



**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 to rezone Part of Lot 23, Concession 7, formerly Township of Vespra, now City of Barrie, County of Simcoe, known municipally as 180 & 190 Ferndale Drive North Drive, Barrie from Residential Single Detached Dwelling Second Density (R2), Residential Single Detached Dwelling Third Density (R3) (WS) (SP-290), Residential Single Detached Dwelling Fourth Density (R4) (WS) (SP-291), Residential Single Detached Dwelling Fourth Density (R4) (WS) (SP-291) (H-65), Multiple Residential Dwelling Second Density Townhouse (RM2-TH) (WS) (SP-292), Multiple Residential Dwelling Second Density (RM2) (SP-293), Open Space (OS) and Environmental Protection (EP) to Residential Single Detached Dwelling Second Density R2 (H-130) Residential Single Detached Dwelling Fourth Density (R4), Residential Single Detached Dwelling Fourth Density R4 (H-131), Multiple Residential Dwelling Second Density (RM2) (SP-513), Multiple Residential Dwelling Second Density Townhouse (RM2-TH) (WS) (SP-512), Open Space (OS), Open Space Stormwater Management (OS) (SWM) and Convenience Commercial (C5) (SP-514);

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 15-G-075.

**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 Part of Lot 23, Concession 7, formerly Township of Vespra, now City of Barrie, County of Simcoe, known municipally as 180 & 190 Ferndale Drive North Drive, Barrie from Residential Single Detached Dwelling Second Density (R2), Residential Single Detached Dwelling Third Density (R3) (WS) (SP-290), Residential Single Detached Dwelling Fourth Density (R4) (WS) (SP-291), Residential Single Detached Dwelling Fourth Density (R4) (WS) (SP-291) (H-65), Multiple Residential Dwelling Second Density Townhouse (RM2-TH) (WS) (SP-292), Multiple Residential Dwelling Second Density (RM2) (SP-293), Open Space (OS) and Environmental Protection (EP) to Residential Single Detached Dwelling Second Density R2 (H-130) Residential Single Detached Dwelling Fourth Density (R4), Residential Single Detached Dwelling Fourth Density R4 (H-131), Multiple Residential Dwelling Second Density (RM2) (SP-513), Multiple Residential Dwelling Second Density Townhouse (RM2-TH) (WS) (SP-512), Open Space (OS), Open Space Stormwater Management (OS) (SWM) and Convenience Commercial (C5) (SP-514) 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 5.3.1 of By-Law 2009-141, the following standards shall be permitted in the Multiple Residential Dwelling Second Density Townhouse (RM2-TH) (WS) (SP-512) zone:

<i>Lot Area (min.)</i>	200m <sup>2</sup>
<i>Lot Frontage (min.)</i>	8m
<i>Lot Depth (min.)</i>	25m
<i>Front Yard (min.)</i>	4.5m <sup>(1)(2)</sup>
<i>Interior Side Yard (min.)</i>	1.2m <sup>(3)</sup>
<i>Exterior Side Yard (min.)</i>	3m <sup>(1)(2)</sup>
<i>Rear Yard (min.)</i>	7m
<i>Height of Main Building (min.)</i>	10m

Lot coverage	No maximum
Gross Floor area	No maximum

- Notes:
- (1) Minimum setback to a *garage* is 7m from any *lot line* abutting a *street*, and in any event no part of any *garage* shall protrude beyond the *porch* or front wall of the *main building*. Section 5.2.5.2 (c) shall not apply.
  - (2) A maximum encroachment of 1.5m shall be permitted for unenclosed *porches* and steps and 0.6 m for bay windows.
  - (3) The interior *side yard* minimum shall only apply to end units.
3. **THAT** notwithstanding the provisions set out in Section 5.2.1 of By-Law 2009-141, permitted uses shall be restricted to stacked townhouses and walk up apartments in the Multiple Residential Dwelling Second Density (RM2) (SP-513) zone.
  4. **THAT** notwithstanding the provisions set out in Section 5.2.5.1 (c) of By-Law 2009-141, a minimum density of 53 units per hectare and a maximum density of 60 units per hectare shall be permitted in the Multiple Residential Dwelling Second Density (RM2) (SP-513) zone.
  5. **THAT** notwithstanding the provisions set out in Section 6.2.1 of By-Law 2009-141, permitted uses shall include a grocery store in the Convenience Commercial (C5) (SP-514) zone. Grocery store shall mean a retail store that primarily sells food.
  6. **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 Residential Single Detached Dwelling Second Density R2 (H-130) 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 lands zoned Residential Single Detached Dwelling Second Density R2 (H-130) have merged in title with the abutting lands to the north known municipally as 194 Ferndale Drive.
  7. **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 Residential Single Detached Dwelling Fourth Density R4 (H-131) 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 lands zoned Residential Single Detached Dwelling Fourth Density R4 (H-131) have merged in title with the abutting lands to the north and the Owners of the Lands have executed a Development Agreement in a form satisfactory to the City.
  8. **THAT** the remaining provisions 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.
  9. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this 25<sup>th</sup> day of May, 2015.

