

Summary of Comments

A-004-2025

A-017-2025

A-018-2025

A-019-2025

35 Campus Place



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: A-004, A-017, A-018 and A-019-2025

MEETING DATE: May 15, 2025

TO: Sarah Burton Hopkins
Secretary Treasurer Committee of Adjustment

FROM: Toomaj Haghsheenas, Development Planner

SUBJECT: Minor variance applications A-004, A-017, A-018 and A-019-2025 seeking relief from Table 4.2a of Zoning By-law No. 080-13 for minimum front yard setback and maximum lot coverage.

PROPERTY INFORMATION:

Municipal Address	35 Campus Place
Legal Description	PLAN 908 LOT 10
Official Plan	Shoreline Residential Area (Schedule B)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of A-004-2025, A-017-2025, A-018-2025 and A-019-2025 subject to the following conditions:

CONDITIONS:

1. That the variances apply exclusively to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.
2. That the existing mature trees and boundary trees be protected and maintained to the satisfaction of the Town. A Tree Preservation/Planting Plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement rates for any trees to be removed, and the location of new trees and tree protection measures during the construction of the dwelling.

REASON FOR APPLICATION:

The applicant is proposing to construct a new single-detached dwelling, replacing the existing dwelling on the subject lands. Due to the unique lot configuration, constrained lot size and existing septic location in the rear yard of the property, the proposed dwelling will have a deficient front yard setback of 3.4m, an excessive lot coverage of 36.13% and a deficient exterior side yard setback of 4.96 m. Given the lot layout, the proposed garage will be also located closer to the front line than the principal building. The applicant is seeking relief from Table 4.2a of the Zoning By-law which requires a minimum front yard setback of 8 m, a maximum lot coverage of 35% and

a minimum exterior side yard setback of 6m. Relief from section 3.18.1(a) is also required to address the garage being located closer to the front lot line than the principal dwelling.

Application Number	By-law Section	Requirement	Proposed	Difference
A-004-2025	4.2a (B)	Minimum front yard setback = 8 m	3.4 m	- 4.6 m
A-017-2025	4.2a	Max lot coverage of 35%	36.13%	+1.13%
A-018-2025	4.2a	Minimum exterior side yard setback = 6m	4.96 m	-1.04m
A-019-2025	3.18.1(a)	Where the detached or attached garage faces a side lot line, the front yard setback shall be the same as the principal building	Garage positioned in front of principal building	Garage positioned in front of principal building

SURROUNDING LANDS:

North	Campus Place, single-detached dwellings
East	Single-detached dwellings (shoreline), Lake Simcoe
South	Single-detached dwellings (shoreline), Lake Simcoe
West	Single-detached dwellings

ANALYSIS:

Site Inspection Date	April 9, 2025
Maintains the purpose and intent of the Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are located outside any settlement areas per the Town Official Plan. The subject lands are designated Shoreline Residential Area on Schedule B of the Official Plan which permits single-detached dwellings and accessory structures. The surrounding neighbourhood is characterized primarily by single detached dwellings.</p> <p>Section 19.2.10 of the Official Plan states that development shall be undertaken in conformity with the residential design policies of Section 10.1.</p> <p>In the opinion of Staff, the proposed development generally meets the intent of Section 10.1.40 regarding building massing respecting the context of the local character in terms of the scale of the dwelling. However, Section 10.1.44 states attached garages facing the front yard should not project beyond the front façade of the dwelling or a covered porch if provided. While we acknowledge the garage is not technically facing the front lot line given the unique lot configuration (it is facing the exterior side lot line technically per the Zoning By-law definition), the intent of the Official Plan is to avoid projecting garages on a streetscape and this policy should be considered by the applicant.</p>

	<p>A redesigned covered porch has been submitted adhering to the intent of Section 10.1.44 of the Town's Official Plan.</p> <p>In this case, the proposed reduction in front yard and exterior yard setbacks, and the proposed increase in the lot coverage, are a result of an existing septic system located in the rear yard and a limited lot size; as well as a unique lot configuration which renders the property a corner lot. The proposed dwelling is proposed to have a greater setback than the current dwelling, and will be consistent with neighboring properties in terms of setback from the street.</p> <p>Considering the above, Staff are of the opinion the application conforms to the Town of Innisfil Official Plan.</p>
<p>Maintains the purpose and intent of the Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are zoned Residential 1 (R1) in Zoning By-law 080-13, which permits single detached dwellings and requires a minimum 8m front yard setback, a minimum 6m exterior side yard setback and a maximum lot coverage of 35%. Section 3.18.1 of the Zoning By-Law also requires garages to have the same front yard setback as the principal building when facing a side lot line.</p> <p>As noted, the applications propose to reduce the front yard setback to 3.40 m, reduce the exterior side yard setback to 4.96m, increase the lot coverage to 36.13%, and permit a garage located closer to the front lot line than the principal building. The variances are a result of a constrained lot size and existing septic system located in the rear yard; as well as unique lot layout which causes the exterior side yard lot line to act as the principal street frontage lot line.</p> <p>The purpose and intent of the Zoning By-law with respect to minimum front yard setbacks is to ensure adequate separation of structures to the road and to establish a continuous and consistent streetscape, to reduce building massing along the street and to allow space for amenities and vehicle parking. In this instance, the exterior side yard setback will act as a de facto front yard setback to ensure adequate separation of structures to the road and to establish a continuous and consistent streetscape.</p> <p>The proposed variances will not change the existing character of the streetscape and will have a similar or greater front yard setback compared to neighboring lots. The proposed development will stay consistent with the existing lot layout, as well as neighboring properties on Campus Place.</p> <p>Typically un-serviced lots are required to have a minimum lot area of 1,400m² in order provide adequate space for a septic system. The subject lot has a lot area of 790m² and contains a septic system limiting developable area. A minimal 1.13% increase in lot coverage is considered reasonable in the context of the scale of the dwelling relative to the lot size..</p> <p>The Zoning By-law requires garages to have the same front yard setback as the principal building when facing a side lot line to avoid</p>

