

AMENDMENT NO. 69

TO THE

CITY OF BARRIE

OFFICIAL PLAN

OFFICIAL PLAN
FOR THE
CITY OF BARRIE
Amendment No. 69

Amendment No. 69 to the City of Barrie Official Plan was prepared by the Barrie General Committee and was recommended to the Council of the City of Barrie under the provisions of the Planning Act, on the 3rd day of June, 2019.

Mayor – J.R. Lehman

City Clerk – Wendy Cooke

This amendment was adopted by the Corporation of the City of Barrie by By-law No. 2019-XXX in accordance with the provisions of the Planning Act, on the 3rd day of June, 2019.

Mayor – J.R. Lehman

City Clerk – Wendy Cooke



Bill No. 043

BY-LAW NUMBER 2019-XXX

A By-law of the Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. No. 69).

WHEREAS, Section 21 of The Planning Act, R.S.O., 1990 Chapter P.13 authorizes Council to initiate an amendment to or repeal of any Official Plan that applies to the municipality;

AND WHEREAS, by Resolution 19-G-120, the Council of the Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan;

NOW THEREFORE, the Council of the Corporation of the City of Barrie enacts as follows:

1. Amendment No. 69 to the City of Barrie Official Plan attached to and forming part of this by-law, is hereby adopted.

READ a first and second time this 3rd day of June, 2019.

READ a third time and finally passed this 3rd day of June, 2019.

THE CORPORATION OF THE CITY OF BARRIE

Mayor – J.R. Lehman

Clerk – Wendy Cooke

This Amendment No. 69 to the Official Plan for the City of Barrie which has been recommended by the Barrie General Committee and adopted by the Council of the Corporation of the City of Barrie, is hereby approved in accordance with the Planning Act as Amendment No. 69 to the City of Barrie Official Plan.

Date

City Clerk – Wendy Cooke

OFFICIAL PLAN AMENDMENT NO. 69

TABLE OF CONTENTS

INTRODUCTION	1
PART A - THE PREAMBLE	2
Purpose	2
Location.....	2
Basis.....	2
PART B - THE AMENDMENT	4
Details of the Amendment.....	4
Implementation.....	4
Interpretation	4
PART C - THE APPENDIX	6

AMENDMENT NO. 69
TO THE CITY OF BARRIE
OFFICIAL PLAN

INTRODUCTION

PART A - THE PREAMBLE does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and map constitutes Amendment No. 69 to the City of Barrie Official Plan.

Also attached is **PART C - THE APPENDIX**, which does not constitute part of this amendment. This appendix contains the Public Meeting Minutes, Staff Report, and the Council Resolution associated with this amendment.

PART A - THE PREAMBLE

PURPOSE

The purpose of this amendment is to amend Section 4.8 and Schedule C – Defined Policy Area of the City of Barrie Official Plan to create a Defined Policy Area to permit a density in excess of 150 units per hectare outside of the City Centre, on lands located along the Dunlop Street West Primary Intensification Corridor. The proposed amendment will permit the development an eight (8) storey mixed-use building with 138 square metres of ground floor commercial space and 93 residential apartment units. This amendment will be accompanied by an implementing Zoning By-law Amendment, and a future application for Site Plan Approval.

LOCATION

The amendment to the City of Barrie Official Plan applies to the lands municipally addressed as 233, 237, 241 and 245 Dunlop Street West in the City of Barrie. The subject lands are legally described as Lots 16, 17, 18 and 19 South Side of Elizabeth Street and Lots 16, 17 and 18 North Side of Perry Street on Registered Plan 27, City of Barrie. The subject lands have a collective area of 0.717 hectares (1.77 acres) with a frontage of approximately 80 metres (262.4 ft.) on Dunlop Street West.

BASIS

The amendment conforms to Provincial Planning policies, including the *Planning Act*, Provincial Policy Statement (PPS) and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), in that the subject lands are located in a designated intensification corridor within a settlement area where existing municipal services and infrastructure are available to support compact high density residential development.

The City of Barrie Official Plan was approved by the Ministry of Municipal Affairs and Housing on April 23, 2010 and identified the subject lands as part of the Residential Area and Environmental Protection Area land use designations. The City of Barrie Official Plan provides direction for the development and intensification of residential lands located within designated intensification areas through goals and policies endorsed by the Corporation of the City of Barrie.

The subject lands are located within the Dunlop Street West Primary Intensification Corridor as identified on Schedule I of the Official Plan. The proposed amendment would contribute to intensification through the development of a high density residential use on underutilized lands. The amendment is also consistent with a number of general policies in Section 4.2 (Residential) and other relevant policies of the City of Barrie Official Plan. The Residential Area land use designation permits all forms and tenures of housing. The site is located within a Primary Intensification Corridor where development will be more compact and will efficiently use land and resources, optimize the use of existing and new infrastructure and services, and support public transit and active transportation.

The amendment will facilitate the redevelopment and intensification of the subject lands with a residential density of 196 units per hectare. Since the subject lands are identified as being within a Primary Intensification Corridor, Section 4.2.2.3(c) of the Official Plan is applicable, which states that “High density development in excess of 150 units per hectare shall be restricted to locations within the City Centre unless an amendment considering the criteria noted in (b) above and other policies of this Plan has been approved.”

Section 4.2.2.3(b) of the Official Plan states that:

“Medium and high density residential development shall be encouraged to locate in the Intensification Nodes and Corridors identified on Schedule I, and generally directed towards areas that are:

- i) Adjacent to arterial and collector roads;
- ii) In close proximity to public transit, and facilities such as schools, parks, accessible commercial development; and,
- iii) Where planned services and facilities such as roads, sewers and watermains, or other municipal services are adequate. (Mod E(n)).”

The redevelopment is located in a Primary Intensification Corridor and satisfies the general locational criteria as outlined below:

- i) The site is located on Dunlop Street West, an arterial road, and in close proximity to the Highway 400 interchange (500 metres) and the City Centre (300 metres).
- ii) The site is located in close proximity to Barrie Transit service stops and commercial development on Dunlop Street West, and is serviced by local schools and parks.
- iii) Planned services and facilities such as roads, watermains, sanitary/storm sewers and other municipal services and infrastructure are adequate for the proposed development.

The amendment is designed to reflect the policies noted above which promote the development of higher density, compact, pedestrian-friendly and transit supportive developments within designated intensification areas throughout the City of Barrie.

PART B - THE AMENDMENT

DETAILS OF THE AMENDMENT

The Official Plan of the City of Barrie is amended by revising the Schedules and text of the Official Plan as follows:

1. Revise Schedule C – Defined Policy Area of the Official Plan for lands known municipally as 233, 237, 241 and 245 Dunlop Street West, and designated Residential Area and Environmental Protection Area, to identify Defined Policy Area [KK] as illustrated by Schedule 1 to Amendment No. 69.
2. Add text to Section 4.8 – Defined Policy Area of the Official Plan as follows:

Section 4.8.25 – Defined Policy Area [KK] (OPA No. 69, By-law 2019-XXX)

The following shall apply to lands shown on Schedule C, located on the south side of Dunlop Street West, east of Boys Street South and west of Frances Street South, known municipally as 233, 237, 241 and 245 Dunlop Street West:

- (a) a maximum density of 196 units per hectare shall be permitted.

