



**COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING
APPLICATION NO. A-058-2024**

TAKE NOTICE that an application has been received by the Town of Innisfil from **Francesco Fiorani, Applicant**, on behalf of **Roger Murchison Wilson & Ann Jocelyn Wilson, Owners**, for a minor variance from Zoning By-law 080-13, pursuant to Section 45 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

The subject properties are described legally as **PLAN 683 LOTS 1 2 6 7 11 12 16 17 & PT BLK 0**, known municipally as **228 Big Bay Point Rd**, and is zoned "**Residential 1 (R1)**".

The applicant is proposing to sever portions of the subject lands for the purpose of creating two new residential lots. The retained land is proposed to have a deficient lot frontage of 7.6m off Big Bay Point Road.

The Committee of Adjustment for the Town of Innisfil will consider this application in person at Town Hall and virtually through Zoom on **Thursday, March 20, 2025, at 6:30 PM.**

To participate in the hearing and/or provide comments, you must register by following the link below or scanning the above QR code:

<https://innisfil.ca/en/building-and-development/committee-of-adjustment-hearings.aspx>

Requests can also be submitted in writing to: Town of Innisfil Committee of Adjustment, 2101 Innisfil Beach Road, Innisfil, Ontario, L9S 1A1 or by email to planning@innisfil.ca.

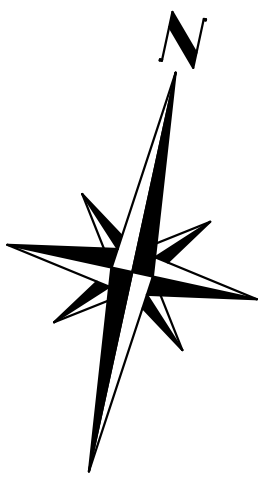
If you wish to receive a copy of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal (OLT).

Additional information relating to the proposed application is available on the Town of Innisfil website. Accessible formats are available on request, to support participation in all aspects of the feedback process. To request an alternate format please contact Planning Services at planning@innisfil.ca.

Dated: **February 25, 2025**

Sarah Burton Hopkins,
Secretary Treasurer
sburtonhopkins@innisfil.ca
705-436-3710 ext. 3504





TOPOGRAPHIC SURVEY
OF ALL OF LOTS 1, 6, 11, 16
AND PART OF LOTS 2, 7, 12, 17
AND PART OF BLOCK O,
REGISTERED PLAN 683
AND PART OF LOT 30,
CONCESSION 14
GEOGRAPHIC TOWNSHIP OF INNISFIL
TOWN OF INNISFIL
COUNTY OF SIMCOE

SCALE 1:400
0 3 6 12 18 24 30 METRES
© C.A. MacDonald SURVEYING Inc., 2023.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:
1. THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH
THE SURVEYS ACT, THE SURVEYORS ACT AND THE REGULATIONS
MADE UNDER THEM.
2. THE SURVEY WAS COMPLETED ON NOVEMBER 3, 2023

DECEMBER 11, 2023
DATED C.A. MacDonald, B.Sc.
ONTARIO LAND SURVEYOR

LEGEND

- DENOTES SURVEY MONUMENT FOUND
- S.I.B. : SURVEY MONUMENT SET
- STANDARD IRON BAR
- I.B. : IRON BAR
- S.S.I.B. : SHORT STANDARD IRON BAR
- I.P. : IRON PIPE
- P.I.N. : PROPERTY IDENTIFICATION NUMBER
- (976) : C.W. JONES O.L.S.
- (615) : J. DIAMOND O.L.S.
- (1222) : C.E. DOTTERILL O.L.S.
- P.1 : PLAN OF SURVEY BY C.A. JONES O.L.S. JANUARY 20, 1971.
- P.2 : PLAN OF SURVEY BY C.A. JONES O.L.S. DECEMBER 4, 1972.
- P.3 : PLAN OF SURVEY BY C.A. JONES O.L.S. DECEMBER 4, 1972.
- BB : BELL BOX
- UP : UTILITY POLE
- CRF : CEDAR RAIL FENCE
- PWF : POST AND WIRE FENCE
- WRW : WOOD RETAINING WALL
- CSBW : CORRUGATED STEEL BREAK WALL
- DS : DOOR SILL