	<p>projecting garages on a streetscape. Again, due to the unique lot configuration, the exterior side yard lot line will act as the de facto street frontage. The proposed design will maintain a consistent streetscape with neighboring lots, and Staff have no concerns with the garage being closer to the 'front lot line', which technically based on the by-law definition is the narrow corner portion of the subject lands to the northeast abutting Sunnypoint Drive</p> <p>The proposed development meets all other provisions of the Zoning By-law. In consideration of the above and subject to the recommended conditions, the subject application maintains the purpose and intent of the Town's Zoning By-law.</p>
<p>The variance is desirable for the appropriate/orderly development or use of the land: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>As stated, the proposed variances are compatible with surrounding dwellings in the neighbourhood. The variances will facilitate a building envelope limited by constraints associated with the existing private septic system; as well as the unique lot layout which renders it a corner lot. In the opinion of Staff, the variance is considered desirable for appropriate/orderly development of the land, subject to the recommended conditions.</p>
<p>The variance is minor in nature: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Staff are of the opinion the variances are considered minor in nature, subject to the conditions, due to the limited impacts to neighbouring properties and the proposed development maintaining existing use and fitting into the character of the area, as well as the uniqueness of the lot and its surrounding context</p>

CONCLUSION:

The Planning Department recommends approval of applications A-004, A-017, A-018 and A-019-2025 subject to conditions.

PREPARED BY:

Toomaj Haghshenas
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



Building Department

MEMORANDUM TO FILE

DATE: May 8, 2025

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

FILE/APPLICATION: A-004, 017, 018, 019-2025

SUBJECT: 35 Campus Place

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.

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 the Building Department)

1. The applicant/owner shall provide an amended site plan with proposed building and septic footprint that meets all Ontario Building Code required clearances to neighbouring wells and on-site sewage systems, to the satisfaction of the Building Department.



Engineering

MEMORANDUM TO FILE

DATE: May 8, 2025

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

FILE/APPLICATION: A-004-2025

SUBJECT: 35 Campus Place

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

May 6, 2025

Municipal File No.: A-004-2025, A-017-2025, A-018-2025, & A-019-2025
LSRCA File No.: VA-137651-050525

Sarah Burton Hopkins
Secretary Treasurer, Committee of Adjustment
2101 Innisfil Beach Road
Town of Innisfil, L9S 1A1

Dear Sarah,

Re: Applications for Minor Variance
35 Campus Place
Town of Innisfil
Owner: Aldo Perrone
Applicant: Justin Sherry

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 demolish the existing residential dwelling and construct a new residential dwelling with a ground floor area of 301.25 square metres. The Applicant/Owner is seeking relief from the following section of the Town of Innisfil Comprehensive Zoning By-law 080-13, as amended:

- Relief from Section 3.18.1 (a) to permit a different front yard setback for a garage where the Zoning By-Law requires the same front yard setback for a garage as the principal dwelling.
- Relief from Section 4.2 (a) to increase the maximum lot coverage to 38.13% from the maximum lot coverage of 35% as per the Zoning By-Law.
- Relief from Section 4.2 (a) to reduce the front yard setback to approximately 3.4 metres where Zoning By-Law requires a front yard setback of 8 metres.
- Relief from Section 4.2 (a) to reduce the exterior side yard setback to approximately 4.96 metres where Zoning By-Law requires an exterior side yard setback of 6 metres.

