

# **Summary of Comments**

**B-007-2025**

**7131 5<sup>th</sup> Sideroad**



## COMMITTEE OF ADJUSTMENT MEMORANDUM

**APPLICATION NUMBER:** B-007-2025  
**MEETING DATE:** July 17, 2025  
**RELATED APPLICATION:** A-035-2025  
**TO:** Sarah Burton Hopkins, Secretary Treasurer Committee of Adjustment  
**FROM:** Keirsten Morris, Senior Planner  
**SUBJECT:** Consent to sever 7131 5<sup>th</sup> Sideroad to create three new industrial lots.

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### PROPERTY INFORMATION:

<b>Municipal Address</b>	7131 5 <sup>th</sup> Sideroad
<b>Legal Description</b>	INNISFIL CON 7 PT LT 6 RP 51R-44530 Parts 1, 2 AND 4
<b>Official Plan</b>	Employment Area and Key Natural Heritage Features/ Key Hydrologic Features (KNHFs/KHFs) (Schedule B6)
<b>Zoning By-law</b>	Industrial Business Park (IBP) Zone

### RECOMMENDATION:

The Planning Department recommends approval of application B-007-2025, subject to the following conditions:

### CONDITIONS:

- 1.) That the Applicant/Owner shall convey to the Town, in fee simple, free and clear of all encumbrances and for nominal consideration, lands for a stormwater management pond. The Owner's solicitor shall submit a title opinion on the Town's form for such transfer. The title opinion is to be reviewed and approved by the Town prior to registration of the Transfer.
- 2.) That the Applicant/Owner enter into and execute an external works agreement with the Town of Innisfil respecting construction of the stormwater management pond for the severed and retained lands, and that said works shall be conveyed to the satisfaction of the Town.
- 3.) That the Owner enter into a Consent Severance Agreement with the Town which shall satisfy all requirements of the Town and be registered on title. The Consent Severance Agreement shall include but not be limited to the following condition:
  - a. The Owner acknowledges and agrees that no pollutants or substances that are detrimental to the environment or human health other than Total

**Suspended Solids, oil or grease are allowed to be discharged off the subject lands via stormwater into the municipal stormwater management system. For greater certainty, any substances contained on the subject lands other than Total Suspended Solids, oil and grease must be treated on-site before stormwater run-off is released into the municipal stormwater management system.**

- 4.) That the Applicant/Owner shall pay to the Town of Innisfil cash in lieu of 2% Parkland Dedication the amount of which shall be 2% of a valuation determined by a professional, and qualified appraiser engaged by the Owner/Applicant to the satisfaction of the Secretary Treasurer.**
- 5.) 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.**
- 6.) That the Owner shall agree in the Consent Severance Agreement that prior to final approval, the Applicant/Owner shall revise/update/provide and submit all required reports, studies and/or plans and address all outstanding peer review comments to the satisfaction of the Town.**
- 7.) That Minor Variance Application A-035-2025 be approved.**

#### **REASON FOR APPLICATION:**

The applicant is proposing to sever the subject lands to create three industrial lots and a stormwater management pond to be conveyed to the Town. Two lots are proposed to be severed to create two new industrial lots (Lots 2 and 3). Lot 2 is proposed to have an area of 3.03 hectares with approximately 69.7m of frontage on the newly constructed public road to the north. Lot 3 is proposed to be 4.10 hectares in area with approximately 73m of frontage on the new public road. The retained lot (Lot 1) is proposed to have an area of 11.32 hectares with approximately 151m of frontage on 5<sup>th</sup> Sideroad. The additional lot (Lot 4), which is approximately 4 hectares in area with 30.8m of frontage on 5<sup>th</sup> Sideroad, is proposed to be conveyed to the Town for a future Stormwater Management Pond as a condition of the consent application. This application is to be heard in conjunction with Minor Variance application A-035-2025.

Staff note that a previous consent application was approved with conditions by the Committee of Adjustment on September 19, 2024 (Application B-008-2024) to create two industrial lots and a stormwater management pond to be conveyed to the Town. The current application has been submitted based on the applicant's revised proposal. Conditions from the previous consent application (B-008-2024) have not been fulfilled therefore the consent was not finalized.