ELEVATION NOTES:

ELEVATIONS ARE GEODETIC AND ARE DERIVED FROM GPS
OBSERVATIONS AND ARE RELATED TO THE CAN-NET RTK
NETWORK CALIBRATED TO NAD 83 (CSRS) AND CGVD-1928:1978.
SITE BENCHMARK # 1 - TOP OF S.I.B. S.W. CORNER OF PIN 58088-0157(LT)
ELEVATION = 222.99

SITE BENCHMARK # 2 - TOP OF DRILLED WELL CASING TO SOUTH SIDE
OF CIVIC DWELLING #236, ELEVATION = 221.13

BEARING NOTE:

BEARINGS ARE UTM GRID BEARINGS AND ARE DERIVED FROM
OBSERVED REFERENCE POINTS A AND B, BY REAL TIME
NETWORK OBSERVATIONS, USING THE CAN-NET NETWORK,
UTM ZONE 17, NAD83 (CSRS) (2010).

DISTANCE NOTE:
DISTANCES SHOWN ON THIS PLAN ARE GROUND DISTANCES
AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING
BY A COMBINED SCALE FACTOR OF 0.999733.

ROTATION NOTE:
FOR BEARING COMPARISONS A COUNTER CLOCKWISE ROTATION OF
00°58'20" WAS APPLIED TO PLAN P.1 AND
00°57'15" WAS APPLIED TO PLANS P.2 AND P.3
TO CONVERT TO UTM GRID BEARINGS.

OBSERVED REFERENCE POINTS:

UTM ZONE 17, NAD83 (CSRS) (2010)
COORDINATES TO URBAN ACCURACY PER SEC.14(2)
OF O.REG. 216/10

STATION	NORTHING	EASTING
ORP A	4917233.125	617162.384
ORP B	4917028.019	617207.083

COORDINATES CANNOT, IN THEMSELVES, BE USED
TO RE-ESTABLISH CORNERS OR BOUNDARIES
SHOWN ON THIS PLAN.

METRIC

DISTANCES AND COORDINATES SHOWN ON THIS
PLAN ARE IN METRES AND CAN BE CONVERTED
TO FEET BY DIVIDING BY 0.3048.





228 BIG BAY POINT ROAD TOWN OF INNISFIL

PLANNING JUSTIFICATION REPORT

FEBRUARY 2025

*Brutto
Consulting*

1.0 Introduction

Brutto Consulting is pleased to provide this Planning Justification Report regarding the Minor Variance application for the Subject Property located at 228 Big Bay Point Road in the Town of Innisfil. We are the authorized Planning consultant for the owners of the Subject Lands. On behalf of our client, we are submitting a Minor Variance application to the Town of Innisfil seeking relief from Zoning By-law No. 080-13. The requested Minor Variance is required to allow a minimum lot frontage of 7.6 m on Lots 2 and 3.

2.0 Site Context and Proposed Development

The Subject Property is located at 228 Big Bay Point Road. The Subject Lands have a frontage of 40.4 metres, a depth of 210.0 metres, and a lot area of roughly 0.84 hectares. The Subject Site is rectangular in shape and has access through a private access road that connects to Big Bay Point Road. The Subject Site is currently vacant.

The land use context surrounding the Subject Lands is described as follows (*See Figure 1: Site Context*):

North: There is a strip of shoreline residential properties that front onto Lake Simcoe.

East: There is one larger residential that is adjacent to a golf course. East of the golf course there is a residential community.

South: There is an environmental protection zone and Big Bay Point Resort further south.

West: There are some existing shoreline residential properties and a residential community.



Figure 1: Site Context (Source: Google Maps, 2025)

2.1 Proposed Lot Creation

The purpose of the proposed Minor Variance on the Subject Property is to permit the creation of three lots on the Subject Site with two lots having frontages of 7.6 metres to allow driveway access from Big Bay Point Road.

