



## SHORELINE PERMIT APPLICATION

The undersigned hereby applies to the Town of Innisfil to consider this Community Planning Permit Application pursuant to Section 34 of the Planning Act, R.S.O. 1990, as amended and O. Reg. 173/16.

FOR OFFICE USE ONLY		
Shoreline Permit #:		Date Received:
LSRCA fees collected: <input type="checkbox"/> Yes <input type="checkbox"/> No		Receipt #:
<input type="checkbox"/> <b>Class 3 (Standard)</b> (Conforms to CPPS By-law)	<input type="checkbox"/> <b>Class 2 Permit</b> (Staff Variation)	<input type="checkbox"/> <b>Class 1 Permit</b> (Council Variation)

1. LOCATION OF SUBJECT LANDS	
Municipal Address:	1050 Shoreview Dr, Innisfil
Town Lot and Concession Number:	Lot 24 Conc 13
Registered Plan and Lot/Block Number:	51M-788
Reference Plan and Part Numbers:	
2. APPLICANT INFORMATION:	
Name:	[REDACTED]
Address:	[REDACTED]
City/Town:	[REDACTED]
Office:	[REDACTED]
Telephone:	[REDACTED]
3. OWNER INFORMATION: <input type="checkbox"/> Same as Applicant	
Name:	[REDACTED]
Address:	[REDACTED]
City/Town:	[REDACTED]
Telephone:	[REDACTED]
4. PURPOSE OF APPLICATION:	
Description of proposed work (please include a detailed description including any proposed new structures or removal of structures, landscape changes, waterfront impacts, etc.):	
Expand existing boathouse	

<b>5. PROPERTY DIMENSIONS:</b>		
Lot Frontage: 143.52 (+/-)	Lot Depth: 241.12 (+/-)	Lot Area: 31549.03 (+/-)
Area of Work (m2): 25m		
<b>6. IS A VARIANCE BEING REQUESTED WITHIN THE PROVISIONS SET OUT IN THE COMMUNITY PLANNING PERMIT BY-LAW?</b>		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, please provide a brief description and rationale for the variance: <i>expanding legal non-conforming use.</i>		
<b>7. ARE YOU PROPOSING TO CONSTRUCT ANY IN-WATER STRUCTURES? (i.e. Boathouse, Permanent Dock, Breakwaters)</b>		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, please provide a brief description of the proposed in-water structures: <i>Expand existing boathouse.</i>		
<b>8. ACCESS &amp; SERVICING</b>		
Property Access:	<input type="checkbox"/> By a Public Road	<input checked="" type="checkbox"/> By a Private Road <input type="checkbox"/> Other:
Property Storm Drainage:	<input type="checkbox"/> Sewers <input type="checkbox"/> Ditches <input type="checkbox"/> Swales	<input type="checkbox"/> Other:
Water Service Type:	<input type="checkbox"/> Publicly owned	<input type="checkbox"/> Privately owned <input type="checkbox"/> Other:
Sanitary Sewer Service Type:	<input type="checkbox"/> Septic System <input type="checkbox"/> Privy	<input type="checkbox"/> Other:
Easements:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, please provide a description:		
<b>9. HAS THE LAND EVER BEEN THE SUBJECT OF AN APPLICATION UNDER THE ACT FOR:</b> <input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, please complete the below:		
<i>Check all applicable boxes and provide file number if applicable:</i>		
<input type="checkbox"/> Plan of Subdivision	(File Number: _____)	Status: _____
<input type="checkbox"/> Zoning Amendment	(File Number: _____)	Status: _____
<input type="checkbox"/> Site Plan Control	(File Number: _____)	Status: _____
<input type="checkbox"/> Minor Variance	(File Number: _____)	Status: _____
<input type="checkbox"/> Consent/Severance	(File Number: _____)	Status: _____
<input type="checkbox"/> Other:		
<b>10. HAVE YOU HAD ANY CONSULTATIONS WITH ANY DEPARTMENTS OR EXTERNAL AGENCIES?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, please complete the below:		
<i>Check all applicable boxes and provide file number if applicable:</i>		
<input checked="" type="checkbox"/> Town of Innisfil staff		
<input type="checkbox"/> Lake Simcoe Region Conservation Authority (LSRCA)		
<input type="checkbox"/> Ministry of Natural Resources and Forestry		
<input type="checkbox"/> Fisheries and Oceans Canada		
<input type="checkbox"/> Transport Canada		

**Check here to agree, if the Agent is not the owner:**

I have been authorized by the registered owner(s) of the subject lands to submit this application on their behalf. Furthermore, for the purpose of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), I authorize and consent to the use by disclosure to any person or public body of any information collected under the Planning Act for the purpose of processing this application.

**Check here to agree:**

I declare that all of the statements made and the information provided in this application, as well as any supporting documents are true. I make this declaration conscientiously believing it to be true and knowing it is of the same force and effect as if made under oath or solemn affirmation. I understand that it is an offence to declare a false statutory declaration under section 134 of the Criminal Code of Canada.

**Check here to agree:**

I declare that all documents, drawings, site plans, reports, information and material provided in this application will become the property of the Town of Innisfil and can be used for any reason deemed necessary by the Town of Innisfil.

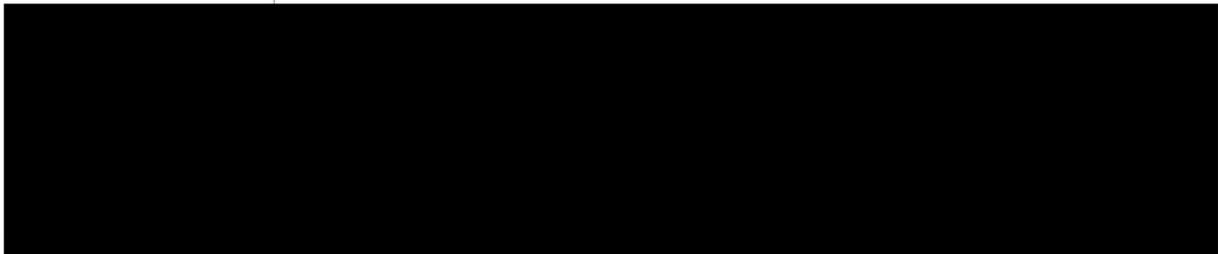
**Check here to agree:**

If upon review of your application, Town Staff or Lake Simcoe Region Conservation Authority (LSRCA) requires additional review fees, the Applicant and/or Owner agrees to pay any additional review fees to the Town or LSRCA.

**Check here to agree:**

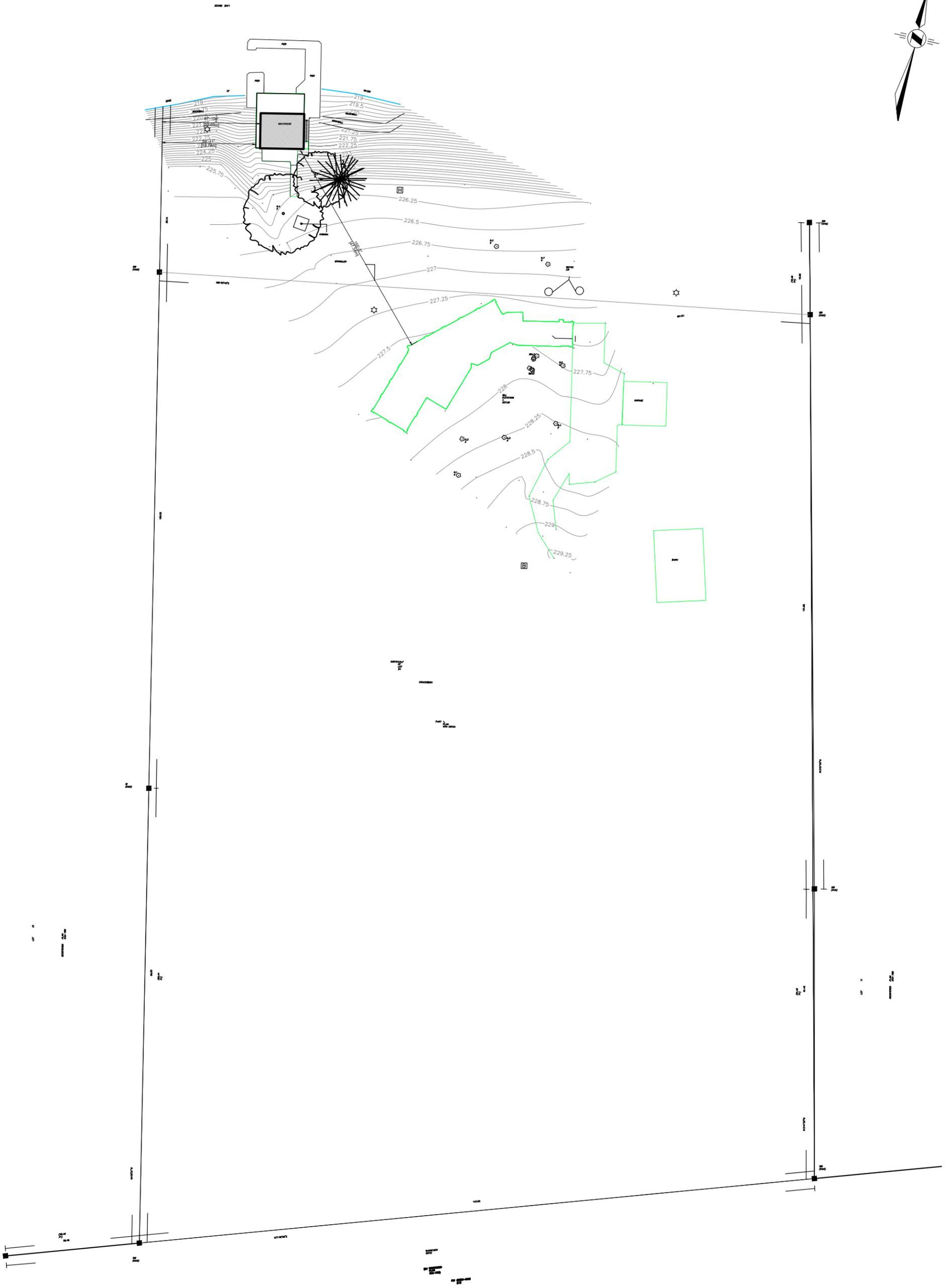
If, after six months after the issuance of this permit, the proposed work in respect to which it was issued, has not in the opinion of Town of Innisfil staff, been seriously commenced, the Town of Innisfil has the ability to revoke the permit. Also, in the opinion of Town of Innisfil staff, this permit can be revoked if the proposed work has been substantially suspended or discontinued for a period of more than one year.

