



**COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING  
APPLICATION NO. B-005-2023**

**TAKE NOTICE** that an application has been received by the Town of Innisfil from **Jamie Robinson, Agent**, on behalf of **Innisfil Beach Commercial Group Inc., Owner**, for consent under Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended for a consent to a conveyance of property.

The subject properties are described legally as **INNISFIL CON 8 PT LOT 23 RP 51R42041 PART 10, PLAN 1318 PT LOT 1 LESS RP 51R29695 PART 6, PLAN 1318 PT LOT 2 LESS RP 51R29695 PART 5, PLAN 1318 PT BLK A PT MCNABB ST RP 51R42041 PART 5, PLAN M504 PT BLK 59 RP 51R42041 PART 1, PLAN 1318 PT BLK A PT MCNABB ST RP 51R42041 PART 4, and INNISFIL CON 8 PT LOT 23 PLAN 1318 1 FT RES RP**, are known municipally as **1124 Innisfil Beach Road, 1130 Innisfil Beach Road, 1136 Innisfil Beach Road and 1154 Innisfil Beach Road**, and are zoned as **“Mixed Use Exception 3 (MU2-3)”**.

**The applicant is proposing a consent in order to create an easement for the construction of a sound barrier as per conditions of Site-Plan Approval.**

The Committee of Adjustment for the Town of Innisfil will consider this application in person at Town Hall and virtually through Zoom on **Thursday, April 20, 2023, at 6:30 PM.**

To participate in the hearing and/or provide comments, you must register by following the link below or scanning the above QR code:

<https://innisfil.ca/en/building-and-development/committee-of-adjustment-hearings.aspx>

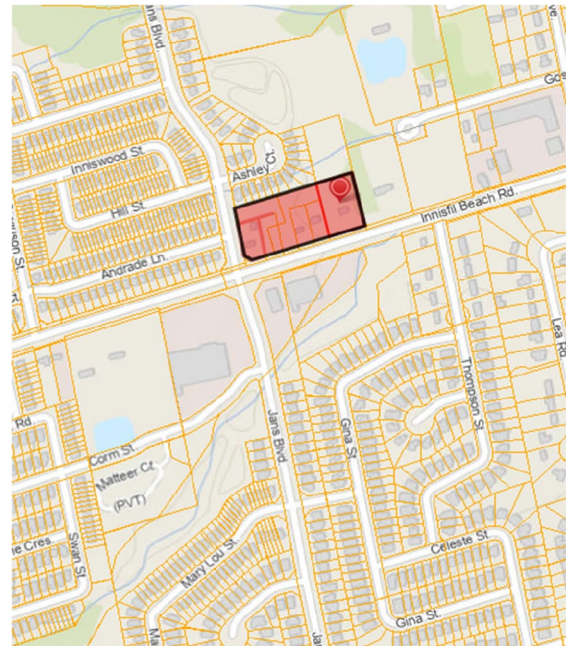
Requests can also be submitted in writing to: Town of Innisfil Committee of Adjustment, 2101 Innisfil Beach Road, Innisfil, Ontario, L9S 1A1 or by email to [planning@innisfil.ca](mailto:planning@innisfil.ca).

If you wish to receive a copy of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Local Planning Appeal Tribunal.

Additional information relating to the proposed 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).

Dated: **April 4, 2023**

Toomaj Haghshenas,  
Secretary Treasurer  
[thaghsheenas@innisfil.ca](mailto:thaghsheenas@innisfil.ca)  
705-436-3710 ext. 3316





