

Summary of Comments

A-003-2023 & B-001-2023 - 3925 Algoma Avenue



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): A-003-2023
RELATED APPLICATION(S): N/A
MEETING DATE: February 16, 2023
TO: Toomaj Haghshenas
Secretary Treasurer Committee of Adjustment
FROM: Steven Montgomery, Supervisor of Development
Acceleration, Planning Services
SUBJECT: Minor variance application seeking relief from Section 4.2(a)
of the Zoning By-law No. 080-13 for minimum lot area.

PROPERTY INFORMATION:

Municipal Address	3925 Algoma Avenue
Legal Description	Plan 593 Lots 69 to 73
Official Plan	Shoreline Residential Area (Schedule B11)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends deferral of application A-003-2023.

REASON FOR APPLICATION:

The applicant is proposing to sever the subject lands to create a lot with deficient lot area. 1400m² is required whereas 1006m² is requested.

Application Number	By-law Section	Requirement	Proposed	Difference
A-003-2023	4.2a	1400m ²	1006m ²	394m ²

SURROUNDING LANDS:

North	Vacant land zoned R1, single-detached dwellings
East	Single-detached dwellings
South	Single-detached dwellings
West	Algoma Avenue

ANALYSIS:

Site Inspection Date	February 14, 2023
Maintains the purpose and intent of the Official Plan: <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated as “Shoreline Residential Area” on Schedule B11.</p> <p>The permitted uses within this designation are single detached dwellings and accessory structures (19.2.2), subject to density provisions confirmed through a hydrogeological study. 19.2.9 states the tests for severances, including direct frontage on an open and maintained public road.</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
Maintains the purpose and intent of the Zoning By-law: <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject property is zoned Residential 1 (R1) in the Town’s Zoning By-law No. 080-13, which permits single detached dwelling and accessory structures.</p> <p>The R1 zone requires a lot area minimum of 1400m² and a lot frontage minimum of 22m, for properties without sewer and water. A variance is required for the severed lot as it does not meet minimum lot area (1006m² vs 1400m²).</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
The variance is desirable for the appropriate/orderly development or use of the land: <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Desirability will be reviewed when concerns about driveway locations including existing and proposed driveways and proposed building envelope are resolved.</p>
The variance is minor in nature: <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The minor nature of the variance will be reviewed when concerns about driveway locations including existing and proposed driveways and proposed building envelope are resolved.</p>

PREPARED BY:

Steven Montgomery
Supervisor of Development Acceleration

REVIEWED BY:

Brandan Correia, MCIP, RPP
Manager of Planning



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: February 9, 2023

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

FILE/APPLICATION: A-003-2023

SUBJECT: 3925 Algoma Ave

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 provide a 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 Community Development Standards Branch (Building Department).
2. Please provide an updated the site plan with the setback from the existing septic system to the new property line of the proposed severed parcel, to the satisfaction of Community Development Standards Branch (Building Department).



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): B-001-2023

MEETING DATE: February 16, 2023

TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment

FROM: Steven Montgomery, Supervisor of Development Acceleration, Planning Services

SUBJECT: Consent to sever 3925 Algoma Avenue to create one new residential lot

PROPERTY INFORMATION:

Municipal Address	3925 Algoma Avenue
Legal Description	Plan 593 Lots 69 to 73
Official Plan	Shoreline Residential Area (Schedule B11)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends the deferral of application B-001-2023 until resolution of matters respecting driveway location, as well as the location of the new proposed driveway and building envelope are provided.

REASON FOR APPLICATION:

The applicant is proposing to sever the subject property at 3925 Algoma Avenue to create one new residential lot. The retained lands would have a lot area of approximately 2787 m² with a lot frontage of approximately 61m. The severed lot would have a lot area of approximately 1006 m² with a lot frontage of approximately 22m.

SURROUNDING LANDS:

North	Vacant lands zoned R1, single-detached dwellings
East	Single detached dwellings
South	Single-detached dwellings
West	Algoma Avenue

ANALYSIS:

Site Inspection Date	February 14, 2023
Consistent with the Provincial Policy Statement (PPS): <input type="checkbox"/> Yes	The subject lands are located outside of any settlement areas, and are considered 'rural lands' as per the Provincial Policy Statement (PPS) (defined as lands outside of prime agricultural areas and settlement areas). The location of the proposed severance is within

