



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-033-2023

TAKE NOTICE that a decision has been made by the Committee of Adjustment, for a minor variance application from **Agostino DiMarsico and Doris Tucci , Owners**, 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 767 LOT 55**, is known municipally as **1041 Fern Road**, and is zoned as "**Residential 1 (R1)**".

The applicant is proposing to construct an Accessory Dwelling Unit (ADU) with a gross floor area of 116 m². The applicant is seeking relief from Section 3.5 (j) of the Zoning By-law which permits a maximum footprint coverage of 50 m² for accessory dwelling units located in the rear yard.

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 **July 2023**.

CIRCULATION DATE OF NOTICE OF DECISION: June 25, 2023

LAST DAY OF APPEAL: August 9, 2023

A handwritten signature in black ink, appearing to read "Sarah Oetinger".

Sarah Oetinger, Chair

A handwritten signature in black ink, appearing to read "Rod Hicks".

Rod Hicks, Member

A handwritten signature in black ink, appearing to read "John Raimondi".

John Raimondi, Member

A handwritten signature in black ink, appearing to read "William Van Berkel".

William Van Berkel, Member

A handwritten signature in black ink, appearing to read "Marnie Adam".

Marnie Adam, 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-033-2023 rendered on June 15, 2023.

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

Toomaj Haghshenas
Secretary-Treasurer
Committee of Adjustment
thaghsheenas@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.

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 variance applies exclusively to the accessory dwelling unit as shown substantially in conformity to the drawing(s) submitted with this application.
2. That the accessory dwelling unit will be a maximum of one storey and not exceeding the height of the principal dwelling.
3. That elevation drawings and floor plan to be submitted for review to the satisfaction of Planning Services.

Engineering Services

1. That Applicant/Owner shall undertake a scoped hydrogeological assessment in accordance with Town Standards and to the satisfaction of the Town.