
TO: GENERAL COMMITTEE

SUBJECT: AMENDMENT TO THE ZONING BY-LAW – 582 ESSA ROAD (2858098 ONTARIO INC.)

WARD: 7

PREPARED BY AND KEY CONTACT: L. JUFFERMANS, RPP, PLANNER, EXT. 4447

SUBMITTED BY: M. BANFIELD, RPP, DIRECTOR OF DEVELOPMENT SERVICES

GENERAL MANAGER APPROVAL: B. ARANIYASUNDARAN, P. ENG., PMP, GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT

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

RECOMMENDED MOTION

1. That the Zoning By-law Amendment Application submitted by Pilon Abbs Inc. on behalf of 2858098 Ontario Inc. to rezone lands legally known as Lot 16, Plan 1101, being Lot 3, Concession 11 in the Geographic Township of Innisfil, City of Barrie, and known municipally as 582 Essa Road from 'General Commercial' (C4) to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX) be approved.
2. That the following site specific standards be referenced in the implementing Zoning By-law Amendment for the subject lands, as described and illustrated in Appendix "A" attached to Staff Report DEV060-23:
 - a) A maximum front yard setback of 6.72 metres shall be permitted along Essa Road, whereas 5.0 metres is required;
 - b) The front yard setback may be a combination of paved and landscaped area which is seamlessly connected with the abutting sidewalk, whereas the setback is required to be fully paved;
 - c) A maximum side yard setback of 3.41 metres shall be permitted along the southern property limit, whereas 3.0 metres is required;
 - d) A maximum building height of 27.2 metres shall be permitted, whereas 25.5 metres is permitted;
 - e) That commercial parking spaces may be provided at a ratio of 1 space per 28 square metres of commercial ground floor area (15 spaces), whereas a ratio of 1 space per 24 square metres of commercial ground floor area (17 spaces) is required;
 - f) That outdoor amenity area may be provided as unconsolidated at a ratio of 5.8 square metres per residential unit, whereas a ratio of 12 square metres per residential dwelling unit is required;

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- g) That the front yard façade step-back shall be measured as a 47 degree angular plane at height above 80% equivalent right-of-way using 3.0 metre step-backs, whereas a 45 degree angular plane at height above 80% equivalent right-of-way using 3.0 metre step-backs is required; and
 - h) That the rear yard façade step-back shall be measured as a 47 degree angular plane above 7.5 metres using 3.0 metre step-backs, whereas a 45 degree angular plane above 7.5 metres using 3.0 metre step-backs is required.
 3. That the Hold (H-XXX) be removed from Mixed Use with Special Provisions (MU2)(SP-XXX) zone when the following is completed to the satisfaction of the City:
 - a) That the owner/applicant undertake and/or agree to satisfy the requirements of a Certificate of Property Use and/or Record of Site Condition under the *Environmental Protection Act* prior to any site works or issuance of a Building Permit;
 - b) That the owner/applicant undertake a fire flow test to confirm sufficient infrastructure capacity for the proposed development, completed to the satisfaction of Development Services – Approvals;
 - c) That the owner/applicant amend the Site Plan Concept to incorporate landscape strips and protection for boundary trees or consent to harm boundary trees from adjacent landowners to the satisfaction of Development Service - Parks Planning; and
 - d) Approval of a Site Plan Control application and execution of a Site Plan Agreement.
 4. That the written and oral submissions received relating to this application have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application as amended, including matters raised in those submissions and identified within Staff Report DEV060-23.
 5. That pursuant to Section 34 (17) of the *Planning Act*, no further public notification is required prior to the passing of the by-law.

PURPOSE & BACKGROUND

Report Overview

6. The purpose of this report is to recommend approval of a Zoning By-law Amendment application as submitted by Pilon Abbs Inc., on behalf of 2858098 Ontario Inc., for lands known municipally as 582 Essa Road. The development plan will be formalized through a future Site Plan Control application as applicable under the *Planning Act*.
7. If approved, the application would permit an eight (8) storey mixed use building on the 0.38 hectare parcel with 406 square metres of ground floor commercial space and 101 residential units consisting of twenty-one (21) 1 bedroom units, seventy (70) 2 bedroom units and ten (10) 2 bedroom plus study units as detailed in Schedule “B” – Conceptual Site Plan.

Background

8. The application was deemed complete on July 19, 2023, and is subject to the new provincial Bill 109, the *More Homes for Everyone Act, 2022* review timelines, and the new Official Plan (2023). The new Official Plan designates the lands as “Neighbourhood Residential” and “Essa Road Intensification Corridor”, which reflects a land use designation appropriate for the proposed development.
9. With the conclusion of the technical review and public consultation process, which included a Neighbourhood Meeting on April 13, 2023, and Public Meeting on September 13, 2023, staff have determined that the proposal has regard for matters of provincial interest as outlined in the *Planning Act*, is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2019), as amended, and the City of Barrie Official Plan (2023). As such, staff are recommending approval of the rezoning application as outlined in the draft by-law attached to Staff Report DEV060-23 as Appendix “A”.

Site and Location

10. The subject lands are approximately 0.3771 hectares (0.974 acres) in size and located on the east side of Essa Road, north of Mapleview Drive West and south of Mapleton Avenue. Coughlin Road dead ends across Essa Road with the potential for an extension of Coughlin Road through the subject property considered and planned for within the current conceptual design. The property has a frontage of approximately 80.4 metres of frontage along Essa Road.
11. The immediate surrounding land uses include:

North: Approved 6-storey and 8-storey residential buildings along Essa Road;

East: Vacant lands and single detached residential with Business Park Industrial lands further east on Reid Drive and Caplan Avenue;

South: Vacant lands, which have been identified for Medium Density residential redevelopment, institutional use (Catholic church) and an application for a mix of 1,217 residential units, retail and a new public library or community use space (D30-002-2020); and

West: Essa Road, general commercial uses including a grocery store in addition to multi-tenanted building. Low density and medium density residential including single detached dwellings.



Existing Policy

12. As noted above, the subject lands are designated ‘Neighbourhood Area’ in Map 2 and occur along the Essa Road Intensification Corridor in Map 1 of the new Official Plan (2023). The current zoning for the lands under Comprehensive Zoning By-law 2009-141 is ‘General Commercial’ (C4).

Background Studies

13. In support of the application, the following plans, reports, and studies were submitted. Details of the application and submission materials are available online on the City's Development Projects webpage under [Ward 7 – 582 Essa Road](#).
- a) Planning Rationale Report (Pillon Abbs Inc.) dated July 10, 2023
 - b) Urban Design Report (KBA Inc.) dated June 6, 2023
 - c) Functional Servicing and Stormwater Management Report (Gerrits Engineering Limited) dated February 24, 2023
 - d) Traffic Impact Study, Parking Reduction Justification and Construction Management Plan (Traffic Engineering Ltd.) dated January 3, 2023
 - e) Hydrogeological Assessment Report (Cambium Inc.) dated January 16, 2023
 - f) Geotechnical Investigation Report (Cambium Inc.) dated December 22, 2022
 - g) Tree Preservation Plan (Aboud & Associates Inc.) dated February 13, 2023
 - h) Site Lighting Plan (Kingswood Building Science) dated February, 2023

Public Consultation

14. A Neighbourhood Meeting was held virtually on April 13, 2023, with four (4) residents, Ward 7 Councillor Gary Harvey, Planning staff and representatives for the owner/applicant in attendance.
15. A statutory Public Meeting was held on September 13, 2023, to present the subject application to the Affordability Committee and the public. One verbal comment was received in the meeting from an adjacent residential landowner. The Affordability Committee Chair (Councillor Harris) and Ward 7 Councillor (Harvey) also raised questions regarding the commercial land use, design and need for vegetation protection in the meeting.
16. Comments were received in writing by the file manager in advance of, and subsequent to, the public meeting. These comments as received at the neighbourhood meeting and the public meeting, are outlined in the public comment section of Staff Report DEV060-23 (paragraphs 17 to 19) below. This list provides a summary of the comments as well as a corresponding response from staff to demonstrate that the issues have been considered in the review of this application to the greatest extent possible.

