



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. B4/22**

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 PLAN 51M199 PT LOT 1 and known municipally as **440 Dunlop Street West** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Baldwin Planning and Development Consultants c/o Angela Baldwin on behalf of Dunlop-Ferndale Inc. c/o Bill Greenfield** for consent under Section 53 of the *Planning Act*, R.S.O. 1990, c. P.13, so as to permit the conveyance of land,

This application, if granted by the Committee of Adjustment, will serve to permit a lot addition by conveying a portion of land to be added to the abutting property known municipally as 125 Ferndale Drive North.

The severed lands propose to have a lot area of 444.96 square metres and merge with abutting lands known municipally as 125 Ferndale Drive North.

The retained lands propose to have a lot area of 12,062.74 square metres and a proposed lot frontage of 60.66 metres on Dunlop Street West.

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

1. That the severed lands be merged on title with 125 Ferndale Drive North.
2. That the owner obtain any subsequent easements for stormwater management as required by the Development Services – Approvals Branch.
3. Mutual access/servicing easements shall be obtained for the lands containing the stormwater management pond located on the current 440 Dunlop Street West property. These easements will ensure full access for maintenance and operation of the pond by both the severed and retained parcels created by consent B4/22 as well as any subsequent subdivision of the lands currently known as 440 Dunlop Street West.
4. That all taxes, local improvements, and/or other charges, both current and in arrears, be paid to the satisfaction of the City Treasurer.
5. 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.
6. 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.

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 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 27th day of April 2022

DATE OF MAILING: April 28, 2022

LAST DAY OF APPEAL: MAY 18, 2022

DECISION SIGNATURE PAGE

FILE NO.: B4/22
LOCATION: 440 Dunlop Street West


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



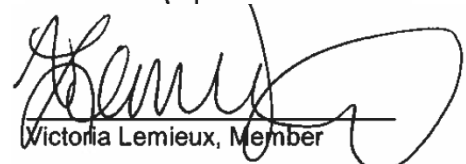
Jay Dolan, Member



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 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.