

Summary of Comments

A-036-2025, A-052-2025,

A-053-2025, A-054-2025,

A-055-2025

2602 9th Line



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-2025-036, A-2025-052, A-2025-053, A-2025-054 & A-2025-055

MEETING DATE: October 16, 2025

TO: Sarah Burton Hopkins
Secretary Treasurer Committee of Adjustment

FROM: Ingrid Li
Development Planner

SUBJECT: Minor variance application A-2025-036, A-2025-052, A-2025-053, A-2025-054 & A-2025-055 seeking relief from Section 3.3d, 3.3f, 3.5b, 3.5g & 3.5i of Zoning By-law No. 080-13 for a proposed new principal dwelling and to permit the conversion of existing principal dwelling to an Accessory Dwelling Unit (ADU).

PROPERTY INFORMATION:

Municipal Address	2602 9th Line
Legal Description	CON 9 S PT LOT 13 RP 51R3262; PART 3
Official Plan	Agriculture Area, Key Natural Heritage Features/ Key Hydrologic Features (KNHFs/KHFs) and Natural Heritage System (Schedule B)
Zoning By-law	Agricultural General (AG) & Environmental Protection (EP)

RECOMMENDATION:

The Planning Department recommends approval of A-2025-036, A-2025-052, A-2025-053, A-2025-054 & A-2025-055, subject to the following condition(s):

CONDITION(S):

- 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 existing farmhouse be formally registered as an Accessory Dwelling Unit (ADU) under applicable municipal by-law requirements prior to occupancy of the proposed new principal dwelling. For clarity, no final occupancy shall be granted for the new dwelling until the existing farmhouse is formally registered as an ADU.

REASON FOR APPLICATION:

The subject lands contain an existing farmhouse as the principal dwelling. The applicant is proposing relief from of Zoning By-law No. 080-13 to construct a new principal dwelling with attached garage with a footprint of 359.1 m² and 5.83m in height. The applicant wishes to convert the existing principal dwelling into an Accessory Dwelling Unit (ADU).

The following chart depicts the standards of Zoning By-law 080-13 and the relief sought through these applications.

Application Number	By-law Section	Requirements	Proposed	Difference
A-2025-036	3.3 d	Accessory buildings shall not be located closer to the front lot line than the principal dwelling.	Existing dwelling/future ADU setback: 94.73m Proposed dwelling setback: approx. 166m	approx. 72.1m closer to the street than the principal dwelling
A-2025-052	3.3 f	Accessory buildings shall not exceed the height of the principal dwelling or 5.0m, whichever is less	ADU height: 6.5m.	1.5m
A-2025-053	3.5 b	An accessory dwelling unit shall not exceed 50% of the gross floor area of the principal dwelling, up to 100m ²	Proposed ADU: 156m ²	56 m ²
A-2025-054	3.5 g	Maximum height of a detached ADU shall not exceed the height of the principal dwelling or 6.0m, whichever is less.	ADU height: 6.5m Principal dwelling height: 5.83m	0.67m
A-2025-055	3.5 i	Detached ADUs shall not be located in the front yard or more than 60m from the principal dwelling	ADU in front yard and is located 72.1m from the proposed principal dwelling	In front yard and 12.1m further than permitted from principal dwelling

SURROUNDING LANDS:

North	Agricultural fields and EP
East	Agricultural fields
South	9 th line, Agricultural and EP
West	Agricultural AND EP

ANALYSIS:

Site Inspection Date	October 1, 2025
Maintains the purpose and intent of the Official Plan:	The subject lands are outside of a designated settlement area and are designated Agricultural Area, Key Natural Heritage Features/ Key Hydrologic Features (KNHFs/KHFs) and Natural Heritage System

