



Bill No. 079

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 Corporation of the City of Barrie deems it expedient to amend Comprehensive Zoning By-law 2009-141;

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 17-G-166.

NOW THEREFORE the Council of The Corporation of the City of Barrie hereby enacts the following:

1. **THAT** Section 3 Definitions be amended by deleting the following definition:

Day Nursery shall mean a day nursery defined in the Day Nurseries Act, R.S.O. 1990, c. D2.

And adding the following definition to Section 3 to replace the defined use:

Child Care shall mean a facility or accessory use that provides temporary supervised care of children.

2. **THAT** unless otherwise identified in this By-law, all references to Day Nursery in By-law 2009-141 shall be deleted and replaced with Child Care.

3. **THAT** Section 3 Definitions be amended by deleting the following definition:

Dwelling, Two-Unit shall mean a residential building containing two dwelling units on the same lot. A Two Unit Dwelling includes a duplex dwelling or semi-detached dwelling on the same property, and also includes two dwelling units located on a lot where the second unit is accessory and subordinate to the principal unit, such as second suites.

4. **THAT** Section 3 Definitions be amended by deleting the following definitions:

Nursing Home shall mean a residential facility for the care and lodging of persons requiring nursing care in accordance with the Nursing Homes Act, R.S.O. 1990, c N.7.

Rest Home or Home for the Aged shall mean a residential facility for the care and lodging of persons in accordance with the Homes for the Aged and Rest Homes Act, R.S.O. 1990, c H. 13.

Retirement Home shall mean a residential facility, which may be a rest home, but does not include a hospital, nursing home, home for the aged or group home in which lodging is provided and where, in addition to sleeping accommodations, meals are supplied by a common kitchen, and other communal facilities may be provided. Nursing, medical or similar care and treatment may also be provided.

Senior Citizens Home shall mean a building in which self-contained units are provided to accommodate senior citizens but shall not include a rest home, nursing home or hospital.

And adding the following definition to Section 3 to replace the defined use:

Assisted Living Facility shall mean a residential facility where, in addition to sleeping accommodations, support services such as meals supplied by a common kitchen and medical care are provided, but shall not include a Boarding Lodging and Rooming House or Group Home.

5. **THAT** unless otherwise identified in this By-law, all references to Nursing Homes, Rest Home or Home for the Aged and Senior Citizens Home shall be deleted and replaced with Assisted Living Facility.

6. **THAT** Section 3 Definitions be amended by adding:
- ...that is accessory and subordinate to the principle unit.
- to the definition of Second Suite.
7. **THAT** Section 4.2.1.10 Outdoor Patios be amended by deleting the following:
- c) an outdoor patio shall be completely screened by a building when located on a property abutting a residential zone.
- d) an outdoor patio shall not be permitted to locate in a yard abutting a residential zone.
8. **THAT** 4.6 Parking Standards Table 4.6 be amended by deleting following:

Uses	Parking Standards
Rest Home, Retirement Home and Nursing Home	1 space for every 4 persons
Senior Citizen Home	1 space per 2 dwelling units

and replacing the Parking Standards with:

Uses	Parking Standards
Assisted Living Facility	1 space per 2 suites/units

9. **THAT** Section 4.6.4 Barrier Free Parking be amended by deleting and replacing the section with:
- a) When more than 4 *parking spaces* are required on a *lot*, barrier free *parking spaces* for the exclusive *use* of persons with disabilities shall be identified with a Provincially regulated vertical sign displaying the international symbol for disabled access. Barrier free *parking spaces* shall be included in the calculation of required parking and shall be provided in accordance with the following standards:
- | Required Parking | Barrie Free Parking | |
|------------------|---|---|
| | Type A - min. width of 3.4m, access aisle width of 1.5m | Type B - min. width of 3.1m, access aisle width of 1.5m |
| 5 to 25 spaces | 1 space | - |
| 26 to 50 spaces | 1 space | 1 space |
| 51 to 75 spaces | 1 space | 2 spaces |
| 76 to 100 spaces | 2 spaces | 2 spaces |
| Over 100 spaces | 1 space plus 3% of required parking spaces | |
- b) Where there is a potential conflict in the calculation of Barrier Free spaces, the Accessibility for Ontarians with Disabilities Act (ADOA) applies.
- c) Where an odd number of barrier free parking spaces are required, the odd-numbered space may be a Type B parking space.
- d) Where the required 1.5m access aisle is provided between two Barrier Free Parking spaces, the aisle width can be shared.

10. **THAT** Section 4.6.6 Parallel Parking Spaces be amended by deleting and replacing the section with:
- Each parallel parking space shall be a minimum width of 2.7 metres and a minimum length of 6.7 metres, except for the first and/or last space in a row which may have a minimum length of 5.5 metres provided it is located a minimum of 1.5 metres from any intersecting road, lane or obstruction. A one way aisle width shall be a minimum of 3.7 metres and a 2 way aisle width shall be a minimum of 6.4 metres.

