



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION  
APPLICATION NO. B-009-2024

**TAKE NOTICE** that a decision has been made by the Committee of Adjustment for a consent to severance of property application from **Addison Milne-Price, Applicant, on behalf of Rock Solid Development Ltd., Owner**, to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

The subject property is described legally as **I PLAN 587 LOTS 130 TO 132 & PT LT 133 RP 51R5923 PART 2** known municipally as **823 Cedarvale Drive** and is zoned "**Residential 1 (R1)**".


**The applicant is proposing to sever a portion of the subject lands for the purpose of creating three new residential lots. The first severed lands will have an approximate lot area of 881.3 m<sup>2</sup> and a lot frontage of 15.10 m. The second severed lands will have an approximate lot area of 857 m<sup>2</sup> and an approximate frontage of 15.10 m. The third severed lands will have an approximate lot area of 832.8 m<sup>2</sup> and a lot frontage of 15.10 m. The retained parcel will have an approximate lot area of 1600.3m<sup>2</sup> and an approximate lot frontage of 30.42 m.**

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 17<sup>th</sup> day of **October 2024**.  
**CIRCULATION DATE OF NOTICE OF DECISION:** October 23, 2024  
**LAST DAY OF APPEAL:** November 6, 2024

  
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Sarah Oetinger, Chair

  
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Marnie Adam, Member

  
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William Van Berkel, Member

  
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Rod Hicks, Member

  
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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-009-2024 rendered on October 17, 2024.

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

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Toomaj Haghshenas  
Secretary-Treasurer  
Committee of Adjustment  
[thaghsenas@innisfil.ca](mailto: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) 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 October 9, 2024. 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).



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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 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.
2. 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.
3. 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 dwellings and driveways.
4. That \$2000.00 be provided to the Town of Innisfil for four new boulevard trees (one per lot, \$500.00 per tree).
5. That the Owner/Applicant obtain written confirmation from InnServices that there is sufficient municipal water and sewer capacity.
6. That the Owner shall:
  - a) execute an agreement in the form satisfactory to the Trustee, the Town and InnServices to be bound by all terms and provisions of the Innisfil Developers Allocation Group (Town of Innisfil) Development Charges Early Payment Agreement;
  - b) make a cash payment to the Town (for payment into the Wastewater Treatment Reserve Fund) in the amount of its share of the funding of Capital Costs already paid from Owner's Development Charges Pre-Payments to that time, as calculated by the Trustee factoring the amount of its Subscribed SDEs and the rate of the Wastewater Treatment component of the DC By-law at the time that such party becomes an owner; and,
  - c) provide a Pre-Payment LC to the Trustee for the balance of its funding requirement, as calculated by the Trustee factoring the amount of its Subscribed SDEs and the rate of the Wastewater Treatment component of the DC By-law at the time that such party becomes an Owner as per Section 6.2 of the IDAG DC Early Payment Agreement.



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**InnServices**

1. That the Owner/Applicant submit Additional Service Connection Applications to InnServices to service each lot, complete with the applicable Additional Service Connection Application fee for each lot.
2. That the Owner/Applicant confirm that the existing water system can provide/accommodate the required flows and pressures to service the retained lot and severed lots at the expense of the Owner/Applicant to the satisfaction of InnServices.
3. That the Owner/Applicant confirm that the existing sanitary conveyance and treatment system can accommodate the required flows that will be generated by the retained lot and severed lots at the expense of the Owner/Applicant to the satisfaction of InnServices.