



TO: GENERAL COMMITTEE

SUBJECT: ZONING BY-LAW AMENDMENT – 303 CUNDLES ROAD EAST
(PENADY (NORTH BARRIE) LIMITED)

WARD: 3

PREPARED BY AND KEY CONTACT: CELESTE KITSEMETRY, RPP, SENIOR PLANNER, EXT. 4430

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

RECOMMENDED MOTION

1. That the Zoning By-law Amendment Application submitted by The Jones Consulting Group Ltd. on behalf of Penady (North Barrie) Limited, to rezone lands legally known as Part Lot 21, Concession 3, Geographic Township of Vespra, City of Barrie, known municipally as 303 Cundles Road East from the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) to 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530)(SP-XXX) as illustrated in Appendix "A" to Staff Report DEV014-23, be approved.
2. That the following site specific standards be referenced in the implementing Zoning By-law for a residential apartment development on that part of the subject lands municipally known as 303 Cundles Road East:
 - a) A rear yard setback (Highway 400) of 3.4 metres is permitted outside of the 14-metre setback required for Highway 400, whereas a minimum setback of 7.0 metres is required;
 - b) A maximum building height of 45.0 metres (12 storeys) is permitted, whereas a maximum building height of 6 storeys is permitted for residential buildings in the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) zone; and
 - c) A maximum of 505 new residential units are permitted in the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) zone, whereas a maximum of 200 residential units are permitted, of which 120 units are built and occupied.
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 DEV014-23.
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

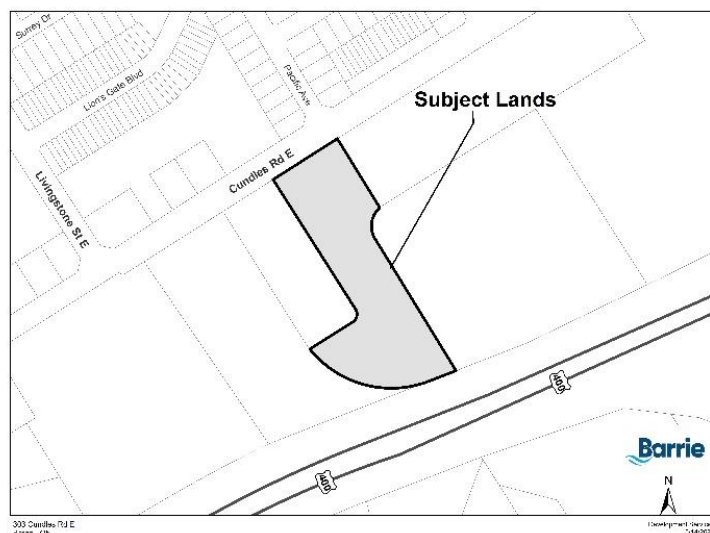
Report Overview

5. The purpose of this report is to recommend approval of a Zoning By-law Amendment application submitted by The Jones Consulting Group Ltd., on behalf of Penady (North Barrie) Limited, for lands known municipally as 303 Cundles Road East. The special provisions requested are to facilitate the development of three (3) new apartment towers ranging in height from 8 storeys to 12 storeys with a maximum building height of 45 metres (12 storeys), 505 new residential units and a reduced rear yard setback to 3.4 metres outside of the required 14 metre setback from Highway 400.
6. With the conclusion of the technical review and public consultation process, which included a Neighbourhood Meeting on June 7, 2021, and Public Meeting on September 13, 2022, 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) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019), as amended, and the City of Barrie Official Plan (2010). As such, staff are recommending approval of the rezoning application as provided in draft attached to Staff Report DEV014-23 as Appendix "A".

Site and Location

7. The subject site is approximately 1.93 hectares in size, is vacant, and forms part of a larger 19-hectare development parcel located with frontage on Cundles Road East and flankage on Highway 400.
8. The immediate surrounding land uses include:

- | | |
|--------------|---|
| North | Cundles Road East, Place of Worship (Barrie Free Methodist Church), Single Detached Residential, Townhouses |
| East | Commercial (mix of retail, restaurants, movie theatre, food store and personal service uses) |
| South | Highway 400 |
| West | 2 - 6 storey Residential Apartment Buildings (The Junction), School (Frere-Andre Catholic Elementary) |



Existing Policy

9. The subject property is designated 'General Commercial' on Schedule "A" – Land Use in the City's Official Plan and comprise approximately 1.93 hectares of a larger 19 hectare development parcel that has been the subject of previous applications for an Official Plan Amendment, Zoning By-law

Amendment, and implemented through Site Plan Control applications (D11-1476, D11-1604 & D11-1604R). A special zoning provision requires that the entire 19 hectare site is treated as a single property for zoning purposes.

