

# **Summary of Comments**

A-022-2025

**2815 14<sup>th</sup> Line**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-022-2025

**MEETING DATE:** June 19, 2025

**TO:** Sarah Burton Hopkins  
Secretary Treasurer Committee of Adjustment

**FROM:** Toomaj Haghshenas  
Development Planner

**SUBJECT:** Minor variance application A-022-2025 seeking relief from Section 3.27 of the Zoning By-law for an expansion of a legally existing, non-conforming use to allow for the construction of an attached garage and foyer addition to the existing dwelling.

**PROPERTY INFORMATION:**

<b>Municipal Address</b>	2815 14 <sup>th</sup> Line
<b>Legal Description</b>	WEST GWILLIMBURY CON 13 N PT LOT 11 RP 51R9768 PT PART 2
<b>Official Plan</b>	Rural Area (Schedule B)
<b>Zoning By-law</b>	Agricultural (AG) Zone, Environmental Protection (EP) Zone

**RECOMMENDATION:**

The Planning Department recommends approval of A-022-2025, subject to the following 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 existing trees be protected and maintained to the satisfaction of the Town. 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.

Application Number	By-law Section	Requirements	Proposed	Difference
A-022-2025	3.27(a)	Prohibits ground floor area increase of a legal non-conforming use	Increase ground floor area of a legal non-conforming dwelling	+124.68 m <sup>2</sup>

**REASON FOR APPLICATION:**

The applicant is proposing to construct an attached garage and foyer addition to the existing dwelling which has a legally existing, non-conforming use. The garage and foyer addition will be located in the front yard and will result in a footprint increase of 124.68 m<sup>2</sup> and a ground floor area (GFA) increase of 1,326 m<sup>2</sup>. The applicant is seeking relief from Section 3.27(a) of the Zoning By-law which prohibits a ground floor area increase of a legal non-conforming use.

**SURROUNDING LANDS:**

<b>North</b>	14 <sup>th</sup> Line, Single-detached dwellings, AG and EP lands
<b>East</b>	Single-detached dwellings, AG and EP lands
<b>South</b>	Single-detached dwelling, AG and EP lands
<b>West</b>	Single-detached dwelling, AG and EP lands

**ANALYSIS:**

<b>Site Inspection Date</b>	June 12, 2025
<b>Maintains the purpose and intent of the Official Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are located outside any settlement areas. The subject lands are designated Rural Area and Key Natural Heritage Features and Key Hydrologic Features (KNHF &amp; KHF) in the Town’s Official Plan (Schedule B). The Rural Area designation permits one (1) single detached residence as per Section 18.4.2. The attached garage and foyer addition are located in the front yard and are considered of a reasonable scale proportionate to the lot that meets the intent of the Official Plan regarding building massing respecting the context of the local character.</p> <p>Section 22.13.4 of the Official Plan states that limited expansion to a legal non-conforming use may be permitted subject to consideration of the need for the expansion, size of the expansion compared to the existing operation, increase in noise/vibration/dust/fumes etc., compatibility of the use with the surrounding area, appropriate buffering from neighbouring uses, traffic and parking impacts, adequacy of municipal servicing, potential impacts on the Natural Heritage System and any community benefits or improvements.</p> <p>The proposed garage is to increase personal storage space of vehicles and is generally compatible with accessory structures on adjacent lots. The proposed garage and foyer addition are situated on the north side of the property and are screened by existing trees from the street and neighbors. The garage and foyer addition are not anticipated to increase traffic or cause negative impacts to surrounding uses. The development will not be located in the KNHF or KHF designation and is to be located in a pre-disturbed area, therefore no negative impacts to any natural heritage or hydrologic features are anticipated.</p> <p>Staff are including a condition requiring that the existing trees be protected and maintained to the satisfaction of the Town and that a Tree Preservation/Planting Plan be submitted for any proposed tree removal that includes tree protection measures for existing trees during construction, in accordance with Town Engineering Standards for tree compensation.</p>

	<p>Staff are of the opinion that the proposal in general meets the purpose and intent of the Official Plan.</p>
<p><b>Maintains the purpose and intent of the Zoning By-law:</b>  <input checked="" type="checkbox"/> <b>Yes</b>  <input type="checkbox"/> <b>No</b></p>	<p>The subject lands are zoned Agricultural (AG) and Environmental Protection (EP) in the Town’s Zoning By-law 080-13. The proposed development will be contained within the AG portion of the lands. The AG zone does not permit single detached dwellings as the principal use. However, the residential use was in place according to Town records prior to the current agricultural zoning coming into effect which renders the dwelling as having a legally existing, non-conforming use.</p> <p>Section 3.27 a) of the Zoning By-law does not permit the ground floor area of a legal non-conforming structure to be expanded. The general intent of this provision is to require variances where non-conforming uses are proposed to be expanded, ensuring appropriate setbacks are maintained, that the use continues to be compatible with neighbouring uses and to ensure no negative impacts on neighbouring uses occur as a result of the expansion.</p> <p>The subject property also fits with the character of surrounding properties which have principal residential uses. The proposed garage and foyer addition will be screened from the street and neighboring properties to the east and west by the existing trees.</p> <p>The increase in gross floor area will not provide a negative visual impact as far as massing and density. The principal dwelling footprint will remain dominant in terms of scale and use on the property. The property is also large enough that visual bulk and massing of the attached garage is not of significant concern. All other standards are complied with including lot coverage, height and setbacks. Staff do not anticipate any negative impacts resulting from the proposed development.</p> <p>Considering the above, staff are in support of the proposed addition as it meets the general intent of the Zoning By-law. All other provisions of the Zoning By-law are met.</p>
<p><b>The variance is desirable for the appropriate/orderly development or use of the land:</b>  <input checked="" type="checkbox"/> <b>Yes</b>  <input type="checkbox"/> <b>No</b></p>	<p>The proposed addition will be located on the north side of the property, screened from the street and adjacent lots. The proposed garage takes advantage of an existing driveway and would have limited impacts to neighbouring properties due to adequate setbacks from property lines and compliance with all other zoning provisions. Any required tree removal will be addressed as a condition of approval. The proposed garage and foyer addition will not negatively impact the character of the neighborhood and will maintain consistency in terms of use.</p> <p>Staff consider the proposed expansion of the legal non-conforming dwelling to accommodate an attached garage and foyer addition reasonable development given these matters.</p>

<p><b>The variance is minor in nature:</b> <input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b></p>	<p>Staff are of the opinion that the proposed variance could be considered minor, subject to the proposed condition, due to the existing use, and 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.</p>
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**PREPARED BY:**

Toomaj Haghshenas,  
Development Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Planning



Community Development Standards Branch

MEMORANDUM TO FILE

**DATE:** June 10, 2025

**FROM/CONTACT:** Jocelyn Penfold ex 3506 [jpenfold@innisfil.ca](mailto:jpenfold@innisfil.ca)

**FILE/APPLICATION:** A-022-2025

**SUBJECT:** 2815 14th Line

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**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. When applying for building permit for this addition, please provide a lot grading plan designed by a Professional Engineer or an Ontario Land Surveyor to the satisfaction of 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. The applicant/owner shall provide a site plan with proposed building and septic footprint that meets all Ontario Building Code required clearances to the proposed structure, neighbouring wells and on-site sewage systems, to the satisfaction of the Building Department.



Engineering

MEMORANDUM TO FILE

**DATE:** June 12, 2025

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

**FILE/APPLICATION:** A-022-2025

**SUBJECT:** 2815 14<sup>th</sup> Line

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**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.