Summary of Comments

A-2026-016

1059 Belle Aire Beach Rd

COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): **A-2026-016**

MEETING DATE: **June 18, 2026**

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

FROM: **Savana Hasan**
Assistant Development Planner

SUBJECT: **Minor variance application A-2026-016 seeking relief from Section 3.3c) of the Zoning By-law to permit a deficient interior side yard setback of 0.81m for an attached deck.**

PROPERTY INFORMATION:

Municipal Address	1059 BELLE AIRE BEACH RD
Legal Description	PLAN 759 LOT 78
Official Plan	Residential Low Density 1 (Schedule B3)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of minor variance application A-2026-016 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; and**

2) **That the applicant obtain an LSRCA permit for the as-built deck (with the 0.81m interior side yard setback).**

Application Number	By-law Section	Requirements	Proposed	Difference
A-2026-016	**3.3 c)**	In all Residential zones, the setbacks for accessory buildings and structures shall be in accordance with the setbacks for accessory buildings and structures specifically indicated in the Zone Regulations.	**0.81m**	**0.19m**

		(Table 4.2a) Accessory Structures) **Minimum Interior Side Yard Setback: 1.0m**		

REASON FOR APPLICATION:
The applicant is seeking relief from Section 3.3c) of the Zoning By-law to permit a reduced side yard setback for an accessory structure (deck). A minimum side yard setback of 1.0m is required, whereas a setback of 0.81m is proposed for the as-built deck.

SURROUNDING LANDS:

North	Single-detached dwellings and accessory structures, Belle Aire Beach Rd
East	Unopened road allowance, treed Town owned lands, and MNR evaluated Wetland (Little Cedar Point)
South	Vacant treed lot, and MNR evaluated Wetland (Little Cedar Point)
West	Single-detached dwelling and accessory structures – 1063 Belle Aire Beach Rd

ANALYSIS:

Site visit date:	June 3, 2026
Maintains the purpose and intent of the Official Plan: **☒Yes** **☐No**	The subject lands are located within the Settlement Area of Lefroy-Belle Ewart and are designated Low Density One as per Schedule B3 of the Town's Official Plan. The Residential Low Density One designation permits single detached dwellings and accessory structures such as an attached deck. The proposed as-built deck is attached to the principal dwelling in the eastern interior side yard. The deck is appropriately scaled and proportionate to the lot therefore it satisfies Section 10.1.40 of the Official Plan regarding new development having appropriate height and massing in relation to the surrounding neighbourhood context. The subject lands are within a neighbourhood characterized by single-detached dwellings with a variety of accessory structures, including attached decks. The design and architectural elements of the as-built deck are compatible with the existing neighbourhood character which meets the intent of Section 10.1.41 of the Official Plan, which requires consideration of architectural elements that reference the elements and characteristics of the surrounding communities. 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 of the Zoning By-law: **☒Yes**	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 attached decks. Section 3.3 c) of the Town's Zoning By-law states that in all Residential zones, the setbacks for accessory buildings and

☐**No**	structures shall be in accordance with the setbacks for accessory buildings and structures specifically indicated in the Zone Regulations. A minimum interior side yard setback of 1.0m is required for accessory structures in the R1 zone as per Table 4.2a. Section 3.54 f) i) permits decks to encroach no closer than 1.0m from any interior lot line. The applicant is proposing a side yard setback of 0.81m for the as-built attached deck. The purpose and intent of the regulations in Table 4.2a of the Zoning By-law with respect to a minimum interior side yard setback is to ensure that adequate separation distances are maintained from abutting properties to ensure privacy, drainage, and ease of maintenance, as well as to limit visual bulk and massing. The proposed structure is an un-enclosed, attached deck facing the eastern interior lot line where the property abuts an unopened road allowance and evaluated wetland. Given the design of the as-built deck, and that all other applicable provisions in the Zoning By-law are met, Staff do not anticipate any negative visual impacts to neighbouring properties or issues regarding access and maintenance. 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**	Staff consider the as-built deck to be compatible with the built form and character of the established neighbourhood and have no concerns about the proposed reduced side yard setback. Given the context of the site, Staff consider the variance desirable and appropriate for the use of the land, subject to the proposed conditions.
The variance is minor in nature: ☒**Yes** ☐**No**	Staff are of the opinion that the proposed variance could be considered minor, subject to the proposed conditions. Since the deck meets all other applicable regulations in the Town's Zoning By-law and, based on the location of the deck on the lot, Staff do not anticipate any negative visual impacts to neighbouring lots or issues accessing the side yard.

CONCLUSION:

Planning Staff recommend approval of application A-2026-016 subject to the proposed conditions.

PREPARED BY:

Savana Hasan,
Assistant Development Planner

REVIEWED BY:

Brandon Correia, MCIP, RPP, PMP
Manager of Planning

Building Department

MEMORANDUM TO FILE

DATE: June 11, 2026

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

FILE/APPLICATION: A-2026-016

SUBJECT: 1059 Belle Aire Beach Rd.

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. Ensure grading and drainage will not be impacted and negatively affect neighbouring properties.

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.

Innisfil

Engineering

MEMORANDUM TO FILE

DATE: June 18, 2026

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

FILE/APPLICATION: A-016-2026

SUBJECT: 1059 Belle Aire Beach Road

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.

Comments from Lake Simcoe Region Conservation Authority (LSRCA)

1. We recommend conditional support on the applicant receiving a permit.

Steven Payne, BES
Planner 1
Lake Simcoe Region Conservation Authority