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**TO:** GENERAL COMMITTEE

**SUBJECT:** CITY INITIATED AMENDMENTS TO COMPREHENSIVE ZONING BY-LAW 2009-141

**WARD:** ALL

**PREPARED BY AND KEY CONTACT:** T. BUTLER, PLANNER EXT. 5446

**SUBMITTED BY:** M. BANFIELD, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES

**GENERAL MANAGER APPROVAL:** A. MILLER, RPP, GENERAL MANAGER INFRASTRUCTURE AND GROWTH MANAGEMENT

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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### **RECOMMENDED MOTION**

1. That the proposed City initiated text and Zoning Map Schedule Amendments to Zoning By-law 2009-141 be approved as outlined in Appendix "A" to Staff Report PLN026-19.
2. That the written and oral submissions received relating to the proposed amendments, have been on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application, and including the following matters raised in those submissions and identified within Staff Report PLN026-19: opposition to the proposed reduction to the required setback between a fence or wall abutting a street where no driveway access is provided; support for the removal of the minimum distance separation between group homes; and, concerns surrounding the enforcement and implementation of the proposed amendments to Boarding, Lodging, Rooming House provisions.
3. That, in accordance with Section 34(17) of the *Planning Act*, no further public meeting is required to finalize the proposed by-law.

### **PURPOSE & BACKGROUND**

#### Report Overview

4. The purpose of this Staff Report is to recommend approval of a number of amendments meant to assist with the implementation, interpretation and enforcement of the City's Comprehensive Zoning By-law 2009-141.
5. Comprehensive Zoning By-law 2009-141 applies to all lands within the City of Barrie with the exception of those lands within the Salem and Hewitt's Secondary Planning Areas that were annexed into the City as of January 1, 2010. Zoning By-law 2009-141 was approved in August of 2009 and has been amended from time to time since then to accommodate site specific development proposals, City-initiated amendments, and through the annual housekeeping amendment process.

6. The proposed amendments include both text and mapping changes to Zoning By-law 2009-141 as outlined in Appendix "B" (2019 City Initiated Amendments to Zoning By-law 2009-141) to this report. These amendments are intended to address inconsistencies, barriers for implementation, errors and omissions that were highlighted by WSP in their August 2018 Zoning By-law Issues Report and other matters that have become apparent through day to day use of the By-law since its approval on August 10, 2009. The revisions relate to legislative changes or requirements, modified definitions, and revised standards that should assist and improve interpretation and implementation of the By-law.

#### Public Meeting

7. A public meeting was held on June 17, 2019 to present the proposed text and mapping changes to General Committee and the public. Three members of the public provided comments at the public meeting related to the following:
  - a) Comments were received in opposition to the proposed amendments to Section 4.9.1.1 (Fencing General Provisions) that would allow retaining walls, fencing and required crash walls to be located along lot lines abutting streets where no driveway access is provided on the basis that the current 0.3m setback that is required would assist in keeping streets/sidewalks from feeling closed in.
  - b) Comments were received in support of the proposed amendment to Section 8.3.2 (Additional Standards for Group Homes) that would allow group homes to be located closer together by deleting the existing requirement for a minimum separation distance of 300m between group homes.
  - c) Concerns were expressed with alleged illegal Boarding, Lodging, Rooming Houses (BLRH) in the Georgian College area, as they relate to increased noise and parking, the number of students living in single detached residential dwellings, and poor property management. Further comments were received regarding a proposed BLRH for seniors and questions were raised about whether the City could mandate landlords or property management companies to rent only to seniors and not students.
  - d) Additional comments were received from the public identifying that the proposed changes to the BLRH provisions could impact properties in the Georgian College area more than other areas of the City, and as such, this area should be treated differently. In this regard, a BLRH should be considered a business and licensed as such, and enforcement should be enhanced to address property maintenance and on-street parking in the College area.
8. Members of General Committee inquired about the proposed amendments to the provisions and definitions respecting BLRH, and what enforcement measures would be taken to implement the proposed changes.
9. Since the public meeting, one additional piece of correspondence was received from a member of the public suggesting that the provision of rear yard parking for a BLRH could assist in relieving on-street parking congestion.

#### ANALYSIS

10. Planning Staff have considered the comments received at the Public Meeting, including the comments and questions of General Committee when writing this report. As a result, a number of the items have not been included in the recommended amendments at this time in order to facilitate further review and consideration and may be brought forward at a future date through specific amendments to the Zoning By-law. Additional revisions have been made to the proposed text since

the Housekeeping amendments were originally presented at the Public Meeting. These revisions are outlined below.

Deletions, Revisions and Additions to Proposed Text

11. In consideration of the feedback received at the Public Meeting, Planning Staff recommend that the proposed changes to Section 4.9.1.1 (Fencing General Provisions) be limited to updating the provision to include reference to crash walls and acoustic fencing (see Appendix “B” item 4.1). Staff will further review and consider the requirement for a minimum 0.3m setback as it relates to a more open and inviting streetscape and potential implications on matters such as sidewalk maintenance and snow removal. Should it be determined that additional changes are required to this provision, these changes may be addressed through the City’s new Comprehensive Zoning By-law which is anticipated to be brought forward for Council’s consideration in 2020.
12. Staff note that the comments and questions respecting the proposed amendments to the BLRH provisions were primarily focused around enforcement (noise, overcrowding, parking and property maintenance) and concerns with issues such as business licensing. While these concerns are not directly related to zoning or unique to BLRH and rental housing, they do warrant further consideration by staff in the Planning and Building Services Department, Enforcement Services, and Fire and Emergency Services in order to develop a coordinated enforcement approach.
13. In this regard, Planning staff understand that Enforcement Services is currently undertaking a comprehensive review of all enforcement matters and as a result, staff are recommending that the proposed amendments respecting BLRH be deferred until such time that this review has been completed. This will allow staff to comprehensively address the concerns raised respecting coordinated enforcement strategies, and to make any refinements to the proposed zoning amendments and/or amendments to other City By-laws and resources such as the Business Licensing By-law, as necessary. As such, the following proposed amendments presented at the public meeting, will be deferred at this time and brought forward at a later date:
  - a) The proposed amendments to Section 3 Definitions to revise the definitions of “Boarding, Lodging, Rooming House”; “Boarding, Lodging, Rooming House (Large)”; “Boarding, Lodging, Rooming House (Small)”; and to delete the definition of “Tenant.”
  - b) The proposed amendments to Table 4.6 Parking Standards to revise the minimum parking standards for “Boarding, Lodging, Rooming House, Small” and “Boarding, Lodging, Rooming House, Large.”
  - c) The proposed amendments to Section 5.2.8 Boarding, Lodging, Rooming Houses that would, among other minor changes, delete the requirement for occupants of a small BLRH to operate as a single housekeeping unit, and delete the requirement for a minimum separation distance of 75m between small BLRH in certain residential zones.
14. Since the Public Meeting, minor revisions have been made to the proposed wording of various definitions found in Section 3 to improve clarity, as noted below.
15. Revise the proposed definitions of “Acoustic Fencing” and “Crash Wall”.
  - a) Staff are recommending that the proposed definition of “Acoustic Fencing” be amended as follows, “*shall mean a barrier, wall or fence designed by a professional engineer that is erected for noise attenuation purposes.*”

