



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A14/25**

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, Sections 5.3.5(h) and 5.2.9.2(m), 5.2.9.2(a) and 5.2.9.2(n).

AND IN THE MATTER OF the premises legally described as Lot 19 Plan 1413 and known municipally as **62 Ottaway Avenue** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Lee Tuplin** 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 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 sought 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.

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

1. That the Applicant/Owner shall pay the LSRCA Plan Review fee in the amount of \$536.
2. That the Applicant/Owner successfully obtain a permit from the LSRCA.

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 22nd day of April 2025.

DATE OF MAILING: April 23, 2025

LAST DAY OF APPEAL: **MAY 12, 2025**

DECISION SIGNATURE PAGE

FILE NO.: A14/25

LOCATION: 62 Ottaway Avenue

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on April 22, 2025.


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 **May 12, 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. If the e-file portal is down, you can submit your appeal to 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 \(gov.on.ca\)](#) or (416) 212-6349 /1-866-448-2248.

You may view the Decision and Minutes of the Hearing at www.barrie.ca/cofa.

Additional information regarding this Decision is available by contacting us via email at CofA@barrie.ca or calling Service Barrie at 705-726-4242.