



Bill No. 031

**BY-LAW NUMBER 2018-**

**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 appropriate to amend By-law 2009-141 to permit a residential development on lands being Part of Park Lot 6 and 7, Registered Plan 135, City of Barrie and municipally known as 10, 14, 18, 20, 22 and 24 Grove Street West, Barrie;

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 17-G-253.

**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 the lands located at 10, 14, 18, 20, 22 and 24 Grove Street West from Institutional (I) and Residential Multiple Dwelling First Density (RM1) to Residential Apartment Dwelling Second Density (RA2-2) (SP-553) (H-136) with Special Zoning Provisions and a Holding Provision in accordance with Schedule "A" attached to this Bylaw being a portion of the zoning map.
2. **THAT** notwithstanding the uses set out in Section 5.2 of Bylaw 2009-141, a Community Centre, Park, Playground, Playing Field/Court and Passive Open Space shall be permitted.
3. **THAT** as it relates to the identification of lot lines, the following shall apply:

Front Lot Line –	Shall be bounded by Grove Street;
Rear Lot Line –	Shall be bounded by the Highway 400 Right of Way;
Side Lot Line East –	Shall be bounded by the rear property lines of the lot which have frontage onto Bayfield Street;
Side Lot Line West –	Shall be all other lot lines.
4. **THAT** all internal lot lines shall be removed such that the entire parcel may be treated as one for zoning purposes.
5. **THAT** notwithstanding the provisions set out in Section 5.3 Residential Standards and Section 4.6 Parking Standards of Bylaw 2009-141, the Special Provisions shall include:
  - a) An increase in building height from 45 metres to 80 metres;
  - b) An increase in gross floor area from 200% to 290%;
  - c) A reduction in the side and rear yard landscape buffer for parking lot areas from 3 metres to 0 metres and the removal of the requirement for a 2m tight board fence;
  - d) An increase in the minimum west side yard setback from 5 metres to a minimum of 20 metres. Additionally, the west side yard shall only be used for the following uses:
    - i. Park
    - ii. Playground
    - iii. Playing field/court
    - iv. Passive uses listed in Table 9.2
    - v. Parking and drive aisles
    - vi. Stormwater management

- e) A reduction in the landscape open space area for ground level dwelling units having a secondary means of access to the exterior:
- i. For units with ground floor balcony or patio from 7 metres to 1.6 metres; and
  - ii. For units without a ground floor balcony or patio from 7 metres to 3 metres;
- f) A decrease in parking ratio from 1.5 parking spaces to 1 parking space per residential unit.
6. **THAT** a Holding (H) provision be applied to the site, requiring the following conditions be cleared by the applicant:
- a) A final land appraisal and determination of Community Benefit, completed to the satisfaction of the City of Barrie's Section 37 Negotiating Committee, prior to the rezoning of the site taking full force and effect.
  - b) A parking study illustrating that a parking ratio of 1 parking stall per 1 residential unit can be accommodated internally to the site without creating any spill over impacts on adjacent streets. The study will be required prior to the initiation of Phase 2 and completed to the satisfaction of the Director of Planning and Building Services and the Director of Engineering.
  - c) That the owner provide/grant an easement to the benefit/in favour of the property owners having frontage on Bayfield Street, adjacent to the subject lands, that provides above and below grade vehicular access and use to the properties fronting onto Bayfield Street, to be constructed by the owner of the subject lands, where such access to the lands under easement shall have access from a municipal right of way, to be completed to the satisfaction of the Director of Planning and Building Services and the Director of Engineering.
7. **THAT** in order to satisfy the lifting of the Holding Provision related to Section 37, Bonusing, of *The Planning Act* and the provision of Community Benefit identified in Section 6 a) above, the developer/applicant shall be responsible for the provision of an appraisal to the satisfaction of the City, which identifies the "uplift value" being the difference in the value of the property under the current zoning and the increase in the value of the property after the rezoning is approved. The value of the community benefit shall be 25% of this difference.
8. **THAT** the City will establish the type of community benefit(s) in accordance with strategic priorities established by Council which may include:
- Provision of Affordable Housing units
  - Community facilities/services
  - Public Art
  - Protection of Cultural Heritage Resources
  - Amenities for active transportation such as pedestrian or cycling facilities
  - Preservation and Enhancement of the Natural Heritage System
  - Local Improvements identified through Community Improvement Plans
  - Sustainable energy works and facilities
9. **THAT** the remaining provisions of By-law 2009-141, 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 sections 2, 3, 4 and 5 of this By-law.
10. **THAT** the Phasing Map, associated with 6 b) above, as shown on Schedule "B" to this Bylaw shall apply to the said lands.
11. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this 26th day of March, 2018

