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**TO: GENERAL COMMITTEE**

**SUBJECT: ZONING BY-LAW AMENDMENT APPLICATION – BARRIE YONGE DEVELOPMENTS GP INC. - 427, 429, 431, 435, 437 YONGE STREET**

**WARD: WARD 8**

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

**SUBMITTED BY: M. BANFIELD, RPP, DIRECTOR OF DEVELOPMENT SERVICES**

**GENERAL MANAGER APPROVAL: B. ARANIYASUNDARAN, P. ENG., PMP, GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT**

**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 Innovative Planning Solutions, on behalf of Barrie Yonge Developments GP Inc., to rezone the lands known municipally as 427, 429, 431, 435 and 437 Yonge Street from 'Residential Single Detached Dwelling First Density' (R1) to 'Mixed Use Corridor – Special Provision' (MU2)(SP-XXX), be approved.
2. That the following special provisions be referenced in the implementing zoning by-law for the subject lands:
  - a) That Yonge Street shall be deemed to be the front yard of the property;
  - b) Permit a partially paved front yard, whereas a fully paved front yard is required;
  - c) That a minimum building setback to the daylighting triangle of 0 metres be permitted, whereas a minimum side yard setback of 1.0 metres would be required;
  - d) Require a minimum rear yard setback of 20.0 metres to 33.0 metres to recognize the proposed L-Shaped building, whereas a minimum rear yard setback of 7.0 metres would be permitted;
  - e) Permit a maximum north side yard setback of 11.0 metres, whereas a maximum of 3.0 metres is required;
  - f) That a minimum of 39% of the gross floor area of the first floor shall be commercial, whereas a minimum of 50% of the gross floor area of the first floor is required to be commercial;
  - g) That a maximum lot coverage for parking areas of 42% be permitted, whereas a maximum of 35% lot coverage is permitted for parking areas; and,
  - h) That a minimum setback to an underground parking structure from a street of 0.6 metres be permitted, whereas a minimum setback of 1.2 metres would be required.

3. 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 DEV040-23.
4. That pursuant to Section 34 (17) of the *Planning Act*, no further public notification is required prior to the passing of the by-law.

## **PURPOSE & BACKGROUND**

### Report Overview

5. The purpose of this report is to recommend approval of a Zoning By-law Amendment application submitted by Innovative Planning Solutions, on behalf of Barrie Yonge Developments GP Inc., for lands known municipally as 427, 429, 431, 435 and 437 Yonge Street (see Appendix "A" – Draft Zoning By-law Amendment attached to Staff Report DEV040-23) to rezone the subject lands from 'Residential Single Detached Dwelling First Density' (R1) to 'Mixed Use Corridor with Special Provisions' (MU2)(SP-XXX).
6. The application, if approved, would permit the development of a seven (7) storey mixed-use building with 717.3 square metres of ground floor commercial space along Yonge Street, 196 residential units (293 uph) along with underground and surface parking (see Appendix "B" – Proposed Site Plan attached to Staff Report DEV040-23). The reduced front yard setback to a daylighting triangle would enable the proposed building to be located within proximity to Yonge Street to enhance the streetscape and activate the commercial uses on the ground floor level. The increased side and rear yard setbacks would ensure that the building massing is located further away from the surrounding low density residential land uses to ensure adequate separation distances and to provide an appropriate transition to the ground-oriented residential development in the surrounding area. The proposed development would integrate with adjacent lands to the north located at 410 Yonge Street, 481 Yonge Street to the south, and 447, 449, 451, 453 and 455 Yonge Street to the south which are also proposed to be redeveloped for a 7-storey mixed-use development (see Appendix "C" – Local Context Plan attached to Staff Report DEV040-23).
7. This report provides an analysis of the application as it relates to conformity with Provincial and City planning policies, as well as an overview of comments received through the technical review and public engagement processes. With the conclusion of the technical review and public consultation process, which included a Neighbourhood Meeting on May 4, 2022, and Public Meeting on March 22, 2023, staff have determined that the proposal has regard for matters of provincial interest as outlined in the *Planning Act*, is consistent with the Provincial Policy Statement (2020), conforms to the Growth Plan for the Greater Golden Horseshoe (2019), as amended, and to the City of Barrie Official Plan (2010) in effect at the time the application was submitted. As such, staff are recommending approval of the rezoning application as outlined in the draft By-law attached as Appendix "A" to Staff Report DEV040-23.

### Location

8. The subject lands are legally described as Lots 20 to 25 on Registered Plan 885 in the City of Barrie, and are known municipally as 427, 429, 431, 435 and 437 Yonge Street. As identified on Figure 1, the subject lands are located on the east side of Yonge Street, north of the intersection of MacLaren Avenue and Yonge Street. The subject lands are rectangular in shape with an area of 0.66 hectares (1.63 acres) and approximately 109.7 metres of frontage on Yonge Street and 60.9 metres of flankage on MacLaren Avenue. The lands are relatively flat, however the adjacent low

rise residential buildings located to the east on Bates Court and MacLaren Avenue are slightly lower in elevation.

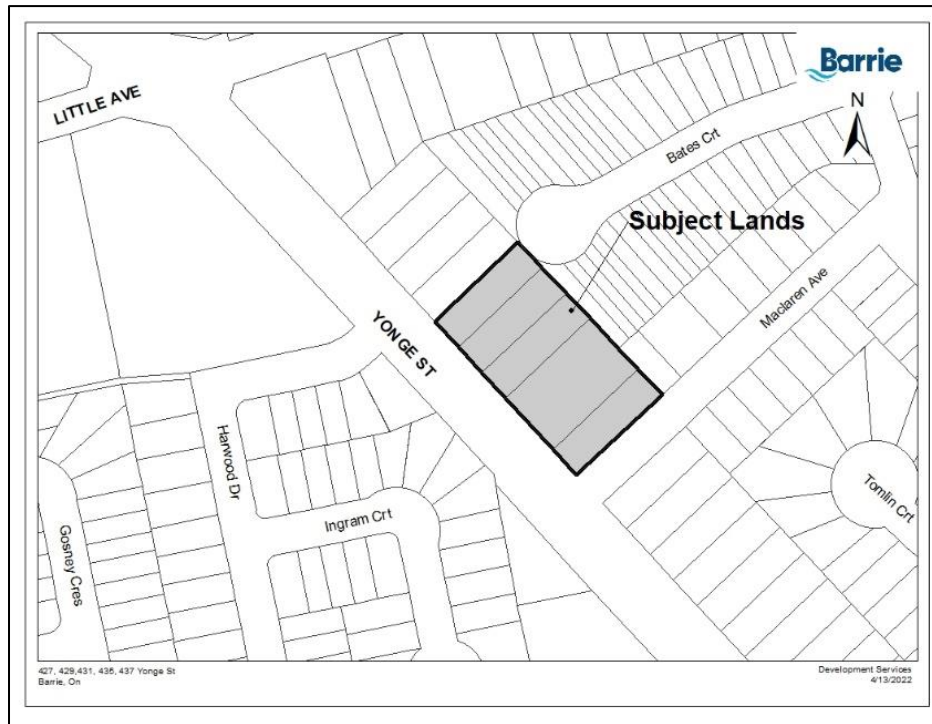


Figure 1. Location Map

9. The existing land uses surrounding the subject property are as follows:
- North: Large single detached residential properties fronting Yonge Street and a commercial plaza at the intersection of Yonge Street and Little Avenue.
  - East: Established neighbourhood of low rise residential dwellings located within the Residential Multiple Dwelling Second Density (RM2) and Residential Single Detached Dwelling (R2) zones.
  - South: Across MacLaren Avenue are lands owned by the applicant that are subject to a zoning by-law amendment application (D30-039-2022 – 447, 449, 451, 453 and 455 Yonge Street). A seven (7) storey mixed-use building is also proposed for these lands. The lands are currently occupied by vacant low rise residential buildings.
  - West: Yonge Street and existing low rise residential dwellings fronting Harwood Drive and Ingram Court.

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### Existing Policy

10. The subject property is designated 'Residential' on Schedule "A" – Land Use in the City's Official Plan (2010) and is zoned 'Residential Single Detached Dwelling First Density' (R1) by the City's Comprehensive Zoning By-law 2009-141, as amended.
11. The property is located within the Yonge Street Primary Intensification Corridor as identified on Schedule "I" of the City's Official Plan. Lands located within the Primary Intensification Corridors are intended to develop at a target density of 50 units per hectare, collectively. Some properties may develop above this target density, while others may develop below the target or remain unchanged.
12. On April 11, 2023, the Ministry of Municipal Affairs and Housing approved the City's new Official Plan (2023). According to section 2.5.7 – Existing Applications of the new Official Plan (2023), applications deemed complete prior to the approval of the Official Plan by the Ministry of Municipal Affairs and Housing may continue towards final approval under the policy framework in place at the time the Notice of Complete Application was issued. As such, the requested Zoning By-law Amendment will be reviewed against the policies of the City's former Official Plan (2010).
13. While the subject application is not being reviewed against the policies of the new Official Plan, Planning staff note that the proposed development includes a seven (7) storey mixed-use building containing residential condominium units and ground floor commercial uses at a density of 293 units per hectare, along an arterial road with existing and/or planned services and infrastructure, in accordance with the policy direction of the new Official Plan. Further, the proposed building includes a human-scaled podium with well-defined entrances, activated façades with glazing and active-uses at-grade, along with rear yard and below grade structured parking to screen parking areas from the street. Finally, as discussed throughout this report, the importance of providing an appropriate transition to lower density land uses has been considered through the building and site design. If approved, the proposed development would be subject to Site Plan Control where matters such as building design and materials, landscaping, stormwater management, and site servicing would be reviewed in greater detail.

### Background Studies

14. In support of the application, the following plans, reports and studies were submitted. Copies of the submission material is available online on the City's Proposed Developments webpage under [Ward 8 – 427, 429, 431, 435, 437 Yonge Street](#)
  - Planning Justification Report & Urban Design Review (Innovative Planning Solutions, December 2022)
  - Site Plan and Context Plan (Innovative Planning Solutions, December 2022)
  - Architectural Package Including Shadow Study (Mark Zwicker, December 2022)
  - Angular Plane Analysis (Mark Zwicker, December 2022, Revised June 2023)
  - Functional Servicing & Stormwater Management Report (Pinestone Engineering Ltd., November 2022)
  - Traffic Impact Study (Tatham Engineering, September 2022)
  - Tree Inventory and Landscape Package (Landmark Environmental Group Ltd., December 2022)
  - Noise Study (Gradient Wind Engineers & Scientists, October 2022)
  - Wind Study (Gradient Wind Engineers & Scientists, October 2022)
  - Hydrogeological Investigation (GEI Consultants Inc., September 2022)
  - Geotechnical Investigation (GEI Consultants Inc, September 2022)

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### Public Consultation

15. A Neighbourhood Meeting was held virtually on May 6, 2022, in coordination with an application by the same developer for the properties located at 447, 449, 451, 453 and 455 Yonge Street (D30-039-2022). The meeting was held virtually and had approximately 36 attendees, including Ward 8 Councillor Jim Harris, Planning staff, the owner/applicant, and their consulting team.
16. A statutory Public Meeting was held on March 22, 2023, to present the subject application to Affordability Committee and the public. Committee heard verbal comments from four (4) members of the public and received twelve (12) formal written submission. Staff have also received general inquiries in response to this proposed development.
17. A site visit was conducted on April 18, 2023. The purpose of the site visit was to understand the grade difference between the subject lands and the adjacent low rise residential homes on Bates Court and MacLaren Avenue. Residents asked if the submitted Angular Plane Analysis accounted for the grade difference between the subject lands and the adjacent low rise residential homes. While the submitted Angular Plane Analysis was completed in accordance with the Intensification Urban Design Guidelines, it was revised by the applicant to demonstrate that when accounting for the grade change between the properties, the proposed development would remain compliant with the Intensification Urban Design Guidelines.
18. The comments and concerns expressed by the public at both the neighbourhood meeting and the public meeting, as well as those received in writing related to this proposal, are outlined in the Public Comments section (paragraphs 20 through 27) of Staff Report DEV040-23. This list provides a summary of the comments as well as a corresponding response from staff to demonstrate that the issues have been considered in the review of this application.

### Concept Plan Revisions

19. Previous concept plans have been reviewed by Planning staff prior to the current proposal being submitted for consideration (see Appendix "D" – Original Concept Plan). The applicant has made changes to the original concept plan submitted to address staff's recommendations, and to address comments received through the Public Consultation process. These changes include:
  - a) Reducing the proposed number of dwelling units from 337 to 196 dwelling units and increased separation between the proposed development and existing single detached residential properties to the east;
  - b) A reduction in height from eight (8) storeys to seven (7) storeys, including altering the building footprint to increase the overall setback to adjacent low rise residential properties and to frame the intersection of Yonge Street and MacLaren Avenue;
  - c) Increasing and maintaining a minimum 6.4 metre wide landscape buffer adjacent to the low rise residential properties located on Bates Court and MacLaren Avenue in order to maintain a greater amount of the existing vegetation; and,
  - d) Increasing and maintaining a minimum rear yard setback of 20.0 metres to the existing single detached residential properties located on Bates Court in order to increase the separation distance and reduce the perceived privacy impacts associated with the proposed building on adjacent low rise residential uses.

