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**TO:** GENERAL COMMITTEE

**SUBJECT:** ZONING BY-LAW AMENDMENT APPLICATION – 515 BIG BAY POINT ROAD

**WARD:** 9

**PREPARED BY AND KEY CONTACT:** T. BUTLER, PLANNER, EXT. 5446

**SUBMITTED BY:** C. MCLAREN, RPP, MANAGER OF PLANNING

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

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

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### **RECOMMENDED MOTION**

1. That the Zoning By-law Amendment Application submitted by The Jones Consulting Group Ltd., on behalf of Suncor Energy Inc., to rezone lands known municipally as 515 Big Bay Point Road from “Residential Single Detached Dwelling First Density” (R1) to “General Commercial” (C4) be approved as attached to Staff Report DEV042-24 as Appendix “A”.
2. 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 DEV042-24.
3. 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**

4. The purpose of this report is to recommend approval of a Zoning By-law Amendment application submitted by The Jones Consulting Group Ltd., on behalf of Suncor Energy Inc., for lands known municipally as 515 Big Bay Point Road. 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.
5. With the conclusion of the technical review and public consultation process, which included a Neighbourhood Meeting on January 30, 2024 and Public Meeting on October 23, 2024, 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 (2024). At the time of writing this report, the Provincial Planning Statement (PPS) (2024) was not yet in effect, however it came into effect on October 20, 2024 after which, all planning decisions shall be consistent. This report addresses the new PPS, 2024 in paragraphs 19 to 21 to demonstrate consistency. As such, staff are recommending approval of the proposed rezoning as provided in the draft By-law attached to Staff Report DEV042-24 as Appendix “A”.

### Development Proposal

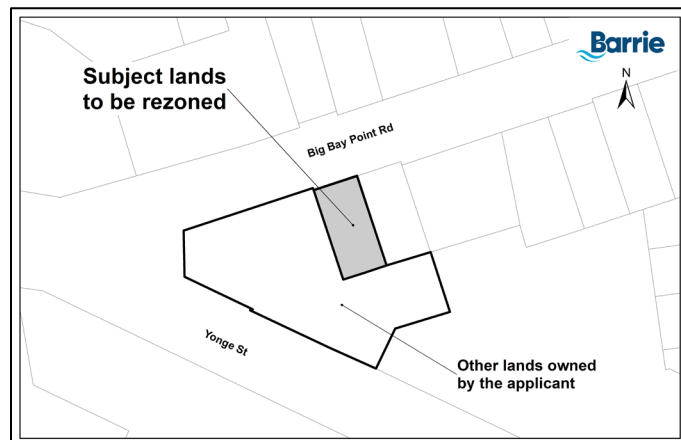
6. The application, if approved, would rezone the subject lands from “Residential Single Detached Dwelling First Density” (R1) to “General Commercial” (C4). The conceptual site plan, included for reference as Appendix “B” to Staff Report DEV042-2024, proposes the redevelopment of the existing gas station currently zoned General Commercial (C4) under the City’s Comprehensive Zoning By-law 2009-141 to permit the subject lands to be redeveloped alongside the adjacent lands municipally known as 623 Yonge Street. The overall site is proposed to be redeveloped by shifting the existing gas station and proposing a new commercial building of 288.6 square metres, which will contain a convenience store and restaurant with a drive thru. The existing car wash on site will be maintained. The final design details for the site would be confirmed at the time of a subsequent Site Plan Control application should Council approve the subject Zoning By-law Amendment application.

### Site and Location

7. The lands subject to the rezoning are known municipally as 515 Big Bay Point Road and comprise approximately 989.0 square metres (0.1 hectare) with approximately 22.0 metres of frontage on Big Bay Point Road. The lands are currently vacant. The surrounding land uses consist of commercial and residential uses. The immediate surrounding land uses are as follows:

**North** Commercial uses including a thrift store, bank, restaurants, take-out restaurants, and single detached residential dwellings along Big Bay Point Road.

**East** Single detached residential dwellings on Big Bay Point Road and Montgomery Drive, as well as a future townhouse development and various commercial uses including a pharmacy, restaurant, and bank.



**South** Commercial uses including a shopping plaza and take-out restaurant.

**West** The adjacent lands municipally known as 623 Yonge Street, which consists of a gas station, convenience store and car wash. Additional commercial uses further west including a grocery store, bank, and LCBO.

