
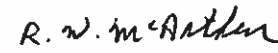


TO: GENERAL COMMITTEE

SUBJECT: REZONING – 364 ST. VINCENT STREET (Ward 2)

PREPARED BY AND KEY CONTACT: A. HILL, M.C.I.P., R.P.P., DEVELOPMENT PLANNER
EXT. 4719

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

GENERAL MANAGER APPROVAL: R. W. MCARTHUR, P. Eng. 
GENERAL MANAGER OF INFRASTRUCTURE, DEVELOPMENT & CULTURE

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

RECOMMENDED MOTION

1. That an application for a Zoning By-law Amendment submitted by Innovative Planning Solutions to rezone lands known municipally as 364 St. Vincent Street (Ward 2) from Highway 400 Industrial (EM2) to Highway 400 Industrial – Special Provision Holding (EM2-SP)(H) be approved (D14-1526).
2. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands:
 - a) That in addition to the permitted uses identified in the Highway 400 Industrial EM2 zone, the following uses be permitted: Bank; Fitness or Health Club; Office, Medical; Service Store; Commercial School; Industrial School; Day Nursery; Indoor Self Storage; Veterinary Clinic; Photography Studio; Indoor Ball Hockey.
3. That the Holding provision be lifted once the owner has entered into a site plan agreement which will serve to address site plan matters including but not limited to upgrades to the exterior elevations to the building, relocation/removal of the hydro transformer, screening of roof top mechanical equipment, buffering adjacent to the residential lands to the south, parking and landscaping plan, improvements to the site access and servicing including stormwater management to the satisfaction of the Planning Services and Engineering Departments.
4. That the owner dedicate to the City free and clear and at no cost a tapered road widening of up to 3 metres in width along the St. Vincent Street frontage to the satisfaction of the Engineering Department.
5. That the owner agree, as a condition of Site Plan Approval, to convey an interest in land to the City of Barrie for stormwater management retrofit purposes to the satisfaction of the Engineering Department and Conservation Authority.
6. That pursuant to Section 34(17) of the Planning Act, no further public notification is required for the passing of this by-law.

PURPOSE & BACKGROUND

Report Overview

7. The purpose of this report is to report back to Council regarding the Engineering and Planning Departments' efforts to resolve the matter concerning the stormwater management pond interest per Council direction. This staff report also serves to reintroduce the recommendation for approval of an application for a Zoning By-law Amendment for property located on the west side of St. Vincent Street immediately south of Highway 400 to rezone the property to permit, in addition to the current permitted industrial uses, a number of additional industrial, commercial and institutional uses. The recommendation includes the additional amended uses considered by Council which included Indoor Self Storage, Veterinary Clinic, Photographic Studio and Indoor Ball Hockey.

Council Direction to Staff

8. Council at a previous meeting of June 25, 2012, deferred Motion 12-G-172 (Appendix "B") which served to recommend approval of a change in zoning for the subject property, subject to a number of conditions. The deferral was intended to provide Engineering and Planning staff an opportunity to meet with the owners of the property and their consultant(s) in an effort to resolve the City's interest in securing an easement over an area of the subject property that would enable the existing stormwater pond to be retrofitted. Engineering and Planning staff met with the owner and their consultants on July 26th to discuss the issue and the concerns of both parties.
9. Based on the discussion with the owners' consultant, and Engineering and Planning staff, the owners acknowledged the need for the pond retrofit requirement and haven't questioned the engineering requirement. The owners indicated that they are prepared to convey the required easement to the City but want fair compensation. As noted below, the City does have the authority to require the conveyance of an easement at no cost for municipal purposes as a condition of site plan approval provided there is suitable justification. Regardless, Planning staff are bringing forward the recommendation to amend Zoning By-law 2009-141 to permit a number of additional uses on the subject property.
10. The Ottawa Stormwater Detention Pond was recommended in the Sophia Creek Class EA/MDP, approved by Council in 2002 and constructed shortly thereafter. This dry pond was recommended to decrease the peak flows resulting from frequent storm events in order to reduce the frequency of downstream flooding problems.
11. A key element identified in the Lake Simcoe Environmental Management Strategy and in the Lake Simcoe Protection Plan, is the reduction of the phosphorus loading to Lake Simcoe. Elevated levels of phosphorus have been associated with negative effects on the health of the Lake Simcoe, upsetting the overall balance of the lake, including such issues as increased algae growth and depressed levels of dissolved oxygen concentrations.
12. One way to reduce phosphorus concentrations is to retrofit dry storm water detention ponds, in urban areas, to implement features that further improve water quality. The Ottawa Pond was high on the recommended Stormwater Management Facility Retrofit and Maintenance Program list approved by Council through motion 09-G-079.
13. The 2003 MOE Stormwater Management Planning and Design Manual provides practical guidance when designing storm water quality ponds, including permanent pond volume required to provide enhanced water quality protection. Additional property is required to implement these water quality features without increasing flows downstream.

