



**COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING
APPLICATION NO. B-021-2023**

TAKE NOTICE that an application has been received by the Town of Innisfil from **Dan Stone, Applicant**, on behalf of **Nicole Phillips and Rod Reith, Owners**, 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 property is described legally as **PLAN 99 LOT 5 PT BLK A**, known municipally as **8 William Drive**, and is zoned “**Residential 1 (R1)**”,

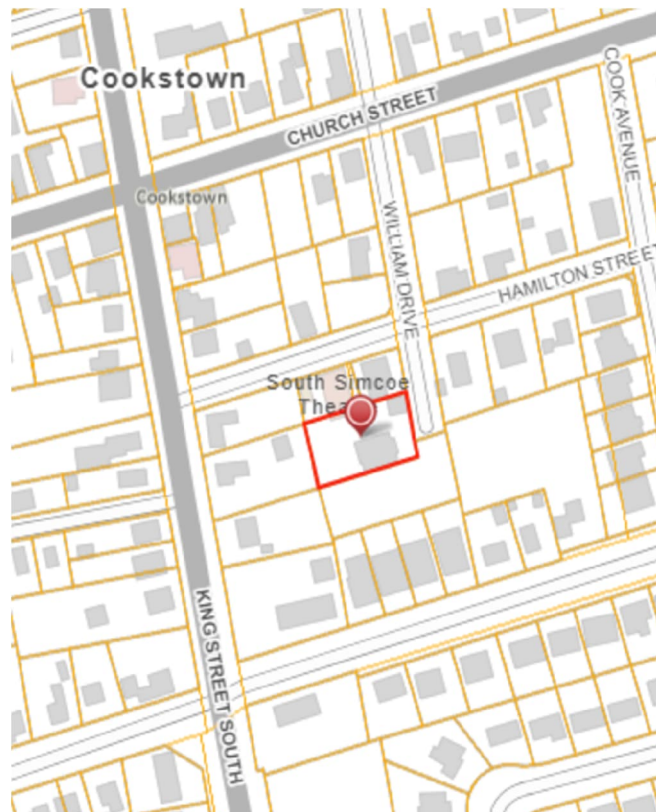
The applicant is proposing to sever a portion of the subject lands for the purpose of creating a new residential lot. The severed lands will have an approximate lot area of 731 m² and a lot frontage of 15.1 m. The retained parcel will have an approximate lot area of 743 m² and a lot frontage of 15.1 m.

The Committee of Adjustment for the Town of Innisfil will consider this application in person at Town Hall and virtually through Zoom on **Thursday, June 20, 2024, 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 Ontario Land Tribunal (OLT).



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: **June 5, 2024**

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

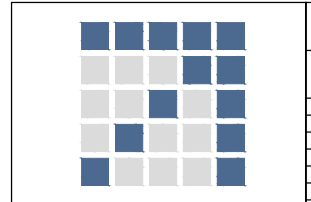
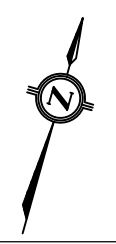


FIGURE 6

SEVERANCE PLAN

8 WILLIAM DRIVE
 COOKSTOWN
 TOWN OF INNISFIL
 COUNTY OF SIMCOE

- Subject Lands - 1474 m²
- Severed Lands Coverage - 9.5%
- Retained Lands Coverage - 27.4%



Thorstone Consulting Services
 Land Use Planning and Development
 P.O. Box 116, Sutton, Ontario

