
TO: GENERAL COMMITTEE

SUBJECT: OFFICIAL PLAN AMENDMENT AND ZONING BY-LAW AMENDMENT APPLICATION – 901 ESSA ROAD AND 1, 3, 5, 7, 9, 13, 15, 17, 19 BROWN BEAR STREET

WARD: 7

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

SUBMITTED BY: C. MCLAREN, MANAGER OF PLANNING

EXECUTIVE DIRECTOR APPROVAL: M. BANFIELD, RPP, EXECUTIVE DIRECTOR OF DEVELOPMENT SERVICES

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

RECOMMENDED MOTION

1. That the Official Plan Amendment submitted by The Biglieri Group Ltd., on behalf of Brown Bear Dev. Ltd., for lands municipally as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street attached as Appendix “A” to Staff Report DEV029-24 be approved as follows:
 - a) Amend Map 2 – Land Use Designations of the Official Plan for the lands known as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street to include a Defined Policy Area overlay over the existing Medium Density Designation.
 - b) Amend Section 2.8 Defined Policy Areas to include the following:

2.8.X 901 Essa Road

Notwithstanding the policies of this plan, the lands denoted with “See Policy 2.8.X” on Map 2, municipally known as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street, are permitted to have a maximum building height of 15 storeys and maximum density of 494 units per hectare.
2. That the Zoning By-law Amendment Application submitted by The Biglieri Group Ltd., on behalf of Brown Bear Dev. Ltd., to rezone lands known municipally as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street from “Neighbourhood Mixed Use” (NMU) in By-law 2009-141 and “Rural Residential” (RR) in By-law 054-04 to “Neighbourhood Mixed Use with Special Provisions, Hold” (NMU)(SP-XXX)(H-YYY) be approved as attached to this Staff Report as Appendix “B” .
3. That the following site-specific provisions be referenced in the implementing Zoning By-law for subject lands:
 - a) Permit encroachments into required setbacks for an underground parking structure being the following:
 - a) Essa Road: 1.2 metres

- b) Salem Road: 0.16 metres
- c) Brown Bear Street: 0.24 metres
- d) Northern lot line: 0.48 metres

Whereas an underground parking structure setback of 1.8 metres is required;

- b) Permit outdoor amenity space to be provided at a ratio of 9.6 square metres per dwelling unit, with indoor amenity space provided at a ratio of 2.6 square metres per unit (12.2m² total), whereas outdoor amenity space is required at a ratio 12.0 square metres per residential unit;
 - c) Permit a parking standard of 0.8 parking spaces per residential unit, whereas 1.0 parking space per unit is required;
 - d) Permit a parking standard of 0.1 parking spaces per unit (46 spaces) for visitors and commercial uses, whereas no standards currently apply for visitors, and a parking ratio being a minimum of 1 space per 24 square metres commercial Gross Floor Area (GFA)(15 spaces) and maximum of 1 space per 18 square metres GFA (20 spaces) is required;
 - e) Permit a minimum commercial coverage of 20% Gross Floor Area (GFA), whereas a minimum coverage of 50% is required;
 - f) Permit a maximum building height of 15 storeys, whereas the current maximum is 12 storeys;
 - g) Permit the maximum interim and general floor space index of 3.1, whereas a maximum of 2.5 is required;
 - h) That the façade step-back and angular plane requirements shall not apply along the Brown Bear Street frontage, whereas a 45 degree angular plane at height above 80% equivalent of right of way using 3m minimum step backs is required; and
 - i) Permit a maximum of 100% of buildings within 5m of the front lot line, whereas a maximum of 50% of the frontage shall have buildings within 5m of the front lot line.
4. That the Holding Provision (H-YYY) be removed from the Neighbourhood Mixed Use with Special Provisions (NMU)(SP-XXX) zone when the following is completed to the satisfaction of the City:
- a) That the owner/applicant update hydrogeological information in support of the previously submitted D4 Assessment to the satisfaction of the City of Barrie prior to any site works or issuance of a Building Permit;
5. 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 DEV029-24.
6. That pursuant to Section 34 (17) of the *Planning Act*, no further public notification is required prior to the passing of this By-law.

PURPOSE & BACKGROUND

Report Summary

-
7. The purpose of this report is to recommend approval of an Official Plan Amendment and Zoning By-law Amendment applications submitted by The Biglieri Group Ltd., on behalf of Brown Bear Dev. Ltd., for lands known municipally as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street. This report provides an analysis of the application based on conformity with Provincial and City Planning policies, as well as an overview of comments received through the technical review and public engagement processes.
 8. With the conclusion of the technical review and public consultation process, which included a Neighbourhood Meeting on March 9, 2023 and Public Meeting on June 14, 2023, staff have determined that the proposal is consistent with the Provincial Policy Statement (2020) and 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 proposed Official Plan and Zoning By-law Amendment as provided in draft attached to Staff Report DEV029-24 as Appendix "A" and Appendix "B".

Development Proposal

9. The application, if approved, would rezone the subject lands from "Neighbourhood Mixed Use" (NMU) in the City's Comprehensive Zoning By-law 2009-141 and "Rural Residential" (RR) in the Town of Innisfil By-law 054-04 to "Neighbourhood Mixed Use with Special Provisions, Hold" (NMU)(SP-XXX)(H-YYY). The conceptual site plan, included for reference as Appendix "C" to Staff Report DEV029-24, proposes a development consisting of a residential condominium development with a 3-storey podium and separate towers being 12 and 15 total storeys in height, inclusive of the podium elevation. The proposed development proposes four hundred and thirty-seven (437) residential units and a proposed ground floor area of 357 square metres for commercial use. The proposed elevations are attached as Appendix "D". The final design details for the site design will be confirmed at the time of a subsequent Site Plan Control application.
10. The site-specific provisions would permit a reduction to underground parking garage setbacks, a reduction to required outdoor amenity, a reduction in parking ratios, an increase in required visitor and commercial parking, a reduction to minimum ground floor commercial area, an increased building height, removal of angular plane setbacks on Brown Bear Street, and a reduction in maximum frontage setback requirements and floor space index requirements.

Site and Location

11. The subject property is located on the west side of Essa Road and north side of Salem Road, east of Brown Bear Street, within the former Salem Secondary Plan Area. The site is legally described as Part of the South Half of Lot 2 Concession 11, former Town of Innisfil and Block 281 on Registered Plan 51M-1160, and is municipally known as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street in the City of Barrie. The lands are vacant and are approximately 1.15 hectares (2.84 acres) in size with a frontage of 91 metres on Essa Road, 125 metres on Salem Road and 64 metres on Brown Bear Street.

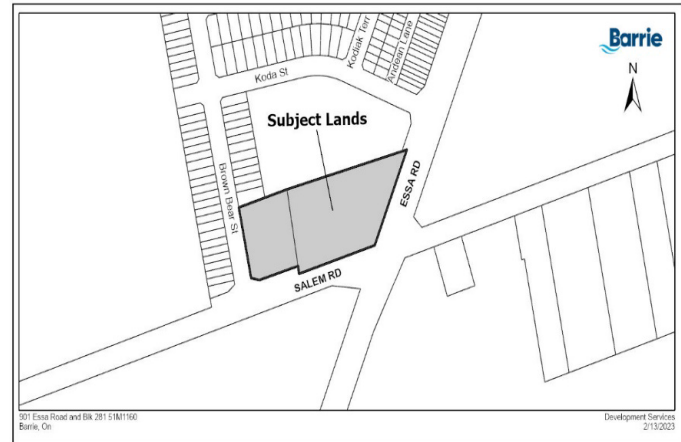
12. The surrounding land uses include the following:

North: Two, 4-storey apartment buildings approved through Site Plan Agreement with the City (Files: D11-028-2017 and D12-422) and low rise residential (single detached and townhouse units) .

