



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A40/25**

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 5.3.7.2.

AND IN THE MATTER OF the premises legally described as LOT 37 PLAN 1514 and known municipally as **50 Donald Street** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Monterra Planning Consultants c/o Alicia Monteith on behalf of 50 Donald Inc.** 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 exceedances to the maximum density and gross floor area allowed and a reduction in parking spaces, lot frontage, side yard setback, landscaped open space and landscape buffer width to facilitate the construction of a three-storey, ten-unit, walk-up apartment building.

The applicant sought the following minor variance(s):

1. To recognize an existing lot frontage of 17.7 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.
2. A maximum gross floor area of 90 percent of 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 lot area.
3. A side yard setback of 1.5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3), requires a minimum side yard setback of 1.8 metres.
4. A landscaped open space of 30 percent of lot area, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1 (Table 5.3), requires a minimum landscape open space of 35 percent of lot area.
5. A maximum density of 96 units per net hectare, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.2.5.1(c), requires a maximum density of 53 units per net hectare.
6. A landscape buffer width of 1.5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Sections 5.3.7.1 and 5.3.7.2, requires a minimum 3 metre landscape buffer width adjacent to a parking area and along the side and rear lot lines of any lot occupied by an Apartment Dwelling.
7. A reduced parking ratio of 1.0 spaces per 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 variances be granted as reflected on the site plan attached as Appendix 'C' to this report and any further development or redevelopment of the site 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.
2. The Owner shall be required to provide a Tree Inventory, Assessment, Canopy Survey and Preservation Plan, including boundary trees and trees impacted on private property, signed and stamped by a qualified Landscape Architect or Registered Professional Forester, as per *By-law 2014-115, Schedule 'A'* as part of this application, to the satisfaction of the City of Barrie.
3. No works, such as building, servicing, and grading, are permitted to be undertaken within the canopy limit of trees owned or partially owned by adjacent landowners without written authorization from the adjacent landowner(s) under the Ontario Forestry Act. Copies of Letters of Authorization shall be provided to the City. Where trees, owned or partially owned by adjacent landowners, may be negatively impacted (damaged or harmed), it is the sole liability of the applicant.

4. Should the Owner propose harm and/or destruction of trees to facilitate the future development, ecological offsetting compensation is required as per the Fees By-law, as per the City's [Ecological Offsetting Policy](#).

Committee had regard for the oral submissions received on this application when making their decision. No written submissions were received on this application.

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 22nd day of July 2025.

DATE OF MAILING: July 25, 2025

LAST DAY OF APPEAL: **AUGUST 11, 2025**

DECISION SIGNATURE PAGE

FILE NO.: A40/25
LOCATION: 50 Donald Street

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on July 22, 2025.


Steve Trotter, Chair


Jay Dolan, Member


Andrea Butcher-Milne, Member


Graydon Ebert, Member

I, Daniel Frangione, Acting 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.


Daniel Frangione
Acting 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 **August 11, 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.