



7855 Sideroad 30  
Alliston, ON L9R 1V1

Telephone: 705-434-5055  
Fax: 705-434-5051

Planning Department  
Committee of Adjustment

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## DECISION

**FILE NUMBER: D10-B13-23**

**PROPERTY: 5495 Concession Road 4**

**LEGAL DESCRIPTION: Con 4 Pt Lot 5, RP 51R40535 Parts 1, 3 & 5**

**APPLICANT: Alan & Michael Lundy**

**DATE OF DECISION: January 17, 2024**

**NOTICE REQUIRED BY: February 1, 2024**

**DATE NOTICE GIVEN: January 18, 2024**

**LAST DAY OF APPEAL: 20 Days Following the Giving of the Notice**

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PURSUANT to Section 53 of the *Planning Act* with respect to the above noted Application the Committee of Adjustment ("Committee"):

- The Committee hereby grants Provisional Consent to the above noted application, subject to and entirely conditional upon fulfilment by the Applicant, to the satisfaction of the Committee, the conditions appended hereto.**



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**DECISION**

Concurring Members:

A blue ink signature of Adam Cox, consisting of several overlapping loops and a long horizontal stroke at the end.

Adam Cox

A blue ink signature of John Greer, featuring a cursive style with a prominent 'J' and 'G'.

John Greer

A blue ink signature of Horace Harper, characterized by a large, stylized 'H' and 'H'.

Horace Harper

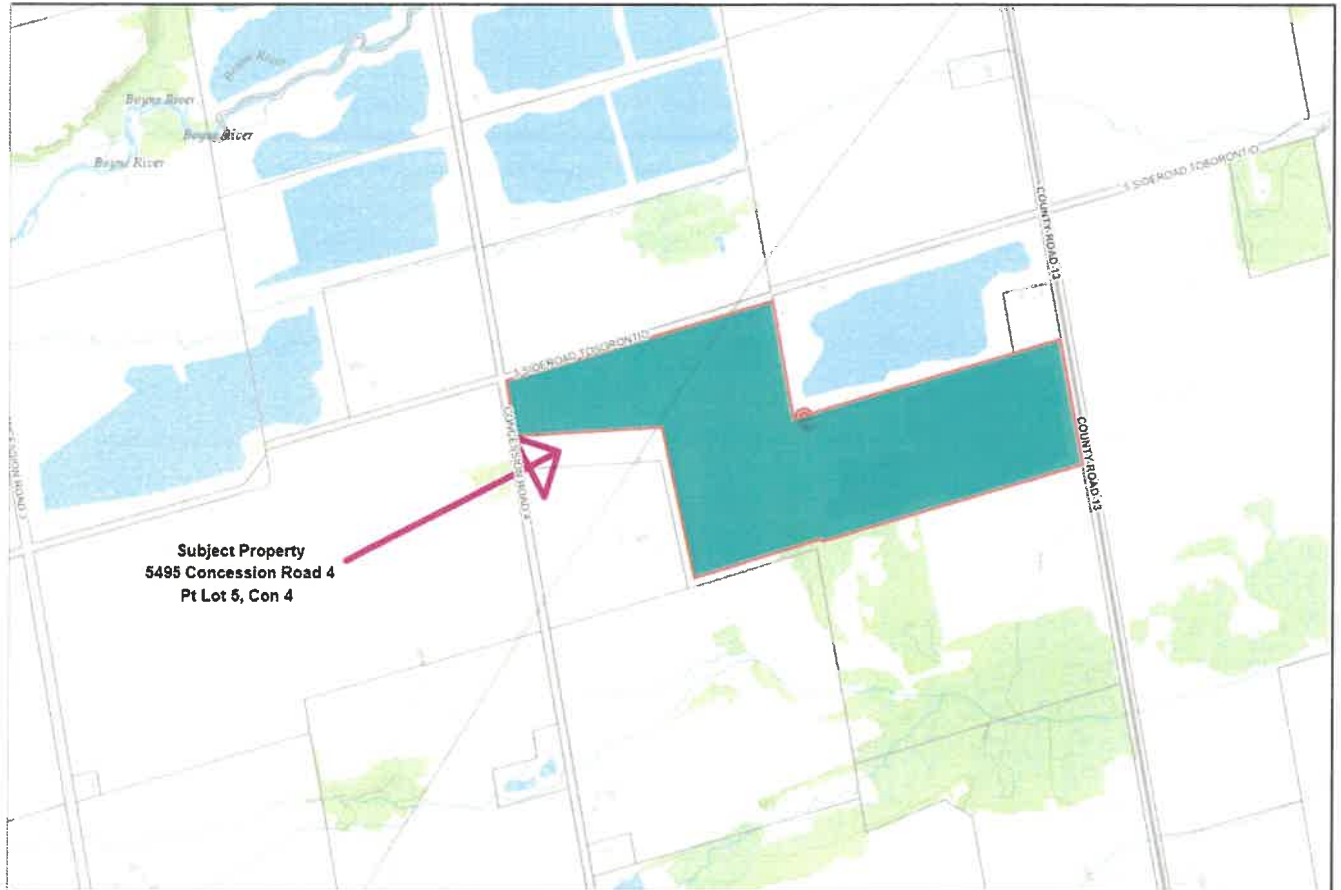
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Elizabeth Rogacki

A blue ink signature of Miklos Borsos, featuring a cursive style with a prominent 'M' and 'B'.

Miklos Borsos

**KEY MAP OF SUBJECT LANDS:**



Any person or public body who has an interest in the matter may appeal the decision of the Committee of Adjustment to the Ontario Land Tribunal within 20 days of the making of the decision. An appeal must be filed with the Secretary-Treasurer of the Committee of Adjustment and must set out the objection to the decision accompanied by the fee prescribed by the Ontario Land Tribunal.

For more information on making an appeal, please visit: <http://elto.gov.on.ca>.



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**CERTIFICATION**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment.

A handwritten signature in blue ink, appearing to read "J Cook", is written over a horizontal line.

Jaclyn Cook  
Secretary-Treasurer/Planning Technician  
Committee of Adjustment

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### CONDITIONS OF PROVISIONAL CONSENT

1. That the applicant meet all financial requirements of the Municipality;
2. That a registrable description of the lands subject be drawn up;
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 a municipal entrance permit is approved and obtained;
5. That the applicants submit an MDS evaluation to address any nearby livestock operations to the satisfaction of the Township Planning Department, if required;
6. That confirmation from the NVCA that the proposed lots are outside the engineered floodplain;
7. That the Owners shall obtain an entrance permit from the County of Simcoe to recognize the existing field entrance to County Road 13 on the lands to be retained; and,
8. That the foregoing conditions be fulfilled within two years 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.

### REASONS FOR APPROVAL

Committee has based its decision on the legislative framework of the Planning Act and are in agreement with the comments provided in the Planning Report (attached hereto) and the following:

The Committee has determined that the Provisional Consent is appropriate as:

- The application is consistent with the Provincial Policy Statement/Growth Plan for the Greater Golden Horseshoe;
- The application conforms to the Simcoe County Official plan;
- The application conforms to the Township Official Plan;
- The application meets the general intent of the Zoning By-law;
- The application constitutes desirable development of the lands

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*NOTE: Any and all written submissions relating to this Application that were made to the Committee of Adjustment before its Decision, and any and all oral submissions related to this Application that were made at a public hearing, held under the Planning Act, have been taken into consideration by the Committee of Adjustment in its Decision on this matter.*