



Bill No. 045

**BY-LAW NUMBER 2017-**

**A By-law of The Corporation of the City of Barrie to further amend By-law 99-312, being a By-law of the Corporation of the City of Barrie to establish site plan control areas and the processing of site plans within the City of Barrie the City of Barrie.**

**WHEREAS** Section 41(2) of *the Planning Act RSO 1990 c.P.13*, provides that where an Official Plan is in effect in a municipality, the Council of municipality may by-by-law designate the whole or any part of the area covered by the Official Plan as a site plan control area.

**AND WHEREAS** the Council of The Corporation of the City of Barrie enacted By-law 99-312, being a by-law of the Corporation of the City of Barrie to establish site plan control areas and the processing of site plans within the City of Barrie on the 13<sup>th</sup> day of December 1999.

**AND WHEREAS** the boundary of the City of Barrie was expanded on January 1, 2010, and there is an Official Plan and Secondary Plans in effect establishing the whole of the City of Barrie based on boundaries effective 2010, as a site plan control area;

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 17-G-114 authorizing the passing of a By-law to further amend By-law 99-312 to include the Salem and Hewitt's Secondary Plans as additional areas of site plan control.

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

1. **THAT** in accordance with Subsection 3(2) of the *Barrie-Innisfil Boundary Adjustment Act 2009*, S.O. 2009 c. 29, By-law 072-07 being a by-law in effect to designate certain lands within the Town of Innisfil as a Site Plan Control area, be repealed insofar as it applies to lands within the Salem and Hewitt's areas identified as "Annexation Lands" Schedule "1-A", attached to this by-law.
2. **THAT** all references in By-law 99-312 to the "Director of Planning Services" be replaced with the words "Director of Planning and Building Services"
3. **THAT** reference to "By-law 85-95" in the fourth paragraph of the by-law beginning with the words WHEREAS, be replaced with the words By-law 2009-141 as amended from time to time"
4. **THAT** section 1, be amended by addition a new section 1.1 after paragraph 1 as follows:
  - 1.1 That all multi-unit medium and high density residential development on a lot or block consisting of more than 20 units in a building; group of buildings; or buildings of four storeys or more or any retrofit apartment buildings, or non-residential development which occurs on:
    - a) a lot or block upon which site plan approval has been required under a subdivision or other development agreement;
    - b) a lot upon which site plan approval has been required as a condition of a decision of the Committee of Adjustment with respect to a minor variance under the *Planning Act*;
    - c) a lot created by a decision of the Committee of Adjustment with respect to a consent granted under the *Planning Act* including the lot remaining as a result of such a decision;
    - d) development utilizing strata parking and/or park arrangements, and/or Planning Act Section 37 density bonus provisions; and,
    - e) where a public/private partnership funding for community infrastructure is proposed;

5. **THAT** a new section 10 be inserted after section 9, and subsequent sections 10 through 14 be renumbered 11 through 15, and the new section 10 shall reads as follows:
10. That all lands within the Salem and Hewitt's Community as identified as "Annexation Lands" on Schedule "1-A" attached to this by-law be designated an area subject to Site Plan control.
- 10.1 That in addition to the applicable lands and classes of buildings identified in sections 1 through 10 of this by-law, the following lands and classes of buildings identified as "Annexation Lands" on Schedule "1-A" shall be subject to Site Plan control.
- a) All multi-unit medium and high density residential development in buildings or on a lot or block consisting of 20 residential units or more, or in a building of four storeys or more, within lands zoned Neighborhood Residential zone R5, Neighbourhood Residential Multi unit zone RM3 and Neighbourhood Mixed Use zone NMU within the Salem and Hewitt's Secondary Plans area.
  - b) All non-residential development within a residential zone or neighbourhood mixed use zone.
  - c) Industrial, Commercial, or Institutional uses, including but not limited to schools; places of worship; retirement homes; hotel or convention centre; or place of assembly.
  - d) Recreational facilities, sports fields or courts and golf courses.
  - e) Parking, structured parking or below ground parking or any combination thereof.
  - f) Lands developed for public utilities or services such as buildings for fire stations, emergency services, and recreation facilities.
  - g) All non-agricultural uses, other than low density residential uses in lands zoned Agricultural or Rural under the former Innisfil zoning by-law 054-04
6. **THAT** section 10 be renumbered and amended by:
- a) replacing the words "Director of Planning Services, Manager of Development Control and the Manager of Policy Planning" with the words "Director of Planning and Building Services or their designate"
  - b) by renumbering paragraph 10 paragraph 11 and adding sub paragraph 11(b) after 11 (a), so renumbered, so that the section reads as follows:
11. That approval of site plans with respect to site plan applications for buildings or structures not exceeding 5000 square meters, which comply with the development standard of the Corporation of the City of Barrie, be delegated to the Director of Planning and Building Services or their designate.
- (a) In addition to the provisions of section 10 herein, the approval of site plans with respect to site plan applications for buildings or structures located on property being part of Blocks A and C and part of Caplan Avenue and Reid Drive all according to Registered Plan 51M-495 as shown on Schedule "P" which is attached hereto and forms part of this by-law be delegated to the Director of Planning and Building Services or their designate.
  - (b) Additions, expansions, and alterations to an existing development will be implemented as either an amendment to the original implementing document (i.e. Site Plan Agreement or Letter of Undertaking) or as a minor modification to an existing approval; as determined by the Director of Planning and Building Services or their designate.
7. **THAT** sections 11 and 12 be renumbered as sections 12 and 13 and amended by replacing the words "Director of Planning Services or the Manager of Development Planning" with the words "Director of Planning and Building Services or their designate", so that renumbered sections 12 and 13 read as follows:
12. That the Council of the Corporation of the City of Barrie designates the Director of Planning and Building Services or their designate, Council's authority to direct Minor amendments to be made to site plan control agreements.

13. That the Mayor and Clerk are hereby authorized to execute any agreement pursuant to a site plan application approved by the Director of Planning and Building Services or their designate in accordance with paragraph 11 above.

8. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this 5th day of June, 2017.

**READ** a third time and finally passed this 5th 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 "1-A"

