

PUBLIC MEETING: HOUSEKEEPING AMENDMENTS TO ZONING BY-LAW 2009-141

Presented By: Shelby White, RPP

Date: June 17, 2019



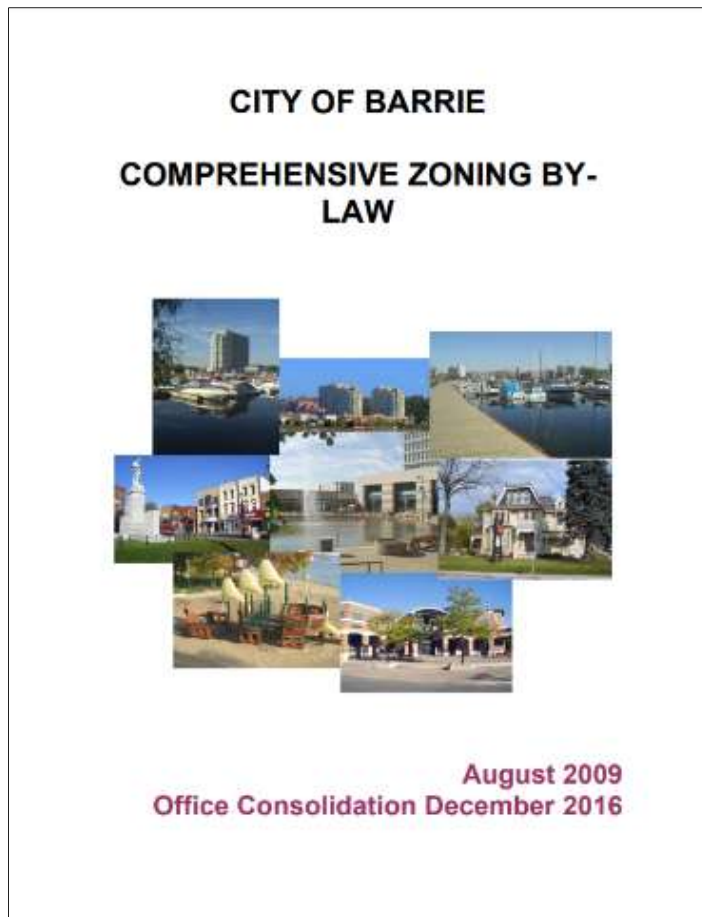
Presentation Overview

Purpose of
Housekeeping
Amendments

Proposed
Zoning By-law
Amendments

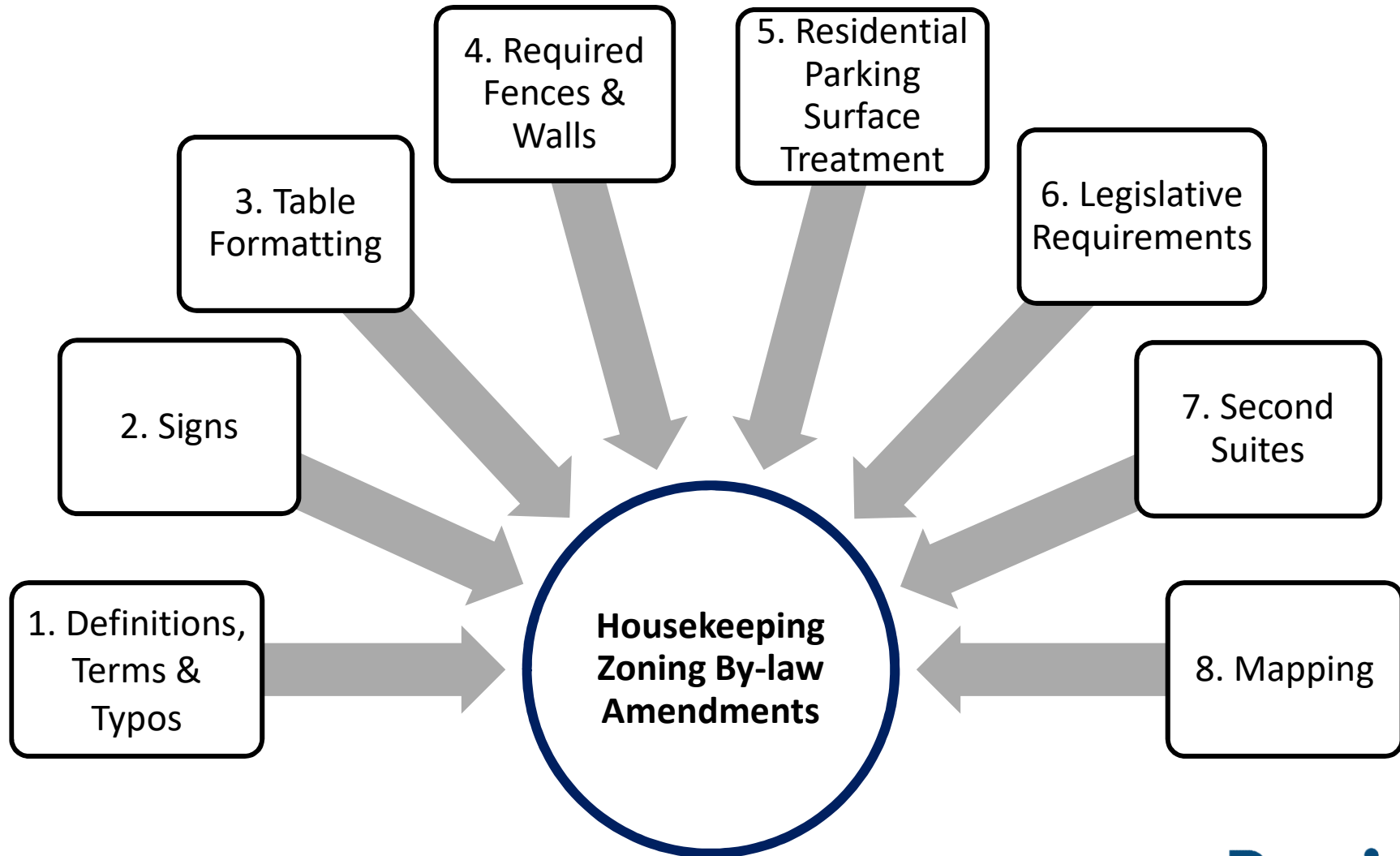
Next Steps,
Questions &
Comments

Purpose of Housekeeping Amendments



- Address inconsistencies, barriers for implementation, errors and omissions in the Zoning By-law (ZBL) highlighted by WSP in their August 2018 ZBL Issues Report and that have come up in day to day use of the ZBL by City Staff
