



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-019-2021

TAKE NOTICE that a decision has been made by the Committee of Adjustment for a consent to severance of property application by **Jonathan Pauk, agent**, on behalf of **Succession Financial Group Inc., Owner**, to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

The subject property is described legally as **CON 1 N PT LOT 7**, known municipally as **239 Reive Boulevard**, and is zoned "**Environmental Protection (EP) and Commercial Tourist (CT)**".

The applicant is proposing to sever a portion of the lot for the purpose of creating a new lot. The severed lot will have a proposed lot area of 10.1 hectares. The retained lands will have a proposed lot area of 24 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 **21st** day of **September 2023**.

CIRCULATION DATE OF NOTICE OF DECISION: September 26, 2023

LAST DAY OF APPEAL: October 11, 2023

A handwritten signature in black ink, appearing to read "R.H.P.", written over a light grey rectangular background.

Rod Hicks, Chair

A handwritten signature in black ink, appearing to read "M.A.", written over a light grey rectangular background.

Marnie Adam, Member

A handwritten signature in black ink, appearing to read "William Van Berkel", written over a light grey rectangular background.

William Van Berkel, Member

A handwritten signature in black ink, appearing to read "John Raimondi", written over a light grey rectangular background.

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.



**COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-019-2021**

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-019-2021 rendered on September 21, 2023.

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 Ontario Lands Tribunal (OLT) 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 Tribunal 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.

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-019-2021

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 newly created lot configure with the submitted plans and adheres to frontage and area requirements of the Commercial Tourist (CT) Zone;
2. That final approval of the hydrology/hydraulic models be completed to the satisfaction of the Nottawasaga Valley Conservation Authority (NVCA);
3. That following the NVCA's acceptance of the hydrology/hydraulic models, that the NVCA be satisfied that an adequately sized building envelope is present to ensure future structures are located outside of the flood hazard and that any natural hazard on the property be restrictively zoned;
4. That the Applicant/Owner shall convey to the Town in fee simple, free, and clear of all encumbrances, for nominal consideration, a small parcel at the southwest corner of the retained lands to the Town of Innisfil as a public highway ("road widening") for the future realignment of Reive Boulevard resulting from the expansion of Highway 400 and the Highway 89 interchange, per Ministry of Transportation (MTO) comments received July 8, 2021, which will form part of the Town's future road allowance to the satisfaction of the Town;
5. The Owner/Applicant shall submit to the Town for approval, a draft reference plan of survey ("R-Plan") for the road widening, which R-Plan is to be deposited at the Land Registry Office;
6. Prior to the Transfer of the road widening, the Owner/Applicant's lawyer shall submit to the Town, for review and approval, a solicitor's title opinion for the road widening in a form acceptable to the Town Solicitor. A copy of the Town's standard opinion letter will be provided to the Applicant or their lawyer; and
7. The Applicant/Owner shall submit a digital draft reference plan of survey, to be reviewed and approved by the Town. Once approved, the R-Plan is to be deposited on title at the Land Registry Office.

Nottawasaga Valley Conservation Authority (NVCA):

1. That the final approval of the hydrology/hydraulic models being completed is to the satisfaction of NVCA staff.



**COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-019-2021**

2. That that an adequately sized building envelope must be present following the acceptance of the hydrology/Hydraulic models to ensure future structures are located outside of the flood hazard. Failure to present an adequate building envelope may result in a lot without the ability to approve any permits.