

Report to Infrastructure, Investment and Development Services Committee

TO: INFRASTRUCTURE, INVESTMENT AND DEVELOPMENT SERVICES COMMITTEE

PREPARED BY AND KEY CONTACT: M. KALYANIWALLA, MANAGER OF POLICY PLANNING EXTENSION #4314

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  

DATE: JUNE 10, 2015

SUBJECT: MIXED USE CORRIDOR ZONES

RECOMMENDED MOTION

1. That the proposed Mixed Use Corridor (MU2) zone as attached to staff report PLN018-14 be approved.
2. That staff be directed to initiate a review and assessment of the potential to pre-zone only the Essa Road corridor.
3. That the maximum height in the Intensification corridors be increased to six storeys in accordance with the recent amendments to the Ontario Building Code permitting wood frame construction up to six storeys.

PURPOSE & BACKGROUND

Report Overview

4. The purpose of this report is to address Part 3 of Council motion 15-G-055 regarding the creation of new Mixed Use Zones. Motion 15-G-055 is attached as Appendix A to this report. Part 3 of this Motion directs staff to report back to the Infrastructure, Investment and Development Services Committee with additional detail on the following 3 items:
 - a) *Which parts of intensification corridors and which proposed uses are appropriate for intensification;*
 - b) *The potential to require parking spaces for visitors and specific barrier free parking in intensification corridors; and*
 - c) *The potential to increase maximum building heights, to reflect the change to the Ontario Building Code to six storeys in intensification corridors. (14-G-162) (File: D00)*

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ANALYSIS

Which parts of intensification corridors and which proposed uses are appropriate for intensification

5. With regard to the first part of this direction, staff provide the following. In keeping with the Provincial Policy Statement, the Provincial Growth Plan, the Council approved Intensification Study and the Council approved Official Plan, staff are recommending that all parts of the Intensification Corridors as identified on Schedule I of the City's Official Plan are appropriate for some level of intensification.
6. Intensification is defined by the PPS and the Growth Plan as "*development of a property, site or area at a higher density than already exists*". Both provincial documents require that municipalities identify areas of focus for intensification which Council has implemented through its Official Plan as a series of nodes and corridors, as well as the Urban Growth Centre.
7. However, not all parts of the intensification corridors need to intensify to the same densities and heights. The Intensification Study recognizes that not all properties within the Intensification corridors will develop with the same built form or at the same densities. Staff report PLN018-14 which recommends the creation of the new Mixed Use zones also acknowledges this explicitly and clearly in paragraphs 55, 56 and 57 which state:
 - a) *Staff expect that the pre-zoning process would occur on an area-by-area basis. The intention would not be to recommend a blanket rezoning across all of the nodes and corridors, but instead to focus on select areas identified as possessing the most immediate potential for redevelopment.*
 - b) *Staff recognize that each of the Intensification Nodes and Corridors are unique with their own set of neighbourhood features, challenges, and needs. The process of pre-zoning would allow staff to identify these neighbourhood distinctions and fine-tune the zoning standards to better respond to the characteristics of each area.*
 - c) *If the recommendation to pre-zone properties is approved by Council, a separate series of public meetings and landowner consultations would be required to consider the change of land uses throughout the Intensification Nodes and Corridors from their current land use zone to the new mixed-use zones.*
8. However, notwithstanding the staff recommendation outlined in PLN018-14 to consider pre-zoning these areas, in order to address the significant variations in the potential for pre-zoning between the corridors, staff are recommending a phased approach.
9. It is anticipated that the process of pre-zoning will take a number of years per corridor given available resources and number of properties involved. Staff would also recommend that the process be initiated on a corridor by corridor basis. The phasing of this exercise would be determined by Council but staff would recommend that the phasing be based on corridors facing greater development pressure rather than those with little or no potential for development or redevelopment in the immediate future. Duckworth Street for example, although an identified intensification corridor, is fully developed with only limited potential for intensification in the node at Duckworth and Grove. Consequently, it is likely that this would be the last corridor to be considered many years from now.
10. As such staff recommend that the first corridor to be considered for pre-zoning be the Essa Road corridor. Notwithstanding the fact that Essa Road is identified as a "secondary corridor" in the Intensification Study and on Schedule I of the Official Plan, staff note that there have been a

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significant increase in development pressures in this corridor over the past 5 years since the approval of the Official Plan. The timing of this review would also complement and coordinate with the ongoing Environmental Assessment and anticipated future road works being contemplated. Consequently, staff are recommending that Essa Road be identified as the first phase of pre-zoning as a pilot project.

