




**TO:** GENERAL COMMITTEE

**SUBJECT:** ZONING BY-LAW AMENDMENT APPLICATION – S/W CORNER OF HARVIE ROAD AND VETERAN'S DRIVE – PRATT HANSEN GROUP

**PREPARED BY AND KEY CONTACT:** C. MCLAREN, M.C.I.P., R.P.P., DEVELOPMENT PLANNER  
EXT. #4719

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

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

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** JON M. BABULIC, CHIEF ADMINISTRATIVE OFFICER 

**RECOMMENDED MOTION**

1. That the Zoning By-law Amendment Application submitted by the Pratt Hansen Group Inc. to rezone lands known municipally as 205, 213 and 221 Harvie Road and 414 Veteran's Drive from Multiple Residential Dwelling Second Density RM2 Special Provision (SP-84) (H-18) and Multiple Residential Dwelling Second Density RM2 (H) to Multiple Residential Dwelling Second Density RM2 Special Provision (SP) be approved subject to the following conditions (D14-1503):
  - a) That the owner dedicate a 4m wide road widening from the centreline of the proposed entrance on Harvie Road to the west limit of the property, free and clear of all encumbrances;
  - b) That the owner dedicate a 2m wide road widening from the centreline of the proposed entrance on Harvie Road to the east limit of the property, free and clear of all encumbrances; and
  - c) That the owner dedicate a 10m x 10m daylighting triangle at the intersection of Harvie Road and Veteran's Drive, free and clear of all encumbrances.
2. That the following Special Provision (SP) be referenced in the implementing Zoning By-law for the subject lands:
  - a) That a minimum side yard setback of 5.5m be provided for the 13 block/cluster townhouse units fronting Harvie Road whereby secondary accesses are proposed; and
  - b) That a minimum density of 39 units per hectare be provided.
3. That pursuant to Section 34 (17) of the Planning Act, no further written notice be required.

**PURPOSE & BACKGROUND**

Purpose

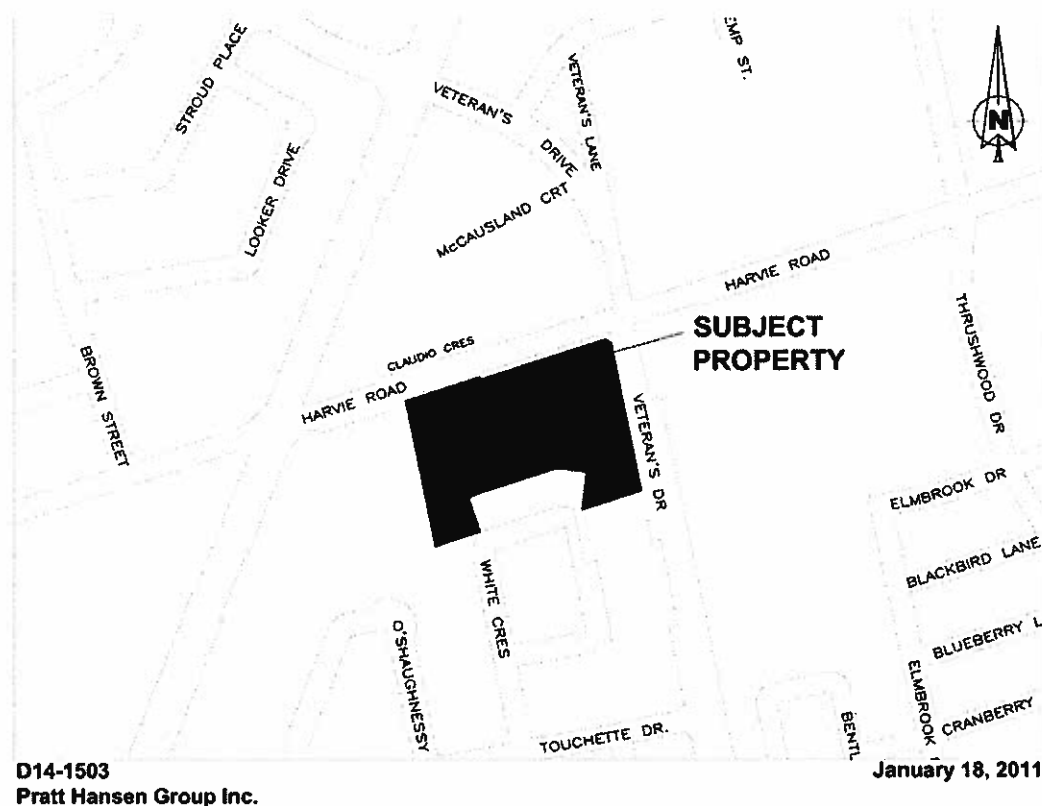
4. The purpose of this staff report is to consider an application to amend the City's Zoning By-law for lands located at the south-west corner of Harvie Road and Veteran's Drive. The application proposes to rezone the subject lands from Multiple Residential Dwelling Second Density RM2

Special Provision (SP-84) (H-18) and Multiple Residential Dwelling Second Density RM2 (H) to Multiple Residential Dwelling Second Density RM2 Special Provision (SP) to permit the future development of the property for a total of 88 residential units comprised of 56 block/cluster townhouses and 32 walk-up apartment units.

