

Bill No. 051

BY-LAW NUMBER 2024 -

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 described as: Part of Block 132 on Plan 51M-672; City of Barrie, County of Simcoe, known municipally as: 48 Dean Avenue and as shown on Schedule "A" to this By-law, from 'Shopping Centre Commercial with Special Provisions' (C3)(SP-161) to 'Residential Apartment Dwelling, Second Density-1 with Special Provisions and Hold' (RA2-1)(SP-658)(H-164); and,

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 24-G-081.

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 'Shopping Centre Commercial with Special Provisions' (C3) (SP-161) to 'Residential Apartment Dwelling, Second Density-1 with Special Provisions and Hold' (RA2-1) (SP-658) (H-164)' in Comprehensive 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 provision of a Privately Owned Public Space (POPS) be provided and located within the front yard setback.
3. **THAT** notwithstanding the provisions set out Section 5.3.1 and 5.3.2 of Comprehensive Zoning By-law 2009-141, the maximum building heights within the 'Residential Apartment Dwelling, Second Density-1 with Special Provisions' (RA2-1) (SP-658) (H-164)' zone shall be 36m, contained within a 45-degree angular plane, as applied from the centreline of the Dean Avenue Right-of-Way.
4. **THAT** notwithstanding the provisions set out in Section 5.3.1 of Comprehensive Zoning By-law 2009-141, the minimum side yard setback permitted in the 'Residential Apartment Dwelling, Second Density-1 with Special Provisions' (RA2-1) (SP-658) (H-164)' zone shall be 3 metres.
5. **THAT** notwithstanding the provisions set out in Section 5.3.1 of Comprehensive Zoning By-law 2009-141, the minimum rear yard setback permitted in the 'Residential Apartment Dwelling, Second Density-1 with Special Provisions' (RA2-1) (SP-658) (H-164)' zone shall be 3 metres.
6. **THAT** notwithstanding provisions set out in Section 5.3.1 of Comprehensive Zoning By-law 2009-141, the minimum front yard setback permitted shall be 9 metres and the maximum front yard setback shall be 19 metres in the 'Residential Apartment Dwelling, Second Density-1 with Special Provisions' (RA2-1) (SP-658) (H-164)' zone.
7. **THAT** notwithstanding the provisions set out Section 5.3.1 of Comprehensive Zoning By-law 2009-141, a minimum gross floor area of 209% of the lot area shall be permitted in the within the 'Residential Apartment Dwelling, Second Density-1 with Special Provisions and Hold' (RA2-1) (SP-658) (H-164)' zone.
8. **THAT** notwithstanding the provisions set out Section 5.3.1 of Comprehensive Zoning By-law 2009-141, the maximum lot coverage within the 'Residential Apartment Dwelling, Second Density-1 with Special Provisions and Hold' (RA2-1) (SP-658) (H-164)' zone shall be 57%.
9. **THAT** notwithstanding the provisions set out in Table 4.6 – Parking of Comprehensive Zoning By-law 2009-141, the minimum required parking standards shall be 0.80 parking spaces per dwelling unit and the maximum parking provision shall be 1.55 parking spaces per dwelling unit in the 'Residential Apartment Dwelling, Second Density-1 with Special Provisions and Hold' (RA2-1) (SP-658) (H-164)' zone.

10. **THAT** a holding provision be placed on the subject lands, to be removed when the below policies and technical requirements have been addressed to the satisfaction of the Executive Director of Development Services:
- a. Section 6.4.2 e) iii) and iv) of the Official Plan [Affordable Housing].
 - b. The development, execution, and implementation of a design process, including opportunity for community input, identifying appropriate size, location and layout, and design treatment of a Privately Owned Public Space (POPS) located within the front yard setback.
 - c. Demonstration of due diligence and best efforts to create (a) shared access(es) with adjacent property owners.
11. **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 Bylaw, shall apply to the said lands except as varied by this By-law.
12. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this 1st day of May 2024.

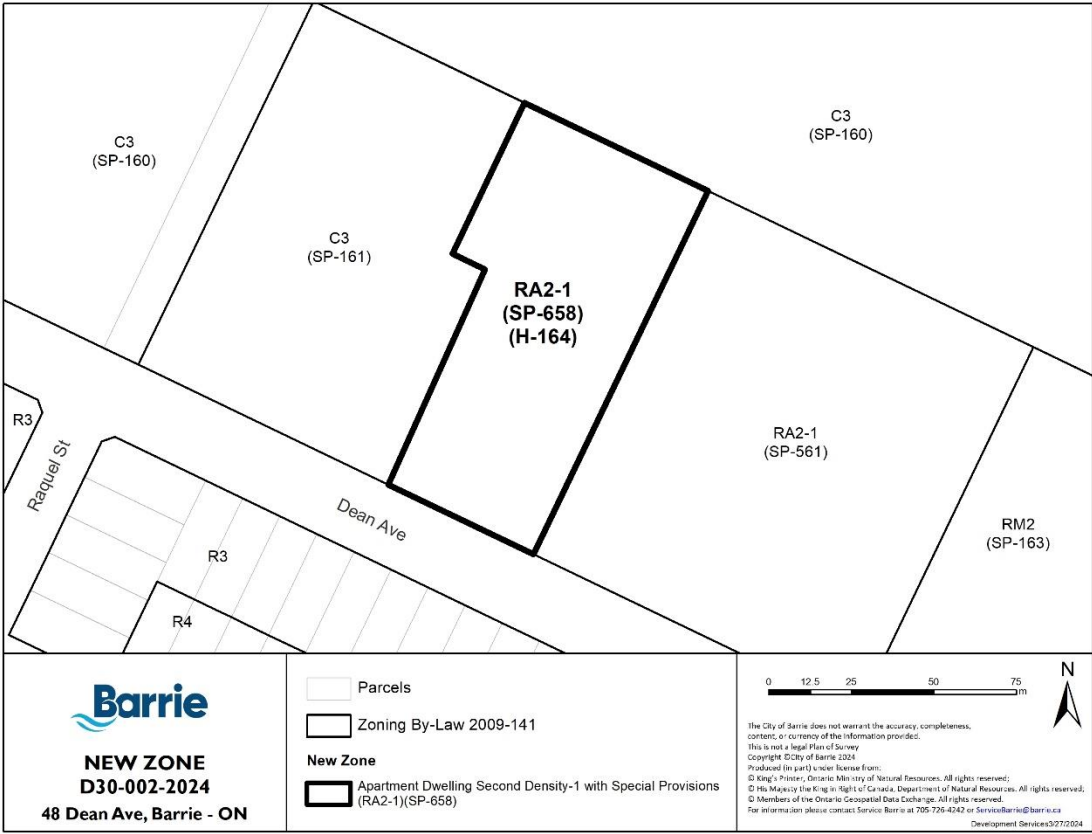
READ a third time and finally passed this 1st day of May 2024.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – ALEX NUTTALL

CITY CLERK – WENDY COOKE

Schedule “A” to attached By-law 2024 -



MAYOR – ALEX NUTTALL

CITY CLERK – WENDY COOKE