
TO: GENERAL COMMITTEE

SUBJECT: APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT – BRONTE DEVELOPMENT GROUP INC. – 357 YONGE STREET

WARD: WARD 8

PREPARED BY AND KEY CONTACT: C. McLAREN, MCIP, RPP, PLANNER EXT. #4719

SUBMITTED BY: S. FORFAR, MBA, MCIP, RPP
MANAGER OF GROWTH PLANNING

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

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

EXECUTIVE SUMMARY

The following is a comprehensive report recommending approval to General Committee regarding applications for Official Plan and Zoning By-law amendment submitted by MTCO Holdings Inc., on behalf of the Bronte Development Group Inc., with respect to lands located at 357 Yonge Street.

The applicant is proposing an amendment to the City's Official Plan and Zoning By-law 2009-141 to permit the development of a 4-storey, 140 unit Retirement Home with a density of approximately 129 units per hectare. The subject lands are designated General Commercial – Defined Policy Area [D] within the City of Barrie Official Plan and are zoned General Commercial – Hold (C4)(H-61) in accordance with the City's Comprehensive Zoning By-law 2009-141. The property falls within the Yonge Street Primary Intensification Corridor as identified on Schedule 'I' of the Official Plan.

A variety of retail and service commercial; professional and medical offices; and medium density residential uses located within or above commercial or office uses at grade are currently permitted within the General Commercial Area designation. Standalone residential or residential type Institutional uses such as the proposed Retirement Home are not permitted within the existing General Commercial Designation and Zoning over the subject lands. However, in accordance with the Council approved Mixed Use Zoning standards established for the Intensification Nodes and Corridors through By-law 2015-097, staff recognize that a Retirement Home would be a permitted use within the Mixed Use Corridor (MU2) zoning category.

The proposed mid-rise residential development is considered to be appropriate for the subject lands as it complies with both Provincial and Municipal policy. More specifically, Planning staff are of the opinion that the proposed development would serve to address many of the criteria outlined in the Intensification Policies of the Official Plan in that it would achieve a compact urban form through residential intensification at an appropriate density and within a designated Intensification area. As a result, staff are recommending approval of the applications in accordance with the details enclosed in this report.

RECOMMENDED MOTION

1. That an application to amend Section 4.8.1 Defined Policy Area [D] of the Official Plan submitted by MTCO Holdings Inc. on behalf of Bronte Development Group Inc. to include a Retirement Home as a permitted use on lands located on the east side of Yonge Street, south of Foster Drive, be approved by adding the following text to Section 4.8.1 (e):
 - (e) Notwithstanding the General Commercial designation, associated policies and permitted uses outlined in the Plan, a Retirement Home shall be permitted at the property known municipally as 357 Yonge Street.
2. That the Zoning By-law Amendment application submitted by MTCO Holdings Inc., on behalf of Bronte Development Group Inc., to rezone the lands known municipally as 357 Yonge Street (Ward 8) from General Commercial - Hold (C4)(H-61) to General Commercial with Special Provisions (C4)(SP) be approved.
3. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands:
 - a) Notwithstanding the list of permitted uses in Table 6.2 of the City's Comprehensive Zoning By-law 2009-141, a Retirement Home shall be permitted on the lands known municipally as 357 Yonge Street;
 - b) Permit a maximum building height of four-storeys (14.5 metres), whereas 9 metres would be required; and
 - c) Permit a minimum front yard building setback of 2 metres to the main building, 1 metre to the proposed entrance canopy and 1.5 metres to the proposed window well, whereas 6 metres would be required.
4. 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, including the following matters raised in those submissions and identified within Staff Report PLN011-17: construction timing and impacts (vibrations) on adjacent residential properties, pedestrian linkages through the proposed development to the adjacent residential neighbourhood, proposed retirement home use, sufficient parking to accommodate the proposed number of residents/staff, access, shadow impacts, stormwater management and adjacent vacant lands to the immediate east.
5. That pursuant to Section 34(17) of the Planning Act, no further public notification is required prior to the passing of this by-law.

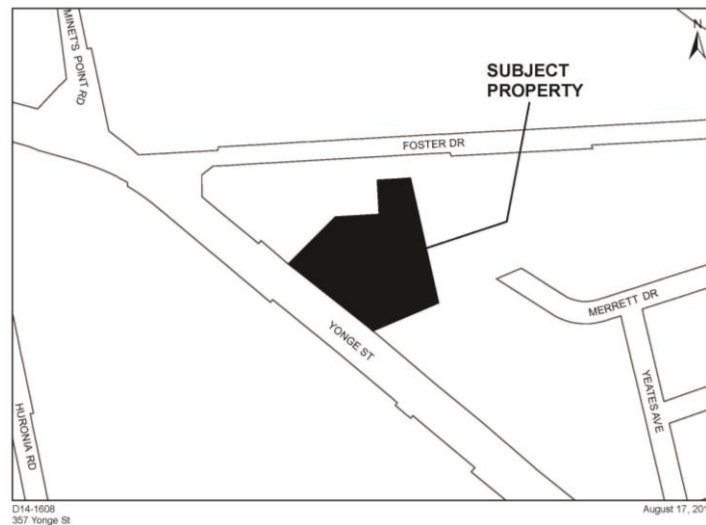
PURPOSE & BACKGROUND

Report Overview

6. The purpose of this report is to recommend approval of the applications for Official Plan and Zoning By-law Amendment submitted by the MTCO Holdings Inc., on behalf of Bronte Development Group Inc., for lands known municipally as 357 Yonge Street (see Appendices "A" and "B"). The effect of the application would be to permit the development of a 4-storey, 140 unit retirement residence with a density of approximately 129 units per hectare. Staff are recommending approval of the subject applications as the lands are considered to be appropriate for this form of mid-rise residential development in accordance with both Provincial and Municipal policy.

Location

7. The subject lands are located on the east side of Yonge Street, south of Foster Drive within the Painswick North Planning Area (Ward 8). The subject lands are known municipally as 357 Yonge Street (South Part of Lot 11, Concession 14, Registered Plan 51R-24571, Township of Innisfil, now in the City of Barrie) and have a total lot area of approximately 1ha with 100.5m of frontage on Yonge Street.



8. The existing land uses surrounding the subject property are as follows:
- North: Existing commercial development (McDonald's Restaurant) and existing single detached residential properties fronting Foster Drive – zoned General Commercial C4 and Residential Single Detached Dwelling First Density (R1), respectively.
 - South: Existing commercial development – zoned General Commercial (C4).
 - East: Vacant residential lands – zoned Residential Single Detached Dwelling Second Density (R2) and Residential Single Detached Dwelling Third Density (R3).
 - West: Yonge Street and existing residential properties – zoned Residential Single Detached Dwelling First Density (R1).

