



**COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. A97/24**

**IN THE MATTER OF** the Planning Act, R.S.O. 1990, c.P.13, as amended, and of Zoning By-law No. 2009-141, of the City of Barrie, Section 6.3.1 Table 6.3.

**AND IN THE MATTER OF** the premises described as Part Lots 1-5, Lots 7-8 Plan 1046; Part S Part Lot 11 Concession 14 Innisfil Parts 1 & 3 51R19752 and known municipally as **389 and 393 Yonge Street** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **MHBC Planning c/o Kory Chisholm on behalf of 375 Yonge Street Inc.** for relief from the provisions of Zoning By-law No. 2009-141, under Section 45 of the Planning Act, R.S.O. 1990, c. P.13, so as to permit a deficient rear yard setback to an existing building and associated accessory structure on the retained lands should consent application B57/24 be approved.

The applicant sought the following minor variances:

1. A rear yard setback of 5 metres to an existing building, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3.1 Table 6.3 requires a minimum rear yard setback of 7 metres.
2. A rear yard setback of 1 metre to an existing accessory structure, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3.1 Table 6.3 requires a minimum rear yard setback of 7 metres.

DECISION: That the variances noted above be **GRANTED** (with the following conditions):

1. Approval of the associated Consent Application B57/24.
2. That the approval of the subject variance be granted and any further development or redevelopment of the lands at 389 – 393 Yonge Street shall be required to comply with the standards of the City's Zoning By-law 2009-141, as amended, or any successor thereto, failing which subsequent approvals may be required.

**No written or oral submissions were received regarding this application for Committee's consideration.**

**REASONS:**

1. The intent and purpose of the Official Plan is maintained.
2. The intent and purpose of the Zoning By-law is maintained.
3. The variance(s) are desirable for the appropriate development of the lands.
4. The variance(s) is/are minor.

**DECISION DATED AT THE CITY OF BARRIE** this 17th day of December 2024.

**DATE OF MAILING:** December 18, 2024

**LAST DAY OF APPEAL:** **JANUARY 6, 2024**

**DECISION SIGNATURE PAGE**

**FILE NO.:** A97/24

**LOCATION:** 389 and 393 Yonge Street

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on December 17, 2024.

  
Steve Trotter, Chair

  
Jay Dolan, Member

  
Andrea Butcher-Milne, Member

  
Graydon Ebert, Member

  
Carol Phillips, 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

### **Appealing to The Ontario Land Tribunal**

The Planning Act, R.S.O. 1990, as amended, Section 45(12)

The applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the committee by filing a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting [City of Barrie] as the Approval Authority or by mail [City of Barrie, Committee of Adjustment, P.O. Box 400, 70 Collier Street, Barrie, Ontario L4M 4T5], no later than 4:30 p.m. on or before **January 6, 2025**. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at [www.olt.gov.on.ca](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [OLT.submissions@barrie.ca](mailto:OLT.submissions@barrie.ca).

**Note:** In accordance with Section 45(12) of the *Planning Act* third party appeals by persons or individuals are not permitted. When no appeal is lodged within twenty days after the giving of notice, the decision becomes final and binding and notice to that effect will be issued by the Secretary-Treasurer.

For more information on the appeal process to the Ontario Land Tribunal (OLT), please contact: [Appeals Process - Tribunals Ontario - Environment & Land Division \(gov.on.ca\)](http://Appeals Process - Tribunals Ontario - Environment & Land Division (gov.on.ca)) 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 [CofA@barrie.ca](mailto:CofA@barrie.ca) or calling Service Barrie at 705-726-4242.