Comments Summary Matrix: Index of Comments Received

B. Development Community Comments

No.	Commenter	Date Received
B1.	**Pratt Homes** K. Hansen, Pratt Homes	Sep. 23, 2024
B2.	**Salter Pilon Architecture Inc., McKnight Charron Ltd. Architects, ISM Architects Inc., & Ted Handy & Associates Inc.** G. Pilon, BES, B.Arch. OAA, AIBC, MRAIC, AIA, LEED AP, Managing Principal, Salter Pilon Architecture Inc. M. McKnight, B.Arch. OAA, Principal, McKnight Charron Ltd. Architects T. Malcolm, B.Arch Sci., B.E.D.S, M.Arch, OAA, MRAIC, Principal, ISM Architects Inc. T. Handy, MRAIC OAA LEED AP, Principal, Ted Handy & Associates Inc.	Sep. 27, 2024
B3.	**Rock Land Development** M. Namakian, President	Sep. 27, 2024
B4.	**Simcoe County Home Builders' Association** S. Tuckey, Chief Executive Officer	Sep. 30, 2024
B5.	**Bradley Homes** D. Pratt, Pratt Development Inc./Crisdawn Construction Inc. B. Pratt, Bradley Homes/Pratt Construction Inc.	Sep. 30, 2024
B6.	**KLM Planning for Salem Landowners Group Inc.** K. MacKinnon BA, MCIP, RPP, Partner	Oct. 1, 2024
B7.	**S. Amini**	Oct. 1, 2024
B8.	**Great Gulf** T. Elliot, Development Manager, Land Development	Oct. 7, 2024
B9.	**Pratt Homes** K. Hansen, Pratt Hansen Group Inc., & Hansen Group Inc. D. Pratt, Pratt Development Inc., & Crisdawn Construction Inc. H. Hansen, H Hansen Development Inc.	Nov. 7, 2024
B10.	**Malone Given Parsons (MGP) for DIV Development (Barrie) Ltd.** M. Cory, MCIP, RPP, PLE, PMP, Principal	Nov. 14, 2024
B11.	**Innovative Planning Solutions (IPS)** D. Vella, MCIP, RPP, President G. Barker, B.A.A., Partner C. Sellers, B.B.A., Partner	Nov. 14, 2024
B12.	**Saltor Pilon Architecture Inc.** R. Stitt, Partner / Principal Architect, M.Arch OAA AIBC MRAIC	Nov. 14, 2024

Pratt Homes
WELCOME TO THE FAMILY
SINCE · 1890

September 23rd, 2024

Michelle Banfield
Director of Planning
Development Services
City of Barrie
70 Collier Street
Barrie, Ontario L4M 1G8

RE: City of Barrie Zoning By-Law Update Draft #3

Dear Michelle,

We are writing to share a fulsome list of concerns held by Pratt Hansen Group, H.Hansen Development, Hansen Group, Crisdawn Construction, and Pratt Development in regard to the 3rd Draft of the City's proposed Zoning By-Law and it's fundamental urban design form based approach which will jeopardize construction initiatives in the City of Barrie and mid-rise development particularly.

We expect the next version of the Zoning By-Law that will be released will be the final version recommended to Council for approval and therefore the concerns summarized in this letter are not high level, but rather very specific and drill down on individual provisions we foresee being problematic for approved development not yet constructed, proposed development not yet approved, and future development not yet contemplated or progressed to application stages on both owners and yet to be acquired parcels in the City of Barrie.

Concerns in their totality are as follows:

- Transition Policies (Section 1.10.)
    - 3 year transition period for approved Subdivisions (ex. Hewitt's Gate D12-426)
    - 2 year transition period for approved Site Plans (ex. Elements Condos D11-004-2021)

    - Only special provisions granted through Rezoning will be recognized at the time of Building Permit applications
- Accessory Buildings, and Structures (3.1) exterior side yard setback for attached garage is 3m, 22 sq.m. minimum (too large for single car attached garage)
- Active Frontage Requirements (Section 3.2.1.) 25% non-residential on arterial street, ground floor containing residential shall be setback an additional 1.5 from facade of non-residential uses, if non-residential uses required minimum 50% of the frontage along a street or common amenity area shall be for non-residential uses
- Angular Plane (Section 3.2.2.) angular plane of 45 degrees beyond 4th storey
- Building Form Standards (Section 3.2.3.a) minimum ground floor of 3.5m for all low rise, mid rise, high rise with non-residential uses on the ground floor except in Neighbourhood Low Zones
- Building Step-Backs and Setbacks (Section 3.2.4.) 3m step back on any floor between the 2nd and 6th storey on mid rise or high rise building adjacent to a street
- Buildings to Transition to the Neighbourhood Low Zone (Section 3.2.5) rowhouse, cluster and low-rise buildings shall only be permitted if lot is adjacent to the Neighbourhood Low zone, and can only be located within the yard immediately adjacent to the Neighbourhood Low zone
- Common and Private Amenity Areas (Section 3.2.6.) requires length not exceed 4 times its width, shall be in any yard other than minimum front or exterior side yard, building rooftops, patios and above ground decks can be included as part of the common amenity if they are accessory to recreational facilities, private amenity must be separated by 3m, private amenity for below grade unit shall have a 50% first storey project above below grade patio, private amenity for back-to-back or stakes towns shall consist of balcony with minimum 1.8m depth, balcony must be fully supported by the building to which it is attached
- Facing Distances (Section 3.2.7.) facing distances when any combination of low rise, mid rise, high rise, or rowhouse buildings are located on a lot, highest distance to be used when buildings of different heights face on another, 50% of the distance applies between primary and secondary face
- Window to Wall Ratio (Section 3.2.11) a minimum of 50% of the facade of any low rise, mid rise or high rise shall be windows, openings, or similar, maximum of 60%
- Landscaped Area (Section 3.3.1.) neighbourhood low zones must provide a minimum 50% soft landscaping in front yard, in all other sones minimum 50% of all landscaped areas soft landscaping, where driveway is provided in Neighbourhood Low zone , minimum 1m wide landscaped area required immediately adjacent to one side for which 50% must be provided as soft landscaping, snow storage not permitted within amenity area or required landscaped area

- Rail Corridor Setbacks (Section 3.3.5. Table 9) 30m to programmed open space
- Sight Triangles (Section 3.3.8.a) all driveways shall provide sight triangles 3mx3m
- Driveways (Section 4.5.) driveway must be a minimum 2.7m wide and 6m long
- Electric Vehicle Ready Parking (Section 4.6.4.) detached, semi-detached, coach houses, and any configuration of rowhouse, and any additional residential units, as well as low-, mid- and high rise-buildings shall provide all parking spaces as EVRP
- Bicycle Parking (Section 4.8. Table 19 + Table 20) 0.5 long term + 0.1 short term spaces per dwelling unit required in District 5, space must be 1.8mx0.6m with 2.1m overhead clearance for any building with more than 10 units and must be within building or structure
- Neighbourhood Zones Permitted Buildings and Structures (Section 5.6. Table 23) detached, semi-detached, rowhouse and back-to-back buildings only permitted when fronting Local Road
- Neighbourhood Low Zone Specific Standards (Section 5.7.) elevation of all primary entrances shall not exceed 1.2m from finished grade of the front yard, all pedestrian entrances to face front or exterior side lot line
- Neighbourhood Low 2 (Section 5.9. Table 26) front yard setback 20% more or less than average front yard setback of adjacent lots otherwise 3m, low rise building minimum frontage 30m vs 24m in 2nd draft
- Mid Rise Zone Specific Standards (Section 6.7.) only mid-rise buildings permitted, 17 sq.m. of common and private amenity required, elevation of all primary entrances shall not exceed 1.2m from finished grade of the front yard, all pedestrian entrances shall be provided facing the front or exterior side lot line
- MR2 Lot, Yard, Amenity Standards (Section 6.9. Table 40) Lot frontage 35m vs 24m current; exterior side yard setback 3m vs 2m current; new maximum front yard setback of 7m (Elements Condos currently 15.6m due to grade change proposed along Mapleview Drive, average grade due to groundwater and 5m flat area around building required by fire department), minimum common amenity 12 sq.m. per unit vs 10 sq.m. currently for general amenity, new defined private amenity area required 5 sq.m per unit (Elements condos does not meet requirement by providing 13.4 sq.m. total per unit)
- MR2 Building Standards (Section 6.9. Table 41) Maximum Building Length 65m (3/6 Buildings in Bistro 6 Condos exceed 65m, all buildings in Elements Condos exceed)
- Definitions (Section 15)
    - Amenity Area, Common: requires area be associated with recreational facilities vs passive space
    - Structure not defined
    - Balcony: projecting from face of a wall excludes circumstances like Bistro 6 where balconies are in line with face of the building

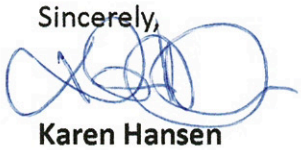
- Bicycle Parking Space, Long Term: "or part of Building for the exclusive use of parking bicycles" excludes circumstance of personal lockers that may be used for bicycles upon owners discretion
- Electric Vehicle Ready (Parking): requires Level 2 charging (208-240 volt power source with dedicated circuit up to 60amps)
- Landscaped Area: "shall not include any required amenity area or planting buffers"
- Lane: "affords only a secondary means of access to abutting property"
- Multiplex: up to 4 dwelling units only (excludes 6plex concept) "units share common facilities such as amenity area, parking and driveway"
- Planting Buffer "shall not consist of any required landscaped area"
- Rowhouse "divided vertically" does not capture stacked cluster types divided horizontally
- Setback "horizontal distance from a ... parking space" (residential zone standards stating prescribed setbacks should not apply to parking spaces ie. driveways - encroachment should be permitted)
- Transparency: extremely specific requiring proof of building products at zoning approval or conditions for submission of material specifications
- Window to Wall Ratio "may include entry walls, non-openable windows or similar"
- Yard Definitions "mean open space"; Open Space "area not occupied by buildings or structures" doesn't allow for exceptions related to porches, decks less than 1.8m above grade, gazebo/shade structures in yards, etc.

Pratt Homes over many years has successfully demonstrated construction forms that would be prohibited by the provisions included in this draft of the City of Barrie Zoning By-Law. The introduction of a form and urban design based By-Law is a significant departure from how development and construction has been guided in the City of Barrie for a countless number of years and is not the solution to the City's housing problem, nor will it facilitate the achievement of the initiatives and goals in place to alleviate the challenges related to supply and affordability.

This Zoning By-Law update is an opportunity for the City to leverage its power through built form standards, to support Council's strategic initiatives related to housing, however, we feel strongly that the standards proposed create an unnecessary onus on development which comes with associated cost. The proposed zoning provisions and standards could result in approved site design and built form not receiving building permits at the time of planned future construction starts as the market dictates. For example, the approved and registered Site Plan for Elements Condominiums (City File D11-004-2021) would be in jeopardy and not protected under the proposed transition policies. The same applies for future construction in the Hewitt's Haven phase of development on Kneeshaw Drive (City File D12-426 Phase 2). As well, design and consultation with the City through now retired Conformity and Pre-Submission processes (City Files D28-020-2023 & D28-103-2023) has been ongoing for over a year for a future development called Hewitt's South located on Lockhart Road. If approved, this By-Law would necessitate an entire redesign of the site and new architectural plans for buildings currently proposed, resulting in a drastically reduced density and increased per lot/unit prices.

We are strongly advocating that City staff need to revisit the approach to this By-Law update and the provisions proposed within. The direction of this By-Law will be catastrophic to the City of Barrie if advanced and ultimately approved to come into effect. The Pratt Homes legacy has been built on creating affordable home ownership in the City and we strive to continue building in Barrie and creating opportunities for housing within the market, which is why our vested interest in this document is so significant. We feel passionately that revisiting the provisions specifically listed would be beneficial, however the more effective approach would be to revisit the entire By-Law and its strategy as a whole.

Sincerely,



Karen Hansen
Pratt Homes Barrie

September 27, 2024

Mayor Alex Nuttall and City Council,
c/o City Clerk's Office
City Hall, 70 Collier Street East.
PO Box 400
Barrie, Ontario
L4M 4T5

To Mayor Alex Nuttall and Members of Council,

Re: Proposed Zoning By-Law and Costly Urban Design Provisions

This letter is written on behalf of four architectural firms located in the City of Barrie, Salter Pilon Architecture Inc., McKnight Charron Limited Architects, ISM Architects Inc., and Ted Handy and Associates Inc. . Collectively we have a staff of over 70 and have been responsible for the majority of development in this City over the last 40+ years. Together we have designed over 6,800 units of housing and 3.3M sf of commercial space and 6.8M sf of Institutional space. While we call Barrie home, we work throughout the province and beyond and understand design and planning very well.

We have reviewed Draft #3 of the proposed new zoning by-law for the City of Barrie and are concerned that the urban design requirements will increase the cost of construction and make an already complex approval process more inflexible and time consuming.

We look forward to continuing to work with staff and Council in the continued growth and development of our City. With that goal we have several suggestions that we believe will make the by-law function in a manner conducive to good design and affordable construction.

A good architect designs a building within three key contexts – the site, the purpose and the ultimate users. Each of these elements is hugely varied and encompasses the complete range of human activity and this City's geography. Equally important is the need for our buildings to be built within a finite capital budget and in a manner such that that their operation remains financially feasible.

Balancing these elements within the City approval process currently involves meshing our client's interests with the City interests. This is done through the site plan approval process, a process that involves a negotiation and compromise available to both parties.

Contact Information, in care of: Gerry Pilon, Salter Pilon Architecture Inc.151 Ferris Lane, Suite 400, Barrie, Ontario L4M 6C1 o: 705.737.3530 c: 705.734.4155

Draft #3 introduces elements of building design into zoning. Zoning by-laws in Ontario are the least flexible form of planning control. There is no compromise in zoning as a matter of law. While the Official Plan contains policies that set out general goals and the site plan process is a negotiation, zoning is a blunt tool that can only be varied by following a lengthy Planning Act process involving notification of neighbours, public hearings/meetings, a staff report, Committee recommendation and a Council decision. All of these take time and introduce uncertainty – both of which increase the cost of these projects which is in not in the public or private interest, least of all for those who may ultimately live in these buildings. This proposed by-law is not conducive to a developer's ability to work within the parameters that are conducive to building cost and budget efficiency, and will only serve to drive up costs and deter potential development.

Based on our collective experience we believe these standards are arbitrary, and while they may express one view of what is good design they are not appropriate in a zoning by-law. Below is the list of zoning regulations in Draft #3 which will increase costs and reduce flexibility in building design. None of these are in the current zoning by-law.

1. The location, height, spacing or number of entrances and the direction that pedestrian entrances face.
2. The size of a floor plate, the length of a building and/or the length of a podium.
3. How much of a building frontage is required to be certain type of use.
4. Exterior finishes.
5. The minimum or maximum height of a podium, tower storey setbacks and maximum floor plate size.

In summary we believe that these design regulations:

1. Are arbitrary and unsupported by any study or rationale that relates to the context in which they are proposed to be used.
2. Lack legislative support in the Planning Act. In other words, the enabling legislation for zoning does not contemplate regulation of this nature.
3. Will increase the cost of construction of both housing and commercial buildings.
4. Would make our urban fabric generic while taking away the ability of architects to design meaningful and contextual buildings to add to the overall urban fabric of our city.

For discussion purposes, the recommendation to Council could be:

1. Direct staff to progressively update the current by-law rather than preparing a form based code by-law.

Contact Information, in care of: Gerry Pilon, Salter Pilon Architecture Inc.151 Ferris Lane, Suite 400, Barrie, Ontario L4M 6C1 o: 705.737.3530 c: 705.734.4155

2. Remove many of the urban design 'form based code' requirements and report on what has been removed.
3. Provide detailed rationale for each remaining urban design 'form based code' provisions that includes the following:
    a. How the requirement implements the City OP objectives and Council strategic priorities.
    b. Whether the requirement impacts on density / yield.
    c. Whether the requirement impacts on construction cost.
    d. Whether the requirement is authorized under Section 34
4. Prepare a detailed report explaining how many lots would become legal non-conforming/non-complying and the implications of same.

If you have any questions, feel free to contact us to discuss it further.

Yours truly,

Gerry Pilon BES. B.Arch. OAA, AIBC, MRAIC, AIA, LEED AP
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ROCK LAND Development

9/27/2024

Planning Department
70 Collier St, Barrie,
ON L4M 1G8

Dear Sir/Madam,

Subject: Objection to the 12 Square Meter Common Amenity Area Requirement for Neighbourhood Mid-Rise (NMR) Zoning

We are aiming to develop a few sites in Barrie. I am writing to formally object to the current zoning by-law requirement of **12 square meters of common amenity area per dwelling unit** in the Neighbourhood Mid-Rise (NMR) zone. While community spaces are vital for a vibrant residential environment, I believe this requirement is excessive and could have unintended negative consequences. My concerns are as follows:

1. Comparison to Other Municipalities:

Nearby cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only **2 square meters per dwelling unit**, while Markham's requirements can be as low as **1 square meter per unit**. Richmond Hill follows similar standards, ranging between **2-5 square meters**. The **12 square meters** required in Barrie significantly exceeds these norms and creates an unnecessary burden on developers.

2. Impact on Housing Affordability:

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with

development to make housing more affordable. Requiring large common amenity spaces increases construction costs, making it harder to build affordable housing. Excessive amenity space, which may not align with the actual needs of residents, particularly in mid-rise developments, contradicts the province's goal of promoting affordability.

3. Design Flexibility:

Developers need greater flexibility to create spaces that cater to the preferences of residents. Many residents prefer private amenity spaces such as balconies or terraces. By imposing a large common amenity area requirement, developments lose flexibility, which could lead to less efficient use of space. A more balanced requirement would encourage better design that meets both community needs and market realities.

Given these factors, I respectfully urge the City of Barrie to reconsider the common amenity space requirement for the NMR zone and bring it in line with other municipalities to promote more affordable housing and efficient land use.

Thank you for considering this objection. I look forward to the opportunity to discuss these concerns in more detail.

Sincerely,
Mehran Namakian, President

Simcoe County Home Builder's Association
P.O. Box 305, Barrie, ON L4M 4T5
Phone: (705) 718-1202
Email: Office@SimcoeHomeBuilders.com

B4.

Monday, September 30th, 2024

Michelle Banfield
Director of Planning
Development Services
City of Barrie, 70 Collier Street
Barrie ON L4M 1G8

RE: City of Barrie Zoning By-Law Update Draft #3

Dear Michelle,

We are reaching out to express our significant concerns regarding the third draft of the City of Barrie's proposed Zoning By-Law. The current urban design approach threatens construction projects and mid-rise developments in Barrie.

We believe the next version will be the final one submitted to the Council, so our concerns are detailed and focused on specific provisions that may hinder both approved projects and future developments across various properties in Barrie.

Our key concerns include:

- Transition Policies (Section 1.10)
- Three-year transition period for approved subdivisions
- Two-year transition period for approved site plans
- One-year transition period for approved Committee of Adjustment applications.

Specific issues include:

- Building Permit applications will only recognize special provisions granted through rezoning.
- Setback requirements for accessory buildings are too large for single-car garages.
- 65m Building length maximum.
- Active frontage requirements demand 25% non-residential use on arterial streets, with additional setbacks for residential ground floors.
- Angular plane restrictions that may affect mid-rise buildings.
- Building Step-backs and setbacks (Section 3.2.4) 3m step back on any floor between the 2nd and 6th storey on mid rise ot high rise buildings adjacent to a street.
- Stringent building form standards that impose minimum heights and setbacks.
- Restrictions on common and private amenity areas that limit design flexibility.

Simcoe County Home Builder's Association
P.O. Box 305, Barrie, ON L4M 4T5
Phone: (705) 718-1202
Email: Office@SimcoeHomeBuilders.com

- Complicated requirements for bike parking and electric vehicle-ready spaces.
- Increases in lot size and setback requirements for various housing types.

We have some builders who have successfully navigated construction practices that would now be restricted by these proposed rules. The shift towards a form-based Zoning By-Law is a drastic change from the established guidelines in Barrie and won't effectively address the city's housing issues or support current initiatives aimed at improving supply and affordability.

While the update is an opportunity to enhance built form standards, we feel the proposed regulations place unnecessary burdens on development, potentially delaying building permits for approved projects and future phases of development. Ongoing projects would require complete redesigns, leading to reduced density and higher costs.

We strongly urge city staff to reconsider the direction of this By-Law update. Advancing it as proposed could have serious negative consequences for Barrie. We believe a comprehensive review of the entire By-Law and its strategy is essential.

Thank you for your attention to this matter.

Sincerely,

Sandy Tuckey

Sandy Tuckey
Chief Executive Officer

September 30th, 2024

Michelle Banfield
Director of Planning
Development Services
City of Barrie

Re: City of Barrie Zoning Bylaw Update Draft #3

Dear Michelle,

We are writing today to express our deep concerns regarding the Zoning Bylaw Update – Draft 3 and the impact this update will have on the future of Hewitt's Gate Development. Included in this letter is a complete breakdown of specific items that are either contradictory with another bylaw, impact current and future site plans and impede or significantly alter our model designs. The changes outlined by this bylaw will be costly in both time and money spent altering our plans to absorb these new laws.

We ask that you carefully review our points and consider how impactful this will be to the City of Barrie and the Hewitt's Gate community. Our goal is building beautiful homes in well-designed communities. We are currently positioned to achieve this goal. However, the changes prescribed in this document will significantly alter our course, put undue financial hardship on our organization and ultimately, reduce our ability to build affordable, beautiful homes.

Concerns in their totality are as follows:

1.10 - Transition

a) If owner/applicants have an approved Draft Plan of Subdivision but have not yet started construction when the new bylaw comes into effect, a transition window of three (3) years will apply to all new construction.

> ISSUE: Hewitt's Gate Site plan 51M-1244 is an approved plan for which Bradley Homes will not build until a time beyond this 3-year transition window.
>
> SOLUTION: Grandfather currently approved plans under current zoning bylaws.

b) If owner/applicants have an approved Site Plan application but have not yet started construction when the new Bylaw comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new Byaw standards will apply to all new construction.

ISSUE: Current plans for further development beyond 51M-1244 are already in progress. Construction is planned for 2030 and beyond. A 2-year transition time would render the already completed work useless and require a complete overhaul of the site plan. The cost implications of starting this process over would be 6-figures.

SOLUTION: Grandfather approved current plans under current zoning bylaws.

Below is a summary of the new bylaws and the impact they will have on Hewitt's Development.

New Bylaw	**Impact**
3.1.1 - Accessory Buildings and Structures in NL2 Zones	1. Attached garage – 3m setback, should be 2m 2. A minimum garage building area of 22m is far too large for a single car. Minimum parking space is 2.7mx5.5m = 14.85 sq m. Typical townhouse garage is 18 sq. m
3.3.1 - Landscaped Area	1. A 50% landscaped area cannot be achieved on any lot less than 5.3m and still meet the minimum parking space at 2.7m. The townhouse minimum is 4.5m. Further, a 50% landscaped minimum would mean a standard 10.4m lot with a double car garage would eliminate homeowners' ability to do hardscaping features such as walkways to their front doors. 2. A 50% landscaped area is in direct conflict with 4.5.1 which permits driveways to be a maximum of 60% lot width. 50% + 60% = 110% 3. 1m of landscaped area immediately adjacent a driveway will impede the ability to do hardscaping walkways to front door where the driveway is 0.6m on one side.
3.3.4 - Planting Buffers	1. Plans already in progress to build a school in Hewitt's Gate have not accounted for a 3m planting buffer zone to surround the property. Would need entire re-design to accommodate this new bylaw 2. Imposing a 3m Planting Buffer on lots already approved by the City as part of 51M-1244 that backs onto highly desired EP land would render 23 out of 29 lots unbuildable. These lots are not scheduled for build in the next 2-3 years.
3.3.8 - Sight Triangles	1. Sight triangles to be 3mx3m but this cannot be achieved on any lot less than 5.7m wide.
4.5 - Driveways	1. 6m length minimum is in direct conflict with minimum attached garage setback at 5.5m in Section 3.1.1
4.6.4 - Electric Vehicle Ready Parking	1. Mandates EVRP in all residential dwellings – hugely impactful in terms of cost to build and assumes all residents have/want an electric vehicle
5.6 - Permitted Buildings & Structures	1. Eliminating front facing lots on collector roads would significantly reduce the number of lots already approved for build, reduce density and require a complete re-design the of the entire Hewitt's site. This would eliminate a total 119 lots from Bradley Homes current plans, excluding all future development currently in design.

5.7 - Neighbourhood Low Specific Standards	1. 1.2m maximum front entry elevation significantly impacts grading and house design 2. All pedestrian entrances shall be provided facing the front lot line or exterior lot line in the case of a corner lot eliminating side entries to second suites rendering all duplex designs no longer viable 3. Garage Entry doors would be eliminated
5.9 - Neighbourhood Low 2	1. It is inappropriate to have a non-fixed front yard setback requirement. 20% average should be fixed at 3m minimum. 2. Attached garage building area minimum at 22m is too large 3. Coach house setbacks at 3m side yard and rear yard make them impossible to build on anything less than 11m wide lots – must be 1.2 from rear and side.