14. Based on the above Engineering comments, the recommendation of staff identifies that an easement over a portion of the subject property would be required as a condition of any future site plan approval. As a result of discussion with the City's Legal Department, staff has been advised that the request for the easement at the time and as a condition of site plan approval is permitted in accordance with Section 41. (7) (a) 8. of the Planning Act which reads as follows:
- "As a condition to the approval of the plans and drawings referred to in subsection (4), a municipality may require the owner of the land to provide to the satisfaction of and at no expense to the municipality ... easements conveyed to the municipality for the construction, maintenance or improvement of watercourses, ditches, land drainage works, sanitary sewage facilities and other public utilities of the municipality or local board thereof on the land."
15. The recommended motion has been revised to include conveyance of the required easement as a condition of site plan approval as opposed to as a condition of the zoning approval as originally recommended in Staff Report PLN020-12. A number of additional uses contained in the recommended motion were not supported by Planning staff, but are now included as a result of previous discussion and direction of Council. These uses include Indoor Self Storage, Indoor Ball Hockey and Veterinary Clinic.
16. The recommendation also references the required dedication of a road widening along the St. Vincent Street frontage. This dedication is required to occur prior to the rezoning by-law being approved by Council. The authority to require this dedication at this time is referenced in Section 34 of the Planning Act.

ENVIRONMENTAL MATTERS

17. The dedication of an easement related to the upgrade of the storm pond would be addressed at the time of site plan approval.

ALTERNATIVES

18. There are two alternatives available for consideration by General Committee:

Alternative #1

General Committee could deny the zoning amendment application to expand the permitted uses.

This alternative would likely negate the building and property being upgraded for the foreseeable future. This action is not recommended. The additional uses would not impact on the operation of existing industrial uses; the property is adjacent to existing residential development that can take advantage of the expanded uses; the site has excellent connection to an arterial road that can accommodate and take advantage of traffic volumes without impacting on other uses in the area; sidewalks on both sides of St. Vincent Street along with the signalized entrance can take advantage of any walking traffic in the area; and the additional uses are considered to be in keeping and consistent with the other service industrial uses in the area.

Alternative #2

General Committee could approve the zoning amendment application to expand the permitted uses and not include condition (#5) requiring the owner, as a condition of site plan approval, to convey an interest in land to the City of Barrie for stormwater management retrofit purposes.

This alternative is not recommended given the high priority to retrofit the Ottaway Pond as identified by the Engineering Department and previously approved by Council through motion 09-G-079. Failing to secure an interest in the land subject to the stormwater management pond as a condition of site plan approval will result in the City of Barrie having to purchase/expropriate the required land which would be a financial exposure that would have an impact on a future budget(s).

FINANCIAL

19. The site and building improvements would result in an increase to the assessed value of the building and site which in turn would increase the property taxes. The vacant units with the expanded use profile, once occupied, would result in jobs and additional economic spinoffs.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

20. The recommendations included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
 - Direct and Manage Economic Development
21. The recommended action will maintain the City's position of encouraging the reuse of an older industrial building in an appropriate area in accordance with existing policy.

Attachments: Appendix "A" – Staff Report PLN020-12
Appendix "B" – Council Motion 12-G-172

APPENDIX "A"


STAFF REPORT PLN020-12


DATED JUNE 11, 2012


TO: GENERAL COMMITTEE

SUBJECT: REZONING – 364 ST. VINCENT STREET (Ward 2)

PREPARED BY AND KEY CONTACT: A. HILL, M.C.I.P., R.P.P., DEVELOPMENT PLANNER
EXT. 4719

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

GENERAL MANAGER APPROVAL: R. FORWARD, MBA, M.Sc., P. ENG. 
GENERAL MANAGER OF INFRASTRUCTURE, DEVELOPMENT & CULTURE

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

RECOMMENDED MOTION

1. That an application for a Zoning By-law Amendment submitted by Innovative Planning Solutions to rezone lands known municipally as 364 St. Vincent Street (Ward 2) from Highway 400 Industrial (EM2) to Highway 400 Industrial – Special Provision Holding (EM2-SP)(H) be approved (D14-1526).
2. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands.
 - a) That in addition to the permitted uses identified in the Highway 400 Industrial EM2 zone the following uses be permitted: Bank; Fitness or Health Club; Office, Medical; Service Store; Commercial School; Industrial School; Day Nursery.
3. That the Holding provision be lifted once the owner has entered into a site plan agreement which will serve to address site plan matters including but not limited to upgrades to the exterior elevations to the building, relocation/removal of the hydro transformer, screening of roof top mechanical equipment, buffering adjacent to the residential lands to the south, parking and landscaping plan and improvements to the site access to the satisfaction of the Planning Services and Engineering Departments.
4. That the owner dedicate to the City free and clear and at no cost a tapered road widening of up to 3m in width along the St. Vincent Street frontage to the satisfaction of the Engineering Department.
5. That the owner enter into an agreement prior to the passing of the by-law for the conveyance of an interest in land to the City of Barrie necessary for stormwater management retrofit purposes to the satisfaction of the Engineering Department.
6. That pursuant to Section 34(17) of the Planning Act, no further public notification is required for the passing of this by-law.