The existing lot is currently vacant with one driveway easement along the northern portion of the property and access from a private access road that connects to Big Bay Point Road. This proposal would sever the property into three (3) lots, all with access from Big Bay Point Road (*See Figure 2: Concept Development Plan*). These lots would all have at minimum 2,526 sqm of area. The three lots would have lot widths ranging from 25.3 m to 40.4 m and lot depths ranging from 44.5 m to 100.7 m. Lot 1 would have a frontage of 22.5 metres along Big Bay Point Road while Lots 2 and 3 would have frontages of 7.6 metres. With this configuration all three lots would be able to have driveway access from Big Bay Point Road, which is a publicly maintained road. This allows the more efficient use of the site to create three lots. Each lot is proposed to have a single family detached dwelling.

The proposed Minor Variance is discussed further in Section 5.0 of this Report and, in our opinion, is appropriate for the Subject Property and will not cause any impact to the character or the functionality of the surrounding area (*See Section 5.0 to this report*).

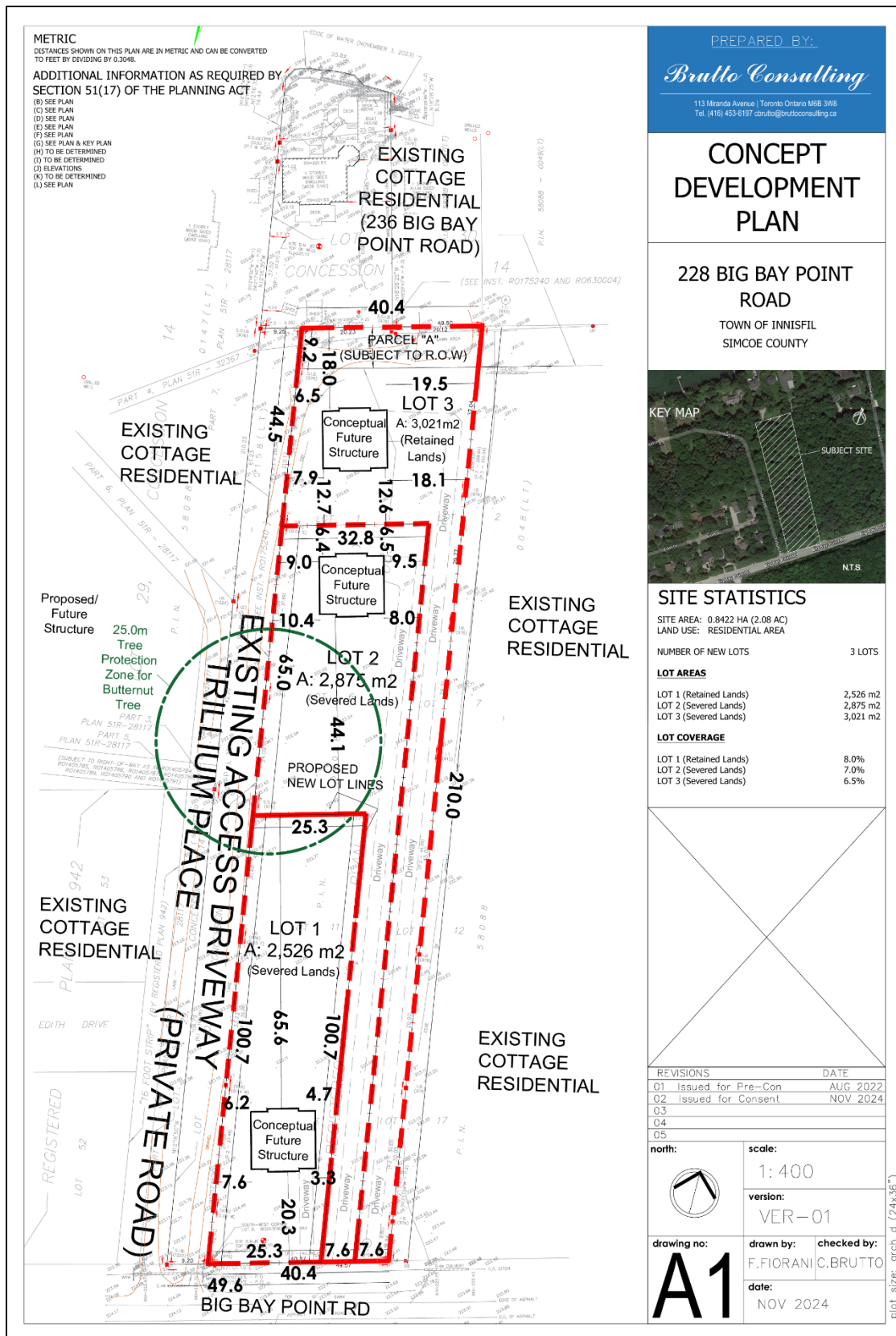


Figure 2: Concept Development Plan

3.0 Policy Context – Official Plan and Zoning By-law

