

Bill No. 004

**BY-LAW NUMBER 2020-004**

**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 known municipally as 152 and 156 Miller Drive, shown on Schedule "A" to this By-law from Residential Single Detached Dwelling First Density (R1) to Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-581)(H-145) and Residential Multiple Dwelling Second Density – Special Provision, Hold (RM2)(SP-582)(H-145).

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 19-G-368.

**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 152 and 156 Miller Drive, shown on Schedule "A" to this By-law from Residential Single Detached Dwelling First Density (R1) to Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-581)(H-145) and Residential Multiple Dwelling Second Density – Special Provision, Hold (RM2)(SP-582)(H-145) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the provisions set out in Section 5.2 of By-law 2009-141, single detached residential units shall be recognized as the only permitted use in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
3. **THAT** a maximum density of 31 units per hectare (or a maximum of 39 units) shall be permitted in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone.
4. **THAT** notwithstanding the provisions set out in Section 5.2.5.2 of By-law 2009-141, a minimum consolidated outdoor amenity area of 12m<sup>2</sup> per unit (468m<sup>2</sup>) shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone.
5. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a maximum height of 10.5 metres shall be permitted in the Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-581)(H-145) and Residential Multiple Dwelling Second Density – Special Provision, Hold (RM2)(SP-582)(H-145) zones.
6. **THAT** notwithstanding the provisions set out in Section 5.3.1 of by-law 2009-141, the requirement for maximum Gross Floor Area shall be removed from the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone.
7. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum lot area of 240m<sup>2</sup> shall be provided in the Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-581)(H-145) zone.
8. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum rear yard setback of 5.3 metres shall be provided in the Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-581)(H-145) zone.
9. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum lot frontage of 12.8 metres shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone.
10. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum rear yard setback of 6 metres associated with unit No. 32 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.

11. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum easterly interior side yard setback of 1.2 metres associated with unit No. 35 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
12. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum northerly interior side yard setback of 5 metres associated with unit Nos. 5 to 8 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
13. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum easterly interior side yard setback of 4 metres associated with unit No. 15 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
14. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum northerly interior side yard setback of 6 metres associated with unit Nos. 15 to 17 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
15. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum southerly interior side yard setback of 9 metres associated with unit Nos. 33 to 35 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
16. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum easterly interior side yard setback of 10 metres associated with unit Nos. 36 and 37 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
17. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum southerly interior side yard setback of 7 metres associated with units Nos. 40 to 43 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
18. **THAT** a continuous 2 metre high tight board privacy fence shall be provided along the shared lot lines of all existing Residential Single Detached Dwelling First Density (R1) zoned lands in the Residential Single Detached Fourth Density – Special Provision, Hold (R4)(SP-581)(H-145) and Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) zone, in accordance with Schedule "B" attached to this By-law.
19. **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 Single Detached Fourth Density – Special Provision, Hold (R4)(SP-581)(H-145) and Residential Multiple Dwelling Second Density (RM2)(SP-582)(H-145) 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 Corporation of the City of Barrie:
  - a) The execution of a Site Plan Agreement which includes matters relating to, but not limited to, the building orientation, placement, design and materials, landscape buffering, site servicing (including adequate fire protection), access and parking.
20. **THAT** the remaining provision 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.
21. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this 13<sup>th</sup> day of January, 2020.

