



Bill No. 070

**BY-LAW NUMBER 2017-**

**A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie.**

**WHEREAS**, the Council of the The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141 to re-zone the lands being Part of Lots 14 and 15, Concession 12 (Geographic Township of Innisfil), Being Parts 1 to 8, Plan 51R-10923, Save and Except (1) Part 1, Expropriation Plan 276129, (2) Part 1, Plan 51R-14534, (3) Part 1, Plan 51R-31793, City of Barrie, County of Simcoe from Agriculture (A) zone to Mixed Use Node Special Provision (MU1 SP-541), Mixed Use Node Special Provision (MU1 SP-542), Mixed Use Corridor Special Provision (MU2 SP-543) and Open Space (OS) zones and from Residential Hold (RH) to Open Space (OS) and Environmental Protection (EP) zones.

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 17-G-141.

**NOW THEREFORE** the Council of The Corporation of the City of Barrie enacts that the Comprehensive Zoning By-law 2009-141 be amended as follows:

1. **THAT** the zoning map is amended to change the zoning of the lands being Part of Lots 14 and 15, Concession 12 (Geographic Township of Innisfil), Being Parts 1 to 8, Plan 51R-10923, Save and Except (1) Part 1, Expropriation Plan 276129, (2) Part 1, Plan 51R-14534, (3) Part 1, Plan 51R-31793, City of Barrie, County of Simcoe from Agriculture (A) zone to Mixed Use Node Special Provision (MU1 SP-541) and Mixed Use Node Special Provision (MU1 SP-542), Mixed Use Corridor Special Provision (MU2 SP -543), and Open Space (OS) zones and from Residential Hold (RH) to Open Space (OS) and Environmental Protection (EP) zones in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** Section 5.4 of the Zoning By-law is amended as follows:

**Notwithstanding** the permitted uses in any Mixed Use Zone listed in Table 5.4.1, the following uses are permitted for the lands zoned MU1 SP-541, MU1 SP-542 and MU2 SP-543:

Uses	Zones		
	Mixed Use Node (MU1 SP-541)	Mixed Use Node (MU1 SP-542)	Mixed Use Corridor (MU2 SP-543)
<b>Residential</b>			
Apartment Dwelling	x	x	x
Back to Back Townhouse	x	x	x
Block/Cluster/Stacked Townhouse	x	x	x
Dwelling Unit(s) in conjunction with permitted commercial uses	x	x	x
Multiple Dwelling	x	x	x
Street Townhouse	x	x	x
Walk-up Apartment	x	x	x
Live-Work Unit (1)	x	x	x
<b>Accessory Uses</b>			
Home Occupation	x	x	x
<b>Commercial</b>			
Bake shop	x	x	
Bank	x	x	
Bus Terminal	x	x	
Bus Transfer Station	x	x	
Conference Centre	x	x	
Custom Workshop	x	x	
Entertainment Establishment	x	x	

Fitness or Health Club	x	x	
Fitness or Health Club, Local	x	x	
Florist	x	x	
Hotel, Motel	x	x	
Laundry or Dry Cleaning Depot	x	x	
Local Convenience Retail	x	x	
Nightclub	x	x	
Office, Business or Professional	x	x	
Office Medical	x	x	
Outdoor Display and Sales Area	x	x	
Outdoor Patio	x	x	
Parking Lot	x	x	
Personal Service Store	x	x	
Photography Studio	x	x	
Printing or Publishing	x	x	
Private Academy, Philanthropic or Religious School	x	x	
Private Club	x	x	
Recreational Establishment	x	x	
Refreshment Pavilion	x	x	
Rental Store	x	x	
Restaurant	x	x	
Retail Store	x	x	
Service Store	x	x	
Theatre	x	x	
Trade Centre	x	x	
Veterinary Centre	x	x	
Institutional			
Art Gallery	x	x	
Assembly Hall	x	x	
City Hall	x	x	
Commercial School	x	x	
Community Centre	x	x	
Crisis Care Facility	x	x	x
Day Nursery	x	x	x
Library	x	x	
Museum	x	x	
Nursing Home	x	x	x
Place of Worship	x	x	
Religious Institution	x	x	
Rest Home	x	x	x
Retirement Home	x	x	x
Senior Citizen Home	x	x	x
Training and Rehabilitation Centre	x	x	
Open Space (2)			
Park	x	x	x
Playground	x	x	x
Trails	x	x	x
Urban or Village Square	x	x	x

