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**TO:** GENERAL COMMITTEE

**SUBJECT:** FEE BY-LAW AMENDMENTS  
CONFORMITY REVIEW PROCESS  
ZONING / SECOND SUITE CERTIFICATE

**WARD:** ALL

**PREPARED BY AND KEY CONTACT:** S. FORFAR, MBA, RPP  
MANAGER OF GROWTH PLANNING, EXTENSION 4403

**SUBMITTED BY:** A. BOURRIE, RPP  
DIRECTOR OF PLANNING AND BUILDING SERVICES

**GENERAL MANAGER APPROVAL:** R. FORWARD, MBA, P. ENG.  
GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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### **RECOMMENDED MOTION**

1. That Schedule "K" of Fees By-law 2017-014 be amended by adding the following fee:
  - i) Conformity Review Fee: \$1,908.20.
2. That Schedule "K" of Fees By-law 2017-014 be amended by removing the following fee:
  - i) Zoning / Second Suite Certificate Fee: \$137.03.

### **PURPOSE & BACKGROUND**

#### **Report Overview**

3. The following is a comprehensive report recommending approval of a new fee to accommodate the Conformity Review service provided by the Planning and Building Services Department and the elimination of the Zoning/ Second Suite Certificate fee in Fees By-law 2017-014.

#### **New Fee: The Conformity Review Process**

4. The Conformity Review process is a mandatory pre-consultation service for all potential rezoning and draft plan of subdivision applications in the Salem and Hewitt's Secondary Plan Areas. The intent of this service is to ensure all potential applications conform to the approved Master Plans that were completed as a key outcome of the Growth Management Program. The Conformity Review is equivalent to similar pre-consultation requirements in the Built Boundary.
5. In addition to ensuring all proposed applications conform to the Master Plans, the service also provides applicants with a complete set of technical comments to consider and respond to prior to submitting a formal application. Pre-Consultation services are a value-add service for applicants and staff as they ultimately expedite and streamline the review time as they generally reduce the need for multiple re-submissions.

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**The Conformity Review Process:  
A Growth Management Program Outcome**

6. The Growth Management Program began in 2009 with the annexation of the 2,293 hectares (5,666 acres) of land, now known as the Salem and Hewitt's Secondary Plan Areas. The program involved the integration of land use, infrastructure, and financial planning to ensure these new greenfield lands would be built-out in accordance with provincial and local expectations for development in the community.
7. The program coordinated the completion of integrated Master Plans for planning and infrastructure and then assessed the affordability of the planned growth through the completion of a Fiscal Impact Analysis (FIA). The Infrastructure Master Plans followed the requirements of the Municipal Class Environmental Assessment (Class EA) process and subsequently received Council approval.
8. With respect to the land use planning component to the Growth Management Program, it concluded with not just the adoption of the Secondary Plans, but most importantly, the implementing Master Plans and the Conformity Review Process. Together, this ensured all proposed subdivisions conformed to the Master Plans prior to being accepted as formal planning applications. This approach ensured the Master Plan vision that was designed and evaluated through the growth management program would be realized, and allows the development application processes to focus on the technical implementation needs of the subdivision process.

**Fee Consultation & Service Improvements**

9. The Planning Services Department has processed 14 Conformity Review applications since the service began in 2016. At this time, nearly all of the Phase 1 lands in both Salem and Hewitt's have been through the Conformity Review process. Given the service is a pre-consultation process, it was proposed that for consistency, this service should be offered for the same fee as the existing pre-consultation service which is currently \$1,908.20.
10. Moving forward, should this service fee be approved, it will be applied to the approximately 25 potential applications across the remaining lands in all phases in both the Salem and Hewitt's Secondary Plan Areas, as they move forward through the development approvals process. To support the addition of this fee, staff piloted changes this year to the process in response to feedback that benefit all parties, including the following:
  - i) **Coordinated Circulation:** the circulation of the application was streamlined to ensure all affected service areas had the opportunity to comment, as well as the landowner groups. This was done to ensure broad coordination and clear communication allowing all new subdivisions to be designed in a holistic manner; and
  - ii) **Structured Process:** service standards for turn-around times were developed with set internal and applicant meeting dates to ensure a structured review process with meaningful outcomes for applicants and staff.
11. The fee request was circulated to the landowner groups in October 2017 and was discussed at the monthly landowner meeting on November 16, 2017. At this time, there are no major concerns with the proposal for this new fee as there have been improvements made to the process this year that are adding value to the service for all parties.