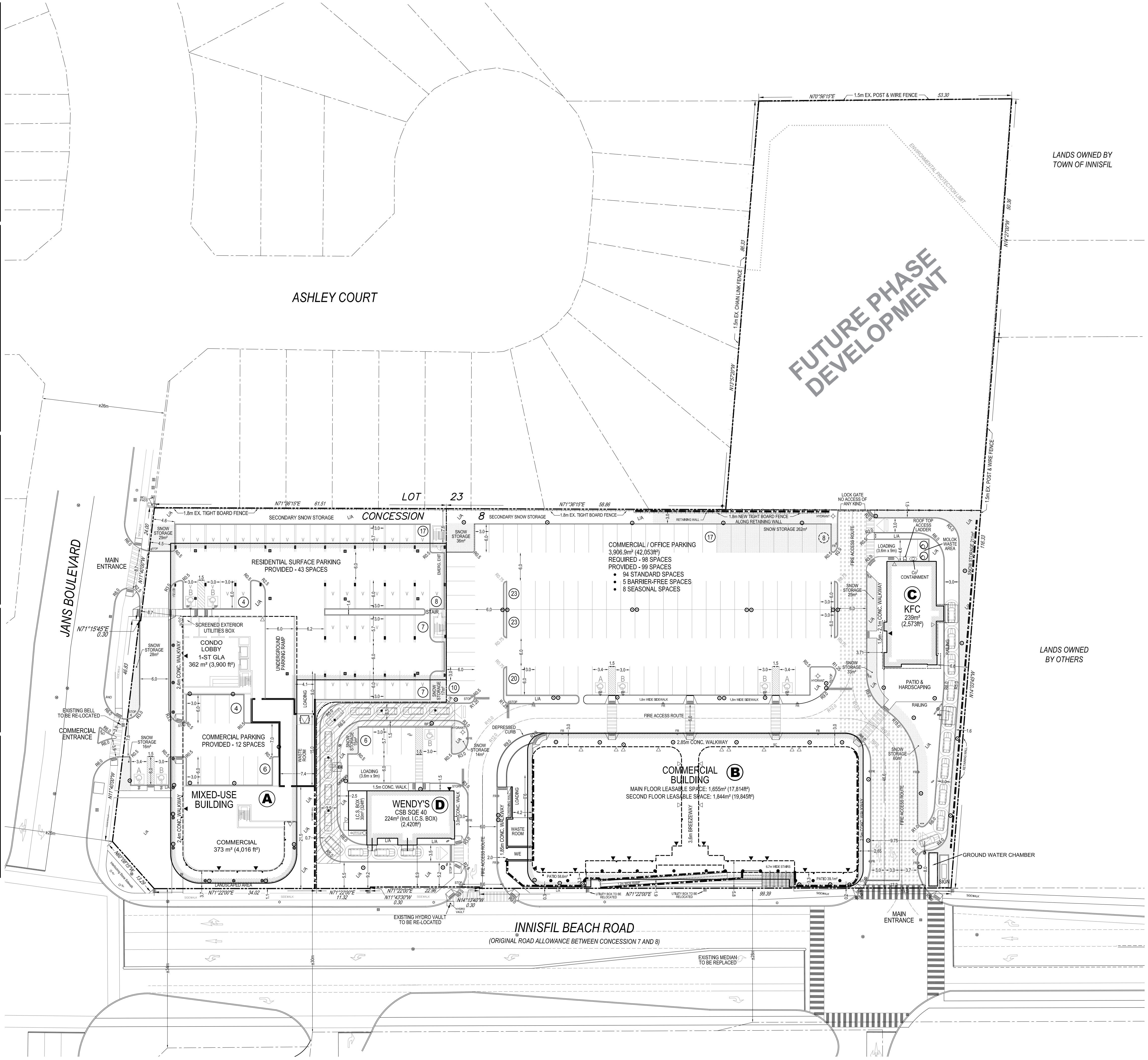
BUILDINGS A, B, C & D		
MIXED-USE 2 (MU2) / MIXED-USE 2 EXCEPTION 3 (MU2-3) ZONES		
PROVISION	REQUIRED	PROVIDED
Lot Area (min.)	1,000m²	18,637.5m²
Lot Frontage (min.)	15m	177.6m
Building Frontage (min.)	50%	72.0% (128.0m)
Interior Side Yard (min.)	0m	6.6m (C)
Exterior Side Yard - Jans Blvd (min.)	3.8m	4.5m (A)
Rear Yard (min.)	7.5m (45° angular plane)	7.6m (A)
Lot Coverage (max.)	N/A	N/A
Landscaped Open Space (min.)	N/A	N/A
Width of Landscape Strip at Front and Exterior Side Lot Lines (min.)	Front - 1.0m Ext. Side - 3.8m	0.2m (B) 4.5m
Width of Landscape Strip at Rear Lot Line (min.)	0m and 3.0m about Residential	0m 3.0m
Width of Landscaping Adjacent to the Interior Lot Lines (min.)	0m	0m
Density (max.)	N/A	N/A
Parking Spaces (min.)	• Commercial: 140m² leasable area • Residential: 1.5 unit	119 spaces 240 spaces
Parking Landscaping abutting Residential Zone (min.)	3.0m	3.0m
Drive Through Facilities (max.)	2	2
Drive Through Location	North Side of Buildings	East Side of KFC South Side of Wendy's

