Ontario Regulation 304/24

Bill No. 137

BY-LAW NUMBER 2024 - 137

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: Part of Block 19, Registered Plan 51M-832, designated as Part 1 on Reference Plan 51R-44107; City of Barrie, County of Simcoe, known municipally as: 800 Yonge Street and as shown on Schedule "A" to this By-law, General Commercial - Special Provision (C4)(SP-348) to the General Commercial with Special Provisions (C4)(SP-670); and,

AND WHEREAS authority pursuant to Ontario Regulation 304/24 made under the *Planning Act, R.S.O. 1990* to enact such amendments; and

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

1. **THAT** the Zoning Map be amended to change the zoning from General Commercial - Special Provision (C4)(SP-348) to the General Commercial with Special Provisions (C4)(SP-670); pursuant to Zoning By-law 2009-141, in accordance with Schedule "A" attached to this By-law being a portion of the Zoning Map.

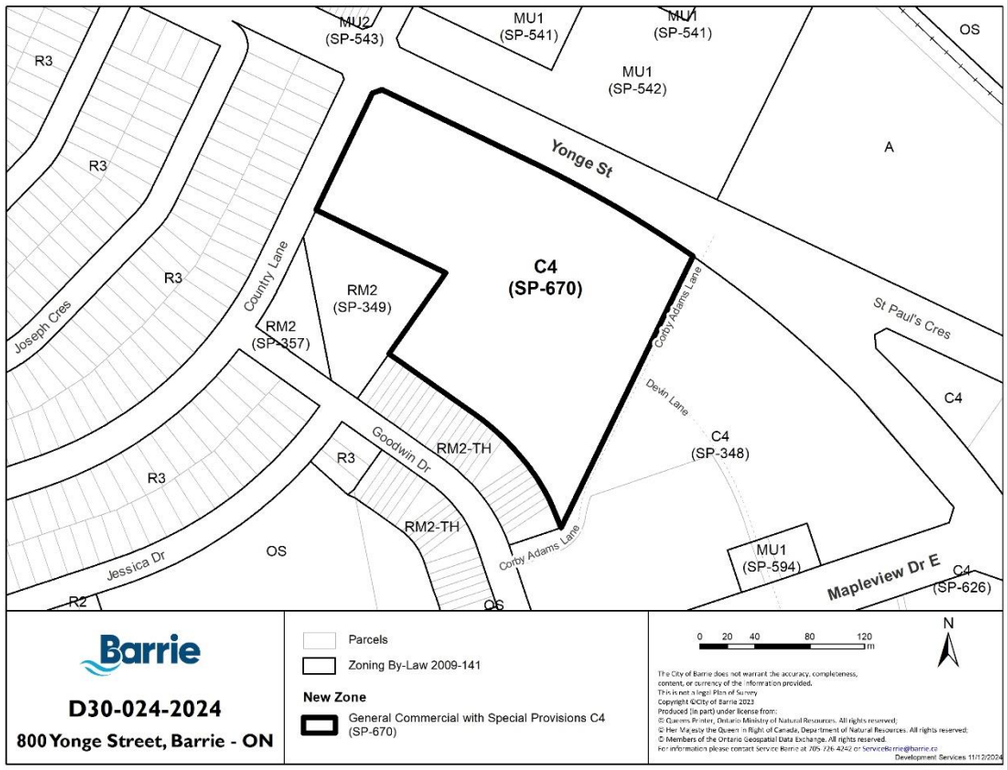
2. THAT notwithstanding the provisions set out in Comprehensive Zoning By-law 2009-141, lands zoned General Commercial with Special Provisions (C4)(SP-670) shall be developed in accordance with Schedule "B".

3. **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.

4. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

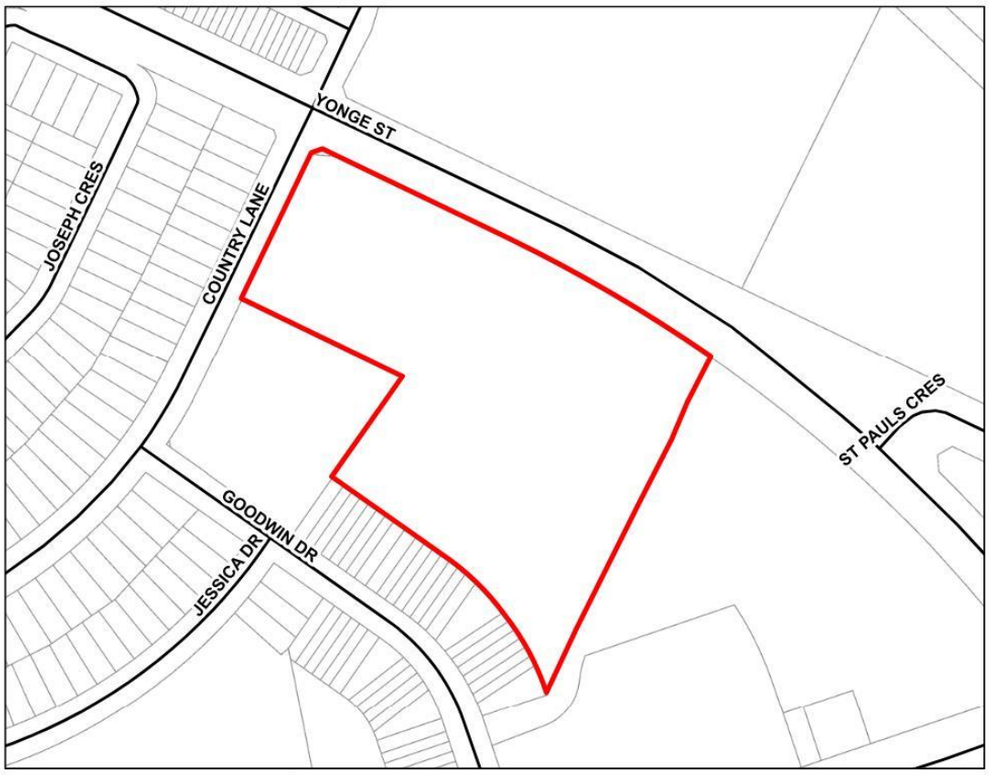
AS PER MINISTER'S ZONING ORDER - DATED JULY 26, 2024
ONTARIO REGULATION 304/24

Schedule "A" to attached By-law 2024 - 137



Schedule "B" to attached to By-law 2024-137

Part of Block 19, on Registered Plan 51M832, designated as Part 1 on Reference Plan 51R-44107, City of Barrie



MAP NO. 328

Map filed at the office of the Ontario Ministry of Municipal Affairs and Housing, 777 Bay St., Toronto, Ontario,

Planning Act

Ontario Regulation: 304/24

Date:July 26, 2024

Original Regulation Signed By:
Minister of Municipal Affairs and Housing

LEGEND

Roads
Subject Lands
Parcels

Map North (Degrees): 0°

0 20 40 80
Metres

1 cm equals 28 metres

Map Description:
This is map no. 328 referred to in a Minister's Zoning Order. It shows lands which is Part of Block 19, on Registered Plan 51M832, designated as Part 1 on Reference Plan 51R-44107, City of Barrie
We are committed to providing accessible customer service (https://www.ontario.ca/page/accessible-customer-service-policy).
On request, we can arrange for accessible formats and communications supports.
Please contact MMAH by email (mininfo@ontario.ca) for regulation details.

THIS IS NOT A PLAN OF SURVEY
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Ontario

Schedule “B” to attached to By-law 2024-137

ONTARIO REGULATION 304/24

made under the

PLANNING ACT

Made: July 26, 2024
Filed: July 26, 2024
Published on e-Laws: July 26, 2024
Published in *The Ontario Gazette*: August 10, 2024

ZONING ORDER - CITY OF BARRIE

Definitions

1. In this Order,

“long-term care home” means a long-term care home as defined in subsection 2 (1) of the *Fixing Long-Term Care Act, 2021*;

“retirement home” means a retirement home as defined in subsection 2 (1) of the *Retirement Homes Act, 2010*;

“zoning by-law” means Zoning By-Law 2009-141 of the City of Barrie.

Application

2. (1) This Order applies to lands in the City of Barrie, in the Province of Ontario, being the lands identified on a map numbered 328 and filed at the Toronto office of the Ministry of Municipal Affairs and Housing located at 777 Bay Street.

(2) Despite any future severance, partition or division of the lands described in subsection (1), this Order shall continue to apply to the lands as if no severance, partition or division occurred.

Permitted uses

3. In addition to the uses permitted by the zoning by-law, the following uses are permitted on the lands described in subsection 2 (1):

1. An apartment building.
2. An assisted living facility.
3. A long-term care home.
4. A park.
5. A retirement home.

Permitted accessory uses — long-term care home, etc.

4. (1) The following accessory uses are permitted in a long-term care home, a retirement home or an assisted living facility located on the lands described in subsection 2 (1):

1. An assembly hall.
2. A child care centre.
3. A custom workshop.
4. A dry cleaning establishment.
5. A facility for the grooming and training of domesticated animals.
6. A facility that provides day programs and care services for adults.
7. A financial institution.
8. A fitness or health club.
9. Home occupation.
10. A library.
11. A living classroom and laboratory.

