



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION  
APPLICATION NO. A-005-2024

**TAKE NOTICE** that a decision has been made by the Committee of Adjustment, for a minor variance application from **Brian Ross, 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 4 PLAN 1363 LOT 38** and is known municipally as **913 Church Drive** and is zoned as **“Mixed Use 4 (MU4)”**.

**The applicant is proposing to construct an accessory dwelling unit (ADU) in a Mixed-Use zone with existing residential use. The applicant is seeking relief from Section 3.27 of the Zoning By-law to allow for expansion of a legal non-conforming use in order to permit the accessory dwelling unit.**

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 18<sup>th</sup> day of **April 2024**.  
**CIRCULATION DATE OF NOTICE OF DECISION:** April 22, 2024  
**LAST DAY OF APPEAL:** May 8, 2024

  
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Sarah Oetinger, Chair

  
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Marnie Adam, Member

  
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William Van Berkel, Member

  
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John Raimondi, Member

  
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Rod Hicks, 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-005-2024 rendered on April 18, 2024.

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 45 (12) of the Planning Act, you may appeal to the Ontario Lands Tribunal (OLT) 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 Tribunal prescribed Appellant Form (A1) must be filed with any appeal to the Local Planning Appeal Tribunal. This form is available online at <https://olt.gov.on.ca/forms-submissions/>.

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**

1. That the variances only apply to the submitted drawings and that any future development of the lands be subject to the Zoning By-law.