



Bill No. 043

BY-LAW NUMBER 2024 -

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 By-law 2009-141; and,

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 23-G-060 as amended.

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts the following:

1. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by adding the following definitions:
 - a) Additional Residential Unit – shall mean a self-contained residential *dwelling unit*, complete with separate kitchen and bathroom facilities located within, and ancillary to, an existing dwelling. Additional Residential Units may be located within the principal building or within an *accessory building or structure* on the same *lot*.
2. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting Detached Accessory Dwelling Unit and Second Suite and their associated definitions.
3. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended as follows:
 - a) Amend the definition of Suite to remove the words “a second suite or a detached accessory dwelling unit” and replace with “an additional residential unit”.
 - b) Amend the definition of Dwelling, Duplex to remove the words “a second suite” and replace with “an additional residential unit”.
4. **THAT** Section 4.4.2.3 be amended to replace the words “a detached accessory dwelling unit” with “an additional residential unit”.
5. **THAT** Table 5.2 of Comprehensive Zoning By-law 2009-141 be amended as follows:
 - a) Remove “Detached Accessory Dwelling Unit ⁽¹⁵⁾ (By-law2021-085)” and “Second Suite ⁽¹⁵⁾ (By-law2021-084)” from the list of permitted “Accessory Uses”.
 - b) Add “Additional Residential Units ⁽¹⁵⁾” below “Walk Up Apartment ⁽⁷⁾” as a permitted “Residential Use” in the following zones: R1, R2, R3, R4, RM1, RM1-SS, RM2 and RM2-TH.
6. **THAT** Section 5.2.1 be amended as follows:
 - a) Add Section 5.2.1.1 Up to a total of 4 dwelling units be permitted per lot in the following zones: R1, R2, R3, R4, RM1, RM1-SS, RM2 and RM2-TH.
7. **THAT** Section 5.2.9 of Comprehensive Zoning By-law 2009-141 be amended and renamed from ‘Second Suites and Detached Accessory Dwelling Units’ to ‘Additional Residential Units’ and deleting the current subsections 5.2.9.1, 5.2.9.2, and 5.2.9.3 and replacing them with the following:

5.2.9.1 Standards for Additional Residential Units

- a) An *additional residential unit* is a permitted use within a *single detached dwelling, semi-detached dwelling unit, or street house dwelling unit* on a residentially zoned property in accordance with Table 5.2 and Table 14.5.2.

- b) An *additional residential unit* shall be located on the same *lot* as a *principal building* that has frontage on a municipal *street*.
- c) A maximum of three (3) *additional residential units* are permitted per *lot* up to a maximum of four (4) residential units in total.
- d) A 1.2 metre wide unobstructed path of travel shall be provided to the primary entrance of the *additional residential unit* from the *street, driveway, or parking area*.
- e) Any existing *lot* or *principal building* is exempt from meeting the current residential zoning standards when incorporating an *additional residential unit*, save and except for parking required in Section 5.2.9.3. New construction or additions to an existing building are required to comply with the development standards in Section 5.3 and 14.5.6.
- f) Notwithstanding any other provision of this By-law, an *additional residential unit* shall not be located within any area subject to natural hazards such as flooding or erosion hazards.

5.2.9.2 Standards for Additional Residential Units Within an Accessory Building or Structure

- a) An *additional residential unit* located within an *accessory building or structure* is a permitted use on a residentially zoned property in accordance with Table 5.2. Notwithstanding Section 5.3.5, an accessory building or structure containing an additional residential unit is subject to the following development standards:

Table 5.2.9.2 a)

| Development Standard | Requirement |
|------------------------------------|--|
| Maximum Building Height | 4.5 metres or the height of the <i>principal building</i> on site, whichever is less *Maximum <i>building height</i> shall not exceed the height of the <i>principal building</i> |
| Minimum Front Yard Setback | 7 metres |
| Minimum Interior Side Yard Setback | 3.0 metres |
| Minimum Exterior Side Yard Setback | 3.0 metres |
| Minimum Rear Yard Setback | 3.0 metres |
| Landscape Buffer Areas | <i>Landscape buffer areas</i> must be provided between the <i>lot line</i> and the accessory building or structure containing an additional residential unit |

- b) An *additional residential unit* located within an *accessory building or structure* is a permitted use on a residentially zoned property in accordance with Table 14.5.2. Notwithstanding Sections 14.5.9, an accessory building or structure containing an *additional residential unit* is subject to the following development standards:

Table 5.2.9.2 b)

| Development Standard | Requirement |
|------------------------------------|---|
| Maximum Building Height | 5.5 metres or the height of the principal building on site, whichever is less *Maximum <i>building height</i> shall not exceed the height of the <i>principal building</i> |
| Minimum Front Yard Setback | 7 metres |
| Minimum Interior Side Yard Setback | 1.2 metres |
| Minimum Exterior Side Yard Setback | 1.5 metres |
| Minimum Rear Yard Setback | 1.2 metres |
| Landscape Buffer Areas | <i>Landscape buffer areas</i> must be provided between the <i>lot line</i> and the accessory building or structure containing an <i>additional residential unit</i> |

- c) An *additional residential unit* located within an *accessory building or structure* shall be located on the same *lot* as a principal building that has frontage on a municipal *street*.