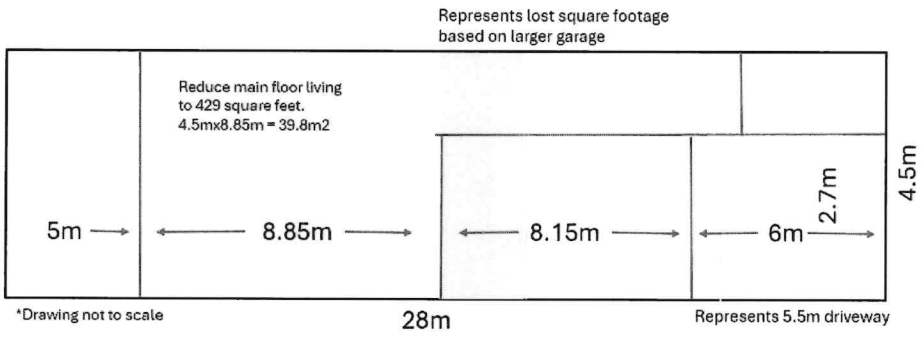
3.1.1 - Accessory Buildings and Structures in Neighbourhood Low Zone – *Table 4: Additional Accessory Building and/or Structure Standards*

Attached Garage

Yard & Building Standards	Draft #3	Should be:
Exterior Side Yard Setback (minimum)	3m	2m
Building Area (minimum)	22 sq m	The same as the minimum parking space as defined in *4.3 - Minimum Parking Space Sizes* If a rowhouse lot size can be a minimum of 4.5m with a 60% driveway, to achieve a 22 sq m garage building area the garage dimensions would have to be 2.7m x 8.15m. The current lot length is 28m. With setbacks in front (6m), back (5m) we are left with 8.85m significantly reducing our interior square footage, a costly redesign of our plans and a generally poor choice in terms of reducing livable interior space.

Minimum Garage Building Area

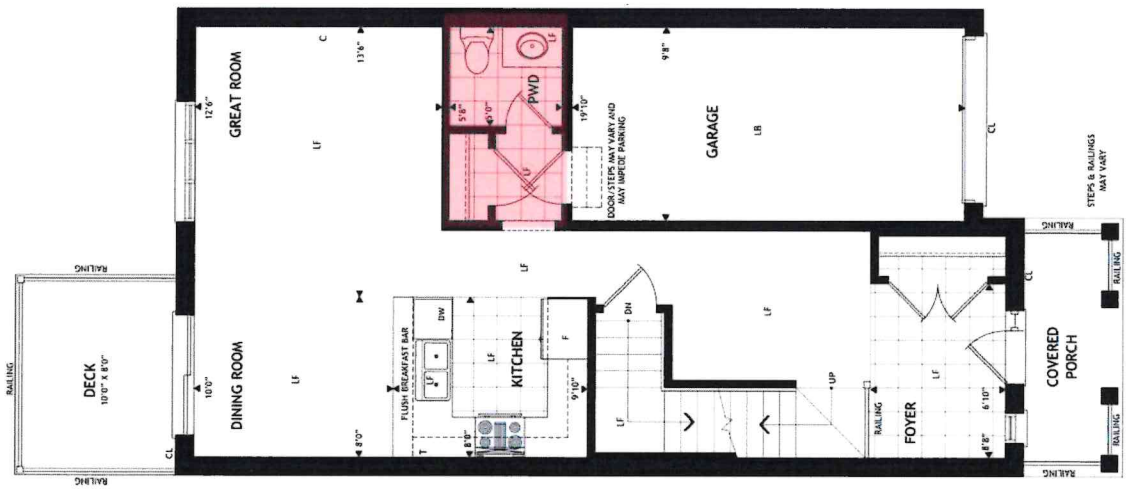
Impact on Townhouses



By extending the driveway and the building area required in the garage you are reducing the interior living space by 17%. This will have a major impact on design options especially for smaller square footage designs.

The impact is not limited to townhouse designs but also will be felt in smaller single-family dwellings, specifically on a 10.4-meter lot with single car garage designs. A typical single car garage averages around 18 square meters. An additional 4 square meters eliminates usable interior living space. Demonstrated in the floor plan below, is a 1700 square foot, single car garage design that would require the elimination of a main floor powder room, closet and garage entry to meet the

22sq meter minimum as prescribed in this bylaw. The marketability of such a design is impossible in a housing market currently driven by square footage and price.



3.3.1 - Landscaped Area

b) In the Neighbourhood Low Zones, a minimum of 50% of all landscaped areas in the front yard of a low shall be provided as soft landscaping, in the form of vegetation such as grass, flowers, trees and shrubbery

> **ISSUE:** Any street townhouse with a frontage less than 5.3m (Bylaw permits 4.5m) would not have 50% landscaped front yard with a 2.7m driveway. Conflicts with Section 4.5.1 which permits driveway widths equal to 60% of lot frontage.
>
> Additionally, single-family dwellings on 10.4m lots offering a double car garage would eliminate the ability for homeowners to include hardscaping such as aesthetic driveway edging or walkways leading to front doors.
>
> Smaller lots are necessary for developments to maximize density in order to help municipalities achieve building quotas. This should not come at the expense of builders offering a variety of model options nor should homeowners be restricted in their ability to aesthetically enhance their properties based on arbitrary landscape rules.

d) Where a driveway is provided in the Neighbourhood Low zones, a minimum 1-metre-wide landscaped area is required, immediately adjacent to one side, which must be provided as 50% soft landscaping.

> **ISSUE:** Driveway can be located 0.6m from property line meaning the 1m soft landscaping must be located on the other side – which is not possible when you have walkways or hard landscaping leading to the front door.
>
> **SOLUTION:** Delete this entirely. The citizens of Barrie deserve the ability and freedom to make landscaping decisions for their own property.

3.3.4 - Planting Buffers

a) A contiguous planting buffer of a minimum width of 3m shall be provided:

i. Along lot lines of all zones adjacent to Neighbourhood Low zones. Planting buffers are not required between lots in Neighbourhood Low zones.

> ISSUE: "All zones" is all-encompassing and certain exclusions need to apply.
>
> SOLUTION: Needs to specifically exclude areas zoned Greenspace, Environmental Protection and Community Hub Neighbourhood

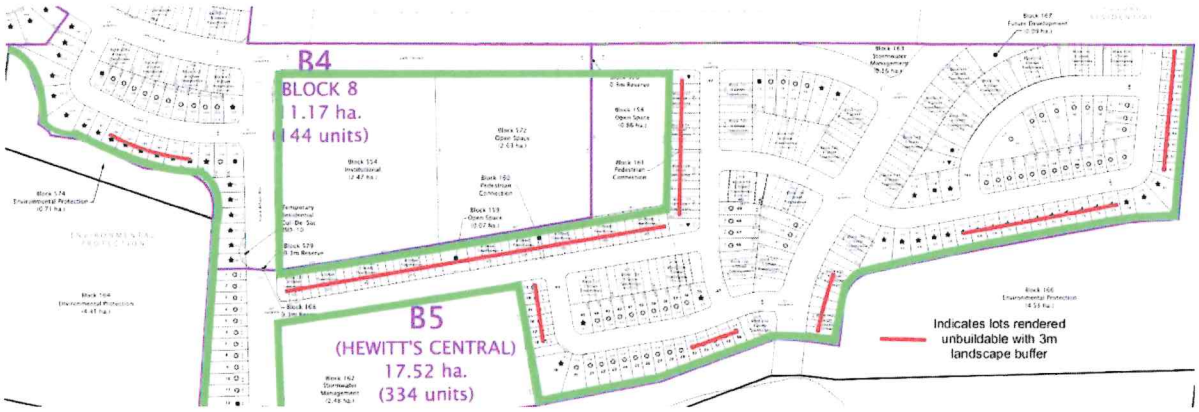
iii. Along abutting lot lines of all zones adjacent to Environmental Protection Zones.

ISSUE: Current lots in City approved plan 51M-1244 will be rendered unbuildable or significantly reduce the buildable area. These lots are part of already approved plans with no guarantees of being built within the proposed transition times.

SOLUTION: Exclude Neighborhood Low Zones altogether. The Conservation Authority oversees the developable limits with Environmentally Protected zones at Site Planning stage and should remain under their authority. Or grant zoning bylaw protection to already approved plans.

Below is a snapshot of the lots impacted by this bylaw. The red dots and lines indicate the lots that will be unbuildable should this bylaw be approved.




B4
BLOCK 8
1.17 ha.
(44 units)
B5
(HEWITT'S CENTRAL)
17.52 ha.
(334 units)
Indicates lots rendered unbuildable with 3m landscape buffer

3.3.8 - Sight Triangles

a) All driveways shall provide sight triangles consisting of an unobstructed triangular area on either side of the driveway, as measured from the point of intersection of the lot line and each edge of the vehicular access on the lot, side of the sidewalk, or curb, whichever is closer to the lot and measuring 3 meters by 3 meters.

ISSUE: Any lot less than 5.7m wide cannot provide 3x3m

SOLUTION: The math needs to work, or it cannot be included.

4.5 - Driveways

A) A driveway must be a minimum of 2.7 meters wide, and 6 meters long, providing connection to any parking lot located in the rear, interior or exterior side yards, to a street.

ISSUE: In direct conflict with minimum garage setback as outlined in Table 4: Additional Accessory Building and/or Structure Standards in section 3.1.1.

An additional 0.5m driveway length will require a redesign of our models to meet setback requirements and will ultimately reduce livable square footage.

SOLUTION: Leave as 5.5m to match garage setback and current zoning bylaws.

4.6.4 - Electric Vehicle Ready Parking (EVRP)

a) Detached, Semi-Detached, and Coach Houses, including any configuration of the Rowhouse, and any Additional Residential Uses shall provide all required parking spaces as an EVRP

ISSUE: This would require that all Bradley Homes houses upgrade the electrical panel to a minimum of 200amp service and install the 240V plug to support a mandatory EVRP. The cost to upgrade this is $2,000 which increases the base cost of the house even for purchasers who don't own or plan to own an Electric Vehicle.

SOLUTION: Remove entirely. This is a cost increase that not everyone needs or wants.

5.6 - Permitted Buildings and Structures

Table 23 Notes -

Note: Detached, Semi-Detached, and Rowhouse, On-Street and Back-to-Back buildings are only permitted when fronting onto Local Roads

ISSUE: This has significant density and cost implications for ground-oriented development. Every site designed in Hewitt's so far has had residential lots fronting collector roads.

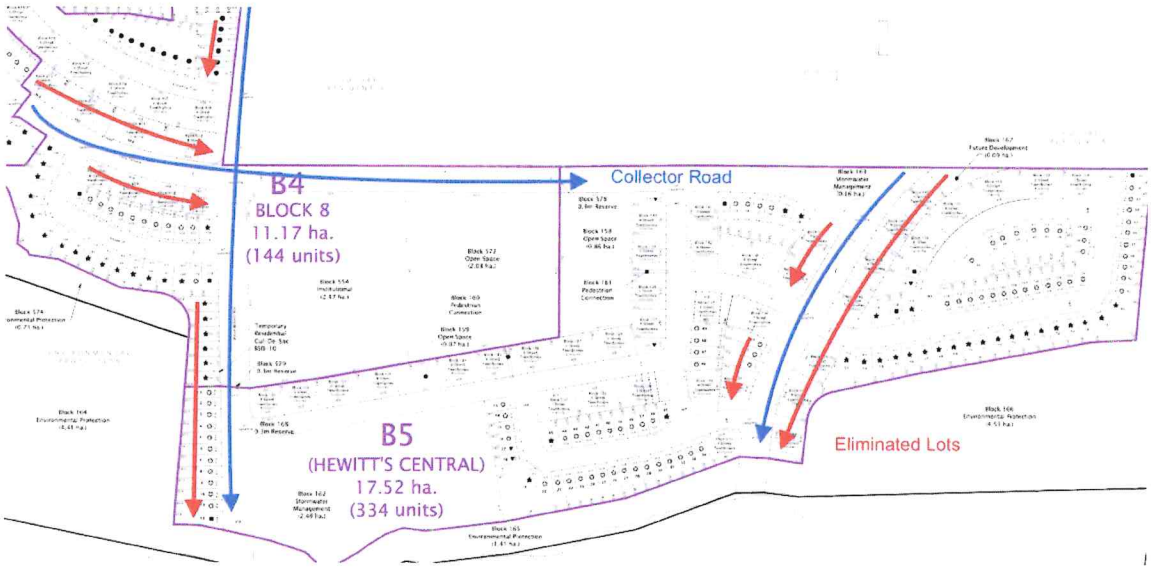
Collector Roads – Lally Terrace, McAush, Prince William Way, Terry Fox Drive

The map below shows lots that would not exist under this rule. The current subdivision design for future Hewitt's has lots fronting on all 4 collector roads listed above and eliminating the ability for front facing lots will significantly reduce density and require a complete overhaul of the subdivision design. All of which will incur major engineering and design costs.

SOLUTION: Major and Minor Collector Roads need to be used as front facing residential lots.



Future Development – Impact on Lots


B4
BLOCK 8
11.17 ha.
(144 units)
Collector Road
B5
(HEWITT'S CENTRAL)
17.52 ha.
(334 units)
Eliminated Lots

5.7 - Neighbourhood Low Zone-Specific Standards

a) The elevation of all primary residential entrances shall not exceed 1.2m from the finished grade of the front yard.

ISSUE: Significant impact on site grading and house design.

SOLUTION: Remove entirely

c) All pedestrian entrances shall be provided facing the front lot line or exterior lot line in the case of a corner lot.

ISSUE: Side or rear access second suites are not permitted. Interior garage door access to additional dwelling units may not be permitted. This eliminates all our duplex design options and significantly reduces our ability to create second suite designs

Additionally, internal pedestrian access points are not permitted – this would include interior garage doors.

SOLUTION: Remove entirely

5.9 - Neighbourhood Low 2 (NL2)

Table 26: NL2 Lot, Yard and Amenity Standards

	Draft #3	**Should be:**
Front Yard Setback (minimum)	20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 3m.	3m minimum
Building Area (minimum)	22 sq m	The same as the minimum parking space as defined in 4.1 - Driveways

Front Yard Setback (Minimum) - 20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 3m.

ISSUE: Limits ability to maneuver a dwelling based on grading or optimize placement of a dwelling based on site conditions

SOLUTION: Remove 20% average.

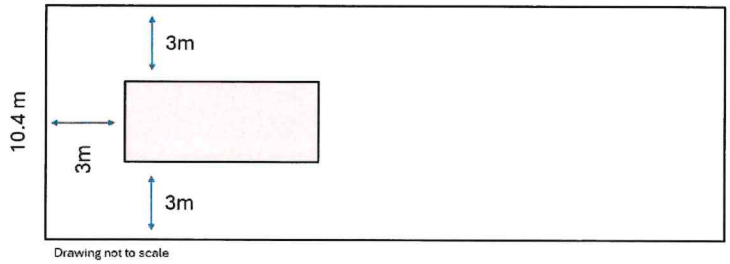
Table 26: NL2 Lot, Yard and Amenity Standards

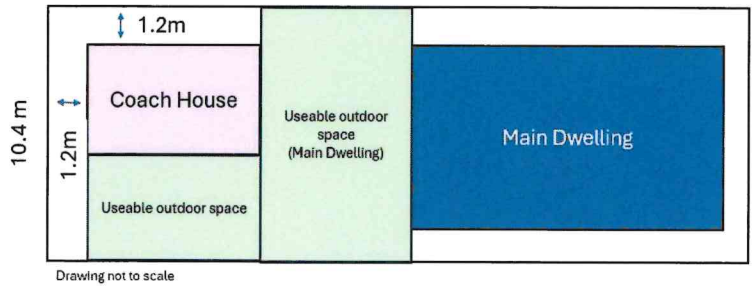
Coach House	Draft #3	Should be:
Exterior Side Yard Setback (minimum)	3m	2m
Interior Side Yard Setback (minimum)	3m	1.2m
Rear Yard Setback (minimum)	3m	1.2m
Building Height (Maximum)	4.5	

ISSUE: Current approved plans include lots specifically designed to include a Coach House. Picture below demonstrates the impact these setbacks will have on design and buildability on our already approved Site Plan.

The setbacks would eliminate most semi-detached and rowhouse lots given their minimum lot widths. Additionally, a standard 10.4m lot would allow for a maximum 4.4m wide coach house centered directly in the middle of the backyard. The design options with this restriction limit functionality and desirability of the dwelling. Further, this limits both dwelling units' access to a usable backyard area. By reducing the setback to 1.2m it allows for more design flexibility and more importantly, access to a usable outdoor space. See images below.

SOLUTION: Reduce setbacks to match Detached Garage rear and interior setback of 1.2m.





We are strongly advocating that the City review these bylaws and consider the impact they will have on development that is already approved or in progress to be approved. Contradictions within the bylaw stand to further confuse all parties including City staff. Additionally, the goal of the bylaws should support the overall goal of affordability. The provisions proposed in this bylaw blatantly achieve the opposite by restricting the buildable area within a development and impeding the design options on individual lots. We feel strongly that you revisit the provisions specifically listed in this document and consider the greater impact the proposed changes would have on future development. We have a vested interest in this document because we live in Barrie, we work in Barrie, and we love this City.

Sincerely,



Don Pratt
Pratt Development Inc./Crisdawn Construction Inc. (Landowner)



Brad Pratt
Bradley Homes/Pratt Construction Inc. (Builder/Developer)

KLM PLANNING

64 JARDIN DRIVE, UNIT 1B
CONCORD, ONTARIO L4K 3P3

T 905.669.4055

KLMPLANNING.COM

File: P-2442

October 1, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: **Mayor Nuttal and Members of Affordability Committee**

Re: **City of Barrie Zoning By-law Draft #3**
October 1, 2024 Public Meeting
Salem Landowners Group Inc. Comments

Dear Mayor Nuttal and Members of Affordability Committee,

On behalf of our client, Salem Landowners Group Inc., which consist of the following participating landowners:

- Crisdawn Construction Inc. (Pratt Homes)
- Countrywide Homes at Berczy Inc. (Countrywide Homes)
- 2431805 and 2528286 Ontario Inc.
- Centreville Vetmack GP Inc. (Centreville Homes)
- Mattamy (Salem) Limited (Mattamy Homes)
- H&H Capital Group Inc.
- Honeywood Land Corporation
- Perthshire Investment Inc. (DG Group)
- Watersand Construction Limited (DG Group)
- Wormwood Developments Inc. (DG Group)
- Ruby Red Maple Development Inc. (Great Gulf)

We are pleased to provide you with our comments related to draft #3 of the proposed City of Barrie Zoning By-law. Firstly, we are disappointed a track change version of the document has not been provided which has made it difficult to understand what, if any, changes have been made that we requested in our previous two submissions.

In addition and as noted in our correspondence dated July 28, 2023, the City requires a comment response matrix that outlines how each comment or concern has been addressed when resubmitting development applications yet one has not been provided for either the previous or the most recent draft of the by-law. Surely, this could have and should have been provided to help ease those that are interested in this document to clearly understand how their previous comments and concerns have or have not been addressed.

Our concerns with the current draft are as follows:

- Section 1.10 provides timelines associated with transition to the new by-law based on the type of development application. We have never come across a transition provision such as this one being proposed. To suggest that a developer that has taken the time, effort and money to undertake a planning approval process with by-law standards that are tailored to that specific development will then be required to adhere to the new by-law should they not meet the timelines noted in this Section. Fundamentally, we feel this is inappropriate. If a developer has been successful in obtaining a site-specific zoning by-law amendment for their lands, those standards should continue to apply for as long as it takes to construct the project.
- Section 3.1.1 Table 4. The current exterior sideyard setback within the R5 Zone category is 2.0 metres whereas this proposes 3.0 metres. We recommend the 2.0 metres standard be carried forward.
- Section 3.1.1 Table 4 requires a minimum building area for an attached or detached garage of 22 square metres. This is too large for a single car garage. We recommend the minimum requirement be removed.
- Section 3.2.1.a) requires a minimum 25% of the GFA of the ground floor to consist of non-residential uses for low and mid-rise buildings fronting onto an intensification corridor or arterial street. Given the number of arterial streets within the Salem area, this would result in a significant amount of non-residential floor space that would oversaturate the market. In our view, the 25% requirement should be removed.
- Section 3.2.2 requires a 45-degree angular plane for mid and high rise buildings when sharing a lot line to a neighbourhood low zone. Many municipalities are removing 45-degree angular plane requirements since it places a significant burden on the ability to provide much needed housing and we therefore suggest this be removed.
- Section 3.2.5. This is very confusing how this will apply and should be removed.
- Section 3.2.5 Table 5 sets out a rear yard setback of 6 metres whereas the current rear yard setback within the R5 Zone is 5 metres. This should be revised to reflect a 5 metre rear yard setback to ensure consistency within the Salem Secondary Plan community.
- Section 3.2.5 Table 6 requires a Rowhouse Cluster to have a minimum dwelling width of 6 metres whereas the Neighbourhood Low zone permit a minimum dwelling width of 4.5 metres. This should be revised to reflect a minimum width of 4.5 metres.
- Section 3.2.7 sets out facing distances. Why is this required for anything below six storeys?
- Section 3.3.1.b requires 50% landscaping within the front yard in the NL Zones. How will this apply to units with small lot frontages and a driveway?
- Section 3.3.4. requires a continuous 3 metre planting buffer adjacent to various zones, including an EP Zone. A 3 metre planting buffer should not be required next to an EP Zone as in most cases those areas already have a 10 metre buffer or greater, depending on the feature being protected. As an example, a typical woodlot would be staked at the dripline and then it would be protected by a 10 metre buffer. The requirement to add a 3 metre continuous landscape strip in addition to the 10 metre buffer, is not reasonable as this then becomes a 13 metre wide buffer. This is not fair nor feasible and should be removed.
- Section 3.3.8 requires all driveways to provide a sight triangle of 3m by 3m which cannot be provided on small lot frontages.
- Section 4.5 requires a driveway size of 2.7 metres by 6 metres long. In our opinion, the driveway size should reflect the parking space size of 2.7 metres by 5.5 metres.
- Section 4.6.1.b within Table 11 requires a parking structure in all zones to be a minimum of 3 metres from an exterior sideyard whereas the current setback is 2 metres. 6 metres is required for the frontyard whereas 5.5 metres is currently permitted. 3 metres is required for an interior sideyard

whereas 0.6 metres is permitted and 6 metres for a rearyard whereas 5 metres is currently permitted. We recommend these setbacks be revised accordingly.

- Section 4.6.4.b) requires all parking spaces to be EV Ready Park (EVRP) which is unreasonable as this will add significant costs to each dwelling type in order to provide them as EVRP. In our view, this should be left to the marketplace to determine when and where it is required and not within a Zoning By-law.
- Table 23 notes that detached, semi-detached, rowhouse, on-street and back-to-back buildings are only permitted when fronting onto local roads. Currently these dwelling typologies are permitted to front onto collector roads of which this permission should continue. We could appreciate why this may not be permitted on arterial roads however there is no reason they cannot front onto a collector road.
- Section 5.7.a) does not permit residential entrances to exceed 1.2 metres from finished grade of the front yard. This is very restrictive, especially on sites that have significant grading challenges. In our view, this should be removed.
- Section 5.9, Table 26 requires a 3 metre exterior sideyard for cluster townhouses whereas the current standard is 2 metres. This should be revised accordingly.
- Section 6.7.a) also requires residential entrances to not exceed 1.2 metres, which as noted above is difficult with challenging grading sites. This should be removed.
- Section 11.2, Table 69 permits low-rise buildings within the Community Hub Neighbourhood (CHN) zone. This zone is what is used for school sites in particular, which is problematic should the school board decide not to purchase and construct a school, these blocks cannot be developed with the surrounding low density residential uses and instead will be required to have buildings constructed. In our opinion, ground related housing should also be permitted within the CHN zone category using the same standards afforded by the R5 Zone, to ensure consistency with the adjoining lands.

Fundamentally we are not sure why the City has chosen the path to create a new form based Zoning By-law from scratch. By-law 2009-141, as amended, has worked reasonably well and with some modifications could have been updated to a limited extent thereby reducing the potential costly impact of changes to existing and future developments within the City.

Lastly, as noted in our previous correspondence, we request the next draft include a track change version along with a comment response matrix. In addition, we wish to receive notice of any decision made on this matter.

Yours truly,
KLM PLANNING PARTNERS INC.



Keith MacKinnon BA, MCIP, RPP
Partner

cc. Salem Landowners Group Inc.
cc. City of Barrie

City of Barrie

70 Collier Street

Barrie, ON

L4M 4T5

1 October 2024

Attention: NewZoningBylaw@barrie.ca

Jennifer Roberts

Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: Comment Letter – Draft 3 of the City of Barrie Zoning By-law

81 and 83 Little Lake Drive

12 Square Meter Common Amenity Area Requirement for Neighbourhood Mid-Rise (NMR) Zoning

I am writing to formally object to the current zoning by-law requirement of **12 square meters of common amenity area per dwelling unit** in the Neighbourhood Mid-Rise (NMR) zone. While community spaces are vital for a vibrant residential environment, I believe this requirement is excessive and could have unintended negative consequences. My concerns are as follows:

1. Comparison to Other Municipalities:

Nearby cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only **2 square meters per dwelling unit**, while Markham's requirements can be as low as **1 square meter per unit**. Richmond Hill follows similar standards, ranging between **2-5 square meters**. The **12 square meters** required in Barrie significantly exceeds these norms and creates an unnecessary burden on developers.

2. Impact on Housing Affordability:

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with development to make housing more affordable. Requiring large common amenity spaces increases construction costs, making it harder to build affordable housing. Excessive amenity space, which may not align with the actual needs of residents, particularly in mid-rise developments, contradicts the province's goal of promoting affordability.

3. Design Flexibility:

Developers need greater flexibility to create spaces that cater to the preferences of residents. Many residents prefer **private amenity spaces** such as balconies or terraces. By imposing a large common amenity area requirement, developments lose flexibility, which could lead to less efficient use of space. A more balanced requirement would encourage better design that meets both community needs and market realities.

4. Efficiency in Land Use and Environmental Considerations:

According to the comparison of parkland in various cities, Barrie already offers **7.8 square meters of parkland per resident**, which is significantly higher than Richmond Hill (**3.4 sqm per resident**) and Markham (**2.3 sqm per resident**). This ample access to outdoor spaces further reduces the necessity for such large private amenity spaces in new developments. Imposing a **12 square meter** requirement for common amenity areas risks inefficient use of land, especially when outdoor recreational options are abundant. Instead, a more balanced approach would promote sustainable and efficient land use while meeting resident needs.