Public Comments

17. **Reduce Off-Site Impacts**

A number of comments were received in the neighbourhood meeting and in advance of the public meeting regarding the need for ensuring the project does not directly impact upon two adjacent low rise residential properties at 26 and 28 Warner Road. Recommendations included the need for privacy screens and landscaping in addition to protection of existing vegetation and conformity with rear and side yard setback requirements at a minimum.

The applicant's consultant has detailed that trees immediately adjacent to the noted residential properties will be protected and additional landscaping will be included to ensure a visual separation between the residential properties. The applicant has not proposed balconies on the structure to protect against noise and visual impacts on adjacent landowners, with a proposed rooftop amenity area on the 8th floor, currently shown adjacent to the neighbouring residential to be redesigned or walled to protect surrounding residents. Matters relating to balconies and rooftop patios can be addressed through the future Site Plan Approval application.

18. **Access and Parking**

Residents at the neighbourhood meeting identified the limited parking opportunities along Essa Road and challenges with access from the arterial Essa Road. This circumstance impacts upon the proposed commercial uses along Essa Road in addition to visitors, deliveries, and residential tenants of the site.

These items were identified through technical staff review of the subject site, and the project's design has been directed to account for an alternative access from an extension of Coughlin Road (Local Street) should development of lands to the south occur. The applicant has provided justification through their submitted Traffic Impact Study which demonstrates that access and parking can be provided on the subject site to an appropriate standard.

19. **Provision of Amenity Space**

A resident identified concerns with the limited amenity space and requested reduction through the proposed amendment. Access to public parks in the immediate surrounding area is somewhat limited with Essa Road being a barrier.

The applicant has requested a reduction in the required outdoor amenity space requirements due to the unique characteristics of the site. Roof top greenspace and programming has been proposed which will account for approximately 587 square metres of amenity space, with a further 206 square metres of indoor amenity space in a community room and gym proposed. Given Holly Community Park is approximately 300 metres to the west by way of the signalized intersection at Coughlin and Essa Road, staff feel the reduced amenity space proposed is reasonable while still providing residents appropriate amenity resources.

Department and Agency Comments

20. The subject application was circulated to staff in various departments and to external agencies for review and comment.
21. **Development Services (Addressing)** staff noted that addressing comments will be provided at the time of a future Site Plan Control application.
22. **Development Services – Approvals** staff have reviewed the provided concept plan and associated technical studies and have requested hydrant flow testing to ensure there is sufficient capacity in the immediate area to service the subject site. This and other technical requirements and the provisions of services to City of Barrie standards can occur through the detailed design and review of the future Site Plan application.
23. **Development Services – Parks Planning** staff advised that all boundary trees are to be protected unless written authorization from adjacent landowners is obtained to cause harm. Further the currently proposed landscape strips along the northern and southern property lines shall be 3 metres in width, where 1.8 metres and 1.39 metres are currently provided.
24. **Development Services – Transportation Planning** staff have reviewed the Transportation Impact Study (TIS) and concept plan provided, where it is noted that improvements within the Essa Road right-of-way may be required. These may include the need for an additional turning lane depending upon additional review in the TIS and a centre median extension, with costs to be borne by the applicant.

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25. **Development Services – Urban Design** staff provided comments on the current design concept and raised matters which have previously been identified for consideration prior to approval of the zoning amendment, including the protection of boundary trees, and consideration of the buildings impact upon adjacent residential. Future design consideration of the ramp and interior space from an extended Coughlin Road, should be considered as part of Site Plan application review.
 26. **Building Services** staff have reviewed the submission materials provided in support of the proposed amendment and have no concerns with the current application. Further review is to occur at the time of a future Site Plan application.
 27. **Infrastructure Services Department (Water Operations Branch)** staff requested a number of detailed design alterations which can be accommodated for within the future Site Plan application. The proposed municipal water service is required to be designed as per current City of Barrie, Water Transmission and Distribution Policies and Design Guidelines.
 28. **Transit Operations** staff provided comments regarding the requirement for the installation of a bus shelter in front of the site on an existing transit pad. Additional review is required to ensure appropriate site lines into the subject development after the bus shelter's installation.
 29. The City's **Fire and Emergency Services Department** advised that they have no comments on the proposed amendment. If approved, locations of building exits, primary entrance, CACF, Fire alarm annunciator, fire hydrant, fire access route, site servicing and fire department connections will be reviewed as part of the future Site Plan application.
 30. **Finance Department** staff provided applicable development charges/fees associated with the future development of this site. These comments are outlined in the Financial section of Staff Report DEV060-23.
 31. **Environmental Risk Management** staff have no concerns with the current Zoning By-law Amendment application with matters including the completion of a Hydrogeological Study and additional review of the submitted Phase 2 Environmental Assessment required in advance of the future Site Plan application.
 32. **Environmental Compliance** staff have no concerns with the current Zoning By-law Amendment, however, have advised that a Record of Site Condition (RSC) and additional details on the Phase 2 Environmental Assessment, Hydrogeological Assessment and Civil Engineering plans are required as part of the future Site Pan application.
 33. **Alectra Utilities** has no objections to the approval of the proposed Zoning By-law Amendment subject to appropriate connection and clearances of utility infrastructure.
 34. **Nottawasaga Valley Conservation Authority (NVCA)** reviewed the subject Zoning By-law Amendment and upon review of their mandate and policies under the *Conservation Authorities Act*, do not have objections to the approval of the application.

ANALYSIS

Policy Planning Framework

Ontario Planning Act, R.S.O. 1990

35. Section 2 of the *Planning Act* requires that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, shall have regard to, among other matters, matters of provincial interest such as, but not limited to, the protection of ecological systems, including natural areas; the adequate provision and efficient use of transportation, sewage and water services and waste management systems; the adequate provision of a full range of housing, including affordable housing; the resolution of planning conflicts involving public and private interests; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and the mitigation of greenhouse gas emissions and adaptation to a changing climate. The *Planning Act* can be found in its entirety at the following link: <https://www.ontario.ca/laws/statute/90p13>.
36. The proposed development is consistent with this legislation in that it is located within the settlement area of Barrie and within an area that has been identified for residential intensification; will utilize planned and available infrastructure (water, waste management and stormwater management systems); provides for residential housing and commercial employment ; and is in a location supported by transit and active transportation initiatives.

