



Bill No. 071

**BY-LAW NUMBER 2023-**

**A By-law of The Corporation of the City of Barrie to amend Town of Innisfil By-law 054-04 and City of Barrie By-law 2009-141, land use control by-laws to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures, formerly in the Town of Innisfil, now in the City of Barrie.**

**WHEREAS** the Council of The Corporation of the City of Barrie deems it expedient to amend Town of Innisfil By-law 054-04 and City of Barrie By-law 2009-141 to rezone lands being Part of Lot 15, Concession 11, Formerly Town of Innisfil and known municipally as 1012 Yonge Street, Barrie, shown on Schedule "A" to this By-law from 'Agricultural General' (AG) and 'Neighbourhood Residential Multiple' (RM3) to 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) and 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158).

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 23-G-140.

**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 the lands from 'Agricultural General' (AG) in Town of Innisfil By-law 054-04 and 'Neighbourhood Residential Multiple' (RM3) in Zoning By-law 2009-141 to 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) and 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) in City of Barrie By-law 2009-141, in accordance with Schedule "A" attached to this By-law.
2. **THAT** lands zoned 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) and 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) shall be considered one property, collectively, for the purposes of calculating residential density and general floor space index.
3. **THAT** lands zoned 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) and 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) shall be developed generally in accordance with the Conceptual Site Plan attached as Schedule "B" to this By-law, as it relates to building height, placement and setbacks, the location and configuration of amenity areas, and the location and configuration of landscape strips, drive aisles and parking areas.
4. **THAT** notwithstanding any provisions set out in By-law 2009-141, the lot line abutting Yonge Street shall be considered the front lot line in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.
5. **THAT** notwithstanding any provisions set out in By-law 2009-141, a minimum exterior side yard setback of 0.5 metres to a daylight triangle is required in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.
6. **THAT** notwithstanding any provisions set out in By-law 2009-141, a minimum exterior side yard setback of 1 metre is required for underground parking structures in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.
7. **THAT** the minimum setback requirements for an underground parking structure in sections 4.6.5.2 and 14.6.3 of the By-law shall not apply to daylight triangles in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.
8. **THAT** notwithstanding any provisions set out in By-law 2009-141, a maximum of 70 percent of the lot frontage and lot flankage, measured collectively, shall have buildings within 5 metres of the front and exterior side lot lines in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.
9. **THAT** notwithstanding section 14.6.3, buildings exceeding 3 storeys in height shall include 3 metre step-backs above the third storey along a façade that abuts a public street in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.

10. **THAT** notwithstanding section 14.6.3, buildings exceeding 3 storeys in height shall include 3 metre step-backs above the third storey along a rear façade that directly abuts a private laneway or drive aisle in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.
11. **THAT** notwithstanding any provisions set out in By-law 2009-141, a minimum street level floor height of 4 metres is required for ground floor commercial uses in the 'Neighbourhood Mixed Use – Special Provision No. 636, Hold-158' (NMU)(SP-636)(H-158) zone.
12. **THAT** notwithstanding any provisions set out in By-law 2009-141, landscape planters may encroach a maximum of 1.3 metres into a required exterior side yard setback, adjacent to a daylight triangle, in the 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) zone.
13. **THAT** the minimum setback requirements for an underground parking structure in sections 4.6.5.2 and 14.6.3 shall not apply to daylight triangles in the 'Neighbourhood Mixed Use – Special Provision 637, Hold-158' (NMU)(SP-637)(H-158) zone.
14. **THAT** notwithstanding any provisions set out in By-law 2009-141, a maximum of 90 percent of the lot frontage and lot flankage, measured collectively, shall have buildings within 5 metres of the front and exterior side lot lines in the 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) zone.
15. **THAT** notwithstanding any provisions set out in By-law 2009-141, a minimum rear yard setback of 1 metre is required in 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) zone.
16. **THAT** notwithstanding any provisions set out in By-law 2009-141, landscape planters may encroach a maximum of 1 metre into a required rear yard setback in the 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) zone.
17. **THAT** notwithstanding section 14.6.3, buildings exceeding 4 storeys in height shall include 3 metre step-backs above the third storey along a façade that abuts a public street in the 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) zone.
18. **THAT** notwithstanding section 14.6.3, buildings exceeding 4 storeys in height shall include 3 metre step-backs above the third storey along a front and rear façade that directly abuts a private laneway or drive aisle in the 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) zone.
19. **THAT** notwithstanding section 14.6.3, buildings exceeding 3 storeys in height fronting onto Moberly Drive shall include a 3 metre step-back above the third storey along the front façade in the 'Neighbourhood Mixed Use – Special Provision No. 637, Hold-158' (NMU)(SP-637)(H-158) zone.
20. **THAT** the Holding Provision (H-158) be removed from the site-specific zoning on the subject lands, municipally known as 1012 Yonge Street, once the Director of Development Services is satisfied that:
  - a. The municipal water and sanitary services, stormwater management facilities and transportation infrastructure required for the development of the subject lands is available and fully operational.
21. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above-described lands shown in Schedule "A" to this by-law shall apply to the said lands except as varied by this By-law.
22. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this 21<sup>st</sup> day of June, 2023.

