COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. B28/22

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 1185 PT LOT E RP and known municipally as **184 Cundles Road West** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Brandon McDonald on behalf of BV & Co. Inc., c/o Raymond Vozza** for consent under Section 53 of the *Planning Act*, R.S.O. 1990, c. P.13, so as to permit the conveyance of land for creation of an easement for servicing.

This application, if granted by the Committee of Adjustment, will serve to permit the creation of an easement in favour of the adjacent property located at 303 Anne Street North for servicing purposes.

The proposed easement (shown on the attached sketch) will have an area of 75.60 square metres.

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

1. That all taxes, local improvements, and/or other charges, both current and in arrears, be paid to the satisfaction of the City Treasurer.

2. 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.

3. 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.

DECISION DATED AT THE CITY OF BARRIE this 19th day of October 2022.

DATE OF MAILING: October 20, 2022

LAST DAY OF APPEAL: NOVEMBER 9, 2022

DECISION SIGNATURE PAGE

FILE NO.: B28/22
LOCATION: 184 Cundles Road West

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on October 19, 2022.

Steve Trotter, Chair

Jay Dolan, Member

Marc Pumple, Member

Andy Thomson, Member

Victoria Lemieux, 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

APPEALS

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: The *Planning Act* provides for appeals to be filed by "persons". Groups or associations, such as residents or ratepayer groups which do not have incorporated status may not be considered "persons" for the purpose of the Act. Groups or associations wishing to appeal this decision should do so in the name of individual members, and not in the name of the group/association.

For more information on the appeal process to the Ontario Land Tribunal (OLT), please contact them at 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.

Additional information regarding this Decision is available by contacting us via email at planneroftheday@barrie.ca (please put Committee of Adjustment in the subject line) or calling Service Barrie at 705-726-4242.