This section of the Report outlines relevant planning policies and provides comments as to how the proposed minor variance meets the overall intent of the Town of Innisfil Official Plan (2018) and the Town of Innisfil Zoning By-law 080-13.

3.1 Town of Innisfil Official Plan (2018)

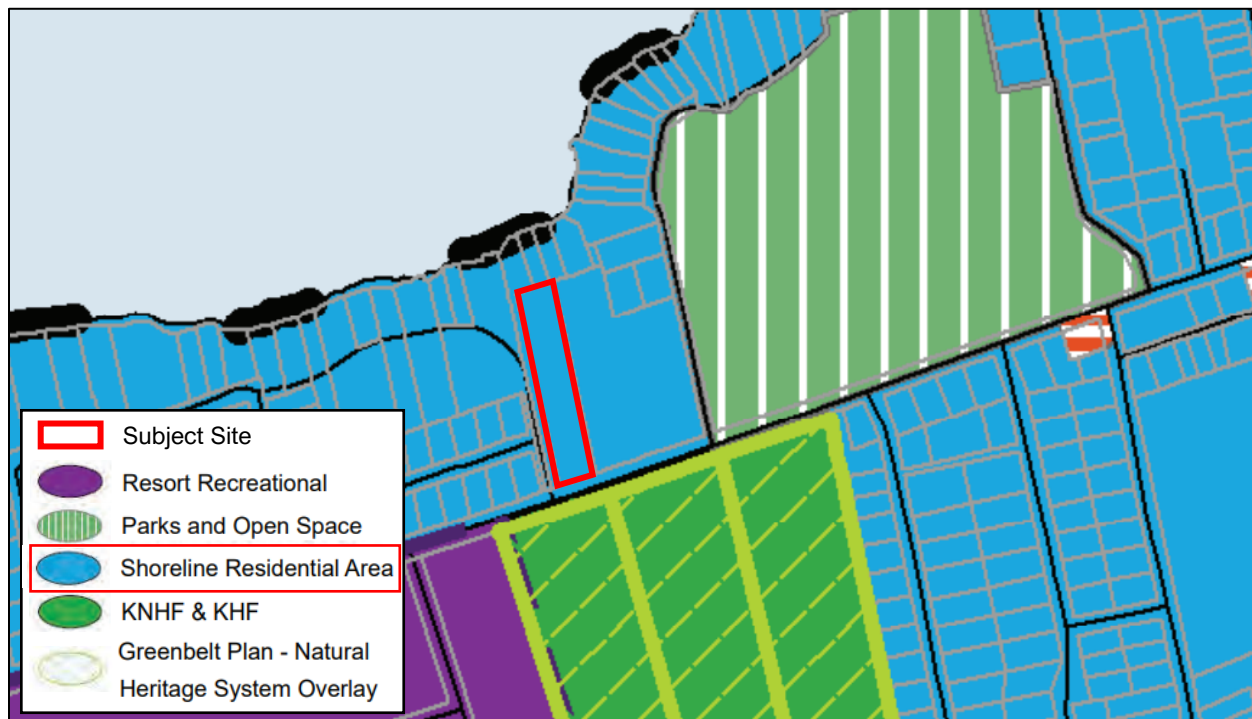


Figure 3: Schedule B – Land Use (Source: Town of Innisfil Official Plan, 2018)

The Subject Site is designated as “Shoreline Residential” in the Town of Innisfil Official Plan (2018) (See *Figure 3: Schedule B - Land Use*). The Shoreline Residential Area designation recognizes existing residential development in the Lake Simcoe shoreline, outside of the Town's settlement areas. The Shoreline Residential Area permits the following uses according to Policy 19.2.2: single detached dwellings, accessory structures, accessory second dwelling units, home occupations, parks, and bed and breakfast establishments. This policy also denotes some permissions for infill development which state that where municipal water services are not available, the lot density should generally be 2.5 units per net hectare to a maximum of 3 new lots. The proposed development introduces two new lots for a total of three single family detached lots, therefore conforming to Policy 19.2.2.