☒ Yes ☐ No	overlay on Schedule B to the Town of Innisfil Official Plan. The proposed variance is fully within the Agricultural designation, which allows one single detached dwelling and accessory second dwelling unit. The subject lands are consistent with the intended agricultural use, operating as a hands-on organic farm producing cut flowers that support local bee populations, free-range chicken eggs, soybeans and wheat as field crops, and various berries, vegetables, and fruits, while also providing additional housing opportunities for family members of the landowner. Section 14.3 of the Official Plan includes policies that promote development that provides affordable and accessible housing which includes ADUs. The proposed ADU would provide an opportunity for a more affordable housing option and increase the housing diversity within the Town which in general is consistent with the purpose and intent of the Town's Official Plan. Section 14.3.8 specifies that the Zoning Bylaw may establish regulations for ADU such as compliance with the natural hazard and natural heritage policies and provisions of the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Lake Simcoe Protection Plan and Ontario Regulation 179/06 under the Conservation Authorities Act. The proposal is consistent with PPS policy section 2.2 to provide an appropriate range and mix of housing options and to facilitate residential intensification. LSRCA has provided comments that "the subject property is partially regulated by the Lake Simcoe Region Conservation Authority under the Conservation Authorities Act and Ontario Regulation 41/24" and have confirmed that "the proposed development is wholly outside any regulated areas and does not pose any risk to the regulated areas." The Key Natural Heritage Features and Key Hydrologic Features (KNHF & KHF) designation applies to the Provincially Significant Wetlands located on the rear portion of the subject lands. Section 17.1.15 of the Official Plan indicates that development and site alteration shall demonstrate no negative impacts on adjacent lands to (120m) the KNHF or KHF or their functions and within the Natural Heritage System (NHS) overlay, the vegetation protection zone shall be no less than 30 metres from the outside boundary of significant wetlands. Based on staff's measurements using the County's GIS mapping, the proposed development is located approximately 220 metres from the boundary of the significant wetland and about 140 metres from the Natural Heritage System (NHS) overlay. All proposed development is contained outside the Key Natural Heritage Features and Key Hydrological Features designation of the Town's Official Plan and is to be located in a pre-disturbed area, therefore no negative impacts to any natural heritage or hydrologic features are anticipated. Staff do not have concerns with the proposed development in regard to the KNHF & KHF policies of the Official Plan. Staff note the dwelling to be converted into an ADU is a property of 'heritage interest' but is not listed or designated. This means no
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	heritage permits are required as there are no formal protections for non-listed or non-designated properties. Staff have no objections to a proposed ADU on the subject lands which meets the purpose and intent of the Official Plan.
Maintains the purpose and intent of the Zoning By-law: ☒ Yes ☐ No	The subject lands are zoned Agricultural General (AG) & Environmental Protection (EP). The proposed development is within the AG zone, which permits single detached dwelling and accessory structures, including detached accessory dwelling units. The applicant proposes to construct a new principal dwelling to the rear of the existing dwelling with a setback of approximately 72.1m, and to convert the existing principal dwelling into an ADU. The required variances are as a result of the proposed conversion of the existing dwelling to an ADU. The existing principal dwelling, which is to be convert to an ADU, is set back 94.73m from the front property line, with a footprint of 78 m², a gross floor area of 156 m², and a height of 6.5m. The proposed new principal dwelling is set back approximately 166m from the front property line, with a footprint of 359.1 m², a gross floor area of 256 m², and a height of 5.83m. The below variances are required to permit the conversion of existing dwelling to ADU to remain in its current location and form. Section 3.3 d) states that no accessory building or structure shall be located closer to the front lot line than the principal building in any zone. The ADU (existing dwelling) is located closer to the front lot line than the proposed principal dwelling, maintaining a 94.73m front yard setback where the proposed dwelling is setback approximately 166m from the front lot line. Section 3.3 f) states that no accessory building shall exceed the height of the principal building on the lot or 5m, whichever is lesser. The ADU is 6.5m in height which exceeds the maximum permitted 5m height. Section 3.5 b states that any accessory dwelling unit shall not be greater than 50% of the gross floor area of the principal dwelling on the lot, up to a maximum gross floor area of 100 m². The gross floor area of the ADU is 156 m² and is greater than 50% of the gross floor area of the proposed principal dwelling. Section 3.5g states that the maximum height for a detached accessory dwelling unit shall not exceed the height of the principal dwelling or 6 metres, whichever is less. The ADU is 6.5 in height while the principal dwelling is proposed to be 5.83 in height. Section 3.5i states that any detached accessory dwelling units shall not be located within the front yard of the lot and shall not be located more than 60 metres from the principal dwelling on the lot. The ADU is located in the front yard and is is located 72.1m from the proposed principal dwelling. The purpose and intent of these provisions is to ensure a hierarchy of structures is maintained between principal buildings and accessory structures on the property, to ensure the ADU does not dominate or come close to the size of the principal dwelling in scale to reduce visual bulk and massing impacts. The ADU is an established structure