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Public Comments and Response By Staff

20. **Building Height, Density, Transition and Buffering to Lower Density Land Uses**

Residents raised concerns regarding previous versions of the concept plan presented prior to the submission of a formal application. Specifically, residents wanted assurances that the concept plan would transition appropriately to adjacent low rise residential uses. In addition, residents also raised questions regarding the density of the proposed development and how it compares to the density of nearby developments. The density of the proposed development is approximately 293 units per hectare.

When evaluating the density provisions of a development proposal, particularly in the case of infill and intensification projects, it is important to consider the functionality of the site, as well as compatibility with and transitions to adjacent land uses. Specifically, it is important to consider the availability and capacity of municipal services; availability of transit; proximity to community services (i.e. parks and schools) and commercial uses; access to and from the site; parking supply; building height, massing, building step-backs and placement; landscaping, amenities and buffering; and, pedestrian circulation and enhancing the streetscape through the provision of active uses. The City's Mixed Use Official Plan policies and Zoning By-law provisions do not prescribe a maximum density for developments in designated intensification areas, as the focus is on the functionality and compatibility of the factors identified above.

In this case, Planning staff are satisfied that the proposed development would function effectively as:

- the development can be accommodated by existing municipal infrastructure and transit services on Yonge Street;
- the site is located within close proximity to parks (Highland Park, Willoughby Park, Macmillan Park, TransCanada Trail), schools (Assikinak Public School and Warnica Elementary School, Willow Landing Public School, Saint Michael the Arch Angel Catholic School), and commercial uses along Yonge Street;
- the site is provided safe access from the local street, MacLaren Avenue;
- the proposed parking supply exceeds the minimum requirements of the Zoning By-law;
- the proposed building is located close to the street and includes step-backs and increased building setbacks to adjacent residential lands located to the east and north of the site in accordance with the Intensification Area Urban Design Guidelines;
- the development proposes amenities in the form of a rooftop area and private balconies;
- landscape buffers and fencing are proposed along the side and rear lot lines that exceed the requirements of the Zoning By-law;
- active commercial uses are proposed at-grade along the Yonge Street frontage; and,
- pedestrian walkways are proposed throughout the site with direct connections to the existing sidewalk on Yonge Street.

Residents requested clarification regarding the building height and the provision of step-backs to provide appropriate transition to the adjacent residential lots located east and north of the site. The applicant is proposing a 7-storey mixed-use building and step-backs are proposed along the rear and sides of building to provide a 45-degree angular plane, in accordance with the 'Mixed Use Corridor' (MU2) zone provisions and Intensification Area urban Design Guidelines (see Appendix "E" – Angular Plan Analysis attached to Staff Report DEV040-23). Landscape buffer strips are proposed along the rear and side lot lines to accommodate new planting, a tight board fence and to maintain as much of the existing vegetation as feasible to provide an effective buffer between the proposed development and adjacent residential properties.

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21. **Loss of Privacy for Adjacent Residential Properties**

Given the proposed height of the building, residents were concerned that future owners of the upper-storey residential units would be able to look into the rear yards of adjacent residential lots, particularly those located immediately east of the site on Bates Court.

The proposed building would be positioned in proximity to the Yonge Street frontage, providing enhanced rear (east) and north side yard setbacks. The applicant is proposing a rear yard setback of 20.0 metres for 22% of the length of the building that increases to 33.0 metres for 78% of the length of the building to account for the 'L' shaped footprint and a north side yard setback of 11.08 metres, all of which would be minimum requirements through the implementing zoning by-law (see Appendix "B" – Proposed Site Plan). As a comparison, the 'Mixed Use Corridor' (MU2) Zone requires a minimum rear yard setback of 7 metres and maximum side yard setback of 3 metres.

As identified in see Appendix "E" – Angular Plan Analysis and Appendix "F" – Proposed Elevation Plans attached to Staff Report DEV040-23, the proposed building would contain step-backs on the building from the fifth to seventh storeys, thereby increasing separation between the upper storeys of the proposed building and adjacent residential lots in accordance with the direction provided within the Intensification Area Urban Design Guidelines. The step-backs will provide relief and an appropriate transition to adjacent residential lots.

Finally, the applicant is proposing 6.4 metre landscape buffer strips and tight board fencing along the rear and south side lot line. The proposed landscape buffer strip is being provided larger than what is required by the Zoning By-law and will provide for viable planting in the form of coniferous and deciduous trees that extend above the fence line to provide buffering between the proposed building and adjacent residential lots. The applicant will also be required, through the site plan control process, to work with City staff to preserve existing vegetation along the rear and side lot lines, which would contribute to additional buffering for adjacent residential lots.

Based on the foregoing, Planning staff are satisfied that the positioning of the proposed building, along with the proposed setbacks, step-backs on upper storeys, buffer planting and tight board fencing would mitigate the privacy concerns of adjacent residents.

22. **Insufficient Parking on the Site**

Residents were concerned that the proposed development would not have sufficient parking to service the commercial and residential uses. The proposed development provides a total of 226 parking spaces, which exceeds the minimum requirements of the Zoning By-law by 6 spaces as it relates to parking required for residents. The applicant is proposing 24 commercial parking spaces, as required, and 202 residential parking spaces, whereas a minimum of 196 spaces are required.

23. **Increased Traffic and Safety Concerns**

Residents expressed concerns with the amount of traffic, particularly at peak times, that would be generated from the proposed development and referenced recent site plan approvals for a four (4) storey building at 481 Essa Road, and recent developments at 410 Yonge, 505 Yonge, and 447-455 Yonge that were seen as exacerbating traffic volumes in the area. Residents also expressed concerns with speeding along Yonge Street and safety as it relates to the proposed driveway access located along MacLaren Avenue. Finally, residents suggested that intersections in the surrounding area should be improved by the City to ensure that traffic is circulating as efficiently and safely as possible.

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As referenced above, a Traffic Impact Study was submitted in support of the proposed development. The Traffic Impact Study concluded that the amount of traffic generated from the proposed development is not expected to be heightened at peak times in comparison to the current uses that exist or are planned. The study also considered the approved developments as listed above in evaluating the current and future traffic projections and concluded that the future expected trips would have a minimal impact on traffic operations in the area. The City's Transportation Planning staff have reviewed the study and have confirmed that they do not have any concerns with the proposed development.

24. **Provision of Public Parkland**

Residents were concerned that the proposed development was not providing any public parkland. The City would require the applicant to pay cash-in-lieu of parkland at the time of building permit issuance. The City may use these funds to provide parkland/open space in appropriate locations throughout the City or make improvements to existing parks.

The City's Zoning By-law also requires a minimum of 12 square metres of amenity area for each residential unit within a multi-residential development. In this case, the proposed development would contain 2,384.00 square metres of indoor and outdoor amenity area, slightly exceeding the minimum requirements of the Zoning By-law (2,352.0 square metres are required). This private amenity area is being proposed in the form of a landscaped rooftop area, private balconies and greenspace at-grade.

25. **Stormwater Management and Groundwater Management**

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 including stormwater management, and groundwater issues. Through review of the submitted application, staff within Development Approvals and the Risk Management Office are satisfied that such matters can be dealt with at the time of Site Plan Control and no revisions or third-party peer review of the Hydrogeological Report or Geotechnical Report are required.

26. **Garbage Programming**

Residents expressed concerns with garbage programming for the site as it relates to the location (internal versus external), streetscape impacts, potential odours and traffic impacts associated with waste collection vehicles on Yonge Street. The proposed building would contain an internal storage room for waste, recycling and organics, which would be accessed at the rear of the site. Waste collection vehicles would enter the site for pick-up rather than stopping along Yonge Street. As such, there would be minimal, if any, impacts to traffic operations along Yonge Street.

27. **Unit Size, Type, Affordability, Short Term Rental**

Questions were raised about the proposed unit sizes, target market and potential for units being used for short term rentals.

The applicant has advised that the proposed development will facilitate a mid-rise built form with a mix of unit types that will accommodate a variety of household sizes and incomes. Staff concur with the inference that this development will positively contribute to providing more housing options in the City, and more specifically in this neighbourhood. The current tenure for the development is anticipated to be condominium.



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Department and Agency Comments

28. The subject application was circulated to staff in various departments and to external agencies for review and comment.
29. **Development Services – Approvals** staff have reviewed the Functional Servicing Report, Geotechnical Report and Hydrogeological Report submitted to support the proposed Zoning By-law Amendment and concur it effectively demonstrates that adequate services (i.e., water, sanitary, storm) will be available for the subject development. Servicing will be reviewed further through subsequent detailed design submissions at the time of Site Plan Control. The owner shall be responsible for the provision of all works and services, including connection to the existing municipal services, in accordance with current City of Barrie development standards and policies, and to the satisfaction of the municipality.
30. **Infrastructure Services Department (Water Operations Branch)** requested modifications to the Functional Servicing Report relating to additional water connections, water meters, check valves, and fire hydrants. If approved, these items must be adequately addressed through a future Site Plan Control application.
31. **Development Services - Parks Planning** staff advised of no concerns with the proposed Zoning By-law Amendment. If approved, technical matters such as landscaping, amenity areas, boundary trees, and fencing will be addressed through the subsequent Site Plan Control application.
32. **Development Services – Transportation Planning** staff are supportive of the recommendations and conclusions of the Transportation Impact Study (TIS) completed in support of this development. The technical standards for access requirements, location, width, and internal vehicular, pedestrian, and multimodal traffic movement will be confirmed during the detailed design process as part of the Site Plan Control application. In addition, a 5.0 metre by 10.0 metre daylighting triangle will be required to be dedicated to the City at the intersection of MacLaren Avenue and Yonge Street.
33. **Transit Operations** staff indicated they are supportive of mixed-use intensification along a planned Frequent Transit Network and recommend transit demand management measures such as monthly transit passes be made available to future residents and suggested that transit information screens be located within the lobby.
34. The City's **Fire and Emergency Services Department** advised that they have no comments on the proposed rezoning. If approved, locations of the building exits, primary entrance, fire hydrant, fire access route, site servicing and fire department connection will be reviewed as part of the subsequent Site Plan Control application. In addition, the Fire Flow Analysis Calculation is to be confirmed with final site design.
35. The City's **Finance Department** provided applicable development charges/fees associated with the future development of this site. These comments are outlined in the Financial section of Staff Report DEV040-23.
36. **Waste Management and Environmental Sustainability (Risk Management)** staff determined that the subject property is not located within any Source Water Protection vulnerable areas and therefore no policies within the South Georgian Bay Lake Simcoe Protection Plan apply. Environmental Risk Management reviewed the required documents submitted through application D30-039-2022 and support the proposed Zoning By-law Amendment.

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Comments were also provided to ensure there is no permanent dewatering being proposed, and that the foundation methodology will need to be confirmed at the time of detailed design to ensure that building supports do not puncture the municipal aquifer.

37. **Waste Management and Environmental Sustainability (Waste Management)** staff provided comments indicating the available options and applicable standards for municipal waste collection in multi-residential buildings.
38. **Development Services (Addressing)** staff advised that municipal addressing for the proposed units will be confirmed following the registration of the Site Plan Agreement.
39. **The Building Department** reviewed the proposed development and expressed no concerns with the approval of the subject application. If approved, a building permit application would be required following the approval of the subsequent site plan control application.
40. **Simcoe County District School Board** provided a comment of no objection to the proposal, however noted that pupils residing in this development may not be accommodated in local schools due to accommodation limitations.
41. **Lake Simcoe Region Conservation Authority (LSRCA)** provided comments and reviewed the application as per their delegated responsibility from the Province of Ontario to represent provincial interests regarding natural hazards and confirmed that the subject lands are not within the vicinity of any natural hazards and confirmed that review of stormwater management will occur at detailed design.

## **ANALYSIS**

### Policy Planning Framework

#### Ontario Planning Act, R.S.O. 1990

42. Section 2 of the *Planning Act* requires that the Minister, the council of a municipality, a local board, a planning board, and the Tribunal, shall have regard to, among other matters, matters of provincial interest such as, but not limited to, the protection of ecological systems, including natural areas; the adequate provision and efficient use of transportation, sewage and water services, and waste management systems; the adequate provision of a full range of housing, including affordable housing; the resolution of planning conflicts involving public and private interests; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and the mitigation of greenhouse gas emissions and adaptation to a changing climate. The *Planning Act* can be found in its entirety at the following link: <https://www.ontario.ca/laws/statute/90p13>.
43. The proposed development is consistent with this legislation as it is located within the settlement area of Barrie; the concept introduces residential apartment units along an identified Intensification Corridor which will contribute to the availability of a variety of housing options; will utilize planned and available infrastructure (sewage, water, and waste management systems); provides a compact form of development that minimizes impacts to climate change; and is in a location supported by transit and active transportation initiatives.