Policy 19.2.9 outlines the full set of requirements for infill development in a Shoreline Residential Area:

- i) a maximum of 3 new lots are provided except where zoning or designations existing as of June 16 2006 permitted a greater number of lots;
- ii) direct frontage in a traditional lot pattern is provided to an open and maintained public road; (except for those lands located on Part of Lots 23, 24, 25 and 26, Plan 1028, Concession 13);
- iii) where a private water supply is proposed, the feasibility of a private water supply is demonstrated to the satisfaction of the Town through a hydrogeological study that confirms sufficient ground water supply;
- iv) where a private septic system is proposed, Policy 19.1.17 is satisfied;
- v) where municipal water services and/or sanitary services are provided, confirmation of sufficient reserve capacity;
- vi) the density policies of Policies 19.2.3 through 19.2.5 are addressed where applicable;
- vii) a minimum 30 metre vegetation protection zone is provided for lots abutting Lake Simcoe; and
- viii) where the creation of new residential lots does not result in strip development.

As shown above, Policy 19.2.9 further affirms the sentiments of Policy 19.2.2 by stating that a maximum of three infill lots may be permitted. 19.2.9 further elaborates to say that development must have direct frontage in a traditional lot pattern to an open and maintained public road. The proposed development is configured in a way where all three lots have access to Big Bay Point Road and follows the lot patterns in the surrounding context.

Policy 19.2.9 also states that strip development is not permitted. Strip Development is defined by policy 23.3.135 as “lots along arterial, collector and local roads in the rural designation, which are not part of an internal local road system designed specifically to provide groups of residential, commercial, industrial, or similar lots with access; and where lots are arranged in linear configurations of more than three non-farm lots within 200 metres of the proposed lot line as measured along the frontage of one side of the road.” Big Bay Point Road is a county road and is subject to the policies of the Simcoe County Official Plan. The strip development policies of the Innisfil Official Plan are echoed by Simcoe County Official Plan Policy 3.7.8 which states that “the number of lots on the grid road system shall be restricted in order to maintain the rural character and road function and to avoid strip development”. However, in the email dated October 27th, 2022 from Keirsten Morris (**See Appendix One**) Simcoe County confirmed that there is no rural

character along this portion of Big Bay Point Road to maintain as “strip development already exists in an extreme magnitude”.

As such, the restrictions on strip development in both the Innisfil and Simcoe County Official Plans would not apply to the site as this portion of Big Bay Point Road is designed and intended to accommodate multiple residential accesses. As such, the proposed development conforms with the Town of Innisfil Official Plan and is permitted in the Shoreline Residential Area policies.

3.2 Town of Innisfil Zoning By-law 080-13



Figure 4: Zoning Map (Source: Innisfil Interactive Zoning Map, 2025)

The Subject Site is zoned “R1 – Residential” is the Town of Innisfil Zoning By-Law 080-13. The R1 zone permits Single Family Detached housing. The lots do not have municipal services. As such, the minimum lot area is 1,400 sqm. The proposed lots range from 2,526 sqm to 3,021 sqm in size which exceeds the required lot size. The proposed lots also meet or exceed setbacks B through E listed in *Table 4.2 a below*. The only variance being requested is for the minimum lot Frontage on Lots 2 and 3. As the proposed frontages are less than the minimum required frontage, a Minor Variance application is required.

The Minimum Lot Frontage required is 22 m for lots in the R1 Zone without municipal services. The Lot frontage for Lot 1 is 25.3 metres which complies with the 22 m requirement. The Minimum Lot Frontage proposed for Lots 2 and 3 is 7.6m to provide a driveway access to Big Bay Point Road. The Town requires that driveway access be provided from a municipal road which in this case is Big Bay Point Rd. The narrow lot frontages proposed for Lots 2 and 3 would simply accommodate driveway access after which point Lots 2 and 3 become 32.8 m by 65.0 m and 40.4 m by 44.5 m respectively.

