Summary of Comments

A-2026-023

1075 Ewart Street

COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): **A-2026-023**

MEETING DATE: **November 19, 2026**

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

FROM: **Toomaj Haghshenas,**
Development Planner

SUBJECT: **Minor variance application A-2026-023 seeking relief from Section 3.3(b) of the Zoning By-law to increase the Gross Floor Area (GFA) of an accessory structure from 50m^2 to 66.94m^2, Section 3.3(c) of the Zoning By-law to permit a deficient front yard setback of 5.99m for an accessory structure, and Sections 3.3(d) and 3.5 (i) of the Zoning By-law to permit an accessory structure/detached Accessory Dwelling Unit (ADU) to be located within the front yard and closer to the front lot line than the principal structure.**

PROPERTY INFORMATION:

Municipal Address	1075 EWART STREET
Legal Description	PLAN 96 LOT 562
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-2026-023 subject to the following conditions:

CONDITIONS:

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; and**

2) **That the ADU is registered to the satisfaction of the Town of Innisfil Building Department.**

Application Number	By-law Section	Requirements	Proposed	Difference
A-2026-023	**3.3 b)**	Maximum GFA of 50.0m^2 for an accessory structure	**66.94m^2**	**+16.94m^2**

	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. (Table 4.2a) Accessory Structures) **Front Yard Setback: 6.0m**	**5.99m**	**-0.01m**
	3.3 b) & 3.5 i)	No accessory structure or detached ADU shall be located within the front yard or closer to the front lot line than the principal structure	**ADU located within the front yard and closer to the front lot line than the principal structure**	**N/A**

REASON FOR APPLICATION:
The applicant is seeking relief from the Town of Innisfil Zoning By-law 080-13 to recognize the existing detached garage which has been converted into a detached accessory dwelling unit (ADU). The application relates to an as-built structure and proposes the following variances:

1. Maximum Structure GFA– Section 3.3(b): To permit an accessory building with a gross floor area of 66.94 m², whereas a maximum gross floor area of 50 m² is permitted.

2. Location of Detached Accessory Dwelling Unit – Sections 3.3(d) and 3.5(i): To permit the existing detached accessory dwelling unit to be located within the front yard and closer to the front lot line than the principal dwelling, whereas the Zoning By-law prohibits detached accessory dwelling units within the front yard and requires accessory buildings to be located no closer to the front lot line than the principal building. For the purposes of this application, Emily Street is identified as the front lot line of this through lot in accordance with Section 2.125(e) of the Zoning By-Law which states that the longest of the lot lines dividing the lot from the street shall be deemed the front lot line.

3. Minimum Front Yard Setback – Section 3.3(c) and Table 4.2a: To permit a minimum front yard setback of 5.99 m for the existing detached accessory dwelling unit, whereas a minimum front yard setback of 6.0 m is required.

SURROUNDING LANDS:

North	Single-detached dwellings with accessory structures with frontage on Ewart St and Emily St
East	Emily St and Woodlands located at 1015 Cumberland St, proposed 16 lot draft plan of subdivision (appealed to OLT by applicant)
South	Single detached dwelling and accessory structures - 1033 Cumberland St
West	Single-detached dwellings and accessory structures with frontage on Ewart St

ANALYSIS:

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 1 as per Schedule B3 of the Town's Official Plan. The Residential Low Density 1 designation permits single detached dwellings and accessory structures including the proposed, as-built detached additional dwelling unit (ADU). Section 10.1.40 of the Official Plan requires new developments to have building heights and massing respecting the character of the settlements in which they are located, and Section 10.1.41 requires developments to consider the inclusion of architectural elements that reference the elements and characteristics of the communities in which they are planned. The residential design policies of Section 10.1 are meant to ensure that the hierarchy of built form is maintained. The as-built, detached ADU is approximately 55% smaller in Gross Floor Area than the principal building and is lower in height, rendering the ADU secondary to the principal building in terms of scale and massing while maintaining the visual hierarchy of structures. The architectural features of the ADU, including the siding and shingled gable roof, are compatible with the surrounding neighbourhood's character which includes single detached dwellings and accessory buildings with access from Emily Street on the through lots. The location of the ADU is situated appropriately in what is utilized as the rear yard and maintains the minimum 1.0m interior side yard setback for accessory buildings. The one storey ADU has a relatively low height of 3.83m to the midpoint of the roof, and is screened by an existing wooden fence, mitigating any potential visual bulk and privacy impacts on neighbouring properties. The ADU does not appear to be located within the Hazard Land Overlay area which covers a portion of the subject lands as shown on Schedule B3 of the Official Plan. The LSRCA has also provided comments confirming there are no concerns relating to natural hazards. Additionally, as the hardscaping surrounding the ADU is an existing condition, and no new construction is proposed, the Town will not require a tree preservation and planting plan. Section 14.3 of the Official Plan includes policies that promote development that provides affordable and accessible housing which includes ADUs. The proposed ADU would provide an opportunity for a more affordable housing option and increase the housing diversity within the Town which in general is consistent with the purpose and intent of the Town's Official Plan. 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:	The subject lands are zoned Residential 1 (R1) in the Town's Zoning By-law No. 080-13, which permits single detached dwelling and accessory buildings/structures.

☒**Yes** ☐**No**	Section 3.3 b) of the Town's Zoning By-law states that the Gross Floor Area (GFA) of an accessory building or structure shall not exceed 50m^2 in any residential zone. The GFA of the as-built ADU is 66.94m^2. Section 3.3 c) of the Town's Zoning By-law states that 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. A minimum front yard setback of 6.0m is required for accessory buildings in R1 zones as per table 4.2a. Emily Street is identified as the front lot line on this lot as per Section 2.125(e) which establishes the longest lot line to be deemed the front lot line in the case of a through lot; therefore, the ADU is technically in the front yard and has a slightly deficient 5.99m front yard setback. Section 3.3(i) prohibits detached ADUs located in the front yard and Section 3.3(d) prohibits accessory buildings located closer to the front lot line than the principal building. The ADU is technically located in the front yard; but functionally this area of the subject lands acts as a backyard. The purpose of these provisions is to ensure the hierarchy of structure between principal buildings and accessory buildings on the subject lands is maintained, and to limit the visual impact and massing effects of buildings to the streetscape. The ADU is considered secondary to the principal building as it is approximately 55% smaller in GFA than the principal building, with a modest lot coverage of 6.6% and a height of 3.83m. Given the ADU is located in what functions as the rear yard, has a marginally deficient front yard setback of 0.01m, and meets all other provisions in the By-law, staff have no concerns it the proposed variances. Furthermore, given the design of the ADU, Staff do not have concerns regarding visibility, shadowing, or visual bulk to the streetscape or neighbouring properties. The size and location of the structure represent existing site conditions that would have been considered legal non-complying prior to the change in use. Staff consider the hardscaping in the technical front yard to be an existing site condition which does not require a variance for open landscaped space in the front yard. The increase in GFA, slightly deficient front yard setback and location of the ADU do not provide a negative visual impact as far as massing; therefore, the principal building remains dominant in terms of scale and use on the property. There are also no parking concerns in terms of available off-street parking with respect to Zoning By-law requirements. 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:	As noted, Staff consider the as-built, detached ADU to be compatible with the built form and character of the established neighbourhood which is characterized by single detached dwellings and accessory buildings, and through lots with entrances from Emily Street and Ewart Street. The ADU is smaller in scale than the principal dwelling

☒**Yes** ☐**No**	and is accessed by what is functionally considered as the rear yard through an existing driveway entrance on Emily Street, with the front door of the ADU facing Ewart Street. Given the ADU is one storey and is screened by existing wooden fencing, potential negative impacts to neighbouring properties have been mitigated. The ADU is situated appropriately on the lot, complies with all other provisions of the Zoning By-law, and staff have no concerns about the reduced front yard setback and increased GFA, therefore, the established hierarchy between accessory and principal buildings is maintained. 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, due to the siting of the ADU and the dwelling and the relationship between the size of the dwelling and the ADU, the ADU being smaller in scale than the dwelling and maintaining practically all required setbacks. Based on the location of the ADU on the lot and the existing wood fencing, Staff do not anticipate negative impacts to neighbouring properties and consider the variances to be minor in nature.

