



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A43/25**

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 4.6.1 (Table 4.6), 5.2.5.1(c), 5.3.1 (Table 5.3), 5.3.7.1 and 13.1.258.

AND IN THE MATTER OF the premises legally described as Part Block 27, Plan 51M1114, Save and Except Part 5 Plan 51R43665 and known municipally as **821 Big Bay Point Road** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Melissa Markham Planning Consultants Ltd. (c/o Melissa Markham)** on behalf of **13977561 Ontario Inc. (c/o Shahid Iqbal)** 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 the development of a 48-unit condominium townhouse development.

The applicant sought the following minor variance(s):

1. A density of 65 units per hectare, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.2.5.1(c), permits a maximum residential density of 53 units per hectare.
2. A gross floor area of 86 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.
3. A building height of 11.5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3), permits a maximum building height of 10 metres.
4. A landscaped buffer area of 1.9 metres in two pinch point locations surrounding a parking area that provides for more than 4 parking spaces adjoining a residentially zoned lot, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.7.1, requires a landscaped buffer area of 3 metres.
5. A secondary means of access measuring 6 metres in depth from the face of the building wall for each unit containing a secondary means of access to the exterior at ground level, whereas the Comprehensive Zoning By-law 2009-141, under Section 13.1.258, requires a secondary means of access measuring a minimum of 6.49 metres in depth from the face of the building wall for each unit.
6. To permit tandem parking in a residential building containing more than 3 dwelling units, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.1, Table 4.6, tandem parking is not permitted.

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

1. That the approval of the subject minor variances be granted as reflected on the Conceptual Site Plan provided in Appendix 'B' of the Planning staff report and that any further development of the property be required to comply with the City's Comprehensive 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 September 2025.

DATE OF MAILING: September 24, 2025

LAST DAY OF APPEAL: **OCTOBER 13, 2025**

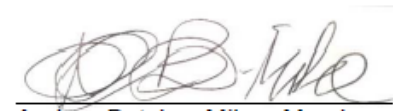
DECISION SIGNATURE PAGE

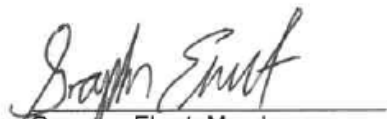
FILE NO.: A43/25
LOCATION: 159 Collier Street

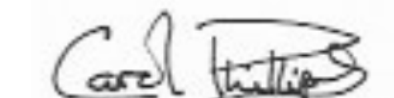
We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on September 23, 2025.



Steve Trotter, Chair

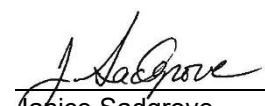
Jay Dolan, Member

Andrea Butcher-Milne, Member

Graydon Ebert, Member

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.



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 a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service/> by selecting [City of Barrie] as the Approval Authority or by mail [City of Barrie, Committee of Adjustment, P.O. Box 400, 70 Collier Street, Barrie, Ontario L4M 4T5], no later than 4:30 p.m. on or before **October 13, 2025**. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$1,100 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to OLT.submissions@barrie.ca.

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 \(gov.on.ca\)](http://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 CofA@barrie.ca or calling Service Barrie at 705-726-4242.