



## COMMITTEE OF ADJUSTMENT

June 24, 2025

### PUBLIC HEARING MINUTES

*Members Present:*

Graydon Ebert, Acting Chair  
Carol Phillips, Member  
Andrea Butcher-Milne, Member

*Staff Present:*

Andrew Gameiro, Supervisor of Planning and Zoning Enforcement  
Tyler Butler, Planner  
Daniel Frangione, Planner  
Meaghan Lee, Technical Coordinator  
Janice Sadgrove, Secretary-Treasurer

**1. CALL TO ORDER**

**2. DECLARATIONS OF CONFLICT – POTENTIAL PECUNIARY INTEREST**

Graydon Ebert, Acting Chair, declared a potential pecuniary interest on application A33/25 for 60 Dean Avenue as he has a business relationship with the owner of the property. He turned off his camera and muted his microphone. He did not participate in discussion or vote on the matter.

**3. REQUESTS FOR DEFERRAL/WITHDRAWALS/ADJOURNMENT**

There were none.

**4. ADOPTION OF MINUTES**

The minutes of the Committee of Adjustment hearing held on May 27, 2025, were adopted as circulated.

**5. STATUTORY PUBLIC HEARINGS**

**5. (a) MINOR VARIANCE APPLICATION: A26/25 – 128 Penetang Street**

**APPLICANT: Innovative Planning Solutions c/o Cameron Sellers on behalf of 128 Penetang St. Inc. c/o Mark Porter**

This application, if granted by the Committee of Adjustment, will serve to permit the redevelopment of a 2-storey, mixed-use building.

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

1. A parking standard of 1.2 spaces per residential dwelling unit (23 spaces), whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6 Table 4.6 and 4.6.2.3(b), requires a minimum parking standard of 1.5 spaces per residential dwelling unit (26 spaces).
2. A consolidated outdoor amenity area of 194 square metres, whereas the Comprehensive Zoning By-Law, under subsection 6.3.4.3(e), requires a minimum consolidated outdoor amenity area of 204 square metres.
3. To recognize an existing front yard setback of 5.1 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3 (Table 6.3), requires a minimum front yard setback of 6 metres.

4. To recognize an existing side yard setback of 0 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3 (Table 6.3), requires a minimum side yard setback of 3 metres.
5. To recognize an existing drive aisle width of 6 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.
6. To recognize an existing landscape buffer strip with a width of 0 metres along the south and west lot lines, whereas the Comprehensive Zoning By-law, under subsection 4.8.2.1, requires a continuous landscape buffer strip with a width of 3 metres adjacent to a residential zone.

**REPRESENTATION:**

Tahmineh Feyzabi, Agent

**INTERESTED PERSONS:**

Roman Fedayay

Nick Chin

Gerry Savino

Matt Tweedy

**WRITTEN COMMENTS RECEIVED:**

Development Services – Planning: Comments dated June 24, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated June 16, 2025

Development Services – Approvals Branch: June 17, 2025

Building Services: No comments

Finance Department: DCA comments dated June 11, 2025

Alectra Utilities: Comments dated June 10, 2025

**DISCUSSION:**

Tahmineh Feyzabi, the agent, provided a presentation to the Committee members and discussed topics including location and site description, surrounding land uses, land use designation and zoning, proposed concept plan, minor variance requests, and the four tests of a minor variance. Ms. Feyzabi advised that a two-storey mixed use building currently exists on the property. The applicant is requesting the variances to facilitate the conversion of the existing second storey of the commercial building into 18 residential dwelling units and three commercial units at ground level.

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: Andrea Butcher-Milne, Member**  
**CARRIED**

**5. (b) MINOR VARIANCE APPLICATION: A27/25 – 37 Mapleview Drive West**  
**APPLICANT: Xtreme Bowling Entertainment c/o Pat Haggerty on behalf of 400-Barrie Power Centres I Inc. & 400-Barrie Power Centres Inc. c/o Allan Scully**

This application, if granted by the Committee of Adjustment, will serve to facilitate the operation of more than three (3) amusement devices as ancillary to a recreational establishment use in the building.

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

1. To permit more than three (3) amusement devices accessory to a recreational establishment use, whereas the Zoning By-law under section 3.0 restricts the number of amusement devices to a maximum of two (2).

**REPRESENTATION:**

Pat Haggerty, Applicant

**INTERESTED PERSONS:**

Matt Tweedy

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated June 24, 2025

Development Services – Transportation Planning: No comments

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

Development Services – Approvals Branch: No comments

Building Services: No comments

Finance Department: No comments

LSRCA: Comments dated June 10, 2025

Alectra Utilities: Comments dated June 11, 2025

**DISCUSSION:**

Pat Haggerty, the applicant, provided an overview of the application. Mr. Haggerty advised he is the president of Splitsville Entertainment which owns and operates family entertainment complexes across Canada. They are seeking to expand to the subject location and have engaged Smart Centres in terms of opening a bowling alley that would include a restaurant and several arcade games. He noted that the Zoning By-law limits the number of games to two and approval of the variance would allow for additional games that would remain ancillary to the main use of bowling.