PURPOSE & BACKGROUND

Report Overview

7. The purpose of this staff report is to recommend approval of an application for a Zoning By-law Amendment for property located on the west side of St. Vincent Street immediately south of Highway 400 to rezone the property to permit, in addition to the current permitted industrial uses, a number of additional industrial, commercial and institutional uses.

Location

8. The subject property is known municipally as 364 St. Vincent Street. The land is currently occupied by an existing industrial building accommodating a number of industrial and commercial uses.

Surrounding Land Uses:

9. Existing land uses surrounding the subject property consist of the following:

North:

Immediately to the north is Highway 400. Across Highway 400 lands are designated Business Park and zoned Business Park (EM1) and occupied by a variety of permitted office uses. The St. Vincent Street bridge is located at the northeast corner of the subject property.



South:

To the south are single detached and a duplex residential homes permitted under the Residential Single Detached R2 and Multiple RM1 zones.

East:

To the east is St. Vincent Street. East across St. Vincent Street is land zoned Highway 400 Industrial EM2 and General Industrial EM3 accommodating a variety of industrial and commercial uses.

West:

To the west is land zoned Highway 400 Industrial (EM2), occupied by a storm pond and an existing multi-tenant industrial building and Newman Valve. An inside self storage facility is being developed on the Newman Valve property. The self storage facility was permitted through a site specific by-law exemption which was approved by the Ontario Municipal Board.

Existing Policy

10. The subject property is currently designated Highway 400 Industrial in the City of Barrie Official Plan. The Highway 400 Industrial designation is intended primarily for prestige industrial and office based uses. These uses include corporate administration offices, business and professional uses, research and development facilities and high technology manufacturing or assembling operations. Commercial uses which serve the Industrial area, or which are ancillary and or accessory to the industrial uses are also permitted.
11. The subject lands are zoned Highway 400 Industrial EM2 by Zoning By-law 2009-141 which permits a limited range of Industrial, Commercial, Agricultural and Institutional uses. These uses

are intended to implement the specialized nature of the policies identified in the City's Official Plan.

12. There are several common commercial uses permitted in both the EM2 and EM3 zones. The application is seeking to include a number of EM3 zone uses under the EM2 zone. The table attached as Appendix A to this report shows a comparison between the Highway 400 Industrial EM2 zone and those uses that are permitted in the Service Industrial EM3 zone.

Background

13. The building was originally constructed in 1959/60 to accommodate a manufacturing operation. At that time no residential homes were in the immediate area. This original manufacturing use ceased to operate in the early 1990s. Since that time the building has undergone a number of internal renovations in order to break the building into smaller units in an effort to attract tenants. The building is approximately 17,000 square metres in size (see Appendix B). The largest tenant currently located in the building is Flags Unlimited. They currently occupy approximately 6,175m² (66,400 sq. ft.) of gross floor area. This is expected to be reduced in size in the near future given the change in the production process of their product to approximately 3,716m² (40,000 sq.ft.).
14. The balance of the building is broken up into units varying in size from 3,000m² down to 375m². Many of these units are currently vacant. There are currently 4 of the 11 units occupied in the building.
15. Planning staff have been advised that the owner is intending to improve the overall appearance of the property and building. It is their intention to upgrade and replace the transformer located in the front yard and to undertake façade improvements on the entire building (see Appendix C). With these improvements to the property and an expansion to the permitted uses, the owner is expecting to attract further tenants to the property and reduce the vacancy within the building. No further additions or free standing buildings are currently being proposed for the property.
16. In support of the application, the following reports were submitted:

Planning Justification Report: This document provides an outline of the application and the basis in which the additional uses can be supported based on existing provincial policies and policies in the City's Official Plan.

Traffic Review: This document reviewed the traffic generated by the existing uses in the building and examined the projected traffic generated given an expansion of the uses as proposed. The report recommended site entrance improvements as a result of increased traffic generated on the property. This would result in a dedicated left exit lane being provided on site which in turn would require the relocation of an existing traffic signal.

17. The current permitted uses in the Highway 400 Industrial EM3 zones are illustrated in the table attached as Appendix A. In a letter following the public meeting the owner requested that their application be amended to delete a number of the uses originally requested. The requested use list is as follows:

Industrial Uses:

- Rental Store excluding video and electronic rentals
- Indoor Self Storage

Agricultural Uses:

- Kennel in wholly enclosed buildings

Commercial Uses:

- Bank

Institutional Uses:

- Commercial School

- Dry Cleaning Establishment
- Fitness or Health Club
- Office, Medical
- Photography Studio
- Recreation Establishment
- Service Store
- Veterinary Clinic
- Day Nursery
- Industrial School

18. Planning staff are recommending a modified list of additional permitted uses which include Bank, Fitness or Health Club, Office, Medical, Photography Studio, Service Store and Day Nursery in a wholly enclosed building.

Public Meeting

19. A public meeting was held on February 27, 2012 in accordance with the Planning Act. There were no verbal comments and no correspondence was received through the advertising of the public meeting.

