



**COMMITTEE OF ADJUSTMENT
JANUARY 23, 2024
PUBLIC HEARING MINUTES**

Members Present: Steve Trotter, Chair
Jay Dolan, Member
Graydon Ebert, Member
Andrea Butcher-Milne, Member

Staff Present: Carlissa McLaren, Manager of Planning
Riley Anderson, Planner
Olga Sanchez, Technical Coordinator
Janice Sadgrove, Secretary-Treasurer

1. CALL TO ORDER

2. DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST

3. REQUESTS FOR DEFERRAL/WITHDRAWALS/ADJOURNMENT

There were none.

4. ADOPTION OF MINUTES

The minutes of the Committee of Adjustment hearing held on December 12, 2023, were adopted as circulated.

5. STATUTORY PUBLIC HEARINGS

**5. (a) MINOR VARIANCE APPLICATION: A69/23 – 85 Cook Street
APPLICANT: Karlyn Shahnazarian on behalf of Anne and Chris Wolnik**

This application, if granted by the Committee of Adjustment, will serve to permit a deficient side yard setback, and landscape buffer and parking space width to facilitate the construction of a detached accessory dwelling unit in an existing detached accessory building (garage).

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

1. A side yard setback of 0.8 metres, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.2.9.2(a) requires a minimum side yard setback of 3 metres.
2. A landscape buffer area width of 0.8 metres along the side lot line, whereas the Comprehensive Zoning By-law, under subsection 5.2.9.2(n) requires a minimum width of 3 metres.
3. A minimum parking space width of 2.6 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.2.5 requires a minimum width of 2.7 metres.

REPRESENTATION:

Karlyn Shahnazarian, Agent

INTERESTED PERSONS:

Rusell Cadeau

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated January 23, 2024

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated January 12, 2024

Development Services – Approvals Branch: No comments
Building Services: Comments dated January 12, 2024
Finance Department: No comments
Alectra Utilities: Comments dated January 9, 2024

DISCUSSION:

Karlyn Shahnazarian, the agent, provided an overview of the application. Ms. Shahnazarian advised that the property owners have spoken with the neighbouring property owners about their application to convert the existing detached garage into a detached accessory dwelling unit. She also indicated that the building size will remain the same.

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

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

Member Dolan noted the plans do not show windows on the north side of the detached accessory dwelling. Ms. Shahnazarian confirmed there will be no windows on the north side of the building.

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
Second: Andrea Butcher-Milne, Member
CARRIED**

**5. (b) MINOR VARIANCE APPLICATION: A70/23 – 67 Owen Street
APPLICANT: MHBC Planning on behalf of the Residences on Owen Street c/o Bruce Stewart**

This application, if granted by the Committee of Adjustment, will serve to permit exceeding the maximum allowable gross floor area and building height to facilitate the construction of a 24-storey mixed use residential building with assisted living and ground floor commercial. The property is subject to Site Plan Application D11-016-2021.

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

1. To permit a maximum gross floor area of 790% of lot area, whereas the Comprehensive Zoning By-law, under Section 13.2.96(c), permits a maximum gross floor area of 760% of lot area.
2. To permit a building height of 16.5 metres within 3 metres of a street line and 78.3 metres beyond 3.0 metres of a street line for the south building, whereas the Comprehensive Zoning By-law, under Section 13.2.96(i) permits a maximum building height of 13 metres within 3 metres of a street line and 67.0 metres beyond 3.0 metres of a street line for the south building.
3. To permit a building height of 16.5 metres within 3 metres of a street line and 45.0 metres beyond 3.0 metres of a street line for the north building, whereas the Comprehensive Zoning By-law, under Section 13.2.96(i) permits a maximum of 13 metres within 3 metres of a street line and 35.0 metres beyond 3.0 metres of a street line for the north building.