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- b) Staff are recommending that the proposed definition of “Cash Wall” be amended as follows, *“shall mean a structure, also known as a deflection wall or containment wall that is designed by a professional engineer to redirect a derailling train back into a rail corridor.”*
- c) The term “qualified engineer” has been changed to “professional engineer” to be consistent with the terms used by the engineering profession. These revised definitions have been included under Item 4.1 in Appendix “B”.
16. Revise the proposed new definition of “Dwelling Unit” to provide clarity and improve the application of the term from a land use perspective.
- a) Zoning By-law 2009-141 currently defines “Dwelling Unit” as, *“except for a Boarding, Lodging, Rooming House a dwelling unit shall mean a suite operated as a housekeeping unit used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.”*
- b) Staff are recommending that the definition of “Dwelling Unit” be amended as follows, *“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.”*
- c) The revised definition and justification is included under Item 6.1 in Appendix “B”.
17. Revise the proposed new definition of “Suite”.
- a) Zoning By-law 2009-141 currently defines “Suite” as, *“shall mean a single room or series of rooms, of complimentary use, operated under a single tenancy and includes guest rooms in motels, hotels, boarding lodging rooming houses and dormitories.”*
- b) Staff are recommending that the definition of “Suite” be amended as follows, *“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.”*
- c) The revised definition and justification is included under Item 6.1 in Appendix “B”.
18. The Province’s *More Homes, More Choice Act, 2019* (Bill 108), amended the *Planning Act* to require municipalities to permit a second suite within the principal dwelling and in an accessory building on the same lot. As such, staff are recommending that a definition be provided for “Detached Accessory Dwelling Unit” and the current definition of “Second Suite” be amended to clarify the difference between an accessory suite internal to the main dwelling unit on a lot, and an accessory suite that is external to the main dwelling unit on a lot.
- a) Staff are recommending that “Detached Accessory Dwelling Unit” be defined as, *“shall mean an accessory dwelling unit located in a detached structure on the same property as, and is subordinate to, a principal unit.”*
- b) Zoning By-law 2009-141 currently defines “Second Suite” as, *“shall mean a second dwelling unit on the same property that is accessory and subordinate to the principle unit.”*

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- c) Staff are recommending that the definition of "Second Suite" be amended as follows, "*Shall mean an accessory dwelling unit that is located within the principal structure on a property, and is subordinate to a principal unit.*"
- d) The definition and justification is included under Item 7.1 in Appendix "B".
19. Since the public meeting, additional revisions have been proposed to Section 5.2.9 Second Suites to ensure the Zoning By-law is in conformity with recent *Planning Act* revisions as follows:
- a) Subsection 5.2.9.1 – add the text "and a *detached accessory dwelling unit*" following "*second suite*" text within the "General" subsection to improve clarity, and add a new subsection g) to clearly state that second suites and detached accessory dwelling units are not permitted within or on the same lot as a BLRH. The revised provisions are included under Item 7.2 in Appendix "B".
- b) Subsection 5.2.9.2 – add the text "a *detached accessory dwelling unit*, or both" after "*second suite*" within the "Parking" subsection to improve clarity, and add "R5" and "RM3" to the list of zones where a minimum of 1 parking space per dwelling unit is required. The revised provisions are included under Item 7.2 in Appendix "B".
20. Since the public meeting, a minor revision has been made to the wording of the following provision in Section 5.2.10.1 b) Standards for Home Occupations as follows:
- a) The existing provision in Subsection 5.2.10.1 b) in Zoning By-law 2009-141 reads "*The home occupation shall be confined to the main building on the lot on which it is located except for a fenced outdoor play area for private child care facilities.*" This provision arbitrarily restricts home occupations to the main building on a lot as By-law 2018-113 specified that attached garages are no longer considered accessory structures.
- b) Planning staff are recommending that this provision be revised as follows, "*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.*"
- c) This revision provides flexibility for individuals participating in home occupations. The revision and justification are included under item 9.1 in Appendix "B".

## **ENVIRONMENTAL MATTERS**

21. There are no environmental matters related to the recommendation.

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## **ALTERNATIVES**

22. The following alternatives are available for consideration by General Committee:

**Alternative #1** General Committee could maintain the existing by-law provisions rather than implement the changes recommended by staff.

This alternative is not recommended as it may impede staff's ability to effectively administer and enforce the Zoning By-law.

**Alternative #2** General Committee could alter the proposed recommendation by denying or requesting additional staff consultation for one or more of the proposed changes.

Although this alternative is available, staff have investigated the recommended changes and are of the opinion that the changes, as recommended, will best achieve the purpose and intent of the Zoning By-law and the Official Plan. Staff encourage approval of the proposed amendments in their entirety to maintain the ability to effectively implement the standards of Zoning By-law 2009-141;

## **FINANCIAL**

23. There are no financial implications for the Corporation resulting from the proposed recommendation other than staff time and costs associated with notification under the *Planning Act*.

## **LINKAGE TO 2018–2022 STRATEGIC PLAN**

24. The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2018-2022 Strategic Plan.

Attachments: Appendix "A" - Proposed Zoning By-law Amendment  
Appendix "B" - 2019 City Initiated Amendments to Zoning By-law 2009-141

APPENDIX "A"

Proposed Zoning By-law Amendment



Bill No. XXX

BY-LAW NUMBER 2019-XXX

**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-XXX

**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 consistently indicated within rows.

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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)”;
  - c) adding “clothing donation bin” to the list of examples 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.

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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)”
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.

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39. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this XXth day of November, 2019.

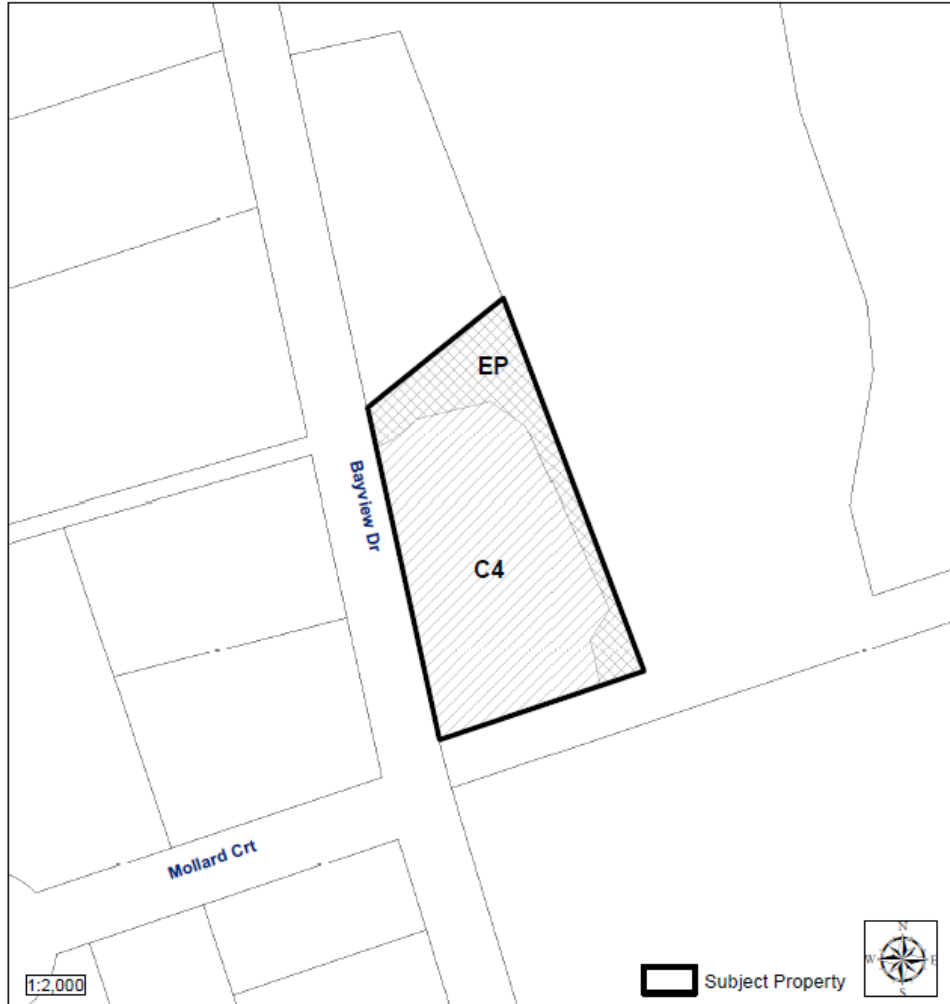
**READ** a third time and finally passed this XXth day of November, 2019.

