



COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A9/22

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, Section 6.3.1 Table 6.3.

AND IN THE MATTER OF the premises described as PLAN 51M369 PT LOTS 13, 14 AND PT MYERS CRT RP 51R40526 PARTS 1,2 AND 6 and known municipally as **76 Bryne Drive** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Blackthorn Development Corp. c/o Maurizio Rogato on behalf of MJJJ Developments Inc. c/o Sam Di Gregorio** 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 exceeding the maximum allowable building height to facilitate the construction of a 5-storey mixed use building with 48 residential units and ground floor commercial.

The applicant sought the following minor variance(s):

1. **To permit a building height of 19 metres, whereas the Comprehensive Zoning By-law, under Section 6.3.1 Table 6.3, permits a maximum building height of 14 metres.**

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

1. That any future development or redevelopment of the lands shall be subject to the provisions of Zoning By-law 2009-141, as amended, or any successor thereto.
2. That the LSRCA receive payment of \$525.00 for review of the application.

No written or oral submissions were received regarding this application for Committee's consideration.

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 27th day of April 2022

DATE OF MAILING: April 28, 2022

LAST DAY OF APPEAL: MAY 17, 2022

DECISION SIGNATURE PAGE

FILE NO.: A9/22
LOCATION: 76 Bryne Drive

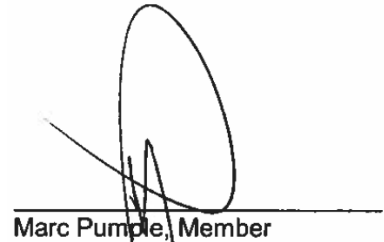
We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on April 27, 2022.



Steve Trotter, Chair



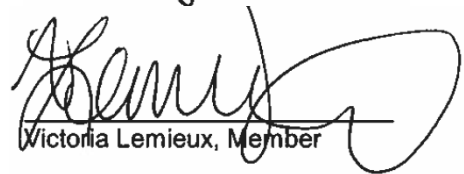
Jay Dolan, Member



Marc Pumple, Member



Andy Thomson, 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.