

**Summary of Comments**  
**A-023-2025 & A-024-2025**  
**3867 Dixon Rd**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-023-2025 & A-024-2025  
**RELATED APPLICATION(S):** N/A  
**MEETING DATE:** July 17, 2025  
**TO:** Sarah Burton Hopkins  
Secretary Treasurer Committee of Adjustment  
**FROM:** Savana Hasan  
Assistant Development Planner  
**SUBJECT:** Minor variance application A-023-2025 seeking relief from Section 3.3 b) of Zoning By-law No. 080-13 for maximum gross floor area for a detached garage with additional dwelling unit and Minor Variance application A-024-2025 seeking relief from Section 3.5 i) of Zoning By-law No. 080-13 to permit accessory detached dwellings in the front yard.

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### PROPERTY INFORMATION:

<b>Municipal Address</b>	3867 Dixon Road
<b>Legal Description</b>	PLAN 1065 LOT 23 RP 51R7727 PART 5
<b>Official Plan</b>	Shoreline Residential Area (Schedule B11)
<b>Zoning By-law</b>	Residential 1 (R1) Zone

### RECOMMENDATION:

The Planning Department recommends deferral of A-023-2025 and A-24-2025 such that the design of the accessory structure is revised subject to the following conditions:

- 1) That the maximum height does not exceed 6 metres or that the applicant applies for a height variance.
- 2) That the gross floor area of the proposed accessory structure is less than the gross floor area of the principal dwelling.
- 3) That the applicant provides an updated gross floor area calculation and site statistics (zoning matrix) table and drawings reflective of Big Bay Point being the Front Yard.
- 4) That the applicant provides a vegetation protection zone planting plan, including tree compensation according to the Town's Engineering Standards, within 30m of the woodlands to the east of the subject, to the satisfaction of the Town of Innisfil.

### REASON FOR APPLICATION:

The applicant is seeking relief from Section 3.3b of the Zoning By-Law which limits the gross floor area of an accessory building to 50m<sup>2</sup>. The applicant is proposing to construct a detached garage with an accessory dwelling unit (ADU) with a gross floor area of approximately 185m<sup>2</sup>. The applicant is seeking relief from Section 3.5i) of the Zoning By-Law which does not permit detached accessory dwelling units in the front yard. In the case of this through lot, the front yard has been identified as Big Bay Point Rd as per Section 2.125 e) of the Zoning By-law.

Application Number	By-law Section	Requirement	Proposed	Difference
A-023-2025	3.3 b)	50m <sup>2</sup>	185m <sup>2</sup>	135m <sup>2</sup>
A-024-2025	3.5 i)	ADU to be located in rear yard	ADU located in front yard	N/A

#### SURROUNDING LANDS:

North	Single-detached dwelling and detached garage
East	Big Bay Point Road, Woodlands and Open Space
South	Single-detached dwelling
West	Dixon Road and Edward Street, single-detached dwellings and accessory structures

#### ANALYSIS:

Site Inspection Date	July 3, 2025
<b>Maintains the purpose and intent of the Official Plan:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Deferral	<p>The subject lands are designated Shoreline Residential Area on Schedule B11 of the Official Plan which permits accessory structures and accessory second dwelling units (Section 19.2.2) such as the proposed detached garage and accessory dwelling unit.</p> <p>Section 10.1 residential design policies speaks to building height and massing respecting the character of the settlements within which they are located. Although the subject lands are not within a settlement area per the Official Plan, requiring accessory structures to be smaller than the primary structure is a general urban design principle based on hierarchy of built form, and is reflected in Zoning By-law regulations. Staff request the structure be reduced in size and height to better reflect building heights and massing in the area, and not dominate the existing principal building in terms of hierarchy of built form.</p> <p>The subject lands are located within 120 metres of Key Natural Heritage and Key Hydrologic Features and are partially within a Natural Heritage System overlay (NHS) in the Town Official Plan. Staff have concerns about the potential impacts to the adjacent Key Natural Heritage Features to the east of the subject property. As per Section 17.1.15 of the Official Plan, development and site alteration on lands adjacent to Key Natural Heritage and Key Hydrogeological Features is not permitted unless it is demonstrated that there will be no negative impacts to ecological functions and a vegetation protection zone (VPZ) is identified no less than 30 metres from the boundary of the significant</p>

