

Bill No. 054A

**BY-LAW NUMBER 2015-**

**A By-law of The Corporation of the City of Barrie to  
adopt an amendment to the Official Plan (O.P.A. #51)**

**WHEREAS**, Section 21 of *The Planning Act*, R.S.O., 1990 Chapter P.13 authorizes councils to initiate an amendment to or repeal of any official plan that applies to the municipality;

**AND WHEREAS**, by Motion 15-G-110 the Council of The Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan.

**NOW THEREFORE**, the Council of The Corporation of the City of Barrie enacts as follows:

1. **THAT** Amendment No.51 to the Official Plan for the Barrie Planning Area attached to and forming part of this by-law, is hereby adopted.
2. **THAT** this By-law shall come into force and have effect immediately upon the final passing thereof.

**READ** a first and second time the 22<sup>nd</sup> day of June, 2015.

**READ** a third time and finally passed this 22<sup>nd</sup> day of June, 2015.

**THE CORPORATION OF THE CITY OF BARRIE**

\_\_\_\_\_  
**MAYOR – J.R. LEHMAN**

\_\_\_\_\_  
**CITY CLERK – DAWN A. MCALPINE**

**AMENDMENT NO. 51  
TO THE  
CITY OF BARRIE  
OFFICIAL PLAN**

OFFICIAL PLAN  
FOR THE  
CITY OF BARRIE  
Amendment No. 51

Amendment No. 51 to the City of Barrie Official Plan was prepared by the Barrie General Committee and was recommended to the Council of the City of Barrie under the provisions of the Planning Act, on the \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

This amendment was adopted by the Corporation of the City of Barrie by By-law No. \_\_\_-\_\_\_ in accordance with the provisions of the Planning Act, on the \_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

BY-LAW NUMBER 2015-XXX

A By-law of the Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. No. 51).

WHEREAS, Section 21 of The Planning Act, R.S.O., 1990 Chapter P.13 authorizes Council to initiate an amendment to or repeal of any Official Plan that applies to the municipality;

AND WHEREAS, by Resolution 15-G-XXX, the Council of the Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan;

NOW THEREFORE, the Council of the Corporation of the City of Barrie enacts as follows:

1. Amendment No. 51 to the City of Barrie Official Plan attached to and forming part of this by-law, is hereby adopted.

READ a first and second time this \_\_\_\_ day of \_\_\_\_\_, 2015.

READ a third time and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2015.

THE CORPORATION OF THE CITY OF BARRIE

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

This Amendment No. 51 to the Official Plan for the City of Barrie which has been recommended by the Barrie General Committee and adopted by the Council of the Corporation of the City of Barrie, is hereby approved in accordance with the Planning Act as Amendment No. 51 to the City of Barrie Official Plan.

\_\_\_\_\_

Date

\_\_\_\_\_

City Clerk

**AMENDMENT NO. 51**

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**AMENDMENT NO. 51  
TO THE CITY OF BARRIE  
OFFICIAL PLAN**

**INTRODUCTION**

**PART A - THE PREAMBLE** does not constitute part of this amendment.

**PART B - THE AMENDMENT**, consisting of the following text and map constitutes Amendment No. 51 to the City of Barrie Official Plan.

Also attached is **PART C - THE APPENDIX**, which does not constitute part of this amendment. This appendix contains the Public Meeting Minutes, Staff Report, and the Council Resolution associated with this amendment.



## **PART A - THE PREAMBLE**

### **PURPOSE**

The purpose of this amendment is to amend the policies of Section 3.3.2.2 of the Official Plan to expand permissions for second suites throughout the City of Barrie.

### **LOCATION**

This amendment is a text amendment that applies to the entire City of Barrie and specifically relates to Section 3.3.2.2 Affordable Housing Policies of the Official Plan.

### **BASIS**

On February 18, 2015, the Council of the Corporation of the City of Barrie approved a new 10 year Affordable Housing Strategy which recommended, among other things, that the Official Plan and Zoning By-law for the City of Barrie be amended to expand permissions for Second Suites (Motion 15-G-037).

Second units, also known as accessory or basement apartments, secondary suites and in-law flats, are self-contained residential units with kitchen and bathroom facilities within dwellings, or structures accessory to dwellings. Second units must comply with applicable laws and standards which include the Building and Fire Codes and Zoning and Property Standards By-laws.

In addition to increasing the stock of affordable rental accommodations, second units benefit the community by:

- providing homeowners an opportunity to earn additional income;
- providing housing options for extended families, or elderly parents;
- making more efficient use of public infrastructure;
- encouraging the legalization of existing second units to ensure that they satisfy health and safety standards and are registered with the City.

Notwithstanding the objective of expanding permissions for second suites, it is anticipated that a significant concentration of second suites could develop within Ward 1 in the area of Georgian College driven by the demand for student housing.

Based on the initiatives taken with the Georgian College Neighbourhood Strategy to encourage dedicated student built housing, neighbourhood concerns over student overpopulation in single detached neighbourhoods near the College, the Strategy is recommending that second suites not be permitted in the Georgian College area as identified in the Georgian College Neighbourhood Study.

## **PART B - THE AMENDMENT**

### **DETAILS OF THE AMENDMENT**

That Section 3.3.2.2(e) of the City of Barrie Official Plan be amended by deleting the Section in its entirety and replacing it with the following:

#### **3.3.2.2 Affordable Housing**

(e) Second Suites are permitted in single detached, semi-detached and street townhouses subject to the standards and provisions of the Comprehensive Zoning By-law. Second suites are not permitted in the area of the Georgian College Neighbourhood Community Improvement Plan on the basis that the City has taken significant initiatives to encourage purpose built student housing within this area in order to maintain the stability of existing neighbourhoods and minimize the impact of an undue concentration of second suites within this area.

