

Summary of Comments

B-002-2025

772 Happy Vale Drive



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: B-002-2025

MEETING DATE: February 20, 2025

TO: Sarah Burton Hopkins, Secretary Treasurer Committee of Adjustment

FROM: Toomaj Haghshenas, Development Planner

SUBJECT: Consent to sever 772 Happy Vale Drive to create one (1) new residential lot with frontage on Happy Vale Drive.

PROPERTY INFORMATION:

Municipal Address	772 Happy Vale Drive
Legal Description	PLAN 1448 LOT 10
Official Plan	Residential Low Density 1 (Schedule B1)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of application B-002-2025, subject to the following conditions:

CONDITIONS:

- 1.) That the Owner/Applicant shall pay to the Town of Innisfil cash in lieu of 5% Parkland Dedication for residential developments, the amount of which shall be 5% of a valuation determined by a professional and qualified appraiser engaged by the Owner/Applicant to the satisfaction of the Secretary Treasurer.
- 2.) That existing mature trees and boundary trees be protected and maintained to the satisfaction of the Town. A Tree, proposing tree compensation and replacement rates for any trees to be removed, and location of new trees and tree protection measures during construction of the new dwellings and driveways.
- 3.) That \$500.00 be provided to the Town of Innisfil for a new boulevard tree.
- 4.) That both the retained and severed lots shall connect to municipal sewer and water services to the satisfaction of the Town.
- 5.) The Applicant/Owner shall submit a digital draft reference plan of survey, to be reviewed and approved by the Town. Once approved, the R-Plan is to be deposited on title at the Land Registry Office.

REASON FOR APPLICATION:

The applicant is proposing to sever the subject property at 772 Happy Vale Drive to create one new residential lot. The retained lands would have an approximate lot area of 743.22 m² with a lot frontage of 15.24m. The severed lot would have an approximate lot area of 743.22 m² with a lot frontage of 15.24m. All lots will be fronting onto Happy Vale Drive. Please note that this exact same severance application was approved in 2022 (B-013-2022); however the applicant failed to meet the conditions of approval within the required two year timeframe.

SURROUNDING LANDS:

North	Single-detached dwellings
East	Single-detached dwellings
South	Happy Vale Drive and single detached dwellings
West	Single-detached dwellings

ANALYSIS:

Site Inspection Date	February 12, 2024
Consistent with the Provincial Policy Statement (PPS): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are within the Primary Settlement Area of Alcona as defined by the Provincial Policy Statement (PPS 2024). Section 2.3.1.1 states that “settlement areas shall be the focus and growth of development”.</p> <p>Section 2.3.1.2 states that land use patterns in settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and optimize existing or planned infrastructure and public service facilities. The 2024 PPS also states that planning authorities shall support general intensification and redevelopment in accordance with Section 2.3.1.3. Since the subject property is located within the settlement area of Alcona and represents intensification on a public street that contains single detached lots, with consistent frontages and areas, the proposal is consistent with these sections of the PPS.</p> <p>Section 3.6.2 states that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. As a condition of approval, the owner/applicant must provide a connection to Town sewer and water services for the retained and severed lots, to the satisfaction of the Town.</p> <p>The application is considered to be consistent with the PPS.</p>
Consistent with the Lake Simcoe Protection Plan (LSPP): <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 6.32 to 6.34 of the Lake Simcoe Protection Plan (LSPP). The subject lands are located outside of any hazardous lands and 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. Staff are of the opinion that the proposed severance is consistent with the LSPP subject to the proposed conditions.</p>

<p>Conforms to the County of Simcoe Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are designated ‘Settlement’ in the Simcoe County Official Plan and identified as being in the Primary Settlement Area of Alcona. 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). Section 3.3.2 states subdivision of land by plan of subdivision or consent are permitted only for the land uses permitted in the designation or that maintain the intent of the Plan’s objectives and policies. Section 3.5.1 states one of the objectives of the Settlements designation is to focus population and employment growth and development within settlements, with particular emphasis on primary settlement areas. The proposal would meet these objectives.</p> <p>Staff are of the opinion that the application conforms to the policies of the Simcoe County Official Plan.</p>
<p>Conforms to the Town of Innisfil Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are designated “Residential Low Density 1” on Schedule B1 to the Town Official Plan. The designation permits single detached dwellings. The lands are also located within the Primary Settlement Area of Alcona. Section 9.2.3 states Alcona will develop as a complete community with a compact urban form that promotes the efficient use of land and with densities and land use patterns supportive of transit service.</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 would be consistent with this range, at an approximate density of about 10 units per net hectare not including 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 severed and retained lands meet the minimum lot frontage and area requirements of the zoning by-law. The frontages proposed are considered consistent with frontages on the same street (Happy Vale) within 250m. The four lots immediately to the west of the subject lands have similar frontages. Other lots are in the range of 15-18m frontage, and others are larger (about 24m and one 30m lot). In the context of existing development, the policy is considered to be met by the proposed consent application, and consistent with Section 9.9.4 which states “we shall protect and maintain stable neighbourhoods from infill and intensification that is out of keeping with the physical and heritage character of those neighbourhoods”</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 Preservation/Planting Plan shall be prepared to the satisfaction of the Town should any Tree removal be proposed.</p> <p>Considering the above, Staff are of the opinion that the application conforms to the Town of Innisfil Official Plan.</p>
<p>Complies with the Town Zoning By-law: <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 600m² lot area. All severed and retained lots comply with or exceed the minimum required lot frontage and lot area for the R1 zone. The lots would not be out of character with surrounding lots, including similar frontages to the West on Happy Vale Avenue. Variances are not required for this severance proposal.</p> <p>Considering the above, Staff are of the opinion that the proposal maintains the purpose and intent the Town’s Zoning By-law.</p>
<p>Conforms to Section 2, 51(24) and 53(12) of the Planning Act: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>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.</p>

CONCLUSION:

The Planning Department recommends approval of application B-002-2025 subject to the proposed conditions.