- Updates relate to legislative requirements, modified definitions, and revised standards to improve implementation of the ZBL
- Includes both text and mapping changes

Proposed Amendments to Zoning By-law



1. Definitions, Terms & Typos

Revise definitions

- “Accessory building or structure”
- “Building height”
- “Lot coverage”

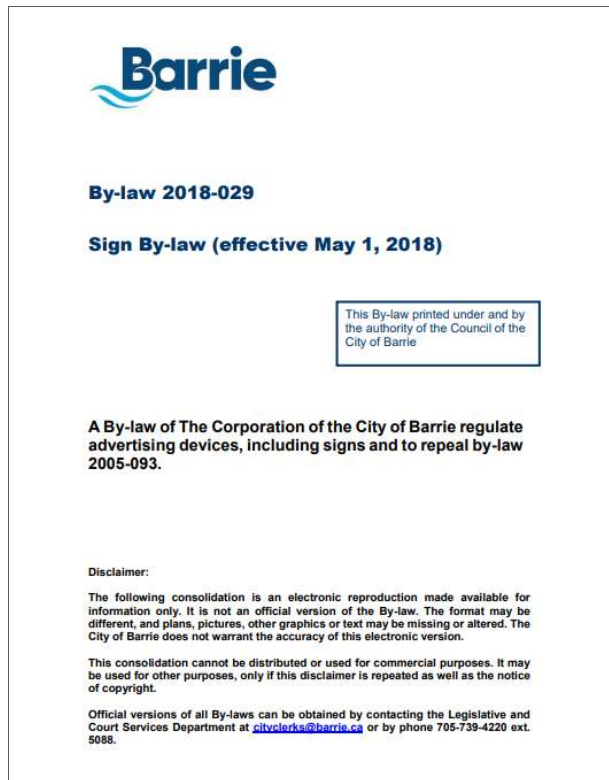
Replace Terms

- Site triangle → Sight triangle
- Data warehousing → Data processing centre
- Dry cleaning or laundry depot → Laundry or dry cleaning depot
- Retirement home → Assisted living facility