	<p>woodlands. As such, staff have included a condition where the applicant shall provide a vegetation protection zone and planting plan with tree compensation, using the Town's Engineering Standards, within 30m from the boundary of the significant woodlands.</p> <p>Overall, the proposal does maintain the purpose and intent of the Official Plan from a land use perspective, as the proposed structure is a permitted use, however, staff recommends deferral until a vegetation protection zone and planting plan is provided to the satisfaction of the Town.</p>
<p><b>Maintains the purpose and intent of the Zoning By-law:</b>  <input type="checkbox"/> Yes  <input type="checkbox"/> No  <input checked="" type="checkbox"/> Deferral</p>	<p>The subject lands are zoned Residential 1 (R1) Zone in Town of Innisfil Zoning By-law No. 080-13, which allows the proposed accessory structure as a permitted use (Table 4.1). However, Section 3.3 b) requires accessory structures to have a maximum gross floor area that does not exceed 50m<sup>2</sup> and Section 3.5 i) prohibits any detached accessory dwelling units to be located within the front yard.</p> <p>The purpose and intent of Section 3.3 b) is to ensure that detached accessory structures are relatively small in scale as fulfilling the role of a secondary structure on the property, and to reduce visual bulk and massing of structures in general on a property, and the impact this has on neighbouring properties and community characteristics. There are no other residential buildings along Big Bay Point Road adjacent to the proposed structure, so staff is not opposed to a variance to increase the maximum gross floor area of the structure, however, the proposed structure appears to be larger in gross floor area than the existing dwelling unit, and taller than permitted, thus not maintaining the intent of Section 3.3 b). The application includes a proposed gross floor area of approximately 185m<sup>2</sup>, whereas the gross ground floor area is written as 217.6m<sup>2</sup> in the drawing prepared by MeasEarth.</p> <p>Section 2.125 e) establishes the longest lot line to be deemed the front lot line in the case of a through lot, therefore, the proposed structure is technically in the front yard. Staff is not concerned about the positioning of the structure in the front yard as there would be minimal visual impacts to existing neighbouring properties, however, the proposed structure with a height of 6.5m does not meet the height regulation established in Section 3.5 g) which states that the maximum height for a detached accessory dwelling unit shall not exceed 6m.</p> <p>Staff are of the opinion that the proposal does not meet the intent of the Zoning By-law and recommend deferral until conditions are addressed to reduce the size to a scale that establishes the proposed structure as secondary to the principal dwelling.</p>
<p><b>The variance is desirable for the appropriate/orderly development or use of the land:</b>  <input type="checkbox"/> Yes</p>	<p>The existing neighbourhood is characterized by a variety of single detached dwellings and attached and detached accessory structures. There are no accessory structures located near Big Bay Point Road in the immediate vicinity of the subject lands of the same scale. Staff are of the opinion that the proposed structure should be scaled down to</p>

<input type="checkbox"/> No <input checked="" type="checkbox"/> Deferral	reflect its secondary nature on the subject lands relative to the principal dwelling, as stated.
<b>The variance is minor in nature:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Deferral	Staff consider the proposal to construct a detached garage with ADU to generally fit with the surrounding neighbourhood in terms of design if scaled appropriately. The subject lands and proposed development are located within 120m of Key Natural Heritage Features so a vegetation protection zone and planting plan is required to ensure no negative impact on ecological functions. Staff are not opposed to a variance for increased gross floor area given the size of the lot and location of the proposed structure, however, deferral is recommended at this time to reduce the scale of the structure, per the comments in this memorandum.

**PREPARED BY:**

Savana Hasan,  
Assistant Development Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Planning



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE:** July 7, 2025

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

**FILE/APPLICATION:** A-023 & 0224-2025

**SUBJECT:** 3867 Dixon Rd.

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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. All structures over 50m<sup>2</sup> 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 Community Development Standards Branch)

1. No comments.