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

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44. The Provincial Policy Statement (2020) (PPS) provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for managing growth for regulating the development and use of land. The PPS can be found in its entirety at the following link: <https://www.ontario.ca/page/provincial-policy-statement-2020>
  45. The PPS further states that new development should occur adjacent to and within existing built-up areas, have a compact form, mix of uses and densities that allow for the efficient use of land, planned infrastructure, and public service facilities (i.e., transit) to accommodate projected needs. Intensification and redevelopment are also promoted to meet projected population growth for the next 30 years.
  46. The proposed development is consistent with the PPS as it proposes a mix of commercial and residential uses at a high density on a designated intensification corridor within a built-up area. The proposed development would also be serviced by existing municipal infrastructure and services, thereby representing efficient and cost-effective development.
  47. Although, not included in detail, 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).

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

48. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as amended (Growth Plan) is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment and natural resources, and helps communities achieve a high quality of life. It provides a framework for implementing Ontario's vision for building strong, prosperous communities by managing growth, and it establishes the long-term framework for where and how the region will grow. The Growth Plan can be found in its entirety at the following link: <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>.
49. The Growth Plan is intended to provide direction for municipalities in areas related to intensification of existing built-up areas with a focus on strategic growth areas, including 'Intensification Corridors' and major transit station areas. The primary focus of the plan is on building complete communities that are well-designed to meet people's daily needs, offer transportation choices, accommodate people at all stages of life by providing an appropriate mix of jobs, local services, public service facilities, and a full range and mix of housing options to meet various incomes and household sizes.
50. The proposed amendment will permit the development of high-density residential development in the existing built boundary, more specifically, the designated 'Intensification Corridor', at an estimated density of approximately 321 units per hectare. The development is proposed to utilize existing/planned municipal servicing infrastructure, public facilities, is directly located on a future active transportation link, and in proximity to a transit route. High-density development at this location will contribute to the City's intensification targets required by the Growth Plan and enhance our goal to create a complete community. The overall residential density for this neighbourhood area would be increased from 15.55 units per hectare to 17.81 units per hectare by the development of compact residential built form as demonstrated in the Residential Density Analysis included as Appendix "G" to Staff Report DEV040-23.

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Lake Simcoe Protection Plan (LSPP)

51. The Lake Simcoe Protection Plan (LSPP) is a policy and implementation document that guides efforts to protect and restore the ecological health of the Lake Simcoe watershed. The subject application has been reviewed in detail by the Lake Simcoe Region Conservation Authority (LSRCA) for conformity with the LSPP. The LSRCA has provided comments noting that they do not have any objections to the approval of the subject application. Consequently, Planning staff are of the opinion that the subject application is consistent with the policies of the LSPP.

Former City of Barrie Official Plan (2010)

52. The City's former Official Plan provides guidance for consideration of land use changes, the provision of public works, actions of local boards, municipal initiatives, and the actions of private enterprise. It gives direction for implementing by-laws, guidelines for more detailed planning and the means for controlling growth so that the City's capacity to provide a healthy community environment is not exceeded. The City's former Official Plan can be found in its entirety at the following link: <https://www.barrie.ca/sites/default/files/2022-07/Official%20Plan%20-%20January%202018.pdf>
53. The subject lands are designated 'Residential', as identified on Schedule "A" – Land Use in the City's Official Plan. The 'Residential' designation is intended to provide a broad range of retail and service commercial uses to serve one or more residential planning areas. Residential uses are also permitted above ground-floor commercial uses in the 'General Commercial' designation.
54. The subject property is located within the Yonge Street Primary Intensification Corridor as identified on Schedule "I" – Intensification Areas of the City's Official Plan. Lands located within Primary Intensification Corridors are intended to develop at a target density of 50 units per hectare, collectively.
55. According to Policy 4.9 of the Official Plan, the Mixed Use policies refer to lands located along the intensification nodes and corridors, as identified on Schedule "I" – Intensification Areas. Further, for lands identified as Mixed Use, the policies of Section 4.9 take precedence over other land use policies contained in Section 4.2 Residential and 4.3 Commercial, but shall have consideration for Section 4.2.1 (g) of the Official Plan.
56. There are several policies in the Official Plan that generally support the proposed development. Section 2.3 Assumptions, 3.1 Growth Management, 3.3 Housing and 4.9 Mixed Use 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.
57. Section 2.3 (d) and (e) of the Official Plan identifies that there will be a growing need to provide higher residential densities than previous development within the City and Barrie and new housing stock will include a growing percentage of multiple family development at medium and high densities in order to provide a complete range of housing options within the City. Intensification represents an essential component of the City's growth management strategy to minimize the infrastructure requirements of new development and to utilize existing services including transit, schools and open space. Further, mixed land uses and increased density represent an opportunity to develop complete communities, as intended by the Growth Plan. The proposed development is considered to be consistent with this policy in that it proposes a high density mixed-use residential and commercial development with alternative housing forms from what currently exists in the area, utilizes existing infrastructure and services, and would support the use of public transit.

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58. Section 3.3.1 encourages complete communities with an appropriate range of housing types; building design and densities which efficiently use land, resources, infrastructure and public service facilities; contributes to safe, vibrant and pedestrian friendly streetscapes; and directs development toward locations where infrastructure and public service facilities are available.
59. Sections 3.3.2.1 (a), (b) (c) and (g) 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.
60. Staff are satisfied the proposal conforms to these policies of the Official Plan given that the proposed development provides for an alternative housing form with a variety of unit sizes (1, 2 & 3 bedroom units), would contribute to a compact urban form and the efficient use of land and resources, supports transit, optimizes the use of existing infrastructure and services within a built-up area of the City, and is intensifying an underutilized site located along a designated intensification corridor as identified in Schedule "I" of the Official Plan.

#### Affordable Housing

61. Section 3.3.2.2 identifies the goal to achieve a minimum target of 10% of all new housing units to be affordable. Although, there are no formally recognized affordable units identified for this site, this project may assist with overall affordability, as apartments are generally considered a more attainable form of housing for prospective homebuyers, thereby increasing affordable options in the area. Additionally, the proposed development will increase the supply of available apartment units within the City, thereby reducing market pressures that drive up housing costs, and subsequently provide additional opportunities for moderate income households to obtain suitable housing.

#### Energy Conservation and Renewable Energy Systems

62. Section 3.7.2.1 promotes a compact urban form, which supports active transportation, transit use, vehicle trip reduction, and the consideration of increased densities and building materials to support energy conservation. The proposed development conforms to this policy as it provides opportunities for future residents and occupants to support active transportation and transit use, as well as an anticipated reduction in vehicular use given the proposal is located on a planned Frequent Transit Network route. In addition, the compact built form supports energy conservation. Further sustainable design and development strategies will be reviewed upon the submission of a Site Plan Control application.

#### Residential

63. As noted in paragraph 55 above, the Residential policies of the Official Plan do not apply to lands located within the City's intensification nodes and corridors, as identified on Schedule "I" – Intensification Areas. However, the Mixed-Use policies state that consideration shall be given to Policy 4.2.1(g).
64. Policy 4.2.1(g) states that it is a goal of the City to plan for new development in the medium and high-density categories which encourage mixed use and high-quality urban design within the Intensification Areas while continuing to support the integrity of stable neighbourhoods. As

demonstrated throughout this report, consideration has been given to this policy and the proposed building is strategically sited along the Yonge Street frontage with increased rear and side yard setbacks to provide a greater separation from existing residential development. The building would also include quality building materials and a variety of architectural treatments to enhance the overall appeal of the development. Additionally, the building design incorporates step-backs above the fifth (5<sup>th</sup>) storey to further reduce height impacts on adjacent land uses. The development also includes increased landscape strips (6.4 metres wide) along the rear and side lot lines to accommodate tight board fencing and buffer planting. Further, to support the integrity of stable neighbourhoods, development provisions and requirements within the Zoning By-law have been established for the Mixed Use zone to ensure development proposals conform with the policy goal of the Official Plan as it relates to existing stable neighbourhoods. The details of the requested zoning relief are located within paragraphs 80 - 88. Finally, the applicant has demonstrated that the proposed building would not result in unreasonable shadowing on adjacent lands and conforms to the angular plane requirements identified within the Intensification Urban Design Guidelines.

#### Mixed Use

65. Section 4.9 of the Official Plan provides goals and policies for lands located along Intensification Nodes and Corridors as identified on Schedule "I" – Intensification Areas. The following are the goals of the Mixed Use designation:
- a) To plan for new medium and high-density residential development that supports an appropriate mix of residential, commercial and institutional uses;
  - b) To create complete communities that support a mix of uses and activities, multiple modes of transportation, and a variety of housing forms to satisfy a range of incomes and tenures;
  - c) To foster a vibrant, compact, pedestrian-oriented environment that supports walkability, active transportation and public transit; and,
  - d) To establish the intensification nodes and corridors as the focal points of activity and a destination for surrounding neighbourhoods.

The subject application is consistent with these goals as it proposes a high-density mixed-use development in a compact and efficient form that utilizes existing infrastructure, public facilities and transit. The proposed residential units provide a greater range of housing types and tenures in the neighbourhood to accommodate the needs of current and future residents. Additionally, the application proposes development at transit-supportive densities and activates the streetscape through site layout and design. The proposed building is oriented toward the Yonge Street frontage with ground floor commercial uses. Additionally, the development supports active transportation by providing bicycle parking and pedestrian connections to the municipal sidewalk which facilitate convenient walking access to nearby transit stops. Finally, the site is located along an Intensification Corridor and the proposed commercial uses and amenities within the development would support Yonge Street as a destination for surrounding neighbourhoods.

66. Policy 4.9.2.1(c) states that the Zoning By-law will grant additional building height for mixed use developments along the intensification corridors that incorporate active street level uses. This is reflected in the 'Mixed Use Corridor' (MU2) zone provisions in Zoning By-law 2009-141 which permits a maximum building height of 25.5 metres (8-storeys) for mixed use buildings along intensification corridors. The subject application proposes a maximum building height of 24.9 metres (7 storeys) inclusive of mechanical penthouse in accordance with the MU2 zone standards. It is noted that the applicant has revised the height from eight (8) storeys to seven (7) storeys after neighbourhood feedback.

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67. Policy 4.9.2.2(b) states that transit supportive design will be promoted through public realm improvements and private land development that achieves higher densities and supports a variety of land uses to create local destinations throughout the mixed-use areas. The subject application conforms to this policy as it would facilitate a high-density mixed-use development containing residential units and ground floor commercial uses. The development will not only offer commercial destinations that are accessible by various means of transportation but will also increase the population base to support commercial uses and public facilities in the area.
68. Policy 4.9.2.3(a) states that lands located within the City's intensification nodes and corridors will be subject to site plan control and will consider the recommendations of the Urban Design Guidelines for Intensification Areas. The site is subject to site plan control, a process through which City staff would review and approve technical matters such as urban design. An overview of the urban design guidelines of the Official Plan has been provided in paragraphs 71 and 72.
69. Policy 4.9.2.3(c) requires that buildings be sited to frame streets and sidewalks in order to achieve a generally consistent setback and continuous built form. Façade step-backs shall be incorporated into the development to reduce the visual and physical impacts of building height and ensure human-scaled development. The proposed building will be sited to frame Yonge Street and the sidewalk, with parking located in the rear yard and underground to achieve a continuous built form. The building is designed to provide step-backs from the fifth to seventh storeys to reduce the impacts of building massing. In addition, the development meets the angular plane expectations outlined in the zoning by-law and City's Urban Design Guidelines for Intensification Areas.
70. Policy 4.9.2.3(f) states that intensification should be achieved with development that is compatible with the scale of adjacent properties, incorporating a built form transition from high density to lower density areas. This can be accomplished through a combination of urban design features, including setbacks and stepping provisions. The proposed development is compatible with adjacent properties as it provides appropriate setbacks, stepbacks, height and land uses. The height of the proposed development would not exceed the height permissions of the MU2 zone. In addition, the development includes increased side (south) and rear (east) yard setbacks, along with an increased landscape buffer areas and tight board fencing to increase separation and provide buffering to lower density residential land uses. The proposed development also incorporates building step-backs above the fifth (5<sup>th</sup>) storey, meeting the 45-degree angular plane requirements of the MU2 zone and the expectations outlined in the City's Urban Design Guidelines for Intensification Areas. The provision of building step-backs and material choice will also mitigate massing and other impacts on surrounding uses.