I declare that I have read and understand the above.



Signature

Date



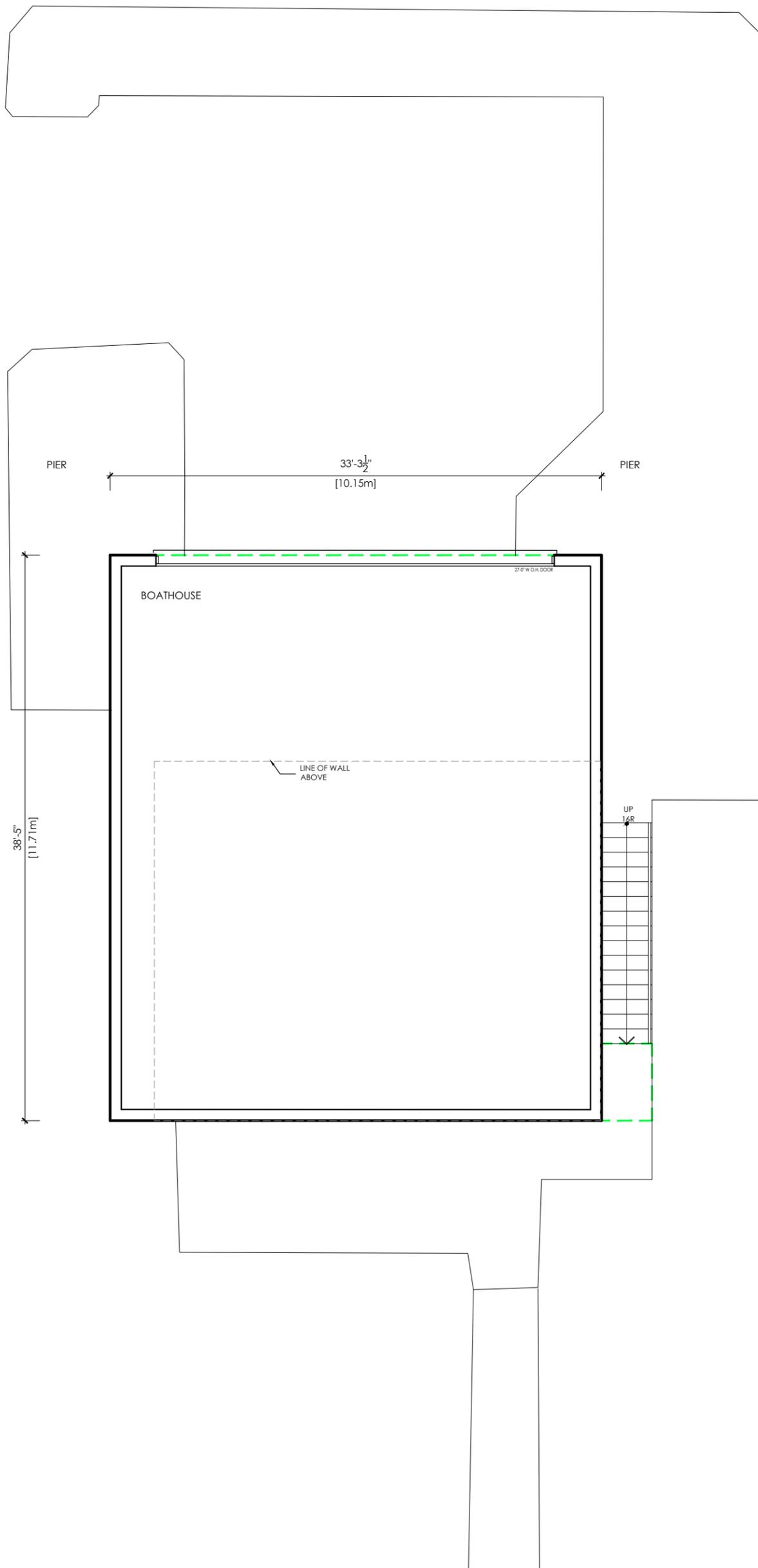
RICHARD WENGLER  
ARCHITECT INC.

## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937



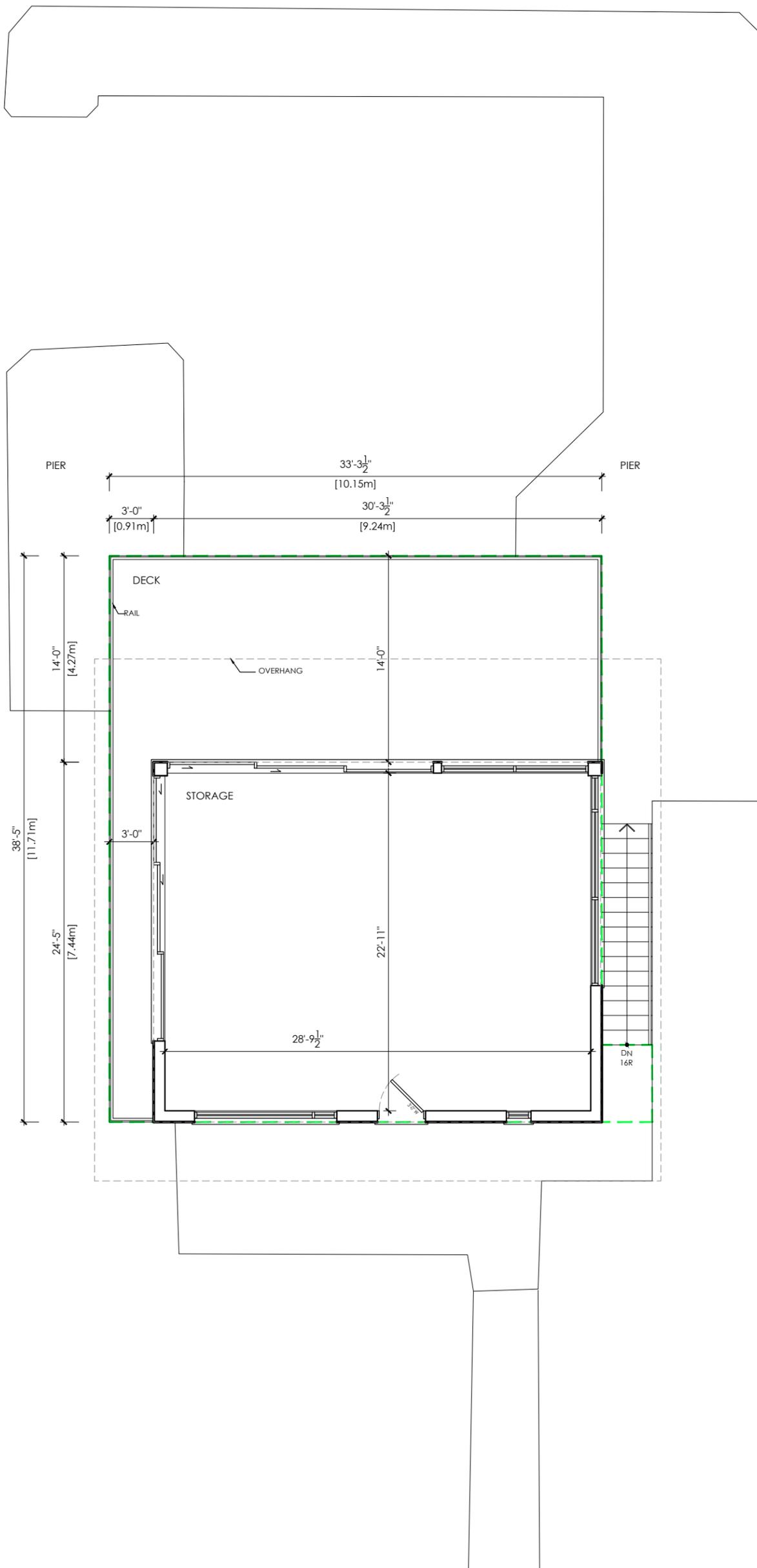
SITE PLAN  
SCALE: 1/64" = 1'-0"



# BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937

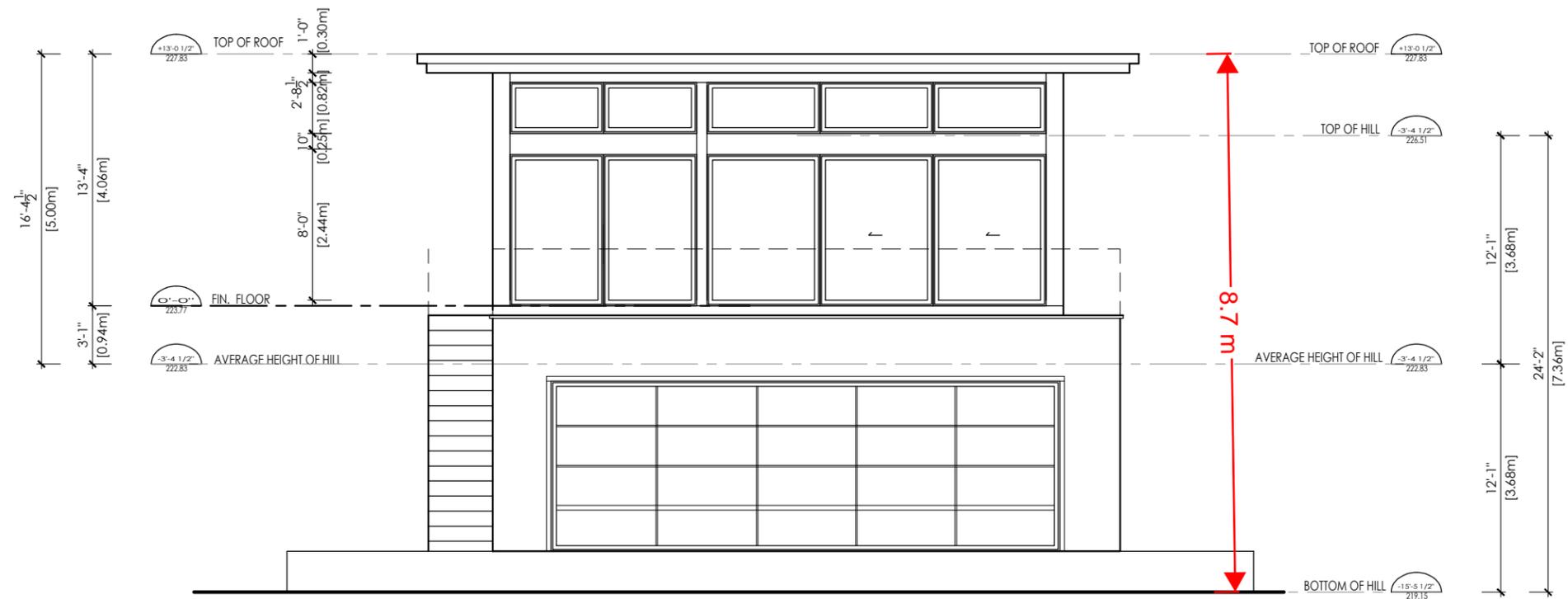




# BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937



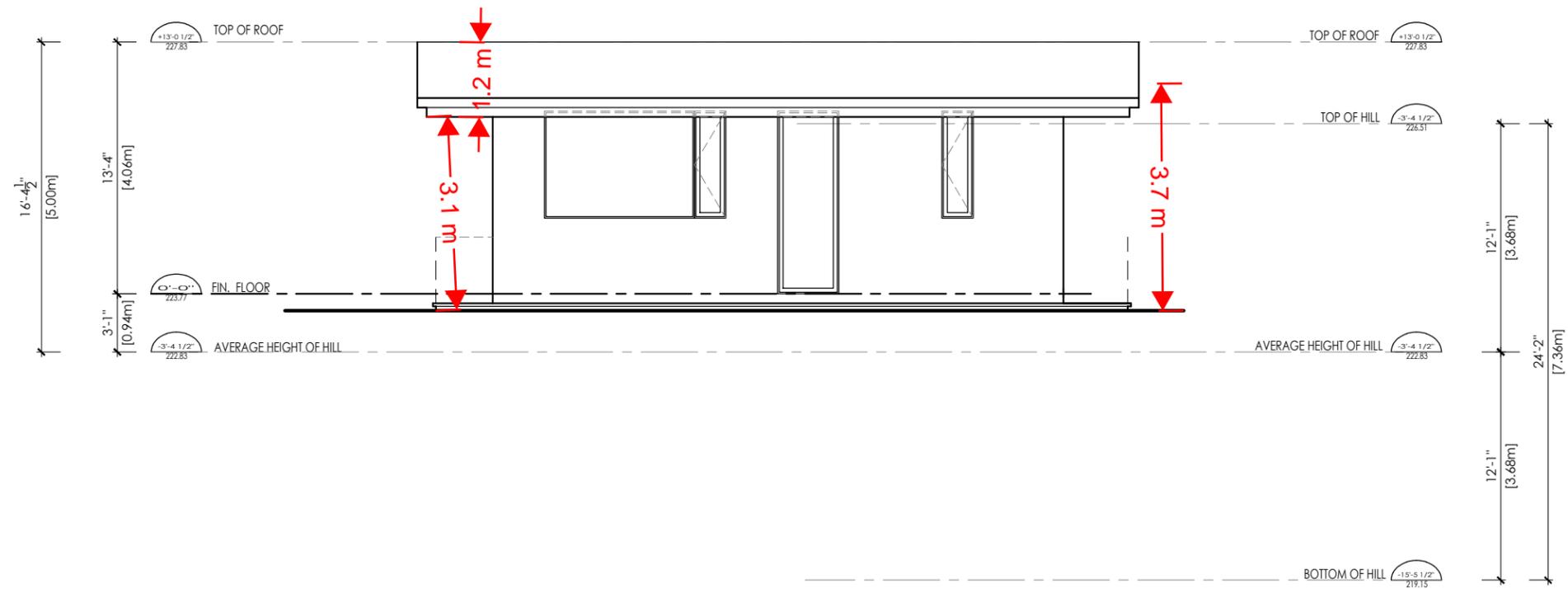


RICHARD WENGLE  
ARCHITECT INC.

## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937

FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



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ARCHITECT INC.

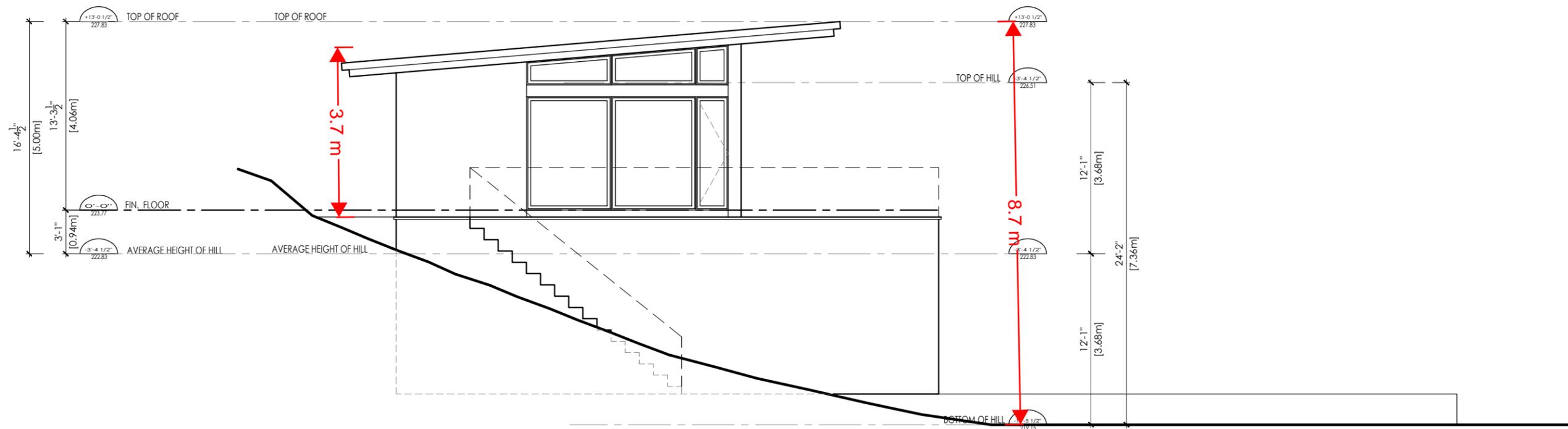
## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937



REAR ELEVATION

SCALE: 1/8" = 1'-0"

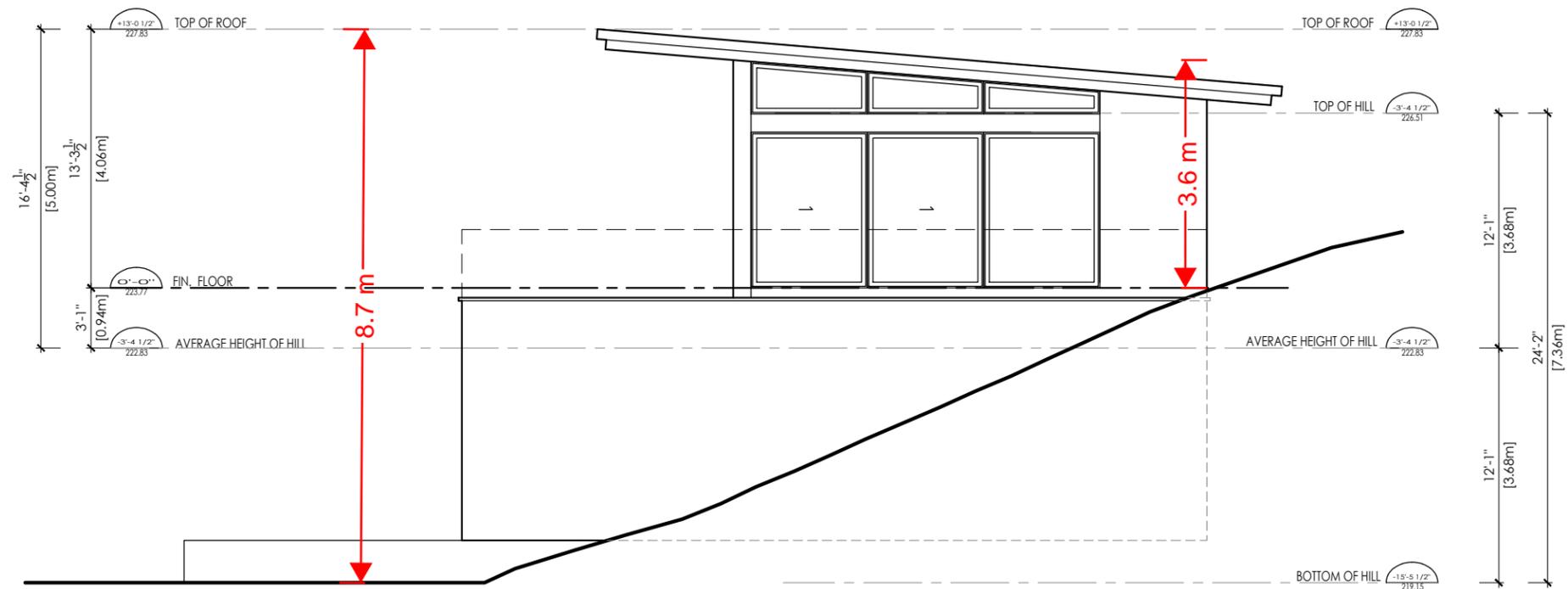


RICHARD WENGLE  
ARCHITECT INC.

## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937

 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



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## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
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WEST ELEVATION

SCALE: 1/8" = 1'-0"



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## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937



MODEL IMAGE

N.T.S.



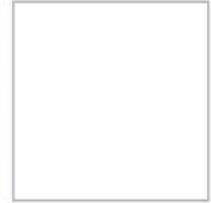
## BRAND RESIDENCE

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TORONTO, ONTARIO  
JULY 13, 2020  
1937



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1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
JULY 13, 2020  
1937



**JONES**  
CONSULTING GROUP LTD.  
PLANNERS & ENGINEERS



Excellence Reliance Innovation

# **Planning Justification Report**

## **1050 Shoreview Drive, Town of Innisfil**

### **Amendment to the Community Planning Permit**

### **By-law 062-17**

**June 2020**

The Jones Consulting Group Ltd.

229 Mapleview Drive East, Barrie, ON, L4N 0W5

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## 1.0 INTRODUCTION

On behalf of our client Big East Construction, we are pleased to provide this Planning Justification Report in support of an amendment to the Community Planning Permit By-law 062-17 for lands located at 1050 Shoreview Drive in the Town of Innisfil.

The purpose of this application is to request an amendment to the Community Planning Permit By-law 062-17 to permit a second storey addition on an existing one-storey boathouse. The addition will increase the height and floor area of the boathouse.

This report examines the subject lands, site context, and approval consideration and criteria related to the proposed amendment for a second storey addition to an in-water boathouse. The report concludes that the request for a proposed second-storey addition to the existing accessory structure is appropriate, and will not adversely affect the flow of water, natural features or alter the characteristics of the shoreline area.

## 2.0 PROPERTY AND SURROUNDING USES

The subject lands are a waterfront property municipally known as 1050 Shoreview Drive in the Town of Innisfil, County of Simcoe. The lands are legally described as Part of North Half of Lot 14, Concession 13 in the Town of Innisfil. The lands are rectangular in shape and comprise approximately 3.1 hectares (7.9 acres), with approximately 144 metres of frontage on Shoreview Drive and 139 metres of water frontage on Kempenfelt Bay (**Figure 1**).

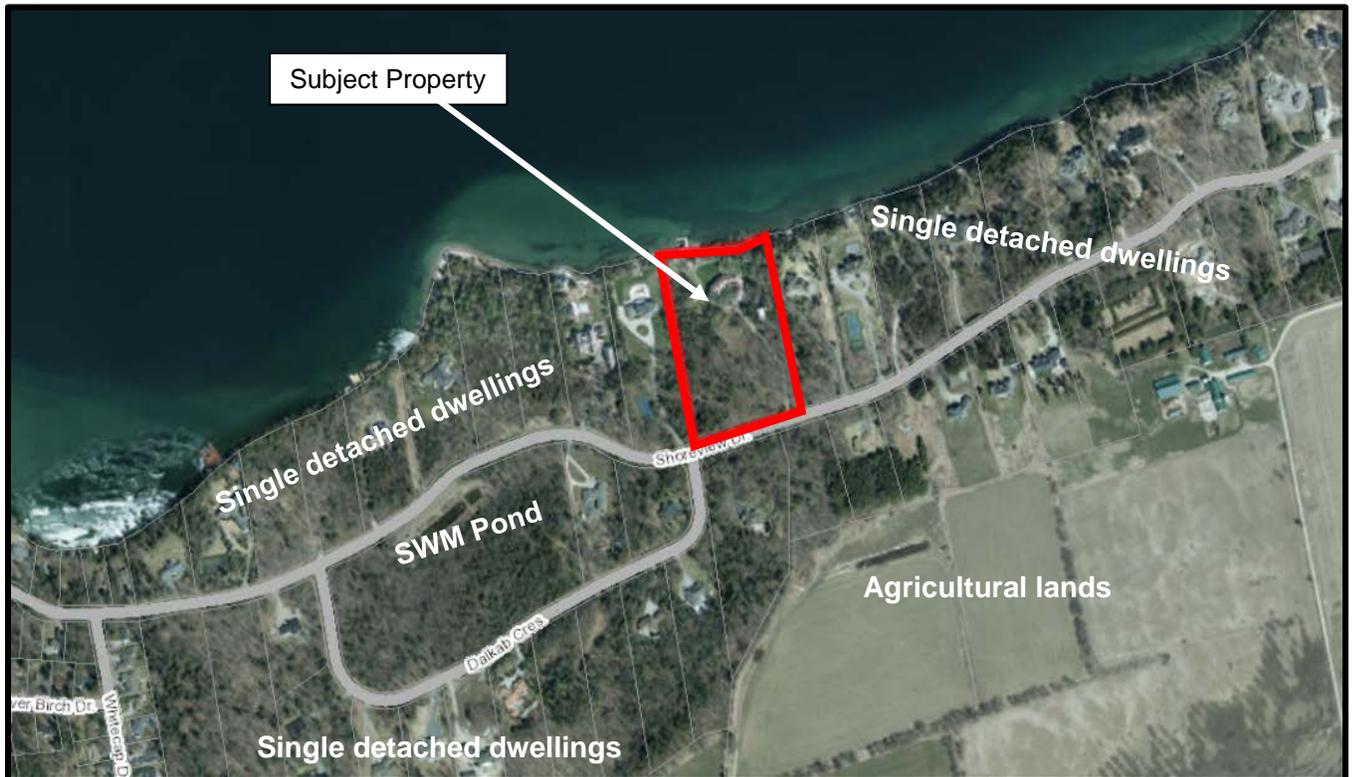
**Figure 1. Aerial Photograph of Subject Lands**



The lands subject to the application are located in a predominantly residential area. Land uses surrounding the subject lands include the following (**Figure 2**):

- **North:** Kempenfelt Bay
- **East:** Single detached dwellings fronting onto Shoreview Drive and backing onto Kempenfelt Bay.
- **West:** Single detached dwellings fronting onto Shoreview Drive and backing onto Kempenfelt Bay. Stormwater Management (SWM) Pond.
- **South:** Single detached dwellings fronting onto Shoreview Drive and agricultural lands.

**Figure 2. Surrounding Land Uses**



The residential properties surrounding the subject lands to the east, west and south are generally half the size and have half of the frontage compared to the subject lands. For example, the adjacent property to the east has an area of approximately 1.4 hectares (3.47 acres) with approximately 63 metres of frontage on Shoreview Drive and approximately 65 metres of water frontage. The adjacent property to the west has an area of approximately 1.9 hectares (4.81 acres) with approximately 84 metres of frontage on Shoreview Drive and approximately 83 metres of water frontage. The subject lands have a larger lot area, lot frontage and water frontage than the majority of the surrounding properties.

### 3.0 PROPOSED DEVELOPMENT

A one-storey boathouse with two boatlifts currently exists on the subject property (**Figure 3**). The boathouse is considered to be a legal non-complying boathouse because it does not comply with the provisions of the Community Planning Permit By-law. The Community Planning Permit By-law defines legal non-complying buildings and structures to be those that legally existed prior to the passing of this By-law but no longer comply with the new provisions of this Bylaw.

**Figure 3. Existing One-Storey Boathouse**



Prior to describing the proposed addition to the existing boathouse it is key to understand the different standards within the Community Planning Permit By-law. The provisions for boathouses within the Community Planning Permit By-law, Section 5.2.2, are based on the water frontage of the property. The By-law provides increased standards for in-water boathouses for properties with larger water frontage, for example, for a property of less than 15 metres of water frontage, the maximum height, without requiring a variation, is 3 metres, the maximum width is 3 metres, the maximum length is 9 metres and the maximum projection into Lake Simcoe is 9 metres. The standards for a property with a water frontage of 61 metres or greater is a maximum height of 3.6 metres, maximum width of 9 metres, maximum length of 10 metres and maximum projection into Lake Simcoe of 10 metres. Additionally, the By-law also differentiates between boathouses that are on-land or in-water. A boathouse is considered to be in-water if it projects more than 1.0 metre into Lake Simcoe from the water’s edge.

The standards specific to properties with water frontage of 61 metres or greater and ‘in-water’ boathouses applies to the subject lands because the site has a water frontage of 139 metres and the existing boathouse is considered to be an ‘in-water boathouse’ because it projects more than 1.0 metre into Lake Simcoe from the water’s edge. The existing boathouse minimally exceeds the standards for height, width, length and the maximum allowable number of boatlifts. The height of the existing boathouse is 4.6 metres, the width is 10.1 metres and the length is 11.7 metres. As mentioned in the previous paragraph, the standards permit a maximum height of 3.6 metres, maximum width of 9 metres and maximum length of 10 metres. The standard number of boatlifts permitted without the need for a variation is one, the existing boathouse has two boatlifts.

