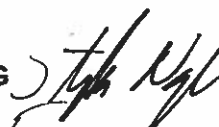


TO: GENERAL COMMITTEE


SUBJECT: APPLICATION FOR AMENDMENT TO THE ZONING BY-LAW – FRANK MONTAGNESE/CYGNUS DEVELOPMENTS – 203 COX MILL ROAD

WARD: #8

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

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

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

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

RECOMMENDED MOTION

1. That the Zoning By-law Amendment Application submitted by Innovative Planning Solutions Inc. on behalf of Frank Montagnese/Cygnus Developments to rezone lands known municipally as 203 Cox Mill Road from “Residential Single Detached First Density (R1) Zone” to “Residential Multiple Dwelling Second Density Special Provision (RM2)(SP) Zone” be approved.
2. That the following Special Provisions be referenced in the implementing Zoning By-law for the subject lands:
 - a) Permit a maximum density of 67 units per net hectare
 - b) Increase maximum Gross Floor Area from 60% to 80%
 - c) Reduce the minimum front yard setback from 7.0 metres to 2.9 metres
 - d) Reduce the right (south) side yard setback from 3.0 metres to 1.8 metres
 - e) Reduce the minimum left (north) side landscaping strip adjacent to a parking area from 3.0 metres to 1.5 metres
 - f) Reduce the minimum rear (east) yard landscaping strip adjacent to a parking area from 3.0 metres to 2.0 metres
 - g) That the required consolidated amenity space be permitted to encroach 0.92 metres into the required front yard setback
3. That pursuant to Section 34 (17) of the Planning Act, no further public notification is required for the passing of this By-law.

PURPOSE & BACKGROUND

Report Overview

4. The purpose of this report is to recommend approval of the application submitted by Frank Montagnese/Cygnus Developments, on behalf of Domenic and Maria Spalvieri, for lands known municipally as 203 Cox Mill Road (Ward 8). The effect of the application would be to permit the development of a 3-storey walk-up apartment with 8 units.

Location

5. The subject property is located on the east side of Cox Mill Road, north of Yonge Street, within the Painswick North Planning Area (Ward 8). The subject property is known municipally as 203 Cox Mill Road and has a total lot area of approximately 0.11ha with 30m of frontage on Cox Mill Road. The area is characterized as an established residential area, with commercial uses to the west and south with single detached residential dwellings immediately to the north and multi residential dwellings to the east. It should be noted that in accordance with Schedule I of the Official Plan, Yonge Street is identified as an intensification corridor.

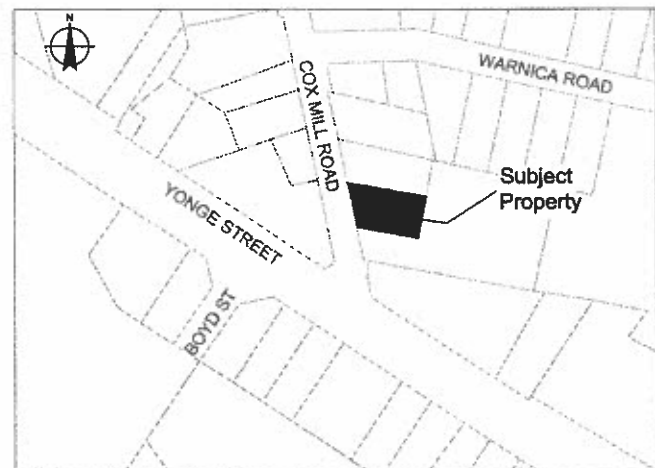
6. The existing land uses surrounding the subject property are as follows:

North: Single detached residential dwellings

South: Commercial uses and a driveway to a multiple residential development

East: Multiple Residential dwellings

West: Commercial Uses



Existing Policy

7. The property is designated "Residential" within the City of Barrie Official Plan and is zoned "Residential Single Detached First Density (R1)" in accordance with the City's Comprehensive Zoning By-law 2009-141.

Supporting Information

8. In support of the subject application, the following reports were submitted:
 - a) **Planning Justification Report** (October 2014) provides a review of the property characteristics and surrounding lands as well as the planning policy basis and opinion of Innovative Planning Solutions that the proposal is an appropriate form of development and location for residential intensification.
 - b) **Functional Servicing and Stormwater Management Report** (September 2014, Revised March 2015) provides the opinion of WMI and Associates Limited that the subject lands can be serviced by existing municipal water, sanitary and storm services and how the runoff from the proposed multi-unit

residential building will not have adverse effects on the surrounding environment.