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: Andrea Butcher-Milne, Member**  
**CARRIED**

**5. (c) MINOR VARIANCE APPLICATION: A29/25 – 8 Royal Oak Drive**  
**APPLICANT: Springwater Engineering c/o Ana Torres on behalf of Chris Yanch**

This application, if granted by the Committee of Adjustment, will serve to permit an increase to the maximum allowable height for a detached accessory building as well as the maximum permitted distance from the

structure to the front lot line to facilitate the construction of a detached garage with an additional residential unit in the second storey.

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

1. A building height of 5.1 metres for a proposed additional residential unit (ARU) within an accessory building (detached garage), whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(a), restricts the building height to a maximum of 4.5 metres.
2. A maximum distance of 61.3 metres between the front lot line and the primary entrance to an additional residential unit within an accessory building, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.9.2(i), permits a maximum distance of 40 metres.

**REPRESENTATION:**

Ana Torres, Applicant

**INTERESTED PERSONS:**

Todd Guergis

Art Wheeler

Matt Tweedy

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated June 24, 2025

Development Services – Transportation Planning: No comments

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

Development Services – Approvals Branch: Comments dated June 13, 2025

Building Services: No comments

Metrolinx: Comments dated June 16, 2025

Finance Department: No comments

Alectra Utilities: Comments dated June 11, 2025

**DISCUSSION:**

Ana Torres, the applicant, provided a presentation to the Committee members and discussed topics including location, minor variance requests, and the four tests for a minor variance. Ms. Torres advised that the proposal is for a detached garage with an additional residential unit above and provided an overview of the requested variances.

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 Butcher-Milne asked if any boundary trees would be removed and if any of the windows would be facing the adjacent property. Ms. Torres advised that no boundary trees would be removed, and windows would not be facing the adjacent property.

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**

Acting Chair, Graydon Ebert, left the Chair at 5:46 p.m. and called on Member Butcher-Milne to fill his place until the matter was voted on.

**5. (d) MINOR VARIANCE APPLICATION: A33/25 – 60 Dean Avenue**

**APPLICANT: The Jones Consulting Group c/o Ray Duhamel on behalf of Netwise Inc. c/o Karen Hansen**

This application, if granted by the Committee of Adjustment, will serve to permit a reduction in required landscape open space to facilitate the development of a seven (7) storey residential apartment building containing 122 units. The property is subject to an active Site Plan Control Application (File: D11-003-2025).

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

1. **A landscaped open space of 32 percent of the 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 percent of the lot area.**

**REPRESENTATION:**

Amanda Newlove, Agent

**INTERESTED PERSONS:**

Matt Tweedy

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated June 24, 2025

Development Services – Transportation Planning: No comments

Development Services – Parks Planning: Comments dated June 18, 2025

Development Services – Approvals Branch: Comments dated June 12, 2025

Building Services: No comments

Finance Department: No comments

Alectra Utilities: Comments dated June 11, 2025

**DISCUSSION:**

Amanda Newlove, the agent, provided a presentation to the Committee members and discussed topics including location and surrounding land uses, minor variance request, land use designation and zoning, and the four tests of a minor variance. Ms. Newlove noted that approval of the application would facilitate the construction of a 7-storey residential apartment building.

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 outlined by staff.

**DECISION:**

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

**Motioned by: Carol Phillips, Member**  
**CARRIED**

Acting Chair, Graydon Ebert resumed the Chair at 5:58 p.m.

**5. (e) CONSENT APPLICATION: B17/25 – 93 HENRY STREET**  
**MINOR VARIANCE APPLICATION: A28/25 – 93 HENRY STREET**  
**MINOR VARIANCE APPLICATION: A32/25 – 95 HENRY STREET**  
**APPLICANT: EC Planning Consultants c/o Connor McBride on behalf of Aylmer Ng**

The application (B17/25), if granted by the Committee of Adjustment, will serve to permit a lot addition by conveying a portion of land to be added to the abutting property known municipally as 95 Henry Street.

The severed lands propose to have a lot area of 43 square metres which would merge with the abutting lands known as 95 Henry Street.

The retained lands propose to have a lot area of 401 square metres and a proposed lot frontage of 9.7 metres on Henry Street.

This application (A28/25), if granted by the Committee of Adjustment, will serve to permit a reduced side yard setback and rear yard setback and to exceed the maximum lot coverage permitted for a proposed semi-detached dwelling should consent application B17/25 be approved.

