

Summary of Comments

B-012-2023 - 8 William Drive



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: B-021-2023
ASSOCIATED FILE: N/A
MEETING DATE: June 20, 2024
TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment
FROM: Toomaj Haghshenas, Development Planner
SUBJECT: Consent to sever 8 William Drive to create a single-detached residential lot with frontage on William Drive.

PROPERTY INFORMATION:

Municipal Address	8 William Drive
Legal Description	PLAN 99 LOT 5 PT BLK A
Official Plan	Residential Low Density 1 (Schedule B2)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends deferral of application B-021-2023 subject to the following requirements:

- a) That the existing heritage home located on the retained lands be demolished in accordance with Town requirements through the Heritage Committee; or alternatively, that the owner obtain Minor Variance approvals from the Committee of Adjustment addressing deficiencies in the minimum required front and side yard setbacks of the existing heritage home.
- b) That the Cookstown EA process for WWTP expansion is completed and that Council approves a new protocol for allocation unit distribution.
- c) That a variance be approved for the severed lot frontage.

REASON FOR APPLICATION:

The applicant is proposing to sever the subject property at 8 William Drive to create one new residential lot. The severed lands propose an approximate lot area of 743m² and lot frontage of approximately 15.1m, however the severed lot appears to have about 7.5m frontage where it abuts the road, and therefore would need a variance to frontage. The retained lands propose an approximate lot area of 731m² and lot frontage of approximately 15.1m on William Drive.

SURROUNDING LANDS:

North	Single-detached dwellings fronting William Drive and Hamilton Street
East	Vacant lands, single-detached dwelling fronting on William Drive

South	Vacant Residential lot with frontage on William Drive
West	Single-detached dwellings fronting on Kings Street S.

ANALYSIS:

Site Inspection Date	June 14, 2024
Consistent with the Provincial Policy Statement (PPS): <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are within the Primary Settlement Area of Cookstown as defined by the Provincial Policy Statement (PPS) 2020. Section 1.1.3.1 states that “settlement areas shall be the focus and growth of development”.</p> <p>Section 1.1.3.1(b) of the PPS states that “Land use patterns within settlement areas shall be based on densities and a mix of land uses which are appropriate for and efficiently use the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomic expansion”.</p> <p>This application proposes intensification in an area with limited existing sanitary infrastructure. Staff report DSR-123-23 has identified limitations of the existing Cookstown Wastewater Treatment Plant (WWTP), stating that 15 residential allocation units are available in the Cookstown settlement area until an expansion of the WWTP is complete. However it is noted that these 15 units have not been redistributed for future residential development at this time, and their redistribution must occur in a comprehensive and equitable manner for all applicants waiting for residential development. Staff request deferral until servicing allocation is available through the completion of the Cookstown EA process for WWTP expansion and Council approves a new protocol for distribution of the new allocation units, as the application is considered premature until this time.</p>
Consistent with the Provincial Growth Plan: <input type="checkbox"/> Yes <input type="checkbox"/> No	<p>Section 2.2.1.2(a) of the Growth Plan states the vast majority of growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems, and can support the achievement of complete communities. The subject lands are within the delineated built boundary of Cookstown, which has limited existing municipal water and sewer services.</p> <p>Considering the above, Staff are of the opinion the proposal is premature in the context of existing and planned wastewater systems, until the Cookstown EA process is complete and Council approves a new protocol for distribution of the new allocation units.</p>
Conforms to the County of Simcoe Official Plan: <input 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 Primary Settlement Area of Cookstown. 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).</p>

	<p>Section 3.5.16 a) states that consideration will be given to “the required infrastructure and public service facilities are approved and implementable in a timely and cost-effective manner”.</p> <p>Residential allocation for this proposal would need to be approved by Council subsequent to the Cookstown EA process being complete, therefore approval of the required infrastructure is pending.</p> <p>Staff are of the opinion that the application would conform to the policies of the Simcoe County Official Plan once the Cookstown EA process is complete and Council approves a new protocol for distribution of the new allocation units.</p>
<p>Conforms to the Town of Innisfil Official Plan: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are designated “Residential Low Density 1” on Schedule B2 to the Town Official Plan. The designation permits single detached dwellings.</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. ‘<i>Net hectare</i>’ means the area of land of the lot and includes local roads as per the definition in Section 23.3.91. The proposal to sever the subject lands into two lots would be consistent with this range, at an approximate density of 13 units per net hectare when factoring in lot areas and local roads.</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.</p> <p>The owners are trying to get demolition approval for the existing heritage structure, but no decisions has been made by the Town. As such, staff recommend deferral until the future status of the existing structure is determined through a decision by Council following a review by the Heritage Advisory Committee (HAC).</p> <p>The retained lands also exceed the minimum lot frontage requirements of the zoning by-law which is consistent with the average frontage on the same street within 250m. However, due to the configuration of the road, the severed lot has a deficient frontage of roughly 7.5 m. Therefore this policy is not met by the proposed consent application and a variance would be required.</p> <p>Section 9.9.2 states that “infill and intensification are encouraged and will be directed to the delineated built-up areas of Alcona and Cookstown to the extent that servicing permits”. A servicing allocation unit is required in order for the development proposal to meet this policy.</p>

	<p>Section 9.11.1 (iii) states that when determining the progression of development within a settlement area, “priority is given to proposals that optimize existing infrastructure and public service facilities.” The application is not consistent with his policy until servicing allocation is granted by Town Council.</p> <p>Section 9.11.3 does provide the option of the use of a Holding Zone provision “to ensure release of subsequent phases is concurrent with the provision and/or approval of infrastructure and public services facilities to satisfy the policies of this Plan and other matters required for orderly and proper development”. As such, conditional approval can include the use of a Holding zone provision until servicing for the severed land is secured.</p> <p>Considering the above, Staff are of the opinion that the application would conform to the Town of Innisfil Official Plan should residential servicing allocation be secured through Council.</p>
<p>Complies with the Town Zoning By-law: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are zoned “Residential 1 (R1) Zone” in Zoning By-law 080-13, which permits single detached dwellings and requires a minimum 15m lot frontage and minimum 600m² lot area. The severed lot meets 15m frontage however the severed lot appears to have about 7.5m frontage where it abuts the road, and therefore would need a variance to frontage. Variances may be required for minimum front yard setback and minimum side yard setback should demolition of the existing heritage structure be denied. As such, staff are recommending deferral until this matter has been addressed by The Town’s HAC, and Council</p> <p>The lots would not be out of character with surrounding lots, with similar sized lots and frontages along Victoria St. E to the South</p> <p>Considering the above, Staff are of the opinion that it is premature to determine if the proposal maintains the purpose and intent the Town’s Zoning By-law until there is resolution regarding the requested demolition of the existing heritage structure on the retained lot.</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>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 is premature to be considered until the deferral conditions are met.</p>

CONCLUSION:

The Planning Department recommends deferral of application B-002-2024 until the existing heritage home located on the retained lands be demolished in accordance with Town requirements through the HAC and Council; or alternatively, that the owner obtain Minor Variance approval from the Committee of Adjustment addressing deficiencies in the minimum required front and side setbacks of the existing heritage home. Also a variance is required for lot frontage for the severed lot, and the Cookstown EA process is required to be completed, and Council is required to approve a new protocol for allocation unit distribution.

PREPARED BY:

Toomaj Haghshenas
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



MEMORANDUM TO FILE

DATE: June 17th, 2024

FROM/CONTACT: Thomas Steube-Chapman, InnServices

FILE/APPLICATION: B-021-2023 8 William Drive

SUBJECT: Severance Application for 8 William Drive – InnServices Comments and Conditions

Comments to applicant/owner for information purposes:

1. Water and sanitary servicing extensions would be required to service the severed lot with municipal water and wastewater.
2. Prior to submitting a Right of Way Activity Permit (RAP) to the Town of Innisfil, the Owner/Applicant shall submit an Additional Service Connection Application to InnServices to service the proposed severed lot, complete with the applicable Additional Service Connection Application fees.
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 connecting new water and sanitary service laterals, to the existing municipal water and sanitary mains and restoration of the Town's road allowance. All works shall be completed to the satisfaction of the Town and InnServices.
4. As part of the RAP, 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 services. 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:

1. That the Owner/Applicant request and obtain one (1) additional unit of sanitary allocation from The Town of Innisfil for the proposed severance, from the remaining available units of allocation that are still available in the Cookstown Sanitary Sewer

Allocation Policy CP.01-12-11 and all related Cookstown Sewer Allocation Town of Innisfil Staff Reports.

2. That the Owner/Applicant confirm that the existing water system can provide/accommodate the required flows and pressures to service the severed lot at the expense of the Owner/Applicant to the satisfaction of InnServices.
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 severed lot at the expense of the Owner/Applicant to the satisfaction of InnServices.

June 12th, 2024

Town Of Innisfil
2101 Innisfil
Beach Rd. I
nnisfil L9S 1A1

Subject: Endorsement for Application B-021-2023 to the Town of Innisfil Committee of Adjustment

Dear Members of the Town of Innisfil Committee of Adjustment,

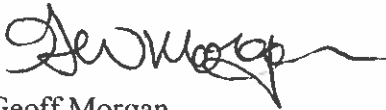
We are writing to express our strong endorsement for Application B-021-2023, specifically concerning the proposed severance of a portion of the existing lot at 8 William Drive. After careful consideration, we firmly believe that this initiative will bring substantial benefits to our community.

