



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-027-2021

TAKE NOTICE that a decision has been made by the Committee of Adjustment for a consent to severance of property application by **Timothy Schilling, Applicant**, on behalf of **Filren Corporation, Owners**, pursuant to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

The subject property is described legally as **INNISFIL CON 3 PT LOT 21 RP 51R36101 PART 1** is known municipally as **775 20th 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 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 57 of the Planning Act, that a plan of subdivision will not be required, that the application constitutes proper and orderly development of the subject lands, 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 53 of the Planning Act, that the application does not constitute proper and orderly development of the subject lands and that the intent and purpose of the Official Plan and Zoning By-law have not been maintained.

☐ The Committee **DEFERRED** the application.

DECISION DATED AT THE TOWN OF INNISFIL this 16th day of June 2022.

CIRCULATION DATE OF NOTICE OF DECISION: June 17, 2022

LAST DAY OF APPEAL: July 6, 2022

Rod Hicks, Chair

Harry Eisses, Member

John Raimondi, Member

Marnie Adam, Member

Sarah Oetinger, 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.



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

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. B-027-2021 rendered on June 16, 2022.

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

Toomaj Haghshenas
Secretary-Treasurer
Committee of Adjustment
thaghsheenas@innisfil.ca
705-436-3740 ext. 3316

NOTICE OF LAST DATE OF APPEAL

In accordance with Section 17 (36) of the Planning Act, you may appeal to the Local Planning Appeal Tribunal (LPAT) 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 LPAT prescribed Appellant Form (A1) must be filed with any appeal to the Local Planning Appeal Tribunal. This form is available online at www.forms.ssb.gov.on.ca.

Disclaimer: Due to the COVID-19 pandemic, all appeals filed must be submitted to the Town in accordance to Planning Act Regulations. Any appeals received by the Town will be held until LPAT resumes appeal hearings in accordance with the Emergency Order and O. Reg. 149/20.

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.



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-027-2021

CONDITIONS OF APPROVAL

The below Condition(s) of Approval shall be completed within **TWO YEARS** 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. After the completion of the above noted conditions, consent shall be issued by means of a Certificate of Official under Form 2 of the Planning Act.

Planning Services

1. That The Applicant/Owner shall convey to the Town, in fee simple, free and clear of all encumbrances and for nominal consideration, the lands shown as Part 3 on the Severance Sketch prepared by KLM Planning Partners Inc. dated November 4, 2021, for a public road. 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 Owner/Applicant shall convey to the Town, a temporary turning circle easement, free and clear of all encumbrances and for nominal consideration, shown as Parts 4, 5, 6 and 12 on the Severance Sketch prepared by KLM Planning Partners Inc. dated November 4, 2021. The Owner's solicitor shall submit a title opinion on the Town's form for such transfer of easement. The title opinion is to be reviewed and approved by the Town prior to registration of the Transfer.
3. That the Owner/Applicant shall obtain a Right-of-Way Activity Permit for the lands shown as Part 3 on the Severance Sketch prepared by KLM Planning Partners Inc. dated November 4, 2021 and enter into a Pre-Servicing Agreement for the retained lands for the construction of the works required to service the severed Lot, such as but not limited to, the installation of sanitary sewer mains, watermains, storm sewers, stormwater management pond, utilities, a roadway and sidewalk connection from 20th Sideroad, and trail connection to the existing 20th Sideroad trail to provide an unbroken pedestrian link to the severed lands. All works shall be completed in accordance with Town Standards and to the satisfaction of the Town and/or InnServices.
4. That Applicant/Owner shall obtain a Certificate of Substantial Completion from the Town, for the works constructed within the Right-of-Way Activity Permit noted above. The Certificate of Substantial Completion will not be issued until the works contained in the Pre-Servicing Agreement have been constructed and certified to the satisfaction of the Town and InnServices.
5. That The Applicant/Owner shall submit a digital draft reference plan of survey, to be reviewed and approved by the Town for the transfers set out in the above-noted conditions. Once approved, the R-Plan is to be deposited on title at the Land Registry Office.