IMPLEMENTATION

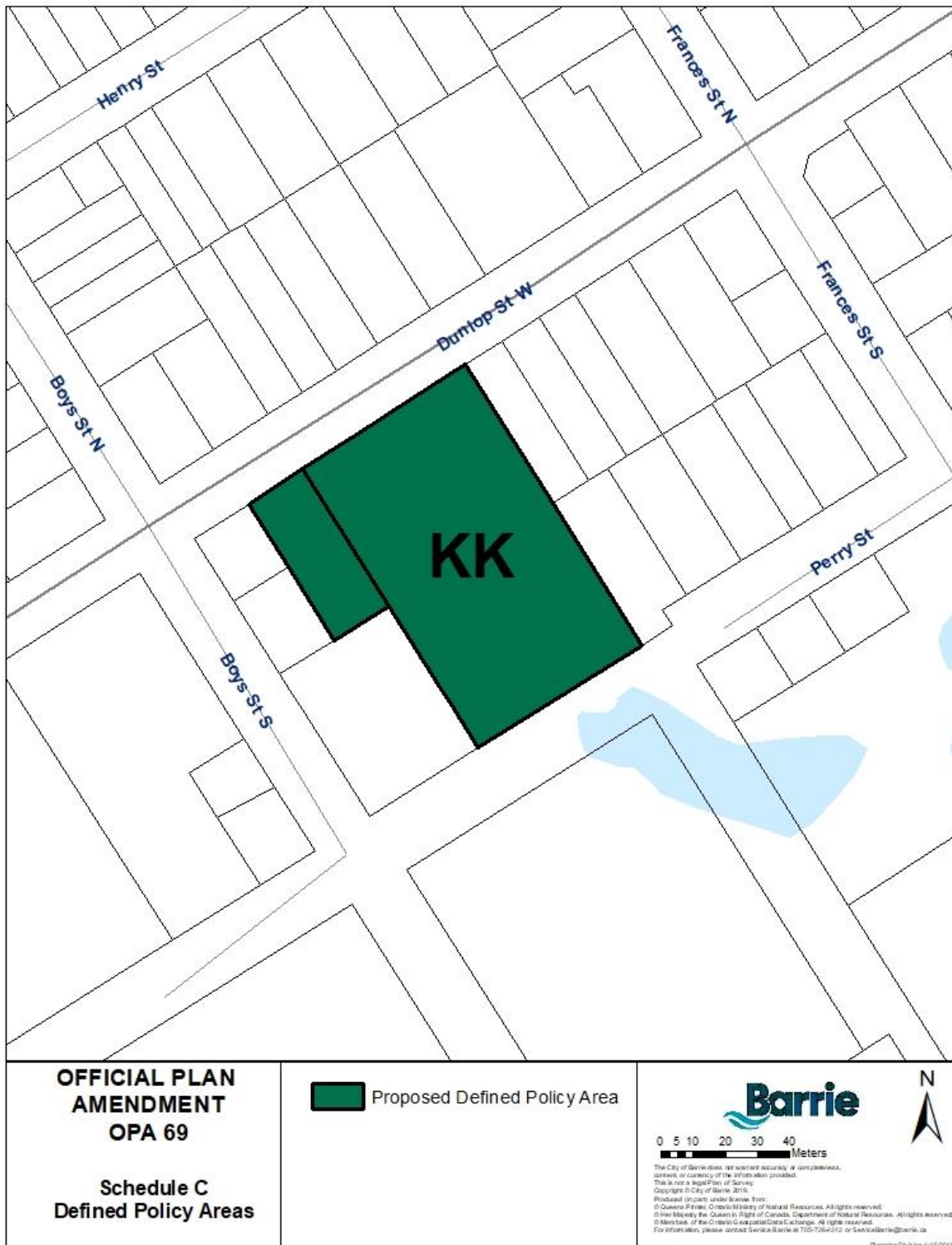
An implementing Zoning By-law to re-zone the subject lands from 'Residential Multiple Dwelling Second Density – Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed-use Corridor – Special Provision No. 566' (MU2)(SP-566) and 'Environmental Protection' (EP) will be presented concurrently with Official Plan Amendment No. 69.

The specific provisions of the 'Mixed-use Corridor – Special Provision No. 566' (MU2)(SP-566) zone will permit the development of an eight-storey mixed-use building with 93 residential apartment units and ground floor commercial space.

INTERPRETATION

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

Schedule 1 to Official Plan Amendment No. 69



PART C - THE APPENDIX

TABLE OF CONTENTS

	Page
MINUTES OF THE GENERAL COMMITTEE PUBLIC MEETING	7
STAFF REPORT	9
COUNCIL RESOLUTION.....	57

Minutes of the General Committee Public Meeting



City of Barrie

Direction Memos

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

December 17, 2018

18-G-226

APPLICATIONS FOR AN OFFICIAL PLAN AMENDMENT AND A ZONING BY-LAW AMENDMENT SUBMITTED BY INNOVATIVE PLANNING SOLUTIONS ON BEHALF OF MDM DEVELOPMENTS - 233, 237, 241 AND 245 DUNLOP STREET WEST (WARD 2) (FILE: D09-069-18 AND D14-1647)

Mr. Cameron Sellers of Innovative Planning Solutions Inc. advised that the purpose of the Public Meeting is to discuss applications for an Official Plan Amendment and a Zoning By-law Amendment for lands known municipally as 233, 237, 241 and 245 Dunlop Street West.

Mr. Sellers discussed slides concerning the following topics:

- The application context, including site information and surrounding land uses;
- The Official Plan designation for the property and surrounding areas;
- The Zoning for the subject property and surrounding areas;
- The proximity of the subject property with respect to the Primary Intensification Nodes and Primary Intensification Corridors;
- An overview of the development proposal;
- An architectural rendering of the proposed development;
- The Urban Design highlights of the proposed development;
- Illustrations from the Shadow Impact Study;
- The Tree Preservation Plan for the development;
- The requested Official Plan Amendment;
- A chart illustrating the Zoning By-law amendments being requested for the development; and
- A review of the Planning Policy for the area.

Mr. Sellers concluded his presentation and indicated that he believed the applications are appropriate for the area and should be supported.

Mr. Andrew Gameiro, Planner, Planning and Building Services provided details concerning the application, as well as the primary planning and land use considerations associated with the applications. He advised that the Neighbourhood Meeting was held on April 25, 2018 with 25 local residents attending the meeting. Mr. Gameiro reviewed the changes made by applicant based on items that needed to be addressed due to the adjacent creek and pond, and potential traffic impacts.

He advised on the anticipated timelines of the staff report.

VERBAL COMMENTS:

1. Al McNair, 9 Mountbatten Road, representing Nature Barrie, shared that Nature Barrie has a long history of involvement with Milligan's Pond and Bunkers Creek. He advised that he supports the preservation of trees and that he believes there is a strong civic interest in maintaining trees whenever possible. Mr. McNair questioned whether the extent of a former landfill under Milligan's Pond is known and discussed his concerns associated with the potential impacts to water quality if the area is disturbed. He advised that the area is an active birding area and encouraged the applicant and City to consider bird sensitive guidelines that have been developed by other jurisdictions when reviewing this development proposal. Mr. McNair questioned the increased density for the development and noted that he felt that this development proposal is not within one of the Primary Intensification Nodes or Urban Growth Area.



City of Barrie Direction Memos

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

December 17, 2018

18-G-226 **Continued...**

2. Mr. Mario Titus, 2 Toronto Street questioned whether the development included a hotel and what the construction material for the building will be.

Mr. Sellers provided a response to the question.

1. Steve Ferguson, 3 Boys Street South questioned whether the subject lot was filled illegally in the past. He advised that he believes the proposal for 8 storeys is too high and the requirements for piles for this height of building will be too disruptive to the land, especially being so close to Milligan's Pond and Bunkers Creek.

Members of General Committee asked a number of questions of the Applicant's representative and City staff and received responses.

WRITTEN CORRESPONDENCE:

1. Correspondence from Eric Taverner, dated December 6, 2018.
2. Correspondence from Mike Fawcett, dated December 5, 2018.