Existing Policy

9. The property is designated General Commercial Area – Defined Policy Area [D] within the City of Barrie Official Plan and is zoned General Commercial – Hold (C4)(H-61) in accordance with the City's Comprehensive Zoning By-law 2009-141. A variety of retail and service commercial; financial institutions and services; business, professional and medical offices; restaurants, entertainment and other community facilities; and medium density residential uses located within or above commercial or office uses at grade are currently permitted within the General Commercial Area designation. Standalone residential or residential type Institutional uses such as the proposed Retirement Home are not permitted within the existing General Commercial Designation and Zoning over the subject lands.

10. The property falls within the Yonge Street Primary Intensification Corridor as identified on Schedule 'I' of the Official Plan. On October 5, 2015, Council approved the Mixed Use Zoning standards through By-law 2015-097 for the Intensification Nodes and Corridors. While this By-law is currently under appeal at the Ontario Municipal Board, it should be noted that the permitted uses and standards identified within this By-law are not being contested with the current appeal. In this regard, staff recognize that a Retirement Home would be a permitted use in the Mixed Use Corridor (MU2) zoning category.

Supporting Information

11. In support of the subject application, the following reports were submitted:
- a) **Planning Justification Report** (July 2016) provides a review of the property characteristics and surrounding lands, description of the proposed development as well as the planning policy basis and opinion of Martin Rendl Associates that the proposal is an appropriate form of development and location for residential intensification in accordance with both Provincial and Municipal Policy.
 - b) **Urban Design Brief** (July 18, 2016) outlines the site context, the urban design policy regime, and design details of the proposed development from an urban design and architectural perspective. The report also provides an assessment of the proposed shadows on March 21 and September 21 (Spring and Fall equinoxes) and the June 21 solstice on adjacent residential properties as per Section 6.1.1 of the Intensification Area Urban Design Guidelines, and concludes that there are no lasting or impactful shadows cast by the proposed development. The report further concludes, in the opinion of MSAi Michael Spaziani Architect Inc., that the proposed development will result in the efficient use of the land that will allow for a more vibrant and well landscaped main street environment. The degree of intensification is sensitive to the existing low rise context and will not create adverse scale, shadow or character impacts. The project, as designed, will contribute to the evolution of Barrie as a more complete community, offering more convenient location retirement housing and amenity options within a compact urban form within a walkable main street landscape.
 - c) **Phase II Environmental Site Assessment** (March 10, 2016) provides an assessment of potential environmental concern associated with historic wastes, including petroleum based waste oils and sludges generated by adjacent lands to the south, and concludes that no further investigation is recommended for the site at this time.
 - d) **Stage 1 and Stage 2 Archaeological Assessments** (April 7, 2016 and May 16, 2016) considers the potential for the presence of archaeological resources within the limits of the subject lands and summarizes the assessments completed to determine same. The Stage 2 report concludes that no archaeological resources were encountered during the course of the survey and it recommends that no further archaeological assessment of the property be required.
 - e) **Letter from the Ministry of Tourism, Culture and Sport** (June 3, 2016) satisfying the Stage 1-2 Archaeological Assessment requirement.
 - f) **Functional Servicing Report** (July 2016) provides that the proposed development can be adequately serviced with respect to sanitary and watermain services through connections to the existing services located on Yonge Street. The report further concludes that stormwater management will be addressed on site in accordance with MOECC guidelines for both quality and quantity control measures in the form of rooftop detention, parking lot ponding and Low Impact Development (LID) measures that will be reviewed in detail through a subsequent Site Plan Approval process.

- g) **Traffic Impact Study** (July 14, 2016) provides a review of the key transportation related aspects (i.e. traffic, parking, loading and circulation) of the proposed development and serves to demonstrate the potential impacts to traffic flow at the site access and on the surrounding roadway network based on the proposed development. In the opinion of BA Group, the report concludes that the development, as proposed, is appropriate from a transportation perspective. In this regard, the proposed shared driveway with the adjacent lands to the south, on-site circulation, parking and loading arrangements will appropriately support the proposed development.

Neighbourhood Meeting

12. A Neighbourhood Meeting was held on September 29, 2016, to present the proposed development to the local residents. Approximately 18 residents were in attendance in addition to the applicant, their Planning consultant, Ward 8 Councillor and Planning staff (see Appendix "C"). The questions/concerns raised at the neighbourhood meeting related to the following:

- Construction timing and vibration impacts on adjacent residential properties.

Should Council approve the subject applications, construction may commence later this year following a subsequent Site Plan Approval process and could take approximately 14 months to complete. Staff are satisfied that there will be no vibration impacts on the adjacent residential properties as a result of typical construction practices.

- Provision of pedestrian connections through the subject property to the adjacent residential neighbourhood to the north/east.

In accordance with the City's Comprehensive Zoning By-law, the north, south and easterly limits of the property are required to be fenced with a 2m high tight board fence and as such, pedestrians will not be permitted access to the adjacent residential properties from the subject lands.

- Proposed Retirement Home use versus a Nursing Home.

Questions were raised about the difference between the proposed use as a Retirement Home versus a Nursing Home. The applicant confirmed that a Retirement Home is a residential facility whereby residents are still largely independent, however meals are provided by way of a common dining facility in addition to other common facilities that may be provided (i.e. hair salon, fitness classes, swimming pool, etc.). Residents of a Nursing Home require an increased level of care with respect to many aspects of daily life (feeding, dressing, medications, etc.).

- Parking

While a minimum of 65 parking spaces are required to be provided in accordance with the City's Comprehensive Zoning By-law 2009-141 (1 space/unit for the independent living units and 1 space for every 4 persons accommodated for the assisted living units), the applicant is proposing a total of 75 parking spaces on site. As such, staff are satisfied that adequate parking will be provided for the proposed development.

- Access

As originally recommended by the Traffic Division of the City's Engineering Department, vehicular access to the site is proposed via a new shared two-way driveway to/from Yonge Street with the adjacent lands to the south (367-371 Yonge Street). The proposed mutual access will serve to reduce traffic conflicts associated with an additional access being provided to Yonge Street and staff are satisfied that this access will adequately support the existing commercial development and proposed Retirement Home.

- Stormwater Management

The concept plan and Functional Servicing Report submitted in support of the subject applications provides a general indication of how the property would be developed and how stormwater management would be addressed on-site both pre- and post-development. However, as noted below in paragraph 18 of this report, the property would be subject to Site Plan Control. In this regard, Planning staff are satisfied that stormwater management would be adequately addressed through a subsequent Site Plan Approval process should the subject applications be approved by Council.