10. The current zoning is 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) in the City's Comprehensive Zoning By-law 2009-141, as amended. Existing site specific provisions for the subject lands include:
- a) (SP-520)
 - i) Used car lots, auto body and collision repair shops, adult entertainment parlours and marinas shall not be permitted
 - ii) All internal lot lines shall be removed in order that the entire parcel may be treated as a single lot for zoning purposes
 - iii) A maximum building height of 15 metres shall be permitted unless specifically identified
 - iv) A maximum gross floor area of 3,253 square metres for permitted automotive related uses shall be required
 - v) A maximum commercial gross floor area of 49,157 square metres shall be permitted
 - vi) A parking standard of 1.1 spaces per residential dwelling unit shall be permitted
 - vii) A parking standard of 1 space per 24.4 metres squared shall be permitted for all commercial and institutional uses
 - viii) The permitted use and zoning standards related to lands abutting Highway 400 are not applicable
 - b) (SP-530)
 - i) Be permitted a residential building(s) of 6 storeys
 - ii) Have a minimum of 65 residential units and a maximum of 196 residential units (an additional 4 units were granted by Minor Variance application A12/11, making the current total of 200 residential units permitted)
 - iii) The permitted use and zoning standards related to lands abutting Highway 400 are not applicable

Background Studies

11. In support of the application, the following plans, reports, and studies were submitted. Copies of the submission material are available online on the City's Development Projects webpage under [Ward 3 – 303 Cundles Road East](#).
- a) Planning Justification Report, including Affordable Housing and Urban Design (The Jones Consulting Group Ltd. dated July 2022)
 - b) Architectural Package including Site Plan, Floor Plan, Elevations, Cross Sections, and Renderings (SRN Architects dated January 19, 2022)
 - c) Block Context Plan & Crane Swing Plan. (SRN Architects dated January 21, 2022)
 - d) Sun and Shadow Plans (SRN Architects dated January 21, 2022)
 - e) Traffic Impact Study & Parking Study (BA Group dated July 2022)
 - f) Functional Servicing and Preliminary Stormwater Management Report (WMI & Associates Limited dated June 2022)
 - g) Geotechnical Engineering Report (Grounded Engineering dated May 26, 2022)
 - h) Hydrogeological Assessment (Grounded Engineering dated July 5, 2022)
 - i) Environmental Noise & Vibration Feasibility Assessment (Valcoustics Canada Ltd. dated June 22, 2022)

- j) Pedestrian Wind Comfort and Microclimate Study (Gradient Wind dated June 28, 2022)
- k) Energy Conservation Report (Penady (North Barrie) Limited dated June 2022)

Public Consultation

- 12. A Neighbourhood Meeting was held virtually on June 7, 2021, with approximately forty-six (46) attendees, including Ward 3 Councillor Kungl, Planning staff, the owner/applicant, and members of the consulting team.
- 13. A statutory Public Meeting was held on September 13, 2022, to present the subject application to Planning Committee and the public. Committee heard verbal comments from members of the public, received 16 written submissions, and a petition signed by 54 residents. Staff have also received several general inquiries in response to this proposed development.
- 14. The comments and concerns expressed by residents 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 of Staff Report DEV014-23. 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 to the greatest extent possible.

Public Comments

15. **Traffic**

Concern was raised regarding with the current amount of traffic on Cundles Road East, the amount of new traffic the additional units will generate, the potential increase in queuing times at the entrance and the potential need for signaling the intersection.

A Traffic Impact Study (TIS) was received in support of the application. This study was reviewed and approved in principle by staff. The TIS concluded that the traffic generated by the proposed development can be accommodated on the existing road network, and that no road improvements were required. In addition, staff reviewed projected traffic volumes (2027 horizon) for the intersection of Cundles Road East and Pacific Avenue/Site access as well as the collision history (2019 to 2022) for the intersection of Cundles Road East and Pacific Avenue/Site access. This analysis confirmed that the traffic counts and collision history did not satisfy the minimum requirements to warrant the implementation of traffic control signals.

16. **Parking**

Concerns were expressed about the perceived lack parking proposed for both residents and visitors.

A Parking Study was submitted in support of this application to demonstrate that the parking ratio proposed for the development was appropriate. This study was reviewed and approved in principle by staff. The proposed development is providing a total of 632 parking stalls, which includes 556 residential parking spaces, 22 accessible parking spaces and 76 visitor parking spaces.

The proposed surface and underground parking spaces equal 1.25 spaces per dwelling unit, which exceeds the site specific parking standard for residential use previously granted by SP-530, which is a minimum of 1.1 parking spaces per dwelling unit. In addition, as part of the site plan approval process, the proposed 76 visitor parking stalls (0.15 space per dwelling unit) will be specifically identified on the site plan to ensure they are maintained for visitors.

17. Building Height and Tower Location

Concerns were raised about the proposed building heights in general, and that the development will block the view to Little Lake from the existing residential towers (6 storeys – The Junction).

In response to comments received from staff and the public, the building heights have been varied to provide more integration with the adjacent development, and focusing the tallest tower (12 storeys) adjacent to Highway 400, and the shortest being the internal mid-block building (8 storeys). It should be noted that the subject site is not in direct proximity to Little Lake, so the preservation of views from the exiting development is not a required factor for the site design, but the principle has been considered by the applicant with the tower placement. In addition, a comprehensive architectural design package and technical studies, including a Sun and Shadow Study and a Wind and Microclimate review have been prepared to ensure there will be no adverse impacts on adjacent dwellings/amenity areas. The proposed site layout will be subject to detailed review through the Site Plan Control process.

18. Amenity Areas, Open Space/Landscaping

Concerns were raised about the amount of green space on the site, and general amenity areas for future residents.