#### Urban Design Guidelines

71. Section 6.5 of the Official Plan provides that buildings should be designed to enhance and contribute to a desirable community character in terms of massing and conceptual design, the design of a building's roof should screen mechanical equipment from public view, large exposed blank walls should be avoided, entrances should be well-defined, pedestrian links shall be designed to promote safety of the user and be fully accessible between commercial and residential properties, parking areas shall be linked and confined to rear yards, minimum planting strips shall be provided, and energy efficiency in design shall be encouraged. The proposed site layout and architectural design of the building would compliment the surrounding existing commercial and residential land uses. As identified on the site plan (Appendix "B" – Proposed Site Plan) and conceptual building renderings (Appendix "H" – Conceptual Building Renderings) submitted in support of the application, the proposed building is massed along the street frontage, thereby creating an active and aesthetically pleasing streetscape. The proposed building incorporates a generous use of glazing, increased side and rear yard setbacks and transitions in building height through the provision of step-backs to reduce the impacts of building height and massing.

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Additionally, the subject application proposes a building with animated façades, well defined entrances and pedestrian walkways with direct and safe connections to the municipal sidewalk on Yonge Street.

72. Further, approximately 60 percent of the proposed parking would be located underground, with the balance being provided as surface parking located at the rear of the building where it would be screened from view from the street. The proposal also includes the minimum required number of barrier-free parking spaces. Loading and garbage areas would be located at the rear of the building, for ease of access and to ensure there are no impacts to Yonge Street, adequate planting/buffer strips would be provided, and the compact built form encourages energy efficiency through the use of transit, active transportation, and focusing major development along planned Frequent Transit Network (Yonge Street). Should Council approve the subject application, staff are confident that the abovementioned design objectives would be adequately addressed through the subsequent site plan control process.

#### Tall Buildings and Height Control

73. The general design policies of Section 6.6 of the Official Plan have been considered for this project. These require that innovative architectural design is used 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 underground or at the rear of buildings with appropriate screening.
74. In accordance with Section 6.6.4(a), the tall building policies state that buildings will be designed to best mitigate the shadows on public parks and open spaces, private amenity areas and surrounding streets throughout the day, and buildings will make use of setbacks, stepping provisions and other such design measures in order to reduce shadow impacts. Tall buildings will also incorporate building articulations, massing and materials that respect the pedestrian scale and create visual interest.
75. Section 6.6.4 (e) of the Official Plan states that where taller buildings are proposed adjacent to lower buildings, design elements which make use of height transitions between sites shall be encouraged. In this regard, buildings should be located away from areas directly adjacent to lower buildings. However, it is important to note that the policies further state that the compatibility between sites is not intended to be interpreted as restricting new development to exactly the same height and densities of surrounding areas, particularly in areas of transition such as intensification corridors.
76. As identified on the site plan in Appendix "B" to Staff Report DEV040-23, the proposed building is strategically located in proximity to the front lot line to frame the Yonge Street corridor. Not only does this activate the street and enhance the public realm, but it provides increased separation between adjacent residential land uses located immediately east and north of the subject property. Specifically, the applicant proposes increased rear (east) yard setbacks of 20.0 metres that increases to 33.0 metres and a side yard (north) setback of 11.0 metres. Through the provision of increased building setbacks, the subject application has regard for adjacent residential land uses. Additionally, the subject application proposes a 6.4 metre landscape buffer strips and 2-metre-high tight board fencing along the rear and south side lot lines. The proposed landscape strips would provide for the provision of effective buffer planting and facilitate the preservation of existing vegetation, wherever feasible and appropriate.
77. A shadow impact study was submitted in support of the subject application, which evaluated shadowing impacts on adjacent lots during the fall, spring, summer and winter (see Appendix "I" - Shadow Impact Study). According to the shadow impact study, no property is shadowed for more



than 4 hours during the spring, summer, fall and winter solstices. Existing lots on the west side of Yonge Street would only be impacted in the early morning hours, while existing lots to the east and south of the subject lands would only be impacted in the late evening hours. Additionally, minimal shadow impacts would be realized over the Yonge Street public realm with impacts being observed in the early morning hours, improving through to mid-day.

78. In staff’s opinion, the proposed development conforms to the Tall Building Policies of the Official Plan as it relates to the strategic location of the building, the provision of step-backs on upper storeys, increased setbacks, the provision of landscape buffers and fencing, and locating parking underground and to the rear of the building. Together, these components of the site and building design ensure that an appropriate transition and buffer to adjacent land uses is provided, thereby increasing compatibility and integration with the surrounding neighbourhood.

City of Barrie Comprehensive Zoning By-law 2009-141

79. As noted above, the application proposes to rezone the lands from ‘Residential Single Detached Dwelling First Density’ (R1) to ‘Mixed Use Corridor with Special Provisions’ (MU2)(SP-XXX) in Comprehensive Zoning By-law 2009-141, as amended. The Site-specific zoning provisions, as identified in Table 1 are discussed below in paragraphs 80 to 88.

**Table 1: Site Specific Zoning Provisions – ‘Mixed Use Corridor with Special Provisions’ (MU2)(SP-XXX)**

ZONING PROVISION	REQUIRED MU2 ZONE	PROPOSED
Front Yard Location (Section 3.0)	MacLaren Avenue	Yonge Street
Front Yard Setback (5.4.3.2)	Front yard setback shall be fully paved	Front yard setback will include soft landscaping
Minimum Setback to a Daylighting Triangle (5.4.2)	Minimum 3.0 metres	0.0 metre setback to a daylighting triangle
Side Yard Setback Maximum (5.4.2)	Maximum 3.0 metres	Maximum 11.0m
Ground Level Commercial Uses (5.4.3.5)	Minimum 50% of gross floor area	Minimum 39% of gross floor area
Parking for Apartment Dwellings (5.4.4.1)	Maximum lot coverage of 35%	Maximum lot coverage of 40%
Setback to an underground/enclosed Parking Structure (4.6.5.2)	Minimum 1.2 metres	Minimum 0.6 metres

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Deeming Yonge Street as the Frontage

80. Notwithstanding the standard definition of frontage, Yonge Street will be considered the frontage for the purpose of implementing zoning for the block of lands known municipally as 427, 429, 431, 435 and 437 Yonge Street. This is to ensure consistency during implementation of the zoning by-law through the Site Plan Control process and is considered technical in nature. This request is appropriate as the proposed development has been designed with an emphasis on the Yonge Street frontage through the placement and orientation of the building.

Front Yard Setback – Partially Paved

81. The applicant is proposing that the front yard setback be partially paved, whereas the City's Comprehensive Zoning By-law requires that the front yard setback to be fully paved. This request would result in the provision of soft landscaped space between the municipal right-of-way and the proposed development so as to provide an inviting pedestrian environment and soften the elevation of the proposed building at the pedestrian level.

While staff recognize that the intent of the fully paved front yard setback provision is to allow for a seamless transition between the sidewalk and the adjacent development, this provision would be considered more appropriate for commercial development where unfettered at grade access to the development is secured at various locations along the ground floor elevation. Staff are satisfied that the proposal to provide a combination of both soft and hard landscape areas adjacent to Yonge Street is appropriate. Further, continuous pedestrian access/connections would be provided along the full extent of the Yonge Street frontage and substantial hardscaping is proposed to be provided at the intersection of Yonge Street and MacLaren Avenue where at grade access would be provided to the building.

Front Yard Setback (Daylighting Triangle)

82. The applicant is proposing a minimum front yard setback of 0.0 metres to the required daylighting triangle, whereas a minimum setback of 1.0 metres is required for 75 percent of the lot frontage and a maximum of 5 metres is permitted for 25 percent of the lot frontage. The overall goal of a reduced minimum front yard setback is to enhance the public realm, ensure seamless connectivity between private developments and the municipal sidewalk, and create pedestrian and transit-supportive environments along the City's intensification corridors.

The proposed reduced front yard setback would be limited to a small portion of the front façade of the building in the northwest corner of the subject property. The proposed front yard setback for the remainder of the building would be 3.0 metres, as identified on the site plan in Appendix "B". It is important to note that the front yard setback of 3.0 metres would be provided along the entrances to the ground-floor commercial units. The front yard area would also be both softscaped and hardscaped with connections to the municipal sidewalk. Based on the foregoing, staff are satisfied that the requested reduction would contribute to the enhancement of the public realm and create an active street and pedestrian-friendly environment.

Side (North) Yard Setback

83. The subject application proposes a maximum north side yard setback of 11.0 metres, whereas a maximum side yard setback of 3.0 metres is permitted in the MU2 zone. The general intent and purpose of restricting side yard setbacks is to ensure that the City's intensification corridors develop with compact medium and high-density mixed-use developments to create a continuous urban streetscape. Recognizing this, Planning staff are of the opinion that it is also important to have regard for existing land uses and ensure that appropriate building transitions and buffering are

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provided between new and existing developments, particularly lower density residential land uses. As such, staff are of the opinion that the increased side yard setback is appropriate to provide an appropriate setback and transition to the existing residential uses to the immediate north of the subject lands.

#### Underground Parking Structure – Setback to Street Line

84. The applicant is proposing a setback of 0.6 metres to Yonge Street and MacLaren Avenue for the underground parking structure, whereas the Zoning By-law requires a minimum setback of 1.8 metres from the street line for underground parking structures. The general intent and purpose of requiring minimum setbacks from the street line for underground parking structures is to prevent encroachment within the municipal right-of-way, provide sufficient space for future road widenings and infrastructure improvements, and to provide sufficient soil depths for landscaping.

The proposed underground parking structure is located outside of the required daylight triangle and therefore would not have any impacts on future road widenings or improvements to infrastructure. Furthermore, no road widening dedication is required along the Yonge Street frontage or on MacLaren Avenue. Transportation Planning staff have reviewed the details, and given that no road widening is required, staff are confident that the reduction would not impact the City's ability to provide sufficient space for future road widenings or infrastructure improvements. The reduction in setback would facilitate the provision of an underground parking structure which would accommodate the majority of parking required by the proposed development. This is consistent with the City's vision for the Yonge Street Intensification Corridor which encourages parking areas to be located underground or to the rear of buildings, so as to reduce the dominance of motorized vehicles along the streetscape.

#### Minimum Ground Floor Commercial (Percentage of Gross Floor Area)

85. The applicant is proposing a minimum of 39 percent (717.3m<sup>2</sup>) of the total gross floor area of the ground floor be dedicated for commercial uses, whereas the Zoning By-law requires a minimum of 50 percent of total gross floor area of the ground floor be dedicated for commercial uses in the MU2 zone. The general intent and purpose of this zoning provision is to ensure that an adequate amount of commercial uses are provided along the City's Mixed Use Intensification Corridors to create an active pedestrian-friendly streetscape.

While the applicant is proposing a reduction in the required percentage of ground floor area to be dedicated to commercial uses, the development is still providing ground floor commercial uses along the Yonge Street frontage. Additionally, hardscaped outdoor areas and direct connections from the commercial units to the municipal sidewalk are proposed. Furthermore, the adjacent proposal at 447 to 455 Yonge Street will also contain commercial uses at grade. The commercial supply proposed on the site is considered to be appropriate given the additional commercial uses located at the intersection and in the vicinity of Little Avenue and Yonge Street.

#### Maximum Lot Coverage for Parking as a Percentage of Lot Area

86. The applicant is proposing a maximum lot coverage for parking areas as a percentage of lot area of 42%, whereas a maximum lot coverage dedicated to parking areas of 35% is permitted. The general intent and purpose of establishing a maximum lot coverage for parking areas is to ensure that landscape buffer areas and amenity space can be provided at grade and to encourage active transportation. In this case, the applicant is providing parking for the site at an increased ratio than what would be required by the zoning by-law in order to provide additional visitor parking and accommodate commercial parking spaces for the commercial space located at along the Yonge Street frontage.

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#### Minimum Rear Yard Setback

87. While no other site-specific zoning provisions would be required to implement the proposed development concept in accordance with the proposed MU2(SP-XXX) zoning over the subject lands, staff are recommending that the approval of the subject application be tied to the proposed concept plan (see Appendix "B"). In this regard, staff are recommending that a minimum rear yard setback of 20.0 metres to 33.0 metres be applied to recognize the proposed L-shaped building as identified on the Conceptual Site Plan and to provide the applicant with flexibility at the time of detailed design.
88. In staff's opinion, the proposed site layout is functional and the proposed site-specific zoning provisions over the subject lands represent an appropriate form of residential infill development within an existing established area of the City on lands that are currently underutilized. 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.

#### Development Generally in Accordance with the Conceptual Site Plan

89. Planning staff are recommending that the subject lands be developed generally in accordance with the Conceptual Site Plan submitted in support of the application, as it relates to building height, placement and setbacks, as well as the location and configuration of landscape strips, access and parking areas (see Appendix "B" to Staff Report DEV040-23). The Conceptual Site Plan would be included as a schedule to the implementing zoning by-law. This site-specific provision will provide clarity as it relates to the zoning provisions for the site and ensure that the development, as proposed, is realized at the time of construction.