Given these factors, I respectfully urge the City of Barrie to reconsider the common amenity space requirement for the NMR zone and bring it in line with other municipalities to promote more affordable housing and efficient land use.

Thank you for considering this objection. I look forward to the opportunity to discuss these concerns in more detail.

Saeid Amini

Sincerely,

S. Amini

October 7, 2024

[DELIVERED VIA EMAIL]

City of Barrie
Development Services
City Hall, 70 Collier Street
P.O. Box 400
Barrie, ON, L4M 4T5

Attention: Celeste Kitsemetry, Supervisor of Growth Management
(celeste.kitsemetry@barrie.ca)

RE: City of Barrie - New Zoning By-law (Draft 3)
Review and Feedback

Thank you for this opportunity to provide feedback on the third draft of the Zoning By-law ("draft ZBL"). We appreciate all of the hard work that the City has put into this project and see many positive changes that will modernize the by-law and improve the City.

We are the owners of over 150 ha of land within the Hewitt's and Salem Secondary Plan areas, which are in various stages of development. We have provided comments to the City on all previous draft ZBLs as well as responded to the City's notice regarding existing Special Provisions on our lands. Many of our previous comments have been resolved through this third draft ZBL, but there are still some issues that must be addressed before the ZBL is finalized. Please accept the following detailed comments on the third draft ZBL:

1. General: To make the bylaw easier to read, all notes associated with tables should be numbered with the corresponding number in superscript beside the affected provision (i.e. like a footnote). Presently, readers can easily misinterpret whether the provision they are looking at (especially on large tables with numerous provisions) is impacted by a note.
2. General: The Minimum Common Amenity Areas per Dwelling Unit that have been used throughout the ZBL are very high and prohibitive.
3. Section 1.7: Natural heritage, park and school locations within the Hewitt's and Salem Secondary Plan areas have been conceptually identified in the City's Official Plan for lands that have not yet undergone a Draft Plan of Subdivision application, and the draft ZBL will apply the corresponding zones on these lands. However, as these locations are conceptual and likely to change during the future Draft Plan of Subdivision application (e.g. refinement of the NHS and relocation of schools/parks to optimize the community layout), the locations/limits of these zones may also need to be adjusted. If the intention per Section 26(9) of the Planning Act to update the ZBL is to help reduce the overall development approval process and minimize the

Planning Act applications needed to facilitate development, the draft ZBL should provide clarity that adjustments to these limits should be permitted without a ZBA application.

4. Section 1.10.a: Please confirm whether this section refers to draft approved subdivisions, or only registered subdivisions. If only the latter, it is important that the other comments in this letter be addressed as our draft approved subdivision layouts and home designs were based on the existing permissions.
5. Section 1.10.c: This section permits special provisions that were granted under the current ZBL to continue. In our letter to the City dated September 28, 2023, we formally requested that the following three special provisions under the current ZBL be retained in the new ZBL:

Property	Special Provision	Enacting By-law	Permissions
351 Madelaine Drive (Block 60, 51M-1228)	I-E (SP-555)	2017-137	Permits the permitted uses and development standards of the Neighbourhood Residential (R5) zone.
680 Lockhart Road	I-E (SP-556)	2017-138 & 2023-027	Permits the permitted uses and development standards of the Neighbourhood Residential (R5) zone.
680 Lockhart Road	I-E (SP-620)	2023-027	Permits the permitted uses and development standards of the Neighbourhood Mixed Use (NMU) zone.

However, the draft ZBL Special Provision map only reflects SP-620 as being retained. We strongly object to the removal of SP-555 and SP-556, and request that these be preserved to ensure that these blocks can be constructed consistently with the surrounding development should the School Boards elect not to purchase these sites.

6. Section 3.1.1.a.ii: Balconies (which are included in the definition for Accessory Buildings and Structures) should be added to this list of exceptions to permit them on the front façade of buildings.
7. Section 3.1.1.a.iii: This provision (to reduce the Minimum Rear Yard Setback for rear-access lots) should not apply to "All Other Accessory Buildings and Structures" in Table 4, as this already permits a minimum 0.6 m setback.
8. Section 3.1.1.a & Definition (Lot Coverage): The Lot Coverage definition explicitly identifies three accessory structures that are exempt from Lot Coverage calculations. Two of these are repeated in Sections 3.1.1.a.v and 3.1.1.a.vii. These should either be deleted to remove duplication, or the third exemption from the definition ("any buildings and structures, or any part thereof, which are completely below finished grade") should be added to Section 3.1.1.a for consistency.
9. Section 3.1.1.a & Definition (Lot Coverage): Further to comment 8 above, balconies and porches should be exempted from Lot Coverage calculations.
10. Table 4: The note permitting porches to encroach into the front yard setback is duplicative of Section 3.1.1.a.viii and should be deleted.
11. Table 4: The notes permitting a reduced Interior Side Yard of 0 m on one side for attached garages or decks for Semi-Detached or Rowhouse dwellings should also include porches, balconies and stairs.
12. Table 4: A note should be added to permit a reduced Interior Side Yard of 0 m on both sides for Rowhouse balconies. Further, existing note permitting Interior Side Yards to be reduced to 0 m for Rowhouse decks on one side should be adjusted to permit this on both sides.

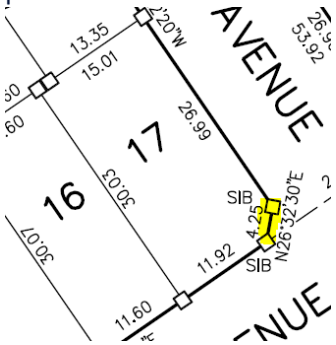
13. Table 4: The Minimum Exterior Side Yard for attached garages should be changed from 3 m to 2m (i.e. the minimum yard requirement for the dwelling). At a minimum, this is needed in the Hewitt's and Salem Secondary Plan areas to be consistent with existing zoning permissions. Please refer to comment 63 below regarding a possible overlay zone.
14. Table 4: The Table provision and note regarding Maximum Building Height for attached garages is not clear. The note should be deleted, and the table should say "N/A, or 4.5 m if the attached garage does not conform to the yard setbacks of the primary building."
15. Table 4: The Maximum Height for All Other Accessory Buildings and Structures should not apply if it is connected to the primary building. For example, porches, walk-out decks, balconies, etc.
16. Table 4: Minimum Building Area of the Attached and Detached Garages should be removed. At a minimum, this needs to be removed in the Hewitt's and Salem Secondary Plan areas to be consistent with existing zoning permissions. Please refer to comment 63 below regarding a possible overlay zone.
17. Section 3.1.2.a.iii: This provision may limit the ability for a school to locate the required number of portables on a school property.
18. Section 3.2.1.a and 3.2.1.c: These provisions are too prescriptive and should be amended to allow for flexibility in site design. Prescribing the locations of these uses within a building or site may not be appropriate given a property's size or configuration, for example an irregular shape property or smaller sites where the required ground floor residential features (e.g. lobby, waste room, etc.) cannot fit when 25% is removed for non-residential uses. Further, if a mix of uses is desired, this can be achieved on a site through standalone buildings instead of requiring all buildings to contain a mix of uses.
19. Section 3.2.1.b: This provision should be removed. While setbacks in general may be used to create pedestrian friendly massing and building separation, requiring this after only one storey is overly aggressive and may actually detract from the pedestrian experience.
20. Section 3.2.2: Many municipalities are removing 45-degree angular plane requirements since it places a significant burden on the ability to provide much needed housing. This provision should be removed and allow for flexibility through site design during the development approval process to ensure compatibility of uses and built form.
21. Section 3.2.5: Is the intention of this section to limit all Low-Rise Buildings and Cluster Rowhouse dwellings to only occur on lands adjacent to the Neighbourhood Low zone? Further, does this section supersede any residential development permissions on lands abutting Neighbourhood Low zones? It is unclear how and when this section will apply.
22. Table 5: The Minimum Rear Yard Setback should be changed from 6 m to 5 m. Alternatively, these standards could be different based on whether the development abuts the NL1 vs. other NL zones.
23. Table 6: The Minimum Dwelling Unit Width should be changed from 6 m to 4.5 m. Alternatively, these standards could be different based on whether the development abuts the NL1 vs. other NL zones.
24. Table 6: The "Dwelling Unit Width" row is missing the text "(Minimum)".
25. Section 3.2.6.b.i: This provision is too prescriptive, as the best shape/configuration of a common amenity area may not comply. For example, a rock-climbing wall, bowling alley or narrow pool to facilitate swimming laps.
26. Section 3.2.6.b.iii: This should be deleted. In the same way that passive park spaces are used, building rooftops, patios or above ground decks that are nicely landscaped or laid out with

furniture, etc. are appropriate as common amenity spaces and should not be required to also contain an associated 'special' amenity.

27. Section 3.2.6.c.v: There is no Section 4.19.2.ii.
28. Section 3.2.7 & Table 7: These standards do not consider separation distances for two secondary faces with windows. These circumstances would be similar to the interior side yards for ground-oriented dwellings and should be smaller than what is permitted through Table 7 and Section 3.2.7.d.
29. Section 3.2.11: Including wall/window ratios in the ZBL is overly prescriptive and limits options for building designs. Further, not all uses within a building are conducive to windows, such as parking garages, security rooms, waste rooms, mechanical rooms, etc.
30. Section 3.3.2.a: Clarity is required for how the text "which is connected to a building entrance" will be applied. For example, does the staircase need to 'touch' the entrance to be connected, or do stairs of a porch/deck qualify? If the former, stairs in general should also be given explicit encroachment permissions.
31. Section 3.3.2.d: These projections should be permitted from all buildings, not just accessory structures. The text "projecting from accessory structures" should be removed.
32. Section 3.3.2.d: The reference to bay windows should be expanded to say "box, bay or bow window with or without foundation".
33. Section 3.3.2: Does the ZBL permit window wells for basement egress windows to project into the Side Yard? If not, these should be permitted.
34. Section 3.3.4.a & Definition (Planting Buffer): It should be explicitly clarified if "plantings and other vegetation" permits a Planting Buffer to be solely grass/lawn. Otherwise, Section 3.3.4.a will now require 3 m of dedicated gardens/shrubs/etc. along lot lines of parks and schools abutting residential lots or within the side/rear yards of residential lots abutting EP zones; which is not how these sites have typically been designed. Further, walkways/sidewalks should be permitted within these buffers to not conflict with municipal walkway blocks between houses or the required unobstructed path of travel to a coach house or side door access of an accessory apartment.
35. Definition (Landscaped Area/Planting Buffer): If the intention of both the Landscaped Area and Planting Buffers is to provide greenspace, infiltration opportunities and/or buffering, why are these areas not permitted to contribute to the minimum requirements of the other?
36. Section 3.3.4.a: The City should consider a reduced or eliminated buffer if a privacy or tight-board fence is installed along the lot line. This would assist in instances in the urban area or smaller properties where 3 m may significantly impact a proposed development/layout.
37. Section 3.3.4.a.ii: Planting Buffers should not be required between lots in the Employment Zone. These uses should not require buffering from one another and as written, this provision would require 6 m of space at each property line (i.e. 3m on each side), which reduces the density of these areas and does not contribute to a compact pedestrian-friendly environment.
38. Section 3.3.4.a.iii: Environmental Protection zones generally include appropriate buffers within the zone/lot to environmental features. It seems excessive to require a further Planting Buffer outside of this area, as there will inherently be additional space between the lot line and any structures due to minimum yard requirements.
39. Section 3.3.8: Is this section intended to apply to driveways for ground-oriented housing (e.g. Single Detached, Rowhouses, etc.)? If so, this is problematic. Not only will this create a conflict for Rowhouses/Semi-Detached Houses, but also the typical practice of pairing driveways for Single Detached Driveways to provide additional on-street parking.

40. Section 3.3.8.b: There is a typo in "sight triangle" (i.e. site).
41. Section 3.3.10.a & Section 3.3.10.b: Is it intended that this section govern the construction of new subdivisions? If so, there is a conflict with restricting construction materials/equipment to a single lot and the accessory building standards of the zone, as the yard setbacks would restrict the location of scaffolding or temporary storage of large materials such as roof trusses. The by-law should clarify that the construction of new subdivisions is exempt.
42. Section 3.3.10.h: This section could be interpreted to not permit sales offices until building permits have been pulled/homes are being built within the subdivision has begun (i.e. "the period during which construction of new buildings is taking place"). However, it is not typical for home construction/building permits to be underway before a home is sold. The time period should be clarified or expanded to speak to development of the subdivision as a whole, perhaps following draft plan approval through to assumption.
43. Section 3.4.9: These provisions will discourage the creation of outdoor patio spaces. For example, there are great creative projects (e.g. plazaPOPS) that create pedestrian and community spaces in underutilized parking lots, or seasonal businesses with small building footprints that would benefit from a larger outdoor area.
44. Section 4.1.d & Section 4.2.e: These sections are duplicates of one another.
45. Section 4.5.a: This could be interpreted to require all driveways to provide a connection to a parking lot; instead of only applying to driveways that connect to a parking lot. This should be rewritten as "A driveway providing connection from the street to any parking lot located in the rear, interior or exterior side yards must be a minimum of 2.7 metres wide and 6 metres long." However, if the intention is that this also applies to driveways for ground-oriented dwellings, the size should be adjusted to reflect the minimum parking space size (i.e. 2.7 m by 5.5 m).
46. Section 4.5.b: It is unclear what this provision accomplishes. It lists possible options for the driveway but is not linked (i.e. "notwithstanding…") to anywhere in the by-law where these permissions are restricted.
47. Section 4.6.1 & Definition (Parking Structure): The definition should explicitly clarify that Attached Garages, Detached Garages and Carports are not considered Parking Structures to ensure that it is clear that Table 4, and not Table 11, applies to these structures.
48. Table 19: This table is missing the same note used for Table 20, in which the requirements do not apply to ground-oriented buildings in all zones.
49. Table 23: The note below this table restricting the location of Detached, Semi-Detached, On-Street Rowhouse and Back-to-Back Rowhouses to Local Streets should be removed. Modern transportation design typically mixes Local and Collector Roads within communities, so this provision poses a significant conflict with the way the Hewitt's and Salem Secondary Plan areas have been designed, including the Draft Approved Rainsong and GG (9 Mile) Subdivisions.
50. Table 23: The draft ZBL (compared with draft #2) has been changed to no longer permit On-Street, Back-to-Back and Rear Access Rowhouses in the NL3 zone. These dwelling types should be permitted in the NL3 zone. In particular, this change conflicts with the Draft Approved Back-to-Back Rowhouses in the Rainsong Subdivision.
51. Section 5.7.c: "All pedestrian entrances" could be interpreted to mean any pedestrian doorway to the buildings in the Neighbourhood Low zone, which would mean that rear patio doors, side door entrances, etc. are not permitted. This provision should be amended to speak to the primary entrance only. Further, this provision should only speak to the principle dwelling as it may be more appropriate for the primary entrance to Coach Houses or accessory apartments to face a different direction such as the interior side yard or rear yard.

52. Section 5.7.c: The text "in the case of a corner lot" should be deleted, as these are the only types of lots that would have exterior side lot lines.
53. Table 25 & Table 27: The Maximum Height provision for Coach Houses conflicts with Section 3.4.1.1.a, which establishes the maximum height as being that of the primary building. This table should be updated to identify N/A or refer to Section 3.4.1.1.a. Further, it is important to not restrict the height to 1 storey (4.5 m) to facilitate Coach Houses above Detached Garages.
54. Table 26 & Table 28: While the application of "Average Front Yard" for the Front Yard Setback may be beneficial in some areas of the City, this creates a more complex and unnecessary calculation in the Hewitt's and Salem Secondary Plan areas where the existing standard is 3m. It could also artificially impose a larger setback on some homes in these areas depending on the models selected by the adjacent purchaser. This provision should be revised so that 3 m is the default for these Secondary Plan Areas. Please refer to comment 63 below regarding a possible overlay zone.
55. Table 26 & Table 28: The lot lines for all corner lots in new subdivisions include a 'cut-out' for daylighting triangles (highlighted in yellow on the below image). The ZBL does not clearly define how this lot line will be addressed when measuring yard setbacks, for example, are they ignored or considered part of the exterior side lot line? If the latter, the ZBL should include a provision to permit an encroachment for buildings, porches and stairs to a minimum 1 metre setback.



56. Table 27: Maximum Building Height for Detached, Semi-Detached and all Rowhouses should be changed from 11 m to 12 m to ensure lot grading does not impact house elevations.
57. Table 28 & Table 29: Further to comment 23, when On-Street, Back-to-Back and Rear Access Rowhouses are re-introduced into the NL3 zone, the Lot, Yard and Building Standards for these dwelling types should be consistent with the NL2 zone provisions.
58. Table 28 & Table 29: The provisions for Coach Houses are missing from these tables. When reinserted, they should be consistent with the NL2 zone provisions.
59. Table 68 & Table 69: The ZBL needs to accommodate for situations where School Blocks that are included in Subdivision Plans are not purchased by the School Boards by allowing these lands to be constructed consistently with the surrounding development. These Tables should be revised to, in these circumstances, permit the uses and buildings of the adjacent zone.
60. Definition (Electric Vehicle Ready [Parking]): The requirement should be to provide a rough-in/conduit for the electrical infrastructure, and not to provide an energized electrical outlet. This provides the homeowner with more flexibility on the level of electrical service they would like, as well increasing the number of connections they want installed for their parking spaces.
61. Definition (Rowhouse, On-Street): Back-to-back units need to be explicitly listed as being included under this definition.

62. Definition (Sight Triangle): This definition outlines a Daylighting Triangle (i.e. at corner lots), yet its only use in the ZBL is with respect to driveways. This definition should probably be removed.
63. Appendix B (Overlay Zones): An Overlay Zone could be applied to the Hewitt's and Salem Secondary Plan Areas to resolve the issues identified in a number of comments noted above.
64. Appendix F (Roads): Intensification Corridors are mentioned in various spots throughout the ZBL. Section 3.2.1.a explicitly states that intensification corridors are identified on Appendix F. However, these are not illustrated in Appendix F. Is the "Neighbourhood Intensification" zone intended instead?
65. The draft ZBL 'explainer' identifies that the NL2 zone is typically found on lots with frontage on Collector Roads. However, this zone has been applied throughout the majority of the Hewitt's and Salem Secondary Plan Areas. For clarity, this description should be amended to state that "This zone is generally found on lots with frontage onto collector roads or within the Hewitt's and Salem Secondary Plan areas."

We understand that this is the last draft ZBL that will be circulated for public comment before the final by-law is brought to Council for approval in early 2025. As such, **we would like to request a meeting to discuss the above comments with staff directly**. Please contact me at 437-241-3952 or trish.elliott@greatgulf.com.

Regards,
GG (9 Mile) Limited
Rainsong Land Development Inc.
Ruby Red Maple Development Inc.

Trish Elliott

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Development Manager,
Land Development

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Pratt Homes

WELCOME TO THE FAMILY

SINCE · 1890

November 7th, 2024

Mayor and Council Members

City of Barrie
70 Collier Street
Barrie, Ontario L4M 1G8

RE: City of Barrie Zoning By-Law Update Draft #3

Dear all,

Further to our initial letter dated September 23rd, 2024 submitted to the Mayor, Members of Council, and the Director of Planning, we are submitted this letter as a follow up to elaborate on our concerns and the impacts of proposed revisions, as well as share our suggested remedies to those provisions in the City of Barrie Draft By-Law Version #3. We have dire concerns if the Zoning By-Law were to proceed in its current form. The impacts on Affordable Housing would be devastating and long lasting.

We expect the majority of comments received by Council concern general provisions and those related to low rise housing types. Pratt Homes has been a dedicated and consistent builder of both low and mid rise housing types in the City for many many years. Through this letter we bring to you our concerns with provisions related to both low and mid rise housing types, in consideration of affordable housing, and our hopes for our successful building built form to continue to be permitted across the City, not just existing sites.

In the interest of preserving appeal rights under the Planning Act, existing properties owned by Pratt Hansen Group Inc., Hansen Group Inc., H Hansen Development Inc., Pratt Development Inc., and Crisdawn Construction Inc., are as follows:

- 1, 7, & 15 Kneeshaw Drive (Block 209, Plan 51M-1224)
- 1, 3, 5, 7, & 9 Lally Terrace (Lots 24-28, Plan 51M-1224)
- 19 & 21 Harvest Crescent (Lots 38 7 39, Plan 51M-1224)
- 53 Coulter Street

- 100 Dean Avenue
- [Greenwich Street] Lot 1 to 24 and Blocks 41 to 43, Plan 51M-1089
- 894 Lockhart Road
- 1000 Lockhart Road
- 830, 864, and 912 Lockhart Road
- 1 to 99 Flan Boulevard [odd], 22 , 24, 26, & 28 Flan Boulevard, 62 to 98 Flan Boulevard, 101, 103, 105 & 107 Kneeshaw Drive, 131 to 155 Kneeshaw Drive, 1 to 23 Gouda Lane, 2 to 28 Shiraz Trail [even], 31 to 47 Shiraz Trail [odd] (Lots 66 to 154, Blocks 155 to 162 & Blocks 211 to 219, Plan 51M-1224)

Concerns, impacts, and suggested solutions are as follows:

→ 1) CONCERN: **Transition Policies (Section 1.10.)**

a. 3 year transition period for approved Subdivisions (ex. Hewitt's Gate D12-426)
b. 2 year transition period for approved Site Plans (ex. Elements Condos D11-004-2021)
c. 1 year transition prior for approved Committee of Adjustment applications (ex. Active applications for Hewitt's Haven Block 3 Plan 51M-1224)
d. Only special provisions granted through Rezoning will be recognized at the time of Building Permit applications

   IMPACT: All Building Permits for Hewitt's Gate and Hewitt's Haven D12-426 may not be applied for within 3 years, Elements Site Plan D11-004-2021 will not be applied for within 2 years, Hewitt's Haven Committee of Adjustment applications approved September 2024 for Block 3 Plan 51M-1224 will not all be applied for within 1 year. Current applications for Hewitt's South (D28-103-2023) have been prepared based on current zoning by laws and all progress made on these applications will be lost, and at this time design cannot be based on proposed zoning provisions that may or may not materialize.

   SOLUTION: **Grandfather all approved plans under current Zoning By-Laws. Introduce a provision which gives consideration to initiated applications progressing in a timely manner, which were submitted prior to the new Zoning By-Law receiving Council Approval and coming into effect. The City could consider an Extension to Transition Policy process, of similar nature to the well established Extension to Draft Plan approval process.**

→ 2) CONCERN: **Accessory Buildings, and Structures (3.1)** Exterior Side Yard Setback for attached garage is 3m, 22 sq.m. minimum Building Area

IMPACT: Exterior Side Yard Setback for an attached garage should be consistent with Zone specific Exterior Side Yard Setbacks. In the case of the NL2 zone, the minimum Exterior Side Yard Setback is 2m. In this instance, the 2m setback should apply to an attached garage on the same lot. Minimum area of 22 sq.m. is excessively large for a single car garage. Provision would result in less living space for residents. Minimum parking space is 2.7m x 5.5m = 14.85 sq.m.

SOLUTION: **Attached garage should be removed from the Accessory Building and Structures Section 3.1, and the provisions of the zone shall apply on lots where attached garages are constructed.**

→ 3) CONCERN: **Active Frontage Requirements (Section 3.2.1.)**

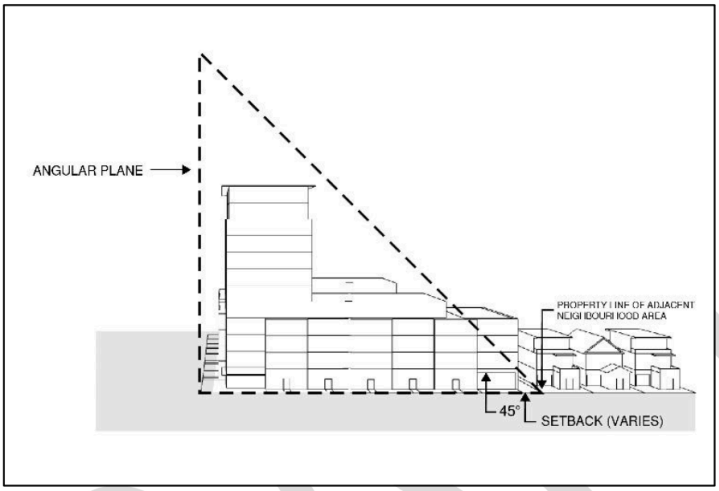
a. Low and Mid-Rise Buildings fronting onto an Intensification Corridor or Arterial Street require a minimum 25% of the gross floor area of the ground floor to consist of non-residential uses
b. Where the ground floor of a Mid-Rise Building facing a street includes residential uses, the ground floor of the building containing residential uses shall be setback an additional 1.5 from facade of the non-residential uses
c. If a Mid-Rise Building is required to provide non-residential uses, a minimum 50% of the frontage along a street or common amenity area shall be for non-residential uses, but shall not be used for commercial parking, an underground or above ground parking structure, or surface parking lot

   IMPACT: 25% losses to residential area on the ground floor would result from the requirement to provide 25% of the ground floor gross floor area as non-residential uses, and further loses/reductions in unit sizes to setback the residential uses on the remaining ground floor area 1.5m from the facade of the required non-residential uses. Requiring a minimum 50% of the frontage along a street or common amenity area to be for non-residential uses reduces the flexibility to accommodate the required gross floor area while maintaining efficiencies in suite design. Requiring 50% of a building frontage to be dominated by non-residential, presumably commercial uses, will result in inactive frontages along streets which has been evidenced for many years in the Downtown. The Gallery, Junction, Bear Creek, and Bistro 6 condo sites are all located on arterial roads and would have been subject to these provisions in effect at the time of design. Hewitt's South subdivision currently being design fronts onto Lockhart Road, an arterial road, and the proposed provisions would apply to this new site.