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### **Eliminating the Zoning / Second Suite Certificate Fee**

12. In the spring of 2017, Planning and Building Services proposed a series of changes to both the process for reviewing second suite applications and the standards for evaluating second suites in the zoning by-law. These changes were part of the Building Services “Fast Track Program”. Today, all new second suite applications are proceeding through one intake point, with one application and working with one service area, instead of three intake points, with three applications and three service areas. Taken together, the changes have had positive impacts for applicants in terms of saving approximately 6 – 8 weeks in time, \$1,150 - \$3,000 in application fees and technical submission requirements, and being able to work through a simplified intake, review and approval process (Appendix A: Innovative IDEAS: Secondary Suites submission).
13. The changes have also positively impacted the corporation in terms of time savings and streamlining service delivery for the benefit of the community. By leveraging automation opportunities in APLI, integrating the required zone review function, and modernizing the community standards in the zoning by-law, the planning service was able to eliminate two service lines and save approximately 650 hours of staff time annually that can now be redeployed to improve the delivery of other services.
14. One component of these overall service improvement changes was the integration of the zone review requirement into the building permit review process, as it is for all other services. With this change now in place, the separate application, review process and fee for a Zoning / Second Suite Certificate can be eliminated.

### **ANALYSIS**

#### **Summary**

15. The Conformity Review process is an important service for both applicants and staff and was a key outcome of the Growth Management Program. With 14 applications having already been processed and changes piloted this year to develop a stronger service for users, it is timely to introduce an associated fee that is consistent with all other types of pre-consultation services offered by the Planning and Building Services Department. As with all other fees with the City of Barrie, the proposed fee is consistent with the 2017 Pre-Consultation fee and shall be subject to annual increases.
16. In terms of the elimination of the Zoning / Second Suite Certificate fee, this process change is in full force and effect ensuring residents are saving time and the money when they apply to create a new second suite. As such, this change is considered a housekeeping amendment to the Fees By-law and will formally eliminate this redundant planning service line.

### **ENVIRONMENTAL MATTERS**

17. There are no environmental matters related to the recommendation.

### **ALTERNATIVES**

18. The following alternative is available for consideration by General Committee:

**Alternative #1** General Committee could refuse the proposal for a new fee for the Conformity Review process and/or the elimination of the Zoning / Second Suite Certificate fee.

This alternative is not recommended as there is inconsistency between pre-consultation services across the City. The Conformity Review service has also

undergone improvements this year that are adding value for users and as such, it is appropriate and fair to charge a fee for this service.

In terms of the elimination of the Zoning / Second Suite Certificate fee, this service line is no longer being offered and as such, the Fees By-law should be updated to provide clarity and transparency with respect to this planning service.

**FINANCIAL**

19. The addition of a Conformity Review fee to the Fees By-law will provide consistency in terms of all pre-consultation services offered by the planning service. It is estimated that the city will process approximately 16 Conformity Review applications in the next two years, and as such this fee is expected to result in approximately \$30,530.00 of additional revenue over this time period. The elimination of the Zoning / Second Suite Certificate fee will ensure the Fees By-law is current and accurate.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

20. The recommendations included in this staff report relate to the Responsible Spending pillar of the 2014-2018 Strategic Plan:

<b>Pillar</b>	<b>Goal</b>	<b>How It's Achieved</b>
Responsible Spending	Build a community that respects both current and future taxpayers.	The proposal is built on the principle that growth pays for growth, to the greatest extent possible.