The purpose of the amendment is to facilitate the addition of a second-storey on a legal non-complying boathouse. The proposed height of the second-storey is 4.0 metres bringing the total height of the boathouse to 8.6 metres. The floor area will increase from 118.1 square metres to 186.8 square metres, and the lot coverage will increase approximately from 0.4% to 0.6%. The width, length, projection and number of boatlifts will not be altered with the addition of a second-storey (**Table 1 and Figure 4**).

The effect of the amendment is to allow for a two-storey boathouse where the first-storey consists of two boatlifts and the second-storey will consist of a storage area and outdoor patio (**Figure 5**).

**Table 1. Existing and Proposed Site Statistics**

STANDARD	EXISTING	PROPOSED
Lot Area (hectares)	3.1 ha	3.1 ha
Lot Frontage (metres)	144.0m	144.0m
Water Frontage (metres)	139.0m	139.0m
Side Yard Setback (east)	106.0m	106.0m
Side Yard Setback (west)	20.0m	20.0m
Gross Floor Area (m <sup>2</sup> )	118.1m <sup>2</sup>	186.8m <sup>2</sup>
Height	4.6m	8.6m
Length	11.7m	11.7m
Width	10.1m	10.1m
Projection	4.0m	4.0m
Lot Coverage	0.4%	0.6%

Please refer to **Table 2** demonstrating the proposed boathouse in relation to the as-of-right standards and the maximum variation that could be requested through a Class 1 and Class 2 permit.

**Table 2. Community Planning Permit By-law Sections 5.2.1 and 5.2.2**

		STANDARD	MAXIMUM VARIATION	PROPOSED PROVISIONS
<b>In-Water Boathouse (Waterfront frontage &gt;61m) (Class 1)</b>	Height	3.6 m	5.4 m (50% increase) 7 m per S. 1.17	<b>8.6 m</b>
	Width	9 m	13.5 m (50% increase)	<b>10.1 m</b>
	Length	10 m	15 m (50% increase)	<b>11.7 m</b>
	Projection	10 m	15 m (50% increase)	<b>4.0 m</b>
	Side yard setback	6 m	5.4m (east) 5.4m (west) (10% decrease)	<b>106 m (east) 20 m (west)</b>
<b>Lot Coverage (Class 2)</b>	Lot Coverage (max) for any detached accessory structures (collectively)	10% of the lot area or a maximum of 120 square metres whichever is the lesser	30% of the lot area or a maximum of 160 square metres whichever is the lesser	<b>0.6%(for the proposed boathouse)</b>

**Figure 4. Rendering of Proposed Boathouse**





## 4.0 ANALYSIS

An application for an amendment to the Community Planning Permit By-law 061-17 has been submitted to facilitate the proposed second-storey addition to an existing in-water boathouse as the increase in height and gross floor exceeds the permissions identified in Policy 4.17.4 of the Community Planning Permit By-law 062-17. The following Sections of this Report will review the merits of the proposed amendment, specific to the criteria contained in Section 1.8 and 1.9 of By-law 062-17 and provide an analysis of how the applications satisfy the approval considerations and criteria.

Policy 4.17.4 states any legal non-complying boathouse shall not increase in floor area, building size, lot coverage or height. An amendment to the Community Planning Permit By-law is being requested to facilitate the addition of a second storey on the existing boathouse located at 1050 Shoreview Drive. The addition of the second-storey will not result in an increase in lot coverage, or building size, it will only result in an increase in floor area, as per the definition in the Community Planning By-law, and in height. The Community Planning Permit By-law does not include a definition for 'building size', therefore, it is our interpretation building size represents the building footprint. The 'floor area' definition includes the total area of all storeys of a building or structure. If the Town is in agreement of this interpretation of 'building size' then the amendment is requesting a second storey addition that will only result in an increased height and floor area. Regardless of the interpretation, the impact of the proposed addition will remain the same. If the Town, does not agree with this interpretation then it could be concluded the proposed addition would increase the height, floor area, and building size.

Further, the By-law does not allow for the demolition and reconstruction of the existing boathouse to a form that is within the applicable standards. If the existing boathouse were to be demolished, it would be required to be reconstructed to its original footprint, location, building size, floor area, lot coverage and height. The By-law does not allow for any expansions to existing legal-non complying boathouses; therefore, if ownership, or personal recreational needs changed – as many people's needs change through the years, they would be unable to expand their boathouse even if it resulted in no negative environmental or visual impacts. It is our opinion the intent of restricting the ability for people to expand their existing legal non-complying boathouse is to eliminate impacts to the natural state of the shoreline, flow of water, fish habitat and visual dominance of buildings and structures along the shoreline. However, the addition of a second storey will not greatly impact the shoreline in this particular instance, it will not impact the flow of water or fish habitat and the visual dominance of the boathouse will be minimal when considering the large water frontage, increased setbacks, steep slopes and use of glazing and step back of the second storey.

### 4.1 *Is the proposal appropriate for the lands?*

The subject lands comprise 3.1 hectares of land and have approximately 139 metres of water frontage. In comparison, the adjacent residential lot to the east has an area of 1.4 hectares with approximately 65 metres of water frontage and the adjacent lot to the west has an area of 1.9 hectares with approximately 83 metres of water frontage. The Community Planning Permit By-law has established the mechanism to request variances from the as-of-right standards in consideration of the unique range of lot shapes and sizes along the shoreline for new development. This same mechanism has been used to assess the merits of an amendment to facilitate the addition of a second storey on a legal non-complying boathouse.

The subject property is nearly double the size of all the residential properties on Shoreview Drive; therefore, the amendment requested as identified in Section 3.0 of this Report should be considered

relative to the size of the property. The subject lands have sufficient frontage and area to accommodate the requested second-storey addition without resulting in development at a scale that visually dominates the shoreline or results in impacts to adjacent properties. Further, the proposed boathouse is built into a steep slope in a way that minimizes the visual impact; the boathouse is only approximately 1.5 metres above the top of the slope. The boathouse will continue to be setback a minimum of 20 metres from the west side yard property line and 106 metres from the east side yard property line; whereas the By-law only requires a side yard setback of 6 metres for a boathouse. The proposed addition to the existing boathouse will continue to exceed the side yard setback requirements to ensure the visual impact on neighbouring properties is reduced to the greatest extent. Further, due to the design of the boathouse relative to the slope, the visual impact from Lake Simcoe is minimal.

The subject lands are an ideal example of a lot that is unique within the Town and more specifically the surrounding community, and where amendments to the By-law standards are appropriate. The large lot, water frontage and topography of the shoreline contributes to the appropriateness of the requested amendment given that the second-storey addition can be accommodated with little visual impact to surrounding properties. Ultimately, in our opinion, the subject lands represent a unique circumstance in which applying for the addition of a second-storey on a legal non-complying boathouse is appropriate.

#### **4.2 Does the proposal take into account the unique characteristics of the property?**

For the reasons articulated above, the amendment proposed is appropriate given the unique characteristics of the property, such as its large lot size and water frontage compared to the surrounding properties and relative to the second storey addition. Due to the property's water frontage, setbacks of 20 metres and 106 metres can be achieved from the side yard property line projection.

The four lots adjacent to the subject lands on the west and east have frontages which range from approximately 65-80 metres and area ranging from 1.3 to 2.0 hectares. Due to the 139 metres of water frontage provided on the subject lands, sufficient separation will be provided between adjacent uses and the shoreline will still be visible from Lake Simcoe. The topography of the property also limits the impact of the proposed addition on the shoreline as the boathouse is set back within the slope (**Figure 6**). Relative to the property's water frontage and shoreline characteristics, the proposed boathouse is limited in scale and the property's shoreline frontage will not be dominated by the proposed addition to the existing built form.

The addition of a second storey to the boathouse represents a unique opportunity to consider the site and total impact of adding a storey that is planned to be used for storage and a patio. The addition of the second storey does not impede the natural flow of water along the shoreline or harmfully alter fish habitat. The second-storey will allow the owners to utilize an existing structure for recreational purposes with no negative impacts.

The subject lands are able to appropriately accommodate the addition without negatively impacting the natural or aesthetic characteristics of the shoreline. The proposed development for a second-storey addition considers the unique characteristics of the property which includes the large lot area and frontage, and the slope of the shoreline which results in the two-storey boathouse having minimal visual impacts on the neighboring properties and Lake Simcoe.