Table 4.2a: Zone Regulations (Source: Innisfil Zoning By-law 080-13)

	RE	RR	R1			R1A
			With Municipal Sewer Services	With Municipal Water Only	Without Municipal Water and Sewer Services	
Minimum Lot Area (Interior Lot)	5,260 m ²	1,900 m ²	600 m ²	1,400 m ²	1,400 m ²	450 m ²
Minimum Lot Area (Exterior Lot)	5,260 m ²	1,900 m ²	600 m ²	1,400 m ²	1,400 m ²	540 m ²
Minimum Lot Frontage (Interior Lot)	45 m	30 m	15 m	17 m	22 m	15 m
A: Minimum Lot Frontage (Exterior Lot)	45 m	30 m	15 m	17 m	22 m	18 m
B: Minimum Front Yard	15 m	10 m	8 m	8 m	8 m	4.5 m
C: Minimum Interior Side Yard	6 m	3 m	1.2 m	1.5 m	1.5 m	1.2 m
D: Minimum Exterior Side Yard	15 m	9 m	6 m	6 m	6 m	3 m
E: Minimum Rear yard	15 m	10 m	6 m	6 m	6 m	7.5 m
Maximum Lot Coverage	15%	25%	35%	35%	35%	40%
Minimum Landscaped Open Space	30%	30%	30%	30%	30%	30%
F: Maximum Building Height	11 m	11 m	9 m (1)	9 m (1)	9 m (1)	9 m (1)
Accessory Uses, Buildings and Structures						
Minimum Front Yard	15 m	10 m	6 m	6 m	6 m	6 m
Minimum Interior Side Yard	3 m	3 m	1 m	1 m	1 m	1 m
Minimum Exterior Side Yard	15 m	9 m	3 m	3 m	3 m	3 m
Minimum Rear yard	6 m	3 m	1 m	1 m	1 m	1 m

4.0 Requested Variances

The purpose of this minor variance application is to seek minor relief from the Town of Innisfil Zoning By-Law 080-13 to permit for the proposed development to operate in compliance with the Zoning By-law.

Requested Variances to the Town of Innisfil Zoning By-Law 080-13:

1. Section 4.2 of Zoning By-law 080-13

A lot frontage with a minimum width of 22 m is required; whereas Lots 2 and 3 of the proposed development can only accommodate a 7.6 m lot frontage.

5.0 Meeting the Four Tests set out in the Planning Act

To assist in justifying the merits of the proposed variance and meeting the four (4) tests set out by Section V, Subsection 45 (1), Powers of the Committee (of Adjustment), we reviewed all planning policies relevant to the site. It is our professional planning opinion that the variance as currently constituted and filed with the Town of Innisfil meets all four tests set out in the Planning Act, Part V, and Section 45 (1). Those four tests as set out in subsection 45(1) are articulated herein and addressed as required.

5.1 Will the Variances maintain the General Intent of the Town of Innisfil Official Plan?

The proposed minor variance maintains the general intent of the Town of Innisfil Official Plan, which designates the property as “Shoreline Residential”. This land use designation emphasizes maintaining the existing residential character of the area with limited infill development permitted.

The Official Plan policies prioritize maintaining the character of the surrounding area and allows a maximum of three new lots provided certain requirements are met. Specifically, Section 19.2.9 of the Official Plan emphasizes direct frontage to a publicly maintained road. As such, the proposed minor variance aids the proposed development in meeting the intent of the Official Plan as the 7.6 metre frontages are meant to provide driveway access from Lots 2 and 3 to Big Bay Point Road. Big

Bay Point Road is the only publicly maintained road adjacent to the Subject Site. Additionally, policy 19.2.9 restricts strip development. However, as per *Appendix One*, the County is of the opinion that strip development is “therefore permitted” given the “extreme magnitude of strip development that prevails in the area”.

An Official Plan amendment is not required for the proposed development. Therefore, the proposed minor variance upholds and conforms to the intent and purpose of the Official Plan to support a functional and accessible lot configuration along Big Bay Point Road.