**THE CORPORATION OF THE CITY OF BARRIE**

\_\_\_\_\_  
**MAYOR – J.R. LEHMAN**

\_\_\_\_\_  
**CITY CLERK – WENDY COOKE**

Schedule "A" to attached By-law 2019-XXX



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

MAYOR – J.R. LEHMAN

CITY CLERK – WENDY COOKE

APPENDIX "B"

2019 City Initiated Amendments to Zoning By-law 2009-141

1. Typographical errors, replacement of terms, revision of definitions, and consolidation of similar definitions

Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision																		
1.1	Correct the spelling of "site triangle" to "sight triangle" throughout By-law, including the Table of Contents.	Table of Contents	4.10 SITE TRIANGLES.....4-16	4.10 <b>SITE SIGHT TRIANGLES.....4-16</b>																		
		4.10	4.10 <b>SITE TRIANGLES</b>	4.10 <b>SITE SIGHT TRIANGLES</b>																		
		5.3.5.1	5.3.5.1 <u>Porches</u>  Notwithstanding Section 5.3.5, <i>porches</i> shall not be <i>erected</i> closer than the following:  <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Yard</th> <th>Distance</th> </tr> </thead> <tbody> <tr> <td><i>Interior side yard</i></td> <td>0.6m</td> </tr> <tr> <td><i>Exterior side yard</i></td> <td>1.5m</td> </tr> <tr> <td><i>Rear yard</i></td> <td>5m</td> </tr> <tr> <td><i>Front yard</i></td> <td>3m</td> </tr> </tbody> </table> <i>Porches</i> may not extend into the site triangle required under Section 4.10.	Yard	Distance	<i>Interior side yard</i>	0.6m	<i>Exterior side yard</i>	1.5m	<i>Rear yard</i>	5m	<i>Front yard</i>	3m	5.3.5.1 <u>Porches</u>  Notwithstanding Section 5.3.5, <i>porches</i> shall not be <i>erected</i> closer than the following:  <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>Yard</th> <th>Distance</th> </tr> </thead> <tbody> <tr> <td><i>Interior side yard</i></td> <td>0.6m</td> </tr> <tr> <td><i>Exterior side yard</i></td> <td>1.5m</td> </tr> <tr> <td><i>Rear yard</i></td> <td>5m</td> </tr> <tr> <td><i>Front yard</i></td> <td>3m</td> </tr> </tbody> </table> <i>Porches</i> may not extend into the <b>site sight</b> triangle required under Section 4.10.	Yard	Distance	<i>Interior side yard</i>	0.6m	<i>Exterior side yard</i>	1.5m	<i>Rear yard</i>	5m
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1.2	Replace the term "data warehousing" with "data processing centre" as only the latter is currently defined in Section 3 and identified in Table 4.6 "Parking Standards".	4.6.2.3 a)	4.6.2.3 <u>Parking - Multiple Uses</u>  That notwithstanding the parking requirements set out in Table 4.6, where there are 2 or more permitted uses in any <i>building</i> or on any <i>lot</i> , the following parking requirements shall apply:  a) Multiple Uses in Industrial Zones: A minimum of 1 parking space per 40m <sup>2</sup> of gross floor area shall be required except where data warehousing is in combination with another use, in which case the data warehousing components shall be at the rate identified in Table 4.6 and the additional multiple uses shall be at a rate of 1 parking space per 40m <sup>2</sup> .	4.6.2.3 <u>Parking - Multiple Uses</u>  That notwithstanding the parking requirements set out in Table 4.6, where there are 2 or more permitted uses in any <i>building</i> or on any <i>lot</i> , the following parking requirements shall apply:  a) Multiple Uses in Industrial Zones: A minimum of 1 parking space per 40m <sup>2</sup> of gross floor area shall be required except where <b>data warehousing data processing centre</b> is in combination with another use, in which case the <b>data warehousing data processing centre</b> components shall be at the rate identified in Table 4.6 and the additional multiple uses shall be at a rate of 1 parking space per 40m <sup>2</sup> .																		
1.3	Replace the term "dry cleaning or laundry depot" with "laundry or dry cleaning depot" and consolidate these definitions as they are essentially the same term.	3	<b>Dry Cleaning or Laundry Depot</b>  shall mean a premises used for the purposes of receiving articles or goods or fabric to be subject to the process of dry cleaning, dyeing, laundering or pressing elsewhere and for the distribution of any such articles or goods which have been subject to any such process, and shall include a self-service laundry and/or self-service dry cleaning. This definition does not include a dry cleaning establishment as defined herein. (By-law 2017-041)	<del><b>Dry Cleaning or Laundry Depot</b></del>  <del>shall mean a premises used for the purposes of receiving articles or goods or fabric to be subject to the process of dry cleaning, dyeing, laundering or pressing elsewhere and for the distribution of any such articles or goods which have been subject to any such process, and shall include a self-service laundry and/or self-service dry cleaning. This definition does not include a dry cleaning establishment as defined herein. (By-law 2017-041)</del>																		
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		14.5.5	<b>14.5.5 Commercial Uses within Apartment Buildings</b>  A convenience store, <i>personal service store</i> and <i>dry cleaning or laundry depot</i> shall be permitted commercial uses within an <i>apartment building</i> provided that the commercial uses do not occupy in excess of 25% of the ground floor area of the <i>building</i> . All other standards of the <i>zone</i> in which the <i>building</i> is located shall be complied with.	<b>14.5.5 Commercial Uses within Apartment Buildings</b>  A convenience store, <i>personal service store</i> and <del><i>dry cleaning or laundry depot</i></del> <b>laundry or dry cleaning depot</b> shall be permitted commercial uses within an <i>apartment building</i> provided that the commercial uses do not occupy in excess of 25% of the ground floor area of the <i>building</i> . All other standards of the <i>zone</i> in which the <i>building</i> is located shall be complied with.																		



