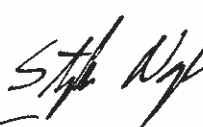


TO: GENERAL COMMITTEE

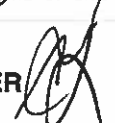
SUBJECT: APPLICATION FOR AMENDMENT TO THE ZONING BY-LAW-PENADY (BARRIE) LIMITED & LOBLAWS PROPERTY LIMITED – 295, 299, 307, 319, 327, 341, 349, 359, 367, 369, 379, 567, 607 CUNDLES ROAD EAST

WARD: #3

PREPARED BY AND KEY CONTACT: S. FARQUHARSON, M.C.I.P., R.P.P DEVELOPMENT PLANNER EXT. 4478

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

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

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

RECOMMENDED MOTION

1. That the Zoning By-law Amendment Application submitted by Penady (Barrie) Ltd. and Loblaw Property Limited for lands known municipally as 295, 299, 307, 319, 327, 341, 349, 359, 367, 369, 379, 567, and 607 Cundles Road East to amend the current, General Commercial C4 (SP-382)(SP-383) zoning, that would have the effect of reducing the parking requirements; and increasing the commercial gross floor area, be approved.
2. That the following Special Provisions be referenced in the implementing Zoning By-law for the subject lands:
 - a) Permit a parking rate of 1 space per 24m² for non-residential uses;
 - b) Permit a minimum parking rate of 1.1 spaces per residential unit; and
 - c) Amend SP-382 to increase the maximum commercial gross floor area from 41,800m² to 49,157m².
3. 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

4. The purpose of this report is to recommend a standard parking rate across the entire site of 1 space per 24 m² for non-residential uses, and 1.1 spaces per residential unit. With fewer required parking spaces, an increase to the maximum commercial gross floor area (GFA) permitted to 49,157 m² on the subject lands to accommodate additional commercial tenants in the future is also being recommended.

Location

5. The subject property is located on the south side of Cundles Road East, north of Highway 400, west of Duckworth Street, within the Alliance Planning Area (Ward 3). The subject property is known municipally as 295, 299, 307, 319, 327, 341, 349, 359, 367, 369, 379, 567, and 607 Cundles Road East and has a total lot area of approximately 17.96 hectares with frontage along Cundles Road East and Duckworth Street. The site is situated south of an established residential area and City SWM facility, with institutional uses to the west and Highway 400 to the south and east.

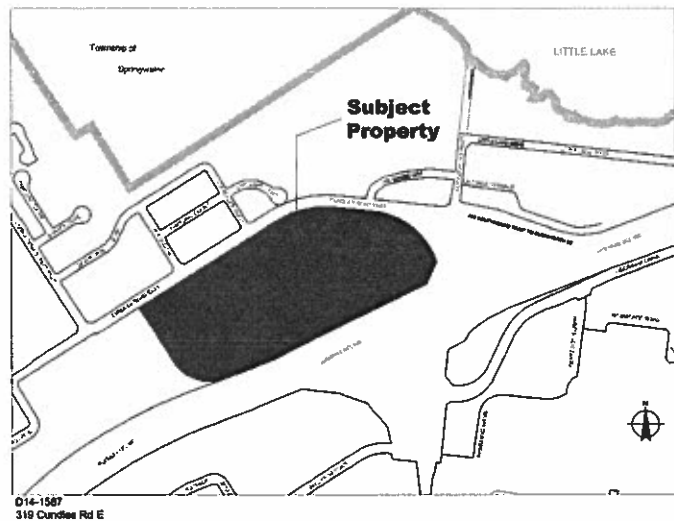
6. The existing land uses surrounding the subject property are as follows:

North: Residential Multiple Dwelling Street Townhouses and Single detached residential dwellings zones, and Environmental Protection and Open Space areas

South: Highway 400

East: Highway 400

West: Institutional Uses (Elementary and High School)



Existing Policy

7. The subject property is designated “General Commercial Area” within the City’s Official Plan and is zoned “General Commercial Special Provision C4(SP-382) and (SP-383)” by Comprehensive Zoning By-law 2009-141. The existing Special Provisions restrict the allowable commercial uses, maximum building height, commercial gross floor area and gross floor area for permitted automotive related uses. While the parcel is divided into multiple ownerships, the existing special provisions on the lands include the removal of all internal lot lines for zoning purposes.

