



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. B-001-2024

TAKE NOTICE that a decision has been made by the Committee of Adjustment for a consent to severance of property application from **Keith MacKinnon, agent**, on behalf of **Ballymore Building (Innisfil) Corp., Owner**, to Section 53 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

The subject property is described legally as **PLAN 51M1240 BLK 139**, known municipally as **1335 Killarney Beach Road**, and is zoned **“Mixed Use EXCEPTION 2 HOLDING SYMBOL (MU4-2 (H))”, “Residential Townhouse EXCEPTION 32 HOLDING SYMBOL (RT-32 (H))”, “Open Space (OS)” and “Mixed Use 4 (MU4)”**.

The applicant is proposing to sever a portion of the lot for the purpose of creating new residential lots. The severed lot will have a proposed lot area of 0.16 Hectares and a frontage of 32.4 m. The retained lands will have a proposed lot area of 1.25 hectares and a frontage of 32.4m.

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 18th day of **April 2024**.

CIRCULATION DATE OF NOTICE OF DECISION: April 22, 2024

LAST DAY OF APPEAL: May 8, 2024




Sarah Oetinger, Chair



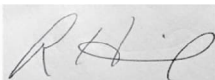
Marnie Adam, Member



William Van Berkel, Member



John Raimondi, Member



Rod Hicks, 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-001-2024 rendered on April 18, 2024.

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 Ontario Lands Tribunal (OLT) 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 Tribunal 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.

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 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.