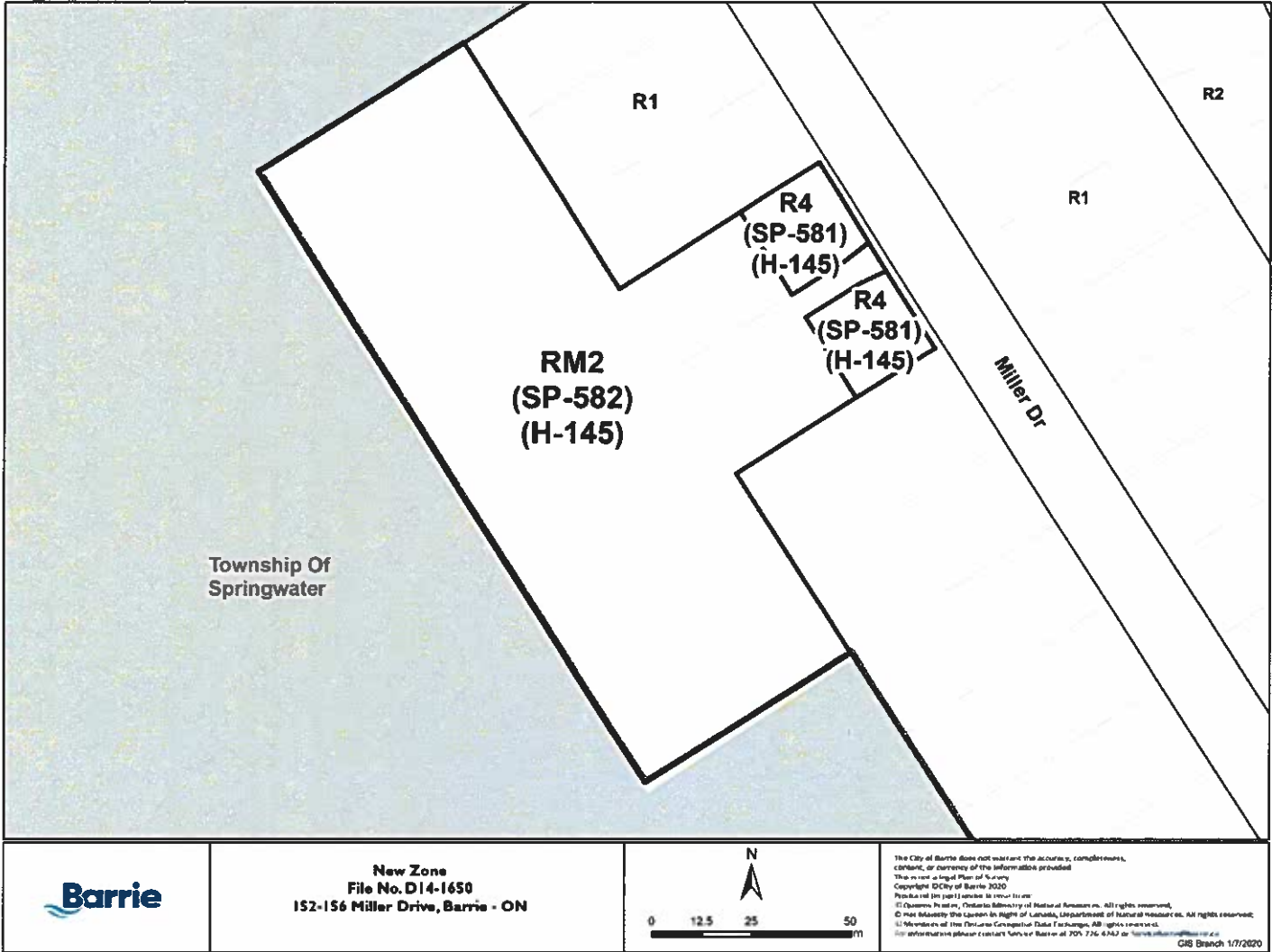
**READ** a third time and finally passed this 13<sup>th</sup> day of January, 2020.

**THE CORPORATION OF THE CITY OF BARRIE**

  
 MAYOR – J. R. LEHMAN

  
 CITY CLERK – WENDY COOKE

Schedule "A"



Schedule "A" to attached By-law 2020-004

  
 MAYOR - J.R. LEHMAN

  
 CITY CLERK - WENDY COOKE

Schedule "B"



CONCEPT PLAN COMPLETED BY  
PARK CITY, DATED OCT. 24, 2019.

Schedule "B" to attached By-law 2020-004

  
MAYOR - J.R. LEHMAN

  
CITY CLERK - WENDY COOKE