#### Site Plan Control

90. 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 regarding access, servicing, stormwater management, landscaping, lighting, setbacks, building orientation/placement/massing, parking, etc.
91. The site plan and conceptual building elevation plans submitted in support of the subject application provide a general indication of how the property would be developed and the ultimate design of the future building. However, should the subject application be approved, the applicant would be required to submit a subsequent site plan control application which would be further reviewed by City staff and applicable external agencies to ensure that the development complies with the City's technical standards and provides an appropriate interface with adjacent properties and streets.

#### Summary

92. Planning staff are satisfied that the oral and written submissions, along with all departmental and agency comments relating to this application, have been considered and/or addressed, are of the opinion that the requested site-specific provisions represent good planning and would facilitate development that is consistent with the City's policies, guidelines, and goals in effect at the time of submission of the application.

93. Planning staff, therefore, recommend approval of the Zoning By-law Amendment application to rezone the subject lands from ‘Residential Single Detached Dwelling First Density’ (R1) to ‘Mixed Use Corridor with Special Provisions’ (MU2)(SP-XXX) to facilitate the development of a seven (7) storey mixed-use building consisting of 196 residential units and 717.3 square metres of ground floor commercial space as it is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2019), as amended, the Lake Simcoe Protection Plan and City of Barrie Official Plan (2010). The implementation of the requested site-specific standards will be confirmed through detailed design at the time of Site Plan Control.

**ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS**

94. The following environmental and climate change impact matters have been considered in the development of the recommendation:
- a) Alternative built forms for residential dwellings, and maximizing the use of land, services and resources reduces pressures on greenfield development and the extension of municipal services where they do not already exist.

**ALTERNATIVES**

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

<p><b><u>Alternative #1</u></b></p>	<p>General Committee could approve the subject Zoning By-law Amendment without the requested Special Provisions (SP).</p> <p>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 Intensification and current City standards with respect to building orientation/placement/massing, setbacks, access, parking, landscaped areas, etc. The site-specific provisions have been recommended to provide residents with some level of assurance that the concept plan submitted will be realized at the time of site development and takes into account changes to the proposal based on community feedback.</p>
<p><b><u>Alternative #2</u></b></p>	<p>General Committee could refuse the application and maintain the existing ‘Residential Single Detached Dwelling First Density’ (R1) zoning over the subject lands.</p> <p>This alternative is not recommended as the subject property is ideally suited for this form and density of development given the full range of services and facilities available in the area. The proposed amendments are also in keeping with both the Provincial and municipal policy framework established for the City’s intensification areas as noted throughout the analysis section of the report.</p>

**FINANCIAL**

96. It is not possible to estimate the assessed value of the subject property following development, however, the assessed value of the future development is anticipated to be far greater than the current assessed value of the property and will, therefore, increase the amount of property tax that is collected on the subject site as of the time of writing this staff report.

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97. Community Benefits Charges are applicable to all residential development or residential redevelopment for a building or structure with 5 or more storeys and that adds 10 or more residential units. The proposed development will be subject to community benefits per the City's Community Benefits Charges By-law 2023-073. The amount of the Community Benefits Charge payable is 4% of the value of the land on the day before the first building permit is issued.
98. Development charge rates have been frozen with interest for a maximum of two years from the date of complete application, being January 10, 2023, at the below rates:
- a) The frozen rate for the applicable development charges depends on the number of bedrooms in each apartment:
    - i) Apartments 2+ bedrooms are charged \$48,878 per unit
    - ii) Apartments Bachelor and 1 Bedroom are charged \$34,319 per unit
  - b) The current rate for retail space is \$454.41 per square metre.
99. Education Levies will be calculated and collected at the time of issuance of the building permit. The current fee is \$4,283.00 per unit and for non-residential uses is \$0.60 per sq. ft. (2023 rate, subject to an annual inflation adjustment on January 1<sup>st</sup> of each year). The proposed development would represent a total education levy of approximately \$844,100.62.
100. A cash in lieu of parkland contribution will be required. The amount is currently \$3,693.00 per residential unit which represents a total of approximately \$723,828.00 (2023 rate, subject to an annual inflation adjustment on January 1<sup>st</sup> of each year). Cash in lieu of parkland for the commercial retail portion of the development will be determined based on 5 percent of the appraised land value.
101. A Finance Administration fee will be collected at the time of issuance of the building permit at a rate of \$85.00 per dwelling unit and \$170.00 for non-residential (2023 rate).
102. 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. Costs associated with the ongoing maintenance and operational costs of the new internal infrastructure, snow removal, landscape maintenance and site lighting would be the responsibility of the applicant.
103. A credit will be provided against development charges owing for properties where there is a redevelopment of the property. The eligibility of the credit is restricted to redevelopments that receive replacement building permits within 60 months of the demolition permit being issued of a qualifying residential or non-residential building.
104. The building permit fees will be confirmed through the Site Plan Control process and will be collected at the time of submission of building permit applications.

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**LINKAGE TO 2022-2026 STRATEGIC PLAN**

105. The recommendation(s) included in this Staff Report support the following goals identified in the 2022-2026 Strategic Plan:
- Affordable Place to Live – Encourage a range of housing options to make housing attainable
  - Infrastructure Investments – Support active transportation and pedestrian connections
106. In accordance with Council’s goals, the proposed development of the property for a high-density mixed-use building will add the potential for more affordable and attainable housing options and provide residential population on a designated Intensification Corridor, (Yonge Street), which may translate into increased transit ridership. The proposed development is also designed with a human-scaled podium and an enhanced streetscape, including active uses at-grade along the Yonge Street frontage, together with pedestrian connections to the municipal sidewalk network to foster a pedestrian-friendly environment and promote active transportation.

Attachments:

- Appendix “A” – Draft Zoning By-law Amendment
- Appendix “B” – Proposed Site Plan
- Appendix “C” – Local Context Plan
- Appendix “D” – Original Concept Plan
- Appendix “E” – Angular Plane Analysis (Revised)
- Appendix “F” – Proposed Elevation Plans
- Appendix “G” – Density Analysis
- Appendix “H” – Conceptual Building Rendering
- Appendix “I” – Shadow Study

APPENDIX "A"

Draft Zoning By-law Amendment



Bill No. XXX

BY-LAW NUMBER 2023-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 lands known municipally as 427, 429, 431, 435 and 437 Yonge Street shown on Schedule "A" to this By-law from 'Residential Single Detached Dwelling First Density' (R1) to 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX).

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 23-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 427, 429, 431, 435, and 437 Yonge Street from 'Residential Single Detached Dwelling First Density' (R1) to 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the definition as set out in Section 3.0 of By-law 2009-141, Yonge Street shall be deemed to be the front yard in the 'Mixed Use Corridor – Special Provision' (MU2)(SP-XXX) zone.
3. **THAT** notwithstanding the provisions set out in Section 5.4.3.2 a) of By-law 2009-141, a partially paved front yard shall be permitted in the 'Mixed Use Corridor – Special Provision' (MU2)(SP-XXX) zone.
4. **THAT** notwithstanding the provisions set out in Table 5.4.2 of By-law 2009-141, a minimum front yard and side yard setback of 0.0 metres to the daylighting triangle is permitted in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
5. **THAT** notwithstanding the provisions set out in Table 5.4.2 of By-law 2009-141, a maximum side yard setback of 11.0 metres shall be permitted in the 'Mixed Use Corridor – Special Provision' (MU2)(SP-XXX) zone.
5. **THAT** notwithstanding the provisions set out in Table 5.4.2 of By-law 2009-141, a maximum lot coverage for parking areas of 42% is permitted in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.



- 
6. **THAT** notwithstanding the provisions set out in Section 4.6.5.2 of By-law 2009-141, a minimum setback of 0.6 metres is permitted for a parking structure underground in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
  7. **THAT** notwithstanding the provisions set out in Section 5.4.3.5 of By-law 2009-141, a minimum first floor commercial coverage of 39% is permitted in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
  8. **THAT** notwithstanding the provisions set out in Section 5.4.3.1 of By-law 2009-141, a minimum rear yard setback of 20 metres to 33 metres shall be required in the 'Mixed Use Corridor – Special Provision' (MU2)(SP-XXX) zone, in accordance with the L-shaped building identified on Schedule "B" attached to this By-law.
  9. **THAT** lands zoned 'Mixed Use Corridor – Special Provision' (MU2)(SP-XXX) shall be developed generally in accordance with the Conceptual Site Plan attached as Schedule "B", as it relates to building height, placement and setbacks, as well as the location and configuration of landscape strips, access and parking areas.
  10. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above described lands as shown in Schedule "A" to this by-law shall apply to the said lands except as varied by this By-law.
  11. **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 \_\_\_\_, 2023.

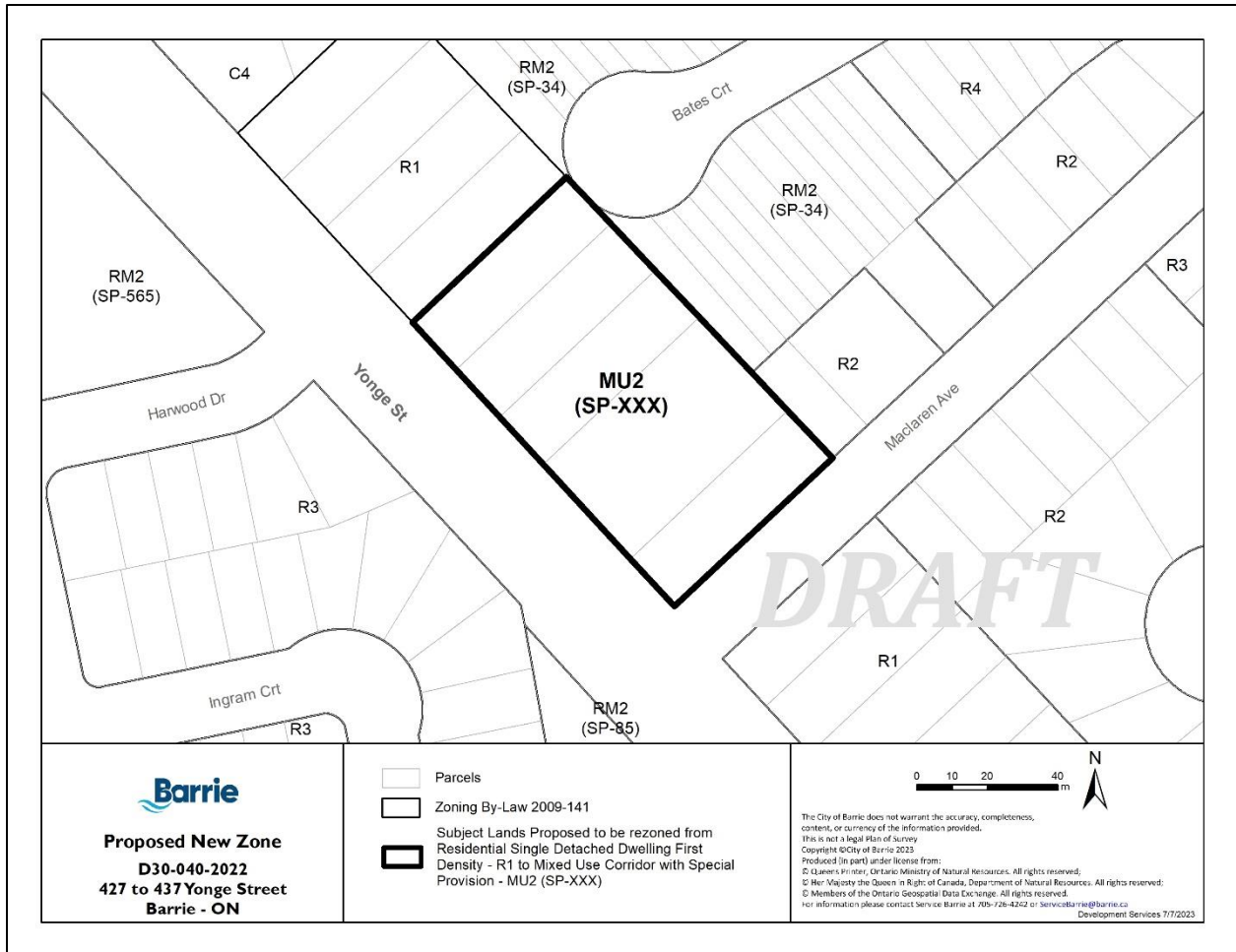
**READ** a third time and finally passed this \_\_\_\_ day of \_\_\_\_, 2023.