5. The proposed Special Provision would provide for secondary accesses within 5.5m of the lot line abutting Harvie Road, whereby a minimum of 7m is required.

Location

6. The subject property is located at the south-west corner of Harvie Road and Veteran's Drive within the Holly Planning Area and is known municipally as 205, 213 and 221 Harvie Road and 414 Veteran's Drive.



Surrounding Land Uses

7. Existing land uses surrounding the subject property consist of the following:
  - North: Harvie Road, single detached residential and street townhouses – zoned One Detached Dwelling First Density (R1) and Multiple Residential Dwelling Second Density Townhouse RM2-TH (SP-384).
  - South: Street townhouses and single detached residential – zoned Multiple Residential Dwelling Second Density Townhouse RM2-TH (SP-34), One Detached Dwelling Third Density (R3), One Detached Dwelling Fourth Density (R4) and One Detached Dwelling First Density (R1).

East: Veteran's Drive and Veteran's Woods Park – zoned Open Space (OS)

West: Vacant residential – zoned Residential Hold (RH).

Development Proposal

8. The development proposal as presented at the Public Hearing by The Jones Consulting Group, provides for the development of a total of 88 residential units, including 56 block/cluster townhouses and 32 walk-up apartment units (see Appendix "A"). The property has frontage on Veteran's Drive of approximately 149m (489 ft.), flanking on Harvie Road of approximately 194m (636 ft.) and a total lot area of approximately 2.27 ha (5.6 ac).
9. The applicant is proposing four walk-up apartment buildings adjacent to the Veteran's Drive frontage, consisting of 8 units/building. The remainder of the property is proposed to be developed with block/cluster townhouses fronting private roads, save and except 13 units which propose pedestrian access only from Harvie Road and driveway access at the rear off of the internal Street 'B'. The development is proposed on full municipal services with one access onto both Harvie Road and Veteran's Drive.

Existing Policy

10. The subject property is considered to be designated General Commercial Area and Residential Area within the City's Official Plan. Given the proximity of the General Commercial Area designation on the abutting lands to the west, it appears that when Schedule 'A' of Official Plan Amendment 100 was prepared, the General Commercial designation was incorrectly extended to include the westerly portion of the subject property (221 Harvie Road). This mapping error was later reflected in the 2009 Official Plan update also.
11. Staff note that at the time of the original amendment application for 221 Harvie Road (July 1993), the lands were identified as being designated Residential Area. No further Official Plan or Zoning By-law amendments have been considered over the subject property until now. As such, staff are satisfied that the General Commercial designation over 221 Harvie Road was a mapping error.
12. Given the flexibility provided by the interpretation policies in Section 7.0 (a) of the City's Official Plan, an Official Plan Amendment has not been required. Alternatively, Planning staff will be correcting the abovementioned mapping error through the next housekeeping amendment to the Official Plan which will be brought forward for Council approval following final approval of the 2009 Official Plan by the Ontario Municipal Board.
13. The subject lands are currently zoned Multiple Residential Dwelling Second Density RM2 Special Provision (SP-84) (H-18) and Multiple Residential Dwelling Second Density RM2 (H) by Zoning By-law 85-95 and 2009-141. The site specific zoning on the westerly portion of the property (221 Harvie Road) provides that a maximum of 42 walk-up apartment units or stacked townhouse units be permitted. In accordance with the maximum density standards of an RM2 zone (53 units/ha), the easterly portion of the property could be developed with a total of 74 units. As such, in accordance with the current zoning on the property, a total of 116 units are currently permitted on the subject lands as of right.
14. The current Holding Provision (H-18) on the subject lands requires the completion of the following items prior to the 'H' being lifted:
  - a) The registration of a site plan agreement;
  - b) The availability of Pollution Control Plant and Water Treatment Plant capacity for the purposes of sewage and water treatments; and
  - c) The payment of Development Charges.

Planning staff are satisfied that the required conditions of the existing Holding Provision (H-18) over the subject lands, as prescribed in By-law 95-36, will be adequately satisfied and therefore is no longer required as the lands are subject to Site Plan Control in accordance with By-law 99-312, Development Charges are required to be submitted at the time of building permit issuance in accordance with By-law 2008-111 and the Engineering Department has confirmed that there is sufficient water and sewage capacity within the City's Pollution Control and Water Treatment Plants to service the proposed development.

