



**COMMITTEE OF ADJUSTMENT
FEBRUARY 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
Daniel Frangione, Planner
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 January 28, 2025, were adopted as circulated.

5. STATUTORY PUBLIC HEARINGS

**5. (a) MINOR VARIANCE APPLICATION: A1/25 – 40 Penetang Street
APPLICANT: Vintage Developments Partners Inc. c/o Zahid Mizan**

This application, if granted by the Committee of Adjustment, will serve to permit increased density, and reduced internal private roadway and landscape buffer width, and reduced front yard setback and lot frontage to facilitate the development of a 2 storey, 10-unit walk up apartment building.

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

1. A maximum density of 81 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.
2. 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.
3. A landscape buffer width ranging from 0.0 metres to 2.25 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.
4. 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.
5. To recognize an existing lot frontage of 16.48 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.

REPRESENTATION:

Saiduz Zaman, Applicant (acting on behalf of)

INTERESTED PERSONS:

There were none.

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated February 25, 2025

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

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

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

Building Services: No Comments

Finance Department: DCA comments dated February 14, 2025

Alectra Utilities: Comments dated February 11, 2025

DISCUSSION:

Saiduz Zaman, acting on behalf of the applicant, provided a presentation to the Committee members. Mr. Zaman advised the variances are being sought to facilitate the development of a 10-unit walk-up apartment building. He provided an illustration of the site plan and discussed the requested variances. Mr. Zaman advised written authorization related to boundary trees will be provided by the property owner and noted that he is also the owner of the adjoining property at 42 Penetang Street. He provided illustrations of the various isometric views of the proposed development and discussed design and layout. Mr. Zaman confirmed that the front yard setback for the existing building is less than 3 metres. The Chair pointed out that the front yard setback on the existing building is less than is requested for the proposed development.

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**

**5. (b) MINOR VARIANCE APPLICATION: A2/25 – 178 Ardagh Road
APPLICANT: 1711805 Ontario Inc. c/o Siva Kumarasamy**

This application, if granted by the Committee of Adjustment, will serve to permit an enlarged driveway in the front yard of the subject property.

The applicant is seeking the following minor variance:

1. A maximum front yard parking coverage of 78%, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.6.1, permits a maximum front yard parking coverage of 60%.

REPRESENTATION:

Siva Kumarasamy, Applicant

INTERESTED PERSONS:

Vincent Wu

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated February 25, 2025
Development Services – Transportation Planning: Comments dated February 13, 2025
Development Services – Parks Planning: Comments dated February 18, 2025
Development Services – Approvals Branch: February 12, 2025
Building Services: No comments
Finance Department: No comments
Alectra Utilities: Comments dated February 11, 2025

DISCUSSION:

Siva Kumarasamy, the applicant, provided an overview of the application. Mr. Kumarasamy advised that a semi-detached dwelling with a second suite and detached accessory dwelling unit was constructed in 2022 and the front yard parking coverage has been expanded to a total of 76% to add additional parking to support the units. He noted that there have been no drainage issues.

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 staff what the standards for front yard parking coverage will be in the new comprehensive zoning by-law which will be coming into effect soon. Andrew Gameiro, Supervisor of Planning and Zoning Enforcement, advised the provisions will remain the same as what is in the current zoning by-law. Member Phillips asked what the options would be for the property owner if the variance was denied. Mr. Gameiro advised he could appeal the Committee's decision to the Ontario Land Tribunal, or bring the property into compliance with the zoning provisions. Mr. Gameiro advised the existing curb cut meets the City's requirements and discussed the implications of increasing the curb cut. The Chair asked Mr. Kumarasamy about snow storage and commented that it must be a challenge given the size of the property. Mr. Kumarasamy confirmed that the snow is stored on the side yard of the property. The Committee members expressed concerns with drainage, snow storage and curb appeal.

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**

**5. (c) MINOR VARIANCE APPLICATION: A3/25 – 19 Dunsmore Lane
APPLICANT: Shafe Inc. c/o Salman Ellahi on behalf of Dilkulkumar Prafulbhai Patel**

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:

Andrea Barahona

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 February 21, 2025

Alectra Utilities: Comments dated February 11, 2025

DISCUSSION:

Salman Ellahi provided an overview of the application. Mr. Ellahi advised the path of travel leads to a basement apartment but is not able to meet the width requirement.

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 referred to Barrie Fire and Emergency Service comments stating they require access that is not less than 1.1 metres in width. Member Dolan expressed concern that the neighbouring property could build a fence making access even tighter at certain pinch points. He commented that with the growing number of secondary suites being constructed, there may be merit in deferring the application to give staff time to review policies on access to these units. Andrew Gameiro, Supervisor of Planning and Zoning Enforcement, agreed and pointed out the path of travel width is a building code requirement and provided a brief review of Section 9.9.3.3(1) of the building code which applies to small buildings. Mr. Gameiro commented that there is a push to build more additional units and there is always going to be obstructions in these entry pathways which may be problematic to meet zoning by-law provisions. Mr. Gameiro agreed that a deferral would allow for a larger discussion between the Building, Fire and Planning Departments.

The Committee made a motion to defer the application to no later than the April meeting to provide the applicant and City staff with an opportunity to discuss and determine the applicability of the Ontario Building Code and the Fire Code, as it relates to an unobstructed exterior path of travel to a second suite.

