



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. B33/21**

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 51M1023 Part BLK B RP 51R42639 Parts 1 to 11 and known municipally as 58 Lakeside Terrace in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Lakeside Terrace Ltd., c/o Sally Campbell** for consent under Section 53 of the *Planning Act*, R.S.O. 1990, c. P.13, so as to permit the conveyance of parking areas.

This application, if granted by the Committee of Adjustment, will serve to convey ownership of parking spaces within a parking structure between two residential buildings.

The strata severance proposes to convey surface parking areas (Part 12, 13 and 14), parking level A (Part 17 and 18), parking level B (Part 19 to 22), and parking level C (Part 23 to 28).

The retained areas will include Parts 1 to 11, 15, 16 and 29.

Parts 1 to 29 inclusive are subject to easements as set out in Instrument SC1124735 and Instrument SC1413584.

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

1. 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 City of Barrie.
2. 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, to the satisfaction of the City of Barrie.

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

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 22nd day of September 2021

DATE OF MAILING: September 23, 2021

LAST DAY OF APPEAL: **OCTOBER 13, 2021**

DECISION SIGNATURE PAGE

FILE NO.: B33/21
LOCATION: 58 Lakeside Terrace

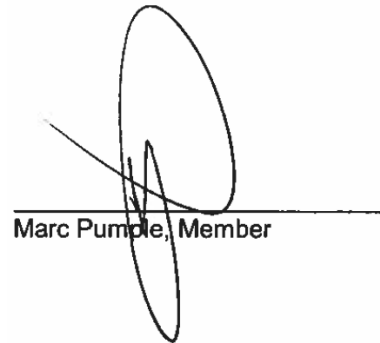
We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on September 22, 2021.



Steve Trotter, Chair



Jay Dolan, Member



Marc Pumble, 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 <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.

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