



**COMMITTEE OF ADJUSTMENT**  
**May 25, 2022**  
**PUBLIC HEARING MINUTES**

*Members Present:* Jay Dolan, Acting Chair  
Victoria Lemieux, Member  
Marc Pumple, 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:* June 22, 2022, at 5:00 p.m., Virtual Meeting (Zoom)

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**1. CALL TO ORDER**

**2. DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST**

Acting Chair, 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**

There were none.

**4. ADOPTION OF MINUTES**

The minutes of the Committee of Adjustment hearing held on April 27, 2022, were adopted as circulated.

**Motioned by: Andy Thomson, Member**  
**Second: Marc Pumple, Member**  
**CARRIED**

**5. STATUTORY PUBLIC HEARINGS**

Acting Chair, Jay Dolan left the Chair and Member Victoria Lemieux assumed the role as Chair.

**5. (a) MINOR VARIANCE APPLICATION: A67/21 – 79 Collier Street**  
**APPLICANT: MHBC Planning c/o Kory Chisholm on behalf of Vitmont Holdings (Barrie) Inc.**

This application, if granted by the Committee of Adjustment, will serve to permit exceeding the allowable height and gross floor area, a reduced amount of required minimum lot coverage of commercial uses, a reduction in parking spaces, landscape buffer area and drive aisle width to facilitate the construction of a 17-storey mixed use residential building. The property is subject to Site Plan application D11-023-2020.

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

1. To permit a maximum gross floor area of 725% of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3.1, permits a maximum gross floor area of 600% of lot area.

2. To permit a building height of 15 metres within 3 metres of the front lot line and the lot flankage, whereas the Comprehensive Zoning By-Law 2009-141, under Section 6.3.2, permits a maximum building height of 10 metres within 5 metres of the front lot line and the lot flankage.
3. To permit a building height of 55 metres beyond 3 metres of the front lot line and the lot flankage, whereas the Comprehensive Zoning By-Law 2009-141, under Section 6.3.2, permits a maximum building height of 45 metres beyond 5 metres of the front lot line and the lot flankage.
4. To permit a minimum lot coverage of 30.43% for commercial uses, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3.2, requires a minimum lot coverage of 50% for commercial uses.
5. To permit a minimum of 0.86 parking spaces per dwelling unit in the Urban Growth Centre, whereas the Comprehensive Zoning By-law 2009-141, under Table 4.6.1, requires a minimum of 1 parking space per dwelling unit in the Urban Growth Centre.
6. To permit a side and rear yard landscape buffer strip with a width of 0 metres, whereas the Comprehensive Zoning By-Law 2009-141, under Section 6.3.7.1, requires a landscape buffer strip with a minimum width of 3 metres.
7. To permit a drive aisle (driveway) width of 5 metres to permit the encroachment of a fire escape, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.2.5, requires a minimum drive aisle width of 6.4 metres.

**REPRESENTATION:**

Kory Chisholm, Agent

**INTERESTED PERSONS:**

Aaron Platt  
Ellen Ferris  
Michael McKnight  
Katelin Campbell  
Guido Paniccia  
Christine Babcock

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated April 27, 2022 & May 25, 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 January 14, 2022  
Finance Department: DCA comments dated April 13, 2022  
Alectra Utilities: Comments dated January 7, 2022  
Public Comments: Peter Walpole, April 13, 2022

**DISCUSSION:**

Kory Chisholm, the agent, advised they have come to a resolution with the neighbouring property owner regarding the access easement. He provided a presentation discussing topics including the project background, site aerial, proposed site plan, technical work completed, the minor variances requested, City of Barrie Official Plan, maximum gross floor area, maximum building height, minimum coverage for commercial uses, minimum parking space rate, landscape buffer area, and drive aisle width. He noted the project is advanced in the site plan approval process and the minor variances are required to facilitate the proposed development. He provided an overview of the proposed development. The proposed site plan is a 17-storey mixed use development with 136 residential rental units, of which 28 will be affordable units. Mr. Chisholm provided an overview of the requested variances.

Mr. Chisholm provided an illustration of the site plan and explained that the neighbouring landowner to the west has an access easement over the subject lands. He pointed out the area of the easement and noted the application was requested to be deferred previously to allow for additional time for discussions with the neighbouring property owner regarding the access easement as the proposed building will provide a minor encroachment into the bottom of the easement. He advised they have reached a resolution with the neighbouring landowner and their lawyer sent an email to Planning staff prior to the hearing.

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

The Committee opened discussion to the public.

Aaron Platt, legal counsel to Bottero Grossi, owner of the property to the immediate west, advised the two parties have reached a resolution on how the easement is going to be addressed and his client is content for this matter to proceed with the plans as submitted noting the latest elevations confirmed there are no windows or doors along the westerly face of the proposed structure which is at the property line between the two properties. Carlissa McLaren, Manager of Planning, confirmed the matter will be addressed through the final site plan approval process. There was discussion on amenity space, parking and access. Member Thomson commented that we see a lot of these in Barrie where there is above grade parking and above grade parking is less expensive than below grade parking, but below grade parking provides for better buildings, which is in the public interest. He asked if there was consideration to taking the parking down another level and to have access in a more diagonal way. He commented the building is starting to take over the block, but the building is not giving amenity or landscaping space back to the public and he is not convinced that access is going to be problem free.