Agency/Department Comments

20. Comments were received as a result of the application being circulated to applicable agencies and City departments. The Ministry of Transportation's (MTO) main concern related to any possible expansion to the buildings and that their operations along the Hwy 400 corridor not be impacted. This would include the placement of any permanent structure and/or mandatory requirements e.g. fire routes etc. within their existing right-of-way limits. Their interest is also in ensuring that any works on the property do not impact on the existing and future drainage patterns and structures within the vicinity of the Hwy 400 corridor. Any additions or new structures proposed would be subject to a review by MTO through the site plan control and/or building permit approval process. No additions are proposed at this time, therefore no further review or approval is required by MTO.
21. It has been suggested that designated accessibility parking spaces be provided on site. Given the age of the property, no parking plan currently exists for the property. Any improvements to the site access should also include the provision of a full parking plan that is ultimately lined on site. This parking plan should also include appropriate landscaped islands to assist in defining on-site traffic movements. A parking plan will be a requirement of site plan approval.
22. The Engineering Department has requested a road widening along the St. Vincent Street frontage that would bring the right-of-way width of 36m up to standard north of Bell Farm Road. This involves the dedication of a tapered widening given the bridge structure. South of Bell Farm Road a 3m wide road widening is required to bring it up to the 26m right-of-way standard.
23. As a result of the access improvements onto St. Vincent Street, the existing signals will require relocation at a cost to be borne by the applicant.
24. The Engineering Department also indicated that the existing City of Barrie SWM quantity facility (SP3) located along the west limit of the subject lands, has been identified by the Lake Simcoe Region Conservation Authority (LSRCA) in the document "Lake Simcoe Basin Stormwater Management and Retrofit Opportunities" dated 2007, as a potential facility for a water quality retrofit.
25. City staff reviewed the LSRCA 2007 report and further investigated the recommendations for SWM pond retrofit opportunities resulting in a staff report, ENG015-09, prepared and presented to Council in February 2009. Council Direction Memo 09-G-079 adopted the Draft Stormwater

Retrofit Program for phosphorous reduction as outlined in Staff Report ENG015-09. The SWM Pond SP3 was included and ranked within the top five ponds to be retrofitted. The City of Barrie Watercourse By-Law 90-92, General Provisions, Item #3 states: "That the Corporation continues to progressively acquire land or an interest therein (easements) for drains, watercourses and storage areas crossing or upon private lands where it is considered to be in the Corporation's interest to do so."

26. On this basis the Engineering Department is requesting that the owner provide the City with an interest in the land (dedication/easement) for stormwater management retrofit purposes.
27. The Building Services Department (Zoning) suggested that consideration should be given to upgrade the interface (fencing and/or plantings) between the residential lands to the south and the industrial property. This could be addressed through the site plan agreement that would be addressed prior to the removal of the Holding Provision.

ANALYSIS

Provincial Policy Statement (PPS)

28. The PPS in brief 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: accommodating an appropriate range and mix of employment (commercial, industrial and institutional) uses; avoiding land use patterns which may cause public health and safety concerns; and promoting cost-effective development.
29. The PPS provides policy direction to ensure that sufficient land be available through intensification to accommodate an appropriate range and mix of employment opportunities.
30. Through the PPS, the municipality shall identify and promote opportunities for intensification taking into account planned infrastructure and public service facilities to accommodate projected needs.
31. The subject property, being industrial, is considered employment land. The application is proposing to expand the permitted uses which would include additional uses that would result in further employment opportunities on the property.
32. Based on the above, it is staffs' opinion that the application is consistent with the PPS.

Places To Grow (PTG)

33. Places to Grow identifies the need to preserve employment areas for future economic opportunities and direct growth to built-up areas. In following through with this PTG identifies a number of policies under the section related to Employment Lands which serve to promote economic development and competitiveness by:
 - Providing an appropriate mix of employment uses;
 - Maintain a range and choice for suitable sites for employment uses;
 - Planning for, protecting and preserving employment areas for current and future uses.
34. In staffs' opinion, the proposed rezoning supports these goals and policies by providing greater opportunity for a further range of uses that are considered appropriate for the area. An expansion of the uses would better utilize the property and make better use of existing services that are already available to the property.

Official Plan

35. The premise behind the current Official Plan is to separate uses that are considered to be less desirable from the uses that are more appropriate for the property given its proximity and exposure to Highway 400. The Official Plan stipulates that *Non-industrial ancillary uses will only be permitted where they will not interfere with or detract from the primary industrial function of the area.* This is outlined in Sections 4.4.2.1(f) and 4.4.4.2.4(a) of the Official Plan. Section 4.4.2.4(b) of the Official Plan indicates that commercial uses are permitted in the EM2 zone, but on the basis that it functions in an ancillary capacity to the primary industrial uses in the area. Subsection (c) of this same Section specifically indicates that the *"areas adjacent to the highway shall be placed in a separate category in the Zoning By-law and have a more restricted range of permitted Industrial uses"*.
36. The applicant is of the opinion that the uses proposed would not have a negative effect on the appearance of the property from Highway 400 and will not interfere with or detract from the functionality of the area. The applicant is also of the opinion that the proposed uses would be in character with the surrounding neighbourhood.
37. Planning staff are of the opinion that those uses which are being supported would not have a detrimental impact on the surrounding land uses given that it is to occur totally within the existing building. Although indoor self-storage is permitted on the Newman Valve property to the west, that request was not supported by Planning staff as it was not considered an appropriate use within the Highway 400 industrial area. The additional commercial and institutional uses requested with the exception of a recreational establishment, dry cleaning establishment, kennel and veterinary clinic in a wholly enclosed building are being supported as they would be servicing the surrounding industrial and residential area. These uses are similarly permitted in the Service Industrial EM3 zoned lands immediately to the east. In addition, the proposed uses would not interfere with or detract from the industrial function of the area.
38. Based on the above, it is staffs' opinion that the recommended uses are generally consistent with a number of policies of the Official Plan.