**THE CORPORATION OF THE CITY OF BARRIE**

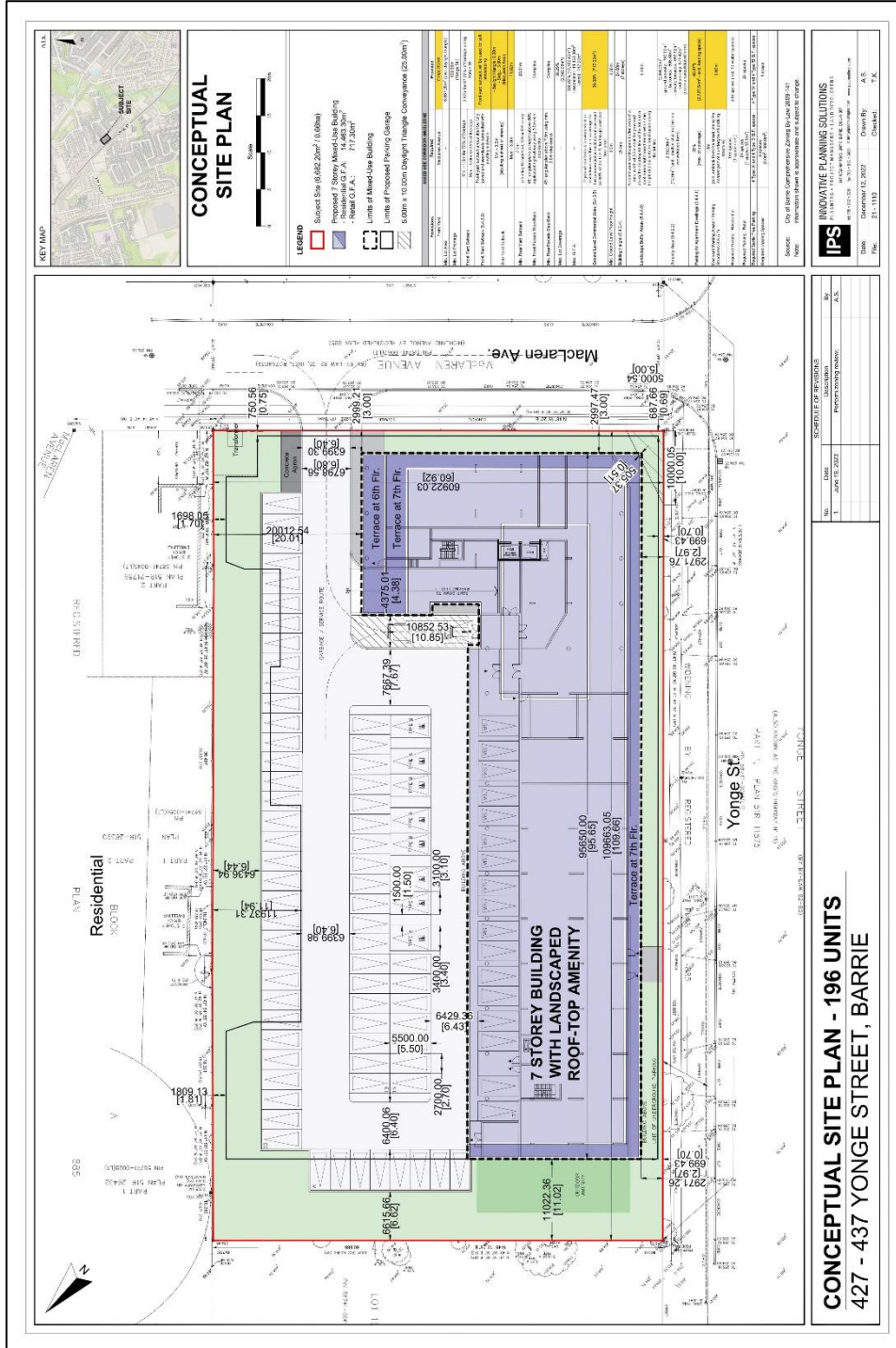
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**MAYOR – ALEX NUTTALL**

\_\_\_\_\_  
**CITY CLERK – WENDY COOKE**

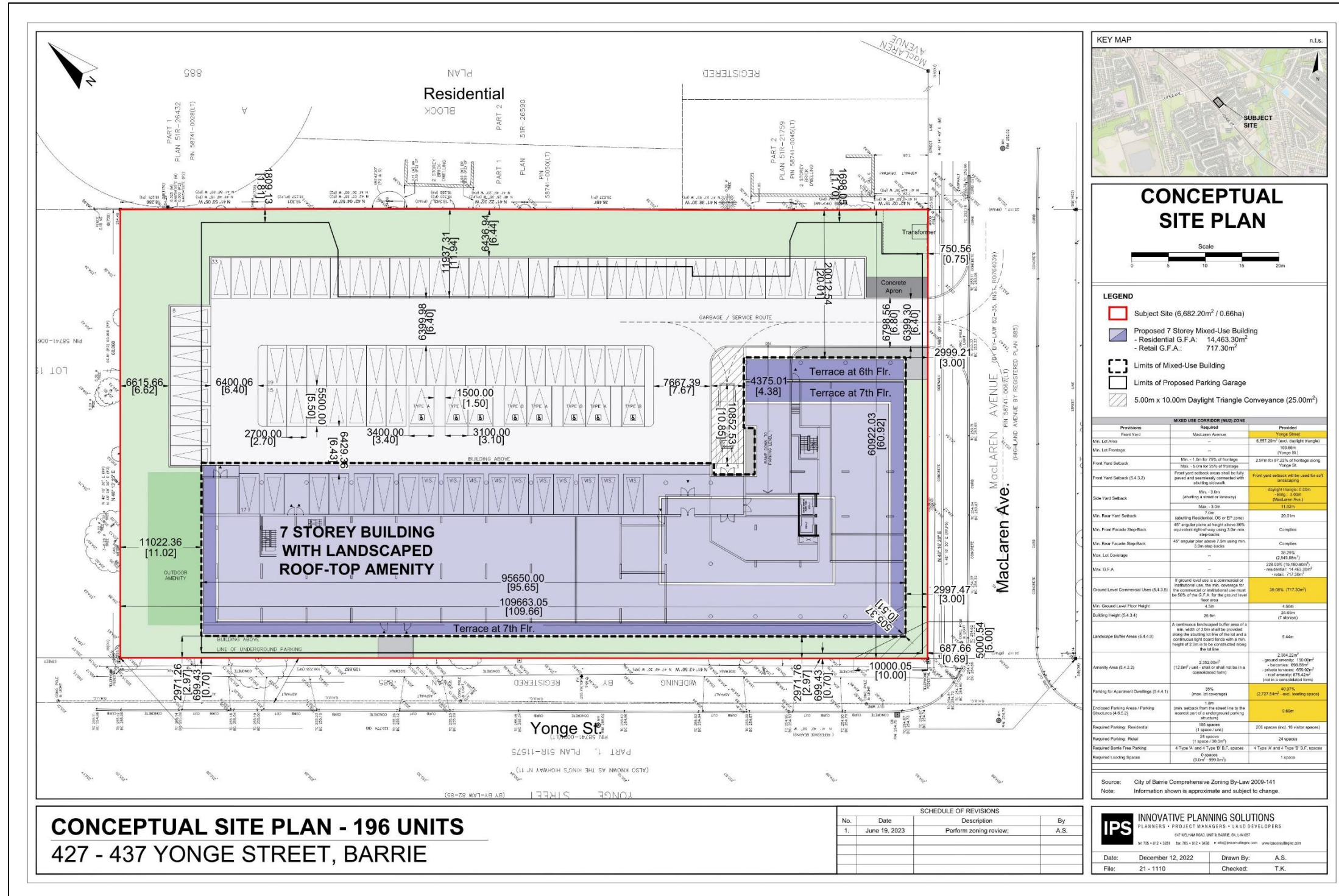
Schedule "A" to attached By-law 2023-XXX



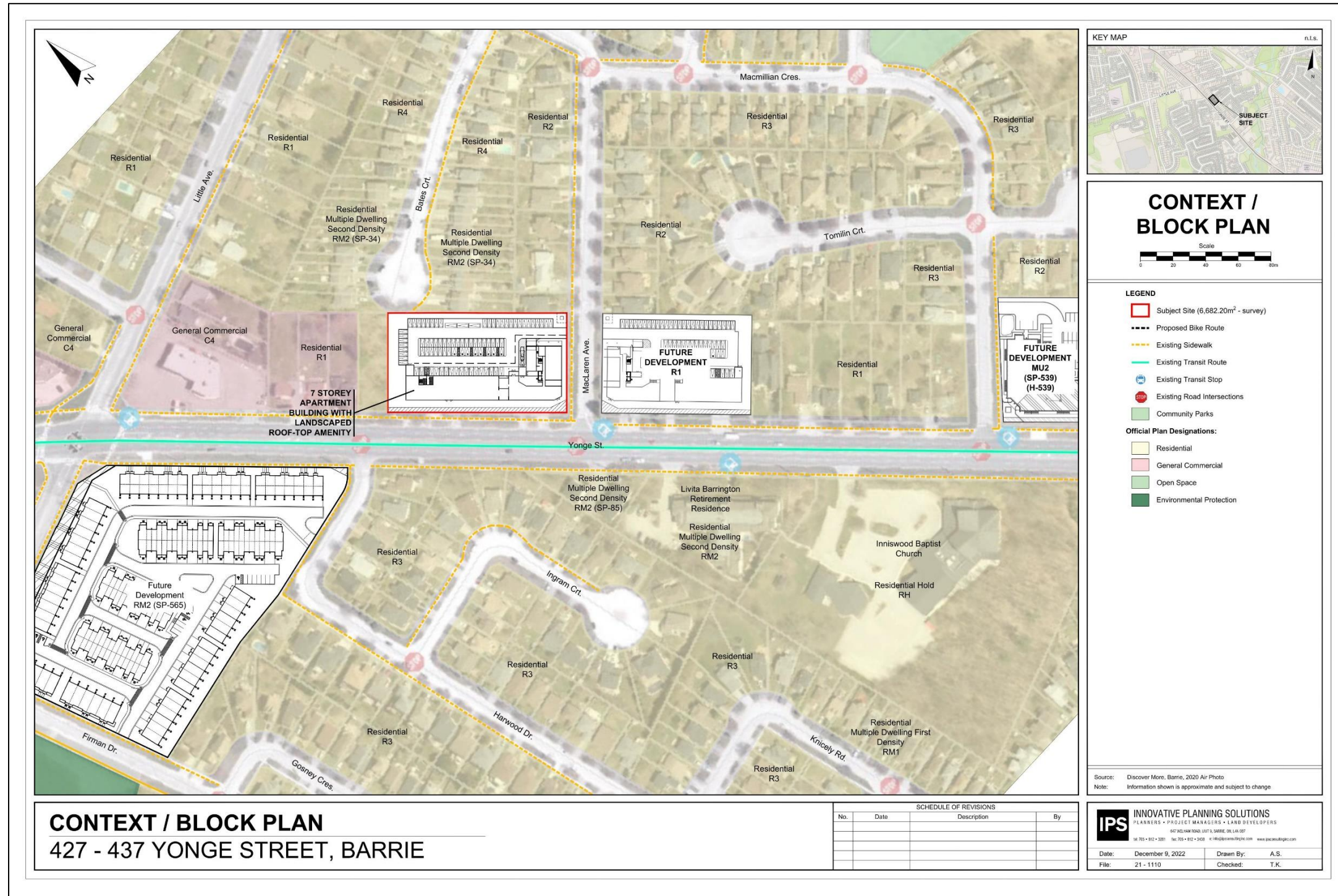
Schedule "B" to attached By-law 2023-XXX