1.4	Delete and replace (where necessary) the terms "retirement home" with "assisted living facility" given this was to be achieved by a previous housekeeping amendment (By-law 2017-079) but was omitted due to a typographical error.	5.3.3.2 c)	5.3.3.2	The minimum front, side and <i>rear yards</i> , required by this By-law shall be open and unobstructed by any <i>structure</i> from grade level to the sky, and the minimum requirements shall be increased in accordance with the following:	5.3.3.2	The minimum front, side and <i>rear yards</i> , required by this By-law shall be open and unobstructed by any <i>structure</i> from grade level to the sky, and the minimum requirements shall be increased in accordance with the following:
				<ul style="list-style-type: none"> <li>a) where any <i>side yard</i> abuts a <i>street</i>, in which case the <i>side yard</i> shall not be less than 3m;</li> <li>b) where, on the same <i>lot</i>, there is no <i>carport</i> or where a garage is not attached to the <i>main building</i> in which case the minimum <i>side yard</i> on one side shall be 3m to provide sufficient area for <i>driveway</i> access to the <i>side yard</i> for parking purposes;</li> <li>c) for any <i>uses</i> permitted under Section 4.2.1, or any <i>library</i>, place of worship, <i>child care</i> (except when operated as a <i>home occupation</i>), <i>assisted living facility</i>, or <i>retirement home</i> in which case the minimum <i>side yards</i> shall be 4.5m;</li> </ul>	<ul style="list-style-type: none"> <li>a) where any <i>side yard</i> abuts a <i>street</i>, in which case the <i>side yard</i> shall not be less than 3m;</li> <li>b) where, on the same <i>lot</i>, there is no <i>carport</i> or where a garage is not attached to the <i>main building</i> in which case the minimum <i>side yard</i> on one side shall be 3m to provide sufficient area for <i>driveway</i> access to the <i>side yard</i> for parking purposes;</li> <li>c) for any <i>uses</i> permitted under Section 4.2.1, or any <i>library</i>, place of worship, <i>child care</i> (except when operated as a <i>home occupation</i>), <i>assisted living facility</i>, or <del><i>retirement home</i></del> <i>assisted living facility</i> in which case the minimum <i>side yards</i> shall be 4.5m;</li> </ul>	
		Table 8.2	<i>Retirement Home</i>	<del><i>Retirement Home</i></del>		
		8.3.3	<b>8.3.3 Additional Standards for Assisted Living Facilities and Retirement Homes</b>  A minimum floor area of 20m <sup>2</sup> shall be provided for each person accommodated in an <i>assisted facility</i> or <i>retirement home</i> .	<b>8.3.3 Additional Standards for Assisted Living Facilities <del>and Retirement Homes</del></b>  A minimum floor area of 20m <sup>2</sup> shall be provided for each person accommodated in an <i>assisted living facility</i> <del>or retirement home</del> .		
		Table 5.4.1	<i>Retirement Home</i>	<del><i>Retirement Home</i></del> <i>Assisted living facility</i>		
		Table 14.5.2	<i>Retirement Home</i>	<del><i>Retirement Home</i></del> <i>Assisted living facility</i>		
1.5	Revise the definition of "accessory building or structure" to add "clothing donation bin" to the list of examples, to clarify that these are only permitted as an accessory use, and as such subject to the provisions of Section 4.2.1.9 "Accessory Structures and Uses". Delete the notwithstanding clause and replace "a private garage" with "detached garage" to improve clarity and be more concise.	3.2	<b>Accessory Building or Structure</b>  Shall mean any subordinate building or structure which is separate from or attached to the main building on the same lot and subordinate to a principal use of a building or structure, is not used for human habitation, and may include but not be limited to the following:  <ul style="list-style-type: none"> <li>• a private garage</li> <li>• swimming pool</li> <li>• private greenhouse</li> <li>• carport</li> <li>• deck</li> <li>• boat house</li> <li>• porch</li> <li>• solar collector</li> <li>• garbage bin enclosure</li> <li>• raised play structure in a Residential Zone</li> <li>• fences over 2m in a Residential zone</li> </ul> Notwithstanding the above, a private garage that is attached to the main dwelling not be considered an accessory structure (By-law 2018-113).	<b>Accessory Building or Structure</b>  Shall mean subordinate building or structure which is separate from or attached to the main building on the same lot and subordinate to a principal use of a building or structure, is not used for human habitation, and may include but not be limited to the following:  <ul style="list-style-type: none"> <li>• <del>a private detached</del> garage</li> <li>• swimming pool</li> <li>• private greenhouse</li> <li>• carport</li> <li>• deck</li> <li>• boat house</li> <li>• porch</li> <li>• solar collector</li> <li>• garbage bin enclosure</li> <li>• raised play structure in a Residential Zone</li> <li>• fences over 2m in a Residential zone</li> <li>• <i>clothing donation bin</i></li> </ul> <del>Notwithstanding the above, a private garage that is attached to the main dwelling not be considered an accessory structure (By-law 2018-113).</del>		
1.6	Revise the definition of "building height" to clearly state that it is measured from the "average finished grade" to improve clarity with respect to how this is measured during zoning review.	3	<b>Building Height</b>  shall mean the vertical distance from the finished grade level to:  <ul style="list-style-type: none"> <li>• in the case of a flat roof, the highest point of the highest roof surface;</li> <li>• in the case of a mansard roof, the roof deckline;</li> <li>• or in the case of any other roof, the mean height between the eaves and the ridge;</li> </ul> exclusive of any roof or penthouse structure accommodating an elevator, staircase, ventilating fan or other similar equipment, a chimney or other ornamental structure which rises above the roof level but which does not provide habitable living space.	<b>Building Height</b>  shall mean the vertical distance from the <i>average</i> finished grade level to:  <ul style="list-style-type: none"> <li>• in the case of a flat roof, the highest point of the highest roof surface;</li> <li>• in the case of a mansard roof, the roof deckline;</li> <li>• or in the case of any other roof, the mean height between the eaves and the ridge;</li> </ul> exclusive of any roof or penthouse structure accommodating an elevator, staircase, ventilating fan or other similar equipment, a chimney or other ornamental structure which rises above the roof level but which does not provide habitable living space.		

1.7	Revise the definition of “lot coverage” to clarify that “structures” are also included, with the exception of specific structures. Sections 5.3.5.2 “Decks” & 5.3.5.3 “Swimming Pools” already exempt pools and decks less than 1.8m tall within Residential Zones; this revision will exempt these from lot coverage in all zones.	3	<p><b>Lot Coverage</b></p> <p>shall mean that percentage of the total lot area covered by buildings, including accessory buildings above finished grade level and shall not include that portion of such land or lot area which is occupied by a building or portion thereof which is completely below finished grade level.</p>	<p><b>Lot Coverage</b></p> <p>shall mean that percentage of the total lot area covered by buildings <b>and structures</b>, including accessory buildings <b>and structures</b>, above finished grade <del>and</del> but shall not include that portion of such land or lot area which is occupied by <del>a swimming pools, decks less than 1.8m above grade, and/or any buildings and structures</del>, or portion thereof, which <del>is-are</del> completely below finished grade level.</p>
1.8	Correct a typographical error to provide consistency between the By-law text and mapping, which occurred due to an error in a previous housekeeping amendment (By-law 2015-068).	13.3.18	<p><b>13.3.18 LI (SP-338)</b></p> <p>500 Veterans Drive, 60 – 80 Reid Drive, 138 – 204 Caplan Avenue and 204 Maplevue Drive (Lots 14 to 22 inclusive, Part of Lot 23 being Part 3 on Reference Plan 51R-33044 all according to Registered Plan 51M-495 all according to Registered Plan 51M-495) shall not be permitted hotels or motels. (By-law 2004-267) (By-law 2015-068)</p>	<p><b>13.3.18 <del>LI</del> BP (SP-338)</b></p> <p>500 Veterans Drive, 60 – 80 Reid Drive, 138 – 204 Caplan Avenue and 204 Maplevue Drive (Lots 14 to 22 inclusive, Part of Lot 23 being Part 3 on Reference Plan 51R-33044 all according to Registered Plan 51M-495 all according to Registered Plan 51M-495) shall not be permitted hotels or motels. (By-law 2004-267) (By-law 2015-068)</p>
		13.3.19	<p><b>13.3.19 LI (SP-339)</b></p> <p>50 Reid Drive shall not be permitted hotels or motels, shall be permitted a maximum building height of 28m. (By-law 2004-267) (2015-068)</p>	<p><b>13.3.19 <del>LI</del> BP (SP-339)</b></p> <p>50 Reid Drive shall not be permitted hotels or motels, shall be permitted a maximum building height of 28m. (By-law 2004-267) (2015-068)</p>
<b>2. Add new subsection to Section 4 “General Provisions” to clarify that all signage related matters shall be deferred to the Sign By-law</b>				
Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision
2.1	Clarify that signage related matters are regulated by the Sign By-law in a new subsection under 4.1 “General Provisions”.	4.1.7	[none]	<p><b>4.1.7 Signs</b></p> <p>Sign regulations will be included in a separate Sign By-law, and all signage will be subject to the regulations contained therein.</p>