#### **SURROUNDING LANDS:**

<b>North</b>	Industrial warehouse currently under construction, vacant lands
<b>East</b>	Highway 400, lands zoned Commercial Business Park
<b>South</b>	Industrial lands (IHL), 7 <sup>th</sup> Line, agricultural and rural residential lands
<b>West</b>	5 <sup>th</sup> Sideroad, agricultural lands

#### **ANALYSIS:**

<b>Consistent with the Provincial Planning Statement (PPS):</b>	The subject lands are designated Employment Area by the Town Official Plan which supports employment uses including industrial operations, manufacturing, warehousing, distribution, research and
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<input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	<p>development uses and ancillary retail and office uses. As the lands are designated by the Town Official Plan for employment uses, they are considered 'employment area' by the Provincial Planning Statement, 2024 (PPS).</p> <p>Section 2.8 of the PPS includes policies that apply to employment areas. Section 2.8.1.1 states that planning authorities shall promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market ready sites, and seeking to address potential barriers to investment; encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities. Section 2.8.2 of the PPS indicates that employment areas shall be preserved for current and future uses with necessary infrastructure provided to support current and projected needs and employment areas in proximity to major goods movement facilities and corridors for uses that require those locations shall be protected. Greater intensification of the subject lands through a severance to allow additional employment uses along the 400 corridor would meet these policies.</p> <p>This application is considered consistent with the PPS, subject to the proposed conditions.</p>
<p><b>Consistent with the Lake Simcoe Protection Plan (LSPP):</b></p> <input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	<p>The Lake Simcoe Protection Plan (LSPP) includes policies that aim to protect, improve and restore elements that contribute to the ecological health of the Lake Simcoe watershed including water quality, hydrology, key natural heritage features and their functions and key hydrologic features and their functions. There is a watercourse located at the southern portion of the subject lands that is regulated by the Lake Simcoe Region Conservation Authority (LSRCA) and is identified as a key natural heritage and hydrologic feature under the LSPP. The watercourse will be conveyed to the Town along with the Stormwater Management Pond (Lot 4) and the Environmental Impact Study (EIS) submitted in support of the previous consent application (B-008-2024) concludes that the proposed consent will not adversely impact the natural heritage and hydrologic features. Staff note that the site is located within a Highly Vulnerable Aquifer (HVA). Impacts to the HVA will be evaluated at the time of site plan process when a detailed design is proposed and prior to development occurring on the lots. Staff consider the application to be consistent with the LSPP, subject to the recommended conditions and any conditions recommended by the LSRCA..</p>
<p><b>Conforms to the County of Simcoe Official Plan:</b></p> <input checked="" type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	<p>The subject lands are designated 'Strategic Settlement Employment Areas and Economic Employment Districts' on Schedule 5.1 of the County of Simcoe Official Plan. Section 3.9 states that within the Innisfil Heights Strategic Settlement Employment Area, development will be in accordance with the directive issued by the Minister of</p>

	<p>Infrastructure on February 4, 2013. This directive was archived by the Province when the 2024 Provincial Planning Statement (PPS) was implemented. The archived directive stated that this area shall be used for manufacturing, warehousing, manufacturing, processing, assembly, research facilities and outdoor storage uses that depend on access to, and the efficient movement of goods on, Highway 400, and employment supportive uses. Major retail and residential uses are not permitted. The application would facilitate creation of three large industrial lots for future employment use which is consistent with the Provincial Planning Statement, 2024 (PPS) and conforms to the County Official Plan.</p>
<p><b>Conforms to the Town of Innisfil Official Plan:</b> <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No</p>	<p>The subject lands are primarily designated Employment Area. The watercourse at the southern portion of the lands is designated Key Natural Heritage Features and Key Hydrologic Features (KNHF &amp; KHF) on Schedule B6 of the Town of Innisfil Official Plan.</p> <p>Section 12.1.1 states that Innisfil Heights, as shown on Schedule B6, must be planned to ensure the availability of large lots that support permitted uses. Unless otherwise compromised by design limitations associated with environmental features, property configurations, the provision of new roads or existing development, the minimum lot size on the remaining underdeveloped lands shall be 5 hectares with larger lot sizes encouraged. This policy does not apply to properties already smaller than 5 hectares.</p> <p>The subject lands are within the Innisfil Heights Strategic Settlement Employment Area. Section 9.6.1 states that Council supports the continued growth of industrial development by iv) ensuring that the inventory of designated vacant industrial lots includes large parcels to attract large land extensive industries. Section 9.6.2 states a full range of employment uses appropriate for a strategic location along Highway 400 will be promoted.</p> <p>The proposal would result in three large industrial lots for future employment use in an area where employment opportunities are intended to be concentrated for long-term economic growth. Lots 2 and 3 are proposed to be under 5 hectares in area, however as noted in the Planning Justification Report submitted with the application, the area and configuration of Lot 2 is proposed in order to accommodate a prospective tenant, being ATCO, who has a specific land need and use envisioned for the lands. Additional justification has also been provided for the reduced lot sizes of Lots 2 and 3, indicating that larger lot sizes would result in inefficient lot configuration and impact the usability of the lots for industrial purposes based on the locations and requirements of the stormwater management ponds to the north, west and south. In addition, the subject lands are located on the boundary of the two conservation authorities (Nottawasaga Valley Conservation Authority and Lake Simcoe Region Conservation Authority). The proposed lot boundaries were revised to limit the extent of land being reallocated across the watershed jurisdictions in accordance with LSRCA policies. As such, the proposed lot sizes and configurations have been justified in the context of the above noted OP policies and</p>