MIXED-USE - BUILDING A		
MIXED-USE 2 (MU2) / MIXED-USE 2 EXCEPTION 3 (MU2-3) ZONES		
PROVISION	REQUIRED	PROVIDED
Front Yard (min.)	1m or 2m if over 4 storeys	1.1m
Front Yard (max.)	4m	3.7m
Building Height (min.)	7.5m (45° angular plane)	29.85m
Building Height (max.)	24m (45° angular plane)	29.85m
Amenity Space (min.)	4m² per residential unit 2m² interior 40m² exterior	760m²
Garage Width (max.)	N/A	N/A
Floor Area for Residential Dwelling Unit (min.)	47m²	To comply
STATISTICS		
Residential (and related)		
• Residential GFA	15,225.7m²	
• Residential Units	180 units	
• Residential Parking	240 spaces	
Commercial		
• Commercial GFA	373.0m²	
• Commercial Units	1 unit (min.)	
• Commercial Parking	12 spaces	
Underground Parking GFA	8,092.42m²	
Total GFA	23,860.12m²	
Building Height	29.85m (7 storeys)	

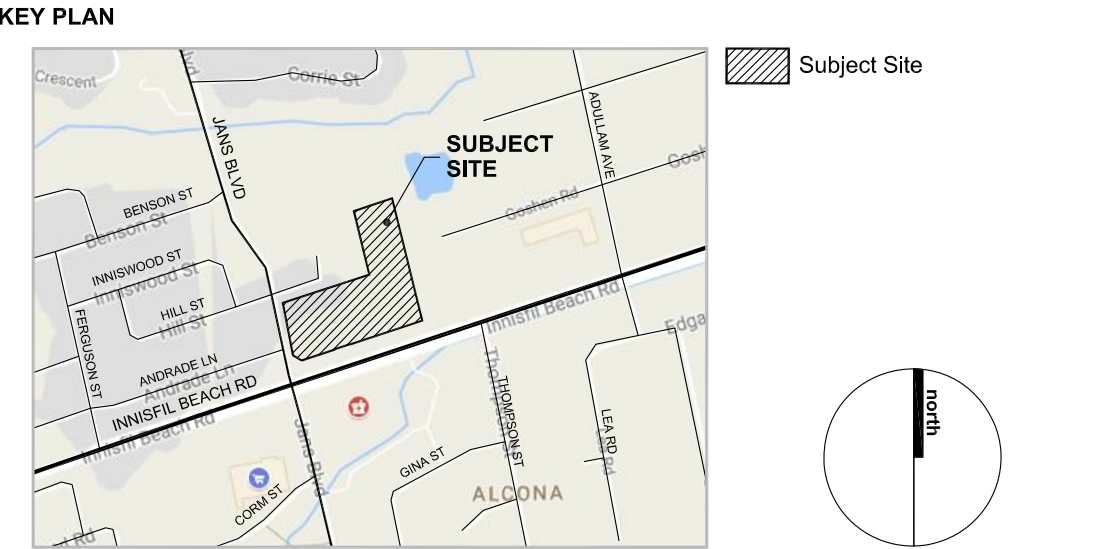
COMMERCIAL - BUILDING B		
MIXED-USE 2 (MU2) / MIXED-USE 2 EXCEPTION 3 (MU2-3) ZONES		
PROVISION	REQUIRED	PROVIDED
Front Yard (min.)	1m or 2m if over 4 storeys	0.0m
Front Yard (max.)	4m	4.0m
Building Height (min.)	7.5m (45° angular plane)	12.13m
Building Height (max.)	30m (45° angular plane)	12.13m
Garage Width (max.)	N/A	N/A
Loading Spaces (min.)	1 space	1 space
STATISTICS		
Main Floor		
• GFA	1,705.72m²	
• Leasable Area	1,600.22m²	
Second Floor		
• GFA	1,978.24m²	
• Leasable Area	1,843.69m²	
Total		
• GFA	3,683.96m²	
• Leasable Area	3,443.91m²	
Building Height	12.13m (2 storeys)	