DECISION:

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

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

- 5. (d) MINOR VARIANCE APPLICATION: A4/25 – 218 Ashford Drive
APPLICANT: Innovative Planning Solutions c/o Dafne Gokcen on behalf of DBZ Big Bay Twins Ltd. c/o Victor Godinho**

This application, if granted by the Committee of Adjustment, will serve to permit the use of the existing dwelling on the subject property for temporary real estate sales associated with a proposed development on adjacent lands known municipally as 545 to 565 Big Bay Point Road.

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

1. To permit temporary real estate sales, including a sales trailer, which is associated with a proposed development on adjacent lands, known municipally as 545, 547, 549, 553, 555, 559, 561 and 565 Big Bay

Point Road, whereas the Comprehensive Zoning By-Law 2009-141, under Section 4.2.1.4, requires real estate sales and a temporary sales trailer to be located on the same lot as the proposed development.

REPRESENTATION:

Dafne Gokcen, Applicant

INTERESTED PERSONS:

Ray Budiwarman
Layla Agabani
Ashali Walia

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated February 25, 2025
Development Services – Transportation Planning: Comments dated February 13, 2025
Development Services – Parks Planning: Comments dated February 18, 2025
Development Services – Approvals Branch: February 12, 2025
Building Services: Comments dated February 11, 2025
Finance Department: Tax comments dated February 10, 2025; DCA comments dated February 14, 2025
Metrolinx: Comments dated February 14, 2025
Alectra Utilities: Comments dated February 11, 2025

DISCUSSION:

Dafne Gokcen, the applicant provided a presentation to the Committee members and discussed topics including location, site context, surrounding land uses, land use designation and zoning, adjacent development, development concept, proposed minor variance, and the four tests for a minor variance.

Ms. Gokcen advised that the entire block has been purchased by the applicants for future development. There is an existing single detached dwelling on the subject property which is currently vacant. The minor variance application is proposing to permit a temporary real estate sales office out of the single detached dwelling on the subject property, which is associated with the proposed development on adjacent lands. The applicants are proposing two six-storey apartment buildings on adjacent lands (545-565 Big Bay Point Road) which are currently under review and pending zoning by-law amendment approval. The sales office will be closed once the construction is completed.

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 Ebert referred to Transportation Planning's comments on street parking on Ashford Drive and asked about the impact on parking with the change of use. Andrew Gameiro, Supervisor of Planning and Zoning Enforcement, advised that Transportation Planning has considered parking for the office use and feels there is sufficient on-site parking on the driveway. Mr. Gameiro pointed out that the applicant owns the entire block and there is nothing to prevent parking on the street. He noted that there is a public parking lot across the street at Painswick Park. Mr. Gameiro commented that staff do not anticipate this to be a high traffic generator. Member Ebert referred to Planning comments requiring the sales office shall only be permitted on the subject property until first occupancy is issued for the development and asked if this would give the sales office sufficient time. Ms. Gokcen advised that the sales office operation will move to the new development once open.

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

5. (e) **CONSENT APPLICATIONS: B1/25 & B2/25 – 242 Edgehill Drive**
APPLICANT: Innovative Planning Solutions c/o Kyle Galvin on behalf of 1000493081 Ontario Inc. c/o Rob Vellinga

These applications, if granted by the Committee of Adjustment, will serve to permit the creation of a total of three lots (two severed and one retained) to facilitate the construction of three street townhouse dwelling units.

The application (B1/25), 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 258.74 square metres and a proposed lot frontage of 8.14 metres on Edgehill Drive.

The retained lands propose to have a lot area of 459 square metres and a proposed lot frontage of 15 metres on Edgehill Drive.

The application (B2/25), 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 201.28 square metres and a proposed lot frontage of 6.40 metres on Edgehill Drive.

The retained lands propose to have a lot area of 257.72 square metres and a proposed lot frontage of 8.59 metres on Edgehill Drive.

REPRESENTATION:

Cynthia Daffern, Applicant

INTERESTED PERSONS:

Greg Barker
Heatherlynn Sedore

WRITTEN COMMENTS RECEIVED:

Development Services - Planning: Comments dated February 25, 2025
Development Services – Transportation Planning: Comments dated February 18, 2025
Development Services – Parks Planning: Comments dated February 18, 2025
Development Services – Approvals Branch: February 18, 2025
Building Services: No comments
Finance Department: No comments
Alectra Utilities: Comments dated February 11, 2025

DISCUSSION:

Cynthia Daffern, the applicant, provided a presentation to the Committee members and discussed topics including location, site context, surrounding land use, official plan designation and zoning, proposed severance/concept plan, and intensification policies. Ms. Daffern advised that the subject lands are currently vacant and are subject to a zoning by-law amendment application (D30-009-2024) which was approved by Council in October 2024. Approval of the consent applications to create a total of three lots would facilitate the development of three street townhouse units.

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: Andrea Butcher-Milne, Member
CARRIED

6. **OTHER BUSINESS**

The Chair requested staff to review the public notice sign requirements to improve the visibility of signs given the recent change in the public notification process.

7. **DATE OF NEXT MEETING**

March 25, 2025

8. **ADJOURNMENT**

The meeting was adjourned at 6:46 p.m.



Steve Trotter, Chair



Janice Sadgrove, Secretary