Proposed Zoning

39. Planning staff, in considering the application to expand the permitted uses, considered the applicable policy documents, the surrounding land uses and the actions previously taken on other similar properties. A number of the uses in this situation can be considered appropriate for the property. Those that are more office oriented and which would not create a negative impact on the residential lands to the south such as a bank, medical office, photography studio and the industrial and commercial school would fall within this category. Other uses such as a fitness or health club and day nursery could benefit from this location as they would be serving the immediate residential and industrial area and be able to take advantage of traffic generated along St. Vincent Street and Bell Farm Road. Any impact on adjacent lands is reduced given that its access is directly onto an arterial road adjacent to a well established industrial area to the east being the Bell Farm and Alliance Road area.
40. The additional uses have been considered in this instance and on this property given that the subject property is not centrally located within a General Industrial EM4 area such as the Welham Road area which can create conflicts with the operation of other established industrial uses. The property is adjacent to an established residential area that can take advantage of the uses that are being considered. The other surrounding industrial properties accommodate primarily Service Industrial EM3 type uses.
41. The uses that are not supported would include indoor self-storage, a rental store, recreational establishment, dry cleaning establishment, veterinary clinic and kennel in a wholly enclosed

building. These uses are more appropriate in commercial or in other industrial areas. A rental store with their day to day operation requires the storage of materials and equipment outdoors which is not considered appropriate at this location. The kennel or veterinary clinic is a more appropriate use in a more isolated location given that there is boarding and lodging and daytime care often associated with the use. This in most cases would include some form of outdoor activity for the animals which would not be appropriate for this location. A dry cleaning establishment and indoor self-storage is typically located in a less exposed industrial area which is why the uses are permitted in the Service Industrial EM3 and the General Industrial EM4 zone. A recreational establishment includes a number of uses such as a bowling alley, curling rink, ice rink, dance hall, billiard parlour, indoor go kart track to mention a few, which could impact negatively on the residential area to the south. Given the exposure of the site to the traveling public and the possible impact on the residential area to the south, staff are not recommending these uses be permitted at this location.

42. The property when originally developed was an outlying industrial area and was built as a manufacturing plant. Since that time the residential development has grown and developed up to the south boundary of the property, Highway 400 has developed as a major transportation corridor and other industrial properties have been established that are more service oriented rather than manufacturing in nature. The subject property is now unable to compete with other industrial lands for prestige type uses or manufacturing and redevelopment options are limited because of the fact that the subject property is occupied by an existing industrial building with dated characteristics and its location adjacent to the residential development.
43. The owner is proposing to undertake significant upgrades to the building which should dramatically improve the visual appearance of the property adjacent to Hwy 400. The expansion of the use profile will assist the owner in undertaking these works. Although the proposed expanded uses are not what has been envisioned for properties fronting Hwy 400, they would be consistent with other developed lands in the surrounding area fronting Hwy 400 to the north, northeast and to the west. Reusing and retrofitting this older building is in staffs' opinion a positive step for the area. This application provides an opportunity to facilitate building upgrades by permitting some additional uses as requested by the owner, that had been permitted by the previous Official Plan and Zoning By-law. In staffs' opinion this is a positive action and outcome for the area as compared to having a significant portion of the building remaining vacant and underutilized. Planning staff when considering the application to expand the permitted uses, balanced the characteristics of the property, the improvements proposed for the property and the property's proximity to the residential development to the south against the exposure to Hwy 400 and the likelihood that the lands would be redeveloped in accordance with the existing policies and provisions identified through the Highway 400 Industrial Official Plan designation and Zoning.
44. The proposed uses as modified by Planning staff would not appear to be out of character with other industrial lands to the north, northeast and west. The uses being recommended by staff would provide additional opportunity to maintain and enhance the property given its exposure along Hwy 400 which is the intention of the current Official Plan designation and corresponding Zoning. The proposed upgrades to the building and improvements to the buffering along the south boundary adjacent to the residential lands would breathe new life into a building that has been declining for a number of years. In light of this, staff are supportive of a limited expansion of the uses that would be permitted. The use of the Holding Provision is to ensure that certain matters previously identified are addressed. This would include the property securing a site plan approval and having an agreement registered on title to ensure that technical design issues are addressed prior to additional uses being permitted.

ENVIRONMENTAL MATTERS

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

ALTERNATIVES

46. There is one alternative available for consideration by General Committee:

Alternative #1

General Committee could deny the zoning amendment application to expand the permitted uses.