Staff have reviewed this matter and can confirm that the proposed development concept, attached to Staff Report DEV014-23 as Appendix “B”, includes a combination of indoor and outdoor amenity areas for the future residents in the form of balconies/patios, rooftop areas and indoor spaces. In total, the concept as currently proposed, provides approximately 6,111 square metres of amenity space. Further, the concept shows approximately 40% of the site as landscaped area. Staff will confirm the provision of amenities and review the detailed landscaping plans during the Site Plan Control application stage. The lands are also in proximity to municipal parkland including Osprey Ridge Park and Osprey Ridge West.

19. Municipal Services and Broadband Network

Questions were raised about the potential impacts on service levels for broadband, water, and wastewater due to the new proposed development.

As part of a complete application, a detailed Functional Servicing Report (FSR) was submitted in support of this development. This study was reviewed, and staff concur with the assessment in the FSR and that the existing municipal infrastructure and utilities surrounding the property are adequate to support the proposed development.

20. Affordable Accessible Units

Information was requested about the type of units being proposed, their potential affordability and if they were being targeted for seniors.

The applicant has advised that the proposed development will facilitate a high-density housing built form with a mix of unit types that will accommodate a variety of household sizes and incomes. Staff concur with the statement that this development will positively contribute to providing more attainable housing options in the City, and more specifically in this neighbourhood, compared to the construction of fewer units overall or more ground oriented units on the same lands. The current tenure for the development is anticipated to be condominium.

Department and Agency Comments

21. The subject application was circulated to staff in various departments and to external agencies for review and comment.
22. **Ministry of Transportation (MTO)** staff have identified no concerns with the proposed rezoning, and further that the Traffic Impact Study and Stormwater Management Report are acceptable. Some questions of clarification and additional detail was requested regarding the Geotechnical Engineering Report, which will be addressed at detailed design. MTO Building & Land Use permits are required for all proposed buildings shown on the Site Plan.
23. **Development Services – Approvals** staff have reviewed the Functional Servicing and Preliminary Stormwater Management 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 and that through subsequent detailed design will be able to satisfy all relevant design requirements. Servicing will be reviewed further through subsequent detailed design submission. 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.
24. **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 addressed through a future Site Plan Control application.
25. **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 fencing, and planting density will be addressed through the subsequent Site Plan Control application.
26. **Development Services – Transportation Planning** staff do not oppose the results to 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 1.5 metre road allowance for Cundles Road East will be required to be dedicated to the City.
27. **Transit Operations** staff provided comments in support of the Potential Transportation Demand Management Strategy in the TIS. If approved, transit support measures such as real time information screens and transit passes are encouraged to be considered at future Site Plan Control application.
28. 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.
29. 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 DEV014-23.

-
30. **Business Performance and Environmental Sustainability (Risk Management Official)** staff have confirmed that the site is not located within a Source Water Protection vulnerable area. As such, the policies of the South Georgian Bay Lake Simcoe Source Protection Plan do not apply. Staff have confirmed they are not opposed to the zoning by-law application. Comments were provided to address Environmental Risk Management requirements necessary for the Site Plan submission such as ensuring there is no permanent dewatering proposed, updated hydrogeological details, and a foundation methodology demonstrating that building supports shall not puncture the municipal aquifer.
31. **Business Performance and Environmental Sustainability (Environmental Compliance)** staff did not identify concerns in regard to the Zoning By-law Amendment. Staff noted that a Site Alteration Permit, Discharge Agreement, and a Fill Management Plan will be required.
32. **Business Performance and Environmental Sustainability (Environmental Sustainability)** staff provided comments indicating the available options and applicable standards for municipal waste collection in multi-residential buildings.
33. Planning staff at the **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.
34. **Development Services (Addressing)** staff advised that municipal addressing for the proposed units will be confirmed following the registration of the Site Plan Agreement. The municipal address of 303 Cundles Road East was assigned to the subject site on February 19, 2021, in accordance with current process.

ANALYSIS

Policy Planning Framework

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

Ontario Planning Act, R.S.O. 1990

36. 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>.
37. The proposed development is consistent with this legislation as it is located within the settlement area of Barrie; the concept includes residential apartment units in an existing 'General Commercial' development 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)

38. 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>
39. 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.
40. The proposed development is consistent with the PPS as the lands are within built boundary of this community and the integration of more residential units into an existing commercial plan, provides a mix of land use and promotes intensification. The proposed development aligns with the policies of a healthy, liveable, and compact community and would be serviced by existing municipal infrastructure and services, thereby representing efficient and cost-effective development.
41. 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)

42. 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>
43. The Growth Plan is intended to provide direction for municipalities in areas related to intensification of existing built-up 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.
44. The Growth Plan further requires that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, 50% of all residential development occurring annually within the City must be within the existing built boundary. In addition, the Growth Plan promotes the wise management of resources through the utilization of existing services and transportation infrastructure.
45. The proposed amendment will permit the development of high density residential development in the existing built boundary at an estimated density of 261 units per hectare for the specific development, and approximately 33 units per hectare for the site in its entirety. The development is proposed to utilize existing municipal servicing infrastructure, public facilities and is on a transit route. The integration of an additional 505 residential units will contribute to the City's intensification

targets, enhance the City's goal to create a complete community by further integrating a mix of land use in this area, and contributes to the Growth Plan target for 50% of new development to be included within the existing built boundary of the City. The residential density for this neighbourhood area would be increased from 6.62 units per hectare to 14.96 units per hectare by the development of compact residential built form in the existing commercial area, as well as providing housing in proximity to commercial development and employment uses. The Residential Density Analysis is included as Appendix "D" to Staff Report DEV014-23.

