

Summary of Comments

A-2025-038

1 East John St



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-2025-038

MEETING DATE: November 20, 2025

TO: Sarah Burton Hopkins
Secretary Treasurer Committee of Adjustment

FROM: Toomaj Haghshenas
Development Planner

SUBJECT: Minor variance application A-2025-038 seeking relief from Section 3.3(f) to increase the permitted height of an accessory structure to an approximate height of 5.9 m.

PROPERTY INFORMATION:

Municipal Address	1 East John Street
Legal Description	PLAN 1331 LOT 37
Official Plan	Residential Low Density 1 (Schedule B2)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-2025-038, subject to the following conditions:

CONDITIONS:

- 1.) That the variances only apply to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.
- 2.) That the required heritage permit be issued by the Town for the proposed accessory structure.
- 3.) That no trees be removed during construction. Should tree removal be required, 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, and location of new trees and tree protection measures during construction.

NOTE: Accessory dwelling units (ADUs) are prohibited in Cookstown in accordance with Section 3.5 n) due to sanitary servicing constraints. Staff note the proposed structure is not permitted to be converted into an ADU. If in the future this restriction is lifted, all ADUs are required to abide by the Town's registration process.

Application Number	By-law Section	Requirements	Proposed	Difference
A-2025-038	3.3 f)	Max 5m or height of principal building, whichever is less	5.9 m	0.9 m

REASON FOR APPLICATION:

The applicant is proposing to construct a detached garage structure in the rear yard. The proposed garage will have a footprint of 44.6 m², and an approximate height of 5.9 m. The applicant is seeking relief from Section 3.3(f) of the Zoning By-law which states that no accessory building shall exceed the height of the principal building on the lot or 5.0 metres, whichever is the lesser. In this instance, the 5 m maximum would apply as the existing dwelling has height of approximately 5.33 m. The applicant is requesting the variance in order to provide adequate storage space.

SURROUNDING LANDS:

North	East John St and Single-detached dwellings
East	Single-detached dwellings
South	Parking lot (Fire Hall)
West	Cookstown Fire Hall

ANALYSIS:

Site Inspection Date	August 26, 2025
Maintains the purpose and intent of the Official Plan: ☒ Yes ☐ No	The subject lands are within the settlement area of Cookstown. The subject lands are designated Residential Low Density 1 in the Town's Official Plan (Schedule B2). The Residential Low Density 1 designation permits single detached dwellings and allows accessory structures including a detached garage. While the proposed garage will have a slightly greater height than the existing dwelling, the detached garage is located in the rear yard and is considered of a reasonable scale proportionate to the lot that meets the intent of Section 10.1.40 regarding building massing respecting the context of the local character. The proposed garage addition is reasonable in terms of location and size and represents appropriate development within the context of the character of the neighborhood. The proposed garage addition will result in a lot coverage below the permitted maximum lot coverage for accessory structures at approximately 4.8% (maximum permitted = 35%). Staff note that the subject property does have a Heritage designation (Class D designation), as they are within the Cookstown Heritage Conservation District (HCD) and a heritage permit is therefore required. Staff have received confirmation that the Heritage Advisory Committee is in support of the issuance of a heritage permit through a motion passed at its October 3 meeting. No concerns were expressed by Committee members regarding the proposed garage. Staff also

	have no objections from a heritage perspective with respect to the HCD Plan and design guidelines. Staff are of the opinion that the proposal in general meets the purpose and intent of the Official Plan, subject to the recommended conditions.
Maintains the purpose and intent of the Zoning By-law: ☒ Yes ☐ No	The subject lands are zoned Residential 1 (R1) in the Town's Zoning By-law 080-13. The R1 zone permits single detached dwelling and accessory structures, including detached garages. Section 3.3 (f) of the Zoning By-law states that no accessory building shall exceed the height of the principal building on the lot or 5.0 metres, whichever is the lesser. The existing dwelling is slightly higher than 5.0 metres at 5.33m. The height of the proposed garage addition is approximately 5.9 m. Section 3.3(b) of the Town's Zoning By-law states the gross floor area or footprint of an accessory building or structure shall not exceed 50 square metres in any Residential Zone. The proposed gross floor area of the detached garage is 44.6m m2. The purpose of both provisions is to ensure the hierarchy of structures is maintained on the property and to reduce visual bulk and massing of structures on the property. While the garage will be slightly higher than the existing dwelling, it will be located in the rear yard minimizing any visual bulk from street view. The proposed garage addition will maintain appropriate garage setbacks and complies with all other provisions in the Zoning By-law, including lot coverage. Section 3.5(n) of the Zoning By-Law states that any accessory dwelling unit (ADU) shall not be permitted on a lot within the Cookstown Settlement Area until sufficient servicing capacity is available. Staff have included as an advisory note that unless the Zoning By-law changes in the future subject to changes to Cookstown servicing capacity, the structure cannot be converted into an ADU at this time. In consideration of the above Staff are of the opinion that the proposed development generally maintains the purpose and intent of the Town's Zoning By-law, subject to the recommend conditions.
The variance is desirable for the appropriate/orderly development or use of the land: ☒ Yes ☐ No	The garage is located on the west side of the property in the rear yard. The proposed garage addition takes advantage of an existing driveway and would have limited impacts to neighbouring residential properties given the location, adequate setbacks from property lines and compliance with all other zoning provisions. Staff don't anticipate any required tree removal, but a tree removal condition is included as part of this report. The property is located in a residential neighborhood; the proposed addition will not negatively impact the character of the neighborhood and will maintain consistency in terms of use. The reason for the additional height increase, according to the applicant, is to provide adequate storage space.

	Given the proposed location and scale of the accessory structure addition and compliance with all other zoning provisions, and considering the Heritage Advisory Committee has also reviewed the structure and has no concerns, Staff consider the variances desirable and appropriate for the use of the land.
The variance is minor in nature: ☒ Yes ☐ No	Staff are of the opinion that the proposed variance could be considered minor, subject to the proposed conditions, due to the proposed scale and location of the structure which will have limited impacts to neighboring properties and street view, and the proposed development meeting all other provisions of the Zoning By-law.

CONCLUSION:

The Planning Department recommends approval of application A-2025-038 subject to the listed conditions.

PREPARED BY:

Toomaj Haghshenas,
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



Building Department

MEMORANDUM TO FILE

DATE: November 12, 2025

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

FILE/APPLICATION: A-2025-038

SUBJECT: 1 East John 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. All structures over 50m² will require a lot grading plan to be submitted at time of building permit application. The lot grading plan shall be prepared by an OLS or P.Eng and deemed satisfactory by the 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 the Building Department.

1. No comments.



Engineering

MEMORANDUM TO FILE

DATE: November 20, 2025

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

FILE/APPLICATION: A-038-2025

SUBJECT: 1 East John 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. No comment.

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 comment.