   SOLUTION: **Delete provision requiring non-residential uses in Mid-Rise Buildings fronting onto Intensification Corridors or Arterial Streets, and associated provisions.**

→ 4) CONCERN: Angular Plane (Section 3.2.2.) Angular planes are required on Mid-Rise and High-Rise Buildings when they are located on a lot with a shared lot line of a Neighbourhood Low zone in which case the building height above the 4th storey shall not exceed an angular plane of 45 degrees, as measured from the shared lot line at the street level, from any lot in the adjacent Neighbourhood Low zone

Figure 1: Angular plane measured from the adjacent Neighbourhood Low zone



IMPACT: The loss of residential units would be considerable. Six storey construction has been ongoing in the City for many years and has been demonstrated to function well. We are not aware of any criticisms of six storey construction that would warrant the introduction of angular plane requirements. This requirement will eliminate buildable area within the building footprint which would result in increased costs for all units, as costs of development and land are divided among the number of units in a development. For example, this provision would have required angular planes be incorporated into the built form of the Junction and Gallery condo sites if in effect at the time of design, due to adjacent Neighbourhood Low zoning. If this provision was in effect at the time of design of Building C in Elements Site Plan (D11-004-2021), or Building H6 in Bistro 6 Site Plan (D11-017-2017), these angular plane provisions would have applied, as both developments are adjacent to the Hewitt's Haven Subdivision, which is proposed to be zoned as Neighbourhood Low Zone 2 (NL2). Hewitt's South on Lockhart Road currently being designed would be subject to this requirement as well.

SOLUTION: **Angular plane requirements of 45 degrees adjacent to Neighbourhood Low Zones should not be required until beyond the 6th story, at a minimum.**

→ 5) CONCERN: **Building Form Standards (Section 3.2.3.a)** A minimum ground floor height of 3.5m shall be required for all Low-Rise, Mid-Rise, and High-Rise Buildings, with non-residential uses on the ground floor in all zones except the Neighbourhood Low Zones

IMPACT: The ground floor height must be consistent for the entire floor and the resulting impact would be higher than typical ceilings for the residential units occupying the remaining floor area, and overall taller building heights to achieve a set number of storeys. Taller ceilings introduce requirements for alternative construction materials and increase costs.

SOLUTION: **Eliminate the requirement for a minimum ground floor height.**

→ 6) CONCERN: **Building Step-Backs and Setbacks (Section 3.2.4.)** A 3m step-back shall be provided on any floor, between the 2nd and 6th storey, on Mid-rise or High-rise building face(s) adjacent to a street.

IMPACT: Building step-backs, in conjunction with angular plane requirements where buildings share a lot line with a Neighbourhood Low Zone, would result in a loss of residential units and increased costs to home ownership. Hewitt's South is designed for 6 storey buildings. This step-back provision would apply to Building A in Elements Site Plan which has frontage on both Mapleview Drive and Kneeshaw Drive.

SOLUTION: **Similar to recommendations made with respect to Section 3.2.2, Building Step-Back requirements should not be imposed until beyond the 6th story.**

→ 7) CONCERN: **Buildings to Transition to the Neighbourhood Low Zone (Section 3.2.5)** Rowhouse, cluster and low-rise buildings, for the purpose of transition, shall only be permitted on a lot if the lot is adjacent the Neighbourhood Low zone, and can only locate within the yard immediately adjacent to the Neighbourhood Low zone

IMPACT: This provision would not allow Townhouses or Low-Rise buildings to be developed in any zone except adjacent to a Neighbourhood Low Zone, which would restrict the ability to site any of these building types adjacent to Mid-Rise, Community Hub, Greenspace, Environmental Protection, or Commercial Zones. One block of Rowhouses are approved and on a registered plan backing onto Elements Site Plan, which the new Zoning By-Law proposes as a Mid-Rise Two site. Block 155 would not be permitted under the new Zoning By-Law. This would also restrict Block 162 being developed adjacent to the Village Square in The Hewitt's Haven site.

SOLUTION: **Provision should be deleted to allow Rowhouse, Cluster, and Low-Rise Buildings adjacent to all zones.**

→ 8) CONCERN: **Common and Private Amenity Areas (Section 3.2.6.)**

Common Amenity shall be designed and located so that:

a. The length does not exceed 4 times its width
b. Building rooftops, patios and above ground decks can be included as part of the common amenity if they are accessory to recreational facilities

Private Amenity areas shall:

a. Not form part of a required front yard or exterior side yard
b. Provide a minimum distance of 3.0m between a private amenity area and a wall of another building containing windows of habitable rooms which face the private amenity area

c. Private amenity areas for above grade dwelling units in back-to-back, rowhouses and stacked back-to-back rowhouses shall consist of a balcony and be defined by a wall or railing between adjacent units to a height of 1.8m with a minimum 1.8m depth

Balcony Standards:

a. A balcony must remain open on all sides except those along a exterior wall to which it is attached, or where a separation for balconies between adjacent dwelling units is required
b. A balcony must be fully supported by the building to which it is attached

IMPACT: Prohibiting linear common areas will reduce opportunities for walking paths and other areas that can be reasonably programmed and enjoyed by residents. Not allowing common amenity to be located within required front and exterior side yard setbacks eliminates opportunities for efficient use of space that is otherwise not buildable and sits dormant. Furthermore, the requirements for rooftops, patios and above grade decks to be associated with recreational facilities to qualify as common amenity is unreasonable, and practically these areas have been demonstrated to function as successful amenity areas without recreational facilities being present. The dimensions prescribed for private amenity area balconies are without reason, and a minimum balcony depth of 1.8m is prohibitive. In addition, requiring balconies to be fully supported by the building to which it is attached does not allow a design where balconies project from the exterior wall and are partially supported by structural columns that are accessory to the building. The proposed provision requiring balconies be open on all sides except along an exterior wall would not allow four season type balconies. In Elements site plan, for example, a retractable glass has been used to provide balconies that can be used in all four seasons by either opening or closing the glass. This provision would not allow this design in the remaining buildings. Furthermore, the provision outlined in point a., would not permit the common amenity area approved behind Building B of the Elements Site Plan.

SOLUTION: **Remove provision restricting common amenity length beyond 4x its width. Remove requirement for building rooftops, patios and above ground decks to be necessary with recreational facilities. Remove provision restructuring private amenity in front and exterior side yards. Remove provision requiring 3m between a private amenity area and a wall of another building. Remove provision requiring a minimum 1.8m depth for private amenity area balconies. Revise wording to allow balconies to be closed on more than just the exterior wall side. Lastly, remove provision requiring balconies to be fully supported by the building to which it is attached.**

→ 9) CONCERN: **Facing Distances (Section 3.2.7.)**

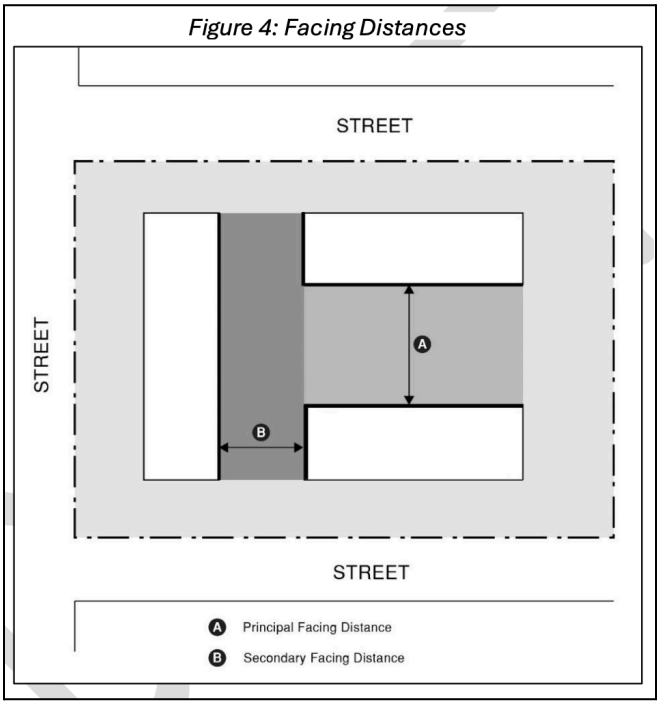
a. Facing distances apply when any combination of Low-Rise, Mid-Rise, High-Rise, and Rowhouse buildings are located on the same lot

Table 7: Building Facing Distances

Building Facing Distances	Minimum Separation Distance
One (1) to Two (2) and a half (1/2) Storeys	9 m
Three (3) to Four (4) Storeys	11 m
Five (5) to 12 Storeys	15 m
13 or More Storeys	25 m

b. An additional one metre of facing difference is required when below grace entrances and/or below grade private outdoor amenity area is provided
c. Where buildings that face each other differ in height, the greater height shall be used to determine the required building facing distance
d. A facing distance a minimum of 50% of the standard noted in Table 7 is permitted between the principal face and secondary face of any two buildings
e. The minimum distance between any two buildings with no windows to habitable living space on the same lot shall be three metres

Figure 4: Facing Distances



IMPACT: Facing distance provisions will require buildings be sited much further apart than they would otherwise be required by Yard Setbacks. Minimum separation distances proposed are excessive and do not allow for flexible site design, and will increase the price of lots. Furthermore, the criteria under this provision to distinguish principal or

secondary faces and associated facing distances is unclear. All provisions in this section create an unnecessary burden on construction.

SOLUTION: **Delete provisions and any associated definitions.**

→ 10) CONCERN: **Window to Wall Ratio (Section 3.2.11)**

a. The facades of any low-rise, mid-rise, or high-rise building, shall have a total maximum of 60% of window to wall ratio, as measured across all building facades
b. A minimum of 50% of the facade of any low-rise, mid-rise or high-rise abutting a street, landscaped open space, or amenity area shall be windows, openings, or similar

IMPACT: An unnecessary percentage of the facade will be required to be windows or openings to achieve the proposed standard, and which will in turn significantly increase construction costs, heating and cooling costs for residents, in addition to maintenance and condo fees paid by residents for cleaning of the windows. This goes against the strategic aim to provide attainable and affordable housing in the City of Barrie.

SOLUTION: **Do not prescribe minimum or maximum requirements related to windows. Regulations already exist under the Ontario Building Code.**

→ 11) CONCERN: **Landscaped Area (Section 3.3.1.)**

a. Where a driveway is provided in the Neighbourhood Low Zones, a minimum 1m wide landscaped area is required, immediately adjacent to one side, which must be provided as 50% soft landscaping

IMPACT: The provision to require 50% soft landscaping would hinder the ability to provide stair landings and in other cases, only allow a walkway that is 0.6m wide to the dwelling entrance. As an example, on a 4.5m lot, with a 2.7m wide parking space, and where a 0.6m Side Yard Setback is permitted on the garage side, 1.2m is remaining on the opposite side of the driveway. If 50% is required to be soft landscaping, only 0.6m exists to accommodate walkways to the primary entrance of the dwelling. In most cases, there are stairs leading to the primary entrance, and if there are more than 3 stairs, a landing that is 0.9m wide is required by the Ontario Building Code.

SOLUTION: **Delete provisions related to minimum soft landscaping requirements.**

→ 12) CONCERN: **Planting Buffers (Section 3.3.4.)** A contiguous planting buffer of a minimum width of 3m shall be provided

a. Along all lines of all zones adjacent to Neighbourhood Low zones. Planting buffers are not required between lots in Neighbourhood Low zones
b. Along abutting lot lines of all zones adjacent to Environmental Protection Zones.

IMPACT: This new provision would render lots on registered Plan 51M-1224 unbuildable. A number of lots back onto lands zoned Environmental Protection and there has been

considerable work done on the developable area limit in consultation with the Lake Simcoe Region Conservation Authority through the Hewitt's Creek Secondary Plan and with the landowners involved. Furthermore, this new provision would significantly impact lot depths proposed in Hewitt's South. Required rear yard setbacks are 5m and if a 3m planting buffer is required, the remaining backyard depth will be 2m.

SOLUTION: **Exclude Neighbourhood Low zones from the Planting Buffer provisions.**

→ 13) CONCERN: **Rail Corridor Setbacks (Section 3.3.5. Table 9)** 30m setback to Programmed Open Space

IMPACT: The current requirement for building setbacks from a Metrolinx Rail Corridor is 30m, which allows Programmed Open Space be sited in the area in between a building and the crash berm required by Metrolinx. As an example, the Elements Site Plan was designed to incorporate an amenity area in the form of a running track with exercise equipment between the building setback and the crash berm that is 25m wide from the shared property line with Metrolinx. The new provision of 30m would not permit the construction of this amenity area, resulting in reductions to, and benefits of, the amenity area designed for homeowners. This provision would restrict similar design on other sites in the City adjacent to any Rail Corridor.

SOLUTION: **Setback to Programmed Open Space shall be 25.0m**

→ 14) CONCERN: **Sight Triangles (Section 3.3.8.a)** All driveways shall provide sight triangles 3mx3m

IMPACT: 3x3m sight triangles physically cannot be achieved on lots with frontages less than 5.7m given the required width of a parking space is 2.7m. Requiring site triangles on all driveways would drastically alter lot design in the City of Barrie.

SOLUTION: **Delete provision requiring all driveways to provide site triangles.**

→ 15) CONCERN: **Driveways (Section 4.5.)** Driveway must be a minimum 2.7m wide and 6m long

IMPACT: This provision contradicts the minimum length of a parking space being 5.5m in Section 4.3.a). Requiring driveways to be 0.5m longer than the required parking space will take away from buildable lot area, and would significantly impact how many developments are constructed.

SOLUTION: **Current minimum driveway length of 5.5m should be maintained, consistent with the minimum length of a parking space.**

→ 16) CONCERN: **Electric Vehicle Ready Parking (Section 4.6.4.)** Detached, Semi-Detached, Coach Houses, including any configuration of Rowhouse, and any Additional Residential Units, as well as Low-, Mid- and High-Rise Buildings shall provide all required parking spaces as EVRP

IMPACT: The demand for new housing units is much greater than the demand for EVRP at every parking stall. This new provision would drastically impact construction and increase costs that homebuyers will not be incentivized to pay for. This provision will create a detrimental effect on the cost of development and construction, as well as introduce obstacles for operations and maintenance of parking lots in Site Plans particularly. In order to provide the required 5.5m length of a parking stall and space to accommodate EVRP infrastructure, parking stall lengths would need to increase. If longer parking stalls are needed, the resulting impact would either be requests to deviate from required parking ratios at Committee of Adjustment, or a loss of residential units to decrease the required amount of parking to make up the space. As an example, Elements site plan has been designed to accommodate some EVRP stalls on a pay as you go basis, however, as a result sidewalks needed to be wider or offset from the curb in some areas to accommodate the charging pedestals. If all 200+ surface parking stalls were required to be provided as EVRP, the area needed to accommodate the infrastructure would be tremendously exacerbated.

SOLUTION: **Delete provision requiring all required parking stalls to be EVRP. If not deleted in its entirety, provisions related to EVRP should only apply in the Mid Rise residential zones to 5% of required parking stalls.**

→ 17) CONCERN: **Bicycle Parking (Section 4.8. Table 19 + Table 20)**

a. 0.5 long term + 0.1 short term spaces per dwelling unit required in District 5 for a building containing 10 or more Dwelling units; 1.0 long term + 0.3 short term spaces per dwelling unit required in District 2 and 3, Urban Growth Centre and Strategic Growth Areas & Intensification Corridors respectively.
b. All long-term bicycle parking spaces must be a minimum of 1.8m in length, a minimum 0.6m in width, and overhead clearance in covered spaces shall be a minimum of 2.1m, however, if a long-term bicycle parking space provides for storage of a bicycle in a vertical position, then the minimum length may be reduced to 1.2m

IMPACT: These provisions will increase costs to construction and homeownership, and in many instances, cycling infrastructure does not exist to warrant the demand for bicycle parking at the ratio being proposed. The proposed ratio is a substantial increase to the required ratio of 0.2 spaces/unit overall currently in effect. As an example, the proposed ratios would require a substantial increase in the amount of bicycle parking provided on the approved and registered Elements Site Plan. A redesign of the site to accommodate additional bicycle parking would result in a loss of parking stalls and associated

residential units. In Hewitt's South, a substantial amount of space would need to be allocated for long-term bicycle parking within the buildings.

SOLUTION: **In District 5, the combined Long-Term and Short-Term ratio should be 0.2/unit consistent with the current zoning provisions, understanding that, in many cases where lockers are incorporated into the building design, homeowners have the choice to utilize their lockers for bicycle storage at their discretion. The provision requiring 2.1m overhead clearance should be deleted. In Districts 2 and 3, the combined ratio should be 0.6/unit.**

→ 18) CONCERN: **Neighbourhood Zones Permitted Buildings and Structures (Section 5.6. Table 23)** detached, semi-detached, rowhouse and back-to-back buildings only permitted when fronting Local Road

IMPACT: Only allowing the identified built forms when fronting onto local roads completely removes opportunities to design Laneways in the City and significantly restricts where low rise built form can be constructed. In the Hewitt's Gate East Subdivision, over 200 units were successfully constructed on Laneways which allowed a very efficient use of land and compact built form. As an example, rowhouses constructed in Bear Creek subdivision on Essa Road, an arterial road, would not be permitted. Rowhouses constructed on Mapleview Drive, a major collector, would not be permitted. Single detached dwellings on Lally Terrace, a minor collector, would not be permitted. In addition, 31 lots on Kneeshaw Drive, a minor collector, scheduled for construction starting in 2025 would not be permitted. Lastly, 27 single detached houses designed on Terry Fox Drive and 90 back-to-back townhouse units proposed on Laneways in the Hewitt's South site would not be permitted.

SOLUTION: **Delete provision which only permits the identified built form types on local roads.**

→ 19) CONCERN: **Neighbourhood Low Zone Specific Standards (Section 5.7.)**

a. The elevation of all primary entrances shall not exceed 1.2m from finished grade of the front yard
b. All pedestrian entrances shall be provided facing the front lot line or exterior lot line in the case of a corner lot

IMPACT: 1.2m is equivalent to 3.9ft. A standard stair is 7in. This provision would not allow any more than 6.6 stairs to enter into a dwelling. Typically, we prefer to design to a maximum of 7 stairs at the front of a dwelling, however, in cases where grades and groundwater govern basement elevations, a few additional stairs can be the difference between being able to construct a dwelling with a full basement, or needing to construct a dwelling which is slab on grade. Construction with basements is much more desirable in

the market, and creates additional living area or usable space for homeowners that would otherwise be lost due to a provision restricting the number of stairs to access a dwelling. Furthermore, the provision related to all pedestrian entrances would not allow side yard entrances for additional dwelling units. Creating additional pedestrian entrances facing the front lot line after construction will not be feasible in many instances, and where it is feasible will be very costly, and will hinder the creation of additional dwelling units for multi-generational living and rental units, for example. As well, variations in finished grade are always required to achieve lot drainage. The wording of the provision assumes a single finished grade rather than an average.

SOLUTION: **Delete both provisions entirely.**

→ 20) CONCERN: **Neighbourhood Low 2 (Section 5.9. Table 26)** Minimum Front Yard Setback 20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 3m

IMPACT: Proposed provision would restrict the design flexibility to site dwellings based on grading and placement of a dwelling based on site conditions or lot configurations in the case of irregular shaped lots.

SOLUTION: **Remove detail related to 20% average. Fix Minimum Front Yard Setback at 3m.**

→ 21) CONCERN: **Mid Rise Zone Specific Standards (Section 6.7.)**

a. The elevation of all primary entrances shall not exceed 1.2m from finished grade of the front yard
b. All pedestrian entrances shall be provided facing the front lot line or exterior lot line in the case of a corner lot

IMPACT: 1.2m is equivalent to 3.9ft. A standard stair is 7in. This provision would not allow any more than 6.6 stairs to enter into a Mid-Rise Building, if the elevation in front of the building is the same elevation as the front yard. In many cases, primary entrances are not in the front yard and rather are internal to the site, and elevations of primary entrances are altered to meet average grade criteria for the buildings. Variations in finished grade are always required to achieve lot drainage. The wording of the provision assumes a single finished grade rather than an average. As an example, the grade along Essa Road where the Gallery condo site is located significantly varies and all buildings are not sited with direct access onto Essa Road. Some pedestrian entrances face internal to the site rather than facing the front or exterior lot lines. The same applies to the Junction condo site on Cundles Road. In Elements site plan, entrances are 1.2m above the lowest finished grade along Mapleview Drive which is considered the front yard of this site. In addition, Buildings A & B, which have not yet been constructed, have pedestrian entrances

designed facing internal to the site. The proposed provisions would entirely prohibit the design approved for Elements Site Plan.

SOLUTION: **Delete both provisions entirely.**

→ 22) CONCERN: **MR2 Lot, Yard, and Amenity Standards (Section 6.9. Table 40)**

a. New Maximum Front Yard Setback 7m
b. Minimum Common Amenity 12 sq.m. per unit
c. New defined minimum private amenity area required 5 sq.m per unit

IMPACT: Proposed provisions create unreasonable challenges for site design. A Front Yard setback greater than 7m may be required to achieve average grade around a building, accommodate the Fire Department requirement to provide a 5m flat area around a building, to provide the required separation between high groundwater levels and the underside of building elevation, and to match into existing and ultimate grades of existing roads. The required ratio for amenity space is currently 10sq.m per unit. The proposed requirement of 17sq.m./unit combined represents an increase of 70%. Buildings will need to become smaller resulting in a loss of residential units to accommodate the high ratio of common amenity area per unit. In many instances, sites are located within close proximity to public parks where residents have opportunities to access greenspace and enjoy the outdoors. As well, access to trails within Environmental Protection lands and around Stormwater Management Ponds.

As an example, Elements site plan would no longer be permitted under the provisions proposed by the MR2 zone. The front yard setback is 15.6m vs the allowable 7m maximum front yard setback, and the provided amenity area is made up largely by private amenity areas on balconies which would not satisfy the onerous common amenity area requirements proposed.

SOLUTION: **Delete new provision for maximum front yard setback and new provisions distinguishing common and private amenity area requirements. Furthermore, maintain the ratio for 10sq.m. of amenity area per unit.**

→ 23) CONCERN: **MR2 Building Standards (Section 6.9. Table 41)** Maximum Building Length 65m

IMPACT: We are not aware of any criticism related to the length of mid-rise buildings that have been constructed in the City. Imposing a length limit of 65m on the built form will hinder site design, result in a loss of residential units, and increase housing costs. Tapering buildings may result in a larger number of smaller buildings, requiring an increase in underground parking entrances, and more asphalt areas on sites. As an example, the buildings constructed at the Manhattan, Gallery and Junction sites exceed

this maximum length provision, as well as three of six buildings in Bistro 6 Condos, all buildings in Elements site plan, and all buildings in Hewitt's South.
SOLUTION: Delete maximum building length provision.

→ 24) CONCERN: **Definitions (Section 15)**

a. Amenity Area, Common: "means any outdoor amenity area which is a common area available to occupants of the building(s) on the same lot. Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are associated with recreational facilities that are provided and maintained, such as swimming pools, tennis courts, lounges"

   SUGGESTION: "means any outdoor amenity area which is a common area available to occupants of the building(s) on the same lot"

b. Balcony: "means an attached platform projecting from the face of a wall which is directly accessible from within a building, usually surrounded by a balustrade or raining, and generally does not have direct exterior access at grade"

   SUGGESTION: "means an attached platform that may project from the face or be recessed from the face of a wall which is directly accessible from within a building, usually surrounded by a balustrade or raining, and generally does not have direct exterior access at grade"

c. Bicycle Parking Space, Long Term: "means a bicycle parking space located in a locked room within a building or part of building for the exclusive use of parking bicycles"

   SUGGESTION: "means a bicycle parking space located in a locked room within a building or part of building that may be used for the parking of bicycles"

d. Electric Vehicle Ready (Parking): "means a parking space which has energized electrical outlets installed at the time of construction that can support Level 2 charging (208-240 volt power source with a dedicated circuit up to 60amps) of an electric vehicle when a charging station is installed in the future"

   SUGGESTION: "means a parking space which has electrical outlets installed to support installation of a charging station in the future"

e. Landscaped Area: "means open space comprised of lawn and ornamental shrubs, flowers and trees and may include incidental landscaping accessories such as boulders, sculptures, fountains and pond, paths, walkways, patios and hard-surfaced areas. Shall not include parking lots or driveways or any required amenity area and planting buffers"shall not include any required amenity area or planting buffers"

   SUGGESTION: "means open space comprised of lawn and ornamental shrubs, flowers and trees and may include incidental landscaping

accessories such as boulders, sculptures, fountains and pond, paths, walkways, patios and hard-surfaced areas. Shall not include parking lots or driveways"

f. Lane: "means a public or private thoroughfare or way which affords only a secondary means of access to abutting property"

   SUGGESTION: **"means a public or private thoroughfare or way which may afford a primary or secondary means of access to a property"**

g. Multiplex: "means a residential building consisting of two (2), three (3), or four (4) dwelling units functioning independently, which are horizontally and/or vertically attached, and which are entered from an independent entrance directly from the outdoors or from an internal entry vestibule. Units share common facilities such as amenity area, parking and driveway"

   SUGGESTION: "means a residential building that may consist of up to ten (10) dwelling units functioning independently, which are horizontally and/or vertically attached, and which are entered from an independent entrance directly from the outdoors or from an internal entry vestibule. Units may share common facilities such as amenity area, parking and driveway or have exclusive use of amenity area and parking spaces"

h. Open Space: "means an area of a lot that is not occupied by buildings and/or structures and is open to the sky"

   SUGGESTION: "means an area of a lot that is typically not, but may be, occupied by buildings and/or structures and is open to the sky"

i. Planting Buffer: "means open space that is comprised of plantings and other vegetation, however, shall not consist of any required landscaped area, amenity area, and snow storage"

   SUGGESTION: "means a defined area that is comprised of plantings and other vegetation"

j. Rowhouse: "means a residential building divided vertically into three (3) or more separate dwellings units where each unit is located on an individual lot or parcel and shares at least one common wall with an adjacent unit"

   SUGGESTION: "means a residential building that may be divided vertically or horizontally into three (3) or more separate dwellings units where each unit is located on an individual lot or parcel and shares at least one common wall or floor with another unit"

k. Setback: "horizontal distance from a a lot line to a building, structure and parking space"

   SUGGESTION: "horizontal distance from a a lot line to a building, structure"

m. Transparency: "the proportion of windows comprising a Visible Light Transmission (VLT) level of 50% or higher, applicable to any exterior wall of a building (the barrier of a balcony is not considered an exterior wall) facing the front lot line. It is measured by the area of the window glass (excluding sashes, frames, etc.) divided by the area of the exterior wall for that floor of the building. Other forms of transparent materials besides windows (e.g., glass bricks) can be utilized to a maximum of 20% of the transparency requirement"

SUGGESTION: Delete definition entirely

n. Window to Wall Ratio: "means the ratio of window area to non-window area on the face of any building or structure wall. This may include entryways, non-openable windows or similar"

SUGGESTION: "means the ratio of window area to non-window area on the face of any building or structure wall. Window area may include entryways, non-openable windows or similar"

o. Yard, Exterior Side; Yard, Front; Yard, Interior Side; Yard, Rear: "mean open space"

SUGGESTION: The current proposed definition of Open Space "means an area of a lot that is not occupied by buildings and/or structures that is open to the sky". Open space definition must be amended to allow buildings or structures if referenced in yard related definitions, otherwise, homeowners would not be permitted under the Zoning By-Law to construct a shed, pergola, gazebo, or similar. Particularly in a rear yard, construction of buildings or structures should be permitted.

