

# **Summary of Comments**

## **B-002-2024 – 917 Ferrier Ave**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER:** B-002-2024  
**ASSOCIATED FILE:** B-015-2020, A-053-2018 & A-054-2018  
**MEETING DATE:** May 16, 2024  
**TO:** Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment  
**FROM:** Toomaj Haghshenas, Development Planner  
**SUBJECT:** Consent to sever 917 Ferrier Avenue to create a single-detached residential lot with frontage on Ferrier Avenue

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### PROPERTY INFORMATION:

<b>Municipal Address</b>	917 Ferrier Avenue
<b>Legal Description</b>	PLAN M15 LOT 13
<b>Official Plan</b>	Residential Low Density 1 (Schedule B3)
<b>Zoning By-law</b>	Residential 1 (R1) Zone

### RECOMMENDATION:

The Planning Department recommends approval of application B-002-2024.

**Note:** No conditions are proposed as the previous conditions were already met through B-015-2020.

### REASON FOR APPLICATION:

The applicant is proposing to sever the subject property at 917 Ferrier Avenue to create one new residential lot. The severed lands propose an approximate lot area of 561m<sup>2</sup> and lot frontage of approximately 18.29m on Ferrier Avenue. The retained lands propose an approximate lot area of 561m<sup>2</sup> and lot frontage of approximately 18.29m on Ferrier Avenue. Variance applications A-053-18 and A-054-18 were approved in 2018, but the original consent application B-007-18 from the April 19, 2018 hearing lapsed. A second Consent application was approved on September 17, 2020 and conditions were met within the one year timeframe. The certificate of official was subsequently issued but the applicant never had it registered and it expired after two years. The exact same severance is being proposed again.

### SURROUNDING LANDS:

<b>North</b>	Unopened Town-owned 20m right-of-way
<b>East</b>	Vacant lands, zoned Commercial Neighbourhood Exception (CN-5) Zone and previously used for storage
<b>South</b>	Single-detached dwellings on approximately 15m frontage lots fronting on Killarney Beach Road

<b>West</b>	Single-detached dwellings on approximately 18m frontage lots fronting on Ferrier Avenue
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**ANALYSIS:**

<b>Site Inspection Date</b>	May 6, 2024
<b>Consistent with the Provincial Policy Statement (PPS):</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are within the Primary Settlement Area of Lefroy/Bell Ewart as defined by the Provincial Policy Statement (PPS) 2020. Section 1.1.3.1 states that “settlement areas shall be the focus and growth of development”.</p> <p>Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomic expansion as per Section 1.1.3.2 of the PPS. This proposal supports intensification on existing sanitary infrastructure in an area with public service facilities, and therefore is consistent with these policies of the PPS.</p> <p>The application is considered to be consistent with the PPS.</p>
<b>Consistent with the Provincial Growth Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Section 2.2.1.2(a) of the Growth Plan states the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. The subject lands are within the delineated built boundary of Lefroy/Bell Ewart, are limited residential development, and have existing municipal water and sewer services.</p> <p>Considering the above, Staff are of the opinion the proposal conforms to the Provincial Growth Plan.</p>
<b>Consistent with the Lake Simcoe Protection Plan (LSPP):</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are located within a settlement area, therefore they are subject to the settlement area policies of the Lake Simcoe Protection Plan (LSPP). The subject lands are outside of any flood and fill regulated areas of the Lake Simcoe Region Conservation Authority (LSRCA). They are also not adjacent to any key natural heritage or key hydrologic features, thus they do not require a natural heritage evaluation. The LSRCA previously reviewed this application and provided no comments. The policies of the LSPP would be met by this application.</p>
<b>Conforms to the County of Simcoe Official Plan:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated ‘Settlement’ in the Simcoe County Official Plan and identified as being in the Primary Settlement Area of Lefroy/Bell Ewart. Section 3.5.8 indicates that settlement areas shall be the focus of population and employment growth and their regeneration shall be promoted. Intensification shall occur in built up areas per 3.5.24 and higher density development is permitted in built-up areas subject to the compatibility of the development with adjacent residential areas (3.5.30).</p>