Direction Memos:

Director of Planning and Building Services – action

Staff Report



STAFF REPORT PLN016-19
May 6, 2019

Page: 1
File: D14-1647
& D09-069-18
Pending #

TO: GENERAL COMMITTEE

SUBJECT: OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATION
– MDM DEVELOPMENTS INC. – 233, 237, 241 & 245 DUNLOP
STREET WEST

WARD: WARD 2

PREPARED BY AND KEY CONTACT: ANDREW GAMEIRO, B.E.S, RPP
PLANNER
EXT. #5038

SUBMITTED BY: A. BOURRIE, RPP
DIRECTOR OF PLANNING & BUILDING SERVICES

GENERAL MANAGER APPROVAL: A. BOURRIE, RPP
ACTING GENERAL MANAGER OF INFRASTRUCTURE & GROWTH
MANAGEMENT

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

RECOMMENDED MOTION

1. That the Official Plan Amendment application submitted by Innovative Planning Solutions on behalf of MDM Developments Inc. for lands known municipally as 233, 237, 241 and 245 Dunlop Street West and Roll Number 434203200405700 (no address) in the City of Barrie, legally described as Lots 16, 17, 18 & 19 South Side of Elizabeth Street and Lots 16, 17, 18 North Side of Perry Street on Registered Plan 27, be approved as follows (File: D09-OPA069-19):
 - a. Amend Official Plan Schedule C – Defined Policy Area to identify the subject lands as Defined Policy Area [XX] as shown in Appendix "A" to Staff Report PLN016-19; and,
 - b. That notwithstanding the provisions of Section 4.2.2.3 (c) of the Official Plan, the text of the Official Plan be amended by adding Section 4.8.XX to permit a maximum density of 196 units per hectare on the subject lands.
2. That the Zoning By-law Amendment Application submitted by Innovative Planning Solutions on behalf of MDM Developments Inc. to rezone lands known municipally as 233, 237, 241 and 245 Dunlop Street West and Roll Number 434203200405700 (no address) in the City of Barrie, legally described as Lots 16, 17, 18 & 19 South Side of Elizabeth Street and Lots 16, 17, 18 North Side of Perry Street on Registered Plan 27, from 'Residential Multiple Dwelling Second Density – Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) and 'Environmental Protection' (EP), be approved as shown in Appendix "B" to Staff Report PLN016-19 (File: D14-1647).
3. That the following Special Provisions be referenced in the implementing Zoning By-law for the subject lands:
 - a. Permit a minimum front yard setback of 0.5 metres, whereas a minimum of 1 metre is required for 75 percent of the frontage and a maximum of 5 metres is permitted for 25 percent of the frontage;



STAFF REPORT PLN016-19
May 6, 2019

Page: 2
File: D14-1647
& D09-069-18
Pending #

- b. Permit a minimum landscape buffer strip with a width of 2 metres along the east side lot line, whereas a minimum landscape buffer strip with a width of 3 metres is required where a Mixed Use Zone abuts a Residential Zone;
 - c. Permit a minimum landscape buffer strip width of 1 metre along the southern interior side lot line, whereas a minimum landscape buffer strip with a width of 3 metres is required where a Mixed Use Zone abuts a Residential Zone;
 - d. Permit a maximum building height of 26.5 metres (8-storeys), whereas a maximum building height of 25.5 metres (8-storeys) is permitted;
 - e. Permit a maximum density of 196 units per hectare (93 units);
 - f. Permit a minimum east side yard setback of 19 metres;
 - g. Permit a front yard setback area that is not fully paved, whereas front yard setback areas shall be fully paved and seamlessly connected with the abutting sidewalk;
 - h. Permit a maximum lot coverage of 50 percent for parking spaces and aisles for an apartment dwelling, whereas a maximum lot coverage of 35 percent is permitted; and,
 - i. Permit a minimum commercial parking rate of 1 space per 30 square metres of gross floor area, whereas a minimum of 1 space per 24 square metres of gross floor area is required for multiple commercial uses.
4. That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application as amended, including matters raised in those submissions and identified within Staff Report PLN016-19: proposed increase in building height and density; insufficient parking; tree preservation and removals; traffic congestion and safety concerns on Dunlop Street West; environmental impacts on Bunker's Creek, Milligan's Pond and local wildlife; shadowing onto adjacent land uses and City streets; servicing capacity; local school capacity; construction nuisances; impacts associated with additional intensification along Dunlop Street West; proposed setbacks/proximity of the proposed development to the existing residential properties in the area resulting in a decrease in privacy; and, adverse effects on property values.
 5. That pursuant to Section 34 (17) of the *Planning Act*, no further public notification is required prior to the passing of this By-law.

PURPOSE & BACKGROUND

Report Overview

6. The purpose of this report is to recommend approval of Official Plan and Zoning By-law Amendment applications submitted by Innovative Planning Solutions on behalf of MDM Developments Inc. for lands known municipally as 233, 237, 241 and 245 Dunlop Street West (see Appendix "A" – Proposed Defined Policy Area and Appendix "B" – Proposed Zoning By-law Amendment). The effect of the applications would be to permit the development of an eight (8) storey mixed-use building with 93 residential units and 138 square metres of ground floor commercial space (see Appendix "C" – Revised Conceptual Site Plan). Staff are recommending approval of the subject applications as the lands are considered to be appropriate for this form of high density residential development in that it is consistent with, or does not conflict with Provincial and City policy.



STAFF REPORT PLN016-19
May 6, 2019

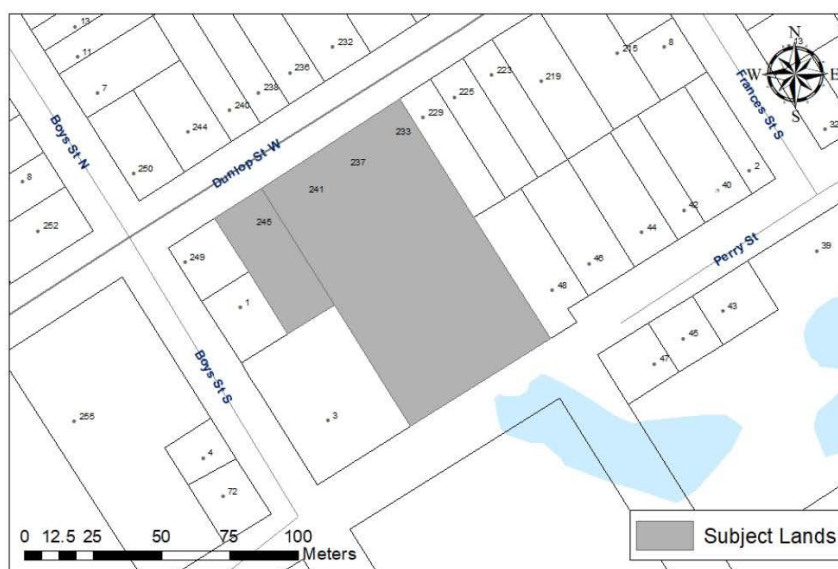
Page: 3
File: D14-1647
& D09-069-18
Pending #

Development Proposal

7. The applications, if approved, would permit the development of an eight (8) storey mixed-use building with a strong street presence along Dunlop Street West. The proposed building would contain 138 square metres of commercial space and structured parking within the ground floor and 93 residential apartment units in the upper storeys. Residential amenity areas would be provided through a combination of private balconies and rooftop terraces. Exterior surface parking is also proposed in the rear portion of the site where it would be screened from view of the street by the proposed building. Finally, the rear (southern) portion of the site consists of environmentally protected lands which would be dedicated to the City of Barrie and form part of Audrey Milligan Park, ensuring their protection in perpetuity.