East: Institutional use (Emmanuel Baptiste Church) and single detached residential

South: Employment use (Unilock Landscape Supply Yard) and vacant lands

West: Residential uses including street townhouses and a draft approved plan of Subdivision (D12-422) which includes low rise residential and medium density residential in addition to a public park and school site.



Existing Policy

13. The subject property is identified as being located on the Essa Road Intensification Corridor on Map 1 – Community Structure, designated as “Medium Density” on Map 2 - Land Use Designation in the City’s Official Plan.
14. The property is included within a Waste Disposal Assessment Area (D4) study area for adjacent lands along Salem Road. A D4 assessment has been provided, however updates to this report are required with regard to groundwater monitoring and these updates must be provided prior to the release of the proposed zoning Hold on the subject property.
15. The lands are currently zoned “Neighbourhood Mixed Use” (NMU) in By-law 2009-141, as amended and “Rural Residential” (RR) in By-law 054-04, as these lands were annexed from the Town of Innisfil.

Background Studies

16. In support of the application, the following plans, reports, and studies were submitted. Copies of the submission material are available online on the City’s Development Projects webpage under [Ward 7 – 901 Essa Road](#).
- Planning Rationale Report (Biglieri Group, December 2022)
 - Urban Design Report (Biglieri Group, December 2022)
 - Stage 1 and 2 Archaeological Assessment Draft (Aecom, December 2022)
 - D4 Landfill Impact Assessment (Terraprobe, November 21, 2022)
 - Arborist Report (Azimuth Environmental Consulting, Inc., May 2022)
 - Architectural Drawing Package (Kirkor Architects and Planners, January 4, 2024)
 - Building Foundation Evaluation (Terraprobe, December 19, 2023)
 - Conceptual Landscape Plan (MHBC, January 10, 2024)
 - Functional Servicing and Stormwater Management Report (Arcadis, December 22, 2023)
 - Traffic Impact Study Report (Aecom, December 1, 2023)
 - Preliminary Hydrogeological Study (Terraprobe, April 7, 2022)

- l) Preliminary Geotechnical Investigation and Engineering Report (Terraprobe, March 21, 2022)
- m) Parking Review and AutoTURN Analysis (nexTrans Consulting Engineers, January 10, 2024)
- n) Phase One Environmental Site Assessment (Terraprobe, March 21, 2022)

Public Consultation

17. A neighbourhood meeting was held on March 9, 2023, as part of the requirements for a complete application. The meeting was attended by twenty-six (26) residents as well as the applicant, their consultant team, Ward 7 Councillor Gary Harvey, and Planning staff. Comments and concerns expressed by residents at the Neighbourhood Meeting included the following:

a) Visual and Shadow Impact

Comments were made regarding the proposed two 15 storey towers which may block sunlight and sight lines for the existing townhomes along Brown Bear Street and 4-storey condominiums on Koda Street. The applicant has adjusted one tower to conform with the permitted 12 storeys while working to ensure through design that light and visual impacts are minimized. Shadow studies completed and shared have demonstrated limited impacts upon surrounding buildings outside of early and late evening periods for buildings to the east and west. Redesign of the towers has attempted to respond to concerns with impact to adjacent existing land uses, reducing the western tower and podium to better align with the surrounding built form.

b) Construction Impacts

Questions regarding the timing, noise and management of waste generated on site through construction were raised by the public. This matter is an issue for any development of this site, and the City will require a construction management plan as part of a future site plan application, actively working to ensure disruption to existing landowners is minimized.

c) Traffic and Parking

Concerns were raised regarding traffic impacts, particularly on the quiet Brown Bear, Koda and Mabern Streets where residents and children use these spaces for parking and play due to the absence of a neighbourhood park. The applicant has prepared a Traffic Impact Study and Parking Study in support of the application which advise that impacts are anticipated to be minor on the existing neighbourhood. The applicant has proposed a lower parking ratio for the subject site, which aligns with new best practices and is supported by additional active transportation options (bicycle infrastructure and transit connections). Transportation Planning staff are satisfied with submitted report recommendations and have directed that a temporary traffic light will be required at the Essa and Salem intersection in advance of the proposed roundabout post 2031.

d) Increased Crime

Concerns were raised regarding the potential for increased crime through the proposed development. There is no clear reason why the proposed built form will create crime in the new neighbourhood, or ways that the applicant could alleviate any potential risk of crime.

e) Timing for City Infrastructure

Residents in attendance also noted that the Bear Creek Subdivision has existed for a few years now without appropriate community infrastructure including parks, bicycle, pedestrian or transit connectivity to the City. The timing for this work has been delayed due to the adjacent private

landowners. In the short to medium term, a park and school are proposed for the neighbourhood, with transportation improvements planned for Essa Road by 2031.

18. A statutory Public Meeting was held on June 14, 2023, to present the subject application to the Affordability Committee and the public. One member of the public inquired as to the building materials proposed. The applicant responded as to a variety of materials proposed, which would be confirmed through detailed design.

The Ward 7 Councillor (Gary Harvey) also requested points of clarification on the application, including confirmation of total building height being 15 storeys, direction that vegetation be protected along property lines, amenity space be improved with programming, shadowing be reduced through a 12 storey building height and efforts to reduce potential tension with parking demand be considered. The applicant in response to these comments has adjusted their built form, to lower one of the proposed towers, and introduced a variety of outdoor amenity spaces including a conceptual playground, artificial turf surface and seating areas. Parking is recognized as a key concern on the subject property, with the applicant submitting a separate Parking Review Report. The applicant has proposed to provide a lower parking ratio for residential units, while providing an exceedance of visitor and commercial parking spaces. Through this combination of parking, and an effort to prioritize bicycle and transit connection options, the submitted report suggests that this parking configuration supports the City's Official Plan vision and is consistent with the PPS.

Department and Agency Comments

19. The subject applications were circulated to staff in various departments and external agencies for review and comment. No objections or comments regarding details which can be addressed through a future Site Plan Control application were received from the following departments:
- a) Development Services – Approvals, Parks Planning, Ecology, Planning Addressing
 - b) Finance Department
 - c) Infrastructure Services Department (Water Services Branch)
 - d) Transit
 - e) Alectra Utilities and Enbridge
 - f) Ministry of Transportation (MTO)
 - g) Nottawasaga Valley Conservation Authority (NVCA)

Any comments that were provided will be addressed through subsequent Site Plan approvals.

20. **Development Services – Transportation Planning** staff have responded through review of the 2nd submission materials requesting additional design work on a temporary signal installation at Essa Road and Salem Road in advance of the City installing a roundabout in this location in the future. Additionally minor points of clarification regarding access and parking configuration were noted. It is noted that these items can be addressed through a future site plan control application.
21. **Environmental Risk Management and Compliance (EMRC)** have identified the need for additional hydrogeological assessment of groundwater conditions due to the nearby waste disposal (D4 Assessment) site. This additional work is necessary and a Hold (H) is proposed to account for the need for this work, prior to proceeding with development on the subject site. Additional comments have been provided by ERM, however may be addressed through detailed design of a future Site Plan Control application.