11. As indicated above and in report PLN018-14 this exercise will likely be a lengthy one encompassing several years as the entire length of the corridor is assessed and extensive public consultation is conducted with property owners and adjacent neighbours through open houses and neighbourhood meetings. The process will also require public meetings and final approval by Council, and will be an appealable process.
12. Following completion of this process, staff will report back to Council on the next phase of potential pre-zoning with recommendation on the second corridor to address. This recommendation would be based on a number of factors including ongoing development pressures, EA's, proximity to the UGC and other nodes, potential for redevelopment (vacant or underutilized properties).
13. On May 28th, 2015 staff held a second on-site meeting (first meeting was September 11th, 2014) with the residents of Tomlin Court who attended the IIDSC meeting on February 23rd, 2015 and who expressed concerns regarding the potential for 5 or 8 storey building adjacent to their rear yards due to topographical variance between these properties. The grade separation between these streets varies between 1.8 and 3.3 m. Similar to other intensification corridors with significant topographic constraints, unusual lot configurations or other constraints, the general mixed use standard may not be appropriate for this portion of Yonge. The development approval process would allow Council, property owners and area residents to determine what built form of intensification would be appropriate through an extensive public consultation and appealable process.
14. In her presentation to the IIDSC meeting on February 23rd, 2015 Ms. Celeste Phillips suggested that the City undertake the extensive site by site review prior to establishing the new zone categories. In staffs' opinion this is contrary to the appropriate and established method of creating new zones which can then be tested and measured on a site by site basis. Zoning By-laws are intended to implement the policies of the parent Official Plan. Zone permissions and standards are developed to apply generally across jurisdictions with the ability to refine permissions and standards on an individual property basis following a detailed site specific review. This is typically done on a site-specific amendment application process initiated by the landowner. In this circumstance, staff are suggesting that the detailed review be conducted through a City initiated process for each corridor in a phased approach.
15. In the past several decades, the City has introduced a number of new zones which were developed as text amendments to the By-law and then applied on a site by site basis as appropriate. These include the Multiple Unit Residential – Town House (RM2-TH) zone, the Multiple Unit Residential Second Suites (RM-SS), all of the new Industrial zones created through By-law 2009-275, the Convenience Commercial (C5), the Institutional Major (I-M) and the Institutional Educational (I-E) zones.
16. In all of the above cases, the permissions and performance standards for the zones were created to implement the general policies of the Official Plan. The new zones were then available to be applied to development applications as appropriate given the individual opportunities and constraints of each site. That is the process being recommended for the implementation of the Intensification Strategy. As indicated above, if a general zoning category is inapplicable to a specific site, property or area, it can then be modified. However, the standard is being

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recommended to be established now in order to measure or test the appropriateness on a site by site basis.

17. The proposed zones will allow the City to implement the long term vision for the creation of intensified mixed use communities which will assist the City in meeting many of its strategic goals. As acknowledged there may be pockets such as the area of Yonge Street immediately adjacent to the 9 or 10 residences on Tomlin Court which may require an alternate or hybrid form of development but overall, staff are of the opinion that the zone as proposed, implement's Council's long term goals for intensification. Staff recommend the approval of the zone to probe the city with the tools it needs to implement this vision in areas where it is appropriate.
18. With regard to appropriate uses, staff have made their recommendations with regard to the uses considered appropriate for the intensification corridors in staff report PLN018-14. Ms. Phillips has suggested modifications including the exclusion of Building Supply Centre, Bus Terminal, Bus Transfer Station, Parking Lot and Veterinary Clinic.
19. Staff are of the opinion that these uses are appropriate but that Bus Terminals and Bus Transfer Stations are more than likely going to develop in nodes rather than corridors and if the Committee wishes to restrict these two uses to nodes it would help to address this concern. With regard to parking lot and Veterinary Clinic, staff are of the opinion that these uses are appropriate in the corridors; however, if the concern is excessive noise from a veterinary clinic, the committee could amend the by-law to only allow veterinary clinics in wholly enclosed buildings.

The potential to require parking spaces for visitors and specific barrier free parking in intensification corridors

20. The Intensification Nodes and corridors are intended to be pedestrian friendly, transit supportive areas. The recommended reduction in parking standards was intended to facilitate this objective and to encourage a dense, mixed use development form, optimizing the use of land.
21. The city is moving towards encouraging alternate forms of transportation through its Multi-modal Active Transportation plan and in fact is reviewing alternatives for shared parking for multi-use commercial building to reduce the significant amount of land consumed by parking lots. Staff continue to recommend reduced parking requirements in the Intensification nodes and corridors but would point out that these are minimum standards and developers can provide increased parking if they wish.
22. Staff have investigated other jurisdictions to determine what parking standards are common in intensification zones and determined that the majority of them provide for reduced parking standards. The Committee should note that the reduction in parking is only applicable to residential uses and that the existing parking standards would continue to apply for any non-residential use. In addition, barrier free parking will continue to be a requirement.