	<p>continue to meet the intent of the policies in accommodating large scale industrial and employment uses within the Employment Area designation. The proposal would provide opportunities for the uses that are supported by the Town Official Plan including manufacturing, processing, assembling, repairing, warehousing and distribution in proximity to Highway 400.</p> <p>Section 17.1 of the Official Plan applies to the Key Natural Heritage Features and Key Hydrologic Features designation (KNHF &amp; KHF) and includes policies that restrict development near or in the KNHF &amp; KHF designation unless it is demonstrated through a Natural Heritage Evaluation that there are no negative impacts on the natural heritage features or functions. As discussed, the watercourse that is designated KNHF &amp; KHF will be conveyed to the Town along with the Stormwater Management Pond (Lot 4) as a condition of consent, and the Environmental Impact Study (EIS) submitted in support of the previous consent application (B-008-2024) concludes that the proposed consent will not adversely impact the natural heritage and hydrologic features.</p> <p>Staff have reviewed the criteria outlined in Section 22.8.1 to consider when evaluating consent application and have no concerns with the application conforming to these criteria. The proposed design, massing and siting of future uses will be reviewed through the required Site Plan Control process. The stormwater management pond will be conveyed to the Town and be constructed through an external works agreement which is recommended as a condition of consent. Any additional studies to confirm sufficient servicing, stormwater, traffic impacts, placemaking, design, environmental impacts etc. will be required at the Site Plan Control stage for the development of the individual lots.</p> <p>Staff therefore consider the application to conform to the Town of Innisfil Official Plan, subject to the recommended conditions.</p>
<p><b>Complies with the Town Zoning By-law:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The subject lands are zoned Industrial Business Park (IBP) which requires a minimum lot area of 2000m<sup>2</sup> and minimum lot frontage of 45m (interior lot) and 50m (exterior lot). The proposed severed and retained lands meet these requirements. Site plan control would be required subsequent to the severance to establish details respecting site layout and design and would be required to adhere to the Zoning By-law in terms of use permissions. In consideration of the above, the application complies with the Town's Zoning By-law.</p>
<p><b>Conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i>:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>This application has been reviewed and in the opinion of Staff conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i>. Section 51(24) requires regard to be had to the effect of development on matters of provincial interest, whether the subdivision is premature or in the public interest, whether the plan conforms to the official plan and adjacent plans of subdivision, the suitability of the land for the purposes of which it is to be subdivided, the dimension and shape of the proposed lots, the restrictions or proposed restrictions on the land to be subdivided, and other matters. Staff are of the opinion, considering the materials submitted, the proposed conditions, and</p>

	review of applicable policies, this application conforms to Section 2, 51(24) and 53(12) of the <i>Planning Act</i> .
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**CONCLUSION:**

The Planning Department recommends approval of application B-007-2025, subject to the recommended conditions.

**PREPARED BY:**

Keirsten Morris  
Senior Planner

**REVIEWED BY:**

Steven Montgomery, MCIP, RPP  
Supervisor of Development Planning



**BUILDING DEPARTMENT**

**MEMORANDUM TO FILE**

**DATE:** July 10, 2025

**FROM/CONTACT:** Jocelyn Penfold ex 3506 jpenfold@innisfil.ca

**FILE/APPLICATION:** B-007-2025

**SUBJECT:** 7131 25th Sideroad

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**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. No comments.

**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 the Building Department)

1. No comments.





Engineering

## MEMORANDUM TO FILE

**DATE:** July 17, 2025

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

**FILE/APPLICATION:** B-007-2025

**SUBJECT:** 7131 5<sup>th</sup> Sideroad

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**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. Any future development will be subject to site plan control.
2. The Owner shall obtain all necessary permits or approvals from applicable agencies, including Conservation Authorities, and provide copies to 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. The Owner shall submit a Stormwater Management Report for the parcels of land draining to the South Pond and all associated modeling files for detailed review and to the satisfaction of the Town.



