



**COMMITTEE OF ADJUSTMENT
MARCH 25, 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
Tyler Butler, Planner
Krishtian Rampersaud
Daniel Frangione, Planner
Olga Sanchez, Technical Coordinator
Janice Sadgrove, Secretary-Treasurer

1. CALL TO ORDER

2. APPOINTMENT OF DEPUTY SECRETARY-TREASURER

It is the decision of the Committee that Daniel Frangione, Planner, be appointed as Deputy Secretary Treasurer for the term of office ending November 14, 2026.

3. DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST

There were none.

4. REQUESTS FOR DEFERRAL/WITHDRAWALS/ADJOURNMENT

There were none.

5. ADOPTION OF MINUTES

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

6. STATUTORY PUBLIC HEARINGS

**6. (a) MINOR VARIANCE APPLICATION: A5/25 – 75 Blake Street
APPLICANT: Peter Callaghan**

This application, if granted by the Committee of Adjustment, will serve to permit a deficient front yard setback to a porch and to recognize existing lot area, lot frontage, side yard setback and front yard setback to dwelling unit.

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

1. A front yard setback of 1.9 metres for a front porch, whereas the Comprehensive Zoning By-Law 2009-141, under Section 5.3.5.1, requires a minimum front yard setback of 3 metres for a front porch.
2. To recognize a lot area of 254 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3 requires a minimum lot area of 500 square metres.
3. To recognize a lot frontage of 10 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3 requires a minimum lot frontage of 15 metres.

4. To recognize 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.
5. To recognize a side yard setback of 2.2 metres, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.3.2(b), requires a minimum side yard setback of 3 metres where there is no carport or where a garage is not attached to the main building.

REPRESENTATION:

Peter Callaghan, Applicant/Owner

INTERESTED PERSONS:

There were none.

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated March 25, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated March 17, 2025

Development Services – Approvals Branch: No comments

Building Services: No comments

Finance Department: No comments

Technical & Stormwater Operations: No comments

Alectra Utilities: Comments dated March 11, 2025

DISCUSSION:

Peter Callaghan, the applicant, provided an illustration of the site plan to show the existing single detached dwelling and proposed expansion of the front porch. Mr. Callaghan advised the existing single detached dwelling was constructed in 1908, prior to the enactment of the current Zoning By-law, and pointed out that several of the requested variances are to recognize existing deficiencies. He discussed the area and setback of the proposed porch and provided a photo of neighbouring properties to illustrate that the proposed porch would be consistent with neighbouring properties and would not encroach on the street.

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: Graydon Ebert, Member
CARRIED

6. (b) MINOR VARIANCE APPLICATION: A7/25 – 153 Madelaine Drive
APPLICANT: Neetu Singh on behalf of Gopal Vashisht

This application, if granted by the Committee of Adjustment, will serve to permit a reduction in the side yard setback to an unenclosed entryway associated with an additional residential unit (basement apartment).

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

1. A side yard setback of 0.0 metres to an unenclosed entryway, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.3.1(g), requires a minimum side yard setback of 0.6 metres.

REPRESENTATION:

Neetu Singh, Applicant

INTERESTED PERSONS:

Jyoti Sharma
Chirag Vyas
Sean Kelly
Don Eastwood
Amy Eastwood

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated March 25, 2025
Development Services – Transportation Planning: No comments
Development Services – Parks Planning: Comments dated March 17, 2025
Development Services – Approvals Branch: Comments dated March 14, 2025
Building Services: No comments
Finance Department: No comments
Technical & Stormwater Operations: No comments
Alectra Utilities: Comments dated March 11, 2025

DISCUSSION:

Neetu Singh, the applicant, provided an overview of the application requesting a reduced side yard setback to a proposed below grade entryway to a basement apartment. Ms. Singh stated that she feels this is the most practical solution given the layout of the house and the existing conditions of the property. She acknowledged staff's concerns for potential negative impacts on the neighbouring property and advised that a fence will be erected to ensure construction remains on the property and the property owner will work with a qualified engineer to ensure the proposed entryway is constructed so drainage is not impacted. Ms. Singh provided an illustration of the layout of the house and discussed challenges with other options for the location of the entrance.