We would be pleased to take part in discussions and next steps forward to provide feedback and input on revisions to the Draft By-Law before the final version is released, that will be presented to Council. In consideration of more affordable housing and Council's strategic initiatives, it is crucial that many proposed provisions be revisited.

Sincerely,

Karen Hansen
Pratt Hansen Group Inc.

Don Pratt
Pratt Development Inc.

Karen Hansen
Hansen Group Inc.

Don Pratt
Crisdawn Construction Inc.



Heljar Hansen
H Hansen Development Inc.

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Matthew Cory
905 513 0170 x116
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November 14, 2024

MGP File: 12-2086

Celeste Kitsemetry, Supervisor of Growth Management
City of Barrie
70 Colliers Street
Barrie, ON L4M 4T5

via email: NewZoningBylaw@barrie.ca / celeste.kitsemetry@barrie.ca

Dear Ms. Kitsemetry:

RE: City of Barrie Draft Comprehensive Zoning By-law
Comments on behalf of DIV Development (Barrie) Ltd.

1.0 Overview

Malone Given Parsons Ltd. ("MGP") are the planners for DIV Development (Barrie) Ltd. ("DIV"), who own approximately 80 hectares of land located north of Lockhart Road and west of Sideroad 20 (the "Subject Lands"), legally described as Part of Lot 20, Concession 11 within the area known previously as the Hewitt's Secondary Plan in the City of Barrie (the "City").

We provided comments to the City on April 28, 2023, and have subsequently made applications for subdivision zoning on the property. Further to our prior comments and our submitted zoning application, we are requesting a site-specific zoning be approved on the property consistent with our draft zoning bylaw and to implement the draft plan of subdivision.

We thank the City for making revisions to the bylaw based on our prior comments. In particular, the removal of the Greenspace zone and incorporation into the NL2 zone is appropriate, the change of zoning to the NL2 from the NL1 zone provides zoning standards that are generally more aligned with our proposed development, which is based on the standards permitted in the Hewitt Secondary Plan area.

With the new reconfiguration of the bylaw, we have additional comments we would as to be addressed prior to finalizing the bylaw.

The prior comment letter, draft plan of subdivision and zoning bylaw amendment are attached to this letter. The remainder of this letter identifies additional comments on the draft zoning bylaw.

2.0 Comments on the Proposed Zoning for the Subject Lands

The Draft ZBL zones the Subject Lands Neighbourhood Area Low 2 (NL2), Environmental Protection Area (EP) and Community Hub Neighbourhood (CHN), generally aligned with the

corresponding land use designation boundaries of the Barrie OP. The subject property depicted on the Draft Zoning Map is shown on Figure 2.1 below.

Figure 2.1: Proposed Draft ZBL Map



2.1 Neighbourhood Low Zones

In reviewing the Neighbourhood zones proposed, there have been significant improvements from prior drafts in permitting a range and mix of uses.

The change of zoning from NL1 to NL2 on the subject lands provides zone standards and residential unit permissions that are more in line with the prior zoning permissions and development proposed on the subject lands.

Table 23 provides the permitted building types in Neighbourhood Zones, where the note appears to require that detached, semi-detached, rowhouse, on-street and back-to-back buildings are only permitted when fronting onto local roads. This requirement should be removed from the zone table as it would mean that only rear access rowhouses and low-rise buildings would be permitted on a collector road, which is too restrictive, particularly on minor collector roads. At minimum, the note should be revised to permit these types of uses on both

local and MINOR COLLECTOR roads, and driveways on these types of collectors are appropriate given the similar function they have to local roads in the road hierarchy.

We also believe it is appropriate to permit Townhouse Cluster in the NL2 zone. The proposed development will contain back-to-back townhouses, and could include stacked and back-to-back stacked townhouses. We believe that including these units will provide flexibility to deliver a full range of housing options in the zone, in keeping with the Official Plan and Provincial Planning Statement policies.

In addition, there appears to be no clear permissions for additional dwelling units in the NL2 zone. These units either take the form of basement apartments, garden suites, granny-flats over rear garages, or units within another dwelling. The Planning Act permits these units within detached, semi-detached, and rowhouses. The bylaw should be amended to provide permissions for these uses, and provide exceptions to zoning provisions (particularly coverage and yard requirements) to permit them.

The latest Draft ZBL continues to propose zone standards for each residential built form that, in some instances, are still more restrictive than the existing Barrie Zoning By-law 2009-141 ("ZBL 2009-141"). As the zone standards for the Hewitt's and Salem Secondary Plan areas were only approved in 2017 after significant background study for the development of these annexed lands, the standards within ZBL 2009-141 should be maintained within the Draft ZBL.

5.7 specifies that primary residential entrances shall not exceed 1.2m from the finished grade of the front yard. This provision should be revised to revised to refer to the finished grade of the front façade of the building as the finished grade of the front yard can vary significantly on deeper lots or those with split grading.

The Coverage requirement should be removed as the yard requirements provide an appropriate building envelope for lots win the NL2 zone, and the coverage maximum could inadvertently prohibit additional dwelling units such as garden suites.

Front yard setback minimum should be 3m only allowing more variation in building line on a street.

The requirement for 3m interior side and rear yard setbacks for a coach house should be removed if a coach house could include a garden suite.

2.2 Residential Built Form Definitions

We remain concerned that the definition of a cluster rowhouse unintentionally provides for buildings without frontage onto a public or private street. The proposed definition in the Draft ZBL states "*Means a **rowhouse** situated on a **lot** in such a way where at least one (1) **dwelling unit** does not have **frontage** on a **street**. May include stacked and back-to-back **dwelling units**.*".

We request that the definition be revised to reflect the existing definition within ZBL 2009-141: *"Townhouse Development, Block/Cluster shall mean a minimum of 3 dwelling units which are attached at the main wall above and below grade."*, which is clear and removes any

reference to legal frontage or access to a street, as it does not assist in the interpretation of this built form.

2.3 Back-to Back and Stacked Rowhouses Not Clearly Defined

The definition of "Rowhouse" states that "Rowhouses may be stacked" however stacked townhouses are not explicitly defined, nor are there provisions within Section 5.4 Neighbourhood Low zones that regulate stacked townhouses. There is also no definition of back-to-back Townhouses, in the definitions they are only references in regard to Townhouse, Cluster, yet they are separately listed as a use in Table 23 under townhouses. Further, Section 4.3.3.2 provides regulations relating to private amenity areas and refers to stacked rowhouses and stacked back-to-back rowhouses but neither of these built form terms are used within the rest of the Draft ZBL. We request that the Draft ZBL be amended so that terms are applied consistently throughout. In this regard, it will be helpful to include a definition for "stacked rowhouses" and "stacked back-to-back rowhouses" with the corresponding zone provisions in Section 5.4 to regulate them. We request that the definition be revised to be consistent with the current ZBL 2009-141 definition of "stacked townhouse development": *shall mean either block/cluster townhouse development or street townhouse development in which 1 unit is located above another unit, no more than 3 storeys in height with no common enclosed corridor system*.

The Barrie OP site-specific policy 2.8.8 permits all forms of townhouse dwellings on the Subject Lands. We also request that stacked and cluster rowhouses be added as a permitted use to the NL2 zone and for the Subject Lands.

To assist the City, we have provided our draft zoning bylaw amendment with zone standards for stacked and rear-lane townhouses (rowhouses.)

2.4 Community Hub Zone Provisions

A Community Hub is identified on the southern, central portion of the Subject Lands, consistent with the former Hewitt's Secondary Plan need for an elementary school in this location.

In accordance with the Barrie OP, Section 10, Community Hub Zone, permits Residential uses as a secondary use in Table 10-1, Permitted Uses. The Draft ZBL is not in conformity with the Barrie OP as it only permits residential uses as an accessory use in the Community Hub zone. We request that residential use be a PRIMARY USE within the Community Hub zone to align with the Barrie OP policies. Further, given the adjacent NL2 zone surrounding the Community Hub on the Subject Lands, it would be good planning and allow for a more consistent streetscape to permit the same built forms as the adjacent lands if the school is not required.

3.0 Comments on the General Provisions of the Draft ZBL

Section 4 of the Draft ZBL provides general provisions related to all lands and zones, and as such we offer comments below on this section as they relate to the Proposed Development only.

3.1 Infrastructure and Public Service Facilities should be permitted in all zones

The revised zoning bylaw removes Greenspace zones from the subject property, which we support. However, this zone is the only zone that appears to permit stormwater management facilities. The uses permitted in all zones in section 3.3.3 should clearly identify that infrastructure, stormwater management facilities, trails, and public service facilities should be permitted in all zones of the bylaw. Moreover, the permitted uses in Neighbourhood Zones contained in Table 22 do not list infrastructure or stormwater management facilities, so without clear permissions, it is unclear whether these essential uses would be permitted throughout the proposed development.

3.2 Planting Buffers

Section 3.3.4 requires a "a) A contiguous planting buffer of a minimum width of 3 metres shall be provided: … iii. Along abutting lot lines of all zones adjacent to Environmental Protection **zones**."

This requirement should be removed for the Subject Lands, or an exception provided in 3.3.4 for Neighbourhood Zones as the boundaries of the Environmental Protection Area zone already include a 30 metre buffer from the Natural Heritage System as delineated through extensive natural heritage study and fieldwork conducted as part of the Hewitt's Secondary Plan as well as the Proposed Development.

The additional requirement for 3m of planting in the rear or side yards of new homes is both unnecessary and undermines the efficient use of land and achievement of density in the NL2 zone, and could preclude the provision of parking or additional dwelling units.

3.3 Definition of Lane

The Draft ZBL defines "lane" as: "*a public or private thoroughfare or way which affords only a secondary means of access to abutting property*". This definition should be revised to remove any reference to being a "secondary means of access" as it restricts certain residential built forms (such as rear lane access townhouses or secondary laneway suites) where a lane may be the primary means of vehicular access for a residential unit.

3.4 Driveways

4.5.1 a) requires that a driveway may be a maximum width of 60% of the lot frontage in Neighbourhood Zones. This requirement should be removed as more dense forms of housing permitted in the NL2 zone could have driveways that could be 80-100% of the lot frontage, particularly for townhouses, back-to-back housing forms and small lot detached homes.

3.5 Parking Requirements

We support and encourage the City to continue to require 1 parking space per Dwelling Unit in District 5 (all Other Lands) as this provides flexibility to deliver a number of housing options, including the ability to integrate additional dwelling units.

We do not support the requirement contained in 4.6.4 which requires detached, semi-detached, row houses, and additional dwelling units to provide all required parking spaces as electric vehicle read parking. This requirement goes beyond the building code, and moreover would add excessive cost to home construction for little gain. The total fleet that drives electric vehicles is small (under 10% of new vehicle registrations) and requiring 100% of all new spaces to be ready is not appropriate.

4.0 Comments made by the Hewitt's Landowner Group

We have also reviewed the detailed comments provided by the landowners group and concur with and support these comments and believe they provide a much more overall functional bylaw.

5.0 Conclusion

We thank you for the continued opportunity to provide comments on the Draft ZBL. In this letter, we have focused on highlighting our primary concerns regarding the Subject Lands, understanding that there will be a subsequent iterative process to review and revise the Draft ZBL before enactment. We reserve our rights to provide further comments on the Draft ZBL and subsequent drafts and respectfully request that DIV and MGP are notified of all future Council meetings and public consultation opportunities to discuss the Draft ZBL.

Please contact me at any time to discuss our comments or arrange a meeting if you would like to discuss the comments in this letter.

Yours very truly,
Malone Given Parsons Ltd.



Matthew Cory, MCIP, RPP, PLE, PMP, Principal

cc. *Client*
attch: April 28, 2023 comments
Draft Dorsay Zoning Bylaw and Draft Plan of Subdivision

Matthew Cory
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April 28, 2023

MGP File: 12-2086

Jennifer Roberts, Manager of Strategic Initiatives, Policy and Analysis,
Development Services
City of Barrie
70 Colliers Street
Barrie, ON L4M 4T5

via email: NewZoningBylaw@barrie.ca / jennifer.roberts@barrie.ca

Dear Ms. Roberts:

RE: City of Barrie Draft Comprehensive Zoning By-law
Comments on behalf of DIV Development (Barrie) Ltd.

1.0 Overview

Malone Given Parsons Ltd. ("MGP") are the planners for DIV Development (Barrie) Ltd. ("DIV"), who own approximately 80 hectares of land located north of Lockhart Road and west of Sideroad 20 (the "Subject Lands"), legally described as Part of Lot 20, Concession 11 within the area known previously as the Hewitt's Secondary Plan in the City of Barrie (the "City").

DIV has filed conformity review applications (the equivalent of a fulsome pre-application consultation) and met with the City regarding its upcoming draft plan of subdivision and zoning by-law amendment applications in order to develop the Subject Lands for a range of low and medium density residential uses, a school, and various parks and open spaces (the "Proposed Development").

MGP has reviewed the City's first draft of its comprehensive zoning by-law ("Draft ZBL"), released in March 2023, as it relates to DIV's applications and the Proposed Development. We are concerned that the Draft ZBL does not fully implement the City's recently approved Official Plan ("Barrie OP") for the Subject Lands, particularly as it relates to the site-specific modifications for the Subject Lands approved by the Minister in its decision dated April 11, 2023.

This letter highlights our primary concerns regarding the Draft ZBL. We kindly request that staff take these concerns into consideration while preparing the second draft of the Draft ZBL. Further, we request confirmation that any zoning by-law amendment application for the Subject Lands (amending the current in-force zoning by-laws) will be appropriately carried forward and reflected in the new comprehensive zoning by-law at the time of enactment, should the amendment application be submitted prior to its enactment.

As DIV finalizes and submits its proposed draft plan of subdivision to the City, we may provide further comments on the Draft ZBL to ensure that the zones and provisions are consistent with the proposed draft plan of subdivision.

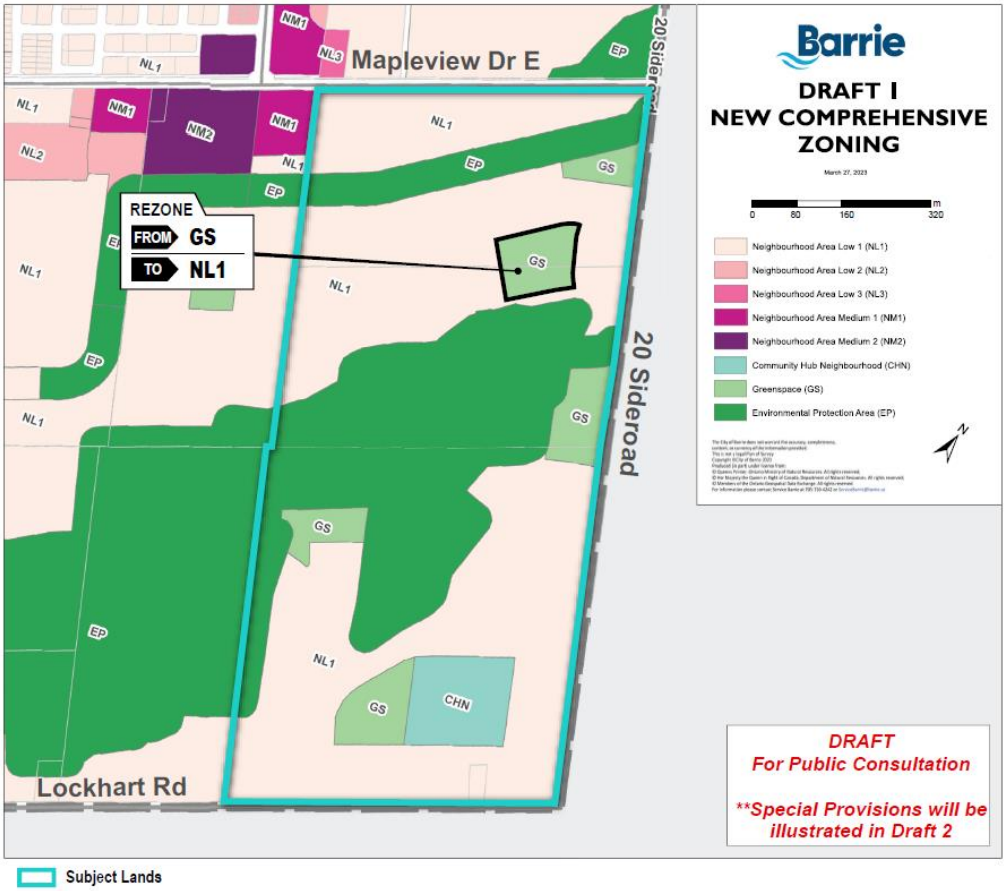
2.0 Comments on the Proposed Zoning for the Subject Lands

The Draft ZBL zones the Subject Lands Neighbourhood Area Low 1 (NL1), Environmental Protection Area (EP), Greenspace (GS), and Community Hub Neighbourhood (CHN), generally aligned with the corresponding land use designation boundaries of the Barrie OP.

Site-specific policy 2.8.8 of the Barrie OP permits the Subject Lands to be developed with "single and semi-detached dwellings, and all forms of townhouse dwellings, in addition to the uses permitted in the Neighbourhood Area designation in section 2.6.1.1 and the Community Hub designation in section 2.6.4.1". The Proposed Development generally locates the Greenspaces in conformity with Map 2 of the Barrie OP. However, the Draft ZBL identifies one Greenspace block north of the central Environmental Protection Area that has been designated for residential dwellings in accordance with the Hewitt's Secondary Plan for the area, approved in 2016, and the background studies related to the secondary plan locating proposed parks.

We request that the Draft ZBL map be revised as shown in Figure 2.1 below so that the Greenspace zone not previously identified in the Hewitt's Secondary Plan and on the proposed draft plan of subdivision for the Subject Lands are zoned Neighbourhood Area Low 1 (NL1).

Figure 2.1: Proposed Revision to Draft ZBL Map



2.1 Form-Based Zoning Approach and Proposed Residential Zoning Standards

In reviewing the Neighbourhood zones proposed, we believe that the Draft ZBL is contrary to the City's intention to move to a form-based zoning by-law that promotes a mix of built forms within the same zone. In this regard, there are three separate Neighbourhood Low zones with minor differences between all three. In our opinion, consolidating these three zones into one Neighbourhood Low zone would satisfy the City's intent to encourage a true mix of residential built forms in the same neighbourhood.

Furthermore, the Draft ZBL proposes zone standards for each residential built form that, in some instances, are more restrictive than the existing Barrie Zoning By-law 2009-141 ("ZBL 2009-141"). As the zone standards for the Hewitt's and Salem Secondary Plan areas were only approved in 2017 after significant background study for the development of these annexed lands, the standards within ZBL 2009-141 should be maintained within the Draft ZBL.

For example, a street townhouse under ZBL 2009-141 within the Hewitt's Secondary Plan area requires a minimum lot frontage of 4.5 m, a minimum exterior side yard setback of 2.0 metres, a rear yard setback of 5.0 metres, and a maximum lot coverage of 70%. In Table 5-8 of the Draft ZBL, the same on-street rowhouse requires a minimum lot frontage of 6.0 metres, a minimum exterior side yard setback of 3.0 metres, a minimum rear yard setback of 6.0 metres, and a maximum lot coverage of 65%. No justification has been given regarding the rationale behind the revised standards that now impose greater restrictions on achieving higher densities.

As a general comment, the Draft ZBL identifies two categories of permitted uses: "primary uses" and "secondary uses", which are identified through different symbols within each table of permitted uses. It is unclear what the purpose of this distinction is as neither category of use is defined, nor do there appear to be different use conditions related to each category.

2.2 Residential Built Form Definitions

The Draft ZBL is inconsistent in its use of terminology and forms and should be reviewed for ease of interpretation and application. For example, the definitions for "on-street rowhouse" and "on-street rear access rowhouse" are identical. If these are intended to serve different functions and have different zone requirements, it would assist in interpreting the Draft ZBL if the definitions were clearly differentiated. If there is no practical difference between these two built form types, then there is no need for two separate definitions.

We are also concerned that the definition of a cluster rowhouse unintentionally provides for buildings without frontage onto a public or private street. The proposed definition in the Draft ZBL states "*Rowhouse, Cluster Means a built form type that generally consists of a building with multiple dwelling units oriented on a lot in such a way that at least one (1) dwelling unit does not have legal frontage on a street and does not have direct vehicular or pedestrian access to same*".

We request that the definition be revised to reflect the existing definition within ZBL 2009-141: *"Townhouse Development, Block/Cluster shall mean a minimum of 3 dwelling units which are attached at the main wall above and below grade."*, which is clear and removes any reference to legal frontage or access to a street, as it does not assist in the interpretation of this built form.

2.3 Stacked Rowhouses Not Clearly Defined

The definition of "Rowhouse" states that "Rowhouses may be stacked" however stacked townhouses are not explicitly defined, nor are there provisions within Section 5.4 Neighbourhood Low zones that regulate stacked townhouses. Further, Section 4.3.3.2 provides regulations relating to private amenity areas and refers to stacked rowhouses and stacked back-to-back rowhouses but neither of these built form terms are used within the rest of the Draft ZBL. We request that the Draft ZBL be amended so that terms are applied consistently throughout. In this regard, it will be helpful to include a definition for "stacked rowhouses" and "stacked back-to-back rowhouses" with the corresponding zone provisions in Section 5.4 to regulate them. We request that the definition be revised to be consistent with the current ZBL 2009-141 definition of "stacked townhouse development": *shall mean either block/cluster townhouse development or street townhouse development in which 1 unit is located above another unit, no more than 3 storeys in height with no common enclosed corridor system*.

The Barrie OP site-specific policy 2.8.8 permits all forms of townhouse dwellings on the Subject Lands. We also request that stacked rowhouses be added as a permitted use to the NL1 zone and for the Subject Lands as it is a compatible built form to the other NL1 permitted uses.

To assist the City, we have provided in the table below the proposed zone provisions for stacked townhouses within the Subject Lands, based on the comparable provisions within ZBL 2009-141, and which DIV will be seeking to apply as part of its zoning by-law amendment application.

Standard	**Stacked Rowhouse**
Lot Frontage (min)	5.5 m
Front Yard Setback (min.)	3.0 m
Exterior Side Yard Setback (min.)	2.0 m
Interior Side Yard Setback (min.)	0 m
End Unit Interior Side Yard Setback	1.2 m
Rear Yard (min.)	5.0 m
Landscaped open space (min. % of lot area)	0%
Minimum General Amenity Area per Unit	0 m^2
Lot Coverage (max. % of lot area)	n/a
Gross floor area (max. % of lot area)	250%
Maximum Height Number of Storeys	4
Maximum number of contiguous units in a row	12

2.4 Community Hub Zone Provisions

A Community Hub is identified on the southern, central portion of the Subject Lands, consistent with the former Hewitt's Secondary Plan need for an elementary school in this location.

In accordance with the Barrie OP, Section 10, Community Hub Zone, permits Residential uses as a secondary use in Table 10-1, Permitted Uses. Similar to the comment raised above regarding the Neighbourhood Low zones, it is unclear why there is a differentiation between primary uses and secondary uses. However, the Draft ZBL is not in conformity with the Barrie OP as it only permits low-rise buildings, flex buildings, and accessory rowhouses within the permitted forms of the Community Hub zone. We request that all forms of residential built forms be permitted forms within the Community Hub zone to align with the Barrie OP policies. Further, given the adjacent NL1 zone surrounding the Community Hub on the Subject Lands, it would be good planning and allow for a more consistent streetscape to permit the same built forms as the adjacent lands if the school is not required.

3.0 Comments on the General Provisions of the Draft ZBL

Section 4 of the Draft ZBL provides general provisions related to all lands and zones, and as such we offer comments below on this section as they relate to the Proposed Development only.