KFC - BUILDING C		
MIXED-USE 2 (MU2) / MIXED-USE 2 EXCEPTION 3 (MU2-3) ZONES		
PROVISION	REQUIRED	PROVIDED
Building Height (min.)	7.5m (45° angular plane)	5.8m
Building Height (max.)	30m (45° angular plane)	5.8m
Garage Width (max.)	N/A	N/A
Drive Through Setback from Front Lot Line (min.)	12m	8.0m
STATISTICS		
Commercial		
• GFA	239.0m²	
• Leasable Area	239.0m²	
Total GFA	239.0m²	
Building Height	5.8m (1 storey)	

WENDY'S - BUILDING D		
MIXED-USE 2 (MU2) / MIXED-USE 2 EXCEPTION 3 (MU2-3) ZONES		
PROVISION	REQUIRED	PROVIDED
Front Yard (min.)	1m or 2m if over 4 storeys	8.9m
Front Yard (max.)	4m	9.2m
Building Height (min.)	7.5m (45° angular plane)	5.4m
Building Height (max.)	24m (45° angular plane)	5.4m
Garage Width (max.)	N/A	N/A
Drive Through Setback from Front Lot Line (min.)	12m	5.2m
STATISTICS		
Commercial		
• GFA	224.0m²	
• Leasable Area	224.0m²	
Total GFA	217.3m²	
Building Height	5.4m (1 storey)	



**LEGAL DESCRIPTION**  
PART OF LOT 23, CONCESSION 8  
AND ALL OF  
MCNABB DRIVE (STOPPED UP AND CLOSED BY BY-LAW NO. 050-96)  
AND ALL OF  
**BLOCK A AND 1 FOOT RESERVE**  
AND PART OF  
**LOTS 1 AND 2, REGISTERED PLAN 1318**  
**GEOGRAPHIC TOWNSHIP OF INNISFIL**  
AND ALL OF  
**BLOCK 59, REGISTERED PLAN 51M-504**  
**TOWN OF INNISFIL**  
**COUNTY OF SIMCOE**



LEGEND	
Site Boundary	Curb Ramp
Block Line	Pedestrian Walkway
Parcel Fabric	Access Aisle / No Parking Hatch
Edge of Pavement / Edge of Curb	Barrier-free Parking Space
Building Exterior Wall	AODA Type A Space (3.4m min.)
Underground Parking	AODA Type B Space (2.4m min.)
Visitor Parking	Queueing Space
Lighting	Main Building Entrance
Siamese Connection	Secondary Building Entrance
Fire Hydrant	Signs
Noise Barrier (see Detail 5 on drawing 2 of 2)	BF - Barrier Free
Proposed Easement to Phase 2 (exact location to be confirmed by Town)	FR - Fire Route
	NO - No Entry
	STOP
	YIELD

SNOW STORAGE			
SITE	SNOW CLEARANCE AREA	SNOW STORAGE AREA	STORAGE PERCENTAGE
Condo Snow Storage	Sidewalk: 33m² Paved Area: 653m²	90m²	12.9%
Commercial Snow Storage	Sidewalk: 564m² Paved Area: 5,029m²	656m²	11.7%
Townhouse Snow Storage	TBD	TBD	TBD
TOTAL	6,289m²	746m²	11.9%

No. 06	May 20, 2020	ADDRESS TOWN COMMENTS	C.P.
No. 05	April 27, 2020	ADDRESS TOWN COMMENTS	C.P.
No. 04	Dec. 13, 2019	ADDRESS TOWN COMMENTS	C.P.
No. 03	May 3, 2019	ADDRESS COMMENTS & REVISE COMMERCIAL BUILDING 'B'	M.M.