CONCLUSION:

Planning Staff recommend approval of application A-2026-023 subject to the proposed conditions.

PREPARED BY:

Toomaj Haghshenas,
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning

Innisfil

Building Department

MEMORANDUM TO FILE

DATE: November 11, 2026

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

FILE/APPLICATION: A-2026-023

SUBJECT: 1075 Ewart St.

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 the Building Department.
2. The proposed openings on the north elevation appears to not meet the spatial separation requirements regarding the existing wall construction with regards to Fire Resistance Rating and type of construction. A review by a qualified designer registered with the Province of Ontario is to be submitted to meet the requirements of the Ontario Building Code 9.10.14.5. to the satisfaction of the Building Department. If this proposed openings do not meet the Building Code requirements, the prescribed design and construction must be included with the required building permit.

Condition of Approval (Conditions of Approval are specific enforceable conditions regarding the subject lands should the Committee of Adjustment approve the application.)

Engineering

MEMORANDUM TO FILE

DATE: November 19, 2026

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

FILE/APPLICATION: A-023-2026

SUBJECT: 1075 Ewart Street

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.

Sent via e-mail: sburtonhopkins@innisfil.ca

November 13, 2026

Municipal File No.: A-2026-023
LSRCA File No.: MV-132112-110426

Sarah Burton Hopkins
Development Coordinator & Secretary Treasurer
2101 Innisfil Beach Road
Town of Innisfil, L9S 1A1

Dear Sarah,

Re: Application for Minor Variance
1075 Ewart Street
Town of Innisfil
Owner: Anselmo Lombardi

Thank you for circulating the above-captioned application to the Lake Simcoe Region Conservation Authority (LSRCA) for review and comment. It is our understanding that the Applicant/Owner is proposing to legalize the conversion of an existing accessor structure into t. The Applicant/Owner is seeking relief from the following section of the Town of Innisfil Comprehensive Zoning By-law 080-13, as amended:

- Maximum Accessory Building Area – Section 3.3(b): To permit an accessory building with a gross floor area of 66.94 m², whereas a maximum gross floor area of 50 m² is permitted.
- Location of Detached Accessory Dwelling Unit – Sections 3.3(d) and 3.5(i): To permit the existing detached accessory dwelling unit to be located within the front yard and closer to the front lot line than the principal dwelling, whereas the Zoning By-law prohibits detached accessory dwelling units within the front yard and requires accessory buildings to be located no closer to the front lot line than the principal building. For the purposes of the Zoning By-law, Emily Street is identified as the front lot line of this through lot in accordance with Section 2.125(e).
- Minimum Front Yard Setback – Section 3.3(c) and Table 4.2a: To permit a minimum front yard setback of 5.99 m for the existing detached accessory dwelling unit, whereas a minimum front yard setback of 6.0 m is required.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- Minor Variance Application (dated October 20, 2026)
- Public Notice for Minor Variance (dated November 3, 2026)
- Justification Report prepared by Rhonda & Anselmo Lombardi (dated September 15, 2026)
- Site Plan (n.d)
- Screenshot of Survey prepared by Rudy Mak Surveying Ltd. (dated July 25, 1997)
- Interior plans for Garden Suite (n.d.)
- Elevation Drawing Package (n.d.)

Staff have reviewed this application as per our delegated responsibility from the Province of Ontario to represent provincial interests regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024) and as a regulatory authority under Ontario Regulation 41/24 of the *Conservation Authorities Act.* LSRCA has also provided comments as per our Memorandum of Understanding (MOU) with the Town of Innisfil. The application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Board approved policies. Finally, LSRCA has provided advisory comments related to policy applicability and to assist with implementation of the South Georgian Bay Lake Simcoe Source Protection Plan under the *Clean Water Act*.

