



**COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING
APPLICATION NO. B-003-2023**

TAKE NOTICE that an application has been received by the Town of Innisfil from **Graham Richards, agent**, on behalf of **Barry Greenberg, Owner**, for consent under Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended for a consent to a conveyance of property for residential purposes.

The subject properties are described legally as **PLAN 96 PT LOTS 728 & 729 RP 51R9807 PART** and **PLAN 96 PT LOTS 730 TO 732 RP 51R9807 PARTS 3 TO 7 SAVE** are known municipally as **904 Sheppards Trail** and **914 Sheppards Trail**, and are zoned as **“Residential 1 Zone (R1)”**.

The applicant is proposing an adjustment to the lot boundary for the purpose of providing a greater lot area for 904 Sheppards Trail. The lot boundary adjustment will result in a lot area of 1,103 m² for 914 Sheppards Trail, and a lot area of 1,283 m² for 904 Sheppards Trail.

The Committee of Adjustment for the Town of Innisfil will consider this application through a conference call on **Thursday, March 16, 2023, 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 Local Planning Appeal Tribunal.



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 28, 2023**

Toomaj Haghshenas,
Secretary Treasurer
thaghsheenas@innisfil.ca
705-436-3710 ext. 3316

PLANNING JUSTIFICATION **REPORT**

CONSENT APPLICATION

904 and 914 Sheppards Trail
Belle Ewart, Town of Innisfil

Date:

18 January 2023

Prepared for:

Barry Greenberg

Prepared by:

**MacNaughton Hermsen Britton Clarkson
Planning Limited (MHBC)**

113 Collier Street
Barrie ON L4M 1H2
T: 705 728 0045
F: 705 728 2010

Our File 22423A

CONTENTS

1.0	INTRODUCTION	1
2.0	SITE DESCRIPTION AND SURROUNDING LAND USES	2
3.0	PROPOSAL	3
4.0	PLANNING ANALYSIS	4
4.1	Planning Act	4
4.2	Provincial Policy Statement (2020)	4
4.3	The Growth Plan for the Greater Golden Horseshoe (2020)	5
4.4	Lake Simcoe Protection Plan (2009)	6
4.5	County of Simcoe Official Plan	7
4.6	Town of Innisfil Official Plan (2018)	7
4.7	Town of Innisfil Zoning By-law 080-13 (2013)	8
5.0	SUMMARY & FINDINGS	10

Figures

Figure 1	Site Context
Figure 2	Site Designation, Town of Innisfil Official Plan
Figure 3	Site Zone, Town of Innisfil Zoning By-law
Figure 4	Proposed Concept

1.0 INTRODUCTION

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) was retained by Barry Greenberg (the “Owner”) to seek consent approval for a boundary adjustment for the property located at 904 Sheppards Trail in the Town of Innisfil (the “Site”). The Site is shown in Figure 1. The proposal is to sever a portion of the adjacent property at 914 Sheppards Trail and add it to 904 Sheppards Trail. The details are further outlined in Section 3 of this report.

2.0 SITE DESCRIPTION AND SURROUNDING LAND USES

The Site is located at 904 Sheppards Trail in the Lefroy/Belle Ewart settlement area in the Town of Innisfil as shown in Figure 1. The Site is flat and has historically been used for a seasonal cottage. There is currently a single-detached dwelling located on the property. The lot that is being severed (914 Sheppards Trail) is a corner lot to the southwest. It has a flat topography and hosts an existing single-detached dwelling and an individual on-site water service (well) located in the front yard.

The Site hosts approximately 49 metres of frontage on Sheppards Trail (a local road). The immediate surrounding land uses include low-density single-detached residential development in all directions as shown in Figure 1.

Lefroy/Belle Ewart is a settlement area which includes, but is not limited to, convenience stores, a public school, a fire station, various commercial and service commercial amenities, and recreational areas including the South Innisfil Community Centre.

It is understood that Lefroy/Belle Ewart is privately serviced or partially serviced with municipal water and wastewater. It our understanding that both properties have municipal wastewater services but each utilize a privately operated well.

3.0 PROPOSAL

The Owner is seeking an adjustment to the lot boundary between 904 Sheppards Trail and 914 Sheppards Trail as shown in Figure 4.

More specifically, the Owner is seeking approval to sever approximately 551 square metres with approximately 20 metres of road frontage from 914 Sheppards Trail and add it to the abutting property at 904 Sheppards Trail. The property at 914 Sheppards Trail is owned by the Owner's daughter and have been identified as surplus lands. The Severed Lands are vacant and do not include the private well.

