



Bill No. 115

**BY-LAW NUMBER 2019-**

**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 19-G-308

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

1. **THAT** unless otherwise identified in this By-law, all references to “Site Triangle” in Comprehensive Zoning By-law 2009-141 shall be deleted and replaced with “Sight Triangle”.
2. **THAT** unless otherwise identified in this By-law, all references to “Data Warehousing” in Comprehensive Zoning By-law 2009-141 shall be deleted and replaced with “Data Processing Centre”.
3. **THAT** unless otherwise identified in this By-law, all references to “Retirement Home” in Comprehensive Zoning By-law 2009-141 shall be deleted and replaced with “Assisted Living Facility”.
4. **THAT** all tables throughout Comprehensive Zoning By-law 2009-141 shall be revised to provide a consistent format with respect to the following:
  - a) “--” shall be used to indicate when a standard or requirement is not applicable;
  - b) “0” shall be used to indicate that the requirement is nil;
  - c) units of measure shall be rounded to one decimal point for all minimum yard setbacks and maximum or minimum height requirements; and
  - d) the unit of measurement shall be consistency indicated within rows.
5. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by adding the following definitions:
  - a) Acoustic Fencing - shall mean a barrier, wall or fence designed by a professional engineer that is erected for noise attenuation purposes.
  - b) Crash Wall - shall mean a structure, also known as a deflection wall or containment wall that is designed by a professional engineer to redirect a derailing train back into a rail corridor.
  - c) Detached Accessory Dwelling Unit - shall mean an accessory dwelling unit located in a detached structure on the same property as, and is subordinate to, a principal unit.
6. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by revising the current definition of Accessory Building or Structure as follows:
  - a) deleting “a private detached garage” and replacing it with “detached garage”;
  - b) deleting “Notwithstanding the above, a private garage that is attached to the main dwelling not be considered an accessory structure (By-law 2018-113)”; and
  - c) adding “clothing donation bin” to the list of examples of provided.
7. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by adding the word “average” in front of “finished grade” in the current definition of Building Height.

8. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting the definition of Second Suite and replacing it with:

Shall mean an accessory dwelling unit that is located within the principal structure on a property, and is subordinate to a principal unit.

9. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting the definition of Dry Cleaning or Laundry Depot.

10. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by adding the following to the end of the definition of Laundry or Dry Cleaning Depot:

...This definition does not include a dry cleaning establishment as defined herein.

11. **THAT** unless otherwise identified in this By-law, all references to "Dry Cleaning or Laundry Depot" in Comprehensive Zoning By-law 2009-141 shall be deleted and replaced with "Laundry or Dry Cleaning Depot".

12. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting the current definition of Dwelling Unit and replacing it with:

shall mean a building or part thereof used or intended to be used as a domicile by 1 or more persons containing cooking, eating, living, sleeping and sanitary facilities, but shall not include guest rooms in motels and hotels; lodging room suites in boarding, lodging, rooming houses; or dormitories.

13. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting the current definition of Lot Coverage and replacing it with:

shall mean that percentage of the total lot area covered by buildings and structures, including accessory buildings and structures, above finished grade but shall not include that portion of such land or lot area which is occupied by swimming pools, decks less than 1.8m above grade, and/or any buildings and structures, or portion thereof, which are completely below finished grade level.

14. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting the current definition of Suite and replacing it with:

shall mean a single room or series of rooms, of complimentary use, provided for the exclusive use of individual occupants, and includes guest rooms in motels and hotels; individual lodging room suites in boarding, lodging, rooming houses; and dormitories; but shall not include a *second suite or a detached accessory dwelling unit*.

15. **THAT** Section 4.1 General Provisions of Comprehensive Zoning By-law 2009-141 be amended by adding the following new subsections:

a) **4.1.6 Development Standards**

Development standards for *zones* and *uses* are found on various tables which form part of this By-law. The symbol "--" is used within tables to indicate that a particular standard is not applicable to a *zone* or *use*. A number following a *zone* heading, standard or *use*, indicates that one or more conditions apply to that *zone*, standard or *use*.

b) **4.1.7 Signs**

Sign regulations will be included in a separate Sign By-law, and all signage will be subject to the regulations contained therein.

16. **THAT** Section 4.1.4.7 Exemptions of Comprehensive Zoning By-law 2009-141 be deleted.

