



**COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING  
APPLICATION NO. B-027-2021**

**TAKE NOTICE** that an application has been received by the Town of Innisfil from **Timothy Schilling, Applicant**, on behalf of **Filren Corporation, Owners**, 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 for residential purposes.

The subject property is described legally as **INNISFIL CON 3 PT LOT 21 RP 51R36101 PART 1** is known municipally as **775 20<sup>th</sup> Sideroad** and is zoned **R2-6 (H), RT-11 (H), R2-6 (H), R1-28 (H), R1-26 (H), RT-12 (H), R2-6 (H), RT-11 (H), R1-27 (H), R2-5 (H), R2-6 (H), R1-27 (H), RT-11 (H), RT-11 (H), R2-6 (H), R2-5 (H), OS - Open Space Public Park, EP - Environmental Protection, CS-6 (H) - Community Services EXCEPTION 6, and CN-12 (H) - Commercial Neighbourhood EXCEPTION 12.**

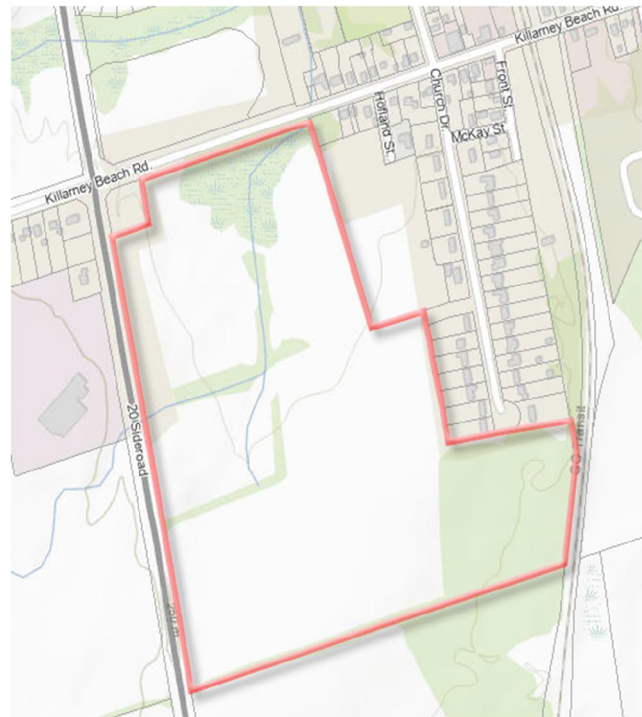
**The applicant is proposing to sever a portion of the subject lands for the purpose of constructing a new school. The severed lands will have a proposed lot area of 2.22 hectares.**

The Committee of Adjustment for the Town of Innisfil will consider this application through a conference call on **Thursday, June 16, 2022, 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/current-previous-applications/>.

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.

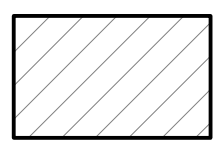
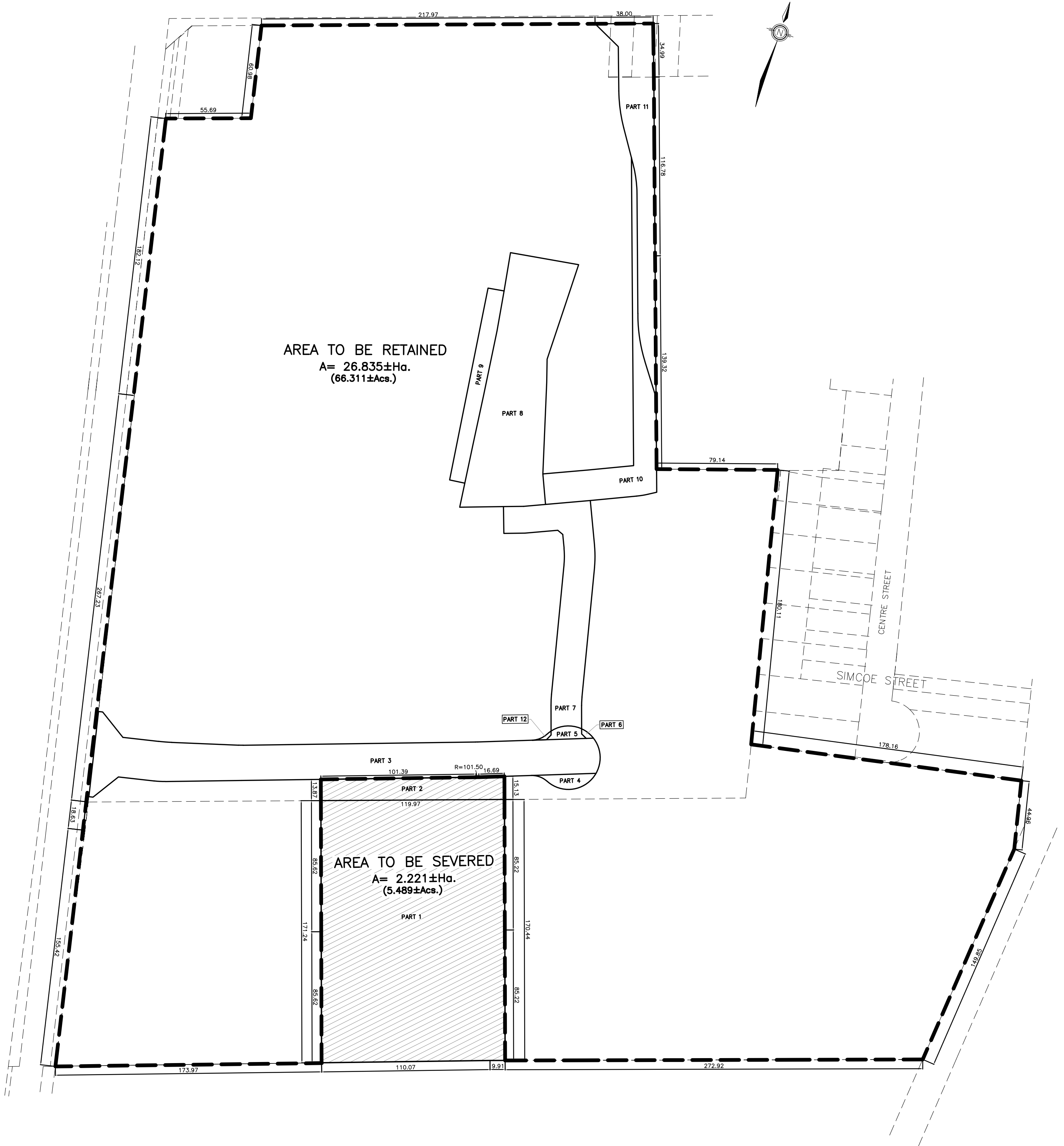


Additional information relating to the proposed application is available on the Town of Innisfil website. Accessible formats are available on request, to support participation in all aspects of the feedback process. To request an alternate format please contact Planning Services at [planning@innisfil.ca](mailto:planning@innisfil.ca).

Dated: June 1, 2022

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

# SEVERANCE SKETCH



SEVERED LANDS



RETAINED LANDS



64 Jardin Drive, Unit 1B  
Concord, Ontario  
L4K 3P3  
T.905.669.4055  
F.905.669.0097  
[klmplanning.com](http://klmplanning.com)

File: P-2805

November 4, 2021

Committee of Adjustment  
The Town of Innisfil  
2101 Innisfil Beach Road  
Innisfil, ON  
L9S 1A1

**Attention: Toomaj Haghshenas**  
**Secretary Treasurer Committee of Adjustment**

**Re: Application for Consent**  
**Filren Corporation**  
**Concession 3, Part of Lot 21, Part of Cedar Street and Lot 12, Registered Plan 24**  
**Town of Innisfil**  
**County of Simcoe**

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Dear Mr. Haghshenas:

On behalf of our client Filren Corporation, KLM Planning Partners Inc. are pleased to submit the following application for consent. The application is being submitted to facilitate a severance on the lands owned by our client, creating a parcel of land to be conveyed to the Simcoe Muskoka Catholic District School Board (“SMCDSB”) for purposes of constructing a new elementary school with associated child care facility. The foregoing is shown on the enclosed consent sketch prepared by KLM Planning Partners Inc. dated November 4, 2021 (“Subject Lands”).

The Subject Lands are located within the Settlement Area of Lefroy – Belle Ewart, south of Killarney Beach Road and east of the 20th Sideroad. The Subject Lands have an area of approximately 2.22 hectares (5.48 acres) with frontage of approximately 120.0 metres on the proposed McMaster Avenue right-of-way and form part of our client’s larger land holdings which are approximately 29.010 hectares (71.68 acres) in size. Access to the Subject Lands will be provided along the proposed McMaster Avenue right-of-way, which will be dedicated directly to the Town of Innisfil (“Town”) after the registration of the Reference Plan and is not part of this consent application. The Subject Lands form part of the LSAMI P4 draft plan of subdivision, which was draft approved by the Ontario Municipal Board on June 27, 2008.

**Associated Zoning By-Law Amendment Application (Town File: D14-2021-011)**

The Subject Lands are currently subject to an application for Zoning By-law Amendment under Town file D14-2021-011, which proposes to rezone the Subject Lands from Residential 2 Exception Hold (R2-5(H)) to Community Service Exception (CS-x) to permit the development of the elementary school and child care

facility which include a series of site-specific zone exceptions.

Application D14-2021-011 was presented to Council and the public at a statutory Public Meeting on August 18, 2021 and received general support from Council, staff and members of the public. The application was also discussed at a School Zone – Traffic Safety Advisory Committee meeting on August 19, 2021 wherein comments related to kiss/ride and bus conflicts were discussed.

Through the processing of the application, peer review comments on the submitted Transportation Impact Brief Addendum were received which are still being considered and addressed by TMIG on behalf of Filren Corporation. It is anticipated that a recommendation report will be brought forward to Town Council following receipt of a revised Transportation Impact Brief Addendum and that approval of the application will be required as a condition of consent.

Although not part of this consent application, it is noted that the SMCDSB are still refining their site plan with the assistance of an architect and it is anticipated that these issues can be resolved through the Town’s site plan control process.

**Official Plan Designation**

The Subject Lands are designated ‘Settlements’ on Schedule 5.1 (Land Use Designations) to the County of Simcoe Official Plan (2016) (“**County OP**”). Public service facilities such as elementary schools are directed to settlement areas. The Town Official Plan (“**Town OP**”) designates the entirety of the LSAMI P4 lands for a mix of residential, commercial and institutional land uses within the Lefroy – Belle Ewart Settlement Area. More specifically, the Subject Lands are designated ‘Community Space’ on Schedule B3 to the Town OP, which permits both schools and day nurseries.

**The Planning Act**

The Planning Act (“the Act”) provides the foundation for land use planning in Ontario, and describes how land uses may be controlled. With respect to the Subject Lands, an application for Consent under Section 53 is required.

Section 53 (12) of the Act requires that a Council or the Minister in determining whether a Provisional Consent is to be given shall have regard to the matters under subsection 51 (24) and has the same powers as the approval authority has under subsection 51 (25) with respect to the approval of a Plan of Subdivision and Subsections 51 (26) and (27) and section 51.1 apply with necessary modifications to the granting of a Provisional Consent.

Section 51 (24) of the Act outlines that in considering a Draft Plan of Subdivision (or Consent in this case), regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to a series of other matters which are noted and discussed below:

Provision	Response
(a) the effect of development of the proposed subdivision on matters of	The proposed consent has regard for relevant matters of Provincial interest as referred to in section 2, specifically (i) the adequate provision and distribution of educational, health,

provincial interest as referred to in section 2;	social, cultural and recreational facilities; and, (p) the appropriate location of growth and development.
(b) whether the proposed subdivision is premature or in the public interest;	The proposed consent responds to and implements the goals and objectives of the County OP and Town OP. Municipal services can be made available to service the Subject Lands. The SMCDSB have received provincial funding to construct the school therefore it is not premature and is in the public interest.
(c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;	The proposed consent conforms to the Town OP and County OP. The adjacent draft plan of subdivision, also owned by Filren Corporation are proposed to be redesigned to remove the Subject Lands to accommodate the new school block.
(d) the suitability of the land for the purposes for which it is to be subdivided;	The Subject Lands are suitable for a school use and have been designated and designed accordingly.
(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;	The proposed use of the Subject Lands is an elementary school. As such no affordable housing units are proposed.
(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	A Transportation Impact Brief Addendum was prepared and submitted as part of application D14-2021-11 which has been peer reviewed by the Town. Discussions with the Town on the comments provided are ongoing and a revised Addendum addressing all of the Town's comments is to be completed shortly, in support of a future recommendation report to Council. It is anticipated that approval of application D14-2021-11 will be required as a condition of consent.
(f) the dimensions and shapes of the proposed lots;	The dimensions and shape of the proposed lot is sufficient for an elementary school and has been accepted as a site by the SMCDSB. Further, the lot frontage and area comply with the standards of the CS zone pursuant to By-law 080-13.
(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;	Zoning By-law amendment file D14-2021-11 was submitted to the Town to rezone the lands to CS-Exception to permit the elementary school and other site-specific standards. This application has been circulated to internal and external agencies, heard at a statutory public meeting and is still being processed by the Town. It is anticipated that a recommendation report to Council on application D14-2021-11 will proceed once final responses from Filren Corporation to Town peer review comments on the submitted Transportation Impact Brief addendum are received. Further as noted, the balance of the adjacent draft plan of subdivision will be efficiently redesigned to remove the Subject Lands and zoned accordingly. This process is subject to a future public meeting and consideration by Town Council.

<p>(h) conservation of natural resources and flood control;</p>	<p>No natural heritage features are identified on the Subject Lands. An interim servicing scheme has been proposed to address stormwater management. As identified on the draft reference plan, the temporary maintenance/access road will provide access to an interim stormwater management facility within Block 285 of the draft plan of subdivision, which is required to accommodate stormwater flows from McMaster Avenue and the Subject Lands, and allow for the necessary looping of Town infrastructure.</p>
<p>(i) the adequacy of utilities and municipal services;</p>	<p>A Servicing Brief has been prepared and submitted as part of application D14-2021-11 and also submitted as part of this application for consent. The Servicing Brief concludes that the Subject Lands can be appropriately serviced and developed for a school site on an interim and ultimately permanent basis.</p>
<p>(j) the adequacy of school sites;</p>	<p>The subject application will deliver a new school site.</p>
<p>(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</p>	<p>The Subject Lands are proposed to be conveyed to the SMCDSB for the purposes of a new elementary school. No lands are proposed to be dedicated for public purposes as part of this application.</p>
<p>(l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and</p>	<p>Energy is to be supplied utilizing the extension of existing systems.</p>
<p>(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).</p>	<p>Pursuant to By-law 137-17, site plan control is required for the development of the Subject Lands. The application for site plan control does not form part of this application and is being advanced separately by the SMCDSB.</p>

**Draft Reference Plan/Consent Sketch**

A draft Reference Plan has been prepared which identifies the location of the Subject Lands proposed to be conveyed to the SMCDSB (Parts 1 and 2), as well as the location of the various servicing easements which are to be conveyed to the Town through the depositing of the Reference Plan with the Provincial Land Registry Office, and to which Provisional Consent approval from the Committee of Adjustment is not required. The parts on reference plan are described as follows:

<b>Part No(s).</b>	<b>Land Use</b>	<b>Notes</b>
1 & 2	Institutional	Proposed Catholic Elementary School
3	McMaster right-of-way	Full servicing and road construction
4, 6 and 12	Temporary cul-de-sac easements	East limit of McMaster to be constructed for Phase 1
5 and 7	Municipal servicing corridor	Future Fairbrother Court right-of-way
8	Interim Stormwater Management Facility	
9	Interim Stormwater Management Facility	Portion located within future Open Space Block
10	Municipal servicing corridor	Sanitary sewer and watermain, along with related access driveway. The underground servicing within Part 10 is proposed to be permanent unless specifically requiring relocation in the future due to either the Town requiring realignment into the McMaster Avenue road extension, or to service the adjacent Garden Park Homes development.
11	Municipal servicing corridor	Future McMaster Avenue right-of-way

In accordance with the Town’s submission requirements, please find enclosed the following materials in support of our application:

1. One (1) digital copy of the fully executed Consent Application form;
2. One (1) digital copy of the consent sketch, prepared by KLM Planning Partners Inc. dated November 4, 2021; and,
3. One (1) digital copy of the Servicing Brief: Phase 1 (School Block Only) prepared by SCS Consulting Group Ltd. dated April 5, 2021.

Trusting the above is in order, please do not hesitate to contact the undersigned should you have any comments or concerns.

Yours truly,

**KLM PLANNING PARTNERS INC.**



Tim Schilling, MCIP, RPP  
Senior Planner

cc. Julian De Meneghi, Filren Corporation