Provincial Policy Statement (2020) (PPS)

37. The Provincial Policy Statement (2020) (PPS) provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for managing growth for regulating the development and use of land. The PPS can be found in its entirety at the following link: <https://www.ontario.ca/page/provincial-policy-statement-2020>
38. The PPS contains policies that provide direction for communities to manage and direct land uses to achieve efficient development and land use patterns. This is achieved by ensuring that sufficient land is available through intensification to accommodate an appropriate range and mix of residential and employment uses; avoiding land use patterns which may cause public health and safety concerns and promotes efficient and cost-effective development.
39. The PPS further states that new development should occur adjacent to and within existing built-up areas, have a compact form, mix of uses and densities that allow for the efficient use of land, planned infrastructure and public service facilities (i.e., transit) to accommodate projected needs. Intensification and redevelopment are also promoted to meet projected population growth for the next 30 years.
40. Although not included in detail, staff have reviewed the relevant policies and are of the opinion that the proposed development is consistent with the applicable policies of the Provincial Policy Statement (2020).

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as amended

41. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as amended (Growth Plan) is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment and natural resources, and helps communities achieve a high quality of life. It provides a framework for implementing Ontario's vision for building strong, prosperous communities by managing growth and it establishes the long-term framework for where and how the region will grow. The Growth Plan can be found in its entirety at the following link: <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>.
42. The Growth Plan is intended to provide direction for municipalities in areas related to intensification of existing built-up areas. The primary focus of the plan is on building complete communities that are well-designed to meet people's daily needs, offer transportation choices, accommodate people at all stages of life by providing an appropriate mix of jobs, local services, public service facilities and a full range and mix of housing options to meet various incomes and household sizes.
43. Section 2.2.6 supports housing choice through the achievement of minimum intensification and density targets, including identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing options. Additionally, the retail sector will be supported by promoting a compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.
44. The Growth Plan requires that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, 50% of all residential development occurring annually within the City must be within the existing built boundary. In addition, the Growth Plan promotes the wise management of resources through the utilization of existing services and transportation infrastructure.
45. The proposed residential development is in the existing built boundary and is intended to contribute to the housing options available in this area. The residential density for this neighbourhood would be increased from 13.41 units per hectare to 14.72 units per hectare as demonstrated in the Residential Density Analysis included as Appendix "D" to Staff Report DEV060-23.
46. Based on the foregoing, staff are of the opinion that the proposed development conforms to the Growth Plan as it contributes to the continuation of the existing commercial permissions on the property, while aligning with existing and proposed uses along the intensification corridor in the form of medium density residential, while utilize existing and planned infrastructure, and supporting the future growth of the community.

City of Barrie Official Plan (2023)

47. The Official Plan provides guidance for consideration of land use changes, the provision of public works, actions of local boards and private enterprise and municipal initiatives. It gives direction for implementing By-laws, guidelines for more detailed planning and the means for controlling growth so that the City's capacity to provide a healthy community environment is not exceeded. The City's Official Plan can be found in its entirety at the following link: <https://www.barrie.ca/media/10451>
48. The new Official Plan (2023) designates the subject property as 'Neighbourhood Area', while also identifying it as occurring on the Essa Road Intensification Corridor.

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49. Section 2.3.6, notes that *Intensification Corridors* are areas planned for higher-density and mixed use development along arterial streets that connect Barrie's growth centres. It is expected that the level of intensification will vary along the length of an *Intensification Corridor* to reflect different contexts, with development and redevelopment forward looking in creating spaces oriented toward the street to support walkable and transit oriented land uses.
 50. Lands designated 'Neighbourhood Area', are to provide most of the city's low-rise housing stock, offer neighbourhood-scale commercial uses to service immediate neighbourhoods, and provide a mixture of uses on arterial streets and Intensification Corridors to service the wider community. Development is intended to function as a complete community, and planned to encourage walking, cycling and transit use.
 51. As defined within Section 2.6.1, 'Neighbourhood Areas' are considered established neighbourhoods that are not intended to experience significant physical change, except for circumstances including lands located on an Intensification Corridor, or fronting onto an arterial.
 52. As described further in Section 2.6.1.2, for locations along an Intensification Corridor in the Neighbourhood Area designation, development may be permitted up to eight storeys if there is compatibility of height of surrounding buildings within 450 metres, it fronts onto and is oriented towards the Intensification Corridor; the transition policies in Section 3 of the Official Plan can be satisfied; and servicing availability can be confirmed by the City.
 53. Surrounding lands to the north are currently under development with six (6) and eight (8) storey residential buildings proposed in conformity with the above requirement. The subject development has been appropriately oriented to engage with the Essa Road frontage, and the urban design and built form principles of Section 3 of the Official Plan have been followed. As noted previously, the applicant is required to satisfy infrastructure capacity requirements and is otherwise supported by the City's Development Services – Approvals staff with further details to be addressed through a future Site Plan application.
 54. Based on the foregoing, Planning staff are satisfied that the proposed Zoning By-law amendment conforms to the City's new (2023) Official Plan, as it relates to permitted uses, land use compatibility, and servicing and infrastructure.

City of Barrie Comprehensive Zoning By-law 2009-141

55. As noted above, a Zoning By-law Amendment application was submitted by Pillon Abbs Inc. on behalf of 2858098 Ontario Inc. for lands known municipally as 582 Essa Road from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions' (MU2)(SP-XXX)(H-XXX). The proposed zoning is illustrated in Appendix "A" attached to Staff Report DEV060-23.
56. Comprehensive Zoning By-law 2009-141 can be found in its entirety at the following link: <https://www.barrie.ca/planning-building-infrastructure/development-planning/zoning-land-use>.
57. The site specific zoning permissions requested to facilitate this plan are outlined below with a brief explanation and justification of support by staff. All other Zoning By-law standards are met by the development concept.

Table 1: Site Specific Zoning Provisions

| Minimum Zone Standard | Required for Mixed Use Corridor (MU2) | Proposed Mixed Use Corridor – Special Provision (MU2)(SP-XXX)(H-XXX) |
|--|---|--|
| Table 5.4.2 Maximum Front Yard Setback | 5.0 metres | 6.72 metres |
| Section 5.4.3.2 Front Yard Setback | Shall be fully paved and seamlessly connected with abutting sidewalk | May be a combination of paved and landscaped area which is seamlessly connected with the abutting sidewalk |
| Table 5.4.2 Maximum Side Yard | 3.0 metres | 3.41 metres |
| Section 5.4.3.4 Maximum Building Height | 25.5 metres | 27.2 metres |
| Section 4.6.2.3 Parking Multiple Uses in Commercial Zones | 1 parking space per 24m ² GFA | 1 parking space per 28m ² GFA |
| Section 5.4.2.2 Outdoor Amenity | Outdoor amenity area based on a minimum of 12 metres per unit shall be provided | Outdoor amenity area based on a minimum of 5.8 metres per unit shall be provided |
| Table 5.4.2 Front Yard Façade Step-back | 45 degree angular plane at height above 80% equivalent right-of-way using 3m minimum step-backs | 47 degree angular plane at height above 80% equivalent right-of-way using 3m minimum step-backs |
| Table 5.4.2 Rear Yard Façade Step-back | 45 degree angular plane above 7.5m using minimum 3m step-backs | 47 degree angular plane above 7.5m using minimum 3m step-backs |

Maximum Front Yard Setback and Standards

58. The applicant is proposing a greater setback from the defined arterial, Essa Road being 6.72 metres whereas a maximum setback of 5.0 metres applies on 25% of the frontage. The Mixed Use zone also incorporates a minimum front yard setbacks of 1.0 metres for 75% of the property's frontage.
59. The intent of the minimum and maximum front yard setback within the Mixed Use zone is to require developments to be oriented close to the street frontage and create active and walk-able spaces. Additional, City landscape guidelines in accordance with Section 9.1 of the City's urban Design Manual establish that a minimum landscape strip along arterials shall be 6.0 metres. Given the subject site has incorporated ground floor commercial and has committed to both landscaping as per City design requirements and paved walkways to allow entry to the commercial units and activate the streetscape, staff are of the opinion that the requested provisions are appropriate and balance landscaping requirements with the intentions for an activated streetscape.