**Figure 6. Conceptual Rendering of Existing Boathouse with Proposed Addition.**



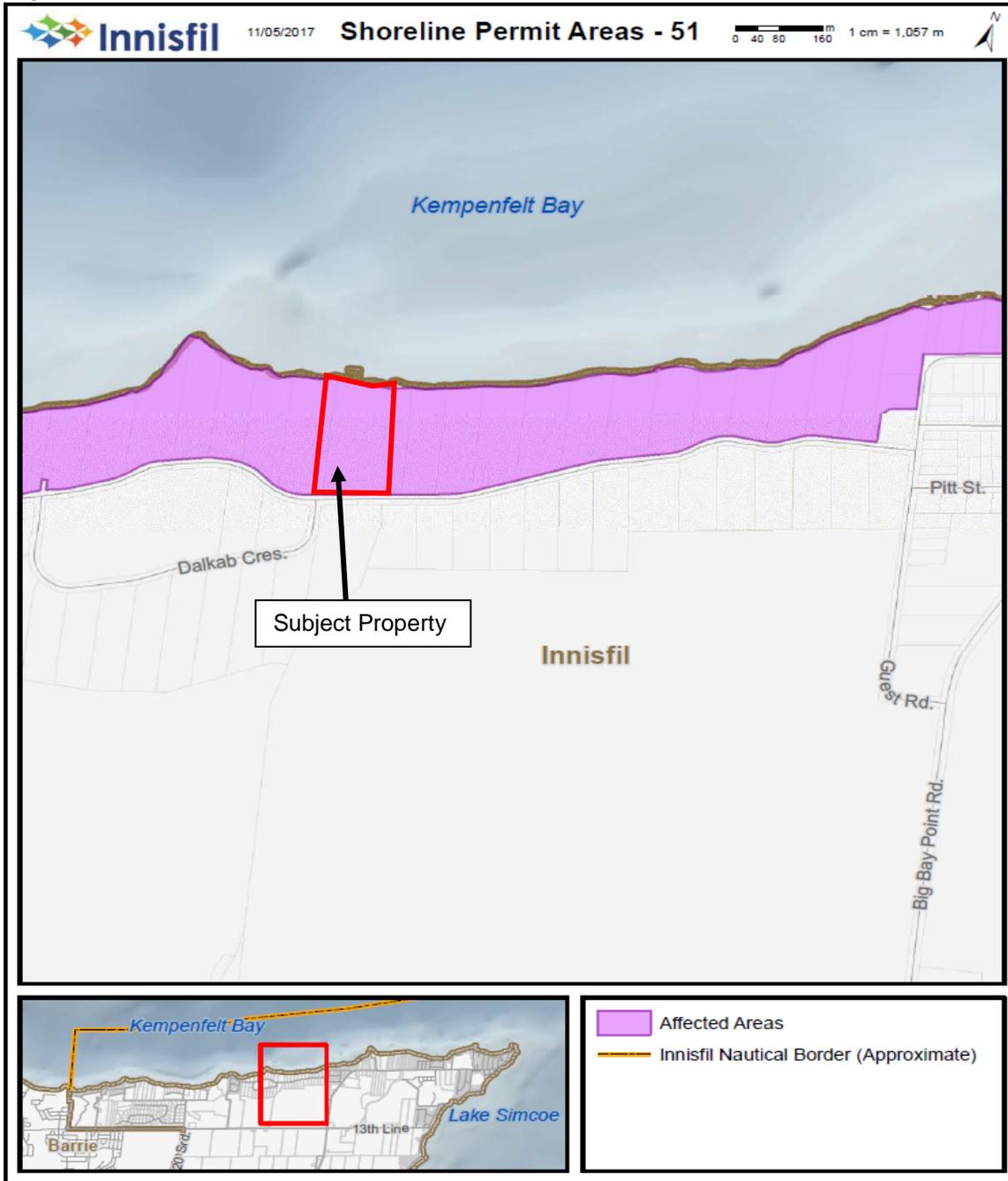
**4.3 Are potential off site impacts identified and mitigated?**

The subject lands are adjacent to existing residential lots. As discussed, the proposed addition and existing structure is sufficiently separated currently from the adjacent properties and the proposed separation exceeds the standards of the By-law, this will not change as a result of the proposed second storey. There are no off site impacts anticipated from the proposed amendment.

**4.4 Does the proposal maintain the general intent of the Shoreline By-law?**

On May 24, 2017, Council of the Town of Innisfil approved the Community Planning Permit By-law 062-17, and on January 8, 2019 the only outstanding appeal of the By-law was scoped and adjourned and the Community Planning Permit By-law came into effect for all shoreline properties with the exception of two properties subject to the appeal. The purpose of the By-law is to regulate land use and development on lands within the “Shoreline Permit Area” designation of the Official Plan, and repeal Zoning By-laws 080-13 and 052-05, and all amendments thereto, as it relates to lands described in the By-law on Schedule “A” and enact By-law 062-17. The Town of Innisfil Community Planning Permit System 062-17 applies to all shoreline properties, including the subject lands (**Figure 7**).

Figure 7. Shoreline Permit Area – 51



The application for an amendment to the Community Planning Permit By-law proposes a second-storey addition to an existing boathouse as described throughout this Report. Of specific importance to this application for an amendment, the following applicable sections of the By-law have been assessed.

Section 1.8 states that when considering an application, regard shall be given to the following guiding principles:

#### *Built Form in Context*

- i. Development shall be designed and constructed to minimize impacts on the shoreline and Lake Simcoe.*
- ii. The blend of built form and natural features shall be compatible with the existing character of the shoreline area, visible from both land and water*
- iii. Disturbance on lots will be limited and minimized and the balance of the property shall generally remain in its natural state*

The proposed addition to the existing boathouse will not result in impacts to the shoreline or Lake Simcoe. The existing character of the shoreline will be maintained as the footprint of the structure will remain the same. There will be no additional disturbance to the lot because the construction will only occur on the existing structure with the exception of equipment having to access the boathouse through the property which can be properly mitigated and restored. The natural state of the property will be protected with the addition of the second-storey.

#### *Public Realm Connects Us*

- i. Lake Simcoe exists in the public realm and provides significant ecological and social benefits*
- ii. The desire for private buildings or structures in Lake Simcoe shall be balanced with community use and access to the Lake*
- iii. Public opportunities to enjoy Lake Simcoe, including those provided by municipal road ends and publically owned land, shall be protected, established or enhanced*

Lake Simcoe will not be impacted by the addition of a second-storey. The property is privately owned, therefore, access and use is limited to those permitted by the property owner.

#### *Sustainable Values*

- i. Safety of people and property from natural hazards, such as flooding, ice conditions, and wave uprush, is the top priority*
- ii. Erosion, run-off and sedimentation control improvements and measures will be used to ensure development is sensitive to the shoreline*
- iii. Proposals shall take into consideration the naturally occurring shoreline in the area and the development shall be designed to be compatible with these characteristics*
- iv. Access, infrastructure and servicing of the subject property shall be provided in the most sustainable method for the shoreline; tertiary sewer treatment may be required*

The addition to the existing boathouse will not negatively impact the safety of people and property from natural hazards, the erosion, run-off and sedimentation control because no new impervious surfaces are proposed. Further, the proposed second-storey addition will be compatible with the shoreline as it is built with consideration of the topography, it will also maintain the characteristics of the shoreline as it exists today because the second storey is setback and does not project into Lake Simcoe.

#### *Natural Shoreline*

- i. The shoreline shall be protected or improved and restored*
- ii. Natural vegetation will be substantially maintain along property boundary lines the waterfront yard and shoreline*
- iii. Native species will be used for buffers or where vegetation is being improved and restored.*

The shoreline and natural vegetation will be protected and no new impervious surfaces are proposed.

The following sections specifically apply to the proposed form of development and the proposed amendment.

*Section 2.3.5 Buildings and structures are considered to be legal non-complying if they were legally established prior to the passing of this By-law but no longer comply with the new provisions of this By-law. This By-law does not prevent the continued use, alteration or expansion of legally existing buildings and structures which no longer comply with this By-law.*

The existing structure is considered to be legal non-complying because the height, length, width and number of boat lifts minimally exceeds to standards as per Section 5.2.2 and 5.2.3.

*Section 2.13 Variations to the standards in this By-law may be permitted, where identified. Where variations are not identified, and the standards cannot be met, an amendment to this By-law is required.*

*Section 2.14 Where a proposal is beyond the permissible standards, including any stated variations thereto, and permitted and discretionary uses, an amendment to this By-law will be required. An amendment to this By-law can be initiated by the Town or by a private land owner. Any amendment to this By-law must be supported by a comprehensive planning rationale within this context of the planned vision for all of the lands within the area subject to the By-law and must provide details of public and community engagement to support the amendment.*

The proposed amendment has been initiated by a private land owner. The public will be consulted as per the Town's standards.

The request for an amendment to By-law 062-17 is to permit the addition of a second storey on a legal non-complying boathouse; whereas the By-law does not permit an increase in height or floor area, as followed:

*Section 4.17.1 Despite any other provisions of this By-law, where a legal non-complying building or structure has been legally erected prior to the passing of this By-law and has been damaged, destroyed, or demolished, the reconstruction of the building will be restricted to its original footprint and location, building size, floor area, lot coverage and height.*

*Section 4.17.4 Any legal non-complying boathouse shall not increase in floor area, building size, lot coverage or height.*

The Community Planning Permit By-law does not allow for any increase in height, floor area, building size or lot coverage for existing legal non-complying boathouse. Additionally, the By-law does not allow for the demolition and reconstruction of a legal non-complying boathouse unless it is built to its original footprint, location, building size, floor area, lot coverage and height. Therefore, for property owners that have legal non-complying boathouses and wish to alter the boathouse to better suit their needs, they are unable to do so.

The By-law permits new in-water boathouses up to a maximum height of 5.4 or 7 metres through a Class 1 variation under the Community Benefits Section 1.17. The By-law also permits a maximum length of 15 metres, maximum width of 13.5 metres and a maximum projection into Lake Simcoe of 15 metres through the Class 1 Variation process. Section 5.2.1 also states the standard for the maximum lot

coverage for all accessory buildings and structures shall be 10% of the lot area or 120 square metres, whichever is the lesser. The following table demonstrates the as-of-right standards, the maximum standard permitted through a staff or council variation permit application and the proposed provisions for the addition of the second storey on the existing legal non-complying boathouse.

The permissions for boathouses, both on land and in water, correlate with varying amounts of water frontage. The requirements identified in **Table 3** are applicable to lots with a water frontage of 61 metres and greater.

