



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A60-25**

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 5.2.5.1(c), 5.2.5.2(b), Section 5.3.1 (Table 5.3), 5.3.2, and 5.3.7.2.

AND IN THE MATTER OF the premises legally described as Lot 7 W/S Essa Road Plan 30 and known municipally as **129 Essa Road** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **Morgan Planning & Development Inc. on behalf of 1000989604 Ontario Corp. (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, lot coverage, gross floor area and building height (number of storeys), together with reductions to lot frontage, front yard, side yard and rear yard setbacks, landscaped open space, landscape buffer widths, and an unconsolidated outdoor amenity space to facilitate the development of a 5 storey, 20-unit walk-up apartment building.

The applicant sought the following minor variance(s):

1. A maximum density of 253 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.
2. An unconsolidated outdoor amenity area of 256 square metres, whereas the Comprehensive Zoning By-Law, under subsection 5.2.5.2(b), requires a minimum consolidated outdoor amenity area of 12 square metres per unit (240 square metres).
3. To recognize an existing 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.
4. A front yard setback of 3.0 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.
5. A side yard setback of 1.3 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.
6. A rear yard setback of 6.5 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1, Table 5.3, requires a minimum rear yard setback of 7 metres.
7. 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 landscaped open space of 35 percent of lot area.
8. A maximum lot coverage of 55 percent whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.1, Table 5.3, permits a maximum lot coverage of 35 percent.
9. A maximum gross floor area of 228 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.
10. To permit five storeys or less, to a maximum total height of 20 metres, whereas the Comprehensive Zoning By-law 2009-141, under Section 5.3.2, permits a maximum four storeys or less, to a maximum total height of 20 metres.
11. A landscape buffer width ranging from 1.18 metres to 2.2 metres, whereas the Comprehensive Zoning By-law 2009-141, under Sections 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.

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

1. That the property owner shall successfully complete the site plan control process and register a site plan agreement associated with File D11-027-2025.
2. That the approval of the subject minor variances 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.
3. 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.
4. 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.
5. 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 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 25th day of November 2025.

DATE OF MAILING: November 26, 2025

LAST DAY OF APPEAL: DECEMBER 15, 2025

DECISION SIGNATURE PAGE

FILE NO.: A60-25
LOCATION: 129 Essa Road

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



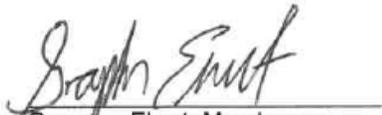
Steve Trotter, Chair



Jay Dolan, Member



Andrea Butcher-Milne, Member



Graydon Ebert, 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 **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. 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 \(gov.on.ca\)](#) 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.