Maximum Side Yard Setback

60. The applicant is proposing a greater setback from the southern side yard with a proposed 3.41 metre setback where 3.0 metres is the maximum permitted. With no minimum side yard setback, the proposed concept generally conforms with the Mixed Use zoning standard, however due to the odd shape of the parcel and in seeking to accommodate for construction vehicle and equipment access avoiding disruptions to Essa Road, the proposed setback partially exceeds the standard. Given the southern property limits may one day serve as frontage onto a Coughlin Road extension, a greater setback in line with frontage requirements is considered by planning staff to be appropriate.

Maximum Building Height

61. The applicant is proposing an increased maximum building height for the development being 27.2 metres whereas 25.5 metres is permitted in Zoning By-law 2009-141. The requested increase of 1.7 metres supports the development being an 8 storey structure and incorporates a required ground level floor height of 4.5 metres. Staff are of the opinion that the requested provision is minor and supports a built form which is otherwise supported by the Official Plan and Urban Design Guidelines.

Commercial Parking

62. The applicant is proposing a reduced parking ratio for the on-site commercial uses with a total of 15 commercial parking spaces provided. This represents a ratio of 1 space per 27.06 square metres of gross floor area whereas a ratio of 1 space per 24 square metres gross floor area, when commercial uses are in combination with residential uses.
63. The proposed three (3) commercial units total 406 square metres, and are respectively 90, 142 and 174 square metres in area. The uses are not as yet defined which in Table 4.6 would generally require a ratio of 1 space per 50 square metres (8.12 spaces) or may be considered as most likely to be used as a Personal Service Store or Retail given their size, where a parking ratio of 1 space per 30 square metres is required (13.5 spaces). Given the variation in commercial parking requirements and the likely future use of the units, the requested provision is deemed to be appropriate in the opinion of planning staff.

Outdoor Amenity

64. The applicant is proposing a reduced outdoor amenity area of 587 square metres including patios on the 8th floor and rooftop (9th), with a ratio per residential unit being 5.8 square metres. Additional indoor amenity space is proposed and includes a gym space on the 7th floor (180 square metres) and community space on the 5th floor of 26 square metres. The total indoor amenity space is proposed as 206 square metres (2.0 square metres per residential unit). The combined amenity space totals 793 square metres (7.85 square metres per residential unit) whereas 1,212 square metres is required (12 square metres per residential unit). Outdoor amenity area may be inclusive of landscape open space, rooftop amenities (green roofs, solariums, gardens, and patios), private balconies, or other outdoor amenity features. Outdoor amenity area shall or shall not be in consolidated form.
65. Amenity space is required to be provided to support the well-being of residents, however typically occurs as a combination of a private balcony and at-grade landscaped area. Given the property's small and irregular shape and presence along Essa Road, and in respecting the interests of the adjacent and future resident's, balconies have not been proposed. The applicant has proposed a

consolidated amenity space on the upper floors as contained indoor space and external patios. The appropriateness of these spaces, design and screening from the adjacent residential property to the north will be detailed through the future Site Plan application. It is the opinion of planning staff that the general intent is being met by the proposed amenity spaces, and with the availability of the Holly Community Park 300 metres to the northwest of the proposed development, the public interest is being considered.

Façade Step-Backs

66. The applicant has proposed an increased angular plane and reduced façade step-back for both the front yard and rear yard areas. As detailed within Appendix “C” – Schematic Building Sections, the proposed development when providing the permitted 8 storeys and requested 27.2 metres in maximum building height results in a structure which marginally does not conform with the Mixed Use zone standards. An increased angular plane of 47 degrees, instead of the required 45 degrees for both the front yard and rear yard calculations allows for the proposed development. It is the opinion of staff that these amendments are minor and generally align with other desirable design factors of the proposed development.
67. In summary, staff have reviewed the proposed amendments to the Zoning By-law and are of the opinion that they are minor and meet the intent of the Zoning By-law. The proposed amendments align with existing and approved developments along the Essa Road intensification corridor and the intentions for redevelopment and intensification to support a complete community. Planning staff are in support of the proposed amendments.

Hold Provisions

68. Staff have recommended that a Hold be placed on the zoning permissions for the subject lands until such time as certain actions are completed to the satisfaction of the City.
69. To permit development on the property, zoned as ‘Mixed Use with Special Provisions, Hold’ (MU2)(SP-XXX)(H-XXX) shown on Schedule “A” attached to this By-law the owner/applicant will be required to:
- a) That the owner/applicant undertake and/or agree to satisfy the requirements of a Certificate of Property Use and/or Record of Site Condition under the *Environmental Protection Act* prior to any site works or issuance of a Building Permit;
 - b) That the owner/applicant undertake a fire flow test to confirm sufficient infrastructure capacity for the proposed development, completed to the satisfaction of Development Services – Approvals;
 - c) That the owner/applicant amend the Site Plan Concept to incorporate landscape strips and protection for boundary trees or consent to harm boundary trees from adjacent landowners to the satisfaction of Development Service - Parks Planning; and
 - d) Approval of a Site Plan Control application and execution of a Site Plan Agreement.
70. Staff are confident that the principle of development can be supported on these lands with the current recommendation, and the additional processes of Site Plan Control and the satisfactory resolution to the Hold provisions for these lands.

Site Plan Control

71. The property is subject to Site Plan Control as per Section 41 of the *Planning Act* and in accordance with By-law 99-312. Site Plan Control addresses the detailed design elements of the lands regarding access, servicing, stormwater management, landscaping, lighting, setbacks, building orientation/placement/massing, parking, etc.
72. Should Council approve the rezoning application, the applicant will proceed with a Site Plan Control application for subject site. Among other matters, this process will ensure the proposed development includes site design that is compatible with existing and/or proposed land uses, incorporates considerate outdoor rooftop spaces adjacent to neighbouring residential, appropriate controlled access and the potential for future integration with a Coughlin Road extension, provides for attractive and engaging streetscape, and ensures pedestrian, multi-modal and direct access to public streets/sidewalks and transit stops, and safe pedestrian and vehicular movements within the site.

Summary

73. Planning staff are satisfied that the oral and written submissions along with all departmental and agency comments relating to this application have been considered and/or addressed and are of the opinion that the requested site specific provision represents good planning and would facilitate development that is consistent with the City's policies, guidelines, and goals in effect at the time of submission of the application.
74. Planning staff therefore recommend approval of the Zoning By-law Amendment application to rezone the subject lands from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX), as it is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2019), as amended, and City of Barrie Official Plan (2023).

ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS

75. The subject property is vacant and generally unvegetated with no natural heritage features or functions. The proposed development is not expected to impact upon the environmental features of the surrounding area. Further, through detailed design the applicant is being directed to provide active transportation and transit access to the site, supporting the provision of services which align with complete community principles and reduced climate change impacts through transportation.