Location

8. The subject lands are located on the south side of Dunlop Street West, east of Boys Street South and west of Frances Street South, within the Queens Park Planning Area. The subject lands are known municipally as 233, 237, 241 and 245 Dunlop Street West and have a collective area of approximately 0.72 hectares (1.77 acres) with 80.88 metres of frontage on Dunlop Street West.



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

North: Existing single detached and multi-residential residential dwellings which are zoned 'Residential Multiple Dwelling Second Density – Special Provision 189' (RM2)(SP-189). The site-specific zoning provision for these lands permits commercial (office) uses. Some of the existing dwellings located north of the subject lands have been converted into commercial office spaces.



STAFF REPORT PLN016-19
May 6, 2019

Page: 4
File: D14-1647
& D09-069-18
Pending #

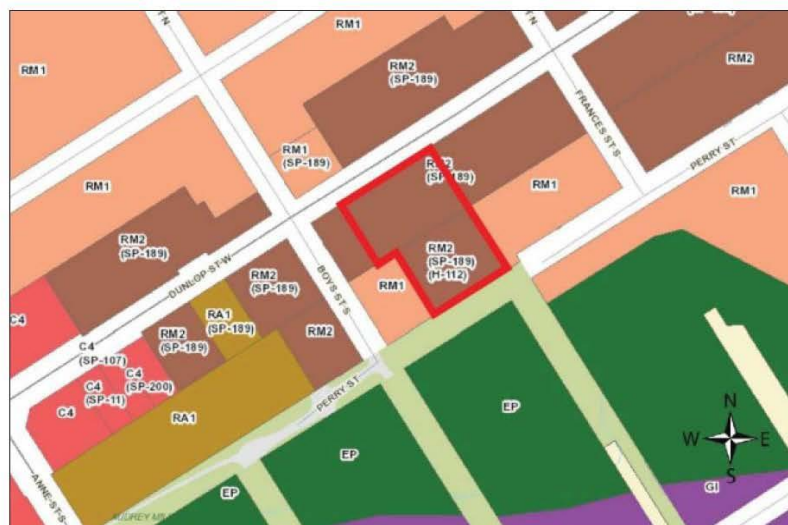
South: Existing single detached and multi-residential dwellings that are zoned 'Residential Multiple Dwelling First Density' (RM1) and Milligan's Pond, Bunker's Creek and associated woodlot which are zoned 'Environmental Protection' (EP).

East: Existing single detached and multi-residential residential dwellings which are zoned 'Residential Multiple Dwelling Second Density – Special Provision 189' (RM2)(SP-189). The site-specific zoning provision for these lands permits commercial (office) uses. Some of the existing dwellings located east of the subject lands have been converted into commercial office spaces.

West: Existing multi-residential developments, zoned 'Residential Multiple Dwelling Second Density – Special Provision 189' (RM2)(SP-189) and 'Residential Apartment Dwelling – First Density' (RA1), as well as a commercial plaza which is zoned 'General Commercial' (C4). The lot located immediately west of the site on the corner of Boys Street South and Dunlop Street West is currently occupied by an office use.

Existing Policy

10. The subject property is designated 'Residential Area' and 'Environmental Protection' within the City's Official Plan and is zoned 'Residential Multiple Dwelling Second Density – Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) by the City's Comprehensive Zoning By-law 2009-141.
11. Special Zoning Provision Number 189 permits commercial office uses on the subject lands. Holding Provision Number 112 requires the applicant to establish the development limits of the site to the satisfaction of the City of Barrie and the Lake Simcoe Region Conservation Authority (LSRCA).



12. The property is located within the Dunlop Street West Primary Intensification Corridor as identified on Schedule 'I' of the Official Plan which identifies a target density of 50 units per hectare along the entire corridor.



STAFF REPORT PLN016-19
May 6, 2019

Page: 5
File: D14-1647
& D09-069-18
Pending #

13. The subject property is located outside of the City's Urban Growth Centre (UGC)/City Centre and is therefore restricted to a maximum density of 150 units per hectare, in accordance with Official Plan policy.
14. The subject property is also located within Defined Policy Area [K], as identified on Schedule 'C' of the Official Plan, which permits office uses on residentially designated lots located on Dunlop Street West.

Official Plan Amendment

15. The proposed Official Plan Amendment application intends to maintain the existing land use designations (Residential and Environmental Protection Area) for the subject lands, however it seeks to amend Section 4.8 and Schedule C – Defined Policy Area of the Official Plan to create a new Defined Policy Area on the subject lands to reflect the density of the proposed development after the conveyance of a road widening and the dedication of environmentally protected lands. After the conveyance and land dedication, the density of the subject lands will exceed the maximum of 150 units per hectare permitted by the Official Plan on lands located outside of the UGC/City Centre. The density of the development before the conveyance and dedication of land is 134 units per hectare. The proposed amendment to create a new Defined Policy Area aims to permit a maximum density of 196 units per hectare on the subject lands. This special policy is being sought in accordance with Section 4.2.2.3 (c) of the Official Plan regarding Locational Criteria for infill and intensification, which states: High density development in excess of 150 units per hectare shall be restricted to locations within the UGC/City Centre unless an amendment considering the criteria noted in Section 4.2.2.3 (b) and other relevant policies of the Official Plan has been approved. The proposed amendment will not impact or amend the existing Defined Policy Area [K] which permits commercial office uses on residentially designated lands located on Dunlop Street West. Staff are recommending approval of the subject application as the lands are considered to be appropriate for this form of high density residential development in that it is consistent with, or does not conflict with Provincial and City policy.

16. Zoning By-law Amendment

The purpose of the Zoning By-law Amendment application is to amend the zoning of the subject lands from 'Residential Multiple Dwelling Second Density – Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) and 'Environmental Protection' (EP) to permit the development of an eight (8) storey mixed-use building with 93 residential units and 138 square metres of ground floor commercial space (see Appendix "C" – Revised Conceptual Site Plan). Staff are recommending approval of the subject application as the lands are considered to be appropriate for this form of high density residential development in that it is consistent with, or does not conflict with Provincial and City policy.

Background Studies

17. In support of the application, the following plans, reports and studies were submitted. For additional information with respect to each of the following, please refer to Appendix "E" – Technical Study Descriptions. Copies of these reports in their entirety may be found at the following link: <https://www.barrie.ca/City%20Hall/Planning-and-Development/Proposed-Developments/Ward2/Pages/233-237-241-245-Dunlop-Street-West.aspx>
 - Planning Justification Report (October 2018)
 - Site Plan (February 2019)
 - Urban Design Brief (January 2018)
 - Tree Inventory and Preservation Plan (October 2018)
 - Slope Stability Evaluation (February 2018)



STAFF REPORT PLN016-19
May 6, 2019

Page: 6
File: D14-1647
& D09-069-18
Pending #

- Shadow Impact Study (February 2019)
- Preliminary Hydrogeological Investigation (January 2018)
- Functional Servicing and Stormwater Management Report (December 2017)
- Traffic Impact Analysis – Functional Servicing Report (December 2017)
- Assessment of Setback from Watercourse (May 2018)
- Floor Plans and Elevation Plans (December 2018)
- Conceptual Block Plan (February 2019)
- Civil Engineering Plan Submission (February 2019)

Neighbourhood Meeting

14. A Neighbourhood Meeting was held on April 17th, 2018, to present the proposed development to the local residents. A total of twenty-five (25) residents were in attendance in addition to the applicant, their consultants, former Ward 2 Councillor, Rose Romita, and Planning staff. The questions/concerns expressed at the Neighbourhood Meeting related to the following:

- Environmental Impacts on Bunker's Creek, Milligan's Pond and Local Wildlife:

Residents expressed concerns regarding potential impacts to the Bunker's Creek and Milligan's pond water feature, and local wildlife. Bunker's Creek, Milligan's Pond and an associated woodlot run through the southern portion of the subject lands. As noted throughout the analysis section of this report, the southern portion of the subject lands is regulated by the Lake Simcoe Region Conservation Authority (LSRCA). The subject application was reviewed by the LSRCA to ensure that appropriate development setbacks and design measures are in place to protect Bunker's Creek and Milligan's Pond. The applicant is proposing a minimum development setback of 20 metres from the edge of the flow channel of Bunker's Creek and Milligan's Pond, as well as a 6 metre buffer area which will be delineated by a chain-link fence in accordance with City of Barrie and LSRCA technical standards. Lands located within the 20 metre development setback and 6 metre buffer area shall be re-zoned to 'Environmental Protection' (EP) and dedicated to the City of Barrie at no cost through the site plan control process. Development is prohibited within the EP zone.