Recommendation

Based on our review of the submitted information in support of the application, the proposal is consistent and in conformity with the natural hazard policies of the applicable Provincial, Regional and Local plans. On this basis, we have no objection to the approval of this application for Minor Variance. It is recommended that any approval of this application be subject to the following conditions:

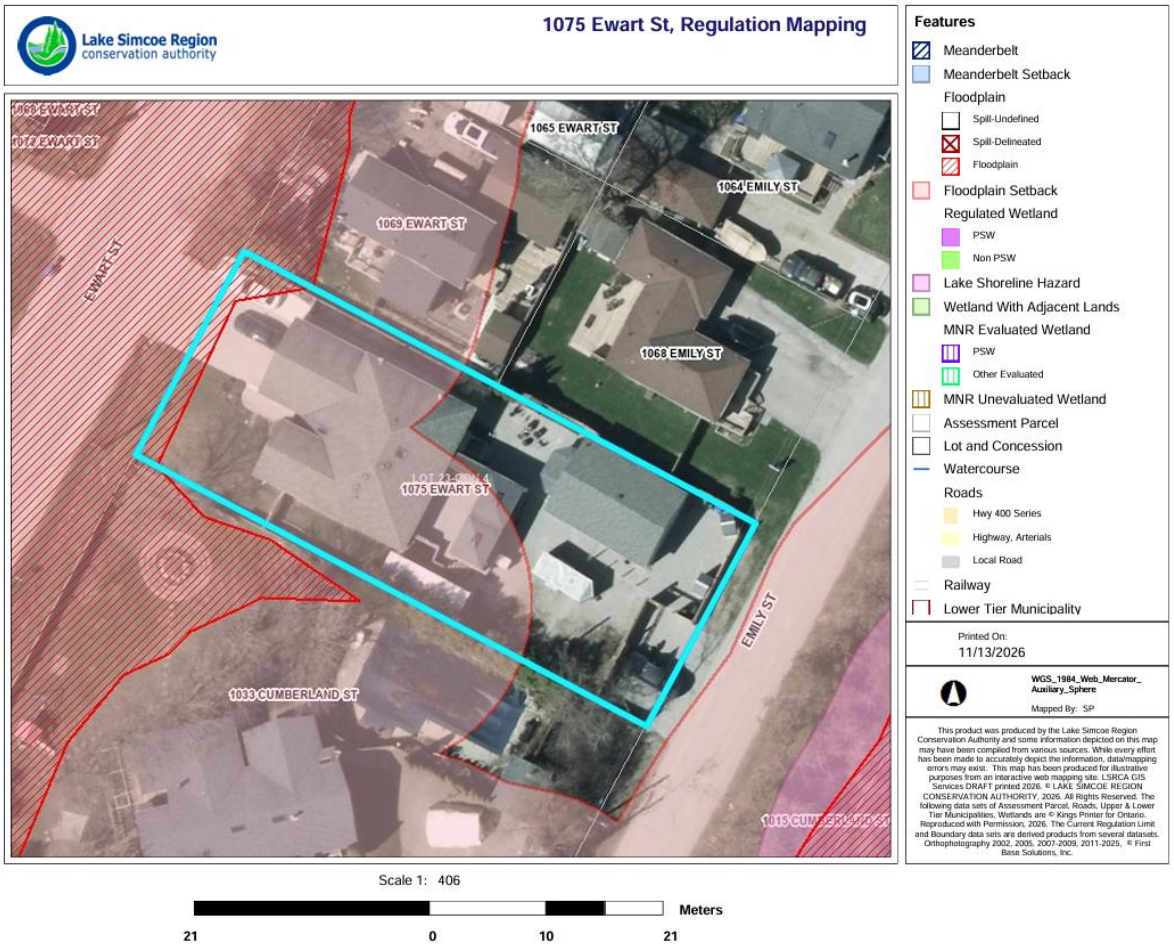
- That the Applicant/Owner shall pay the LSRCA Plan Review Fee in accordance with the approved LSRCA Fee Schedule. The applicable fee for Minor Variance (Minor – planner review only) is $539;

Site Characteristics

The subject land is approximately 1019 square metres in land area and is located east of Ewart Street and north of Cumberland Street within the Town of Innisfil.