Attachment: Appendix "A" - Innovative IDEAS: Secondary Suites (August 22, 2017)

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APPENDIX "A"

Innovative IDEAS: Secondary Suites (August 22, 2017)

## Innovative IDEAS: Secondary Suites

In the spring of 2017, Planning & Building services proposed a series of changes to both the **process** for reviewing second suite applications and the **standards** for evaluating second suites in the zoning by-law. Today, all new second suite applications are now proceeding through one intake point, with one application and working with one service area, instead of three intake points, with three applications and three service areas. Taken together, the changes have had positive impacts for applicants in terms of saving approximately 6 – 8 weeks in time, \$1,150 - \$3,000 in application fees and technical submission requirements, and being able to work through a simplified intake, review and approval process.

The changes have also positively impacted the corporation in terms of time savings and streamlining service delivery for the benefit of the community. By leveraging automation opportunities in APLI, integrating the required zone review function, and modernizing the community standards in the zoning by-law, the planning service was able to eliminate two service lines and save approximately 650 hours of staff time annually that can now be redeployed to improve the delivery of other services.

In summary, the following innovations have been implemented in order to optimize the second suite review and registration process in the city:

Process	Time Savings	Cost Savings	Process Change Results
Zoning Certificate	2 weeks	\$137.03	By integrating the zone review requirement into the building permit review process, as it is for all other services, this separate application, review process and fee could be eliminated.
Property Survey	2 weeks	\$800+	By using a common-sense approach to the requirement for a property survey, these are now only being requested where there are challenges determining compliance with standards.
Committee of Adjustment	3 months	\$1,882	By modernizing the community standards for second suites in the zoning by-law, there will be very few if any applications that will need a minor variance.
New Suite Registration Certificate	2 - 4 weeks	\$218.23	Automating the registration process by integrating it into the permit workflow in APLI means there is no need for a separate application, review process, and fee administered by the zone enforcement branch.
Addressing & Mapping the Second Suite Inventory			With the integration of GIS into the permit close-out process in the APLI workflow, the location of all registered second suites in the city is now in a publicly available map application and the required address change is being completed at the same time to ensure the corporate address database is current.
<b>TOTAL:</b>	<b>6 weeks – 5 months</b>	<b>\$1,150 - \$3,000</b>	For all new second suite applications, there is now a streamlined process with one intake point and one service area completing the review and approvals, instead of three applications and three service areas being involved.

## **Applicant Impacts:**

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In terms of savings specific to applicants, the innovative ideas have, on average, reduced application processing times by 6 - 8 weeks and applicants are saving approximately \$1,150 with each application. For second suite applications that also triggered a Committee of Adjustment approval process in addition to the regular application review process, these applicants are now saving approximately 4 – 5 months of time and approximately \$3,000.

Overall, the impact of these changes mean applicants are saving money that can be reinvested elsewhere in our community, saving time that brings safe secondary suite units into the market sooner, and most applicants are now working through a simpler approval process that provides them with a single point of contact in one service area from the start of the project to the end. This is bolstering relationships with our customers and building confidence in service delivery.

## **City Impacts:**

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### **Planning Services:**

By consolidating the zone review process, the planning service has eliminated the Zoning Certificate application and review step. This is saving approximately 2 hours per application of planning and administration staff time and eliminating a redundant service line which has helped to streamline service delivery for the community.

Using the 135 applications for second suites that were reviewed and approved in 2016, it is estimated that there will be an average of 270 hours of staff time being saved annually and approximately \$18,500 (135 x \$137.03) being eliminated as an annual revenue source, in order to implement these service improvements for the benefit of the community.

### **Zoning Enforcement Service:**

Staff time savings is also being realized in the Zoning Enforcement branch with the automation of the registration process. By integrating the registration process into the building permit close-out process for new second suites, the registration application and review step has been eliminated, saving approximately 1.5 hours of staff time per application. Further to this, the automation of this process and integration with GIS ensures that the inventory is now visually represented for the community, is always accurate to within 2 business days, and the required change of address service is taking place in parallel to the registration process and not after.