**READ** a third time and finally passed this 26th day of March, 2018.

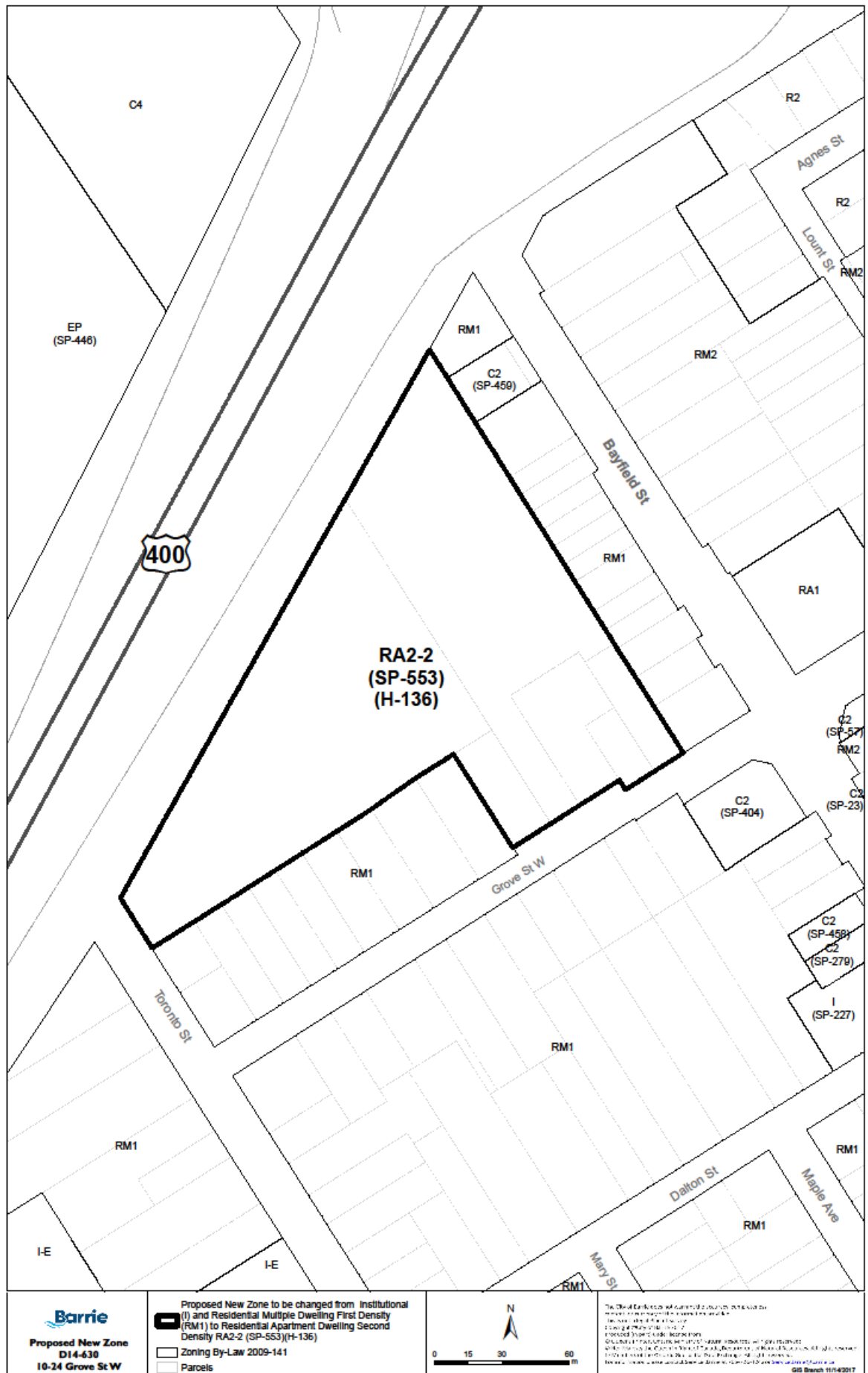
**THE CORPORATION OF THE CITY OF BARRIE**