**Table 3. Community Planning Permit By-law Sections 5.2.1 and 5.2.2**

		STANDARD	MAXIMUM VARIATION	PROPOSED PROVISIONS
In-Water Boathouse (Waterfront frontage >61m) (Class 1)	Height	3.6 m	5.4 m (50% increase) 7 m per S. 1.17	8.6 m
	Width	9 m	13.5 m (50% increase)	10.1 m
	Length	10 m	15 m (50% increase)	11.7 m
	Projection	10 m	15 m (50% increase)	4.0 m
	Side yard setback	6 m	5.4m (east) 5.4m (west) (10% decrease)	106 m (east) 20 m (west)
Lot Coverage (Class 2)	Lot Coverage (max) for any detached accessory structures (collectively)	10% of the lot area or a maximum of 120 square metres whichever is the lesser	30% of the lot area or a maximum of 160 square metres whichever is the lesser	0.6% (for the proposed boathouse)

As shown by Table 3, the existing boathouse with the proposed second-storey addition is within the maximum variations that could be requested through a Council and/or Staff Variation permit application with the exception of the height. The height does exceed the maximum allowable height within the Community Planning Permit By-law; however, the length and width of the boathouse is less than the maximum variation which will reduce the visual impacts of the increased height.

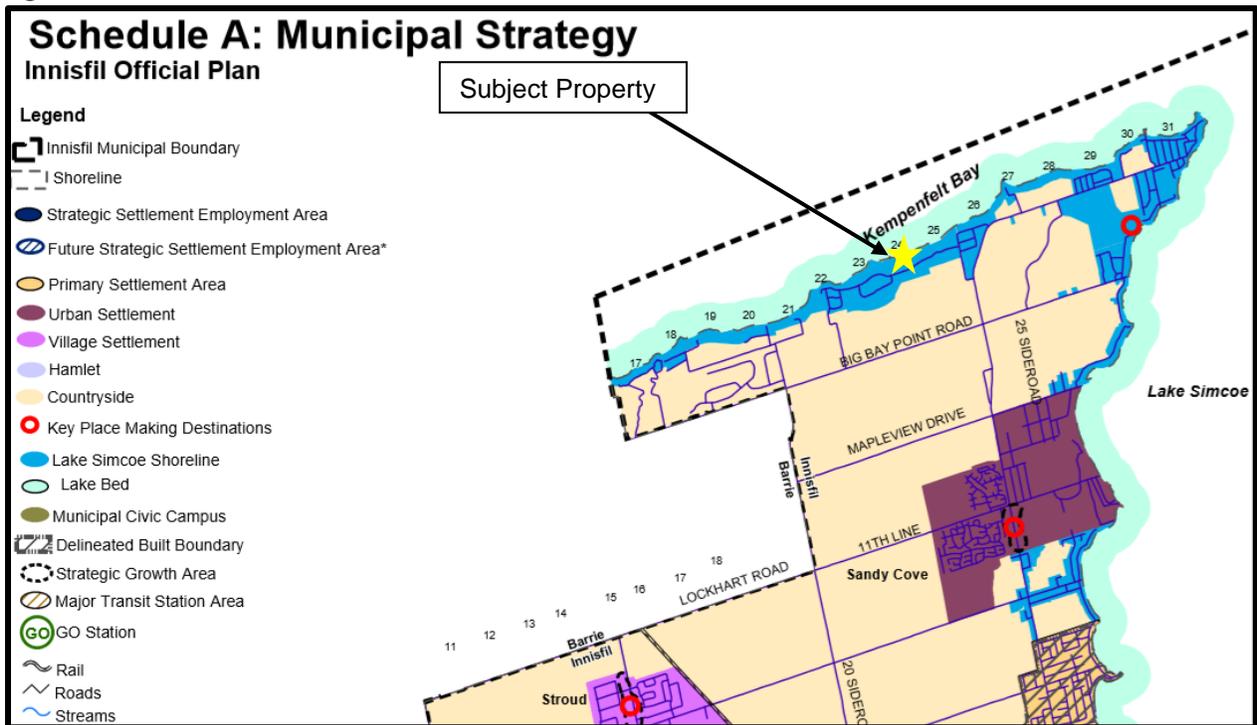
The intent of the By-law is to ensure that development does not result in the visual dominance of the shoreline or adverse environmental impacts. The footprint of the existing boathouse will not be altered which results in no negative impacts to the natural environment, with the exception of the construction work that will need to take place to build the second storey; however, the natural environment can be restored. The addition of the second-storey will result in minimal visual impact considering the glazing utilized in the design, the step back of the second-storey and the topography which allows the boathouse to sit within the natural shoreline. Further, the proposed addition maintains all the standards of the original structure with the exception of the height increase and floor area. In our opinion, the visual impact of the additional storey does not negatively impact the shoreline more so than a boathouse that is 15 metres wide, 15 metres in length, projects into Lake Simcoe 15 metres, has a side yard setback of 5.4 metres on either side or has a maximum lot coverage of 30%.

In our professional planning opinion, the proposed amendment to facilitate a second-storey to an existing legal non-complying boathouse maintains the general intent of the Community Planning Permit By-law as it will not result in the shoreline being visually dominated or in any adverse environmental impacts.

**4.5 Does the proposal maintain the general intent of the Official Plan?**

Within the Town of Innisfil Our Place Official Plan dated November 2018, the Lake Simcoe Shoreline is delineated on Schedule ‘A’ (Figure 8). In accordance with Section 19.1.6 of the Official Plan, development within and adjacent to Lake Simcoe shall be in conformity with the policies of the LSPP and subject to approval through the Community Planning Permit System as set out in Section 19.3 of the Plan.

**Figure 8. Town of Innisfil Official Plan Schedule ‘A’**



Section 19.3.1 states lands subject to the amendment include all parcels of land abutting Lake Simcoe including lots with direct access across a public road or private land where these lots are functionally connected to Lake Simcoe within the Town of Innisfil. The area is delineated in detail in the Community Planning Permit By-law.

The objectives of the Shoreline Community Planning Permit System, as per Section 19.3, include: to provide for an alternative land use regulatory framework, to provide an opportunity for the shoreline to develop in a manner consistent with the Lake Simcoe Protection Plan (LSPP), protect people and property from natural hazards, recognize existing land use and expectations of future development, maintain residential and recreational uses along the shoreline, use vegetative buffers to increase the natural appearance and ecological function of the shoreline, and improve water quality and fish habitat.

The application to amend the Community Planning Permit By-law proposes to facilitate a second-storey addition to an in-water boathouse in consideration of the objectives of the Community Planning Permit

By-law. The proposed structure is an accessory use to the residential use on the property and will establish additional recreational uses along the shoreline, consistent with the LSPP. The property contains a steep slope that will be undisturbed as a result of constructing the second storey addition. The construction proposed will protect the shoreline from disturbance and will not result in any negative impacts to fish habitat or the flow of water.

The Official Plan does not contain any specific development standards with respect to boathouses. The proposed amendment relates to specific standards that are found in the Community Planning Permit By-law, discussed in detail in Section 4.4 of this Report. For the reasons outlined throughout this Report, the amendment will not offend any of the objectives of the Shoreline Community Planning Permit System described in Section 19.3 of the Official Plan.

In our professional planning opinion, the application to amend the By-law to permit a second-storey on a legal non-complying boathouse maintains the general intent of the Town of Innisfil Official Plan.

#### **4.6 Is the proposal consistent with the Provincial Policy Statement and all other applicable provincial plans, including the Lake Simcoe Protection Plan?**

All new development must be consistent with the Provincial Policy Statement (PPS), 2020 and conform to the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (APTG). In my planning opinion, the proposed variances are consistent with the PPS and conforms to the A Place to Grow Plan as evidenced by the following:

- The amendment will not change the residential use of the land, recreational opportunities on the property will be promoted, and the proposed addition will not result in the need for an expansion of services (PPS Section 1.1.5 & APTG Section 2.2.9).
- The expansion to the existing boathouse is not expected to result in negative impacts to key natural hydrologic features or key natural heritage features because the addition will not alter the site or create additional impervious surfaces (PPS Section 2.1 & APTG Section 4.2.2).
- Development will be directed away from hazards to ensure the safety of people and property (PPS Section 3.1 & 3.2).

The subject lands are within the Lake Simcoe Watershed and subject to the policies of the Lake Simcoe Protection Plan (LSPP). The Plan contains policies related to key natural heritage and key hydrologic features that contribute to the ecological health of the watershed. The applications propose to facilitate structures within Lake Simcoe.

- Policies 6.1-DP and 6.23-DP permits development and site alteration for low-intensity recreational uses that require very little terrain or vegetation modification and few, if any buildings or structures, including but not limited to: accessory uses to existing buildings and structures. The proposed addition to the boathouse will require very minimal terrain and vegetation modification given the boathouse is existing. The only terrain modifications will be for the construction but the natural state can be restored. The proposed addition to the existing boathouse is an accessory use to the residential dwelling on the property.
- Policy 6.8-DP states, in part, no structures, including boathouses, shall be permitted in Lake Simcoe, other lakes or in a permanent or intermittent stream if the structure impedes the natural flow of water along the shoreline or in the stream, if the structure is intended to be used as a

dwelling, or if the structure or its construction harmfully alters fish habitat. As noted, the proposed addition will be constructed with no impacts to fish habitat or the natural flow of water.

- In accordance with Policy 6.11-DP which states, in part, where a proposal for development or site alteration is permitted within 30 metres of the Lake Simcoe Shoreline, the proposals shall comply with the following: maintain, and where possible, increase or improve fish habitat in the Lake, enhance the ecological features and functions associated with the Lake, minimize erosion, sedimentation, and the introduction of excessive nutrients or other pollutants and utilize planning, design, and construction practices that maintain water quality; and, integrate landscaping and habitat restoration into the design of the proposal. The proposal will not negatively impact fish habitat, and disturbance of natural features will be avoided as a result of the addition not altering the footprint of the existing boathouse. Furthermore, the shoreline will not be altered more than minimally required for construction and water quality is not anticipated to be impacted by the application. Lastly, landscaping will remain as it exists today and there will be no site alteration.
- As per Policy 6.25-DP, a Natural Heritage Evaluation was not required in support of the application, given that development is proposed for a low intensity recreational use that requires very little terrain and vegetation modification, as specified by Policy 6.23-DP.