Using the 135 applications for second suites that were reviewed and approved in 2016, it is estimated that there will be an average of 200 hours of staff time being saved annually and approximately \$29,500 (135 x \$218.23) being eliminated as an annual revenue source, in order to implement these service improvements for the benefit of the community.

### **Committee of Adjustment Service:**

Staff time is also being saved with the reduction in Committee of Adjustment applications. In 2016, of the 135 second suite permits, 9 of them resulted in applications to the Committee of Adjustment, or approximately 6.5% of the total. By May of 2017, these applications had increased substantially as there were already 11 applications to the Committee out of approximately 70 second suite permits, representing approximately 16% of the permit applications and upwards of 38% of the total applications on Committee agendas.

With each file requiring approximately 15 – 20 hours of corporate staff time to process, the change in community standards to significantly reduce Committee applications for minor variances will allow this staff time savings to be re-deployed to other community services across the corporation. Using the 9 applications that had proceeded to the Committee in 2016, the corporation will be saving approximately 180 hours of staff time and will forego \$17,000 (9 x \$1883) in application revenues for the benefit of the community.

Taken together, the corresponding reduction in annual planning service revenues, estimated at approximately \$58,000 based on 2016 application volumes of 135 new second suites and approximately 650 hours of staff time, is the cost of increasing our effectiveness in service delivery and our commitment to actively supporting investment in new second suites.

### **The Second Suite Initiative:**

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As a brief history of where we have come from, it was in 2012 that the province initiated changes in legislation that required municipalities to amend their community planning documents (official plan and zoning by-law) to permit secondary suites (Appendix A). In response, in 2015 Barrie City Council adopted amendments to the zoning by-law that provided new community standards for the evaluation of secondary suites and implemented a review process that involved three separate applications being made to three different service areas.

For new second suites, this three step process started with applicants submitting a property survey and receiving a zoning certificate from the Planning Services branch. For an average of 10% of all second suite applicants, the zone review would also trigger an application to the Committee of Adjustment for a minor variance.

Once the applicant had received a Zone Certificate and/or an approval from the Committee of Adjustment, they could then apply for a building permit from the Building Services branch. Once the permit was issued, all inspections had been passed, and the unit was complete, the applicant would then need to make a third application and pay a third fee for a registration certificate from the Zoning Enforcement branch.

This process had received some criticism over the two years it was in place, given the multiple steps and applications that were required to proceed. Given the importance of second suites to the goals of affordable housing and affordable homeownership, and the fact that most applicants for second suites are home owners, the need for a detailed review of what could be done to streamline the approval process and improve customer service was timely.

### **From Three Steps to One:**

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The system for new second suites now requires applicants to make a single building permit application through Service Barrie. Following this, the required zoning review step has been integrated into the permit review process, just as all other zone reviews are completed for all other permit types. Once the building permit has been issued, construction completed and the new suite has passed all inspections, the registration process is now automated and is completed as part of the permit close out in APLI.

Taken together, these changes have eliminated two unnecessary service lines and created a single point of contact within a seamless process, saving time and money.



## **Modernizing Our Community Standards:**

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Moving in parallel to the process changes that were being undertaken, housekeeping amendments to the zoning by-law were also approved by Council in June 2017 (Appendix B). These changes still protect the integrity of neighbourhoods but eliminate the community standards that were triggering unnecessary minor variance applications to the Committee of Adjustment.

The modernized zoning by-law standards have removed the restrictions for entrance locations and the requirement that dwellings meet the residential standards of today as these provisions were not offering any real community benefit that planning processes are intended to protect. The restrictions on entrance locations resulted in applicants not being able to use existing second entrances to their home if they were on the front façade. This ended up frustrating applicants, adding additional expense to second suite projects, and arguably reducing the safety of second suites as they were required to be accessed through a side or rear yard only.