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

The Committee opened discussions to the public.

Chirag Vyas, 151 Madelaine Drive, expressed concern with drainage. He briefly spoke about the drainage history on his property and expressed concern with the negative impact on existing drainage infrastructure that is supporting the sump pump and noted that 151 Madelaine Drive is downhill from the subject property. He also expressed concern with increased street parking.

Sean Kelly, 155 Madelaine Drive, expressed concern with drainage, privacy, and increased traffic, on street parking, and lighting.

The Chair pointed out that there would be no space to store excavation. Member Dolan expressed concern with the high ground water table in the area and recommended the applicant consider other options.

The Committee made a motion to deny the application.

DECISION:

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

**Motioned by: Jay Dolan, Member
CARRIED**

6. (c) CONSENT APPLICATION: B3/25 – 71 Maplevue Drive West
APPLICANT: James Cassidy on behalf of Canadian Tire Properties Inc.

The application, if granted by the Committee of Adjustment, will serve to permit the applicant to enter into a lease agreement for a term exceeding 21 years.

REPRESENTATION:

James Cassidy, Applicant

INTERESTED PERSONS:

There were none.

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated March 25, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated March 17, 2025

Development Services – Approvals Branch: No comments

Building Services: No comments

Finance Department: Finance comments dated March 12, 2025

Technical & Stormwater Operations: No comments

Alectra Utilities: Comments dated March 12, 2025

DISCUSSION:

James Cassidy, the applicant, provided an overview of the application. Mr. Cassidy provided an illustration of the property survey. He advised that they are not changing the use of the property, and that approval of the application would allow the continued operation of the beer store on the site. Mr. Cassidy provided an explanation of the terms of the lease agreement.

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.

DECISION:

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

Motioned by: Andrea Butcher-Milne, Member
CARRIED

6. (d) CONSENT APPLICATIONS: B5/25 & B6/25 – 138 Peel Street
MINOR VARIANCE APPLICATIONS: A9/25, A10/25 & A11/25 – 138 Peel Street
APPLICANT: Innovative Planning Solutions c/o Cameron Sellers on behalf of Canyon Hill Barrie Developments

The application (B5/25), if granted by the Committee of Adjustment, will serve to permit the creation of a new residential lot.

The severed lands propose to have a lot area of 229 square metres and a proposed lot frontage of 11 metres on Grove Street.

The retained lands propose to have a lot area of 438 square metres and a proposed lot frontage of 21 metres on Grove Street.

The application (B6/25), if granted by the Committee of Adjustment, will serve to permit the creation of a new residential lot.

The severed lands propose to have a lot area of 191 square metres and a proposed lot frontage of 9 metres on Grove Street.

The retained lands propose to have a lot area of 246 square metres and a proposed lot frontage of 12 metres on Grove Street.

This application (A9/25), if granted by the Committee of Adjustment, will serve to permit an exceedance to the maximum allowable lot coverage, gross floor area and front yard parking coverage and a reduced rear yard setback and reduced front yard setback to attached garage for a proposed street townhouse on the severed lands should consent application B5/25 be approved.

The applicant is seeking the following minor variance:

1. A front yard setback to attached garage of 5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3 requires a minimum front yard setback of 7 metres.
2. A rear yard setback of 5 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 metres.
3. A maximum lot coverage of 46% of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.4.2(c) permits a maximum lot coverage of 45% of lot area.
4. A maximum gross floor area of 72% of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, permits a maximum gross floor area of 60% of lot area.
5. A front yard parking coverage for a street townhouse of 55%, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.6.1, permits a maximum front yard parking coverage of 50%.

This application (A10/25), if granted by the Committee of Adjustment, will serve to permit an exceedance to the maximum allowable front yard parking coverage, gross floor area and lot coverage and a reduced lot area, landscaped open space, rear yard setback and front yard setback to attached garage for a proposed street townhouse on the severed lands should consent application B6/25 be approved.

