



**COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. A47/23**

**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 5.3.1 Table 5.3

**AND IN THE MATTER OF** the premises described as PLAN 1423 LOT 11 and known municipally as **201A Tynhead Road** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **Timberblock c/o Jennifer Robinson on behalf of Ivette Dawson** 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 front yard setback and rear yard setback to facilitate the construction of a single detached dwelling.

The applicant sought the following minor variance(s):

1. A front yard setback of 4.3 metres, 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.
2. A rear yard setback of 1.4 metres, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.1, Table 5.3, requires a minimum rear yard setback of 7 metres.

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

1. That a demolition permit be issued for the existing dwelling and that it be removed prior to any further development of the lands.
2. That the approval of the subject variances be granted as reflected on the site plan attached as Appendix 'B' to the planning report and any further development or redevelopment of the site 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.
3. The vegetation present on and surrounding the subject site is identified as part of a woodlot, greater than 0.20 hectares/0.5 acres. A tree removal permit shall be required as part of this application. The Owner shall be required to provide a Tree Preservation Plan, Inventory and Canopy Survey, including boundary trees, signed and stamped by a qualified Landscape Architect or Registered Professional Forester, as per By-law 2014-115, Schedule 'A'.
4. Where boundary trees are proposed to be impacted, written authorization from the adjacent landowner(s) is required to cause harm and/or to remove boundary trees and is to be included in the Tree Preservation Submission. No works, such as building, servicing, and grading, are permitted to be undertaken within the canopy limit without written authorization from the adjacent landowner(s).
5. Should trees located on City property be impacted by the proposed development, City authorization is required. A tree valuation must be provided and conducted, as per the City's Tree Protection Manual, for all City-owned trees that may be damaged and/or removed as part of the proposed development.
6. That the Applicant/Owner provide the required fee payment for Minor Variance (Minor – Planner Review Only) of \$536.00, as per the LSRCA Fee Schedule.
7. That the Applicant/Owner successfully obtain a permit from the LSRCA.

**Committee had regard for the oral submissions received on this application when making their decision. No written submissions were received on this application.**

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**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 26<sup>th</sup> day of September 2023.

**DATE OF MAILING:** September 27, 2023

**LAST DAY OF APPEAL: OCTOBER 16, 2023**

**DECISION SIGNATURE PAGE**

**FILE NO.:** A47/23  
**LOCATION:** 201A Tynhead Road

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on September 26, 2023.

  
\_\_\_\_\_  
Steve Trotter, Chair

  
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Jay Dolan, Member

  
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Andrea Butcher-Milne, Member

  
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Graydon Ebert, Member

  
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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 with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal.

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:** 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 \(gov.on.ca\)](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](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.