46. Based on the foregoing, staff are of the opinion that the proposed development conforms to the Growth Plan as it contributes to the residential growth in the built boundary, will utilize available and planned infrastructure, and has direct access to municipal transit services and bike lanes.

City of Barrie Official Plan (OP)

47. The Official Plan provides guidance for the 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 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>
48. The subject lands are designated as 'General Commercial' on Schedule "A" – Land Use in the City's Official Plan, which provides for a variety of large scale retail and service commercial uses, general commercial, institutional, and community facility uses, as well as medium density residential uses. At the time of zoning implementation for the permitted use for the existing residential towers on site (The Junction) under SP-520 and SP-530, residential uses were permitted in the apartment building built form without a requirement for ground floor commercial uses. The proposed rezoning application is to expand those previously granted permission to allow for an increased height and unit count in stand alone residential use. Although in a high density built form, as noted previously, the overall residential density is 33 units per hectare, which is within the medium density standards for residential use.
49. Section 2.3 provides assumptions upon which the City's Official Plan are based, identifying that mixed land uses and increased density represent an opportunity to develop complete communities and that increased self-sufficiency will be achieved in employment as more people both live and work in the City. The proposed development is consistent with this policy by proposing residential use as part of a commercial development concept with a high-density built form that is an efficient use of land, utilizes existing infrastructure and services and supports the use of public transit.

Affordable Housing

50. 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 a more attainable form of housing for prospective homebuyers, thereby increasing affordable options in the area.

Energy Conservation and Renewable Energy Systems

51. 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. 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.

Intensification Policies

52. Section 4.2.2.6 of the Official Plan states that residential intensification shall be focused in the 'Urban Growth Centre', Intensification Nodes, Intensification Corridors, and the Major Transit Station Areas identified by the Official Plan. Intensification is intended to promote development that is more compact and will efficiently use land and resources, optimize the use of existing and new infrastructure and services, support public transit and active transportation and contribute to improving air quality and promoting energy efficiency.
53. As the subject lands are not located within a designated intensification area, Policy 4.2.2.6 (d) of the Official Plan contains six criteria in the assessment of development applications outside of intensification areas including:

- i. The scale and physical character of the proposed development is compatible with and can be integrated into the surrounding neighbourhood.*

The applicant is proposing 505 residential apartment units in 3 towers in direct proximity to Highway 400, commercial development, and 2 existing residential towers which border a school site. Planning staff are satisfied that the proposed density (maximum 33 units per hectare) for the property is appropriate and compatible with the surrounding neighbourhood given that adequate parking, landscaping, open/amenity spaces, and pedestrian/vehicular access can be accommodated on site and there is no ground related housing adjacent these lands.

- ii. The infrastructure, transportation facilities, and community facilities and services are available without significantly impacting the operation and capacity of the existing systems.*

The proposed development would utilize the existing municipal road, sanitary, storm and water services.

- iii. That public transit is available and accessible.*

The subject lands are located in direct proximity to public transit on Cundles Road East.

- iv. That the development will not detract from the City's ability to achieve increased densities in areas where intensification is focused.*

The proposed development will not detract from the City's ability to achieve increased densities in areas where intensification is being encouraged. The City's Intensification Areas are intended to be developed with mid and high-rise residential and/or mixed-use developments.

In this case, the subject lands are located within an existing low density residential neighbourhood with nearby commercial and institutional uses. The overall residential density of the community, as detailed in Appendix "D" to Staff Report DEV014-23 will be increased from 6.62 units per hectare to 14.79 units per hectare, which is significantly below a low density neighbourhood target. This development will not have a negative impact on the City's ability to encourage intensification within the Urban Growth Centre and the Intensification Nodes and Corridors.

- v. *That sensitive, high quality urban design will be incorporated into the development including the efficiency and safety of that environment.*

The applicant has submitted conceptual building elevations in support of the subject application, attached to Staff Report DEV014-23 as Appendix "C". Staff concur that the proposed site design and building height variation, as well as the efficient use of a vacant parcel of land, contributes to the mix of land use and type of residential units available to an established neighbourhood.

- vi. *That consideration is given to the preservation of heritage resources.*

No heritage resources were identified on, or in proximity to the subject lands.

54. It is the opinion of Planning staff that the proposed development would satisfy the intensification policies noted above, as it provides for a density of 33 units per hectare through a compact built form that can be integrated into the existing neighbourhood; utilizes existing municipal infrastructure; is adjacent to and supports public transit; and will not detract from designated intensification areas.

Tall Building and Height Control (Section 6.6)

55. 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. In addition, the orientation and stepping provisions for buildings to mitigate shadow impacts on parks and open spaces, private amenity areas, and surrounding streets.
56. Staff concur that the building heights have been varied to provide more integration with the adjacent development, and focusing the tallest tower (12 storeys) adjacent to Highway 400, and the shortest being the internal mid-block building (8 storeys). In addition, a comprehensive architectural design package and technical studies, including a Sun and Shadow Study and a Wind and Microclimate review have been prepared to ensure there will be no adverse impacts on adjacent dwellings/amenity areas. The proposed site layout will be subject to detailed review through the Site Plan Control process.

