



**COMMITTEE OF ADJUSTMENT
APRIL 22, 2025
PUBLIC HEARING MINUTES**

Members Present:

Stephen Trotter, Chair
Graydon Ebert, Member
Jay Dolan, Member
Carol Phillips, Member
Andrea Butcher-Milne, Member

Staff Present:

Andrew Gameiro, Supervisor of Planning and Zoning Enforcement
Daniel Frangione, Acting Secretary-Treasurer
Olga Sanchez, Technical Coordinator
Janice Sadgrove, Secretary-Treasurer

1. CALL TO ORDER

2. DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST

There were none.

3. REQUESTS FOR DEFERRAL/WITHDRAWALS/ADJOURNMENT

There were none.

4. ADOPTION OF MINUTES

The minutes of the Committee of Adjustment hearing held on March 25, 2025, were adopted as circulated.

5. STATUTORY PUBLIC HEARINGS

**5. (a) MINOR VARIANCE APPLICATION: A3/25 – 19 Dunsmore Lane
APPLICANT: Salman Ellahi**

This application, if granted by the Committee of Adjustment, will serve to permit a reduction in the width of the path of travel to the primary entrance to an additional residential unit.

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

1. To permit an unobstructed path of travel with a width of 0.6 metres to the primary entrance of an additional residential unit, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.2.9.1(d), requires a minimum of 1.2 metres.

REPRESENTATION:

Salman Ellahi, Applicant

INTERESTED PERSONS:

There were none.

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated February 25, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated February 19, 2025

Development Services – Approvals Branch: February 12, 2025

Building Services: No comments

Finance Department: No comments

Barrie Fire & Emergency Service: Comments dated April 15, 2025

Alectra Utilities: Comments dated February 11, 2025

DISCUSSION:

Salman Ellahi, the applicant, noted that the Committee previously deferred the application from the February 25th hearing to today's hearing. Mr. Ellahi pointed out that the width of path of travel is reduced due to three minor points of constraint associated with two below-grade window wells and a fireplace exhaust which encroach into the side yard.

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

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

Member Dolan pointed out that his motion to defer the application from the February 25th hearing was based on concerns regarding comments received from the Barrie Fire and Emergency Service regarding the effect the reduced width of the path of travel will have on effective emergency response to the unit.

Andrew Gameiro, Supervisor of Planning and Zoning Enforcement advised that the Barrie Fire and Emergency Service originally requested a setback of 1.1 metres be provided and referenced Section 9.9.3.3.(1) of the Ontario Building Code. Mr. Gameiro noted that this section does not apply to additional residential units. He advised that a meeting was held between the Chief Building Official, Chief Fire Prevention Officer and Planning management following the hearing to discuss this matter further. It was concluded that the width is not a Fire Code or Building Code requirement. Mr. Gameiro pointed out the Zoning By-law intent of requiring a 1.2 metre wide unobstructed path of travel was to facilitate the movement of people in and out of the unit. He discussed changes in the draft Zoning By-law and advised they are going to include an encroachment clause in the new Zoning By-law to allow for encroachments of window wells and mechanical equipment. He noted that it is the direction of the province to permit up to four dwelling units on residentially zoned lands.

Member Ebert pointed out that a revised site plan was submitted indicating an increase in the setback to the window well. Mr. Ellahi advised that he submitted revised drawings to show a larger side yard setback to the window well and are now requesting a minimum path of travel width of 0.84 metres (as opposed to 0.66 metres).

Member Dolan noted that if the requirements for a path of travel for an additional residential unit, such as in this case, was in fact required, it would be included in the Building Code and Fire Code, or that Fire Departments across the province would be advocating for the inclusion of such a provision in the respective Codes. As such, member Dolan believed a variance to the zoning standard was in fact appropriate and permissible, subject to review by City staff and applicable external agencies.