It is our understanding that the lot addition is not to facilitate any future construction but is intended to provide more amenity space to 904 Sheppards Trail while leaving an appropriate amount of amenity spaced for 914 Sheppards Trail.

4.0 PLANNING ANALYSIS

The following is a review of the Provincial and Town policies and regulations as they pertain to the subject property and the proposed boundary adjustment.

4.1 Planning Act

The *Planning Act* is the provincial legislation which establishes the framework for land use planning in Ontario, and effectively describes how land uses may be controlled, and who may control them. With respect to the application made, Section 53 sets the legislative framework for lot boundary adjustments and requires an application to have regard to the matters under Section 51(24). Section 51(24) requires that regard shall be had, among other matters, to whether the plan conforms to the applicable official plan, the dimensions and shapes of the proposed lots, and the adequacy of utilities and municipal services.

Sections 2 and 3 of the *Planning Act* require that planning decisions have regard to matters of provincial interest, be consistent with the provincial policy statements and conform to the provincial plans that are in effect. Sections 4.2 and 4.3 of this report will examine the applicable Provincial policy and plans as they relate to the proposal.

Based on a comprehensive review of the proposal and applicable sections of the *Planning Act*, it is the opinion of the undersigned that the proposed lot boundary adjustment complies with the applicable policies of the *Planning Act*.

4.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (the PPS) is the statement of the government's policies on land use planning and is intended to provide policy direction on land use matters which are in the Provincial interest. All land use planning decisions are required to be consistent with the PPS.

The PPS hosts three main policy sections:

1. Building Strong and Healthy Communities
2. Wide Use and Management of Resources
3. Protecting Public Health and Safety

The review below will address each of these sections in the context of the application.

Section 1 of the PPS identifies that long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth. This is achieved by, among other things, avoiding development which may cause environmental or public health and safety concerns, promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development minimize land consumption and servicing costs, , ensuring that necessary infrastructure and public service facilities are or will be

available, promoting development that conserves biodiversity and preparing for impacts of climate change.

The PPS directs the focus of growth and development toward settlement areas. The PPS encourages, among other things, densities and a mix of land uses which efficiently use land and resources, and are appropriate for and efficiently use existing or planned infrastructure.

The infrastructure and public service facilities policies of the PPS generally require infrastructure and public service facilities to be provided in a cost-effective manner with the use of existing infrastructure being optimized. Further, the PPS contains policies relating to sewage, water, and stormwater. The PPS identifies municipal sewage services and municipal water services as the preferred method of servicing in settlement areas. It is our understanding that the Site is currently serviced by municipal sewage services and private individual on-site water service on each lot (a well), with the Town intending to expand full services to the Lefroy/Belle Ewart settlement area. The proposal will have no impact on current infrastructure use and does not require any expansion to accommodate the proposal.

From a stormwater perspective, stormwater management planning is to be integrated with sewage and water services to ensure that the systems are optimized, feasible, and financially viable over the long term, and they are to minimize or where possible, prevent increases in contaminate loads, minimize erosion and changes in water balance, mitigate risks to human health, safety, property and the environment, maximize vegetative and pervious services, and promote best management practices. Current stormwater management on the site is provided through swales and ditches, and the proposal will have no impact on stormwater management.

The transportation policies address the promotion of safe and efficient transportation systems. Efficient use should be made of existing and planned infrastructure where feasible, connectivity within and among transportation systems are promoted, and land use patterns, appropriate densities, and a mix of land uses are encouraged to minimize the length and number of vehicle trips and support transit and active transportation. The proposal fronts onto an existing local road (Sheppards Trail) and makes efficient use of existing infrastructure. As there is no change in the built form of the area nor any added units, the transportation use of the local road network will not be altered.

Section 3 of the PPS speaks to protecting public health and safety. Development is to be directed to areas outside of hazardous lands which may have the potential for flooding or erosion hazards. Current mapping provided by the Lake Simcoe Region Conservation Authority indicates that the Site is outside of the regulated area and no hazardous lands are present on the Site. Similarly, the Site is located outside of the hazardous lands as shown in the Town of Innisfil Official Plan mapping.

Based on a comprehensive review of the proposal and applicable policies of the PPS, it is the opinion of the undersigned that the proposed lot boundary adjustment is consistent with the policies of the PPS.

4.3 The Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow, the Growth Plan for the Greater Golden Horseshoe (the Growth Plan) was created by the Province to guide the building of stronger more prosperous communities through the management of growth.