#### Background

15. In support of the subject application, the following studies were submitted:

- a) **Planning Justification Letter** (December 2010) – provides a review of the property characteristics and surrounding lands as well as the planning policy basis and opinion of the Jones Consulting Group for the application to be approved as residential intensification. A detailed site plan and building elevations were also provided and have been attached as appendices to this report (see Appendix "A" and "B").
- b) **Functional Servicing Report** (October 2010) – provides that the subject lands will have frontage and access off both Veteran's Drive and Harvie Road for the purpose of this development and that the proposed development can be adequately serviced with full municipal water, sanitary and storm sewers and secondary utilities such as hydro, cable telephone and gas.
- c) **Noise Impact Study** (November 2010) – provides, in the opinion of R. Bouwmeester & Associates, that acoustic barriers (fences) are not required along the Veteran's Drive and Harvie Road frontages as the indoor noise guidelines will be met in all dwelling units and the sound exposure from road traffic in the designated outdoor amenity space will be within the limits specified by the Ministry of the Environment.
- d) **Species At Risk Assessment** (December 2010) – provides that in the opinion of Azimuth Environmental, the three Butternut trees found on-site appear to be infected with Butternut Canker Disease, however an assessment is required by the Ministry of Natural Resources (MNR) to determine if any of these trees would attain 'retainable' status under Ontario's Endangered Species Act.
- e) **Tree Inventory/Preservation & Landscape Concept Plans** (December 2010) – provides that the majority of the existing trees on-site are to be removed to accommodate the required grading and stormwater management needs of the proposed development, save and except the tree preservation area at the south-east corner of the site. A conditional preservation area was also identified along the west property boundary and is subject to final grading design. The landscape concept plan provided proposes street trees along internal streets, an enhanced 1.5m landscape buffer along the south property boundary and enhanced plantings along the Veteran's Drive and Harvie Road frontages.

#### Public Meeting

16. A public meeting was held on April 11, 2011 in accordance with the Planning Act.
17. Prior to the Public Meeting for the subject application, written letters of opposition and letters requesting notification of the Council's decision on the proposed rezoning were received from five surrounding residents. Verbal representation was also made at the Public Meeting by three

individuals in opposition of the proposed development. Public opinions regarding the subject application included the following concerns/comments:

- increased traffic;
- pedestrian safety due to the absence of sidewalks along Harvie Road;
- vehicular headlight spillage onto abutting residential properties on the north side of Harvie Road;
- property devaluation; and
- reduced privacy.

18. The various comments/concerns identified above will be discussed later in this report.

Agency Circulation

19. The subject application was circulated to staff in various departments and to a number of external agencies for review and comment. Bell and the Simcoe Muskoka Catholic District School Board provided comments indicating that they had no concerns with the proposed rezoning.
20. The Engineering Department advised that if approved, the proposed development would be subject to Site Plan Control at which time matters related to site servicing and drainage, parking, vehicular access and circulation would be addressed. In this regard, a detailed site plan submission has been received and reviewed. The Engineering Department has reviewed this submission and supporting documentation and is generally satisfied with the proposed development, subject to a few minor technical revisions that will be addressed through the site plan approval process.
21. The Parks Planning and Development section of the Engineering Department also provided comments indicating that the Landscape and Amenity Area requirements will be reviewed in detail to ensure compliance with the City's Urban Design Guidelines at the time of Site Plan Approval. Parks Planning further identified that the issuance of the Site Alteration and Tree Removal Permits shall be subject to final Site Plan sign-off and MNR clearance for the Endangered Species at Risk which is required to be scheduled in accordance with the Migratory Bird Act.

ANALYSIS

Policy Planning Framework

22. The following provides a review of the applicable Provincial policies, as well as the City of Barrie's Official Plan and the Intensification Strategy.
23. The Provincial Policy Statement (PPS) (2005) promotes efficient development and land use patterns and a range and mix of residential, employment, recreational and open space uses. In addition, the policies promote cost effective development standards to minimize land consumption and facilitate compact form. Intensification and redevelopment is also promoted to meet projected needs for the next 20 years.
24. Provincial policy initiatives for intensification include provisions in Places to Grow - Growth Plan for the Greater Golden Horseshoe (The Growth Plan) (2006). In brief, the goals of the Growth Plan include a reduction in urban sprawl by providing opportunity for intensification in existing built-up areas. The Plan requires that 40% of all residential development occurring annually within the City must be within the existing built boundary. The intent of these policies is to protect significant environmental features and agricultural lands, and promote the wise management of resources through utilizing existing services and transportation infrastructure. The proposed

application would be deemed an appropriate form of intensification whereby the lands are developed to utilize existing infrastructure within the City's existing built boundary.

25. The Places to Grow Act required affected Municipal Official Plans to be brought into conformity with the Growth Plan. The implementation of this Plan required municipalities to identify intensification areas that can support the defined intensification targets for the community, and managing that growth by focusing intensification in the areas identified. As such, the Planning Services Department has prepared an Intensification Strategy that was approved by Council in May 2009.

