



**COMMITTEE OF ADJUSTMENT NOTICE OF PUBLIC HEARING
APPLICATION NO. A-017-2023**

TAKE NOTICE that an application has been received by the Town of Innisfil from **Aimee Powell, agent**, on behalf of **Antonio De Marco, Owner**, 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.

The subject property is described legally as **PT N 1/2 LT 16 CON 4 INNISFIL, PT S 1/2 LT 16 CON 4 INNISFIL & PT WELLINGTON ST PL 162 AS IN RO70898 & RO221194 EXCEPT PTS 20 & 21 51R772 & PTS 5, 6 & 7 51R9790**, known municipally as **6439-6449 Yonge Street**, and is zoned “**Environmental Protection (EP), Agricultural (AG), and Residential Rural (RR)**”.

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 an approximate lot area of 0.56 hectares. The retained lands will have an approximate lot area of 18.085 hectares.

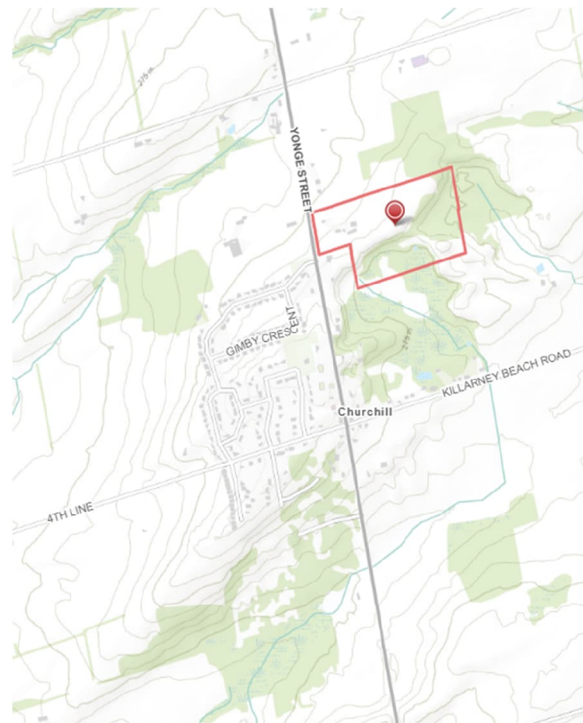
The Committee of Adjustment for the Town of Innisfil will consider this application in person at Town Hall and virtually through Zoom on **Thursday, December 12, 2024, at 6:30 PM.**

To participate in the hearing and/or provide comments, you must register by following the link below or scanning the above QR code:
<https://innisfil.ca/en/building-and-development/committee-of-adjustment-hearings.aspx>

Requests can also be submitted in writing to: Town of Innisfil Committee of Adjustment, 2101 Innisfil Beach Road, Innisfil, Ontario, L9S 1A1 or by email to planning@innisfil.ca.

