



7855 Sideroad 30
Alliston, ON L9R 1V1

Telephone: 705-434-5055
Fax: 705-434-5051

Planning Department
Committee of Adjustment

DECISION

FILE NUMBER: B/07/24

PROPERTY: 6639 CONCESSION ROAD 3, ADJALA-TOSORONTIO

LEGAL DESCRIPTION: CON 3 PT LOT 15

APPLICANT: Somerville Nurseries

DATE OF DECISION: September 18, 2024

NOTICE REQUIRED BY: September 28, 2024

DATE NOTICE GIVEN: September 19, 2024


LAST DAY OF APPEAL: October 8, 2024


PURSUANT to Section 53 of the *Planning Act* with respect to the above noted Application the Committee of Adjustment ("Committee"):

- The Committee hereby grants Provisional Consent to the above noted application, subject to and entirely conditional upon fulfilment by the Applicant, to the satisfaction of the Committee, the conditions appended hereto.**

Concurring Members:


Elizabeth Rogacki


Horace Harper


Adam Cox


Miklos Borsos


John Greer

DECISION

KEY MAP OF SUBJECT LANDS:



Any person or public body who has an interest in the matter may appeal the decision of the Committee of Adjustment to the Ontario Land Tribunal within 20 days of the making of the decision. An appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment and must set out the objection to the decision accompanied by the fee prescribed by the Ontario Land Tribunal.

For more information on making an appeal, please visit: <http://elto.gov.on.ca>.



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CERTIFICATION

I hereby certify this to be a true copy of the decision of the Committee of Adjustment.

A handwritten signature in blue ink, appearing to read "R. Reid", is written over a horizontal line.

Robin Reid
Acting Secretary-Treasurer Committee of
Adjustment/ Planning Assistant

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CONDITIONS OF PROVISIONAL CONSENT

1. That the applicant meet all financial requirements of the Municipality;
2. The Applicant/Owner submit one paper copy and a digital copy of a draft reference plan of survey, to be reviewed and approved by the Township and other agency which shows the future building envelop for all structures to ensure compliance with Zoning By-law requirements and Minor Variance Application A-10-24 and new driveway location. Once approved, the R-Plan is to be deposited on title at the Land Registry Office.
3. That an entrance permit is approved and obtained;
4. That minor variance application A/10/24 be approved and,
5. The applicant enter into a development agreement to implement the recommendations of the Environmental Impact Study (EIS) prepared by Azimuth Environmental Consulting Inc. dated July 15, 2024 to the satisfaction of the Township including but not limited to a building envelope that protects a minimum 10 metre buffer from the Woodlot's Dripline from any site disturbance and future structures, closure of existing access to Concession 3 with reinstatement of cedar plantings, prohibits vegetation removal between breeding season (April 1 to Sept 30), contains a warning clause to future owners about potential impacts of surrounding agricultural uses, and implements Erosion and Sediment Control and Best Management Practices.

REASONS FOR DECISION: The Committee, having taken into consideration all written and oral submissions, finds that the proposal meets the general intent of the Official Plan, and the Zoning By-law, is appropriate for the development of the subject lands, and is consistent with and complies with all Provincial Policies.

REASONS FOR APPROVAL

Committee has based its decision on the legislative framework of the Planning Act and are in agreement with the comments provided in the Planning Report (attached hereto) and the following:

The Committee has determined that the Provisional Consent is appropriate as:

- The application is consistent with the Provincial Policy Statement/Growth Plan for the Greater Golden Horseshoe;
- The application conforms to the Simcoe County Official plan;
- The application conforms to the Township Official Plan;
- The application meets the general intent of the Zoning By-law;
- The application constitutes desirable development of the lands

NOTE: Any and all written submissions relating to this Application that were made to the Committee of Adjustment before its Decision, and any and all oral submissions related to this Application that were made at a public hearing, held under the Planning Act, have been taken into consideration by the Committee of Adjustment in its Decision on this matter.