



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A50/25**

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 5.3.1 (Table 5.3), 5.3.7.1 and 5.3.7.2, 5.2.5.2(b), 4.6.1 (Table 4.6), 5.2.5.2(e) and 5.2.5.1(c).

AND IN THE MATTER OF the premises legally described as Lot 26 S/S Charlotte Street Plan 18 and known municipally as **159 Collier Street** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Innovative Planning Solutions (Cameron Sellers) on behalf of MK & Company (James Murphy)** 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 an existing lot frontage, reduced front yard setback, landscape buffer strips, parking, drive aisle width, and outdoor amenity area, and an increase in density to facilitate the development of a 3-storey walk-up apartment building.

The applicant sought the following minor variance(s):

1. To recognize a lot frontage of 20 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 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.
3. A landscape buffer width of 1.8 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.
4. An unconsolidated outdoor amenity area of 0 square metres, whereas the Comprehensive Zoning By-Law, under subsection 5.2.5.2(b), requires a minimum consolidated outdoor amenity area of 120 square metres.
5. A parking standard of 1 space per dwelling unit (10 spaces), whereas the Comprehensive Zoning By-Law, under Section 4.6.1, requires a minimum parking standard of 1.5 parking spaces per dwelling unit (15 spaces).
6. An internal private roadway width of 5.4 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 99 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.

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

1. That an internal private roadway and driveway width of 6.0 metres be provided, whereas Comprehensive Zoning By-law 2009-141, as amended, under Section 5.2.5.2 e), requires a minimum width of 6.4 metres.
2. That a front yard setback of 6.5 metres be provided, whereas Comprehensive Zoning By-law 2009-141, as amended, under Section 5.3.1 (Table 5.3), requires a minimum setback of 7 metres.
3. That a residential density of 90 units per hectare be provided, whereas Comprehensive Zoning By-law 2009-141, as amended, under Section 5.2.5.1 c), requires a maximum residential density of 53 units per hectare.
4. That the approval of the subject minor variances be granted as reflected on the Conceptual Site Plan provided in Appendix 'C' 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.

5. 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.
6. 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.
7. 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](#).
8. That the applicant install and maintain a catch basin with an oil grit separator, or an alternative equivalent means be provided, downgradient of the proposed snow storage area to manage drainage on-site to the satisfaction of the City of Barrie.

Committee had regard for the written and oral submissions received on this application when making their decision.

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**

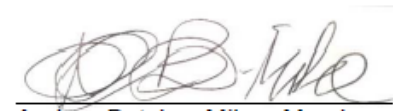
DECISION SIGNATURE PAGE

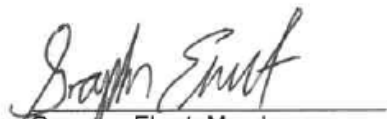
FILE NO.: A50/25
LOCATION: 159 Collier Street

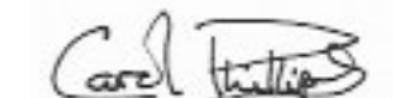
We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on September 23, 2025.



Steve Trotter, Chair

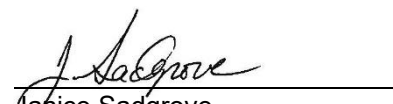
Jay Dolan, Member

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.