This alternative would likely negate the building and property being upgraded for the foreseeable future. This action is not recommended. The additional uses would not impact on the operation of existing industrial uses; the property is adjacent to existing residential development that can take advantage of the expanded uses; the site has excellent connection to an arterial road that can accommodate and take advantage of traffic volumes without impacting on other uses in the area; sidewalks on both sides of St. Vincent Street along with the signalized entrance can take advantage of any walking traffic in the area; and the additional uses are considered to be in keeping and consistent with the other service industrial uses in the area.

FINANCIAL

47. The site and building improvements would result in an increase to the assessed value of the building and site which in turn would increase the property taxes. The vacant units with the expanded use profile, once occupied, would result in jobs and additional economic spinoffs.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

48. The recommendations included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:

Direct and Manage Economic Development

49. The recommended action will maintain the City's position of encouraging the reuse of an older industrial building in an appropriate area in accordance with existing policy.

Attachments: Appendix A – Permitted Uses in the Industrial EM2 & EM3 Zones
Appendix B – Building Locations & Zoning Stats
Appendix C – Upgraded View of Building

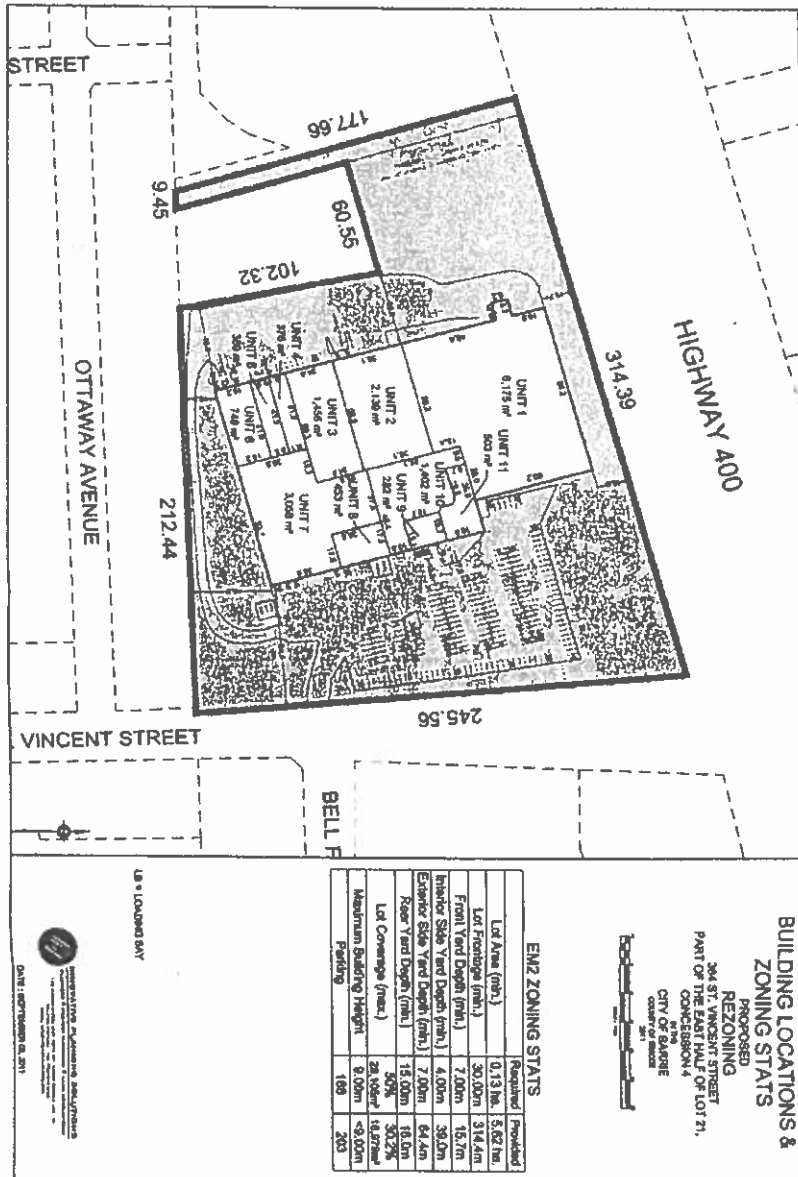
APPENDIX "A"

Permitted Uses in the Industrial EM2 & EM3 Zones

Table 7.2		
Uses	Zones	
	Highway 400 Industrial (EM2)	Service Industrial (EM3)
Industrial Uses		
Animal Shelter		X
Bakery	X	X
Manufacturing and Processing in Wholly Enclosed Buildings	X	X
Printing and Publishing	X	X
Rail Transfer Facility	X	X
Rental Store Excluding Video and Electronic Rentals		X
Research/Development Facility	X	X
Self Storage		X
Warehousing in wholly enclosed buildings excluding self storage	X	X
Wholesale Establishment	X	X
Commercial Uses		
Accessory Employee Use	X	X
Accessory Retail	X	X
Assembly Hall	X	X
Automotive Repair Establishment		X
Bank		X
Building Supply Centre		X
Car Wash		X
Conference Centre	X	X
Custom Workshop		X
Data Processing Centre	X	X
Drive Through Facility	X	X
Dry Cleaning Establishment		X
Fitness or Health Club		X
Hotel, Motel	X	X
Miniature Golf (outdoor)		X
Nursery or Garden Supply Centre		X
Office	X	X
Office, Medical		X
Outdoor Display and Sales Area		X
Photography Studio		X
Recreational Establishment		X
Restaurant as part of multi-tenant building	X	X
Service Store		X
Trade Centre	X	X
Veterinary Clinic		X
Kennel in wholly enclosed buildings		X
Commercial School		X
Day Nursery		X
Industrial School		X

