

Summary of Comments

B-2026-006

3 Cook Ave



COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER: B-2026-006

RELATED APPLICATION(S): N/A

TO: Sarah Burton Hopkins, Secretary Treasurer Committee of Adjustment

FROM: Toomaj Haghsheenas, Development Planner

SUBJECT: Lot Boundary Adjustment which will result in the transfer of 372 m² of land from 3 Cook Ave to 10 Hamilton St

PROPERTY INFORMATION:

Municipal Address	3 Cook Avenue
Legal Description	PLAN 99 LOT 2
Official Plan	Residential Low Density 1 (Schedule B2)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of application B-2026-006 subject to the following requirements:

1. That the Applicant/Owner shall submit a digital draft reference plan of survey, to be reviewed and approved by the Town, for the lot boundary adjustment. Once approved, the R-Plan is to be deposited on title at the Land Registry Office.
2. That the Applicant/Owner shall confirm conformity with zoning provisions through the submission of an updated site plan with zoning table showing the site statistics (i.e. setbacks, lot coverage, landscape open space) for 3 Cook Ave as a result of the lot boundary adjustment

REASON FOR APPLICATION:

The applicant is proposing a lot boundary adjustment which will result in the transfer of 372 m² of land from 3 Cook Ave to vacant lands known as 10 Hamilton St. The owners of both subject properties are proposing to reconfigure the lots for personal use. Please note that a previous application for a severance resulting in a new lot was deferred by the committee (application B-2026-001) due to servicing constraints prohibiting lot creation in Cookstown.

SURROUNDING LANDS:

North	Single-detached dwellings
East	Single-detached dwellings
South	Hamilton St (local road) and single-detached dwellings
West	Cook Ave (local road) and single-detached dwellings

ANALYSIS:

Site Inspection Date	May 5, 2026
Consistent with the Provincial Planning Statement (PPS): ☒ Yes ☐ No	The subject lands are within the Village Settlement Area of Cookstown as defined by the Provincial Planning Statement (PPS 2024). Section 2.3.1.1 states that “settlement areas shall be the focus and growth of development”. 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 subject lands are located within the settlement area of Cookstown but do not represent intensification as no new lots will be created. Section 3.6.1 states that that municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Section 3.6.7 states that Planning authorities may allow lot creation where there is confirmation of sufficient reserve sewage system capacity. The lot boundary adjustment will not result in the creation of a new lot. As notes above, a previous application proposing the creation of a new lot was deferred due to servicing constraints. The PPS further does not define lot boundary adjustment as ‘development’ under its definitions. Considering the above, Staff consider the application to be consistent with the PPS, subject to the proposed conditions, as the proposed lot boundary adjustment will not result in a new lot creation.
Conforms to the County of Simcoe Official Plan: ☒ Yes ☐ No	The subject lands are designated ‘Settlement’ in the Simcoe County Official Plan. 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). The proposal does not represent intensification; the density in the area will remain the same. Section 3.5.16 a) states that consideration will be given to “the required infrastructure and public service facilities are approved and implementable in a timely and cost-effective manner”. Servicing allocation is already available for the two subject properties; and the application will not require any additional servicing allocation. Staff are of the opinion that the application conforms to the policies of the Simcoe County Official Plan as no new servicing allocation units are required.
Conforms to the Town of Innisfil Official Plan: ☒ Yes ☐ No	The subject lands are designated “Residential Low Density 1” on Schedule B1 to the Town Official Plan. The designation permits single detached dwellings. The lands are also located within the Village Settlement Area of Cookstown.

