

Summary of Comments

B-2026-002

2439 4th Line



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: B-2026-002

MEETING DATE: May 21, 2026

TO: Sarah Burton Hopkins, Secretary Treasurer Committee of Adjustment

FROM: Ingrid Li, Development Planner

SUBJECT: Consent to sever 2439 4th Line to create three (3) new residential lots with frontage on John St.

PROPERTY INFORMATION:

Municipal Address	2439 4th Line
Legal Description	INNISFIL CON 3 N PT LOTS 14;AND 15 RP 51R23445 PT PART 3;RP 51R40463 PARTS 1 8 9 17;18 AND 22
Official Plan	Agricultural Area, Key Natural Heritage Features and Key Hydrologic Features (Schedule B) and Hamlet Residential (Schedule B8) (lands to be retained) and Hamlet Residential (Schedule B8) (lands to be severed)
Zoning By-law	Residential 1 (R1) Zone(lands to be severed and a portion of the retained lands) Agricultural General (AG) Zone-retained lands Environmental Protection (EP) Zone- retained lands

RECOMMENDATION:

The Planning Department recommends approval of application B-2026-002, subject to the following conditions:

CONDITIONS:

- 1.) That the Owner/Applicant shall dedicate 5% of their residential land for parkland or pay to the Town of Innisfil cash in lieu of 5% Parkland Dedication for the residential development, to the satisfaction of the Town of Innisfil in accordance with the Parkland Dedication By-law 097-22, as amended. Cash in lieu of 5% Parkland Dedication shall be based on a valuation determined by a professional and qualified appraiser engaged by the Owner/Applicant to the satisfaction of the Secretary Treasurer.
- 2.) That existing mature trees and boundary trees be protected and maintained to the satisfaction of the Town. A Tree, proposing tree compensation and replacement rates for any trees to be removed, and location of new trees and tree protection measures during construction of the new dwellings and driveways.

- 3.) That \$1500.00 be provided to the Town of Innisfil for three new boulevard trees (one per lot).
- 4.) That the Owner/Applicant obtain written confirmation from InnServices that municipal water servicing has been provided for all three new lots to their satisfaction.
- 5.) That the Owner shall submit a hydrogeological study, to the satisfaction of the Town and the applicable approval authority, to assess the assimilative capability of the soils for a private sewage disposal system and confirm a septic system can function on the proposed severed lands and that no adverse impacts will occur.
- 6.) That the Applicant/Owner submit a digital draft reference plan of survey, to be reviewed and approved by the Town. Once approved, the R-Plan is to be deposited on title at the Land Registry Office.
- 7.) That the proposed consent for the creation of (3) three lots satisfies all conditions of the NVCA.
- 8.) That confirmation be received by the Town from InnServices there is sufficient reserve sewage system capacity within the Town's sewer treatment systems for hauled sewage from the private systems or partial services

Note:

- 1.) Staff note that the Official Plan only allows for the creation of three new lots by consent. Therefore the retained lands shall not be permitted to apply for further severances by consent (22.8.4 of the Official Plan)

REASON FOR APPLICATION:

The applicant is proposing to sever the subject property at 2439 4th Line to create three new residential lots. The first severed land will have an approximate lot area of 1630m² and a lot frontage of 17.6m. The second severed land will have an approximate lot area of 1880m² and an approximate frontage of 17.3 m. The third severed land will have an approximate lot area of 1700m² and a lot frontage of 18 m. The retained parcel will have an approximate lot area of 50 hectares and an approximate lot frontage of 6200m fronting onto 4th line. All severed lots will be fronting onto John St at the south end of the existing cul-de-sac.

SURROUNDING LANDS:

North	John St and Single-detached dwellings
East	Single-detached dwellings
South	AG and EP lands
West	AG and EP lands

ANALYSIS:

Site Inspection Date	May 13, 2026
Consistent with the Provincial Planning Statement (PPS): <input checked="" type="checkbox"/> Yes	The majority of the subject lands are located within a prime agricultural area based on definitions and policies of the Provincial Planning Statement (PPS) 2024. The northeast corner of the subject lands are within the Settlement Area of Churchill as defined by the Provincial Planning Statement (PPS 2024) and zoned Residential

