



BY-LAW NUMBER 2021-086

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 Comprehensive Zoning By-law 2009-141;

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 21-P-023.

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts the following:

1. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by adding the following definitions:
 - a. Grade – shall mean the average level of proposed or finished ground adjoining a building at all exterior walls.
2. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting the current definitions of Attic, Basement, Dwelling, Duplex, First Storey, Dwelling, Multiple, and Storey, and replacing them as follows:
 - a. Attic – shall mean the space between the roof and the ceiling of the top storey or between a dwarf wall and a sloping roof.
 - b. Basement – shall mean one or more storeys of a building located below the first storey.
 - c. Dwelling, Duplex – shall mean a detached residential building divided horizontally, or back to front, above grade into 2 separate dwelling units, each of which has an independent entrance either directly or through a common vestibule. A single detached dwelling with a second suite is not a duplex.
 - d. First Storey – shall mean the storey that has its floor closest to grade and it's ceiling more than 1.8 metres above grade.
 - e. Dwelling, Multiple – Shall mean a residential building, containing 4 or more dwelling units but shall not include an apartment dwelling or a converted dwelling.
 - f. Storey – Shall mean, except for the purposes of Part 7 of Division B of the Ontario Building Code, the portion of a building, (a) that is situated between the top of any floor and the top of the floor next above it; or (b) that is situated between the top of the floor and the ceiling above the floor, if there is no floor above it.
3. **THAT** Section 4.4.3 of Comprehensive Zoning By-law 2009-141 be amended by adding “, two-unit dwelling, three-unit dwelling” after the words “converted dwelling”.
4. **THAT** Section 4.4.2.1 of Comprehensive Zoning By-law 2009-141 be amended by deleting the current provision and replacing it with the following:

Notwithstanding Section 4.4.2.1, any existing *lot* or *building* is exempt from meeting the current zoning standards, save and except for parking required in Section 4.6, when adding *dwelling units* within the existing *building* provided the *use* is permitted in the *zone* in which it is located. New construction or additions to an existing *building*, including the conversion of a detached *accessory building or structure* into a *detached accessory dwelling unit*, shall comply with all applicable development standards. Notwithstanding the above permissions, additional *dwelling units* shall not be permitted within any area subject to natural hazards such as flooding or erosion hazards.

5. **THAT** Section 5.2.7.2 c) of Comprehensive Zoning By-law 2009-141 be deleted.
6. **THAT** Section 5.2.10.1 a) of Comprehensive Zoning By-law 2009-141 be amended by deleting the current provision and replacing it with the following:

The floor area devoted to the *home occupation* in any *dwelling unit* shall not exceed 30% of the total floor area of the *dwelling unit*.
7. **THAT** Section 5.2.10.1 b) of Comprehensive Zoning By-law 2009-141 be amended by replacing the words “the *main building* or a *detached garage* on the lot on which it is located” with “a *dwelling unit* or a *detached private garage* located on the same *lot*”
8. **THAT** Section 5.2.10.1 d) of Comprehensive Zoning By-law 2009-141 be amended by replacing the word “domicile” with “*dwelling unit*” and deleting “in *home occupations* located in single or *semi-detached dwelling units*”.
9. **THAT** Section 5.2.11 a) of Comprehensive Zoning By-law 2009-141 be deleted.
10. **THAT** Section 5.3.3.2 c) of Comprehensive Zoning By-law 2009-141 be deleted.
11. **THAT** Table 5.3 of Comprehensive Zoning By-law 2009-141 be amended as follows:
 - a. Delete the entire “*Dwelling unit floor area* (min.)” row.
 - b. Delete the following notation from below the table: “(*) Shall be the minimum dwelling unit floor area for the principal use (dwelling unit). (By-law 2015-056)”
12. **THAT** Section 5.3.4.3 of Comprehensive Zoning By-law 2009-141 be amended by deleting the following from the provision: “The main unit must be a minimum of 70m² with the second unit a minimum of 35m² for a bachelor unit. For each additional bedroom a minimum of 10m² shall be required.”
13. **THAT** Section 5.4.2.2 a) of Comprehensive Zoning By-law 2009-141 be deleted.
14. **THAT** Section 6.3.4.2 of Comprehensive Zoning By-law 2009-141 be deleted.
15. **THAT** Table 8.2 be amended by adding “Residential in conjunction with permitted institutional uses” as a permitted Accessory Use in the Institutional (I) Zone.
16. **THAT** Section 8.3 be amended by adding the following new subsections:

8.3.7 Additional Standards for Residential Uses in Conjunction with Institutional Uses

8.3.7.1 Accessory residential uses in the same building as institutional uses

- a. Where residential uses are located in the same *building* as an institutional use, a minimum of 50% of the ground floor building frontage shall be used for institutional uses.
- b. A consolidated outdoor amenity space shall be provided; this area may be counted towards the required *landscaped open space* in Table 8.3 provided it is located on the ground.
- c. Notwithstanding the Institutional standards in Table 8.3 when residential uses are located in the same building as an institutional uses on a lot zoned Institutional, a maximum lot coverage of 50% shall be permitted.

8.3.7.2 Accessory residential uses in standalone buildings

- a. Where residential uses are located on the same *lot* as institutional uses there shall be a minimum of one standalone institutional *building* with frontage on a municipal *street*.
- b. A consolidated outdoor amenity space, or unconsolidated outdoor amenity spaces provided per unit, shall be provided; this area may be counted towards the required *landscaped open space* in Table 8.3 if it is located on the ground.
- c. Notwithstanding the Institutional standards in Table 8.3 when residential uses are located on the same lot as institutional uses on a lot zoned Institutional, a maximum lot coverage of 50% shall be permitted.

8.3.7.3 Parking Requirements

- a. Parking for institutional uses shall be provided at the rate specified in Table 4.6, and parking for residential uses shall be provided at a rate of 1 parking spaces per *dwelling unit*.
- b. Barrier free spaces shall be calculated at the rates in Section 4.6.4 based on the total required parking for the site.

17. **THAT** Table 14.5.6 of Comprehensive Zoning By-law 2009-141 be amended as follows:

- a. Delete the entire "*Dwelling unit floor area (min.)*" row.

READ a first and second time this 4th day of October, 2021.

READ a third time and finally passed this 4th day of October, 2021.

THE CORPORATION OF THE CITY OF BARRIE

"ORIGINAL SIGNED"

MAYOR – J. R. LEHMAN

"ORIGINAL SIGNED"

CITY CLERK – WENDY COOKE