

October 18, 2024

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

**\*\*SUBMITTED ELECTRONICALLY\*\***

**RE: Environmental Registry of Ontario Posting 019-9210: Proposed amendment to Ontario Regulation 299/19 ADDITIONAL RESIDENTIAL UNITS, made under the Planning Act**

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Please accept this letter in response to the Environmental Registry of Ontario (ERO) proposal 019-9210 regarding a proposed regulation under the *Planning Act* to facilitate the creation of additional residential units (ARUs). Staff have undertaken a review of the materials and offer the following comments.

#### Comments

The City of Barrie recognizes that ARUs contribute to providing a range of housing options and has included as-of-right permissions in the 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 regularly reviewed and made periodic updates to zoning standards to reduce zoning barriers and make it easier to create ARUs. Barrie has relatively permissive ARU standards and has seen many ARUs constructed within both principal and ancillary buildings throughout the City. Staff have reviewed the proposed performance standards to be included in a future Minister's regulation and offer the following comments based on our experience:

**1. Angular Plane: Override all angular plane requirements in zoning by-laws for buildings with ARUs**

The City of Barrie has no concerns with restricting the use of angular plane requirements for buildings with ARUs, and the current zoning standards reflect this. Both the current City of Barrie Comprehensive Zoning By-law 2009-141, as amended, and the working draft of the proposed new Comprehensive Zoning By-law reserve the use of angular plane requirements to mid-rise and high-rise buildings.

**2. Maximum Lot Coverage: Allow at least 45% lot coverage for all buildings and structures on parcels with ARUs**

The City of Barrie's current Comprehensive Zoning By-law 2009-141, as amended, includes separate lot coverage requirements for the primary building and ancillary structures/buildings. Our understanding of the intent of this provincial standard, which would set the maximum lot coverage for buildings and structures on a lot that includes at least one ARU, is to make it easier to build ancillary buildings like garden and laneway suites on existing lots, as well as rear additions to the primary building. We have no concerns with the proposed standard, however, request additional clarification on how the provincial standard lot coverage of 45% would apply in situations where a municipality's zoning by-law permits at least 45% lot coverage overall, but includes provisions to calculate and limit the size of ancillary structures/buildings separately (e.g., a separate 10% lot coverage maximum for all ancillary structures/buildings).

**3. Floor Space Index (FSI): Override all FSI requirements in zoning by-laws that apply to parcels with ARUs**

The City of Barrie has no concerns with restricting the use of FSI requirements for parcels with ARUs, and the current zoning standards reflect this. Neither the current City of Barrie Comprehensive Zoning By-law 2009-141, as amended, or the working draft of the proposed new Comprehensive Zoning By-law contain FSI requirements for parcels with ARUs.

**4. Minimum Lot Size: Override all minimum lot size/lot area requirements that are specific to parcels with ARUs**

There are no provisions requiring a minimum lot size when adding an ARU to a lot in the current City of Barrie Comprehensive Zoning By-law 2009-141, as amended, or the working draft of the proposed new Comprehensive Zoning By-law. As such, the City of Barrie has no concerns with the proposal to remove all minimum lot size/lot area requirements specific to parcels with ARUs.

**5. Building Distance Separation: Restrict building distance separation requirements associated with any building containing ARUs to a maximum of 4 metres**

The City of Barrie does not currently regulate the minimum separation distance between a primary building and any ancillary structure, including those containing ARUs, through zoning. Instead, we defer to the Ontario Building Code. We understand the intent of the proposed standard is to establish that the greatest minimum separation distance a zoning by-law can require is 4 metres, and that a lesser minimum separation distance, or no separation distance requirement, would still be permitted. We have no concerns with the intent of the proposed regulation, however, recommend careful wording of the provision to ensure clarity, as the use of double negatives can be confusing.

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