- Shadow Impacts

As noted above, the Urban Design Brief completed in support of the proposed development provided an assessment of the proposed shadows on March 21 and September 21 (Spring and Fall equinoxes) and the June 21 solstice and concluded that there are no lasting or impactful shadows cast by the proposed development. As such, staff are satisfied that the proposed development will not create any adverse shadow impacts on the adjacent residential properties.

- Adjacent vacant lands to East

Vacant residential lands abut the property to the immediate east and do not form part of the subject applications. Development of these lands would not be permitted to proceed until such time that a Plan of Subdivision is registered over the lands or a subsequent Official Plan Amendment and/or Zoning By-law Amendment and/or Site Plan applications are approved for these lands.

Public Meeting

13. A Statutory Public Meeting was held on November 21, 2016 to present the proposed development to General Committee. No written or verbal comments were received with respect to the subject applications.

Department and Agency Comments

14. The subject application was circulated to staff in various departments and to a number of external agencies for review and comment.
15. The Lake Simcoe Region Conservation Authority (LSRCA) provided comments indicating that they are satisfied from the watershed management perspective that the proposed development is consistent with the Natural Heritage and Natural Hazard policies of the Provincial Policy Statement (PPS) and conforms to the Lake Simcoe Protection Plan (LSPP). LSRCA further commented that a Species at Risk screening and stormwater management strategy would be completed and implemented at the time of site development and as a result, they have no further requirements with respect to the subject applications.

16. Enbridge Gas Distribution, PowerStream, the Ministry of Municipal Affairs and Housing, Metrolinx, and the City's Engineering, Building Services and Fire Departments all provided comments indicating that they had no objection to the approval of the subject applications. All agencies/departments were satisfied that any technical revisions or outstanding matters would be adequately addressed through a subsequent Site Plan Approval process.

ANALYSIS

Provincial and Municipal Policy Planning Framework

17. The subject applications have been reviewed against Provincial Planning policies such as the Provincial Policy Statement (PPS) and the Growth Plan, as well as the City's Official Plan, Intensification Area Urban Design Guidelines and Comprehensive Zoning By-law 2009-141 and are deemed to comply with same. As a result, Planning staff are recommending approval of the subject applications. A detailed analysis of the Provincial and Municipal planning policies applicable to the subject applications are contained in Appendix "D" of this report.

Site Plan Control

18. Subject to Council approval of the proposed Official Plan and Zoning By-law Amendment 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 development and design of the lands with regard to access, servicing, stormwater management, landscaping, lighting, setbacks, building orientation/placement/massing, parking, etc.
19. The applicant has submitted a Site Plan application (File: D11-1721) that is currently under review. The site plan and building elevations (see Appendices "E" & "F") submitted in support of the subject applications, provide a general indication of how the property would be developed and the ultimate design of the future building. Should the subject Official Plan and Zoning By-law Amendment applications be approved, the applicant would be required to finalize the Site Plan application which would include further review by various City staff and applicable external agencies to ensure that the development complies with all municipal standards and provides an appropriate interface with adjacent properties and streets. In the interim, staff note that consideration has been given to appropriate urban design matters through the provision of detailed design elements such as high quality masonry materials including fabricated stone and brick, the location and orientation of the proposed building toward the Yonge Street frontage so as to provide a strong street presence and defined street edge that frames the Yonge Street corridor, provision of a consolidated private outdoor amenity space on-site, along with provision of all surface parking internal to the site.

Bonusing

20. The Bonusing Policies (Section 6.8) within the Official Plan permit City Council to negotiate community benefits when considering passing a by-law to increase the height and/or density of a development beyond what is currently permitted in the Zoning By-law. In this case, the applicant is proposing a Zoning By-law Amendment that includes permission for increased height over and above what the current General Commercial (C4) zoning on the subject lands permits. As such, the Bonusing Policies for the purpose of obtaining community benefits could be applied. In this regard, the applicant submitted a property appraisal which identified an uplift value of \$1,100,000.00 as a result of the proposed Zoning By-law Amendment. The general guidelines for Bonusing recommend that the value of community benefits be approximately 25% of the value uplift; which in this case would be approximately \$275,000.00.

21. On March 9, 2017, the Bonusing Committee met to review the proposed development and discuss the requirement for Bonusing. The Committee is not recommending that the developer provide community benefits for this proposal as there is a need for retirement housing stock in the community and the subject lands are located within the Yonge Street Primary Intensification Corridor. In this regard, the Committee noted that Council has approved Mixed Use zoning standards for the City's Intensification Nodes and Corridors. Although these Mixed Use zoning standards are currently under appeal, they would permit a maximum building height of 8-stories (25.5m). The subject applications, if approved, would permit the development of a 4-storey (14.3m) building, which is below the maximum height permitted by the Mixed Use zone standards. As a result, staff have not included a recommendation for any community benefit as a condition of the subject application through implementation of the Bonusing Policies.

Summary

22. Staff have reviewed the comments received and considered the proposed Official Plan and Zoning By-law Amendment applications, having regard to conformity with relevant Provincial Policy and the City's Official Plan. In staffs' opinion, the provision of a mid-rise Retirement Home on the subject lands as proposed, is considered appropriate and would conform with relevant Provincial Policy, the City's Official Plan and complies with the policy planning framework established for Intensification.
23. In staffs' opinion, the proposed development would provide for appropriate spatial separation from the existing single detached residential properties located to the northeast fronting Foster Drive and provides for good urban design. Should the application be approved, staff are satisfied that the detailed design elements would be adequately addressed through a subsequent Site Plan application. Furthermore, the above-noted site specific provisions related to maximum building height and minimum front yard building setbacks have been reflected in the recommended motion in order to provide local residents with some level of assurance that the future redevelopment of the property would be reflective of the concept plan submitted in support of the subject application.

ENVIRONMENTAL MATTERS

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

ALTERNATIVES

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

Alternative #1

General Committee could refuse the subject Official Plan and Zoning By-law Amendment application and maintain the current General Commercial designation and zoning on the subject lands.

This alternative is not recommended as the subject property is ideally suited for mid-rise residential development in the form and density proposed given the full range of services and facilities available in the area. The proposed amendment is also in keeping with the Provincial and Municipal policy established for the City's Intensification areas.

Alternative #2

General Committee could approve the subject Official Plan and Zoning By-law Amendment applications without the requested Special Provisions.

This alternative is not recommended as the applicant has submitted a detailed concept plan which is generally consistent with the Urban Design Guidelines for the City's Intensification Areas, the Council approved Mixed Use Corridor (MU2) zoning standards and current City standards with

respect to access, servicing, stormwater management, landscaping, setbacks, building orientation/placement/massing, parking, etc.

