

Summary of Comments

**B-006, B-007, B008 and B-009-2023
- 2385 20 Sideroad**



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): B-006-2023, B-007-2023, B-008-2023 & B-009-2023
RELATED APPLICATION(S): D14-2021-003
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 Webster Boulevard

PROPERTY INFORMATION:

Municipal Address	2385 20 Sideroad
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-006-2023, B-007-2023, B-008-2023 and B-009-2023 subject to the below conditions:

CONDITIONS:

- 1.) That the severed lands be merged to create three new residential lots fronting on Webster Boulevard in accordance with applications B-006-2023 – B-009-2023;
- 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 Maplewalk subdivision which was Registered in 2007 as Plan 51M-892. As part of this registration, the applicant was left with one block on the north side of Webster Boulevard (Block 221 Plan 51M-892) that was not large enough to sever into single-detached lots. Webster Boulevard 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 block. 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-006-2023- Sever proposed Part 4 and merge with the large Crisdawn Construction Inc. property fronting the 9th Line and labelled as Parts A and B on Webster Boulevard. This application would retain Part 5. The purpose of this application is to change the original Block 221 description so that the lands can be merged as part of the sequential severance applications;**
- **B-007-2023 - Sever proposed Part 1 from the large Crisdawn parcel fronting the 9th Line.**
- **B-008-2023 - Sever Parts 2 and 4 from the large Crisdawn parcel fronting the 9th Line.**
- **B-009-2023 - Sever proposed Part 3 from the balance of the larger Crisdawn parcel fronting the 9th Line, and merge with the Part 5.**

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: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	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 for residential development, and the Zoning By-law Amendment 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.

	In the opinion of Staff, this application as proposed is consistent with the Provincial Growth Plan.
Consistent with the Lake Simcoe Protection Plan (LSPP): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	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.
Conforms with the County Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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>
Conforms with the Town Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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>
Complies with the Town Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	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.
Conforms to Section 2, 51(24) and 53(12) of the Planning Act: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<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, 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>.</p>

CONCLUSION:

Staff recommend the application B-006-2023, B007-2023, B-008-2023 and B-009-2023 be approved subject to the proposed conditions.

PREPARED BY:

Chris Cannon, Placemaker/Planner

REVIEWED BY:

Steven Montgomery, Supervisor of Development Acceleration



Sent via e-mail: thaghshenas@innisfil.ca

April 14, 2023

Municipal File No.: B-006-2023, B-007-2023, B-008-2023 & B-009-2023
LSRCA File No.: CO-301787-033123

Toomaj Haghshenas
Senior Development Coordinator
Secretary Treasurer of Committee of Adjustment
Town of Innisfil
2101 Innisfil Beach Rd
Innisfil, ON L9S 1A1

Dear Mr. Haghshenas:

Re: **Applications for Consent**
2385 20 Sideroad
Town of Innisfil
Owner: Crisdawn Construction Inc.
Agent: The Jones Consulting Group Ltd (c/o Ray Duhamel & Amanda Hoffmann)

Thank you for circulating the above-captioned application to the Lake Simcoe Region Conservation Authority ("LSRCA") for review and comment. It is our understanding that the proponents are proposing to sever a portion of the lot for the purpose of creating three new residential lots. The three severed lots will have a proposed lot area of 502.5 square metres each. The retained lands will have a proposed lot area of 41.7 hectares.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- Planning Justification Letter (prepared by The Jones Consulting Group Ltd. And dated March 1st, 2023)
- Severance Sketch 1 (dated September 14th, 2020)
- Webster Boulevard Sketch (dated September 9th, 2020)
- Survey (dated August 25th, 2020)

Staff has reviewed this application as per our delegated responsibility from the Province of Ontario to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement, 2020 (PPS) and as a regulatory authority under Ontario Regulation 179/06 of the Conservation Authorities Act. The LSRCA has also provided comments as per our Memorandum of Understanding (MOU) with the Town of Innisfil.