8. In accordance with Section 41 of the Planning Act, the properties are subject to Site Plan Control, which will be discussed further in this report.

Supporting Information

9. In support of the subject application, the following reports were submitted:

- a) **Planning Justification Report** (March 2015) provides a review of the property characteristics and surrounding lands as well as the planning policy basis and opinion of MHBC Planning that the proposal is an appropriate form of development and that a reduction in the parking standards is appropriate.
- b) **Parking Study (March 2015)** provides an overview of the required parking for the proposed various uses on site and concludes that the proposed parking ratio can be accommodated for both the commercial and residential uses and that an increase in the commercial GFA can be supported.

- c) **Traffic Impact Study Addendum (May 4, 2015)**, provides an addendum to the Traffic Impact Study report that was prepared by BA Group (revised February 2010). It is the opinion of BA Group that the site traffic generated by the proposed development with modifications to the maximum gross floor area can be accommodated on the road network.

Public Meeting

A Public Meeting was held on June 15, 2015 to discuss the subject application, at which there were no verbal nor written comments received.

Department and Agency Comments

10. The City Traffic division indicated that there were no concerns with the proposed traffic generation from the development and agreed with the conclusions of the updated Traffic Study prepared by BA Group.
11. The application was also circulated to the Nottawasaga Valley Conservation Authority (NVCA), PowerStream and the Ministry of Transportation (MTO). Agency comments stated that they did not have any objections to the application.

ANALYSIS

Policy Planning Framework

12. The following provides a review of the applicable Provincial policies, as well as the City of Barrie's Official Plan.

Provincial Policy

Provincial Policy Statement (2014) (PPS) and Places to Grow (2012) (The Growth Plan)

13. The proposed application to increase the allowable commercial GFA and apply a blended parking rate on the subject lands would represent a good form of development and would allow for a more compact, complete community offering a range of commercial and mix of employment and housing. It is the opinion of the Planning Department that the proposed development meets the policies and the intent of the PPS and the Growth Plan.

Official Plan

14. The Official Plan provides direction that new commercial developments are to provide adequate off-street parking and off-street loading facilities. The Official Plan further states that commercial uses shall provide adequate accessible parking within close proximity to the access door. In this regard, the subject properties have been reviewed through the site plan process, which demonstrate that the required number of off-street parking spaces and the appropriate location of the barrier free parking spaces adjacent to building entrances have been provided. The applicant through the submission of the parking study by LEA Consulting, supports a blended parking rate of 1 parking space per 24m² for non-residential uses and 1.1 spaces per unit for residential. Based on this rate the required off-street parking and off-street loading facilities could be accommodated on site, which would therefore translate in the lands being able to increase the commercial GFA on site.

15. In staff's opinion, the proposed development satisfies the City's locational criteria with respect to General Commercial development, as the subject property is located on two arterial roadways (Cundles Road East and Duckworth Street) and is also bounded by Highway 400 to the south. An established residential neighbourhood containing primarily single detached residential dwellings and one medium density development is also located in the area. It has been considered through the site plan control process that the commercial buildings proposed along the Cundles Road East frontage, adjacent to existing residential uses will provide increased design standards to be consistent with the existing residential character of the area. These design elements include pitched roof lines, brick and/or stone building facades, including solidering and quoining, screening of parking areas.
16. Existing municipal infrastructure, transportation facilities, and public transit are all available to service the proposed development. Further, the subject property is situated in an area which serves the travelling public and residential areas by way of the existing sidewalks along Cundles Road East and Duckworth Street.
17. Based on the above, staff are of the opinion that the proposed development satisfies the policies of the City's Official Plan.