### **IMPLEMENTATION**

Following the approval of this amendment, the City's zoning by-law will be amended to expand permissions for second suites in the zones which accommodate the building types listed above and to establish performance standards for this type of use. The By-law will also be amended to identify the area of the Georgian College Neighbourhood where second suites will not be permitted on a separate schedule to the By-law.

### **INTERPRETATION**

The provision of the Official Plan, as amended from time to time, shall apply in regard to this Amendment.

**PART C - THE APPENDIX**

**PART C - THE APPENDIX**

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Minutes of the General Committee Public Meeting



**City Clerk's Office**  
**COUNCIL DIRECTION MEMORANDUM**

TO: Director of Planning Services - note

FROM: Dawn McAlpine, City Clerk

DATE APPROVED  
BY COUNCIL: May 12, 2014

14-G-116

**APPLICATION FOR AN OFFICIAL PLAN AMENDMENT AND AMENDMENT TO ZONING BY-LAW - CITY OF BARRIE AFFORDABLE HOUSING STRATEGY AND SECOND SUITES (FILE: D08-OPA13/D14-1573)**

Mr. Ross Cotton, Policy Planner advised that the purpose of the public meeting is to review an application for an Official Plan Amendment and Amendment to the Zoning By-law to incorporate a proposed Affordable Housing Strategy. Mr. Cotton provided an overview of the *Strong Communities Through Affordable Housing Act, 2011*. He detailed the public consultation and previous staff reports associated with the Strategy. Mr. Cotton highlighted the Provincial and municipal legislative framework related to affordable housing.

Mr. Cotton discussed the City of Barrie's projected population change and the need for affordable housing units. He provided context related to the cost of home ownership in Barrie and the percentage of homes that would be considered affordable. Mr. Cotton reviewed the status of the rental housing market in the community. He discussed the status of social housing waitlists and wait times and student housing needs.

Mr. Cotton highlighted the proposed revisions to the Official Plan policies to incorporate the Affordable Housing Strategy. He reviewed the current provisions within the City's Zoning By-law related to second suites as well as the proposed amendments to broaden the zones where second suites are permitted. Mr. Cotton advised that the proposed zoning amendments would permit second suites in Residential (R1) - (R4) zones and allow an accessory building to be used for a second suite in the corresponding zones. He discussed the development standards that are proposed for second suites including the parking space requirements, a limit on the number of second suites per property and minimum and maximum floor areas of each unit. He also commented that second suites must adhere to other zoning standards, Building Code Act and Fire Code Act.

Mr. Cotton described a number of other initiatives that are being investigated to assist in the provision of affordable housing. In closing, Mr. Cotton identified the next steps in the process.

**PUBLIC COMMENTS**

1. **Mr. Robert Lorimer, 38 Indian Arrow Road** raised concerns regarding the proposed maximum 50 sq. m. floor area noting that he has an in-law suite in his basement that is approximately 1100 sq. ft. He requested

that consideration be given to increasing the size permitted for second suite units.

City staff provided information regarding the process associated with registering a second suite unit.

2. **Mr. George Nagel, 107 Loon Avenue** advised of his concerns related to the proposed maximum floor area in the by-law. He noted the difficulty homeowners would face if they were required to section off part of their basement to meet the size limit. He suggested that the City should establish how many illegal second suites and rooming house there are in the City. Mr. Nagel commented on the challenges presented in addressing illegal second suites as well as permitting these units, given the constraints imposed on the City related to by-law definitions of tenants and relationships. He suggested a limit on the number of tenants residing at a specific municipal address and a prohibition on the splitting of municipal addresses. Mr. Nagel commented on the need to make more units available while addressing concerns of neighbouring property owners. He observed that limiting the units to one bedroom would limit parents with children as potential tenants.

Mr. Nagel commented that the biggest challenge is with the language restrictions. He suggested that the second suites would police themselves, as complaints generated to the landlords, or municipalities would identify unrelated tenants that may be living in a unit.

3. **Mr. Brian Therrien, 144 Anne Street North** raised concerns regarding the provision of second suites in residential zones in the City due to issues he has experienced in his neighbourhood with respect to a rooming house. He discussed his concerns that owners of boarding houses and duplexes do not adhere to municipal by-laws and standards and progressively stop maintaining their properties allowing them to deteriorate. He has complained about the property on his street on numerous occasions and feels that there are no rules or controls to alleviate his situation. Mr. Therrien provided an example of a property owner who had previously owned several second suites and had sold his properties to eliminate the challenges he had experienced with the tenants.

Mr. Therrien noted that he built his home over 29 years ago and has worked hard to maintain his property. He feels that approval of these amendments will cause neighbourhoods in Barrie to deteriorate. Mr. Therrien recommended that staff develop meaningful rules to control second suites that can be enforced.

Mr. Therrien expressed concern that a 50 sq. m. unit could become a fire trap if several people were residing in the unit. He identified the need for enforceable rules.

4. **Mr. Craig Webster, 79 Violet Street** agreed with the comments expressed by Mr. Therrien with respect to the need for additional measures to address illegal second suites. Mr. Webster commented that he is an empty nester and has an interest in potentially utilizing a portion

of his property as a second suite. He expressed concern regarding the maximum floor area as he feels it will be too small to meet the needs of many tenants. Mr. Webster noted that the maximum floor area may impact the profitability associated with creating affordable housing that is needed.