POLICY ANALYSIS

-
22. The following provides a review of the application in accordance with applicable provincial and municipal policy documents.

Provincial Policy Statement (2020) (PPS)

23. Staff have reviewed the relevant policies and are of the opinion that the development is consistent with the applicable policies of the Provincial Policy Statement (2020) which direct growth to settlements and identified growth areas and promote efficient, transit supportive development. The subject lands are located within the built boundary of the City and the application proposes intensification within the Essa Road Intensification Corridor. The proposed development aligns with the policies of a healthy, liveable, and compact community and would be serviced by existing municipal infrastructure and planned for services, thereby representing efficient and cost-effective development.
24. Sections 1.3 and 1.4 of the PPS encourages compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities. Further, the PPS promotes densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. The subject property is located within both a residential area that would support a compact mixed-use development at an increased density which makes efficient use of land, resources, existing and planned infrastructure and transit.

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

25. Staff have reviewed the relevant policies and are of the opinion that the development generally conforms to the Growth Plan for the Greater Golden Horseshoe. The subject lands are located within the Medium Density designation and are located on the Essa Road Intensification Corridor. Prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability is a key pillar of the Growth Plan, and the subject applications support the achievement of a complete community, which provides variety in the built form and introduces a local convenience commercial opportunity. While it has been acknowledged that municipal services including improved transit and active transportation infrastructure remain some years away, the applications support Growth Plan policies and through the intended intensification seeks to realize the intentions of a complete community. Until demand is created by applications such as this, transit improvements are not justified in the immediate area.
26. The proposed amendments would permit the development of a multi-unit residential building on existing municipal servicing infrastructure. The proposed project blends commercial and residential uses at levels that raise the surrounding low-rise densities to better support transit, efficient use of infrastructure and contribute to a complete community with a range of unit types. While not explicitly committed to by the application, the proposal seeks to create an alternative housing option which will build upon the available rental housing inventory and contribute more attainable housing for current and future City residents.

City of Barrie Official Plan (OP)

27. The application was deemed complete on April 3, 2023, prior to the approval of the new City of Barrie Official Plan (2023) which was approved by the Ministry of Municipal Affairs and Housing on April 11, 2023. Section 2.5.7 of the new Official Plan notes that applications deemed complete prior to the approval of this Plan by the Ministry of Municipal Affairs and Housing may continue towards final approval under the policy framework in place at the time the Notice of Complete Application

-
- was issued. This would include any subsequent implementing approvals. As such, the application has been reviewed against the policies of the City's former Official Plan (2010).
28. The City's Official Plan (2010) under which this application has been made, designates the subject site as a Mixed Use Nodes and Corridor area. The designation was established through OPA 44 as a response to Growth Plan changes in 2009. The intended goals for the designation are medium and high density developments which support a mix of uses, create complete communities and foster vibrant pedestrian oriented streetscapes. The proposed development aligns with the intentions of the OPA 44 and the Mixed Use Nodes and Corridors designation.
 29. Additionally, the Official Plan (2010) provided policies specific to the Salem Secondary Area within Section 8 (Sections 8.5.7 and 8.5.8) where land use policies for the Mixed Use Nodes and Corridors and the Essa and Salem area were provided. While mixed use principles remain, applicable residential densities of a maximum of 120 units per hectare and a maximum Floor Space Index (FSI) of 2.5 apply, leading to the need for an Official Plan Amendment.
 30. The new Official Plan (2023) removed Floor Space Index (FSI) as a policy and increased permitted residential densities to a maximum of 300 units per hectare, while introducing a maximum building height of 12 storeys within the Medium Density designation which now applies on this property. The subject application therefore requires an Official Plan Amendment under the applicable Official Plan (2010) at the time the application was deemed complete and would have also require an Official Plan Amendment based upon the current Official Plan (2023) policies.
 31. The proposed development represents 437 residential units at a density of 494 units per hectare and a FSI of 3.06 with a maximum tower height of 15 storeys. These values exceed the previous Official Plan (2010) and new Official Plan (2023) policies.
 32. To facilitate the requested additional mixed use density and height on the subject property, it is proposed that the current designation be amended with a Defined Policy Area overlay implemented to allow for additional height and density on the subject property within the Official Plan (2023). A draft Official Plan Amendment to Schedule 2 - Land Use Designations of the Official Plan (2023) for the lands known municipally 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street is shown in Schedule "A" of this report.
 33. Affordable Housing was not a requirement of the Mixed Use Nodes and Corridors designation within the previous Official Plan (2010) under which these applications were made. As such an Affordable Housing Report was not submitted with the current applications. However, the subject applications have identified within the submitted Planning Rational Report that the proposed development represents a built form and unit total which will result in diverse housing unit types and levels of affordability. Apartments are generally a more attainable form of housing for prospective homebuyers, thereby increasing affordable options in the area.
 34. Based on the foregoing, staff are of the opinion that the proposed Official Plan Amendment and associated Zoning By-law Amendment applications follow the intent and principles of the Official Plan with further design requirements to be addressed as part of a future Site Plan Application should the Official Plan Amendment and Zoning By-law Amendment be approved.

Comprehensive Zoning By-law 2009-141

35. The applicant is proposing to amend the zoning on the subject lands from "Neighbourhood Mixed Use" (NMU) in the City of Barrie Comprehensive Zoning By-law 2009-141 and "Rural Residential" (RR) in the Town of Innisfil By-law 054-04 to "Neighbourhood Mixed Use with Special Provisions, Hold" (NMU)(SP-XXX)(H-YYY).

36. The table below illustrates the required zone provisions and the proposed site-specific provisions as it relates to the proposed development. The zone standards identified in brackets represent the actual standards proposed by the applicant; however, Planning staff have made minor adjustments to some of the standards to provide flexibility at the time of detailed design and construction.

Zoning Standard (NMU)	Required	Proposed
Section 4.6.5.2 - Underground Parking Setbacks	1.8 metres	Essa Road: 1.2 (1.200) metres Salem Road: 0.16 (0.165) metres Brown Bear Street: 0.24 (0.245) metres Northern lot line: 0.48 (0.485) metres
Table 4.6 – Required Parking Spaces	1.0 space/unit	0.8 spaces/unit
Table 4.6 and Section 14.4 – Commercial Parking	Minimum of 1 space/ 24m ² Commercial GFA (15 spaces) Maximum of 1 space/ 18m ² Commercial GFA (20 spaces)	0.1 spaces/unit for Commercial and Visitor (46 spaces)
Section 5.4.2.2 b) – Outdoor Amenity	12m ² /unit	9.6m ² /unit Outdoor 2.6m ² /unit Indoor 12.2m ² /unit Total Amenity
Section 5.4.3.5 – Commercial Coverage	50% GFA	20% GFA
Section 14.6.2 – Maximum Building Height	12 storeys	15 storeys
Section 14.6.2 – General Floor Space Index (max.)	2.5	3.1
Section 14.6.2; 5.4.2; 5.4.3.9 – Façade Step-back/Angular Plan	45 degree angular plane at height above 80% equivalent right-of-way using 3m minimum setbacks	Angular plan requirements shall not apply along the Brown Bear Street frontage
Section 14.6.2 – Frontage Setbacks (min.)	A maximum of 50% of the frontage shall have buildings within 5m of the front lot line except on corner lots this shall be measured along the cumulative lot frontage and exterior lot line	A maximum of 100% of the frontage shall have buildings within 5m of the front lot line

