

# **Summary of Comments**

**A-2026-002 & A-2026-003**

**1081 Fern Rd**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER:** A-2026-002 & A-2026-003  
**RELATED APPLICATION:** B-2025-012  
**MEETING DATE:** February 19, 2026  
**TO:** Sarah Burton Hopkins, Secretary Treasurer Committee of Adjustment  
**FROM:** Ingrid Li, Development Planner  
**SUBJECT:** Minor variance application A-2026-002 seeking relief from Table 4.2a of Zoning By-law No. 080-13 for minimum lot area and A-2026-003 seeking relief from Table 4.2a of Zoning By-law No. 080-13 to permit a reduced front yard setback for the existing dwelling.

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### PROPERTY INFORMATION:

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

### RECOMMENDATION:

The Planning Department recommends approval of A-2026-002 and A-2026-003, subject to the following conditions:

### CONDITIONS:

- 1.) That Consent Application B-2025-012 be approved.
- 2.) That the approved reduced front yard setback only applies to the existing dwelling and any future development be subject to the applicable By-law standards.

### REASON FOR APPLICATION:

The applicant is proposing to sever the subject lands to create a new residential lot, with a deficient lot area of 555.24m<sup>2</sup> for the severed lot. The applicant is seeking relief from Section 4.2(a) of the Zoning By-law, which requires a minimum lot area 600m<sup>2</sup> for the severed lot. 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. As such, the applicant is seeking relief from Section 4.2(a) of the Zoning By-law to permit a reduced front yard setback for the existing dwelling from 8m to 7.56m. These applications are to be heard in conjunction with application B-2025-012.

Application Number	By-law Requirement (4.2a)	Proposed	Difference
A-2026-002	Min. lot area: 600m <sup>2</sup>	555.24m <sup>2</sup>	44.76m <sup>2</sup>
A-2026-002	Min. front yard setback: 8m	7.56m	0.44m

#### SURROUNDING LANDS:

North	Fern Rd; low density residential
East	Low 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
<b>Maintains the purpose and intent of the Official Plan:</b> <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 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</p>

	<p>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 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><b>Maintains the purpose and intent of the Zoning By-law:</b></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 600m<sup>2</sup> lot area. Both the severed and retained lots meet the minimum frontage requirements; however, the</p>

<p><input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>	<p>severed land is deficient in the minimum lot area, with an area of approximately 555.24 m<sup>2</sup>. As such, a Minor Variance application has been submitted to seek relief from the minimum lot area requirement for the severed lot.</p> <p>The purpose and intent of the Zoning By-law with respect to minimum lot area is to ensure lots reflect the size and character of lots in the area. Although the severed lot would be slightly smaller than many existing lots in the area, they would not be out of character for the area, which contains other 15m frontage lots, and lots smaller than 600m<sup>2</sup>. In addition to many lots in the area with 15m frontages, lots along Temple Avenue have similar or smaller lot areas and comparable configurations. Staff do not have concerns with compatibility of the proposed severed lot based on the lot areas of neighbouring properties and have included conditions regarding water and sewer services to ensure that a single detached dwelling could be sited on the vacant severed lot within the R1 zone standard.</p> <p>Considering the above and given that the proposed variance is less than the 20% threshold set out in the Official Plan, meets the overall density range, and complies with the minimum frontage requirement of 15 m, it is staff's opinion that the proposal does maintain the purpose and intent the Town's Zoning By-Law.</p> <p>The minimum required front yard setback is 8.0 m. The front line is defined as the shorter of the lot line abutting the streets. The subject lands currently front onto Fern Road, and the existing dwelling is in compliance with all zoning standards. 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. Therefore, a minor variance is required to permit the reduced front yard setback for the existing dwelling from 8m to 7.56m.</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.</p> <p>The reduced setback applies only to a small portion of the building at the northwest corner, while the remainder of the building maintains or exceeds the minimum front yard requirement. The proposed 7.54m front yard setback to the existing dwelling on the retained parcel will not change the existing character of the streetscape as no changes to the dwelling are proposed. The variance is only triggered as the change of front lot line, no change to the current view from the street. The proposed variance is technical in nature and does not alter the established streetscape. New dwellings would be required to meet the 8m front yard setback or apply for additional variances through the Committee of Adjustment. This variance is only proposed for the existing dwelling, per the proposed conditions.</p>
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	In consideration of the above, the subject application complies with the Town's Zoning By-law, subject to the approval of the concurrent consent application and its conditions.
<b>The variance is desirable for the appropriate/orderly development or use of the land:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	In the opinion of Staff, the variances are considered desirable for appropriate/orderly development of the land, subject to the proposed conditions for consent application B-2025-012, and conditions proposed in this memorandum. One new residential lot in an established neighbourhood within a settlement area is considered appropriate as limited infill development. The proposed severed and retained lot areas are in keeping with the character of the area.
<b>The variance is minor in nature:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Staff are of the opinion the variance is considered minor in nature, subject to the conditions proposed, due to the limited impacts to neighbouring properties and the proposed lots not being out of character in the area.

**CONCLUSION:**

The Planning Department recommends approval of application A-2026-002 and A-2026-003, subject to the approval of B-2025-012.

**PREPARED BY:**

Ingrid Li  
Development Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Planning



Building Department

## MEMORANDUM TO FILE

**DATE:** February 2, 2026

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

**FILE/APPLICATION:** A-2026-002 &003

**SUBJECT:** 1081 Fern Rd.

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**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.)

1. No comments.



Engineering

## MEMORANDUM TO FILE

**DATE:** February 19, 2026

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

**FILE/APPLICATION:** A-002-2026

**SUBJECT:** 1081 Fern Road

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**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.





Engineering

## MEMORANDUM TO FILE

**DATE:** February 19, 2026

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

**FILE/APPLICATION:** A-003-2026

**SUBJECT:** 1081 Fern Road

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**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.