Official Plan

26. As noted above, the subject lands are designated General Commercial Area and Residential Area within the City's Official Plan. However, given the previous mapping errors and the flexibility provided by the interpretation policies of Section 7 (a) of the Plan, the subject application has been analysed based on conformity with the Plan's Residential policies.
27. Lands designated Residential are intended to be used primarily for residential uses, with all forms of housing permitted subject to locational criteria. In accordance with the Official Plan, medium density residential development permits a number of multiple dwelling types including walk-up apartments, street, stacked or cluster townhouses. Section 4.2.2.2 (d) of the Plan provides that medium density development relating to walk-up apartments shall range between 26 and 53 units per hectare and cluster and/or block townhousing shall be no more than 53 units per hectare. In this regard, the proposed density of 39 units per hectare for the subject development is in keeping with the density provisions of the Plan.
28. The Official Plan further provides that medium density development should locate close to parks, schools and local commercial facilities, along arterial or collector roads or where access is not obtained through a local roadway.
29. The proposed development will meet the City's locational criteria with respect to medium density development as the subject property is located on Harvie Road and Veteran's Drive, two arterial roadways, whereby access to the proposed development will be obtained. Access will not be obtained through a private roadway. The subject property is located in proximity to commercial facilities along Essa Road, particularly at the intersection of Veteran's Drive and Essa Road and in proximity to local schools (Trillium Woods Elementary School) and City parks (Harvie Park and Veteran's Woods Park which is located immediately adjacent to the subject site on the east side of Veteran's Drive).
30. The General Design Policies of the Official Plan require residential development to provide necessary on-site parking and functional open space amenity areas including landscaping, screening and buffering. The preliminary concept plan submitted and included as Appendix "A" to this report identifies that sufficient parking will be accommodated on-site through both surface parking and private driveway/garage parking for the block/cluster townhouse units.
31. The plan also provides for an appropriate open space amenity area and buffering from abutting lower density residential properties located adjacent to the subject lands. The required amenity space for the proposed development would be located at the south-west corner of the proposed development and a tree preservation area has been identified at the south-east corner of the property so as to provide additional buffering for the abutting single detached residential dwelling. In addition, significant landscaping has been proposed adjacent to Harvie Road for both streetscape appeal and buffering of the proposed development from the adjacent single detached residential dwellings on the north side of Harvie Road.

Intensification Strategy

32. On May 4, 2009, City Council adopted an Intensification Strategy as part of the City's overall growth management plan and as a measure of conformity with the PPS and the policies of the Growth Plan.
33. In accordance with the Growth Plan, the City's Intensification Strategy identifies that intensification will be directed to four different areas; the Urban Growth Centre (UGC), Intensification Nodes, Intensification Corridors and Major Transit Station Areas. Where residential intensification is proposed outside of these areas, these applications will be assessed on their site specific merits based on the locational criteria in the Official Plan and their impact on surrounding land uses.
34. Given that the subject property does not fall within the intensification areas noted above, the review of the subject application has been based on the locational criteria of the Official Plan and impact on the surrounding neighbourhood as previously identified in this report. In this regard, the proposed development is consistent with the scale and physical character of the surrounding area/neighbourhood (Sunfield subdivision to the south and Claudio Crescent townhouse development to the north). Existing municipal infrastructure, transportation facilities, community services (parks/schools) and public transit are all available to service the proposed development.
35. The application proposes a medium density residential development in an area that has been planned and previously zoned for this form of development. As mentioned above, the current zoning of the property permits a total of approximately 116 units. The applicant is proposing 88 units, which translates to a density of 39 units per hectare. This density is consistent with the maximum density of 40 units per hectare identified in the Zoning By-law for block/cluster townhousing, but is less than the maximum density of 53 units per hectare identified for walk-up apartments.
36. Notwithstanding the above, staff are of the opinion that the subject application represents a functional and appropriate residential intensification project and the inclusion of 28 additional units on site would likely detract from the amenities currently proposed and the ability to provide sufficient surface parking on site. Staff are satisfied that proposed development satisfies the City's current policies for intensification outside of the intensification areas. In this regard, the subject application is considered to be in conformity with the Intensification Strategy and therefore the proposed Multiple-Family Dwelling Second Density RM2 Special (SP) zoning on the property would serve to implement the City's Intensification Strategy.

Zoning Rationale for Special Provision

37. In accordance with the principals of good urban design by bringing buildings closer to the street and providing for a more pedestrian friendly streetscape, the applicant is requesting a reduction to the minimum required yard abutting a secondary means of access at ground level from 7m to 5.5m. This provision would accommodate the development of 3 townhouse blocks (13 units in total) fronting Harvie Road with a decreased setback.
38. The concept plan and site plan application submitted in support of the proposed rezoning identifies three executive townhouse blocks along Harvie Road which have been designed to provide a front yard, rather than rear yard exposure to the arterial road frontage. The driveways and garages associated with these units will be internal to the site, thereby improving the overall streetscape of Harvie Road and providing for pedestrian access only to these units from Harvie Road. It is important to note that if the secondary accesses were eliminated from these elevations, the buildings would actually be permitted within 3m of the property line abutting Harvie Road as this area is considered to be a side yard in accordance with the Zoning By-law.