The proposed severance aligns with the vision and development goals of our town, promoting responsible land use and enhancing the overall livability of our neighborhoods. Furthermore, it offers an opportunity for thoughtful growth and expansion while preserving the character and integrity of the area.

We are confident that the proponents of this application have carefully considered the potential impacts and have taken measures to mitigate any concerns. As such, we fully support their efforts to move forward with this project.

Thank you for considering our endorsement of Application B-021-2023. We trust that your decision will be guided by the best interests of our community.

Warm regards,



Geoff Morgan
4 Victoria Street East
Cookstown ON L0L1L0



Joanne Marchesan
4 Victoria Street East
Cookstown ON L0L1L0

JUNE 7, 2024

TO THE TOWN OF INNISFIL

WE HAVE BEEN NEIGHBORS FOR 6 YRS TO NICOLE + ROB OF 8 WILLIAM DRIVE COOKSTOWN. WE UNDERSTAND THAT THEY WOULD LIKE THE EXISTING LOT THAT THEY RESIDE TO BE CONVERTED TO TWO LOTS WITH THE INTENT TO BUILD A NEW HOME.

WE FULLY SUPPORT + SEE THE BENEFITS TO THEM, OUR NEIGHBORHOOD AS WELL THE TOWN OF INNISFIL.

IF YOU HAVE QUESTIONS OR REQUIRE ADDITIONAL INFORMATION WE CAN BE CONTACTED BY PHONE OR MAIL.

KIND REGARDS,

PHILIP + SHEILAH PADULA
4A VICTORIA ST. E
COOKSTOWN, WOLILO
416 605-8694

Sheilah Padula
A Padula

June 14, 2024

To Whom It May Concern

I am glad to see some effort being made to address the vacant property on the lot at 8 William Drive. This matter is long over due. In regards to the state of repair this house

is beyond saving and only detracts from an otherwise well maintained neighborhood.

I also wish to say that Rob Reith is more than qualified to make sure the new house is both

well built and in keeping with the style that fits with the neighborhood. He is a good neighbor and valued member of the fraternity of people who care about our town.

Please grant him the permission to see through on his vision of growing our town and keeping it an example of well maintained place to raise a family.

A handwritten signature in black ink, appearing to read 'Paul Vaughan', with a stylized flourish at the end.

Paul Vaughan

6 Victoria Street East, Cookstown

June 17, 2024

We Nelson + Carol Adams as
property owners of 3 Hamilton St.

We have no issues with the
proposed development of 8 William St.
In fact it would be an improvement
to the neighbourhood.

Carol Adams
Nelson Adams

June 11th, 2024

Town of Innisfil
2021 Innisfil Beach Rd
Innisfil, ON
L95 1A1

Dear Town of Innisfil and members of Committee of Adjustments,

I hope this letter finds you well. We wanted to take a moment to express our sincere support of the severing of 8 William Dr property. We believe by doing so, not only would it benefit the owners, Rob Reith and Nicole Phillips, but the whole neighbourhood. This area of Cookstown is very special and we wholeheartedly believe our neighbours want to continue to be a part of that charm. By allowing them to sever, it would only continue to add more value and charm to the existing area. We are aware their new construction plans would reflect the heritage houses that already exist in Cookstown. These are like-minded neighbours that simply just want to build a beautiful house that belongs in Cookstown. As progressive and mass development surrounds the town, it is very hard to find residents who appreciate old charm. We hope you take into consideration the project and the main objective is simply to provide a beautiful forever home that belongs in Cookstown.

We, Katerina and Joseph Popovski at 2 Hamilton St, support the severing and new construction of 8 William Dr

Best Regards,

Katerina and Joseph Popovski
Kat_antono@yahoo.ca

Scott Bowman
4 William Drive
Cookstown, ON
L0L 1L0

June 6, 2024

Town Of Innisfil
2101 Innisfil Beach Rd.
Innisfil, ON
L9S 1A1

To the Town of Innisfil Committee of Adjustment,

RE: Application B-021-2023

Please accept this letter of support in favour of the application B-021-2023 for 8 William Drive regarding a proposal to sever a portion of the existing lot. We believe this will have a positive result for the community.

Sincerely,

A handwritten signature in black ink that reads "S. Bowman". The signature is written in a cursive style with a long horizontal stroke at the end.

Scott Bowman