ALTERNATIVES

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

| | |
|-------------------------------------|--|
| <p><u>Alternative #1</u></p> | <p>General Committee could deny the request to rezone the subject lands from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX) required to permit the proposed residential development.</p> <p>This alternative is not recommended as Planning staff have undertaken a full review and are of the opinion that the proposal conforms to the applicable planning policies. The new Official Plan supports the proposed use of the property and site specific additional uses requested based on the justification provided by the applicant.</p> |
| <p><u>Alternative #2</u></p> | <p>General Committee could approve the change in land use from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX) required to permit the proposed residential development but introduce or amend the Special Provisions related to the built form and/or alternative land uses.</p> <p>Although this alternative is available, it is not recommended. The applicant has requested the site specific provision to support the proposed land uses and are otherwise conforming with all Mixed Use zoning standards. Matters related to built form and site design will be addressed through the subsequent Site Plan Control application, and partially controlled through the zoning Hold.</p> |

FINANCIAL

77. It is not possible to estimate the assessed value of the subject property following development, however, the assessed value of the future development is anticipated to be far greater than the current assessed value of the property and will therefore increase the amount of property tax that is collected on the subject site as of the time of writing this staff report.
78. As per Section 26.2(4) of the Development Charges Act and Section 42(2.3) of the *Planning Act* – regarding “More than one application”, if a development was the subject of more than one application (i.e. Zoning By-law Amendment Application or Site Plan Application), the later one is deemed to be the applicable application for the purpose of determining the date the Development Charge rate have been frozen and the applicable interest.
79. Development charge rates have been frozen with interest for a maximum of two years from the date of complete application, being July 12, 2023, at the below rates:
- a) The Frozen rate for the applicable development charges depends on the number of bedrooms in each apartment unit.
 - i) Apartments 2+ bedrooms are charged \$56,012 per unit; and
 - ii) Apartments Bachelor and 1 Bedroom are charged \$36,409 per unit.

-
- b) Development Charges for “rental housing development” meaning “development of a building or structure with four or more residential units all of which are intended for use as rented residential premises”: are discounted based on the number of bedrooms proposed:
- i) Three Bedroom Rental Apartments – 25% Discount;
 - ii) Two Bedroom Rental Apartments – 20% Discount; and
 - iii) Bachelor and 1 bedroom Rental Apartments – 15% Discount.
- c) The Frozen rate for retail space is \$486.14 per square metre.
80. Education Levies will be calculated and collected at the time of issuance of the building permit. The current fee for non-residential use is \$0.60 per sq. ft. and \$4,283 per residential dwelling unit.
81. A cash in lieu of parkland contribution will be required.
- a) The residential portion is currently \$3,693 per residential unit; and
 - b) The non-residential portion requires a current land value appraisal and the gross floor area of the entire building(s) as well as the gross floor area of the non-residential portion(s). The current rate of 5% of the appraised land value will be applied proportionately to the non-residential development. The required appraisal should determine the market value of the entire parcel of land using highest and best use and be prepared in accordance with the Canadian Uniform Standards of Professional Appraisal Practice of the Appraisal Institute of Canada.
82. A Finance Administration fee will be collected at the time of issuance of the building permit at a rate of \$85.00 per dwelling unit (2023 rate).
83. All costs associated with the approval and development of the site would be the applicant’s responsibility. The applicant would be responsible for all capital costs for any new infrastructure required within the development limits and any of the costs associated with upsizing to municipal water and sewer mains already installed, and traffic turning lanes or signals if required.
84. The building permit fees will be confirmed through the Site Plan Control process and will be collected at the time of submission of building permit applications.

LINKAGE TO 2022-2026 STRATEGIC PLAN

85. The recommendation(s) included in this Staff Report support the following goals identified in the 2022-2026 Strategic Plan:
- Affordable Place to Live – Open for business environment to help encourage job creation
 - Thriving Communities
86. In accordance with Council’s goals, the proposed development will offer residential uses in a more attainable or alternative form of housing, supports active transportation and public transit and would support a more diverse and complete neighbourhood.



Attachments:

Appendix "A" – Draft Zoning By-law Amendment

Appendix "B" – Conceptual Site Plan

Appendix "C" – Schematic Building Sections

Appendix "D" – Residential Density Analysis

APPENDIX "A"

Draft Zoning By-law Amendment



Bill No. XXX

BY-LAW NUMBER 2023-XX

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 Zoning By-Law No. 2009-141 by rezoning lands described as Lot 16, Plan 1101, being Lot 3, Concession 11 in the Geographic Township of Innisfil, City of Barrie, and known municipally as 582 Essa Road, from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX).

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 23-G-XXX

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

1. **THAT** the zoning Map is hereby further amended by rezoning those lands described as Lot 16, Plan 1101, being Lot 3, Concession 11, known municipally as 582 Essa Road, in the City of Barrie, from 'General Commercial' (C4), to 'Mixed Use Corridor with Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX) as shown on Schedule "A" attached to this By-law.
2. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2 of By-law 2009-141, a maximum front yard setback of 6.72 metres is permitted in the 'Mixed Use Corridor – Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX) zone, in accordance with Schedule "B" attached to this By-law.
3. **THAT** notwithstanding the provisions set out in Section 5.4.3.2, of By-law 2009-141, the front yard setback may be a combination of paved and landscaped area which is seamlessly connected with the abutting sidewalk in the 'Mixed Use Corridor – Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX) zone, in accordance with Schedule "B" attached to this By-law.
4. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2 of By-law 2009-141, a maximum side yard setback of 3.41 metres is permitted in the 'Mixed Use Corridor – Special Provisions, Hold' (MU2)(SP-XXX)(H-XXX) zone, in accordance with Schedule "B" attached to this By-law.
5. **THAT** notwithstanding the provisions set out in Section 5.4.3.4, of By-law 2009-141, a maximum building height of 27.2 metres shall be permitted in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-XXX)(H-XXX) zone as shown on Schedule 'B' attached to this By-law.
6. **THAT** notwithstanding the provisions set out in Section 4.6, Table 4.6, of By-law 2009-141, commercial parking may be provided at a ratio of 1 space per 28 square metres of commercial ground floor area (15 spaces) in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-XXX)(H-XXX) zone as shown on Schedule 'B' attached to this By-law.
7. **THAT** notwithstanding the provisions set out in Section 5.4.2.2, of By-law 2009-141, an outdoor amenity area may be provided as unconsolidated at a ratio of 5.8 square metres per residential unit in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-XXX)(H-XXX) zone as shown on Schedule 'B' attached to this By-law.
8. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2, of By-law 2009-141, the front yard façade step-back shall be measured as a 47 degree angular plane at height above 80% equivalent right-of-way using 3.0 metre step-backs in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-XXX)(H-XXX) zone as shown on Schedule 'B' attached to this By-law.
9. **THAT** notwithstanding the provisions set out in Section 5.4.3, Table 5.4.2, of By-law 2009-141, the rear yard façade step-back shall be measured as a 47 degree angular plane above 7.5 metres using 3.0 metre step-backs in the 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-XXX)(H-XXX) zone as shown on Schedule 'B' attached to this By-law.