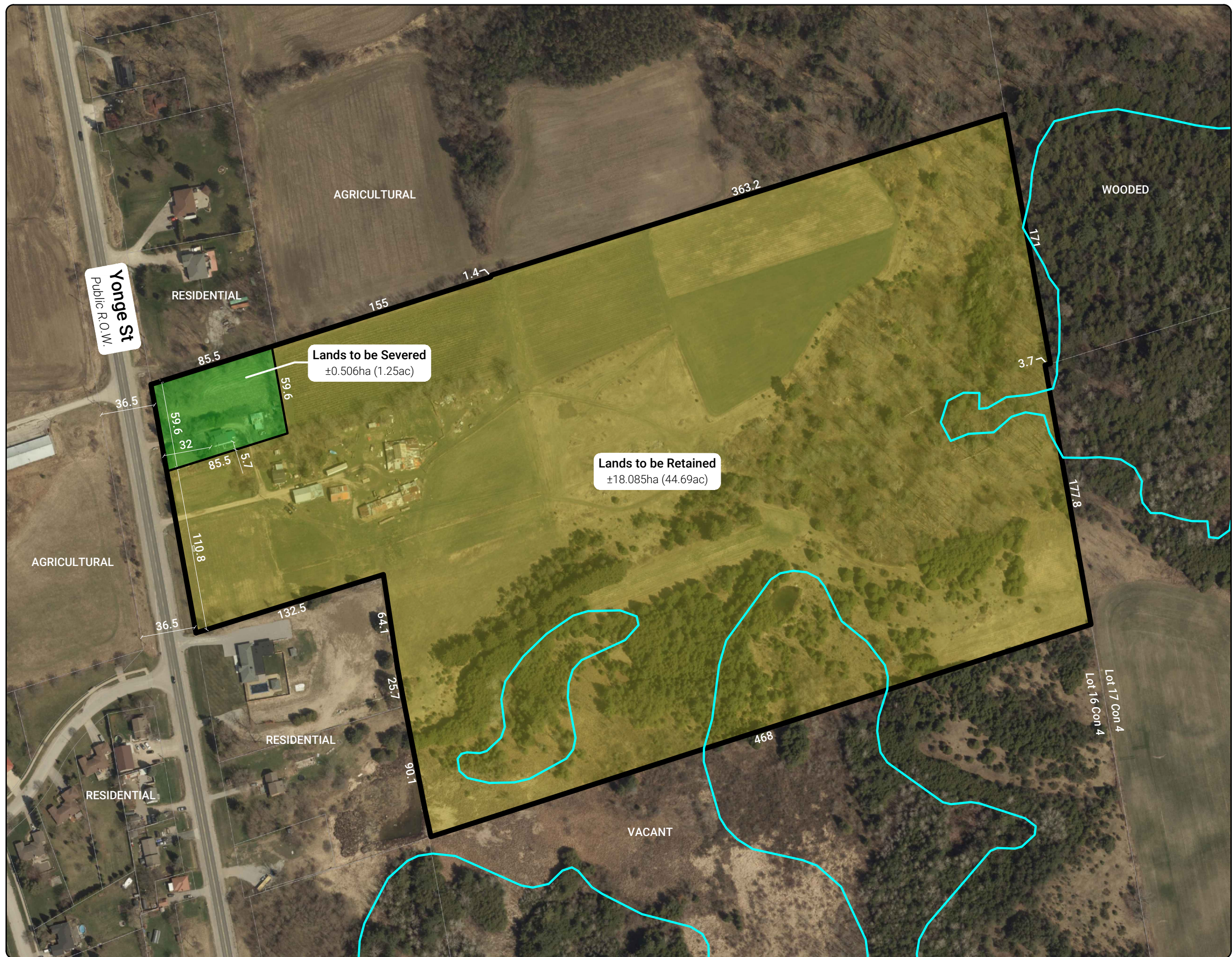
If you wish to receive a copy of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Secretary-Treasurer of the Committee of Adjustment by way of email or regular mail. The Notice of Decision will also explain the process for appealing a decision to the Ontario Land Tribunal (OLT).

Additional information relating to the proposed 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.



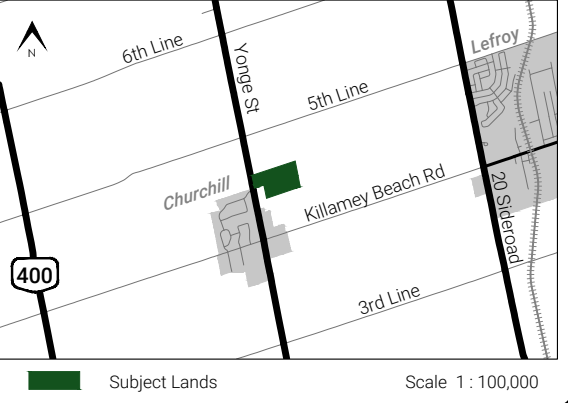
Dated: **November 26, 2024**

Toomaj Haghshenas,
Secretary-Treasurer
thagshenas@innisfil.ca
705-436-3710 ext. 3316



CONSENT SKETCH

6439 YONGE STREET
 Roll Number 431601000225000
 Part of Lot 16, Concession 4
 Innisfil, County of Simcoe

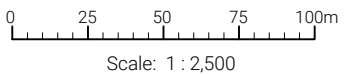


Lands to be Severed
 ±0.506ha (1.25ac)

Lands to be Retained
 ±18.085ha (44.69ac)

LEGEND

- Subject Lands**
 Lot Area: ±18.590ha (45.94ac)
 Lot Frontage: ±170.4m
 Lot Depth: ±604.9m
- Lands to be Severed (6449 Yonge St)**
 Lot Area: ±0.506ha (1.25ac)
 Lot Frontage: ±59.6m
 Lot Depth: ±85.5m
- Lands to be Retained (6439 Yonge St)**
 Lot Area: ±18.085ha (44.69ac)
 Lot Frontage: ±110.8m
 Lot Depth: ±604.9m
- Unevaluated Wetlands**



Note: This drawing is for discussion purposes only. Boundary to be verified by an O.L.S.

Source: Simcoe County interactive map.