**READ** a third time and finally passed this 25<sup>th</sup> day of May, 2015.

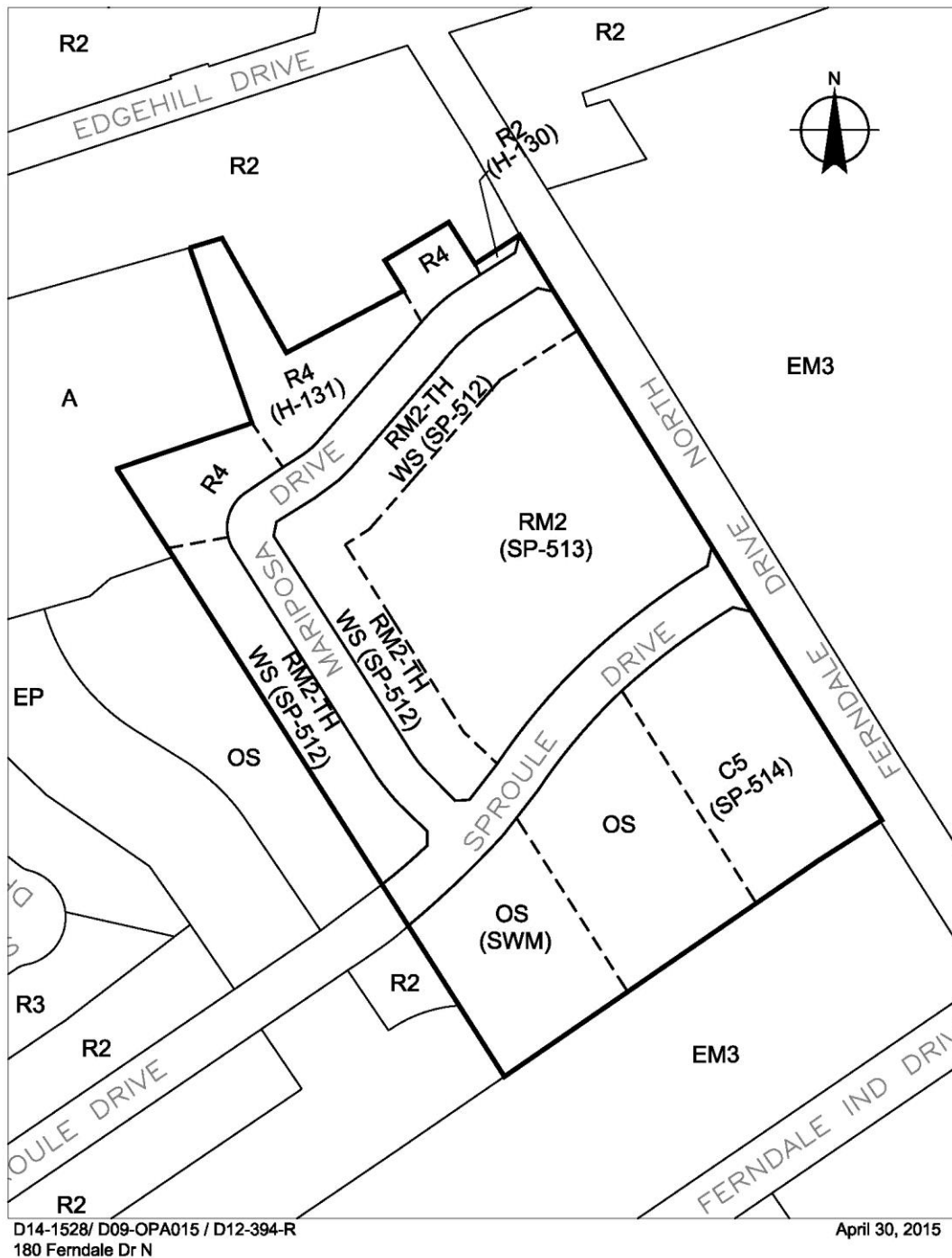
**THE CORPORATION OF THE CITY OF BARRIE**

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**MAYOR – J. R. LEHMAN**

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**CITY CLERK – DAWN A. MCALPINE**



Schedule "A" attached to By-law 2015-

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MAYOR – J.R. LEHMAN

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CITY CLERK – DAWN A. MCALPINE