FINANCIAL

26. The proposed Official Plan Amendment and Rezoning of the subject parcel would permit the development of 4-storey, 140 unit Retirement Home. The annual municipal property tax revenue based on an average rental rate of \$3,250.00 per unit, excluding services, is estimated to be \$129,640.00 for the site. The current tax revenue is \$17,755.24. Therefore, the estimated municipal property tax increase would be \$111,884.76 based on 2017 tax rates.
27. Building permit application fees are estimated to be in the order of \$194,822.28 for the site.
28. Current development charges for the proposed development are calculated at \$14.55/square foot and as such, the development charge revenue is estimated to be \$1,695,115.07 for the proposed development. The current rate of \$14.55/square foot is a temporarily discounted rate. This rate will be increased to \$20.07/square foot once 1.2 million square feet of new non-residential and non-retail GFA has been issued. Rates will also be adjusted for inflation each year as of January 1st. The fee is calculated and paid at the time of issuance of the building permit.
29. Parkland levies are estimated to be \$175,000.00 and Education levies are estimated to be \$54,756.29.
30. Given that the subject lands, when developed, would be subject to Site Plan Control, all costs associated with the approval and development of the site would be the owner's responsibility. The developer would be responsible for all capital costs for any new infrastructure required within the development limits and any of the frontage costs associated with upsizing to municipal water and sewer mains already installed, if applicable. Costs associated with the ongoing maintenance and operational costs of the new internal infrastructure would be the responsibility of the owner. Further, all costs associated with snow removal, landscape maintenance and site lighting would be the responsibility of the developer/owner. The City would not incur additional operating and maintenance costs associated with extending municipal services to the area such as fire protection, policing, boulevard landscaping maintenance and increased contributions to reserves to plan for the eventual replacement of the municipal assets as these services are already in place.

LINKAGE TO 2014-2018 STRATEGIC PLAN

31. The recommendations included in this Staff Report support the following goal identified in the 2014-2018 Strategic Plan:
 - Inclusive Community
32. In accordance with Council's goals, the proposed development would provide for additional housing opportunities in the City, promote and facilitate community connections and would support diverse and safe neighbourhoods.

Attachments: Appendix "A" – Draft Official Plan Amendment – Part B
Appendix "B" – Draft Zoning By-law
Appendix "C" – Neighbourhood Meeting Notes – September 29, 2016
Appendix "D" – Planning Policy Analysis
Appendix "E" – Proposed Site Plan
Appendix "F" – Proposed Building Elevations

APPENDIX "A"

Draft Official Plan Amendment – Part B

PART B - THE AMENDMENT

DETAILS OF THE AMENDMENT

That section 4.8.1 Defined Policy Area [D] of the Official Plan as it applies to lands located on the east side of Yonge Street, south of Foster Drive, municipally known as 357 Yonge Street, be amended by adding the following text at the end of section 4.8.1 (e) as follows:

Notwithstanding the General Commercial designation, associated policies and permitted uses outlined in the Plan, a Retirement Home shall be permitted at property known municipally as 357 Yonge Street.

IMPLEMENTATION

Subsequent to the adoption of this Amendment, Council may consider passing an implementing zoning by-law which will rezone the property in accordance with the proposed Amendment.

INTERPRETATION

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

APPENDIX "B"

Draft Zoning By-law



Bill No.XXX

BY-LAW NUMBER 2017-XXX

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 Part of South Part Lot 11, Concession 14 (formerly Innisfil) being Part 2, Plan 51R-24571; City of Barrie, being all of PIN 58902-0245 (LT), from General Commercial-Hold (C4)(H-61) to General Commercial (C4)(SP-XXX), be approved

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 17-G-XXX.

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

1. **THAT** the zoning map is amended to change the zoning of Part of South Part Lot 11, Concession 14 (formerly Innisfil) being Part 2, Plan 51R-24571; City of Barrie, being all of PIN 58902-0245 (LT), from General Commercial-Hold (C4)(H-61) to General Commercial (C4)(SP-XXX) 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 6.2.1 of By-law 2009-141, a Retirement Home shall be a permitted use in the General Commercial (C4)(SP-XXX) zone.
3. **THAT** notwithstanding the provisions set out in Section 6.3.1 of By-law 2009-141, a maximum height of 14.5 metres (4-storeys) shall be permitted in the General Commercial (C4)(SP-XXX) zone.
4. **THAT** notwithstanding the provisions set out in Section 6.3.1 of By-law 2009-141, a minimum front yard setback of 2.0 metres shall be permitted to the main building in the General Commercial (C4)(SP-XXX) zone, in accordance with Schedule "B" attached to this By-law.
5. **THAT** notwithstanding the provisions set out in Section 6.3.1 of By-law 2009-141, a minimum front yard setback of 1.0 metres shall be permitted to the entrance canopy in the General Commercial (C4)(SP-XXX) zone, in accordance with Schedule "B" attached to this By-law.
6. **THAT** notwithstanding the provisions set out in Section 6.3.1 of By-law 2009-141, a minimum front yard setback of 1.5 metres shall be permitted to the window well in the General Commercial (C4)(SP-XXX) zone, in accordance with Schedule "B" attached to this By-law.

7. **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 By-law, shall apply to the said lands except as varied by this By-law.
8. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this 5th day of June, 2017.

