



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION  
APPLICATION NO. A-012-2024

**TAKE NOTICE** that a decision has been made by the Committee of Adjustment, for a minor variance application from **Leanna Mohammed, Applicant**, on behalf of **Agostino Dimarsico, 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 767 LOT 55** and is known municipally as **1041 Fern Avenue** and is zoned as **“Residential 1 (R1)”**.

**The applicant is proposing to construct a detached garage with a proposed Gross Floor Area (GFA) of 117.05 m<sup>2</sup>. The applicant is seeking relief from Section 3.3(b) of the Zoning By-law permits a maximum gross floor area of 50 m<sup>2</sup> for accessory structures in residential zones.**

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 16<sup>th</sup> day of **May 2024**.  
**CIRCULATION DATE OF NOTICE OF DECISION:** May 24, 2024  
**LAST DAY OF APPEAL:** June 5, 2024

  
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Sarah Oetinger, Chair

  
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Marnie Adam, Member

  
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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-012-2024 rendered on May 16, 2024.

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

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Toomaj Haghshenas  
Secretary-Treasurer  
Committee of Adjustment  
[thaghshenas@innisfil.ca](mailto:thaghshenas@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 owner provide confirmation the detached garage is in compliance with Section 3.3 f) of the Town's Zoning By-law or that a minor variance application be applied for to the Committee of Adjustment for the increased height.