Underground Parking Structure Setbacks

37. The applicant seeks to permit an encroachment of the underground parking structure to the street line (two levels below grade) into the required 1.8 metre setback to the following:
- a) Essa Road: 1.2 metres
 - b) Salem Road: 0.16 metres

c) Brown Bear Street: 0.24 metres

38. Planning staff are of the opinion that the requested reduction is appropriate given required road widenings identified for the Essa Road and Salem Road frontages. Due to a proposed roundabout planned for 2031, a land dedication of 23.00 metres has been identified for Essa Road and a tapered 10.5 metre for the Salem frontage representing 0.26 hectares (22.6%) of the existing property. The proposed municipal boulevard remains extensive through the incorporation of a roundabout design and a proposed multi-use trail. The underground parking setbacks proposed continue to establish a buffer to surrounding municipal street lines, with setbacks allowing for tie backs and work to occur on the private property, while further details will be confirmed at time of the future Site Plan Control application.

Required Parking

39. The application proposes a parking standard of 0.8 spaces per residential unit, whereas 1 space per unit is required by the Comprehensive Zoning By-law in the NMU zone.
40. Planning staff are of the opinion that the requested parking ratio of 0.8 spaces/unit is appropriate and generally meets the intent of the By-law. A Traffic Impact Study Report and Parking Review Analysis was submitted to support a reduction in the parking space standard to the satisfaction of Transportation Planning staff. A reduced parking standard is considered an appropriate design consideration to encourage walkable communities, multi-modal transportation options and transit use, and is understood to support overall affordability. The subject lands are not located on a current public transit route, with the nearest transit available 800 metres to the north. It is understood however that through the proposed development, demand for additional transit in the subject neighbourhood will be established. Additionally, a transit stop pad has been requested and would support expanded service through the area. Bicycle parking will also be encouraged with 222 bicycle spaces proposed at the surface and within the underground parking structure. As will be further noted, the applicant has undertaken analysis of parking and will be providing additional visitor and commercial parking on the subject site, with the total required parking being deficient by 8.1% (37 spaces) from the required standards on the subject site.

Commercial and Visitor Parking

41. The application proposes a commercial use and visitor parking standard of 0.1 parking spaces per residential dwelling unit (46 spaces), whereas no standards currently apply for visitors, and a minimum parking ratio of 1 space per 24 square metres of commercial Gross Floor Area (GFA)(15 spaces) and maximum of 1 space per 18 square metres GFA (20 spaces) is required in the NMU zone.
42. Planning staff are of the opinion that the request is appropriate in addressing neighbourhood concerns with regard to parking demand, and forward looking in considering industry best practices. As reviewed through the Parking Review Analysis and considered by the City's technical staff, the need for commercial and visitor parking as detailed through the Parking Review Analysis exceeds the current zoning requirements for the subject site, as there are limited alternative or on street spaces available in the current area. Through the inclusion of additional spaces not tied to residential units, the applicant has sought to ensure that impacts to adjacent landowners and overflow onto surrounding streets are minimized.

Outdoor Amenity

-
43. The application seeks to permit outdoor amenity space to be provided at a ratio of 9.6 square metres per dwelling unit, whereas outdoor amenity space is required at a ratio 12.0 square metres per residential unit.
 44. Planning Staff are of the opinion that the requested special provision is appropriate in conforming with the general intent of the amenity standards. The applications have been revised in the submitted concept plan to make use of greater rooftop areas for amenity and incorporated a playground feature in direct response to resident comments regarding limited park space within the existing neighbourhood. While this circumstance will change as adjacent lands are developed and parkland is created with a new municipal park planned 375 metres to the north, the applications have attempted to maximize their outdoor amenity space, and provided internal amenity space which when combined, exceed the required amenity ratio. The combined outdoor amenity (9.6m²/unit) and indoor amenity space (2.6m²/unit) represent a total amenity area of 12.2m² on the subject site. The combined total exceeds the zoning standard.

Commercial Coverage

45. The application seeks to permit a minimum commercial coverage of 20% of the first storey gross floor area (GFA), whereas a minimum coverage of 50% of the first storey GFA is required within the Neighbourhood Mixed Use zone.
46. Planning staff are of the opinion that the requested special provision is appropriate and conforms with the Official Plan policy on Mixed Use buildings as a variation in commercial use coverage may be permitted with regard for the context and needs of the surrounding area. With the immediate area being predominantly residential with large format commercial uses located 1.5 kilometres to the north on Mapleview Drive West, the need for a large commercial use in this location is not deemed necessary or appropriate. The application does propose a 357 square metre space which may accommodate a convenience commercial, small retail or restaurant type use which complements the neighbourhood without creating significant traffic, noise and light impacts upon the immediate established residents. Should the application be required to conform with the zone standard, a 990 square metre (10,600 square foot) commercial space would be required which would require significantly more parking, alter the traffic flow and directly impact surrounding residential uses.

Building Height

47. The application proposes a maximum building height of 15 storeys, whereas the maximum building height is 12 storeys within the Neighbourhood Mixed Use standards of the Comprehensive Zoning By-law.
48. Planning staff have identified the requirements of the new Official Plan in terms of height and density through conformity review, however through continued review and revisions to the application, the applicant has demonstrated general conformity by lowering the western tower to 12 storeys and reducing the podium height to three storeys to better integrate the proposed development with surrounding low rise residential development. The applicant has submitted shadow studies which demonstrate minimal shadow impacts on adjacent properties and the isometric review demonstrates that the project generally complies with angular planes from adjacent low-rise property lines, with a minor intrusion along the Brown Bear Street frontage. Given the proposed eastern tower is on the only structure which exceeds the permitted 12 storey limit, being 15 storeys or 49.5 metres in height, this structure does establish a prominent gateway feature to the City as directed by Section 3.2 of the Official Plan.

General Floor Space Index

-
49. The application seeks permission for a maximum interim and general floor space index of 3.1, whereas a maximum of 2.5 is required within the Neighbourhood Mixed Use Zone of Comprehensive By-law 2009-141.
50. A Floor Space Index (FSI) refers to the applicable gross floor areas of all buildings on a lot divided by the lot area. As detailed through this report, a required road widening of 0.26 hectare (22% of existing lot area) results in the application having a FSI of 2.36 increased to 3.06, and the noted special provision to permit the conceptual built form. The City's new Official Plan no longer references FSI and City staff are working to remove the calculation from a future Zoning By-law. Due to the required road widening and lower reliance on this value in planning policy, it is the opinion of staff that the requested special provision is appropriate.