- c) **Stage 1-2 Archaeological Assessment** (September 23, 2014) describes the results of the 2014 Stage 1-2 Archaeological Assessment of the subject lands and concludes that as a result of the physical assessment of the study area, no archaeological resources were found, and no further assessments are required.
- d) **Tree Inventory, Analysis and Preservation Report** (February 2015) provides the opinion that all adjacent trees exterior to the site are to be protected to the extent possible with preservation fencing in accordance with preservation methods.

Neighbourhood Meeting

- 9. A Neighbourhood Ward Meeting, was held on December 4, 2014 at the Warnica Elementary Public School, which presented the proposed development to the local residents. There were approximately 14 residents who attended in addition to the applicants, their consultants, Planning staff and Councillor Morales on behalf of Councillor Khan. The intent of the Neighbourhood Meeting was to engage the area residents to hear what their expectations were of the site and the area. Some of the items that were discussed at the Neighbourhood Meeting included the submission of a tree preservation plan and the built-form of a walk-up apartment.

Public Meeting

- 10. A Public Meeting was held on January 26, 2015 to discuss the subject application. Two members of the public spoke in relation to items of tree preservation and if the units would be rental.
- 11. In response to the comments made at the Neighbourhood Meeting and Parks Planning, the applicant completed a Tree Inventory, Analysis and Preservation Report. The findings of this report are further discussed in this report.
- 12. The applicant's consultant confirmed that the intent is that these units would be utilized as rental units which would contribute to the City's rental housing stock.

Department & Agency Comments

- 13. The Engineering Department have commented that if the application is approved, the owner would be required to submit a detailed engineering submission that addresses traffic, parking, vehicle access and circulation, servicing, drainage, and stormwater management at the Site Plan Control stage. In addition, Engineering commented on the requirement for the owner to pay their portion of the cost associated with the Lover's Creek sanitary trunk sewer installation.
- 14. The Parks Planning as indicated have no concerns with the Tree Inventory, Analysis and Preservation Report and they support the recommendations of the report subject to the applicant obtaining consent letters from the surrounding property owners. The intent of these consent letters is for the adjacent landowners to acknowledge that the shared boundary trees with the proposed development may potentially be affected. These letters of consent would be required at the site plan control process if this application is to be approved.

ANALYSIS

Policy Planning Framework

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

Provincial Policy

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

16. The PPS in brief contains policies that provide direction for communities to manage and direct land uses to achieve efficient development and land use patterns. This is achieved through intensification to accommodate an appropriate range and mix of residential and employment uses that promotes efficient use of land and infrastructure. The PPS further states that new development should occur adjacent to existing built-up areas, have a compact form, and take into account planned infrastructure and public service facilities to accommodate projected needs.
17. The application has been reviewed with reference to the Places to Grow (Growth Plan) policies that have been in place since 2006 and the consolidation of the Simcoe Sub-Area adopted in January 2012. The Growth Plan is intended to provide direction to municipalities in areas related to intensification of existing built-up areas with a focus on urban growth centres, and intensification areas. The Growth Plan further requires that 40% of all residential development occurring annually in the City must be within the built boundary.
18. In staffs opinion, the proposed development would conform with the PPS and Growth Plan in terms of contributing to the range of housing types available and would serve to utilize existing and planned infrastructure in the area. The proposed development would be appropriate, as it would meet the locational criteria for intensification for areas outside of the corridors and nodes (discussed further in this report), which is supported by the availability of existing infrastructure and public transit along Yonge Street and Cox Mill Road.

