



Bill No. 035

**BY-LAW NUMBER 2013-**

**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 Lots 7, 8, 9, 10, 11 & 12, east side of Bradford Street, Plan 22, Lot 7, 8, 9, 10, 11 & 12, west side of Ellen Street, Plan 22, City of Barrie, County of Simcoe, municipally known as 145 Bradford Street from General Commercial (C4) to Transition Centre Commercial (C2-2) (SP-480) (H-120);

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 13-G-015.

**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 Lots 7, 8, 9, 10, 11 & 12, east side of Bradford Street, Plan 22, Lot 7, 8, 9, 10, 11 & 12, west side of Ellen Street, Plan 22, City of Barrie, County of Simcoe, municipally known as 145 Bradford Street from General Commercial (C4) to Transition Centre Commercial (C2-2) (SP-480) (H-120) 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 6.3.2 of By-law 2009-141, a maximum building height of 65 metres including rooftop mechanical devices shall be permitted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
3. **THAT** notwithstanding the provisions set out in Section 6.3.2 of By-law 2009-141, the stepping provision requirements shall not be required in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
4. **THAT** notwithstanding the provisions set out in Section 6.3.2 of By-law 2009-141, a minimum lot coverage of 12.5% of the total lot area for the commercial use portion of the development shall be permitted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
5. **THAT** notwithstanding the provisions set out in Section 6.3.2 of By-law 2009-141, a minimum of 3,318 square meters of commercial use (not including home occupations) shall be required in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
6. **THAT** notwithstanding the provisions set out in Section 6.3.1 of By-law 2009-141, a minimum right side setback abutting Ellen Street of:
  - a) 1.5 meters for buildings less than or equal to 12.5 meters in height;
  - b) 3 meters for buildings greater than 12.5 meters in height,shall be permitted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
7. **THAT** notwithstanding the provisions set out in Section 6.3.1 of By-law 2009-141, a minimum left side setback abutting Bradford Street of 3 meters shall be permitted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
8. **THAT** notwithstanding the provisions set out in Section 6.3.7.1 of By-law 2009-141, a Landscaped Buffer Area shall not be required in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
9. **THAT** notwithstanding the provisions set out in Section 5.2.10 (h) of By-law 2009-141, direct sales uses shall be permitted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
10. **THAT** in addition to the provisions set out in Section 5.2.10.1 of By-law 2009-141, a home occupation is a permitted use only if direct access to the street is provided for the residential unit in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.

11. **THAT** notwithstanding the provisions set out in Section 5.2.10.1 (a) of By-law 2009-141, the floor area devoted to the home occupation shall not exceed 50% of the floor area of the dwelling in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
12. **THAT** notwithstanding the provisions set out in Section 5.2.10.1 (d) of By-law 2009-141, the number of employees employed at a home occupation shall not be restricted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
13. **THAT** notwithstanding the provisions set out in Section 5.2.10.1 (f) of By-law 2009-141, retail uses shall be permitted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
14. **THAT** notwithstanding the provisions set out in Section 5.2.10.1 (e) of By-law 2009-141, all parking spaces to be provided for non-resident employees shall be permitted within the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone, and need not be accommodated solely on the same lot as the home occupation.
15. **THAT** notwithstanding the provisions set out in Section 5.2.10.1 (h) of By-law 2009-141, the number of customers being served at one time at a home occupation shall not be restricted in the Transition Centre Commercial (C2-2) (SP-480) (H-120) zone.
16. **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 Transition Centre Commercial (C2-2) (SP-480) (H-120) 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) A Record of Site Condition is accepted by the Ministry of the Environment.
  - b) A site plan agreement for development of the site is executed which shall include:
    - i. the requirement to transfer a road widening and daylighting triangle; and
    - ii. an urban design concept incorporating non-traditional amenity areas (e.g. green roofs) and low impact development techniques.
  - c) A survey which verifies that the Ministry of the Environment Guideline D-2 separation distance requirement between a sensitive land use and the City of Barrie Wastewater Treatment Facility has been met.
17. **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.
18. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this 4<sup>th</sup> day of March, 2013.