17. **THAT** Section 4.2.1.9 Accessory Structures and Uses of Comprehensive Zoning By-law 2009-141 be amended by adding the following new subsection:

4.2.1.9.1 Exemptions

Notwithstanding any other provision of this By-law, clothes poles, flag poles, ornamental light poles, required retaining walls, required *crash walls*, required *acoustic fencing*, or other similar accessory structures are permitted in any yard and are not subject to height and setback requirements of the zone in which they are located but are subject to the requirements of Section 4.9.1.1. Accessibility ramps are permitted in any yard and are not subject to height and setback requirements of the zone in which they are located.

18. **THAT** Section 4.5.3 Minimum Standards for a Dwelling Unit of Comprehensive Zoning By-law 2009-141 be amended by deleting the following:

- d) No more than 4 tenants; and,
- e) No tenant-occupied room is permitted to be equipped with an external locking mechanism that prevents access to said room by the other house occupants when the room is unoccupied.

19. **THAT** Table 4.6 Parking Standards of Comprehensive Zoning By-law 2009-141 be amended by deleting the following:

Uses	Parking Standards
<i>Residential building containing not more than 3 dwelling units</i>	1 space per <i>dwelling unit</i> , plus 1 additional space for every 2 tenants accommodated. Tandem parking will be permitted.

and replacing the Parking Standard with:

Uses	Parking Standards
<i>Residential building containing not more than 3 dwelling units</i>	1.5 space per <i>dwelling unit</i> . Tandem parking will be permitted.

20. **THAT** Section 4.6.2.6 Surface Treatment of Comprehensive Zoning By-law 2009-141 be amended by adding the following text after the first sentence:

*Parking spaces, parking areas, driveways, and aisles in Residential Zones shall comply with Section 5.3.6.*

21. **THAT** Section 4.9 Fencing of Comprehensive Zoning By-law 2009-141 be amended by deleting and replacing subsection 4.9.1.1 with:

No retaining wall, fence, *crash wall* or *acoustic fencing* shall be permitted within 0.3m of any lot line abutting a street. No hedge shall be permitted on any lot within 1.0m of any lot line abutting a street.

22. **THAT** Section 5.3.5.4 Fences of Comprehensive Zoning By-law 2009-141 be amended by adding the following new provision:

- d) Notwithstanding the above and the requirements of Section 5.3.5, required *crash walls*, required *acoustic fencing*, and tight board fences required under Section 5.3.7.1, shall be permitted within any yard or along any lot line, subject to the requirements of Section 4.9.1.1.

23. **THAT** Section 5.3.6.1 c) of Comprehensive Zoning By-law 2009-141 be amended by deleting the words "front yard".

24. **THAT** Table 7.2 Permitted Uses of Comprehensive Zoning By-law 2009-141 be amended by deleting the following:

Uses	Zones				
	Business Park (BP) (Formerly EM1-Business Park)	Light Industrial (LI) (Formerly EM1-Business Park and EM3-Service Industrial Zones)	Highway Industrial (HI) (Formerly EM2-Highway 400 Industrial)	General Industrial (GI) (Formerly EM4-General Industrial)	Restricted Industrial (RI) (Formerly EM5-Restricted Industrial)
<b>Commercial Uses</b>					
<i>Bank</i>	X	X	X (As part of a multi-tenant building)		
<i>Building Supply Centre</i> <sup>(2)</sup>		X	X <sup>(2)</sup> (As part of a multi-tenant building)	X	
<i>Restaurant as part of multi-tenant building</i>	X	X	X	X	

and replacing the Industrial Standards with the following, including a new footnote:

Uses	Zones				
	Business Park (BP) (Formerly EM1-Business Park)	Light Industrial (LI) (Formerly EM1-Business Park and EM3-Service Industrial Zones)	Highway Industrial (HI) (Formerly EM2-Highway 400 Industrial)	General Industrial (GI) (Formerly EM4-General Industrial)	Restricted Industrial (RI) (Formerly EM5-Restricted Industrial)
<b>Commercial Uses</b>					
<i>Bank</i>	X	X	X <sup>(3)</sup>		
<i>Building Supply Centre</i>		X <sup>(2)</sup>	X <sup>(2) (3)</sup>	X <sup>(2)</sup>	
<i>Restaurant</i>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	

(3) Shall only be permitted as part of a multi-tenanted building.