It is noted that the LSRCA provided review and comment for the associated Zoning By-law Amendment application (Town file no. D14-2021-003).

Recommendation

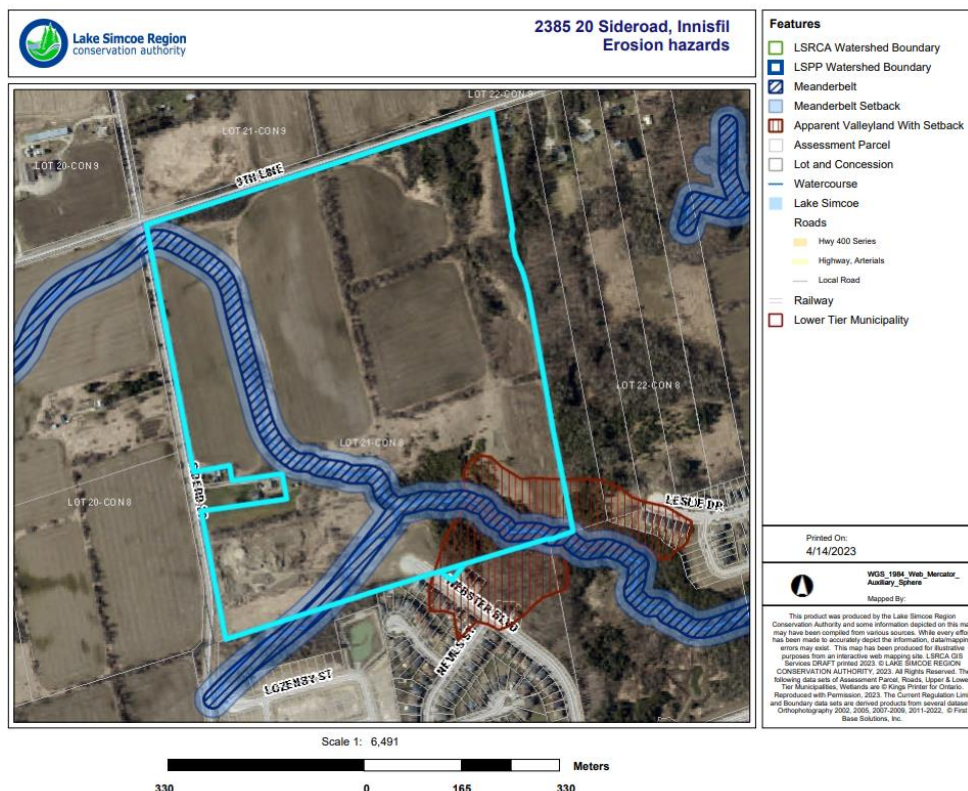
Based on our review of the submitted information, in support of this application, we have no objection to the proposed Consents. It is recommended that any approval of this application be subject to the following conditions:

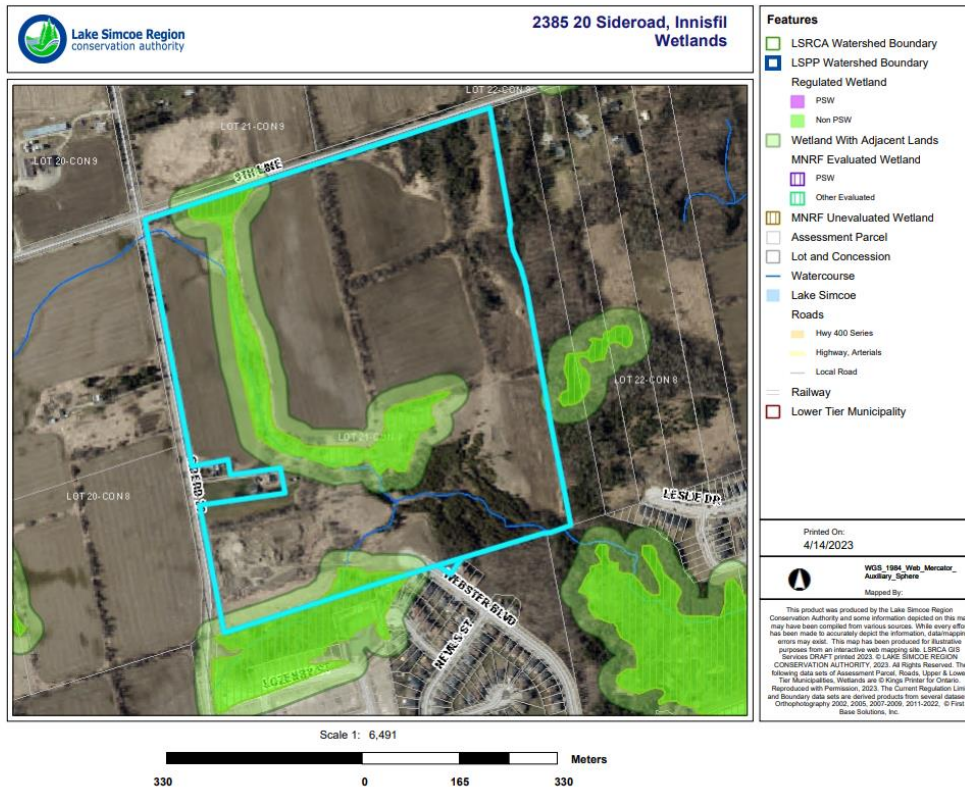
- That the Applicant/Owner provide the required fee payment for Consent (Minor – Planner Review Only) of \$536.00, as per the LSRCA’s current Fee Schedule; and
- That the Applicant/Owner provide the outstanding LSRCA review fee for the Zoning By-law Amendment application of \$2152.00, as per the LSRCA’s 2022 Fee Schedule.

Site Characteristics

Existing mapping indicates the following:

- The subject property is partially regulated by the LSRCA under Ontario Regulation 179/06 for the following:
 - Presence of a watercourse (Leonard’s Creek)
 - Meanderbelt Erosion Hazards of Leonard’s Creek
 - Apparent Valleyland
 - Unevaluated wetland and the associated 30m adjacent lands





Delegated Responsibility and Statutory Comments:

1. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS). There are identified natural hazards on the subject lands (erosion hazards). The Consent applications are consistent with section 3.1 of the PPS.
2. LSRCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 179/06. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. LSRCA also regulates the alteration to or interference in any way with a watercourse or wetland. There are regulated elements on this site. A permit from the LSRCA will be required prior to any development or site alteration proposed within the regulated portion of the property.

Summary

Based on our review of the submitted information, in support of this application, we have no objection to the proposed Consents. It is recommended that any approval of this application be subject to the following conditions:

- That the Applicant/Owner provide the required fee payment for Consent (Minor – Planner Review Only) of \$536.00, as per the LSRCA's current Fee Schedule; and
- That the Applicant/Owner provide the outstanding LSRCA review fee for the Zoning By-law Amendment application of \$2152.00, as per the LSRCA's 2022 Fee Schedule.

Given the above comments, it is the opinion of the LSRCA that:

1. Consistency with Section 3.1 of the PPS has been demonstrated; and
2. Ontario Regulation 179/06 does apply to the subject site. A permit from LSRCA will be required prior to any development or site alteration taking place within the regulated portion of the property.

Please inform this office of any decision made by the municipality with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned (e.dias@lsrca.on.ca)

Sincerely,



Emma Dias
Junior Planning and Natural Heritage Analyst



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-006, B-007, B-008 and B-009-2023

SUBJECT: 2385 20 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):

InnPower does not have any objections to the severance application. However, we recommend that the developer contact Engineering to ensure that there is sufficient capacity and transformer space for 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-006-2023, B-007-2023, B-008-2023 & B-009-2023 - 2385 20 Sideroad
SUBJECT: Consent to sever 2385 20 Sideroad 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.