



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER(S):** A-023-2022

**MEETING DATE:** April 21, 2022

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

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

**SUBJECT:** Minor variance application A-023-2022 is seeking relief from Section 3.5 (b) of the Zoning By-Law to increase the permitted gross floor area of an accessory dwelling.

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### PROPERTY INFORMATION:

<b>Municipal Address</b>	1005 Westmount Avenue
<b>Legal Description</b>	PLAN 1378 Part Lot 33 & 34; RP 51R-2648 Parts 1 & 2
<b>Official Plan</b>	Residential Low Density 1 (Schedule B1)
<b>Zoning By-law</b>	Residential 1 (R1) Zone

### RECOMMENDATION:

The Planning Department recommends deferral of A-023-2022, subject to the following submission requirement:

### CONDITIONS:

- 1.) That a minor variance application be submitted to seek relief from Section 3.5(j) of the Zoning By-law for a building footprint larger than 50 square metres.

### REASON FOR APPLICATION:

The applicant is proposing to construct a detached accessory dwelling unit with a gross floor area (GFA) of 81.6 m<sup>2</sup> whereas the GFA of the principal dwelling is 152 m<sup>2</sup>. The applicant is seeking relief from Section 3.5(b) of the Zoning By-law which requires that an accessory dwelling unit not be greater than 50% of the GFA of the principal dwelling.

Application Number	By-law Section	Requirement	Proposed	Difference
A-023-2022	Section 3.5(b)	Gross floor area of the accessory dwelling unit is not greater than 50% of the GFA of the principal dwelling	81.6m <sup>2</sup>	31.6m <sup>2</sup>

# **SURROUNDING LANDS:**

<b>North</b>	Single detached dwelling and accessory structures
<b>East</b>	Single detached dwelling and accessory structures
<b>South</b>	Single detached dwelling and accessory structures
<b>West</b>	Single detached dwelling and accessory structures

# **ANALYSIS:**

<b>Site Inspection Date</b>	April 11, 2022
<b>Maintains the purpose and intent of the Official Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is designated Low Density Residential 1 on Schedule B1 in the Town's Official Plan. Section 10.2.2 permits single detached dwellings and accessory second dwelling units on the subject property. The property currently contains a single detached dwelling, a detached garage and accessory structures, and the application proposes to convert the existing detached garage into an accessory dwelling unit.</p> <p>Section 10.1.40 states the building height, massing, and architectural features of infill development and intensification shall respect and fit into the context of the Primary Settlement Area. Section 10.1.41 states the built form of new development shall give consideration to the inclusion of architectural elements that reference the elements and characteristics of the communities within which they are planned. The submitted elevations show the proposed building height is one storey at 4.5m (15 feet). The accessory dwelling unit will fit within the character of the Primary Settlement of Alcona as a low density at-grade dwelling.</p> <p>Given the above, Staff are of the opinion the application maintains the general purpose and intent of the Official Plan, subject to the proposed conditions.</p>
<b>Maintains the purpose and intent of the Zoning By-law:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is zoned Residential 1 (R1) Zone in the Town's Zoning By-law No. 080-13, which permits single detached dwellings and accessory buildings and structures. Section 3.5(b) states any accessory dwelling unit shall not be greater than 50% of the gross floor area of the principal dwelling on the lot, up to a maximum gross floor area of 100 square metres. The application proposes an accessory dwelling unit of 81.6m<sup>2</sup>.</p> <p>As such, Staff recommend approval of application A-023-2022 as it maintains the purpose and intent of the Zoning By-law.</p>
<b>The variance is desirable for the appropriate/orderly development or use of the land:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Given that this proposal is to convert an existing detached garage into an accessory dwelling unit, Staff determine that the Minor Variance is desirable for the appropriate/orderly development and use of the subject lands.</p>
<b>The variance is minor in nature:</b>	<p>As previously noted, the conversion of the existing detached garage to an accessory dwelling unit will not compromise the built form on the</p>

<input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	subject lands. The proposal provides for adequate parking for inhabitants of the accessory dwelling unit. Therefore, the proposal is considered to be minor in nature.
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**PREPARED BY:**

Chris Cannon, Placemaker/Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Acceleration



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE:** April 14, 2022

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

**FILE/APPLICATION:** A-023-2022

**SUBJECT:** 1005 Westmount Ave.

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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):

No comments.

**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)

No comments