<input type="checkbox"/> No	<p>One (R1) under the Town Zoning Bylaw. The land proposed to be severed is within the settlement area boundary of Churchill according to Schedule B8, but portions are not within the settlement area boundary according to Schedule B. The new Official Plan, which is currently under review, is proposing to correct this inconsistency. It appears, based on historical review of the 1976 Official Plan and 1993 Official Plan, as well as historical zoning dating from 1983 and 2004, that the portion of the subject lands proposed to be severed into three lots were intended to be developed as residential uses. Staff note, despite the current inconsistency between Schedule B8 and B, that Section 23.1.17 of the Town Official Plan states that the boundaries between land uses designated on the attached Schedules are approximate except where they coincide with major existing roads, railway lines, streams, or other clearly defined physical features. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not necessitate an amendment to this Plan and neither are numerical standards contained in the text to be construed as being absolutely rigid unless so noted. Considering the above, in staff's opinion, this portion of the land should be evaluated in accordance with the applicable settlement area policies.</p> <p>Section 2.3.1.2 states that land use patterns in settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and optimize existing or planned infrastructure and public service facilities. The 2024 PPS also states that planning authorities shall support general intensification and redevelopment in accordance with Section 2.3.1.3. Since the proposed severance represents intensification on a public street that contains single detached lots, with consistent frontages and areas, the proposal is consistent with these sections of the PPS.</p> <p>Section 3.6.4 of the PPS states that where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts. As a condition of approval, a hydrogeological study must be submitted to confirm site conditions are suitable for the provision of private servicing and that no negative impacts will occur.</p> <p>The subject lands contain significant woodlands and lands regulated by the NVCA. Section 2.1 of the PPS states that development and site alteration shall not be permitted in significant woodlands, significant wildlife habitat or other natural heritage features listed in Section 2.1.5 unless it has been demonstrated there will be no negative impact on the natural features or their ecological function. The portion of the lands that contain the woodlot and the regulated areas are part of the retained lands which are not subject to any future development or this application. NVCA are satisfied that the</p>
-----------------------------	--

	<p>proposed consent for creation of a new lot is consistent with the PPS, as no new development is proposed in natural hazards.</p> <p>The application is considered to be consistent with the PPS, subject to the recommended conditions.</p>
<p>Conforms to the County of Simcoe Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands have a split designation of “Agricultural”, “Greenlands” and “Settlements”, as per Schedule 5.1 of the Simcoe County Official Plan (SCOP) The portion of the site for the proposed severances is designated as “Agricultural”.</p> <p>As noted above, the settlement area boundary is proposed to be corrected through the Town’s ongoing Official Plan review, which includes the severed lands within the Churchill Settlement Area. Upon approval, the County Official Plan schedules will be updated accordingly to reflect the revised settlement area boundary. As such, in staff’s opinion, this portion of the land should be evaluated in accordance with the applicable settlement area policies.</p> <p>In addition, the County has provided comments that “the County understands that the proposed consent involves the creation of three new residential lots within the area zoned for residential use, while retaining the agricultural portion of the lands. As the proposal is consistent with the permitted use of the residential zone and utilizes existing infrastructure, County staff have no concerns.</p> <p>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). Section 3.3.2 states subdivision of land by plan of subdivision or consent are permitted only for the land uses permitted in the designation or that maintain the intent of the Plan’s objectives and policies. Section 3.5.1 states one of the objectives of the settlements designation is to focus population and employment growth and development within settlements. The proposal is considered compatible with adjacent residential areas in that it is consistent with a previous approved plan of subdivision to the immediate north and maintains frontages that are consistent with existing frontages on the same street.</p> <p>Staff are of the opinion that the application conforms to the policies of the Simcoe County Official Plan.</p>
<p>Conforms to the Town of Innisfil Official Plan: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands have a split designation of Agricultural Area, Key Natural Heritage Features & Key Hydrologic Features outside of the settlement area (Schedule B), and Hamlet Residential on Schedule B8 to the Town Official Plan. As stated, Schedule B and B8 are inconsistent with respect to the settlement area boundary, as Schedule B8 shows the new residential lots within the settlement area boundary and Schedule B mostly does not show them within. This inconsistency is proposed to be corrected to be the same</p>

residential designation through the Town's ongoing Official Plan review to accurately reflect the intended settlement area boundary, and to reflect existing R1 Zoning and historical Official Plan designations. In addition, Section 23.1.17 supports the interpretation that the settlement area boundary can be adjusted without a formal Official Plan Amendment if the change is minor and reflects the intended planning framework. Therefore, in staff's opinion, this portion of the land should be evaluated in accordance with the applicable hamlet residential designation policies.