Summary

57. Based on the foregoing staff are of the opinion that the proposed development conforms with the Official Plan. More specifically, the proposed development provides for an appropriate density that would serve to utilize existing services and infrastructure in accordance with the intensification policies of the City's Official Plan.

City of Barrie Comprehensive Zoning By-law 2009-141 – Site Specific Zoning Provisions

58. As noted above, the application proposes to add special provisions (SP-XXX) to the lands zoned as 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) in Comprehensive Zoning By-law 2009-141 as amended. Zoning By-law No. 2009-141 can be found in its entirety at the following link: <https://www.barrie.ca/planning-building-infrastructure/development-planning/zoning-land-use>.

59. The site specific zoning provisions previously approved for the subject site include:

a) (SP-520)

- i) Used car lots, auto body and collision repair shops, adult entertainment parlours and marinas shall not be permitted.
- ii) All internal lot lines shall be removed in order that the entire parcel may be treated as a single lot for zoning purposes
- iii) A maximum building height of 15 metres shall be permitted unless specifically identified.
- iv) A maximum gross floor area of 3,253 square metres for permitted automotive related uses shall be required.
- v) A maximum commercial gross floor area of 49,157 square metres shall be permitted.
- vi) A parking standard of 1.1 spaces per residential dwelling unit shall be permitted.
- vii) A parking standard of 1 space per 24.4 metres squared shall be permitted for all commercial and institutional uses.
- viii) The permitted use and zoning standards related to lands abutting Highway 400 are not applicable.

b) (SP-530)

- i) Be permitted a residential building(s) of 6 storeys.
- ii) Have a minimum of 65 residential units and a maximum of 196 residential units. (an additional 4 units granted by Minor Variance).
- iii) The permitted use and zoning standards related to lands abutting Highway 400 are not applicable.

60. The table below illustrates the required zone standards and the proposed site specific zone provisions requested with this application to facilitate the proposed development of 505 residential units in 3 towers with a maximum height of 45 metres (12 storeys) in the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) zone:

| Standards/Provisions for (C4) By-law 2009-141 | | |
|--|---|--|
| | Required/Permitted | Proposed |
| Minimum Rear Yard Setback (Highway 400) | 7 metres | 3.4 metres |
| Site Specific Standards/Provisions for (C4)(SP-520)(SP-530) | | |
| | Required/Permitted | Proposed |
| Maximum Residential Building Height | 6 storeys | 12 storeys / 45 metres |
| Maximum Residential Unit Count | 196 residential units + 4 by minor variance Total count of 200 residential units | 505 new residential units at 303 Cundles Road East 120 currently built and occupied at 298 Cundles Road East (The Junction) Total count of 625 residential units |

61. The Conceptual Site Plan and proposed Elevations have been attached to this memorandum as Appendix "B" and Appendix "C" respectively.

Zoning Rationale for Special Provisions (SP-XXX)

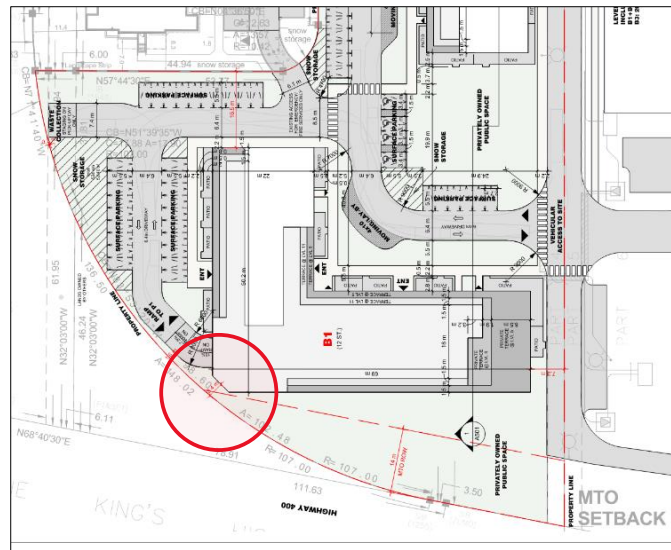
62. The site specific zoning standards requested to facilitate this plan are outlined below followed by a brief explanation and justification of support by staff.

- a) Permit a minimum rear yard setback (Highway 400) of 3.4 metres outside of the 14 metre setback required for Highway 400, whereas a minimum setback of 7.0 metres is required.

Due to the irregular lot shape, in particular adjacent to Highway 400, the proposed location of Building B1, is outside of the 14 metre setback required by MTO, but has a pinch point as highlighted in the sketch adjacent to this text. The full Conceptual Site Plan is attached to Staff Report DEV014-23 as Appendix "B". The request to reduce the rear yard setback to accommodate this design is supported by staff and considered to be minor. There will be no perceivable impacts on future residents, and no impacts to the Highway 400 setback required.

It should be clarified that one of the previous site specific special provisions under (SP-520) (SP-530), removed the requirement to comply with Sections 6.2.4 and 6.3.3 of the Zoning By-law for properties adjacent to Highway 400.

Section 6.3.3.1 requires lands adjacent to Highway 400 to have the highway be considered as the front yard for the purpose of zoning. Notwithstanding this provision, the requested special provision was considered as a setback on its merit and is recommended for approval.



- b) Permit a maximum building height of 45.0 metres (12 storeys), whereas a maximum building height of 6 storeys is permitted for residential buildings in the SP-530 zone.