PREPARED FOR:	REITH
DATE:	APRIL 6, 2024
REVISION	



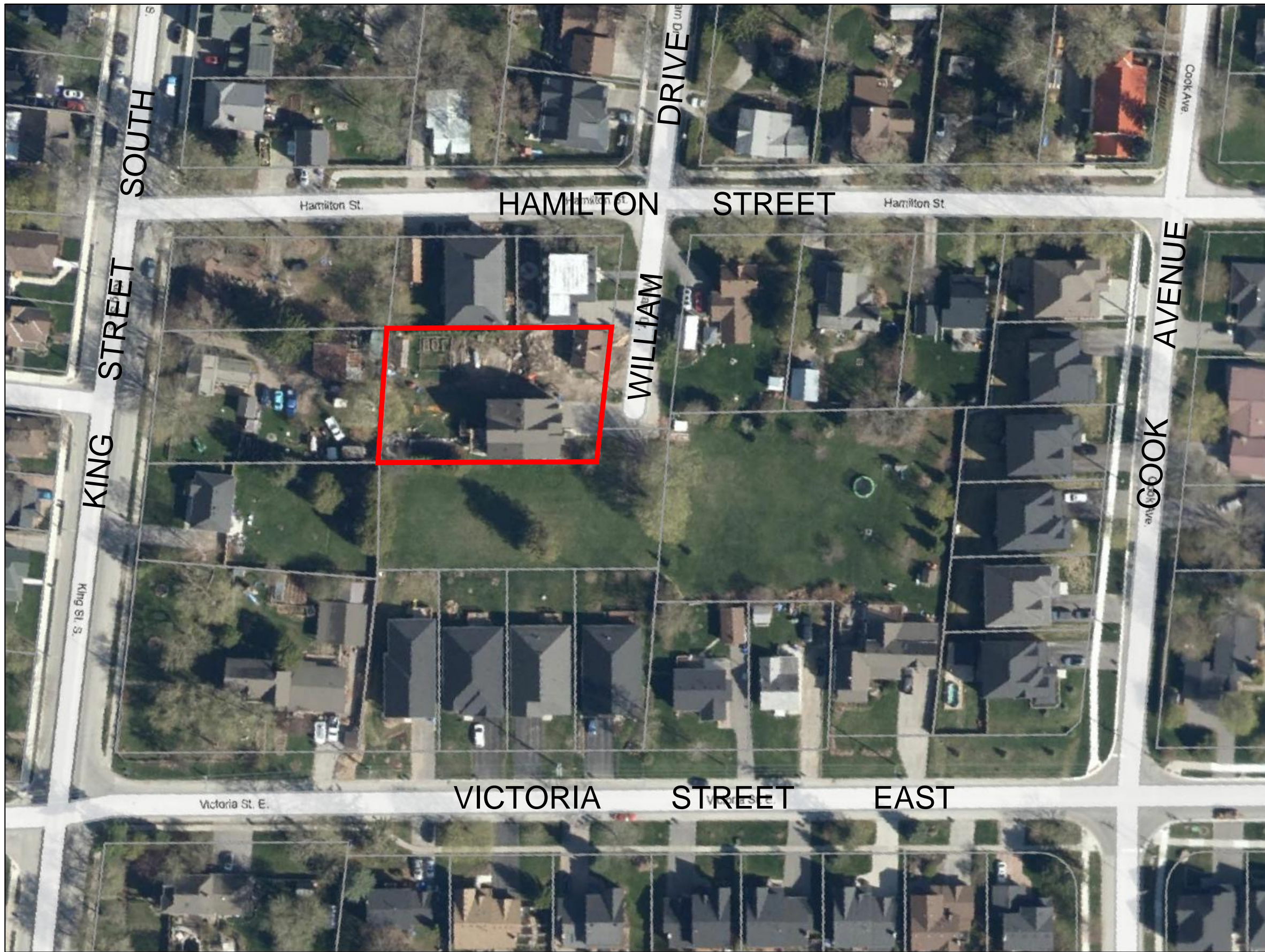


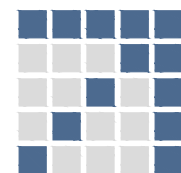
FIGURE 1

AIR PHOTOGRAPHY

8 WILLIAM DRIVE

COOKSTOWN
 YOWN OF INNISFIL
 COUNTY OF SIMCOE

Subject Lands - 1474 m2



Thorstone Consulting Services
 Land Use Planning and Development
 P.O. Box 116, Sutton, Ontario

PREPARED FOR:	REITH
DATE:	AUGUST 5, 2018
REVISION	

SCALE:

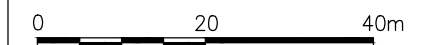





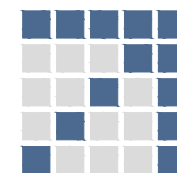
FIGURE 2

PARCEL FABRIC

8 WILLIAM DRIVE

COOKSTOWN
 YOWN OF INNISFIL
 COUNTY OF SIMCOE

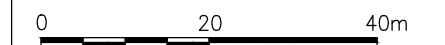
 Subject Lands - 1474 m²



Thorstone Consulting Services
 Land Use Planning and Development
 P.O. Box 116, Sutton, Ontario