The Growth Plan provides policy direction on where and how to grow with an emphasis on directing growth to settlement areas. The policies speak to directing the vast majority of growth to settlement areas that have a delineated built boundary, have existing or planned municipal water and sanitary systems, and can support the achievement of complete communities. Lefroy/Belle Ewart is a settlement area that does not host a delineated built boundary but it does have existing municipal sanitary systems and planned municipal water services.

Infrastructure to support growth is addressed in Section 3 of the Growth Plan. Infrastructure includes sewage and water systems, communication systems, and transit and transportation corridors, among other physical structures, that form the foundation for development. The policies in this section prioritize infrastructure planning to support and accommodate growth to the horizon of the Plan, and to support the achievement of complete communities. Infrastructure planning, land use planning, and infrastructure investment are to be coordinated to implement the policies of the Growth Plan. The Site is serviced by existing infrastructure, no expansion to the Town's infrastructure is required to accommodate the proposal, and no new impacts are anticipated as a result of this proposal.

The Growth Plan provides policy direction on protecting what is valuable including hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources. The Growth Plan outlines natural heritage features and associated development constraints where development is proposed in or adjacent to identified features. The Site is located within a settlement area and is not located in or adjacent to any natural heritage features and does not contain any known significant built heritage resources or significant cultural heritage landscapes as shown in the Town of Innisfil Official Plan mapping .

The Growth Plan contains specific policies related to Simcoe County. Many of the Simcoe sub-area policies are municipal-wide policies. The policies identify that the County is to direct a significant portion of population and employment growth to Innisfil as well as four other lower-tier municipalities in the County. There is no additional population being generated from this proposal.

Based on a comprehensive review of the proposal and applicable policies of the Growth Plan, it is the opinion of the undersigned that the proposed lot boundary adjustment conforms with the policies of the Growth Plan.

4.4 Lake Simcoe Protection Plan (2009)

The Site is located within the Lake Simcoe watershed and, therefore, the proposed application is required to conform to the policies of the Lake Simcoe Protection Plan (LSPP). The LSPP is administered by the Lake Simcoe Region Conservation Authority (LSRCA). The LSPP generally provides a policy framework identifying that settlement areas are where development is concentrated, policies related to development on the shoreline, in or near water courses, phosphorus loading, or for the creation of lots and new built form. The proposal is consistent with the LSPP policies specifically as it is not creating a new lot or new structures, nor is it changing its form of stormwater management or servicing.

The LSPP identifies that urban areas and rural settlement areas are where development is concentrated and includes policies for the management of stormwater for both existing and planned developments. The proposal is not classified as a "development" or "major development" by the LSPP. "Development" means the creation of a new lot, a change in land use, or the

construction of buildings and structures requiring approval under the *Planning Act*. “Major development” includes the creation of four or more lots; the construction of building(s) with a ground floor area of 500 square metres or more; or the establishment of a major recreational use. Additionally, the proposal is not classified as “site alteration” as no filling, grading, or excavation is occurring as part of the proposal that would change the landform or natural vegetative characteristics.

Based on a comprehensive review of the proposal and applicable policies of the Lake Simcoe Protection Plan, it is the opinion of the undersigned that the proposed lot boundary adjustment conforms with the policies of the LSPP.

4.5 County of Simcoe Official Plan (2013)

The County of Simcoe Official Plan (the “County OP”) is a document designed to guide land use planning in the County over the next 20 years. The County OP sets forth several goals and policies many of which relate to directing development to settlement areas.

The Site is located within the settlement area of Lefroy/Belle Ewart and is designated “Settlements” in the County OP.

The County OP contains general development policies that apply across the County as a whole, including policies related to natural heritage, transportation, and the subdivision of land, among other considerations. Lot boundary adjustments, such as this proposal, are permitted so long as no new lots are created. As previously discussed, no new lots are being created with the proposal.

The County has servicing policies that mirror the PPS. As discussed, the proposal does not change the existing servicing on the lots and no new servicing is required.

The County OP also contains policies relating to transportation. Themes of the transportation policies include limiting traffic congestion, supporting current and future public transit initiatives, supporting active transportation, and addressing the needs, safety, and convenience of pedestrians. The proposal conforms to the transportation policies of the County OP as it does not result in the creation of a new lot or increase transportation demands.

Based on a comprehensive review of the proposal and applicable policies of the County of Simcoe Official Plan, it is the opinion of the undersigned that the proposed lot boundary adjustment conforms with the policies of the County OP.