---

**MAYOR – J. R. LEHMAN**

---

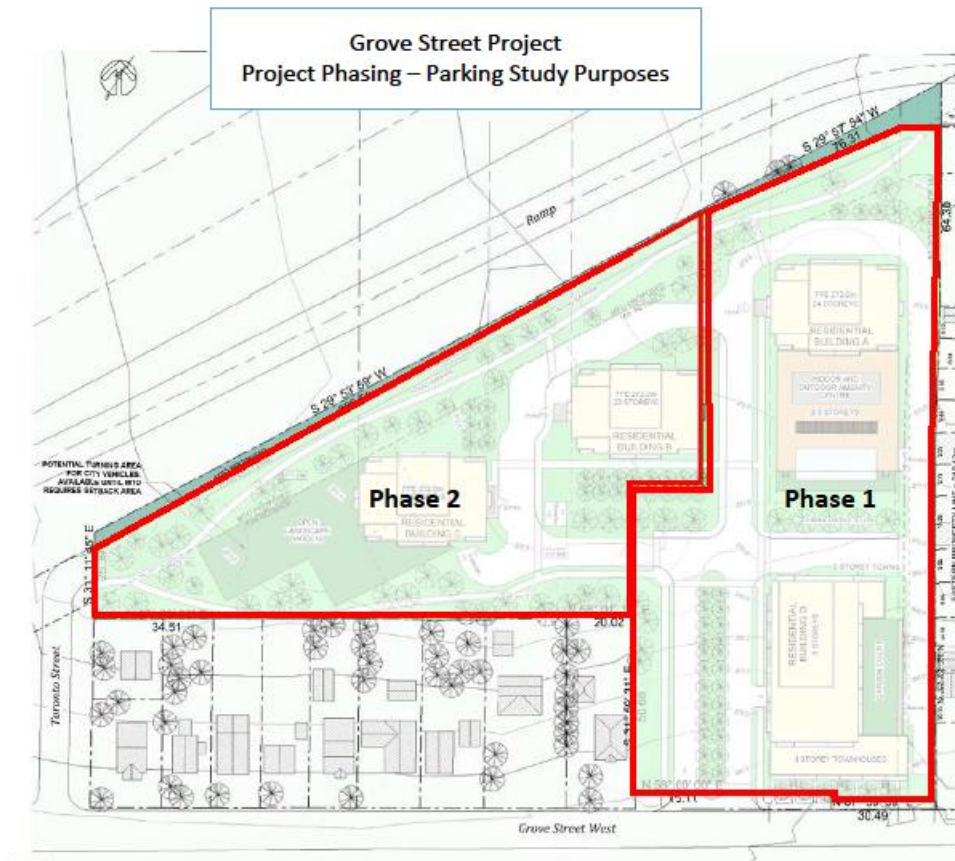
**CITY CLERK – WENDY COOKE**



**Schedule “A” attached to By-law 2018-**

**MAYOR J.R. LEHMAN**

**CITY CLERK – WENDY COOKE**



Schedule “B” attached to By-law 2018-

MAYOR J.R. LEHMAN

CITY CLERK – WENDY COOKE