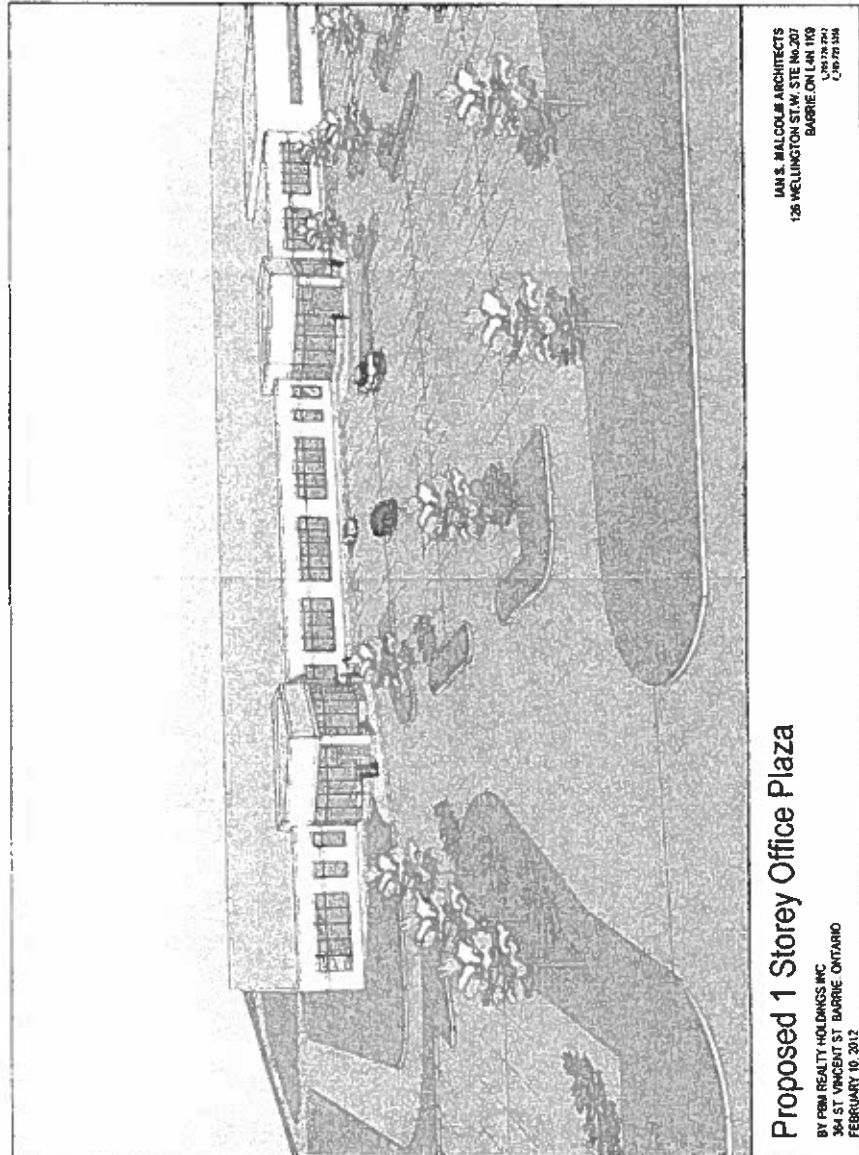
APPENDIX "B"