Mr. Webster suggested that the owners of rental homes that are in disrepair be provided an opportunity to clean it up, and if it is not resolved, a clean-up crew could be hired at the owner's expense.

Mayor Lehman and City staff provided information regarding the process associated with addressing property standards violations.

5. **Mr. Harley Cooper, Realtor** commented that he works with young professionals, who are looking for properties with legal second suites. He noted that with the average house price around \$334,000 it is difficult for most to purchase and the demand is greater than the supply.

Mr. Cooper reiterated comments provided previously regarding the proposed maximum floor size limiting tenant options. He advised that the City of St. Catherine's is a university town and that in some areas there are a number of second suites and there does not seem to be any issues with cars parking on front lawns.

6. **Mr. Paul Collins, 75 College Crescent** expressed concern with the potential increase in second suites in the East end of the City, should the amendments be approved. He commented that the area is improving and that these changes might cause challenges again. Mr. Collins suggested that the proposed student housing project to be built on Georgian Drive is the right way of addressing housing needs.

7. **Mr. Greg Sullivan, 669 Yonge Street**, commented that more controls should be put in place as opposed to limiting the floor area of second suites. He advised that he feels the maximum floor area won't work for many houses as it would be difficult for some owners to portion off a floor level, discouraging the creation of second suites. He also noted that the maximum floor area would be insufficient for a parent with a child. Mr. Sullivan suggested restricting the number of people in a second suite instead of the size of the units.

8. **Karen de Jong, 177 Dunlop Street**, commented that 50 sq. m. is insufficient for units in Barrie and might work in downtown Toronto. She questioned why a 50 sq. m. maximum floor area was established. Ms. de Jong suggested that homeowners should be provided some discretion on the size of units and number of tenants.

City staff detailed how the maximum floor area was established.

9. **Mr. Les Kovacs 71 Bronte Crescent**, advised that he agreed with Mr. Therrien and discussed concerns related to parking on Bronte Crescent. He noted that the current parking issues would be much greater if four to eight people were permitted as tenants in second suites along his street. He indicated that he didn't want to live in a neighbourhood that would

permit that many people to live in a property.

10. **Ms. Lori Gauthier, 107 Loon Avenue**, advised that she felt the maximum floor area was too small and suggested limiting the number of people in a basement unit. She commented that she is concerned about the proposed maximum floor area for the second suites, as may be challenging for residents to provide a safe second suite in their homes. She suggested that the City should try to change the legislation related to regulating unrelated people in a home.
11. **Ms. Carla Dermott of the Simcoe County Alliance to End Homelessness**, read written comments provided by Sara Peddle of the Simcoe County Alliance to End Homelessness discussing the current affordable housing crisis in Simcoe County. She noted that the Alliance is encouraged by the Affordable Housing Strategy as second suites can contribute to addressing affordable housing needs if they are well managed. Ms. Peddle had also observed that the Strategy provides for solutions through municipal planning options. She advised that the Alliance looks forward to continuing to work with the City to alleviate the affordable housing crisis.
12. **Mr. Wayne Hay, Chair of the Downtown Barrie Business Association** commented that he thought the use of bonusing for the provision of affordable housing could address a portion of the need. He enquired whether there would be any consideration of reducing development charges for affordable housing. Mr. Hay cited the provision of bonuses for affordable housing in the City of Toronto.

City staff provided a response regarding the potential consideration of reducing development charges for affordable housing projects.

13. **Mr. Steve Weston, 36 Patterson Road** commented that he and his wife have had boarders in their home for over 30 years. He advised that for the first 20 years his tenants were primarily college students, but he has received inquiries from single parents in more recent years. Mr. Weston suggested that this seems to be a trend and he feels that a better understanding of the needs of the tenant base is required. He commented that multiple tenant situations would need to be policed and the extra costs could outweigh any additional tax benefit. Mr. Weston observed that rental suites could be enticing to some as a supplemental income, but noted that there is benefit of having the landlord on the property as it reduces the risk of a multi-tenant situation. He stated that he agrees there is a need for social housing and enquired whether or not there would be restrictions on the amount of rent that could be charged or a requirement to rent to individuals with low incomes. Mr. Weston indicated that there would need to be strict guidelines, which are enforceable. He asked whether or not a program could be put in place to forgive illegal second suites.

City staff provided a response regarding restrictions on the amount of rent.

14. **Mr. Bill Scott, 126 Burton Avenue**, requested clarification related to whether the proposed maximum floor area for second suites in single



family zoning categories would also apply to the residential multiple density zoning categories. He indicated that the owner of a two storey home might be interested in turning the second floor into a second suite but it wouldn't necessarily be feasible to close off the floor without significant structure renovations. Mr. Scott stated that he believed the cap on the maximum floor area would be imposing stringent standards and only address the portion of affordable housing needs related to one bedroom units.

City staff provided a response regarding the proposed application of the maximum floor area restrictions.

15. **Ms. Kim Cunningham, 109 Emms Drive** questioned why the floor area of the units is being limited and not the number of tenants, as she believes the number of people is the problem.

City staff provided a response regarding the rationale associated with the proposed restriction on maximum floor area.

16. **Ms. Mirela Stan, 51 Hickling Trail**, commented that she believes this is the first step to address the need for affordable housing. She indicated that the Strategy should address the long term needs for affordable housing and not just today's need for one bedroom units. Ms. Stan suggested that there is probably a higher need for two bedroom units. She recommended looking more deeply at the affordable housing situation and not just suggesting provisions that are easy to enforce. Ms. Stan noted that the impact on the neighbourhood needs to be addressed while allowing a property owner some flexibility in the size of unit.