Façade Step-Back and Angular Plane

51. The applications seek to remove building facade step-back and angular plane requirements for the Brown Bear Street frontage, whereas a 45 degree angular plane at a height above 80% equivalent of right of way using 3m minimum step backs is required within the Neighbourhood Mixed Use Zone of Comprehensive By-law 2009-141.
52. Planning staff are of the opinion that the requested special provision is appropriate, as the applications have amended the design to generally conform with the zoning standard, with a minor portion of the western tower extending above the angular plane requirement. Proposed building stepbacks on the 2nd, 4th, and 6th floors, and a reduced western tower height, are demonstrated within attached Appendix "D" – Proposed Building Elevations. The western tower is further oriented away from adjacent low rise residential and through proposed landscaping, a positive interaction with minimal light or shadow impacts has been demonstrated on the adjacent land uses in conformity with the intentions of the zone standard.

Maximum Building Setback

53. The applications seek to permit a maximum of 100% of buildings within 5m of the front lot line, whereas a maximum of 50% of the frontage shall have buildings within 5m of the front lot line within the Neighbourhood Mixed Use Zone of Comprehensive By-law 2009-141.
54. Planning staff in consideration of the intentions for this zoning standard are of the opinion that the requested special provision is appropriate as the building design appropriately provides a unique and varying building façade that interacts with the street frontage. The maximum building façade setback requires that 50% of the building façade be within 5 metres of the street lot line, while 50% must occur greater than 5 metres from the street lot line. This standard was established to create articulated street frontages which allow for patios, greenspace and landscaping within the Neighbourhood Mixed Use zone. Given the unique irregular shape of the property, and the requested 6 to 20 metre road widening, the application has generally conformed with this standard while also seeking to maximize the developable area. As the proposed use activates the street frontage, while also incorporating commercial, amenity and playground features, it is the opinion of staff that this special provision is appropriate.

Holding Provision

55. Staff have recommended that a Holding symbol (H-YYY) be placed over the subject lands until such time as certain actions are completed to the satisfaction of the City. In this regard, the Holding symbol (H-YYY) may be removed from the lands zoned 'Neighbourhood Mixed Use with Special

Provisions, Hold' (NMU)(SP-XXX)(H-YYY) as shown in Appendix "B" attached to Staff Report DEV029-24, when the following has been submitted to the satisfaction of the City:

- a) That the owner/applicant update hydrogeological information in support of the previously submitted D4 Assessment to the satisfaction of the City of Barrie prior to any site works or issuance of a Building Permit;
56. Staff are confident that the proposed 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

57. Subject to Council approval of the proposed applications, the property would be 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, access, servicing, stormwater management, landscaping, lighting, zoning compliance, building orientation/placement/massing and parking. The Site Plan process will ensure the development complies with all municipal standards and provides an appropriate interface with adjacent properties and streets.
58. Should the subject applications be approved, staff are satisfied that the detailed design elements would be adequately addressed through a subsequent site plan application.

ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS

59. The subject application, if approved, would result in the redevelopment of an underutilized site within an area designated for growth which is serviced by existing infrastructure and public service facilities. As such, the proposed development may help to reduce the overall demand for greenfield development, which would require the extension of municipal infrastructure and services, while providing an alternative housing types in the neighbourhood. The application has made efforts to incentivize active transportation and will serve to spur improvements in transit and cycle infrastructure within the area.

ALTERNATIVES

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

Alternative #1 General Committee could refuse the proposed Official Plan Amendment and maintain the existing 'Medium Density' designation over the subject property.

This Alternative is not recommended as it would restrict the proposed development to a built form of 12 storeys and density of 300 units per hectare (267 total units). Through consultation with the applicant, the limits of the Official Plan were noted as making the project unviable, due to the significant land dedication requirements and design requirements of the Official Plan, Zoning By-law and Urban Design Guidelines. The proposed development is consistent with and conforms to all Provincial policies as noted throughout the analysis section of this report and is considered an appropriate use of the subject lands.

Alternative #2 General Committee could refuse the proposed Zoning By-law Amendment application and maintain the existing "Neighbourhood Mixed Use" (Bylaw 2009-141) and "Rural Residential" (Bylaw 054-04) zoning over the subject property.

This alternative is not recommended as subject site is located on an intensification corridor and has been designated by the in effect Official Plan, as Medium Density. The City has established that additional density and a mixed use development is desirable on this property, and the current zoning does not align with the Official Plan policies. The proposed development is consistent with and conforms to all Provincial policies as noted throughout the analysis section of this report and is considered an appropriate use of the subject lands. Further, the site specific zoning provisions have been generally based on the concept submitted in support of these applications and removal or alteration to the site specific standards recommended by staff could permit an alternative concept that does not meet the basic parameters of the City's design guidelines.

FINANCIAL

61. The proposed development will be subject to development charges, cash in lieu for parkland, an education levy as well as building permit fees as governed by legislation, regulations, and City by-laws. 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.

LINKAGE TO 2022-2026 COUNCIL STRATEGIC PLAN

62. The recommendation(s) included in this Staff Report support the following goals identified in the 2022-2026 Strategic Plan:

- Affordable Place to Live
 - Encourage a range of housing options to make housing attainable

63. In accordance with Council's goals, the proposed development would provide for a compact form of development that will utilize existing services and infrastructure, provide additional mix of unit types and sizes which add to inventory of more affordable and attainable housing options.



Attachments: Appendix "A" – Draft Official Plan Amendment
Appendix "B" – Draft Zoning By-law Amendment
Appendix "C" – Conceptual Site Plan
Appendix "D" – Proposed Building Elevations

APPENDIX "A"

Draft Official Plan Amendment

DETAILS OF THE AMENDMENT

The Official Plan of the City of Barrie is hereby amended by revising the text and Schedules of the Official Plan as follows:

1. Section 2.8 Defined Policy Area is amended by adding the following text:

2.8.X 901 Essa Road

Notwithstanding the policies of section 2.6.2.3 of this Plan, the lands denoted with "See Policy 2.8.X" on Map 2, municipally known as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street, are permitted to have a maximum building height of 15 storeys and a maximum density of 494 units per hectare.

2. Amend Map 2 – Land Use Designations of the Official Plan for the lands known as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street, to include a Defined Policy Area (2.8.X) overlay over the existing Medium Density Designation.