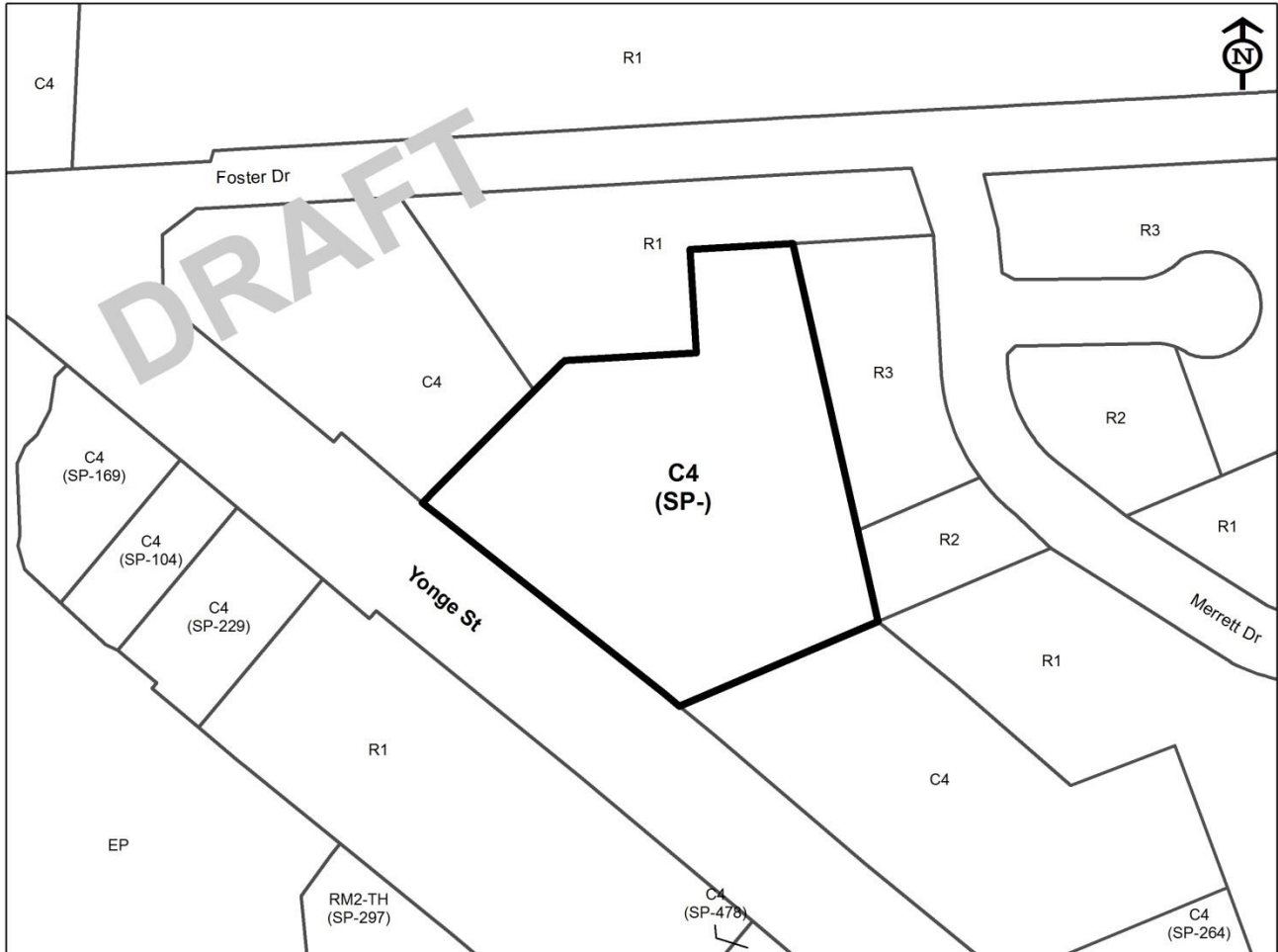
READ a third time and finally passed this 5th day of June, 2017.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

Schedule "A" Attached to Bylaw 2017-XXX



D14-1608
357 Yonge St

GIS Branch. 4/25/2017

APPENDIX "C"

Neighbourhood Meeting Minutes – September 29, 2016

NEIGHBOURHOOD (WARD 8) MEETING

THURSDAY, SEPTEMBER 29, 2016

PROPOSED AMENDMENT TO THE OFFICIAL PLAN & ZONING BY-LAW

357 YONGE STREET

File Manager: Carlissa McLaren, Development Planner
Councillor: Councillor Arif Khan
Recording Secretary: Samantha Reslein
Applicant: MTCO Holdings Inc. & Bronte Development Group
Consultants: Carol Jamieson and Martin Rendl, MTCO Holdings Inc.
Attendance: 18 residents were in attendance.

The meeting commenced at 7:00 p.m.

Carlissa McLaren welcomed everyone and provided a brief explanation of the purpose and intent of the neighbourhood meeting and the public meeting process in general. She noted that the public meeting is anticipated to be held on November 14th, 2016. A staff report making recommendation on the Rezoning application to General Committee is targeted for [].

Carol Jamieson and Martin Rendl, of MTCO Holdings Inc., explained that the purpose of the meeting was to review a proposal to rezone lands from General Commercial to RA2-1(SP); with the intent to develop the lands into a retirement home. Mr. Rendl provided a presentation and discussed slides concerning the following topics:

- About MTCO Holdings
- Barrie Planning Framework
- Proposed Development
- Next Steps

Mr. Rendl opened up the meeting to questions and answers.

Questions and Comments from Public

1. There were questions around the construction and process timeframes.

Mr. Rendl advised the planning stage could take the rest of the year and construction would take 14 months.

2. What it is zoned and would affect the surrounding properties' zoning?

It is currently zoned C4 and would be rezoned to RA2-1 (SP). This won't change any other property's zoning.

3. Would there be walkways created or could people pass through the property?

The entire property will be fenced in 2m high tight board fences; so people will not be able to trespass.

4. Nursing vs retirement home?

A nursing home is more for health and a retirement home is for housing. It is for people that are still largely independent and there isn't the same level of care. As some residents will move to a nursing home after a certain period, there will be the typical processes in place to facilitate this transition.

5. How many residents and staff would be there and would there be sufficient parking?

Mr. Rendl advised there are 140 units proposed and most units are occupied by individuals. The parking will mostly be utilized by staff and families. There are 75 parking spaces; which will be enough for the staff on duty, visitors, etc. The city requires a parking study and the ratio of people vs. parking space will be sufficient.

6. There were questions about the property's dimensions, how it was situated, if the site was big enough for the proposed development and the proposed landscaping.

The measurements and orientation of the property were reviewed. There is a separate owner behind the proposed development, so it won't reach as far back as Merrett Drive. Foster will be most affected as the building is closest to that side. The property abuts approximately five residential properties. They have tried to minimize the amount of homes affected and they believe the landscaping will provide some privacy. Mr. Rendl advised that the proposed development meets the current setbacks of the RM2 zone. He noted that the proposal is in the early planning stage and the site design may change to address City and public comments. Mr. Rendl advised that the proposed development fulfills the City's Infill Intensification Policies.

7. Carol spoke about what the residents do.

Typically the residents at the retirement home stay either within the building itself or the central courtyard. There are plenty of activities inside, they tend to go to bed early and are very quiet. They are the best type of neighbour.

8. Comments around the one entrance way shared between the retirement home and neighbouring commercial property.

Having one entrance is the best option as it would eliminate the risk of accidents when pulling out of either property.

9. Concern about the outcome of the shadow study.

The study showed that the vast majority of the time the shadow would be cast on the property itself. The only other building that would be under its shadow is the neighbouring McDonalds' parking lot.

10. Concern about storm water runoff.

Storm water runoff will be accounted for in the design. They will have a permanent structure under the parking lot that will pool the water and slowly disperse it after treating it. If anything needs to be redirected, they would need to secure an easement.

11. Would there be any damages to properties as a consequence of construction and would it affect residents?

As this construction is a slab on grade, there would be no digging, vibrations, excavating, etc. As such, there won't be any issues of damaging neighbouring properties.