Correct Typos



2. Signs



- In March 2018 Council passed a new Sign By-law following discussions about the role of the ZBL in regulating signs, and potential updates to it
- There is currently no reference to signage in the ZBL
- A new general provision will clarify that all signage matters, including where they may be placed and prohibited types of signs, are regulated by the Sign By-law

3. Table Formatting

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 ⁽³⁾ Townhouse	Walk-Up Apartments	Apartments
Lot Frontage (min)	9.0m	7.2m	4.5m	5.5m	11.0m	18.0m	24.0m
Front Yard Setback (min.) ⁽¹⁾	3.0m	3.0m	3.0m	3.0m	3.0m	3.0m	3.0m
Exterior Side Yards Setback (min.) ⁽¹⁾	2.0m	2.0m	2.0m	2.0m	2.0m	2.0m	2.0m
Interior Side Yards Setback (min.) one side	1.2m	1.2m	0.0m	0.0m	0.0m	1.2m	
Interior Side Yards Setback (min.) opposite side	0.6m	0.0m	0.0m		0.0m	1.2m	5.0m
Interior Side Yard Setbacks where balconies or terrace face the side property line	--	--	--	--		5.0m	5.0m
Rear Yard (min.) ⁽²⁾	5.0m	5.0m	5.0m	5.0m	5.0m	5.0m	5.0m
End Unit Interior Side Yard Setback	N/A	N/A	1.2m	1.2m	1.2m	N/A	N/A
Landscaped open space (min. % of lot area)	--	--	--	--	25%	25%	25%
Minimum General Amenity Area per Unit	--	--	--	--	10m ²	10m ²	10m ²
Dwelling unit floor area (min.)	90m ²	90m ²	90m ²		35m ² /dwelling unit	10m ² /bedroom	
Lot Coverage (max. % of lot area)	60%	60%	70%	N/A	50%	50%	50%
Gross floor area (max. % of lot area)	--	--	--	250%	250%	250%	250%
Maximum Height Number of Storeys	3	3	3	3	3	4	12
Maximum number of contiguous units in a row	1	2	8	8		N/A	N/A

(1) A building, porch or balcony, with or without a foundation, may encroach into the front yard setback or exterior side yard setback up to 1.0m of the daylight triangle.

(2) The minimum rear yard setback shall not apply to back-to-back townhouses where the lot line contains a shared wall between two dwelling units.

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

4. Required Walls & Fences

- Fences over 2.0m high in Residential zones are an accessory structure
- Crash walls and acoustic fencing required as a condition of development, and tight board fences required to screen parking areas in residential zones, are often over 2.0m high
- Revise general provisions and Residential zone provisions to exempt required crash walls, acoustic fencing, and tight board fencing from minimum yard setbacks
- Only require a 0.3m yard setback to a wall or fence along a lot line abutting a street when driveway access is provided



Photo source:
https://www.tc.gc.ca/fr/examenloisurlasecuriteferroviaire/documents/Appendix_F.pdf



Photo source:
<http://1084621027.n91031.test.prositechosting.co.uk/img/Absorption-panels-2.png>

5. Residential Parking Surface Treatment

- The ZBL only requires residential driveways and parking areas to be a hard stable surface if they are located in the front yard
- Where no carport or attached garage is provided, the ZBL requires a driveway be provided in the side yard
- Proposed changes would require all driveways and parking areas in Residential zones to be a hard stable surface



Image source: https://media.angieslist.com/s3fs-public/styles/widescreen_large/public/newasphaltdriveway.JPG?itok=wN9tMJ75

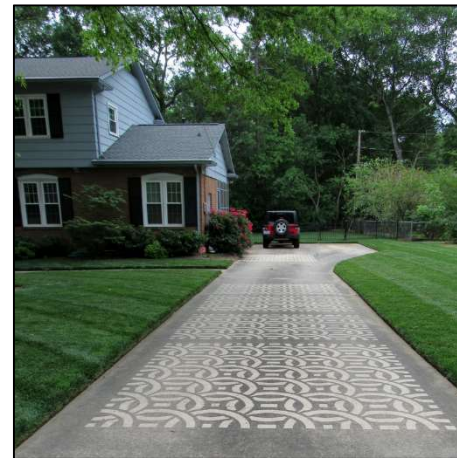


Image source:
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6. Legislative Requirements