4.6 Town of Innisfil Official Plan (2018)

The Town of Innisfil Official Plan (the “Town OP”) guides planning and zoning decisions for the Town over the next 20 years. The Town’s OP sets forth several goals including, but not limited to, providing opportunities for residents, businesses, and organizations to connect in meaningful ways, embracing a managed level of growth, and maintaining the Town as a viable and vibrant community that fully embraces the principles of sustainability.

The Site is located within the settlement area of Lefroy/Belle Ewart and is designated “Residential Low Density One” in the Town OP as shown in Figure 2. The Residential Low Density One designation recognizes primarily existing low-density residential development and seeks to

maintain its character. The Town OP directs the majority of growth and development to settlement areas, with Lefroy/Belle Ewart classified as an urban settlement area. Urban settlement areas will accommodate residential and employment growth on full municipal services with the creation of new lots prohibited until full municipal services are available. Although the Site only has municipal sewage services, no new lot is being created as a result of the proposal and it conforms to the policies of the Residential Low Density One designation.

The Town OP contains policies relating to infrastructure sustainability including stormwater management and municipal servicing. Development is required to be designed and located in a manner that does not add to flooding issues while undertaking measures to improve existing conditions where feasible. It is the intent of the Town that development generally takes place based on full municipal services. Under the Town OP, “development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*. The proposal is not categorized as development as no new lot is being created, there is no change in land use, and no buildings are constructed.

The Town OP contains policies relating to various matters including but not limited to natural heritage features, natural hazards, groundwater, mineral aggregates, and site plan control. None of these features or resources are located on or near the Site, and the Site is not subject to Site Plan Control. While the Town OP does not contain any specific policies on lot boundary adjustments, the proposal does meet the policies on subdivision control and consents and the proposal meets the overall intent of the Town OP.

Based on a comprehensive review of the proposal and applicable policies of the Town of Innisfil Official Plan, it is the opinion of the undersigned that the proposed lot boundary adjustment conforms with the policies of the Town OP.

4.7 Town of Innisfil Zoning By-law 080-13 (2013)

Both 904 and 914 Sheppards Trail and the surrounding lots are located within the Residential 1 (R1) zone in the Town of Innisfil Zoning By-law (consolidated June, 2022) as shown in Figure 3.

Although the use(s) on the two lots are not changing, it is noted that the R1 zone permits single detached dwellings (among other uses) and the two lots currently each host a single detached dwelling.

The proposal has been designed within the parameters of the R1 Zone provisions that are summarized in Table 1. All measurements were determined after the proposed lot boundary adjustment was applied and only those provisions which were affected by the lot boundary adjustment are included. Based on the proposed lot addition, no minor variance is required.

Table 1 – Zoning Provision Summary of the Residential 1 Zone

Zone Provision	R1 Zone Provisions with Municipal Sewer Services	904 Sheppards Trail (Beneficiary Lands)	914 Sheppards Trail (Retained Lands)
Minimum Lot Area (Interior Lot)	600 m ²	±732 m ²	N/A
Minimum Lot Area (Exterior Lot)	600 m ²	N/A	±1103 m ²
Minimum Lot Frontage (Interior Lot)	15 m	±29 m (Sheppards Trail)	N/A
Minimum Lot Frontage (Exterior Lot)	15 m	N/A	±27m (Robinson Street)
Maximum Lot Coverage	35%	±20%	±15%
Minimum Landscaped Open Space	30%	±73%	±83%

The lot frontage, area, setbacks, building coverage, and landscape open space of the proposed lot boundary adjustment are adequate for the existing uses and comply with the Zoning By-law. The proposal would provide additional amenity space to 904 Sheppards Trail and the lot boundary adjustment would be better synchronized with surrounding lot layouts. The surrounding area has an eclectic mix of lot sizes and dimensions and 914 Sheppards Trail would remain one of the larger lots, but is in keeping with the neighbourhood context.

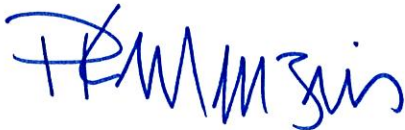
Based on a comprehensive review of the proposal and applicable policies of the Town of Innisfil Zoning By-law, it is the opinion of the undersigned that the proposed lot boundary adjustment will comply with the provisions of the Zoning By-law.

5.0 SUMMARY & FINDINGS

Based on the analysis outlined throughout this report, it is the opinion of the undersigned that the proposed lot boundary adjustment represents an appropriate use on the Site for the following reasons:

- It satisfies the requirements of the *Planning Act*;
- It is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe;
- It conforms to the County of Simcoe Official Plan and the Town of Innisfil Official Plan;
- It complies the applicable provisions of the Town of Innisfil Zoning By-law; and
- The new configuration provides an appropriate amount of amenity space for both lots and the new lot configuration is in keeping with the surrounding neighbourhood.

