

# **Summary of Comments**

**A-023-2025, A-024-2025 &  
A-2025-049**

**3867 Dixon Rd**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-023-2025, A-024-2025, & A-2025-049

**RELATED APPLICATION(S):** N/A

**MEETING DATE:** September 18, 2025

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

**FROM:** Savana Hasan  
Assistant Development Planner

**SUBJECT:** Minor variance applications A-023-2025, A-024-2025, and A-2025-049 seeking relief from Section 3.3 b) of the Zoning By-law to increase the gross floor area of an accessory structure from 50m<sup>2</sup> to 185m<sup>2</sup>, Section 3.5 i) of the Zoning By-law to permit accessory detached dwellings in the front yard, and Section 3.3 f) of the Zoning By-law to increase the height of an accessory structure from 5m to 5.94m.

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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 approval of A-023-2025, A-024-2025, A-2025-049, subject to the following condition:

- 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 applicant re-positions the proposed structure to comply with the required minimum front yard setback (6m) and minimum interior side yard setback (1m) for accessory buildings;
- 3) That the site plan prepared by MeasEarth be updated to show the new position of the proposed structure with respect to the required setbacks an updated site statistics table; and
- 4) 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.

**Specific emphasis shall be had to replanting any removed trees within the vegetation protection zone (VPZ) where possible. Tree protection fencing shall be shown on the site plan in accordance with Town requirements.**

**REASON FOR APPLICATION:**

The applicant is proposing to construct a detached garage with additional dwelling unit (ADU) with a gross floor area of 185m<sup>2</sup> and a height of 5.94m to be located in the front yard on the subject lands. The applicant is seeking relief from Section 3.3 b) of the Zoning By-law which permits a maximum gross floor area (GFA) of 50m<sup>2</sup>, Section 3.5 i) which only permits accessory detached dwelling units to be located in the rear yard (in the case of this through lot, the front lot line has been identified as Big Bay Point Road as per Section 2.125 e) of the Zoning By-law), and Section 3.3 f) which requires an accessory structure to maintain a height shorter than the principal dwelling or 5m (whichever is lesser).

Staff note this application was deferred from the July 2025 hearing pending a reduction in scale of the structure, confirmation of height, correct identification of front yard as defined by the Zoning By-law, and a vegetation protection zone planting plan, including tree compensation, within 30m of the woodland to the east of the subject lands.

Application Number	By-law Section	Requirement	Proposed	Difference
A-023-2025	3.3 b)	Maximum GFA of 50m <sup>2</sup>	185m <sup>2</sup>	135m <sup>2</sup>
A-024-2025	3.5 i)	No detached ADU shall be located in the front yard	ADU located in front yard	N/A
A-2025-049	3.3 f)	Maximum height cannot exceed height of principal dwelling or 5m (whichever is lesser)	Dwelling height: 5m Garage/ADU height: 5.94m	0.94m

**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	August 27, 2025
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated Shoreline Residential Area on Schedule B11 of the Official Plan which permits single detached dwellings and accessory buildings and structures (Section 19.2.2) such as the proposed detached garage and accessory dwelling unit (ADU).</p> <p>As stated in Section 19.2.10 of the OP, development shall be undertaken in conformity with the residential design policies of Section 10.1. Section 10.1.40 requires new developments have building height</p>

and massing respecting the character of the settlements within which they are located, and Section 10.1.41 states that the built form of new development shall consider the inclusion of architectural elements that reference the elements and characteristics of the communities within which they are planned. To better conform to the OP's general urban design principles that are based on hierarchy of built form, Staff deferred the first submission and requested that the scale and massing of the proposed structure be reduced so that the accessory structure did not dominate the existing principal building. In this submission, the location of the proposed structure is situated appropriately on the lot and the proposed height was reduced significantly from the first submission, therefore bringing the height of the structure closer in height to the principal dwelling, therefore reducing previous visual hierarchy concerns and generally fitting in with the character of the neighbourhood.

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. 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 woodlands. The Big Bay Point Road right of way is 23m wide, and as a result, Staff requested that at least a 10m area become a VPZ on the subject lands to provide a 30m buffer (23m ROW minus approx. 3m dripline of trees extending out on the east side of the road (defining the 'edge' of the woodland), plus 10m VPZ = 30m buffer from the woodland feature). As such, through the first submission, Staff included a condition where the applicant shall provide updated drawings showing a VPZ and a planting plan with tree compensation using the Town's Engineering Standards. The applicant satisfied this condition in this second submission through the provision of an updated land survey drawing that indicates the VPZ, and that no trees with 10cm diameter at breast height (DBH) or larger will be removed within the VPZ, therefore no re-planting or compensation is required. Staff concerns about the potential impacts to the adjacent Key Natural Heritage Features to the east of the subject property have been mitigated through the new submission and there is not considered, in context of the buffer provided, to be any negative impact to the ecological functions of the adjacent Key Natural Heritage and Hydrogeological features. However, Staff are still requesting as a condition that if any tree removal occurs, priority where possible shall be to replanting within the identified VPZ, and that protection fencing be installed.

