

Summary of Comments

B-2025-012

1081 Fern Rd



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: B-2025-012

ASSOCIATED FILE: A-2026-002 & A-2026-003

MEETING DATE: February 19, 2026

TO: Sarah Burton Hopkins, Secretary Treasurer Committee of Adjustment

FROM: Ingrid Li, Development Planner

SUBJECT: Consent to sever 1081 Fern Rd to create one (1) new residential lot with frontage on Reid Ave

PROPERTY INFORMATION:

Municipal Address	1081 Fern Rd
Legal Description	PLAN 767 LOT 49
Official Plan	Residential Low Density 1 (Schedule B3)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of application B-2025-012, 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 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 location of new trees and tree protection measures during construction of the new dwelling and driveway on Reid Ave.
- 3.) That \$500.00 be provided to the Town of Innisfil for a new boulevard tree.
- 4.) That the severed lot shall be connected to municipal sanitary sewer to the satisfaction of the Town.
- 5.) That Minor Variance Applications A-2026-002 & A-2026-003 are approved.

- 6.) That the applicant provide confirmation from a qualified hydrogeologist that both the severed land and retained land can be serviced with an appropriate water supply to the satisfaction of the Town.
- 7.) That a scoped Natural Heritage Evaluation is submitted to the satisfaction of the Town, demonstrating that the proposal will not result in negative impacts on the Key Natural Heritage Features-Significant Woodlands to the west; and,
- 8.) That the applicants retain an Ontario Land Surveyor to prepare and submit a digital copy of a draft reference plan identifying the severed and retained lands as per the sketch prepared for the application, 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 1081 Fern Rd to create one (1) new residential lot. The vacant severed lands would have a lot frontage of approximately 15.3m on Reid Ave and a total lot area of approximately 555.24m². The retained lands with existing dwelling would have a lot frontage of approximately 27.61m on Fern Rd and a total lot area of approximately 811m². This application is to be heard in conjunction with minor variance applications A-2026-002 & A-2026-003 for deficient lot area of the severed and reduced front yard setback of the existing dwelling

SURROUNDING LANDS:

North	Fern Rd; low density residential
East	ILow density residential (1075 Fern Rd)
South	Elm Road; low density residential
West	Key Natural Heritage Features and Key Hydrologic Features (1194 Belle Aire Beach Road)

ANALYSIS:

Site Inspection Date	February 6, 2026
Consistent with the Provincial Policy Statement (PPS): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are within the Settlement Area of Lefroy-Belle Ewart as defined by the Provincial Planning 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 urban settlement area of Lefroy-Belle Ewart 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 shall provide</p>

	<p>confirmation of connection to the Town's sanitary sewer and confirmation of water services for the both lots, to the satisfaction of the Town.</p> <p>The application is considered to be consistent with the PPS, subject to the recommended conditions.</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 settlement area policies 6.32 to 6.34 of the LSPP apply. The property abuts significant woodlands, which are defined as a key natural heritage feature under Policy 6.21-DP of the Lake Simcoe Protection Plan. The LSPP states that “an application for development or site alteration within 120 metres of a key natural heritage feature or key hydrologic feature shall be accompanied by a natural heritage evaluation meeting the requirements of Policy 6.26-DP” unless otherwise exempted by the Plan. However, under Policy 6.32-DP, lands within existing settlement areas are not subject to Policies 6.20–6.29 of the LSPP; thus a natural heritage evaluation is not required. Staff are of the opinion that the proposed severance is consistent with the LSPP subject to the proposed conditions.</p>
Conforms to the County of Simcoe Official Plan: <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 Urban Settlement Area of Lefroy-Belle 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). 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>
Conforms to the Town of Innisfil Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are designated Residential Low Density 1 on Schedule B3 to the Town Official Plan. The designation permits single detached dwellings and lot creation subject to applicable policies. The lands are also located within the Urban Settlement Area of Lefroy-Belle Ewart. Section 9.3.1 states Urban Settlement Areas will accommodate residential growth.</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. 'Net hectare' means the area of land of the lot and includes local roads as per the definition in Section 23.3.91. The subject lands has a lot area of approximately 0.145ha. The proposed severance to create two lots would remain within the permitted density range, resulting in</p>

