



BY-LAW NUMBER 2013-

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141 and By-law 2010-130, land use control by-laws 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 the language of the site specific Zoning By-law 2010-130 within the C4 (SP-304) zone with respect to the lands legally described as Part of Lots 7, 8 and 9, Concession 12, formerly Township of Innisfil, designated as Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 18, 19, 20 & 21 on Reference Plan 51R-37438, as described in PIN 58734-0292 (LT), municipally known as 100 Mapleview Drive East;

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 12-G-354.

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

1. **THAT** the language of the site specific Zoning By-law 2010-130 within the C4 (SP-304) zone with respect to the lands legally described as Part of Lots 7, 8 and 9, Concession 12, formerly Township of Innisfil, designated as Parts 1, 2, 3, 4, 6, 7, 8, 9, 10, 13, 14, 15, 18, 19, 20 & 21 on Reference Plan 51R-37438, as described in PIN 58734-0292 (LT), municipally known as 100 Mapleview Drive East be amended as follows:

(a) The definition of "Retail Village" at Section 3 of By-law 2010-130 which reads as follows:

"**RETAIL VILLAGE**" shall mean a grouping of buildings, designed and developed with a high quality of urban design, with a main street type of urban design, at a pedestrian scale and with pedestrian amenities. This mixed use employment area consists of retail, office, restaurant, accommodation, entertainment and service commercial uses."

shall be deleted and the following definition shall be inserted:

"**RETAIL VILLAGE**" shall mean a grouping of buildings, designed and developed with a high quality of urban design, with a main street type of urban design, at a pedestrian scale and with pedestrian amenities. This mixed use employment area consists of retail, restaurant, entertainment and service commercial uses and may contain office, medical office and/or accommodation uses."

(b) Section 4 (b), which reads as follows:

"The Retail Village shall have a minimum building footprint area of 24,840 sq. m. of ground floor area subject to the phasing provisions of this by-law."

shall be deleted and replaced as follows:

"The Retail Village shall have a minimum building footprint area of 15,700m² of ground floor area." (The Retail Village is identified on the updated Schedule "A" attached)

(c) Section 4 (c) which reads as follows:

"The maximum size of any retail store within the Retail Village shall be 1,858 sq. m. subject to the following:

(i) one or more of the following types of retail stores or parts thereof may be constructed as part of the Retail Village, and where such stores or parts of stores are located within the Retail Village, 100% of the ground floor area of the store shall be included within any calculation of ground floor area for the Retail Village where at least one public entrance is accessed from the Retail Village:

- a food store not greater than 3,716 sq. m.;
- a book store not greater than 3,252 sq. m.;
- a music store not greater than 3,252 sq. m.;
- a home furnishing store not greater than 2,787 sq. m.;
- the minimum size of any retail store within the Retail Village shall be 93 sq. m. Notwithstanding, no more than 10% of the gross floor area of the Retail Village shall be devoted to retail stores having a minimum floor area of less than 279 sq. m., excluding kiosks.

- (ii) a department store and/or cinema may be located immediately adjacent to one or more of the buildings comprising the Retail Village, but the gross floor area of a department store or cinema shall not be included within any calculation of gross floor area for the Retail Village."

shall be deleted and the following shall be inserted:

"The maximum size of any retail store within the Retail Village shall be 1,858 sq. m. subject to the following:

- (i) A maximum of four retail stores each no greater than 3252 m² in size which may include a food store no greater than 3716 m² in size, may be constructed within the Retail Village;
- (ii) The ground floor area of the store(s) described above shall only be included within any calculation of ground floor area for the Retail Village where: (a) at least one public entrance is accessible from the "central spine", or (b) they abut smaller retail stores that have their entrances accessible from the "central spine". "Central spine" means the main road bisecting the Retail Village and running north and south; and
- (iii) the minimum size of any retail store within the Retail Village shall be 93 sq. m. Notwithstanding the foregoing, no more than 15% of the gross floor area of the Retail Village shall be devoted to retail stores having a minimum floor area of less than 186 sq. m., excluding kiosks.