### Existing Policy

8. The subject property is identified as being within a Strategic Growth Area on Map 1 – Community Structure and is designated “Medium Density” on Map 2 - Land Use Designation in the City’s Official Plan.
9. The lands are currently zoned “Residential Single Detached Dwelling First Density” (R1) in the City’s Comprehensive Zoning By-law 2009-141, as amended.

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### Background Studies

10. 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 Proposed Developments webpage under [Ward 9 – 515 Big Bay Point Road](#).
- a) Planning Justification Report (The Jones Consulting Group Ltd., June 2024)
  - b) Functional Servicing Report (J+B Engineering Inc., February 2024)
  - c) Traffic Brief (Paradigm Transportation Solutions Limited, December 2023)
  - d) Hydrogeological Assessment (Terrapex Environmental Ltd., February 2024)
  - e) Geotechnical Investigation (Terrapex Environmental Ltd., February 2024)
  - f) Phase One Environmental Site Assessment (Terrapex Environmental Ltd., February 2024)
  - g) Phase Two Environmental Site Assessment (Terrapex Environmental Ltd., February 2024)
  - h) Stormwater Management Report (J+B Engineering Inc., January 2024)
  - i) Site Plan (K Paul Architect Inc., February 2024)
  - j) Tree Inventory, Assessment and Preservation Plan (Amy Choi consulting, February 2024)

### Public Consultation

11. A neighbourhood meeting was held on January 30, 2024, as part of the requirements for a complete application. The meeting was attended by approximately three (3) residents as well as the applicant, their consultant team, Ward 9 Councillor Sergio Morales, and Planning staff. Comments and concerns expressed by residents at the Neighbourhood Meeting included the following:

a) Timing of Development

Comments were made regarding the timing of the proposed development, specifically about when construction would begin. The applicant has identified that construction would begin immediately following Planning approval of the required applications.

b) Pedestrian Safety

Questions regarding pedestrian safety were raised; specifically as it relates to the intersection of Yonge Street and Big Bay Point Road relative to the existing site access. The redevelopment of the site will alter the location of the gas station shifting the entrance further away from the intersection which will improve the overall safety of the subject site and intersection.

c) Electric Vehicle Charging Stations

Councillor Morales inquired about electrical vehicle charging stations. The site plan includes 4 EV charging stations.

12. A statutory Public Meeting was held on October 23, 2023, to present the subject application to the Affordability Committee and the public. No members of the public attended the public meeting.

### Department and Agency Comments

13. The subject application was circulated to staff in various departments and external agencies for review and comment. No objections and concerns were received from the following departments:
- a) Development Services - Parks Planning, Urban Design/Heritage Planning, Addressing, Approvals Branch, and Transportation Planning
  - b) Building Department

- c) Business Performance and Environmental Sustainability – Risk Management Official, Environmental Sustainability and Environmental Compliance
- d) Finance Department
- e) Infrastructure Services Department (Water Services Branch)
- f) Engineering Standards
- g) Alectra Utilities, Hydro One and Bell Canada
- h) Simcoe County District School Board
- i) Lake Simcoe Region Conservation Authority (LSRCA)

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

### POLICY ANALYSIS

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

#### Provincial Policy Statement (2020) (PPS)

15. 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 states that healthy liveable and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and encourage accommodating an appropriate range and mix of uses including employment uses to meet long term needs.
16. The development will efficiently expand an existing commercial use on vacant lands that are surrounded by a range of residential and commercial uses that will continue to provide services and employment opportunities to the surrounding area. The proposed development aligns with the policies of a healthy, liveable, and compact community and would be serviced by existing municipal infrastructure and services, thereby representing efficient and cost-effective development.

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

17. Staff have reviewed the relevant policies and are of the opinion that the development conforms to the Growth Plan for the Greater Golden Horseshoe. The Growth Plan provides a policy framework to build stronger, more prosperous communities by better managing growth. The Growth Plan focuses on building complete communities that are well-designed, offer transportation choices, and accommodate people at all stages of life, with a mix of housing types, a range of jobs, and access to stores and services to meet daily needs.
18. The subject lands are located within the built boundary in the City of Barrie and the lands will utilize existing municipal infrastructure. The proposed application will allow an existing commercial site to be redeveloped and expanded, which will continue to contribute to meeting the minimum employment targets for the City of Barrie. The commercial uses include a restaurant and drive through, gas station and car wash.

#### Provincial Planning Statement (2024)

19. As previously noted, at the time of writing this report, the Provincial Planning Statement (2024) was not yet in effect, but it came into effect on October 20, 2024, after which all planning decisions shall be consistent. The Provincial Planning Statement, 2024 replaces PPS, 2020 and the Growth Plan, 2019, integrating them into a single document and providing updated policies for regulating development and land use in Ontario to help achieve the goal of providing a high quality of life while meeting the needs of residents.

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20. The Provincial Planning Statement, 2024 supports the achievement of complete communities by accommodating a wide range and mix of land uses and options to meet long term needs and improving accessibility, social equity and overall quality of life for all people. A mix of housing options and densities to meet housing needs must be provided and land use patterns should be based on densities and a mix of uses which are efficient, support active transportation and are transit and freight supportive.
  21. The proposed development is consistent with the Provincial Planning Statement, 2024 as it contributes to achieving a complete community by increasing access to commercial services and through the provision of employment opportunities in proximity to existing residential development. Although the existing and proposed commercial uses associated with the subject lands are generally automotive oriented, the lands do have access to municipal sidewalks to encourage active transportation and are located along multiple public transit routes. Further, the proposed development will contribute to environmental sustainability initiatives through incorporating electric vehicle charging stations within the parking area.

#### City of Barrie Official Plan (OP)

22. Staff have reviewed the relevant policies in the City of Barrie Official Plan which applies to the application and are of the opinion that the proposed development conforms to the policies that guide development on the subject lands. As noted, the subject lands are identified as being within a Strategic Growth Area on Map 1 – Community Structure and are designated 'Medium Density' on Map 2 – Land Use.
23. Strategic Growth Areas are identified at key locations throughout the City and are intended as focal points and long term growth centres of residential growth, commerce jobs, and social interaction. They are to serve both local residents and the City as a whole by incorporating residential development as well as a wide range of other uses.
24. The proposed Zoning By-law Amendment application would facilitate the redevelopment and expansion of the existing gas station at 623 Yonge Street to provide additional land for electrical vehicle parking and charging as well as the expansion of the existing convenience store and addition of a drive thru restaurant. The lands will contribute to the area becoming a complete community through the provision of additional commercial uses within a planned mixed use area. The incorporation of this smaller vacant residential lot into the larger property at 623 Yonge Street will allow for more mixed use redevelopment opportunities over the horizon of the Official Plan (2051). In the immediate future the on-site gas station and convenience store is proposed to include an updated main building that will improve and activate the streetscape through the addition of a patio/gathering space oriented towards the intersection at Yonge Street and Big Bay Point Road.
25. Policies within Sections 2.6.2 Medium Density, guide development permissions within Strategic Growth Areas. Developments within the Medium Density Land Use Designation are encouraged to be mixed use to facilitate an increase of densities and built form within the City. Permitted Uses within the Medium Density designation include commercial uses. However, new development must appropriately transition to any Neighbourhood Area lands either adjacent to the property or across the street and must satisfy the transition policies of Section 3 of the Official Plan.
26. The application proposes the redevelopment of the lands with an upgraded gas station and new commercial building containing an upgraded convenience store and restaurant. The existing car wash building and access will remain unchanged; however, new and enhanced landscaped buffer areas would be provided to increase separation from adjacent residential uses fronting Big Bay Point Road, thereby satisfying the transition policies of Section 3 of the Official Plan. Staff also note that the subject lands are not adjacent to any lands identified as Neighbourhood Area.

27. As no residential intensification is proposed, and considering that commercial uses are permitted, staff are of the opinion that the proposed development is compatible with and will contribute to the surrounding neighbourhood by providing employment opportunities within a Strategic Growth Area. Landscape buffer areas are proposed to improve the transition between the proposed development and adjacent residential uses located to the east that are anticipated along this stretch of Big Bay Point Road. A patio area proposed to be located at the front of the building, adjacent to the intersection, and landscaping along the street front will enhance the aesthetic quality of the site. The development supports active transportation by providing connections to the existing transit network and sidewalks through seamless pedestrian connections for convenient walking access to nearby transit stops and a range of uses along Yonge Street and Big Bay Point Road.