The potential to increase maximum building heights, to reflect the change to the Ontario Building Code to six storeys in intensification corridors

23. The Ontario Building Code was amended in 2014 to permit six storey wood-frame construction. Wood frame construction will reduce construction costs and make mid-rise development more economically feasible. Staff have no objection to increasing maximum building heights in Intensification Corridors to six storeys. However, as indicated above, in situations where the topography, lot size or configuration or any other circumstances are relevant a lower height may still be appropriate. The other alternative, given the concerns expressed by the residents of Tomlin Court, is to maintain the existing proposed maximum height of 5 storeys (with the potential

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for 8 storeys with ground floor commercial) and review this standard in the future as part of a more detailed review.

Summary

24. Staff report PLN018-14 recommends revised OP policies and new zone standards for the Intensification nodes and corridors. This report has been prepared in response to the direction from Council to review the items listed in Part 3 of Council Motion 15-G-055 (attached).
25. Staff are of the opinion that the approval of the Mixed Use Corridor (MU2) zone will facilitate the creation of diverse and safe neighbourhoods; assist with the provision of affordable housing; promote and facilitate community connections through the creation of great public spaces; improve options to get around without use of automobiles; create opportunities for small startup business to be located in the residential neighbourhoods they serve; and make efficient use of tax dollars by maximizing use of infrastructure.
26. All the reasons listed above assist with the implementation of portions of the four Strategic Priorities of Barrie City Council and for this reason staff are of the opinion that the creation of new mixed use intensified neighbourhoods along the corridors identified in the Official Plan is a “made in Barrie” solution.
27. Based on the information above staff are recommending that the proposed OPA and zoning provisions for Mixed Use Corridor (MU2) zones be approved and staff be directed to initiate the pre-zoning process beginning with the Essa Road corridor to properly assess the best implementation of this zone.

ENVIRONMENTAL MATTERS

28. The following environmental matters have been considered in the development of the recommendation:
 - a) The proposed zone will facilitate Intensification in appropriate areas throughout the city and will therefore make more efficient use of lands and infrastructure. Consumption of land for large space expansive neighbourhoods is a significant environmental issue on a province wide basis and forms part of the rationale behind the provincial policies establishing settlement areas and requiring intensification.

ALTERNATIVES

29. The following alternatives are available for consideration by Infrastructure Investment and Development Services Committee (IIDSC):

Alternative #1 IIDSC could maintain the existing by-law with respect to the Mixed Use Corridor (MU2) zone. (i.e. Status Quo)

This alternative is not recommended as it will not prevent applications for development within intensification corridors but it will reduce the City's ability to secure a form of development that will promote pedestrian friendly, transit supportive mixed use neighbourhoods. It will also reduce the City's ability to implement provisions intended to mitigate impact on adjacent lands such as the stepping provisions.

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Alternative #2

General Committee could alter the proposed recommendation by approving the Mixed Use Corridor but not approving the recommendation to pre-zone lands within the corridors.

Although this alternative is available, pre-zoning would allow the city some degree of control over the form of development because any deviation from the approved zone would result in a public and appealable process. That may still occur but staff are of the opinion that many development interests would be prepared to accommodate the MU2 standards to facilitate development.

FINANCIAL

30. There are no financial implications for the Corporation resulting from the proposed recommendation.

LINKAGE TO 2014-2018 STRATEGIC PLAN

31. The recommendations included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:
- Vibrant Business Environment
 - Responsible Spending
 - Inclusive Community
 - Well Planned Transportation
32. Paragraph 24 of this report identifies how the approval of the Mixed Use Corridor (MU2) zone would facilitate the creation of neighbourhoods which would demonstrate linkages to all of Council's strategic priorities.

