



**COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. A99/24**

**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 5.2.5.1(c) and 5.2.5.2(e).

**AND IN THE MATTER OF** the premises described as Lot 41 Plan 1514 and known municipally as **60 Donald Street** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **Innovative Planning Solutions c/o James Hunter on behalf of 1000989604 Ontario Corp. c/o Matthew Ward** 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 a reduced internal private roadway width to facilitate the development of a 3 storey, 10-unit walk up apartment building.

The applicant sought the following minor variance(s):

1. **A maximum density of 66 units per net hectare (10 units), 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 units).**
2. **An internal private roadway width of 6.0 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.**

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

1. 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. The plan is to include the calculation of applicable ecological offsetting fees.
2. Should the Owner propose harm and/or destruction of trees to facilitate the future development, ecological offsetting compensation is required as per Section 1.5, Schedule E of the Fees By-law, as per the City's Ecological Offsetting Policy.
3. That the Applicant/Owner shall pay the LSRCA Plan Review Fee in accordance with the approved LSRCA Fee Schedule. The applicable fee for Minor Variance (Minor – planner review only) is \$536.
4. That the Applicant/Owner successfully obtain a permit from the LSRCA, if deemed necessary through the permit review process.

**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.

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**DECISION DATED AT THE CITY OF BARRIE** this 28<sup>th</sup> day of January 2025.

**DATE OF MAILING:** January 29, 2025

**LAST DAY OF APPEAL:** **FEBRUARY 17, 2025**

**DECISION SIGNATURE PAGE**

**FILE NO.:** A99/24

**LOCATION:** 60 Donald Street

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on January 28, 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 **February 17, 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](http://www.olt.gov.on.ca). If the e-file portal is down, you can submit your appeal to [OLT.submissions@barrie.ca](mailto: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](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.