

Summary of Comments

B-010, B-011, B-012, B-013, B-014
B-015 and B-016-2023 – 1321 9th
Line and 1335 9th Line



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): B-010-2023, B-011-2023, B-012-2023, B-013-2023, B-014-2023, B-015-2023 & B-016-2023

RELATED APPLICATION(S): D14-2021-002 & D14-2022-005

MEETING DATE: April 20, 2023

TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment

FROM: Chris Cannon, Placemaker/Planner

SUBJECT: Consent to sever portions of the lands for the purpose of creating three new lots with frontage on Leslie Drive.

PROPERTY INFORMATION:

Municipal Address	1321 and 1335 9 th Line
Legal Description	Concession 8, Part Lot 21
Official Plan	Residential Low Density 1
Zoning By-law	Residential 2 (R2) Zone, Agriculture General (AG) Zone and Environmental Protection (EP) Zone

RECOMMENDATION:

The Planning Department recommends approval of B-010-2023, B-011-2023, B-12-2023, B-013-2023, B-014-2023, B-015-2023 and B-016-2023 subject to the below conditions:

CONDITIONS:

- 1.) That the severed lands be merged to create three new residential lots fronting on Leslie Drive in accordance with applications B-010-2023 – B-016-2023;
- 2.) That the three new lots connect to municipal sewer and water services to the satisfaction of the Town
- 3.) That the Owner/Applicant satisfy all Town requirements respecting parkland dedication, and provision of boulevard trees

REASON FOR APPLICATION(S):

The applicant, Crisdawn Construction Inc., developed the Forest Hill subdivision which was registered in 2015 as Plan 51M-1048. As part of this registration, the applicant was left with three blocks on the north side of Leslie Drive (Block 33-35 Plan 51M-1048) that were not large enough for single-detached lots. Leslie Drive ends in a cul-de-sac constructed on lands adjacent to the registered subdivision. Accommodations were made through the Official Plan to allow a minor 'bump-out' of the settlement area boundary of Alcona to allow three additional lots to be created

out of the subdivision blocks. These lands were also recently zoned R2, allowing proposed lot creation for three lots to occur. Below is a technical summary of what is proposed to create the three lots:

- **B-010-2023 - Sever Part 5 from Block 33 and merge this land with the larger 1321 9th Line property owned by John Eisses and Victoria Seip. This application would sever a 0.3m piece of land in order to change the description of Block 33 which is required to allow the merging with the balance of Block 33.**
- **B-011-2023 - Sever Part 6 from Block 34 and merge this land with the larger 1321 9th Line property owned by John Eisses and Victoria Seip. This application would sever a 0.3m strip of land in order to change the description of Block 33 which is required to allow merging with the balance of Block 33.**
- **B-012-2023 - Sever Part 7 from Block 35 and merge this land with the larger 1321 9th Line property owned by John Eisses and Victoria Seip. This application would sever a 0.3m piece of land in order to change the description of Block 33 which is required to allow merging with the balance of Block 33**
- **B-013-2023 - Sever Part 1 from 1335 9th Line owned by Mervin and Donna Wice and merge this land with the remainder of Block 33.**
- **B-014-2023 - Sever Parts 2 and 5 from 1321 9th Line and merge this land with the remainder of Block 33 and Part 1.**
- **B-015-2023 - Sever Parts 3 and 6 (refer to Figure 3) from 1321 9th Line and merge this land with the remainder of Block 34.**
- **B-016-2023 - Sever Part 4 and 7 (refer to Figure 3) from 1321 9th Line and merge this land with the remainder of Block 35.**

SURROUNDING LANDS:

North	Environmental Protection Lands and Agriculture lands
East	Environmental Protection Lands and Agriculture Lands
South	Single-detached dwellings and accessory structures
West	Environmental Protection Lands and Agriculture Lands

ANALYSIS:

Site Inspection Date	April 12, 2023
Consistent with the Provincial Policy Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The proposed development proposes an efficient use of land by allowing for the completion of previously planned residential development and the existing part lots therein. The subject lands are surrounded by residential within walking distance of commercial uses. With regards to protecting the environment, the Lake Simcoe Conservation Authority confirmed that a Natural Heritage Evaluation is not relevant to this application due to the subject lands not containing any significant natural features. The proposed development is located within an existing subdivision that has been planned in consideration of Crime Prevention through Design Principles to address public health, accessibility, and safety concerns. Considering these matters, the application is consistent with the PPS.
Consistent with the Provincial Growth Plan:	The proposed development will implement residential uses in a compact form to maintain the character and positively contribute to the housing stock of the neighbourhood. The subject lands are designated