25. **THAT** Section 5.2.9.1 General of Comprehensive Zoning By-law 2009-141 be amended by deleting the provision and replacing it with the following:

Except as provided herein, a *second suite* and a *detached accessory dwelling unit* shall be permitted in the R1, R2, R3, R4, R5, RM1, RM2, RM3 and RM2-TH zones where the principal *dwelling unit* has frontage on a municipal *street* subject to the following

26. **THAT** Section 5.2.9.1 General of Comprehensive Zoning By-law 2009-141 be amended by deleting and replacing c) with the following:

c) A maximum of one *detached accessory dwelling unit* and one *second suite* within the principal dwelling shall be permitted per lot.

27. **THAT** Section 5.2.9.1 General of Comprehensive Zoning By-law 2009-141 be amended by deleting the following:

d) A maximum of 2 bedrooms is permitted in the second suite or detached accessory dwelling unit.

28. **THAT** Section 5.2.9.1 General of Comprehensive Zoning By-law 2009-141 be amended by deleting and replacing f) with the following:

f) A *second suite* or *detached accessory dwelling unit* shall not be less than 35m<sup>2</sup> in size.

29. **THAT** Section 5.2.9.1 General of Comprehensive Zoning By-law 2009-141 be amended by adding the following new provision:

g) *Second suites* and *detached accessory dwelling units* are not permitted on a lot with a *boarding, lodging, rooming house*.

30. **THAT** Section 5.2.9.2 Parking of Comprehensive Zoning By-law 2009-141 be amended by adding “, a *detached accessory dwelling unit*, or both” after “*second suite*”.

31. **THAT** Section 5.2.9.2 a) of Comprehensive Zoning By-law 2009-141 be amended by deleting the provision and replacing it with:

a) A minimum of 1 parking space per dwelling unit is required in the R1, R2, R3, R4, R5, RM1, RM1-SS, RM2, RM3 and RM2-TH zones; and

32. **THAT** Section 5.2.10.1 b) Standards for Home Occupations of Comprehensive Zoning By-law 2009-141 be amended by deleting the provision and replacing it with:

b) The *home occupation* shall be confined to either the *main building* or a *detached garage* on the lot on which it is located. A fenced outdoor play area for private *child care* is exempt from this provision.

33. **THAT** Section 8.3.2 Additional Standards for Group Homes of Comprehensive Zoning By-law 2009-141 be amended by deleting the sentence “A minimum distance of 300m shall separate each *group home*. (By-law 2016-057)d”

34. **THAT** Section 13.3.18 Special Provisions of Comprehensive Zoning By-law 2009-141 be amended by deleting “LI (SP-338)” and replacing it with “BP (SP-338)”.
35. **THAT** Section 13.3.19 Special Provisions of Comprehensive Zoning By-law 2009-141 be amended by deleting “LI (SP-339)” and replacing it with “BP (SP-339)”.
36. **THAT** Table 14.5.2 Permitted Uses of Comprehensive Zoning By-law 2009-141 be amended by adding the following footnote:

Table 14.5.2		
Uses	Zones	
	Neighbourhood Residential R5	Neighbourhood Multiple Residential RM3
<b>Accessory Uses</b>		
Second Suite <sup>(1)(3)</sup>	X	X

(3) *Second suites and detached accessory dwelling units* in the R5 Zone and RM3 Zone shall be permitted in accordance with the provisions and standards of Section 5.2.9.

37. **THAT** Table 14.5.6 Residential Standards of Comprehensive Zoning By-law 2009-141 be amended by adding the following footnote:

Table 14.5.6						
Zones						
Neighbourhood Residential R5 Zone			Neighbourhood Residential Multiple Zone RM3			
Single	Semi	Street Townhouse	Back To Back Townhouse	Block/ Cluster/ Street <sup>(3)</sup> Townhouse	Walk-Up Apartments	Apartments

(3) Street townhouse dwellings in the RM3 Zone shall comply with the R5 Zone street townhouse standards.

38. **THAT** the Zoning Map Schedule of Comprehensive Zoning By-law 2009-141 be amended to change the zoning of those lands municipally known as 249 Bayview Drive from General Commercial (C4) to Environmental Protection (EP) and General Commercial (C4) in accordance with Schedule “A” attached to this By-law being a portion of the Zoning Map Schedule.
39. **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 November, 2019.