17. **Ms. Darlene Rozon, 101 Kozlov Street** commented that she is concerned with the proposed maximum floor area. She discussed concerns related to living in such tight quarters and provided examples from her own personal experience living in a small unit. Ms. Rozon suggested consulting with the Health Unit and/or creating a committee to review the matter. She indicated that the number of tenants should be limited rather than the size of the units.

18. **Ms. Caroline Smith, 11 Lettita Street** suggested that there may be a shift in the size of units required as the number of students decrease, and this shift should be addressed in the Strategy. She indicated that families will require larger units and some homes may be able to accommodate this need. Ms. Smith suggested factoring the size of the home into a determination of the maximum floor area for a second suite.

19. **Mr. Christian Quinteros, 177 Dunlop Street**, requested clarification related to the zoning categories that would permit accessory structures such as coach houses to be converted into a second suite.

City staff provided clarification related to the proposed zoning categories that would permit accessory structure conversion.

20. **Casey Van Kessel, 6781 10<sup>th</sup> line Thornton**, commented that he felt the maximum floor area didn't matter and the supply and demand issues would be resolved on their own. He suggested that there has always

been a challenge with the number of people and it would not be solved through enforcement. Mr. Van Kessel indicated that the price of the unit is what matters. He stated that he feels the Strategy is very ambitious and he hopes that it works. Mr. Van Kessel stated that young professionals want larger units than 50 sq. m. He suggested that the minimum floor area be increased and the maximum be eliminated. Mr. Van Kessel enquired whether the amendments would apply to properties in the annexation lands and whether the development charges would be reduced. He expressed concern regarding reducing development charges as he felt that property owners might not deliver on the units after paying the lower fee. Mr. Van Kessel stated reiterated his suggestion relating to increasing the minimum sq. m. and eliminating the maximum, noting that once there were enough units, the supply and demand would be addressed. He noted that it has been challenging to bring developers of low cost housing into the community and the restrictions on the second suites might not give them the flexibility they require. Mr. Van Kessel suggested restricting the number of cars in the driveway and prohibiting on street parking as a means of controlling the number of tenants.

Members of General Committee asked a number of questions of staff and received responses.

#### **WRITTEN CORRESPONDENCE**

1. Correspondence received from Mirela Stan, undated.
2. Correspondence from Erich Jacoby-Hawkins, dated April 2, 2014.
3. Correspondence received from Cindy Knox, received April 15, 2014.
4. Correspondence received from Don and Marilyn Nielsen, dated April 16, 2014
5. Correspondence received from Brian Therrien, undated.
6. Correspondence received from Diane Tompkins, dated April 24, 2014.
7. Correspondence from Tara Wanamaker, dated April 28, 2014.

## Staff Report



STAFF REPORT PLN012-15  
May 11, 2015


Page: 1  
File: D14TE-  
SEC, D04-AFF,  
D09-OPA51  
Pending #:


**TO:** GENERAL COMMITTEE


**SUBJECT:** SECOND SUITES ZONING BY-LAW AMENDMENT

**WARD:** ALL

**PREPARED BY AND KEY CONTACT:** M. KALYANIWALLA, MANAGER OF POLICY PLANNING  
EXT. 4314

**SUBMITTED BY:** S. NAYLOR, MES, M.C.I.P., R.P.P., DIRECTOR OF PLANNING 

**GENERAL MANAGER APPROVAL:** *for* R. FORWARD, MBA, M.Sc., P. ENG.  
GENERAL MANAGER OF INFRASTRUCTURE & GROWTH  
MANAGEMENT 

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** C. LADD, CHIEF ADMINISTRATIVE OFFICER 

### RECOMMENDED MOTION

1. That further to Council Motion 15-G-037, approving the Affordable Housing Strategy for the City of Barrie, the City's Official Plan and Zoning By-law be amended in accordance with Staff Report PLN012-15.
2. That pursuant to Section 34(17) of the Planning Act, no further public meeting is required prior to the passing of this by-law.

### PURPOSE & BACKGROUND

#### Report Overview

3. The purpose of this Staff Report is to recommend approval of amendments to the City's Official Plan and Comprehensive Zoning By-law to expand permissions for second suites in appropriate zones and locations throughout the City of Barrie.
4. The Strong Communities through Affordable Housing Act, 2011 requires municipalities to establish Official Plan policies and Zoning By-law provisions and standards to permit second units in residential single and semi-detached, row (town) houses and in ancillary structures and removes the ability to appeal approved provisions to the Ontario Municipal Board. On February 18, 2015, Council approved the City of Barrie's Affordable Housing Strategy which recommended, amongst other things, that the Official Plan and Zoning By-law be amended to expand the permissions for second suites.

### ANALYSIS

5. Second units, also known as accessory or basement apartments, secondary suites and in-law flats, are self-contained residential units with kitchen and bathroom facilities within dwellings, or structures accessory to dwellings. Second units must comply with applicable laws and standards which include the Building and Fire Codes and Zoning and Property Standards By-laws.

