



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-018-2023

TAKE NOTICE that a decision has been made by the Committee of Adjustment for a consent to severance of property application by **Peter McGill, agent**, on behalf of **Patrice Tinti, Owner**, to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended.


The subject property is described legally as **PLAN 593 LOTS 150 & 151**, known municipally as **3967 Algonquin Avenue**, and is zoned "**Residential 1 (R1)**".

The applicant is proposing to sever a portion of the lot for the purpose of creating a new residential lot. The severed lot will have a proposed lot area of 699.8 m². The retained lands will have a proposed lot area of 694.5 m².


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 **November 2023**.
CIRCULATION DATE OF NOTICE OF DECISION: November 21, 2023
LAST DAY OF APPEAL: December 6, 2023




Rod Hicks, Chair



Marnie Adam, Member



William Van Berkel, Member



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.



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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-018-2023 rendered on November 16, 2023.

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

Toomaj Haghshenas
Secretary-Treasurer
Committee of Adjustment
thaghsenas@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.



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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 Owner/Applicant shall pay to the Town of Innisfil cash-in-lieu of 5% Parkland Dedication, the amount of which shall be 5% of a valuation determined by a professional, and qualified appraiser engaged by the Owner/Applicant to the satisfaction of the Secretary Treasurer.
2. That existing mature trees and boundary trees be protected and maintained to the satisfaction of the Town. A Tree Preservation/Planting Plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement rates for any trees to be removed, and location of new trees and tree protection measures during construction of the new dwelling and driveway.
3. That \$500.00 be provided to the Town of Innisfil for a new boulevard tree.
4. That the Owner/Applicant apply to the Town of Innisfil for a demolition permit and remove the existing deck on the proposed property line and shed on the severed lot.
5. That 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. That a hydrogeological study is prepared to the satisfaction of Town staff supporting that the severed and retained lots can accommodate wells and septic systems with tertiary treatment based on MOECP reasonable use guidelines.
7. That variance applications A-046-23, A-0047-23, A-048-23 and A-049-2023 are approved.

Community Development Standards Branch (CDSB)

1. That the Owner/Applicant apply for and obtain a building permit to move the on-site sewage system on to the property retained (with the dwelling unit), to the satisfaction of the of Community Development Standards Branch (Building Department).
2. That the Owner/Applicant move the accessory structure shed less than 15m² to the retained property (with the principal dwelling unit). If the accessory structure exceeds 15m² apply for a building permit to move the structure, to the satisfaction of the of Community Development Standards Branch (Building Department).



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3. The proposed property line appears to impact the spatial separation requirements regarding the existing unprotected openings, i.e. windows and doors. A review by a qualified designer is to be submitted to meet the requirements of the Ontario Building Code 9.10.15.4. to the satisfaction of Community Development Standards Branch (Building Department). If this proposed setback does not meet the Building Code requirement, a building permit to rectify this situation will be required. The prescribed construction must be completed, and the associated permit closed to the satisfaction of Community Development Standards Branch (Building Department).