The applicant is seeking the following minor variance:

1. A lot area of 190 square metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3 requires a minimum lot area of 200 square metres.
2. A front yard setback to attached garage of 5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3 requires a minimum front yard setback of 7 metres.
3. A rear yard setback of 5 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 metres.
4. A front yard parking coverage for a street townhouse of 65%, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.6.1, permits a maximum front yard parking coverage of 50%.
5. A landscaped open space of 27% of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, requires a minimum landscape open space of 35% of lot area.

6. A maximum lot coverage of 55% of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.4.2(c) permits a maximum lot coverage of 45% of lot area.
7. A maximum gross floor area of 86% of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, permits a maximum gross floor area of 60% of lot area.

This application (A11/25), if granted by the Committee of Adjustment, will serve to permit an exceedance to the maximum allowable gross floor area and a reduced rear yard setback and reduced front yard setback to attached garage for a proposed street townhouse on the retained lands should consent applications B5/25 and B6/25 be approved.

The applicant is seeking the following minor variance:

1. A front yard setback to attached garage of 5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3 requires a minimum front yard setback of 7 metres.
2. A rear yard setback of 5 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 metres.
3. A maximum gross floor area of 68% of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 Table 5.3, permits a maximum gross floor area of 60% of lot area.

REPRESENTATION:

Greg Barker, Agent

INTERESTED PERSONS:

James Murphy
Greg Barker
Ashley Blow
Kayla Anderson

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated March 25, 2025
Development Services – Transportation Planning: Comments dated March 17, 2025
Development Services – Parks Planning: Comments dated March 17, 2025
Development Services – Approvals Branch: March 17, 2025
Building Services: No comments
Finance Department: DCA comments dated March 12, 2025
Alectra Utilities: Comments dated March 11, 2025

DISCUSSION:

Greg Barker, the agent, provided a presentation to the Committee members and discussed topics including location, site context, surrounding land uses, land use designation and zoning, public transportation and walking radius, proposed severances, conceptual site plan, intensification, proposed minor variances, snow storage, waste storage, driveway length and parking spaces, landscaped open spaces and infiltration, front yard parking percentage, pre-consultation and the four tests for a minor variance.

Mr. Barker commented that there would be a reduction in the requested variances if considered under the new draft Zoning By-law. He advised that a single detached dwelling with attached garage currently exists on the property. The property is zoned Residential Multiple Dwelling Second Density (RM2) and the intent of the applications is to create three new lots to facilitate the construction of three street townhouses with two additional dwelling units in each, totaling nine units. Mr. Barker advised that the front yard setback to the attached garage was incorrectly submitted as 5 metres and displayed the conceptual site plan to illustrate that the driveways can accommodate the required parking spaces. Mr. Barker also provided an illustration of a

zoning table to outline revisions made to the requested variances after receiving planning staff comments and discussed the various concerns identified by planning staff including snow storage, waste storage, driveway length and parking spaces, landscaped open spaces and infiltration, and front yard parking coverage. Mr. Barker advised the Committee that a pre-consultation was completed with the City on February 18, 2025, based on this plan and no significant issues were raised by City staff at that time.

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 asked staff if there was anything in the presentation that caused them to reconsider their judgement of the four tests for minor variances. Andrew Gameiro, Supervisor of Planning and Zoning Enforcement, commented that the requested variances should not be justified using the new draft Zoning By-law as it is not in force and effect. Mr. Gameiro pointed out that staff are basing their concerns on future conditions relating to road widening. He discussed the concerns outlined in the report and advised that there is concern with the cumulative impact resulting from the number of variances. The built form is fine, but the number of variances is going to impact the functionality of the properties for future occupants, especially for the interior lot. Mr. Gameiro commented that proper notice may not been given based on the changes that were presented. Mr. Barker suggested a deferral would give the opportunity to work through some of the issues.

The Committee made a motion to defer the applications to allow the applicant time to review the development proposal with staff.

DECISION:

The decision of the Committee is that the applications be deferred.

