

BY-LAW NUMBER 2023-

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 described as: Lot 16, Plan 1101 in the City of Barrie, and known municipally as: 582 Essa Road, from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-651)(H-160) and,

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 23-G-270.

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

1. **THAT** the zoning Map is hereby further amended by rezoning those lands described as Lot 16, Plan 1101, known municipally as 582 Essa Road, in the City of Barrie, from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-651)(H-160) as shown on Schedule "A" attached to this By-law.
2. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2 of By-law 2009-141, a maximum front yard setback of 6.72 metres is permitted in the 'Mixed Use Corridor – Special Provisions, Hold' (MU2)(SP-651)(H-160) zone, in accordance with Schedule "B" attached to this By-law.
3. **THAT** notwithstanding the provisions set out in Section 5.4.3.2, of By-law 2009-141, the front yard setback may be a combination of paved and landscaped area which is seamlessly connected with the abutting sidewalk in the 'Mixed Use Corridor – Special Provisions, Hold' (MU2)(SP-651)(H-160) zone, in accordance with Schedule "B" attached to this By-law.
4. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2 of By-law 2009-141, a maximum side yard setback of 3.41 metres is permitted in the 'Mixed Use Corridor – Special Provisions, Hold' (MU2)(SP-651)(H-160) zone, in accordance with Schedule "B" attached to this By-law.
5. **THAT** notwithstanding the provisions set out in Section 5.4.3.4, of By-law 2009-141, a maximum building height of 27.2 metres shall be permitted in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-651)(H-160) zone as shown on Schedule 'B' attached to this By-law.
6. **THAT** notwithstanding the provisions set out in Section 4.6, Table 4.6, of By-law 2009-141, commercial parking may be provided at a ratio of 1 space per 28 square metres of commercial ground floor area (15 spaces) in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-651)(H-160) zone as shown on Schedule 'B' attached to this By-law.
7. **THAT** notwithstanding the provisions set out in Section 5.4.2.2, of By-law 2009-141, an outdoor amenity area may be provided as unconsolidated at a ratio of 5.8 square metres per residential unit in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-651)(H-160) zone as shown on Schedule 'B' attached to this By-law.
8. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2, of By-law 2009-141, the front yard façade step-back shall be measured as a 47 degree angular plane at height above 80% equivalent right-of-way using 3.0 metre step-backs in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-651)(H-160) zone as shown on Schedule 'B' attached to this By-law.
9. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2, of By-law 2009-141, the rear yard façade step-back shall be measured as a 47 degree angular plane above 7.5 metres using 3.0 metre step-backs in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-651)(H-160) zone as shown on Schedule 'B' attached to this By-law.

10. **THAT** a By-law can be brought forward to Council of the City of Barrie to remove the Holding symbol on those lands zoned as ‘Mixed Use Corridor with Special Provision, Hold’ (MU2)(SP-651)(H-160) as shown on Schedule “A” attached to this By-law, when the following has been completed to the satisfaction of the Director of Development Services:
- a) That the owner/applicant undertake and/or agree to satisfy the requirements of a Certificate of Property Use and/or Record of Site Condition under the *Environmental Protection Act* prior to any site works or issuance of a Building Permit;
 - b) That the owner/applicant undertake a fire flow test to confirm sufficient infrastructure capacity for the proposed development, completed to the satisfaction of Development Services – Approvals;
 - c) That the owner/applicant amend the Site Plan Concept to incorporate landscape strips and protection for boundary trees or consent to harm boundary trees from adjacent landowners to the satisfaction of Development Service - Parks Planning; and
 - d) Approval of a Site Plan Control application and execution of a Site Plan Agreement including details on the privacy of adjacent residential units due to openings, glazing and the rooftop amenity space and if any private trees are removed, replacement trees should be a minimum of 60mm caliper size along the north east property line adjacent to existing residential uses.
11. **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 Bylaw, shall apply to the said lands except as varied by this By-law.
12. **THAT** this By-law shall take force and come into force and effect immediately upon the final passing thereof and pursuant to the provisions and regulations made under the *Planning Act*, R.S.O. 1990, c.P.13.

READ a first and second time this 6th day of December, 2023.

