

May 10, 2024

Ministry of Municipal Affairs and Housing
17th Floor, 777 Bay Street
Toronto, ON
M7A 2J3

****SUBMITTED ELECTRONICALLY****

RE: Environmental Registry of Ontario Posting 019-8366: Proposed Regulatory Changes under the Planning Act Relating to the Cutting Red Tape to Build More Homes Act, 2024 (Bill 185): Removing Barriers for Additional Residential Units

Please accept this letter in response to the Environmental Register of Ontario (ERO) proposal 019-8366 regarding the regulatory changes under the Planning Act to remove barriers for additional residential units. Staff have undertaken a review of the proposal and offer the following comments.

Proposal Summary

Seeking feedback on zoning by-law barriers to the creation of additional residential units.

1. Are there specific zoning by-law barriers standards or requirements that frustrate the development of ARUs (e.g., maximum building height, minimum lot size, side and rear lot setbacks, lot coverage, maximum number of bedrooms permitted per lot, and angular plane requirements, etc.)?
2. Are there any other changes that would help support development of ARUs?

Comments

The City of Barrie recognizes that ARUs contribute to providing a range of housing options and has included as-of-right permissions in our Comprehensive Zoning By-law that allow ARUs within detached, semi-detached and street townhouse dwellings, or an ancillary structure to them, for nearly a decade. Over this time, the City has endeavored to reduce zoning barriers and make it easier to create ARUs through periodic updates to applicable zoning standards. Most recently, Barrie City Council passed a city-initiated zoning by-law amendment on April 17, 2024 to further streamline permissions for ARUs and to allow up to three (3) ARUs as-of-right on most residential properties.

Currently, Barrie's Zoning By-law establishes the following provisions for ARUs:

- No minimum lot size or frontage requirements for lots with ARUs.
- No minimum or maximum unit sizes (including number of bedrooms permitted) for ARUs.
- No separate/alternative lot coverage, lot line setbacks, or height standards for ARUs in the principal building.
- ARUs in ancillary structures follow the same lot coverage requirements for accessory structures and have slightly greater maximum height standards.
- Properties with ARUs have reduced parking requirements of one space per dwelling unit and allows tandem parking.

- Clear as-of-right exceptions for establishing ARUs within legal non-conforming single detached, semi-detached and street townhouse dwellings, without applying to the Committee of Adjustment (which makes it easier to add them in to existing dwellings).

The City has established some separate zoning permissions for detached ARUs (e.g., coach houses), including side and rear yard setback requirements, restrictions to prohibit basements, maximum distances to the front lot line, and the need for a clear unobstructed path of travel to the primary entrance. These were developed based on local context and in consultation with the City's Building Services Department and Barrie Fire and Emergency Service, to ensure that ARUs were safely located, could be serviced by emergency personnel, and would be able to meet Building Code and Fire Code standards.

In our experience, the zoning standards that have generated the most public pushback, concerns and scrutiny have been attempts to reduce minimum parking requirements below one space per dwelling unit, and standards for detached ARUs, particularly maximum building height and minimum side and rear yard setbacks. In the past, provincial regulations regarding ARU standards contained in O. Reg. 299/19 have been helpful to make changes to contentious zoning standards.

Barrie has relatively permissive ARU standards and has seen many ARUs constructed within both principal and ancillary buildings throughout the City. In this context, staff have observed that the common barriers to creating legal, safe ARUs are rarely zoning, but more often financial constraints resulting from construction costs, including retrofitting buildings and upgrading sanitary and water servicing to meet Building Code and Fire Code standards.

Thank you for providing the opportunity to comment on this proposal.

Respectfully,



Michelle Banfield, RPP,
Executive Director of Development Services

cc Mayor Alex Nuttall
Michael Prowse, CAO, City of Barrie
Wendy Cooke, Clerk, City of Barrie