Mr. Chisholm advised that in relation to the landscape strip and the green space, they have been working with City staff, and through those meetings it was clear that staff want the building close to the street. There will be landscape plans that have been submitted and proposed for the City streetscape. There is a very large green space on the roof of the podium for the tenants of the building on the south side facing towards Lake Simcoe. He commented it is a challenge in downtown Barrie to do underground parking and there is consideration of going too far underground the armory building as there is increased risk in damaging the heritage building. Mr. Chisholm noted that through the site plan process, they presented to the City's Heritage Committee and have received support for the proposal and advised both the armory and the column of valor will be protected.

Michael McKnight, architect for the applicant, provided additional information on the landscaped areas, the building façade, traffic right-of-way/access, underground parking and the sidewalk area.

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: Marc Pumple, Member  
Second: Andy Thomson, Member  
CARRIED**

Acting Chair, Victoria Lemieux left the role of Chair. Member Jay Dolan rejoined the meeting and assumed the role as Acting Chair.

**5. (b) MINOR VARIANCE APPLICATION: A69/21 – 720 Mapleview Drive East  
APPLICANT: KLM Planning Partners Inc., c/o Keith MacKinnon on behalf of Urban North On The Go Ltd.**

This application, if granted by the Committee of Adjustment, will serve to permit a reduction in parking spaces and rear yard setback for porches to facilitate the construction of a walk-up apartment. The property is subject to site plan application D11-018-2021.

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

1. A minimum of 1.25 parking spaces per dwelling unit, whereas the Comprehensive Zoning By-law 2009-141, Special Provision No. 491 under Section 13.1.176(c), requires a minimum of 1.35 parking spaces per dwelling unit.
2. A minimum of 1 parking space per 34 square metres of commercial gross floor area, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.2.3(b), requires a minimum of 1 parking space per 24 square metres of commercial gross floor area.
3. A minimum rear yard setback of 2.83 metres for the porch attached to units in sub-Blocks 74 & 75, whereas the Comprehensive Zoning By-law, under subsection 5.3.5.1, requires a minimum setback of 5.0 metres;

**REPRESENTATION:**

Ally Krstajic, Applicant

**INTERESTED PERSONS:**

Christine Babcock

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**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated May 25, 2022

Development Services – Transportation Planning: Comments dated May 18, 2022

Development Services – Parks Planning: Comments dated May 19, 2022

Development Services – Approvals Branch: Comments dated May 19, 2022

Building Services: Comments dated May 17, 2022

Finance Department: DCA comments dated May 19, 2022

LSRCA: Comments dated May 13, 2022

Metrolinx: Comments dated January 20, 2022

Alectra Utilities: Comments dated January 7, 2022

**DISCUSSION:**

Keith MacKinnon, the applicant, advised his colleague, Ally Krstajic, will be making the presentation to Committee tonight. Ally Krstajic provided an overview of the application discussing topics including site context, surrounding land uses, requested variances, City of Barrie Official Plan and Zoning By-law. She advised the subject lands are vacant and the property is currently under site plan review (File: D11-018-2021) to facilitate 66 walk-up apartment units, 5 apartment units and 827 square metres of commercial space.

Ms. Krstajic provided an overview of the requested variances. She noted that each unit accommodates two parking spaces per unit, however, the Zoning By-law does not recognize the parking space within the garage, and the reduction allows for an increase in visitor parking spaces per unit. She also noted that the commercial retail components will be largely accessed by residents living in the development and is within walking distance for residents in the community. The proposed rear yard setback for the porch only affects one unit in Block 74 and the layout is consistent with the master concept plan that has been approved.

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.

Acting Chair Dolan asked Planning staff about the parking study submitted with the application and comments received with respect to parking. Madeline Kowalchuk (Snow), Planner, advised Transportation Planning staff reviewed the parking study and have no concerns.

The Committee made a motion to approve the application.

**DECISION:**

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

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

**5. (c) MINOR VARIANCE APPLICATION: A13/22 – 56 Allsop Crescent  
APPLICANT: Accurate Designs Inc. c/o Brett Lyver on behalf of Kevin Lawrence**

This application, if granted by the Committee of Adjustment, will serve to permit an addition with a deficient rear yard setback.

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

1. A rear yard setback of 6.0 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, requires a minimum rear yard setback of 7.0 metres.

**REPRESENTATION:**

There were none.

**INTERESTED PERSONS:**

Kevin Payton-Stewart

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated May 25, 2022

Development Services – Transportation Planning: Comments dated May 16, 2022

Development Services – Parks Planning: Comments dated May 19, 2022

Development Services – Approvals Branch: Comments dated May 16, 2022

Building Services: Comments dated May 17, 2022

Finance Department: DCA comments dated May 16, 2022

Alectra Utilities: Comments dated May 11, 2022

Public Comments: Kevin Payton-Stewart, dated May 25, 2022

**DISCUSSION:**

The applicant, agent or owner was not in attendance to present the application to Committee.