5.2 Do the Variances Maintain the General and Purpose of Zoning By-law 080-13?

The subject lands are currently zoned as Residential 1 (R1), which permits single detached dwellings on publicly or privately serviced lots.

The general intent of the Zoning By-law 080-13 is to regulate land use and development to ensure compatibility, aesthetics, and functionality. The zone regulations of Section 4.2 aim regulate the shape and size of new lots and the location of any structures. The proposed variance provides a practical approach to achieving a lot frontage on Big Bay Point considering the existing site constraints. The 7.6 metre frontages on Lots 2 and 3 while not meeting the Zoning By-law standard, do not compromise its intent as these smaller frontages are only intended to provide driveway access. The actual area that the dwellings on Lots 2 and 3 would occupy have widths of 32.8 m and 40.4 m respectively which comply with the intent of the zoning by-law. This approach ensures access to the lots from Big Bay Point Road which enhances the functionality of the lots and allows them to conform to the Official Plan without impacting the existing character of the area.

The proposed site layout and driveway accesses demonstrate a thoughtful adaptation of the Zoning By-law and Official Plan requirements to the specific challenges of an existing residential site. The minimum frontage variance for the purpose of access respects the broader intent of the Zoning By-law while enabling the functionality of the proposed three residential lots on the Subject Property.

A Zoning By-Law amendment is not required for the proposed development. As such, it is our opinion that the proposed variances meet the intent of the Zoning By-law as they represent an appropriate, efficient, and context-sensitive use of the land.

5.3 Are the variances minor in nature?

It is our opinion that the requested variance is minor in nature. The variance sought for the Subject Property is compatible with the surrounding residential accesses along Big Bay Point Road and will not have any adverse impacts on adjacent properties, the streetscape, or the functionality of the site, as the subject lands are situated in a similar residential context where strip development is already prevalent.

The proposed variance is minor as it represents a small deviation from the required 22m frontage measured 7.5 metres from the front lot line. While the actual lot frontages will be 7.6 metres measured 7.5 metres from Big Bay Point Road the useable portion of Lots 2 and 3 will have widths of 32.8 m and 40.4 m respectively. As such, the usable area of the site exceeds the zone requirements for the R1 zone, including the minimum lot frontages. The only purpose of the 7.6 metre frontages is to accommodate vehicular access from Big Bay Point Road which is the only publicly maintained road adjacent to the Subject Site. As access is required to be from a publicly maintained road in the Official Plan the variance is required for the functionality of the Site. In addition, the proposed site configuration, and reduced lot frontages, contribute positively to the functionality of the site while conforming with the existing strip development character of the surrounding area. As such, it is our opinion that the proposed variances address functional constraints and do not cause any impacts to the surrounding area, thereby making them minor in nature.

5.4 Is the Variance Desirable for the Appropriate Development of the Land?

In our opinion the proposed variance is desirable and an appropriate use of land. The proposed minimum lot frontage reductions will allow the three proposed properties to operate without any negative impacts to the surrounding community, while utilizing the site to its highest and best use.

The proposed minimum frontage variance facilitates efficient driveway access to Big Bay Point Road for all three proposed properties without impact to the character or functionality of the surrounding area. This enhancement ensures the site remains functional and compliant with all other required zone standards including required lot area, minimum setbacks, and minimum lot depth, which is desirable when introducing more residential properties within the Town of Innisfil.

The proposed variances also promote the efficient use of land by balancing functional needs with infill and intensification without compromising the existing character of the area or any other policy requirements.

As such, it is our opinion that the proposed variance is desirable for the appropriate severance of the property. The reduction of the minimum frontage requirement on Lots 2 and 3 will assist in efficiently using the site to facilitate a compatible configuration and site layout with the surrounding area.

6.0 Concluding Statement and Recommendation

In our professional planning opinion, the variance being sought out meets the statutory four tests set out in subsection 45(1) the Ontario Planning Act. The application represents good planning and should be supported by Planning Staff and the Committee of Adjustment.

If there are any questions or if further information is required, the undersigned may be reached at any time.

Yours Truly,



Julia Spagnuolo, BURPI
Planner
Brutto Planning Consultant Ltd.



Claudio P. Brutto, MCIP, RPP
President
Brutto Planning Consultant Ltd.