6. In addition to increasing the stock of affordable rental accommodations, second units benefit the community by:
  - providing homeowners an opportunity to earn additional income;
  - providing housing options for extended families, or elderly parents;
  - making more efficient use of public infrastructure;
  - encouraging the legalization of existing second units to ensure that they satisfy health and safety standards and are registered with the City.
7. Under the existing City requirements, second residential units are required to be registered with the City. As of January 1, 2015, there were 798 properties registered as "second suites" in the City of Barrie.
8. In accordance with the Affordable Housing Strategy, staff are recommending that the Zoning By-law be amended to allow second suites in single detached, semi-detached, rowhouses and in accessory structures, but restricted to only one second suite per lot. There were some questions raised during General Committee's consideration of the Affordable Housing Strategy regarding the merits of permitting second suites in row houses, given the potential for parking issues resulting from internal roads on townhouse blocks. Staff are recommending that second suites be permitted in row houses that have frontage on municipal roads to address this issue. The Strong Communities through Affordable Housing Act mandates that second suites be permitted in a broad variety of built form including row or town houses.
9. Notwithstanding that experience in other jurisdictions has shown that the uptake for second suites is only about 10-15% of the existing housing stock, it is anticipated that a significant concentration of second suites could develop within Ward 1 in the area of Georgian College driven by the demand for student housing.
10. Based on the initiatives taken with the Georgian College Neighbourhood Strategy to encourage dedicated student built housing, neighbourhood concerns over student overpopulation in single detached neighbourhoods near the College, the Strategy is recommending that second suites not be permitted in the Georgian College area as identified in the Georgian College Neighbourhood Study.
11. There were a number of issues raised during General Committee's consideration of the Affordable Housing Strategy related to second suites related to ownership, built-form and size of units.
12. With regard to the issue of ownership, municipalities do not have the authority in municipal by-laws to require that properties containing a second suite be owner occupied. This is an issue that has been raised on numerous occasions before when dealing with multi-unit forms of housing such as BLR's, second suites and student housing in predominantly single detached neighbourhoods. The Planning Act does not permit zoning on the basis of people or relationships but only on use.
13. The Affordable Housing Strategy as originally drafted recommended that the maximum size of secondary units be restricted to 50m<sup>2</sup>. Based on comments and concerns from members of Council and the public, the strategy was amended and approved recommending that the size of the unit be restricted to 40% of the gross floor area (g.f.a) of the building in which it is located.

14. Gross floor areas is defined by the City's By-law as:

*"the total area of all floors in a building, excepting a basement in a residential building, measured from the outside face of the exterior walls, but exclusive of any part of a building which is used for the storage or parking of motor vehicles other than for the automotive purposes defined in Section 3.0 in this By-law, for storage, stairwells, or for mechanical or electrical equipment providing services for the entire building....."*

15. Based on this definition, basements even finished basements, are not considered part of the gross floor area of a house and as result the 40% size restriction will be calculated on the remaining finished portions of the house. The net result of this is that larger homes will be able to accommodate larger second suites, whereas smaller homes will be restricted in the size of the second suites they are able to accommodate. The Chief Building Official has indicated that the average size of a detached home in Barrie is between 1500 and 2000 ft<sup>2</sup>. The following table illustrates the size of second suites which could be accommodated based on varying g.f.a's.

Gross Floor Area	1,000 ft <sup>2</sup>	1500 ft <sup>2</sup>	2000 ft <sup>2</sup>
Size of Second Suite	400 ft <sup>2</sup>	600 ft <sup>2</sup>	800 ft <sup>2</sup>

16. In all cases where a second suite is proposed the unit must conform to all building and fire code standards. In some cases where a second unit is propose in a basement, the cost of necessary upgrades can be significant particularly if ceiling heights do not conform to building code standards.
17. The strategy also recommends that second suites be permitted in detached accessory buildings subject to the provisions of the comprehensive zoning by-law related to detached accessory building which would restrict the height and size of the structure as well as other standards.

Existing Policies

18. Section 3.3.2.2(e) of the Official Plan currently contains policies allowing second suites in new plans of subdivision:

*(e) Development applications for secondary suites are encouraged within new plans of subdivision where it is demonstrated that they will not have a negative impact on existing residential development or other land uses, traffic movement, parking, utility services, and other existing infrastructure. Their development shall be controlled through the application of Zoning and other relevant City by-laws. (Mod D (x))*

19. The Zoning By-law currently includes the following provisions related to secondary suites:

**"5.2.9            Second Suites**

**5.2.9.1         General**

*A free standing detached dwelling in an (RM1-SS) Zone may be constructed or converted to include a second dwelling unit provided:*

- a) *The property exists within a plan of subdivision that was registered after January 1, 2004;*

- b) *The entrance to each unit shall be by way of an exterior entrance door, or a door from a common entrance.*

5.2.9.2 Parking

*That notwithstanding the parking requirements set out in Table 4.6, the following shall apply to a 2 unit house:*

- a) *A minimum of 2 parking spaces shall be provided and located a minimum of 11m from the front lot line;*  
 b) *In addition to the minimum required landscaped open space in the front yard, a paved driveway of a minimum width of 5.4m shall be provided;*  
 c) *Tandem parking is permitted."*

Proposed Official Plan and Zoning By-law Amendments

20. In accordance with the Affordable Housing Strategy, staff are recommending that the Official Plan be amended to expand permissions for second suites throughout the City in single detached, semi-detached and row housing subject to the provisions outlined in the implementing by-law.
21. In accordance with the approved Affordable Housing Strategy, staff are also recommending the following changes to the Zoning By-law associated with second suites:
- a) Section 3.0 Definitions be amended by the inclusion of a new definition for a second suite including a definition for a dwelling unit in a detached accessory building.
- b) Section 5.2.9 of the By-law be amended by the inclusion of the following Zoning Standards:

