



**COMMITTEE OF ADJUSTMENT
APRIL 27, 2022
PUBLIC HEARING MINUTES**

Members Present: Steve Trotter, Chair
Jay Dolan, Member
Marc Pumple, Member
Victoria Lemieux, Member
Andy Thomson, Member

Staff Present: Tiffany Thompson, Manager of Growth and Development
Carlissa McLaren, Manager of Planning (Acting)
Madeline Kowalchuk (Snow), Planner
Jaspreet Sidhu, Planner
Janice Sadgrove, Secretary-Treasurer

Next Meeting: May 25, 2022, at 5:00 p.m., Virtual Meeting (Zoom)

1. CALL TO ORDER

2. DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST

Jay Dolan declared a potential pecuniary interest on application A67/21 – 79 Collier Street as he owns property in close proximity to the subject property.

3. REQUESTS FOR DEFERRAL/ADJOURNMENT

Kory Chisholm, applicant and agent for Application A67/21 at 79 Collier Street requested a deferral to provide additional time for discussions with the neighbouring property owner.

4. ADOPTION OF MINUTES

The minutes of the Committee of Adjustment hearing held on March 23, 2022, were adopted as circulated.

**Motioned by: Jay Dolan, Member
Second: Andy Thomson, Member
CARRIED**

5. STATUTORY PUBLIC HEARINGS

**5. (a) MINOR VARIANCE APPLICATION: A9/22 – 76 Bryne Drive
APPLICANT: Blackthorn Development Corp. c/o Maurizio Rogato on behalf of MJJJ Developments Inc.
c/o Sam Di Gregorio**

This application, if granted by the Committee of Adjustment, will serve 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 property is subject to Site Plan Application D11-002-2021.

The applicant is seeking 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.

REPRESENTATION:

Maurizio Rogato, Agent

INTERESTED PERSONS:

Christine Babcock
Cathy Lowe

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated April 27, 2022
Development Services – Transportation Planning: Comments dated April 20, 2022
Development Services – Parks Planning: Comments dated April 21, 2022
Development Services – Approvals Branch: Comments dated April 12, 2022
Building Services: Comments dated April 19, 2022
Finance Department: DCA comments dated April 13, 2022
LSRCA: Comments dated April 19, 2022
Alectra Utilities: Comments dated April 13, 2022

DISCUSSION:

Maurizio Rogato, the agent, provided an overview of the application requesting to exceed the maximum allowable building height to facilitate the construction of a 5-storey mixed use building. Mr. Rogato provided an illustration of the site plan and noted the proposal is currently under site plan review.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public. There were no comments from the public.

The Committee made a motion to approve the application with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the application be granted with conditions.

**Motioned by: Victoria Lemieux, Member
Second: Marc Pumple, Member
CARRIED**

5. (b) **MINOR VARIANCE APPLICATION: A10/22 – 21 Cumberland Street
MINOR VARIANCE APPLICATION: A11/22 – 27 Cumberland Street
MINOR VARIANCE APPLICATION: A12/22 – 21 & 27 Cumberland Street
APPLICANT: William Read**

This application (A10/22), if granted by the Committee of Adjustment, will serve to permit a deficient front yard setback.

The applicant is seeking the following minor variance(s):

1. To recognize an existing front yard setback of 2.74 metres for the main dwelling, whereas a minimum front yard setback of 3 metres is permitted as approved by Committee of Adjustment on October 27, 2021 (A51/21).

This application (A11/22), if granted by the Committee of Adjustment, will serve to permit a deficient front yard setback.

The applicant is seeking the following minor variance(s):

1. To recognize an existing front yard setback of 4.36 metres for the main dwelling, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1, Table 5.3 requires a minimum front yard setback of 4.5 metres.

This application (A12/22), if granted by the Committee of Adjustment, will serve to permit a deficient lot frontage.

The applicant is seeking the following minor variance(s):

1. To permit a minimum lot frontage of 15.09 metres, whereas a minimum lot frontage of 15.54 metres is permitted as approved on October 27, 2021 (A58/21).

REPRESENTATION:

William Read, Applicant

INTERESTED PERSONS:

Chris Franco
Christine Babcock
Catherine Colebatch

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated April 27, 2022
Development Services – Transportation Planning: Comments dated April 20, 2022
Development Services – Parks Planning: Comments dated April 21, 2022
Development Services – Approvals Branch: No comments
Building Services: Comments dated April 19, 2022
Finance Department: DCA comments dated April 20, 2022
Metrolinx: Comments dated April 21, 2022
Alectra Utilities: Comments dated April 13, 2022

DISCUSSION:

William Read, the applicant, provided an overview of the applications. Mr. Read noted that previous consent and minor applications were approved by the Committee of Adjustment on October 27, 2021. The original property surveys were submitted with the applications, but further variances were identified on the updated draft reference plan submitted by the applicant to finalize the consents.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public.

Cathy Colebatch, 97 Cumberland Street, expressed concerns regarding parking provisions on the newly created lot. Mr. Read advised a single detached dwelling is intended for the lot and ensured there will be sufficient parking in the front yard. Ms. Colebatch asked if there are plans to build a second suite and/or a detached accessory dwelling unit. The Chair advised that an answer to this question at this time is not binding as plans for the property may change and Mr. Read may choose to sell the properties in the future. Ms. Colebatch expressed concern about the preservation of a tree in the front yard along the property line. Mr. Read advised that there are no plans to remove the tree. Ms. Colebatch suggested Mr. Read investigate listing 21 Cumberland Street on the Municipal Heritage Register and potential financial incentives such as the Community Improvement Grant.

The Committee made a motion to approve the applications with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the applications be granted with conditions.