- Increased Building Height and Density:

Residents objected to the proposed building height and density, citing that the development was not consistent or compatible with the character of the area. Some residents also noted that a building height of six (6) storeys would be more appropriate on the subject lands.

As noted throughout the Analysis section of this report, Planning staff are satisfied that the proposed density of 196 units per hectare and building height of 8-storeys (26.5 metres) is appropriate given that the subject lands are located on the Dunlop Street West Primary Intensification Corridor. A maximum building height of 8-storeys (25.5 metres) for mixed-use buildings and a target density of 50 units per hectare is permitted along the entire intensification corridor. The subject lands are also located within close proximity to the Highway 400 interchange (500 metres), as well as the City Centre (300 metres) where densities in excess of 150 units per hectare are permitted as of right. The subject lands are located in an area of the City targeted for residential intensification, as adequate parking, landscaping, amenity spaces and pedestrian/vehicular access can be accommodated on site. Should the subject application be approved, staff are satisfied that these matters would be adequately addressed through the subsequent site plan control process without adversely impacting adjacent properties.



STAFF REPORT PLN016-19
May 6, 2019

Page: 7
File: D14-1647
& D09-069-18
Pending #

It is important to note that the future conveyance of a 4.5 metre road widening and the dedication of environmentally protected lands to the City of Barrie would result in a reduction in lot area and therefore would increase the residential density on the site. This triggers the requirement for an Official Plan Amendment to permit a density in excess of 150 units per hectare for lands located outside of the UGC/City Centre. The overall density of the site, inclusive of the EP lands and the road widening, is actually 134 units per hectare. In saying that, EP lands do not form part of the developable portion of the subject lands. Furthermore, the applicant is incorporating building step-backs, increased building setbacks and landscaping to reduce shadowing, provide buffering and an appropriate transition to surrounding land uses.

- **Building Shadowing:**

Concerns were expressed regarding the impact shadows may have on the adjacent residential properties. As identified below in paragraphs 87-93 of this report, Planning staff are satisfied that the proposed development complies with the Tall Building Policies of the Official Plan, particularly as they relate to shadowing.

- **Reduced Front Yard Setback:**

Residents expressed concerns with the proposed front yard setback, citing that the building would be located too close to the street. The applicant has requested a site-specific zoning provision for a reduced front yard setback of 0.5 metres. The City's Comprehensive Zoning By-law 2009-141 requires a minimum 1 metre setback for 75 percent of the lot frontage and permits a maximum of 5 m setback for 25 percent of the lot frontage. As noted below in paragraphs 103-104 of this report, staff are satisfied that the variance to the front yard setback is appropriate and is supported by the City's Intensification Area Urban Design Guidelines.

- **Reduced East Side Yard Setback:**

When the application was originally submitted, the applicant was proposing to locate the building in the northeastern corner of the subject lands with a 3 metre east side yard setback from adjacent residential lands. Neighbouring residents raised concerns with the proposed side yard setback, citing a loss of privacy, unreasonable shadowing and potential construction impacts (i.e. noise and vibration). In response to the concerns, the applicant has amended the concept plan by locating the proposed building in the northwestern corner of the site. In doing so, an eastern side yard setback of 21 metres and a 2 metre wide landscape buffer strip is now proposed.

- **Insufficient Visitor and Commercial Parking:**

Residents commented that sufficient parking is not being provided on the site. Planning staff note that the development will be providing 1 parking space per residential unit, in accordance with the minimum parking standards for the 'Mixed-use Node' (MU2) zone. It is important to note that the applicant has revised the conceptual site plan since the Public Meeting and has incorporated an additional five (5) visitor parking spaces within the proposed development. The applicant is seeking a site-specific zoning provision to permit a commercial parking rate of 1 space per 30 square metres of gross floor area for multiple commercial uses, whereby the Zoning By-law requires a minimum of 1 parking space per 24 square metres for multiple commercial uses. As noted in paragraphs 117-120 of this report, staff are satisfied that the parking supply being proposed is appropriate and is supported by the City's policies and standards for intensification areas.



STAFF REPORT PLN016-19
May 6, 2019

Page: 8
File: D14-1647
& D09-069-18
Pending #

- Traffic:

Residents were concerned that the proposed development would result in increased traffic and have a negative impact on the operation on Dunlop Street West and surrounding local streets. The property is located on Dunlop Street West, an arterial roadway which is considered to be a primary traffic carrying facility, providing through routes across and within the City. Staff in the Roads, Parks and Fleet Department are satisfied that the proposed development will not negatively impact the existing transportation network in the vicinity of the proposed development. Staff in the Roads, Parks and Fleet Department have reviewed the Traffic Impact Study (TIS) submitted in support of the application and have not objected to or identified any concerns with the development, as proposed.

- Building Materials, Site Lighting, Snow Removal, Waste Storage/Removal and Stormwater Management

Should the subject applications be approved by Council, Planning staff are satisfied that the above mentioned site plan related matters would be adequately addressed at the time of a subsequent site plan control process. In accordance with the City's Official Plan and Urban Design Guidelines, development applications that propose residential intensification will be of high quality urban design, all exterior lighting is required to be dark sky friendly and directed away from adjacent properties and streets, snow is to be stored on-site in appropriate locations, however may be lifted and removed from the site if required, all waste and recyclables are required to be maintained indoors or within an external enclosure (fully enclosed with a roof, roll-up door and constructed of similar materials to the main buildings), and stormwater management will be required to be addressed to the satisfaction of the City's Engineering Department and the Lake Simcoe Region Conservation Authority (LSRCA).

- Adverse Effects on Property Values:

Planning staff have no comment on the perceived impact the proposed development may have on the market value of private property as this is not a land use planning issue.

- Compatibility with Existing Development/Privacy:

Residents commented on the built-form being proposed on the site, citing that the development is not compatible with surrounding land uses and would result in a loss of privacy on adjacent lots. Section 6.6.4 (e)(i) of the City of Barrie Official Plan serves to assist in addressing the issue of compatibility of new development within intensification corridors. This policy states that;

- i) Where taller buildings are located next to lower scale buildings, design elements which make use of height transitions between sites shall be encouraged. Towers should be located on site away from areas directly adjacent to lower scale buildings. 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 the intensification corridors.

Staff are satisfied that the placement of the proposed building on the site is appropriate and generally compatible with the existing surrounding development, particularly lands located immediately, north, east and west of the subject lands. The proposed building will be positioned in the northwest corner of the site, located within close proximity to the intersection of Dunlop Street West and Boys Street. The building will also be setback an appropriate distance from



STAFF REPORT PLN016-19
May 6, 2019

Page: 9
File: D14-1647
& D09-069-18
Pending #

the environmentally protected lands located at the rear of the site, in accordance with the Lake Simcoe Region Conservation Authority's (LSRCA) policies and technical standards.