PREPARED FOR:
 REITH
 DATE:
 AUGUST 5, 2018
 REVISION

SCALE:



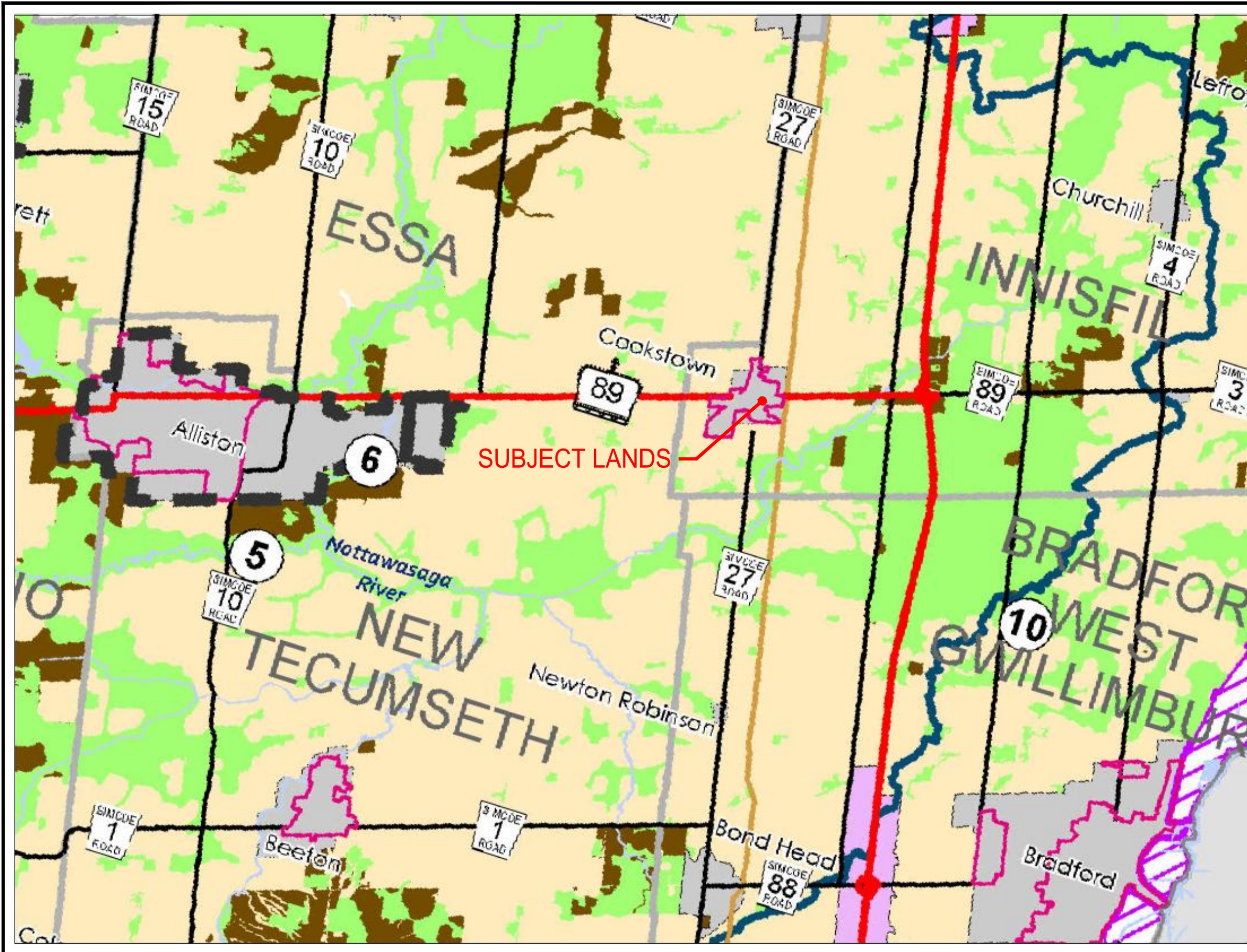


FIGURE 3
 SIMCOE COUNTY OFFICIAL PLAN
 SCHEDULE 5.1

8 WILLIAM DRIVE
 COOKSTOWN
 TOWN OF INNISFILL
 COUNTY OF SIMCOE

Designations

- Settlements
- Greenlands
- Agricultural
- Rural
- Strategic Settlement Employment Areas and Economic Employment Districts
- Lands not subject to this plan