<input type="checkbox"/> No	<p>lands designated Shoreline Residential Area in the Official Plan. Limited development is permitted per the PPS outside of settlement areas.</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
<p>Consistent with the Provincial Growth Plan:</p> <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are located outside of any settlement areas. As per policy 2.2.9(6), new multiple lots or units for residential development may be allowed on rural lands in site-specific locations with approved zoning or designation in an Official Plan that permitted this type of development as of June 1, 2006.</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
<p>Consistent with the Lake Simcoe Protection Plan (LSPP):</p> <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are subject to the LSPP policies. The subject lands are not within the regulatory area of the LSRCA and the proposal is for an infill lot on lands zoned R1.</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
<p>Conforms to the County of Simcoe Official Plan:</p> <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands have a designation of “Rural” as per Schedule 5.1 – Land Use Designations. The portion of the site for the proposed severance is designated as “Rural”.</p> <p>Under the Rural designation, limited residential development is permitted, as provided for in policy 3.7.4. Further, limited residential may be created through consent, provided the following is satisfied, as per policy 3.7.8:</p> <p>Generally, lots may only be created where they have access to and frontage on a public highway as provided for in policy 3.3.4</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
<p>Conforms to the Town of Innisfil Official Plan:</p> <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated as “Shoreline Residential Area” on Schedule B11.</p> <p>The permitted uses within this designation are single detached dwellings and accessory structures (19.2.2), subject to density provisions confirmed through a hydrogeological study. 19.2.9 states</p>

	<p>the tests for severances, including direct frontage on an open and maintained public road.</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
<p>Complies with the Town Zoning By-law: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject property is located within the Residential 1 Zone as part of the Town of Innisfil Zoning By-law. The R1 zone requires a lot area minimum of 1400m² and a lot frontage minimum of 22m, for properties without sewer and water. A variance is required for the severed lot as it does not meet minimum lot area (1006m² vs 1400m²).</p> <p>Staff have concerns about driveway locations including existing and proposed driveways, as well as proposed building envelope, and request deferral until these matters are resolved.</p>
<p>Conforms to Section 2,51(24) and 53(12) of the Planning Act: <input 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 request deferral until concerns about driveway location including existing and proposed driveways and building envelope are further resolved.</p>

CONCLUSION:

The Planning Department recommends deferral.

PREPARED BY:

Steven Montgomery
Supervisor of Development Acceleration

REVIEWED BY:

Brandan Correia, MCIP, RPP
Manager of Planning



ENGINEERING SERVICES

MEMORANDUM TO FILE

DATE: January 13, 2023
FROM/CONTACT: Devina Mohamed
FILE/APPLICATION: B-001-2023
SUBJECT: Consent to sever 3925 Algoma Avenue to create one new residential lot

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):

- 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.
- The Applicant/Owner shall ensure that all **driveway locations** on both properties meet the requirements set out in Section 2.4.4.12.2 of the Town Standards, as amended.
- The Applicant/Owner shall prepare and submit **engineering design** drawings, specifications, and reports signed and sealed by a Professional Engineer for **both** properties that address, but may not be limited to, such matters as site layout, lot grading, stormwater management, tree preservation and compensation for removal (refer to Town Corporate Policy CP.09-08 Tree Policy for Development Approvals and Town Standard Section 8.3.3), servicing, and LID measures, to the satisfaction of the Town and InnServices Utilities Inc. ("InnServices").
- The Applicant/Owner shall enter into a **right-of-way activity permit (RAP)** prior to the issuance of building permit(s) with the Town and/or InnServices for all works completed within the Town's road allowance, such as installation of new water and /or sanitary sewer laterals, and any changes that may be required to the existing water and/or sanitary sewer mains to service the lots. All works shall be completed in accordance with Town Standards and to the satisfaction of the Town and/or InnServices.
- The Applicant/Owner shall undertake and submit a **tree inventory, tree preservation, and tree compensation plan** to the satisfaction of the Town, consistent with the Town Standards and Town's "Tree Policy for Development Approvals" (CP.09.08).

Conditions 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):

- The Applicant/Owner shall prepare and submit **engineering design** drawings and all other supporting documents in accordance with Town Standards and to the satisfaction of the Town.
- The Applicant/Owner shall undertake and submit a **tree inventory, tree preservation, and tree compensation plan** to the satisfaction of the Town.



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: February 9, 2023

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

FILE/APPLICATION: B-001-2023

SUBJECT: 3925 Algoma Ave

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 provide a 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 Community Development Standards Branch (Building Department).
- 2) Please provide an updated the site plan with the setback from the existing septic system to the new property line of the proposed severed parcel, to the satisfaction of Community Development Standards Branch (Building Department).