IMPLEMENTATION

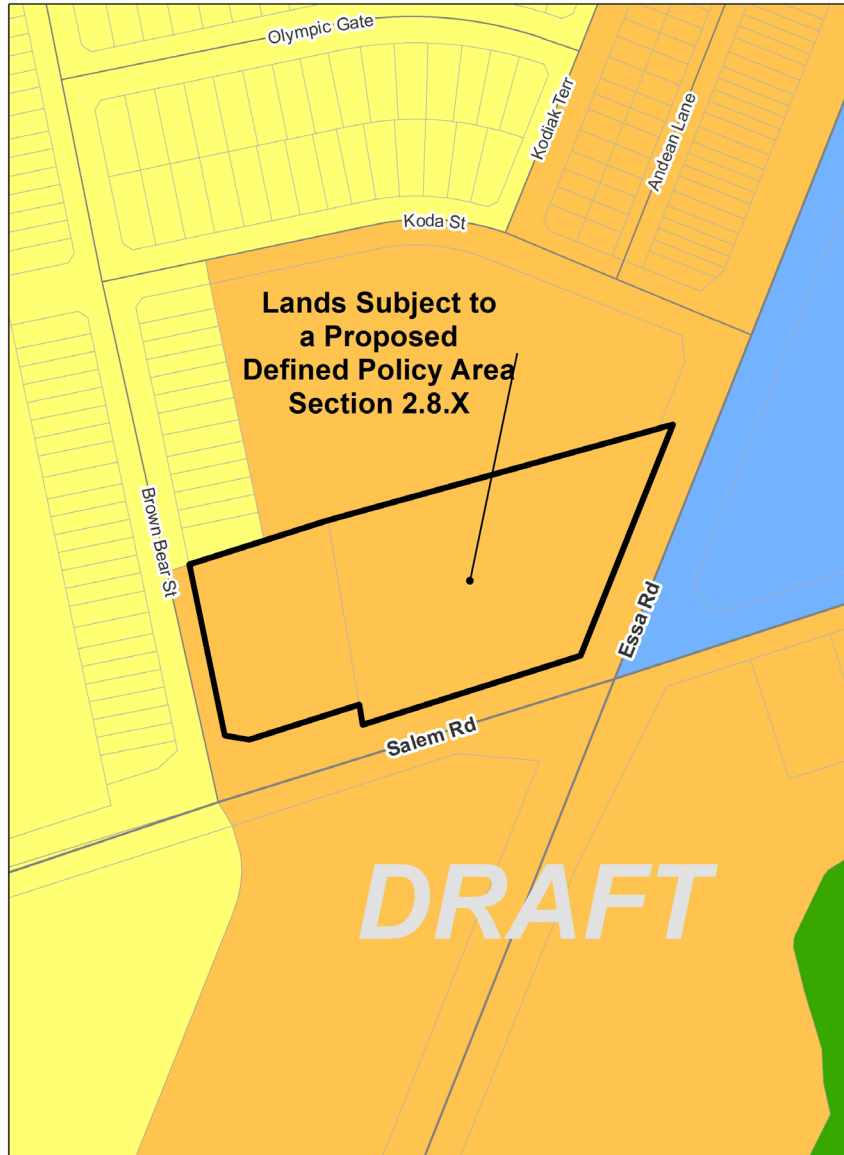
An implementing Zoning By-law to rezone the subject lands from 'Neighbourhood Mixed Use' (NMU) in the City's Comprehensive Zoning By-law 2009-141 and 'Rural Residential' (RR) in the Town of Innisfil By-law 054-04 to 'Neighbourhood Mixed Use with Special Provisions, Hold' (NMU)(SP-XXX)(H-YYY) will be presented concurrently with Official Plan Amendment No. XX.

INTERPRETATION

The remaining provisions of the Official Plan, as amended from time to time, shall apply in regard to this amendment.

Schedule "A" to attached By-law 2024-XXX

Map 2 – Land Use Designation



<p>OFFICIAL PLAN AMENDMENT OPA XXX MAP 2 LAND USE DESIGNATION D30-046-2022 901 Essa Road, 1-19 BrownBear St Barrie - ON</p>	<p>Official Plan Land Use Designation</p> <ul style="list-style-type: none"> Neighbourhood Area Medium Density Community Hub Natural Heritage System Proposed Defined Policy 	<div style="text-align: center;"> <p>N</p> </div> <div style="text-align: center;"> <p>0 10 20 40 60 80 m</p> </div> <p><small>The City of Barrie does not warrant the accuracy, completeness, or currency of the information provided. This is not a legal plan of Barrie. Copyright © City of Barrie 2024. Produced in part under license from: © King's Printer, Ontario Ministry of Natural Resources. All rights reserved. © The Superior the King or Right of Canada, Department of Natural Resources. All rights reserved. For information please contact Service Barrie at 705-734-2342 or servicebarrie@barrie.ca</small></p> <p style="text-align: right;"><small>Development Services/5/28/2024</small></p>
--	---	--

APPENDIX "B"

Draft Zoning By-law Amendment



Bill No. XXX

BY-LAW NUMBER 2024-XX

A By-law of The Corporation of the City of Barrie to amend City of Barrie By-law 2009-141 and Town of Innisfil By-law 054-04, 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 By-law 2009-141 and Town of Innisfil By-law 054-04 to rezone lands legally described as: Part of the South Half of Lot 2 Concession 11, former Town of Innisfil and Block 281 on Registered Plan 51M-1160, and municipally known as 901 Essa Road and 1, 3, 5, 7, 9, 13, 15, 17 and 19 Brown Bear Street in the City of Barrie, shown on Schedule "A" attached to this By-law from the 'Neighbourhood Mixed Use' (NMU) and 'Rural Residential' (RR) to 'Neighbourhood Mixed Use with Special Provisions, Hold' (NMU)(SP-XXX)(H-YYY).

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 24-G-XXX.

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

1. **THAT** the zoning map be amended to change the zoning from 'Neighbourhood Mixed Use' (NMU) zone in By-law 2009-141 and 'Rural Residential' (RR) in Town of Innisfil By-law 054-04 to 'Neighbourhood Mixed Use with Special Provisions, Hold' (NMU)(SP-XXX)(H-YYY) in Comprehensive Zoning By-law 2009-141, in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the provisions set out in Section 4.6.5.2 – Underground Parking Setbacks of Comprehensive Zoning By-law 2009-141, the minimum required setbacks to underground parking standards shall be 1.2 metres along Essa Road, 0.16 metres along Salem Road, 0.24 metres along Brown Bear Street and 0.48 metres along the northern property line in the Neighbourhood Mixed Use - Special Provision, Hold (MU2)(SP-XXX)(H-YYY) zone.
3. **THAT** notwithstanding the provisions set out in Table 4.6 of Comprehensive Zoning By-law 2009-141, the required parking shall be provided at a rate of 0.8 spaces per unit in the Neighbourhood Mixed Use - Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.

-
4. **THAT** notwithstanding the provisions set out in Table 4.6 and Section 14.4 of Comprehensive Zoning By-law 2009-141, the required commercial and visitor parking shall be provided at a rate of 0.1 spaces per residential unit in the Neighbourhood Mixed Use Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.
 5. **THAT** notwithstanding the provisions set out in Section 5.4.2.2 (b) of Comprehensive Zoning By-law 2009-141, the minimum required outdoor amenity area shall be provided at a rate of 9.6 square metres per dwelling unit and a minimum required indoor amenity shall be provided at a rate of 2.6 square metres per unit in the Neighbourhood Mixed Use - Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.
 6. **THAT** notwithstanding the provisions set out in Section 5.4.3.5 of Comprehensive Zoning By-law 2009-141, the minimum ground level commercial coverage shall be 20% in the Neighbourhood Mixed Use - Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.
 7. **THAT** notwithstanding the provisions set out in Section 14.6.2 of Comprehensive Zoning By-law 2009-141, the maximum building height shall be 15 storeys in the Neighbourhood Mixed Use - Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.
 8. **THAT** notwithstanding the provisions set out in Section 14.6.2 of Comprehensive Zoning By-law 2009-141, the maximum interim and general floor space index shall be 3.1 in the Neighbourhood Mixed Use - Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.
 9. **THAT** notwithstanding the provisions set out in Section 14.6.2 of Comprehensive Zoning By-law 2009-141, the 45 degree angular plane at height above 80% equivalent of right of way using 3.0 metre minimum step backs shall not apply along the Brown Bear Street frontage in the Neighbourhood Mixed Use - Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.
 10. **THAT** notwithstanding the provisions set out in Section 14.6.2 of Comprehensive Zoning By-law 2009-141, the minimum frontage setbacks shall permit 100% of buildings within 5.0 metres of the front and exterior lot lines in the Neighbourhood Mixed Use - Special Provision, Hold (NMU)(SP-XXX)(H-YYY) zone.
 11. **THAT** the Holding symbol (H-YYY) be removed from site specific zoning 'Neighbourhood Mixed Use - Special Provision, Hold' (NMU)(SP-XXX)(H-YYY) as shown on Schedule "A" attached to this By-law, when the following policies and technical requirements have been addressed to the satisfaction of the City of Barrie:
 - a) That the owner/applicant update hydrogeological information in support of the previously submitted D4 Assessment to the satisfaction of the City of Barrie prior to any site works or issuance of a Building Permit;
 12. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above-described lands generally shown on Schedule "A" to this Bylaw, shall apply to the said lands except as varied by this By-law.
 13. **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 ____, 2024.