**READ** a third time and finally passed this 21<sup>st</sup> day of June, 2023.

**THE CORPORATION OF THE CITY OF BARRIE**

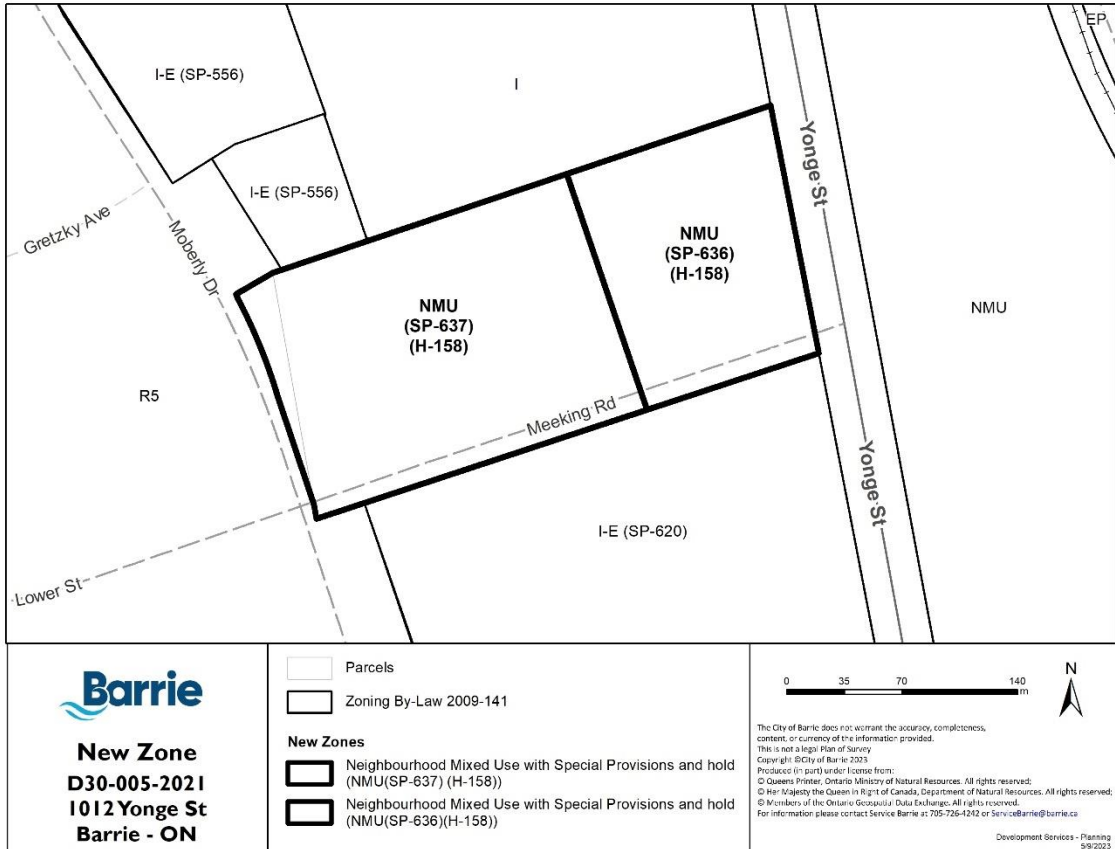
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**MAYOR – ALEX NUTTALL**

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**CITY CLERK – WENDY COOKE**

Schedule "A" to attached By-law 2023-



**New Zone**  
**D30-005-2021**  
**1012 Yonge St**  
**Barrie - ON**

- Parcels
- Zoning By-Law 2009-141

**New Zones**

- Neighbourhood Mixed Use with Special Provisions and hold (NMU(SP-637) (H-158))
- Neighbourhood Mixed Use with Special Provisions and hold (NMU(SP-636)(H-158))