	located approximately 94.73 from the front lot line, maintaining a significant front yard setback that minimizes visual impact and would mostly be screened from the road. The conversion of the existing building to an ADU preserves the agricultural character of the area and avoids unnecessary land disturbance. Given the substantial setbacks and large lot size, there are no anticipated privacy concerns with respect to neighbouring properties. The purpose and intent of the height limit is to ensure the ADU remains subordinate in scale and massing. Although the ADU is 0.67m taller than the proposed principal dwelling, the proposed principal dwelling will remain the predominant structure in terms of footprint and overall scale. The existing structure's height is not expected to have adverse impacts on neighbouring properties with respect to shadowing or overlook given the overall lot size of approximately 19.8ha and significant setbacks to all property lines. The purpose and intent of the maximum gross floor area is to ensure the ADU does not dominate or come close to the size of the principal dwelling in scale, to reduce visual bulk and massing of structures on a lot. While the ADU exceeds the 100 m² maximum and 50% gross floor area limit, the increased GFA is justified by the property's 19.8-ha area and the functional need to accommodate farm labourers on-site. The increased GFA would allow for functional and suitable living space for farm labour accommodation to support agricultural operations. The ADU is relatively small in scale with 78m² footprint (as the purposes to provide affordable housing, not larger units), and the increased GFA of the ADU does not result in overdevelopment or intensification inconsistent with local character. The principal dwelling will remain the dominant structure in terms of scale and use on the property due to its larger footprint. The ADU's location in the front yard is historically established and does not negatively affect the visual character or functionality of the property. The purpose and intent of 3.5i is to maintain visual and physical association between the principal dwelling and ADU. The proposed 72.1m separation still allows for convenient access and provides an appropriate privacy separation for both households and on-farm labour accommodation associated with on-site farm operation. The ADU's location near the front of the property and closer to the farm area is more functional for day-to-day agricultural operations. Section 3.29.2 of the ZBL states that the location of a new dwelling on a lot less than 19 hectares in lot area, within the agriculture Zone, is subject to Minimum Distance Separation I (MDS I). Based on MPAC information, the lot area is approximately 19.8 hectares; therefore, MDS 1 does not apply. Staff are of the opinion the variances are in keeping with the general purpose and intent of the Zoning By-law, subject to the proposed conditions.
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The variance is desirable for the appropriate/orderly development or use of the land: ☒ Yes ☐ No	As mentioned, the applicant is proposing to construct a new principal dwelling and to convert the existing dwelling to an ADU which will provide for affordable housing on the subject lands. The proposal facilitates the provision of affordable housing while maintaining the rural character, and the ability for continued agricultural use of the lands. Given the large lot size (approximately 19.8 hectares), significant setbacks, visual screening and isolation, and relatively low lot coverage resulting from both the principal and accessory dwellings, the proposal will have limited impact on neighbouring properties. The property is sufficiently large to accommodate both dwellings without concerns related to visual bulk or massing. The principal dwelling will remain the dominant structure in terms of scale and use on the property due to its larger footprint. Staff consider the variances desirable and appropriate for the use of the land, subject to the proposed conditions
The variance is minor in nature: ☒ Yes ☐ No	Staff are of the opinion that the proposed variances 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 the proposed development meeting all other provisions of the Zoning By-law.

PREPARED BY:

Ingrid Li,
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: October 8, 2025

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

FILE/APPLICATION: A-2025-036, 052, 053, 054, 055

SUBJECT: 2602 9th Line

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: October 16, 2025

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

FILE/APPLICATION: A-036-2025, A-052-2025, A-053-2025, A-054-2025, A-055-2025

SUBJECT: 2602 9th Line

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.

[REDACTED]

From: Dilpreet Khabra [REDACTED]
Sent: Thursday, December 5, 2024 3:41 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: A&R Design Build - 2602 9th Line, Innisfil - LSRCA Approval for Development & Septic
Attachments: Floodplain Mapping.pdf; Meanderbelt Erosion Mapping.pdf; Wetlands Mapping.pdf

Good afternoon Laura,

Thank you for providing me with the site plan! As mentioned on our call, the subject property is partially regulated by the Lake Simcoe Region Conservation Authority under the *Conservation Authorities Act* and Ontario Regulation 41/24.

The subject property is regulated for the following features:

- Floodplain Hazards
- Meanderbelt Erosion Hazards
- Presence of Provincially Significant Wetlands and their associated 30-metre setbacks

I have provided mapping of each of the properties regulated features for your reference.

Based on our mapping, the proposed development is wholly outside any regulated areas and does not pose any risk to the regulated areas. As such, a permit from our office would not be required.

Feel free to forward this e-mail accordingly as proof of clearance from the LSRCA. I have cc'd the township for your convenience.

Best,
Dilpreet Khabra
Environmental Regulations Customer Service Analyst
Lake Simcoe Region Conservation Authority

[REDACTED]