



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-002-2023

TAKE NOTICE that a decision has been made by the Committee of Adjustment for a consent to severance of property application by **Francesca and Giuseppe Leo, Owners**, to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

The subject property is described legally as **CON 8 PT LOT 25 PLAN 1449 PT LOT 56 RP 51R7350 PARTS 2 TO**, is known municipally as **856 Lebanon Drive**, and is zoned as **“Residential 1 Zone (R1)”**.

The applicant is proposing to sever a portion of the subject lands for the purpose of creating a new residential lot. The severed lands will have a proposed lot area of 1,002.42 m². The retained lands will have a proposed lot area of 925.31 m²

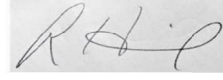
The Committee of Adjustment has considered all written and oral submissions received before and/or during the hearing as part of their decision.

- 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 **19th** day of **January 2023**.
CIRCULATION DATE OF NOTICE OF DECISION: January 20, 2023
LAST DAY OF APPEAL: February 8, 2023




Sarah Oetinger Chair



Rod Hicks, Member



John Raimondi, Member



Marnie Adam, 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-002-2023 rendered on January 19, 2023.

A handwritten signature in blue 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 Local Planning Appeal Tribunal (LPAT) 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 LPAT 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.

Disclaimer: Due to the COVID-19 pandemic, all appeals filed must be submitted to the Town in accordance to Planning Act Regulations. Any appeals received by the Town will be held until LPAT resumes appeal hearings in accordance with the Emergency Order and O. Reg. 149/20.

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 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 to remove the portion of the dwelling that straddles the proposed property line such that the existing dwelling meets all setback requirements from the new property line.
5. That both the retained and severed lots shall connect to municipal sewer and water services to the satisfaction of the Town.

Engineering Services

1. The Applicant/Owner shall prepare and submit engineering design drawings and all other supporting documents in accordance with Town Standards and to the satisfaction of the Town.
2. The Applicant/Owner shall undertake and submit a tree preservation and compensation plan to the satisfaction of the Town.

InnServices

1. That the Owner/Applicant temporarily abandon the existing water and sanitary services located on the eastern lot to the satisfaction of InnServices.
2. That the Owner/Applicant construct additional water and sanitary service laterals for the western lot to the satisfaction of InnServices.



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3. 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.
4. 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.

Community Development Standards Branch

1. The applicant/owner shall obtain a demolition permit for the existing accessory structures and complete the final inspection prior to completion of the severance, to the satisfaction of Community Development Standards Branch (Building Department).