PREPARED BY:

Toomaj Haghshenas
 Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
 Supervisor of Development Planning



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: February 12, 2025

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

FILE/APPLICATION: B-002-2025

SUBJECT: 772 Happy Vale Drive

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. The applicant/owner shall obtain a demolition permit for the existing structures and complete the final inspection prior to completion of the severance, to the satisfaction of Community Development Standards Branch (Building Department).



Engineering

MEMORANDUM TO FILE

DATE: February 14, 2025
FROM/CONTACT: Roy Mehraban
FILE/APPLICATION: B-002-2025 (772 Happy Vale Drive)
SUBJECT: Committee of Adjustment Applications – February 2025
Engineering Review Comments

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. The Applicant/Owner shall ensure that all swales on **both** properties meet the requirements set out in Section 7.3 of the Town of Innisfil (“Town”) Engineering Design Standards and Specifications Manual (“Town Standards”), as amended, and shall ensure stormwater (SWM) runoff does not adversely affect adjacent properties.
2. The Applicant/Owner shall ensure that all driveway locations on **both** properties meet the requirements set out in Section 2.2.4.11 of the Town Standards, as amended.
3. The Applicant/Owner shall prepare and submit drawings, plans, cost estimates, specifications, reports, studies, and certifications signed and sealed by a Professional Engineer for **both** properties that address, but may not be limited to, such matters as lot grading, stormwater management, tree preservation, servicing, and low impact development (LID) measures, to the satisfaction of the Town and InnServices Utilities Inc. (“InnServices”).
4. The Applicant/Owner shall undertake and submit a **tree preservation and/or compensation plan** to the satisfaction of the Town, consistent with the Town’s “Tree Policy for Development Approvals” (CP.09.08).

5. If Applicant/Owner is connecting to municipal water, the existing well to be decommissioned by certified contractor.

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 condition.

MEMORANDUM TO FILE

DATE: February 12, 2025

FROM/CONTACT: Codi Bissette, codib@innpower.ca

FILE/APPLICATION: B-002-2025

SUBJECT: 772 Happy Vale Drive

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):

For a new residential hydro service, the customer/ applicant must submit a service layout application for the new service connection 6 to 8 weeks, or greater, prior to the desired in-service date. Please be advised that if transformer installation is required to accommodate the new service connection, lead times may extend up to 16 to 20 weeks without notice, following the receipt of payment and a signed offer to connect.

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)





MEMORANDUM TO FILE

DATE: February 20th, 2025

FROM/CONTACT: Thomas Steube-Chapman, InnServices

FILE/APPLICATION: B-002-2025 772 Happy Vale Drive

SUBJECT: Severance Application for 772 Happy Vale Drive – InnServices Comments and Conditions

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. New water and sanitary service laterals, from to the existing municipal water and sanitary main to property line will be required to accommodate the creation of a new lot. It appears that the existing water service lateral for the subject property is located on the proposed eastern lot. The existing sanitary service lateral appears to be located generally at the mid-point along the existing property frontage (exact location to be confirmed during temporary abandoning). Prior to severance occurring, these existing service laterals will need to be cut and capped (temporarily abandoned) near the front property line as part of the dwelling demolition process.
2. Prior to submitting a Right of Way Activity Permit (RAP) to the Town of Innisfil, the Owner/Applicant shall submit an Additional Service Connection Application to InnServices, complete with the applicable Additional Service Connection Application fees.
3. Prior to issuance of building permit(s) the Owner/Applicant shall have an issued RAP with The Town of Innisfil for works to be completed within the Town's road allowance in accordance with Town Standards that address, but may not be limited to, such matters as connecting new water and sanitary service laterals, to the existing municipal water and sanitary mains and restoration of the Town's road allowance. All works shall be completed to the satisfaction of the Town and InnServices.
4. As part of the RAP, the Owner/Applicant shall provide drawings, plans, cost estimates, specifications, reports, studies and certifications signed and sealed by a Professional Engineer for the proposed development that address, but may not be limited to the servicing of the proposed development to the satisfaction of the Town and InnServices.

5. The Owner/Applicant will retain a contractor to execute the installation of the services. This work may commence only after the applicant has an issued RAP with the Town of Innisfil and all fees have been paid to the satisfaction of the Town and InnServices.

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. That the Owner/Applicant temporarily abandon the existing water and sanitary services to the satisfaction of InnServices.
2. That the Owner/Applicant confirm that the existing water system can provide/accommodate the required flows and pressures to service the severed lot at the expense of the Owner/Applicant to the satisfaction of InnServices.
3. That the Owner/Applicant confirm that the existing sanitary conveyance and treatment system can accommodate the required flows that will be generated by the severed lot at the expense of the Owner/Applicant to the satisfaction of InnServices.