Motioned by: Marc Pumple, Member
Second: Victoria Lemieux, Member
CARRIED

5. (c) **CONSENT APPLICATIONS: B4/22, B5/22, B8/22 & B11/22 – 440 Dunlop Street West**
MINOR VARIANCE APPLICATION: A7/22 – 440 Dunlop Street West
CONSENT APPLICATIONS: B7/22 & B10/22 – 125 Ferndale Drive North
APPLICANT: Baldwin Planning and Development Consultants c/o Angela Baldwin on behalf of Dunlop-Ferndale Inc. c/o Bill Greenfield

This application, if granted by the Committee of Adjustment, will serve to permit an increased building density, to exceed the maximum front yard parking coverage allowed, a reduction in parking spaces, to recognize a deficient lot frontage and permission for tandem parking for a proposed six unit stacked townhouse development.

The application (B4/21), 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.

The application (B5/21), if granted by the Committee of Adjustment, will serve to permit the creation of a new lot.

The severed lands propose to have a lot area of 4,566 square metres and a proposed lot frontage of 60.66 metres on Dunlop Street West.

The retained lands propose to have a lot area of 7,100 square metres and a proposed lot frontage of 100.93 metres on Lennox Drive.

The application (B8/21), if granted by the Committee of Adjustment, will serve to permit the creation of an easement over the retained lands in favour of the severed lands subject to consent application B5/22 located at 440 Dunlop Street West for access and servicing purposes.

The proposed easement (shown on the attached sketch) will have an area of 1,153.27 square metres and a width of 6.40 metres.

The application (B11/22), if granted by the Committee of Adjustment, will serve to permit the creation of an easement over the severed lands in favour of the retained lands subject to consent application B5/22 located at 440 Dunlop Street West for access and servicing purposes.

The proposed easement (shown on the attached sketch) will have an area of 467.70 square metres and a width of 6.40 metres.

This application (A7/22), if granted by the Committee of Adjustment, will serve to permit exceeding the maximum allowable height to facilitate the construction of a 6-storey hotel.

The applicant is seeking the following minor variance(s):

1. A building height of 19.8 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 7.3.1 Table 7.3, permits a maximum building height of 14 metres.

The application (B7/21), if granted by the Committee of Adjustment, will serve to permit the creation of a new commercial lot.

The severed lands propose to have a lot area of 1,768 square metres and a proposed lot frontage of 21.37 metres on Ferndale Drive North.

The retained lands propose to have a lot area of 3,629 square metres and a proposed lot frontage of 53.71 metres on Ferndale Drive North.

The application (B10/22), if granted by the Committee of Adjustment, will serve to permit the creation of an easement over the retained lands in favour of the severed lands subject to consent applications B4/22 and B7/22 located at 125 Ferndale Drive North for access and servicing purposes.

The proposed easement (shown on the attached sketch) will have an area of 357.83 square metres and a width of 6.40 metres.

REPRESENTATION:

Angela Baldwin, Agent

INTERESTED PERSONS:

Christine Babcock

Cathy Lowe

Brian Cullingford

Ali Saleh

Hussein Saleh

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated April 27, 2022

Development Services – Transportation Planning: Comments dated November 17, 2021

Development Services – Parks Planning: Comments dated April 21, 2022

Development Services – Approvals Branch: Comments dated April 21, 2022

Building Services: Comments dated April 19, 2022

Finance Department: DCA comments dated April 13, 2022

Alectra Utilities: Comments dated April 13, 2022

Public Comments: Jeff Ough, dated April 21, 2022

DISCUSSION:

Angela Baldwin, the agent, provided an overview of the applications. She provided a presentation of the Concept Plan to illustrate the proposed lot structure and easements and discussed topics on location, site context, surrounding land uses, and the proposed development. Ms. Baldwin noted the subject lands are currently occupied with the Barrie Ball Hockey Club and associated ball hockey arenas. The proposal is to redevelop the lands with a variety of commercial uses which includes a drive-thru restaurant and a 6-storey hotel with associated parking. She noted all buildings will meet the required setbacks and parking standards within the zoning by-law. She reviewed the master plan and discussed the proposed severances. She identified the requested easements and noted the easements would be primarily for shared access and servicing across the parcels. She advised the last application is for the minor variance for the hotel and noted that Planning staff has recommended a deferral. She said she supports their recommendation and would like more time to provide sufficient information for the requested variance to staff.

The Secretary-Treasurer read a summary of all comments received to date.

The Committee opened discussion to the public. There were no comments from the public.

The Committee made a motion to approve applications B4/22, B5/22 and B7/22 with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the applications be granted with conditions.

**Motioned by: Marc Pumple, Member
Second: Victoria Lemieux, Member
CARRIED**

The Committee made a motion to approve applications B8/22, B10/22 and B11/22 with conditions as outlined by staff.

DECISION:

The decision of the Committee is that the applications be granted with conditions.

**Motioned by: Victoria Lemieux, Member
Second: Andy Thomson, Member
CARRIED**

The Committee made a motion to defer application A7/22 until such time that a site plan control application has been submitted and all technical matters associated with the proposed development have been adequately addressed.

DECISION:

The decision of the Committee is that the application be deferred.

**Motioned by: Jay Dolan, Member
Second: Victoria Lemieux, Member
CARRIED**

6. OTHER BUSINESS

The Committee of Adjustment hearing scheduled for September 28, 2022, is rescheduled to September 21, 2022.

7. DATE OF NEXT MEETING

May 25, 2022, at 5:00 p.m.

8. ADJOURNMENT

The meeting was adjourned at 6:05 p.m.



Steve Trotter, Chair



Janice Sadgrove, Secretary-Treasurer