- d) An *additional residential unit* may be located within or attached to an *accessory building or structure*, provided said *accessory building or structure* complies with the minimum setback requirements in Table 5.2.9.2 a) and 5.2.9.2 b).
- e) A maximum of two (2) *accessory buildings or structures* containing an *additional residential unit* may be permitted per *lot*.
- f) An *accessory building or structure* shall only contain up to two (2) *dwelling units*.
- g) An *accessory building or structure* containing an *additional residential unit* is not permitted to have a *basement*.
- h) An *accessory building or structure* containing an *additional residential unit* is not permitted in a *front yard*.
- i) The maximum distance between the *front lot line* and the primary entrance to an *additional residential unit* within an *accessory building or structure* shall be 40.0 metres.
- j) A 1.2 metre wide unobstructed path of travel shall be provided to the primary entrance of the *additional residential unit* within an *accessory building or structure* from the *street, driveway, or parking area*.
- k) Notwithstanding Table 5.2.9.2 a), where special provisions RM1 (SP-527-HC), R2 (SP-529-HC) and R3 (SP-529-HC) require additional or different standards for *accessory buildings and structures*, the greater restriction shall apply.
- l) An *accessory building or structure* containing an *additional residential unit* shall be included when calculating the maximum 10% *lot coverage* for *accessory buildings and structures* as set out in Section 5.3.5.
- m) Any external stairways, landing, steps, eaves, roof overhangs, air conditioners, mechanical equipment, chimney breasts, bay windows, decks, porches, awnings, and any other similar architectural or mechanical features are permitted to encroach a maximum of 0.6 metres into the required yard setbacks in Table 5.2.9.2 a) and Table 5.2.9.2 b).
- n) An *accessory building or structure* containing an *additional residential unit* shall comply with the requirements of Sections 4.5.1, 4.5.2 and 4.5.3.
- o) Notwithstanding any other provision of this By-law, an *additional residential unit* located within an *accessory building or structure* shall not be located within any area subject to natural hazards such as flooding or erosion hazards.

5.2.9.3 Parking Standards

Notwithstanding the parking requirements set out in Table 4.6, the following shall apply to a property containing an *additional residential unit*:

- a) A minimum of 1 *parking space per dwelling unit* is required in the R1, R2, R3, R4, R5, RM1, RM1-SS, RM2, RM2-TH, and RM3 zones.
- b) A *tandem parking space* is permitted.

Notwithstanding the provisions of Section 4.6.2.5, where four (4) or less *parking spaces* are provided in a separate area on the same *lot*, a minimum *driveway* width of 3.7 metres shall be provided to connect the *parking area* to the municipal roadway. Yield to oncoming traffic signs shall be provided if two-way traffic cannot be accommodated within the *driveway* connection. A minimum *parking aisle* width of 6.4 metres is required adjacent to the *parking spaces*.

- 8. **THAT** Section 5.3.5 of Comprehensive Zoning By-law 2009-141 be amended to replace the words "Detached Accessory Dwelling Unit" with "Additional Residential Unit".
- 9. **THAT** Section 5.3.6.1 Footnote (1) be amended to replace the words "units with second suites" with "units with additional residential units".
- 10. **THAT** Section 14.5.2 be amended as follows:
 - a) Add Section 14.5.2.1 Up to a total of 4 *dwelling units* be permitted per lot in the following zones: R5 and RM3.
- 11. **THAT** Table 14.5.2 of Comprehensive Zoning By-law 2009-141 be amended as follows:
 - a) Remove "Detached Accessory Dwelling Unit ⁽³⁾ (By-law2021-085)" and "Second Suite⁽³⁾" from the list of permitted "Accessory Uses".

- b) Add “Additional Residential Units⁽³⁾” below “Boarding, Lodging, Rooming House (Large)” as a permitted “Residential Use” in the following zones: R5 and RM3.
 - c) Amend notation (3) below the table to replace the words “Second suites and detached accessory dwelling units” with “Additional residential units”.
12. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above-described lands generally shown on Schedule “A” to this Bylaw, shall apply to the said lands except as varied by this By-law.
13. **THAT** this By-law shall come into force and effect immediately upon the final passing hereof.

READ a first and second time this 17th day of April, 2024.

READ a third time and finally passed this 17th day of April, 2024.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – ALEX NUTTALL

CITY CLERK – WENDY COOKE