

May 23, 2019
File: D14-1675

NOTICE OF PROPOSED AMENDMENTS TO THE ZONING BY-LAW 2009-141 AND NOTICE OF A PUBLIC MEETING PURSUANT TO SECTION 34(12) OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED, IN RESPECT TO A PROPOSED REZONING.

Dear Sir/Madam:

Re: Housekeeping Amendments to Comprehensive Zoning By-law 2009-141

TAKE NOTICE that the General Committee of the Council of the Corporation of the City of Barrie will hold a public meeting on **Monday, June 17th, 2019 at 7:00 p.m.** in the Council Chambers of City Hall, 70 Collier Street, to review municipally initiated amendments to the Zoning By-Law 2009-141.

THE PURPOSE of the proposed amendments are to update and refine the intent and contents of Comprehensive Zoning By-law 2009-141. The proposed amendments are intended to address inconsistencies, barriers for implementation, errors and omissions that have become apparent through the use of the By-law since its approval on August 10th, 2009. The proposed amendments include both text and mapping changes to the By-law.

The proposed amendments to the text of the By-law are summarized below. No key map is provided given that the provisions of the By-law apply to the whole City. The revisions relate to legislative changes or requirements, modified definitions, and revised standards that should assist and improve implementation of the By-law. Note that these changes may also trigger associated revisions to standard requirements in other sections of the By-law.

1. Add a new section to Section 4 "General Provisions" to clarify that all signage related matters shall be deferred to the Sign By-law.
2. Revise Section 4.6.2.6 to clarify that parking spaces, parking areas, driveways and aisles in Residential Zones shall comply with Section 5.3.6 "Parking in Residential Zones", and delete "front yard" from Section 5.3.6.1 c) to require driveways/parking areas in residential zones to be constructed with an asphaltic or concrete surface or brick pavers regardless of their location.
3. Correct typographical errors, replace terms, revise definitions, and consolidate similar definitions to improve consistency and clarity as follows:

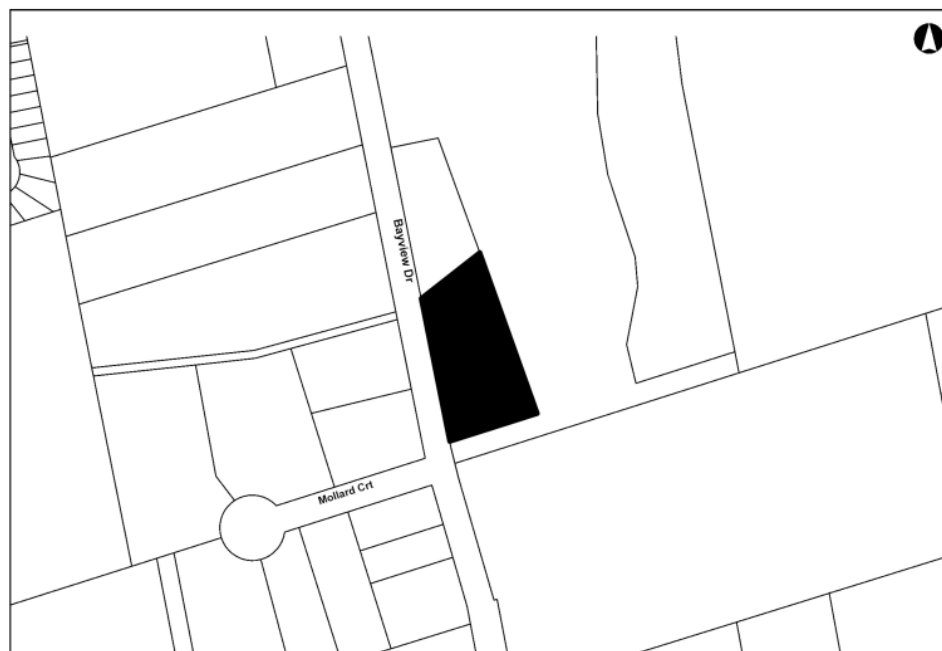
- a. Delete and replace “site triangle” with “sight triangle” throughout the By-law.
 - b. Delete and replace “data warehousing” with “data processing centre” throughout the By-law.
 - c. Delete and replace “dry cleaning or laundry depot” with “laundry or dry cleaning depot” throughout the By-law and consolidate the definitions.
 - d. Delete and replace “retirement home” with “assisted living facility” throughout the By-law.
 - e. Revise the definition of “accessory building or structure” to clarify that “clothing donation bins” are included as a type of accessory structure.
 - f. Revise the definition of “building height” to indicate that it is measured from “average finished grade” instead of “finished grade”.
 - g. Revise the definition of “lot coverage” to clarify that this includes the lot area covered by buildings and structures, and to clarify that it does not include swimming pools, decks less than 1.8m above grade, and any buildings and structures that are completely below grade.
 - h. Replace “LI (SP-338)” with “BP (SP-338)” in Section 13.3.18 and “LI (SP-339)” with “BP (SP-339)” in Section 13.3.19 to correct a typographical error and provide consistency between the By-law text and mapping.
4. Revise the format of Tables to improve consistency and clarity:
 - a. Revise Table format throughout By-law to consistently use “--” where a provision is not applicable to a zone.
 - b. Revise Table format throughout By-law to consistently use one decimal point and indicate the unit of measurement for all minimum and maximum zone standards.
 - c. Consistently utilize superscript notes in Table 7.2 to identify what commercial uses are restricted to multi-tenanted buildings, instead of indicating this by using text within the table.
 - d. Add a new superscript note in Table 14.5.6 to the RM3 “Block/Cluster/Street Townhouse” column to indicate that street townhouse dwellings in the RM3 Zone shall comply with the R5 Zone street townhouse standards, given the RM3 standards were designed for block/cluster townhouses, not street townhouses.
 5. Provide exemptions to yard setbacks and/or height requirements for all retaining walls and for acoustic fencing, tight board fencing, and crash walls that are required as a condition of development:
 - a. Relocate Section 4.1.4.7 “Exemptions” to a new subsection under Section 4.2.1.9 “Accessory Structures and Uses” to improve clarity and ease of use, and update this provision to also exempt “required crash walls” and “required acoustic fencing” from applicable zone height and setback requirements.
 - b. Revise Section 4.9.1.1 “Fencing” to allow “retaining walls”, “required crash walls” and “required acoustic fencing” to be located along lot lines that abut a street.
 - c. Revise Section 5.3.5.4 “Fences” to permit “required crash walls”, “required acoustic fencing” and “required tight board fences” in any yard or along any lot line in Residential Zones.
 - d. Add new definitions for “crash wall” and “acoustic fencing” to clarify what qualifies for these exemptions.
 6. Revise Section 5.2.9 “Second Suites” to be more consistent with direction from the Ministry of Municipal Affairs and Housing, which has stated that the size of second suites and the number of bedrooms permitted should be solely regulated by the Ontario Building Code:
 - a. Delete Section 5.2.9.1 d) which currently restricts the maximum number of bedrooms in a second suite or detached accessory dwelling unit to 2 bedrooms.
 - b. Revise Section 5.2.9.1 f) to delete the requirement to provide an additional 10m² for each bedroom, and instead set the minimum unit size at 35m² regardless of number of bedrooms.