	Section 9.4.2 states that Village Settlement Areas will accommodate limited growth due to servicing constraints. Section 9.4.4 states that Further allocation of growth to Cookstown, if determined through a municipal comprehensive review conducted by the County of Simcoe, shall only be considered if the servicing capacity of Cookstown has the ability to be expanded to accommodate additional growth. Section 9.9.2 states that Infill and intensification are encouraged and will be directed to the delineated built-up areas of Alcona and Cookstown to the extent that servicing permits. Section 9.11.1 (iii) states that when determining the progression of development within a settlement area, “priority is given to proposals that optimize existing infrastructure and public service facilities.” The application does not represent intensification and will not result in additional servicing allocation requirements; as such, staff have no concerns with respect to these policies. Section 10.1.47 states that the design of new or infill development adjacent to protected heritage properties, or the adaptive reuse of heritage structures shall incorporate the principles of heritage conservation. Design of these developments shall be sensitive to the existing heritage structures. Staff are of the opinion that the proposed lot boundary adjustment will not negatively impact the heritage nature of the area. The subjects lands will maintain existing frontage hence not affecting the streetscape. There are multiple examples of irregular shaped lots nearby within the Heritage Conservation District. Staff have no concerns with the lot boundary adjustment from a heritage perspective. Section 10.2.4 of the Official Plan states that the maximum permitted density of the Residential Low Density 1 area shall be 13 units per net hectare and the minimum shall be 10 units per net hectare. ‘<i>Net hectare</i>’ means the area of land of the lot and includes local roads as per the definition in Section 23.3.91. The proposal will not result in a change of density. Section 10.2.11 states in cases of existing oversized lots, the lot may be subdivided such that any new lot(s) meet the minimum lot area requirements of the zoning by-law, any required variance is no greater than 20% of the applicable zoning provisions and the frontage is consistent with the average frontage on the same street within 250 metres. The general intent of the frontage consistency policy is to ensure new infill is not out of character with existing lots. The proposed lot boundary adjustment would not be out of character with surrounding lots, is not considered infill as it is not a new lot, and all existing frontages remain unchanged. A condition of approval is to provide site details to ensure compliance will all zoning provisions for the reduced 3 Cook Ave. Considering the above, Staff are of the opinion that the application conforms to the Town of Innisfil Official Plan, subject to the proposed conditions.
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Complies with the Town Zoning By-law: ☒ Yes ☐ No	The subject lands are zoned “Residential 1 (R1) Zone” in Zoning By-law 080-13, which permits single detached dwellings and requires a minimum 15m lot frontage and minimum 600m ² lot area. The lot boundary adjustment would result in both lots meeting frontage and area requirements. Through the proposed conditions, staff will confirm conformity with all other provisions of the Zoning By-Law, however the lot boundary adjustment itself meets the zoning requirements for both lot area and lot frontage, as stated.
Conforms to Section 2, 51(24) and 53(12) of the Planning Act: ☒ Yes ☐ No	Staff have reviewed the matters under Sections 2, 51(24) and 53(12) of the <i>Planning Act</i>, which would include consideration of Cookstown Heritage Conservation District Guidelines under Section 2 (d) and 51(24) (a) and (g). Given the that the proposal will not result in a change in frontage or streetscape, staff are of the opinion that the proposal adheres to the guidelines of the Cookstown Heritage District Guidelines. Section 51(24)(f) speaks to dimensions of lots. The proposal will not negatively impact safety, convenience or accessibility. There are irregular shaped lots nearby in the Heritage District at 2 Albert St, 10 Victoria St E, 12 Victoria St E, 16 Victoria St W, 3 King St N, and 30 Wellington amongst others. Section 2.3.3 of the Cookstown Heritage Conservation (HDC) District Plan and Design Guidelines speaks to Streetscape character and consistent street frontages. The proposed boundary adjustment will not alter any frontages and streetscape will not be affected. Section 3.3.1 of the HCD guidelines speaks to Development Pattern, acknowledging irregular lotting and street patterns throughout the District. As such, Built Form and Architectural features are used to maintain streetscape consistency which is beyond the scope of this application. Frontage consistency is not altered and will be maintained. In consideration of the above, Staff consider the application to be in conformity to these sections of the Planning Act, subject to the proposed conditions.

CONCLUSION:

The Planning Department recommends approval of application B-2026-006, subject to the proposed conditions.

PREPARED BY:

Toomaj Haghshenas
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-2026-001

SUBJECT: 10 Hamilton St./3 Cook Ave.

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: July 16, 2026

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

FILE/APPLICATION: B-006-2026

SUBJECT: 3 Cook Avenue

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: July 7th, 2026

FROM/CONTACT: Thomas Steube-Chapman, InnServices

FILE/APPLICATION: B-2026-006 3 Cook Avenue

SUBJECT: Severance Application for 3 Cook Avenue – InnServices Comments and Conditions

Comments to applicant/owner for information purposes:

None.

Condition of Approval:

None.

MEMORANDUM TO FILE

DATE: July 9, 2026
FROM/CONTACT: Darren Smith, darrens@innpower.ca
FILE/APPLICATION: B-2026-006
SUBJECT: 3 COOK AVE

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):

Applicant has an active service layout and offer to connect from InnPower for new connection at 10 Hamilton St. If additional electric service connections are required, the customer must reach out to InnPower for further direction.

