



Bill No. 069

**BY-LAW NUMBER 2019-**

**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 By-law 2009-141 to rezone lands known municipally as 180, 224, and 228 McKay Road West and as shown on Schedule "A" to this By-law, from Agricultural General (AG) and Rural Residential (RR) to Neighbourhood Residential (R5), Neighbourhood Residential with Holding Provision (R5 [H-141]), Neighbourhood Residential with Holding Provision (R5 [H-142]), Neighbourhood Mixed Use (NMU), Neighbourhood Mixed Use (NMU[SP-572]), Neighbourhood Mixed Use (NMU[SP-573]), Institutional-Education with Special Provisions (I-E [SP-574]), and Open Space (OS) be approved.

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 19-G-177.

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

1. **THAT** the zoning map be amended to change the zoning from Agricultural General (AG) and Rural Residential (RR) to Neighbourhood Residential (R5), Neighbourhood Residential with Holding Provision (R5 [H-141]), Neighbourhood Residential with Holding Provision (R5 [H-142]), Neighbourhood Mixed Use (NMU), Neighbourhood Mixed Use (NMU[SP-572]), Neighbourhood Mixed Use (NMU[SP-573]), Institutional-Education with Special Provisions (I-E [SP-574]), and Open Space (OS) pursuant to Zoning By-law 2009-141, in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** the following Special Provision (SP) be referenced in the implementing Zoning By-law 2009-141 for the subject lands proposed to be zoned Neighbourhood Mixed Use (NMU[SP-572]):
  - i. Notwithstanding the standards in Section 14.6.2, street townhouses shall be in accordance with the Residential Neighbourhood (R5) standards in Section 14.5.6.
  - ii. Notwithstanding Section 14.5.6, the minimum height of a street townhouse shall be 3 storeys.
3. **THAT** the following Special Provision (SP) be referenced in the implementing Zoning By-law 2009-141 for the subject lands proposed to be zoned Neighbourhood Mixed Use (NMU[SP-573]):
  - i. Notwithstanding the standards in Section 14.6.2, street townhouses shall be in accordance with the Residential Neighbourhood (R5) standards in Section 14.5.6.
  - ii. Notwithstanding Section 14.5.6, the minimum height of a street townhouse shall be 2 storeys.
4. **THAT** the following Special Provisions (SP) be referenced in the implementing Zoning By-law 2009-141 for the subject lands proposed to be zoned Institutional-Education (I-E [SP-574]):
  - i. Neighbourhood Residential (R5) zone permitted uses and development standards as established in Sections 14.5.2 and 14.5.6 of Zoning By-law 2009-141 be permitted.
  - ii. The provisions of section 8.3.5.2 Landscaped Open Space as amended, shall not apply.

5. **THAT** the (H-141) symbol that appears on Schedule “A” attached hereto identifies a Holding Zone pursuant to Section 36 of the *Planning Act*, R.S.O. 1990, c. P.13. This indicates that the lands so zoned cannot be used for a purpose permitted by Neighbourhood Residential (R5) until the (H-141) symbol is lifted pursuant to section 36 of the *Planning Act*. The (H-141) provision shall be lifted by the Corporation of the City of Barrie upon completion of the following matters to the satisfaction of the Corporation of the City of Barrie and the Nottawasaga Valley Conservation Authority:
- i. **THAT** a detailed delineation of the Regulatory Floodplain be completed to the satisfaction of Nottawasaga Valley Conservation Authority; and,
  - ii. **THAT** any capital works upgrades (i.e. temporary or permanent culvert improvements) required to support the revised Regulatory Floodplain limit be installed to the satisfaction of the Nottawasaga Valley Conservation Authority.
6. **THAT** the (H-142) symbol that appears on Schedule “A” attached hereto identifies a Holding Zone pursuant to Section 36 of the *Planning Act*, R.S.O. 1990, c. P.13. This indicates that the lands so zoned cannot be used for a purpose permitted by Neighbourhood Residential (R5) until the (H-142) symbol is lifted pursuant to section 36 of the *Planning Act*. The (H-142) provision shall be lifted by the Corporation of the City of Barrie upon completion of the following matters to the satisfaction of the Corporation of the City of Barrie:
- i. **THAT** the limits of the lots be established through the approval of the adjacent road network.
7. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above described lands generally shown on Schedule “A” to this By-law, shall apply to the said lands except as varied by this By-law.
8. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this 24<sup>th</sup> day of June, 2019.

**READ** a third time and finally passed this 24<sup>th</sup> day of June, 2019.

**THE CORPORATION OF THE CITY OF BARRIE**

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**MAYOR – J.R. LEHMAN**

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**CITY CLERK – WENDY COOKE**

