



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION  
APPLICATION NO. A-027-2025, A-028-2025 & A-029-2025

**TAKE NOTICE** that a decision has been made by the Committee of Adjustment, for a minor variance application from **Cassie Harris, Applicant** on behalf of **Shawn & Kirsty Martinez, 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 **CON 10 E PT LOT 1 RP 51R13943 PART 1** known municipally as **4630 Highway 89** and is zoned "**Agricultural (AG)**".

**The applicant is proposing to construct a pool house and seeking relief from Section 3.3c of the Zoning By-Law which requires accessory buildings and structures to have the same required yard setbacks as the principal buildings. The applicant is proposing to reduce the side yard setback from 10m to approximately 3m and the rear yard setback from 10m to approximately 2.73m.**

**The applicant is seeking relief from Section 3.27a) of the Zoning By-Law. The applicant is proposing to construct a pool house on the subject lands which is deemed a legal non-conforming.**

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 17th day of July 2025.**

**CIRCULATION DATE OF NOTICE OF DECISION:** July 18, 2025

**LAST DAY OF APPEAL:** August 6, 2025

A handwritten signature in black ink, appearing to read "R.H.P.", written over a horizontal line.

Rod Hicks, Chair

A handwritten signature in black ink, appearing to read "M.A.", written over a horizontal line.

Marnie Adam, Member

A handwritten signature in black ink, appearing to read "William Van Berkel", written over a horizontal line.

William Van Berkel, Member

A handwritten signature in black ink, appearing to read "John Raimondi", written over a horizontal line.

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, Sarah Burton Hopkins, 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-027-2025, A-028-2025 & A-029-2025 rendered on July 17, 2025.

Sarah Burton Hopkins  
Secretary-Treasurer  
Committee of Adjustment  
[sburtonhopkins@innisfil.ca](mailto:sburtonhopkins@innisfil.ca)  
705-436-3740 ext. 3504  
705-436-3740 ext. 3316

**NOTICE OF LAST DATE OF APPEAL**

Take notice that an appeal to the Ontario Land Tribunal in respect to all or part of this Minor Variance may be made by filing a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting the Town of Innisfil as the Approval Authority or by mail to Town of Innisfil, Secretary-Treasurer, Committee of Adjustment, 2101 Innisfil Beach Road, Innisfil, ON. L9S 1A1 no later than 4:30 p.m. on August 6, 2025. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [planning@innisfil.ca](mailto:planning@innisfil.ca).

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.

**Planning**

1. That the architectural drawing be revised with a proposed maximum height of five (5) meters for the proposed pool house at the building permit stage;
2. That the variances only apply to the submitted drawings, subject to a revision to show a maximum 5m height for the pool house and no other design changes, including that no kitchen be included that would otherwise define the structure as a dwelling through the Building Permit review process, and that any future development of the lands be subject to the Zoning By-law;
3. That any existing mature trees be protected and maintained to the satisfaction of the Town. A tree preservation/planting plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement rates for any trees to be removed, location of new trees and tree protection measures during construction.

Note: Staff note an additional variance would need to be submitted for the proposed pool, as this also requires a variance to 3.27 (a) as it represents further expansion of a non-complying use. These applications were made for the proposed pool house. Staff further note a kitchen (stove) is not permitted in the pool house.