



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-014-2023

TAKE NOTICE that a decision has been made by the Committee of Adjustment, for a minor variance application from **Mike Brouse, 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 1438 LOT 62 & PT LOT 63 RP 51R24168 PART 2**, is known municipally as **766 Chestnut Street**, and is zoned as **“Residential 1 (R1)”**.

The applicant is proposing to construct a detached garage in the front yard. The applicant is seeking relief from Section 3.18.1 E) of the Zoning By-law which states that on lots with a lot frontage of less than 20.0 meters, a detached or attached garage shall not be permitted to project beyond the main front wall of the principal building.

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 18th day of **May 2023**.

CIRCULATION DATE OF NOTICE OF DECISION: May 19, 2023

LAST DAY OF APPEAL: June 7, 2023

Marnie Adam, Member

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-014-2023 rendered on May 18, 2023.

A handwritten signature in black 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 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 variances apply only to the proposed detached garage submitted with variance applications A-009-2023 and A-014-2023, that any future development of the lands be subject to the Zoning By-law
2. That the site plan drawing to be revised and submitted to the satisfaction of the Town to show the garage doors facing east towards the existing driveway, as shown previously, with one driveway entrance onto Chestnut Street, and with corrected setback measurement showing the distance from the main front wall of the dwelling to the south limit of the garage.
3. That the existing mature tree in the front yard and hedges along the property lines be protected and maintained to the extent possible to the satisfaction of the Town to visually screen the garage. A tree preservation/planting plan shall be prepared to the satisfaction of the Town, proposing tree compensation and replacement rates for any trees to be removed, location of new trees and hedges and tree protection measures during construction of the detached garage.

Engineering

4. The Applicant/Owner shall prepare and submit engineering design drawings and all other supporting documents in accordance with Town Standards and to the satisfaction of the Town.
5. The Applicant/Owner shall undertake and submit a tree inventory, tree preservation, and tree compensation plan to the satisfaction of the Town