The requirement that properties also met the residential standards of today was also not offering a community benefit as in many cases, this provision was resulting in applications to the Committee to recognize the existing location of a side, front or rear wall of a home. With most second suites resulting in an interior renovation, with the only exterior impact being the requirement for a second parking space, this requirement was also deemed unnecessary.

Additionally, applicants were required to submit a property survey to validate the exact location of their existing home and to confirm that a second parking space could be accommodated on site. With many property owners not having surveys, this often resulted in another expense and a delay at the beginning of an application process. Furthermore, where driveways were clearly large enough to accommodate a second parking space, this requirement was frustrating for all involved. This provided support for a common sense approach to the requirement for a property survey moving forward, when it comes to second suites.

## **Implementing Innovation:**

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Given the breadth of changes to both the process for reviewing and approving second suites and the standards in which these suites are evaluated against, planning and building staff undertook an education and support program for both staff and the community over the spring months in preparation for the August transition in service delivery.

## **Raising Awareness:**

Staff from Planning and Building services attended an information session in April held by the Barrie & District Association of Realtors (BDAR) to advise realtors and contractors of the upcoming changes and answer questions. The team also began to advise potential second suite applicants of the upcoming changes to the second unit registration process and as such, the team had no second suite applications for Committee of Adjustment for the June or July agendas as applicants generally chose to hold off making their applications until the changes were in effect.

### **Zone Review Support:**

In terms of internal supports, planning staff held two 'Zoning 101' training sessions for planning and building staff in June, providing a refresher overview of low-density residential zoning provisions and particularly an overview of the simplified standards for second suites. To support this, planning staff prepared checklists and reviewed practical examples using previous and active files in order to ensure everyone felt ready for the transition.

### **Work Flow Changes:**

The team has also worked closely with our APLI colleagues to ensure the necessary changes to work flows and the Service Barrie intake processes were completed. Coordination with GIS staff to ensure the automation of the registration process and the creation of the online second suite database was also undertaken - this was an essential step to ensuring the online registry would be accurate to within a couple of days.

### **Second Suite Triage:**

The services are also piloting a new approach to triaging second suite applications that involves a small review committee of staff meeting weekly in August to review applications for second suites. This is to ensure they are complete prior to moving them forward into the application processing system.

### **Results to Date:**

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To-date, the proposed changes to the second unit review and approval process have been well received by the community, including residents, real estate agents, contractors and builders. The proposed changes have reduced staff time spent on processing second suite applications which has enabled staff to focus on other tasks and projects. With many applications choosing to delay their second suite submission until the changes were in effect, we are expecting more applications than usual in August, which the team is ready for.

### **Next Steps:**

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The second suite triage centre is being set up for deployment in August and the team is re-evaluating how to complete the zone review function to maximize efficiency in service delivery. Results in terms of turn-around times are being monitored and changes to respond to the evolving needs will be reviewed regularly.

The impact on the 2018 budget is being integrated into the revenue projections for the planning and zone enforcement services to ensure the reductions are being accounted for this year and for all future years.

## APPENDIX A:

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### Community Benefits to Second Suites:

Second suites increase the supply and range of affordable rental accommodation across communities in a manner that moderately increases overall density and retains the existing character of residential neighbourhoods. Since provisions were introduced in Barrie in 2015 to permit second suites across the city (with the exception of new suites in the Georgian College CIP area), the City of Barrie has registered 262 second suites with the vast majority of them being **new** second suites.

This form of housing offers a range of community benefits which include:

- Providing the opportunity for homeowners to invest in underutilized space in their home and earn a secondary income to help offset the costs of home ownership;
- Providing more housing options for extended families, elderly parents, and live-in caregivers;
- Slowly diversifies neighbourhoods in terms of the range of housing that is available (tenure) and the socio-economic bracket of residents that can live there;
- Making more efficient use of existing community infrastructure and housing stock;
- Creating employment opportunities in the construction / renovation industry; and
- Assisting municipalities in meeting their goals for increasing the supply of affordable housing, achieving higher overall intensification and density targets, and support for climate change mitigation and greenhouse gas emission reductions.

