



BY-LAW NUMBER 2015-

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;

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motions 15-G-055 and 15-G-171 as amended by Resolution 15-A-098;

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts that the City of Barrie Comprehensive Zoning By-law 2009-141 be amended as follows:

1. **THAT** the Zoning By-law be amended by adding Section 5.4 Mixed Use, as follows:

5.4 MIXED USE

5.4.1 MIXED USE GENERAL PROVISIONS

5.4.1.1 No person shall hereafter use any lands, nor erect, alter, enlarge or use any buildings or structures in any Mixed Use Zone except in accordance with the provisions of Section 5.4 and Section 4.0 of this By-law.

5.4.2 MIXED USE PERMITTED USES

5.4.2.1 The permitted uses in any Mixed Use Zone are listed in Table 5.4.1.

Table 5.4.1		
Uses	Zones	
	Mixed Use Node (MU1)	Mixed Use Corridor (MU2)
Residential Uses		
<i>Walk-up Apartment</i>	X	X
<i>Apartment Dwelling</i>	X	X
<i>Dwelling Unit(s) in conjunction with permitted commercial uses</i>	X	X
<i>Block/Cluster/Stacked Townhouse</i>	X	X
<i>Group Home</i>	X	X
Accessory Uses		
<i>Home Occupation ⁽¹⁾</i>	X	X
Commercial Uses		
<i>Bake Shop</i>	X	X
<i>Bank</i>	X	X
<i>Building Supply Centre</i>	X	X
<i>Bus Terminal</i>	X	X
<i>Bus Transfer Station</i>	X	X
<i>Conference Centre</i>	X	X
<i>Custom Workshop</i>	X	X
<i>Entertainment Establishment</i>	X	X
<i>Fitness or Health Club</i>	X	X
<i>Fitness or Health Club, Local</i>	X	X
<i>Florist</i>	X	X
<i>Funeral Establishment</i>	X	X
<i>Hotel, Motel</i>	X	X
<i>Laundry or Dry Cleaning Depot</i>	X	X
<i>Local Convenience Retail</i>	X	X
<i>Nursery or Garden Supply Centre</i>	X	X
<i>Office, Business or Professional</i>	X	X

Office, Medical	X	X
Outdoor Display and Sales Area	X	X
Parking Lot	X	X
Personal Service Store	X	X
Photography Studio	X	X
Private Club	X	X
Recreational Establishment	X	X
Rental Store	X	X
Restaurant	X	X
Retail Store	X	X
Service Store	X	X
Shopping Centre	X	X
Theatre	X	X
Trade Centre	X	X
Veterinary Clinic	X	X
Institutional		
Arena	X	X
Art Gallery	X	X
Assembly Hall	X	X
City Hall	X	X
Commercial School	X	X
Community Centre	X	X
Court House	X	X
Crisis Care Facility ⁽²⁾	X	X
Day Nursery	X	X
Library	X	X
Museum	X	X
Nursing Home	X	X
Place of Worship	X	X
Religious Institution	X	X
Rest Home	X	X
Retirement Home	X	X
Senior Citizens Home	X	X
Training and Rehabilitation Centre	X	X

(1) – See 5.4.2.5
(2) – See 5.4.2.6

5.4.2.3 Residential Uses

- a) The minimum dwelling unit floor area for any such dwelling unit shall comply with the standards set out in Section 5.3 of this By-law for the Apartment Dwelling Second Density (RA2) Zone.
- b) Where a lot contains more than 4 residential dwelling units, an outdoor amenity area based on a minimum of 12m² per unit shall be provided. Outdoor amenity area may be inclusive of landscape open space, rooftop amenities (greenroofs, solariums, gardens, and patios), private balconies, or other outdoor amenity feature. Outdoor amenity area shall or shall not be in a consolidated form.
- c) The parking spaces used for residential uses shall be designated for the exclusive use of the occupants of the residential dwelling units. Parking spaces designated for residential uses shall be identified with a vertical sign indicating for residential use only.

5.4.2.4 Block/Cluster/Townhouses

No more than 8 block/cluster/townhouse units shall be constructed in a row.

5.4.2.5 Home Occupation

- a) *Home Occupations* shall be permitted in all residential *uses* located in a Mixed Use *zone*, in accordance with the provisions of Section 5.2.10 of this Zoning By-law.
- b) Notwithstanding the provisions of Section 5.2.10.1, the floor area devoted to a *Home Occupation* located within a *Block/Cluster/Stacked Townhouse* in a Mixed Use *zone* shall not exceed 50% of the total floor area of the dwelling.

5.4.2.6 Crisis Care Facility

Any crisis care facility shall be located a minimum distance of 300m from any other crisis care facility.

5.4.2.7 Highway 400 Commercial

Notwithstanding the Permitted Uses in Table 5.4.1, where a lot adjoins the right-of-way of Highway 400, the uses described in Section 6.2.5 of this Zoning By-law should apply.