*A maximum of one accessory dwelling unit shall be permitted per lot.*

*The accessory dwelling unit shall be the greater of 40% of the gross floor area of the principle use (dwelling unit) or 50m<sup>2</sup> when contained within the principle dwelling unit.*

*A maximum of 2 bedrooms is permitted in the second or accessory dwelling unit.*

*A second dwelling unit shall be permitted in a detached accessory building where zoning standards are met and are appropriate for the use.*

*An accessory dwelling unit in a detached accessory structure shall be limited to a building height of 4 metres and a maximum coverage of 50 square metres or 10% of the lot area whichever is lesser of the two.*

Location Criteria

*A Two Unit dwelling shall be permitted in single detached, first, second, third and fourth density residential dwellings, R1, R2, R3 and R4 lots; in residential multiple first density residential dwelling units, RM1 lots; and in residential multiple, second density and second density townhouse dwellings units, RM2 and RM2-TH, where the Two Unit dwelling has frontage on a municipal street.*

*Two Unit dwelling units will not be permitted in the Georgian College Neighbourhood Study boundary area.*



Parking Requirements

*One parking space per dwelling unit is required.*

Design Criteria

*The entrance to each unit shall be by means of an exterior door or a door from a common shared entrance. The front façade of the principle dwelling shall not be altered.*

*Access to the accessory dwelling unit shall be located in the side or rear yards from an exterior door or from an entrance that is shared to both dwelling units.*

*The front façade of the principle dwelling shall not contain a separate entrance to the accessory dwelling unit*

Implementation

22. Staff have had several internal discussions with Planning Services, Legal Services and Building and By-law Services regarding the implementation of the proposed new standards and permission.
23. One of the issues raised by Building and By-law Services relates to interim enforcement measures. Currently no second suites are legal in Barrie with the exception those created between 1994 and 1996 under previous Provincial legislation. Consequently, any second suites which the Building and By-law Services Department receives complaints about need to comply with the by-law as it exists today or be removed. However, the changes being proposed by this report and attached by-law create the potential for some of these units to be legal upon approval of this report and Zoning By-law Amendment, provided that they meet Building and Fire Code standards. There are also a number of properties within the Georgian College area which contain illegal second suites which cannot be legalized following adoption of the proposed OPA and ZBA's as this report and the Affordable Housing Strategy are recommending that second suites not be permitted within this area.
24. The net result of this is that many of these second suites will likely continue to operate illegally and will not be subject to the building and fire code standards which other second suites will be subject to. This may also result in the removal of a number of second units currently being used for student housing through the enforcement process resulting in a significant shortage of student housing in the short to medium term and further reducing the vacancy rate in Barrie.
25. Therefore staff are also recommending that the by-law deem all second units that existed in the City on the date of the approval of the Affordable Housing Strategy (February 18, 2015) to be legal for the purposes of the by-law (though they would still need to comply with building and fire codes and parking requirements), however from this date onward no new second suites would be permitted within the Georgian College area. This would provide the opportunity for the current illegal units in this area to comply with code and continue to exist as legal units but would ensure that no new units could be developed in the Georgian area thereby comply with Council direction.
26. Following Council approval of the proposed amendments, staff will initiate a communication strategy to advise the public of the rules governing the establishment of second suites. Staff will work with the City's Communication Department to develop a web-based and social media based information platform. The Building and By-law Services Department would also conduct an information session open to the public to advise them of the new rules governing the creation of second units.

Summary

27. Staff are recommending a proposed amendment to the City of Barrie Official Plan and Zoning By-law to implement second suites policies and standards.
28. The Province has mandated that municipalities amend their planning instruments to encourage second suites in a variety of housing types across their jurisdictions. Second suites represent an opportunity to increase the supply of affordable housing in a municipality and also provide homeowners the ability to supplement their income to offset the rising cost of home ownership. Second suites will also assist the City in increasing the supply of rental housing and thereby improving the current vacancy rate in Barrie. However, unrestricted permissions for second suites have the potential to significantly impact neighbourhoods, particularly vulnerable areas or areas already feeling the pressure of multiple units in single detached housing such as in the Georgian College area. Staff are recommending the expansion of permissions for second suites with appropriate restriction which will hopefully mitigate some of the impacts of this use while still encouraging the overall use for all the benefits cited above.
29. A public meeting was held on May 4, 2014. The proposed recommendations of this report are generally in keeping with the information provided at the time of the public meeting and take into consideration the comments and concerns expressed at that time. Staff are of the opinion that no further public meeting is required.
30. Council should note that the Strong Communities through Affordable Housing Act amended the Planning Act to remove all rights of appeal on policies and standards related to permitting second suites through Official Plans and Zoning By-laws. This effectively means that following adoption of the Official Plan Amendment and Zoning By-law Amendment, the provisions of these documents as they relate to second suites are fully in effect.

ENVIRONMENTAL MATTERS

31. There are no environmental matters specifically related to the recommendation.

ALTERNATIVES

32. The following alternatives are available for consideration by General Committee:

Alternative #1

General Committee could maintain the existing policy with respect to Second Suites (i.e. Status Quo).

This alternative is not recommended. The Province of Ontario has legislated through the Strong Communities through Affordable Housing Act that municipalities shall permit second suites in a large variety of housing types. If the City does nothing, the Province could amend the City's Official Plan through the next new Official Plan exercise.

Second suites are also viable and easily implementable form of affordable housing and may assist in alleviating the pressures on providing affordable housing.



**Alternative #2**

General Committee could maintain the proposed policy with respect to second suites but alter the proposed recommendation by allowing second suites in the Georgian College area or amending any of the proposed standards.

