



BY-LAW NUMBER 2020-066

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 repeal By-law 2005-007 and amend By-law 2009-141 to rezone lands known municipally as 244 Ardagh Road and Part of 250 Ardagh Road, as shown on Schedule "A" to this By-law, from General Commercial (C4)(SP-341)(H-79) and Major Institutional (I-M) to General Commercial with Special Provisions (C4)(SP-592).

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 20-P-016.

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 244 Ardagh Road and Part of 250 Ardagh Road from General Commercial (C4)(SP-341)(H-79) and Major Institutional (I-M) to General Commercial with Special Provisions (C4)(SP-592) pursuant to Zoning By-law 2009-141, in accordance with Schedule "A" attached to this By-law being a portion of the Zoning Map Schedule.
2. **THAT** notwithstanding the obtaining of any future land division under the provisions of the *Planning Act*, R.S.O. 1990, C.P.13 as amended from time to time, or the registration at any time of any Condominium Declaration, a Plan of Subdivision, or conveyance with respect to any portion of said land, the land zoned (C4)(SP-592) by this By-law shall be considered to be one lot for the purposes of zoning.
3. **THAT** notwithstanding the provisions set out in Section 4.6 Parking Standards of By-law 2009-141, the following minimum parking standards are required for uses in the (C4)(SP-592) zone:
 - a) 1.25 parking spaces per dwelling unit; and,
 - b) 1 space per 30 square metres of commercial use.
4. **THAT** notwithstanding Table 6.2 Permitted Uses of By-law 2009-141, the following additional uses are permitted in the C4(SP-592) zone as part of a mixed use development:
 - a) Block/Cluster/Street/Stacked Townhouse units; and,
 - b) Home Occupations in accordance with Section 5.2.10 of By-law 2009-141.
5. **THAT** notwithstanding Table 6.3 Commercial Standards of By-law 2009-141, the following standards shall be applied to the property zoned as (C4)(SP-592):
 - a) A minimum front yard setback of 2 metres shall be provided (Ferndale Drive South);
 - b) A minimum exterior side yard setback of 2 metres shall be provided (Ardagh Road);
 - c) A minimum interior side yard setback of 10 metres shall be provided (north property line);
 - d) A minimum rear yard setback of 7.5 metres shall be provided (west property line);
 - e) A maximum building height of 28 metres is permitted for the mixed use building located at the south-east corner of the property; and
 - f) A maximum building height of 12.5 metres shall be permitted for a townhouse unit.
6. **THAT** notwithstanding Section 6.3.4.3 d) of By-law 2009-141, a minimum 6%, or 290 square metres, of the total gross floor area of the mixed use building shall be used for commercial uses in the (C4)(SP-592) zone.
7. **THAT** notwithstanding Section 6.3.4.3 e) of By-law 2009-141, a minimum consolidated amenity area of 730 square metres shall be required in the (C4)(SP-592) zone.
8. **THAT** notwithstanding the provisions in By-law 2009-141, accessory structures in association with each townhouse unit and the mixed-use block shall be permitted in accordance with Section 5.3.5 of By-law 2009-141.


9. **THAT** notwithstanding any other provision of this By-law 2009-141, box/bay windows and any other encroachments identified in 5.3.3.1 (b) and (g), may project a distance of not more than 0.5 metres into a required yard.
10. **THAT** notwithstanding the provisions of the *Planning Act* respecting the moratorium for amendment of, or variance to, this By-law, the moratorium shall not apply to the (C4)(SP-592) zone.
11. **THAT** the owner/applicant is required to provide community benefits per Section 37, as amended or replaced, of the *Planning Act* and City of Barrie Official Plan Section 6.8 Height and Density Bonus to the satisfaction of the Director of Development Services.
12. **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 By-law, shall apply to the said lands except as varied by this By-law.
13. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this 29th day of June, 2020.

READ a third time and finally passed this this 29th day of June, 2020.

THE CORPORATION OF THE CITY OF BARRIE


MAYOR – J. R. LEHMAN


CITY CLERK – WENDY COOKE