39. Staff note that the applicant is able to provide the required 7m setback, however agree that the proposed reduction to the minimum required landscape area adjacent to a secondary access enhances the streetscape and urban design elements of the proposed development. All other required building setbacks, amenity space provisions and parking requirements are able to be provided for on site in accordance with the Comprehensive Zoning By-law. In this regard, staff are satisfied that the proposed special provision is desirable and appropriate for the subject lands.
40. To ensure that the property is developed in accordance with the applicants proposed site plan and the policy planning framework established for intensification, staff are recommending that a minimum density of 39 units per hectare be achieved on site given the configuration of the property. This would preclude the underdevelopment of the property in an area that has been previously zoned for medium density development. This special provision would serve to implement the intensification policies of the PPS, the Growth Plan and the City's Intensification Strategy and has been reflected in the recommended motion.

Site Plan Control

41. The subject property, if zoned Multiple-Family Dwelling Second Density RM2 (SP), would be subject to site plan control, as per Section 41 of the Planning Act and in accordance with By-law 99-312.
42. Site Plan Control addresses the development and design of the lands with regard to site servicing, landscaping, lighting, parking and access. As previously discussed, the applicant has made application for site plan approval concurrently. This application (D11-1581) has been reviewed by City staff on a preliminary basis. The site plan review process will be finalized in the event that Council grants approval to the proposed Zoning By-law Amendment application.
43. Staff note that consideration has been given to urban design through the provision of detailed design elements such as pitched roof lines, a combination of brick and stucco building façade materials, soldiering, coining, key stone and window trim treatments, iron/glass balcony railings, brick entry feature pillars and signage with iron fencing and enhanced landscaping along both the Harvie Road and Veteran's Drive street frontages.
44. Planning staff are satisfied that public concerns identified through written correspondence and at the Public Meeting related to reduced privacy, increased traffic, pedestrian safety and vehicular lighting spillage, etc., can and will be adequately addressed through the site plan approval process.

Public Meeting Comments

45. With respect to the comments/concerns identified by the public and outlined in paragraph 14 above, Planning staff offer the following:
46. The proposed development will serve to implement the existing medium density zoning on the subject property, however at a slightly lower density (39 units per hectare, versus 53 units per hectare) than currently contemplated by the Zoning By-law. The higher density and built form currently permitted on the subject lands has essentially been shifted from the westerly portion of the development to the easterly portion of the site abutting Veteran's Drive. In doing so, a lower built form (2 storey townhouse units) is now proposed adjacent to the existing single detached residential dwellings located toward the south-west corner of the subject property.
47. In addition to the placement of the required amenity area and noted tree preservation area at the south-west and south-east corners of the site, respectively, the applicant is proposing a 2m high privacy board fence along the west and south property boundaries as well as an additional 1.5m landscape strip along the south lot line abutting the adjacent street townhouse units which front White Crescent. In this regard, staff are satisfied that the privacy of the existing residences will



be maintained and that that suitable distance separation has been provided between the proposed buildings and the existing residences to the south. The combination of required privacy fencing, additional landscaping and the preservation of existing mature vegetation on site would minimize potential visual impacts and privacy on adjacent lands.

48. As identified in the recommended motion, a condition of the subject rezoning application requires that the applicant dedicate 4m and 2m wide road widenings from the centreline of the proposed entrance on Harvie Road to the west and east limits of the property, respectively and a 10m x 10m daylighting triangle at the intersection of Harvie Road and Veteran's Drive to accommodate the future expansion of Harvie Road. In the meantime, the City's Engineering Department has confirmed that the traffic associated with the proposed development can be accommodated with the existing conditions of the abutting arterial roadways. Anticipated improvements to Harvie Road are not currently identified in the 2011 Capital Plan, however, will be considered in future years during the development of the annual Capital Plan.
49. As a condition of the associated site plan application, the applicant will be required to construct a 1.5m wide municipal sidewalk along the entire frontage of Harvie Road from the westerly property limit to connect with the existing sidewalk along Veteran's Drive.
50. The owner's consultants have met with an abutting landowner on the north side of Harvie Road and have agreed to the addition of a privacy fence and additional landscaping at the north end of Street 'C' so as to eliminate any potential light spillage from vehicular traffic within the proposed development onto the adjacent single detached residential properties on the north side of Harvie Road.
51. Finally, Planning staff have not been provided with any evidence to confirm that the proposed development consisting of block/cluster townhouses and three storey walk-up apartment buildings will result in decreased property values for the abutting residential lands, particularly when a considerable portion of the abutting lands have been developed for a similar form of medium density development.