Section 10.5.3 states that the lot density of the Hamlet Residential Area should generally be in the range of 2.5 units per net hectare, but the specific density should be confirmed through a hydrogeological study that assesses the assimilative capability of the soils. The proposed density is approximately 5 units per net hectare including the road. While the policy provides a general density target, density is typically measured across the broader neighbourhood and some variation may be considered on a site-specific basis. In this case, the proposed lots comply with the minimum lot area and lot frontage requirements of the Zoning By-law. In addition, the proposal is consistent with the established patterns of development and represents a reasonable and appropriate form of intensification in this area with similar lot area and lot frontage. The required Hydrogeological Study will also assist with addressing the density policies.

Section 10.5.5 states that where lands are without municipal water service and/or municipal sewer services, new dwelling units on existing vacant lots and expansions to existing dwellings may be required to provide a hydrogeological study that assesses the assimilative capability of the soils. There is an existing 50mm diameter watermain near the south limit of John Street that terminates approximately 10 metres north of the proposed lot, the applicant is responsible for the water serving extension. Staff has included a condition that Owner/Applicant obtain written confirmation from InnServices that municipal water servicing has been provided for all three new lots to their satisfaction. A hydrogeological study is required as a condition of approval to confirm site conditions are suitable for the provision of private servicing and that no negative impacts will occur.

Section 10.5.6 states that new infill lots, on lands without municipal services, or with partial services may be permitted by severance or plan of subdivision subject to the following:

i) direct access is provided to an open and maintained public road- The proposal fronts onto the public road onto John St at the south end of the existing cul-de-sac.

ii) the feasibility of a private water supply and/or sewage disposal system is demonstrated to the satisfaction of the Town through a hydrogeological study that assesses the assimilative capability of the

	<p>soils and confirms sufficient ground water supply- A condition of approval has been included to address this requirement.</p> <p>iii) confirmation of sufficient reserve sewage system capacity within the Town's sewer treatment systems for hauled sewage from the private systems or partial services. A condition of approval has been included to address this requirement.</p> <p>iv) where municipal water service is provided, confirmation of sufficient capacity- A condition of approval has been included to address this requirement.</p> <p>v) the density policies in Policies 10.5.3 and 10.5.4 are addressed; and; Staff is in support of the proposed density per analysis above.</p> <p>vi) the applicant enters into an agreement with the Town to pay for eventual connection to a municipal water and/ or sanitary system if such system is installed within the municipal road allowance abutting the property (this condition is not considered applicable due to the expected extensive time horizon for sanitary sewers in Churchill).</p> <p>Sections 15.1.6. and 15.1.7 state a Tree Protection Plan shall be required as part of development applications that identifies, preserves, and compensates trees on the lot, including any trees removed five years prior to the development application. A Preservation/Planting Plan shall be prepared to the satisfaction of the Town should any Tree removal be proposed.</p> <p>Staff have reviewed the criteria outlined in Section 22.8.1 to consider when evaluating consent applications and have no concerns with the application conforming to these criteria. However, staff note that per section 22.8.4, the maximum total number of lots approved by the Municipality on one property through consent shall be three. Proposals for new lots in excess of three shall be processed by plan of subdivision. To clarify, no more than 3 new lots can ever be created through consent on the original parcel of land. As such, no further severances are permitted from the remaining lands through the consent process, notwithstanding that the lands are designated Hamlet Residential and zoned R1.</p> <p>Considering the above, Staff are of the opinion that the application conforms to the Town of Innisfil Official Plan.</p>
<p>Complies with the Town Zoning By-law: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are zoned "Residential 1 (R1) Zone", Agricultural General (AG) and Environmental Protection (EP) in Zoning By-law No. 080-13, as amended. The proposed severed lot is fully within the R1 zone and outside of the AG and EP zones on the lot. Within the R1 zone, permitted use includes single detached dwellings and requires a minimum 17m lot frontage and minimum 1400m² lot area (with municipal water only). The severed and retained lots comply with or exceed the minimum required lot frontage and lot area for the R1 zone. The lots would not be out of character with surrounding</p>

	lots, including frontages to the John St. Variances are not required for this severance proposal. Considering the above, Staff are of the opinion that the proposal maintains the purpose and intent the Town's Zoning By-law, subject to the proposed conditions.
Conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i>: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	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 conforms to these sections subject to the conditions proposed.