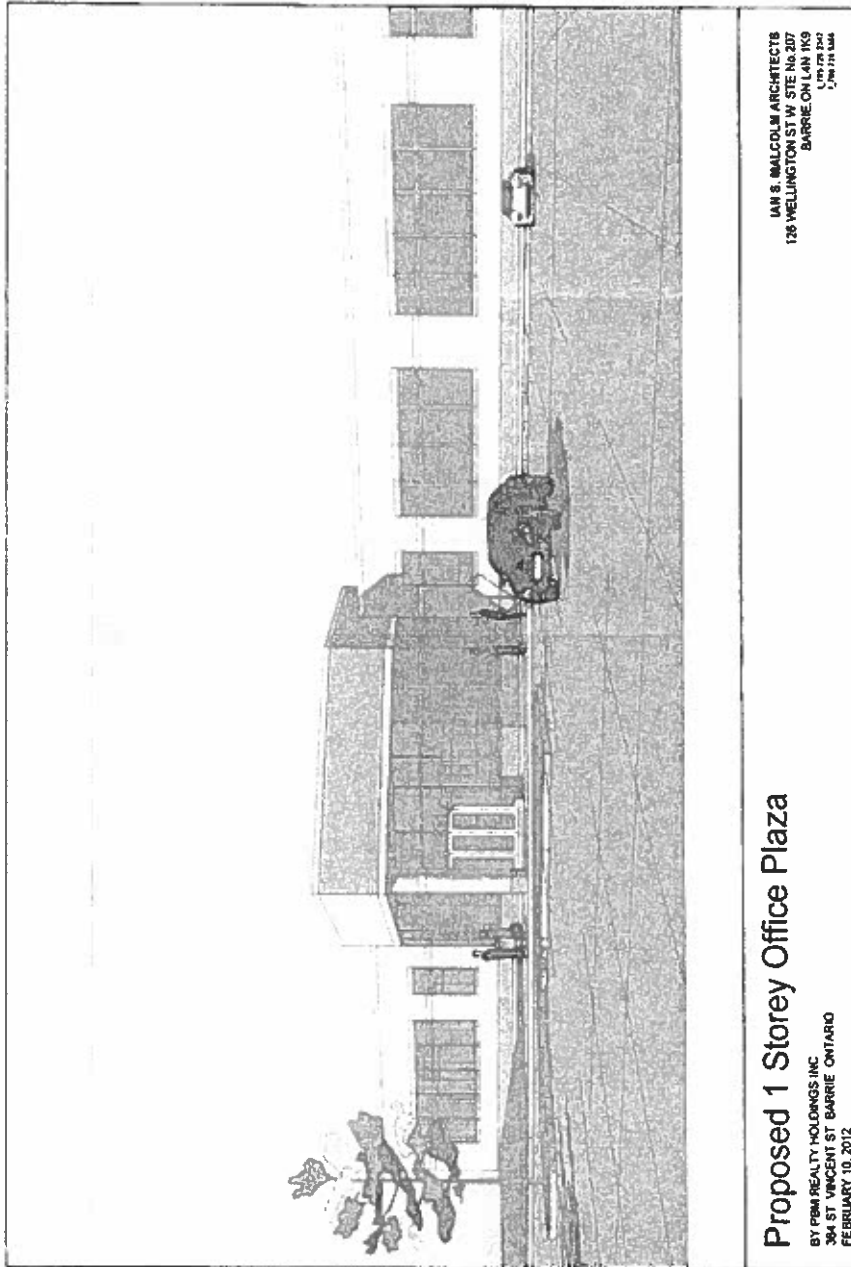
Building Locations & Zoning Stats



APPENDIX "C"

Upgraded View of Building





Proposed 1 Storey Office Plaza

BY CBM REALTY HOLDINGS INC
384 ST VINCENT ST BARRIE ONTARIO
FEBRUARY 10, 2012

IAN S. MALCOLM ARCHITECTS
128 WELLINGTON ST W. STE. NO. 207
BARRIE ON L4N 1K9
L 709.728.2942
F 709.728.2888

APPENDIX "B"

COUNCIL MOTION 12-G-172

APPROVED BY COUNCIL JUNE 25, 2012

Amendment #1

That deferred motion 12-G-172 of Section "E" of the General Committee Report dated June 11, 2012 concerning the Rezoning - 364 St. Vincent Street (Ward 2) be amended by adding the following to the list of additional permitted uses under the Special Provision in paragraph 2 a):

"indoor ball hockey"

Amendment #3

That deferred motion 12-G-172 of Section "E" of the General Committee Report dated June 11, 2012 concerning the Rezoning - 364 St. Vincent Street (Ward 2) be referred back to staff in the Planning and Engineering Departments to attempt to resolve the matter concerning the stormwater management pond interest and report back to General Committee by December 15, 2012.

12-G-172 DEFERRED BY CITY COUNCIL ON JUNE 18, 2012 - REZONING - 364 ST. VINCENT STREET (WARD 2)

1. That an application for a Zoning By-law Amendment submitted by Innovative Planning Solutions to rezone lands known municipally as 364 St. Vincent Street (Ward 2) from Highway 400 Industrial (EM2) to Highway 400 Industrial - Special Provision Holding (EM2-SP)(H) be approved (D14-1526).
2. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands.
 - a) That in addition to the permitted uses identified in the Highway 400 Industrial EM2 zone the following uses be permitted: Bank; Fitness or Health Club; Office, Medical; Service Store; Commercial School; Industrial School; Day Nursery, Indoor Self Storage, Veterinary Clinic, Photography Studio.
3. That the Holding provision be lifted once the owner has entered into a site plan agreement which will serve to address site plan matters including but not limited to upgrades to the exterior elevations to the building, relocation/removal of the hydro transformer, screening of roof top mechanical equipment, buffering adjacent to the residential lands to the south, parking and landscaping plan and improvements to the site access to the satisfaction of the Planning Services and Engineering Departments.
4. That the owner dedicate to the City free and clear and at no cost a tapered road widening of up to 3m in width along the St. Vincent Street frontage to the satisfaction of the Engineering Department.
5. That the owner agree, as a condition of Site Plan Approval, to convey an interest in land to the City of Barrie for stormwater management retrofit purposes, to the satisfaction of the Engineering Department and Conservation Authority.
6. That pursuant to Section 34(17) of the Planning Act, no further public notification is required for the passing of this by-law. (PLN020-12) (File: D14-1526)