11. **THAT** Table 5.2 be amended by deleting the reference to Two-Unit Dwelling and replacing the related text and footnotes as follows:

Uses	Zones
Semi-Detached, Duplex Dwelling (14)	RM1, RM1-SS, RM2(3), RM2-TH(3), RA1(4), RA2(4)
Second Suite (15)	R1, R2, R3, R4, RM1, RM1-SS, RM2(2)(3), RM2-TH(2)(3), RA1(2)(4), RA2(2)(4)

- (2) See 5.2.2.1 b)
- (3) See 5.2.3.1 a)
- (4) See 5.2.3.1 b)
- (14) See 5.2.3 Semi-Detached and Duplex Dwelling
- (15) See 5.2.9 Second Suites

12. **THAT** Section 5.2.3 Two-Unit Dwellings be amended by deleting the reference to Two-Unit Dwelling and replacing the section as follows:

5.2.3 Semi-Detached and Duplex Dwellings

5.2.3.1 Standards

- a) The (RM1) standards shall apply to *semi-detached dwellings* and *duplex dwellings* located in the RM2 and RM2-TH zones.
- b) *Semi-detached* and *duplex dwellings* shall be permitted in the (RA1) and (RA2) Zones provided they existed prior to the passing of this By-law, together with any alteration made after the passing of this By-law. Any alteration shall be undertaken in compliance with the (RM1) standards.

13. **THAT** Section 5.2.9.1 Second Suites be amended by deleting the following:

- b) The entrance to each unit shall be by way of an exterior entrance door, or a door from a common entrance and the façade of the principal dwelling shall not be altered. The front façade of the principle dwelling shall not contain a separate entrance to the second suite. Access to the second suite shall be located in the side or rear yards from an exterior door or from an entrance that is shared to both dwelling units. This section shall not apply to any properties zoned RM1-SS.

14. **THAT** Section 5.2.9.3 Second Suites be amended by deleting and replacing a) with the following:

- a) Any existing lot or structure is exempt from meeting the current residential zoning standards when incorporating a second suite, save and except for parking required in section 5.2.9.2. New construction or additions to an existing building are required to comply with the development standards referenced in section 5.3.

15. **THAT** Section 5.2.10.1 Standards for Home Occupations be amended by deleting the following:

- g) a maximum of 5 children shall be cared for in a private day nursery.

16. **THAT** Section 6.3.4.1 Residential Uses In the C1 or C2 Zone be amended by deleting the following:

Any residential use, including a rest home and a senior citizen home, in the Central Area Commercial (C1) Zone or Transition Commercial (C2) Zone shall comply with the standards set out in Section 5.3 of this By-law.

17. **THAT** Section 13 Special Provisions be amended by deleting and replacing the introduction with the following:

Section 13 of this by-law attempts to consolidate and summarize the details of all Special Provisions approved under Comprehensive Zoning By-laws 85-95 and 2009-141. The wording and intent of the original site specific by-law prevails over the wording in this section. Where a term in the Special Provision is not defined in the by-law that term is as defined in the current Comprehensive By-law. If a term no longer exists, the definition would apply as it existed at the time of passing of the site specific zoning by-law.

18. **THAT** the Zoning Map Schedule be amended to change the zoning of those lands municipally known as 549, 555, 561 and 571 Bayfield Street from Agriculture (A) to General Commercial (C4) in accordance with Schedule “A” attached to this By-law being a portion of the Zoning Map Schedule.

19. **THAT** the Zoning Map Schedule be amended to change the zoning of those lands municipally known as 443 Anne Street from Agriculture (A) to Municipal Services & Utilities with Special Provisions (MSU)(SP-539) in accordance with Schedule "B" attached to this By-law being a portion of the Zoning Map Schedule.
20. **THAT** notwithstanding the provisions set out in Section 11.3.3 of By-law 2009-141 a landscape buffer treatment is not required in the (MSU)(SP-539) zone.
21. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this 26th day of June, 2017.