Additionally, the applicant is proposing building step-backs on the front and sides of the building in the form of rooftop terraces on the 7th floor (see Appendix "G" – Conceptual Building Elevations). The proposed step-backs will help to reduce shadowing and provide a transition to adjacent land uses and City streets.

The applicant is also incorporating landscaping, increased setbacks and building separations to address compatibility and privacy concerns on adjacent land uses. A 3 metre west side yard setback and landscape buffer strip is proposed, in accordance with the MU2 zone standards, which will provide an opportunity for buffer planting and fencing to maintain privacy between the subject property and the lands immediately west of the site. It is important to note that the west side of the building will be located adjacent to a parking area which serves an existing commercial office use on adjacent lands. The proposed west side yard setback when combined with the adjacent parking area will provide for a building separation of approximately 12 metres between the proposed development and the neighbouring building.

The applicant is also proposing an east side yard setback of 21 metres, as well as a landscape buffer strip with a width of 2 metres along the east side lot line. The proposed setback would provide a sufficient separation between the proposed development and adjacent lands, while the landscape buffer will provide an opportunity for buffer planting and tight board fencing to maintain privacy between neighbouring lots.

Lastly, the Dunlop Street West right-of-way will provide a separation of approximately 20 metres between the subject property and adjacent lots located on the north side of the street. This represents approximately 80 percent of the proposed building height. Staff are satisfied that the right-of-way width provides an appropriate separation between the proposed development and adjacent lots located on the north side of Dunlop Street West.

- Lack of Capacity in Local Schools:

Comments were received from the Simcoe County District School Board and the Simcoe Muskoka Catholic District School Board advising that pupils generated from the proposed development may be accommodated within the local Elementary and Secondary schools as noted below in paragraph 27.

- Site Access:

Comments were received through the public consultation process related to the proposed access to the site being insufficient to accommodate the unit count/density proposed by the subject application. Staff in the City's Engineering, Roads, Parks and Fleet, and Fire and Emergency Services Departments have provided comments confirming that the proposed design of the site access will adequately service the development from both a traffic capacity and emergency access perspective.

- Construction Nuisances – Noise/Dust/Vibration/Hours of Construction

Concerns were expressed by area residents related to the construction nuisances that may be realized during site development. Staff note that construction practices will be limited to the hours of 7am to 7pm, Monday through Saturday, and will be prohibited on Sundays and statutory holidays in accordance with the City's Noise By-law 2006-140. Typical construction vibrations, particularly related to roadway compacting, may be realized during construction. However, the expectation is that any complaint of vibration would be required to be reviewed



STAFF REPORT PLN016-19
May 6, 2019

Page: 10
File: D14-1647
& D09-069-18
Pending #

and addressed by the applicant's Geotechnical Consultant to quantify vibration levels and to make recommendations to mitigate the vibration levels within Industry Standards to avoid any structural damage. Further, the applicant will be required to submit an erosion control plan which will identify stockpile locations, construction access and mud mats to reduce the sprawling of dirt onto the City's right-of-way. The applicant would also be required to submit a security deposit for road cleanup at the time of Site Plan Control.

- Further Intensification on Dunlop Street West

Concerns were expressed from local residents regarding the potential to further intensify Dunlop Street West through land assembly and redevelopment of existing lots. While staff recognize that these lots are considered to be located within the Dunlop Street West Intensification Corridor, all development applications are required to be considered on their individual merits and would be assessed at the time of a formal application submission. The applicant has submitted a block plan in support of the application to demonstrate that the proposed development will not hinder the ability to develop adjacent lands located along Dunlop Street West, particularly the two lots located immediately west of the subject property on the corner of Dunlop Street West and Boys Street. A copy of the block plan is attached as Appendix "F" of this staff report.

- Tenure (rental vs. ownership):

While the applicant is proposing a rental tenure for the proposed development, the issue of tenure is not a land use planning matter to be considered when making a decision on the appropriateness of zoning and has not been considered as part of this application review.

- Building Materials and Environmentally-friendly Design Features:

The type and quality of building materials is a detailed design matter that would be addressed through a subsequent site plan control process. Residents expressed concerns with the design of the proposed building and potential impacts on the environment and local wildlife, particularly bird species. Should Council approve the subject applications, staff would work with the applicant to ensure that the quality of the building materials are of a high standard so as to create an appealing streetscape and vibrant development. Staff will also explore opportunities for design features which will further reduce impacts on the environment and local wildlife. Additionally, the applicant is required to comply with the City of Barrie's Urban Design Manual and Urban Design Guidelines for intensification Areas which outlines design quality in addition to other urban design considerations.

Staff recognize the concerns that were expressed with the architectural design elements/materials for the proposed building and have endeavoured to address this matter moving forward. The City's standard Site Plan Agreements contain wording which require all owner(s)/developer(s) to agree that the construction of the building(s) shall be in conformance with the approved, registered site plans as it relates to the building design, construction materials and quality. This will ensure that the design elements/materials presented at the time of a Zoning By-law Amendment through architectural renderings, would be realized at the time of construction.

Public Meeting

15. A Statutory Public Meeting was held on December 10th, 2018 to present the subject application to General Committee. A number of written and verbal comments were received in opposition of the proposed development. The concerns expressed by both the verbal and written comments



STAFF REPORT PLN016-19
May 6, 2019

Page: 11
File: D14-1647
& D09-069-18
Pending #

reiterated those previously received at the Neighbourhood Meeting as referenced above, however the following additional comments were received:

- Tree preservation as it relates to shared boundary trees located on the east and west sides of the site

Concerns were expressed by area residents regarding tree removals on the subject property. Specifically, residents expressed a desire and need to preserve shared boundary trees located along the east and west side lot lines, not only to provide buffering and maintain privacy on adjacent lots, but to maintain the integrity of the natural environment across the City.

The City's Tree Removal By-law 2014-115 does not permit property owners to harm and/or remove shared boundary trees without written consent from the adjacent property owner(s). Property owners are also required to install tree protection fencing at the drip line of shared boundary trees, and maintain a 5 metre setback to building foundations. Tree protection fencing and preservation areas are routinely inspected by the applicant's landscape consultant/arborist and City staff to ensure compliance with the tree preservation by-law. Additionally, property owners are permitted to remove private trees, provided a tree removal permit is issued by the City (if required), in accordance with the tree removal by-law.

A Tree Inventory and Preservation Plan and Topographic Survey was submitted in support of the application, identifying one (1) shared boundary tree along the east side lot line adjacent to 229 Dunlop Street West and two (2) shared boundary trees at the rear of the site which will be co-owned by the City and the applicant following the dedication of the environmentally protected lands on the site. The applicant has obtained written consent from the owner of 229 Dunlop Street West to harm and/or remove shared boundary trees between both properties in return for financial compensation. With respect to the boundary trees that are co-owned by the City and the applicant, Planning staff have consulted with the City's Engineering and Forestry Operations staff regarding potential impacts to said trees. If the subject applications are approved, City staff have agreed to work with the applicant through the site plan control process to ensure that the shared boundary trees are protected and preserved during construction. The City would also collect securities for said trees through the site plan control process. In the event that the trees are harmed or removed during construction, the City would utilize the securities to replace the boundary trees.

The applicant has also revised the concept plan since the Public Meeting, increasing the width of the landscape buffer strip along the east side lot line from 1 metre to 2 metres, which will provide more opportunities for buffer planting/vegetation and a tight board fence to preserve privacy on adjacent residential lots. Although there are no boundary trees located along the west side lot line, the applicant is proposing a 3 metre wide landscape buffer strip along the west side lot line, in accordance with the City's Zoning By-law, which will also provide an opportunity for buffer planting and fencing.