	<p>an overall density of approximately 12–13 units per net hectare when not including abutting roads, and when factoring in both lot area and abutting roads, the density would be lower (slightly under 10 units per net hectare), so the net density is in character with what the Official Plan envisions for the area.</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 proposed variance for lot area of the severed land is less than 20% (the lot area variance is approximately 9%). With the proposed severance, both the severed and retained lots will front onto Reid Ave and will meet the minimum lot frontage requirements of the Zoning By-law. It is noted that although there are no lots directly 'fronting' onto Reid Avenue (frontage is defined as the shorter length of a corner lot where it abuts two roads), several properties within 250 metres of the subject lands along Reid Ave are corner lots with frontage on intersecting streets, and the proposed severance would not introduce lots that are out of character with the surrounding development pattern, which contains other 15m frontage lots. Therefore this would satisfy the Official Plan policy respecting consistency with the average frontage on the street, which is intended to result in maintaining the general character of the neighbourhood. Both proposed lots would meet the frontage requirements of the existing R1 zoning (15m). 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>Section 17.1.15 states that development and site alteration shall not be permitted on adjacent lands to Key Natural Heritage Features and Key Hydrologic Features unless the ecological function of the adjacent lands have been evaluated through a Natural Heritage Evaluation, and it is demonstrated that there will be no negative impacts on the Key Natural Heritage Features and Key Hydrologic Features or their ecological functions and identifies a vegetation protection zone. Within the Natural Heritage System overlay, the vegetation protection zone shall be no less than 30 metres from the outside boundary of key hydrologic features, fish habitat and significant woodlands. For the purposes of the Official Plan, development includes lot creation, and adjacent lands are defined as</p>
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	<p>all lands within 120 metres of the features identified in Policies 17.1.4 and 17.1.5.</p> <p>The subject lands are located within 120 metres of a Key Natural Heritage Feature, being significant woodlands located west of the subject lands. Based on the OP policies, staff have included a condition that a scoped Natural Heritage Evaluation be submitted to the satisfaction of the Town, demonstrating that the proposal will not result in negative impacts on the Key Natural Heritage Feature.</p> <p>Staff have reviewed the criteria outlined in Section 22.8.1 to consider when evaluating consent applications and have no concerns with the application conforming to these criteria.</p> <p>Considering the above, Staff are of the opinion the application conforms to the Town of Innisfil Official Plan, subject to the recommended conditions.</p>
<p>Complies with the Town Zoning By-law:</p> <p><input checked="" type="checkbox"/> Yes</p> <p><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 15m lot frontage and minimum 600m² lot area. Both severed and retained lots comply with the minimum required lot frontage for the R1 zone. However, the proposed lot area for severed lot is approx. 555.24m². A minor variance application has been submitted to seek relief from the minimum lot area requirement of 600m². Staff note that the existing lot is connected to municipal sanitary sewer. The proposed severed parcel is being reviewed on the basis that it will be serviced by municipal sewer and the applicable minimum lot area requirement. InnServices has confirm that they would support a sanitary sewer extension to service the severed lot. A condition is included in this regard.</p> <p>The subject lands currently front onto Fern Road. If the consent and concurrent minor variance applications are approved, it would result in the front lot line for the retained lot to switch to Reid Ave. The change in front lot line would result in a non-complying situation for the existing dwelling. Therefore, a minor variance is required to permit the reduced required front yard setback for the existing dwelling from 8m to 7.56m. A minor variance application has been submitted to seek relief from the minimum front yard setback requirement of 8m.</p> <p>The subject application maintains the purpose and intent the Town's Zoning By-law per analysis under Minor Variance application report A-2026-002 & A-2026-003, subject to the approval of the concurrent minor variance applications and subject to the recommended conditions.</p>
<p>Conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i>:</p> <p><input checked="" type="checkbox"/> Yes</p> <p><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, subject to the proposed conditions.</p>

CONCLUSION:

The Planning Department recommends approval of application B-2025-012, subject to the recommended conditions.

PREPARED BY:

Ingrid Li
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning

MEMORANDUM TO FILE

DATE: February 2, 2026

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

FILE/APPLICATION: B-2025-012

SUBJECT: 1081 Fern Rd.

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. Please note that additional information (such as, but not limited to, septic review, limiting distance calculations or engineered documents, etc.) may be requested at building permit stage in order to review for compliance against the Ontario Building Code.
2. 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.)

1. No comments.



Engineering

MEMORANDUM TO FILE

DATE: February 19, 2026

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

FILE/APPLICATION: B-012-2026

SUBJECT: 1081 Fern Road

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 a building permit for a new dwelling, please submit engineering design drawings and all other supporting documents in accordance with Town Standards and to the satisfaction of the Town.

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. Hydrogeological report to be provided confirming that the proposed parcel can support an additional dwelling and not have an adverse effect on neighbors.

MEMORANDUM TO FILE

DATE: February 3rd, 2026

FROM/CONTACT: Thomas Steube-Chapman, InnServices

FILE/APPLICATION: B-2026-012

SUBJECT: Severance Application for 1081 Fern Road– 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. Per InnServices records, there is one existing sanitary service lateral to the subject property, servicing the retained lands from Fern Road. There is currently no sanitary sewer on Reid Avenue, which the proposed severed lands would front. An extension of sanitary sewer on Reid Avenue would be required, as described within the Conditions of Approval.
2. Prior to submitting a Right of Way Activity Permit (RAP) with the Town of Innisfil for the sanitary sewer extension works, the Owner/Applicant shall submit Additional Service Connection Application to InnServices to service the severed lands, complete with the applicable Additional Service Connection Application fee.
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 installation of new sanitary sewer, sanitary service lateral and restoration of the Town's allowance. All works shall be completed to the satisfaction of the Town and InnServices.
4. As part of the RAP for the sanitary sewer works, 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 sanitary sewer works. 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 agrees that they shall be responsible for all associated costs with extending the municipal sanitary sewer on Reid Avenue, from the frontage of the severed lot of Reid Avenue, to the existing sanitary maintenance hole on Elm Road, in order to service the severed lands in accordance with Town of Innisfil Engineering Design Standards and Specifications and InnServices requirements.
2. That construction of the sanitary sewer extension works shall be completed and available for use prior to the Town of Innisfil issuing the Certification of Official for the proposed severance application.
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 retained and severed lot at the expense of the Owner/Applicant to the satisfaction of InnServices.