#### Summary

52. Staff have reviewed the comments received and considered the proposed Zoning By-law Amendment application, having regard to conformity with the relevant Provincial Policy, the City's Official Plan and Intensification Strategy, and are of the opinion that the proposed development complies with the policy planning framework established for Intensification. Staff are also satisfied that the proposed development is compatible with the existing residential neighbourhood and provides for good urban design with appropriate separation distances, screening and buffering from existing residential properties in an area that was previously zoned for medium density residential development of similar built form.

#### **ENVIRONMENTAL MATTERS**

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

#### **ALTERNATIVES**

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

##### **Alternative #1**

General Committee could refuse the proposed Zoning By-law Amendment and maintain the existing Multiple Residential Dwelling Second Density RM2 Special Provision (SP-84) (H-18) and Multiple Residential Dwelling Second Density RM2 (H) zoning on the property.

This alternative is not recommended as the site specific zoning on the property relates to a previous development proposal by a previous owner/ applicant which has now sold the lands to the Pratt Hansen Group. The subject application still meets the locational criteria of the Official Plan, the City's Intensification Strategy and is consistent with Provincial Policy for residential intensification.

**Alternative #2**

General Committee could alter the proposed recommendation by recommending the proposed amendment, without the Special Provisions identified on the subject lands.

This alternative is not recommended as the preliminary concept plans and concurrent site plan application provided represents a development of what staff consider to be high quality urban design in terms of pedestrian friendly streetscapes, building orientation, scale, massing and architectural design elements, appropriate building setbacks and buffering to address the existing residents' concerns and an overall development that is consistent with the vision of the City's Official Plan and Intensification Strategy.

**FINANCIAL**

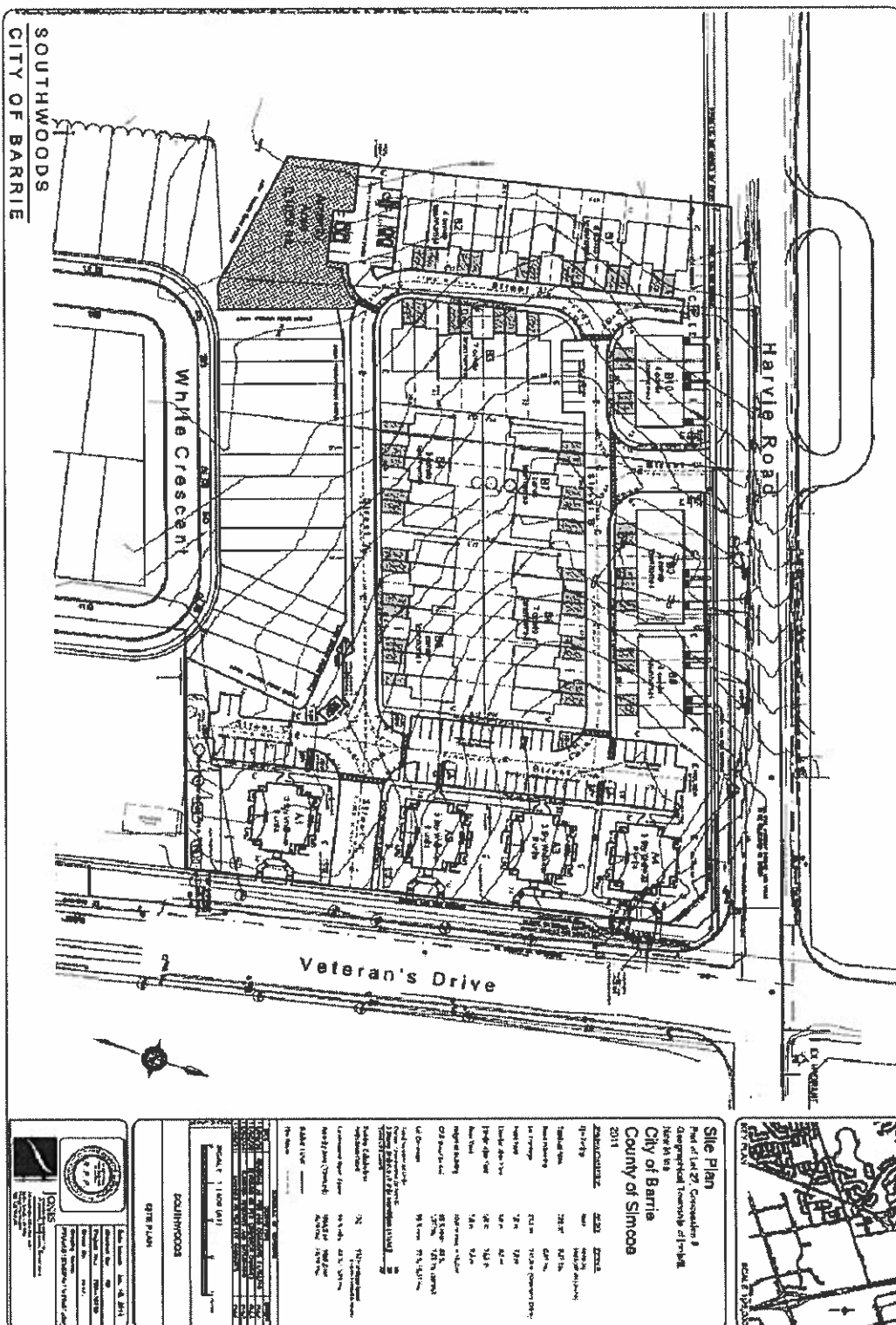
55. The recommended motion does not increase the potential for additional taxation or development charges on the site as the zoning currently allows for 88 units to be constructed.
56. Based on the application for a 88 residential units comprised of 32 walk-up apartment units and 56 block/cluster townhouse units, including 13 executive townhouses, the estimated municipal tax revenue (estimated assessed value of \$207,000.00, \$235,000.00 and \$250,000.000 for each of the walk-up apartments, townhouses and executive townhouses, respectively) would be \$220,514.20 (based on 2010 tax rates). Building permit application fees based on an approximation of gross floor area coverage for 88 residential units would be approximately \$160,124.84. Development Charges revenue would be estimated at \$2,187,207.00.
57. The owner, through conditions of subsequent Site Plan/Condominium approval, will be responsible for the balance of servicing and developing costs related to the subject property.

**LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN**

58. The recommendation(s) included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:  
  
☒ Manage Growth and Protect the Environment
59. The proposed development supports the above goal of Council's Strategic Plan by advancing an intensification project that is consistent with existing policy.

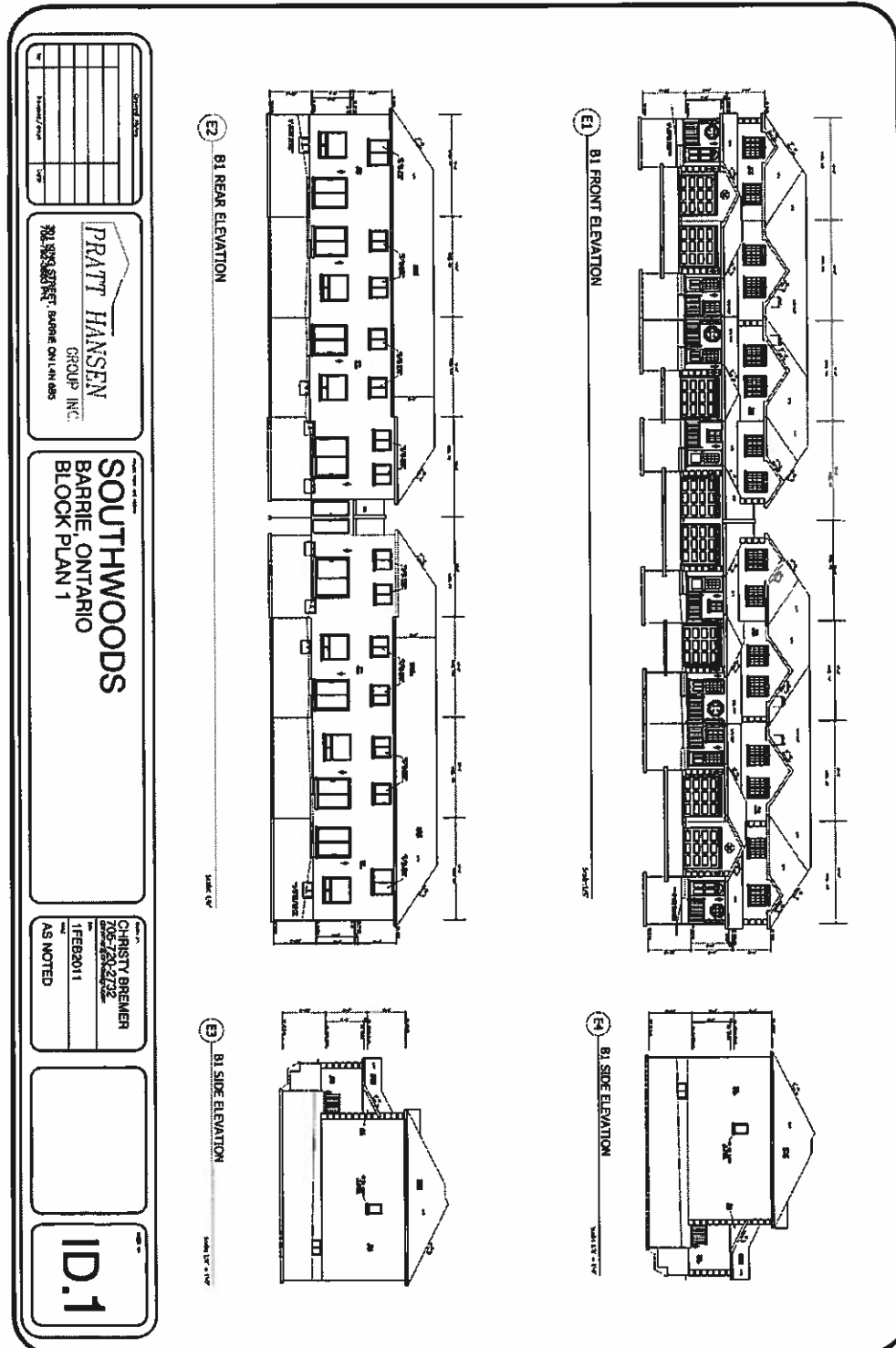
Attachments: Appendix A – Preliminary Site Plan  
Appendix B – Building Elevations

