

Bill No. 006

BY-LAW NUMBER 2022-

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 being Part of Lots 6, 7, 8 and 9 on Registered Plan 121, known municipally as 112 and 136 Bayfield Street, 14 Sophia Street West, and 113 and 115 Maple Avenue, shown on Schedule "A" to this By-law from 'Transition Centre Commercial' (C2-1) to 'Residential Apartment Dwelling Second Density – 1, Special Provision No. 609' (RA2-1)(SP-609) and 'Residential Apartment Dwelling Second Density – 1, Special Provision No. 610' (RA2-1)(SP-610).

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 21-P-030.

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 on lands described as Part of Lots 6, 7, 8 and 9 on Registered Plan 121, known municipally as 112 and 136 Bayfield Street, 14 Sophia Street West, and 113 and 115 Maple Avenue from 'Transition Centre Commercial' (C2-1) to 'Residential Apartment Dwelling Second Density – 1, Special Provision No. 609' (RA2-1)(SP-609) and 'Residential Apartment Dwelling Second Density – 1, Special Provision No. 610' (RA2-1)(SP-610) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the obtaining of any future land division under the provisions of the Planning Act, R.S.O. 1990, C.P.13 as amended from time to time, or the registration at any time of any Condominium Declaration, a Plan of Subdivision, or conveyance with respect to any portion of said land, the land zoned RA2-1(SP-609) and RA2-1(SP-610) by this By-law shall be considered to be one lot for the purposes of zoning.
3. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum front yard setback of 2 metres is required in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
4. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum exterior (east) side yard setback of 1.5 metres is required in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
5. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum rear yard setback of 2 metres is required in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
6. **THAT** notwithstanding any provision set out in By-law 2009-141, balconies, canopies and stairs may project a maximum of 1.5 metres into a required yard in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
7. **THAT** notwithstanding the provisions set out in Section 5.3.7.2 of By-law 2009-141, a landscaped buffer strip with a minimum width of 2 metres is required along the rear (north) lot line in the 'Residential Apartment Dwelling Second Density – 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
8. **THAT** notwithstanding the provisions set out in Section 5.3.7.2 of By-law 2009-141, a landscaped buffer strip with a minimum width of 0 metres is permitted along the exterior (east) side lot line in the 'Residential Apartment Dwelling Second Density – 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.

9. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a maximum lot coverage of 70% of the lot area is permitted in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
10. **THAT** the maximum gross floor area provisions in Section 5.3.1 of By-law 2009-141 shall not apply in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
11. **THAT** notwithstanding the provisions set out in Section 4.6.1 of By-law 2009-141, a minimum of 0.80 parking spaces per residential unit is required in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
12. **THAT** notwithstanding the provisions set out in Section 4.6.2.3(b) of By-law 2009-141, a minimum of 1 parking space per 254 square metres of gross floor area is required for multiple commercial uses located on the same property in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone.
13. **THAT** notwithstanding the provisions set out in Sections 5.3.1 and 5.3.2(b) of By-law 2009-141, a maximum building height of 12 metres shall be permitted within 10 metres of the lot line adjacent to Maple Avenue in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
14. **THAT** notwithstanding the provisions set out in Sections 5.3.1 and 5.3.2(b) of By-law 2009-141, a maximum building height of 25 metres shall be permitted within 40 metres of the lot line adjacent to Maple Avenue in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
15. **THAT** notwithstanding the provisions set out in Sections 5.3.1 and 5.3.2(b) of By-law 2009-141, a maximum building height of 44 metres (12 storeys) shall be permitted beyond 40 metres of the lot line adjacent to Maple Avenue in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
16. **THAT** notwithstanding the provisions set out in Sections 5.3.1 and 5.3.2(b) of By-law 2009-141, a maximum building height of 44 metres (12 storeys) shall be permitted within 24m of Bayfield Street in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
17. **THAT** the secondary means of egress provisions set out in Section 5.3.3.2(d) of By-law 2009-141 shall not apply in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone.
18. **THAT** a minimum consolidated outdoor rooftop amenity area of 185 square metres shall be provided on the 4th story of an apartment dwelling in the in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone, in accordance with Schedule "B" attached to this By-law.
19. **THAT** notwithstanding the definitions in Section 3.0 of By-law 2009-141, a live/work unit shall be defined as a residential unit that shall utilize a minimum of 25 percent of the total gross floor area of the street level floor area of the unit for office, commercial and/or accessory retail uses in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone.
20. **THAT** notwithstanding the permitted uses identified in Section 5.2.1 of By-law 2009-141, live/work units shall be permitted in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone.
21. **THAT** permitted uses in live/work units shall be in accordance with the uses defined in Section 5.2.10 Home Occupations of By-law 2009-141, and Accessory Retail Uses shall be permitted in association with the Home Occupation uses identified in Section 5.2.10 in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone.
22. **THAT** notwithstanding the permitted uses identified in Sections 5.2.1 and 5.2.6 of By-law 2009-141, commercial uses permitted in the 'Transition Centre Commercial' (C2) Zone, as identified in Table 6.2 of By-law 2009-141, shall be permitted on the ground floor of an apartment building in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone.
23. **THAT** notwithstanding Section 5.2.6 of By-law 2009-141, commercial uses within an apartment building shall occupy a minimum of 25 percent of the gross floor area of the ground floor in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone.

