



**COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. B14/21**

**IN THE MATTER OF** the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

**AND IN THE MATTER OF** the premises described as Plan 51M-777 Blocks 192 and 193 and known municipally as **18 Prince Edward Place** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **KLM Planning Partners c/o Keith MacKinnon on behalf of Mortgagebrokers.com Financial Group of Companies Inc.** for consent under Section 53 of the *Planning Act*, R.S.O. 1990, c. P.13, so as to permit the conveyance of land for residential purposes.

This application, if granted by the Committee of Adjustment, will serve to permit the creation of a new portion of land to be merged with abutting property known municipally as 18 Prince Edward Place.

The severed lands (Part 12) propose to have a lot area of approximately 124.9 square metres and merge with abutting lands known as Part 3, Block 193.

The retained lands (Part 1(Block 192), Part 2, Part 10 and Part 11) propose to have a lot area of 834.6 square metres and a proposed lot frontage of 15 metres on **Prince Edward Place**.

**DECISION:** That provisional consent be **GRANTED** subject to the following condition(s):

1. That Part 8 and Part 9 are transferred at no cost to the City of Barrie as shown in the draft reference plan attached to the Planning report as Appendix 'C'.
2. That an undertaking be prepared by a lawyer to consolidate Block 192 on Plan 51M-777 with the retained lot as shown on Appendix 'B-4' of the Planning report.
3. The applicant shall be required to extend the current sidewalk in accordance with current City policy and standards.
4. 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).
5. The Owner is to provide a cash contribution of \$350 per new lot (in an amount of no less than \$1750.00) to the Municipal Street Tree Planting Program through Development Services - Parks Planning.
6. The vegetation present on and surrounding the subject site is identified as part of a woodlot, greater than 0.20 hectares/0.5 acres. A tree removal permit shall be required as part of this application. The Owner shall be required to provide a Tree Preservation Plan, Inventory and Canopy Survey, including boundary trees, signed and stamped by a qualified Landscape Architect or Registered Professional Forester, as per By-law 2014-115, Schedule 'A'. For location and canopy limits, data is recommended to be gathered through survey. Should the data be gathered through a handheld GPS unit, the method must be identified on the subject plans and surveys. Should the information provided on the requested plans and surveys be inaccurate, the documents shall be rejected.
7. 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).
8. 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.

9. The Owner shall be required to dedicate of all portions of the subject site deemed to be Environmental Protection lands to the City (Part 9), and erect appropriate 1.52m high chain-link fencing (as per BSD1210) and provide and install vehicular access gates and wooden bollards as needed (as per BSD-1216 and BSD-1217).
10. The Owner shall provide and install 1.52m high chain-link fencing (as per BSD-1210) for Parts 5, 6, 7, 8 and 11 where private properties abut City-owned Environmental Protection or Open Space lands.
11. The Owner shall provide securities in the amount of \$20,680.00 for works related to conditions 9 and 10 for Environmental Protection land fencing and vehicular access controls. A staff review fee of 5% of the total landscape works are to be provided in the amount of \$940.00.
12. The Owner shall provide payment of \$525.00 to the LSRCA for review of this Consent application.
13. That all taxes, local improvements, and/or other charges, both current and in arrears, be paid to the satisfaction of the City Treasurer.
14. That the owner/applicant agrees to have his/her Ontario Land Surveyor provide to the City an updated reference plan, to the satisfaction of the Secretary-Treasurer.
15. That a copy of the draft transfer/deed for the severed lot are submitted to the Secretary Treasurer, along with a registered copy of the survey plan.

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

Pursuant to Subsection 41 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended.

**REASONS:**

1. The proposal does not conflict with the intent and purpose of the City of Barrie Official Plan.
2. The Committee considers the proposal to be consistent with the development in the area.
3. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.

**DECISION DATED AT THE CITY OF BARRIE** this 23<sup>rd</sup> day of June 2021

**DATE OF MAILING:** June 24, 2021

**LAST DAY OF APPEAL: JULY 14, 2021**

**DECISION SIGNATURE PAGE**

**FILE NO.:** B14/21  
**LOCATION:** 18 Prince Edward Place

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on June 23, 2021.



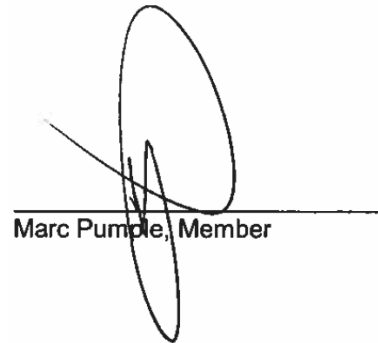
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Steve Trotter, Chair



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Jay Dolan, Member



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Marc Pumple, 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 Appeal 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/tribunals/lpat/forms/appellant-applicant-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 contacting 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.