3.1 Stormwater Management Facilities

We are supportive of Policy 4.1.10 which permits stormwater management facilities in all zones; however this policy should clarify that both above-ground and underground facilities are permitted in all zones. Further, given that Policy 4.1.10 applies to all lands, it is unnecessary and redundant to list stormwater management facilities as a permitted use again within the Services and Utility zone.

3.2 Private and Common Amenity Area

Section 4.3.3.2.a) and c) regarding private amenity area appears to restrict such areas to be located on rooftop terraces and should be amended to be more flexible and apply to all residential built forms instead of only stacked, back-to-back, or stacked back-to-back rowhouses. For example, rear access rowhouses may also locate private amenity areas on balconies, rooftops, or in a front yard however the regulations of Section 4.3.3.2 currently prohibit this.

3.3 Landscaped Areas and Natural Heritage Areas

Section 4.10.a) requires a "continuous tight board fence with a minimum height of 2.0 metres" to be constructed along a lot line abutting a Neighbourhood zone. It is unclear if this provision applies to lands zoned Environmental Protection Area and should be clarified as it may be inappropriate to erect fences within these areas. Further, Section 4.10.c) requires a 15 metre landscaped buffer area to be provided along a lot line within the Environmental Protection Area. This requirement should be removed for the Subject Lands as the boundaries

of the Environmental Protection Area zone already include a 30 metre buffer from the Natural Heritage System as delineated through extensive natural heritage study and fieldwork conducted as part of the Hewitt's Secondary Plan as well as the Proposed Development.

3.4 Definition of Lane

The Draft ZBL defines "lane" as: "*a public or private thoroughfare or way which affords only a secondary means of access to abutting property*". This definition should be revised to remove any reference to being a "secondary means of access" as it restricts certain residential built forms (such as rear lane access townhouses or secondary laneway suites) where a lane may be the primary means of vehicular access for a residential unit.

4.0 Conclusion

We thank you for the opportunity to provide comments on the Draft ZBL. In this letter, we have focused on highlighting our primary concerns regarding the Subject Lands, understanding that there will be a subsequent iterative process to review and revise the Draft ZBL before enactment. We reserve our rights to provide further comments on the Draft ZBL and subsequent drafts and respectfully request that DIV and MGP are notified of all future Council meetings and public consultation opportunities to discuss the Draft ZBL.

Please contact me at any time to discuss our comments or arrange a meeting if you would like to discuss the comments in this letter.

Yours very truly,
Malone Given Parsons Ltd.



Matthew Cory, MCIP, RPP, PLE, PMP, Principal

cc. Client

Bill No. XXX

BY-LAW NUMBER 2024- XXX

A By-law of the Corporation of the City of Barrie to remove the lands described as Part of Lot 20, Concession 11 from the Corporation of the Town of Innisfil By-law 054-04, as amended, and to incorporate the lands into the Corporation of the City of Barrie By-law 2009-141, as amended.

WHEREAS the Council of the Corporation of the City of Barrie may pass by-laws pursuant to Section 34 of the Planning Act, R.S.O 1990, as amended;

AND WHEREAS the Council of the Corporation of the City of Barrie has determined a need to rezone lands described as Part of Lot 20, Concession 11;

AND WHEREAS the Council of the Corporation of the City of Barrie deems the said application to be in conformity with the Official Plan of the City of Barrie, as amended, and deems it advisable to amend By-law 2009-141.

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

1. **THAT** the Zoning By-law Map, is hereby further amended by rezoning the above described lands from "Rural Residential (RR)", "Agricultural (AG)" and "Environmental Protection (EP)" in the Corporation of the Town of Innisfil By-law 054-04, to "Neighbourhood Residential (R5)", "Neighbourhood Multiple Residential Zone – Special Provision No. XXX (RM3 (SP-XXX))", "Open Space – SWM (OS-SWM)", "Open Space – Special Provision No. XXX (OS (SP-XXX))", "Educational-Institution – Special Provision No. XXX (I-E (SP-XXX))", and "Environmental Protection (EP)" in the City of Barrie Zoning By-law 2009-141, in accordance with Schedule "A" attached hereto.
2. **THAT** notwithstanding any other provision of this by-law as amended, for the lands zoned "Neighbourhood Multiple Residential Zone – Special Provision No. XXX (RM3 (SP-XXX))", the following provisions shall apply:
    a. Notwithstanding the provisions set out in Table 14.5.6 – Residential Standards, the following shall apply to a Stacked Townhouse in the Neighbourhood Multiple Residential Zone RM3:

Neighbourhood Multiple Residential Zone RM3	
Standard	**Stacked Townhouse**
Lot Frontage (min)	5.5 m

Front Yard Setback (min.)(1)	3.0 m
Exterior Side Yard Setback (min.)(1)	2.0 m
Interior Side Yard Setback (min.) one side	0 m
Interior Side Yard Setback (min.) opposite side	0 m
Interior Side Yard Setbacks where balconies or terraces face the side property line	n/a
Rear Yard (min.)	5.0 m
End Unit Interior Side Yard Setback	1.2 m
Landscaped open space (min. % of lot area)	0%
Minimum General Amenity Area per Unit	0 m^2
Lot Coverage (max. % of lot area)	n/a
Gross floor area (max. % of lot area)	250%
Maximum Height (Number of Storeys)	4
Maximum number of contiguous units in a row	12

Notes:

(1) A building, porch or balcony, with or without a foundation, may encroach into the front yard setback or exterior side yard setback up to 1.0m of the daylight triangle.

b. Notwithstanding the provisions set out in Table 14.5.6 – Residential Standards, the following shall apply to a Rear Lane Townhouse in the Neighbourhood Multiple Residential Zone RM3:

Neighbourhood Multiple Residential Zone RM3	
Standard	**Rear Lane Townhouse**
Lot Frontage (min)	4.5 m
Front Yard Setback (min.)(1)	3.0 m
Exterior Side Yard Setback (min.)(1)	2.0 m
Interior Side Yard Setback (min.) one side	0 m
Interior Side Yard Setback (min.) opposite side	0 m
Interior Side Yard Setbacks where balconies or terraces face the side property line	n/a
Rear Yard (min.)	4.5 m to dwelling 6.0 m to garage
End Unit Interior Side Yard Setback	1.2 m
Landscaped open space (min. % of lot area)	0%
Minimum General Amenity Area per Unit	0 m^2
Lot Coverage (max. % of lot area)	75%
Gross floor area (max. % of lot area)	250%
Maximum Height (Number of Storeys)	4
Maximum number of contiguous units in a row	12

Notes:

(1) A building, porch or balcony, with or without a foundation, may encroach into the front yard setback or exterior side yard setback up to 1.0m of the daylight

triangle.

(2) For any lot with a rear lane townhouse, the lot line facing the lane shall be deemed to be the rear lot line.

3. **THAT** notwithstanding any other provision of this by-law, as amended, no setback from a daylight triangle shall be required for any buildings or structures within the Neighbourhood Residential R5 (R5) Zone and the Neighbourhood Residential Multiple (RM3-XXX) – Special Provision No. XXX Zone.
4. **THAT** notwithstanding any other provision of this by-law, as amended, there shall be no maximum driveway width for rear lane townhouses within the Neighbourhood Residential Multiple (RM3-XXX) – Special Provision No. XXX Zone.
5. **THAT** notwithstanding any other provision of this by-law, as amended, for the lands zoned "Institutional Education – Special Provision No. XXX (I-E (SP-XXX))", the following provisions shall apply:
    a. That residential uses shall be permitted in the Institutional Education – Special Provision No. XXX (SP-XXX) zone, in accordance with the Neighbourhood Residential (R5) zone standards.
6. **THAT** notwithstanding any other provision of this by-law, as amended, for the lands zoned "Open Space – Special Provision No. XXX (OS- (SP-XXX))", the following provisions shall apply:
    a. That in addition to the permitted uses in Section 9.2.1, underground stormwater management facilities, municipal services, and stratified parks shall also be permitted.
7. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above-described lands as shown on Schedule "A" to this By-law, shall apply to the said lands except as amended by this by-law.
8. **THAT** this by-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this _ day of _____, 2024.

READ a third time and finally passed this _ day of _____, 2024.

THE CORPORATION OF THE CITY OF BARRIE

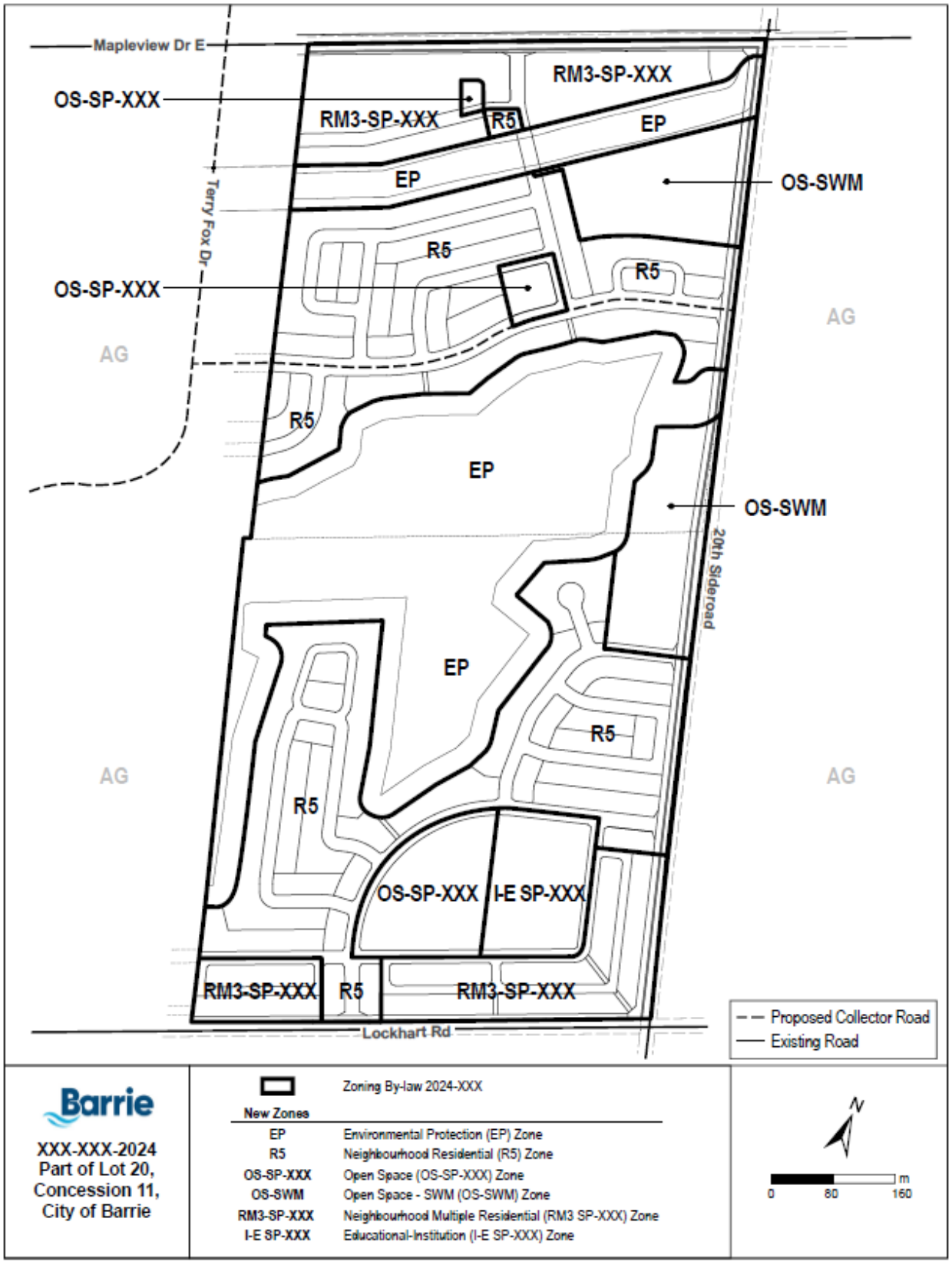
_____

Alex Nuttall
Mayor

_____

Wendy Cooke
City Clerk

Schedule 'A'


Mapleview Dr E
OS-SP-XXX
RM3-SP-XXX
R5
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RM3-SP-XXX
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OS-SWM
Terry Fox Dr
R5
R5
OS-SP-XXX
AG
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EP
OS-SWM
20th Sideroad
EP
R5
AG
AG
R5
OS-SP-XXX
I-E SP-XXX
RM3-SP-XXX
R5
RM3-SP-XXX
Lockhart Rd
Proposed Collector Road
Existing Road
Barrie
XXX-XXX-2024
Part of Lot 20,
Concession 11,
City of Barrie
Zoning By-law 2024-XXX
New Zones
EP Environmental Protection (EP) Zone
R5 Neighbourhood Residential (R5) Zone
OS-SP-XXX Open Space (OS-SP-XXX) Zone
OS-SWM Open Space - SWM (OS-SWM) Zone
RM3-SP-XXX Neighbourhood Multiple Residential (RM3 SP-XXX) Zone
I-E SP-XXX Educational-Institution (I-E SP-XXX) Zone
N
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160

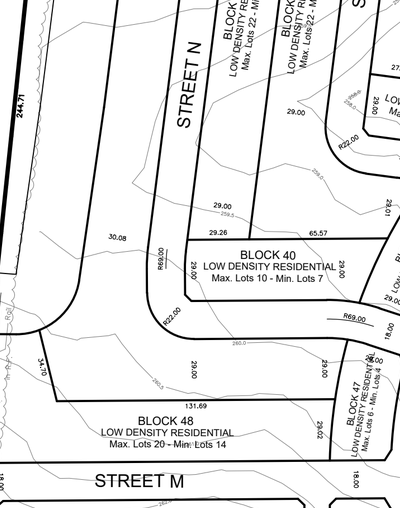
DRAFT PLAN OF SUBDIVISION

Part of Lot 20
Concession 11
City of Barrie
Former Town of Innisfil, now
County of Simcoe

Prepared For:

DIV Development (Barrie) Ltd.

KEY PLAN



SUBJECT PROPERTY

SCHEDULE OF LAND USE

BLOCK	LAND USE	UNITS	AREA (ha)
1-48	11.0m Single Detached - 7.6m Semi Detached	533-757	21.26
49	6.1m Street Townhouses	40	0.70
50-53	6.5m Rear Lane Townhouses	98	1.95
54-57	6.5m B2B Townhouses	126	1.69
58	Medium Density	134	2.42
59	Future Development		1.84
60	Elementary School		2.29
61	Park		2.43
62-63	Parkettes		0.50
66-65	Stormwater Management		5.55
66-68	Natural Heritage System		25.87
69	Pumping Station		0.17
70	To be determined		0.21
71-76	Walkways		0.13
77-79	Road Widenings		1.90
	Public Roads 24.0m R.O.W. 625m 20.0m R.O.W. 955m 18.0m R.O.W. 3,455m 16.0m R.O.W. 60m 12.0m Lanways 1,190m		11.32
Totals	6,285m	931-1155	80.23

OWNER'S AUTHORIZATION

I hereby authorize Malone Given Parsons Ltd. to prepare and submit this Draft Plan of Subdivision to the City of Barrie.

Amanda Santo
DIV Development (Barrie) Ltd.
August 25, 2023
Date

Geoffrey Grayhurst
DIV Development (Barrie) Ltd.
August 25, 2023
Date

SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries of the lands to be subdivided as shown on this Plan and their relationship to the adjacent lands are accurately and correctly shown.

Dan Dzaldov
SCHAEFFER DZALDOV PURCELL LTD.
Date

ADDITIONAL INFORMATION

AS REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT, CHAPTER P.13(R.S.O. 1990).
(a),(e),(f),(g),(j),(l) - As shown of the Draft Plan.
(b),(c) - As shown on the Draft and Key Plan.
(d) - Land to be used in accordance with the Schedule of Land Use.
(i) - Soil is silt and clay loam.
(h),(k) - Full municipal services to be provided.

Date	Revision

MGP File No.: 12-2089
Date: Mar 18, 2024

Malone Given Parsons
140 Renfrew Drive, Suite 201 | Markham, ON | L3R 6B3
905 513 0170 | mgp.ca

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

November 14, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: NewZoningBylaw@barrie.ca
Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: IPS consolidated comment letter
Draft 3 of the City of Barrie Zoning By-law

Since 2004, Innovative Planning Solutions (IPS) has, and continues to be, an active planning consulting firm in the City of Barrie. Throughout this period, IPS has worked with City Planning Officials and the many Councils on a significant number of development applications, while also initiating and participating in many amendments to the City's Comprehensive Zoning By-law (ZBL).

The third draft of a new City-wide Zoning By-law is now posted for public review and feedback. IPS is pleased to submit the following comments on the draft new ZBL. Based on our review of the draft ZBL, supported by review of corresponding Official Plan analysis, we have the following comments for your consideration.

How to Read This Document:

Generally, the feedback within is presented as follows:

Section or Subsections

The provision in question

- The issue and/or the proposed change
    - The rationale behind the proposed change.

General Comments

Why isn't there a definition for *Storey(s)* in the Definitions Section of the By-law?

Why isn't there a definition for *Building Height* in the Definitions Section of the By-law?

Why isn't there a definition for *Floor* in the Definitions Section of the By-law?

Why do minimum and maximum heights in the By-law have a metric requirement / permission and not just a storey requirement / permission?

Amenity Area, Common or *Private:*

- Will the City of Barrie develop guidelines / standards for amenity area design?
    - A guideline document has proven in other municipalities effective for not only assessing compliance with standards and regulations, but it also guides applicants and proponents to design amenity spaces more efficiently and cut down submission / revision timelines.
- There are differing minimums for Amenity Area Requirements in each zone.
    - Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, loss of housing units / density, and less housing affordability.

Section 3.0 – General Provisions

Table of Contents

- Change title of section 3.4.2. to Commercial Vehicles and School Buses
    - This reflects the correct title of the section

Section 3.1

Accessory Buildings and Structure.

We recommend the City of Barrie add language in this section regarding *Accessory Uses*.

- Definition of *Accessory Use:*

- **Recommendation:** The City of Barrie revise the definition of *Accessory Use* to the following:
    - *Means the secondary purpose for which a lot, building or structure is used or intended to be used. Accessory uses are not permitted to be stand-alone, shall be located on the same lot as the principal use and shall not be permitted prior to the establishment of the primary use on the lot.*

      The use of "are only permitted once the primary use is established on a lot" is confusing

Section 3.1.1

Section 3.1.1.a) ii states *"Accessory buildings, and structures are only permitted in the exterior side, interior side, and rear yards, except for attached garages, decks, and porches."*

- We suggest clarifying that attached decks are permitted within the exterior side, interior side, and rear yards

Section 3.1.1.a) iv. states: "*The total lot coverage associated with the permitted building type on site shall include all non-habitable accessory structures*"

- We suggest removing or deleting this section
    - Lot coverage definition would capture all structures regardless of building type. See section 15, page 192.

Section 3.1.1.a) v. states: "*Inground and above ground pools are excluded from the maximum permitted lot coverage"*

- We suggest removing or deleting this section
    - Lot coverage definition would capture the exclusion of swimming pools. See section 15, page 192

Section 3.1.1.a) vi. states: "*All pool equipment must meet the required setbacks noted in Table 4*"

- We suggest removing or deleting this section
    - Pool equipment is not defined and is subject to a wide interpretation. Suggestion is to delete section.

Section 3.1.1.a) vii. states: "*Decks under 1.8 metre in height, both detached and stand-alone, are excluded from maximum lot coverage*"

- We suggest removing or deleting this section
    - Lot coverage definition would capture any deck, regardless if attached or detached. See section 15, page 192.

Section 3.1.1.a) viii. states: "*Notwithstanding Table 4, porches and decks for access to a habitable building are permitted to be setback 3 metres from the front lot line*"

- We suggest removing or deleting this section

- Porches and decks should be permitted within the front yard area “attached” to the main building or use, regardless if providing access to habitable building or not.

Table 4

Rear Yard Setback (minimum) Carport 6m

- We recommend amending to match detached garage rear yard setback of 1.2m
    - There is no reason why a detached garage can be 1.2m from the rear property line and a carport must be 6m from the rear property line. A carport is less building mass than a detached garage. This could cause increased minor variances as the standard is inconsistent with other similar built forms.

Building Area (minimum) attached and detached garage 22 sq m

- We suggest removing or deleting this section
    - The minimum size of a parking space as stipulated by the zoning bylaw is 2.7m x 5.5m resulting in 14.85m2 in area. If an oversized space was used at 3m x 6m resulting in 18m2 is less than the required 22m2 garage size. Minimum requirements for attached and detached garages should be removed, or at minimum, align with parking space size requirements.

Building height (maximum) Carport 4m

- We recommend amending to match the detached garage max height of 4.5m
    - The difference between a detached garage and carport maximum building height of 0.5m should be amended to provide consistency between similar types of built forms.

Table 4 Table Notes

Where an Attached Garage, or deck, is situated with any Rowhouse building, the Interior Side Yard may be reduced to 0 metres on one side.

- We recommend including porch in table notes.
    - The result would be that an attached porch would need to be setback the minimum distance from the common property line between two rowhouse units.

Where an Attached Garage, or deck, is situated with any Semi-Detached building, the Interior Side Yard may be reduced to 0 metres on one side.

- We recommend including porch in table notes.
    - The result would be that an attached porch would need to be setback the minimum distance from the common property line between two rowhouse units.

A porch may encroach into the front yard setback.

- We suggest removing or deleting this section, or modify to include in Table 4.
    - Porches and decks should be permitted within the front yard area “attached” to the main building or use, regardless whether providing access to habitable building or not.
    - The proposed provision does not provide a numerical setback number for porch or deck projection or setback from the front property line.

Section 3.1.2

Section 3.1.2.a) i. states “*Be setback a minimum of 1.2 metres from the rear lot line in the case of a rear-access lot*.”

- We suggest amending to include “and in the case of all other lots be setback X metres”
    - Include additional information in the case of non rear access lots to provide rear yard setback standard for all other lot types. As written, there is no standard for rear yard setback on typical building lots for an accessory structure.

Section 3.1.2.a) iii. states “*The maximum lot coverage of all non-habitable accessory buildings shall be 15% of the total lot area, which is to be included in the total lot coverage calculation for the zone in which it is to be located.*”

- We suggest amending from ‘zone’ to ‘lot’.
    - The removal of the word ‘zone’ and replaced with ‘lot’ is consistent with defined terms as zone boundary can be different than lot boundary. Also, lot coverage and lot area are associated with lot not zone.

Section .3.1.2. b) states “All mechanical equipment that is i. Installed outside of a principal building is deemed an accessory structure to the principal building for the purpose of this By-Law and must be setback a minimum of 0.6 metres from all lot lines.”

- This would grandfather every air conditioner unit that is within the 0.6m side yard setback. It is suggested that air condition units be included in section 3.3.2. Permitted Encroachments to avoid grandfathering.

Section 3.2.1. c) Mechanical equipment is prohibited to locate within the front yard, except in the case of a back-to-back rowhouse, where equipment permitted in a front yard shall be effectively screened from any street.

- This is problematic for equipment that must be placed in the front yard such as electrical utility equipment, gas meters, etc. Equipment necessary for servicing any building should be permitted encroachments and included in section 3.3.2.

Section 3.2.1. h) i. states: “Be located a rear yard”

- Amend to “be located in a rear yard”.

Section 3.1.3

Section 3.1.3. refers to 'street'

- 'Street' is not a defined term. We recommend including street as a defined term.

Subsection j) states "*All vehicular access connecting these areas with a street shall be paved with an asphalt or concrete surface*"

- Modify as necessary to include alterative surface treatments for suitable sites.
    - Provision is problematic to certain sites (eg. industrial) that do not require asphalt or concrete surface treatments for driveways or parking spaces.

Subsection k) states "*All accessory outdoor storage areas must be adequately drained*"

- We suggest removing or deleting this section
    - This is not a zoning bylaw provision and can be addressed through engineering standards/policies as well as OBC or Site Plan Control requirements.

Subsection n) states: "*Accessory outdoor storage shall not exceed 50% of the total gross floor area of the primary building*"

- We suggest amending this section from "50%" to "100%"
    - Provision is too onerous, specifically for industrial sites

Section 3.2.1

Subsection c) states: "*If a mid-rise building is required to provide non-residential uses, a minimum of 50% of the frontage along a street, or common amenity area, shall be for non-residential uses, but shall not be used for commercial parking, an underground parking structure, or above-ground parking structure, or surface parking lot.*"

- We recommend amending percentage from 50% to 25% to be consistent with section 3.2.1.a). 50% is excessive as a base requirement.

Section 3.2.2

Subsection a) i. states: "*They are located on a lot with a shared lot line a Neighbourhood Low zone in which case the building height above the fourth (4th) storey shall not exceed an angular plane of 45 degrees, as measured from the shared lot line at street level, from any lot in the adjacent Neighbourhood Low zone.*"

- We recommend modifying for clarification purposes to "~~They are~~ located on a lot ~~with a shared lot line~~ abutting a Neighbourhood Low zone in which case the building height above the fourth (4th) storey shall not exceed an angular plane of 45 degrees, as measured from the ~~shared~~ lot line abutting a Neighbourhood Low zone at street level, ~~from any lot in the adjacent Neighbourhood Low zone.~~"

Section 3.2.4

Subsection a) states "*A 3 metre step-back shall be provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street as shown in Figure 2*"

- We recommend amending to 1.5 m step-back
    - A 1.5m setback provision is consistent with other municipal bylaw provisions, while providing building articulation in a functional manner.

Table 5

Amenity Area Requirements are: Common Amenity 8 sq. m per dwelling unit, Private Amenity 5 sq. m per dwelling unit.

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Table 6

Rowhouse Cluster, Dwelling unit width 6m

- Recommend modifying to 4.5 minimum
    - Modification to align rowhouse cluster with table 29, page 91 that requires a minimum dwelling unit with of 4.5m. This table (6) does not indicate a minimum or maximum provision and should be amended to align with the NL3 zone provisions in Table 29.