5.4.3 MIXED USE STANDARDS

5.4.3.1 The *uses* permitted in the Mixed Use *Zone* are subject to the development standards referenced in Table 5.4.2.

Table 5.4.2				
		Zones		
		Mixed Use Node (MU1)	Mixed Use Corridor (MU2)	
Lot Area (min.)		-	-	
Lot Frontage (min.)		-	-	
Front Yard Setback ⁽¹⁾	Min.	1m for 75% of frontage	1m for 75% of frontage	
	Max.	5m for 25% of frontage	5m for 25% of frontage	
Side Yard Setback	Min.	-	-	
	Min. Abutting Street or Laneway	-	3m	
	Max.	-	3m	
Rear Yard Setback (min)	Abutting Street or Laneway ⁽²⁾	1.5m	1.5m	
	Abutting Residential, OS, or EP Zone ⁽³⁾	7m setback	7m setback	
Front Façade Step-back (min.)		45 degree angular plane at height above 80% equivalent of right-of-way using 3m minimum step-backs	45 degree angular plane at height above 80% equivalent of right-of-way using 3m minimum step-backs	
Side Façade Step-back (min.)		If adjacent to an OS zone, 5.5m at height above 80% equivalent of right-of-way	If adjacent to an OS zone, 5.5m at height above 80% equivalent of right-of-way	
Rear Façade Step-back (min.)		45 degree angular plane above 7.5m using minimum 3m step-backs	45 degree angular plane above 7.5m using minimum 3m step-backs	
Lot Coverage (max. % of lot area)		-	-	
Gross Floor Area (max. % of lot area)		-	-	
Street Level Floor Height (min.)		4.5m	4.5m	
Building Height	Min.	10.5m	7.5m	
	Max.	25.5m	16.5m ⁽⁴⁾	

Minimum Coverage for Commercial uses (% of first storey GFA)	50%	- ⁽⁵⁾
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- (1)

– See 5.4.3.2
- (2)

– See 5.4.3.3 (a)
- (3)

– See 5.4.3.3 (b)
- (4)

– See 5.4.3.4
- (5)

– See 5.4.3.5

5.4.3.2 Front Yard Setback

- a)

Front yard setback areas shall be fully paved and seamlessly connected with abutting sidewalk.
- b)

If ground floor usage abutting lot frontage is residential, a minimum 3m front yard setback will apply.

5.4.3.3 Rear Yard Setback

- a)

Where a rear setback abuts a street or laneway, the setback may be used for soft or hard landscaping, or for a walkway.
- b)

Where a rear yard setback abuts a Residential, Open Space, or Environmental Protection zone, the setback may be used for hard or soft landscaping, or for a two way laneway/driveway with sidewalks.

5.4.3.4 Building Height

If ground floor area use is a commercial or institutional use, the maximum building height permitted is 25.5m.

5.4.3.5 Street Level Commercial Uses

If street level use is a commercial or institutional use, the minimum coverage for the commercial or institutional use must be 50% of gross floor area for the street level floor area.

5.4.3.6 Yard Variations

Minimum front, side and rear yards shall be provided in accordance with the requirements of Table 5.4.3, subject to the provisions below.

Any part of any required yard, required by this By-law shall be open and unobstructed by any structure from grade level to the sky, with the following exceptions:

- a)

accessory buildings subject to Section 5.4.3.7;
- b)

sills, belt courses, cornices, eaves and gutters, chimney breasts or pilasters, which may project a distance of not more than 0.6m into a required yard;
- c)

in the case of attached units, in which case no side yard shall be required on the interior side;
- d)

fire escapes, which may project a distance of not more than 1.2m into a required side or rear yard, but in no case shall the side or rear yard, except where none is required, be reduced to less than 0.6m;
- e)

balconies on apartment dwellings, where located at a greater height than the bottom of the first floor ceiling joists, may project a distance of not more than 1.5m into a required yard, but in no case shall the side yard, except where none is required, be reduced to less than 1.8m to any side lot line.

5.4.3.7 Accessory Buildings and Structures

Accessory Buildings and Structures shall only be permitted in conjunction with *Residential Uses* identified in Table 5.4.1. No other *building or structure*, except a *parking structure underground* which is accessory to any residential use in any zone shall:

- a)

exceed a height of 4m;
- b)

occupy any part of a *front yard* or *side yard*;
- c)

be *erected* closer than 0.6m from the *rear lot line*;

- d) be *erected* closer than 0.6m from the side *lot line*, except in the case of attached units, in which case no *side yard* shall be required on the interior side where the *accessory building or structure* is attached to the *main building*;
- e) the width of a *boat house* and *boat port* shall not exceed 30% of the width of the lot measured at the shoreline;
- f) collectively exceed 10% lot coverage for detached accessory structures or a maximum of 50m² whichever is lesser.

