

# **Summary of Comments**

**A-2025-038**

**1 East John St**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-2025-038

**MEETING DATE:** September 18, 2025

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

**FROM:** Toomaj Haghshenas  
Development Planner

**SUBJECT:** Minor variance application A-2025-038 seeking relief from Section 3.3(f) to increase the permitted height of an accessory structure to over 5m.

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### PROPERTY INFORMATION:

<b>Municipal Address</b>	1 East John Street
<b>Legal Description</b>	PLAN 1331 LOT 37
<b>Official Plan</b>	Residential Low Density 1 (Schedule B2)
<b>Zoning By-law</b>	Residential 1 (R1) Zone

### RECOMMENDATION:

The Planning Department recommends deferral of A-2025-038, subject to the following requirements:

- 1.) That a heritage permit be obtained for the proposed structure.
- 2.) That the height of the proposed structure (i.e. measured from the highest eaves to the peak of the roof) be confirmed.
- 3.) That updated elevation drawings be provided with orientation labels (i.e. East, West, South, North) to ensure there are no windows facing the adjacent property to the east

**NOTE:** Accessory dwelling units (ADUs) are prohibited in Cookstown in accordance with Section 3.5 n) due to sanitary servicing constraints. Staff note the proposed structure is not permitted to be converted into an ADU.

Application Number	By-law Section	Requirements	Proposed	Difference
A-2025-038	3.3 f)	Max 5m or height of principal building, whichever is less	TBD	TBD

### REASON FOR APPLICATION:

The applicant is proposing to construct a detached garage structure in the rear yard. The proposed garage will have a footprint of 44.6 m<sup>2</sup>, and a height over the permitted 5m. The applicant is seeking relief from Section 3.3(f) of the Zoning By-law which states that no accessory building shall exceed the height of the principal building on the lot or 5.0 metres, whichever is the lesser. In this instance, the 5 m maximum would apply as the existing dwelling has height of approximately 5.33m.

### SURROUNDING LANDS:

<b>North</b>	East John St and Single-detached dwellings
<b>East</b>	Single-detached dwellings
<b>South</b>	Parking lot (Fire Hall)
<b>West</b>	Cookstown Fire Hall

### ANALYSIS:

<b>Site Inspection Date</b>	August 26, 2025
<b>Maintains the purpose and intent of the Official Plan:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are within the settlement area of Cookstown. The subject lands are designated Residential Low Density 1 in the Town's Official Plan (Schedule B2). The Residential Low Density 1 designation permits single detached dwellings and allows accessory structures including a detached garage. The detached garage is located in the rear yard and is considered of a reasonable scale proportionate to the lot that meets the intent of Section 10.1.40 regarding building massing respecting the context of the local character. The proposed garage addition is reasonable in terms of location and size and represents appropriate development within the context of the character of the neighborhood. The proposed garage addition will result in a lot coverage below the permitted maximum lot coverage for accessory structures at approximately 4.8% (maximum permitted = 35%). The exact overall height of the proposed garage is to be confirmed.</p> <p>Staff note that the subject property does have a Heritage designation (Class D designation), as they are within the Cookstown Heritage Conservation District (HCD) and a heritage permit is therefore required. Staff are recommending deferral as the heritage permit needs to be obtained prior to the Minor Variance to ensure there are no changes to the plans during the heritage approval process..</p> <p>The proposal in general meets the purpose and intent of the Official Plan in terms of visual bulk and massing, but additional information is required to confirm the height, and a heritage permit should be required prior to variance approval. Deferral is recommended to address concerns and the heritage permit requirement.</p>
<b>Maintains the purpose and intent of the Zoning By-law:</b>	<p>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 accessory structures, including detached garages.</p> <p>Section 3.3 (f) of the Zoning By-law states that no accessory building</p>

<input type="checkbox"/> Yes <input type="checkbox"/> No	<p>shall exceed the height of the principal building on the lot or 5.0 metres, whichever is the lesser. The proposed height of the garage addition will be over 5m. The existing dwelling is slightly higher at 5.33m. Section 3.3(b) of the Town's Zoning By-law states the gross floor area or footprint of an accessory building or structure shall not exceed 50 square metres in any Residential Zone. The proposed gross floor area of the detached garage is 44.6m m2. The purpose of both provisions is to ensure the hierarchy of structures is maintained on the property and to reduce visual bulk and massing of structures on the property.</p> <p>Staff have requested updated elevation drawings showing orientation to ensure there are no privacy concerns.</p> <p>The proposed garage addition will maintain appropriate garage setbacks and complies with all other provisions in the Zoning By-law, including lot coverage.</p> <p>In consideration of the above Staff are of the opinion that the proposed development generally maintains the purpose and intent of the Town's Zoning By-law but recommend deferral to request additional information..</p>
<p><b>The variance is desirable for the appropriate/orderly development or use of the land:</b></p> <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The garage is located on the west side of the property in the rear yard. The proposed garage addition takes advantage of an existing driveway and would have limited impacts to neighbouring residential properties given the location, adequate setbacks from property lines and compliance with all other zoning provisions. Staff don't anticipate any required tree removal, but a tree removal condition may be required if the variance is supported – at this point deferral is recommended. The property is located in a residential neighborhood; the proposed addition will not negatively impact the character of the neighborhood and will maintain consistency in terms of use.</p> <p>The reason for the additional height increase, according to the applicant, is to provide adequate storage space.</p> <p>Given the proposed location and scale of the accessory structure addition and compliance with all other zoning provisions, Staff consider the variances desirable and appropriate for the use of the land. However, deferral is recommended to address the requirements listed in this report.</p>
<p><b>The variance is minor in nature:</b></p> <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Staff are recommending deferral based on the listed requirements. In general Staff consider the variance minor in nature, but require the exact height to be provided. A heritage permit should be issue before the variance is issued to ensure no changes through the heritage permit process will result in further variances.</p>

**CONCLUSION:**

The Planning Department recommends deferral of application A-2025-038 subject to the listed requirements.

**PREPARED BY:**

Toomaj Haghshenas,  
Development Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Planning



Building Department

## MEMORANDUM TO FILE

**DATE:** September 11, 2025

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

**FILE/APPLICATION:** A-2025-038

**SUBJECT:** 1 East John St.

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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. 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. The applicant/owner shall provide an amended site plan with proposed building and septic footprint including all Ontario Building Code required clearances to the proposed garage structure, to the satisfaction of the Building Department.



Engineering

## MEMORANDUM TO FILE

**DATE:** September 18, 2025

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

**FILE/APPLICATION:** A-038-2025

**SUBJECT:** 1 East John Street

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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.