Section 3.2.6

Subsection b) iii states: "*Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are accessory to recreational facilities, such as swimming pools, tennis courts, lounges, etc.*"

- Should be modified to "Building rooftops, patios and decks may be included as part of the common amenity area if associated with the primary use of the building or lot"

- Modification to remove requirement for common amenity area on rooftops, patios and decks to be associated with recreational facilities and include connection to use of the building or lot for which is it intended for. This allows for design flexibility without having the requirement for recreational facilities.

Subsection c) ii states: "*Be accessible from each dwelling unit*"

- We suggest removing or deleting this section
  - The definition for private amenity states: Means any outdoor amenity area which is only accessible by a singular unit. This may include balconies, decks, terraces, etc.
  - Adding the word 'dwelling' to the definition would remove the need for further clarification in section 3.2.6.c. ii. A singular unit could be interpreted as dwelling unit or other form of unit.

Subsection c) iii states: "*Be defined by a wall or fence between adjacent dwelling units*"

- We suggest removing or deleting this section
  - This can be included in urban design guidelines as requiring a wall or fence between adjacent units is too onerous and removes design possibilities.

Subsection c) iv states: "*Provide a minimum distance of 3.0 metres between a private amenity area and a wall of another building containing windows of habitable rooms which face the private amenity area*."

- We suggest removing or deleting this section
  - Similar to section 3.2.3.c) iii. Providing separation distances should not be the only design element utilized to separate private amenity from other habitable space (eg. vegetation screening, fencing, etc).

Subsection c) v states: "*Notwithstanding 4.19.2.ii), private amenity areas for ground level dwelling units in back-to-back, stacked and stacked back-to-back rowhouses may be provided in the front yard within an unenclosed porch or balcony with no privacy screen. Private amenity areas for dwelling units below finished grade shall have a maximum 50% first storey projection above the below grade patio*"

- Modify to remove "*Notwithstanding 4.19.2.ii)"* as it does not exist within the draft Bylaw.
- We recommend modification to allow for private amenity in front yard regardless of design feature.

Subsection c) vi states: "*Private amenity areas for above grade dwelling units in back-to-back, rowhouses and stacked back-to-back, rowhouses shall consist of a balcony and be defined by a wall or railing between adjacent units to a height of 1.8 metres and to provide a minimum balcony depth of 1.8 metres*"

- Modify to state they may consist of a balcony

- Requiring specific building types and uses to possess a balcony reduces design flexibility and reduces flexibility in providing private amenity space for each unit in a variety of design forms, where the By-law is stipulating only one.

Subsection c) vii. states: "*Private amenity areas may not be used for, or contribute to, the required common amenity area.*"

- We recommend removing or deleting this section.
    - This section is not necessary as section 3.2.6.b) iv. covers that common amenity areas are not part or included in private amenity areas.

Subsection d) states: "*A balcony must remain open on all sides except those along an exterior wall to which it is attached, or where a separation for balconies between adjacent dwelling units is required*"

- We recommend removing or deleting this section.
    - Similar to section 3.2.6.c) iv or row item # 32 of this table, providing separation distance from habitable space to private amenity which can be on a balcony limits design features of the building, and separation distance is only one form of design that can provide buffering. Requiring the balcony to be open on all sides except along an exterior wall reduces private amenity design flexibility.

Subsection e) states: "*a balcony must be fully supported by the building to which it is attached*"

- We recommend removing or deleting this section.
    - This is an unnecessary provision as any balcony, structure, building would require structural support as per the OBC.

Subsection f) states: *"A balcony may not encroach into a street or public right-of-way, unless otherwise permitted in this By-Law."*

- We recommend removing or deleting this section.
    - Unless noted in section 3.3.2 Permitted Encroachments, any structure would not be permitted to encroach into a specific yard or abutting property/street unless permitted within the bylaw. Further to section 3.3.2.c a balcony is required to be no less than 0.6m from the property line.

Section 3.2.7

Subsection b) "*An additional one (1) metre of facing distance is required when below grade entrances and/or below grade private outdoor amenity area is provided*"

- We recommend removing or deleting this section.
    - We do not see merit in requiring an increase in facing distances due to below grade entrances or private outdoor amenity area is provided.

Subsection d) "*A facing distance a minimum of 50% of the standard noted in Table 7: Building Facing Distances is permitted between the principal face and the secondary face of any two (2) buildings*"

- Modify to "A minimum facing distance of 50%"
    - Clarification of wording in provision.
    - Also determining principal face and secondary face could be problematic as per face distance definition in a situation where 2 buildings have the same face widths and heights.

Section 3.2.11

Subsection b) "*A minimum of 50% of the façade of any low-rise building, mid-rise building, or high-rise building, abutting a street, landscaped open space, or amenity area, shall be windows, openings, or similar*."

- Modify from "50%" to "30%"
    - With respect to minimum requirements and energy conservation for building design, it is suggested that the minimum be reduced below 50% as other design elements other than windows assist with attractive building facades while providing energy efficient designs.

Section 3.3.1

d) Where a driveway is provided in the Neighbourhood Low zones, a minimum 1-metre-wide landscaped area is required, immediately adjacent to one side, which must be provided as 50% soft landscaping;

- We recommend removing / deleting or modifying this section.
    - Street rowhouse units where driveways abut each other along the common property line would require the other side to be soft landscaping, meaning a walkway abutting the driveway would not be permitted. This section can be modified to use the definition of landscaped area which allows for hardscape surfaces such as walkways. Refer to landscape area definition.

f) Snow storage is not permitted to be located within the required amenity areas, or planting buffers.

- Revise to "Snow storage is not permitted to be located within any required planting buffers and shall only be permitted to occupy 50% of the required amenity areas."
    - This provision as worded limits available space for snow storage. For context, portions of, or sometimes all of, outdoor amenity areas are typically not used during winter months and indoor amenity is the primary alterative. The ability to provide

snow storage areas within a portion of the outdoor amenity space allows for more efficient utilization of land in general.

g) Snow storage is not permitted within the required landscaped area(s) dedicated to soft landscaping as per 3.3.1.c).

- Revise to “Snow storage is only permitted within the required landscaped area(s) dedicated to soft landscaping where supported by landscape plans to the satisfaction of the City ”.
    - Portions of soft landscaped areas should have the ability to be utilized for snow storage, if City Staff are in agreement that such snow storage would not negatively impact the vegetation within those areas.

Section 3.3.2

d) Notwithstanding any other standards or provisions of this By-law, roof eaves, chimneys, exhaust vents, and bay windows, projecting from accessory structures are permitted in any yard and are not subject to the setback requirements of the zone in which they are located.

- Revise to “Notwithstanding any other standards or provisions of this By-law, roof eaves, chimneys, exhaust vents, and bay windows, projecting from <u>any structure or building</u>, including accessory structures, are permitted in any yard and are not subject to the setback requirements of the zone in which they are located.”
    - This section only pertains to accessory structures and should include any structure and or building.

Section 3.3.3

Permitted Uses in All Zones a) Community Gardens b) Community Mailboxes/Library Boxes, and c) Conservation Uses

- Revise to include Government Services
    - Including government services into this section allows for this defined term and uses to occupy any zone without requiring this defined term to be added to permitted use tables throughout the zoning bylaw.

Section 3.3.4

Subsection iii. Along abutting lot lines of all zones adjacent to Environmental Protection zones

- We recommend removing / deleting or modifying this section.
- Add new section to bylaw when abutting EP zoned lands: That a physical separation be provided along the property line abutting Environmental Protected zones in the form of fencing, bollards, or a continuous vegetative planted buffer

- A 3m wide planting buffer abutting EP zones is unnecessary as the EP zone is protected (typically including buffers already). We recommend the section be modified to provide protection measures when abutting EP zoned lands or portion of lands zoned EP.

Section 3.3.7

Subsection a) Notwithstanding any other standard or provision of this By-law, development shall be setback a minimum of 30 metres from lakes, which shall be measured from the average high-water mark.

- Revise to "Notwithstanding any other standard or provision of this By-law, any primary use, building, or structure shall provide a 30 metre setback from the average high water mark from any lake and a 15 metre setback for accessory structures. Only one (1) accessory structure is permitted within the 30 metre setback area abutting a lake."
    - The LSPP for a Vegetative Protection Zone (VPZ) is 30 m, however, flexibility is provided within urban areas to reduce this requirement to 15 m. Allowing accessory structures to be closer to the lake provides development options without affecting the VPZ.

Section 3.3.8

a) All driveways shall provide sight triangles consisting of an unobstructed triangular area on either side of the driveway, as measured from the point of intersection of the lot line and each edge of the vehicular access on the lot, side of the sidewalk, or curb, whichever is closer to the lot line, and measuring 3 metres by 3 metres.

- Include a policy which states "A sight triangle shall not be required for detached house, semi detached house, multiplex, and rowhouse in the Neighbourhood Low zones."
    - This is problematic to low density residential uses such as single detached, semi, rowhouses, etc. For example, a 3m x 3m sight triangle is not possible on street rowhouses where driveways abut each other along a common property line. This limits the ability to provide a parking space within the allowable driveway. We recommend removing sight triangle requirements for specific low density residential uses.

Section 3.3.10

i) The use of shipping containers for storage and/or moving, including large disposal bins, is permitted in all Neighbourhood Zones for a period of up to 90 days and shall only be located on a driveway.

- Modify to include all zones.
    - This could occur on any site or zone.

Section 3.3.11

a) Notwithstanding any provisions to the contrary, all buildings and structures containing six (6) or more dwelling units shall provide waste receptacles (e.g., garbage bins, recycling bins, and organic waste bins), according to the following standards:

- Revise “6” to “10”
    - Modify number of dwelling units this provision includes to align with Provincial changes regarding site plan control applications.

i. The storage of a waste receptacle, or receptacles, shall be within the primary building, or a permitted accessory building or structure

- Revise to include “including a structure below or partially below grade”
    - This would not permit molok / earthbin style waste collection designs which offer increased waste storage, reduced odor, reduced building impact to site design and abutting lands, and flexibility of waste collection vehicles to be used.

ii. Any accessory building or structure accommodating waste receptables shall not be permitted within the front yard

- Revise to exclude “a structure below or partially below grade”
    - Include clarification that molok / earthbin style waste collection structures are permitted.

iii. Any accessory building or structure accommodating waste receptables shall not be permitted within 10 metres of the front face of the primary building

- Revise to exclude “a structure below or partially below grade”
    - Include clarification that molok / earthbin style waste collection structures are permitted.

iv. The main opening of an accessory building or structure accommodating waste receptables shall not face any street frontage;

- Revise to exclude “a structure below or partially below grade”
    - Include clarification that molok / earthbin style waste collection structures are permitted.

v. All other standards related to accessory buildings or structures contained in Section 3.1 shall apply.

- Revise to exclude “a structure below or partially below grade”
    - Include clarification that molok / earthbin style waste collection structures are permitted.

Section 3.4.1

b) Coach Houses are only permitted in conjunction with a Detached House, Semi-Detached, and/or Rowhouse building type;

- Revise to include “Multiplex”
    - Include multiplex as a permitted use to allow a coach house to be constructed. This would allow development options and flexibility of a multiplex with a coach house as alterative form of dwelling unit option. This is also referenced in section 5.7.2. of the bylaw.

Section 3.4.4

b) Food/refreshment stands are only permitted in the rear and interior side yards;

- Revise to state: “or within the front yard with a setback of X metres from the front lot line”
    - The majority if not all food / refreshment stands are located within the front yard area. Modify section to address and reduce grandfathering for this use.

Section 3.4.9

Outdoor Patios

- Include provision that allows outdoor patios to encroach into required setbacks.
    - This would allow outdoor patios to be flexible in design for each development and to allow them to be placed near points of interest, social areas, and amenity areas.

Section 4 – Parking and Loading

Section 4.6.4 Electric Vehicle Ready Parking (“EVRP”)

(a) Detached, Semi-Detached, and Coach Houses, including any configuration of Rowhouse, and any Additional Residential Units shall provide all required parking spaces as EVRP;

(b) Low-, Mid- and High-Rise Buildings, including Flex-Buildings, shall provide all required parking spaces as EVRP;

- Reduce to 50% of required spaces.*
    - It is very expensive to include live outlets to every single parking space for a new development. This cost will be passed onto consumers in the form of higher prices for the housing.
    - Although EV ownership is increasing, it will be a long time before it reaches 100%. It makes more sense to provide a reduced percentage as a balance between providing this infrastructure and keeping costs down.
    - See below EV requirement chart from other Municipalities.

*EV Requirement in Other Cities Table	
Location	**Requirement**
Mississauga	Singles, semis, street towns, duplex, triplex, back-to-back towns, stacked towns: - 1 of the required parking spaces with an exclusive use garage must be EV ready Condominium, rental apartment, back-to-back and stacked towns without exclusive use garage and/or driveway: - 20% of resident parking (minimum of 1 space) must be EV ready - 10% of visitor parking (minimum of 1 space) must be EV ready
Markham	Where required parking is less than 10 spaces, no requirement Where required parking for all apartment dwellings, multiple dwellings, and all non-residential buildings is 10 or more spaces: - 10% of spaces must be EV charging station spaces - 10% of spaces must be EV charging ready spaces
Kitchener	20% of required parking for multiple dwellings to be EV ready
Ajax	50% of dwelling units to have EV chargers or be EV ready
Waterloo	100% of structured parking spaces for apartments, multi-unit residential buildings, mixed-use buildings, and non-residential buildings must be EV ready For surface parking, parking spaces must be built with a charging device and requirements are based on the number of required parking stalls (see below). For residential parking, half of the required EV stalls shall be visitor parking. - 0-19 – 0 EV stalls - 20-49 – 1 EV stall - 50-84 – 2 EV stalls - 85-119 – 3 EV stalls - 120-149 – 4 EV stalls - 150 or more – 3% of required parking
Toronto	100% of residential spaces in an apartment, mixed-use building, single, semi, town, duplex, triplex, fourplex, or for a secondary or laneway suite (but not including visitor parking) must be EV ready

4.7.2 Car Share

a) Car-share spaces are permitted in any parking lot, commercial parking lot, or parking structure in any zone, and do not contribute to the minimum number of parking spaces required on a lot.

- Allow car share spaces to contribute to the minimum number of parking spaces required on a lot.

- In areas where parking demand is expected to be less than 1 space/dwelling unit, car share can be an effective alternative for residents that do not own their own car.
- A car share parking space may reduce the demand for resident parking since a resident who may only need a car occasionally could live car-free if there is a car share parking space on-site.

4.8 Bicycle Parking

Currently the proposed requirements for a residential building containing 10 or more Dwelling units and any non-residential use are as follows:

> *District 1: No bicycle parking required*
>
> *District 2 and 3: 1 long-term AND 1 short-term space per dwelling unit*
>
> *District 4: 0.2 long-term AND 0.2 short-term spaces per 100 sq m of Gross Floor Area of non-residential use*
>
> *District 5: 0.1 long-term AND 0.1 short-term spaces per 100 sq m of Gross Floor Area or non-residential use*

- The parking ratios are very high for residential uses in District 2 and 3 (2 spaces per dwelling unit).
- More reasonable ratios, based on other municipalities**, would be:
  - Residential (20 units or more):
    - 0.6 long-term spaces per dwelling unit
    - 0.1 short-term spaces per dwelling unit
  - Commercial and other non-residential parking should be based on the use as parking needs vary depending on the use.
  - See comparison chart below highlighting bicycle parking in other municipalities in southern Ontario.

****Bicycle Parking Requirement in Other Cities Table**	
Location	**Requirement**
Mississauga	Residential (20 units or more): - 0.60 long-term - the greater of 0.05 or 0.1 spaces per unit (depending on the zone) or 6 spaces for short-term Non-residential (1000m2 of gross floor area or greater) - Varies depending on the use - Long-term: 0-1 space per 100m2 of GFA - Short-term: 0.1-2 spaces per 100m2 of GFA

Guelph	Residential (10 units or more): Short-term: 0.1 spaces per dwelling unit, 2 spaces minimum - 0.07 in downtown Long-term: 1 space per dwelling unit, 2 spaces minimum - 0.68 in downtown Commercial: - Short-term: 0.2 spaces per 100m2 GFA, 2 spaces minimum - Long-term: 0.1 spaces per 100m2 GFA, 2 spaces minimum Employment: - Short-term: 0.03-0.05 spaces per 100m2, 2 spaces minimum - Long-term: 0.07-0.09 spaces per 100m2, 2 spaces minimum
Ajax	Residential: 0.67 (0.6 long-term plus 0.07 short-term) Office: 0.2 per 100 sq m of space (0.1 long-term plus 0.1 short-term) Commercial: 0.25 per 100 sq m of space (0.05 long-term plus 0.2 short-term) School: 0.12 per 100 sq m of space (0.06 long-term plus 0.06 short-term)
Waterloo	0.60 bicycle parking spaces (0.30 long-term and 0.30 short-term) where a lot contains 20 or more dwelling units Non-residential: bike parking shall be provided at a rate of 10-40% of the required motor vehicle parking spaces (depending on the parking district) – can be long-term or short-term - Increases to 50% where the non-residential building floor area exceeds 2,400 sq m (for all parking districts)
Toronto (Zone 2)	0.75 bicycle parking spaces for each dwelling unit (0.68 long-term and 0.07 short-term)

Section 5 - Neighborhood Zones

Table 22 – Permitted Uses

NL1-NL3 zones permit commercial uses, that front onto an arterial or collector street, however the list of permitted uses excludes "office" uses.

- List "office" as permitted use on Table 22 (section 5.5), and include a table note stating *"(1) Only permitted on lots that front onto an arterial, or collector street in the Neighbourhood Low zones"* to match the OP
    - The majority of the lands in these zones are in the '*Neighbourhood Area'* designation under the Official Plan.

- 2.6.1.1. H) (permitted uses) under the Neighbourhood Area designation in the OP states *"Commercial, including small scale office, provided the use is located on a collector or arterial street as indicated on Map 4b".*

The list of permitted uses excludes "community facilities".

- List "community facilities" as a permitted use on Table 22 (section 5.5).
    - The majority of the lands in these zones are in the '*Neighbourhood Area'* designation under the Official Plan.
    - Section 2.6.1.1. G) (permitted uses) under the Neighbourhood Area designation in the OP permits *"Community facilities"*

Animal-related services are not permitted in the NI & NMR zones

- We recommend listing Animal-related Services as a permitted use in the NI & NMR zones
    - Animal-related services is defined as *"Means the use if any lot, building or structure, relating to the permitting, sheltering or other accommodation, as it pertains to animals, more specifically, domesticated animals kept as pets. Animal-related uses include:*

        i. Animal Boarding Establishment;

        ii. Animal Shelter; and

        iii. Veterinary Clinic. "
    - Animal-related services are permitted in mid-rise zones, strategic employment zones and commercial zones. Given they are permitted in the same building as residential/commercial/employment, there is no land use compatibility issue with including the use within the NI/NMR zones.

Heath Services Facilities are not permitted in the NI & NMR zones

- We recommend listing "Health Services Facility" as a permitted use
    - Health services facilities include doctors and dentist offices. They are permitted in mid-rise zones, strategic employment zones and commercial zones. Given they are permitted in the same building as residential/commercial/employment, there is no land use compatibility issue with including the use within the NI zones.

Table 23 - Permitted Building Types

The NL1 and NL2 zones does not permit Cluster Rowhouses

- Revise Table 23 to permit "Rowhouse, Cluster" in all NL zones.
    - Development and zoning standards should regulate proper development of a property. These zones should not exclude cluster development where it can be logically and reasonably configured, as this built form provides a more attainable

housing option. You should not limit the ability to provide a variety of housing options in City; where it can be accommodated.

The NL3 zone does not permit detached houses

- Revise Table 23 to permit a "detached house" in the NL3 zone.
    - Detached houses should be permitted in all Neighbourhood Low zones to provide sufficient flexibility in built form.

The NL3 zone does not permit On-Street or Back-to Back Rowhouses

- Revise Table 23 to permit "Rowhouse, On-Street, and Back-to Back" in all NL zones. Don't exclude from NL3.
    - 2.6.1.2 (Neighbourhood Area) of the Official Plan supports and encourages all forms of housing, including appropriate forms of intensification and the creation of new residential units.
    - Not logical to prevent light forms of intensification such as this.

The table notes state Detached, Semi-Detached, and Rowhouse, On-Street, and Back-to-Back buildings are only permitted when fronting onto Local Roads, as per Appendix F.

- We recommend removing this in its entirety
    - These uses should be permitted not only on Local roads, if contextually appropriate.

Section 5.7 Zone Standards

Section a) states: "*The elevation of all primary residential entrances shall not exceed 1.2 metres from the finished grade of the front yard***"**

- This should be removed as per provincial legislation
    - This is a design element, which is already included as part of Policy 5.3.3.4 of the Draft UDG "*A maximum 1.2m height (e.g., 5-6 steps) is desired for front entryways or stoops. Exceptions can be made in cases where the water table requires this to be higher."*
    - Urban design guidelines can no longer be mandated as part of the Province of Ontario's Spring 2024 Red Tape Reduction Package

Section b) states: *"The elevation of all primary non-residential entrances shall not exceed 0.6 metres***"**

- This should be removed as per provincial legislation
    - Urban design guidelines can no longer be mandated as part of the Province of Ontario's Spring 2024 Red Tape Reduction Package

Section c) states: *"All pedestrian entrances shall be provided facing the front lot line or exterior side lot line in the case of a corner lot"*

- This should be removed
    - This will limit options for coach houses, secondary entrances, rental units, and side entrances on buildings.
    - Urban design guidelines can no longer be mandated as part of the Province of Ontario's Spring 2024 Red Tape Reduction Package

Section 5.7.2 – Multiplexes

Section b) states "*If a coach house is provided on the same lot as any of the above buildings, it must include at least one (1) of the total four (4) dwelling units permitted."* This wording is not clear.

- Should be re-worded using easier to understand terminology.

Section 5.8 – Table 24: NL1 Standards

The Minimum Lot Frontage for Low Rise Buildings is 30 m.

- We recommend a 20 metre minimum, as such frontage has proven the ability to provide for a low rise building.
    - The current RM2 zone (which permits walk-up [low rise] buildings) has a minimum lot frontage of 21 metres.
    - 30 metre minimum requirement will equate to unnecessary minor variances for low-rise buildings on smaller lots.

The Min. Front Yard Setback: "20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 6 m"

- We suggest removing the wording entirely and establishing clear policy
    - This provision, and further the wording, is going to create issues for compliance review and interpretation.

The Min. Common Amenity area is 10 m2 per dwelling unit for a low-rise building

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.

- Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

The Interior Side Yard Setback (Minimum) is 5.0 metre (low-rise building)

- We suggest a 3.0 metre interior side yard setback for a low-rise building
    - A 3.0 metre setback would allow a landscaped buffer between the building and the side property line, offering appropriate separation.

Section 5.8 – Table 25: NL1 standards

The minimum Dwelling Unit Width is 6.0 m.

- Recommend modifying to 4.5 minimum
    - Modification to align with other Sections of the By-law which require a minimum dwelling unit with of 4.5 metres.

Section 5.9 – Table 26: NL2 standards

The Minimum Lot Frontage for Low Rise Buildings is 30 m.

- We recommend a 20 metre minimum, as such frontage has proven the ability to provide for a low rise building.
    - The current RM2 zone (which permits walk-up [low rise] buildings) has a minimum lot frontage of 21 metres.
    - 30 metre minimum requirement will equate to unnecessary minor variances for low-rise buildings on smaller lots.

The Min. Common Amenity area is 10 m2 per dwelling unit for a low-rise building

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

The minimum Front Yard Setback is *"20% more or less than the Average Front Yard Setback between adjacent lots,* otherwise, 3 m**"**

- We suggest removing the wording entirely and establishing clear policy

- This provision and further the wording is going to create issues for compliance review and interpretation.

The Interior Side Yard Setback (Minimum) is 5.0 m. (low-rise building)

- We suggest a 3.0 metre interior side yard setback for a low-rise building
    - A 3.0 metre setback would allow a landscaped buffer between the building and the side property line, offering appropriate separation.

Section 5.9 – Table 27: NL2 standards

The Interior Side Yard Setback (Minimum) is 5.0 m. (low-rise building)

- We suggest a 3.0 metre interior side yard setback for a low-rise building
    - A 3.0 metre setback would allow a landscaped buffer between the building and the side property line, offering appropriate separation.

Section 5.10 – Table 28: NL3 standards

The Min. Common Amenity area is 10 m2 per dwelling unit for a low-rise building

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Coach House Requirements. This column is blank.

- If there are no min/max requirements, this should be N/A

The Minimum Lot Frontage for a Low-Rise Building is Min. 30 m.

- We recommend a 20 metre minimum, as such frontage has proven the ability to provide for a low rise building.
    - The current RM2 zone (which permits walk-up [low rise] buildings) has a minimum lot frontage of 21 metres.
    - 30 metre minimum requirement will equate to unnecessary minor variances for low-rise buildings on smaller lots.

The Min. Front Yard Setback is “20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 3 m”

- We suggest removing the wording entirely and establishing clear policy
    - This provision and further the wording is going to create issues for compliance review and interpretation.

Section 5.11 – Table 30: NI Standards

The Minimum Lot Frontage for a Low-Rise Building is Min. 30 m.

- We recommend a 20 metre minimum, as such frontage has proven the ability to provide for a low rise building.
    - The current RM2 zone (which permits walk-up [low rise] buildings) has a minimum lot frontage of 21 metres.
    - 30 metre minimum requirement will equate to unnecessary minor variances for low-rise buildings on smaller lots.

The Minimum Lot Frontage for a Mid-Rise Building is Min. 35 m

- Recommend a 30 metre minimum frontage for a mid-rise building.
    - The current RA2-2 zone which permits mid-rise apartments has a minimum lot frontage of 30m.