-
10. **THAT** a By-law can be brought forward to Council of the City of Barrie to remove the Holding symbol on those lands zoned as 'Mixed Use Corridor with Special Provision, Hold' (MU2)(SP-XXX)(H-XXX) as shown on Schedule "A" attached to this By-law, when the following has been completed to the satisfaction of the Director of Development Services:
- a) That the owner/applicant undertake and/or agree to satisfy the requirements of a Certificate of Property Use and/or Record of Site Condition under the *Environmental Protection Act* prior to any site works or issuance of a Building Permit;
 - b) That the owner/applicant undertake a fire flow test to confirm sufficient infrastructure capacity for the proposed development, completed to the satisfaction of Development Services – Approvals;
 - c) That the owner/applicant amend the Site Plan Concept to incorporate landscape strips and protection for boundary trees or consent to harm boundary trees from adjacent landowners to the satisfaction of Development Service - Parks Planning; and
 - d) Approval of a Site Plan Control application and execution of a Site Plan Agreement.
11. **THAT** the remaining provisions of Comprehensive Zoning By-law 2009-141, as amended from time to time, applicable to the above described lands shown in Schedule "A" to this by-law shall apply to the said lands except as varied by this By-law.
12. **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 ____, 2023.

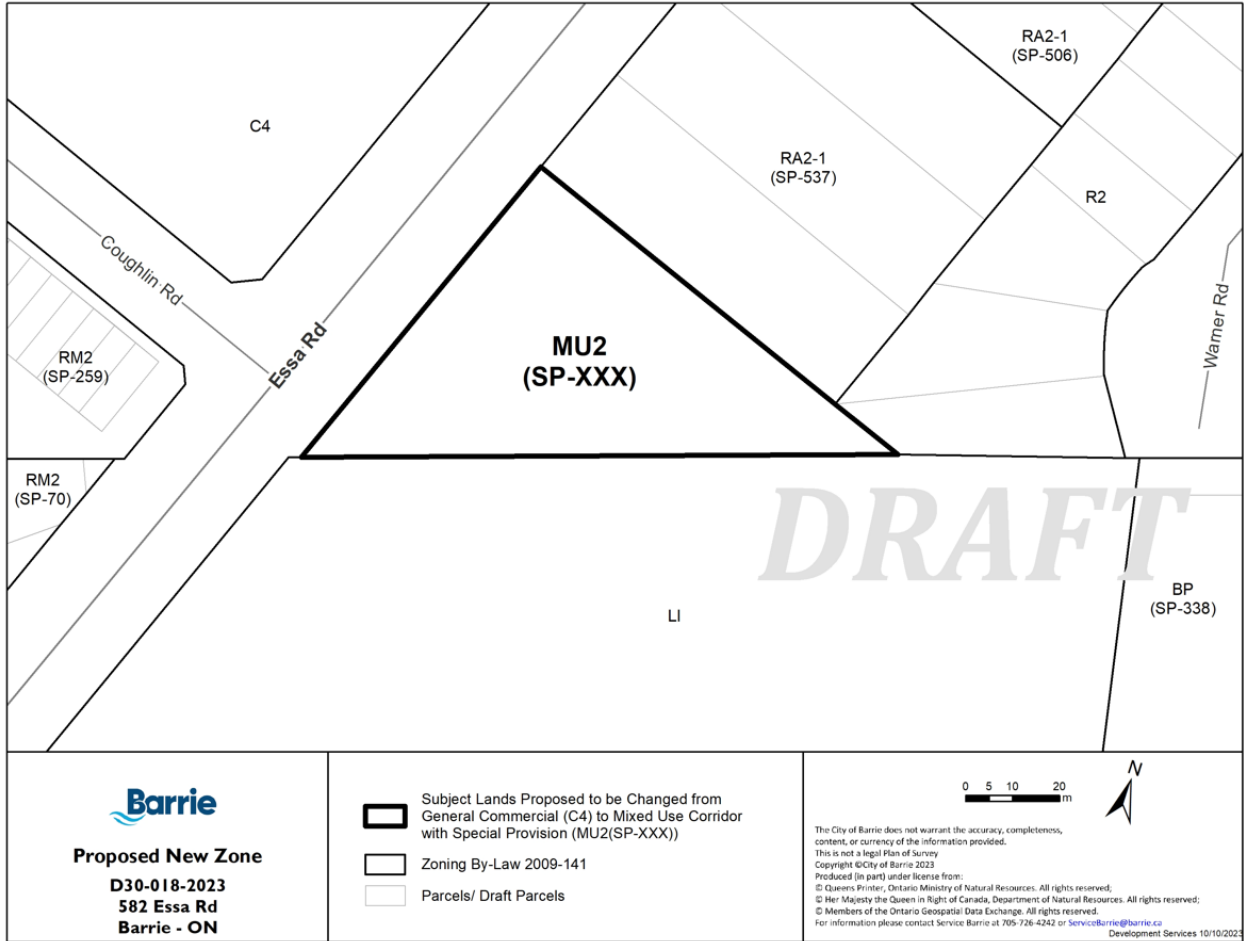
READ a third time and finally passed this ____ day of ____, 2023.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – ALEX NUTTALL

CITY CLERK – WENDY COOKE

Schedule "A" attached to By-law 2023-XXX



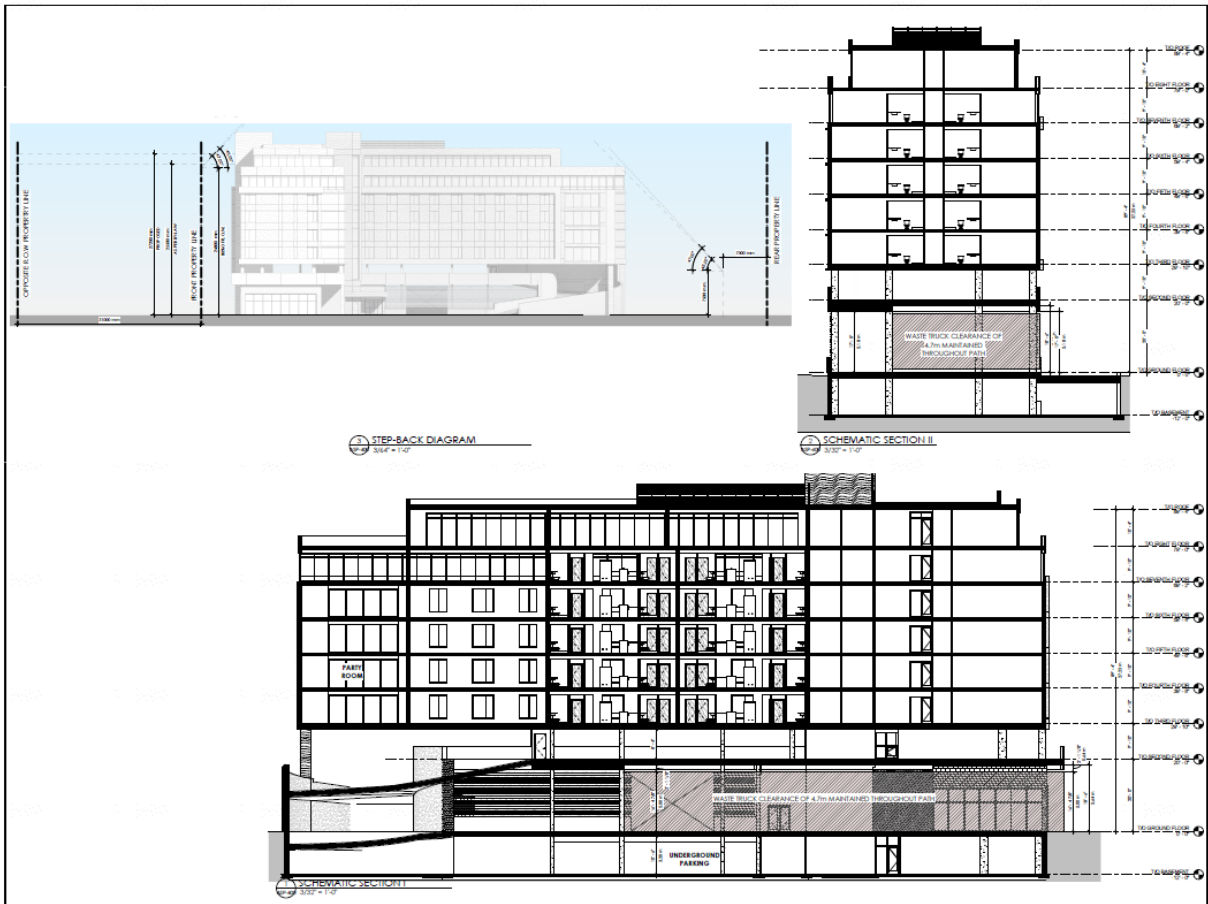
Proposed New Zone
D30-018-2023
582 Essa Rd
Barrie - ON

- Subject Lands Proposed to be Changed from General Commercial (C4) to Mixed Use Corridor with Special Provision (MU2(SP-XXX))
- Zoning By-Law 2009-141
- Parcels/ Draft Parcels

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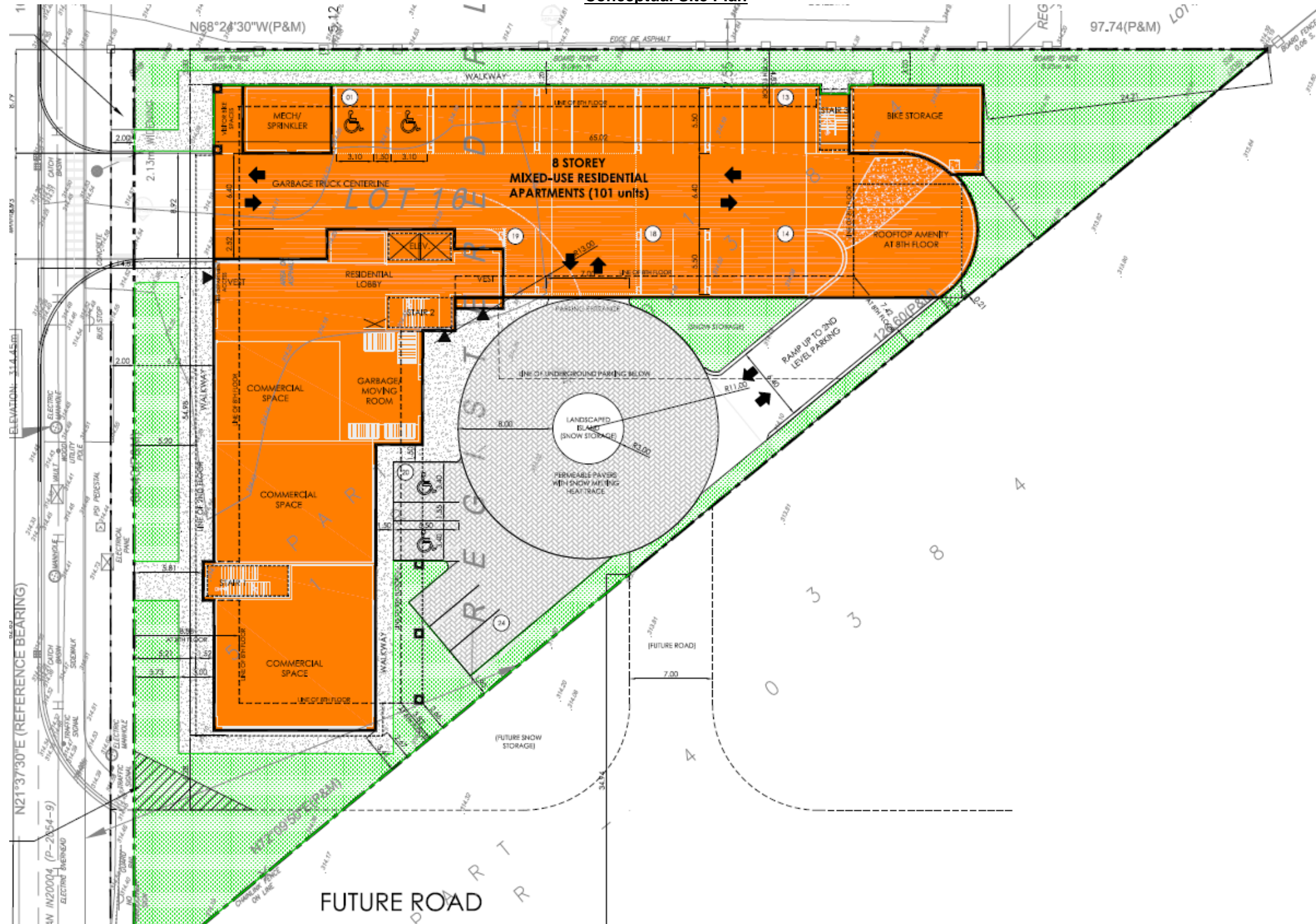
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For information please contact Service Barrie at 705-726-4242 or ServiceBarrie@barrie.ca
Development Services 10/10/2023