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, and is consistent with residential design policies, subject to conditions.

<p><b>Maintains the purpose and intent of the Zoning By-law:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are zoned Residential 1 (R1) Zone in the Town's Zoning By-law No. 080-13, which permits single detached dwellings and accessory buildings/structures.</p> <p>Section 3.3 b) states that GFA of an accessory building or structure shall not exceed 50m<sup>2</sup> in any Residential Zone. The proposed GFA of the detached garage and ADU is 185m<sup>2</sup>. 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 proposed height of the detached garage and ADU is 5.94m. Section 3.5 i) prohibits any detached accessory dwelling units to be located in the front yard. The proposed location of the detached garage and ADU is in the front yard (in the case of this through lot, the front lot line has been identified as Big Bay Point Road).</p> <p>The purpose of these provisions is to ensure a hierarchy of structures is maintained between principal buildings and accessory structures on the property and to reduce visual bulk and massing impacts.</p> <p>The hierarchy of the proposed detached garaged and ADU will be maintained as it will be smaller in GFA than the principal building, have a lot coverage of only 7%, and a generous setback of 67.1m from Dixon Road (and is requested to maintain at least a 6m setback from Big Bay Point Road in accordance with the Zoning By-law as a condition). 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. It is understood that the principal building is accessed from Dixon Road, so Staff are not concerned about the positioning of the structure in the front yard, as there would be minimal visual impacts to existing neighbouring properties since there are no other residential buildings along Big Bay Point Road adjacent to the proposed structure and a VPZ is proposed. The first submission included a proposed height of 6.5m for the detached garage and ADU, however, this height exceeded the height of the principal dwelling and the maximum permitted height of 6m for detached ADUs as per Section 3.5 g), so staff recommended deferral and that the applicant reduce the proposed height in the second submission to ensure that the hierarchy of structures is maintained. The applicant satisfied this condition through the second submission with a new proposed height of 5.94m. Staff are of the opinion that through the second submission, the proposed detached garage and ADU fulfills the role of a secondary structure on the property.</p> <p>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, subject to the conditions.</p>
<p><b>The variance is desirable for the appropriate/orderly development or use of the land:</b> <input checked="" type="checkbox"/> Yes</p>	<p>The existing neighbourhood is characterized by a variety of single detached dwellings with attached and detached accessory structures. All the dwellings located on the properties along Dixon Road to the North and South of the subject lands face Dixon Road. There are no accessory structures facing Big Bay Point Road in the immediate vicinity of the subject lands; however, the applicant has obtained an</p>

<input type="checkbox"/> <b>No</b>	<p>entrance permit to access the subject lands from Big Bay Point Road. The proposed detached garage and ADU is smaller in scale than the principal dwelling and has a generous setback from Dixon Road maintaining an established hierarchy between accessory structure and principal dwelling and fitting with the surrounding one and two storey dwellings in the neighbourhood. Again, a VPZ buffers the structure from Big Bay Point Road visually.</p> <p>It is Staff's opinion that the proposed variances are desirable for the appropriate/orderly development and use of the land, subject to the conditions.</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 variances could be considered minor, subject to conditions, due to the size of the lot, siting of the proposed structure and dwelling and the relationship between the size of the dwelling and proposed structure, the proposed structure being smaller in scale than the dwelling and maintaining a significant setback from the Dixon Road lot line, and a condition requiring the applicant to meet the required setbacks from Big Bay Point Road. Staff do not anticipate any negative impacts to neighbouring properties and consider the variances to be minor in nature.</p>

**CONCLUSION:**

**The Planning Department recommends approval of application A-023-2025, A-024-2025, & A-2025-049 subject to the recommended conditions.**

**PREPARED BY:**

Savana Hasan,  
Assistant Development Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Planning



BUILDING DEPARTMENT

MEMORANDUM TO FILE

**DATE:** September 9, 2025

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

**FILE/APPLICATION:** A-023, 024, 049-2025

**SUBJECT:** 3867 Dixon Road

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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 Community Development Standards Branch (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:** September 18, 2025

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

**FILE/APPLICATION:** A-023-2025, A-024-2025, A-049-2025

**SUBJECT:** 3867 Dixon Road

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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.