

Summary of Comments

A-2025-060

42 King St N



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-2025-060

MEETING DATE: November 20, 2025

TO: Sarah Burton Hopkins
Secretary Treasurer Committee of Adjustment

FROM: Savana Hasan
Assistant Development Planner

SUBJECT: Minor variance application A-2025-060 seeking relief from Section 3.3(b) of the Zoning By-law for an increase to the maximum permitted gross floor area for an accessory structure from 50m² to 118.2m².

PROPERTY INFORMATION:

Municipal Address	42 King Street North
Legal Description	PLAN 260 LOT 14
Official Plan	Residential Low Density 1 (Schedule B2)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of minor variance application A-2025-060 with the following conditions:

CONDITIONS:

- 1) That the variance only applies to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.
- 2) That the existing mature and boundary trees be protected and maintained to the satisfaction of the Town. If any trees are proposed to be removed, 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-2025-060	3.3 b)	Maximum Gross Floor Area (GFA) of up to 50m ²	118.2m ²	68.2m ²

REASON FOR APPLICATION:

The applicant is seeking relief from Section 3.3 b) of the Zoning By-law which allows for a maximum gross floor area (GFA) of 50m² for an accessory building or structure. The applicant is proposing to construct a detached garage in the rear yard with a GFA of approximately 118m².

SURROUNDING LANDS:

North	Single-detached dwelling- 44 King St N
East	Commercial buildings and parking lot- Fabric and Cannabis stores- 35 King St N, and landscaped grass and agricultural lands- 37 King St N
South	Single-detached dwellings and accessory structures- 40 King St N, and the rear yards of 2 Garibaldi St and 4 Garibaldi St
West	Single-detached dwelling on agricultural lands - 6 Garibaldi St

ANALYSIS:

Maintains the purpose and intent of the Official Plan: ☒ Yes ☐ No	The subject lands are located within the Settlement Area of Cookstown (Schedule A) and are designated as Residential Low Density 1 as per Schedule B2 of the Town's Official Plan. The Residential Low Density 1 designation permits single detached dwellings and accessory structures, such as the proposed detached garage. Section 10.1.40 of the Official Plan requires new developments to have building heights and massing respecting the character of the settlements in which they are located, and Section 10.1.41 requires new developments to consider the inclusion of architectural elements that reference the elements and characteristics of the communities in which they are planned. The residential design policies of Section 10.1 are meant to ensure that the hierarchy of built form is maintained. The submitted design drawings for the proposed detached garage show that the visual hierarchy of structures is maintained, where the proposed detached garage is secondary to the principal building in terms of scale and massing. The architectural features are compatible with the surrounding neighbourhood's character which include a variety of land uses and associated structures, and the location of the structure is situated appropriately in the rear yard which reduces significant visual bulk impacts to adjacent properties. The setback of the structure is approx. 3m from the southern interior side lot line, 3.06m from the rear, and 7.54m from the northern interior side lot line, which is greater than the 1m minimum setback the by-law requires. Any tree removal would require compensation in accordance with 15.1 of the Official Plan (no net loss of trees) and Town Engineering Standards. Considering the above, subject to the recommended conditions, Staff are of the opinion that the application maintains the purpose and intent of the Official Plan.
Maintains the purpose and intent	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

of the Zoning By-law: ☒ Yes ☐ No	accessory structures, including detached garages. Section 3.3 b) of the Town's Zoning By-law states the GFA of an accessory building or structure shall not exceed 50m² in any Residential Zone. The purpose of this provision is to ensure a hierarchy of structures is maintained between principal buildings and accessory structures, and to reduce potential visual bulk and massing impacts. The proposed GFA for the detached garage is 118.2m², 68.2m² larger than what is permitted, however, the hierarchy of the proposed detached garage, being secondary to the principal dwelling, would be maintained as it meets all other applicable provisions of the Zoning By-law (i.e. landscaped open space, lot coverage, setback, and height). The proposed garage maintains a significant setback from the front lot line of approximately 85m and substantially exceeds the required minimum rear and side yard setbacks requirements of 1m, therefore visual massing is minimal in relation to the principal building. No other variances (e.g., height) are requested. The proposed increase in floor area will not provide a negative visual impact as far as massing and density, therefore the principal dwelling will remain dominant in terms of scale and use on the property. The garage doors face the front lot line, and no windows are proposed, other than on the man door facing south, which alleviates any privacy concerns with neighboring properties. Given the above comments and subject to the recommended conditions, Staff are of the opinion that the proposal maintains the general intent of the Zoning By-law.
The variance is desirable for the appropriate/orderly development or use of the land: ☒ Yes ☐ No	As noted, the proposed detached garage is set back approximately 85m from the front lot line and complies with all other provisions of the Zoning By-law which would maintain the established hierarchy between accessory structures and principal buildings and fits in with the surrounding principal and accessory structures on various residential, commercial, and agriculture lands abutting the property. The proposed garage, although located at the rear of the subject lands, takes advantage of an existing driveway entrance on King Street North and is situated on the west side of the property in the rear yard with the doors facing the front lot line so that any potential negative impacts to neighbouring properties are mitigated. Given the context of the site, the proposed development is appropriate for the lands. As noted above, Staff in general have no major concerns over the visual bulk and massing of the structure. The applicant stated that the reason for the proposed detached garage with a GFA of 118.2m² is to help store personal items, including antique cars, that would otherwise be outside in plain view. The indoor space allows for secure storage and minimal visual impact.

	Staff note any trees required to be removed would be compensated on site and replanted in accordance with Town Engineering Standards for tree compensation. This could include placement of any replanting in a manner that provides additional visual screening of the structure and driveway from neighbouring lands. Given the proposed location and scale of the accessory structure Staff consider the variances desirable and appropriate for the use of the land, subject to conditions.
The variance is minor in nature: ☒ Yes ☐ No	Staff are of the opinion that the proposed variance is considered minor, subject to the proposed conditions, due to the sitting of the detached garage in relation to the principal dwelling, maintaining generous setbacks and meeting all other provisions of the Zoning By-law.

CONCLUSION:

Planning Staff recommend approval of application A-2025-040 subject to the proposed conditions.

PREPARED BY:

Savana Hasan,
Assistant 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-2025-060

SUBJECT: 42 King 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.)

1. No comments.



Engineering

MEMORANDUM TO FILE

DATE: November 20, 2025

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

FILE/APPLICATION: A-060-2025

SUBJECT: 42 King Street North

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.