Official Plan

19. As noted above, the subject lands are presently designated Residential Area within the City's Official Plan. Lands that are designated Residential are intended to be used primarily for residential uses, with all forms of housing permitted subject to locational criteria.
20. In accordance with Section 4.2.2.2 (e) of the Official Plan, high density residential development shall consist of developments which are in excess of 54 units per hectare. In this regard, the subject application is proposing a density of approximately 67 units per hectare and as such is located outside of the City Centre. As such, the proposed development would be considered to be high density residential in accordance with the Official Plan.
21. Section 4.2.2.6 (d) of the Plans allows for consideration for increased densities outside of the Intensification Areas as identified on Schedule I of the Official Plan. The proponent must demonstrate that the scale and physical character of the proposed development is compatible with, and can be integrated into the surrounding neighbourhood; that infrastructure, transportation facilities, and community facilities and services are available without significantly impacting the operation and capacity of existing systems; that public transit is available and accessible; and that the development will not detract from the City's ability to achieve increased densities in areas where intensification is being focused.
22. In staff's opinion, the proposed development would meet the City's locational criteria with respect to high density development as the subject property is located within walking distance to City parks

(Carter Park and Cudia Park) and a Public School (Warnica Public School). The subject property is also located in close proximity to a large scale commercial plaza at the intersection of Yonge Street and Big Bay Point Road, and in close proximity to an arterial roadway (Yonge Street) whereby transit services are available.

23. The application is consistent with the Housing Goals and General Policies identified in Official Plan Policy 3.3 in that the development proposal would contribute to the range and mix of housing types and unit sizes. In addition, it would provide for a variation in tenure, density and scale in the neighbourhood, which contributes to reasonable housing costs. The proposed development would ensure quality and variety of the rental housing stock would be maintained, improved and densities for new housing which effectively uses land, resources, infrastructure and public services (including transit) and supports pedestrian friendly streetscape.
24. The proposed development would support the Affordable Housing Policies of the Official Plan by providing a form of rental housing located in close proximity to shopping along Yonge Street, community facilities (Painswick Public Library) and existing available public transit along Cox Mill Road and Yonge Street.
25. Based on the provisions identified above, staff are of the opinion that the proposed development is considered to be in conformity with the Official Plan.

Zoning Rationale for Special Provisions (SP)

26. In order for the Applicant to achieve the proposed development scheme a number of special provisions have been requested (See *Appendix "C"*). If approved, the requested zoning and special provisions would allow for a 8 unit, 3 storey walk-up apartment development, with a maximum density of 67 units per net hectare, a maximum GFA of 80%, a reduced front yard setback of 2.0 metres, reduced landscape buffer to 2.0 metres, a reduced landscaping buffer for the proposed hammerhead of the parking area to 1.5 metres, the amenity space encroaching 0.92 metres into the front yard, and a reduced side (south) yard setback of 1.8 metres. The revised concept plan that the applicant has submitted in support of the proposed rezoning satisfies the required building height and lot coverage. Each of the requested site specific zoning provisions will be discussed in detail below.
27. Due to the site configuration and the desire to have a strong building presence along Cox Mill Road, with parking in the rear, the applicant is requesting that the minimum required front yard setback be reduced from 7.0 metres to 2.0 metres, along Cox Mill Road. While this property is not within, but is in close proximity to an intensification corridor, it has been reviewed against the Intensification Area Urban Design Guidelines which supports bringing buildings closer to the street. The intent of the front yard setback is to ensure that the building has adequate distance from the travelled portion of the road, while at the same time providing a pedestrian connection to the walk-up apartment. Staff are of the opinion that a 2.0 metre setback would satisfy both of these objectives. Staff note that the expectation is that a defined pedestrian connection be provided from Cox Mill Road to the front doors of the building, which would be addressed through the Site Plan Control process, if this application is approved.
28. In order to ensure a strong building presence along Cox Mill Road and the parking area located to the rear of the building, the applicant is proposing to locate the required consolidated amenity space in the front of the building. The Zoning By-law permits an amenity space to encroach into the required rear and/or interior side yard area, but not the front yard. With a proposed reduced front yard setback of 2.0 metres, the main buildings front wall is 2.92 metres from the front lot line, which would result in 0.92 metres of the amenity space being located in the front yard. It is the opinion of Planning staff that an encroachment of 0.92 metres into the front yard for the amenity space does not affect the overall functionality of the amenity space or the proposed development and therefore is considered appropriate.