(1) Live-Work Uses

In the Mixed Use Corridor Special Provision (MU2-SP 543) zone, Live-Work units shall only be permitted on lands with direct frontage along the portion of Yonge Street located within 410 metres of the property line that abuts the Major Transit Station.

(2) Open Space Uses

Open space uses permitted in the Mixed Use Node Special Provision (MU1 SP-541 and MU1 SP-542) and Mixed Use Corridor Special Provision (MU2 SP-543) zones are subject to the standards of Section 9.0 of By-law 2009-141.

Section 5.4.2.3 (b) shall not apply;

**Notwithstanding** the Mixed Use Standards referenced in Table 5.4.2, the uses permitted in the Mixed Use Node Special Provision (MU1 SP-541 and MU1 SP-542) and Mixed Use Corridor Special Provision (MU2 SP-543) zones are subject to the following development standards:

		Zones		
		Mixed Use Node (MU1 SP-541)	Mixed Use Node (MU1 SP-542)	Mixed Use Corridor (MU2 SP-543)
Lot Area (min.)		-	-	-
Lot Frontage (min.)		-	-	-
Front Yard Setback (1)	Min.	1m	1m	1m
	Max.	5m	5m	5m
Side Yard Setback	Min.	-	-	-
	Min. Abutting Street or Laneway	1m	1m	3m
	Max.	3m	3m	3m
Rear Yard Setback (Min.) (2)		1.5m	1.5m	1.5m
Facade Step-back		<p>Step-backs shall commence at the 5<sup>th</sup> Storey using at least a single minimum 2 metre step-back.</p> <p>Step-backs may occur prior to the 5<sup>th</sup> Storey but are not mandatory.</p> <p>Step-backs shall only apply to facades abutting a street or public pedestrian space not part of a street, such as an urban or village square, boulevard or plaza.</p>	<p>Step-backs shall commence at the 5<sup>th</sup> Storey using at least a single minimum 2 metre step-back.</p> <p>Step-backs may occur prior to the 5<sup>th</sup> Storey but are not mandatory.</p> <p>Step-backs shall only apply to facades abutting a street or public pedestrian space not part of a street, such as an urban or village square, boulevard or plaza.</p>	<p>Step-backs shall commence at the 5<sup>th</sup> Storey using at least a single minimum 2 metre step-back.</p> <p>Step-backs may occur prior to the 5<sup>th</sup> Storey but are not mandatory.</p> <p>Step-backs shall only apply to facades abutting a street or public pedestrian space not part of a street, such as an urban or village square, boulevard or plaza.</p>
Lot Coverage (max. % of lot area)		-	-	-
Gross Floor Area (max. % of lot area)		-	-	-
Street Level Floor Height (Min.)	Structures 4 Storeys or less	-	-	-
	Structures 5 Storeys or greater	4.5m (3a)	4.5m (3a)	4.5m (3a,b)
Building Height	Min.	6m (2 storeys)	6m (2 storeys)	6m (2 storeys)
	Max.	22.5m (6 storeys)	30m (8 storeys)	19.5m (5 storeys) (4)

Minimum Coverage for Commercial uses (% of street level GFA)	- (5)	- (5)	-
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(1) Front Yard Setback

- a) Front yard setback areas may be fully paved and seamlessly connected with abutting sidewalk. Front yard setback areas may be fully landscaped open space areas or a combination of paved and landscaped open space.
- b) For the portion of a lot that is used to accommodate parking or a driveway the maximum setback will be 6 metres.
- c) For lots that front on to Yonge Street in the Mixed Use Corridor Special Provision (MU2 SP-543) zone the maximum front yard setback shall be 3 metres

(2) Rear Yard Setback

- a) Where a rear setback abuts a street or laneway, the setback may be used for soft or hard landscaping, or for a walkway.
- b) A rear setback of 0 metres may apply to a Back to Back Townhouse.