#### Comprehensive Zoning By-law 2009-141

28. The applicant is proposing to amend the zoning on the subject lands from “Residential Single Detached Dwelling First Density” (R1) to “General Commercial” (C4). No Special Provisions (SP) have been requested or identified as the proposed development would conform to the required standards of the ‘General Commercial’ (C4) zone.
29. The subject lands located at 515 Big Bay Point Road are currently vacant. The existing Residential zoning associated with this lot represents a historic land use that is no longer applicable to the site. The requested zoning over the subject lands will make the site consistent across the entirety of the Owner’s landholdings for the existing use and planned expansion of the Petro Canada gas station at 623 Yonge Street. Specific design details related to landscaping, access and overall site design will be further assessed through a future site plan control application should the Zoning By-law amendment be approved.
30. In summary, staff have reviewed the proposed amendment to the Zoning By-law and are of the opinion that it aligns with the Official Plan (2051) and is generally in keeping with the uses and intentions for the subject site.

#### Site Plan Control

31. Subject to Council approval of the proposed application, 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.
32. Should the subject application be approved, staff are satisfied that the detailed design elements would be adequately addressed through a subsequent site plan application. The Site Plan approval process is delegated to City staff, in accordance with Council Motion 10-G-346.

#### **ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS**

33. While the lands subject to the Zoning By-law Amendment are vacant and do not contain any identified Natural Heritage Features, the following environmental and/or climate change impact matters have been considered in the development of the recommendation:
- i) Electric Vehicle Charging Stations have been incorporated into the design of the site. Electric Vehicle Charging Stations will support goals related to reducing carbon emissions and will encourage the use of Electric Vehicles by increasing the locations available for recharging.



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## **ALTERNATIVES**

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

**Alternative #1** General Committee could refuse the proposed Zoning By-law Amendment application and maintain the existing “Residential Single Detached Dwelling First Density” (R1) zoning over the subject property.

This alternative is not recommended as the proposed development is consistent with and conforms to all Provincial and municipal policies as noted throughout the analysis section of this report and is considered an appropriate use of the subject lands.

## **FINANCIAL**

35. The proposed development will be subject to development charges, cash in lieu for parkland, 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.
36. The Development Charges will be frozen based on the non-residential gross floor area of the new commercial building (288.6 sq.m) at \$564.01 per square metre for a total of \$162,773.28. The frozen rates will be determined as of the date of Site Plan Application at the interest rate in effect.
37. Education Levies will be calculated and collected at the time of issuance of the building permit. The current fee is \$0.80 per square foot.
38. A Finance Administration fee will be collected at the time of issuance of the building permit at a rate of \$175.00 per non-residential building.

## **LINKAGE TO 2022-2026 COUNCIL STRATEGIC PLAN**

39. The recommendation(s) included in this Staff Report support the following goals identified in the 2022-2026 Strategic Plan:
- Affordable Place to Live
  - Infrastructure Investments
40. In accordance with Council’s goals, the proposed development would provide for a compact form of development that will utilize existing services and infrastructure and would provide additional opportunity for employment. The proposal promotes and facilitates infrastructure investments by improving pedestrian safety at the intersection of Big Bay Point Road and Yonge Street.

Attachments: Appendix “A” – Draft Zoning By-law Amendment  
Appendix “B” – Conceptual Site Plan

APPENDIX "A"

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 By-law 2009-141, 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 to rezone a portion of the lands legally described as: Part of Lot 13, Concession 12, Part 3, RP 51R-20147, and Part of Parts 1, 2, 3, 4, 5, 6, and 7, RP 51R-39240 Former Town of Innisfil, now in the City of Barrie, known municipally as 515 Big Bay Point Road, shown on Schedule "A" attached to this By-law from 'Residential Single Detached Dwelling First Density' (R1) to 'General Commercial' (C4).

**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 of a portion of Part of Lot 13, Concession 12, Part 3, RP 51R-20147, and Part of Parts 1, 2, 3, 4, 5, 6, and 7, RP 51R-39240 Former Town of Innisfil, now in the City of Barrie, known municipally as 515 Big Bay Point Road from 'Residential Single Detached Dwelling First Density' (R1) to 'General Commercial' (C4) 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** 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.
3. **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**

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**MAYOR – A. NUTTALL**

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**CITY CLERK – WENDY COOKE**

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