No. 02	Aug. 27, 2018	RESUBMISSION	M.M.
REVISION No.	DATE	ISSUED/REVISION	BY

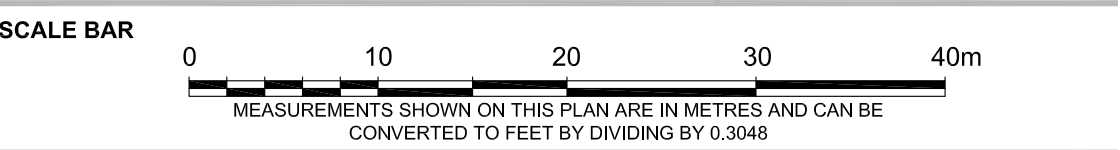
113 COLLIER STREET  
BARRIE, ON. L4M 1H2  
P: 705 728 0045 F: 705 728 2010  
WWW.MHBCPLAN.COM

**PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE  
MHBC PLANNING**

STAMP	DATE	DEC. 12, 2017
	DRAWN BY	M.M. / C.P.
	PLAN SCALE	1:400 (ARCH D)
	FILE No.	16275A
	CHECKED BY	J.R.
	OTHER	

**PROJECT**  
**INNISFIL BEACH ROAD  
MIXED-USE PROJECT**  
**1124, 1130, 1136, 1154  
INNISFIL BEACH ROAD**  
Abandel Group Ltd.  
84 Bristle Wood Cr., Vaughan, ON L4J 9K9

FILE NAME	SITE PLAN (No. SP-2016-001)	DWG No.	1 of 2
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February 15<sup>th</sup>, 2023

**Toomaj Haghshenas**

Senior Development Coordinator  
Town of Innisfil  
2101 Innisfil Beach Road  
Innisfil, ON  
L9S 1A1

Dear Toomaj:

**RE: Planning Justification Letter – Consent Application  
1124-1154 Innisfil Beach Road  
Town File No. SP-2016-001  
MHBC File: 21462A**

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## **1.0 BACKGROUND**

MacNaughton Hermesen Britton Clarkson Planning Limited (“MHBC”) was retained by Innisfil Beach Commercial Group Inc. (the “Owner”) to implement the conditions of the Site Plan Control Agreement dated 21-Jul-2020 for the lands municipally known as 1124-1154 Innisfil Beach Road. The signed Site Plan Control Agreement is included in **Appendix 1**. The scope of this Planning Justification Letter is to provide an overview of the proposed consent (easement) application in the context of the applicable land use planning framework.

## **2.0 PROPOSED CONSENT**

Schedule C to the Site Plan Control Agreement dated 21-Jul-2020 applies several conditions for approval. Section 10.2 of Schedule C requires that the Owner shall construct and maintain a sound barrier as shown on the Site Plan, Drawing No. 1 of 2 included as **Appendix 2**. Section 10.3 of Schedule C requires that the Owner shall apply to Town of Innisfil Committee of Adjustment for an easement in its favour for the maintenance of the sound barrier. The sound barrier is located between Building A and Building D as shown in **Figure 1** and is affixed to Building A.

Although the property is currently under single ownership, Building A and Building D are on separate conveyable lots and an easement is required due to the possibility of future ownership transfer.

**Figure 1** – Location of Sound Barrier



### 3.2 Provincial Policy Statement (2020)

The Provincial Policy Statement (the PPS) is the statement of the government's policies on land use planning and is intended to provide policy direction on land use matters which are in the Provincial interest. All land use planning decisions are required to be consistent with the PPS.

The PPS hosts three main policy sections:

1. Building Strong and Healthy Communities
2. Wide Use and Management of Resources
3. Protecting Public Health and Safety

The PPS directs the focus of growth and development toward settlement areas. The PPS encourages, among other things, densities and a mix of land uses which efficiently use land and resources, and are appropriate for and efficiently use existing or planned infrastructure.

The infrastructure and public service facilities policies of the PPS generally require infrastructure and public service facilities to be provided in a cost-effective manner with the use of existing infrastructure being optimized. The proposal will have no impact on current infrastructure use and does not require any expansion to accommodate the proposal.