Motioned by: Jay Dolan, Member
CARRIED

6. (e) CONSENT APPLICATIONS: B7/25, B8/25 & B9/25 – 82 & 84-86 Mary Street
MINOR VARIANCE APPLICATIONS: A8/25 & A12/25 – 82 & 84-86 Mary Street
APPLICANT: Benson Properties Inc. c/o Oksana Vialykh

The application (B7/25), if granted by the Committee of Adjustment, will serve to reestablish a boundary (lot line).

The severed lands (84 Mary Street) propose to have a lot area of 608.27 square metres and a proposed lot frontage of 15.09 metres on Mary Street.

The retained lands (82 Mary Street) propose to have a lot area of 610.97 square metres and a proposed lot frontage of 15.09 metres on Mary Street.

The application (B8/25), if granted by the Committee of Adjustment, will serve to permit the creation of an easement over 82 Mary Street, in favour of 84-86 Mary Street for access purposes.

The proposed easement (shown on the attached sketch) will have an area of 188.16 m².

The application (B9/25), if granted by the Committee of Adjustment, will serve to permit the creation of an easement over 84-86 Mary Street, in favour of 82 Mary Street for access purposes.

The proposed easement (shown on the attached sketch) will have an area of 138.11 m².

These applications are being considered concurrently with Minor Variance applications A8/25 and A12/25.

This application (A8/25), if granted by the Committee of Adjustment, will serve to permit a reduced side yard setback, lot coverage for commercial uses, parking spaces, and drive aisle width and increased building height on the retained lands should consent application B7/25 be approved.

The applicant is seeking the following minor variance:

1. To permit a side yard setback of 2.0 metres, whereas the Comprehensive Zoning By-Law 2009-141, under Section 6.3.1, requires a minimum side yard setback of 3 metres.
2. To permit a building height of 10.50 metres within 5 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 minimum lot coverage of 0% 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.
4. 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.
5. To permit a drive aisle width of 3 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.2.5, requires a minimum drive aisle width of 6.4 metres.

This application (A12/25), if granted by the Committee of Adjustment, will serve to permit a reduced side yard setback, lot coverage for commercial uses, parking spaces, and drive aisle width and increased building height on the severed lands should consent application B7/25 be approved.

The applicant is seeking the following minor variance:

1. To permit a side yard setback of 2.0 metres, whereas the Comprehensive Zoning By-Law 2009-141, under Section 6.3.1, requires a minimum side yard setback of 3 metres.
2. To permit a building height of 10.50 metres within 5 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 minimum lot coverage of 0% 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.
4. To permit a minimum of 0.89 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.
5. To permit a drive aisle width of 3 metres, 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:

Oksana Vialykh, Applicant

INTERESTED PERSONS:

Lambros Mermigis

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated March 25, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated March 17, 2025

Development Services – Approvals Branch: March 14, 2025

Building Services: No comments
Finance Department: No comments
Technical & Stormwater Operations: Comments dated March 19, 2025
Barrie Fire & Emergency Service: Comments dated March 18, 2025
Alectra Utilities: Comments dated March 12, 2025

DISCUSSION:

Oksana Vialykh, the applicant, presented the severance sketch to illustrate the proposed two lots. Ms. Vialykh advised that the two properties have merged on title and the purpose of the applications for consent is to reestablish the pre-existing lot line together with access easements over each property in favour of the other. Approval of the requested consent and minor variance applications would facilitate the development of a three-storey, 9-unit apartment building at 84 Mary Street and a three-storey, 7-unit apartment building at 82 Mary Street. She reviewed the requested variances with the Committee members noting that there is no commercial space being proposed and commented that there is plenty of commercial uses in the area and the development of residential units in its place will support the need for housing in the area, and sharing the drive aisle between the two properties makes it favorable for providing safe vehicular access.

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 applications with conditions as outlined by staff.

DECISION:

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

Motioned by: Carol Phillips, Member
CARRIED

7. OTHER BUSINESS

8. DATE OF NEXT MEETING

April 22, 2025

9. ADJOURNMENT

The meeting was adjourned at 7:32 p.m.


Steve Trotter, Chair


Janice Sadgrove, Secretary