Attachment: Appendix A – Motion 15-G-055

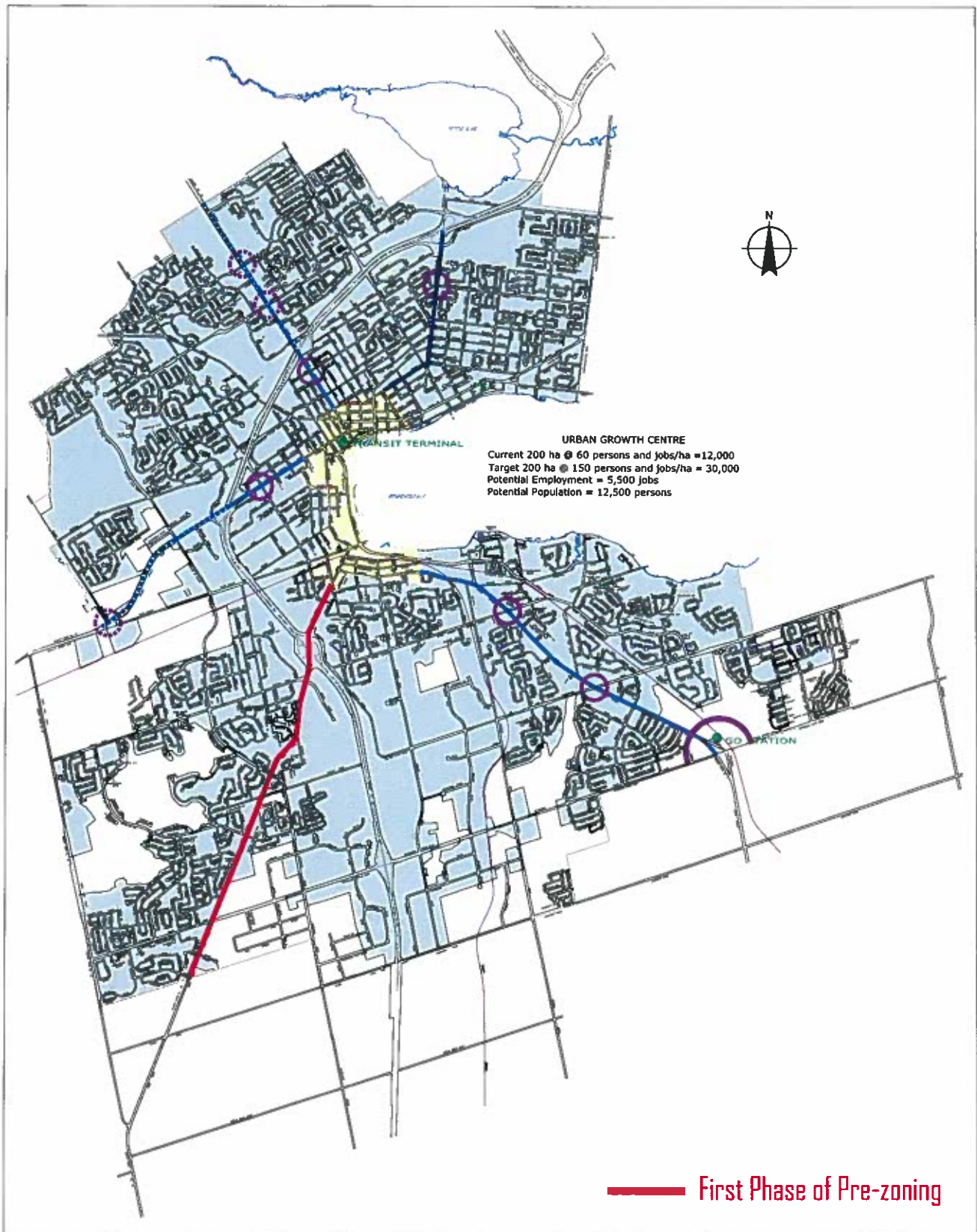
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APPENDIX "A"

Motion 15-G-055

15-G-055 ZONING FOR MIXED USES

1. That the Official Plan Amendment for the addition of Section 4.9 "Mixed Use", as included in Appendix "A" attached to Staff Report PLN018-14, be approved for the portions related to intensification nodes.
2. That the Zoning By-law Amendment for the addition of Section 5.4 "Mixed Use", as included in Appendix "B", in Staff Report PLN018-14, be approved for the portions related to intensification nodes.
3. That staff in the Planning Services Department report back to the Infrastructure, Investment and Development Services Committee with additional detail regarding the following:
 - a) Which parts of intensification corridors and which proposed uses are appropriate for intensification;
 - b) The potential to require parking spaces for visitors and specific barrier free parking in intensification corridors; and
 - c) The potential to increase maximum building heights, to reflect the change to the Ontario Building Code to six storeys in intensification corridors. (14-G-162) (File: D00)



- Urban Growth Centre - 150 persons/jobs per ha.
- Primary Corridor - 50 units per ha.
- Secondary Corridor - 50 units per ha.
- Primary Node - 50-120 units per ha.
- Secondary Node - 50-120 units per ha.
- Built-up Area
- Major Transit Station - 50-120 units per ha.
- City Boundary

SCHEDULE I
Intensification Areas

JANUARY 2015

NOTE: Office consolidation, please consult the Planning Services Department for an accurate reference. Not to be reproduced without written consent from the City of Barrie Planning Services Department.

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