Zoning Rationale for Special Provisions (SP)

18. The subject properties are zoned General Commercial Special Provision C4(SP-382) and (SP-383). The C4(SP-382) and (SP-383) permits a wide range of commercial uses, of which the applicants are proposing which are outlined in Appendix B. In large multi-use, commercial developments, individual use parking requirements has the potential to significantly impact commercial space to be occupied as parking for each use is calculated differently. For instance the number of required parking spaces for commercial uses such as restaurants, medical office, and commercial schools is based on occupancy rather than per square meter of floor space.
19. If the site was to be developed as per the approved site plan drawings, it could accommodate the necessary parking spaces for 39,771m² (note: maximum gross floor are currently permitted is 41,800 m²) and 200 residential units. The parking analysis completed by LEA Consulting proposes a commercial blended parking rate of 1 space per 24m² and a residential rate of 1.1 spaces per unit. Based on these proposed ratios a maximum commercial GFA of 49,157m² and 200 residential units could be supported. In other words, the reduced parking ratio for the site plan approved commercial GFA and residential building would allow for the site to increase its capacity to accommodate parking sufficient to support an additional 7,357m² of commercial GFA, over and above the maximum currently permitted.
20. The applicant has demonstrated through a similar commercial plaza at Livingstone Street West and Bayfield Street that the anticipated parking demands of the proposed development, would function appropriately and would be in keeping the intent of the zoning by-law.
21. It is the opinion of staff that the blended parking rate would allow for a greater flexibility and certainty in attracting and retaining potential commercial users, would make it easier for calculating parking requirements based on GFA rather than occupancy, while at the same time would not affect the surrounding area.

Site Plan Control

22. The applicants have registered a Master Site Plan Agreement (D11-1476), which encompasses the entire land area subject to this application. The owners have also entered into a Preliminary Development Agreement which addressed items such as development staging, occupancy, timing/construction of infrastructure improvements and funding/cost sharing arrangements. The applicants have now gone through their individual site plan process for each of their respective

properties. Penady (Barrie) Ltd. land has an existing site plan agreement (D11-1604) registered on title, which includes a 200 unit condominium building with ground floor commercial, two multi-tenanted commercial buildings and one stand-alone financial institutional building. This site plan agreement was registered on June 10, 2013. At the time of preparing this staff report no building permits have been issued for any of the proposed buildings on site as part of this application.

23. Both Penady (Barrie) Ltd. (D11-1675) and Loblaws Property Limited (D11-1676) have subsequently submitted additional site plan applications for the remaining balance of the lands. The lands owned by Loblaws Property Limited, which includes a supermarket, pharmacy and other multi-tenanted commercial buildings was approved with a site plan agreement registered on title on August 19, 2015. The Penady (Barrie) Ltd. lands include a theatre, health and fitness club and various restaurants. The application is in the final stages of the site plan control process and it is anticipated the agreement will be registered in the near future. Currently the sites are under construction with the installation of underground services, with building construction expected to occur in the near future.

ENVIRONMENTAL MATTERS

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

ALTERNATIVES

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

Alternative #1 General Committee could refuse the proposed Zoning By-law Amendment applications and maintain the current parking standards and commercial GFA.

This alternative is not recommended as the proposed development would allow for greater flexibility and certainty in the parking standards for potential commercial uses and ease of calculations for parking requirements.

Alternative #2 General Committee could alter the proposed recommendation by recommending different parking standards and commercial GFA.

This alternative is not recommended as the supporting documentation regarding parking was prepared by consultants with expertise and approved by City Traffic staff.

FINANCIAL

26. Financial benefit to the City would potentially be additional development charges being received and increased property taxes, as a result of increasing the maximum commercial gross floor area.

LINKAGE TO 2014-2018 STRATEGIC PLAN

27. The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:
- Vibrant Business Community
28. The development is an example of allowing for the growth of businesses by eliminating a restriction in parking requirements for individual commercial uses, and allowing flexibility and certainty with the application of a blended parking rate.

