



BY-LAW NUMBER 2013-

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 Firstly: Part of Lot 15, Concession 13, designated as Part 2 on Plan 51R-20431, except Blocks 207 & 213, Plan 51M-594, being all of PIN 58910-0567 and; Secondly: Block 208, Plan 51M-594, being all of PIN 58910-0509, City of Barrie, County of Simcoe, municipally known as 650 Big Bay Point Road and 63 Kell Place respectively, from General Commercial (C4) and Single Detached Residential Dwelling (R3) to Single Detached Residential Dwelling (R4) (SP-483), Single Detached Residential Dwelling (R3) (SP-484) and Convenience Commercial (C5) (SP-485) (H-122);

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 13-G-073.

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

1. **THAT** the zoning map is amended to change the zoning of Firstly: Part of Lot 15, Concession 13, designated as Part 2 on Plan 51R-20431, except Blocks 207 & 213, Plan 51M-594, being all of PIN 58910-0567 and; Secondly: Block 208, Plan 51M-594, being all of PIN 58910-0509, City of Barrie, County of Simcoe, municipally known as 650 Big Bay Point Road and 63 Kell Place respectively, from General Commercial (C4) and Single Detached Residential Dwelling (R3) to Single Detached Residential Dwelling (R4) (SP-483), Single Detached Residential Dwelling (R3) (SP-484) and Convenience Commercial (C5) (SP-485) (H-122) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the provisions set out in Section 5.3 of By-law 2009-141, a private road shall be permitted and shall be deemed to be a street for the purposes of determining frontage and the standards required by Section 5.3 of By-law 2009-141 in the Single Detached Residential Dwelling (R4) (SP-483) and the Convenience Commercial (C5) (SP-485) (H-122) zone.

Single Detached Residential Dwelling (R4) (SP-483) zone

3. **THAT** notwithstanding the provisions set out in Section 5.3 of By-law 2009-141, a minimum frontage of 9 metres and a minimum lot area of 230 square metres shall be permitted in the Single Detached Residential Dwelling (R4) (SP-483) zone.
4. **THAT** notwithstanding the provisions set out in Section 5.3.3.2 of By-law 2009-141, a minimum side yard setback of 1.8 metres shall be permitted for the corner lots abutting the private road in the Single Detached Residential Dwelling (R4) (SP-483) zone.
5. **THAT** notwithstanding the provisions set out in Section 5 of By-law 2009-141, a maximum of 36 single detached dwelling units are permitted in the Single Detached Residential Dwelling (R4) (SP-483) zone.

Single Detached Residential Dwelling (R3) (SP-484) zone

6. **THAT** notwithstanding the provisions set out in Section 5.3 of By-law 2009-141, a minimum lot area of 370 square metres shall be permitted in the Single Detached Residential Dwelling (R3) (SP-484) zone.

Convenience Commercial (C5) (SP-485) (H-122)

7. **THAT** notwithstanding the permitted uses set out in Section 6.2.1 of By-law 2009-141, single detached residential dwelling units shall be permitted in the Convenience Commercial (C5) (SP-485) (H-122) zone.
8. **THAT** notwithstanding the provisions set out in Section 5 of By-law 2009-141, a maximum of 5 single detached dwelling units are permitted in the Convenience Commercial (C5) (SP-485) (H-122) zone.

9. **THAT** notwithstanding the provisions set out in Section 5.3 of By-law 2009-141, all single detached dwelling units in the Convenience Commercial (C5) (SP-485) (H-122) zone must front on a private road.
10. **THAT** notwithstanding the provisions set out in Section 5.3 of By-law 2009-141, a minimum frontage of 9 metres and a minimum lot area of 227 square metres for the single detached dwelling units shall be permitted in the Convenience Commercial (C5) (SP-485) (H-122) zone.
11. **THAT** notwithstanding the provisions set out in Section 5.3.3.2 of By-law 2009-141, a minimum side yard setback of 1.8 metres shall be permitted for any single detached dwelling units located on corner lots abutting the private road in the Convenience Commercial (C5) (SP-485) (H-122) zone.