**3. Revise the format of Tables throughout the By-law to ensure consistency and clarity**

Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision																																																																																																																																																																																														
3.1	<p>Add new Section 4.1.6 "Development Standards" to clarify the usage of "--" and superscript numbers within tables.</p> <p>Revise tables throughout the By-law to ensure consistent use of the following: use "--" to indicate when a standard or requirement is not applicable, and "0" where that is the requirement; use one decimal point for all minimum yard setbacks and maximum or minimum height requirements; and consistently indicate the unit of measurement in rows.</p> <p>Additionally, in Table 14.5.6 "Residential Standards" add a new superscript to clarify that Street Townhouses in the RM3 Zone should follow the R5 Zone street townhouse standards, given the RM3 townhouse standards provided are designed for block/cluster townhouses.</p>	<p>4.1.6</p> <p>Table 5.3 5.3.2 b) 5.3.5.1 5.3.5.2 Table 5.4.2 Table 6.3 6.3.3.2 Table 7.3 Table 8.3 Table 9.3 Table 14.5.6 Table 14.6.2</p>	<p>[none]</p> <p>Update the formatting as required in all of the noted tables; Table 14.5.6 below provides an example of the various formatting revisions in addition to showing the proposed addition of a new superscript note in this particular table.</p>	<p><b>4.1.6 Development Standards</b></p> <p>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.</p>																																																																																																																																																																																														
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Setback (min.) <sup>(1)</sup>	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	5.0m	Interior Side Yards Setback (min.) opposite side	0.6m	0.0m	0.0m	0.0m	0.0m	1.2m	5.0m	Interior Side Yard Setbacks where balconies or terraces face the side property line	--	--	--	--	--	5.0m	5.0m	Rear Yard (min.) <sup>(2)</sup>	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%
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	Single	Semi	Street Townhouse	Back To Back Townhouse	Block/ Cluster/ Street 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.) <sup>(1)</sup>	3.0m	3.0m	3.0m	3.0m	3.0m	3.0m	3.0m																																																																																																																																																																																											
Exterior Side Yards Setback (min.) <sup>(1)</sup>	2.0m	2.0m	2.0m	2.0m	2.0m	2.0m	2.0m																																																																																																																																																																																											
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Interior Side Yards Setback (min.) opposite side	0.6m	0	0	0		1.2	5																																																																																																																																																																																											
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Landscaped open space (min. % of lot area)	--	--	--		25%	25%	25%																																																																																																																																																																																											

						10m <sup>2</sup>	10m <sup>2</sup>	10m <sup>2</sup>						10m <sup>2</sup>	10m <sup>2</sup>	10m <sup>2</sup>				
			<b>Minimum General Amenity Area per Unit</b>																	
			<b>Dwelling unit floor area (min.)</b>	90m <sup>2</sup>	90m <sup>2</sup>	90m <sup>2</sup>	35m <sup>2</sup> /dwelling unit + 10m <sup>2</sup> /bedroom							35m <sup>2</sup> /dwelling unit + 10m <sup>2</sup> /bedroom						
			<b>Lot Coverage (max. % of lot area)</b>	60	60	70	N/A	50	50	50				60%	60%	70%	N/A --	50%	50%	50%
			<b>Gross floor area (max. % of lot area)</b>				250	250	250	250				--	--	--	250%	250%	250%	250%
			<b>Maximum Height Number of Storeys</b>	3	3	3	3	3	4	12				3	3	3	3	3	4	12
			<b>Maximum number of contiguous units in a row</b>	1	2	8	8	8	N/A	N/A				1	2	8	8	8	N/A --	N/A --
			<p>(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.</p> <p>(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.</p>								<p>(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.</p> <p>(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.</p> <p>(3) Street townhouse dwellings in the RM3 Zone shall comply with the R5 Zone street townhouse standards.</p>									

3.2 In Table 7.2 "Permitted Uses", ensure consistent use of superscript notes and replace any text within the table rows with a new superscript note instead, to achieve consistent formatting and improve clarity.

Table 7.2

Table 7.2					
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>					
Bank	X	X	X (As part of a multi-tenant building)		
Building Supply Centre <sup>(2)</sup>		X	X <sup>(2)</sup> (As part of a multi-tenant building)	X	
Restaurant as part of multi-tenant building	X	X	X	X	

- (1) Shall be conducted only within a fully enclosed building. No *outdoor storage* or accessory *outdoor storage* will be permitted in association with these *uses*.
- (2) Shall be restricted to a multi-tenanted building, to a maximum of 25% of the gross floor area of the total gross floor area of the building, to a maximum of 1000m<sup>2</sup>, and that the provisions of Section 7.2.2 "Accessory Retail Uses" shall not apply. (By-law 2015-068)

Table 7.2					
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>					
Bank	X	X	X <sup>(3)</sup> (As part of a multi-tenant building)		
Building Supply Centre <sup>(2)</sup>		X <sup>(2)</sup>	X <sup>(2)(3)</sup> (As part of a multi-tenant building)	X <sup>(2)</sup>	
Restaurant as part of multi-tenant building	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	X <sup>(3)</sup>	

- (1) Shall be conducted only within a fully enclosed building. No *outdoor storage* or accessory *outdoor storage* will be permitted in association with these *uses*.
- (2) Shall be restricted to a multi-tenanted building, to a maximum of 25% of the gross floor area of the total gross floor area of the building, to a maximum of 1000m<sup>2</sup>, and that the provisions of Section 7.2.2 "Accessory Retail Uses" shall not apply. (By-law 2015-068)
- (3) Shall only be permitted as part of a multi-tenanted building.

