



APPENDIX "A"

Order

With Respect to the City of Barrie. CIHA Order 001-2023
Subsection 34.1 (9) of the Planning Act

1. I hereby order pursuant to clause 34.1 (9) (a) of the *Planning Act*, further to a request from the Council of the City of Barrie set out in a resolution dated September 27, 2023, that:
 - a. The zoning requirements attached as Appendix "A" apply to the lands, in the City of Barrie, set out in Appendix "B".
 - b. Appendices "A" and "B" attached to this Order, form part of this Order.
2. This Order comes into force on the day this Order is made.

Made by:

Signature
Minister of Municipal Affairs and Housing

Date made: _____

APPENDIX "A" TO CIHA ORDER NO. 001-2023

With Respect to the City of Barrie
Subsection 34.1 (9) of the Planning Act

Definitions

1. In this Order,

"Long-Term Care Home" means a long-term care home within the meaning of the *Fixing Long-Term Care Act, 2021*.

"Retirement Home" means a retirement home within the meaning of the *Retirement Homes Act, 2010*;

"Zoning By-law" means Zoning By-law 2009-141 of the City of Barrie.

Application

2. (1) This Order only applies to lands in the City of Barrie, in the Province of Ontario, being described as Part 1 of Reference Plan 51R-44107, and identified as the lands shown on the map attached to this Order as Appendix B.

(2) Despite any future severance, partition or division of the lands described in subsection (1), this Order shall continue to apply to the lands as if no severance, partition or division occurred.

General Commercial Zone (C4)(SP-348)

3. The Zoning By-law Map be amended to change the zoning from the General Commercial - Special Provision (C4)(SP-348) to the General Commercial with Special Provisions (C4)(SP-XXX); as shown in Appendix "B" to reflect the land use permissions under this Order.

Permitted uses

4. In addition to the uses permitted by the zoning by-law, the following uses are permitted on the lands described in section 2(1) of this Order:
 1. An apartment building.
 2. An assisted living facility.
 3. A long-term care home.
 4. A park.
 5. A retirement home.

Permitted accessory uses – long-term care home, etc.

5. (1) The following accessory uses are permitted in a long-term care home, a retirement home or an assisted living facility located on the lands described in section 2 (1) of this Order:
 1. Assembly hall.
 2. Child care centre.
 3. Custom workshop.
 4. Dry cleaning establishment.
 5. Facility for the grooming and training of domesticated animals.
 6. Facility that provides day programs and care services for adults.
 7. Financial institution.
 8. Fitness or health club.
 9. Home occupation.
 10. Library.
 11. Living classroom and laboratory.
 12. Local convenience retail establishment.
 13. Pharmacy that does not exceed a maximum gross leasable floor area of 140 square metres.
 14. Offices, including medical offices.
 15. Parking structure underground.
 16. Personal service store.

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17. Place of worship.
 18. Rehabilitation centre.
 19. Research and development facility.
 20. Restaurant that does not contain a night club or drive-through facility.
 21. Senior citizen community and resource centre.
 22. Service store.
 23. Studio.

(2) The accessory uses listed in subsection (1) are permitted only if the primary means of access is through the main entrance of the long-term care home, retirement home or assisted living centre, as applicable.

(3) In this section:

“living classroom and laboratory” means a facility that provides an on-site learning program that integrates theoretical and practical education and training for health-care workers in the gerontological field;

“rehabilitation centre” means an institution or facility, other than a hospital, that provides physiotherapy, occupational therapy and other rehabilitative treatment of dysfunction or disability, including emergency assessment and treatment;

“senior citizen community and resource centre” means a multi-purpose facility, or part of that facility, that offers a variety of recreational, cultural, community service, informational or instructional programs to senior citizens;

“studio” means a building or part a building that is used for portrait and commercial photography, painting, sculpting, or other forms of art and craft making, but that is not used for the sale of art, craft or photography products or equipment.

Same – apartment building

6. (1) The following accessory uses are permitted in or on lands adjacent to or associated with an apartment building located on the lands described in section 2:
 1. Indoor amenity area for a pool, fitness centre, meeting room or other indoor amenities.
 2. Outdoor amenity area for a pool or other outdoor amenities.
 3. Marketing, administrative and property management office for the apartment building and for any long-term care home, retirement home or assisted living facility located on the lands described in section 2(1).

(2) The accessory uses described in paragraphs 1 and 2 of subsection (1) will also be made available to occupants of a long-term care home, a retirement home or an assisted living facility located on the lands described in section 2(1). For clarity, the accessory uses described in paragraphs 1 and 2 of subsection (1) will not be available to the general public.

Zoning requirements

7. (1) The zoning requirements for the uses permitted under section 4 and the accessory uses permitted under subsections 5(1) and 6(1) are the zoning requirements set out in the zoning by-law, with the following exceptions:
 1. The maximum number of beds in a long-term care home is 192.
 2. The combined maximum number of suites in any assisted living facility and any retirement home is 485.
 3. The combined maximum number of dwelling units in any assisted living facility and any retirement home is 120.
 4. The maximum number of dwelling units in an apartment building is 360.
 5. The minimum front yard setback is two metres.
 6. There is no maximum front yard setback.
 7. The minimum exterior side yard setback is 0 metres.
 8. There is no maximum exterior side yard setback.
 9. The minimum interior side yard setback is seven metres.
 10. The minimum rear yard setback is 0 metres.
 11. The minimum setback to the property line for any underground structure is 0 metres.
 12. The minimum number of parking spaces for a long-term care home is 0.5 parking spaces for each bed in the long-term care home.
 13. The minimum number of parking spaces for a retirement home is 0.5 parking spaces for each suite in the retirement home and one parking space for each dwelling unit in the retirement home.
 14. The minimum number of parking spaces for an apartment building is one parking space for each dwelling unit in the apartment building.
 15. Tandem parking is permitted for the purpose of satisfying the minimum parking requirements in paragraphs 12 to 14.
 16. Parking spaces are not required for the accessory uses described in subsections 5 (1) or 6 (1).
 17. The maximum height of a long-term care home is six storeys.
 18. The maximum height of a retirement home or an assisted living facility is 12 storeys.
 19. The maximum height of an apartment building is 26 storeys.
 20. No minimum step-backs or angular plane requirements apply.
 21. Section 6.3.4.3 of the zoning by-law does not apply.
 22. Country Lane shall be considered the front lot line for the lands described in subsection 2 (1).
- (2) In this section, “suite” means a unit in a building designed to be lived in by one or more persons but that does not contain a full kitchen.

Terms of use

8. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.
 - (2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.
 - (3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.
 - (4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

9. This Order is deemed for all purposes, except for the purposes of section 24 of the Act, to be a by-law passed by the council of the City of Barrie.

Commencement

10. This Regulation comes into force on the day it is filed.

APPENDIX "B" TO CIHA ORDER NO. 001-2023