Schedule "B" to attached to By-law 2024-137

2

12. A local convenience retail establishment.
13. A pharmacy that does not exceed a maximum gross leasable floor area of 140 square metres.
14. Offices, including medical offices.
15. A parking structure underground.
16. A personal service store.
17. A place of worship.
18. A rehabilitation centre.
19. A research and development facility.
20. A restaurant that does not contain a night club or drive-through facility.
21. A senior citizen community and resource centre.
22. A service store.
23. A studio.

(2) The accessory uses listed in subsection (1) are permitted only if the primary means of access is through the main entrance of the long-term care home, retirement home or assisted living centre, as applicable.

(3) In this section,

"living classroom and laboratory" means a facility that provides an on-site learning program that integrates theoretical and practical education and training for health-care workers in the gerontological field;

"rehabilitation centre" means an institution or facility, other than a hospital, that provides physiotherapy, occupational therapy and other rehabilitative treatment of dysfunction or disability, including emergency assessment and treatment;

"senior citizen community and resource centre" means a multi-purpose facility, or part of that facility, that offers a variety of recreational, cultural, community service, informational or instructional programs to senior citizens;

"studio" means a building or part of a building that is used for portrait and commercial photography, painting, sculpting or other forms of art and craft making, but that is not used for the sale of art, craft or photography products or equipment.

Same — apartment building

5. The following accessory uses are permitted in or on lands adjacent to or associated with an apartment building located on the lands described in subsection 2 (1):

1. An indoor amenity area for a pool, fitness centre, meeting room or other indoor amenities.
2. An outdoor amenity area for a pool or other outdoor amenities.
3. A marketing, administrative and property management office for the apartment building and for any long-term care home, retirement home or assisted living facility located on the lands described in subsection 2 (1).

Zoning requirements

6. (1) The zoning requirements for the uses permitted under section 3 and the accessory uses permitted under subsection 4 (1) and section 5 are the zoning requirements set out in the zoning by-law, with the following exceptions:

1. The maximum number of beds in a long-term care home is 192.
2. The combined maximum number of suites in any assisted living facility and any retirement home is 485.
3. The combined maximum number of dwelling units in any assisted living facility and any retirement home is 120.
4. The maximum number of dwelling units in an apartment building is 360.
5. The minimum front yard setback is two metres.
6. There is no maximum front yard setback.
7. The minimum exterior side yard setback is 0 metres.
8. There is no maximum exterior side yard setback.
9. The minimum interior side yard setback is seven metres.
10. The minimum rear yard setback is 0 metres.
11. The minimum setback to the property line for any underground structure is 0 metres.

Schedule "B" to attached to By-law 2024-137

12. The minimum number of parking spaces for a long-term care home is 0.5 parking spaces for each bed in the long-term care home.

13. The minimum number of parking spaces for a retirement home is 0.5 parking spaces for each suite in the retirement home and one parking space for each dwelling unit in the retirement home.

14. The minimum number of parking spaces for an apartment building is one parking space for each dwelling unit in the apartment building.

15. Tandem parking is permitted for the purpose of satisfying the minimum parking requirements in paragraphs 12 to 14.

16. Parking spaces are not required for the accessory uses described in subsection 4 (1) and section 5.

17. The maximum height of a long-term care home is six storeys.

18. The maximum height of a retirement home or an assisted living facility is 12 storeys.

19. The maximum height of an apartment building is 26 storeys.

20. No minimum step-backs or angular plane requirements apply.

21. Section 6.3.4.3 of the zoning by-law does not apply.

22. Country Lane shall be considered the front lot line for the lands described in subsection 2 (1).

(2) In this section,

"suite" means a unit in a building designed to be lived in by one or more persons but that does not contain a full kitchen.

Terms of use

7. (1) Every use of land and every erection, location and use of buildings or structures shall be in accordance with this Order.

(2) Nothing in this Order prevents the use of any land, building or structure for any use prohibited by this Order if the land, building or structure is lawfully so used on the day this Order comes into force.

(3) Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased or its original use altered.

(4) Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

Deemed by-law

8. This Order is deemed for all purposes, except for the purposes of section 24 of the Act, to be a by-law passed by the council of the City of Barrie.

Commencement

9. This Regulation comes into force on the day it is filed.

Made by:

PAUL CALANDRA
Minister of Municipal Affairs and Housing

Date made: July 26, 2024