**4. Provide exemptions to yard setbacks and/or height requirements for retaining walls and for required acoustic fencing, tight board fencing, and crash walls**

Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision
4.1	<p>Fences in residential zones over 2.0m tall are considered an accessory structure under Section 5.3.5.4 "Fences" and as such must meet required yard setbacks. Crash walls and acoustic fencing required as a condition of development often exceed 2.0m in height, and therefore require relief from the By-law to locate along lot lines. Section 5.3.7.1 "Parking Areas" also requires that certain parking areas adjoining a residentially zoned lot be screened by a tight board fence at least 2.0m tall along the lot line, which conflicts with the requirements in Section 5.3.5.4.</p> <p>Provide definitions for "acoustic fencing" and "crash wall" in Section 3 for clarity.</p> <p>Revise Section 4.1.4.7 "Exemptions" to exempt required crash walls and acoustic fencing from height and setback requirements, and relocate it to a new subsection under Section 4.2.1.9 "Accessory Structures" for clarity and ease of use.</p> <p>Update Section 4.9.1.1 "Fencing" and add a new provision "d)" under Section 5.3.5.4 "Fences" to ensure consistency with Sections 4.2.1.9.1 "Exemptions" and 5.3.7.1 "Parking Areas".</p>	3	[None]	<b>Acoustic Fencing</b> shall mean a barrier, wall or fence designed by a professional engineer that is erected for noise attenuation purposes.
		3	[None]	<b>Crash Wall</b> shall mean a structure, also known as a deflection wall or containment wall that is designed by a professional engineer to redirect a derailling train back into a rail corridor.
		4.1.4.7	4.1.4.7 <u>Exemptions</u> Clothes poles, flag poles, ornamental light poles, required retaining walls 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. Accessibility ramps are permitted in any yard and are not subject to height and setback requirements of the zone in which they are located.	4.1.4.7 4.2.1.9.1 <u>Exemptions</u> 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.
		4.9.1.1	<b>4.9.1.1</b> <b>No retaining wall or fence shall be permitted within 0.3m of any lot line abutting a street. No hedge shall be permitted on any lot within 1m of any lot line abutting a street.</b>	<b>4.9.1.1</b> <b>No retaining wall, or fence, required crash wall or required-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.</b>
		5.3.5.4	5.3.5.4 <u>Fences</u> a) Any fence, wall or hedge within the <i>front yard</i> of a Residential Zone shall be no higher than 1m above grade, except that this provision shall not apply to any facility, works or uses of a <i>public authority</i> . b) Any fence over 2m in height should be considered an <i>accessory building or structure</i> and shall be subject to those provisions as defined. c) Where this provision is in conflict with any other specifically stated standard for accessory <i>structures</i> or <i>uses</i> on a residential property, referred to in this or any other by-law, then the standard requiring a higher fence shall apply.	5.3.5.4 <u>Fences</u> a) Any fence, wall or hedge within the <i>front yard</i> of a Residential Zone shall be no higher than 1m above grade, except that this provision shall not apply to any facility, works or uses of a <i>public authority</i> . b) Any fence over 2m in height should be considered an <i>accessory building or structure</i> and shall be subject to those provisions as defined. c) Where this provision is in conflict with any other specifically stated standard for accessory <i>structures</i> or <i>uses</i> on a residential property, referred to in this or any other by-law, then the standard requiring a higher fence shall apply. d) Notwithstanding the above and the requirements of Section 5.3.5, required <i>crash walls</i> , required <i>acoustic fencing</i> , and tight board fences required under Section 5.3.7.1, shall be permitted within any <i>yard</i> or along any <i>lot</i> line, subject to the requirements of Section 4.9.1.1.

5. Parking surface treatment in Residential Zones					
Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision	
5.1	Delete "front yard" from Section 5.3.6.1 c) "Parking in Residential Zones" to apply the same requirements to driveways and/or parking spaces regardless of their location (e.g. side and rear yard parking areas). This was intended to be achieved by a previous housekeeping amendment (By-law 2018-113) in response to concerns regarding dust and debris washing into City catch basins, but was not due to a typographical error. Revise Section 4.6.2.6 "Surface Treatment" to clarify that residential parking is subject to Section 5.3.6 "Parking Standards".	4.6.2.6	<p><b>4.6.2.6 Surface Treatment</b></p> <p>All required non-residential <i>parking spaces, driveways, aisles and loading spaces</i> shall be constructed and maintained with a stable surface such as portland cement, asphaltic binder or paving stones and curbed with a continuous poured concrete curb, except as provided for in Sections 7.3.3.1, 9.3.2.1 and 10.3.1.1.</p> <p>Where more than 3 <i>parking spaces</i> are required on a <i>lot</i>, all <i>parking spaces</i> shall be clearly marked to identify the size and location of the spaces.</p>	4.6.2.6	<p><b>4.6.2.6 Surface Treatment</b></p> <p>All required non-residential <i>parking spaces, driveways, aisles and loading spaces</i> shall be constructed and maintained with a stable surface such as portland cement, asphaltic binder or paving stones and curbed with a continuous poured concrete curb, except as provided for in Sections 7.3.3.1, 9.3.2.1 and 10.3.1.1. <b><i>Parking spaces, parking areas, driveways, and aisles in Residential Zones shall comply with Section 5.3.6.</i></b></p> <p>Where more than 3 <i>parking spaces</i> are required on a <i>lot</i>, all <i>parking spaces</i> shall be clearly marked to identify the size and location of the spaces.</p>
		5.3.6.1 c)	c) That the front yard driveway and/or parking space is not permitted to encroach on the required landscaped open space and shall be constructed and maintained with an asphaltic or concrete surface or brick pavers. (By-law 2012-020)	c)	That the <del>front yard</del> driveway and/or parking space is not permitted to encroach on the required landscaped open space and shall be constructed and maintained with an asphaltic or concrete surface or brick pavers. (By-law 2012-020)
6. Remove reference to "tenants" and other provisions that contravene Section 35 of the <i>Planning Act</i> and/or the Ontario Human Rights Code					
Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision	
6.1	Section 35(2) of the <i>Planning Act</i> states that a zoning by-law cannot have the effect of distinguishing between persons who are related and persons who are unrelated in respect of the occupancy or use of a building or structure or a part of a building or structure, including the occupancy or use as a single housekeeping unit. Section 35(3) further states that any provision in a zoning by-law is of no effect to the extent that it contravenes the restrictions described in Section 35(2). In addition to this, the Ontario Human Rights Code (OHRC) provides protection against discrimination in housing based on specific grounds.	3	<p><b>Dwelling Unit</b></p> <p>except for a Boarding, Lodging, Rooming House a dwelling unit shall mean a suite operated as a housekeeping unit used or intended to be used as a domicile by 1 or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities.</p>	<p><b>Dwelling Unit</b></p> <p><del>except for a Boarding, Lodging, Rooming House, a dwelling unit</del> shall mean a building or part thereof <del>suite operated as a housekeeping unit</del> used or intended to be used as a domicile by 1 or more persons <del>and usually</del> containing cooking, eating, living, sleeping and sanitary facilities, <b>but shall not include guest rooms in motels and hotels; lodging room suites in boarding, lodging, rooming houses; or dormitories.</b></p>	
			<p><b>Suite</b></p> <p>shall mean a single room or series of rooms, of complimentary use, operated under a single tenancy and includes guest rooms in motels, hotels, boarding lodging rooming houses and dormitories.</p>	<p><b>Suite</b></p> <p>shall mean a single room or series of rooms, of complimentary use, <del>operated under a single tenancy provided for the exclusive use of individual occupants,</del> and includes guest rooms in motels, <del>and hotels;</del> individual lodging room suites in boarding, lodging, rooming houses; and dormitories; <b>but shall not include a second suite or a detached accessory dwelling unit.</b></p>	
		4.5.3	<p><b>4.5.3 Minimum Standards for a Dwelling Unit</b></p> <p>a) Every <i>dwelling unit</i> shall contain a maximum of 1 <i>kitchen</i>;</p> <p>b) At least 1 bathroom and at least 1 other room;</p> <p>c) A private entrance from outside or from a common hallway or stairway inside;</p> <p>d) No more than 4 <i>tenants</i>; and,</p> <p>e) No <i>tenant</i>-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.</p>	4.5.3	<p><b>4.5.3 Minimum Standards for a Dwelling Unit</b></p> <p>a) Every <i>dwelling unit</i> shall contain a maximum of 1 <i>kitchen</i>;</p> <p>b) At least 1 bathroom and at least 1 other room;</p> <p>c) A private entrance from outside or from a common hallway or stairway inside;</p> <p>d) <del>No more than 4 tenants; and,</del></p> <p>e) <del>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.</del></p>
The proposed amendments to Section 3 "Definitions", Section 4.5.3 "Minimum Standards for a Dwelling Unit", and Table 4.6 "Parking Standards" are intended to ensure that these provisions do not contravene Section 35(2) of the <i>Planning Act</i> . The revisions to the parking					

