



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A70/23**

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 13.2.96(c) and 13.2.96(i).

AND IN THE MATTER OF the premises described as PLAN 2 LOT 124, AND PLAN 240 LOTS A TO G, AND PLAN 31 PT JAMES ST and known municipally as **67 Owen Street** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **MHBC Planning on behalf of the Residences on Owen Street c/o Bruce Stewart** 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 exceeding the maximum allowable gross floor area and height to facilitate the construction of a 24-storey mixed use residential building with assisted living and ground floor commercial.

The applicant sought 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.

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

1. That the applicant/owner submit a site plan amendment application and requisite fee and successfully complete the registration of Site Plan Application D11-016-2021.
2. That the requested variances shall apply only to the proposed development, as described in the Site Plan Agreement associated with Site Plan Application D11-016-2021 and as reflected on the Modified Site Plan and Building Elevations attached as Appendix "D" and "E" to the Planning report. Any further development or redevelopment on the subject property shall be required to comply with the standards of the City's Zoning by-law 2009-141, as amended, or any successor thereto, failing which subsequent approvals may be required.

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 23rd day of January 2024.

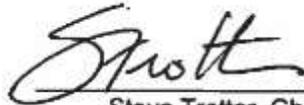
DATE OF MAILING: January 24, 2024

LAST DAY OF APPEAL: FEBRUARY 12, 2024

DECISION SIGNATURE PAGE

FILE NO.: A70/23
LOCATION: 67 Owen Street

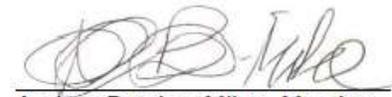
We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on January 23, 2024.



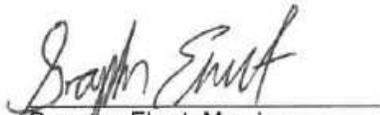
Steve Trotter, Chair



Jay Dolan, Member



Andrea Butcher-Milne, Member



Graydon Ebert, 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 with the secretary-treasurer of the committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee charged by the Tribunal as payable on an appeal from a committee of adjustment to the Tribunal.

Should you decide to appeal this decision to the Ontario Land Tribunal (OLT), a copy of an appeal form is available for download in Microsoft Word and Adobe Acrobat versions from the OLT website at <https://olt.gov.on.ca/appeals-process/forms>

Please fill out the A1 Appeal Form and follow the instructions as provided by the OLT and submit your appeal to the City of Barrie, Committee of Adjustment on or before the appeal date noted above. You must enclose the Consent/Minor Variance appeal fee of \$400.00 and a fee of \$25 for each subsequent appeal on related applications, paid by certified cheque or money order made payable to the 'ONTARIO MINISTER OF FINANCE'. Appeals are to be sent by **REGISTERED MAIL** or delivered personally to:

The City of Barrie Committee of Adjustment
P.O. Box 400, 70 Collier Street
Barrie, Ontario
L4M 4T5

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 \(gov.on.ca\)](https://www.ontario.ca/gov/appeals-process-tribunals-ontario-environment-land-division) 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.