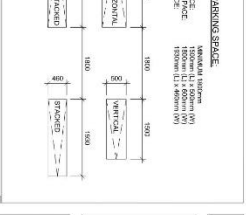
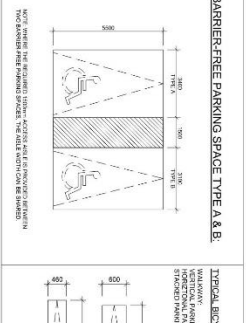
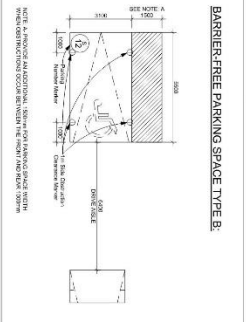
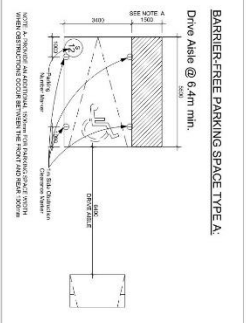
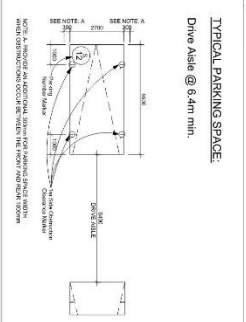
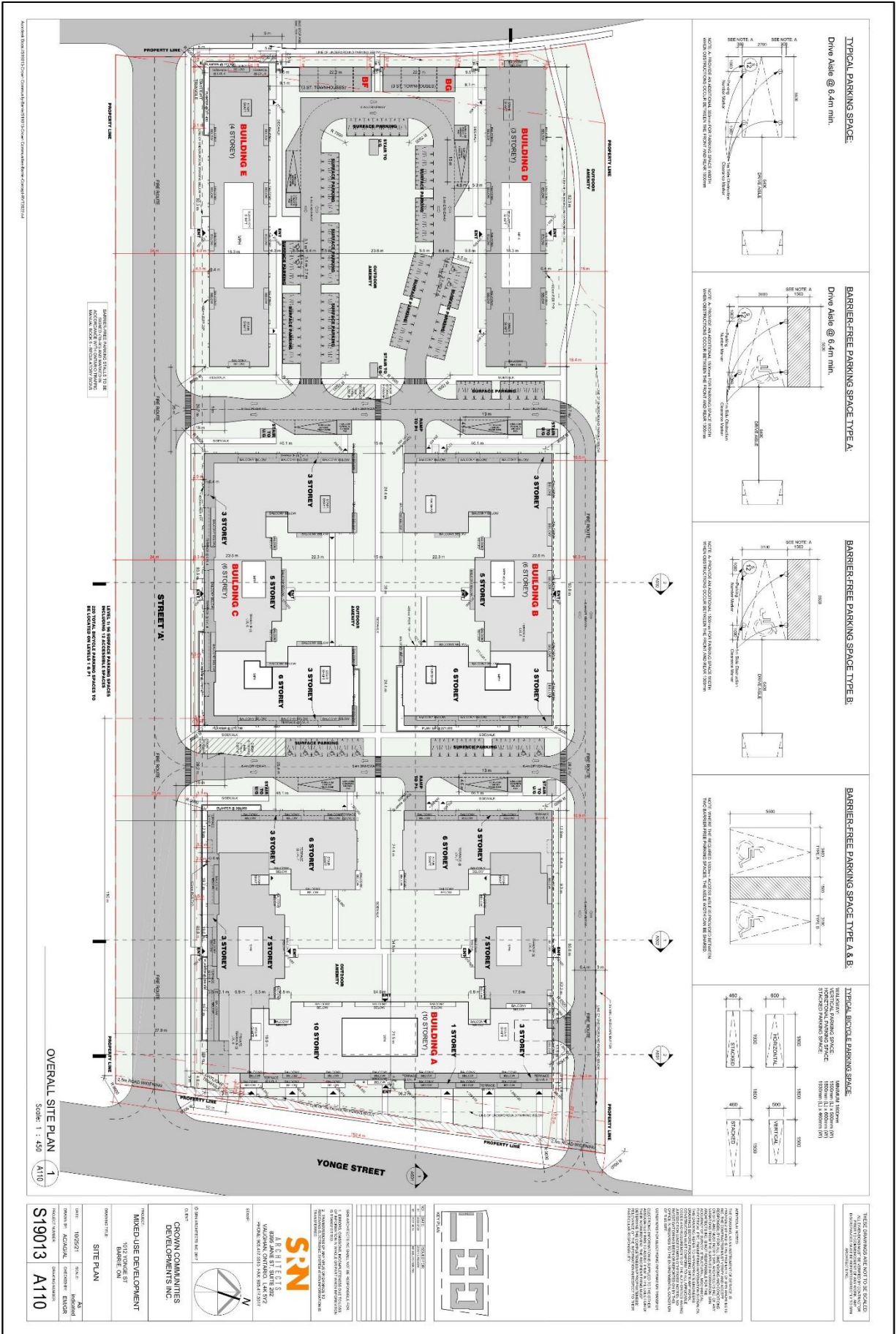
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Development Services - Planning  
 5/9/2023

**MAYOR – ALEX NUTTALL**

**CITY CLERK – WENDY COOKE**

Schedule "B" to attached By-law 2023



THESE DRAWINGS ARE NOT TO BE SCALE.  
DIMENSIONS SHALL BE TO THE DIMENSIONS SHOWN ON THESE DRAWINGS UNLESS OTHERWISE SPECIFIED.  
DATE: 10/25/21 SCALE: AS SHOWN  
DRAWN BY: ACADEMIA ENGINEERING CONSULTANTS  
PROJECT NO: S19013 A110

**SRN**  
ARCHITECTS  
1000 SHEPPARD AVENUE EAST, SUITE 100  
VANDERBILT, ONTARIO L4N 1V7  
PHONE: (905) 477-5555 FAX: (905) 477-5557

CLIENT: GREEN SPARKLIGHTS DEVELOPMENTS INC.  
PROJECT: MIXED USE DEVELOPMENT  
1672 YONGE ST  
DANFORTH, ON

DESIGNED BY: SITE PLAN  
DATE: 10/25/21

MAYOR – ALEX NUTTALL

CITY CLERK – WENDY COOKE