Drawn By: AM Check By: AP Date: June 7, 2023

File No: 168-23



Powell Planning & Associates

Town of New Tecumseth Mobile: 647.828.2467
 County of Simcoe, ON Email: aimee@powellplanning.ca



Powell Planning & Associates

evolution through planning & development

Sent via email

Attn: Toomaj Haghshenas

Senior Development Coordinator
Secretary Treasurer of Committee of Adjustment
Town of Innisfil

August 16, 2023

Re: 6439-6449 Yonge Street – Consent Application to re-establish a lot line

Powell Planning & Associates has been Retained on behalf of the landowner, Antonio DeMarco, to submit an application for a consent application to re-establish a lot line in accordance with Section 53 of the *Planning Act* for the lands located at 6439-6449 Yonge Street, Innisfil (the subject lands). Note that this is an addendum application to update current application B-017-2023 (Validation of Title Application) that was deferred at the July 20, 2023 Committee of Adjustment hearing. In discussions with the Town, we now submit a Technical Consent to re-establish the historical lots.

The landowner's father purchased the lands located at 6439 Yonge Street in 1957 and the lands located at 6449 Yonge Street in 1966. However, following the landowner's father's passing, the subject lands inadvertently merged on title in or around 2018 when they were in the landowner's mother's name. Historically there were two Roll Numbers assigned to the subject lands, Roll No. 002-25000-0000000, and Roll No. 002-24900-0000000 according to Town issued Tax documentation.

It is the desire of the landowner to have the two lots legally re-established and he is seeking the Committee of Adjustment's consideration and approval in this regard. The subject lands' uses remain as Residential Agricultural, whereas the Official Plan designates the original lot boundaries of 6449 as 'Rural', further establishing its historical existence.

We thank the Committee for their consideration of this request

Respectfully submitted,

Aimee Powell B.URPI., MPA, MCIP, RPP
Chief Planning Officer & President
Powell Planning & Associates



aimee@powellplanning.ca



www.powellplanning.ca



647-828-2467



Polsinelli Law Professional Corporation

Lawyers

Weston Law Chambers
4040 Steeles Avenue West
Unit 2
Woodbridge, Ontario
L4L 4Y5

Tel: (905) 856-3700
Fax: (905) 856-1213
Claudio@westonlaw.ca

August 15, 2023

The Town of Innisfil
2101 Innisfil Beach Road
Innisfil, Ontario
L9S 4B4

Dear Sir or Madam:

RE: Severance of 6449 and 6439 Yonge St., Churchill
PT N 1/2 LT 16 CON 4 INNISFIL, PT S 1/2 LT 16 CON 4 INNISFIL & PT
WELLINGTON ST PL 162 AS IN RO70898 & RO221194 EXCEPT PTS 20 &
21 51R772 & PTS 5, 6 & 7 51R9790; INNISFIL.

I am the solicitor for Antonio De Marco who is the registered owner of the above noted lands. I was retained to provide an opinion on title with respect to a severance application.

My client will be pursuing an Application for Consent under Section 53 of the Planning Act ("the Act") and Regulation 197/96 to re-establish two lot boundaries as they existed at the time they were acquired by my client's parents, Michele DeMarco and Maria DeMarco.

The property was acquired via two separate instruments as they were two separate parcels at the time of their respective registrations. Instrument No. R070898, registered on July 4, 1957, was purchased by Michele DeMarco and Maria DeMarco from William White and Agnes Christina White. Instrument No. R0221194, registered on May 6, 1966, was purchased by Michele DeMarco and Maria DeMarco from Marion Boyer. Merger of the two parcels did not occur upon the latter registration as the Town of Innisfil had not at the time elected to have the Planning Act apply to these properties.

Prior to the Planning Act being imposed on all land in Ontario on June 27, 1970, municipalities could elect to opt-in to the Acts' subdivision control provisions via registering a by-law to that effect on title. As no by-law was enacted at the time of

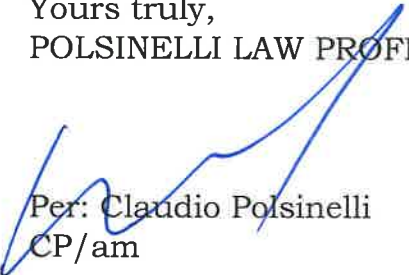
either instrument being registered, the properties remained as separate parcels until June 27, 1970 when the Province of Ontario amended the Planning Act and extended its application to all properties in Ontario.

Michele DeMarco and Maria DeMarco remained owners of the property until their deaths, at which time the property was transferred to their beneficiary, Antonio DeMarco. Their properties merged by operation of law and thorough no action on their part.

I am attaching, for your information, a copy of the parcel register and the deeds where Michele DeMarco and Maria DeMarco took title.

Please contact me should you require further information or clarity.

Yours truly,
POL SINELLI LAW PROFESSIONAL CORPORATION



Per: Claudio Polsinelli
CP/am