The applicant is seeking the following minor variance:

1. A side yard setback of 2 metres on one side of the lot, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.3.2(b), requires a minimum side yard setback of 3 metres on one side of the lot where on the same lot there is no carport or where a garage is not attached to the main building.
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 50 percent of the lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3) permits a maximum lot coverage of 45 percent of the lot area.

This application (A32/25), if granted by the Committee of Adjustment, will serve to permit a reduced side yard setback and rear yard setback and to exceed the maximum lot coverage allowed for a proposed semi-detached dwelling should consent application B17/25 be approved.

The applicant is seeking the following minor variances:

1. A side yard setback of 2 metres on one side of the lot, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.3.2(b), requires a minimum side yard setback of 3 metres on one side of the lot where on the same lot there is no carport or where a garage is not attached to the main building.
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 50 percent of the lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3) permits a maximum lot coverage of 45 percent of the lot area.

**REPRESENTATION:**

Connor McBride, Agent

**INTERESTED PERSONS:**

Jody Archibald  
Jordan Stevanovich

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated June 24, 2025

Development Services – Transportation Planning: No comments

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

Development Services – Approvals Branch: Comments dated June 18, 2025

Building Services: No comments  
Finance Department: DCA comments – June 11, 2025  
Operations Department: Comments dated June 19, 2025  
Alectra Utilities: Comments dated June 11, 2025

**DISCUSSION:**

Connor McBride, the agent, provided an overview of the applications. He provided an illustration of the site plan and noted that the consent for the lot addition and requested variances is intended to facilitate the construction of a semi-detached dwelling over two separate lots, each containing three additional residential units.

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

The Committee opened discussions to the public.

Jordan Stevanovich, 93 Henry Street, expressed concerns with current property standards. Member Phillips suggested he contact Property Standards Enforcement.

Jody Archibald, 91 Henry Street, noted she is the adjacent property owner and expressed concern with the poor maintenance of the property and how the construction may impact her property.

Mr. McBride explained that there is no new lot being proposed and the existing single detached dwelling and garage will be demolished to accommodate construction.

Member Butcher-Milne expressed concern with snow storage and garbage and recycling bin storage. Mr. McBride pointed out the 2-metre side yard on each side of the driveways which could accommodate snow storage and space for the garbage/recycling bins for each unit.

The Acting Chair discussed Operations' comments recommending an easement along the west side of 95 Henry Street to access and maintain the stormwater infrastructure within the property. Mr. McBride advised that he has contacted Operations staff regarding their comments and acknowledged that he cannot build within the easement if one is required. Andrew Gameiro, Supervisor of Planning and Zoning Enforcement, noted that staff are satisfied with staff recommendations to have the drainage channel evaluated by a professional engineer to determine if any upgrades are required. It would also help to inform of the configuration of the easement. The applicant has 2 years to satisfy conditions approval. If they fail to do so, the conditional Consent approval will expire.

The Committee made a motion to approve the applications with conditions outlined by staff and amended the Approval's Branch condition regarding the easement by adding "to the satisfaction of the Infrastructure and Development Services Departments".

**DECISION:**

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

**Motioned by: Andrea Butcher-Milne, Member**  
**CARRIED**

5. (f) **CONSENT APPLICATION: B18/25 – 42 Penetang Street**  
**MINOR VARIANCE APPLICATION: A30/25 – 42 Penetang Street**  
**CONSENT APPLICATION: B19/25 – 40 Penetang Street**  
**MINOR VARIANCE APPLICATION: A31/25 – 40 Penetang Street**  
**APPLICANT: Civil Construction and Environmental Engineering c/o A K M Saiduz Zaman on behalf of**  
**Vintage Developments Partner c/o Zahid Mizan**

The application (B18/24), if granted by the Committee of Adjustment, will serve to permit the creation of an easement over 42 Penetang Street in favour of 40 Penetang Street for the purpose of mutual access, servicing, drainage, and the shared storage of waste, recycling and organics.

The proposed easement will have an area of 113.59 square metres.

This application (A30/25), if granted by the Committee of Adjustment, will serve to permit increased density and gross floor area, and reduced landscape buffer width, internal private roadway width, front yard setback, lot area, lot frontage and parking spaces to facilitate the development of a three (3) to four (4) storey multi-residential building containing eight (8) units.

The applicant is seeking the following minor variances:

1. To recognize a lot area of 562.12 square metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3) requires a minimum lot area of 720 square metres.
2. To recognize an existing lot frontage of 14.86 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3), requires a minimum lot frontage of 21 metres.
3. A front yard setback of 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 7 metres.
4. A landscape buffer width ranging from 1.68 metres to 2.82 metres, whereas the Comprehensive Zoning By-law 2009-141, under Sections 5.3.7.1 and 5.3.7.2, requires a landscape buffer with a minimum width of 3 metres adjacent to a parking area and along the side and rear lot lines of any lot occupied by an Apartment Dwelling.
5. A maximum gross floor area of 78.3 percent of the 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 percent of the lot area.
6. An internal private roadway width of 3.4 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.5.2(e), requires a minimum internal private roadway width of 6.4 metres.
7. A maximum density of 142.3 units per net hectare, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.5.1(c), permits a maximum density of 53 units per net hectare.
8. To permit a reduced parking ratio of 1 space per residential dwelling unit, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.1 (Table 4.6), requires a minimum of 1.5 spaces per dwelling unit.

