



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION  
APPLICATION NO. A-060-2022

**TAKE NOTICE** that a decision has been made by the Committee of Adjustment, for a minor variance application from **Stan McCracken, Owner**, for relief from the provisions of Zoning By-law 080-13, pursuant to Section 45 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

The subject property is described legally as **CON 12 S PT LOT 27 RP 51R20310 PART 1**, is known municipally as **596 Mapleview Drive**, and is zoned as **“Rural Residential (RR)”**.

**The applicant is proposing to construct a detached accessory dwelling unit with a height greater than the principal dwelling. The applicant is seeking relief from Section 3.5 (g) of the Zoning By-law which prohibits accessory dwelling units from having a height greater than the height of the principal dwelling.**

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 45 of the Planning Act, is desirable for the appropriate use of the subject property, is minor in nature, 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 45 of the Planning Act and that the intent and purpose of the Official Plan and Zoning By-law have not been maintained. The Committee is further not satisfied that the application is desirable for the appropriate use of the subject property, or that it is minor in nature.
- The Committee **DEFERRED** the application.

**DECISION DATED AT THE TOWN OF INNISFIL** this 15<sup>th</sup> day of **September 2022**.

**CIRCULATION DATE OF NOTICE OF DECISION:** September 16, 2022

**LAST DAY OF APPEAL:** October 5, 2022

Rod Hicks, Chair

Harry Eisses, Member

Marnie Adam, Member

Sarah Oetinger, Member

John Raimondi, Member



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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. A-060-2022 rendered on September 15, 2022.

A handwritten signature in black 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 Local Planning Appeal Tribunal (LPAT) 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 LPAT 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](http://www.forms.ssb.gov.on.ca).

Disclaimer: Due to the COVID-19 pandemic, all appeals filed must be submitted to the Town in accordance to Planning Act Regulations. Any appeals received by the Town will be held until LPAT resumes appeal hearings in accordance with the Emergency Order and O. Reg. 149/20.

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 **ONE YEAR** 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.

**Planning Services**

1. That the variances apply exclusively to the accessory dwelling unit as shown substantially in conformity to the drawings submitted with these applications.
2. That the recommendations and mitigation plan in the Natural Heritage Evaluation are complied with when constructing the development, including providing Woodland Protection Fencing in the areas as shown on Figure 3: Proposed Development.
3. That the applicant provides a Tree Compensation and Planting Plan to the satisfaction of the Town for minor tree removal as per the submitted Natural Heritage Evaluation.