In response to comments received, the building heights have been varied from the three, 10 storey towers presented at the Neighbourhood Meeting, to provide more integration with the adjacent development, and focusing the tallest tower (12 storeys) adjacent to Highway 400, and the shortest being the internal mid-block building (8 storeys). In addition, a comprehensive architectural design package and technical studies, including a Sun and Shadow Study and a Wind and Microclimate Review have been prepared to ensure there will be no adverse impacts on adjacent dwellings/amenity areas.

Staff consider the proposed height to be acceptable based on the location of the proposal as part of a mixed use predominately commercial site, and the design elements incorporated into the concept proposed. The proposed site layout will be subject to detailed review through the Site Plan Control process.

- c) Permit 505 new residential units, whereas a maximum of 200 residential units are permitted in the SP-530 zone.

Of the 200 residential units permitted, 196 units by SP-530 and the addition of 4 units by minor variance (A12/11), 120 units are built and occupied (The Junction). The addition of 505 new units by the subject application would permit a total to 625 residential units on the site as part of a larger commercial development.

The overall residential density of the community, as detailed in Appendix "D" to Staff Report DEV014-23 will be increased from 6.62 units per hectare to 14.79 units per hectare, which is significantly below a low density neighbourhood target. The development of this vacant parcel will contribute to the City's intensification goals, increase the variety of residential units available in this neighbourhood, and is an efficient use of exiting municipal services and infrastructure.

Site Plan Control

63. The subject property will 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.
64. Should Council approve the rezoning application, the applicant will be required to submit a Site Plan Control application for this proposed development that includes, but is not limited to, satisfactory demonstration of the following:
- a) implementation of the appropriate noise mitigation measures for transportation sources (Highway 400);
 - b) vehicular access, traffic circulation, and alignment of private and/or municipal road connections to successfully facilitate the development;
 - c) site design that provides, pedestrian, multi-modal and accessible access to public streets/sidewalks, transit stops and open spaces; and,
 - d) buildings located and oriented to frame and activate public/private streets and open spaces.

Summary

65. 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 and 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.

66. Planning staff therefore recommend approval of the Zoning By-law Amendment application to add special provisions to the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) zone for the subject lands 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, and City of Barrie Official Plan. 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

67. There are no environmental and/or climate change impact matters related to the recommendation.

ALTERNATIVES

68. The following alternative is available for consideration by Planning Committee:

| | |
|------------------------------|---|
| <u>Alternative #1</u> | <p>General Committee could deny the request to rezone the subject lands with special provisions to reflect an increase in residential units and more height for the apartment buildings than is currently permitted in the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) zone.</p> <p>This alternative is not recommended as the development of this vacant piece of the subject property will create a greater mix of land use at this location and will contribute to the mix of residential units available to this community. The lands can be effectively serviced by existing municipal infrastructure and are supported by the existing road network and transit. Staff will confirm the final design through the Site Plan Control process.</p> |
| <u>Alternative #2</u> | <p>General Committee could alter the proposed recommendation by revising the proposed site specific standards for height and/or unit count associated with the residential units.</p> <p>Although this alternative is available, the recommendations of staff and agency partners have been generally based on the concept submitted in support of these applications, attached to Staff Report DEV014-23 as Appendix "B". A detailed review by staff of an alternative concept would be necessary to ensure additional site specific standards are not required.</p> |

FINANCIAL

69. 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.
70. For the current proposal to construct three residential buildings containing 505 residential units, Development Charge rates have been frozen with interest for a maximum of two years from the date of Zoning By-law Amendment being August 10, 2022, 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 \$42,886 per unit; and
 - ii) Apartments Bachelor and 1 Bedroom are charged \$30,111 per unit.
71. 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. (2023 rate, subject to an annual inflation adjustment on January 1st of each year)
72. A cash in lieu of parkland contribution will be required. The amount is currently \$3,693.00 per residential unit. (2023 rate, subject to an annual inflation adjustment on January 1st of each year)
73. 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. (2023 rate)
74. 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.
75. 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.

LINKAGE TO 2022-2026 STRATEGIC PLAN

76. The recommendation(s) included in this Staff Report supports the following goals identified in the 2022-2026 Strategic Plan:
- ☒ Affordable Place to Live
 - ☒ Thriving Communities
77. In accordance with Council's goals, the proposed development will integrate a mix of land use into the existing commercial development with a compact built form that will utilize existing services and infrastructure, will add the potential for more affordable and attainable housing options, support transit and active transportation alternatives, and contribute to activating the streetscape of this commercial hub.

Attachments:

Appendix "A" – Draft Zoning By-law Amendment
Appendix "B" – Conceptual Site Plan
Appendix "C" – Elevations
Appendix "D" – Density Analysis

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 legally described as Part Lot 21, Concession 3, Geographic Township of Vespra, City of Barrie, known municipally as 303 Cundles Road East, shown on Schedule "A" to this By-law from the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) to 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530)(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** notwithstanding the provisions set out in site specific By-law 2010-130 as amended, for the 'General Commercial with Special Provisions' (C4)(SP-520)(SP-530) zone, Special Provision (SP-XXX) be added as follows:
 - a) Residential uses are permitted on the lands known municipally as 303 Cundles Road East, as part of a larger commercial/institutional and residential development, with the following special provisions:
 - i) A minimum rear yard setback of 3.4 metres, outside of the 14 metre setback required by the Ministry of Transportation for Highway 400;
 - ii) A maximum height of 45 metres (12 stories); and,
 - iii) A maximum of 505 additional residential dwelling units.
2. **THAT** the remaining provisions of Comprehensive Zoning By-law 2009-141, as amended from time to time, applicable to the above-described lands shown in Schedule "A" to this by-law shall apply to the said lands except as varied by this By-law.
3. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this ____ day of ____, 2023.

