Summary of Comments

B-2026-010

1113 Lindy Lane

COMMITTEE OF ADJUSTMENT MEMORANDUM

APPLICATION NUMBER:	**B-2026-010**
RELATED APPLICATION(S):	**N/A**
TO:	**Sarah Burton Hopkins, Secretary Treasurer Committee of Adjustment**
FROM:	**Toomaj Haghshenas, Development Planner**
SUBJECT:	**Consent to sever 1113 Lindy Lane to create one (1) new residential lot with frontage on Lindy Lane, consistent with their historical configuration.**

PROPERTY INFORMATION:

Municipal Address	1113 Lindy Lane
Legal Description	PLAN 873 LOT 41 PT LOT 42 RP 51R10832 PART 1
Official Plan	Hamlet Residential (Schedule B10)
Zoning By-law	Residential 1 (R1) Zone

RECOMMENDATION:

The Planning Department recommends approval of application B-2026-010

REASON FOR APPLICATION:

The applicant is proposing to sever the subject lands located at 1113 Lindy Lane to create a 'new lot' which would be consistent with the subject lands' historical configuration. The two parcels were historically separate lots which merged on title following common ownership. The severed lot would have an approximate lot area of 1,110m^2 with a lot frontage of 24.3m off Lindy Lane. The retained lot would have an approximate lot area of 973m^2 with a lot frontage of 21.3m off Lindy Lane. Please note that both lots prior to merger were developed with single-detached dwellings on both properties.

SURROUNDING LANDS:

North	Lindy Lane (Local Road) and single-detached dwellings
East	single-detached dwellings
South	single-detached dwellings
West	single-detached dwellings

ANALYSIS:

Site Inspection Date	October 7, 2026

Consistent with the Provincial Planning Statement (PPS): **☒Yes** **☐No**	The subject lands are within the Hamlet Settlement Area of Gilford 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 2024 PPS also states that planning authorities shall support general intensification and redevelopment in accordance with Section 2.3.1.3. Since the subject property is located within the settlement area of Gilford and represents intensification on a public street that contains single detached lots, the proposal is consistent with these sections of the PPS. Section 3.6.4 states that where municipal sewage services and municipal water services are not available, planned or feasible, individual on-site services may be used provided that site conditions are suitable for the long-term provisions of such services with no negative impacts. Both the severed and retained lots are developed with single detached welling located on the properties. The dwellings are connected to private septic and water services therefore no concerns from Staff. The application is considered to be consistent with the PPS.
Consistent with the Lake Simcoe Protection Plan (LSPP): **☒Yes** **☐No**	The subject lands are located within a settlement area, therefore they are subject to the settlement area policies 6.32 to 6.34 of the Lake Simcoe Protection Plan (LSPP). The subject lands are located within areas regulated by the Lake Simcoe Region Conservation Authority (LSRCA), and the LSRCA has been circulated. Given this is a "technical" severance" to restore the subject lands to their original configuration, staff are of the opinion that the proposed severance is consistent with the LSPP.
Conforms to the County of Simcoe Official Plan: **☒Yes** **☐No**	The subject lands are designated 'Settlement' on Schedule 5.1 of the Simcoe County Official Plan and identified as being in the Settlement Area of Gilford. 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, with particular emphasis on primary settlement areas. The proposal would meet these objectives. Staff are of the opinion that the application conforms to the policies of the Simcoe County Official Plan.

Conforms to the Town of Innisfil Official Plan: **☒Yes** **☐No**	The subject lands are designated "Hamlet Residential" on Schedule B10 to the Town Official Plan. As per Section 10.5.2, the designation permits single detached dwellings. The lands are also located within the Hamlet of Gilford. 10.5.3 states lot density should be in a range of 2.5 units per net hectare, but confirmed through a hydrogeological study that assesses soil assimilative capacity. Development is existing, and septic systems are already installed. No new development is proposed. In the opinion of Staff, this policy is not applicable as no new development is occurring. The new infill policies of 10.5.6 likewise are not applicable due to no proposed development, Section 9.5.2 of the Official Plan states that *growth in Hamlets will be limited to infill within the boundaries of the settlement area in a manner that maintains local character and the limitations of private servicing*. The subject lands are located within the settlement area; and the proposed severance will not require additional servicing as both lots currently contain homes connected to private water and sewer. 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 will take advantage of existing services, no new servicing is required. Considering the above, Staff are of the opinion that the application conforms to the Town of Innisfil Official Plan.
Complies with the Town Zoning By-law: **☒Yes** **☐No**	The subject lands are zoned "Residential 1 (R1) Zone" in Zoning By-law 080-13 The R1 zone permits single detached dwellings and requires a minimum 22m lot frontage and minimum 1,400m^2 lot area. Both severed and retained lots have deficient lot areas and the retained does have a deficient frontage. The severed lot would have an approximate lot area of 1,110m^2 with a lot frontage of 24.3m off Lindy Lane. The retained lot would have an approximate lot area of 973m^2 with a lot frontage of 21.3m off Lindy Lane Ave. Given the nature of the technical severance to re-instate previous development that pre-dated the current Zoning By-law, variances will not be required as part of this consent application. The general intent of the Zoning By-law with respect to increased lot area and frontage where municipal sewer services are not provided is to ensure adequate lot area for a septic system. While multiple variances would typically be required to facilitate the proposed lot configuration, Staff recognize that the intent of the severance is to effectively "unmerge" the parcels and restore the lands to their historical lot configuration, as stated; rather than introduce a new lot pattern within the neighbourhood. As such, staff are of the opinion that the proposal maintains the purpose and intent the Town's Zoning By-law.