## **MEMORANDUM TO FILE**

**DATE:** July 10<sup>th</sup>, 2025

**FROM/CONTACT:** Thomas Steube-Chapman, InnServices

**FILE/APPLICATION:** B-007-2025 7131 5<sup>th</sup> Sideroad

**SUBJECT:** Severance Application for 7131 5<sup>th</sup> Sideroad – 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. Current Town of Innisfil Standards require a minimum 9.0 metre wide easement for sanitary sewers. To be addressed as part of the Site Plan Control process.
2. InnServices is not in favour of the current proposed alignment of the sanitary sewer within the easement through Lot 1. To be addressed as part of the Site Plan Control process.
3. InnServices will require vehicle access along the entire length of sanitary easement for maintenance purposes. To be addressed as part of the Site Plan Control process.
4. Sanitary and water demands presented in the Servicing Report are not aligning with current Town Standards or Master Servicing Plan recommendations. To be addressed as part of the Site Plan Control process.
5. The FUS Required Fire Flow values presented in the Servicing Report exceed the current available fire flow to the area. To be addressed as part of the Site Plan Control process.
6. The hydrant flow test presented in the Servicing Report is not adjacent to the proposed Lots. To be addressed as part of the Site Plan Control process.
7. Additional comments and review will occur as Lots 1, 2 and 3 proceed to Site Plan Control Stage.

**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):

None.



Sent via e-mail:

Date

**Municipal File No.: A-035-2025 and B-007-2025**  
**LSRCA File No.: VA-98278-070325**

**Sarah Burton Hopkins**  
**Development Coordinator & Secretary Treasurer**  
**of the Committee of Adjustments**  
**2101 Innisfil Beach Road**  
**Town of Innisfil, L9S 1A1**

Dear ,

**Re: Application for Minor Variance and Severance**  
**7131 5<sup>th</sup> Sideroad**  
**Town of Innisfil**  
**Owner: 7131 5<sup>th</sup> Sideroad Inc.**  
**Applicant: Kyle Gavin**

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 sever the subject lands for the purpose of creating for the purpose of creating two industrial lots (lot 2 and 3) and associated stormwater management block. It is our understanding that the Applicant/Owner is requesting an application for minor variance to allow for the proposed development. The Applicant/Owner is seeking relief from the following section of the Town of Innisfil Comprehensive Zoning By-law 080-13, as amended:

- Relief from Section 3.4 (f) i) of the Zoning By-Law which prohibits outdoor storage within the Primary Visual Impact Area.

**Documents Received and Reviewed by Staff**

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

- Minor Variance Circulation Package (dated June 27, 2025)
- Severance Circulation Package (dated June 27, 2025)

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 these applications for Minor Variance and Severance. It is recommended that any approval of this application be subject to the following conditions:

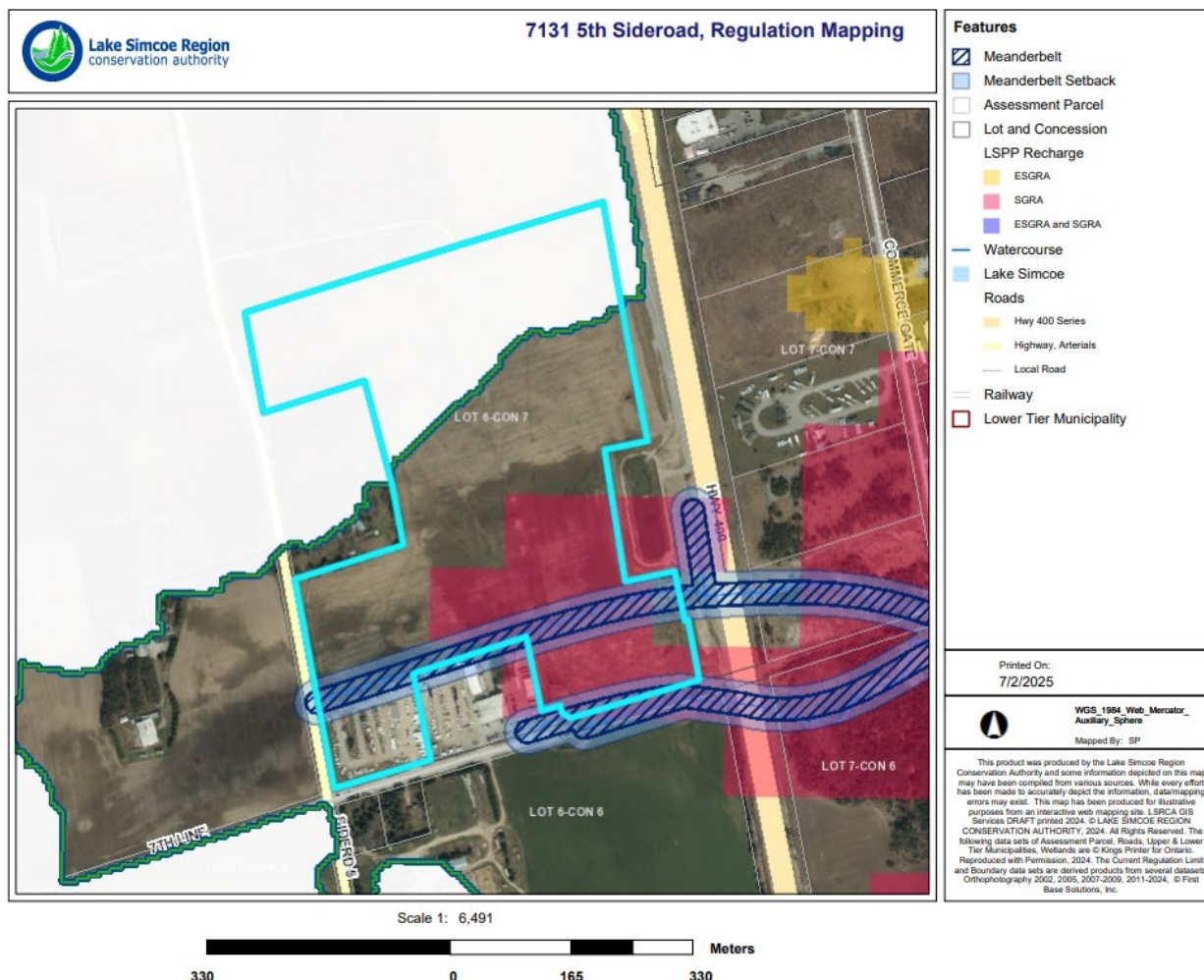
- That the Applicant/Owner shall pay the LSRCA Plan Review Fee in accordance with the approved LSRCA Fee Schedule. The applicable fee for Minor Variance (Minor – planner review only) is \$536;
- That the Applicant/Owner will require a permit from the LSRCA for any development or site alteration occurring within the regulated area.

### **Site Characteristics**

The subject land is approximately 26.36 hectares in land area and is located west of Highway 400 and north of 7<sup>th</sup> Line within the Town of Innisfil.

Existing mapping indicates the following:

- The subject land is within the 'Industrial Business Park' (IBP) as per the Town of Innisfil interactive zoning.
- The subject property is partially regulated by the LSRCA under Ontario Regulation 41/24 for erosion hazard associated with Lovers Creek and an unevaluated wetland feature (located outside of LSRCA watershed). Please see a detailed regulatory map below.
- The subject property is located within a completed watershed or sub-watershed study area – Lovers Creek Subwatershed Plan.
- The subject property is within a Significant Groundwater Recharge Area (SGRA).



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 (erosion hazard area). 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.

Ontario Regulation 41/24 applies to a portion of the subject property. It appears that the applicant is not proposing any development in the regulated area at this time. However, a permit from the LSRCA will be required prior to any development or site alteration taking place.

#### **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*.
2. Please note that according to LSRCA mapping there appears to be an unevaluated wetland in the northeast corner of the subject property. There also appears to be an unevaluated wetland on adjacent lands (7089 5TH Sideroad) to the west of the property in which the buffer extends onto the subject project. Please contact the NVCA for more information about the wetland feature.

#### **Summary**

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 these applications for Minor Variance and Severance.

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 applies to the subject site. It appears there is not currently any proposed development in the regulated area, however the Applicant/Owner will require a permit from the LSRCA prior to any future development or site alteration occurring within the regulated area.
3. The Applicant/Owner shall pay the LSRCA Plan Review Fee in accordance with the approved LSRCA Fee Schedule. The applicable fee for Minor Variance/Consent (Minor – planner review only) is \$536.

Please inform this office of any decision made by the Town of Innisfil regarding 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 ([a.mclean@lsrca.on.ca](mailto:a.mclean@lsrca.on.ca)).

Sincerely,



Alison McLean  
Planning Administrator  
Lake Simcoe Region Conservation Authority (LSRCA)

## **Resident Comments For 7131 5<sup>th</sup> Sideroad**

### **Public Comment #1**

I am the Solicitor for the Applicant and have been involved in the planning and legal process for the subject lands. I am aware of the difficulties that the Applicant experienced when developing these lands and the abutting lands to the north with the LSRCA and the NVCA. I act on the sale of the subject lot. Therefore my attendance will be to support the Planner who will proceed with the deputation and add any information required by the committee.