In our professional planning opinion, the application to amend the Community Planning Permit By-law to allow a second-storey addition to an existing boathouse is consistent with all applicable provincial plans including the Provincial Policy Statement, A Place to Grow, and the Lake Simcoe Protection Plan.

## 5.0 CONCLUSION

This Report reviewed the proposed application for an amendment to the Community Planning Permit By-law 062-17 for lands located at 1050 Shoreview Drive in the Town of Innisfil in accordance with the approval considerations and criteria contained in Section 1.8 and 1.9 of the Community Planning Permit By-law.

In our professional planning opinion, the proposal is appropriate for the lands and takes into account the unique characteristics of the property, including its size, water frontage and steep shoreline slope. There will be no off site impacts and the proposal results in no negative impacts to natural heritage features in and out of water. The proposal will not alter the current state of the shoreline except for the minor and temporary impacts during construction. The proposal does not include any additional impervious surfaces. The amendment application maintains the general intent of the By-law and the Town Official Plan, and is consistent and conforms to all applicable provincial plans including the Provincial Policy Statement, the Growth Plan, and the Lake Simcoe Protection Plan.

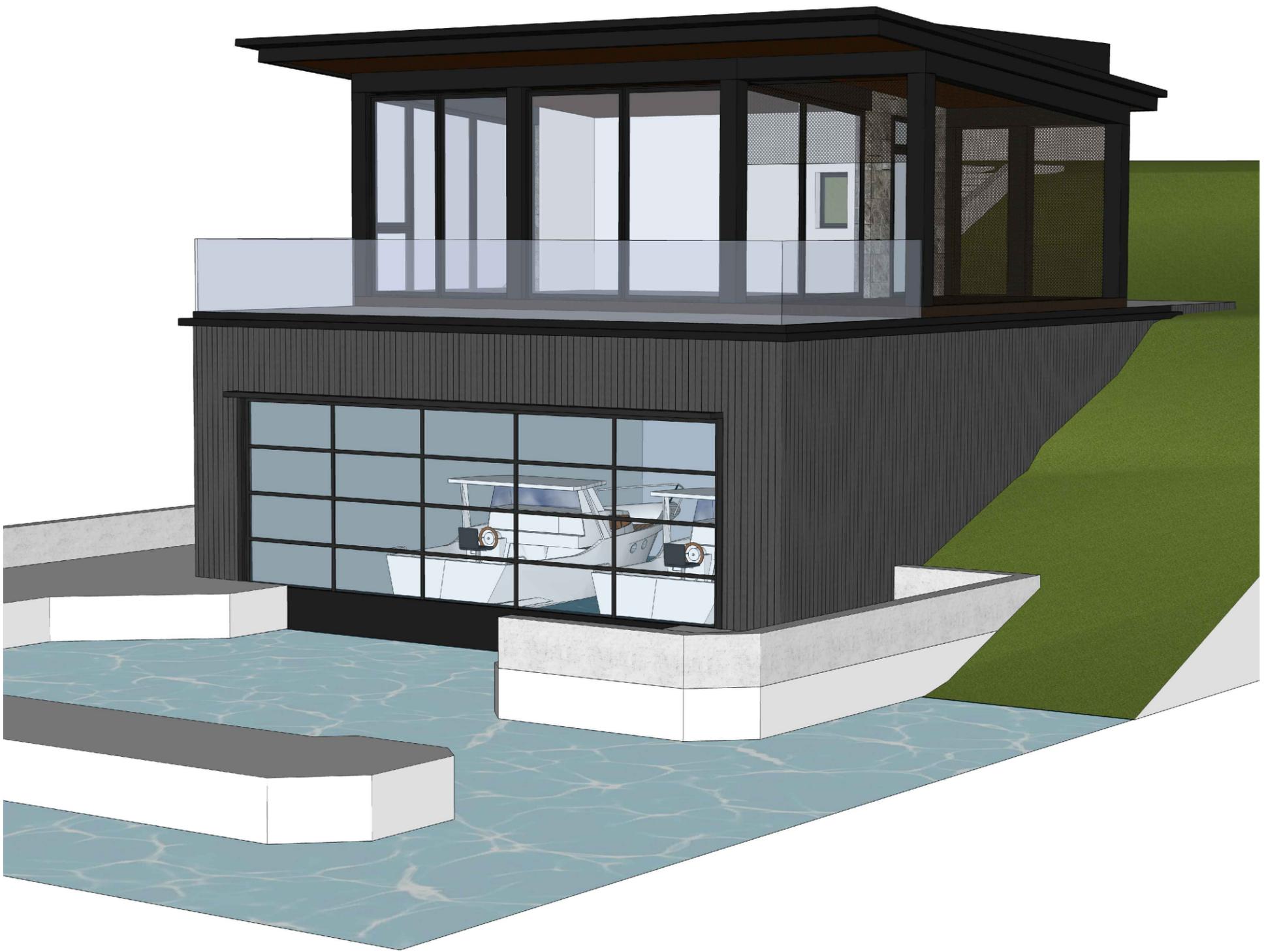
In our professional planning opinion, the proposed amendment meets the approval considerations and criteria of Section 1.8 and 1.9 of the By-law and represents good planning.

Respectfully Submitted

**THE JONES CONSULTING GROUP LTD.**



Kayly Robbins, M.Pl  
Planner



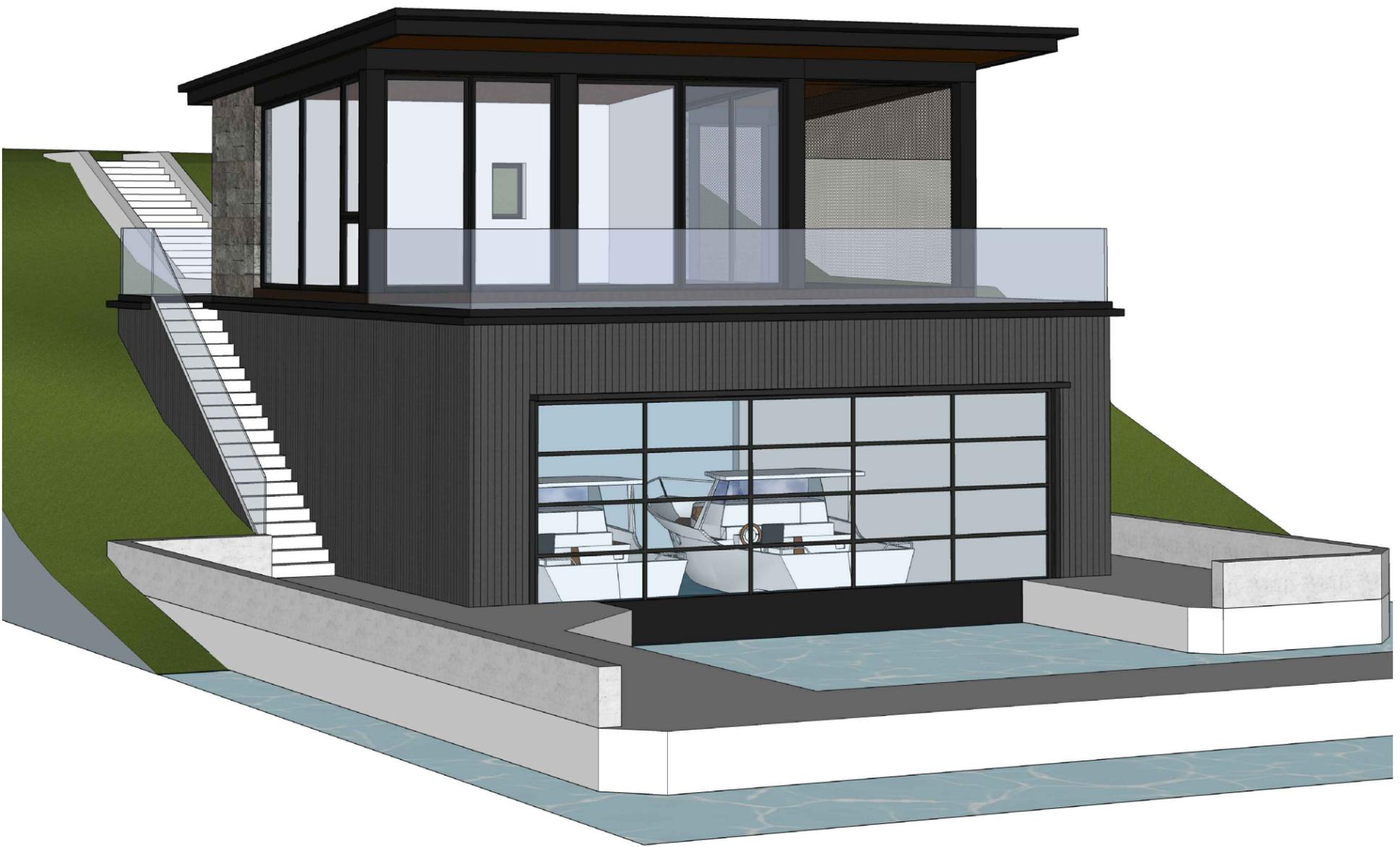
RICHARD WENGLER

## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
FEBRUARY 06, 2020  
1937



3D VIEW 2  
N.T.S.



RICHARD WENGLER

## BRAND RESIDENCE

1050 SHOREVIEW DRIVE  
TORONTO, ONTARIO  
FEBRUARY 06, 2020  
1937



3D VIEW 1  
N.T.S.