CONCLUSION:

The Planning Department recommends approval of application B-2026-002 subject to the proposed conditions.

PREPARED BY:

Ingrid Li
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning



Building Department

MEMORANDUM TO FILE

DATE: May 14, 2026

FROM/CONTACT: Jocelyn Penfold

FILE/APPLICATION: B-2026-002

SUBJECT: 2439 4th 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. Please note that additional information (such as, but not limited to, septic review, limiting distance calculations or engineered documents, etc.) may be requested at building permit stage in order to review for compliance against the Ontario Building Code.
2. 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 the Building Department.

Condition of Approval (Conditions of Approval are specific enforceable conditions regarding the subject lands should the Committee of Adjustment approve the application).



Engineering

MEMORANDUM TO FILE

DATE: April 16, 2026

FROM/CONTACT: Adil Khan ex 3244 akhan@innisfil.ca

FILE/APPLICATION: B-002-2026

SUBJECT: 2439 4th 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 a building permit, please submit engineering design drawings and all other supporting documents in accordance with Town Standards and to the satisfaction of the Town.

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. Should trees be removed tree compensation shall be provided in accordance with the Town Standards.

MEMORANDUM TO FILE

DATE: May 12th, 2026

FROM/CONTACT: Thomas Steube-Chapman, InnServices

FILE/APPLICATION: B-2026-002

SUBJECT: Severance Application for 2439 4th 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. Per InnServices records, there is an existing 50mm diameter watermain near the south limit of John Street that terminates approximately 10 metres north of the proposed Lot 1. An extension of 50mm watermain on John Street, to create a looped 50mm diameter watermain around the John Street cul-du-sac would be required. Water service laterals for each of the three proposed severed lots would be serviced via the 50mm diameter watermain extension. The Owner/Applicant would be responsible for all costs associated with the watermain servicing extension.
2. Prior to submitting a Right of Way Activity Permit (RAP) with the Town of Innisfil for the watermain extension works, the Owner/Applicant shall submit Additional Service Connection Application to InnServices to service the severed lands, complete with the applicable Additional Service Connection Application fees for each lot.
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 installation of new watermain, water service laterals 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 for the water servicing works, 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 water servicing works. 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 agrees that they shall be responsible for all associated costs with extending the municipal water servicing on John Street, in order to service the severed lands in accordance with Town of Innisfil Engineering Design Standards and Specifications and InnServices requirements.
2. That construction of the extension of municipal water servicing works shall be completed and available for use prior to the Town of Innisfil issuing the Certification of Official for the proposed severance application.



May 14, 2026

VIA EMAIL

Sarah Burton Hopkins
Secretary Treasurer
Town of Innisfil
2101 Innisfil Beach Road
Innisfil, ON, L9S 1A1

RE: Consent Application - B-2026-002
Subject Lands: 2439 4th Line, Town of Innisfil, County of Simcoe
County File: I-B-2601

Thank you for circulating the above-noted application to the County of Simcoe. County Planning staff understand that the applicant is proposing to sever the residentially zoned portion of the lands municipally known as 2439 4th Line from the agriculturally zoned portion of the property to create three new residential lots. The first severed lot (Lot 1) is proposed to have a lot frontage of approximately 18.6 m and a total lot area of approximately 2,540 m². The second severed lot (Lot 2) is proposed to have a lot frontage of approximately 17.2 m and a total lot area of approximately 1,610 m². The third severed lot (Lot 3) is proposed to have a lot frontage of approximately 17.0 m and a total lot area of approximately 1,650 m². The retained agricultural lands are proposed to have a total lot area of approximately 85.58 ha.

The County understands that the proposed consent involves the creation of three new residential lots within the area zoned for residential use, while retaining the agricultural portion of the lands. As the proposal is consistent with the permitted use of the residential zone and utilizes existing infrastructure, County staff have no concerns.

Please circulate future updates or notices with respect to this proposal to the attention of the County of Simcoe Planning Department via planning.notices@simcoe.ca.