Amenity Area Requirements (Common and Private)

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham’s requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie’s proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Section 5.11 – Table 31: NI Standards

Building Height – Mid-Rise Building 4 Storeys (14m) Minimum 6 Storeys (21 m) Maximum

- Recommend maximum building height for Mid-Rise buildings of 12 storeys in alignment with the Official Plan.

- This height maximum is not consistent with the Official Plan's direction for properties within Intensification Corridors in the Neighbourhood Area designation (8-storeys).
- There are also instances where the Official Plan designates a property as Medium Density which requires a minimum 6 – 12 Storey building and a density of 125 – 300 UPH.

- This height maximum also conflicts with the definition of Mid-rise building in the By-law as follows: "*MID-RISE BUILDING Means a building that is a minimum of six (6) storeys up to a maximum of twelve (12) storeys in height and includes interior hallways, and an elevator(s)*."

- The current zoning framework would require any development in the future NI zone to go through a Zoning By-law Amendment (ZBA) for any development in excess of 6 storeys, where the Official Plan permits it. This should not be considered appropriate, and represents a significant time and cost prohibition to getting new housing to the market, as has been deemed critical and priority by the Province of Ontario.

Building Length – 60m Maximum

- Remove from By-law and refer to City-wide Urban Design Guidelines.
    - This is an Urban Design specific requirement. The draft City-wide Urban Design Guidelines discourage buildings longer than 90 metres.

Common and Private amenity area requirement

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Section 5.12 – Table 32: NMR standards

The Minimum Lot Frontage for a Mid-Rise Building is Min. 35 m

- Recommend a 30 metre minimum frontage for a mid-rise building.
    - The current RA2-2 zone which permits mid-rise apartments has a minimum lot frontage of 30m.

Amenity Area Requirements (Common and Private)

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Section 5.12 – Table 33: NMR standards

Building Length – 65m Maximum

- Remove from By-law and refer to City-wide Urban Design Guidelines.
    - This is an Urban Design specific requirement. The draft City-wide Urban Design Guidelines discourage buildings longer 90m.

Section 5.13 – Table 34: NC Standards

Minimum Lot Frontage – Min. 30 m.

- Recommend a redline to min 15m of frontage for a mid-rise building.
    - The majority of the properties are currently zoned C4 which permits a min. lot frontage of 15m. Many of the properties proposed to be zoned as NC do not meet the 30m frontage

Amenity Area Requirements (Common)

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Section 6 – Mid Rise Zones

Table 38 & Table 40

Amenity Area Requirements:

Common Amenity (Minimum): 12 sq m per dwelling unit

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Section 7 – UC Zone

Section 7.5 – Table 42: Permitted Uses

Not permitted in UC zones – Bed and Breakfast Establishment

- List "Bed and Breakfast Establishment" as a permitted use for UC on Table 42.
    - Bed and Breakfast establishments represent an opportunity for existing buildings (in-particular Heritage buildings) to be retrofitted. there is no land use compatibility issue with including the use within the UC zone.

Commercial Entertainment – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Commercial Entertainment use.
    - Prohibits stand-alone commercial entertainment facilities. This would prohibit the development of many arts-related (cinema, live theatre, concert hall etc.) buildings as stand-alone buildings and discourages development of the arts.

Commercial School – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Commercial School use.
    - Prohibits stand-alone commercial entertainment facilities. This would prohibit the development of many arts-related (studio of dancing, art school, drama school etc.) buildings as stand-alone buildings and discourages development of the arts.

Commercial Uses – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Commercial use.
    - Prohibits stand-alone commercial stores. Most of the existing commercial buildings within the downtown will be considered legal non-conforming.

Fitness or Health Club – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Fitness or Health Club.
    - Prohibits stand-alone fitness establishments. Discourages health and fitness establishments from developing in the Urban areas

Gaming Establishment – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Gaming Establishment.
    - Prohibits stand-alone gaming establishments. Encourages facilities such as casinos and gambling facilities to be paired with residential uses. These types of uses are generally not seen as complimentary and should be separated.

Restaurant – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Restaurants.
    - Prohibits stand-alone restaurants. Many of the existing restaurants within the Uran area will be considered legal non-conforming. Discourages development.

Retail Store – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Retail stores.
    - Prohibits stand-alone retail stores. Most of the existing retail stores within the Uran area will be considered legal non-conforming. Discourages development.

School – Only permitted if forming part of a mixed-use development

- Revise table 42 to remove table note (1) from Schools.
    - Prohibits stand-alone Schools. It is very rare for a school board to permit a school to be developed as part of a mixed-use building. Discourages development of schools.

Section 7.6 – Table 43 Permitted Buildings and Structures

Only Mid-rise and High-Rise buildings are permitted within the Urban Zones.

- Revise table 43 to include Low-rise and Flex Buildings building types for UT zone.
    - Include additional permitted building types that would help the transition from existing lower neighbourhoods to urban zones. Many existing neighbourhoods including many established low-rise areas would no longer be permitted.

Section 7.7.1 Urban Zones Specific Standards

Entrance Standards for Urban Zones:

a) The minimum number of active entrances to the first storey on the front yard and/or exterior side yard building façade shall be one (1) for every 15 metres of street line but shall not be less

than one (1). For the purposes of calculating the minimum number of building entrances required, any fraction of a building entrance shall be rounded to the next highest whole number; and

b) Entrances shall be at or within 0.2 metres above or below finished grade.

- Remove entrance standards section (7.7.1) and include in Urban Design Guidelines.
    - These provisions are overly specific and will lead to unnecessary amendments. This should be within the urban design guidelines. In many instances specific tenants are not known when zoning is completed which is necessary for the design of building entrances. Additionally, finished grade should not dictate where entrances are located as Barrie is built on a hill and finished grade could be metres/storeys above or below an entrance.

Section 7.7.2 Urban Zones Specific Standards

a) All windows of any building existing within Urban zones on the date of the passing of this Zoning By-Law, or any predecessor thereof, shall be of transparent glass only;

b) No exterior walls of a building constructed of natural stone within the Urban zones shall be covered, in whole or in part, with paint, stucco, metal or other cladding material; and,

c) No window openings of any building existing within the Urban zone on the date of the passing of this Zoning By- Law, or any predecessor thereof, shall be closed with any material except transparent glass.

- Remove from By-law and include in Urban Design guidelines.
    - These are an overstep of the By-law and should be within the Urban Design Guidelines. There are many reasons including privacy and architectural design that would promote variation from transparent glass. Building façade design including natural stone should be left to the owner/designers discretion unless designated as a cultural or heritage asset. This will lead to unnecessary amendments.

Section 7.8 – Table 44: UC Lot, Rad and Amenity Standards

Amenity Area Requirements (Common and Private)

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Section 7.8 – Table 45: Building Standards

Building Height – Mid-rise Buildings have a Minimum of 5 Storeys (17.5 m) and a Maximum of 12 Storeys (42 m).

- Adjust minimum building height of Mid-Rise buildings to 6-storeys
    - Should be updated to be consistent with definition of Mid-rise Buildings in Bylaw and Official Plan which both have a minimum of 6-storeys.

Ground Level Floor Height (Minimum) – 4.5m

- Remove Min ground floor height provision and include in Urban Design Guidelines.
    - This should be within the Urban Design Guidelines and not a zoning regulation. Buildings that do not require large loading spaces or garbage rooms should not be required to conform to a minimum ground floor height.

Section 7.9 – Table 46 UT yard and amenity space

Amenity Area Requirements (Common and Private)

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Building Hight – for Mid-rise Buildings require a 5 Storey (17.5 m) Minimum and 12 Storey (42 m) Maximum

- Adjust minimum building height of Mid-Rise buildings to 6-storeys
    - Should be updated to be consistent with definition of Mid-rise Buildings in Bylaw and Official Plan which both have a minimum of 6-storeys.

Building Length – 65m Maximum

- Remove from By-law and refer to City-wide Urban Design Guidelines.
    - This is an Urban Design specific requirement. The draft City-wide Urban Design Guidelines discourage buildings longer 90m.

Ground Level Floor Height (Minimum) – 4.5m

- Remove Min ground floor height provision and include in Urban Design Guidelines.
    - This should be within the Urban Design Guidelines and not a zoning regulation. Buildings that do not require large loading spaces or garbage rooms should not be required to conform to a minimum ground floor height.

Section 8 – Commercial District Zone Comments

Amenity Area Requirements in Table 50:

- Recommend amenity area requirements consistent with other municipalities across southern Ontario (eg. in the range of 1-5 square metres)
    - Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters.
    - Barrie's proposed amenity requirements significantly exceed these established standards in other nearby municipalities, equating to inefficient use of land, and loss of housing units / density.

Typo (see highlight below) on Table 50 under Amenity Area Requirements > Private Amenity (Minimum) > 5 sq m er Dwelling Unit N/A

Section 9 – Employment Zones

Section 9.5. Table 54 Permitted uses

- Recommend greater land use variety in the EI zone comparable to the existing LI, HI, and GI zone classifications.
- Uses in the EN zone generally capture existing BP, GI zone classifications. Existing RI permitted uses are not provided within the ER zone.
- Reorganize permitted use chart to be alphabetical
    - Concerns with uses removed as a result of the change in zoning from GI to EI zone and from RI to ER. Significant number of uses (13 uses) no longer permitted under the ER zone which are permitted under the RI zone.
    - The ER zone does not include the permitted uses that were "as of right" within the existing RI zone classification which will be lost. Following the new definition of 'employment area' of the PPS, 2024, greenfield sites could be problematic in comparison to existing uses permitted in relation to the City's vision of providing pure employment lands. The Bylaw drastically eliminates as of right permitted uses on un-developed lands.

- Possible solution: Include all permitted uses within the current RI zone in the new ER zone to allow for continued development flexibility.
- City to reduce grandfathering of existing industrial zones changing to new employment zones due to eliminated use permissions.
- Alternative is to appeal to OLT for specific properties based on reduced permitted uses and inability to provide business opportunities.

Section 9.7.2

Accessory Uses in the Employment Zones

- Include within Tables 56, 58 & 60 setbacks abutting Neighbourhood Zones
    - For ease of reference, it is beneficial to include the setback requirements in a chart form rather than a separate section

Section 9.7.2. a i. through iv.

- Modify text for clarity from “maintain” to “require”
    - Provides clarification

Section 9.7.3

Subsection a) i. Have a maximum permitted lot coverage of 40%

- We recommend deleting this section
    - EN zone max coverage is 40% as per table 58. This provision (Subsection 9.7.3 a) is redundant

b) A restaurant use permitted in the Employment Industrial (EI) zone, if:

i. There is only one (1) restaurant on the lot;

- We recommend deleting this section
    - This is too restrictive

ii. It is part of a multi-unit commercial building, or it is a separate building among a group of buildings on the same lot, and;

- We recommend deleting this section
    - A restaurant is a permitted use as of right in the EI Zone and this provision is too restrictive.

iii. It does not exceed 25% of the total ground floor gross floor area of the lot to a maximum of 300.0 square metres in gross leasable area.

- We recommend deleting this section

- A restaurant is a permitted primary use in the EI zone, not an accessory use as per Table 54 and this provision is too restrictive and more appropriate for accessory uses.
- Alternative is to permit restaurants as an accessory use and implement these provisions, but not if the use is a primary use.

Section 9.8 Table 56: Lot Standards

Lot Frontage (minimum) 30m

- We recommend modifying to include “30m abutting arterial roads and 15m for all other road classifications as per the City of Barrie’s Official Plan”
  - The current lot frontage in the LI & GI zones is 15m on lots that do not front an arterial road. Lots that front an arterial road require 30m frontage.
  - The new ZB requires 30m for all lots regardless of road classification. To reduce grandfathering of lot frontage to the new ZB it is suggested that lot frontage requirements mirror the existing zoning bylaw

Exterior Side Yard Setback (minimum) 6m

- Move this section from “Lot Standards” to “Yard Standards”
  - Exterior side yard setback requirement is part of yard standards and not lot standards as per the table layout.

Section 9.9 Table 58: Lot Standards

Lot Coverage (maximum) 40%

- Revise to Lot Coverage (maximum) 60%
  - The current zoning bylaw for industrial zones range between 50% to 60% lot coverage. This section reduces available building footprint sizes by 10 to 20% compared to the current ZB. To reduce grandfathering and promote building footprint flexibility it is suggest to match the current bylaw requirement for lot coverage. This will also allow for a more efficient use of the land and reduce the need for site specific applications/requests and would be consistent with the other Employment zones.

Exterior Side Yard Setback (minimum) 6m

- Move this section from “Lot Standards” to “Yard Standards”
  - Exterior side yard setback requirement is part of yard standards and not lot standards as per the table layout.

Section 9.10 Table 60: Lot Standards

Exterior Side Yard Setback (minimum) 6m

- Move this section from “Lot Standards” to “Yard Standards”
    - Exterior side yard setback requirement is part of yard standards and not lot standards as per the table layout.

Section 9.10 Table 61

Building Height (maximum) 3 stories (15m)

- Revise to no restriction. Abutting Neighbourhood zone is 3 storeys (15m)
    - Current ZB does not restrict height in the RI zone unless abutting residential zones. Suggest following this approach of no height restriction unless abutting residential/Neighbourhood zones

<u>Section 10 – Strategic Employment Zone</u>

Section 10.5 Table 62

Arrange uses in alphabetical order

- For ease of reference, uses should be placed in alphabetical order.

Accessory uses: includes Local Convenience Retail

- Recommend changing to a primary use
    - This could facilitate smaller forms of mixed use buildings containing residential units. Residential use is classified as an accessory use in the SED and SEC zones and by having local convenience retail as a primary use it allows for small scale mixed use buildings to be developed allowing gentle forms of transition to full residential zones/areas.

Section 10.7.1

a) Residential uses are permitted in the Strategic Employment Zones only if the residential use(s) are part of a mixed-use development that also contains a permitted strategic employment (i.e., non-residential) use

- We recommend deleting this section
    - As noted in Table 62, residential uses in the SED and SEC zones are identified as accessory uses to a primary use. Section 10.7.1.a is not necessary as Table 62 and section 10.5.a) & b) identify.

b) Residential uses must be located on the upper floors of a mixed-use building.

- Revise “must be” to “are required to be” to have consistent language within the zoning bylaw.

Section 10.7.2

a) Retail store uses shall only be permitted up to a maximum of 250 square metres of gross leasable area per individual retail occupant within a building, and the total gross leasable area…

- Define “gross leasable area”
    - gross leasable area’ is not a defined term and should be defined to remove any ambiguity and be distinct from gross floor area

c) 25% of the gross floor area of the development on the lot.

- Revise from “development” to “buildings”
    - This section uses gross floor area of the lot which is measured within buildings and “development” is not defined. This would remove ambiguity on how to calculate this provision.

Tables 64 through 67

- Recommend reversing the order of the tables
    - The reason for reversing the order of the SEC and SED tables is to mirror Table 62 in that the SED provisions come before the SEC provisions for consistency purposes throughout the Bylaw.

Table 64: Lot Standards: Exterior Side Yard Setback (minimum) 3 m

- Move this section from “Lot Standards” to “Yard Standards”
    - Exterior side yard setback requirement is part of yard standards and not lot standards as per the table layout.

Table 64: Amenity Area Requirements

- Private Amenity (minimum): 5 sq m per Dwelling Unit N/A
    - Either remove ‘5 sq m per Dwelling Unit’ or clarify what ‘N/A’ means. Is private amenity required at 5sq m per Dwelling Unit, or not?

Table 65

Building Height – Flex Building: 2 Storeys (7 m) Minimum, 5 Storeys (17.5 m) Maximum

- We recommend revising this section
    - The definition of ‘Flex Building’ includes a limit of 4 storey, however Table 65 indicates a maximum height of 5 storeys.

Building Height – Mid-Rise Building: 2 Storeys (7 m) Minimum, 8 Storeys (30 m) Maximum

- We recommend revising this section
    - By definition a 'mid rise building' requires a minimum of 6 storeys however Table 65 would permit a mid rise building with a minimum height of 2 storeys. This should be revised to 6 storeys as the minimum.

Table 66

Table 66: Lot Standards: Lot Area (minimum): Flex Building: 800 sq. m

- We recommend revising or deleting this section
    - Low rise and mid-rise buildings are not subject to a minimum lot area - why would a flex building require a minimum lot area. Change Flex building to be consistent with low and mid-rise buildings.

Lot Standards: Exterior Side Yard Setback (minimum) 3 m

- Move this section from "Lot Standards" to "Yard Standards"
    - Exterior side yard setback requirement is part of yard standards and not lot standards as per the table layout.

Table 67

Table 67: Building Height - Flex Building: 2 Storeys (7 m) Minimum, 5 Storeys (17.5 m) Maximum

- We recommend revising this section
    - The definition of 'Flex Building' includes a limit of 4 storey, however Table 65 indicates a maximum height of 5 storeys.
- Building Height – Mid-Rise Building: 2 Storeys (7 m) Minimum, 12 Storeys (42 m) Maximum
- By definition a 'mid rise building' requires a minimum of 6 storeys however Table 67 would permit a mid rise building with a minimum height of 2 storeys. This should be revised to 6 storeys as the minimum.

<u>Section 11 – Community Hub Zone Comments</u>

- Table 69: Why isn't the high-rise / tall building typology included in the permitted in the CHU zone
- Table 69: Residential uses are permitted as an accessory use in both zones; however, there are no provisions for same, similar to Section 10.7.1.
- Tables 70 & 72: Lot Yard and Amenity Standards: Lot Area (minimum): Flex Building: 800 sq. m

- Low rise and mid-rise buildings are not subject to a minimum lot area - why would a flex building require a minimum lot area. Change Flex building to be consistent with low and mid-rise buildings.

Table 73: CHU Building Standards Building Height

- We recommend revising this table
  - The definition of 'Flex Building' includes a limit of 4 storey, however Table 71 indicates a maximum height of 12 storeys for a flex building.

Section 12 – Greenspace Zone

12.1 Permitted Uses

The Greenspace Zone is intended to replace the existing Open Space (OS) zone in the 2009 by-laws. The following is a comparison of the permitted uses:

Table 74: Permitted Uses in the Greenspace Zone

Permitted Uses	Greenspace (GS)
Boat Launch	•
Cemetery	•
Environmental Interpretative Facility	•
Farmers Market	•
Food/Refreshment Stands	•
Government Services	•
Marina	•
Golf Course	•
Golf Driving Range	•
Outdoor Recreation	•
Office	◊
Stormwater Management Facility	•

9.2.1 The permitted *uses* in the *Open Space Zone* are listed in Table 9.2.

Table 9.2

Uses	Open Space (OS)
Active Uses	
Art Gallery	X
Bandstand	X
Boat House	X
Bowling Green	X
Golf Course	X
Golf Driving Range	X
Marina	X
Interpretive Centre	X
Miniature Golf	X
Park	X
Picnic Area	X
Playground	X
Playing Field/Court	X
Community Centre	X
Swimming Pool	X
Skating Rink	X
Wading pool	X
Yacht Club	X
Passive Uses	
Ecological management measures, environmental monitoring	X
Environmental Conservation	X
Lookout points	X
Naturalized Buffer	X
Natural Restoration and enhancement activities	X
Nature Trails, bicycle trails, cross- country skiing	X

- The 3rd draft does not cover all of the uses that were previously permitted as-of-right. Transition policies should be created for any uses that are no longer permitted, or policies for legal non-conforming uses should be created to address this change.

12.2. Permitted Buildings and Structures

a) No buildings or structures are permitted in the Greenspace (GS) zone, except for those associated with the uses identified in Table 74.

- Special consideration should be given to grandfathered structures as legal non-conforming structures for uses not otherwise specified
    - These structures previously existed as-of-right, and should continue to exist provided they legally existed during the time of construction
- Structures required to prevent environmental degradation or to prevent natural risks and hazards to life and property should be permitted by this bylaw (e.g., erosion and sediment control)
    - This will protect human life and safety, protect property and prevent damages associated with natural risks and hazards, which are important for sustainable and resilient design in the advent of climate change
- The current by-law included Parking Standards (surface treatments) in Section 9.3.2, with specific provisions for granular and permeable parking surfaces. No parking provisions are included in this by-law.
    - In order to access/ use outdoor recreational spaces, parking must be provided. We recommend adding parking provisions relative to surface treatments within the Greenspace zone to the by-law accordingly.

Section 13 - Environmental Protection Zone

13.2. Permitted Buildings and Structures

a) No buildings or structures are permitted in the Environmental Protection (EP) zone, except for those associated with the uses identified in Table 77

- Special consideration should be given for grandfathered structures as legal non-conforming structures and uses not otherwise specified
    - These structures previously existed as-of-right, and should continue to exist provided they legally existed during the time of construction
- Structures required to prevent environmental degradation or to prevent natural risks and hazards to life and property should be permitted by this bylaw (e.g., erosion and sediment control, as included in Section 10.3.2 of the current by-law).
    - This will protect human life and safety, protect property and prevent damages associated with natural risks and hazards, which are important for sustainable and resilient design in the advent of climate change
- The current by-law includes provisions for permitted parking (under section 10.3.1), specifically for permeable parking and enclosed parking areas/structures. No parking provisions are provided in the new by-law.

- In order to access/ use recreational trails, parking may be provided and we recommend adding parking provisions relative to surface treatments within the by-law accordingly.

Conclusion

We appreciate the opportunity to comment on the City's third draft new Zoning By-law and welcome the opportunity for further input. We reserve the right to comment on further drafts. Should staff have any questions on this letter, please do not hesitate to contact the undersigned.

Respectfully submitted,
Innovative Planning Solutions



Cameron Sellers, B.B.A.
Partner



Greg Barker, B.A.A.
Partner



Darren Vella, MCIP, RPP
President

November 14th, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
City of Barrie
70 Collier Street.
Barrie, Ontario
L4M 4T5

Attn: Mayor Alex Nutall and Members of Council

Re: Proposed Draft 3 Zoning By-Law

This letter is being written regarding the Proposed Draft 3 Zoning By-Law that is currently under review. As a Partner and Principal Architect at Salter Pilon Architecture Inc., our team is lucky to be able to design and help construct buildings throughout the province of Ontario with municipalities of various sizes. We are fortunate enough to be involved in many building typologies including, Recreation Centres, Long Term Care Homes, Acute Care Hospitals, Libraries, Elementary/Secondary/Post Secodary Education Buildings, Fire Stations, Paramedic Stations, Police Stations and Housing.

With our vast exposure to municipal clients and building types we design and create are landmark facilities for the needs of our clients with a direct response to the intended use and the urban context. We know that each client is different, and each building is different, we would never treat them as the same. Clients come to us to provide solutions that formulate their vision while respecting their budget and schedules.

The Proposed Draft 3 Zoning By-Law that the City of Barrie has put forward creates significant concern to us as it will heavily dictate if our client's vision can or cannot be achieved. The proposed By-Laws will limit the architectural expression and create a homogenous approach to design, in turn creating a city landscape that has no character and limits our ability to effectively create landmark buildings. The By-Law and appendix documents such as the City-Wide Community & Sustainable Design Guidelines effectively limit what can be created in the City of Barrie and looks to force a singular path of compliance for designs to be approved through the regulatory Site Plan Process.

The combination of the Proposed Draft 3 Zoning By-Law and the supporting documents contradict themselves and do not provide a clear understanding of the goals of the City. Statements in the City-Wide Community & Sustainable Design Guidelines such as *"The City-Wide Community & Sustainable Design Guidelines are intended to stimulate creative design responses, rather than limit development flexibility or dictate design solutions"* are in direct contradiction to items in the Proposed Draft 3 Zoning By-Law that regulate the size of building floor plates and the exterior finishes of a building for example. Regulating a design does not stimulate creative design, in fact quite the opposite. The regulations are looking to create a singular design direction that will provide a repetitious urban landscape with a monotonous outcome.

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Regulating building design will not only affect what we can achieve for our clients, but it will also place impacts on construction budgets. The regulation of a 60% window to wall ratio stipulated in item 3.2.11 of the Proposed Draft 3 Zoning By-Law will put immediate pressure on the building envelope construction cost. Clients are conscious about their budgets but also increasingly responsible about meeting the sustainability of their buildings. To increase the window ratio on a building directly impacts both their budget and the sustainability targets they can achieve. It does vary with building types by we generally target 15% to 30% of our envelopes to be glazed. This provides an optimal balance between interior comfort, benefits of natural lighting and the performance of the building envelope. As this percentage increases the building costs directly increase and the ability to meet energy targets identified in sustainability certification programs such as LEED and Net-Zero become increasing impossible to achieve. The only solution is to throw more money at the building envelope or mechanical HVAC systems to counteract this proposed regulation.

Our clients have finite budgets, and it is very unusual for them to have the ability to provide a significant increase of capital costs just to satisfy regulations. What this means is that a client will need to decrease the size of their building to find the capital dollars. What is unfortunate is that the off setting decrease to the building area may not allow them to build a facility that meets their needs and either the building doesn't get constructed, or it does, but not in the City of Barrie.

The Proposed Draft 3 Zoning By-Law is looking to put controls on the architectural process and profession. The regulations being proposed are arbitrary at best and don't come with proper supporting evidence for why the regulations should be imposed. We as architects should be able to design and assist with the construction of buildings that bring the necessary functions to a municipality while being sensitive to the context surrounding them. Our fear is that it will become increasingly difficult to satisfy the needs of world class facilities because a project cannot navigate through these arbitrary regulations.

We are looking to have a common goal to see the City of Barrie grow in a positive direction with the necessary architecture required to support the growth. A positive relationship between the design community and authorities having jurisdiction is critical to the success of a project. We don't want to see regulations stop the progression of growth and become so difficult to navigate that in fact the growth stalls.

Best Regards,



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