24. **THAT** notwithstanding the provisions set out in Sections 5.3.1 and 5.3.2(b) of By-law 2009-141, a maximum building height of 12 metres shall be permitted in the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 610' (RA2-1)(SP-610) zone, in accordance with Schedule "B" attached to this By-law.
25. **THAT** notwithstanding the provisions set out in Section 5.2 and Section 5.2.6 of By-law 2009-141, lands zoned 'Residential Apartment Dwelling Second Density – 1, Special Provision No. 610' (RA2-1)(SP-610) zone, shall be restricted to an apartment dwelling.
26. **THAT** notwithstanding the provisions set out in sections 24 and 25 above, all other standards of the 'Residential Apartment Dwelling Second Density 1 – Special Provision No. 609' (RA2-1)(SP-609) zone shall apply to the lands zoned 'Residential Apartment Dwelling Second Density – 1, Special Provision No. 610' (RA2-1)(SP-610).
27. **THAT** the owner/applicant is required to provide community benefits as per Section 37 of the *Planning Act* and Section 6.8 Height and Density Bonusing of the City of Barrie Official Plan to the satisfaction of the Director of Development Services.
28. **THAT** for the purposes of this by-law, the provisions of the *Planning Act* respecting the moratorium for amendment of, or variance to, this bylaw shall not apply.
29. **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.
30. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this 31st day of January, 2022.