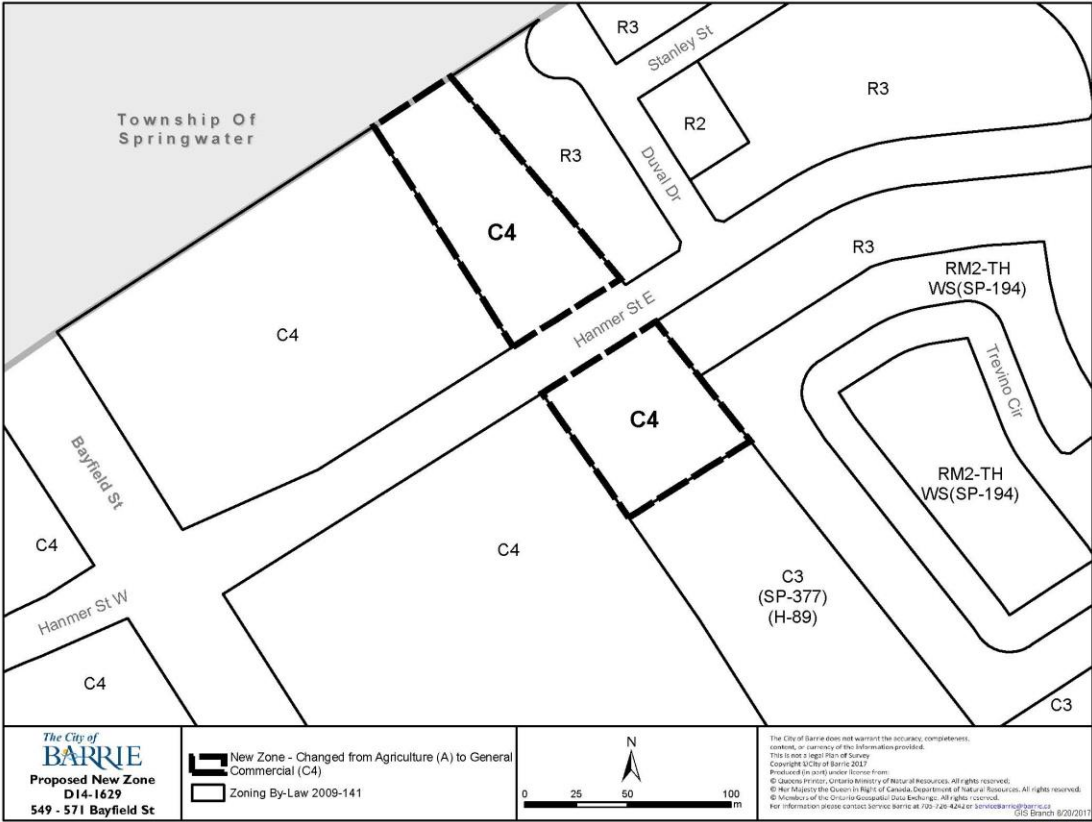
READ a third time and finally passed this 26th day of June, 2017.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

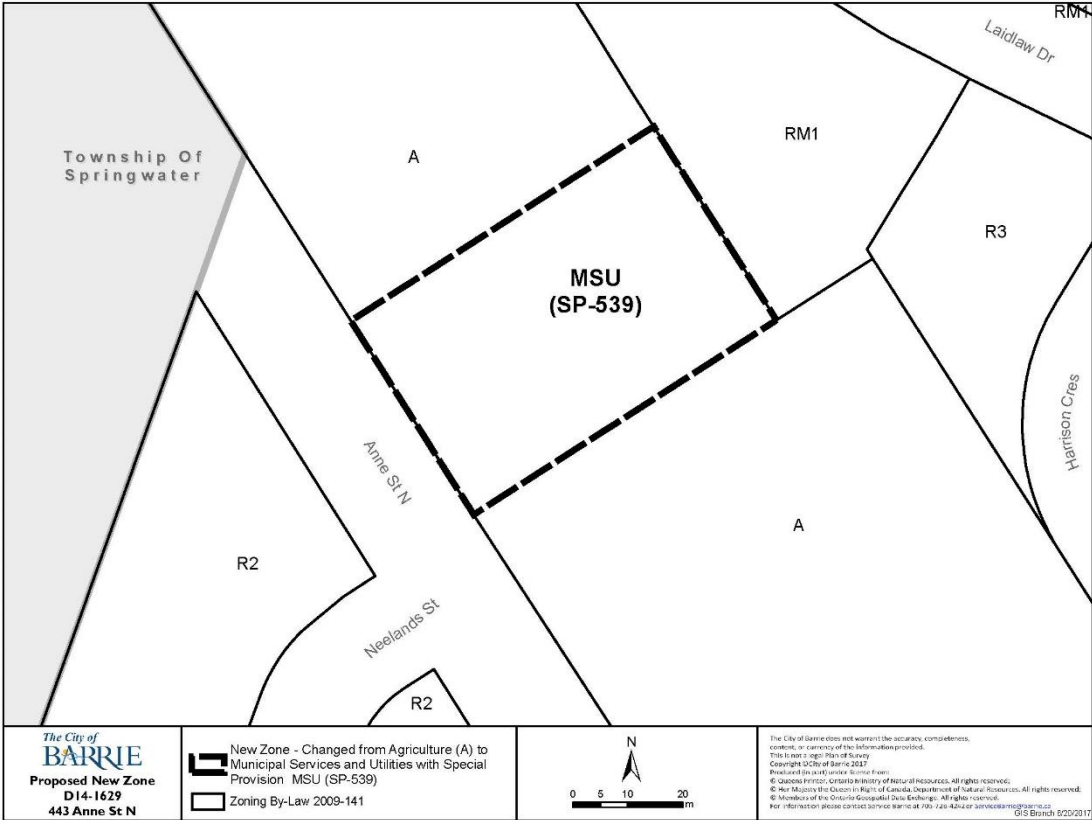
Schedule “A”



Schedule “A” to attached By-law 2017-

MAYOR – J.R. LEHMAN

CITY CLERK - DAWN A. MCALPINE



Schedule “B” to attached By-law 2017-

MAYOR – J.R. LEHMAN

CITY CLERK - DAWN A. MCALPINE