READ a third time and finally passed this ____ day of ____, 2024.



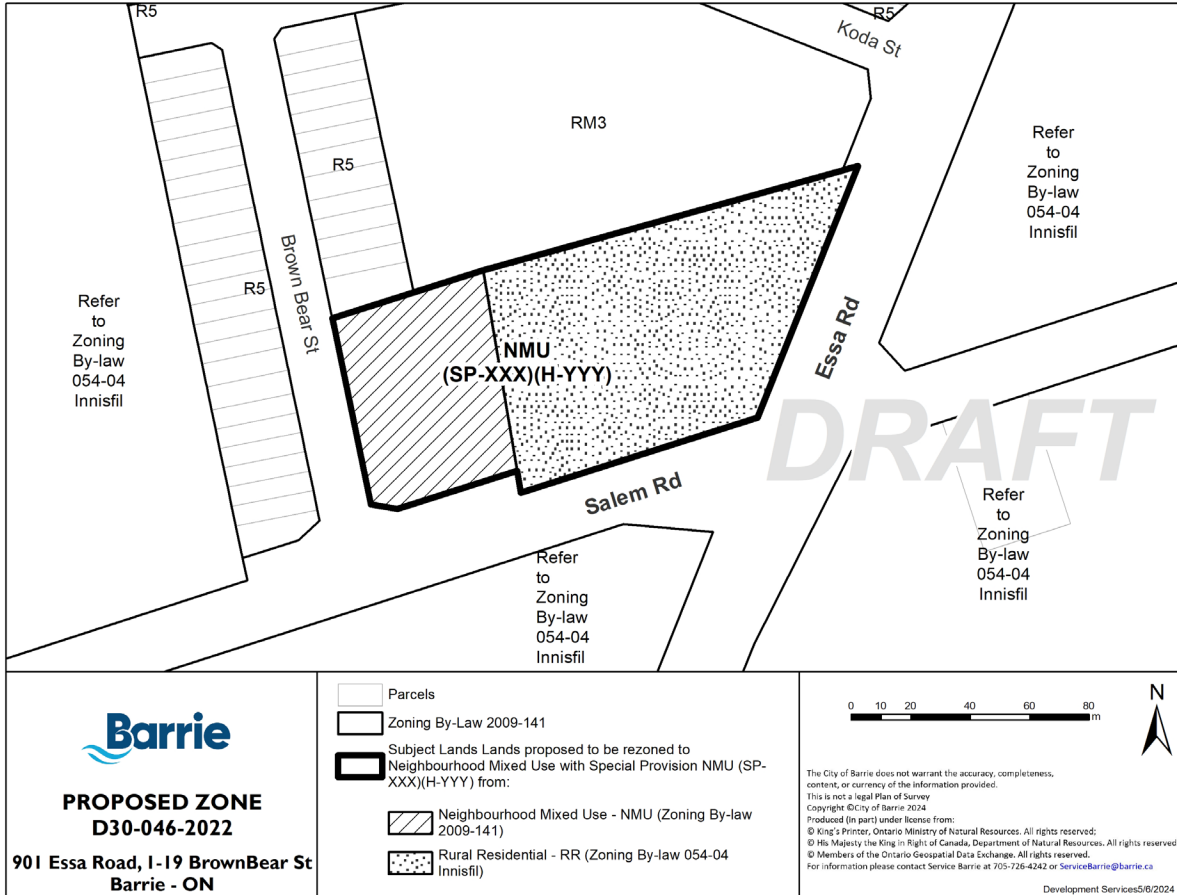


THE CORPORATION OF THE CITY OF BARRIE

MAYOR – A. NUTTALL

CITY CLERK – WENDY COOKE

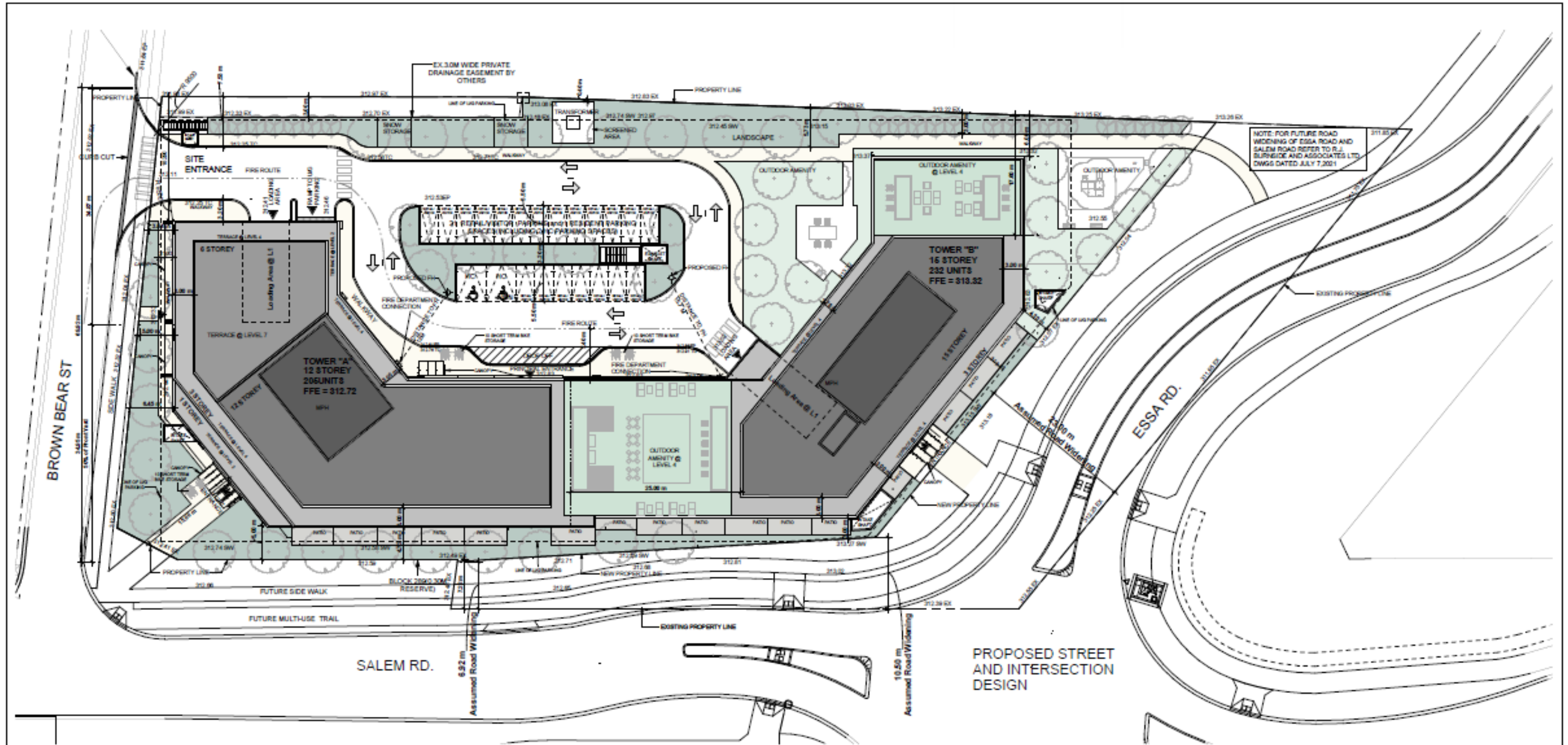
Schedule "A" to attached By-law 2024-XXX