(3) Street Level Floor Height

- a) Minimum street level floor height of 4.5m is not required for Back to Back Townhouse, Block/Cluster/Stacked Townhouse, or Street Townhouse.
- b) Minimum Street level floor height of 4.5m is required in the Mixed Use Corridor Special Provision (MU2 SP-543) zone only for buildings with frontage on to Yonge Street which are 5 storeys or greater.

(4) Building Height

If the ground floor area use is a commercial or institutional use, the maximum building height for the Mixed Use Corridor Special Provision (MU2 SP-543) zone is 30 metres.

(5) Street Level Commercial

A minimum 30% of the street level Gross Floor Area shall be for commercial uses within the buildings that front on to Yonge Street in the Mixed Use Node Special Provision (MU1 SP-541 and MU1 SP-542) zone.

Non-residential uses accessory to the residential component of these buildings are permitted to contribute to the 30% minimum street level commercial Gross Floor Area, but excludes utility rooms and mechanical rooms

No minimum percentage of street level commercial Gross Floor Area is required for any individual building.

Section 5.4.3.6 Yard Variations shall apply in addition to the following:

If abutting an urban or village square or other similar pedestrian gathering space a maximum yard setback of 15 metres is permitted in the Mixed Use Node Special Provision (MU1 SP-541 and MU1 SP-542) zone.

Notwithstanding Section 5.4.4.1 the following shall apply:

Grade level parking spaces including aisles required for an apartment dwelling unit shall have a maximum lot coverage of 40%.

This maximum coverage does not include the portion of the parking area utilized for ingress and egress.

Notwithstanding the General Provisions and General Standards of the Mixed Uses Zones, the following provisions shall apply:

Parking Standards (Minimum)

- (a) Residential Uses – 1 space per dwelling unit;
- (b) Commercial and Institutional Uses – 1 space per 50 sq.m of gross floor area.

Parking in Front Yards

Street Townhouse:

Front Yard Parking Coverage in the Mixed Use Node Special Provision (MU1 SP-541 and MU1 SP-542) and the Mixed Use Corridor Special Provision (MU2 SP-543) zones is permitted to a maximum of 60% of the front yard, but the maximum driveway width is 3metres.

Block/Cluster/Stacked Townhouse:

No maximum Front Yard Parking Coverage.

**Parking Location**

Notwithstanding Section 4.6.2.1 of By-law 2009-141, parking spaces required for any use within the Mixed Use Node Special Provision (MU1 SP-541 and MU1 SP-542) and Mixed Use Corridor Special Provision (MU2 SP-543) zones are not required to be provided on the same lot as the building or use for which they are required.

**Outdoor Patios**

Section 4.2.1.11 (a) to (e) inclusive shall not apply.

**Loading Spaces**

All of Section 4.7 shall not apply.

**Night Clubs**

Section 4.13.1 (b) shall not apply.

**Definitions****Townhouse Development, Stacked**

In addition to the definition contained within Section 3.0 of Zoning By-law 2009-141, a Stacked Townhouse may contain up to 3 residential dwelling units. Units are oriented vertically above one another.

**Townhouse Development, Back to Back**

A Back to Back Townhouse shall mean either a Block/Cluster Townhouse or Street Townhouse in which separate Townhouse structures are attached by a rear common wall and no rear yard amenity space is provided. A Back to Back Townhouse may be a Stacked Townhouse.

**Live-Work Unit**

Means a dwelling unit, part of which may be used as a business establishment, and the dwelling unit is the principal residence of the business operator.

## Provisions for Live-Work Units:

- The business shall be restricted to the first storey with an independent entrance for the business separate from the dwelling unit.
- The business may employ no more than two additional employees.
- The business operation must occur entirely within the structure.
- 1 parking stall shall be provided for the dwelling component, and 1 parking stall shall be provided for the business component of the unit.
- Permitted uses for the business component of the unit shall be business or professional office, personal service store, photography studio, and art gallery. A business not compatible with residential uses shall not be permitted.