- Determining if the Site is Located within a Former Waste Disposal Area

Concerns were expressed by area residents regarding the existence of a former landfill within close proximity to the subject lands. Residents requested that staff confirm whether the site is located within a former waste disposal area, and if so, what actions were being taken to mitigate potential impacts. Planning staff have investigated this matter and confirm that the subject lands are not located within a former waste disposal assessment area. In 2017, the City completed testing and monitoring around historic waste sites to further define waste disposal assessment areas. The City studies supported a change to the waste disposal assessment area boundaries. As a result, the subject lands are no longer located within the waste disposal assessment area. A map of the City's updated waste disposal assessment area is available



STAFF REPORT PLN016-19
May 6, 2019

Page: 12
File: D14-1647
& D09-069-18
Pending #

online on the City's website: <https://www.barrie.ca/Living/Environment/Documents/Updated-Waste-Disposal-Assessment-Areas.pdf>.

- Building Material – Wood-frame or Concrete Construction

Local residents inquired as to the materials being proposed for the structure of the building. Specifically, residents wanted to know whether the building would be constructed of concrete and steel or wood-frame construction. Given the classification of the building in the Ontario Building Code (OBC), concrete and steel frame construction materials would be required.

- Placement of Excess Fill/Earth at the Rear of the Site to Increase Elevation

A concern was expressed suggesting that excess fill/earth has been placed at the rear of the subject lands, increasing the elevation of the site. Planning staff are not aware of such works occurring on the site and the City does not have a record of a site alteration permit being issued for the subject property. As such, Planning staff have no comment on the matter and it is not considered a land use planning issue that would have bearing on the consideration of the application. If approved, the proposed development will be subject to site plan control, through which site grading would be addressed. The site would be required to be graded in accordance with the City's Lot Grading and Drainage Design Standards Manual to the satisfaction of the Director of Engineering Services. A site alteration permit would also be required for any future earth works on the site.

Purchase and Assembly lots located immediately East and West of the Subject Lands

- Council inquired as to whether the applicant explored the possibility of acquiring lots located immediately east and west of the subject lands, known municipally as 1 Boys Street and 249 and 229 Dunlop Street West. The applicant confirmed that an effort was made to purchase adjacent lands and incorporate them into the proposed development, however, it was not economically feasible. While additional land acquisition and consolidation is always encouraged by Planning staff, the consideration of an application should not be contingent upon doing so. Instead, applicants shall demonstrate that development will not hinder the ability to develop adjacent lands in the future. In this case, the applicant has submitted a conceptual block plan, as identified in Appendix "F" to demonstrate that the proposed development will not hinder the future development potential of adjacent lots.
- Impact on the Ability to Develop Lots on the Northeast Corner of Boys Street and Dunlop Street West (1 Boys Street and 249 Dunlop Street West)

Council raised concerns with the potential impact that the proposed development may have on the ability to develop lots located on the northeast corner of Boys Street and Dunlop Street West, known municipally as 1 Boys Street and 249 Dunlop Street West. Specifically, Council was concerned that the two lots would be left orphaned, reducing their development potential in the future. In response to these concerns, the applicant submitted a conceptual block plan in support of the application, as identified in Appendix "F" attached hereto. As the conceptual block plan identifies, there is an opportunity to consolidate 1 Boys Street and 249 Dunlop Street West and develop the lands with a multi-residential building with structured or underground parking. In doing so, building density and massing would be concentrated at the intersection of Dunlop Street West and Boys Street, away from low-density residential areas on Perry Street.

Although the question was not specifically raised by Council, the applicant has also demonstrated through the conceptual block plan that lots located immediately east of the subject lands, known municipally as 211 to 229 Dunlop Street West and 8 Frances Street South, have the ability to be consolidated and developed with mixed-use and/or multi-



STAFF REPORT PLN016-19
May 6, 2019

Page: 13
File: D14-1647
& D09-069-18
Pending #

residential buildings in the future. Similar to the proposed development, building height, density and massing could be concentrated at the Dunlop Street West frontage away from stable low-density residential areas to the south.

- **Stormwater Impacts on Bunker's Creek and Milligan's Pond**

Council raised concerns with the potential impact that stormwater run-off from the site may have on Bunker's Creek and Milligan's Pond. Council inquired as to whether the site would incorporate Low Impact Design (LID) features to control and manage the quantity and quality of stormwater on the site. The applicant submitted a Functional Servicing Report (FSR) in support of the application, which provides an overview of the stormwater management system proposed for the site. According to the FSR, the site will utilize a combination of LID features and traditional stormwater management techniques to manage the quality and quantity of stormwater on-site. The FSR has been reviewed in detail by the Lake Simcoe Regional Conservation Authority (LSRCA) and City's Engineering Department. While the preliminary stormwater management design for the site is deemed to generally conform to LSRCA and City standards, it is premature to comment on the specific design of the stormwater management system for the site at this time. The detailed design of the stormwater management system would occur through the site plan control process and would be reviewed in greater detail by the LSRCA and the City's Engineering Services Department. The stormwater management design for the site shall comply with the LSRCA's Technical Guidelines for Stormwater Management, the City's Storm Drainage and Stormwater Management Policies and Design Guidelines, and the Ministry of Environment's (MOE) Enhanced Level Protection to ensure that there is no negative impact on Bunker's Creek and Milligan's Pond.

- **Site Driveway Access**

Council raised concerns with the location of the site driveway access that was identified on the original concept plan presented at the Public Meeting. Specifically, Council was concerned that locating the driveway access on the west side of the site may have negative impacts on traffic given the proximity to Boys Street and the intersection of Dunlop Street West and Anne Street. Following the public meeting, the applicant revised the site plan, as identified in Appendix "C". In response to Council's comments, the applicant has relocated the location of the proposed driveway to the east side of site, increasing the distance to Boys Street and Anne Street. Staff in the City's Engineering, Roads, Parks and Fleet and Fire and Emergency Services Departments have provided comments confirming that the proposed design of the access will adequately service the development from both a traffic capacity and emergency access perspective.

- **Insufficient Visitor and Commercial Parking:**

Council expressed concerns with the lack of visitor parking being proposed for the residential uses on the subject lands. In the original concept plan, the applicant was proposing a parking rate of 1 space per unit for 96 units, in accordance with the MU2 zone standards. Following the public meeting, the applicant revised the concept plan and reduced the unit count to 93 units. While the applicant is still proposing a residential parking rate of 1 space per unit, an additional 5 visitor parking spaces are proposed. A total of 6 parking spaces are also proposed to service the commercial uses on the site, which may also serve as residential visitor parking during off-peak hours (i.e. overnight, holidays, weekends, etc.). As noted in paragraphs 117-120 of this report, staff are satisfied that the parking supply being proposed is appropriate and is supported by the City's policies and standards for intensification areas.