Schedule "B" attached to By-law 2023-XXX



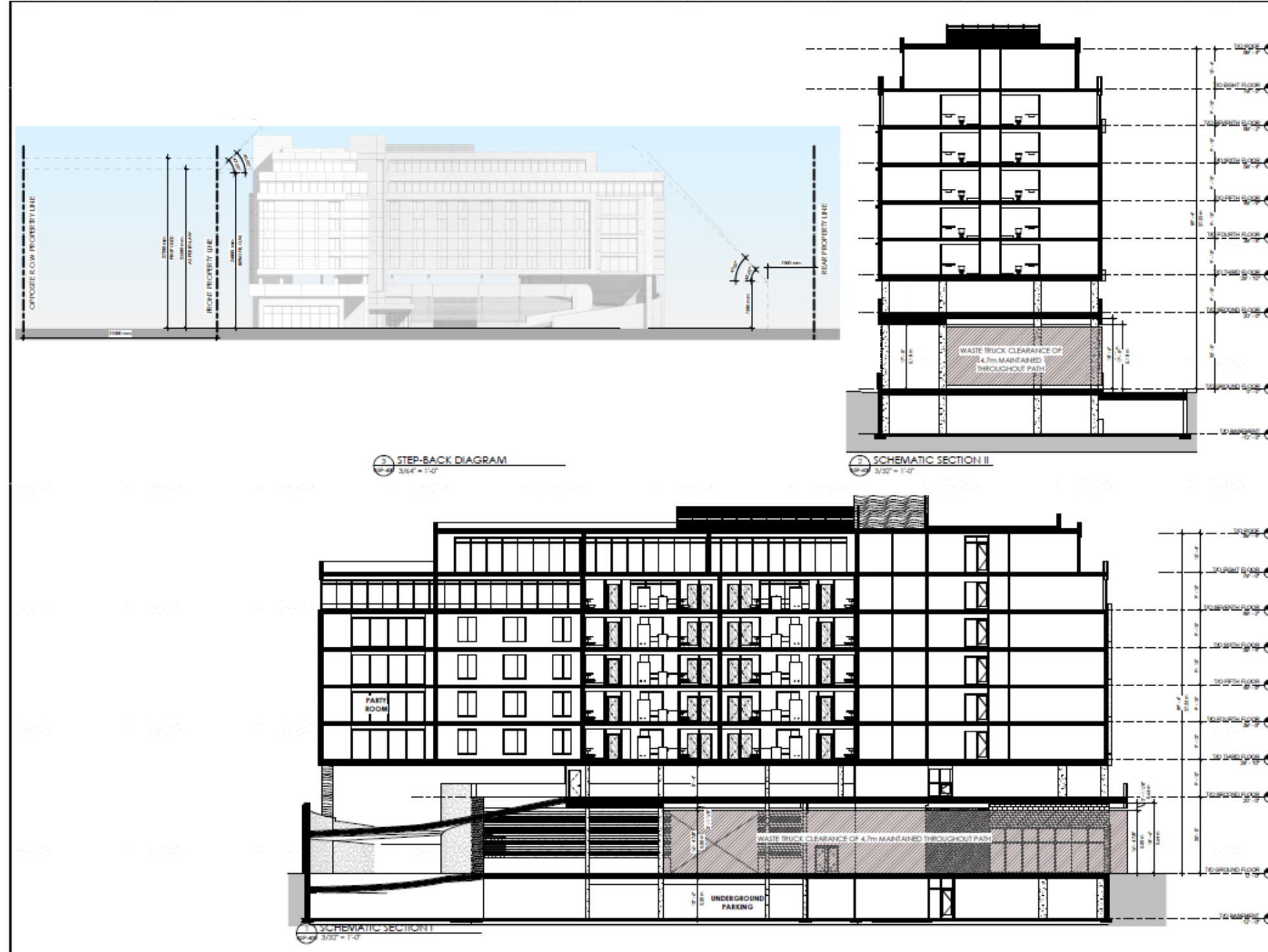
APPENDIX "B"

Conceptual Site Plan



APPENDIX "C"

Schematic Building Sections





3 PERSPECTIVE II



1 PERSPECTIVE I



2 PERSPECTIVE III



4 PERSPECTIVE IV



5 AERIAL VIEW I



6 AERIAL VIEW II

APPENDIX "D"

RESIDENTIAL DENSITY ANALYSIS
D30-018-2023
582 ESSA ROAD, BARRIE-ON

| | |
|--|----------|
| Total Study Area | 99.72 ha |
| Total Developable Area - <i>Only residential (Private properties)</i> | 70.06 ha |
| Total Developable Area - <i>All Residential and Non-Residential (Private properties)</i> | 77.32 ha |
| Total Area Parks/ Open Space/SWM Ponds/Walkways/Laneways | 1.92 ha |
| Total Area Roads right of way | 20.48 ha |

| PROPERTY USAGE TYPE | Total Dwelling Units | Land Area (ha) | Residential Density Dwelling Units/ha |
|--|----------------------|----------------|---------------------------------------|
| Single Dwelling Unit | 577 | 28.17 | 20.48 |
| Semis/ Duplex | 125 | 3.77 | 33.13 |
| Townhouse Dwelling Unit | 145 | 3.73 | 38.87 |
| Multiresidential | 190 | 3.72 | 51.03 |
| Vacant residential and Commercial lands | | 1.61 | |
| Vacant Industrial (Employment Land Conversion) | | 8.33 | |
| Commercial Area | | 8.15 | |
| Institutional Area | | 7.27 | |
| Parks/ Open Space/ Walkway / Laneway | | 1.92 | |
| Other Proposed Developments in the area | | | |
| Site Plans and Rezoning: | | | |
| <i>D11-012-2018 - 570,574,576 Essa Road</i> <i>A 6-storey multi-residential building with fifty-two (52) condominium units. (Conditions issued in 2018 ; Site Plan Extension under review)</i> | 52 | 0.62 | 83.94 |
| <i>D11-015-2018 - 521 and 525 Essa Road</i> <i>A townhouse Condo with a total of 48 dwelling units consisting of 36 back-to-back townhouse units and twelve (12) traditional townhouse units. (Registered in 2021)</i> | 48 | 0.44 | 109.09 |
| <i>D11-1687 - 556, 560, 568 Essa Road</i> <i>An 8- storey residential condominium apartment with 88 units (Building under construction - PMT 20-01273)</i> | 88 | 0.83 | 105.83 |
| <i>D30-002-2020 - 664,674,692 Essa Rd & 320,364 Mapleview Dr W</i> <i>A proposed development divided into three (3) distinct areas, with north and south blocks on either side of the Bear Creek corridor channel bisecting the site. The northern block would include a total of 464 units with maximum heights of 3-4 storeys, consisting of 33 traditional townhouse units, 390 back-to-back townhouse units, 19 live-work units, and outdoor amenity areas, together with 679 parking spaces. The southern block would be comprised of four (4) mid-rise mixed-use buildings ranging from 6 to 12 storeys with a total of 753 residential units, 2600 square metres of retail space, and 800 square metres of library/community use space. (This is an Employment Land Conversion Site; application Under review)</i> | 1,217 | 10.28 | 118.35 |
| Subject Property 582 Essa Rd - D30-018-2023 <i>An 8-storey mixed use building with 101 residential units and 3 ground floor commercial units.</i> | 101 | 0.39 | 256.30 |
| Current Residential Density <i>(Only Residential Lands included)</i> | 1,037 | 70.06 | 14.80 |
| Current Residential Density <i>(All Residential and Non-residential lands included)</i> | 1,037 | 77.32 | 13.41 |
| Projected Residential Density Including Proposal for Subject Lands <i>(Only Residential Lands included)</i> | 1,138 | 70.06 | 16.24 |
| Projected Residential Density Including Proposal for Subject Lands <i>(All Residential and Non-residential lands included)</i> | 1,138 | 77.32 | 14.72 |
| Projected Residential Density Including Proposal for Subject Lands and Other Proposed Developments in the Area <i>(Only Residential Lands included)</i> | 2,538 | 70.06 | 36.23 |
| Projected Residential Density Including Proposal for Subject Lands and Other Proposed Developments in the Area <i>(All Residential and Non-residential lands included)</i> | 2,538 | 77.32 | 32.82 |

RESIDENTIAL DENSITY ANALYSIS
D30-018-2023
582 ESSA ROAD, BARRIE-ON

Notes:

This Residential Density Analysis is based on the Assessment Database.

MPAC property Code was used to identify the number of residential units in the Area.

Second Suite units registered in the area were also added; they were counted on their corresponding dwelling unit.

Areas for Parks/ Open Space/ SWM Ponds/ Roads and Laneways were not included in the density calculations.

Any residential units existing in the properties listed under Other Proposed Developments in the Area as well as in the Subject Lands have been included in the analysis; adding them for current density calculation and subtracting them for the Projected Densities as needed.

There are two sites identified as Employment Land Conversion; for one of them a ZBA/ OPA application is in progress [See D30-002-2020]; however, for the other site (Essa Rd) no application has been received [See site identified as Vacant Industrial

Prepared by: Development Services
Date: October 11, 2023

