

COMMITTEE OF ADJUSTMENT NOTICE OF DECISION
APPLICATION NO. A-2026-021

TAKE NOTICE that a decision has been made by the Committee of Adjustment, for minor variance application from **Duyen Nguyen, Applicant**, on behalf of **Patrick Moffatt, 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 properties are described legally as **PLAN 593 LOT 13 PT LOT 14**, known municipally as **3910 Alcina Ave**, and is zoned "**Residential (R1)**."

The applicant is proposing to construct a principal dwelling containing two (2) basement accessory dwelling units. The applicant is seeking relief from Table 4.2a) to permit a reduced exterior side yard setback of 3.8m, whereas a minimum exterior side yard setback of 6.0 m is required.

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 **17th day of September 2026**.

CIRCULATION DATE OF NOTICE OF DECISION: September 21, 2026

LAST DAY OF APPEAL: October 11, 2026



Rod Hicks, Chair



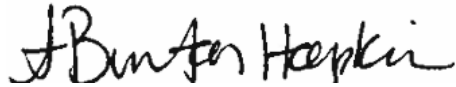
Marnie Adam, Member



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.

I, Sarah Burton Hopkins, 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-2026-021 rendered on September 17, 2026.

A handwritten signature in black ink that reads "Sarah Burton Hopkins".

Sarah Burton Hopkins
Secretary-Treasurer
Committee of Adjustment
sburtonhopkins@innisfil.ca
705-436-3740 ext. 3504

NOTICE OF LAST DATE OF APPEAL

Take notice that an appeal to the Ontario Land Tribunal in respect to all or part of this Minor Variance may be made by filing a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting the Town of Innisfil as the Approval Authority or by mail to Town of Innisfil, Secretary-Treasurer, Committee of Adjustment, 2101 Innisfil Beach Road, Innisfil, ON. L9S 1A1 no later than 4:30 p.m. on October 11, 2026. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to planning@innisfil.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

1. That the owner/applicant provide revised plans that are more in keeping with the general intent and purpose of the Town of Innisfil Official Plan, Zoning By-law 080 13, and additional planning justification, to the satisfaction of the Planning Department.
2. That an Arborist Report be submitted to identify the existing trees proposed to be removed and retained as part of the proposed development. Staff acknowledge that the existing tree along Alcina Avenue may provide a visual buffer and assist in screening the proposed dwelling from the street; however, confirmation from an arborist regarding the condition of the existing trees and whether they can be retained as part of the proposed development is required. This information will assist Staff in assessing the proposed massing and visual impact of the dwelling.

Building

3. Provide confirmation via an updated site plan that subject property has sufficient area for the septic system to support the 3 unit structure. Ensure that the septic system footprint meets all Ontario Building Code required clearances to neighbouring wells and on-site sewage systems, to the satisfaction of the Building Department.

Committee of Adjustment

4. That the proposed development comply with all applicable Ontario Building Code requirements and receive all necessary approvals to the satisfaction of the Town's Building Department.