



**COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. B1/24**

**IN THE MATTER OF** the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

**AND IN THE MATTER OF** the premises described as PLAN 433 LOTS 4 & 5 and known municipally as **181 Burton Avenue** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **Rudy Mak Surveying, c/o Rudy Mak, on behalf of 8952175 Canada Corp.** for consent under Section 53 of the *Planning Act*, R.S.O. 1990, c. P.13, so as to permit the conveyance of land.

This application, 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 189 Burton Avenue. The property is subject to Site Plan Application D11-010-2023.

The severed lands propose to have a lot area of 0.4 square metres.

The retained lands propose to have a lot area of 1,813 square metres and a proposed lot frontage of 40.3 metres on Burton Avenue.

**DECISION:** That provisional consent be **GRANTED** subject to the following condition(s):

1. That the severed lands be merged on title with 189 Burton Avenue.
2. Approval of the associated Minor Variance Application A2/24.
3. That all taxes, local improvements, and/or other charges, both current and in arrears, be paid to the satisfaction of the City Treasurer.
4. That the owner/applicant agrees to have his/her Ontario Land Surveyor provide to the City an updated reference plan, to the satisfaction of the Secretary-Treasurer.
5. That a copy of the draft transfer/deed for the severed lot are submitted to the Secretary Treasurer, along with a registered copy of the survey plan.

**No written or oral submissions were received regarding this application for Committee's consideration.**

Pursuant to Subsection 41 of Section 53 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended, all conditions imposed must be fulfilled within two years from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the *Planning Act*, R.S.O. 1990, Chapter P.13, as amended.

**REASONS:**

1. The proposal does not conflict with the intent and purpose of the City of Barrie Official Plan.
2. The Committee considers the proposal to be consistent with the development in the area.
3. The Committee is satisfied that a plan of subdivision is not necessary for the proper and orderly development of the lands.

Page 2

**DECISION DATED AT THE CITY OF BARRIE** this 27<sup>th</sup> day of February 2024.

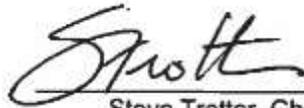
**DATE OF MAILING:** February 28, 2024

**LAST DAY OF APPEAL: MARCH 19, 2024**

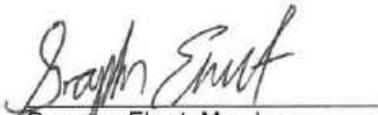
**DECISION SIGNATURE PAGE**

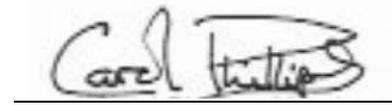
**FILE NO.:** B1/24  
**LOCATION:** 181 Burton Avenue

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on February 27, 2024.

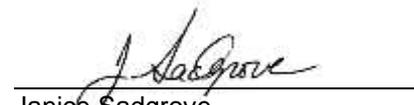
  
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Steve Trotter, Chair

  
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Andrea Butcher-Milne, Member

  
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Graydon Ebert, Member

  
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Carol Phillips, 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.

  
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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 \(gov.on.ca\)](#) or (416) 212-6349 / 1-866-448-2248.

You may view the Decision and Minutes of the Hearing at [www.barrie.ca/cofa](http://www.barrie.ca/cofa).

Additional information regarding this Decision is available by contacting us via email at [CofA@barrie.ca](mailto:CofA@barrie.ca) or calling Service Barrie at 705-726-4242.