<p>standards establish a fixed parking rate based on the dwelling type instead of whether it is occupied by owners, renters or a combination thereof. This will improve By-law implementation, as it is difficult to ascertain if and how many tenants will be occupying a building during zoning compliance review; this is also subject to change over time. For residential buildings containing not more than 3 dwelling units, 1.5 parking spaces per dwelling unit will result in the following parking space requirements:</p> <ul style="list-style-type: none"> <li>• 2 spaces per single detached dwelling</li> <li>• 2 spaces per semi-detached dwelling unit (i.e. each half)</li> <li>• 2 spaces per townhouse unit</li> <li>• Section 5.2.9.2 "Parking" will continue to apply to dwellings with a second suite, detached accessory dwelling unit, or both, which requires 1 space per dwelling unit.</li> </ul> <p>Delete the minimum separation distance requirement between group homes in Section 8.3.2; this is considered a discriminatory practice against OHRC protected groups as it is not applied to other housing of a similar scale.</p>	Table 4.6	<table border="1"> <thead> <tr> <th colspan="2">Table 4.6</th> </tr> <tr> <th>Uses</th> <th>Parking Standards</th> </tr> </thead> <tbody> <tr> <td><i>Residential building containing not more than 3 dwelling units</i></td> <td>1 space per <i>dwelling unit</i>, plus 1 additional space for every 2 tenants accommodated. Tandem parking will be permitted.</td> </tr> </tbody> </table>	Table 4.6		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.	<table border="1"> <thead> <tr> <th colspan="2">Table 4.6</th> </tr> <tr> <th>Uses</th> <th>Parking Standards</th> </tr> </thead> <tbody> <tr> <td><i>Residential building containing not more than 3 dwelling units</i></td> <td>1.5 spaces per <i>dwelling unit</i>, <del>plus 1 additional space for every 2 tenants accommodated.</del> Tandem parking will be permitted.</td> </tr> </tbody> </table>	Table 4.6		Uses	Parking Standards	<i>Residential building containing not more than 3 dwelling units</i>	1.5 spaces per <i>dwelling unit</i> , <del>plus 1 additional space for every 2 tenants accommodated.</del> Tandem parking will be permitted.
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8.3.2	<p><b>8.3.2 Additional Standards for Group Homes</b>  <b>Group homes must be located in fully detached buildings. A minimum distance of 300m shall separate each group home. (By-law 2016-057)</b></p>	<p><b>8.3.2 Additional Standards for Group Homes</b>  <b>Group homes must be located in fully detached buildings. <del>A minimum distance of 300m shall separate each group home. (By-law 2016-057)</del></b></p>													



**7. Revise Section 5.2.9 “Second Suites” to be more consistent with direction from the Ministry of Municipal Affairs and Housing and the *More Homes, More Choice Act, 2019* (Bill 108)**

Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision
7.1	The Province’s <i>More Homes, More Choice Act, 2019</i> (Bill 108) amended the <i>Planning Act</i> to require municipalities to permit a second suite within the principal dwelling and in an accessory building on the same lot. These new definitions will provide clarity when differentiating between internal and external accessory suites from a land-use perspective.	3	[None]  Second Suite shall mean a second dwelling unit on the same property that is accessory and subordinate to the principle unit	<b>Detached Accessory Dwelling Unit</b>  Shall mean an accessory dwelling unit located in a detached structure on the same property as, and is subordinate to, a principal unit.  <b>Second Suite</b> Shall mean an accessory dwelling unit that is located within the principal structure on a property, and is subordinate to, a principal unit.
7.2	The Ministry of Municipal Affairs and Housing has stated that the size of second suites and the number of bedrooms should solely be regulated by the Ontario Building Code, which establishes health and safety standards for second suites, and that municipal by-laws should not seek to impose size or other standards that are regulated by the Building Code. The Province’s <i>More Homes, More Choice Act, 2019</i> (Bill 108) amended the <i>Planning Act</i> to require municipalities to permit a second suite within the principal dwelling and in an accessory building on the same lot.  Revise Section 5.2.9 “Second Suites” to: clarify it also applies to the “R5” and “RM3” zones; permit both a second suite and a detached accessory dwelling unit per lot; delete the restriction on the maximum number of bedrooms; require the minimum dwelling unit size to be 35m <sup>2</sup> regardless of the number of bedrooms; and clarify that second suites and detached accessory dwelling units are not permitted within or on the same lot as a Boarding, Lodging, Rooming House. Update Subsection 5.2.9.2 “Parking” to include reference to detached secondary dwelling units and the “R5” and “RM3” zones.	5.2.9	<b>5.2.9 Second Suites</b>  5.2.9.1 <u>General</u>  A free standing detached dwelling in an (RM1-SS) Zone may be constructed or converted to include a second <i>dwelling unit</i> .  Except as provided herein, a <i>second suite</i> shall be permitted in the R1, R2, R3, R4, RM1, RM2 and RM2-TH zones where the principal <i>dwelling unit</i> has frontage on a municipal <i>street</i> subject to the following:  a) A <i>second suite</i> shall not be permitted in the Georgian Neighbourhood Study Boundary Area identified in Schedule “A”.  b) (Deleted by By-law 2017-079)  c) A maximum of one <i>detached accessory dwelling</i> or <i>second suite</i> shall be permitted per lot.  d) A maximum of 2 bedrooms is permitted in the <i>second suite</i> or <i>detached accessory dwelling unit</i> .  e) A <i>detached accessory dwelling</i> unit shall be permitted in a detached <i>accessory building</i> subject to the standards in section 5.3.5 and sections 4.5.1 & 4.5.2 of this By-law.  f) A <i>second suite</i> or <i>detached accessory dwelling</i> unit shall not be less than 35m <sup>2</sup> in size for a bachelor unit and for each additional bedroom a minimum of 10m <sup>2</sup> shall be required. (By-law 2015-056)  5.2.9.2 <u>Parking</u>  That notwithstanding the parking requirements set out in Table 4.6 the following shall apply to a property containing a <i>second suite</i> .  a) A minimum of 1 parking space per <i>dwelling</i> unit is required in the R1, R2, R3, R4, RM1, RM1-SS, RM2 and RM2-TH zones; and  b) Tandem parking is permitted. (By-law 2015-056)	<b>5.2.9 Second Suites</b>  5.2.9.1 <u>General</u>  A free standing detached dwelling in an (RM1-SS) Zone may be constructed or converted to include a second <i>dwelling unit</i> .  Except as provided herein, a <i>second suite</i> and a <i>detached accessory dwelling unit</i> shall be permitted in the R1, R2, R3, R4, <b>R5</b> , RM1, RM2, <b>RM3</b> and RM2-TH zones where the principal <i>dwelling unit</i> has frontage on a municipal <i>street</i> subject to the following:  a) A <i>second suite</i> shall not be permitted in the Georgian Neighbourhood Study Boundary Area identified in Schedule “A”.  b) (Deleted by By-law 2017-079)  c) A maximum of one <i>detached accessory dwelling unit</i> <del>or</del> and one <i>second suite</i> within the principal dwelling shall be permitted per lot.  <del>d) A maximum of 2 bedrooms is permitted in the second suite or detached accessory dwelling unit.</del>  e) A <i>detached accessory dwelling</i> unit shall be permitted in a detached <i>accessory building</i> subject to the standards in section 5.3.5 and sections 4.5.1 & 4.5.2 of this By-law.  f) A <i>second suite</i> or <i>detached accessory dwelling unit</i> shall not be less than 35m <sup>2</sup> in size <del>for a bachelor unit and for each additional bedroom a minimum of 10m<sup>2</sup> shall be required. (By-law 2015-056).</del>  g) <i>Second suites and detached accessory dwelling units</i> are not permitted on a lot with a <i>boarding, lodging, rooming house</i> .  5.2.9.2 <u>Parking</u>  That notwithstanding the parking requirements set out in Table 4.6 the following shall apply to a property containing a <i>second suite</i> , a <i>detached accessory dwelling unit</i> , or <i>both</i> :  a) A minimum of 1 parking space per <i>dwelling</i> unit is required in the R1, R2, R3, R4, <b>R5</b> , RM1, RM1-SS, RM2, <b>RM3</b> and RM2-TH zones; and  b) Tandem parking is permitted. (By-law 2015-056)