APPENDIX "B"  
Proposed Site Plan



APPENDIX "C"  
Local Context Plan



**CONTEXT / BLOCK PLAN**  
427 - 437 YONGE STREET, BARRIE

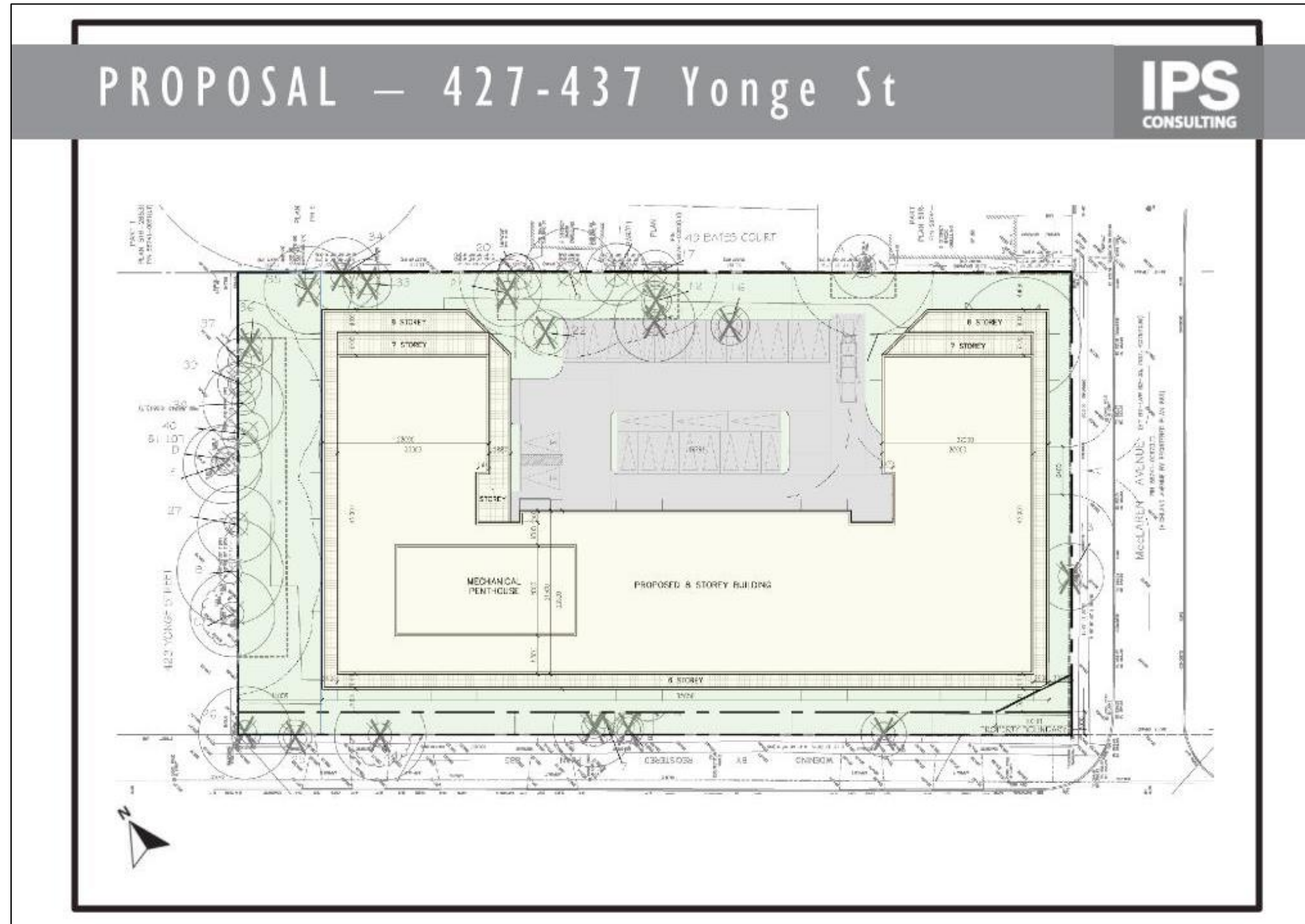
SCHEDULE OF REVISIONS			
No.	Date	Description	By

**IPS** INNOVATIVE PLANNING SOLUTIONS  
PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS  
847 MELHAM ROAD, SUITE 10, BARRIE, ON L4R 0P7  
Tel: 705-812-2281 Fax: 705-812-2408 Email: info@innovativeips.com www.innovativeips.com

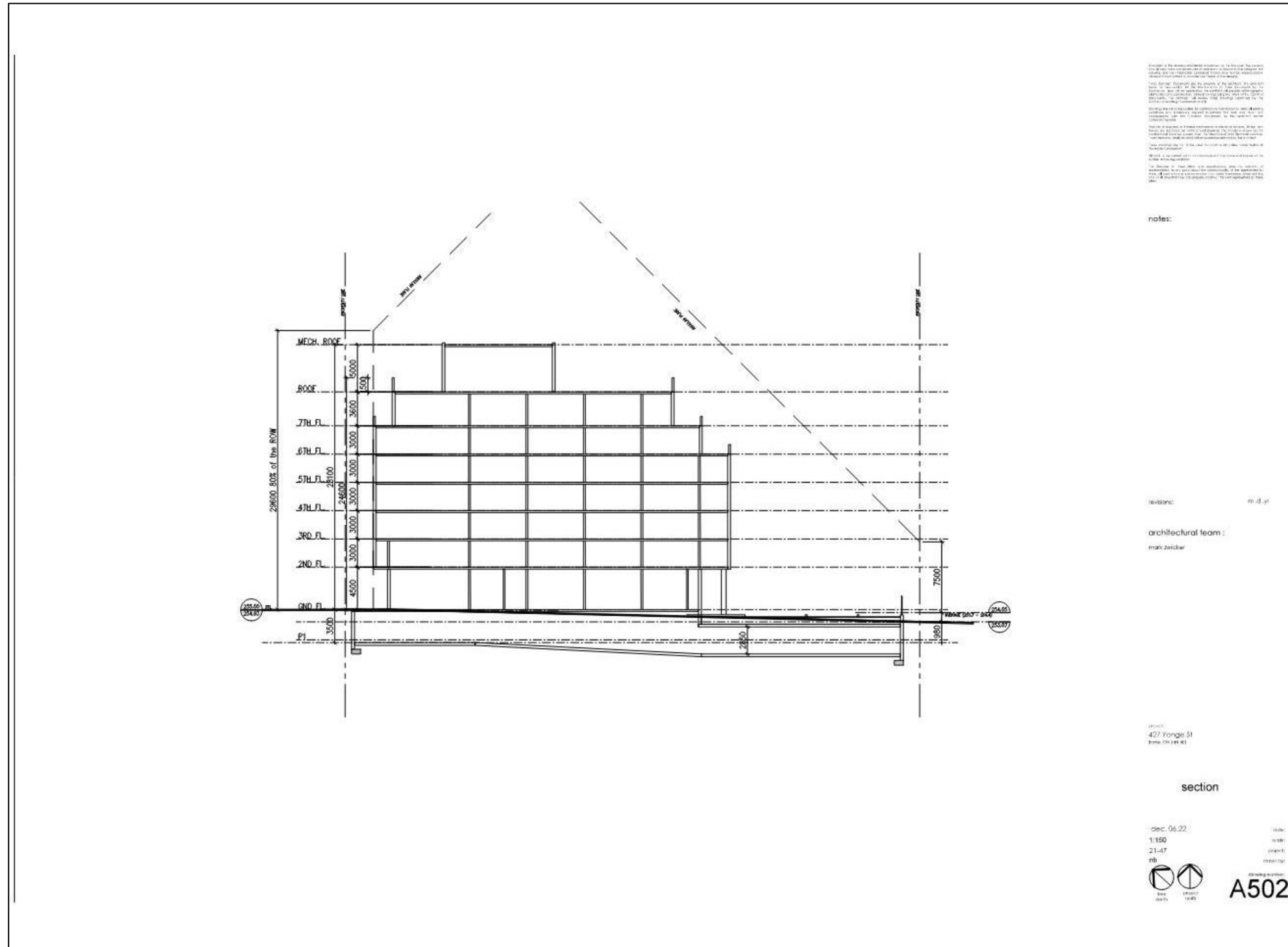
Date: December 9, 2022 Drawn By: A.S.  
File: 21-1110 Checked: T.K.

APPENDIX "D"

Original Concept Plan



APPENDIX "E"  
Angular Plane Analysis (Revised)



APPENDIX "F"  
Proposed Elevation Plans



Copies of this drawing and any other documents related to this project are available for review at the City of Barrie, Planning and Development Department, 100 Queen St. W., 3rd Floor, Barrie, ON. For more information, please contact the City Clerk's Office at (705) 731-4111.

This drawing was prepared for the purpose of providing a visual representation of the proposed development. It is not intended to be used for construction purposes. The City of Barrie does not warrant the accuracy or completeness of this drawing or any other documents related to this project.

The design of this project is subject to the requirements of the Planning Act and other applicable legislation. The City of Barrie reserves the right to refuse, suspend, or modify any approval granted under this act.

This drawing is for informational purposes only and should not be used for construction purposes without the approval of the City of Barrie.

notes:

revisions:

m.d.yr

architectural team:

mark zwicker



project:

427 Yonge St  
Barrie, ON (LAN 42)

elevations

dec. 06.22  
1:150  
21-47  
nb



scale:

project:

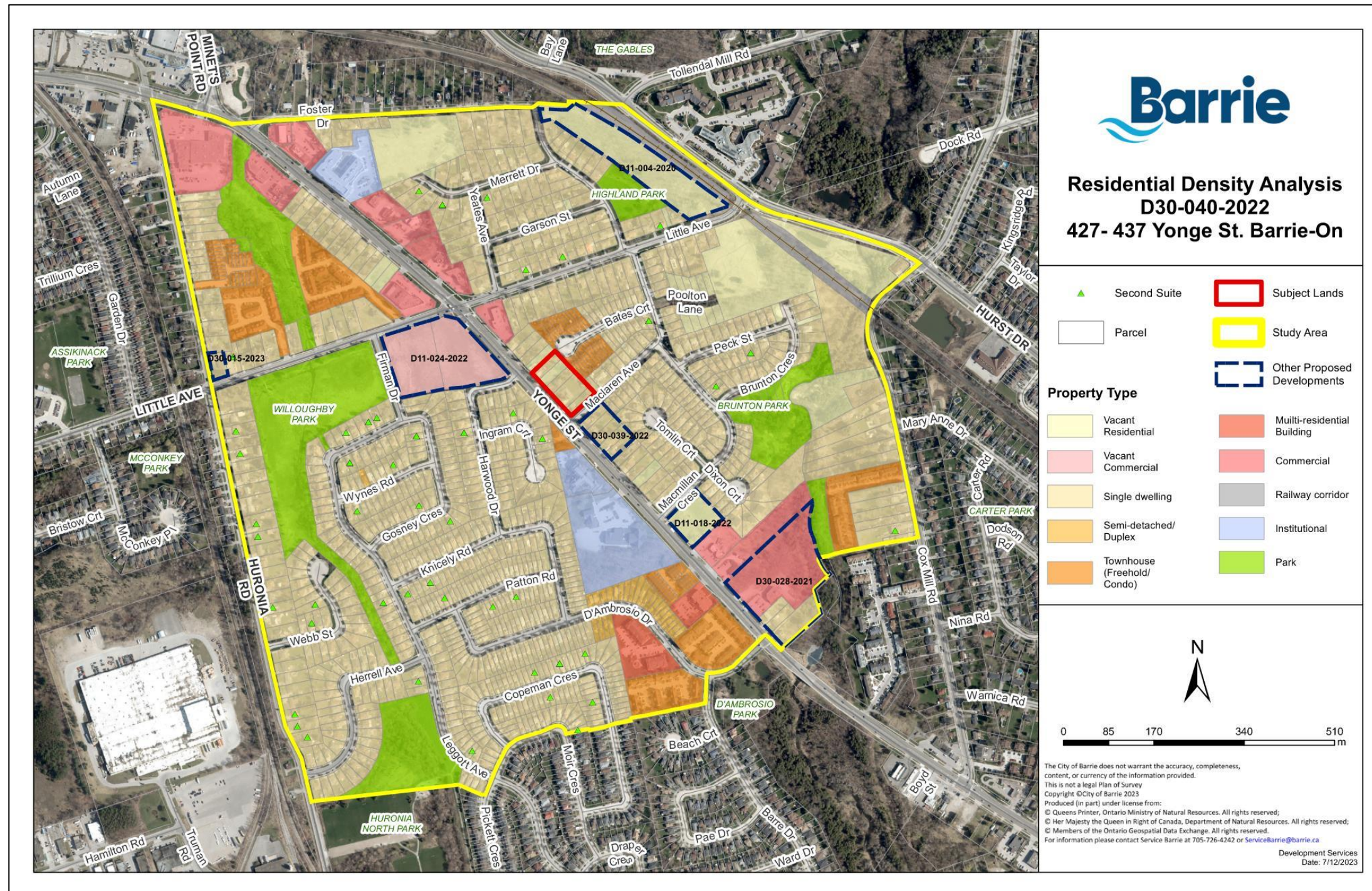
drawn by:

drawing number:  
A401



APPENDIX "G"

Density Analysis



APPENDIX "G"

Density Analysis

RESIDENTIAL DENSITY ANALYSIS			
D30-040-2022			
427, 429, 431, 435, 437 YONGE STREET, BARRIE -ON			
Total Study Area		137.45	ha
Total Developable Area - <i>Only residential</i> (Private properties)		85.07	ha
Total Developable Area - <i>All Residential and Non-Residential</i> (Private properties)		95.66	ha
Total Area Parks/ Open Space/SWM Ponds/Walkways/Laneways		13.40	ha
Total Area Roads right of way and Railway corridor		28.39	ha
<b>Current Residential Density</b> <i>(Only Residential Lands included)</i>	1323	85.07	15.55
<b>Current Residential Density</b> <i>(All Residential and Non- residential lands included)</i>	1323	95.66	13.83
<b>Projected Residential Density Including Proposal for Subject Lands</b> <i>(Only Residential Lands included)</i>	1515	85.07	17.81
<b>Projected Residential Density Including Proposal for Subject Lands</b> <i>(All Residential and Non- residential lands included)</i>	1515	95.66	15.84
<b>Projected Residential Density Including Proposal for Subject Lands and SitePlans listed under Other Proposed Developments in the Area</b> <i>(Only Residential Lands included)</i>	1755	85.07	20.63
<b>Projected Residential Density Including Proposal for Subject Lands and SitePlans listed under Other Proposed Developments in the Area</b> <i>(All Residential and Non- residential lands included)</i>	1755	95.66	18.35
<b>Projected Residential Density Including Proposal for Subject Lands and All Other Proposed Developments in the Area</b> <i>(Only Residential Lands included)</i>	3002	85.07	35.29
<b>Projected Residential Density Including Proposal for Subject Lands and All Other Proposed Developments in the Area</b> <i>(All Residential and Non- residential lands included)</i>	3002	95.66	31.38

Prepared by: Development Services  
Date: July 13, 2023

Note:

This Density Analysis is based on the Assessment Database.

