



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A2/22**

IN THE MATTER OF the Planning Act, R.S.O. 1990, c.P.13, as amended, and of Zoning By-law No. 2009-141, of the City of Barrie, Sections 5.2.9.2(a), 5.2.9.2(n), 5.2.9.2(o) and 4.5.1.

AND IN THE MATTER OF the premises described as PLAN 1355 LOT 37 & BLK C and known municipally as **215 Merrett Drive** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Skelton, Brumwell & Associates Inc., c/o Marissa Handley on behalf of Bradley Coutts** for relief from the provisions of Zoning By-law No. 2009-141, under Section 45 of the Planning Act, R.S.O. 1990, c. P.13, so as to permit development on private services and a reduction in the minimum required rear yard setback, side yard setback and landscape buffer area to facilitate the construction of a detached accessory dwelling unit.

The applicant sought the following minor variance(s):

1. **A rear yard setback of 0.60 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(a), requires a minimum rear yard setback of 7 metres.**
2. **A side yard setback of 0.60 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(a) requires a minimum side yard setback of 3 metres.**
3. **A landscape buffer area of 0 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(n), requires a minimum width of 3 metres along the rear and interior side lot lines adjacent to the detached accessory dwelling unit.**
4. **A permanent structure erected for human occupancy served by a septic sewage system, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(o), requires a permanent structure erected for human occupancy be served by municipal water supply and municipal sanitary sewage disposal facilities.**
5. **A permanent structure erected for human occupancy served by a septic sewage system, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.5.1, requires a permanent structure erected for human occupancy be served by municipal water supply and municipal sanitary sewage disposal facilities.**

DECISION: That the variance(s) noted above be **DENIED**.

Committee had regard for the written and oral submissions received on this application when making their decision.

REASONS:

1. The proposal conflicts with the intent and purpose of the City of Barrie Zoning By-law and Official Plan.
2. The proposal is not minor or desirable for the development and use of the land.

DECISION DATED AT THE CITY OF BARRIE this 25th day of May 2022.

DATE OF MAILING: May 26, 2022

LAST DAY OF APPEAL: **JUNE 14, 2022**

DECISION SIGNATURE PAGE

FILE NO.: A2/22

LOCATION: 215 Merrett Drive

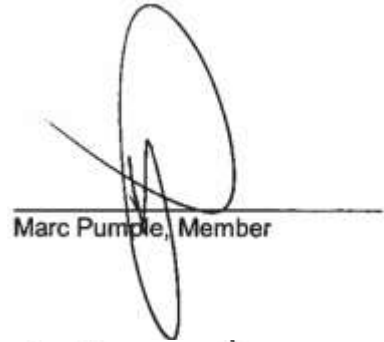
We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on May 25, 2022.



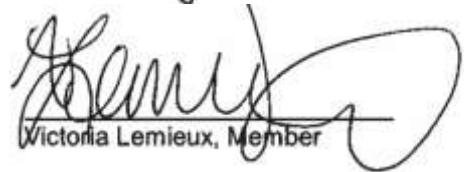
Jay Dolan, Acting Chair



Andy Thomson, Member



Marc Pumple, Member



Victoria Lemieux, Member

I, Janice Sadgrove, Secretary-Treasurer of the Committee of Adjustment for the City of Barrie do hereby certify that this is a true copy of the decision of the Committee of Adjustment handed down at a Public Hearing.



Janice Sadgrove
Secretary-Treasurer

APPEALS

Should you decide to appeal this decision to the Ontario Land Tribunal (OLT), a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the OLT website at <https://olt.gov.on.ca/appeals-process/forms>.

Please fill out the A1 Appeal Form and follow the instructions as provided by the OLT and submit your appeal to the City of Barrie, Committee of Adjustment on or before the appeal date noted above. You must enclose the Consent/Minor Variance appeal fee of \$400.00 and a fee of \$25 for each subsequent appeal on related applications, paid by certified cheque or money order made payable to the 'ONTARIO MINISTER OF FINANCE'. Appeals are to be sent by **REGISTERED MAIL** or delivered personally to:

The City of Barrie Committee of Adjustment
P.O. Box 400, 70 Collier Street
Barrie, Ontario
L4M 4T5

Note: The *Planning Act* provides for appeals to be filed by "persons". Groups or associations, such as residents or ratepayer groups which do not have incorporated status may not be considered "persons" for the purpose of the Act. Groups or associations wishing to appeal this decision should do so in the name of individual members, and not in the name of the group/association.

For more information on the appeal process to the Ontario Land Tribunal (OLT), please contact them at [Appeals Process - Tribunals Ontario - Environment & Land Division \(gov.on.ca\)](https://www.ontario.ca/gov/appeals-process-tribunals-ontario-environment-land-division) or (416) 212-6349 / 1-866-448-2248.

You may view the Decision and Minutes of the Hearing at www.barrie.ca/cofa.

Additional information regarding this Decision is available by contact us via email at planneroftheday@barrie.ca (please put Committee of Adjustment in the subject line) or calling Service Barrie at 705-726-4242.