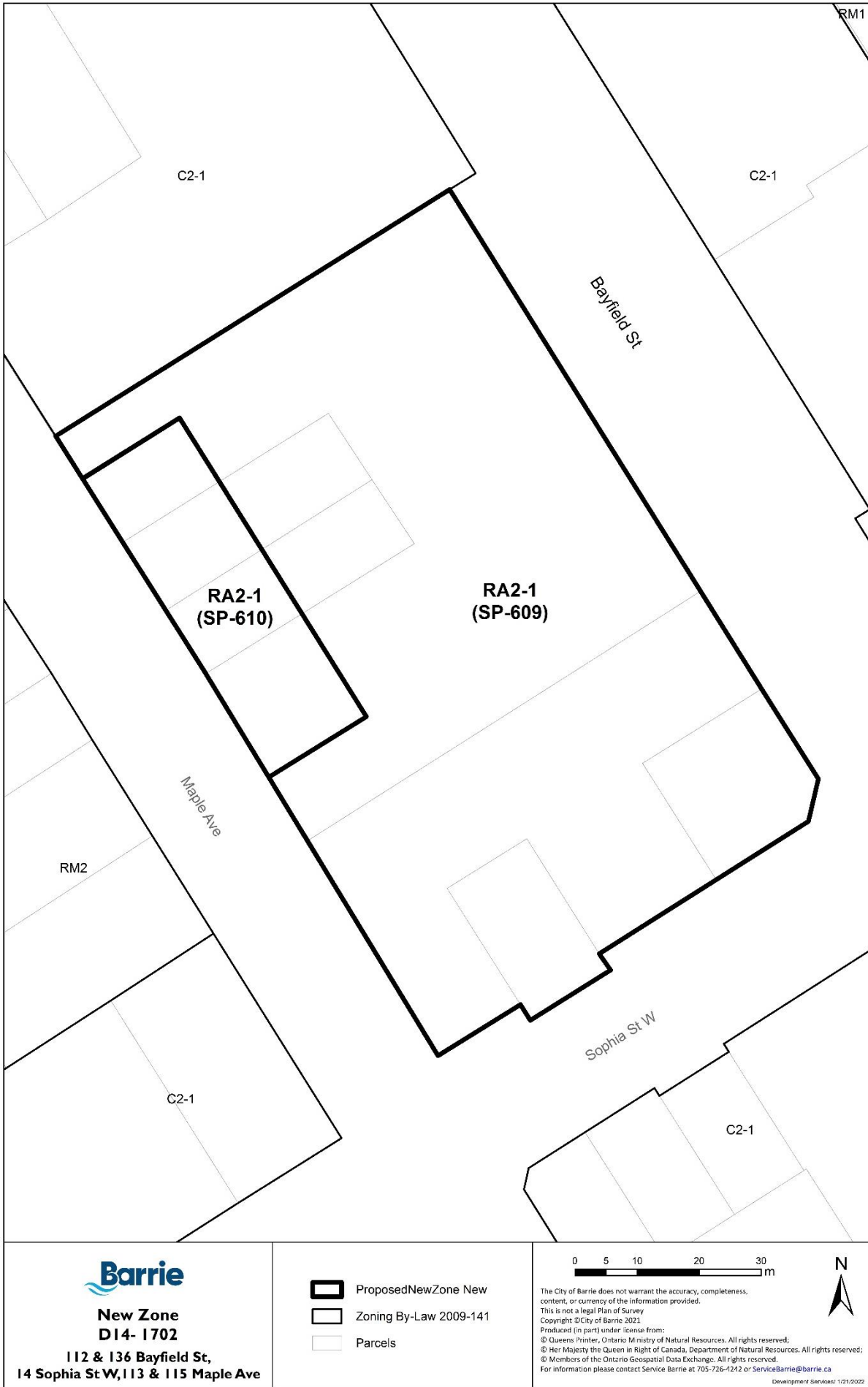
READ a third time and finally passed this 31st day of January, 2022.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

Schedule "A" to Attached By-law 2022-








MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

Schedule "B" to Attached By-law 2022-



 <p>Conceptual Site Plan and Zoning Overlay D14- 1702</p> <p>112 & 136 Bayfield St, 14 Sophia St W, 113 & 115 Maple Ave</p>	<ul style="list-style-type: none">  ProposedNewZone New  Zoning By-Law 2009-141  Parcels 	<p>0 5 10 20 30 m</p>  <p><small>The City of Barrie does not warrant the accuracy, completeness, content, or currency of the information provided. This is not a legal Plan of Survey. Copyright © City of Barrie 2021. Produced (in part) under license from: © Queens Printer, Ontario Ministry of Natural Resources. All rights reserved; © Her Majesty the Queen in Right of Canada, Department of Natural Resources. All rights reserved; © Members of the Ontario Geospatial Data Exchange. All rights reserved. For information please contact Service Barrie at 705-726-4242 or ServiceBarrie@barrie.ca</small></p> <p style="text-align: right;"><small>Development Services/ 1/21/2022</small></p>
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MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE