



**DEVELOPMENT SERVICES  
MEMORANDUM**

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**TO: MAYOR A. NUTTALL AND MEMBERS OF COUNCIL**

**FROM: L. MUNNOCH, PLANNER, EXT. 4416**

**WARD: ALL**

**NOTED: M. BANFIELD, RPP, DIRECTOR OF DEVELOPMENT SERVICES**

**B. ARANIYASUNDARAN, P. ENG., PMP, GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT**

**M. PROWSE, CHIEF ADMINISTRATIVE OFFICER**

**RE: NEW COMPREHENSIVE ZONING BY-LAW PROJECT – COMMENTS RECEIVED ON THE SECOND DRAFT**

**DATE: NOVEMBER 1, 2023**

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The purpose of this Memorandum is to provide members of Council with an update on the comments received on the second draft of a new Comprehensive Zoning By-law, released June 2023. Members of the public were invited to provide comments through to the end of July, comments were received through written submissions, and via email.

Approximately 57 comments were received, this including written letters from development/planning professionals, emails and/or letters from the public, and emails and/or letters from internal staff, members of Council, or other external agencies. Comments received formed themes which are continuing to be heard by Staff, specifically from our development/planning partners. These themes are summarized further in this report.

In addition to the above, a process was initiated to consolidate existing special provisions across the City. Approximately 4600 letters were sent out and feedback was received from residents and property owners relating to the drafted Zoning By-law, in addition to those heard through the consultation period. More information about this project can be found on the Building Barrie website: [buildingbarrie.ca/zoning](http://buildingbarrie.ca/zoning).

### **Highlights from the Comments Received**

#### Clarity of Language

Comments identified that language used in parts of the document was confusing or could easily be misinterpreted.

#### *Section 4.15: Non-Conforming Uses and Non-Complying Buildings*

Section 4.15 of the drafted Zoning By-law was referenced, as it relates to legal non-conforming uses, buildings, and structures. Comments received relate to specific properties, and commenters questioned how existing developed properties would be considered in the future. There was also a request that additions and/or alterations to existing buildings be permitted, without rendering existing developed properties as non-conforming.

As a result of the comments, section 4.15 will be revised to provide greater clarity for existing developed properties, and reaffirm that all legally existing uses, buildings, and structures, will be deemed to comply as of the date of enactment of any future comprehensive Zoning By-law.

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*Section 3: Definitions*

Comments identified that certain terms, and definitions, used throughout the drafted document were confusing or unclear. It was noted that there is also opportunity to clarify the drafted document by including new definitions for frequently used building typology terms.

Staff resolve that section 3 will be revised and will include all relevant definitions, including new definitions for building typologies.

*Permitted Use Tables*

Certain permitted uses were left undefined or misunderstood by commenters. To simplify permitted use tables, common uses were grouped together under singular, defined terms, such as “residential uses”, or “commercial uses”. This was not received well by commenters, who identified a need to list out all permitted uses, in clear language, for each zone category.

As a result of the comments, section 3 will be revised to separate the common permitted uses and provide clear definitions. The drafted document will be revised, to ensure that each zone category provides a fulsome list of permitted uses, in clear language.

Parking

Comments received relating to parking were generally supportive of a reduction in the overall minimum parking space requirements for new development. Further, establishing parking districts with separate, targeted parking minimums was positively received.

*Section 16.2.5: Bicycle Parking*

It was identified that the requirements for bicycle parking were too high in certain districts and that the requirement for interior bicycle parking spaces did not always align with lower-density residential building types, such as single-detached, semi-detached, and townhouse dwellings.

As a result of the comments, section 16.2.5 will be revised, relating to bicycle parking requirements, to both reduce the number of required spaces, and better align building types with required bicycle parking spaces. Staff will also remove provisions for indoor and outdoor bicycle parking, and will instead use short- and long-term spaces, when considering bicycle parking.

*Section 16, Table 16-2: Maximum Standard Parking Spaces*

A limit on vehicular parking spaces was introduced this draft of the document, for parking districts one, two, and three. Parking district four is proposed with no limit, or maximum number of parking spaces. Comments received noted that in setting parking maximums, the City may be unnecessarily excluding certain uses it wishes to attract, such as large-scale grocery stores, medical offices, or pharmacies.

As a result of the comments, staff will revisit parking maximums, and either revise these figures, or provide exceptions for certain uses which are both desired and may require additional parking spaces.

Pre-Zoning of the Previous Secondary Plan Areas

Through the creation of the City’s new Official Plan, new land use designations were identified across the City, as illustrated on Map “2” of that document. These land use designations are to be carried forward into the City’s new Zoning By-law mapping and will include the prior Secondary Plan areas.



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*Pre-Zone Lands within Secondary Plan Areas*

Comments received noted that the drafted mapping identified school, park, and open space blocks on undeveloped lands. Commenters identified that these areas should be removed, as the location of schools, parks, and other open spaces, will be determined through the development process, as the formerly described Secondary Plan areas continue to be built out. The pre-zoning of these areas may conflict with the ultimate layout of future residential development.

As a result of the comments, staff will remove these areas in the drafted mapping, but only in those instances where the new Official Plan land use designation would not conflict. The City's new Official Plan is currently in force and effect, and therefore, present land use designations must remain and be supported by the new zoning by-law, unless site-specific Official Plan amendments are received.

**Next Steps**

Staff thank the development/planning industry professionals, members of the public, internal City Staff, and members of Council for their meaningful comments to help refine and create a more fulsome next draft of the Zoning By-law. All comments received during the commenting period have been recorded, reviewed and have been considered ahead of releasing the next draft.

The next draft of the Zoning By-law is currently being developed. Staff anticipate that the next draft of Zoning By-Law will be released by the end of 2023 for statutory public consultation. An Open House and Public Meeting will take place to gather feedback and staff anticipate being able to present the final Zoning By-law for Council's consideration for adoption in early 2024, subject to the amount of feedback received and contingent on no further significant Provincial legislative changes.