- (d) Section 4 (d), which reads as follows:

"The frontage of individual stores, excluding flankage sides of stores within the Retail Village shall be limited to no more than 30m."

shall be deleted and the following shall be inserted:

"The frontage of individual stores, excluding flankage sides of stores within the Retail Village shall be limited to no more than 40m."

- (e) Section 4 (g), which reads as follows:

"A minimum of 13,935 sq. m. of gross floor area shall be provided and used as office space within Stage 1 as identified in Section 9.2 of this By-law and shall include a minimum of 9,290 sq. m. of second floor office space within the Retail Village as identified on Schedule "A" attached, unless otherwise provided within the Retail Village per Section 9.2 of this By-law."

shall be deleted and the following shall be inserted:

"A minimum of 9,290 sq. m. of gross floor area shall be provided and used as office space in the lands zoned General Commercial C4 (SP-304)."

- (f) Section 4 (k), which reads as follows:

"A landscaped central courtyard feature and roundabout with a minimum diameter of 26 m. or a minimum area of 570 sq. m. shall be provided. Sitting areas, kiosk structures, fountains and an outdoor fireplace area and temporary installations may be permitted within this area."

shall be deleted and the following shall be inserted:

"A landscaped centrally located courtyard feature with a minimum area of 570 sq. m. shall be provided. Sitting areas, kiosk structures, fountains and an outdoor fireplace area and temporary installations may be permitted within this area."

(g) Section 13, which reads as follows:

"STAGING PROVISIONS

THAT notwithstanding any other provisions of this By-law, on the lands zoned General Commercial (C4) (SP-304), no building permit shall be issued unless the following requirements are met:

Phase 1: No more than 9,290 sq. m. of commercial space may be constructed outside the area identified as the Retail Village prior to the issuance of a building permit(s) for at least 9,290 sq. m. of ground floor commercial space including office and excluding non retail hotel space within the Retail Village.

Phase 2: No more than 18,580 sq. m. of commercial space may be constructed outside the Retail Village unless:

- (a) At least 9,290 sq. m. of ground floor commercial space including office and excluding non-retail hotel space have been constructed within the Retail Village; and
- (b) one or more building permits have been issued for a total of at least 18,580 sq. m. of ground floor commercial space including ground floor office and excluding non retail hotel space within the Retail Village.

Subsequent Phases: Additional commercial space may be constructed without further restrictions related to the phasing of the Retail Village following the completion of construction of at least 18,580 sq. m. and the issuance of one or more building permits for a total of at least 24,840 sq. m. of ground floor commercial space including ground floor office and excluding non-retail hotel space within the Retail Village.

No more than 60,387 sq. m. of the Stage 1 commercial space may be constructed without the construction of at least 9,290 sq. m. of office space within the Retail Village and one or more building permits have been issued for at least 4,645 sq. m. of office space within the lands zoned (C4) (SP-304)."

shall be deleted and the sections following thereafter be accordingly re-numbered (including all cross references).

(h) Section 14.2 (now 13.2) Stage 1, text appearing before sub-paragraph (a), which reads as follows:

- (i) "24,840sq. m. of ground floor commercial space including ground floor office and excluding non-retail hotel space shall be constructed within the Retail Village.

No less than 13,935 sq. m. of business and professional offices, shall be constructed within the lands zoned (C4) (SP-304) including a minimum of 9,290 sq. m. of second floor business and professional office space as part of the initial phases of development and located within the Retail Village in the buildings surrounding the main (central) roundabout as shown on Schedule "A" of this By-law. Up to 20% of the second floor office space may be used for retail, personal service or restaurant uses provided the balance of the 9,290 sq. m. of office space is constructed elsewhere in the Retail Village.

- (ii) the gross floor area of the former Molson House is excluded from the Stage 1 gross floor area calculations.

may be permitted subject to the following:"

shall be deleted and the following shall be inserted:

- (i) "15,700 sq. m. of ground floor commercial space including ground floor office and excluding non-retail hotel space shall be constructed within the Retail Village subject to the following:"

2. **THAT** the remaining provisions of By-law 2009-141 and By-law 2010-130, 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.

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

READ a first and second time this 28th day of January, 2013.

