

**TOWNSHIP OF ADJALA-TOSORONTIO
COMMITTEE OF ADJUSTMENT**

DECISION OF COMMITTEE WITH REASONS

Re APPLICATION FOR CONSENT

FILE NO. B/06/19

IN THE MATTER OF subsection 53(1) of the Planning Act;

AND IN THE MATTER OF **Lot 9, Concession 1, 5854 Concession Road 2** in the Township of Adjala-Tosorontio (former Township of **Tosorontio**), County of Simcoe;

AND IN THE MATTER OF the application of **Somerville Nurseries Inc.** as owner of the aforesaid land, for a consent under the Planning Act;

AND WHEREAS the Township of Adjala-Tosorontio's Committee of Adjustment, having conferred with all applicable agencies and persons as prescribed by the Planning Act and having had regard to those matters prescribed in the Planning Act, has decided that **the request for severance of a surplus dwelling be:**

GRANTED

This provisional consent decision has been made subject to the following conditions which must be, in the opinion of the Committee, substantially complied with or waived by the party requesting the condition prior to the issuing of the Certificate of Consent:

CONDITIONS:

1. That the applicant meet all financial requirements of the Municipality;
2. That a registrable description of the severed lands be submitted to the Municipality;
3. That **one (1) paper copy and an electronic copy** of a registered Reference Plan be given as required by the Township or any other agency which shows the location of any structures which would be impacted by the creation of new property lines to ensure all existing structures are in compliance with Zoning By-law requirements;
4. That the applicant successfully apply to the Township to amend the Zoning By-law **as required**, to prohibit residential development on the retained parcel, to permit the severed parcel to have a reduced lot frontage of 18.1 meters, and to prohibit any agricultural use of the accessory structure on the severed lot;
5. That a change of use permit be applied for the accessory structure on the severed lot, as required;
6. That the foregoing conditions be fulfilled within one year of the date of the notice of the decision of the Committee.

REASONS FOR DECISION: The Committee, having taken into consideration all written and oral submissions, finds that the proposal meets the general intent of the Official Plan, and the Zoning By-law, is appropriate for the development of the subject lands, and is consistent with and complies with all Provincial Policies.

Margaret Bricknell
Signature of Member of Committee

[Signature]
Signature of Member of Committee

[Signature]
Signature of Member of Committee

[Signature]
Signature of Member of Committee

[Signature]
Signature of Member of Committee

CERTIFICATION

I, Geri Cale, Secretary-Treasurer of the Township of Adjala-Tosorontio Committee of Adjustment certify that the above is a true copy of the decision of the Committee with respect to the application recorded therein.

DATED this 21st day of August 2019

Geri Cale
Secretary-Treasurer of the Township of
Adjala-Tosorontio Committee of Adjustment

NOTICE

If you wish to be notified of the decision of the Committee of Adjustment for the Corporation of the Township of Adjala-Tosorontio in respect of this application, you must submit a written request to the Secretary/Treasurer of the Committee of Adjustment. This will also entitle you to be advised of a possible Local Planning Appeal Tribunal Hearing. Even if you are the successful party, you should request a copy of the decision since the Committee of Adjustment decision may be appealed to the Local Planning Appeal Tribunal by the applicant or another member of the public.

You will be entitled to receive notice of any changes, if applicable, under section 6 of Ontario Regulation 197/96 to the conditions of the provisional consent if you have made a written request to be notified of changes to the conditions of the provisional consent.

Any person or public body who has made an oral submission at the public meeting or made written submission to the public meeting may, within twenty (20) days of the giving of notice of the decision under section 53(17), appeal to the Local Planning Appeal Tribunal against the decision by filing with the Secretary-Treasurer for the Committee of Adjustment a notice of appeal setting out written reasons in support of the appeal and accompanied by payment to the Ontario Minister of Finance of the fee prescribed by the Tribunal under the Local Planning Appeal Tribunal Act. Only individuals, corporations and public bodies may appeal decisions in respect of applications for consent to the Local Planning Appeal Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or group. The Local Planning Appeal Tribunal may dismiss the appeal if the appellant did not make oral submissions at the public meeting or did not make written submissions to the Committee before a provisional consent was given or refused and if in the opinion of the Tribunal the appellant does not provide a reasonable explanation for having failed to make a submission.

The date of the notice of decision is Friday August 23, 2019.

The last day for appealing this decision is Thursday September 12, 2019

The Local Planning Appeal Tribunal's fee currently is \$300.00 for the appeal of a single consent on a property, however, if you are also appealing a second or third lot granted on the same property then the fee is \$300.00 for the first lot and \$25.00 per each additional lot on that same property, payable to the Ontario Minister of Finance.