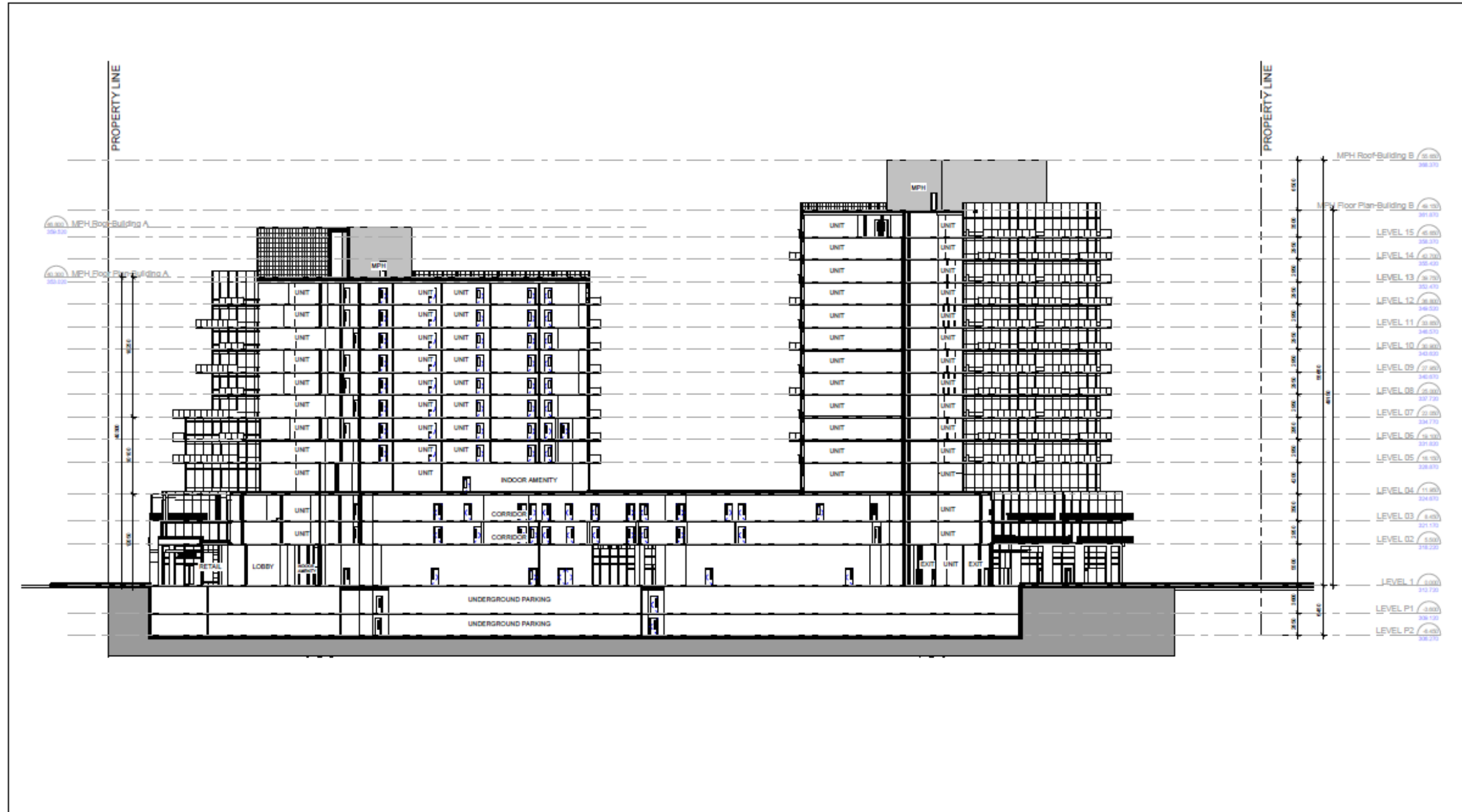
MAYOR – ALEX NUTTALL

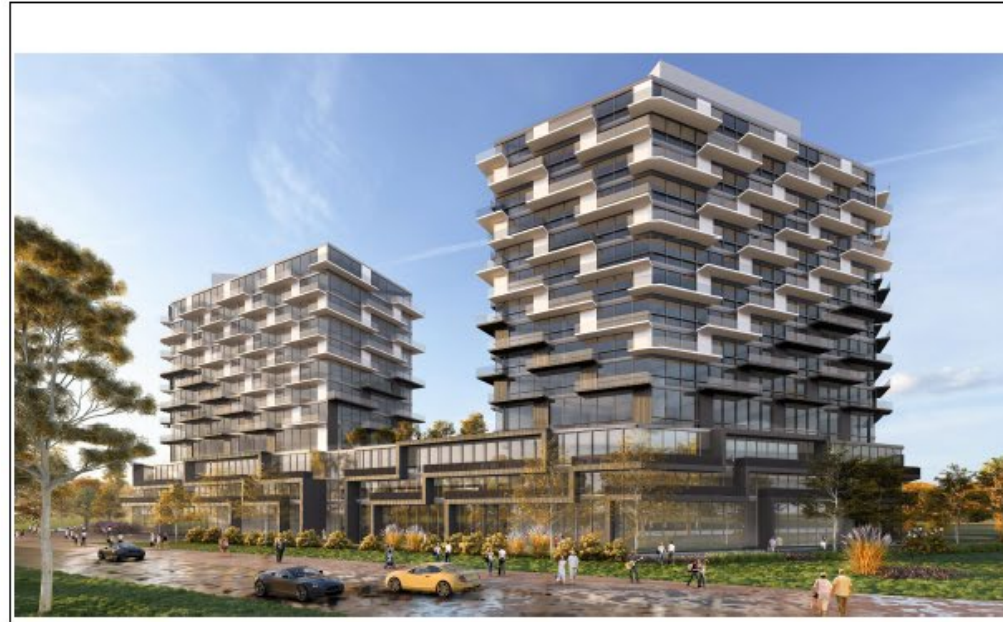
CITY CLERK – WENDY COOKE

APPENDIX "C"
Conceptual Site Plan



APPENDIX "D"
Proposed Building Elevations





Perspective 3- View from Essa Rd. & Salem Rd. Intersection
NTS 2
046.01



Perspective 4
NTS 3
046.01



Perspective -Drop Off Area
NTS 1
046.01