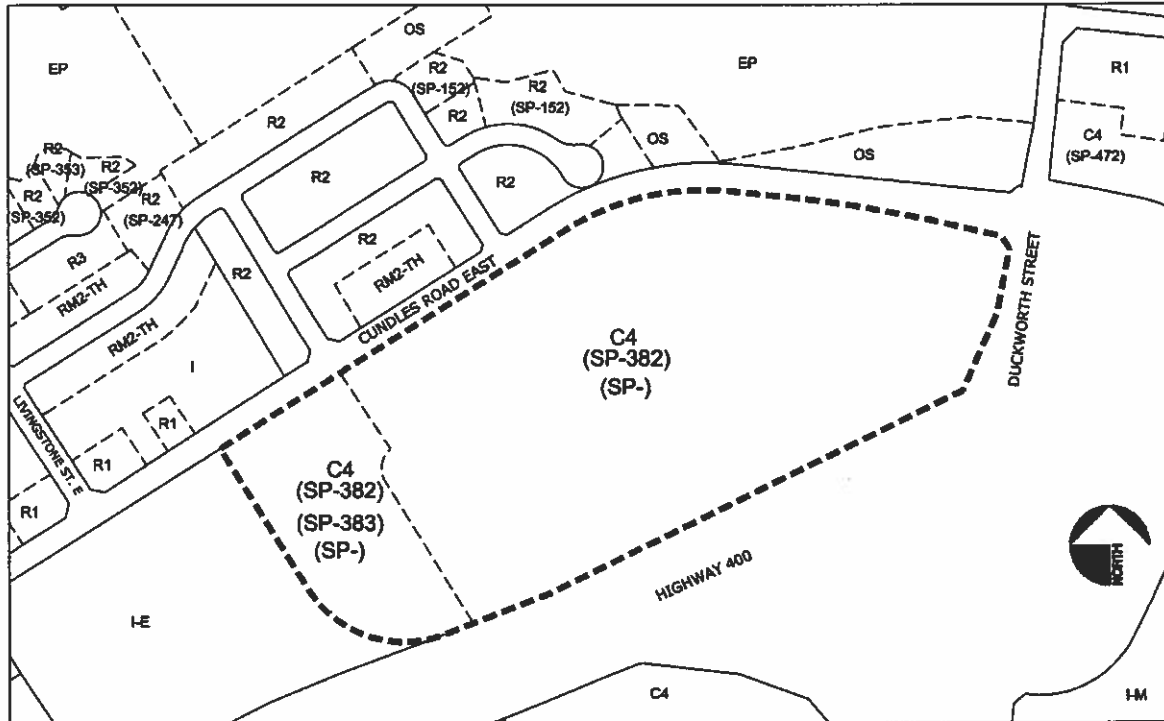
CONCLUSION

29. Based on the above, Planning staff are of the opinion that the proposed amendment to the Zoning By-law to permit a blended parking rate at 1 space per 24m² for non-residential uses, 1.1 spaces per residential unit, and an increase in the maximum commercial gross floor area to 49,157m² would be appropriate.

Attachment:

- Appendix "A" – Proposed Zoning
- Appendix "B" – Parking Standards

APPENDIX "A"
Proposed Zoning



D14-1587
SEPTEMBER 2, 2015

APPENDIX "B"
Parking Standards

Proposed Use	Existing Parking standards	Total m² being proposed/occupancy	Required Parking
Retail	1 space per 30 m ²	29,529 m ²	984 spaces
Theatre	1 space per 4 persons	1589 persons	397 spaces
Fitness Centre	1 space per 2 persons	400 persons	200 spaces
Restaurant	1 space per 4 persons	607 persons	152 spaces
Bank	1 space per 30 m ²	889 m ²	30 spaces
Day Nursery	1 space per classroom and 1 per office	929 m ²	12 spaces
Gas Bar	1 space per 50 m ²	279 m ²	6 spaces
Residential	1.5 spaces per unit	200 units	300 spaces
Total			2,081 spaces

Proposed Parking Rate	
Non Residential Uses	1 space per 24 m ² (1629 spaces)
Residential Use (200 units)	1.1 space per unit (220 spaces)
Total Proposed	1,849 spaces