	<p>Staff are of the opinion that the application conforms to the policies of the Simcoe County Official Plan.</p>
<p><b>Conforms to the Town of Innisfil Official Plan:</b>  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No</p>	<p>The subject lands are designated “Residential Low Density 1” on Schedule B3 to the Town Official Plan. The designation permits single detached dwellings.</p> <p>Section 10.2.4 of the Official Plan states that the maximum permitted density of the Residential Low Density 1 area shall be 13 units per net hectare and the minimum shall be 10 units per net hectare. ‘<i>Net hectare</i>’ means the area of land of the lot and includes local roads as per the definition in Section 23.3.91. The proposal to sever the subject lands into two lots would be consistent with this range, at an approximate density of 13 units per net hectare when factoring in lot areas and local roads.</p> <p>Section 10.2.11 states in cases of existing oversized lots, the lot may be subdivided such that any new lot(s) meet the minimum lot area requirements of the zoning by-law, any required variance is no greater than 20% of the applicable zoning provisions and the frontage is consistent with the average frontage on the same street within 250 metres. The variances A-053-2018 and A-054-2018 for lot area that are already approved are less than 7% variance (600m<sup>2</sup> to 561m<sup>2</sup>) and were considered minor. The severed and retained lands also exceed the minimum lot frontage requirements of the zoning by-law. The frontages proposed are considered consistent with the average frontage on the same street within 250m. Therefore this policy is met by the proposed consent application.</p> <p>Sections 15.1.6. and 15.1.7 state a Tree Protection Plan shall be required as part of development applications that identifies, preserves, and compensates trees on the lot, including any trees removed five years prior to the development application. A Tree Inventory and Arborist Report has already been submitted in support of the application; staff have previously reviewed and approved this report as part conditions of Application B-015-2020.</p> <p>Considering the above, Staff are of the opinion that the application conforms to the Town of Innisfil Official Plan.</p>
<p><b>Complies with the Town Zoning By-law:</b>  <input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No</p>	<p>The subject lands are zoned “Residential 1 (R1) Zone” in Zoning By-law 080-13, which permits single detached dwellings and requires a minimum 15m lot frontage and minimum 600m<sup>2</sup> lot area. Both severed and retained lots comply with the minimum required lot frontage for the R1 zone. However, variances are required for lot area which were previously approved in 2018. The lots would not be out of character with surrounding lots, some of which are already non-conforming with respect to lot area (e.g. 1255 Lorne Avenue and 1254 Killarney Beach Road are approximately 462m<sup>2</sup> in lot area). The lot depth of 30m and lot frontage of 18m is reasonable for a building envelope.</p>

	Considering the above, Staff are of the opinion that the proposal maintains the purpose and intent the Town's Zoning By-law.
<b>Conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i>:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Staff have reviewed the matters under Sections 2, 51(24) and 53(12) of the Planning Act, and are of the opinion the proposed development conforms to these sections.

**CONCLUSION:**

The Planning Department recommends approval of application B-002-2024.

**PREPARED BY:**

Toomaj Haghshenas  
Development Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Planning



**Community Development Standards Branch**

**MEMORANDUM TO FILE**

**DATE: May 10, 2024**

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

**FILE/APPLICATION: B-002-2024**

**SUBJECT: 917 Ferrier 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):

1. 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)

1. No comments



Engineering

MEMORANDUM TO FILE

**DATE:** May 9, 2024

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

**FILE/APPLICATION:** B-002-2024

**SUBJECT:** 917 Ferrier Avenue

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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. Previous conditions were cleared, and this severance was approved in 2022.

**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.

## MEMORANDUM TO FILE

**DATE:** May 13, 2024  
**FROM/CONTACT:** Milan Boldin, milanb@innpower.ca  
**FILE/APPLICATION:** B-002-2024  
**SUBJECT:** 917 FERRIER 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):

**CUSTOMER RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH BRINGING NEW HYDRO SERVICE TO SEVERED AND RETAINED LOTS**

**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)