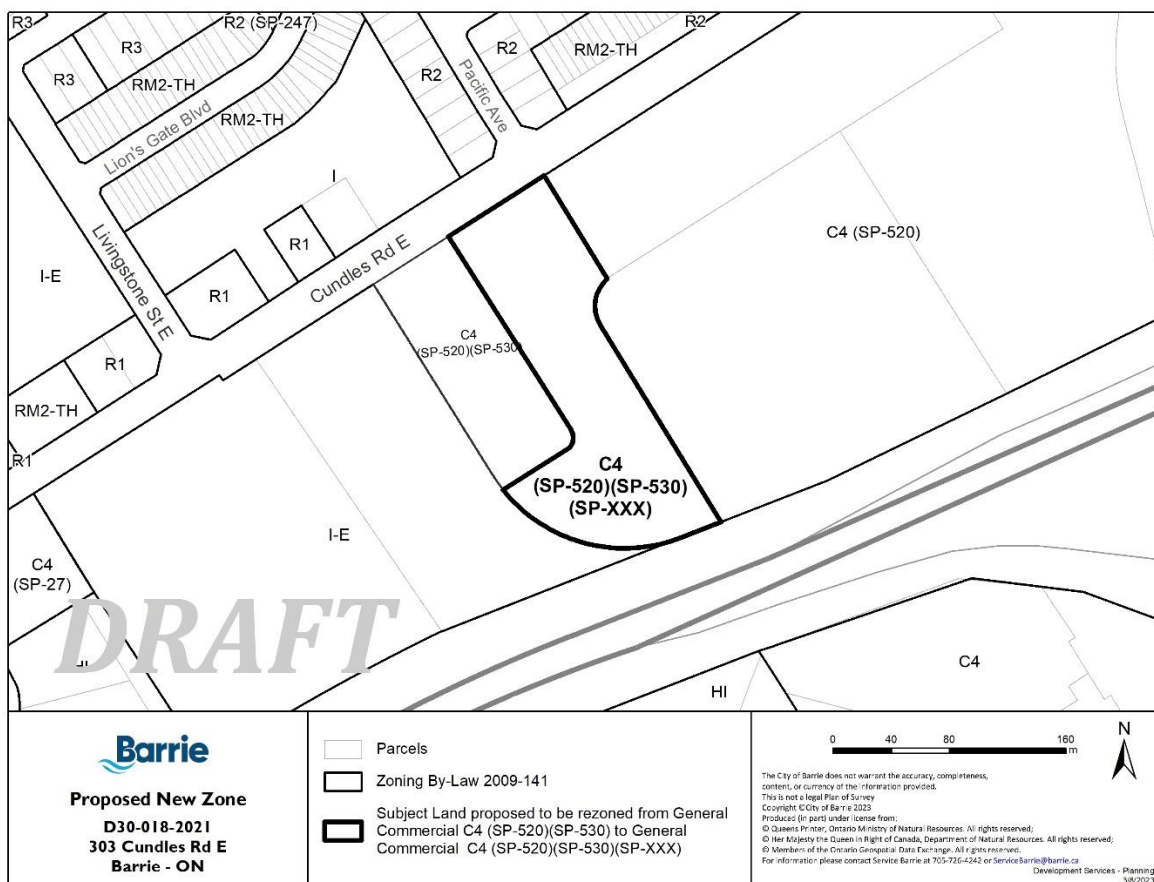
READ a third time and finally passed this ____ day of ____, 2023.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – A. NUTTALL