Reference Data

- Settlement Area Boundary
- Built Boundaries
- Special Development Area: Big Bay Point
- Greenbelt Plan - Protected Countryside (Refer to Schedule 5.3.3 For Details)
- Niagara Escarpment Plan Area (Refer to Schedule 5.3.1 For Details)
- Oak Ridges Moraine Conservation Plan Area (Refer to Schedule 5.3.2 For Details)
- Provincial Highway
- County Road
- Trans Canada Pipeline
- Lake Simcoe Protection Plan - Watershed Bound

Legend

- Settlement Area Boundary Under Appeal
- Portion of Settlement Boundary Area Under Appeal
- 1 General Location of Site-Specific Appeals
- Lands Subject to Non-Decision

<p style="font-size: 8px; margin: 0;">Thorstone Consulting Services Land Use Planning and Development P.O. Box 116, Sutton, Ontario</p>	PREPARED FOR: REITH
	DATE: APRIL 6, 2024
	REVISION

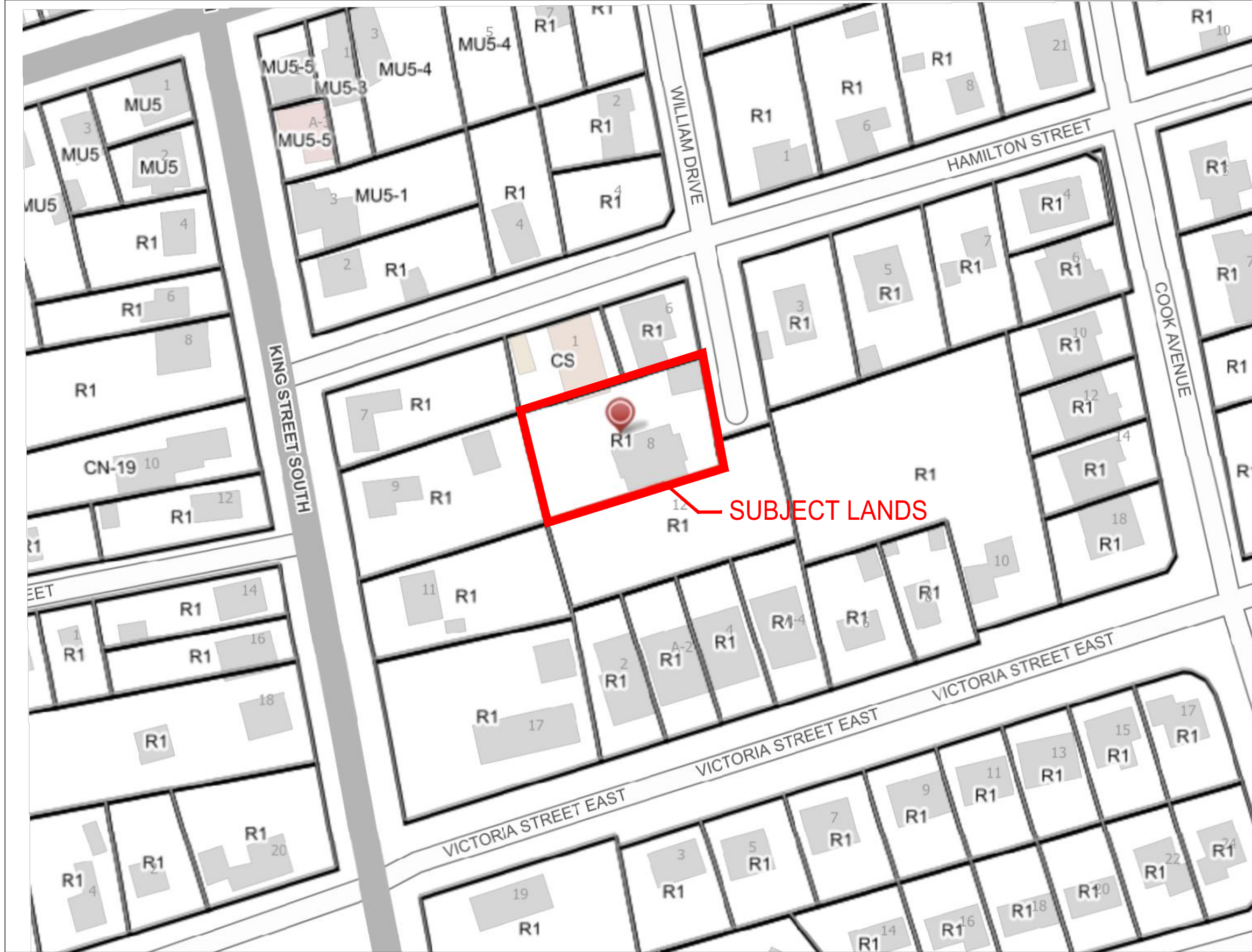


FIGURE 5

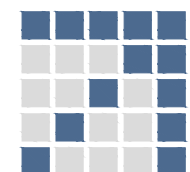
TOWN OF INNISFIL
ZONING BY-LAW 080-13

8 WILLIAM DRIVE

COOKSTOWN
YOWN OF INNISFIL
COUNTY OF SIMCOE

ZONING LEGEND

- R1 - Residential 1 Zone
- CS - Community Service Zone
- MU5 - Mixed Use 5 (Cookstown) Zone
- CN - Commercial Neighbourhood Zone
- RA - Residential Apartment Zone



Thorstone Consulting Services
Land Use Planning and Development
P.O. Box 116, Sutton, Ontario

PREPARED FOR:

REITH

DATE:

APRIL 6, 2024

REVISION



CONSENT APPLICATION SUBMISSION

DATE April 22, 2024

TO Steven Montgomery, Supervisor of Development Planning

FROM Thorstone Consulting Services

EMAIL dan@thorstoneconsulting.ca

8 WILLIAM DRIVE, COOKSTOWN

Nicole Phillips and Robert Reith

1.0 INTRODUCTION

Thorstone Consulting Services has been retained by the registered owner of the above-referenced property to secure planning approvals to permit a severance of the subject property.

2.0 SUBJECT PROPERTY

The subject property is municipally known as 8 William Drive, and is located west of William Drive in the Village of Cookstown. The legal description of the subject property is 5 A 99 PLAN 99, LOT 5 PT BLK A. The subject property is currently comprised of an original heritage home and a newly constructed single detached dwelling.