Documents Received and Reviewed by Staff

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

- Public Notice Package (dated April 24, 2025)
- Architectural Drawing Package (A000, A103, A105, A201, A202) prepared by Justin Sherry Design Studio (dated April 23, 2025)
- Site Plan prepared by Justin Sherry Design Studio (dated April 23, 2025)

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:

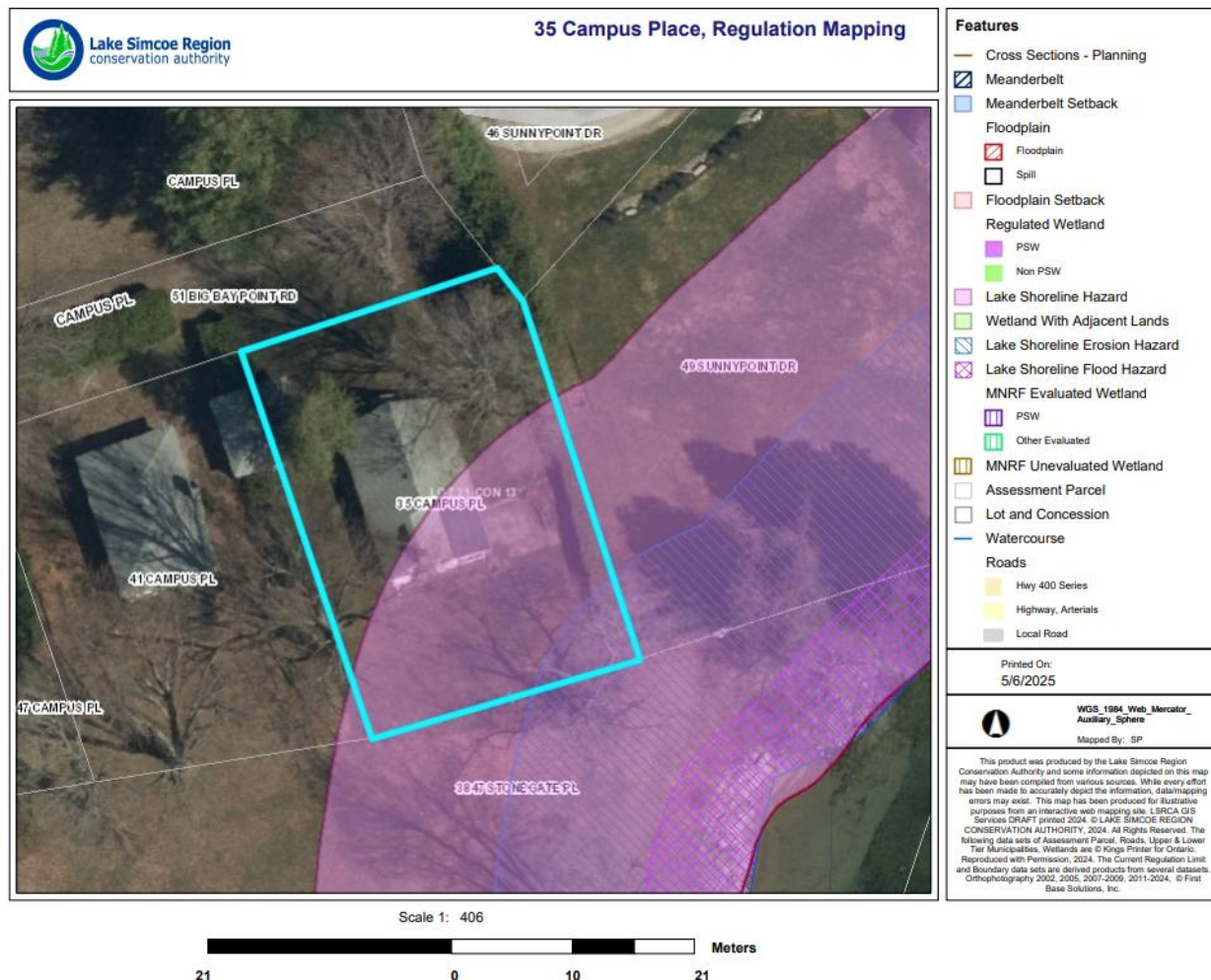
- That the Applicant/Owner shall pay the LSRCA Plan Review Fee in accordance with the approved LSRCA Fee Schedule. The applicable fee for Minor Variance (Minor – planner review only) is \$536;
- That the Applicant/Owner successfully obtain a permit from the LSRCA.

Site Characteristics

The subject land is approximately 813 square metres in land area and is located south of Campus Place within the Town of Innisfil.

Existing mapping indicates the following:

- The subject land is within the ‘Residential Zone’ (R1) as per Schedule ‘A3’ of the Township of Uxbridge Comprehensive Zoning By-law Number 81-19, as amended.
- The subject property is partially regulated by the LSRCA under Ontario Regulation 41/24 for erosion hazard associated with Lake Simcoe. 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 (erosion hazard area associated with Lake Simcoe). Based on the information submitted as part of this application, the proposal is generally consistent with 5.2 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.

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 the Owner has obtained a permit from the LSRCA regarding a septic system replacement submitted as part of this application (LSRCA file no. IP.2018.079).

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*.
2. LSRCA will require a planting plan at the time of a permit to demonstrate conformity with Sections 6.20 DP – 6.29 DP. These plantings will be required to be native, noninvasive, non-cultivar self-sustaining, and must be focused around the shoreline.
3. LSRCA will require the planted area equal the total area of new development within the regulated area (this includes the dwelling, boathouse, shore deck, and landscape patio) within the MVPZ (1:1). The removal of any existing vegetation within the MVPZ must be compensated for at a 3:1 ratio.

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. A permit from the LSRCA will be required prior to any development taking place;

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)