This alternative is also an equally viable alternative but staff are recommending the provisions outlined in this report as a careful balancing of competing objectives including increasing the opportunities for second suites to alleviate affordable housing pressures while minimizing the impact on existing neighbourhoods and pursuing the objectives of the Georgian College Neighbourhood Strategy.

**FINANCIAL**

33. There are no direct financial implications for the Corporation resulting from the proposed recommendation to amend the City's Official Plan and Zoning By-law to update the second suites policies and standards.
34. If approved the creation of new second suites may serve to increase assessment in areas of the City as properties that choose to add a unit will eventually be reassessed as two unit homes. There may also be a small impact on the provision of some City services as populations in these areas increase. However, research has indicated that the uptake on second suites in other jurisdictions has been only between 10% and 15% so in neither case will the impact be significant.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

35. The recommendations included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:
  - Inclusive Community
36. The proposed recommendation will establish policies intended to increase the supply of housing for all residents of Barrie.

Attachments: Appendix A – Draft Official Plan Amendment  
 Appendix B – Draft Zoning By-law Amendment

**APPENDIX "A"****Draft Official Plan Amendment****PART A - THE PREAMBLE****Purpose**

The purpose of this amendment is to amend the policies of Section 3.3.2.2 of the Official Plan to provide expand permissions for second suites throughout the City of Barrie.

**Location**

This amendment is a text amendment that applies to the entire City of Barrie and specifically relates to Section 3.3.2.2 Affordable Housing Policies of the Official Plan.

**Basis**

On February 18<sup>th</sup>, 2015 the Council of the Corporation of the City of Barrie approved a new 10 year Affordable Housing Strategy that which recommended, amongst other thing, that the Official Plan and Zoning By-law for the City of Barrie be amended to expand permissions for Second Suites. (Motion 15-G-037).

Second units, also known as accessory or basement apartments, secondary suites and in-law flats, are self-contained residential units with kitchen and bathroom facilities within dwellings, or structures accessory to dwellings. Second units must comply with applicable laws and standards which include the Building and Fire Codes and Zoning and Property Standards By-laws.

In addition to increasing the stock of affordable rental accommodations, second units benefit the community by:

- providing homeowners an opportunity to earn additional income;
- providing housing options for extended families, or elderly parents;
- making more efficient use of public infrastructure;
- encouraging the legalization of existing second units to ensure that they satisfy health and safety standards and are registered with the City.

Notwithstanding the objective of expanding permissions for second suites it is anticipated that a significant concentration of second suites could develop within Ward 1 in the area of Georgian College driven by the demand for student housing.

Based on the initiatives taken with the Georgian College Neighbourhood Strategy to encourage dedicated student built housing, neighbourhood concerns over student overpopulation in single detached neighbourhoods near the College, the Strategy is recommending that second suites not be permitted in the Georgian College area as identified in the Georgian College Neighbourhood Study.

PART B - THE AMENDMENT

**Details of the Amendment**

That Section 3.3.2.2(e) of the City of Barrie Official Plan be amended by deleting the Section in its entirety and replacing it with the following:

**3.3.2.2 Affordable Housing**

- (e) Two unit dwellings are permitted in single detached, semi-detached and street townhouses subject to the standards and provisions of the Comprehensive Zoning By-law. Second suites are not permitted in the area of the Georgian College Neighbourhood Community Improvement Plan on the basis that the City has taken significant initiatives to encourage purpose built student housing within this area in order to maintain the stability of existing neighbourhoods and minimize the impact of an undue concentration of second suites within this area.

**Implementation**

Following the approval of this amendment, the City's zoning by-law will be amended to expand permissions for second suites in the zones which accommodate the building types listed above and to establish performance standards for this type of use. The By-law will also be amended to identify the area of the Georgian College Neighbourhood where second suites will not be permitted on a separate schedule to the By-law.

**Interpretation**

The provision of the Official Plan, as amended from time to time, shall apply in regard to this Amendment.

APPENDIX "B"

Draft Zoning By-Law Amendment



Bill No. XXX

BY-LAW NUMBER 2015-

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie.

WHEREAS the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141;

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 15-G-037;

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts that the City of Barrie Comprehensive Zoning By-law 2009-141 be amended as follows:

1. THAT Section 3.0 be amended to insert a new definition for Two Unit Dwellings after Dwelling, Single Detached, as follows:

Dwelling, Two Unit

Shall mean a residential building containing two dwelling units on the same lot. A Two Unit Dwelling includes a duplex dwelling, semi-detached dwelling on the same property, and shall also include two dwelling units located on a lot where the second unit is accessory and subordinate to the principal unit such as, second suites.

2. THAT Section 3.0 be amended to insert a new definition for Detached Accessory Dwelling after Dwelling, Converted, as follows:

Dwelling, Detached Accessory

Shall mean a detached accessory building containing a second suite located on the same property as the principal dwelling unit.

3. THAT Section 3.0 be amended to insert a new definition for Second Suite after School, as follows:

Second Suite

Shall mean a second dwelling unit on the same property.

4. THAT Section 5.2. Table of Permitted Uses be amended to insert an "X" in the Permitted Use chart category for Two Unit Dwelling under the R1, R2, R3, and R4 columns.
5. THAT Section 5.2. Table of Permitted Uses be amended to insert superscript <sup>(14)</sup> beside the words Two Unit Dwelling.
6. THAT Section 5.2. Table of Permitted Uses be amended to insert superscript <sup>(14)</sup> See 5.2.3. & 5.2.9" at the end of the table after <sup>(13)</sup>.
7. THAT Section 5.2.3.1.(a) be deleted and replaced with the following:

The RM1 standards shall apply to *semi-detached dwellings* and *duplex dwellings* located in the RM2 and RM2-TH zones and all other *two unit dwellings* shall meet section 5.2.9. of this By-law.