From a stormwater perspective, stormwater management planning is to be integrated with sewage and water services to ensure that the systems are optimized, feasible, and financially viable over the long term, and they are to minimize or where possible, prevent increases in contaminate loads, minimize erosion and changes in water balance, mitigate risks to human health, safety, property and the environment, maximize vegetative and pervious services, and promote best management practices. Current stormwater management on the site is provided through swales and ditches, and the proposal will have no impact on stormwater management.

The transportation policies address the promotion of safe and efficient transportation systems. Efficient use should be made of existing and planned infrastructure where feasible, connectivity within and among transportation systems are promoted, and land use patterns, appropriate densities, and a mix of land uses are encouraged to minimize the length and number of vehicle trips and support transit and active transportation. As there is no change in the built form of the area nor any added units, the transportation use of the local road network will not be altered.

Section 3 of the PPS speaks to protecting public health and safety. Development is to be directed to areas outside of hazardous lands which may have the potential for flooding or erosion hazards. Current mapping provided by the Lake Simcoe Region Conservation Authority indicates that the Site is outside of the regulated area and no hazardous lands are present on the Site. Similarly, the Site is located outside of the hazardous lands as shown in the Town of Innisfil Official Plan mapping.

**Based on a review of the proposal and applicable policies of the PPS, the proposed consent is consistent with the policies of the PPS.**

### **3.3 The Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow, the Growth Plan for the Greater Golden Horseshoe (the Growth Plan) was created by the Province to guide the building of stronger more prosperous communities through the management of growth.

The Growth Plan provides policy direction on where and how to grow with an emphasis on directing growth to settlement areas. The policies speak to directing the vast majority of growth to settlement areas that have a delineated built boundary, have existing or planned municipal water and sanitary systems, and can support the achievement of complete communities. Alcona is a settlement area that hosts a delineated built boundary, existing municipal sanitary systems, and municipal water services.

Infrastructure to support growth is addressed in Section 3 of the Growth Plan. Infrastructure includes sewage and water systems, communication systems, and transit and transportation corridors, among other physical structures, that form the foundation for development. The policies in this section prioritize infrastructure planning to support and accommodate growth to the horizon of the Plan, and to support the achievement of complete communities. Infrastructure planning, land use planning, and infrastructure investment are to be coordinated to implement the policies of the Growth Plan. The Site is serviced by existing infrastructure, no expansion to the Town's infrastructure is required to accommodate the proposal, and no new impacts are anticipated as a result of this proposal.

The Growth Plan provides policy direction on protecting what is valuable including hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources. The Growth Plan outlines natural heritage features and associated development constraints where development is proposed in or adjacent to identified features. The Site is located within a settlement area and is not located in or adjacent to any natural heritage features and does not contain any known significant built heritage resources or significant cultural heritage landscapes as shown in the Town of Innisfil Official Plan mapping.

The Growth Plan contains specific policies related to Simcoe County. Many of the Simcoe sub-area policies are municipal-wide policies. The policies identify that the County is to direct a significant portion of population and employment growth to Innisfil as well as four other lower-tier municipalities in the County. There is no additional population being generated from this proposal.

**Based on a review of the proposal and applicable policies of the Growth Plan, the proposed consent conforms to the policies of the Growth Plan.**

### **3.4 Lake Simcoe Protection Plan (2009)**

The Site is located within the Lake Simcoe watershed and, therefore, the proposed application is required to conform to the policies of the Lake Simcoe Protection Plan (LSPP). The LSPP is administered by the Lake Simcoe Region Conservation Authority (LSRCA). The LSPP generally provides a policy framework identifying that settlement areas are where development is concentrated, policies related to development on the shoreline, in or near water courses, phosphorus loading, or for the creation of lots and new built form. The proposal is consistent with the LSPP policies specifically as it is not creating a new lot or new structures, nor is it changing its form of stormwater management or servicing.

The LSPP identifies that urban areas and rural settlement areas are where development is concentrated and includes policies for the management of stormwater for both existing and planned developments.

The proposal is not classified as a “development” or “major development” by the LSPP. “Development” means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*. “Major development” includes the creation of four or more lots; the construction of building(s) with a ground floor area of 500 square metres or more; or the establishment of a major recreational use. Additionally, the proposal is not classified as “site alteration” as no filling, grading, or excavation is occurring as part of the proposal that would change the landform or natural vegetative characteristics.

