

## **Summary of Comments**

A-082, A-083, A-084 & A-085-2022  
– 1596 2nd Line



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-082-2022, A-083-2022, A-084-2022 & A-85-2022

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

**MEETING DATE:** December 8, 2022

**TO:** Toomaj Haghshenas, Secretary/Treasurer, Committee of Adjustment

**FROM:** Chris Cannon, Placemaker/Planner, Planning Services

**SUBJECT:** Minor variance applications A-082-2022, A-083-2022, A-084-2022 and A-85-2022 are seeking relief from Sections 3.5 b), 3.5 c), 3.5 g) and 3.5 i) of Zoning By-law No. 080-13 to add an accessory second dwelling unit on the subject lands.

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### PROPERTY INFORMATION:

<b>Municipal Address</b>	1596 2 <sup>nd</sup> Line
<b>Legal Description</b>	Concession 2 Part Lot 20
<b>Official Plan</b>	Agriculture Area (Schedule B1)
<b>Zoning By-law</b>	Agricultural General (AG) Zone

### RECOMMENDATION:

The Planning Department recommends approval of applications A-082-2022, A-083-2022, A-084-2022 and A-085-2022, subject to the following condition:

- 1.) That applicant/owner shall confirm that an entrance permit from the Town of Innisfil has been obtained for the driveway/access to 2<sup>nd</sup> Line.

### REASON FOR APPLICATIONS:

The applicant is proposing relief from four Sections of Zoning By-law No. 080-13 to add an accessory dwelling unit which include the following:

- Section 3.5 b) to permit an accessory dwelling unit of 415.52m<sup>2</sup>;
- Section 3.5 c) to permit an accessory dwelling unit greater than 3 bedrooms;
- Section 3.5 g) to permit an accessory dwelling unit with a height of 11m;
- Section 3.5 i) to permit an accessory dwelling unit with a separation distance from the principal dwelling greater than 60m.

The following chart depicts the standards of Zoning By-law 080-13 and the relief sought through these applications.

Application Number	By-law Section	Requirement (Accessory Dwelling Unit)	Proposed	Difference
A-082-2022	3.5 b)	GFA > 50% of the principal dwelling up to 100m <sup>2</sup>	415.52m <sup>2</sup>	315.62m <sup>2</sup>
A-083-2022	3.5 c)	Maximum 3 bedrooms	4 bedrooms	1 bedroom
A-084-2022	3.5 g)	Maximum height, no > than existing dwelling or 6m	11m	5m
A-085-2022	3.5 i)	> 60m from principal dwelling	190m	130m

#### SURROUNDING LANDS:

North	Single-detached dwelling, accessory structures and agriculture uses
East	Single-detached dwelling, accessory structures and agriculture uses
South	Single-detached dwelling, accessory structures and agriculture uses
West	Single-detached dwelling, accessory structures and agriculture uses

#### ANALYSIS:

Site Inspection Date	October 6, 2022
<b>Maintains the purpose and intent of the Official Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The property is approximately 40.2 ha (99.4 acres) in area and is located within the Agriculture Area of the Official Plan on Schedule B which permits single-detached dwellings, accessory structures, agriculture uses and uses secondary to a farming operation, as well as accessory second dwelling uses. The surrounding properties are characterized primarily by single detached dwellings, accessory uses, buildings and structures and agricultural uses. The subject site is in keeping with the intended agricultural uses by maintaining the farming operation on the lands while providing additional housing opportunities for family members of the landowner.</p> <p>The existing dwelling (farmhouse) is listed on the Town's Heritage Registry. The proposed variances will essentially render the existing Heritage dwelling as the 'accessory' dwelling unit, while preserving the cultural heritage of the existing dwelling, maintaining ample area to continue the farming operation and provide housing opportunities for the landowner's family. Therefore, staff are of the opinion that the proposed variances conform to the policies of the Official Plan.</p>
<b>Maintains the purpose and intent</b>	The subject lands are zoned Agricultural General (AG) Zone in the Town of Innisfil Zoning By-law No. 080-13, which permits, among other things, agriculture uses, accessory buildings and structures, a single

<b>of the Zoning By-law:</b> <input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	<p>detached dwelling, and accessory second dwelling units subject to performance standards. The applicant proposes to construct a second dwelling unit on the property.</p> <p>The purpose and intent of Section 3.5 b), c), g) and i) of the Zoning By-law, is to cluster accessory dwelling units within close proximity to the existing principal dwelling on the subject lands, and ensure the second dwelling is smaller than the principal dwelling, so as not to compromise the primary use of the property. In this case, the primary use of the property is for agriculture purposes which will be maintained on this large (40 ha) property. The scale of the lot allows the accessory dwelling to be located further than 60m from the principal dwelling while not compromising the farming uses on the subject lands. The existing Heritage dwelling unit will be maintained as well as other accessory farm structures on the property. The proposed dwelling is a bungalow which although large is considered reasonable in the context of the size of the subject lands, does not exceeding the height allowance of a principal dwelling for an AG Zone (which is 11m), and according to the applicant is required to be this scale to accommodate the existing family's needs. The applicant states the existing farmhouse is only used for occasional accommodations (less than 30% of the time) and is therefore effectively the accessory dwelling on the lands.</p> <p>Staff are of the opinion that the proposed variances to permit an accessory dwelling unit meets the purpose and intent of the Zoning By-law, in context.</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>The accessory second dwelling is appropriate for the area as it is proposed to maintain the primary use of the property as a farming operation and will not stick out from a visual perspective. It will not impact surrounding agricultural properties, nor will it cause clutter and increased traffic issues within the area. The proposed accessory second dwelling unit will maintain all yard setback standards.</p>
<b>The variance is minor in nature:</b> <input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	<p>Staff are of the opinion that the proposed variances for the accessory second dwelling unit are minor in nature. Given the scale of the lot and other matters previously discussed, the proposed variances to permit an accessory second dwelling unit on the subject lands can be considered minor in nature.</p>

**PREPARED BY:**

Chris Cannon, Placemaker/Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP

Supervisor of Development Acceleration



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE:** November 28, 2022

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

**FILE/APPLICATION:** A-082, 083, 084 & 085-2022

**SUBJECT:** 1596 2<sup>nd</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. When applying for building permit for a new dwelling, please provide a lot grading plan designed by a Professional Engineer or an Ontario Land Surveyor to the satisfaction of 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. No comments.