



Bill No. 085

BY-LAW NUMBER 2021-085

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 21-P-023.

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. Tandem Parking Space – shall mean a parking space that can only be accessed by passing through another parking space from a street, lane, or driveway.
2. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting Dwelling, Detached Accessory and the associated definition.
3. **THAT** Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 be amended by deleting the current definitions of Detached Accessory Dwelling Unit and Second Suite and replacing them as follows:
 - a) Detached Accessory Dwelling Unit – Shall mean an accessory dwelling unit that is located within a detached accessory building on the same lot as a single detached dwelling, semi-detached dwelling unit, duplex dwelling, or street townhouse dwelling unit, and is subordinate to the principal unit.
 - b) Second Suite – Shall mean an accessory dwelling unit that is located within a single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit, and is subordinate to the principal unit.
4. **THAT** Table 5.2 of Comprehensive Zoning By-law 2009-141 be amended as follows:
 - a) Relocate “*Second Suite* ⁽¹⁵⁾” from the list of permitted “Residential Uses” to below the list of “Accessory Uses”; continue to permit this use in the following zones: R1, R2, R3, R4, RM1, RM1-SS, RM2, RM2-TH, RA1, and RA; and remove the (2), (3) and (4) notations from this row.
 - b) Add “*Detached Accessory Dwelling Unit* ⁽¹⁵⁾” below “*Second Suite* ⁽¹⁵⁾” as a permitted “Accessory Use” in the following zones: R1, R2, R3, R4, RM1, RM1-SS, RM2, and RM2-TH.
5. **THAT** Section 5.2.9 of Comprehensive Zoning By-law 2009-141 be amended by adding “and Detached Accessory Dwelling Units” after “Second Suites” 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 Second Suites

- a) A second suite is a permitted *accessory use* within a *single detached dwelling, semi-detached dwelling unit, or street townhouse dwelling unit* in accordance with Table 5.2.
- b) A *second suite* shall be located within the *principal building* that has *frontage* on a *municipal street*;

- c) A maximum of one (1) *second suite* is permitted per *lot*.
- d) A *second suite* shall occupy a maximum of 45% of the *gross floor area* of the *principal building* it is located within, except where a *second suite* is located wholly within the *basement* of a one (1) *storey* dwelling, in which case it may occupy the whole of the *basement*.
- e) A 1.2 metre wide unobstructed path of travel shall be provided to the primary entrance of the *second suite* from the street, driveway, or parking area.
- f) Any existing *lot* or *principal building* is exempt from meeting the current residential zoning standards when incorporating a *second suite*, save and except for parking required in Section 5.2.9.2. New construction or additions to an existing building are required to comply with the development standards in Section 5.3.
- g) Notwithstanding any other provision of this By-law, a *second suite* shall not be located within any area subject to natural hazards such as flooding or erosion hazards.

5.2.9.2 Standards for Detached Accessory Dwelling Units

- a) A *detached accessory dwelling unit* is a permitted *accessory use* to a *single detached dwelling*, *duplex dwelling*, *semi-detached dwelling unit*, or *street townhouse dwelling unit*, in accordance with Table 5.2. An *accessory building* or *structure* containing a *detached accessory dwelling unit* is subject to the following development standards:

Table 5.2.9.2

Development Standard	Requirement
Maximum building height	4.5 metres or the height of the principal building, whichever is lesser
Minimum <i>front yard</i> setback	7.0 metres
Minimum <i>interior side yard</i> setback	3.0 metres
Minimum <i>exterior side yard</i> setback	3.0 metres
Minimum <i>rear yard</i> setback	7.0 metres

- b) A *detached accessory dwelling unit* shall be located on the same *lot* as a *principal building* that has *frontage* on a *municipal street*.
- c) A *detached accessory dwelling unit* may be a stand-alone *detached accessory building* or *structure*, or located within, or attached to, a *detached accessory building* or *structure*, provided said *detached accessory building* or *structure* complies with the minimum setback requirements in Table 5.2.9.2.
- d) A maximum of one (1) *detached accessory dwelling unit* is permitted per *lot*.
- e) A *detached accessory dwelling unit* shall only contain one (1) *dwelling unit*.
- f) A *detached accessory dwelling unit* is not permitted to have a *basement*.
- g) A *detached accessory dwelling unit* is not permitted in a *front yard*.
- h) The maximum distance between the front lot line and the primary entrance to a *detached accessory dwelling unit* shall be 40.0 metres.
- i) A 1.2 metre wide unobstructed path of travel shall be provided to the primary entrance of the *detached accessory dwelling unit* from the *street*, *driveway*, or *parking area*.
- j) Notwithstanding Table 5.2.9.2, where special provisions RM1 (SP-527-HC), R2 (SP-529-HC) and R3 (SP-529-HC) require additional or different standards for *detached accessory buildings and structures*, the greater restriction shall apply.
- k) A *detached accessory dwelling unit* shall be smaller than the *principal dwelling unit* and have a maximum *gross floor area* equal to 45% of the *gross floor area* of the *principal building*, up to a maximum of 75m².
- l) A *detached accessory dwelling unit* shall be included when calculating the maximum 10% lot coverage for *accessory buildings and structures* as set out in Section 5.3.9.

- 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.
- n) Any *lot* with a *detached accessory dwelling unit* shall provide a *landscaped buffer area* a minimum width of 3.0 metres wide along the *rear* and *interior side lot lines* adjacent to the *detached accessory dwelling unit*.
- o) A *detached accessory dwelling unit* shall comply with the requirements of Sections 4.5.1, 4.5.2 and 4.5.3.
- p) Notwithstanding any other provision of this By-law, a *detached accessory dwelling unit* 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 a *second suite*, a *detached accessory dwelling unit*, or both:

- 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.
6. **THAT** Section 5.3.5 of Comprehensive Zoning By-law 2009-141 be amended by adding the following new provision:
- i) notwithstanding the above, an *accessory building or structure* containing a *detached accessory dwelling unit* shall be subject to the development standards in Section 5.2.9.2.
7. **THAT** Table 14.5.2 of Comprehensive Zoning By-law 2009-141 be amended as follows:
- a) Replace the words “Two Unit *Dwelling*” with “*Semi-Detached, Duplex Dwelling*”.
 - b) Add “*Detached Accessory Dwelling Unit*⁽³⁾” as a permitted “Accessory Use” in the R5 and RM3 zones
 - c) Delete the following notation from within and below the table: (1) A second suite in the RM3 Zone is not permitted in a Walk-Up Apartment or Apartment Dwelling.

READ a first and second time this 4th day of October, 2021.

READ a third time and finally passed this 4th day of October, 2021.

THE CORPORATION OF THE CITY OF BARRIE

“ORIGINAL SIGNED”

MAYOR – J. R. LEHMAN

“ORIGINAL SIGNED”

CITY CLERK – WENDY COOKE