Ontario
Human Rights Commission
Commission ontarienne des
droits de la personne

- Section 35 of the *Planning Act* states that a ZBL cannot distinguish between related and unrelated people respecting occupancy/use of a building or structure, including the occupancy/use as a single housekeeping unit
- The Ontario Human Rights Code (OHRC) provides protection against discrimination in housing based on specific grounds
- Staff have identified provisions in the ZBL that may contravene the *Planning Act* and/or the OHRC by zoning based on the people accommodated in the dwelling.

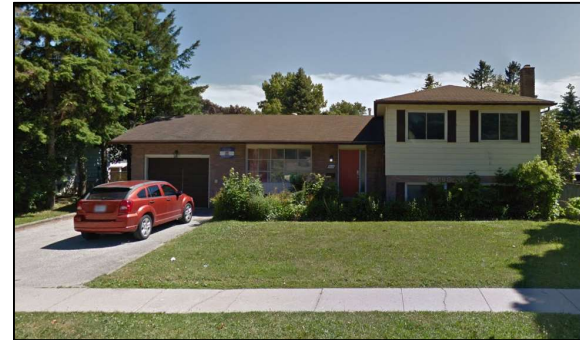
6. Legislative Requirements

Minimum Dwelling Unit Standards

- Revise the “Minimum Standards for a Dwelling Unit”
- Revise the definition of “dwelling unit”



Dwelling Unit

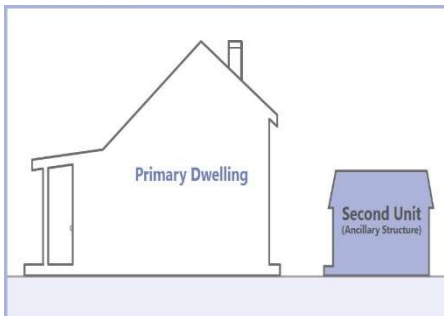
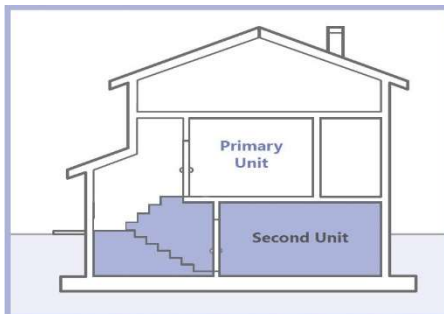
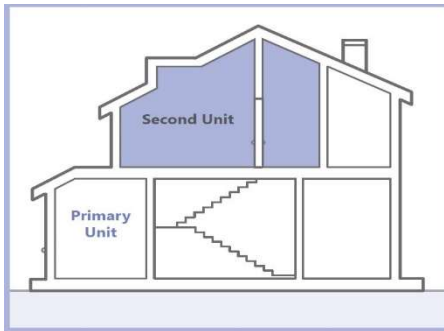


BLRH

Minimum Parking Requirements

- Establish parking rates for BLRHs (small & large) and residential buildings containing not more than 3 dwelling units based on design instead of occupancy