## Preliminary Site Plan

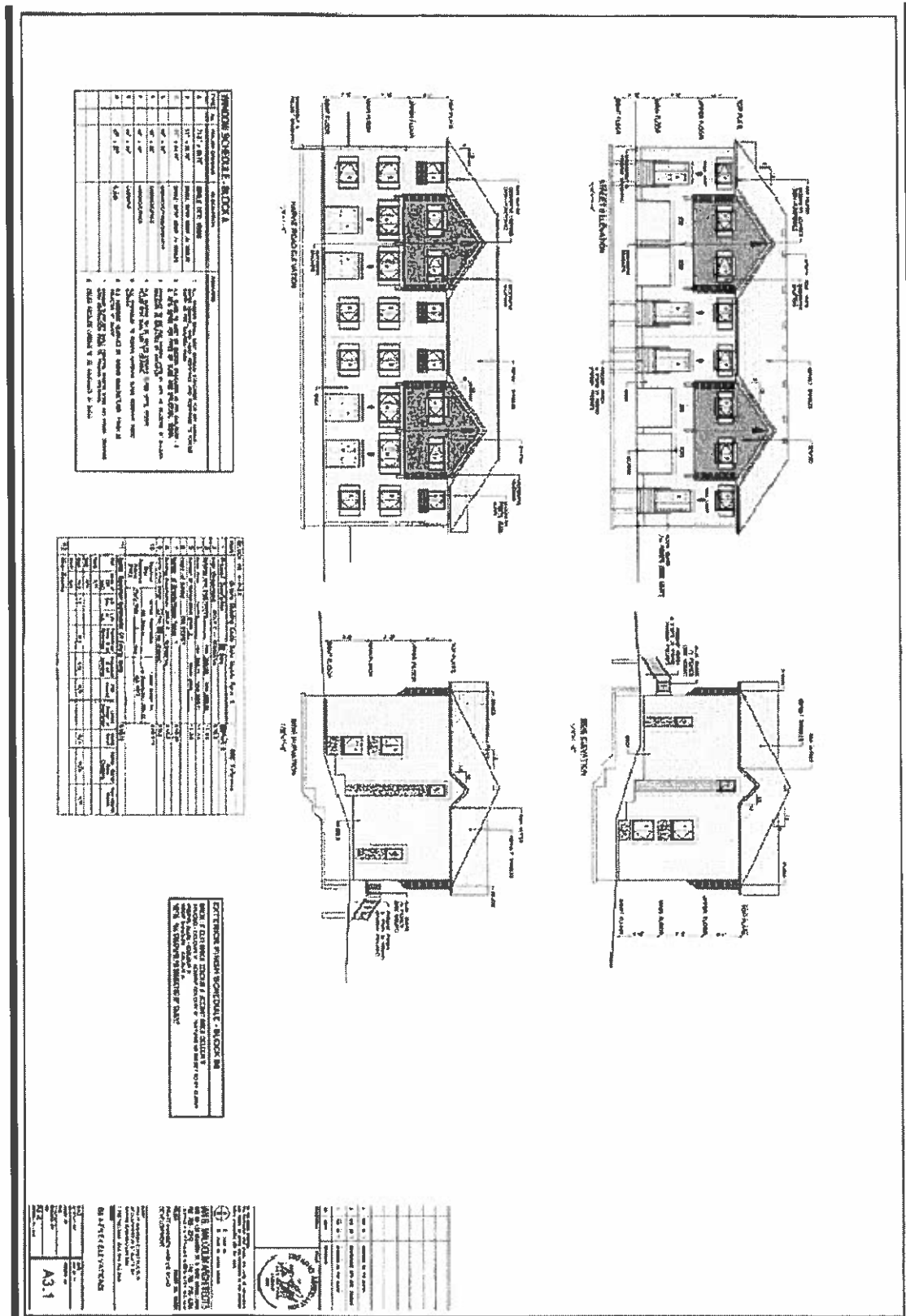


APPENDIX "B"

Building Elevations  
'Typical' Internal Townhouse Block



'Typical' Executive Townhouse Block



'Typical' Walk-Up Apartment Building (8-Plex)