The Committee made a motion to approve the application with conditions as outlined by staff and added that Minor Variance Application A3/25 be approved to permit an unobstructed exterior path of travel with a minimum width of 0.84 metres for a second suite in accordance with the Revised Site Plan, prepared by SHAFE Inc. and dated February 21, 2025, subject to the following conditions:

1. That the approval of the subject minor variance be granted as reflected on the Revised Site Plan, prepared by SHAFE Inc., dated February 21, 2025, with a minimum setback of **0.84 metres** and that any further development of the property be required to comply with the City's Comprehensive Zoning By-law 2009-141, as amended, or any successor thereto, failing which subsequent approvals may be required.
2. That the approval of the subject minor variance be granted for the portion of the unobstructed path of travel where existing pinch points exist along the southern limits of the property, and that a minimum 1.2 metre wide unobstructed path of travel be provided for the balance of the path in accordance with the City's Comprehensive Zoning By-law 2009-141, as amended.
3. That the unobstructed exterior path of travel to the primary entrance of the second suite shall be maintained year-round, in accordance with the Ontario Fire Code.

DECISION:

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

Motioned by: Graydon Ebert, Member
CARRIED

5. (b) MINOR VARIANCE APPLICATION: A13/25 – 533 Mapleview Drive East
APPLICANT: Najibeh Khavari

This application, if granted by the Committee of Adjustment, will serve to permit the expansion of an existing home occupation use (dental office) within the single detached dwelling.

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

1. To permit a home occupation (dental office) with a gross floor area of 50% of the gross floor area of the dwelling unit, whereas the Innisfil Zoning By-Law 054-04, under Section 3.12.4, permits not more than 25% of the gross floor area of the dwelling unit.
2. To permit two (2) assistants who are not a resident in said dwelling, whereas the Innisfil Zoning By-Law 054-04, under Section 3.12.9, permits not more than one (1) assistant who is not a resident in said dwelling.

REPRESENTATION:

Najibeh Khavari, Applicant

INTERESTED PERSONS:

There were none

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated April 22, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated April 9, 2025

Development Services – Approvals Branch: Comments dated April 11, 2025

Building Services: Comments dated April 16, 2025

Finance Department: Tax comments dated April 9, 2025; DCA comments dated April 15, 2025

Alectra Utilities: Comments dated April 7, 2025

DISCUSSION:

Najibeh Khavari, the applicant, provided an overview of the application. Ms. Khavari advised that she wants to open a dental hygiene clinic as a home occupation on the subject property. Permission for the increased gross floor area will allow the clinic to operate on the main floor with the entire basement as her living space. She noted that there will be sufficient parking spaces for her clients and commented that there will not be any increased traffic or noise to the neighbourhood. Ms. Khavari confirmed that the property is now connected to the municipal water and sewer system.

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

The Committee opened discussions 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: Carol Phillips, Member
CARRIED

5. (c) MINOR VARIANCE APPLICATION: A14/25 – 62 Ottaway Avenue
APPLICANT: Lee Anne Tuplin

This application, if granted by the Committee of Adjustment, will serve to permit the encroachment of a porch for an Additional Residential Unit (ARU) into a required exterior side yard, a reduced side yard setback and increased lot coverage for accessory buildings.

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

1. A lot coverage of 13.5% for all accessory buildings, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.5(h) and 5.2.9.2(m), permits a maximum total lot coverage of 10% for all accessory buildings.
2. An exterior side yard setback of 1.5 metres to an additional residential unit within an accessory building, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.2.9.2 Table 5.2.9.2(a), requires a minimum exterior side yard setback of 3.0 metres.
3. To permit a porch to encroach 2.4 metres into the required exterior side yard setback, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(n), permits a porch to encroach a maximum of 0.6 metres into the required exterior side yard setback.

REPRESENTATION:

Lee Anne Tuplin, Applicant

INTERESTED PERSONS:

Jake Chevrier

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated April 22, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated April 22, 2025

Development Services – Approvals Branch: Comments dated April 16, 2025

Building Services: No comments

Finance Department: No comments

LSRCA: Comments dated April 16, 2025

Alectra Utilities: Comments dated April 7, 2025

DISCUSSION:

Lee Tuplin, the applicant, provided an overview of the application requesting variances to facilitate an addition to the existing garage to be converted into an additional residential unit. Ms. Tuplin noted that the subject property is on a corner lot and the addition will align with the current building that is there.

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

The Committee opened discussions 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: Jay Dolan, Member
CARRIED

6. **OTHER BUSINESS**

7. **DATE OF NEXT MEETING**
May 27, 2025

8. **ADJOURNMENT**
The meeting was adjourned at 5:52 p.m.



Steve Trotter, Chair



Janice Sadgrove, Secretary