**Urban or Village Square**

Shall mean a small common outdoor open space area that may include active or passive uses such as play grounds, seating areas or other activities which serve as common areas and meeting spaces.

**3. THAT** all other provisions of Zoning By-law 2009-141 shall apply;

3. **THAT** all other provisions of zoning By-law 2009-141 shall apply;
  4. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.
- READ** a first and second time this 19<sup>th</sup> day of June, 2017.
- READ** a third time and finally passed this 19<sup>th</sup> day of June, 2017.

**THE CORPORATION OF THE CITY OF BARRIE**

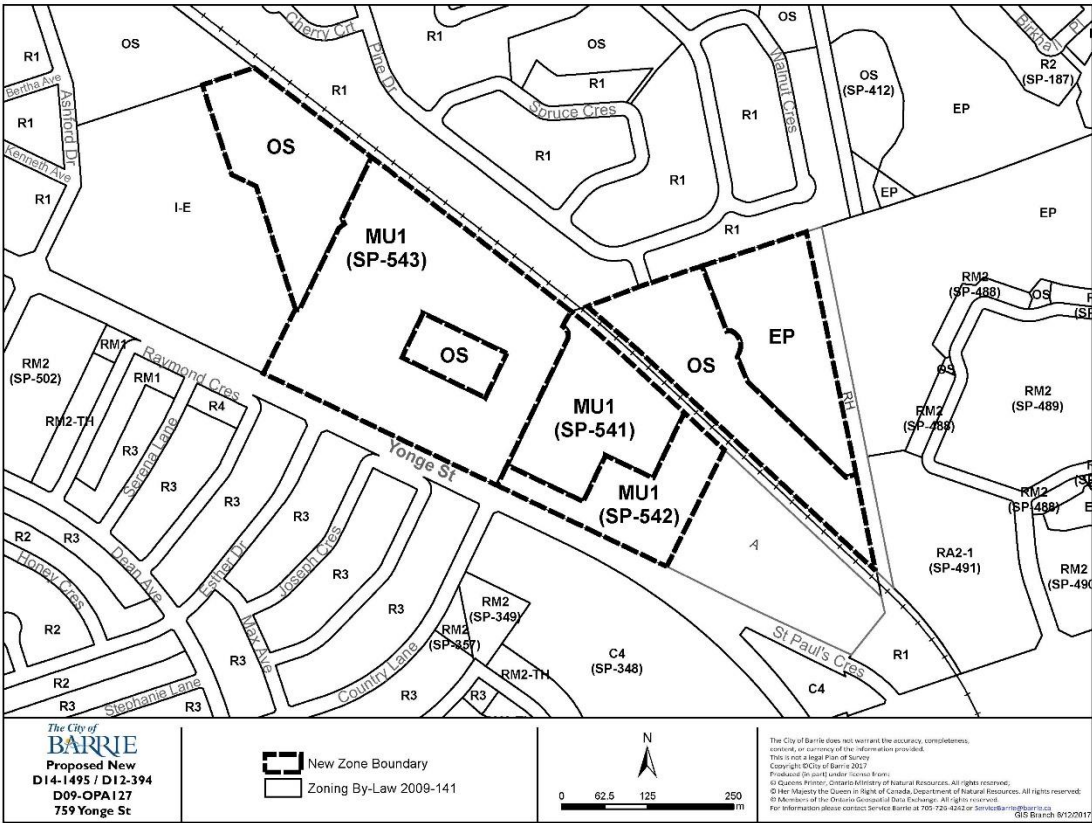
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**MAYOR – J.R. LEHMAN**

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**CITY CLERK – DAWN A. MCALPINE**

Schedule “A”



Schedule “A” to attached By-law 2017-

MAYOR – J.R. LEHMAN

CITY CLERK - DAWN A. MCALPINE