**READ** a third time and finally passed this 4<sup>th</sup> day of March, 2013.

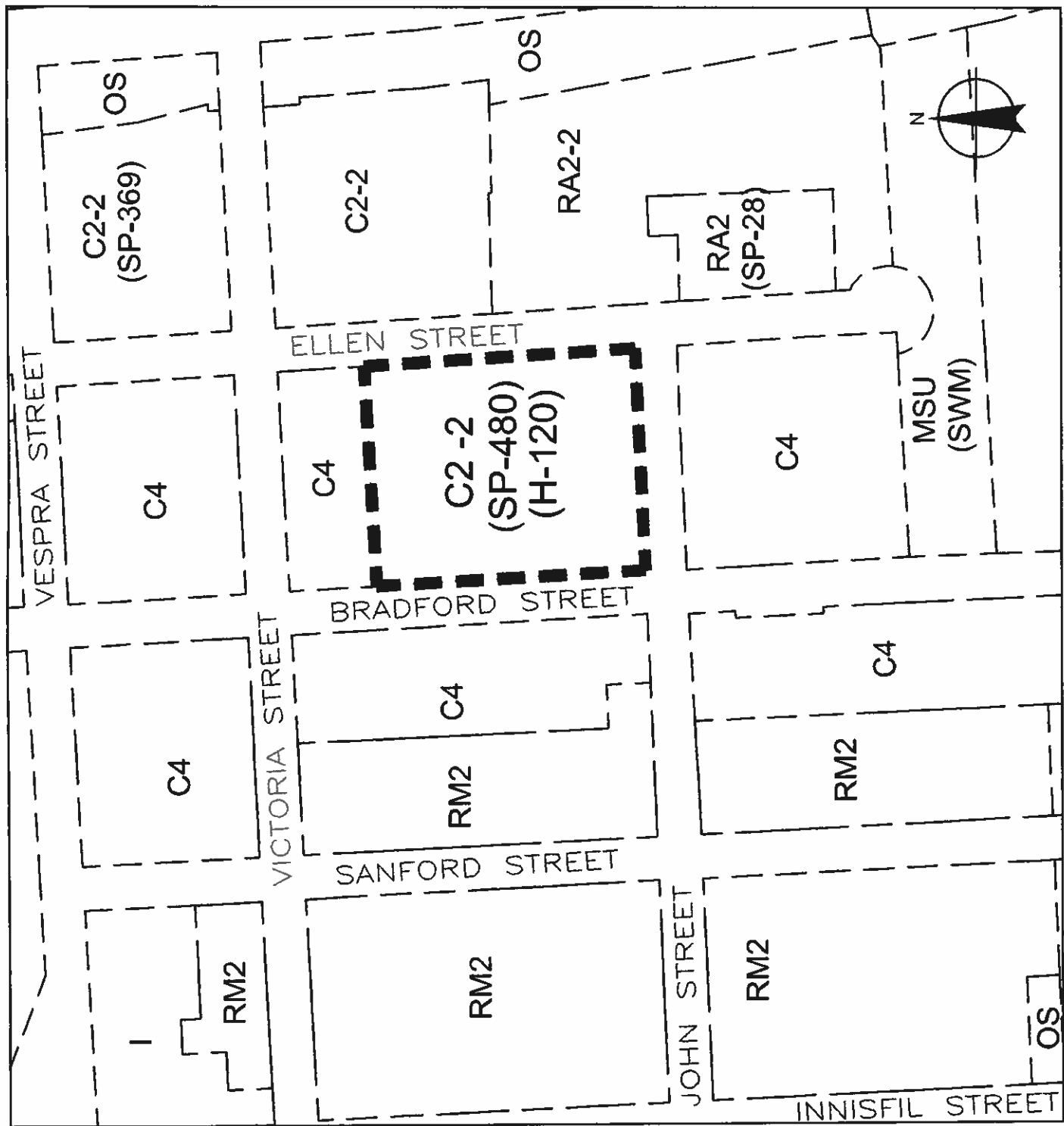
**THE CORPORATION OF THE CITY OF BARRIE**

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**MAYOR – J.R. LEHMAN**

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**CITY CLERK – DAWN A. MCALPINE**



January 21, 2013

D14-1484  
145 Bradford Street

Schedule "A" to attached By-law 2013-

MAYOR - J.R. LEHMAN

CITY CLERK - DAWN A. MCALPINE