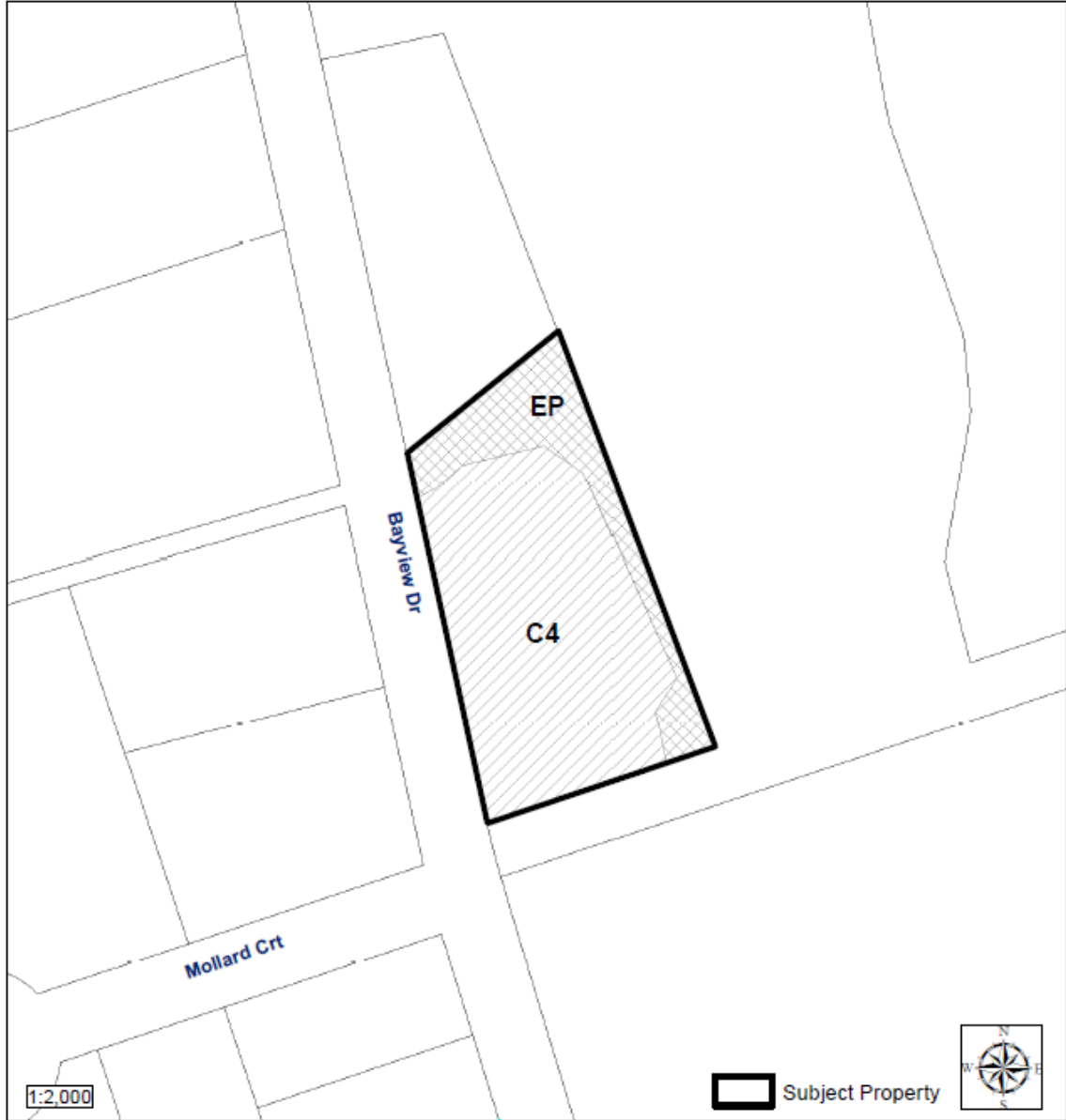
**READ** a third time and finally passed this 25<sup>th</sup> day of November, 2019.

**THE CORPORATION OF THE CITY OF BARRIE**

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MAYOR – J.R. LEHMAN

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CITY CLERK – WENDY COOKE

Schedule "A" to attached By-law 2019-



Proposed Zoning By-law Amendment  
D14-1677

249 Bayview Drive  
CON 13 INNISFIL N PT LOT 9 RP 51R4313  
PARTS 4 & 5 LESS RP 51R6692 PARTS 9 & 13

LOCATION MAP



Date: July 29, 2019

File No.: D14-1677

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MAYOR – J.R. LEHMAN

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CITY CLERK – WENDY COOKE