



COMMITTEE OF ADJUSTMENT  
PROVISIONAL DECISION WITH REASONS  
SUBMISSION NO. A64-25

**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 6.3 (Table 6.3), 6.3.4.3(d), 6.3.4.3(e), 4.6 (Table 4.6), and 4.6.2.5.

**AND IN THE MATTER OF** the premises legally described as Part Block 120 Plan M409, Part 2 51R24454 and known municipally as **375 Livingstone Street West** in the City of Barrie.

**AND IN THE MATTER OF AN APPLICATION** by **Innovative Planning Solutions (Ray Budiwarman) on behalf of Shiv Developers Ltd.** 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 increase to the maximum building height, together with reductions to gross floor area for commercial uses, parking and drive aisle width, along with permissions for an unconsolidated outdoor amenity area to facilitate the development of a four (4) storey mixed-use condominium building with ground floor commercial and 28 residential units. The property is subject to an active Site Plan Application (File: D11-038-2024).

The applicant sought the following minor variance(s):

1. **A building height of 14 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 6.3 (Table 6.3), restricts the building height to a maximum of 9 metres.**
2. **To permit a minimum gross commercial floor area of 8 percent of the total gross floor area (GFA) of a three (3) or more storey building, whereas the Comprehensive Zoning By-law, under Section 6.3.4.3(d) requires a minimum gross commercial floor area of 20 percent of the total GFA of the building.**
3. **An unconsolidated outdoor amenity area provided at a rate of 12 square metres per unit, whereas the Comprehensive Zoning By-Law, under subsection 6.3.4.3(e), requires a minimum consolidated outdoor amenity area provided at a rate of 12 square metres per unit.**
4. **A parking standard of 1.3 spaces per residential dwelling unit (37 spaces), whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6 (Table 4.6), requires a minimum parking standard of 1.5 spaces per residential dwelling unit (42 spaces).**
5. **A minimum drive aisle width of 6 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.6.2.5, requires a minimum drive aisle width of 6.4 metres.**

**DECISION:** That the variance(s) noted above be **GRANTED**.

**Committee had regard for the written 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 25<sup>th</sup> day of November 2025.

**DATE OF MAILING:** November 26, 2025

**LAST DAY OF APPEAL:** DECEMBER 15, 2025

**DECISION SIGNATURE PAGE**

**FILE NO.:** A64-25

**LOCATION:** 375 Livingstone Street West

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on November 25, 2025.



Steve Trotter, Chair



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Jay Dolan, Member



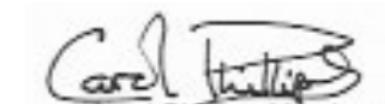
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Andrea Butcher-Milne, Member



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Graydon Ebert, Member



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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.



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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 **December 15, 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.