



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-015-2023

TAKE NOTICE that a decision has been made by the Committee of Adjustment, for a minor variance application from **Phillip Santana, Agent**, on behalf of **Parkbridge Lifestyle Communities Inc., 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 **PLAN 51M1189 BLK 318**, is known municipally as **2979 Middlemass Street**, and is zoned as **“Residential Townhouse EXCEPTION 5 HOLDING SYMBOL (RT-5 (H))”**.

The applicant is proposing three-season partially enclosed “Muskoka Rooms” to be constructed on the rear of proposed townhouses on the subject lands. The applicant is seeking relief from Section 3.54 of the Zoning By-law requesting that Muskoka Rooms are interpreted as being permitted the same encroachment relief as porches and verandahs.

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 20th day of **April 2023**.
CIRCULATION DATE OF NOTICE OF DECISION: April 26, 2023
LAST DAY OF APPEAL: May 10, 2023

Rod Hicks, Chair

Sarah Oetinger, Member

John Raimondi, Member

William Van Berkel, 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. A-015-2023 rendered on April 20, 2023.

A handwritten signature in black ink, appearing to read "Toomaj Haghshenas".

Toomaj Haghshenas
Secretary-Treasurer
Committee of Adjustment
thaghshenas@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.

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.



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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 applicant provides a revised site plan drawing to the satisfaction of the Town to include the proposed Muskoka Rooms only on the end units of the subject lands (i.e., Block 318).
2. That the variance only applies to the proposed Muskoka Rooms substantially in accordance with the submitted revised drawing noted in Condition #1, and example elevations submitted with this variance application, and that any future development of the lands be subject to the Zoning By-law.