



**COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. B3/22**

**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 INNISFIL CON 13 PT LOT 5 and known municipally as **440 Essa Road** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **The Jones Consulting Group c/o Ray Duhamel on behalf of 440 Essa Developments c/o Nick Stillo** for consent under Section 53 of the *Planning Act*, R.S.O. 1990, c. P.13, so as to permit the creation of an easement for access and parking.

This application, if granted by the Committee of Adjustment, will serve to permit the creation of an easement in favour of the adjacent property located at 430 Essa Road for access and parking purposes.

The proposed easement will have an area of 89 square metres for the parking area and 129 square metres for the shared driveway.

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

1. That a reference plan be prepared to delineate the limits of the easements, all to the satisfaction of Development Services.
2. That a Certificate of Official be prepared by the owner's solicitor which describes the terms and conditions of the proposed easements.
3. That the owner shall confirm zoning compliance as it relates to parking for 430 Essa Road to the satisfaction of the Director of Development Services.
4. 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 two years 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 March 2022

**DATE OF MAILING:** March 24, 2022

**LAST DAY OF APPEAL:** APRIL 13, 2022

**DECISION SIGNATURE PAGE**

**FILE NO.:** B3/22  
**LOCATION:** 440 Essa Road

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on March 23, 2022.



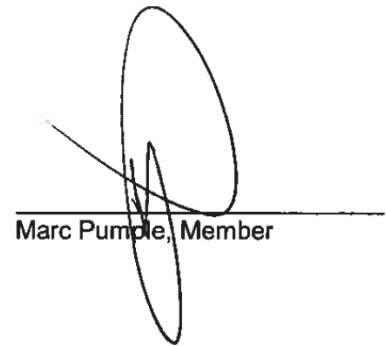
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Steve Trotter, Chair



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Jay Dolan, Member



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Marc Pumple, Member



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Andy Thomson, 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 <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](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.