01324**, Melissa Gargaro  
LJH Architectural Design c/o Lincoln Hilger  
12 Old Hickory Lane  
PLAN 51M761 PT LOT 99 RP; 51R42255 PART 2  
Minor Variance – Increased Porch Height and Front Yard Projection, Increased Porch Encroachment Area, Increased Step Height and Front Yard Projection, Reduced Front Yard Setback for Attached Garage

**DATE:** May 15, 2024

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### LANDS SUBJECT TO THE APPLICATION:

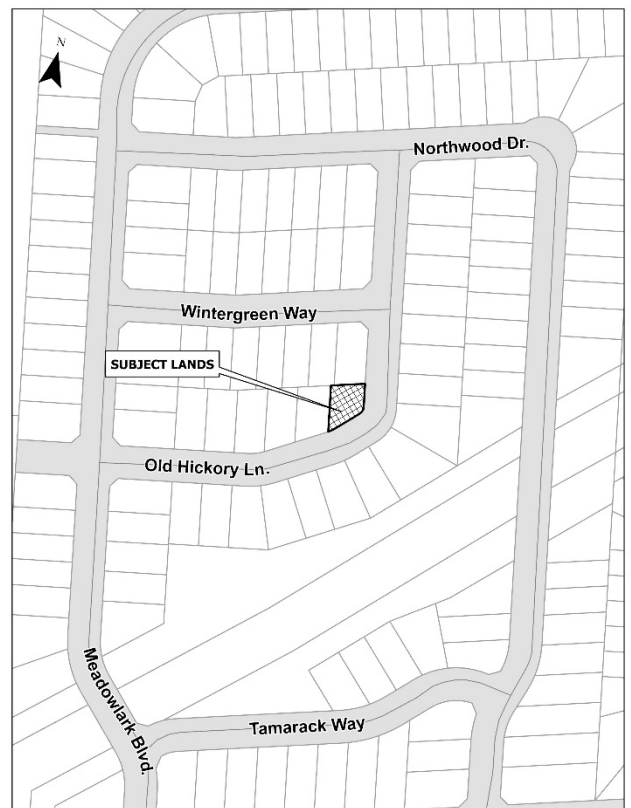
The subject lands are located at 12 Old Hickory Lane, legally described as PLAN 51M761 PT LOT 99 RP; 51R42255 PART 2, Town of Wasaga Beach, County of Simcoe.

### PURPOSE AND EFFECT:

An application for Minor Variance has been submitted by LJH Architectural Design c/o Lincoln Hilger on behalf of Melissa Gargaro, owner of the subject lands. The application requests relief from Section 3.1, “Accessory Uses, Buildings and Structures”, of Comprehensive Zoning By-law 2003-60, as amended. Specifically, the applicant requests relief from:

- Section 3.3.4 – to permit a porch with a height of 1.58 metres (5.18 ft.) to project 3.4 metres (11.15 ft.) into the required front yard, whereas porches are permitted to project 1.2 metres (3.9 ft.) into the required front yard provided that they are not more than 1.2 metres (3.9 ft.) above finished grade.
- Section 3.3.4 - to permit a porch with an encroachment area of 8.75 square metres (94.18 ft.) to project into the required front yard, whereas porches projecting into the required front yard shall not exceed an area of 1.5 square metres (16.15 ft.).

Figure 1: Site Location



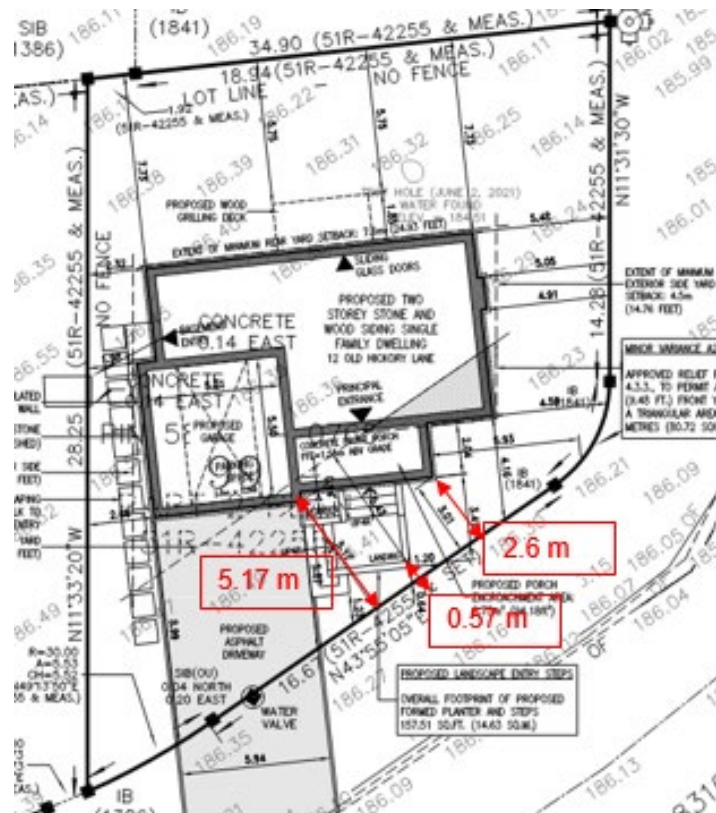
- Section 3.3.6 – to permit steps with a height of 1.38 metres (4.53 ft.) to project 5.43 metres (17.8 ft.) into the required front yard, whereas steps with a maximum height of 0.6 metres (1.97 ft.) are permitted to project into a required front yard a maximum distance of 1.2 metres (3.9 ft.).

In addition to the above, the application further requests relief from Section 4, “Residential Type 1 (R1) Zone”, of Comprehensive Zoning By-law 2003-60, as amended, specifically:

- Section 4.3.3 – to permit a reduced front yard setback of 5.17 metres (16.96 ft.) to the easterly corner of the proposed attached garage, whereas a front yard setback of 6 metres (19.69 ft.) is required.

The variance(s) requested would facilitate the construction of a porch with steps within the required front yard with an increased area, projection distance and height. The variance(s) would further permit the construction of an attached garage with a reduced front yard setback of 5.17 metres to the easterly corner (16.96 ft.).

Figure 2: Applicant's Site Plan Sketch



## RECOMMENDATION:

In consideration of the foregoing, the following is recommended:

1. THAT application A01324 be deferred to provide the ability for the Town to work with the applicant to refine their proposal to be more in keeping with the community context.

**COMMENTS**

The proposed 2 storey building is out of context with the surrounding neighbourhood character which is generally single storey homes with pitched roofs. As such, the Town would like to defer this application to provide an opportunity to work with the applicant to pursue a design that is more in keeping with the neighbourhood context.

**CONCLUSION:**

In consideration of the above, it is recommended that this application be deferred.

Respectfully submitted,

Andrew McNeill, CAO