



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-006-2024

TAKE NOTICE that a decision has been made by the Committee of Adjustment, for a minor variance application from **Ashley Felix and Lyndsey Tkaczuk**, agents, on behalf of **Rosana and Jason Moody, 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 **CON 4 N PT LOT 15 RP 51R4544 PART 1 RP 51R9741 PART 1** and is known municipally as **2367 5th Line** and is zoned as **“Rural Residential (RR)”**.

The applicant is proposing to construct an accessory dwelling unit (ADU) with a footprint of 73.7m². The applicant is seeking relief from Section 3.5 (j) of the Zoning By-law to allow for an accessory dwelling unit with a footprint greater than 50 m² 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 18th day of **April 2024**.

CIRCULATION DATE OF NOTICE OF DECISION: April 22, 2024

LAST DAY OF APPEAL: May 8, 2024

Sarah Oetinger, Chair

Marnie Adam, Member

William Van Berkel, Member

John Raimondi, Member

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.



**COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-006-2024**

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-006-2024 rendered on April 18, 2024.

A handwritten signature in black 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 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.



COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-006-2024

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.