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

The Committee opened discussion to the public.

Kevin Payton-Stewart, 54 Allsop Crescent, expressed concerns with obstruction of view and sunlight, negative impacts on the adjacent environmental protection area and construction activity causing noise, dust and debris.

Madeline Kowalchuk (Snow), Planner, advised construction would be permitted in accordance with the noise by-law. She noted that elevations are not required as part of the Committee of Adjustment application.

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

**5. (d) MINOR VARIANCE APPLICATION: A2/22 – 215 Merrett Drive  
APPLICANT: Skelton Brumwell & Associates Inc., c/o Marissa Handley on behalf of Bradley Coutts**

This application, if granted by the Committee of Adjustment, will serve to permit development on private services and a reduction in the minimum required rear yard setback, side yard setback and landscape buffer area to facilitate the construction of a detached accessory dwelling unit.

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

1. A rear yard setback of 0.60 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(a), requires a minimum rear yard setback of 7 metres.
2. A side yard setback of 0.60 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(a) requires a minimum side yard setback of 3 metres.
3. A landscape buffer area of 0 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(n), requires a minimum width of 3 metres along the rear and interior side lot lines adjacent to the detached accessory dwelling unit.
4. A permanent structure erected for human occupancy served by a septic sewage system, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(o), requires a permanent structure erected for human occupancy be served by municipal water supply and municipal sanitary sewage disposal facilities.
5. A permanent structure erected for human occupancy served by a septic sewage system, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.5.1, requires a permanent structure erected for human occupancy be served by municipal water supply and municipal sanitary sewage disposal facilities.

**REPRESENTATION:**

Marissa Handley, Agent

**INTERESTED PERSONS:**

Kelly McKee  
Matt Bertram  
Ross Brown  
Dave Veitch  
Gary Strachan  
Greg Catton

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated May 25, 2022

Development Services – Transportation Planning: Comments dated May 16, 2022

Development Services – Parks Planning: Comments dated May 19, 2022  
Development Services – Approvals Branch: Comments dated May 20, 2022  
Building Services: Comments dated May 17, 2022  
Finance Department: DCA comments dated May 16, 2022  
Alectra Utilities: Comments dated May 11, 2022  
Public Comments: Ross Brown, dated May 18, 2022  
Public Comments: Gary Strachan, dated May 24, 2022  
Public Comments: Dave Veitch & Sheree Dafoe, dated May 24, 2022  
Public Comments: Greg Catton, dated May 24, 2022  
Public Comments: Kelly & Jonathan McKee, dated May 25, 2022

**DISCUSSION:**

Marissa Handley, the agent, provided a presentation discussing topics including site context, Official Plan policies, Zoning By-law, the four tests for a minor variance, and the septic system. She advised that Mr. Coutts, the property owner, purchased the property in July 2021 and received a building permit to construct a second suite within the basement of the existing dwelling. As part of the building permit approval, the owner was required to install a new septic system on the property. Mr. Coutts upgraded the system to also service the proposed detached accessory dwelling unit (DADU). The DADU is proposed to be in the existing garage located at the rear of the property. Ms. Handley provided her opinion on how the proposal would maintain the general intent and purpose of the Official Plan and Zoning By-law. She noted the DADU will be buffered by existing trees and will create affordable housing within the City of Barrie. Matt Bertram, Project Engineer, discussed the septic system and advised it provides a high standard of sewage treatment. He noted the septic system is adequate for the sewage demand for the existing house and proposed DADU.

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

The Committee opened discussion to the public.

Kelly McKee, 200 Garson Street, expressed concern with negative impacts to the character of the neighbourhood, parking, fencing, tree preservation and removal, destruction of the culvert and water drainage, and that the detached garage was built illegally.

Dave Veitch, 208 Yeates Avenue, expressed concern that the existing detached garage was built without a building permit, is not habitable and built too close to the boundary lot line. He complained of the smell of raw sewage coming from the recently installed septic system. Mr. Veitch also expressed concern with obstruction of natural drainage, flooding, and potential for overwhelmed sump pumps on surrounding properties. Mr. Veitch stated that he feels the requested variances are not minor in nature.

Madeline Kowalchuk (Snow), Planner, provided a brief summary of why the application does not meet the four tests required for a minor variance under the Planning Act. She noted the application would not maintain the general intent of the Official Plan and Zoning By-law and planning staff recommend the application be denied.

Gary Strachan, 210 Yeates Avenue, expressed concern that the structure is poorly constructed. He noted there is a large tree beside it which could be dangerous to occupants during a storm. He pointed out that the water course is being blocked and a culvert should be put in.

The Committee made a motion to deny the application.

**DECISION:**

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

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

**6. OTHER BUSINESS**

**7. DATE OF NEXT MEETING**  
June 22, 2022, at 5:00 p.m.

**8. ADJOURNMENT**  
The meeting was adjourned at 7:06 p.m.



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Jay Dolan, Acting Chair



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Janice Sadgrove, Secretary-Treasurer