



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A30/25**

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), 5.2.5.2(e), 5.3.1 (Table 5.3), 5.3.7.1 and 5.3.7.2,

AND IN THE MATTER OF the premises legally described as PT LOTS 12 AND 17 PLAN 108, PARTS 4 AND 5 51R-32897 and known municipally as **42 Penetang Street** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Civil Construction and Environmental Engineering c/o A K M Saiduz Zaman on behalf of Vintage Developments Partner c/o Zahid Mizan** 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 increased density and gross floor area, and reduced landscape buffer width, internal private roadway width, front yard setback, lot area, lot frontage and parking spaces to facilitate the development of a three (3) to four (4) storey multi-residential building containing eight (8) units.

The applicant sought the following minor variance(s):

1. To recognize a lot area of 562.12 square metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3) requires a minimum lot area of 720 square metres.
2. To recognize an existing lot frontage of 14.86 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.
3. 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.
4. A landscape buffer width ranging from 1.68 metres to 2.82 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.
5. A maximum gross floor area of 78.3 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.
6. 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.
7. A maximum density of 142.3 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.
8. To permit a reduced parking ratio of 1 space per residential dwelling unit, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.1 (Table 4.6), requires a minimum of 1.5 spaces per dwelling unit.

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

1. That the approval of the subject minor variance(s) 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.
2. That Consent Applications B18/25 and B19/25 be approved.

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 24th day of June 2025.

DATE OF MAILING: June 30, 2025

LAST DAY OF APPEAL: JULY 14, 2025

DECISION SIGNATURE PAGE

FILE NO.: A30/25
LOCATION: 42 Penetang Street

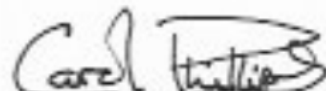
We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on June 24, 2025.



Graydon Ebert, Acting Chair



Andrea Butcher-Milne, 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 **July 14, 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.