Respectfully submitted,
MHBC PLANNING



Kris Menzies, BES, BEd, MCIP, RPP
Partner



Graham Richards, CD, BA
Planner



FIGURE 1
SITE CONTEXT

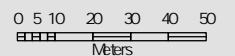
904 & 914 Sheppards Trail
Part of Lot 24, Concession 4
Town of Innisfil
County of Simcoe

LEGEND

- Beneficiary Lands
- Severed Lands
- Retained Lands
- Parcel Fabric

DATE Jan. 23, 2023

SOURCES ESRI



224233A - Lot Boundary Adjustment - 2023-01-03



**FIGURE 3
TOWN ZONING**

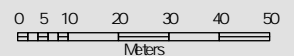
Town of Innisfil
Zoning By-Law 080-13
904 & 914 Sheppard's Trail
Part of Lot 24, Concession 4
Town of Innisfil
County of Simcoe

LEGEND

- Beneficiary Lands
- Severed Lands
- Retained Lands
- Zone Boundary

DATE Jan. 23, 2023

SOURCES Town of Innisfil GIS



224233A - Lot Boundary Adjustment - 2023-01-03



FIGURE 2
TOWN LAND USE

Town of Innisfil Official Plan
Schedule B3 Land Use: Lefroy - Belle Ewart

904 & 914 Sheppards Trail

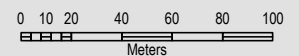
Part of Lot 24, Concession 4
Town of Innisfil
County of Simcoe

LEGEND

- Beneficiary Lands
- Severed Lands
- Retained Lands
- Residential Low Density 1
- Residential Medium Density
- Community Space
- Parks and Open Space
- Key Natural Heritage Features & Key Hydrological Features
- Neighbourhood Commercial

DATE Jan. 23, 2023

SOURCES
ESRI
Town of Innisfil



224233A - Lot Boundary Adjustment - 2023-01-03

Goldie Street



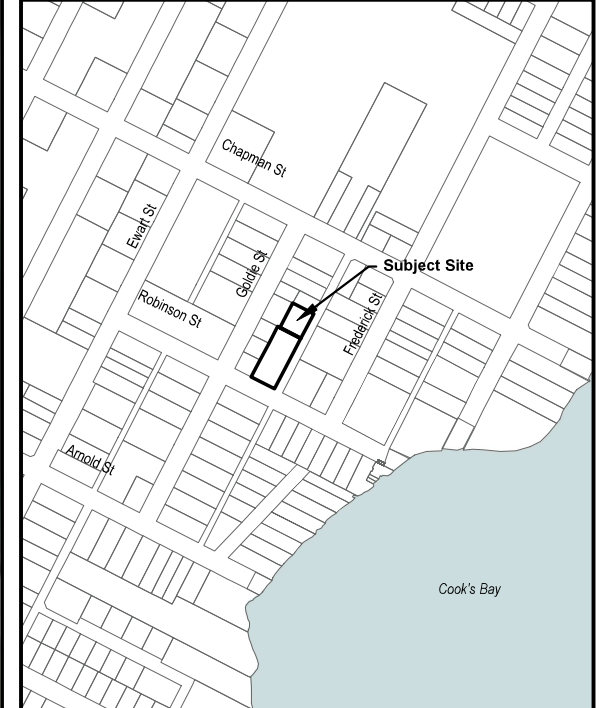
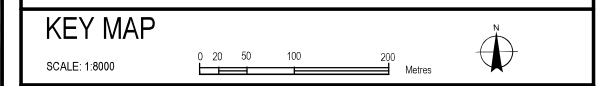
Robinson Street



Lot Boundary Adjustment

904 & 914 Sheppards Trail
 Part of Lot 24, Concession 4
 Town of Innisfil
 County of Simcoe

- LEGEND**
- Proposed Adjusted Lot - ±1,284m²
 - Existing Lot 1 - 904 Sheppards Trail ±732m²
 - Existing Lot 2 - 914 Sheppards Trail ±1,654m²
 - Existing Well Location



DATE	January, 2023
SOURCES	County of Simcoe GIS
SCALE	
<small>\\Barrie2\docs\Innisfil\Greenberg - 904 & 914 Sheppards Trail - 22423A\Drawings\Lot Boundary Adjustment</small>	