### The Provincial Context:

In 2012, the *Strong Communities through Affordable Housing Act* amended the *Planning Act* to require that municipalities authorize second units (“secondary suites”) in their official plan and zoning by-law and permit them in detached, semi-detached, row-house and accessory buildings. At this time, the province also amended the *Development Charges Act* to exempt second units in new and existing dwellings from development charges, further reducing the barrier to the creation of this type of housing in neighbourhoods.

Following these initial changes, in 2016, Ontario brought forward an update to the *Long-Term Affordable Housing Strategy* with the intent to continue to reduce barriers to the construction of second suites. This effort is focusing on reducing the costs of construction of a second suite by proposing changes to the Building Code, including:

- Permitting houses with secondary suites to be built of combustible construction and combustible cladding;
- Requiring a 30-minute fire separation between two units;
- Requiring interconnected and hard-wired smoke alarms within the units (e.g., common laundry rooms and shared exits); and,
- Permitting the installation of combined or independent HVAC systems.

**APPENDIX B:**

**Changes to the Zoning By-law Standards for Second Suites**

2015 Zoning By-law Standards		2017 Zoning By-law Standards	
<b>Section 5.2.9.1 – General</b>			
1.	Permitted in the R1, R2, R3, R4, RM1, RM2 and RM2-TH Zones	<b>NO CHANGE:</b> second suites are still permitted in low density housing types.	
2.	Shall not be permitted in the Georgian Neighbourhood Study Area identified in Schedule 'A' unless the unit existed prior to May 22, 1996	<b>NO CHANGE:</b> second suites are still not permitted in the Georgian College CIP area, as per Council's direction.	
3.	The entrance to each unit shall be by way of an exterior door, or a door from a common entrance and 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 and or rear yards from an exterior door or from an entrance that is shared by both dwelling units.	<b>ELIMINATED:</b> This standard has been eliminated which will reduce (nearly eliminate) the number of minor variance applications associated with second suites to the Committee of Adjustment in the future.	
4.	A maximum of one (1) detached accessory dwelling or second suite shall be permitted per lot.	<b>NO CHANGE:</b> there is still only one second suite permitted per property.	
5.	A maximum of two (2) bedrooms is permitted in the second suite or detached accessory dwelling unit.	<b>NO CHANGE:</b> there is still a maximum of two bedrooms permitted in second suites to retain the smaller-scale nature of these units.	
6.	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 and 4.5.2 of the Zoning By-law.	<b>NO CHANGE:</b> residents can still apply to have a second suite in a detached accessory structure.	
7.	A second suite or detached accessory dwelling unit shall not be less than 35 m <sup>2</sup> in size for a bachelor unit, 45 m <sup>2</sup> for a one-bedroom unit and 55 m <sup>2</sup> for a two-bedroom unit.	<b>NO CHANGE:</b> second suites must still meet the minimum unit size requirements for apartment dwellings.	
<b>Section 5.2.9.2 – Parking</b>			
1.	A minimum of one (1) parking space per dwelling unit.	<b>NO CHANGE:</b> one parking space per unit is still required.	
2.	Tandem parking is permitted.	<b>NO CHANGE:</b> tandem parking remains permitted.	
<b>Section 5.2.9.3 – Standards</b>			
1.	All uses permitted are subject to the development standards referenced in Table 5.3 (Residential Standards) of the Zoning By-law.	<b>ELIMINATED:</b> This standard has been eliminated because most second suites involve interior renovations which do not impact the exterior of a dwelling. Therefore, existing dwellings and lots should not have to comply with today's zoning by-law. Eliminating this standard will substantially reduce the number of minor variance applications to the Committee of Adjustment in the future.	
2.	Except in the Georgian Neighbourhood Study Boundary Area, any second suite that existed on February 18 <sup>th</sup> , 2015 shall be permitted subject to compliance with the standards set out in section 5.2.9.2.	<b>NO CHANGE:</b> This standard has been retained as per Council's direction.	