7. Remove reference to “tenants” and other provisions that contravene Section 35 of the Planning Act and/or the Ontario Human Rights Code:
 - a. Revise the definitions of “boarding, lodging, rooming house”, “boarding, lodging, rooming house (large)”, “boarding, lodging, rooming house (small)”, and “suite” to delete reference to “tenants” and requirements for tenant occupied rooms to be equipped with external locking mechanism, and instead identify a maximum number of lodging room suites.
 - b. Delete the definition of “tenant” as it will no longer be required in reference to residential uses, and is not needed in reference to commercial tenants.
 - c. Revise Section 4.5.3 “Minimum Standards for a Dwelling Unit” to delete the requirement for a dwelling unit to have a maximum of 4 tenants and for no tenant-occupied room to be equipped with an external locking mechanism.
 - d. Revise parking standards in Table 4.6 to require parking for small and large “boarding, lodging, rooming houses” to be provided at a rate of 1 parking space for every “2 lodging room suites” instead of for every “2 tenants”.
 - e. Revise parking standards in Table 4.6 for “residential building containing not more than 3 dwelling units” to require “1.5 parking spaces per dwelling unit” instead of “1 space per dwelling unit, plus 1 additional space for every 2 tenants accommodated”.
 - f. Revise Section 5.2.8.1 “Small Boarding, Lodging Rooming Houses” to delete the requirements for occupants to operate as a single housekeeping unit and for there to be a minimum distance of 75m between licensed Boarding, Lodging Rooming Houses in the R1, R2, R3, R4 and RM1 Zones.
 - g. Revise Section 8.3.2 “Additional Standards for Group Homes” to delete the requirement for there to be a minimum distance of 300m between group homes.

The lands described below and identified on Key Map 1 attached to this notice, are proposed to be zoned to a more applicable zone category for the existing land use.

1. 249 Bayview Drive – re-zone the portion of land that is being conveyed to the City of Barrie (Part 1 on the R-plan) as a condition of development approval, from “General Commercial” (C4) to “Environmental Protection” (EP).

Key Map 1



For more information including details of the draft proposed amendments and any meeting cancellation notices, please visit 'Policies & Strategies' at: <https://www.barrie.ca/City%20Hall/Planning-and-Development/Pages/default.aspx>

Any person may attend the meeting and make representation or present submissions respecting this matter. If you wish to make a submission concerning this matter it should be directed to Legislative and Court Services by **Tuesday, June 11, 2019**. Any person may make representation at the meeting, however, written submissions are encouraged. Notification of the Amendment to the Zoning By-law if adopted by Council will be provided upon written request to the City Clerk.

If a person or public body does not make oral submissions at the public meeting or make written submissions to the Corporation of The City of Barrie before the Amendment to the Zoning By-law is passed:

- (a) the person or public body is not entitled to appeal the decision of the Corporation of The City of Barrie to the Local Planning Appeal Tribunal; and
- (b) the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Council of The Corporation of the City of Barrie on the proposed Amendment to the Zoning By-law, you must make a written submission to the undersigned and the Planning and Building Services Department.

All information including opinions, presentations, reports, documentation, etc. provided for or at a Public Meeting are considered public records. This information may be posted on the City of Barrie website and/or made available to the public upon request. Questions about this collection should be directed to the undersigned.

Shelby White, RPP, Planner
705-739-4220, Ext. 5446
Shelby.White@barrie.ca

Planning and Building Services Department
City of Barrie
70 Collier Street, P.O. Box 400
Barrie, Ontario, L4M 4T5