7. Second Suites



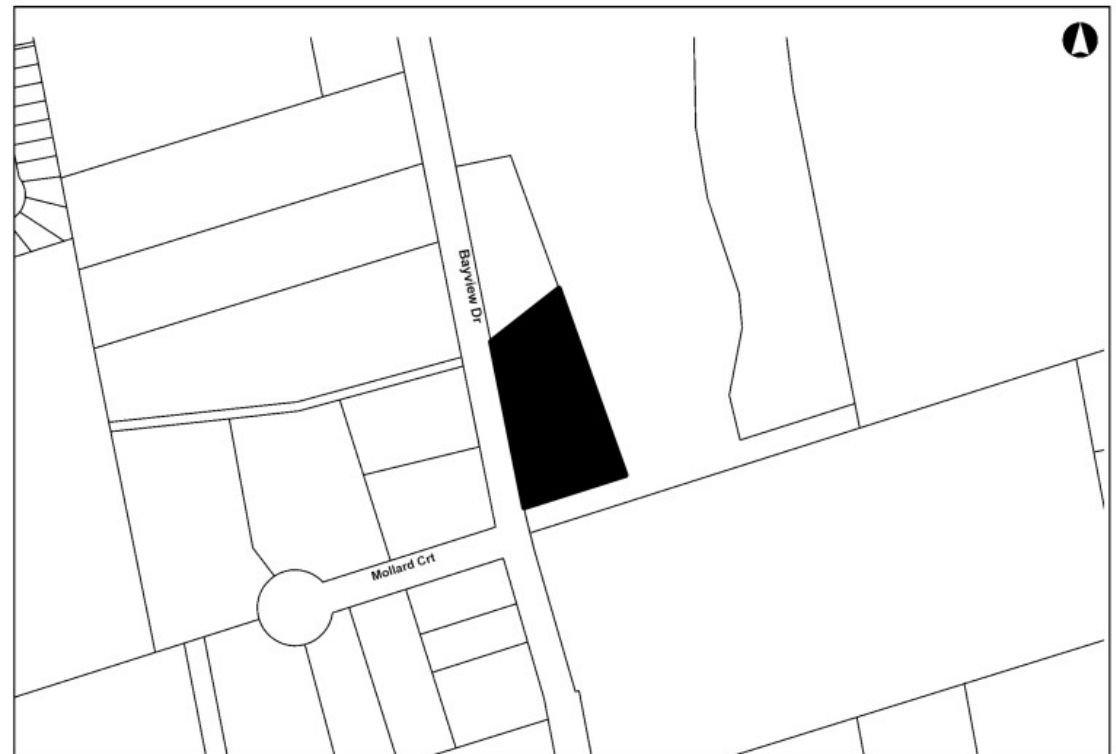
Photos source: MMAH

- The Ministry of Municipal Affairs & Housing has stated that the size of second suites/number of bedrooms should solely be regulated by the Ontario Building Code
- The *More Homes, More Choices Act, 2019* (Bill 108) amended the *Planning Act* to require municipalities to permit a second suite within the main dwelling and a detached accessory dwelling unit on the same lot
- Delete the current restriction on maximum number of bedrooms in a second suite and set the minimum dwelling unit size at 35m²
- Apply the standards for second suites to the R5 and RM3 Zones

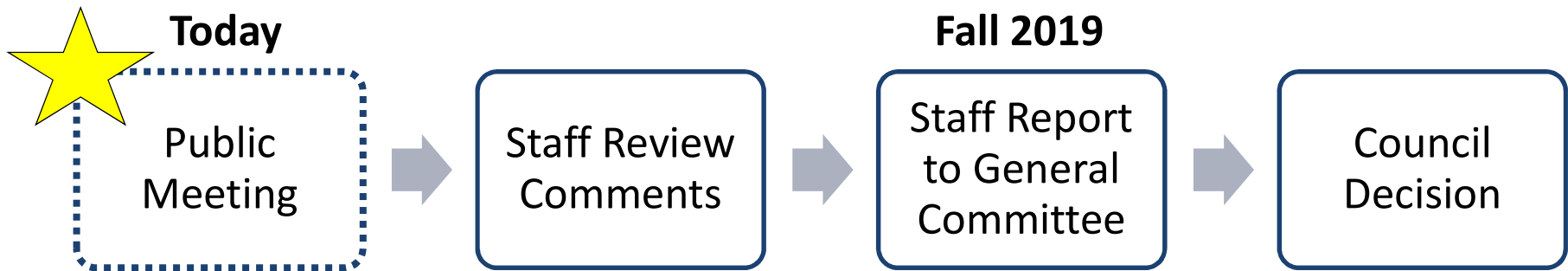
8. Mapping

249 Bayview Drive

- A portion of this property is being conveyed to the City as a condition of Site Plan approval per Natural Heritage System policies in the Official Plan
- Re-zone Part 1 from General Commercial (C4) to Environmental Protection (EP)



Next Steps, Comments & Questions



- If you have questions or comments, please contact:

Shelby White, RPP, Planner
705-739-4220 x5446
shelby.white@barrie.ca