12. What if it doesn't get approved? What could happen?

If it doesn't get approved, then likely there would be an alternate owner who would propose a development. As the property is in an intensification corridor, alternative plans could include developments eight stories high with bonusing.

13. There is an open space behind the proposed development. Would this proposal affect it?

The owner behind the proposed development was approached. However, they declined to join the proposal. It is still zoned residential and would likely be accessed through an extension off Merrett if/when it is developed.

Peter Murray (211 Foster Drive) and Paul Coutts (201 Merrett Drive) were the most vocal residents.

Mr. Murray's yard abuts the development and is one of the closest houses to the actual building. He is concerned that the property will reduce his privacy and that the change in aesthetics from trees to a building isn't ideal. Setbacks for his property and the development were estimated and the proposed setbacks well exceeds the by-law. It was proposed that 6m trees instead of the standard 3m could provide more coverage and privacy.

Jessica & Paul Coutts noticed a surveyor had put a marker half way up their property. They were concerned the development would extend to that point. They were assured that the lot line would be in line with the other commercial properties that also abut their property. While it is unclear as to why the marker was placed there, it is surmised that it was placed to mark an easement. The owners were assured that the development wouldn't overstep the property lines.

After all questions and comments were addressed, the residents were reminded to complete the sign in sheet so they can be kept informed about future meetings. They were also advised to take Carlissa and Councillor Khan's business cards so they could contact them with any follow up questions or comments.

The meeting ended at 8:45 PM.

APPENDIX "D"

Planning Policy Analysis

The following provides a review of the application in accordance with applicable Provincial and Municipal policy documents.

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

33. Staff is satisfied that the proposed development would meet the intent and policies found in both the PPS and the Growth Plan in terms of contributing to the range of housing types available and would serve to make efficient use of land and existing infrastructure. In staffs' opinion, the proposed development is considered to be appropriate, as it would be located on an arterial roadway within an existing built up residential and commercial area of the City, which is supported by the availability of existing infrastructure and public transit along Yonge Street. In accordance with the Growth Plan requirements to accommodate 40% of new growth within the existing "built boundary" of the City, the proposed application represents intensification of an existing site. Notwithstanding that the proposed development is considered to be consistent with Provincial Policy, all development proposals must also be reviewed on a site specific basis to confirm that they are consistent with Municipal policies and requirements and are appropriate for the area in which they are proposed.

Official Plan Conformity

34. As noted above, the subject property is designated General Commercial Area, but also identified as a Defined Policy Area [D] in accordance with the Official Plan. Lands identified as Defined Policy Area [D] on Schedule C of the Official Plan are intended to develop in accordance with the Yonge Street Corridor Study. The Yonge Street Corridor Study is out of date and no longer applicable and has been superseded by the 2009 Intensification Study. The applicant has applied to amend Section 4.8.1 Defined Policy Area [D] to include a Retirement Home as a permitted use on the subject lands.
35. The General Commercial designation in the Official Plan permits medium density residential uses in conjunction with ground floor commercial or office uses. This policy is reflective of the PPS and PTG provincial policies that promote establishing a more complete and integrated community. Although specific facilities such as a Retirement Home or similar seniors housing are not identified as Residential uses, the intention of this policy is to facilitate the potential establishment of full-time residential living within the General Commercial designation.
36. There are a number of policies in the Official Plan that generally support the proposed development. Section 2.3 Assumptions, 3.1 Growth Management, 3.3 Housing and 4.2 Residential, relate to the provision of increased densities, directing growth to take advantage of existing services and infrastructure and the provision of a range and mix of housing types at appropriate locations.
37. Sections 3.3.2.1 (a), (b) and (c) of the Official Plan encourage the maintenance of reasonable housing costs by encouraging a varied selection of housing with regard to size, density and tenure. The provision of innovative housing and a wide range of housing opportunities are encouraged in order to meet identified housing needs where it is recognized to be in accordance with good land use planning principles. The Official Plan further encourages residential intensification in built-up areas in order to support the viability of neighbourhoods and provide opportunities for a variety of housing types. Residential intensification includes infill development, which refers to the development of vacant or under-used parcels within existing urban areas. Staff are satisfied the proposal conforms to these policies of the Official Plan given that the proposed development provides for an alternative housing form in the area, would contribute to a compact urban form and the efficient use of land and resources, supports transit, and optimizes the use of existing infrastructure and services within an existing built-up area of the City.

38. In accordance with Section 4.2.2.2 of the Official Plan, 'net residential hectare' for medium and high density residential development shall mean the area of land measured in hectares utilized solely for the residential dwelling units, excluding local residential streets, Open Space and Environmental Protection Areas. Medium density residential development shall consist of multiple dwelling types such as triplexes, fourplexes, apartments and street/stacked/cluster townhouses ranging between 26-53 units per hectare, while high density residential development shall consist of developments which are in excess of 54 units per hectare. In accordance with these provisions, the proposed development represents a density of approximately 129 units per hectare and would be considered to be high density residential in accordance with the Official Plan. Having said that, staff note that the provision of a 4 storey residential building does not represent the typical built form of high density residential development.
39. Section 4.2.2.3 (b) of the Official Plan further provides that medium and high density development is encouraged to locate within the Intensification Nodes and Corridors and should be directed to locate adjacent to arterial and collector roads; in close proximity to public transit, schools, parks, commercial development; and where planned services and facilities such as roads, sewers and water mains, or other municipal services are adequate.
40. In staffs' opinion, the proposed development would meet the City's locational criteria with respect to medium and high density development as the subject property is located on Yonge Street; a designated Primary Intensification Corridor and arterial roadway whereby public transit is available. Commercial development abuts the property to the immediate north and south and the property is located in proximity to local parks (Willoughby Park and Highland Park).
41. The development, if approved, would serve to address many of the criteria outlined in the Intensification Policies of the Official Plan. Section 4.2.2.6 of the Official Plan identifies goals to achieve compact urban form through residential intensification at appropriate densities and in designated intensification areas. In this regard, Schedule I of the Official Plan identifies Yonge Street as a Primary Intensification Corridor which has a targeted density of 50 units per hectare. It is important to note that while 50 units per hectare is the target density, not all properties are intended to redevelop at this density. Depending on individual site circumstances, properties may potentially develop at densities both above and below this target with the understanding that the target density is to be achieved over the entire corridor.
42. It is anticipated that these types of development will be more common along the Intensification Corridors and densities may exceed 50 units per hectare on a site by site basis but would be consistent with the density target which is calculated over the entire corridor. Therefore, staff are satisfied that the proposed density (approximately 129 units per hectare) would contribute to a more compact urban form that supports transit, and efficiently uses land and resources by optimizing the use of existing infrastructure and services in an area where intensification has been targeted.