REPRESENTATION:

Ellen Ferris, Agent

INTERESTED PERSONS:

Joe Tascona

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated January 23, 2024

Development Services – Transportation Planning: Comments dated January 15, 2024

Development Services – Parks Planning: Comments dated January 12, 2024

Development Services – Approvals Branch: Comments dated January 17, 2024

Building Services: No comments

Finance Department: No comments

Alectra Utilities: Comments dated January 11, 2024

DISCUSSION:

Ellen Ferris, the agent, provided a presentation to the Committee members discussing topics including site location, surrounding land uses, development history, approved development concept, modification to the development concept, proposed development, City of Barrie Official Plan policies, requested minor variances, and the four tests for minor variances. Ms. Ferris noted that site plan approval was given on the subject property in May 2022 (D11-016-2021). She advised the minor variances are being sought to facilitate modifications to the approved development concept for the site, noting that amendments to the site plan agreement will be required if the minor variances are approved. Ms. Ferris advised the current approval for the site is for a mixed used building comprised of two towers at 11-storeys and 21-storeys, with a total of 278 units and is comprised of both assisted living units and apartment units. She discussed the modifications to the development concept noting that 78 additional units and 93 parking spaces are being proposed. If approved, the modifications to the approved development concept would result in 3 additional storeys on the southern portion of the proposed building, for a maximum height of 24 storeys on Worsley Street, and an additional 2-storeys on the northern portion of the building for a maximum height of 13 storeys on McDonald Street. Ms. Ferris noted that the subject property is within the Urban Growth Centre and the proposed variances conform to the City of Barrie Official Plan.

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

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

Member Dolan asked staff if updated technical studies/reports for the approved development would be required to be submitted should Committee approve the minor variances. Riley Anderson, Planner, confirmed that the studies/reports will be reviewed as part of this application.

Member Ebert asked Ms. Ferris if the changes are being sought because of the recent changes to the Official Plan allowing for a larger building. Ms. Ferris advised that the impetus for the revisions being sought is largely because of the changes with the new Official Plan which provides for higher density and height on the site.

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 as outlined by staff.

**Motioned by: Andrea Butcher-Milne, Member
Second: Jay Dolan, Member
CARRIED**

**5. (c) MINOR VARIANCE APPLICATION: A71/23 – 94 Mary Street
APPLICANT: Eilis McCloskey on behalf of Patrick Campbell c/o Nethery Planning Services Inc.**

This application, if granted by the Committee of Adjustment, will serve to permit a reduction in parking spaces to facilitate the conversion of one half of an existing semi-detached dwelling into a multiple dwelling with 4-units.

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

1. To permit a reduced parking ratio of 0.75 spaces per dwelling unit, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.1, Table 4.6, requires a minimum of 1 space per dwelling unit.

REPRESENTATION:

Joe Nethery, Agent

INTERESTED PERSONS:

There were none.

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated January 23, 2024

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated January 12, 2024

Development Services – Approvals Branch: Comments dated January 15, 2024

Building Services: No comments

Finance Department: No comments

Alectra Utilities: Comments dated January 9, 2024

DISCUSSION:

Joe Nethery, the agent, provided a presentation to the Committee members. Mr. Nethery advised that the relief being sought is to go from 1 parking space per unit to 0.75 parking spaces per unit (3 spaces for 4 units). The lot contains ½ of a semi-detached dwelling and is proposed to be converted into four dwelling units. The existing semi-detached dwelling is considered legal non-conforming due to its age. Mr. Nethery provided an illustration of the site plan and pointed out that three oversized parking spaces are being proposed in the rear yard ensuring the front yard remains unpaved. Mr. Nethery discussed how the proposed development meets the Official Plan policy objectives, specifically how it relates to properties located in the downtown core urban growth centre.

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

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

Member Dolan asked staff if a historic neighborhood evaluation report is required. Riley Anderson, Planner, advised it would not be required.

Member Butcher-Milne asked staff if overnight parking is permitted in the downtown area. Staff advised the overnight parking by-law prohibits overnight parking on streets and in some municipal lots between the months of December to March. Mr. Nethery pointed out that there are nearby municipal lots, and the downtown bus terminal is in the area.

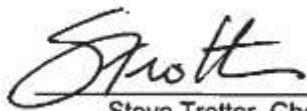
The Committee made a motion to approve the application with conditions as outlined by staff.

DECISION:

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

Motioned by: Jay Dolan, Member
Second: Graydon Ebert, Member
CARRIED

6. **OTHER BUSINESS**
7. **DATE OF NEXT MEETING**
February 27, 2024
8. **ADJOURNMENT**
The meeting was adjourned at 5:58 p.m.



Steve Trotter, Chair



Janice Sadgrove, Secretary