Existing mapping indicates the following:

- The subject land is within the 'Residential One Zone' (R1) as per the Town of Innisfil's online interactive mapping tool, as amended.
- The subject property is partially regulated by the LSRCA under Ontario Regulation 41/24 for flood hazards associated with Carson Creek. Please see a detailed regulatory map below.
- The subject property is located within a completed watershed or sub-watershed study area – Innisfil Creeks Subwatershed Plan.



Please note: LSRCA staff have not attended any site meetings at this location related to the subject applications.

Delegated Responsibility and Statutory Comments

1. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS). There are identified natural hazards on the subject lands (floodplain hazard area). Based on the information submitted as part of this application, the proposal is generally consistent with 5.2 of the PPS.

   Based on the available terrain mapping available to the LSRCA and existing flood models for Carson's creek, the proposed conversion of an accessory structure to a garden suite appears to meet the appropriate safe access requirements for a residential development to Emily Street. Based on correspondence with the Town of Innisfil staff, it was confirmed that Emily is permitted access. Therefore, the applicant's proposal is in conformity with Section 5.2.3 (c) of the PPS.

   Based on the available terrain mapping available to the LSRCA and existing flood models for Carson's creek, the proposed conversion of an accessory structure to a garden suite appears to be fully

located outside the regulatory floodplain associated with Carsons Creek. Therefore, the applicant's proposal is in conformity with Section 5.2.3 (d) of the PPS.

2. LSRCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 41/24. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. LSRCA also regulates the alteration to or interference in any way with a watercourse or wetland.

   It is the understanding of the LSRCA that no new development or site alteration is being proposed through this minor variance application. Site Clearance from the LSRCA was issued on March 19, 2024 for the proposed conversion of an accessory structure to a garden suite. Therefore, a permit from the LSRCA will not be required for the applicant's proposal.

3. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural heritage identified in Section 6 of the Lake Simcoe Protection Plan (LSPP). The LSRCA's review has been modified due to Bill 23, More Homes Built Faster Act, having received Royal Assent from the Province, and the associated Regulations issued on December 28th, 2022. This impacts our review by way of Planning Act applications, as the LSRCA is no longer able to comment on behalf of municipalities for Natural Heritage review within Oak Ridges Moraine, Greenbelt and Municipal Settlement Areas established prior to 2009. We note the subject lands are located outside of these areas, therefore LSRCA will be reviewing Natural Heritage as it relates to the LSPP.

   Ontario Regulation 41/24 applies to a portion of the subject property. It appears that the proposed development will be within the regulated area, therefore a permit from the LSRCA will be required prior to any development or site alteration taking place.

   LSRCA staff note that there does not appear to be any previous planning comments issued by the LSRCA for the subject property

   LSRCA staff note that the Applicant/Owner has obtained site clearance from the LSRCA regarding the proposed conversion of the accessory structure to a garden suite submitted as part of a previous application (LSRCA file no. RSCC100829).

Advisory Comments

1. LSRCA has reviewed the application through our responsibilities as a service provider to the Town of Innisfil in that we provide through a MOU as well as through our role as a public body, pursuant to the *Planning Act*.

Summary

Based on our review of the submitted information in support of this application, the proposal is consistent and in conformity with the natural hazard policies of the applicable Provincial, Regional and Local plans. On this basis, we have no objection to the approval of this application for Minor Variance.

Given the above comments, it is the opinion of the LSRCA that:

1. Consistency with Section 5.2 of the PPS has been demonstrated;
2. Ontario Regulation 41/24 does apply to the subject site. Site Clearance from the LSRCA was previously issued on March 19, 2024;

Please inform this office of any decision made by the Town of Innisfil with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned (s.payne@lsrca.on.ca).

Sincerely,



Steven Payne
Planner I
Lake Simcoe Region Conservation Authority (LSRCA)