



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION  
APPLICATION NO. A-070-2023

**TAKE NOTICE** that a decision has been made by the Committee of Adjustment, for a minor variance application from **Jessica Kwan, Applicant**, on behalf of **Innisfil Beach Park GP Inc., Owner**, for relief from the provisions of Zoning By-law 080-13, pursuant to Section 45 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.


The subject properties are described legally as **INNISFIL CON 7 PT LOT 6 RP 51R20977 PART 2 PT PARTS 1 3** and **INNISFIL CON 7 PT LOT 6 RP 51R20977 PT PART 7**, are known municipally as **3575 Innisfil Beach Rd** and **7267 5<sup>th</sup> Sideroad**, and are zoned as **“Industrial Business Park (IBP)”**.


**The applicant is proposing to construct an industrial building with loading spaces in the yards facing the 5th Sideroad, Highway 400 and County Road No. 21. The applicant is seeking relief from Section 3.28.8 of the Zoning By-law which prohibits loading spaces any yard or wall of any building or structure, which adjoins or faces a street, or Provincial Highway No. 400, or County Road 21.**

The Committee of Adjustment has considered all written and oral submissions received before and/or during the hearing as part of their decision.


- The Committee **APPROVED** the application and is satisfied that it is in keeping with Section 45 of the Planning Act, is desirable for the appropriate use of the subject property, is minor in nature, and that the intent and purpose of the Official Plan and Zoning By-law have been maintained.
  - See attached Condition(s) of Approval
  - No Conditions
- The Committee **REFUSED** the application and is of the opinion the application is not in keeping with Section 45 of the Planning Act and that the intent and purpose of the Official Plan and Zoning By-law have not been maintained. The Committee is further not satisfied that the application is desirable for the appropriate use of the subject property, or that it is minor in nature.
- The Committee **DEFERRED** the application.

**DECISION DATED AT THE TOWN OF INNISFIL** this **16<sup>th</sup>** day of **November 2023**.  
**CIRCULATION DATE OF NOTICE OF DECISION:** November 21, 2023  
**LAST DAY OF APPEAL:** December 6, 2023

  
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Rod Hicks, Chair

  
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Marnie Adam, Member

  
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William Van Berkel, Member

  
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John Raimondi, Member

If applicable, the owner/applicant is responsible for any legal, engineering, InnServices & Town fees and must submit to Legal Services a deposit prior to the preparation of any documents (road widening, easement, agreements). The owner/applicant will be invoiced for any additional fees over and above the deposit and will be reimbursed for those funds not utilized. All in accordance with the Fees & Charges bylaw as amended.



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I, Toomaj Haghshenas, Secretary-Treasurer of the Committee of Adjustment do hereby certify that the above is a true copy of the Decision of the Committee of Adjustment for Application No. A-070-2023 rendered on November 16, 2023.

A handwritten signature in black ink, appearing to read "Toomaj Haghshenas".

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Toomaj Haghshenas  
Secretary-Treasurer  
Committee of Adjustment  
[thaghsenas@innisfil.ca](mailto:thaghsenas@innisfil.ca)  
705-436-3740 ext. 3316

**NOTICE OF LAST DATE OF APPEAL**

In accordance with Section 45 (12) of the Planning Act, you may appeal to the Ontario Lands Tribunal (OLT) against the decision by filing with the Secretary Treasurer of the Committee of Adjustment a notice of appeal setting out written reasons in support of the appeal and accompanied by a certified cheque or money order made payable to the Minister of Finance, in the amount of \$400 being the current fee prescribed by the Tribunal under the Local Planning Appeal Tribunal Act. The Tribunal prescribed Appellant Form (A1) must be filed with any appeal to the Local Planning Appeal Tribunal. This form is available online at <https://olt.gov.on.ca/forms-submissions/>.

Additional information relating to the application is available on the Town of Innisfil website. Accessible formats are available on request, to support participation in all aspects of the feedback process. To request an alternate format please contact Planning Services at [planning@innisfil.ca](mailto:planning@innisfil.ca).



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**CONDITIONS OF APPROVAL**

The below Condition(s) of Approval shall be completed within **ONE YEAR** from the Circulation Date of Notice of Decision outlined on Page 1. If the Condition(s) of Approval are not completed by this date, the application shall be deemed to have been refused.

**Engineering**

1. That Consent application B-019-2023 be approved.

**Nottawasaga Valley Conservation Authority (NVCA)**

2. That all required permits from the NVCA be approved prior to any construction or site alteration within the hazards on the property.