



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-001-2025

TAKE NOTICE that a decision has been made by the Committee of Adjustment for a consent to severance of property application from **Trevor Gain & Associates, Applicant**, on behalf of **Emanuele & Marie Cappello, Owners**, to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

The subject properties are described legally as **PLAN 891 LOT 29**, known municipally as **715 Roberts Rd**, and are zoned **"R1 – Residential"**.

The applicant is proposing to sever a portion of the subject lands for the purpose of creating a new residential lot. The severed land is proposed to have a lot frontage of 15.24m and a total lot area of 697.29m². The retained land is proposed to have a lot frontage of 15.24m and a total lot area of 699.74m².

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 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.
 - 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 **20th day of February 2025**.
CIRCULATION DATE OF NOTICE OF DECISION: February 24, 2025
LAST DAY OF APPEAL: March 16, 2025

Rod Hicks, Chair

Marnie Adam, Member

William Van Berkel, Member

Sarah Oetinger, 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, 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-001-2025 rendered on February 20, 2025.

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

Sarah Burton Hopkins
Secretary-Treasurer
Committee of Adjustment
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 March 16, 2025. 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. If the e-file portal is down, you can submit your appeal to 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.



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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 for residential developments, 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, 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 \$500.00 be provided to the Town of Innisfil for a new boulevard tree.
4. That both the retained and severed lots shall connect to municipal sewer and water services to the satisfaction of the Town.
5. 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.

Community Development Standards Branch (CDSB)

6. 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).

InnServices

7. That the Owner/Applicant confirm that the existing water system can provide/accommodate the required flows and pressures to service the severed lot at the expense of the Owner/Applicant to the satisfaction of InnServices.
8. That the Owner/Applicant confirm that the existing sanitary conveyance and treatment system can accommodate the required flows that will be generated by the severed lot at the expense of the Owner/Applicant to the satisfaction of InnServices.