3.0 BACKGROUND

In September of 2017, Town Council had approved a Heritage Alteration Permit for the subject property to construct a new residential dwelling. The Site Plan for the new dwelling is attached as prepared by Bird Architecture & Design. We understand that the owner has posted securities and signed an agreement to remove the older existing dwelling from the north east corner of the property.

As part of the Heritage Alteration Permit, once construction of the new dwelling was completed, the applicant was to apply for a Heritage Permit for the alteration or demolition of the existing structure.

A Pre-Consultation meeting was held on March 11th, 2024 with Town planning staff to discuss the proposed severance. It was confirmed by the Town's Operations department that no road improvements were required to facilitate the severance at this time. It was acknowledged that development of lands to the south will trigger the need for either a proper cul-de-sac or a hammerhead at the end of William Drive.

4.0 PROPOSAL

The subject Consent application is requested to sever the subject property for a new lot. The ownership is uncertain whether the original heritage home located on the proposed severed lot would be retained or demolished as it is subject to ongoing discussions with the Heritage committee. Notwithstanding, the approval of the Consent application does not result in any new development compared to what exists on the lands today.

5.0 LAND USE PLANNING SUMMARY

5.1 Upper Tier Policies

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest relating to land use planning and development. The subject property is located within the Village of Cookstown and is therefore considered part of a Settlement Area as defined by the PPS. The PPS provides direction for accommodating a range appropriate affordable housing options and areas for residential intensification through policies 1.1.1 b), 1.1.3.3, 1.4.3b)1 and 1.4.3b)2. The proposed severance promotes intensification in the neighbourhood and the proposed severed lot could be utilized for redevelopment should the existing dwelling be demolished.

Growth Plan (2020)

The Growth Plan for the Greater Golden Horseshoe provides growth management policy direction for the Greater Golden Horseshoe area, but works in conjunction with municipal plans and key initiatives such as the PPS and the Greenbelt Plan. Section 2.2.1 of the Growth Plan outlines policy direction to manage growth in the GGH. The Growth Plan directs growth to settlement areas with existing municipal water and wastewater systems with a delineated built boundary. The subject property is located within a built boundary and is currently supported by municipal water and wastewater services. Therefore, the proposed severance conforms to the Growth Plan as an appropriate residential infill opportunity.

County of Simcoe Official Plan (2008)

The County of Simcoe Official Plan designates the subject property as Settlements on Schedule 5.1 to the County Official Plan. The County Official Plan indicates a focus for growth within settlements to promote efficient use of land and services. The subject property is located in an existing residential neighbourhood with municipal water and wastewater services. Therefore, the proposed infill severance would minimize land consumption by utilizing lands that are not currently effectively used. Section 3.5.15c) of the County Official Plan also notes that priority should be given to infill proposes that utilize existing infrastructure. Based on our review, the proposal conforms to the County of Simcoe Official Plan.

5.2 Town of Innisfil Official Plan (2018)

The subject property is designated **Residential Low Density 1** on Schedule B2 to the Town of Innisfil Official Plan (2018). The Residential Low Density One designation permits low-density residential uses including single detached dwellings.

Section 9 of the Official Plan provides policies for settlements and growth management. Cookstown is identified as a Village Settlement Area in which the Town directs limited growth through intensification as noted in policy 9.2 to the Official Plan. The following policies from subsection 9.9 are applicable to the subject Consent application:

9.9.4 We shall protect and maintain stable residential neighbourhoods from infill, intensification and built form which is out of keeping with the physical and heritage character of those neighbourhoods.

9.9.5 In considering applications for infill and intensification including application for rezoning, minor variance and consent within a stable residential neighbourhood, we shall assess the ability of the development to fit in, respect and reinforce the physical character of buildings, lot patterns, streetscapes and private open space patterns.

9.9.6 In evaluating the ability of applications to fit in, respect and reinforce the character of the stable neighbourhood, we shall only approve development that maintains the character of the adjacent area including:

- i) The size and configuration of lots;**
- ii) The prevailing heights, massing, coverage and dwelling types;**
- iii) The prevailing setbacks of buildings from the street;**
- iv) The prevailing patterns of rear and side yard setbacks and the amount and location of private open space on a lot;**
- v) The location and predominance of garages; and**
- vi) The relationship to heritage buildings and landscapes.**

9.11.2 Development within settlement areas shall proceed by plan of subdivision, plan of condominium, rezoning and/or site plan approval only with the demonstration of sufficient reserve sewage system capacity, sufficient reserve water system capacity, the required municipal water supply and distribution facilities, stormwater management facilities and transportation facilities or commitments have been made and approved to make the necessary infrastructure available.

9.11.3 We may use a Holding Zone provision to ensure release of subsequent phases is concurrent with the provision and/or approval of infrastructure and public service facilities to satisfy the policies of this Plan and other matters required for orderly and proper development.

Based on our discussion with staff, it is understood that servicing capacity is extremely limited within the Village of Cookstown. We understand that there is an Environmental Assessment (EA) underway to expand the sewage treatment plant.

We do understand however that there is a small amount of capacity remaining which has yet to be determined or dealt with by Council. It is our recommended approach that this application be approved with a condition that would require the assignment of necessary servicing before the lands can be severed. This condition would need to be addressed within 2 years for provisional Consent and if it is not assigned before the deadline, it is understood that the Consent will be deemed refused.

Section 10.2 of the Official Plan provides policies for the Residential Low Density designation. Policy 10.2.1 of the Official Plan recognizes residential development within the Cookstown Village Settlement Area and seeks to maintain the character of existing low density residential development. Policy 10.2.2 of the Official Plan lists the permitted uses which include single detached dwellings. The lands to sever and lands to be retained both contain a single detached dwelling which is permitted by Policy 10.2.2.

Policy 10.2.4 provides permissions for a minimum density of 10 units per net hectare and a maximum density of 13 units per net hectare within the Residential Low Density One area. The proposed severance would result in a density of 13 units per net hectare which would conform to the Official Plan.