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 Planning Act, and are of the opinion the proposed development conforms to these sections.

CONCLUSION:

The Planning Department recommends approval of applications B-2026-010.

PREPARED BY:

Toomaj Haghshenas
Development Planner

REVIEWED BY:

Steven Montgomery, MCIP, RPP
Supervisor of Development Planning

Innisfil

Building Department

MEMORANDUM TO FILE

DATE: October 8, 2026

FROM/CONTACT: Jocelyn Penfold

FILE/APPLICATION: B-2026-010

SUBJECT: 1113 Lindy Lane

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.

Innisfil

Engineering

MEMORANDUM TO FILE

DATE: October 15, 2026

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

FILE/APPLICATION: B-010-2026

SUBJECT: 1113 Lindy Lane

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.

Sent via e-mail: sburtonhopkins@innisfil.ca

October 8, 2026

Municipal File No.: B-2026-010
LSRCA File No.: VA-403479-092926

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

Dear Sarah,

Re: Application for Consent
1113 & 1119 Lindy Lane
Town of Innisfil
Owner: Arnaldo Maciel
Applicant: Richard Maciel

Thank you for circulating the above-captioned application to the Lake Simcoe Region Conservation Authority (LSRCA) for review and comment. It is our understanding that the Applicant/Owner is proposing to validate and re-establish the two original parcels as separate parcels after they were merged in title.

Documents Received and Reviewed by Staff

Staff have received and reviewed the following documents submitted with this application:

- Application Package (dated October 23, 2023)
- Application Cover Letter (dated September 9, 2026)
- Legal Document Package (various dates)
- Notice of Public Hearing (dated September 30, 2026)
- Plan of Survey (dated November 24, 1981)
- Plan of Subdivision (dated September 5, 1946)

Staff have reviewed this application as per our delegated responsibility from the Province of Ontario to represent provincial interests regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024) and as a regulatory authority under Ontario Regulation 41/24 of the *Conservation Authorities Act.* LSRCA has also provided comments as per our Memorandum of Understanding (MOU) with the Town of Innisfil. The application has also been reviewed through our role as a public body under the *Planning Act* as per our CA Board approved policies. Finally, LSRCA has provided advisory comments related to policy applicability and to assist with implementation of the South Georgian Bay Lake Simcoe Source Protection Plan under the *Clean Water Act*.

Recommendation

Based on our review of the submitted information in support of the application, the proposal is consistent and in conformity with the natural hazard policies of the applicable Provincial, Regional and Local plans. On this basis, we have no objection to the approval of this application for Consent. It is recommended that any approval of this application be subject to the following conditions:

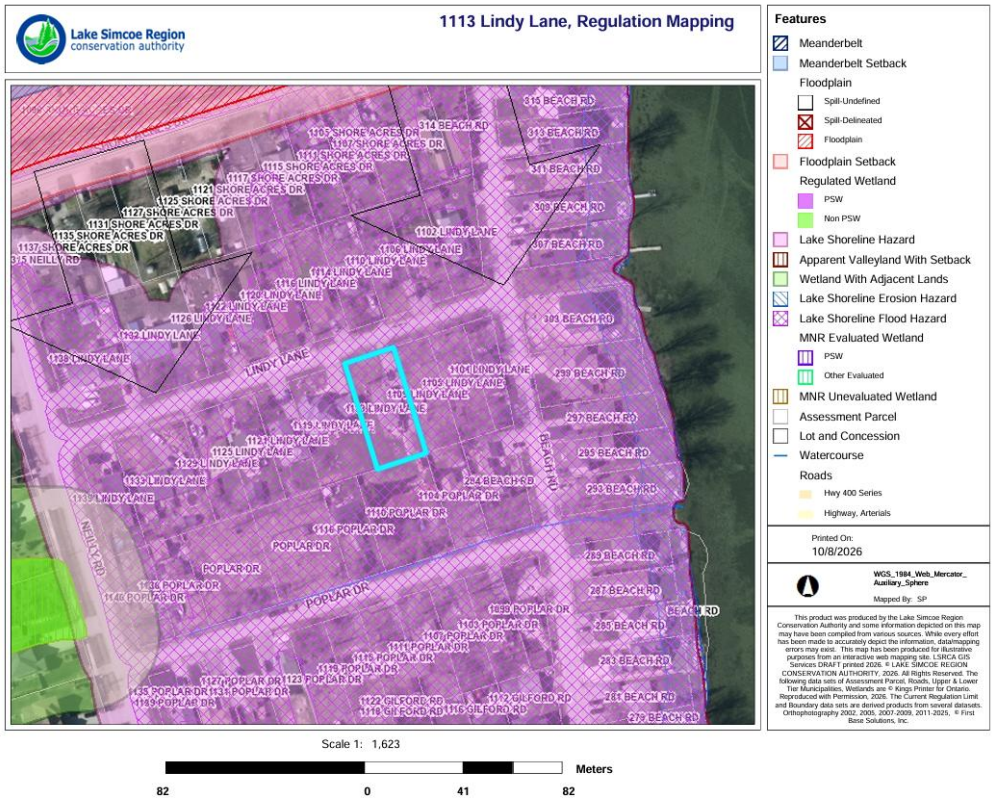
- That the Applicant/Owner shall pay the LSRCA Plan Review Fee in accordance with the approved LSRCA Fee Schedule. The applicable fee for Consent (Minor – planner review only) is $630;