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>for residential development, and the consent applications will facilitate development which completes this neighbourhood with housing types consistent with the surrounding lotting. The proposed development will support active transportation within Alcona as it is located in close proximity to Downtown Alcona and parks and open spaces.</p> <p>In the opinion of Staff, this application as proposed is consistent with the Provincial Growth Plan.</p>
<p>Consistent with the Lake Simcoe Protection Plan (LSPP): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The previously approved Zoning By-law Amendment was reviewed by the LSRCA and considerations were taken into account. The applications are consistent with the LSPP.</p>
<p>Conforms with the County Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are designated Settlement in the upper-tier Official Plan and within the primary settlement area of Alcona. This proposal provides an opportunity to create appropriate urban form that fits with the surrounding community.</p> <p>Therefore, it is Staff’s opinion that the proposed severances comply with the County Official Plan.</p>
<p>Conforms with the Town Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The portion of the subject lands designated “Low Density Residential 1” (the portion where the 3 new lots are to be created) allow single-detached dwellings as a permitted use. The use of the lands for any proposed single detached dwelling development would comply with the Official Plan.</p> <p>The proposed severances of the subject lands for residential will provide for an opportunity for additional housing within Alcona.</p> <p>Therefore, the proposed Consent applications are considered to meet the policies of the Town’s Official Plan, including the land division policies.</p>
<p>Complies with the Town Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The lands subject to the Consent application are within the R2 Zone in Zoning By-law No. 080-13. The proposed lot configurations meets the performance standards of the Zoning By-law and therefore the applications comply with the Zoning By-law. The lots would meet the minimum frontage and area provisions of the Zoning By-law.</p>
<p>Conforms to Section 2, 51(24) and 53(12) of the Planning Act: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This application has been reviewed and in the opinion of Staff conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i>.</p> <p>Section 51(24) requires regard to be had to the effect of development on matters of provincial interest, whether the subdivision is premature or in the public interest, whether the plan conforms to the official plan and adjacent plans of subdivision, the suitability of the land for the purposes of which it is to be subdivided, the dimension and shape of the proposed lots, the restrictions or proposed restrictions on the land to be subdivided, and other matters. Staff are of the opinion,</p>

	considering the materials submitted, the proposed conditions, and review of applicable policies, this application conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i> .
--	---

CONCLUSION:

Staff recommend the application B-010-2023, B011-2023, B-012-2023, B-013-2023, B-014-2023, B-015-2023 and B-016-2023 be approved subject to the proposed conditions.

PREPARED BY:

Chris Cannon, Placemaker/Planner

REVIEWED BY:

Steven Montgomery, Supervisor of Development Acceleration



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: April 14, 2023

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

FILE/APPLICATION: B-006 - 009-2023

SUBJECT: 2385 20th Sideroad

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 comments.

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 comments

MEMORANDUM TO FILE

DATE: April 12, 2023
FROM/CONTACT: Tony Mendicino, tonym@innpower.ca
FILE/APPLICATION: B-010-2023 through B-016-2023
SUBJECT: 1321 and 1335 9th Line

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):

InnPower does not have any objections to the severance and creation of an additional 3 lots. However, we recommend that the developer contact InnPower Engineering department to start the process for servicing these lots.

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)





MEMORANDUM TO FILE

DATE: April 13, 2023
FROM/CONTACT: Devina Mohamed
FILE/APPLICATION: B-010-2023, B-011-2023, B-012-2023, B-013-2023, B-014-2023, B-015-2023 and B-016-2023 - 1321 and 1335 9th Line
SUBJECT: Consent to sever 1321 and 1335 9th Line to create three (3) new residential lots

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 all 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 all 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 **all** 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).

- The Applicant/Owner shall undertake and submit a **scoped hydrogeological assessment**, to the satisfaction of the Town, to address issues related to (as applicable) groundwater impacts from construction activities, impacts to nearby surface water bodies, and/or design of sump pumps (if required), in accordance with the Town's Official Plan.

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.
- The Applicant/Owner shall undertake a **scoped hydrogeological assessment** in accordance with Town Standards and to the satisfaction of the Town.