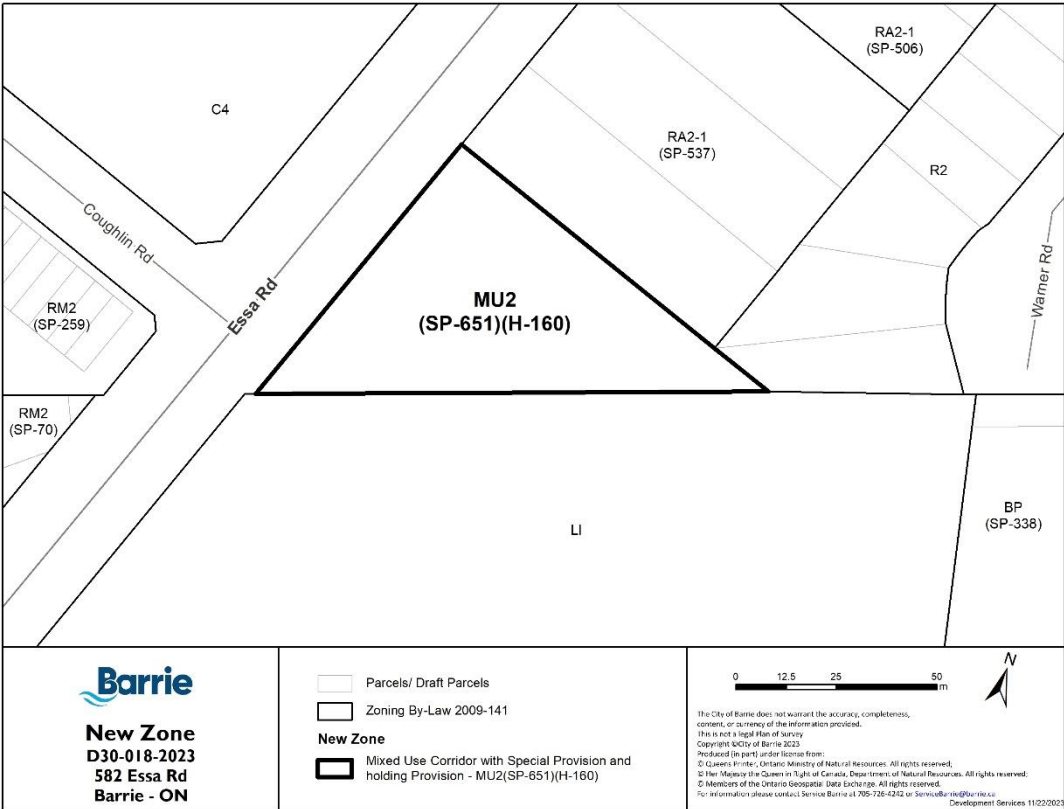
READ a third time and finally passed this 6th day of December, 2023.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – ALEX NUTTALL

CITY CLERK – WENDY COOKE

Schedule “A” to attached By-law 2023-

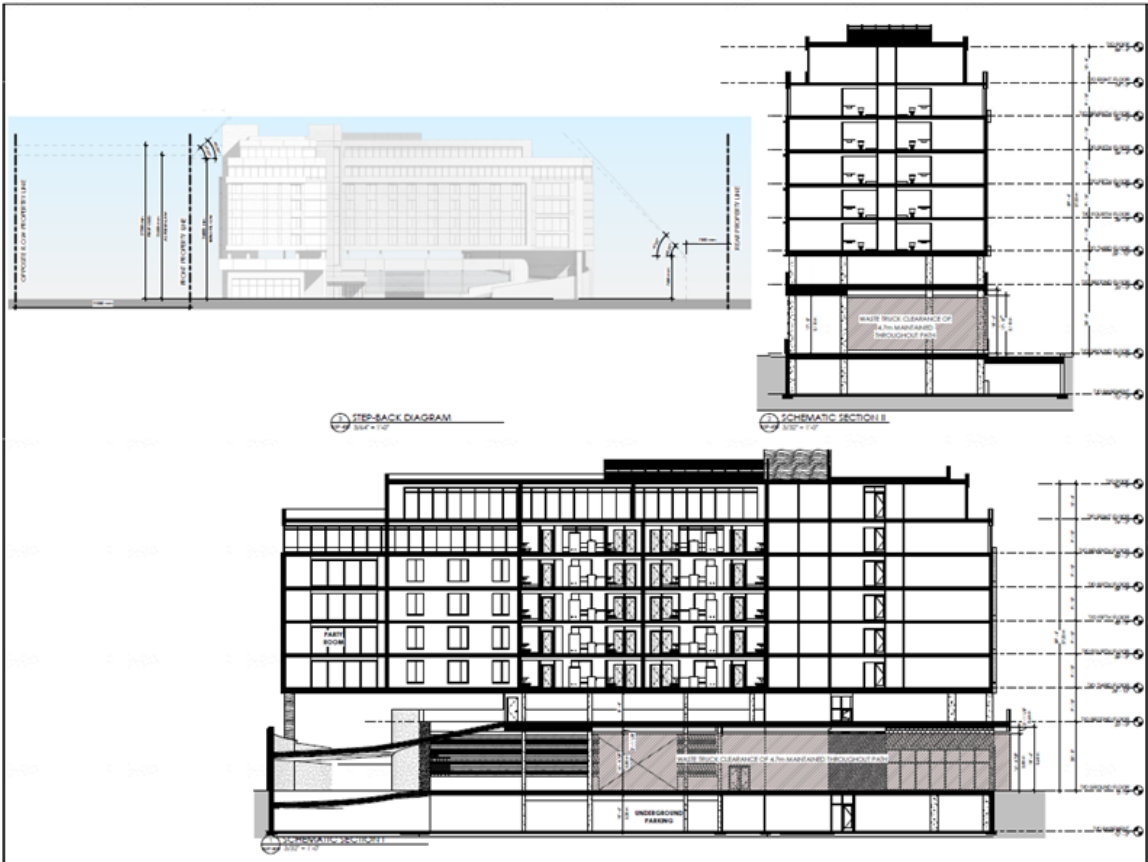


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Schedule “B” attached to By-law 2023-XXX



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