

Summary of Comments

B-003-2022 - 695 10th Line



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER(S): B-003-22

RELATED APPLICATION(S): N/A

MEETING DATE: March 17, 2022

TO: Toomaj Haghshenas, Secretary Treasurer Committee of Adjustment

FROM: Chris Cannon, Placemaker/Planner

SUBJECT: Consent to sever a portion of the lands for the purpose of creating an additional lot with frontage on 10th Line

PROPERTY INFORMATION:

Municipal Address	695 10 th Line
Legal Description	Plan 1438; Lot 28
Official Plan	Shoreline Residential Area
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of B-003-22, subject to the below conditions:

CONDITIONS:

- 1.) That the Owner/Applicant shall pay to the Town of Innisfil cash in lieu of 5% Parkland Dedication for residential developments, the amount of which shall be 5% of a valuation determined by a professional and qualified appraiser engaged by the Owner/Applicant to the satisfaction of the Secretary Treasurer.
- 2.) That the Owner/Applicant shall pay to the Town of Innisfil cash in lieu of street trees for the lot to be created.
- 3.) That a demolition permit be obtained for the existing dwelling in order to accommodate the proposed Consent for severance application.

REASON FOR APPLICATION(S):

The Applicant is proposing to sever a portion of the subject lands for the purpose of creating a new lot with frontage on 10th Line. The severed lands will have a lot frontage of approximately 15.25m and an area of 682m² fronting on to 10th Line. The retained parcel will have an approximate lot frontage of approximately 15.25m and an area of 682m² fronting on to 10th Line.

SURROUNDING LANDS:

North	Single-detached dwellings and accessory structures
East	Single-detached dwellings and accessory structures
South	Single-detached dwellings and accessory structures
West	Single-detached dwellings and accessory structures

ANALYSIS:

Site Inspection Date	March 1, 2022
Consistent with the Provincial Policy Statement: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are located outside of any settlement areas, and are considered 'rural lands' as per the Provincial Policy Statement (PPS) (defined as lands outside of prime agricultural areas and settlement areas). The location of the proposed severance is within lands designated Shoreline Residential Area.</p> <p>Considering these matters, the application is consistent with the PPS.</p>
Consistent with the Provincial Growth Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands are located outside of any settlement areas. As per policy 2.2.9(6), new multiple lots or units for residential development may be allowed on rural lands in site-specific locations with approved zoning or designation in an Official Plan that permitted this type of development as of June 1, 2006. The 2006 County of Simcoe Official Plan permits the creation of new residential lots in the "Rural" designation, as set out in Policy 3.6.11.</p> <p>In the opinion of Staff, this application as proposed is consistent with the Provincial Growth Plan.</p>
Consistent with the Lake Simcoe Protection Plan (LSPP): <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Both the severed and retained lands are on full municipal services. Both the severed and retained lands are within 500 metres of Lake Simcoe and any future development of the lands will be subject to the policies of the Lake Simcoe Protection Plan.</p>
Conforms with the County Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>The subject lands have a designation of "Rural" as per Schedule 5.1 – Land Use Designations. The portion of the site for the proposed severance is designated as "Rural".</p> <p>Under the Rural designation, limited residential development is permitted, as provided for in policy 3.7.4. Further, limited residential may be created through consent, provided the following is satisfied, as per policy 3.7.8:</p> <p>a) lots should be restricted in size in order to conserve other lands in larger blocks for agricultural uses or environmental purposes. Consent lots should be developed to an approximate size of one hectare, except where large sizes may be suitable because of environmental constraints or design considerations.</p> <p>Generally, lots may only be created where they have access to and frontage on a public highway, and must comply with the minimum</p>

	<p>distance separation formula, as provided for in policies 3.3.4 and 3.3.14.</p> <p>As per policy 3.7.10, development in rural areas should wherever possible be designed and sited on a property so as to minimize adverse impacts on agriculture and to minimize any negative impact on significant natural heritage features and areas and cultural features. The proposed Consent application to facilitate the creation of a lot does not contribute to strip development (as per consideration of County comments) and is considered to meet the policies of the County of Simcoe Official Plan.</p>
<p>Conforms with the Town Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are designated as “Shoreline Residential Area” on Schedule A: Municipal Strategy.</p> <p>The subject site has a designation of “Shoreline Residential Area” as per Schedule B – Land Use. The permitted uses within this designation are single detached dwellings, accessory structures.</p> <p>Therefore, the proposed Consent application is 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 R1 Zone in Zoning By-law No. 080-13. The requires a lot area minimum of 600m² and a lot frontage of 15m. The proposed lot configuration meets the performance standards of the Zoning By-law and therefore is considered to conform with 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, 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-003-22 be approved subject to the proposed conditions for payment of cash-in lieu of parkland, street tree compensation and required permits.

PREPARED BY:

Chris Cannon, Placemaker/Planner

REVIEWED BY:

Steven Montgomery, Supervisor of Development Acceleration

MEMORANDUM TO FILE

DATE: February 28, 2022
FROM/CONTACT: Tim Gignac
FILE/APPLICATION: B-003-2022 (695 10th Line)
SUBJECT: Committee of Adjustment Applications – March 2022
Engineering Services Review Comments

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 both 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 both 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 **both** 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 the new sanitary sewer laterals, and any changes that may be required to the existing 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 preservation and/or compensation plan** to the satisfaction of the Town, consistent with the 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) impacts to the existing well water supplies, groundwater impacts from construction activities, impacts to nearby surface water bodies, design of sump pumps (if required), and indicating that the requirements of the Ontario Building Code for septic systems can be achieved for both lots, 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 preservation and 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.



Community Development Standards Branch

MEMORANDUM TO FILE

DATE: March 7, 2022

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

FILE/APPLICATION: B-003-2022

SUBJECT: 695 10th 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):

1. When applying for building permit for a new dwelling, please provide a lot grading plan designed by a Professional Engineer or an Ontario Land Surveyor to the satisfaction of Community Development Standards Branch (Building Department).

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. The applicant/owner shall obtain a demolition permit for the existing structures and complete the final inspection prior to completion of the severance, to the satisfaction of Community Development Standards Branch (Building Department).



MEMORANDUM TO FILE

DATE: March 11, 2022

FROM/CONTACT: Thomas Steube-Chapman, InnServices

FILE/APPLICATION: B-003-2022 695 10th Line

SUBJECT: Severance Application for 695 10th Line – InnServices Comments and Conditions

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. It appears that there is only one existing sanitary service lateral for the subject property. The proposed severed lot will require a additional sanitary service lateral connection to the existing municipal sanitary main.
2. Prior to submitting a Right of Way Activity Permit (RAP) with the Town of Innisfil, the Owner/Applicant shall submit an Additional Service Connection Application to InnServices to service the severed lot, complete with the applicable Additional Service Connection Application fee.
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 sanitary service laterals, to the existing municipal sanitary main and restoration of the Town's 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 (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. 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.