29. The RM2 Zone restricts the allowable density for walk-up apartments to 53 units per net hectare, where the applicant is proposing a maximum density of 67 units per net hectare. While the subject lands are proximate but outside of an identified intensification area, the increase to a maximum of 67 units per net hectare would assist in achieving the planning policy framework that has been established generally for intensification with the City. The proposed increase in the Gross Floor Area (GFA) is connected to the density proposed for the site. Staff are of the opinion that the increase in the GFA to 80% from 60% and the 67 units per net hectare as proposed are considered appropriate and would serve to implement the intensification policies of the PPS, the Growth Plan and Official Plan.
30. The applicant has requested a reduction in the right (south) side yard setback from 3.0 metres to 1.8 metres. Due to the existing lot configuration and the applicant's desired built-form of the building being located closer to the road frontage with parking in the rear, a reduction in the side yard setback is requested. The Zoning By-law requires a setback of 1.8 metres for the building, however when there is no carport or no garage attached to the main building a minimum side yard setback on one side is permitted to be 3.0 metres. The intent of this is to ensure that there is sufficient driveway access to parking areas. The applicant is proposing a driveway width of 6.4 metres in order to provide access for parking in the rear of the building. A reduction in the setback is not anticipated to impact the abutting lands to the south, as this area serves as a driveway and parking area for block/cluster townhouses on the adjacent lands. Based on the above, staff are of the opinion that the requested special provision is appropriate.
31. The applicant is requesting a special provision to Section 5.3.7.1 of the Zoning By-law, which requires 3.0 metre landscaping strip adjacent to parking areas. The concept as proposed would have a 2.0 metre landscaping strip along the rear lot line in order to accommodate 12 parking spaces, while the left (north) side yard would have a 1.5 metre landscaping strip in order to provide a hammerhead for proper vehicular movements. The reduction in the left (north) side yard is approximately 20 metres away from the adjacent dwelling to the north and the rear lot line is abutting a swimming pool for the development to the east. In order to compensate for the reduced landscaping widths, the applicant will be required at the Site Plan Control stage to provide a detailed landscaping plan, with increased vegetation density in these areas. Therefore, it is staff's opinion that the reduction in both of the landscaping strips would not impact the adjacent lands.

Site Plan Control

32. The proposal if approved, would be subject to Site Plan Control, at which time a further review of items such as access, servicing, stormwater management, landscaping, pedestrian connections, lighting, setbacks, building orientation/placement/massing, parking, etc. would be conducted.
33. The concept plan submitted provides a general indication of how the property would be developed and the ultimate design of the future building. Staff have identified some of the issues that would need to be addressed through site plan review, which would include items as building elevations, pedestrian connection and detailed design elements such as an articulated roofline, a combination of brick/stone and stucco building façade materials, iron balcony railings, and enhanced landscaping/amenity areas. In addition, the applicant would be required to provide consent letters from the adjacent landowners, which is to acknowledge that the shared boundary trees with the proposed development may potentially be affected with the proposed layout.

ENVIRONMENTAL MATTERS

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

ALTERNATIVES

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

Alternative #1 General Committee could refuse the proposed Zoning By-law Amendment applications and maintain the current zoning for a single detached residential dwelling.

This alternative is not recommended as the subject property is well suited for residential intensification and does support the policies of the Official Plan.

Alternative #2 General Committee could alter the proposed recommendation by recommending different setback standards or not permitting the 3 storey (8 unit) walk-up apartment.

This alternative is not recommended as the preliminary Conceptual Plan provided a special residential housing design in keeping with the City's Official Plan.

FINANCIAL

36. The proposed rezoning of the subject parcel would permit a 3 storey, 8 unit walk-up apartment on the subject lands. Based on the applicant confirming that these would be rental units, the proposed application if approved, would generate \$9,248.00 (\$1,156.00 per unit) annually in municipal taxes. The current (2014) taxes totaled \$2,939.65 for the subject lands, therefore the estimated annual increase in taxes would be approximately \$6,308.35

37. Development charges revenue would be estimated to be \$205,144.00 (\$25,517.00 per unit) based on the development being 2 bedroom units.

AFFORDABLE HOUSING

38. As a result of the statistical information that City staff have found as part of the Affordable Housing Strategy, the current vacancy rate is 1.6% (2014) for rental units in the City of Barrie. If approved, the application would contribute to the rental housing stock in the City of Barrie.

LINKAGE TO 2014-2018 STRATEGIC PLAN

39. The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:

 Inclusive Community

40. The development is an example of infill development that makes use of existing services and provides rental units, which supports the goals and objectives of the Affordable Housing Strategy.

CONCLUSION

41. Based on the above, Planning staff are of the opinion that the proposed amendment to the Zoning By-law to permit a 3 storey, 8 unit walk-up apartment would be appropriate.