8. THAT Section 5.2.5.1.b) be deleted and replaced with the following:
  - b) A maximum of 8 *street townhouse development* units, which are attached above and below grade by either the garage or by the main common wall that is at least 80% of the length of the adjoining units, be constructed in a row that front on a *street*.
9. THAT Section 5.2.9 be deleted and replaced with the following:

#### 5.2.9 Second Suite

##### 5.2.9.1 General

A free standing detached dwelling in an (RM1-SS) zone may be constructed or converted to include a second *dwelling unit*.

Except as provided herein, a *second suite* shall be permitted in the R1, R2, R3, R4, RM1, RM2 and RM2-TH zones where the principal *dwelling unit* has frontage on a municipal *street* subject to the following:

- a) A *second suite* shall not be permitted in the Georgian Neighbourhood Study Boundary Area identified in Appendix XX and section 5.2.9.2.(a) of this By-law.
- b) The entrance to each unit shall be by way of an exterior entrance door, or a door from a common entrance and that the façade of the principal dwelling shall not be altered. The front façade of the principal dwelling shall not contain a separate entrance to the *second suite*. Access to the *second suite* shall be located in the side or rear yards from an exterior door or from an entrance that is shared to both *dwelling units*.
- c) A maximum of one *detached accessory dwelling* or *second suite* shall be permitted per lot.
- d) A *second suite*, when contained within the principal dwelling, shall have a maximum floor area equivalent to 40% of the *gross floor area* of the principal dwelling or no more than 50m<sup>2</sup> whichever is greater when located in the R1, R2, R3, R4, RM1, RM2 and RM2-TH zones.
- e) A maximum of 2 bedrooms is permitted in the second suite or *detached accessory dwelling unit*.

- f) A *detached accessory dwelling* unit shall be permitted in a *detached accessory building* subject to the standards in section 5.3.5. and sections 4.5.1. & 4.5.2. of this By-law.
- g) A *second suite* or *detached accessory dwelling* unit shall not be less than 35m<sup>2</sup> in size for a bachelor unit and for each additional bedroom a minimum of 10m<sup>2</sup> shall be required.

#### 5.2.9.2 Parking

That notwithstanding the parking requirements set out in Table 4.6 the following shall apply to a property containing a *second suite*.

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

#### 5.2.9.3 Standards

- a) All uses permitted are subject to the development standards referenced in Table 5.3. of this By-law.
  - b) Any *second suite* that existed on February 18th, 2015 shall be permitted subject to compliance with the standard set out in section 5.2.9.2.
10. THAT Table 5.3. be amended by adding (\*) in the Dwelling Unit floor area (min.) row under the R1, R2, R3 and R4 columns.
  11. THAT Table 5.3. be amended by adding the following at the end of the table:  
  
(\* Shall be the minimum *dwelling unit floor area* for the principal use (*dwelling unit*).
  12. THAT a new Appendix for the Georgian Neighbourhood Study Boundary Area be inserted into the City of Barrie Comprehensive Zoning By-law 2009-141 as Appendix XX.
  13. THAT this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this XX day of XXXXXX, 201X.

READ a third time and finally passed this XX day of XXXXX, 201X.

THE CORPORATION OF THE CITY OF BARRIE

\_\_\_\_\_  
MAYOR – J. R. LEHMAN

\_\_\_\_\_  
CITY CLERK – DAWN A. MCALPINE



**Legislative and Court Services**  
**COUNCIL DIRECTION MEMORANDUM**

TO: Director of Planning – action  
 Director of Building & By-law Services - note

FROM: Dawn McAlpine, City Clerk

DATE APPROVED  
 BY COUNCIL: May 25, 2015

**15-G-110 SECOND SUITES ZONING BY-LAW AMENDMENT**

1. That further to motion 15-G-037, approving the Affordable Housing Strategy for the City of Barrie, the City's Official Plan and Zoning By-law be amended in accordance with Appendices "A" and "B" to Staff Report PLN012-15, with the following exception:
  - a) That Section 5.2.9.3 b) Standards, of clause 9 of the Draft By-law attached as Appendix "B" be deleted and replaced with the following:
 

5.2.9.3 Standards

    - b) Except in the Georgian Neighbourhood Study Boundary Area, any second suite that existed on February 18, 2015 shall be permitted, subject to compliance with the standard set out in section 5.2.9.2 (parking).
  - b) That Section 5.2.91. d) General, of clause 9 of the Draft By-law attached as Appendix "B" be deleted.
2. That pursuant to Section 34(17) of the Planning Act, no further public meeting is required prior to the passing of this by-law.
3. That staff be directed to review PLN012-15 and cross reference said plan against the province's Strong Communities Through Affordable Housing Act, 2011 to see what provisions the plan or act considers with regard to severe weather patterns, climate change, the 100 year storm, and the Province's and municipality's Emergency Preparedness Plan, and the impact that said severe weather incidents may have on a) residents living in below grade dwellings in the event of a flood / sewer back up, and b) residents living above grade in the event of tornado and severe wind activity, as it pertains to each being able to take sufficient safe cover as they will not have unrestricted access to basements. (PLN012-15) (File: D14TE-SEC, D04-AFF and D09-OPA51)