Site Characteristics

The subject lands are approximately 973 square metres (1113 Lindy Lane) and 1,110 square metres (1119 Lindy Lane) in land area and is located south of Lindy Lane and west of Beach Road within the Town of Innisfil.

Existing mapping indicates the following:

- The subject land is within the 'Residential One Zone' (R1) as per the Town of Innisfil's interactive online mapping tool.
- The subject property is entirely regulated by the LSRCA under Ontario Regulation 41/24 for flood hazard associated with White Birch Creek and shoreline floodplain associated with Lake Simcoe. Please see a detailed regulatory map below.
- The subject property is located within a completed watershed or sub-watershed study area – Innisfil Creeks Subwatershed Plan.



Please note: LSRCA staff have not attended any site meetings at this location related to the subject applications.

Delegated Responsibility and Statutory Comments

1. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS). There are identified natural hazards on the subject lands (flood hazard associated with White Birch Creek and shoreline floodplain associated with Lake Simcoe). Based on the information submitted as part of this application, the proposal is generally consistent with 5.2 of the PPS.

2. LSRCA has reviewed the application as per our responsibilities as a regulatory authority under Ontario Regulation 41/24. This regulation, made under Section 28 of the *Conservation Authorities Act*, enables conservation authorities to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Development taking place on these lands may require permission from the conservation authority to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. LSRCA also regulates the alteration to or interference in any way with a watercourse or wetland.

3. LSRCA has reviewed the application through our delegated responsibility from the Province to represent provincial interests regarding natural heritage identified in Section 6 of the Lake Simcoe Protection Plan (LSPP). The LSRCA's review has been modified due to Bill 23, More Homes Built Faster Act, having received Royal Assent from the Province, and the associated Regulations issued on December 28th, 2022. This impacts our review by way of Planning Act applications, as the LSRCA is no longer able to comment on behalf of municipalities for Natural Heritage review within Oak Ridges Moraine, Greenbelt and Municipal Settlement Areas established prior to 2009. We note the subject lands are located outside of these areas, therefore LSRCA will be reviewing Natural Heritage as it relates to the LSPP.

   Ontario Regulation 41/24 applies to the entirety of the subject property. It appears that the proposed development will be within the regulated area, therefore a permit from the LSRCA will be required prior to any development or site alteration taking place.

   LSRCA staff note that there does not appear to be a history of previous planning approvals issued by the LSRCA for the subject lands.

   LSRCA staff note that the Applicant/Owner has obtained a permit from the LSRCA regarding the repair of leaching bed pipes for a septic system submitted as part of a previous application (LSRCA file no. RPMM102543).

Advisory Comments

1. LSRCA has reviewed the application through our responsibilities as a service provider to the Town of Innisfil in that we provide through a MOU as well as through our role as a public body, pursuant to the *Planning Act*.

Summary

Based on our review of the submitted information in support of this application, the proposal is consistent and in conformity with the natural hazard policies of the applicable Provincial, Regional and Local plans. On this basis, we have no objection to the approval of this application for Consent.

Given the above comments, it is the opinion of the LSRCA that:

1. Consistency with Section 5.2 of the PPS has been demonstrated;
2. Ontario Regulation 41/24 does apply to the subject site. A permit from the LSRCA will be required prior to any development or site alteration taking place;

Please inform this office of any decision made by the Town of Innisfil with regard to this application. We respectfully request to receive a copy of the decision and notice of any appeals filed.

Should you have any questions, please contact the undersigned (s.payne@lsrca.on.ca).

Sincerely,



Steven Payne
Planner I
Lake Simcoe Region Conservation Authority (LSRCA)