



**COMMITTEE OF ADJUSTMENT
PROVISIONAL DECISION WITH REASONS
SUBMISSION NO. A65-25**

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 5.3.3.2(b), 5.3.1 (Table 5.3), 5.2.5.1(c), and 5.3.6.1(a).

AND IN THE MATTER OF the premises legally described as Part Lots 41 & 42 Plan 386, Parts 2 & 6 51R14325 and known municipally as **26 Parkside Drive** in the City of Barrie.

AND IN THE MATTER OF AN APPLICATION by **ISM Architects (Ian Malcolm)** on behalf of **Maria Melchior** 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 a reduction to an interior side yard setback, together with increases to residential density, gross floor area (GFA) and front yard parking coverage for the construction of four (4) stacked townhouse units fronting onto Mulholland Street. The application also seeks to recognize existing legal non-conforming conditions, as it relates to side and front yard setbacks to an existing dwelling located on the subject property, together with the lot frontage for the subject property.

The applicant sought the following minor variance(s):

1. A side yard setback of 1.8 metres on one side of the lot, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.3.2(b), requires a minimum side yard setback of 3 metres on one side of the lot where on the same lot there is no carport or where a garage is not attached to the main building.
2. A Gross Floor Area (GFA) equal to 67 percent of the lot area, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.1 (Table 5.3) permits a maximum GFA of 60 percent of the lot area.
3. A residential density of 68 units per hectare, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.2.5.1(c) of Zoning By-law 2009-141, permits a maximum residential density of 53 units per hectare.
4. A front yard parking coverage equal to 61.5 percent of the front yard area along Mulholland Street, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.6.1(a) of Zoning By-law 2009-141, permits a maximum front yard parking coverage of 50 percent of the front yard area.
5. To recognize existing interior side yard setbacks of 1.0 metre and 1.5 metres for an existing residential dwelling, whereas the Comprehensive Zoning By-law 2009-141, under subsection 5.3.1 (Table 5.3) of Zoning By-law 2009-141 requires a minimum side yard setback of 1.8 metres.
6. To recognize an existing front yard setback of 4.49 metres to an existing residential dwelling along Parkside Drive, whereas the Comprehensive Zoning By-law 2009-141, under subsection Section 5.3.1 (Table 5.3) of Zoning By-law 2009-141 requires a minimum front yard setback of 7 metres.
7. To recognize existing lot frontages of 13.28 metres (Parkside Drive) and 18.77 metres (Mulholland Street), whereas the Comprehensive Zoning By-law 2009-141, under subsection Section 5.3.1 (Table 5.3) of Zoning By-law 2009-141 requires a minimum lot frontage of 21 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.
2. 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.

3. 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.
4. The owner shall confirm that fire flows are adequate for the proposed development through submission of a fire flow analysis prepared by a professional engineer, to the satisfaction of the Development Services Department. The analysis shall include a current hydrant flow test and Fire Underwriters Survey calculations. If required, mitigation measures (e.g., construction materials, sprinkler systems, etc.) will be identified to ensure adequate fire protection is available for the proposed development.

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 16th day of December 2025.

DATE OF MAILING: December 17, 2025

LAST DAY OF APPEAL: JANUARY 5, 2026

DECISION SIGNATURE PAGE

FILE NO.: A65-25
LOCATION: 26 Parkside Drive

We the undersigned concur in the decision and reasons of the Committee of Adjustment for the City of Barrie made on December 16, 2025.



Steve Trotter, Chair



Jay Dolan, Member

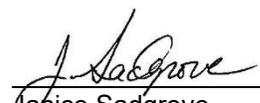


Andrea Butcher-Milne, Member



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 **January 5, 2026**. 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.