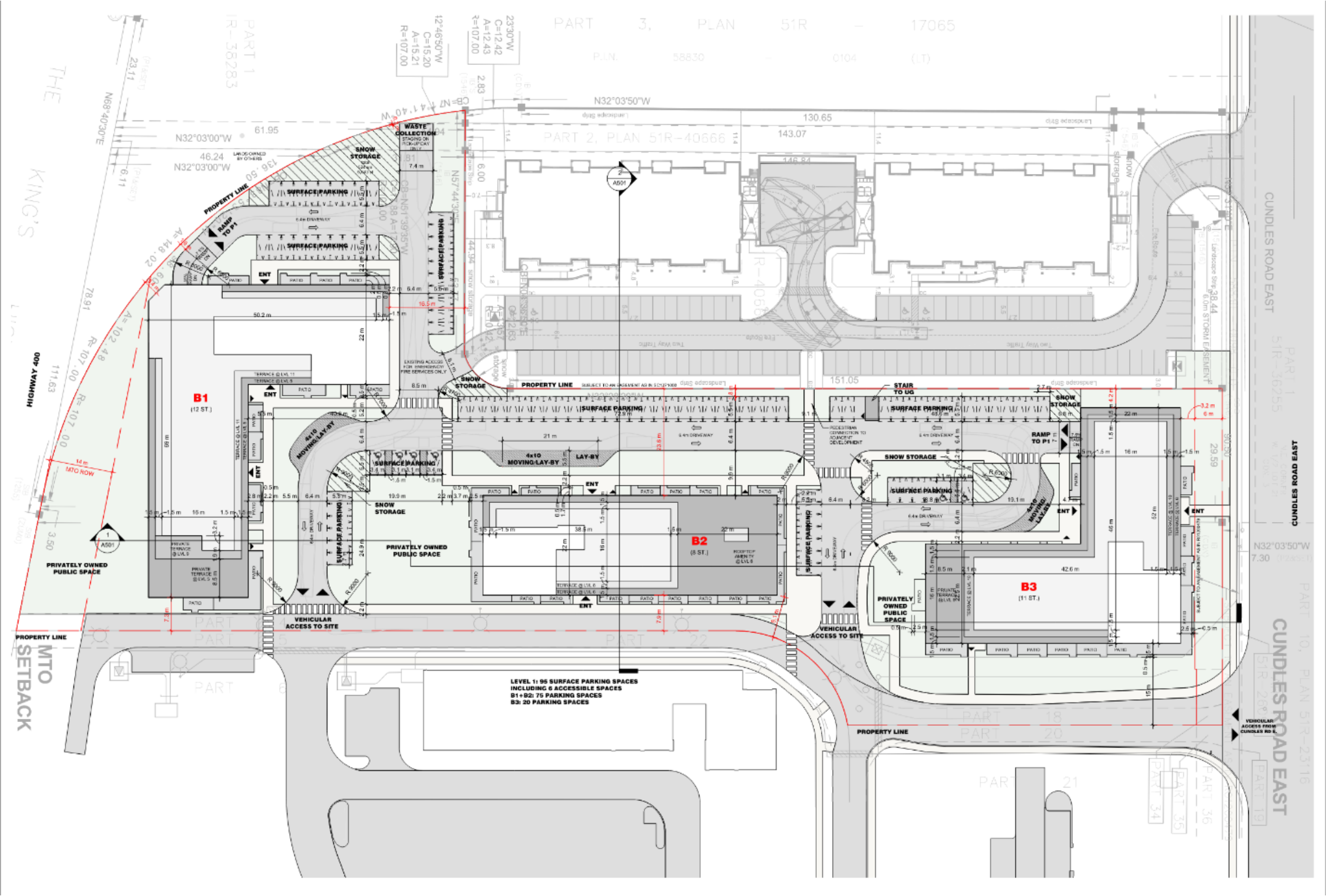
CITY CLERK – WENDY COOKE

Schedule “A” to attached By-law 2023-



APPENDIX "B"

Proposed Conceptual Site Plan



APPENDIX "C"

Proposed Elevations



APPENDIX "D"
RESIDENTIAL DENSITY ANALYSIS
D30-018-2022
303 CUNDLES RD E, BARRIE -ON

| | |
|--|----------|
| Total Study Area | 95.73 ha |
| Total Developable Area - <i>Only residential</i> (Private properties) | 27.11 ha |
| Total Developable Area - <i>All Residential and Non-Residential</i> (Private properties) | 60.54 ha |
| Total Area Parks/ Open Space/SWM Ponds/Walkways/Laneways | 15.90 ha |
| Total Area Roads right of way | 19.29 ha |

| PROPERTY USAGE TYPE | Total Dwelling Units | Land Area (ha) | Residential Density Dwelling Units/ha |
|--|----------------------|----------------|---------------------------------------|
| Single Dwelling Unit | 401 | 21.17 | 18.94 |
| Townhouse Dwelling Unit | 0 | 1.67 | 0.00 |
| Multi-residential/ Mixed use building (7 or more residential units) | 0 | 1.42 | 0.00 |
| Vacant residential and Commercial lands | | 0.86 | |
| Non- residential areas(Commercial/ Institutional) | | 33.43 | |
| Parks/ Open Space/ Walkway / Laneway | | 15.90 | |
| Subject Property 303 Cundles Rd E - D30-018-2022 <i>Change the zoning from General Commercial (C4) to Mixed Use Corridor with Special and holding Provisions (MU2)(SP-XXX) (H-YYY) to facilitate the development of 3 residential apartment buildings, 8, 10 and 12 storeys in height with a total of 505 units.</i> | 505 | 1.99 | 254.02 |
| Current Residential Density <i>(Only Residential Lands included)</i> | 401 | 27.11 | 14.79 |
| Current Residential Density <i>(All Residential and Non- residential lands included)</i> | 401 | 60.54 | 6.62 |
| Projected Residential Density Including Proposal for Subject Lands (OPTION 1) <i>(Only Residential Lands included)</i> | 906 | 27.11 | 33.42 |
| Projected Residential Density Including Proposal for Subject Lands (OPTION 1) <i>(All Residential and Non- residential lands included)</i> | 906 | 60.54 | 14.96 |
| Projected Residential Density Including Proposal for Subject Lands and Other Proposed Developments in the Area (OPTION 1) <i>(Only Residential Lands included)</i> | 906 | 27.11 | 33.42 |
| Projected Residential Density Including Proposal for Subject Lands and Other Proposed Developments in the Area (OPTION 1) <i>(All Residential and Non- residential lands included)</i> | 906 | 60.54 | 14.96 |

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.
Vacant lands includes any surface parking lots that exist in the area.

Prepared by: Development Services
Date: March 8, 2023