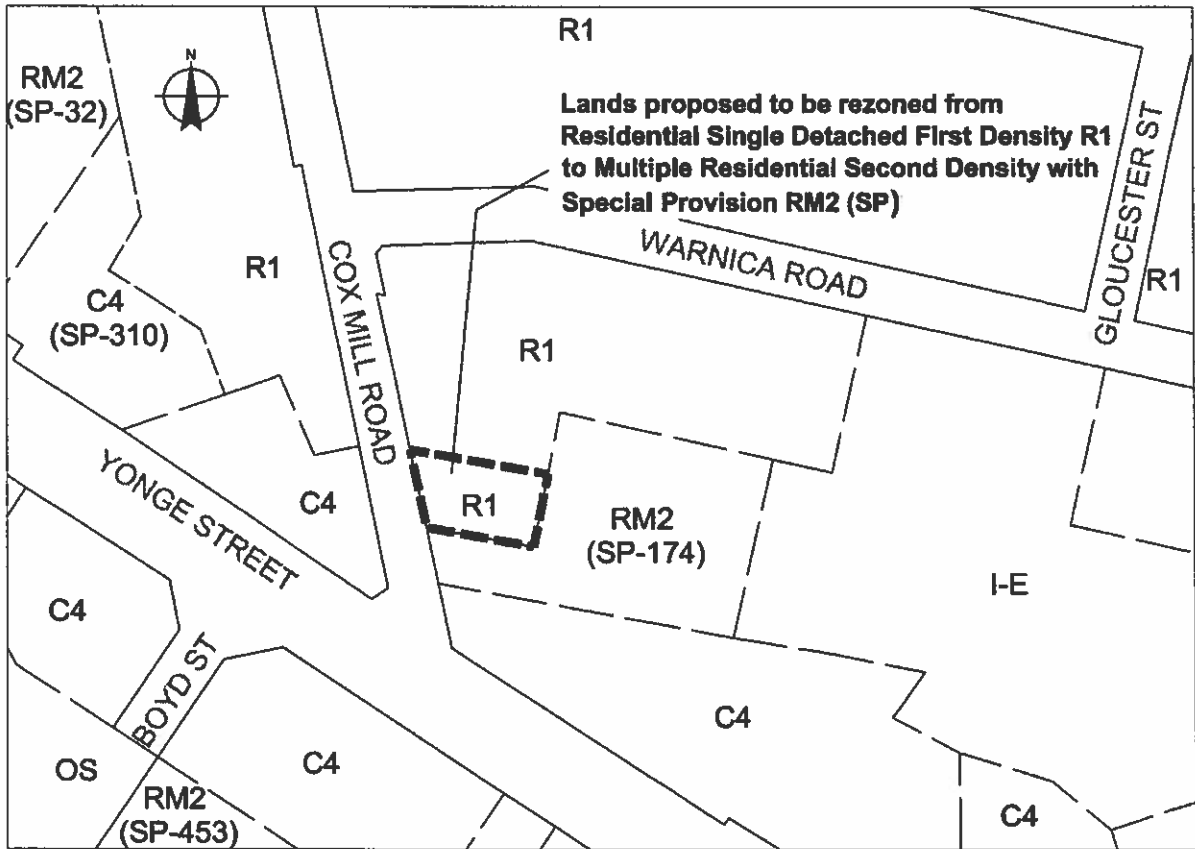
Attachment:

- Appendix "A" – Conceptual Site Plan
- Appendix "B" – Proposed Zoning
- Appendix "C" – Illustration of Proposed Site Specific Provisions

APPENDIX "A"
Concept Plan



APPENDIX "B"
Proposed Zoning



D14-1577
203 Cox Mill Rd

May 20, 2015

APPENDIX "C"
Requested Special Provisions

Standard	Required	Special Provision Proposed
Maximum Gross Floor Area	60%	80%
Maximum density for walk-up apartment	53 units per net hectare	67 units per net hectare
Minimum front yard setback	7.0 metres	2.9 metres
Consolidated amenity space in the front yard	Not permitted	0.92 metres into the required front yard setback
Right (south) Side yard setback	3.0 metres	1.8 metres
Required landscaping strip adjacent to a parking area	3.0 metres	1.8 metres left (north) side yard 2.0 metres rear (east) yard