



Bill No. 052

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 5, 6 and 7, Plan 1200, known municipally as 108, 116 and 122 Harvie Road, shown on Schedule "A" to this By-law from Residential Single Detached Dwelling First Density (R1) to Residential Multiple Dwelling Second Density with Special Provisions, Hold (RM2)(SP-614)(H-155), Residential Multiple Dwelling Second Density with Special Provisions, Hold (RM2)(SP-615)(H-155), and Residential Single Detached Dwelling Fourth Density with Special Provisions, Hold (R4)(SP-614)(H-155).

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 22-P-022.

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 108, 116, 122 Harvie Road, shown on Schedule "A" to this By-law from Residential Single Detached Dwelling First Density (R1) to Residential Multiple Dwelling Second Density with Special Provisions, Hold (RM2)(SP-614)(H-155), Residential Multiple Dwelling Second Density with Special Provisions, Hold (RM2)(SP-615)(H-155), and Residential Single Detached Dwelling Fourth Density with Special Provisions, Hold (R4)(SP-614)(H-155), in accordance with Schedule "A" attached to this By-law.
2. **THAT** the following Special Provisions be referenced in the implementing Zoning By-law for the proposed Residential Multiple Dwelling Second Density, Hold (RM2)(SP-614)(H-155) zone associated with Block '13' of the subject lands, in accordance with Schedule "A" attached to this By-law:
 - a) That notwithstanding the provisions of Table 5.3, a minimum exterior side yard setback of 2.0 metres to the daylighting triangle shall be permitted.
 - b) That notwithstanding the provisions of Table 5.3, a minimum front yard setback of 5.0 metres to Beacon Road shall be permitted.
 - c) That notwithstanding the provisions of Table 5.3, the gross floor area maximum as percent of lot area shall not apply.
 - d) That notwithstanding Section 5.3.3.2, an exterior side yard setback of 1.8 metres to Street 'A' shall be permitted.
 - e) That notwithstanding Table 5.3 and Section 5.3.3.2 (d), a rear yard setback and secondary means of access of 5.0 metres shall be permitted.
 - f) That notwithstanding Section 5.2.5.2 b), an amenity area in an unconsolidated format shall be permitted.
 - g) That notwithstanding Table 4.6, tandem parking shall be permitted for a townhouse unit.
 - h) That notwithstanding Section 5.2.5.2 d), a driveway length of 5.5 metres shall be permitted for a townhouse unit.
 - i) That notwithstanding Table 5.3, a maximum lot coverage of 60% shall be permitted.
 - j) That notwithstanding Section 5.2.5.1 c) a maximum density of 75 units per hectare shall be permitted.
 - k) That notwithstanding any severance, partition, or division of lands shown on Schedule "A", the provisions of this By-law shall apply to the whole of the lot as if no severance, partition, or division had occurred.

3. **THAT** the following Special Provisions be referenced in the implementing Zoning By-law for the proposed Residential Multiple Dwelling Second Density, Hold (RM2)(SP-615)(H-155) zone associated with Block '14' of the subject lands, in accordance with Schedule "A" attached to this By-law:
- a) That notwithstanding Table 5.3, a front yard setback of 1.8 metres shall be permitted.
 - b) That notwithstanding Section 5.3.3.2. d), a secondary means of access of 5.0 metres shall be permitted.
 - c) That notwithstanding Section 5.2.5.2 d), a minimum driveway length of 5.5 metres shall be permitted for a townhouse unit.
 - d) That notwithstanding Table 4.6, tandem parking shall be permitted for a townhouse unit.
 - e) That notwithstanding Table 5.3, a maximum lot coverage of 60% shall be permitted.
 - f) That notwithstanding the provisions of Table 5.3, the gross floor area maximum as percent of lot area shall not apply.
 - g) That notwithstanding Section 5.2.5.1 a) a maximum density of 50 units per hectare shall be permitted.
 - h) That notwithstanding any severance, partition, or division of lands shown on Schedule "A", the provisions of this By-law shall apply to the whole of the lot as if no severance, partition, or division had occurred.
4. **THAT** the following Special Provisions be referenced in the implementing Zoning By-law for the proposed Residential Single Detached Dwelling Fourth Density (R4)(SP-614) (H-155) zone associated with the subject lands, in accordance with Schedule "A" attached to this By-law:
- a) That notwithstanding Table 5.3, a minimum lot area of 195 metres squared shall be permitted.
 - b) That notwithstanding Table 5.3, a minimum lot frontage of 9.0 metres shall be permitted.
 - c) That notwithstanding Table 5.3, a minimum exterior side yard setback of 2.6 metres shall be permitted.
 - d) That notwithstanding Table 5.3, a minimum rear yard setback of 5.0 metres shall be permitted.
 - f) That notwithstanding Table 5.3, a minimum front yard setback to dwelling unit of 3.0 metres shall be permitted.
 - e) That notwithstanding Table 5.3, a front yard setback to an attached garage of 5.5 metres shall be permitted for Lot 1, Lot 2, Lot 3, Lot 4, Lot 5, and Lot 6.
 - f) That notwithstanding Table 5.3, an overall maximum Lot Coverage of 60% is permitted.
5. **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 a purpose permitted by the Residential Multiple Dwelling Second Density – Special Provision, Hold (RM2)(SP-614)(H-155), Residential Multiple Dwelling Second Density with Special Provisions, Hold (RM2)(SP-615)(H-155), and Residential Single Detached Dwelling Fourth Density with Special Provisions, Hold (R4)(SP-614)(H-155) zone 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 Lake Simcoe Region Conservation Authority and the Corporation of the City of Barrie:
- a. The completion of an updated and scoped Environmental Impact Study as it relates to natural heritage information, including significant wildlife habitat and habitat of endangered species.
6. **THAT** for the purposes of this by-law, provisions of the *Planning Act* respecting the moratorium for amendment of, or variance to, this by-law shall not apply.
7. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above-described lands shown in 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 6th day of June, 2022.

READ a third time and finally passed this 6th day of June, 2022.

THE CORPORATION OF THE CITY OF BARRIE

DEPUTY MAYOR – B. WARD

DEPUTY CITY CLERK – MEGAN WILLIAMS

SCHEDULE “A” ATTACHED TO BY-LAW 2022-



DEPUTY MAYOR – B. WARD

DEPUTY CITY CLERK – MEGAN WILLIAMS