5.4.3.8 Additional Standards for Lands Abutting Highway 400

Notwithstanding the standards of Table 5.4.2, where a lot adjoins the right-of-way of Highway 400, the standards of Section 6.3.3 will apply.

5.4.3.9 Rooftop Mechanical/Electrical Structures

Maximum building height standards are not inclusive of rooftop mechanical/electrical structures, but will be subject to any 45 degree angular plane requirement. Mechanical/electrical structures will be screened within rooftop penthouses or through the use of parapets.

5.4.4.0 Landscape Buffer Areas

Notwithstanding the provisions of Section 4.8.2.1, where any *lot* in a Mixed Use *zone* abuts a *lot* in a Residential *Zone*, with the exception of the RA1 and RA2 Apartment Dwelling zones, a continuous *landscaped buffer area* of a minimum width of 3m shall be provided along the abutting *lot line* of the *lot*, and a continuous tight board fence with a minimum height of 2m is to be constructed along the *lot line*.

5.4.4.1 Parking for Apartment Dwellings

Parking spaces including aisles required for an *apartment dwelling unit* in the Mixed Use zone shall have a maximum *lot coverage* of 35%.

General Provisions and General Standards

That the Zoning By-law be amended within Section 4.6 Parking Standards to add the following to Table 4.6:

Table 4.6	
Uses	Parking Standards
<i>Residential uses located within a Mixed Use zone</i>	1 space per <i>dwelling unit</i>

That Section 4.8.2.2 Landscape Buffer Areas: Industrial Zones Adjacent to Commercial, Institutional, Open Space and Environmental Protection Zones of the Zoning By-law be amended as follows:

4.8.2.2 Industrial Zones Adjacent to Commercial, Institutional, Open Space and Environmental Protection Zones

Where any *lot* in an Industrial *Zone* abuts a *lot* in a Commercial, Institutional, Mixed Use, *Open Space* or Environmental Protection Zone, a continuous *landscaped buffer area* of a minimum width of 3m shall be provided along the abutting *lot line* of the *lot*.

Residential Zone

That Section 5.3.5 Accessory Buildings and Structures of the Zoning By-law be amended as follows:

5.3.5 Accessory Buildings and Structures

No other *building or structure*, except a *parking structure underground* which is accessory to any residential use in any *zone*, with the exception of the Mixed Use zones, shall:

- a) exceed a height of 4m; (By-law 2010-195)
- b) occupy any part of a *front yard*, except for an in-ground swimming pool, a *carport*, a *deck* or a *porch*;
- c) be *erected* closer than the 3m from the exterior *side lot line* in the case of a *corner lot*, except for the *rear yard* in which case the minimum setbacks shall be 1m;

- d) be *erected* closer than 7m from the *front lot line*;
- e) be *erected* closer than 0.6m from the *rear lot line*;
- f) be *erected* closer than 0.6m from the *side lot line*, except in the case of attached units, in which case no *side yard* shall be required on the interior side where the *accessory building or structure* is attached to the *main building*;
- g) the width of a *boat house* and *boat port* shall not exceed 30% of the width of the lot measured at the shoreline;
- h) collectively exceed 10% lot coverage for detached accessory structures or a maximum of 50m² whichever is lesser. The 10% lot coverage permitted for accessory buildings and structures is in addition to the lot coverage as set out in Table 5.3. (By-law 2010-195)

That Section 5.3.6.1 a) Parking Standards: Parking in Front Yards of the Zoning By-law be amended as follows:

5.3.6.1 Parking in Front Yards

- a) That the *driveway* and/or *parking space* that is located in the front yard of a property accessed by a public street cannot exceed the maximum percentage of the front yard as follows:

Zone	Front Yard Parking Coverage
R1, R2, R3	50%
R4	60%
RM1, RM1-SS	60%
RM2, RM2-TH ⁽¹⁾	60%
MU1, MU2	0%

That Section 5.3.6.2 a) Parking Standards: Parking for Apartment Dwellings of the Zoning By-law be amended as follows:

5.3.6.2 Parking for Apartment Dwellings

- a) *Parking spaces* including aisles required for an *apartment dwelling unit* in any *zone*, with the exception of the Mixed Use zones, shall have a maximum *lot coverage* of 35%.

That Section 5.3.7.2 Landscape Buffer Areas: Apartment Dwellings of the Zoning By-law be amended as follows:

5.3.7.2 Apartment Dwellings

A continuous *landscaped buffer area* shall be provided along the side and *rear lot lines* of any *lot* which is occupied by an *Apartment Dwelling*, with the exception of the Mixed Use zones. The *landscaped buffer area* shall be 3m in width along the side and *rear lot lines*.

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

READ a first and second time this 5th day of October, 2015.

READ a third time and finally passed this 5th day of October, 2015.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE