



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-2026-002

TAKE NOTICE that a decision has been made by the Committee of Adjustment for a consent to severance of property application from Brandon Dilollo, Applicant on behalf of Top Hill Estates Inc., 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 properties are described legally as INNISFIL CON 3 N PT LOTS 14 and 15 RP 51R23445 PT PART 3 known municipally as 2439 4th Line and zoned "Agricultural (AG), Residential (R1) and Environmental Protection (EP)."

The applicant is proposing to sever the residentially zoned portion of the lands municipally known as 2439 4th Line from the agriculturally zoned portion of the property to create three new residential lots. The first severed lot (Lot 1) is proposed to have a lot frontage of approximately 18.6 m and a total lot area of approximately 2,540 m². The second severed lot (Lot 2) is proposed to have a lot frontage of approximately 17.2 m and a total lot area of approximately 1,610 m². The third severed lot (Lot 3) is proposed to have a lot frontage of approximately 17.0 m and a total lot area of approximately 1,650 m². The retained agricultural lands are proposed to have a total lot area of approximately 85.58 ha.

The Committee of Adjustment has considered all written and oral submissions received before and/or during the hearing as part of their decision.

- Checked box: The Committee APPROVED the application and is satisfied that it is in keeping with Section 53 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.
Checked box: See attached Condition(s) of Approval
Unchecked box: No Conditions
Unchecked box: 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.
Unchecked box: The Committee DEFERRED the application.

DECISION DATED AT THE TOWN OF INNISFIL this 21st day of May 2026.
CIRCULATION DATE OF NOTICE OF DECISION: May 26th, 2026
LAST DAY OF APPEAL: June 10, 2026

Rod Hicks, Chair

Marnie Adam, Member

William Van Berkel, Member

Sarah Van Lierop, 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-2026-002**

I, Sarah Burton Hopkins, 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-2026-002 rendered on May 21, 2026.

A handwritten signature in black ink that reads "Sarah Burton Hopkins".

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Sarah Burton Hopkins  
Secretary-Treasurer  
Committee of Adjustment  
[sburtonhopkins@innisfil.ca](mailto:sburtonhopkins@innisfil.ca)  
705-436-3740 ext. 3504

**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) in respect to this decision by filing a notice of appeal with the Secretary-Treasurer either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting THE TOWN OF INNISFIL as the Approval Authority or by mail to Town of Innisfil, Secretary-Treasurer, Committee of Adjustment, 2101 Innisfil Beach Road, Innisfil, ON. L9S 1A1 no later than 4:30 p.m. on June 10, 2026. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$400, the current fee prescribed by the Tribunal under the Local Planning Appeal Tribunal Act, can be paid online through e-file or by certified cheque or money order made payable to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [planningservices@innisfil.ca](mailto:planningservices@innisfil.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](mailto:planning@innisfil.ca).

### 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

1. That the Owner/Applicant shall dedicate 5% of their residential land for parkland or pay to the Town of Innisfil cash in lieu of 5% Parkland Dedication for the residential development, to the satisfaction of the Town of Innisfil in accordance with the Parkland Dedication By-law 097-22, as amended. Cash in lieu of 5% Parkland Dedication shall be based on 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, 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 dwellings and driveways.
3. That \$1500.00 be provided to the Town of Innisfil for three new boulevard trees (one per lot).
4. That the Owner/Applicant obtain written confirmation from InnServices that municipal water servicing has been provided for all three new lots to their satisfaction.
5. That the Owner shall submit a hydrogeological study, to the satisfaction of the Town and the applicable approval authority, to assess the assimilative capability of the soils for a private sewage disposal system and confirm a septic system can function on the proposed severed lands and that no adverse impacts will occur.
6. That the Applicant/Owner 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.
7. That the proposed consent for the creation of (3) three lots satisfies all conditions of the NVCA.
8. That confirmation be received by the Town from InnServices there is sufficient reserve sewage system capacity within the Town's sewer treatment systems for hauled sewage from the private systems or partial services.

#### Engineering

9. Should trees be removed tree compensation shall be provided in accordance with the Town Standards.

#### InnServices

10. That the Owner/Applicant agrees that they shall be responsible for all associated costs with extending the municipal water servicing on John Street, in order to service the severed lands in accordance with Town of Innisfil Engineering Design Standards and Specifications and InnServices requirements.

11. That construction of the extension of municipal water servicing works shall be completed and available for use prior to the Town of Innisfil issuing the Certification of Official for the proposed severance application.

**Nottawasaga Valley Conservation Authority (NVCA)**

12. That prior to final approval of the consent that the following conditions are completed to the satisfaction of Nottawasaga Valley Conservation Authority (NVCA):
  - a. That the owner acknowledges and agrees that a permit may be required from the NVCA pursuant to the Conservation Authorities Act for any proposed development activities in an area regulated by NVCA; and Based on NVCA mapping, the applicant is advised that the subject lands are regulated pursuant to the Conservation Authorities Act. A permit may be required for the following activities, except where listed as an exception:
    - The construction, reconstruction, erection or placing of a building or structure of any kind.
    - Changes that would alter the use or potential use or potential use of a building or structure, increase the size of a building or structure, or increase the number of dwelling units in a building or structure.
    - Site grading, temporary or permanently placing, dumping or removal of any material originating on the site or elsewhere.
    - Straightening, changing or diverting or interfering with the existing channel or a river, creek, stream or watercourse.
    - Changing or interfering with a wetland.