



COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. A33/21

**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 5.2.5.1(c), 4.6.1 and 5.3.6.1.

**AND IN THE MATTER OF** the premises described as PLAN 139 PT LOT 23 and known municipally as **98 Peel Street** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **Glen Schnarr & Associates Inc., c/o Mark Condello on behalf of Sovereign Mapleview & Huronia Limited, c/o Tejdeep Chattha** 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 increased building density, to exceed the maximum front yard parking coverage allowed, a reduction in parking spaces, and permission for tandem parking for a proposed six unit stacked townhouse development.

The applicant sought the following minor variance(s):

1. **To permit a maximum density of 60 units per net hectare, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.2.5.1(c), requires a maximum density of 53 units per net hectare.**
2. **To permit a reduced parking ratio of 1 space per dwelling, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.1, Table 4.6, requires a minimum of 1.5 spaces per dwelling unit.**
3. **To permit tandem parking in a residential building containing more than 3 dwelling units, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.1, Table 4.6, tandem parking is not permitted.**
4. **To permit a front yard parking coverage for a stacked townhouse of 55.2%, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.6.1, permits a maximum front yard coverage of 50%.**

DECISION: That the variance(s) noted above be **GRANTED** (with the following conditions):

1. That the approval of the subject variance be granted as reflected on the site plan attached as Appendix "A" to the Planning report and any further development or redevelopment of the site shall be required to comply with the standards of the City's Zoning by-law 2009-141, as amended, or any successor thereto.
2. The Owner is to fulfill Parkland Dedication requirements. Finance – Development Charges is to advise regarding requirements for cash-in-lieu of parkland, as per By-law 2017-073 section 6(1).
3. The Owner shall be required to provide a Tree Inventory, Canopy Survey, Assessment and Preservation Plan, with focus on boundary trees and trees impacted on private property.
4. Where boundary trees are proposed to be impacted, written authorization from the adjacent landowner(s) is required to cause harm and/or to remove boundary trees and is to be included in the Tree Preservation Submission. No works, such as building, servicing, and grading, are permitted to be undertaken within the canopy limit without written authorization from the adjacent landowner(s).
5. Should trees located on City property be impacted by the proposed development, City authorization is required. A tree valuation must be provided and conducted, as per the City's Tree Protection Manual, for all City-owned trees that may be damaged and/or removed as part of the proposed development.

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

**REASONS:**

1. The intent and purpose of the Official Plan is maintained.
2. The intent and purpose of the Zoning By-law is maintained.
3. The variance(s) are desirable for the appropriate development of the lands.
4. The variance(s) is/are minor.

**DECISION DATED AT THE CITY OF BARRIE** this 28<sup>th</sup> day of July 2021

**DATE OF MAILING: July 30, 2021**

**LAST DAY OF APPEAL: AUGUST 17, 2021**

**DECISION SIGNATURE PAGE**

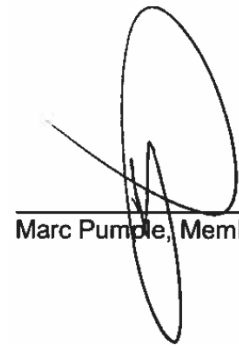
**FILE NO.:** A33/21

**LOCATION:** 98 Peel Street

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on July 28, 2021.

  
\_\_\_\_\_  
Steve Trotter, Chair

  
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Jay Dolan, Member

  
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Marc Pumble, 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.

  
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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 <http://olt.gov.on.ca/tribunals/lpat/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 <https://olt.gov.on.ca/tribunals/lpat/lpat-process/> or (416) 212-6349 / 1-866-448-2248.

You may view the Decision and Minutes of the Hearing at [www.barrie.ca/cofa](http://www.barrie.ca/cofa).

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