Tall Buildings and Shadowing

43. The Tall Buildings policies contained within Section 6.6 of the Official Plan are applicable to any proposed building above 3-storeys in height across the entire City. The general design policies of this section require that innovative architectural design be encouraged to reduce the visual and physical impact of height on the adjacent pedestrian realm and where possible, parking, site servicing, loading areas and building utilities should be located towards the rear of buildings with appropriate screening. The policies further state that the use of underground parking is strongly encouraged and tall buildings are to be held to a high standard of design excellence by using quality urban design, architectural treatments and building materials in order to promote a visually interesting skyline.

44. In staff's opinion, the proposed development is consistent with the Tall Building Policies identified above. As illustrated on the proposed concept plan and building elevations (see Appendices "E" & "F"), all required parking and loading is proposed to be located to the rear of the property out of sight from the public realm. A variety of stone and brick building materials have been proposed to complement each other. The base portion of the retirement home is proposed to be clad with stone to ensure a durable material where the ground meets the building as well as giving the development a grounded feel. As the building façade moves upward, the materials begin to lighten through the provision of clay brick. The horizontal variation in building materials is intended to reduce the visual and physical impact of height, while providing a more pedestrian scale façade adjacent to the pedestrian realm of Yonge Street. Additionally, cornices have been proposed to cap the various parapet heights appropriated spaced to conceal the rooftop mechanical equipment.
45. As noted above, the Shadow Impact Analysis concluded that there are no lasting or impactful shadows cast by the proposed development. As such, staff are satisfied that the proposed development will not create any adverse shadow impacts on the adjacent residential properties.
46. Based on the provisions identified above, staff are of the opinion that the proposed development is considered to be consistent and in conformity with the Official Plan. More specifically, the proposed development meets the locational criteria for high density residential development and provides for an appropriate density that would serve to utilize existing services and infrastructure in accordance with the Intensification policies of the City's Official Plan. In staffs' opinion, the proposed development is also considered to be consistent with the Tall Building policies of the Official Plan and the noted design elements would be further refined through a subsequent Site Plan Approval.

Affordable Housing

47. It is a goal of the City's Official Plan to achieve a minimum target of 10% of all new housing units per annum to be affordable. In the case of rental housing, affordable housing shall be the least expensive of:
- (1) a unit for which the rent does not exceed 30% of the gross annual household income for low and moderate income households; or
 - (2) a unit for which the rent is at or below the average market rent of a unit in the regional market area.
48. Staff recognize that the affordable housing policies are directed at conventional ownership and rental housing, rather than specialized housing such as the proposed Retirement Home. Retirement Homes provide a mix of accommodation and supportive services for senior citizens such as hospitality, wellness and care services. Residents of the proposed Retirement Home are required to participate in a communal meal program, as kitchens are not provided in the individual units, and rental rates may include any other supportive services residents choose to receive based on their individual needs and preferences. These additional costs of living are not part of a residents rent in the case of conventional rental housing. As such, Planning staff are of the opinion that the affordable housing policies of the Official Plan are not applicable to the specialized housing units associated with the proposed Retirement Home, however staff recognize that the provision of additional senior citizen housing with the community may result in existing rental housing stock becoming available as seniors relocate to the proposed development.

Intensification Area Urban Design Guidelines

49. In June of 2013, Council received the Urban Design Guidelines for the Intensification Areas as prepared by Brook McIlroy, October 2012. These guidelines are intended to ensure that new development is compatible with the existing built fabric while creating an attractive and safe public realm that supports alternative modes of transportation and is environmentally sustainable. One

of the consistent themes throughout these guidelines is to create higher density, mixed-use, pedestrian friendly streetscapes throughout the intensification areas. In doing so, it is recommended that human-scaled (approximately 4-8 storeys), mixed-use buildings should abut the intensification corridors. In this regard, buildings should be positioned to frame abutting streets, main entrances should be directly accessible from public sidewalks and the front street wall of buildings should be built to the front property line. The Guidelines further suggest that development on prominent streets should meet a high standard of design. In accordance with the above, the proposed 4-storey building is considered to be a mid-rise development and staff are of the opinion that the development, as proposed, would satisfy the goals of the Intensification Area Urban Design Guidelines.

Zoning Rationale for Special Provisions (SP)

50. While the applicant originally requested that the lands be zoned Residential Apartment Dwelling Second Density-1 (RA2-1) to permit the proposed Retirement Home, staff are recommending that Council maintain the existing General Commercial (C4) zoning and add a variety of site specific provisions that would be in keeping with the Council approved Mixed Use Zoning standards previously approved through By-law 2015-097 (under appeal), as noted above. The required site specific zoning provisions are discussed below.

Retirement Home as a Permitted Use

51. A 'Retirement Home' is a defined use under Section 3.0 Definitions of Comprehensive Zoning By-law 2009-141 as follows:

"shall mean a residential facility, which may be a rest home, but does not include a hospital, nursing home, home for the aged or group home in which lodging is provided and where, in addition to sleeping accommodations, meals are supplied by a common kitchen, and other communal facility may be provided. Nursing, medical or similar care and treatment may also be provided."

52. It should be noted that although defined as a residential facility, a Retirement Home is considered an Institutional use in the Table of Permitted Uses in Comprehensive Zoning By-law 2009-141. Similar seniors housing types such as a Nursing Home, Rest Home, Home of the Aged and Senior Citizens Home are also identified as Institutional uses.
53. As noted above, standalone residential or residential type Institutional uses such as the proposed Retirement Home are not permitted within the existing General Commercial Zoning over the subject lands. Having said that, staff recognize that a Retirement Home is a permitted use in accordance with the Council approved Mixed Use Corridor (MU2) standards established for the Intensification Corridors. Given that the subject lands are located within the Yonge Street Primary Intensification Corridor, staff are recommending that a Retirement Home be permitted on the subject lands as identified in the Recommended Motion.