Conditions for Release of Holding Symbol

12. **THAT** the (H) 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 single detached residential dwelling units until the (H) symbol is removed pursuant to Section 36 of the *Planning Act*. The (H) 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:
 - (a) The Owner has demonstrated that the lands have been offered for sale or lease for commercial use, by way of proof of listing for sale or lease with a real estate broker; and
 - (b) On or after one (1) year from the date of the signing of a contract with a real estate broker, the lands have not been sold or leased by way of a signed contract for commercial purposes.
13. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above described lands as shown in Schedule "A" to this By-law shall apply to the said lands except as varied by this By-law.
14. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

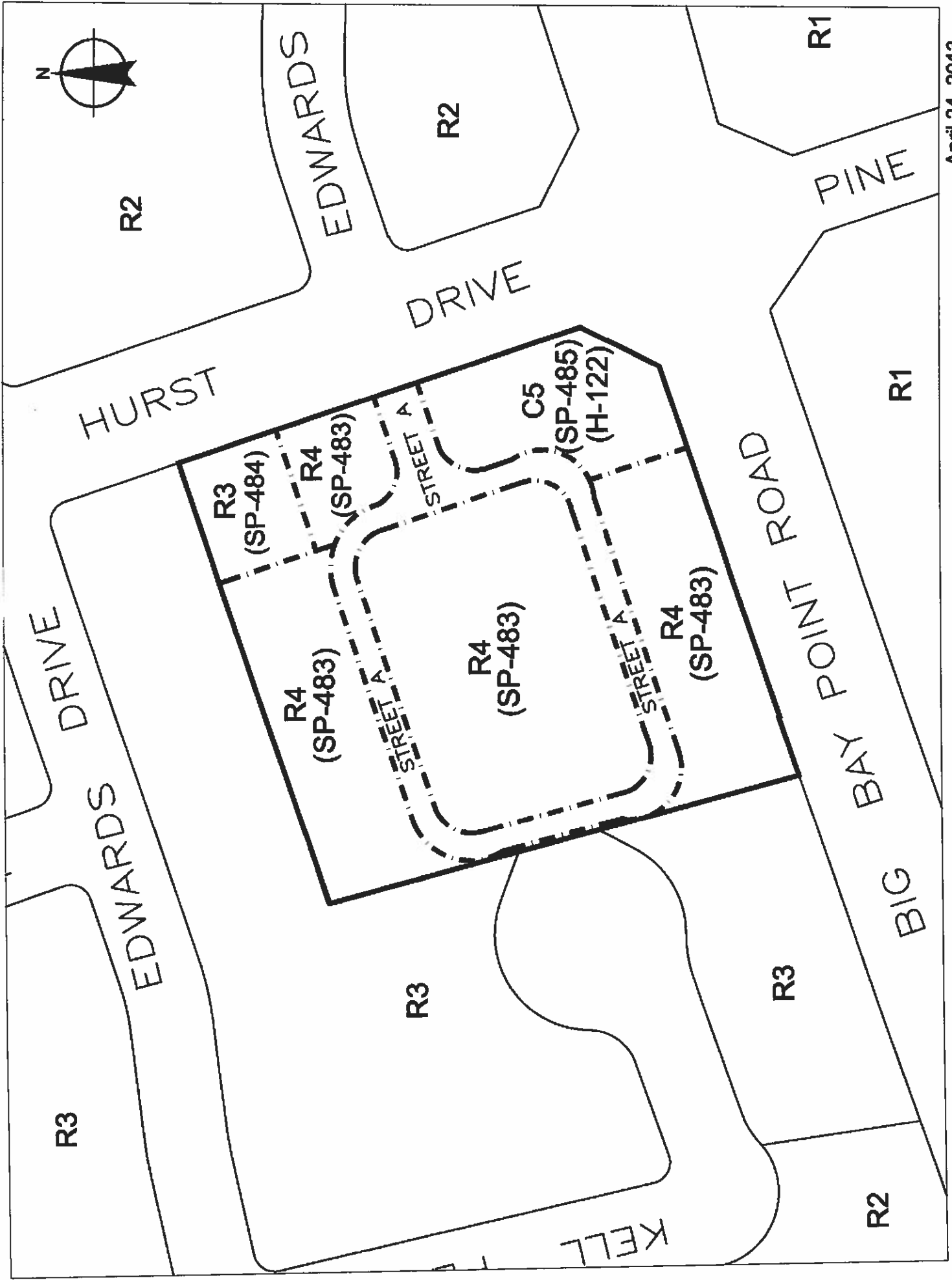
READ a first and second time this 13th day of May, 2013.

READ a third time and finally passed this 13th day of May, 2013.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE



April 24, 2013

D14-1527
650 BIG BAY POINT RD

Schedule "A" to By-law 2013 -

MAYOR - J.R. LEHMAN

CITY CLERK - DAWN A. MCALPINE