If you have any questions or require further information, please do not hesitate to contact the undersigned.

Sincerely,

The Corporation of the County of Simcoe

Elizabeth Davis
Planner II
P: 705-726-9300 ext. 1137
E: elizabeth.davis@simcoe.ca

cc. Dan Amadio, Planning Manager – County of Simcoe



Nottawasaga Valley
Conservation Authority

May 11th, 2026

SENT BY EMAIL

Sarah Burton Hopkins,
Secretary Treasurer
sburtonhopkins@innisfil.ca

Town of Innisfil
2101 Innisfil Beach Road
Innisfil, ON, L9S 1A1

RE: Consent Application File No. B-2026-002
2439 4th Line, Innisfil
NVCA ID #47229

Nottawasaga Valley Conservation Authority (NVCA) staff have reviewed the above-noted proposed consent application to sever the residentially zoned portion of the lands municipally known as 2439 4th Line from the agriculturally zoned portion of the property to create three new residential lots.

The key role of NVCA is to direct development away from natural hazards and wetlands where there is a risk to life and property, and not to create new or aggravate existing hazards. To protect life and property from natural hazards and wetlands, NVCA reviews *Planning Act* proposals pursuant to requirements of the *Conservation Authorities Act*, O. Reg. 686/21 on Mandatory Programs and Services, O. Reg. 41/24 on Prohibited Activities, Exemptions and Permits, and NVCA Board approved policies. For *Planning Act* applications, NVCA also acts on behalf of the Province regarding natural hazards identified in Sections 5.1 and 5.2 of the Provincial Planning Statement (PPS) and as a public body under the *Planning Act*.

Summary and Recommendations

In summary, NVCA are satisfied that the proposed consent for creation of a new lot is consistent with the PPS, as no new development is proposed in natural hazards.

NVCA has no objection to approval of the consent subject to the following conditions:

1. That prior to final approval of the consent that the following conditions are completed to the satisfaction of Nottawasaga Valley Conservation Authority (NVCA):
 - a. That the owner acknowledges and agrees that a permit may be required from the NVCA pursuant to the Conservation Authorities Act for any proposed development activities in an area regulated by NVCA; and

Conservation Authorities Act

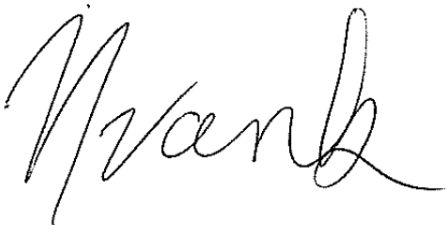
Based on [NVCA mapping](#), the applicant is advised that the subject lands are regulated pursuant to the *Conservation Authorities Act*. A permit may be required for the following activities, except where listed as an exception:

- The construction, reconstruction, erection or placing of a building or structure of any kind.
- Changes that would alter the use or potential use or potential use of a building or structure, increase the size of a building or structure, or increase the number of dwelling units in a building or structure.
- Site grading, temporary or permanently placing, dumping or removal of any material originating on the site or elsewhere.
- Straightening, changing or diverting or interfering with the existing channel or a river, creek, stream or watercourse.
- Changing or interfering with a wetland.

Conclusion

Should you require any further information, please feel free to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read 'N. Vankooten', written in a cursive style.

Nicole Vankooten, BAS, MA

Environmental Regulations Analyst



NVCA Maps: 2349 4th Line [11-MAY-2026]

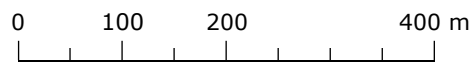


11-May-2026



Legend

- Jurisdiction Boundary
- Municipalities
- Street Number Labels
- Parcel Boundaries
- Unevaluated Wetlands (NVCA)
- Meander Erosion Hazard
- Wetland Interference Hazard
- Major Roads**
 - Major Highway
 - Highway
 - Major Road
- Local Roads**
 - Streets and Small Roads
 - Unclassified
- Lakes
- River / Stream
- Neighbouring CAs



1 : 10000

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of the information displayed in this map product are strongly cautioned to verify all information before making any decisions. © 2024~ Reproduction of this map is prohibited without written permission from the Nottawasaga Valley Conservation Authority.

Nottawasaga Valley Conservation Authority
 8195 8th Line
 Utopia, ON L0M 1T0
www.nvca.on.ca