Maximum Building Height

54. The applicant is proposing that the maximum permitted height of the proposed Retirement Home be increased from 9 metres to 14.3 metres in order to achieve the desired design. Planning staff are of the opinion that the building would provide a desirable built form along Yonge Street and the proposed height is generally consistent with the Council approved Mixed Use Corridor (MU2) standards for the Yonge Street Primary Intensification Corridor, whereby a minimum height of 7.5m would be required and a maximum height of 16.5m would be permitted. In order to provide some flexibility with the final design, Planning staff are recommending that a maximum building height of 14.5m (four-storeys) be permitted as identified in the recommended motion. Staff do not anticipate any negative impacts associated with the proposed height given the nature of the abutting commercial uses to the immediate north and south and the separation distances proposed to the

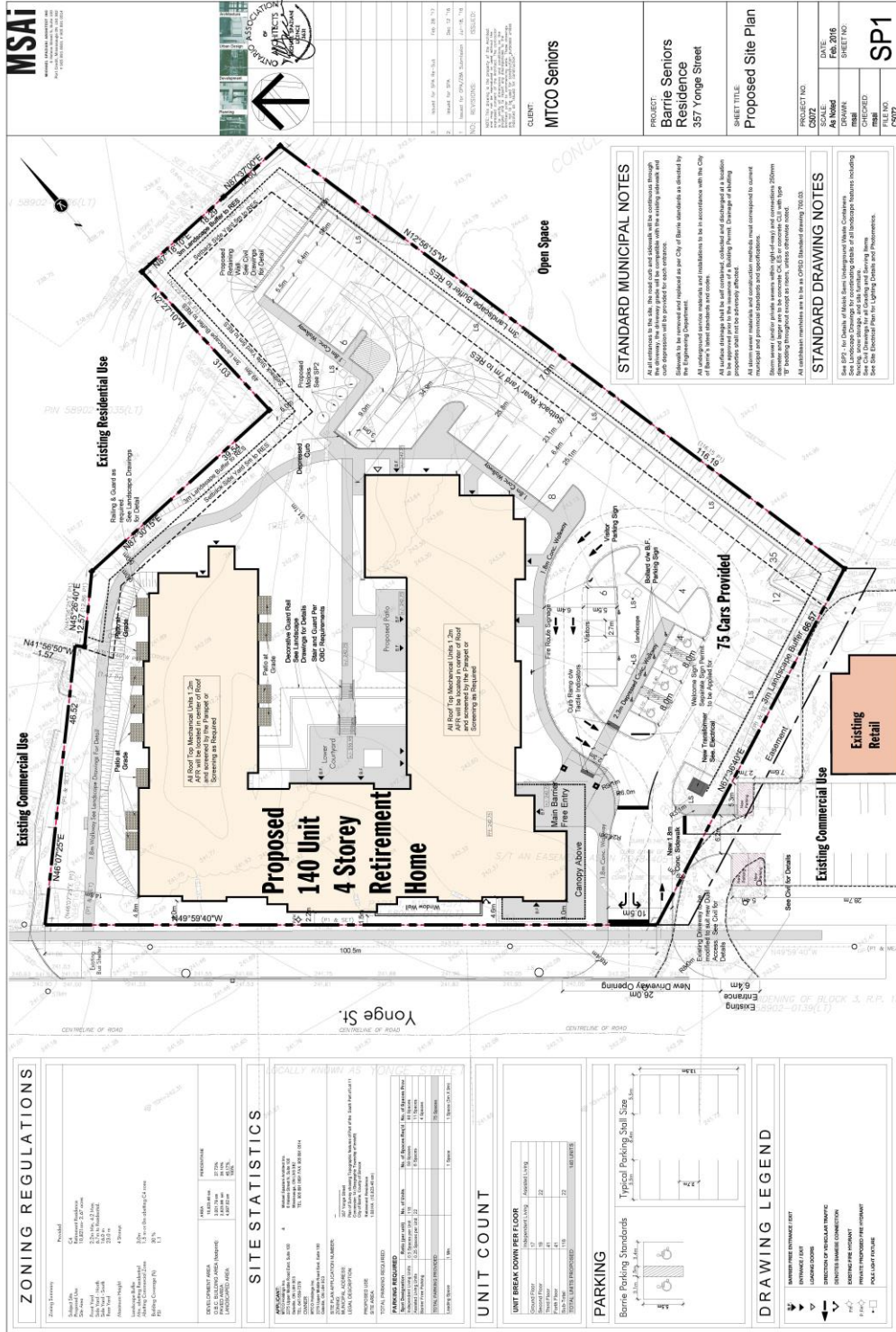
existing residential properties located to the northeast fronting Foster Drive. Additionally, staff recognize the provision of a minimum 3m wide landscape buffer and 2m high tight board fence adjacent to all existing residentially zoned properties which would assist in screening the proposed development from any existing or future low density residential uses.

Reduced Front Yard Setback

55. The applicant is requesting that the minimum required front yard setback be reduced from 6.0 metres to 2.2 metres for the main building, 1m to the entrance canopy and 1.5m to a proposed window well along the Yonge Street frontage. Staff recognize that the intent of the front yard setback is to ensure that buildings have adequate separation distances from the travelled portion of the road, while at the same time providing appropriate pedestrian connections to proposed developments.
56. In accordance with the preliminary concept plan submitted in support of the subject applications, staff note that the front yard setback along the Yonge Street frontage varies from 1m (to the proposed entrance canopy) to a maximum of 4.8m (to the main building). The proposed reductions to the front yard setback, as noted above, are supported by the City's Intensification Area Urban Design Guidelines and would be in keeping with the Council approved Mixed Use Corridor (MU2) standards established for the Yonge Street Intensification Corridor, whereby a minimum setback of 1m would be permitted for 75% of the frontage and 5m for the remaining 25% of the frontage. Further, staff are satisfied that adequate landscaping and pedestrian circulation is proposed within the reduced building setback, while ensuring the proposed building would have a strong street presence and defined street edge. In addition, a well-defined entrance and connections have been proposed to Yonge Street. As a result, staff are satisfied that the proposed reduction to front yard setback is appropriate and would not negatively impact the adjacent municipal right-of-way.
57. In staffs' opinion, the proposed site layout is functional and the proposed site specific zoning over the subject lands represents an appropriate form of development for the Yonge Street Intensification Corridor. The above noted site specific provisions have been reflected in the recommended motion in order to provide local residents with some level of assurance that the future redevelopment of the property would be reflective of the concept plan submitted in support of the subject application.

APPENDIX "E"

Proposed Site Plan



APPENDIX "F"

Proposed Building Elevations





MSAI
MEMBER ASSOCIATION OF ARCHITECTS OF ONTARIO
100 King Street West, Suite 1000
Toronto, Ontario M5X 1C5
Tel: 416-967-8888



1. DRAWN FOR DATE	2. DRAWN BY	3. CHECKED BY	4. DATE
1. DRAWN FOR DATE	2. DRAWN BY	3. CHECKED BY	4. DATE
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CLIENT:
MTCO Retirement Community
357 Yonge St
Barrie, Ontario

PROJECT:
Barrie Seniors

SHEET TITLE:
Proposed Elevations

PROJECT NO.	DATE
CS07	July 2018
CHECKED BY	SHEET NO.
CS07	A202