MPAC property Code was used to identify the number of residential units in the Area.

Second Suite units registered in the area were also added; they were counted on their corresponding dwelling unit.

Areas for Parks/ Open Space/ SWM Ponds/ Roads and Laneways were not included in the density calculations.

Any residential units existing in the properties listed under Other Proposed Developments in the Area as well as in the Subject Lands have been included in the analysis; adding them for current density calculation and subtracting them for the Projected Densities as needed.

APPENDIX "H"  
Conceptual Building Rendering

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Notes:

revisions: m.d.yr

architectural team:  
mark zwickler

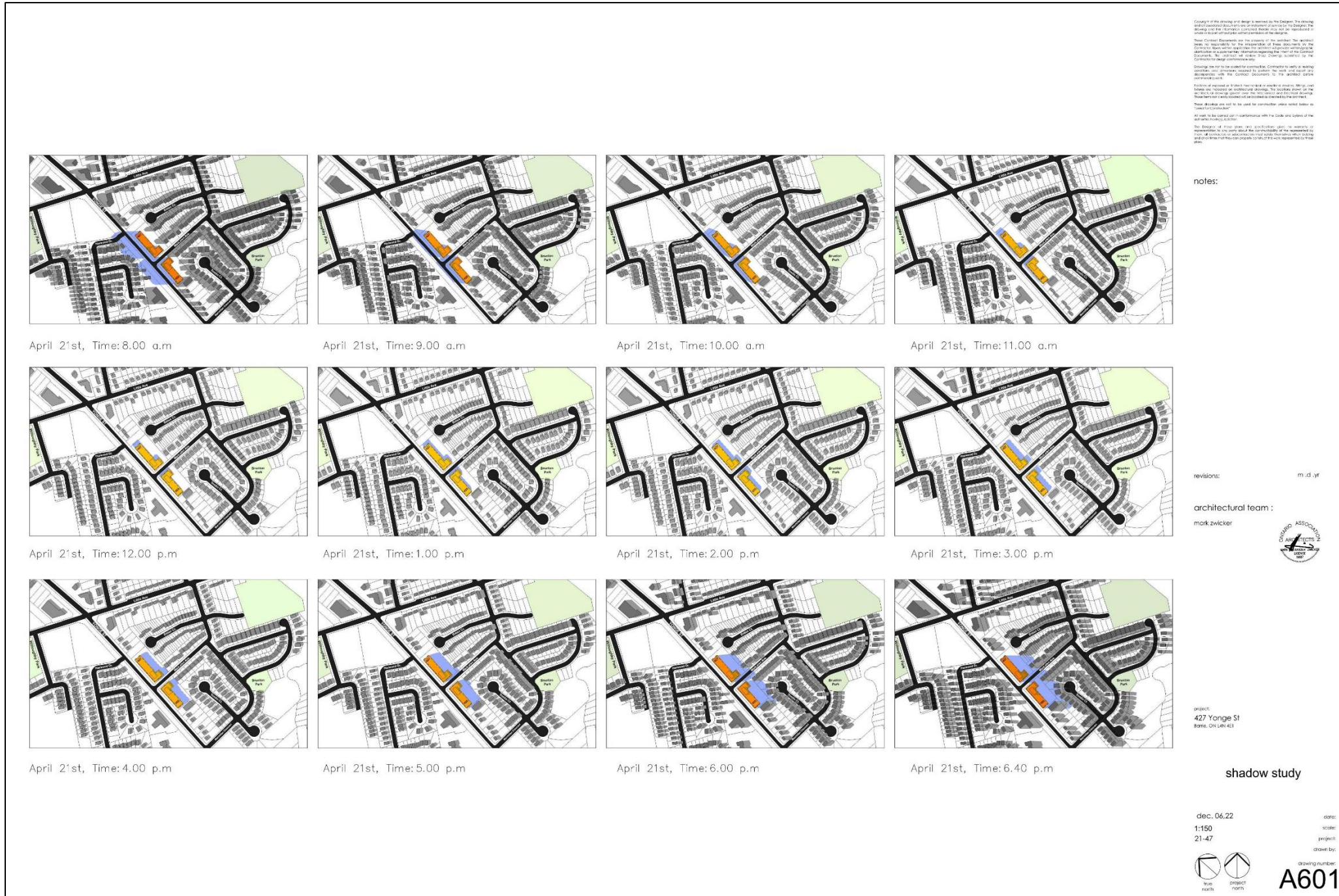
project:  
427 Yonge St  
Barrie, ON (L4H 4E1)

render

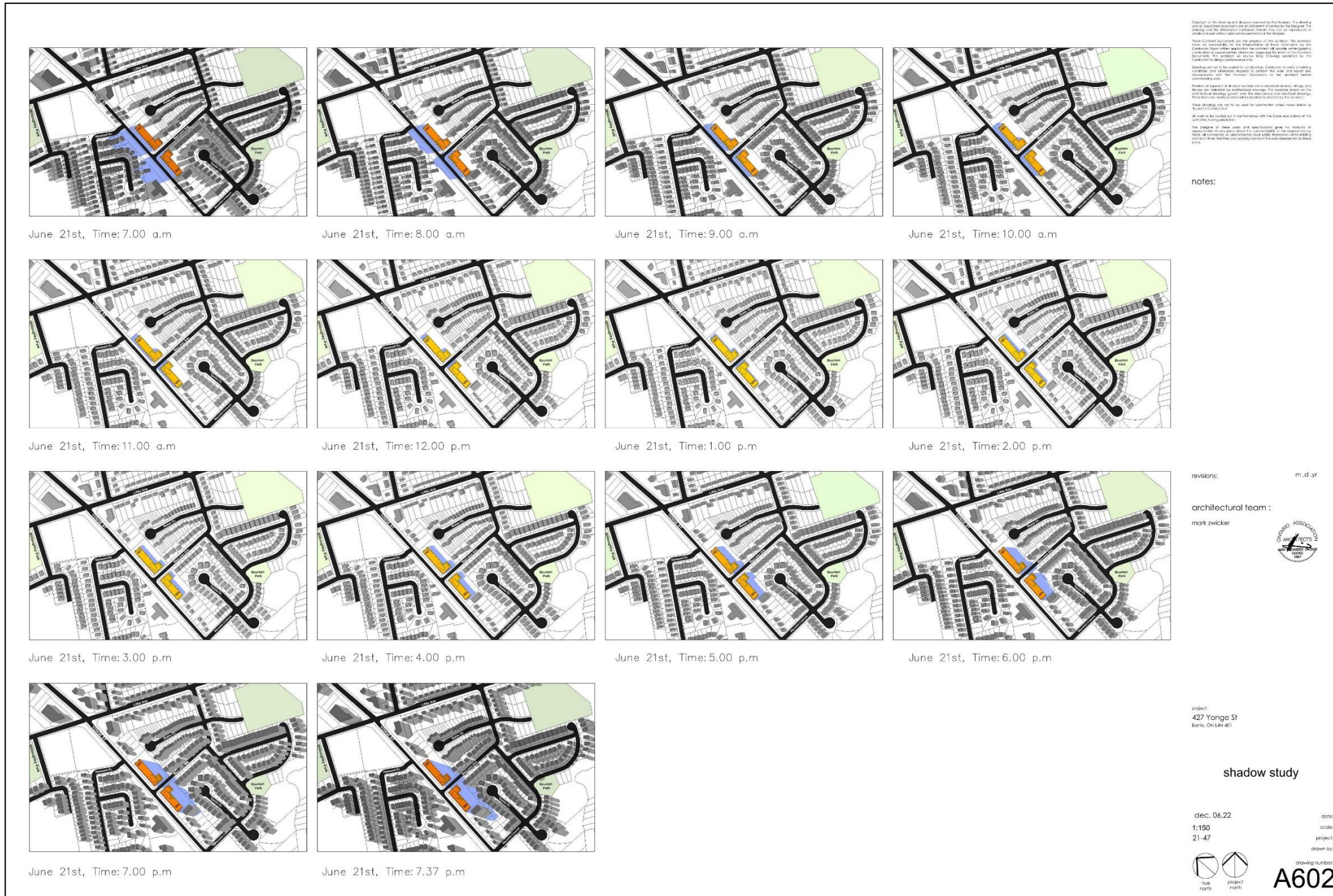
date: dec. 06.22  
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project: 21-47  
drawn by: nb

drawing number: **A410**

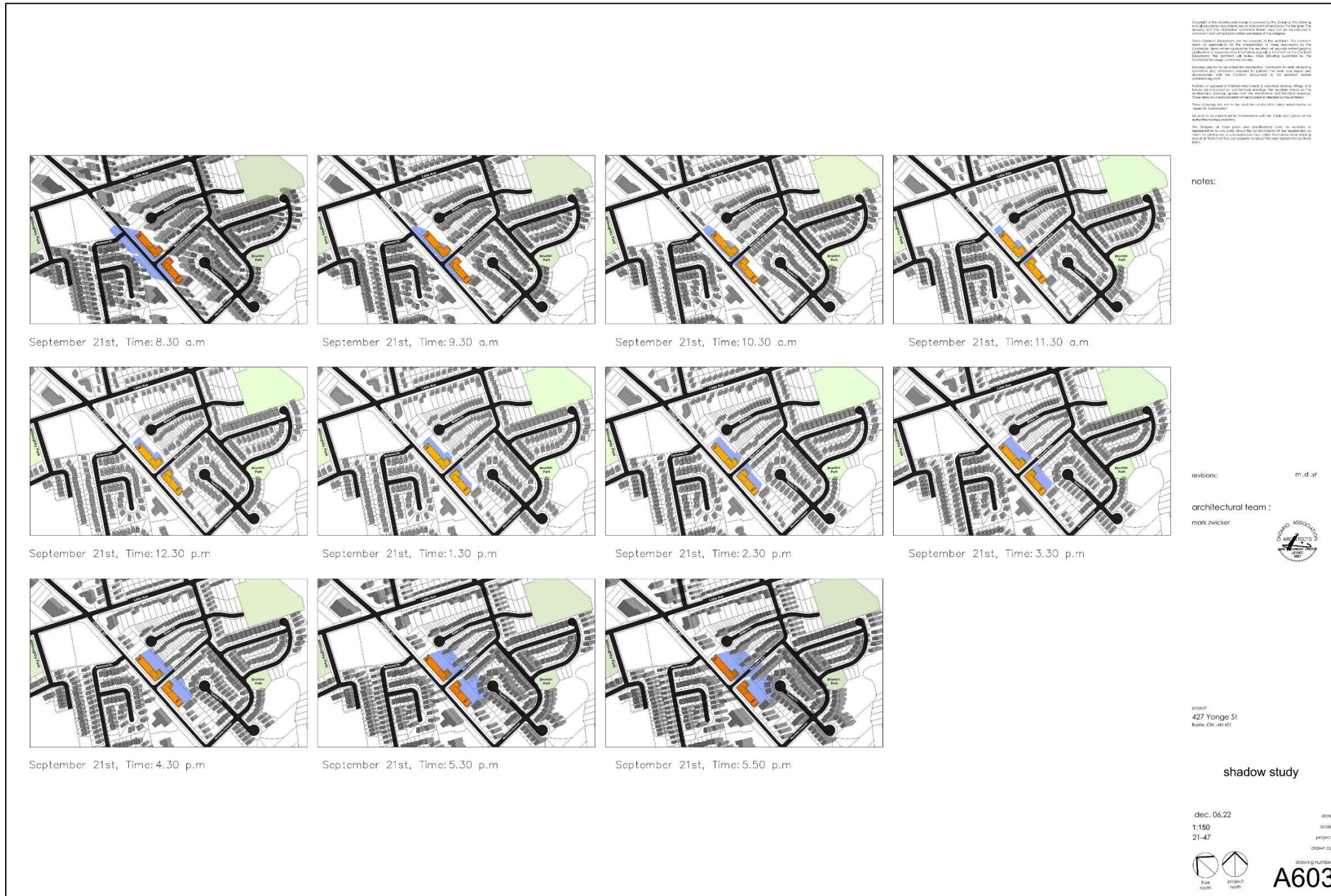
APPENDIX "I"  
Shadow Study (April)



APPENDIX "I"  
Shadow Study (June)



APPENDIX "I"  
Shadow Study (September)



APPENDIX "I"

Shadow Study (December)