The application (B19/24), if granted by the Committee of Adjustment, will serve to permit the creation of an easement over 40 Penetang Street in favour of 42 Penetang Street for the purpose of mutual access, servicing and drainage, and the shared storage of waste, recycling and organics.

The proposed easement will have an area of 272.58 square metres.

This application (A31/25), if granted by the Committee of Adjustment, will serve to permit a reduction in required parking spaces to facilitate the development of a two (2) storey walk-up apartment building containing ten (10) residential units.

The applicant is seeking the following minor variance:

1. To permit a reduced parking ratio of 1 space per residential dwelling unit, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.1, Table 4.6, requires a minimum of 1.5 spaces per dwelling unit.



**REPRESENTATION:**

AKM Saiduz Zaman, Agent

**INTERESTED PERSONS:**

Matt Tweedy

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated June 24, 2025

Development Services – Transportation Planning: Comments dated June 17, 2025

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

Development Services – Approvals Branch: Comments dated June 13, 2025

Building Services: No comments

Finance Department: DCA comments dated June 11, 2025

Alectra Utilities: Comments dated June 11, 2025

**DISCUSSION:**

AKM Saiduz Zaman, the agent, provided an overview of the applications. Mr. Zaman provided the site plan to illustrate the proposed mutual easements and commented that the approval of the applications would facilitate the development of the two residential lots. He advised that 40 Penetang Street previously received approval in February 2025 to construct a 10-unit walk-up apartment building and are currently proposing a reduction in parking spaces. Mr. Zaman reviewed the multiple variances requested for the multi-residential building at 42 Penetang Street. Mr. Zaman displayed isometric views to illustrate the low-rise buildings, parking, garbage room and snow storage area. He confirmed that although not identified in the easement area on the easement sketch that the snow storage area and shared garbage room will be included in the easement.

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 application be granted with conditions.

**Motioned by: Carol Phillips, Member**  
**CARRIED**

5. (g) **CONSENT APPLICATION: B20/25 – 150 Caplan Avenue**  
**APPLICANT: MHBC Planning c/o Jillian Sparrow on behalf of Caplan-Barrie Holdings Limited c/o Jens Zentil**

The application, if granted by the Committee of Adjustment, will serve to permit the creation of a new lot.

The severed lands propose to have a lot area of 13,909.61 square metres and a proposed lot frontage of 81.5 metres on Caplan Avenue.

The retained lands propose to have a lot area of 13,956.22 square metres and a proposed lot frontage of 86.7 metres on Caplan Avenue.

**REPRESENTATION:**

Oz Kemal, Agent

**INTERESTED PERSONS:**

Matt Tweedy

**WRITTEN COMMENTS RECEIVED:**

Development Services - Planning: Comments dated June 24, 2025

Development Services – Transportation Planning: No comments

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

Development Services – Approvals Branch: Comments dated June 17, 2025

Building Services: No comments

Finance Department: No comments

Alectra Utilities: Comments dated June 11, 2025

**DISCUSSION:**

Oz Kemal, the agent, provided overview of the application requesting to create a new lot. Mr. Kemal advised that the severance would facilitate a real estate transaction. No development is being proposed. He pointed out that the lots would exceed By-law requirements. Mr. Kemal commented on Parks Approval's conditions of approval and suggested that the requirement for a tree inventory, assessment, canopy survey and preservation plan and the ecological offsetting policy compensation would not be applicable in this instance because development is not being proposed. He requested that these conditions be removed.

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.

Andrew Gameiro, Supervisor of Planning and Zoning Enforcement, commented that he agrees that the Parks Approvals' conditions are not appropriate at this stage because there is no development being proposed. He noted that the property is subject to site plan control, and these would be standard requirements through the site plan process prior to development on the site.

The Committee made a motion to approve the applications with conditions as outlined by staff and removed the conditions for the tree inventory, assessment, canopy survey and preservation plan and the ecological offsetting policy compensation as stated in the Parks Planning comments.

**DECISION:**

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

**Motioned by: Carol Phillips, Member**  
**CARRIED**

6. **OTHER BUSINESS**

7. **DATE OF NEXT MEETING**

July 22, 2025

8. **ADJOURNMENT**

The meeting was adjourned at 7:20 p.m.

  
Steve Trotter, Chair

  
Janice Sadgrove, Secretary