**Based on a review of the proposal and applicable policies of the Lake Simcoe Protection Plan, the proposed consent conforms to the policies of the LSPP.**

### **3.5 County of Simcoe Official Plan (2013)**

The County of Simcoe Official Plan (the “County OP”) is a document designed to guide land use planning in the County over the next 20 years. The County OP sets forth several goals and policies many of which relate to directing development to settlement areas.

The Site is located within the settlement area of Alcona and is designated “Settlements” in the County OP.

The County OP contains general development policies that apply across the County as a whole, including policies related to natural heritage, transportation, and the subdivision of land, among other considerations. Consents, such as this proposal, are permitted so long as no new lots are created.

The County has servicing policies that mirror the PPS. As discussed, the proposal does not change the existing servicing on the lots and no new servicing is required.

The County OP also contains policies relating to transportation. Themes of the transportation policies include limiting traffic congestion, supporting current and future public transit initiatives, supporting active transportation, and addressing the needs, safety, and convenience of pedestrians. The proposal conforms to the transportation policies of the County OP as it does not result in the creation of a new lot or increase transportation demands.

**Based on a review of the proposal and applicable policies of the County of Simcoe Official Plan, the proposed consent conforms to the policies of the County OP.**

### **3.6 Town of Innisfil Official Plan (2018)**

The Town of Innisfil Official Plan (the “Town OP”) guides planning and zoning decisions for the Town over the next 20 years. The Town’s OP sets forth several goals including, but not limited to, providing opportunities for residents, businesses, and organizations to connect in meaningful ways, embracing a managed level of growth, and maintaining the Town as a viable and vibrant community that fully embraces the principles of sustainability.

The Site is located within the settlement area of Alcona and is designated “Downtown Commercial Area” in the Town OP. The Downtown Commercial Area designation represents the commercial heart of the Town’s Primary, Urban, and Village settlements. The Town OP directs the majority of growth and development to settlement areas, with Alcona classified as a Primary Settlement Area.

The Town OP contains policies relating to infrastructure sustainability including stormwater management and municipal servicing. Development is required to be designed and located in a manner that does not add to flooding issues while undertaking measures to improve existing conditions where feasible. It is the intent of the Town that development generally takes place based on full municipal services. Under the Town OP, “development” means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the *Planning Act*. The proposal is not categorized as development as no new lot is being created, there is no change in land use, and no buildings are constructed.

The Town OP contains policies relating to various matters including but not limited to natural heritage features, natural hazards, groundwater, mineral aggregates, and site plan control. None of these features or resources are located on or near the Site, and the Site is currently subject to an approved Site Plan Agreement. The proposal meets the policies on subdivision control and consents and the proposal meets the overall intent of the Town OP.

**Based on a review of the proposal and applicable policies of the Town of Innisfil Official Plan, the proposed consent conforms to the policies of the Town Official Plan.**

### **3.7 Town of Innisfil Zoning By-law 080-13 (2013)**

The site is located within the Mixed Use 2 Exception 3 (MU2-3) Zone in the Town of Innisfil Zoning By-law (consolidated June 2022). The proposal will result in no changes to the parameters of the MU2-3 Zone and complies with the Zoning By-law.

**Based on a review of the proposal and applicable policies of the Town of Innisfil Zoning By-law, the consent complies with the provisions of the Zoning By-law.**

### **4.0 SUMMARY**

Based on the analysis outlined throughout this report, the proposed consent represents good land use planning and appropriate use of the Site for the following reasons:

- It has regard to matters of Provincial interest under the *Planning Act*;
- It is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe;
- It conforms to the County of Simcoe Official Plan and the Town of Innisfil Official Plan;
- It complies with the applicable provisions of the Town of Innisfil Zoning By-law; and
- Implements the conditions of the Site Plan Control Agreement dated 21-Jul-2020.

Yours truly,

**MHBC PLANNING**



Jamie Robinson, BES, RPP, MCIP  
Partner



Graham Richards, CD, BA  
Planner