READ a third time and finally passed this 28th day of January, 2013.

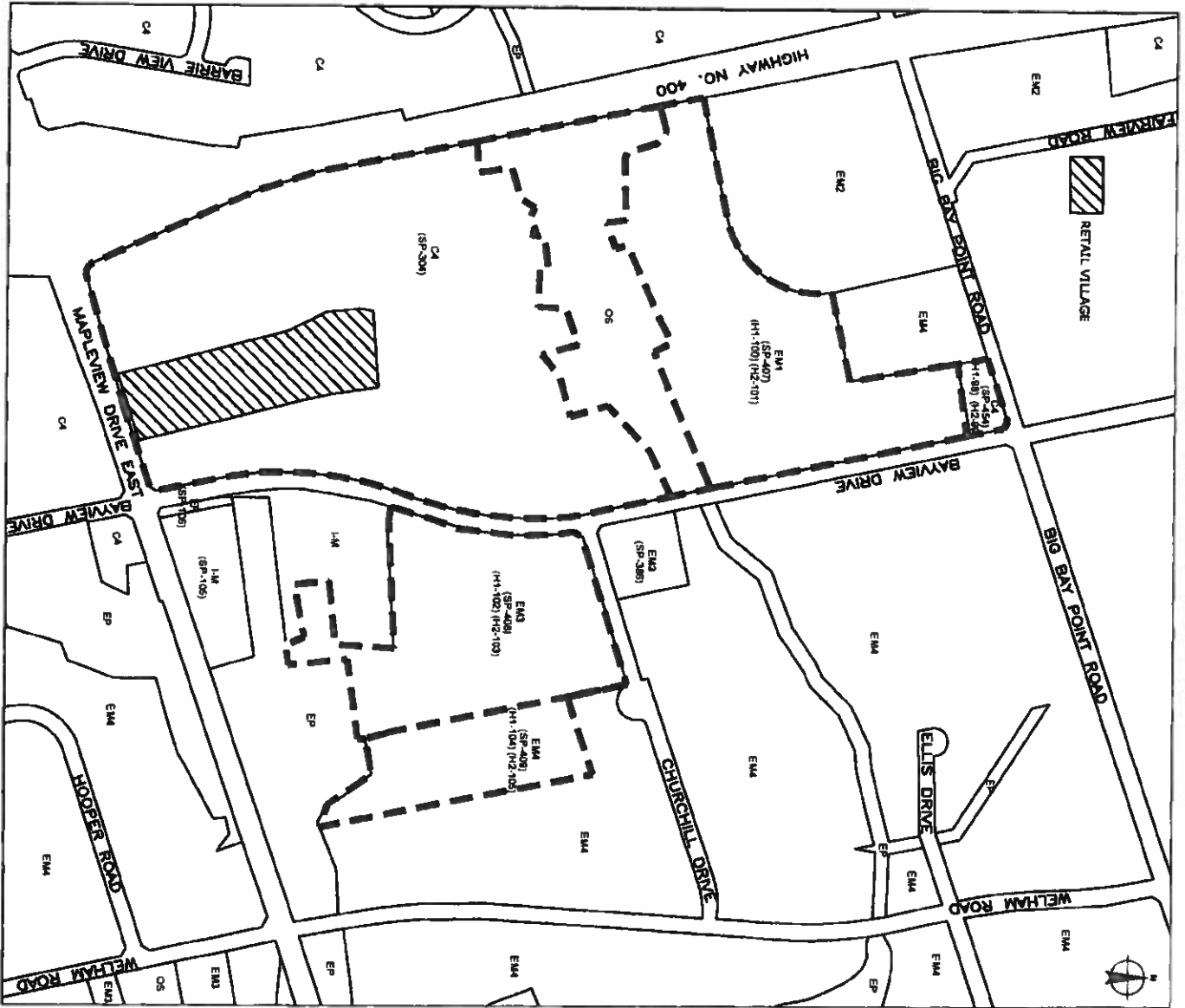
THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

D14-1542
Park Place

January 8, 2013



Schedule "A" to attached By-law

MAYOR - J.R. LEHMAN

CITY CLERK - DAWN A. MCALPINE