Add a new superscript (3) in Table 14.5.2 "Permitted Uses" to clarify that second suites in the R5 and RM3 Zones are subject to the requirements of Section 5.2.9 "Second Suites".

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

- (1) A second suite in the RM3 Zone is not permitted in a Walk-Up Apartment or Apartment Dwelling.
- (2) Permitted only where these uses are located on major collector and arterial roads.

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

- (1) A second suite in the RM3 Zone is not permitted in a Walk-Up Apartment or Apartment Dwelling.
- (2) Permitted only where these uses are located on major collector and arterial roads.
- (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.*

**8. Re-zone the land at 249 Bayview Drive that was conveyed to the City of Barrie as a condition of development approval from "General Commercial" (C4) to "Environmental Protection" (EP).**

Item	Explanation	Section	
8.1	<p>Natural Heritage policies in Section 8.3.8.1 of the City's Official Plan state that the City recognizes that public securement of lands in the Natural Heritage System will provide opportunities for enhanced management of the System, and that the City shall investigate all options for securement of the lands in the Natural Heritage System.</p> <p>During the review of a Site Plan application for a mixed use project at 249 Bayview Drive, lands described as Part 1 on Plan 51R-42017 were identified as an area that should be conveyed to the City for natural heritage purposes as a condition of development approval, and subsequently re-zoned from General Commercial (C4) to Environmental Protection (EP).</p>	Mapping	<p>Key Map showing the location of 249 Bayview Drive, and the lands subject to re-zoning from General Commercial (C4) to Environmental Protection (EP).</p>

**9. Revise Section 5.2.10.1 "Standards for Home Occupations" to permit home occupations in a detached private garage.**

Item	Explanation	Section	Existing - By-law 2009-141	Proposed Revision
9.1	Standards for Home Occupations in Section 5.2.10.1 b) confines home occupations to the main building on the lot on which it is located. The proposed change is intended to provide greater flexibility to individuals who wish to engage in home occupations. The expansion of this provision expands the permitted uses with respect to home occupations to those individuals who want to operate a home occupation but determine that the main building on the lot is not suitable for their purposes such as certain Trade Businesses or Arts, Crafts, and Instructional Services. The expansion of this provision will not change the character of residential neighbourhoods as home occupations are still subject to all other provisions in Section 5.2.10.		5.2.10.1 <u>Standards for Home Occupations</u>  a) Any dwelling containing a <i>home occupation</i> shall maintain as a residence the minimum <i>dwelling unit floor area</i> required for the <i>zone</i> in which the dwelling is located. The floor area devoted to the <i>home occupation</i> shall not exceed 30% of the total floor area of the dwelling.  b) The <i>home occupation</i> shall be confined to the <i>main building</i> on the <i>lot</i> on which it is located except for a fenced outdoor play area for private <i>child care</i> facilities.  c) The <i>home occupation</i> shall not change the character of the <i>dwelling unit</i> from that of a private residence. The operation of the <i>Home Occupation</i> shall not have a negative impact on the residential character of the neighbourhood as a consequence of such impacts as parking, noise and the frequency of external contact.  d) Only 1 non-resident employee other than those persons residing in the domicile shall be permitted in <i>home occupations</i> located in single or <i>semi-detached dwelling units</i> .  e) A minimum of 1 parking space for a non-resident employee shall be provided in addition to all other <i>parking spaces</i> required by this By-law. All such spaces shall be provided on the same <i>lot</i> as the <i>home occupation</i> .  f) Retail <i>uses</i> , <i>body rub parlours</i> and <i>escort services</i> shall not be permitted.  g) (Deleted by By-law 2017-079)  h) <i>Home occupations</i> offering services to clients, patients and/or students are not to exceed one customer at a time.	5.2.10.1 <u>Standards for Home Occupations</u>  a) Any dwelling containing a <i>home occupation</i> shall maintain as a residence the minimum <i>dwelling unit floor area</i> required for the <i>zone</i> in which the dwelling is located. The floor area devoted to the <i>home occupation</i> shall not exceed 30% of the total floor area of the dwelling.  <del>b) The <i>home occupation</i> shall be confined to the <i>main building</i> on the <i>lot</i> on which it is located except for a fenced outdoor play area for private <i>child care</i> facilities.</del>  b) The <i>home occupation</i> shall be confined to either the <i>main building</i> or a <i>detached garage</i> on the <i>lot</i> on which it is located. A fenced outdoor play area for private <i>child care</i> is exempt from this provision.  c) The <i>home occupation</i> shall not change the character of the <i>dwelling unit</i> from that of a private residence. The operation of the <i>Home Occupation</i> shall not have a negative impact on the residential character of the neighbourhood as a consequence of such impacts as parking, noise and the frequency of external contact.  d) Only 1 non-resident employee other than those persons residing in the domicile shall be permitted in <i>home occupations</i> located in single or <i>semi-detached dwelling units</i> .  e) A minimum of 1 parking space for a non-resident employee shall be provided in addition to all other <i>parking spaces</i> required by this By-law. All such spaces shall be provided on the same <i>lot</i> as the <i>home occupation</i> .  f) Retail <i>uses</i> , <i>body rub parlours</i> and <i>escort services</i> shall not be permitted.  g) (Deleted by By-law 2017-079)  h) <i>Home occupations</i> offering services to clients, patients and/or students are not to exceed one customer at a time.