Policy 10.2.11 provides permissions for a severance of an existing oversized lot as follows:

10.2.11 In cases of existing oversized lots, the lot may be subdivide such that any new lot(s) meet the minimum lot area requirements of the zoning bylaw, any required variance is no greater than 20% of the applicable zoning provision and the frontage is consistent with the average frontage on the same street within 250 meters.

A review of the Zoning By-law was completed below to review the required zoning provisions. Based on the review, the new lot will exceed the minimum lot are requirement and the proposed frontage meets the requirement of the Zoning By-law and is similar to the frontages along William Drive.

The subject property currently contains two existing residential dwellings, one to the south which was constructed in 2019 and one original heritage home to the north which may be of interest to the Town's Heritage committee. Due to the age of the original heritage home, the existing side yard and front yard setbacks do not meet the requirements of the current Zoning By-law. Although these conditions would result in the existing building being considered a legal non-complying building, the subject Consent application would require a subsequent Minor Variance application to address the deficient setbacks should the original heritage home be retained. However, there is ongoing discussions with the Heritage committee to determine whether the original heritage home would be retained or demolished. Notwithstanding, the proposed severance meets the intent and purpose of the Town's Official Plan.

5.3 Town of Innisfil Zoning By-law 080-13

The lands are subject to Zoning By-law 080-13 which zones the lands Residential 1 Zone (R1). The Residential 1 Zone permits low-density residential uses including a single detached dwelling.

The existing dwelling to the south of the property was recently constructed and has municipal water and wastewater servicing. It is understood that the proposed severed parcel will also need to have municipal water and wastewater servicing. Therefore, the chart below outlines the zone regulations based on the assumption that both lots are fully serviced.

Zone Provision	Requirement	Retained Lot	Severed Lot
Min. Lot Area	600m ²	731m ²	743m ²
Min. Lot Frontage	15m	15.1m	15.1m
Min. Front Yard	8m	8m	0m
Min. Side Yard	1.2m	1.2m and 1.2m	0m and 5.2m
Min. Rear Yard	6m	24.49m	41.4m
Max. Lot Coverage	35%	27.4%	9.5%
Max. Building Height	9m	7.56m	Conforms

In terms of the setbacks identified for the severed lot in the chart above, the setbacks are dimensioned from the existing original heritage home. As mentioned earlier, it is unknown at this time whether the original heritage home will be retained or demolished as it is subject to ongoing discussion with the Heritage Committee. Notwithstanding, the existing setbacks have been included for reference of existing conditions. Both the proposed retained and severed lots meet the lot area and lot frontage requirements. The proposed retained lot with the recently constructed single detached dwelling also meets all of the required zoning provisions and do not require any variances.

We would propose to include the following condition as it relates to the original heritage home:

That the original heritage home be demolished in accordance with Township requirements through the Heritage Committee, or alternatively, the owner will obtain a Minor Variance approval from the Committee of Adjustment to recognize the setbacks of the existing heritage home in terms of the front and side yard setbacks.

5.0 CONCLUSION

The proposed development satisfies the criteria set out under Section 53 of the Planning Act for Consent and we have considered Section 51(24) as it relates to the Consent application.

We anticipate that the Committee's approval would include a number of standard conditions of Consent. In addition to those standard conditions, we have recommended the following two conditions:

- That one unit of sewage servicing be assigned to the proposed new lot; and,
- That the original heritage home be demolished, or alternatively, the owner will obtain a Minor Variance approval from the Committee of Adjustment to recognize the setbacks of the existing heritage home in terms of the front and side yard setbacks.

We look forward to the Committee's consideration of the Consent application. Please don't hesitate to contact me if you require additional information.

In support of the Consent application, the following documents are included in this submission (digital copy of all documents will be provided via email):

- Signed and executed Consent application;
- Site Plan for the new dwelling prepared by Bird Architecture & Design;
- Payment in the amount of \$2,546.20 for the Consent application fee; and,
- Severance Plan and mapping figures prepared by Thorstone Consulting Services Inc.

THORSTONE CONSULTING SERVICES, INC.



Dan Stone, MCIP, RPP, LEED-GA
Principal
dan@thorstoneconsulting.ca

copy: Nicole Phillips, property owner
Robert Reith, property owner