STAFF REPORT PLN016-19
May 6, 2019

Page: 14
File: D14-1647
& D09-069-18
Pending #

Amended Concept – Repositioning the Building, Reduced Unit Count and Increased Visitor Parking

16. Following the Neighbourhood and Public Meetings, an addendum was received from the applicant in an attempt to further address concerns raised by residents and Council with respect to a loss of privacy, shadowing and insufficient visitor parking. In this regard, the building has been repositioned to the northwest corner of the property, locating the building closer to the intersection of Boys Street and Dunlop Street West. The revisions to the concept plan has resulted in larger building setbacks and wider landscape buffer strips, a lower unit count, increased parking and reduced shadow impacts. Please refer to Appendix "C": Revised Conceptual Site Plan and Appendix "D": Original Conceptual Site Plan, for a comparison between the revised/current and original concept plans for the proposed development. The applicant has also increased the size of the building step-backs located on the front and sides of the building in the form rooftop terraces on the 7th floor, and provided a 45 degree angular plane in accordance with the MU2 zone standards (see Appendix "G – Conceptual Building Elevations).
17. The applicant is proposing a 3 metre west side yard setback and landscape buffer strip in accordance with the MU2 zone standards. It is important to note that the west side of the building will be located adjacent to an existing parking lot on the adjacent property, which would provide an 12 metre separation between the proposed development and the neighbouring building. The relocation of building has also resulted in an increase in the east side yard setback from 3 metres to 21 metres, as well as an increase in the width of the eastern landscape buffer strip from 1 metre to 2 metres. The proposed setbacks and landscape buffer strips will provide an opportunity for buffer planting and fencing between the proposed development and adjacent lots to mitigate potential privacy impacts.
18. In repositioning the building on the site and increasing the building step-backs on the 7th floor, the applicant has better balanced shadowing and is providing a better transition to adjacent lots and City streets. A Shadow Impact Study was submitted in support of the development, which evaluated shadowing impacts on adjacent lots during the fall, spring, summer and winter solstices. According to the Shadow Impact study, no property is shadowed for more than 4 hours during the spring, fall and winter solstices, and no more than 1 hour during the summer solstice. Therefore, the potential shadow impacts on adjacent properties is not considered to be unreasonable.
19. Finally, the applicant has reduced the overall unit count from 96 to 93 units. A residential parking rate of one (1) space per unit is still proposed, however, the applicant is also proposing 5 visitor parking spaces which were not included in the original proposal. Additionally, 6 commercial parking spaces are also being proposed, which may be utilized as visitor parking during off-peak hours (i.e. overnight, holidays and weekends).

Department & Agency Comments

20. The subject application was circulated to staff in various departments and to external agencies for review and comment.
21. The Lake Simcoe Region Conservation Authority (LSRCA) provided comments indicating that the subject lands are located within an area governed by Ontario Regulation 179/06 under the *Conservation Authorities Act*. The LSRCA confirmed that they are satisfied from a watershed management and natural heritage perspective that the proposed zoning is appropriate and have no concerns with the proposed development. The LSRCA has agreed to the 20 metre development setback proposed from edge of the flow channel of Bunker's Creek, as well as the 6 metre buffer proposed from the top-of-bank of the creek. The LSRCA has advised that the Environmental Protection (EP) lands shall be delineated by fencing and be conveyed to the City at no cost through the site plan control process. Additional technical comments related to Engineering will be provided through the site plan control process, should the subject application be approved by Council.



STAFF REPORT PLN016-19
May 6, 2019

Page: 15
File: D14-1647
& D09-069-18
Pending #

22. Engineering staff provided comments indicating that a road allowance widening (approximately 4.5 metres) along the entire Dunlop Street West frontage would be required to be conveyed to the City at the time of a subsequent site plan control. A number of other technical comments related to the proposed development were also provided and would be required to be addressed at the time of a subsequent site plan application.
23. As noted above in paragraphs 14 and 15 of this report, staff in the Road, Parks and Fleet Department indicated that they had no concerns with the Traffic Impact Study submitted in support of the proposed development which concluded that the proposed development would have a good level of service for left/right turn movements and would not impact the existing operations of Dunlop Street West.
24. Parks Planning commented on the site plan attached as Appendix "C" and confirmed that they were generally satisfied with the development as reflected on this plan, however details such as boundary fencing, walkway connections and the location and size of infill/buffer and streetscape plantings would be addressed at the time of the subsequent site plan control application.
25. The City's Fire Department reviewed the proposed development and expressed no concerns with the approval of the subject application.
26. Enbridge, Hydro One and Bell Canada reviewed the proposed development and have expressed no objection to the approval of the subject application as they are satisfied that any technical revisions or outstanding matters would be adequately addressed through the subsequent site plan control process.
27. The Simcoe County District School Board and the Simcoe Muskoka Catholic District School Board (SMCDSB) provided comments indicating they had no concerns with the proposed Zoning By-law Amendment application. Both School Boards confirmed that their normal notification clauses would be required to be inserted into all Purchase and Sale Agreements advising prospective purchasers that pupils generated by the proposed development may be transported to/accommodated in facilities outside of the neighbourhood.
28. The Ministry of Transportation (MTO) provided comments indicating that they had no objection to the approval of the application, as the subject lands are located outside of the Ministry's permit control area.

ANALYSIS

Policy Planning Framework

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

Ontario Planning Act, R.S.O. 1990

30. 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>.

31. The proposed development is consistent with this legislation in that it is located within the settlement area of Barrie; it will not have a negative impact on the adjacent Bunker's Creek and Milligan's Pond water feature; will utilize existing and available infrastructure (sewage, water and waste management systems) and public service facilities such as transit and schools; provides for a variety of residential units; provides a compact form of development that minimizes impacts to climate change; and is designed with a pedestrian oriented built form with pedestrian connections to the municipal sidewalk to support active transportation. Further, the amended concept plan submitted in support of the application would, in staff's opinion, mitigate the impacts the proposed development may have on adjacent residential properties through the provision of step-backs, increased building setbacks/separation distances, improved building positioning, larger landscape buffer strips, and opportunities for enhanced infill/buffer plantings and tight board fencing.

Provincial Policy Statement (2014) (PPS)

32. The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land. The PPS can be found in its entirety at the following link: <http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>
33. Policy 1.1.1 outlines the means by which healthy, liveable, and safe communities are sustained. This proposal is consistent with this policy in the following ways:
 - The use of serviced land, surrounded by developed parcels, promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities for the long term;
 - The provision of high density residential rental units in the form of an eight (8) storey building, as proposed, aids in achieving a range and mix of residential development and housing tenure in the area;
 - The provision of ground-floor commercial space will provide an opportunity for new commercial uses to serve the residents of the surrounding area;
 - The proposal does not impact the adjacent environmentally sensitive lands associated with the Bunker's Creek and Milligan's pond water feature;
 - The proposal includes compact high density development that utilizes serviced lands within the settlement area, thereby promoting cost efficiency and minimizing the consumption of land;
 - Comments received from the City's Engineering Department confirm that the proposal can be serviced by existing municipal services (sanitary/storm sewers and watermain). In addition, the existing transportation system can accommodate the proposed increase in traffic generated by 93 residential apartment units and ground-floor commercial space; and,
 - Low Impact Development (LID) initiatives are proposed thereby helping to support biodiversity, while not impacting environmentally sensitive lands.



STAFF REPORT PLN016-19
May 6, 2019

Page: 17
File: D14-1647
& D09-069-18
Pending #

34. Policies 1.1.3.1 and 1.1.3.2 identify settlement areas as the focus of growth and development with land use patterns based on densities and a mix of land uses that efficiently use land and resources, infrastructure and public service facilities, minimizes negative impacts to air quality and climate change, and supports active transportation. The proposed development is consistent with these policies in that it is located within the settlement area of Barrie, will utilize existing and available infrastructure and public service facilities such as transit and schools, provides a compact form of development that minimizes impacts to climate change, and is designed with pedestrian connections to the municipal sidewalk to support active transportation.
35. Policy 1.1.3.3 provides that Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. In this regard, Schedule 'I' of the City's Official Plan identifies designated nodes and corridors throughout the City where intensification is to be targeted. In accordance with Schedule 'I', the subject lands are located within the Dunlop Street Primary Intensification Corridor where existing infrastructure is available to service the proposed development.
36. In accordance with Policy 1.1.3.4, appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. In 2015, Council approved the Mixed Use Nodes (MU1) and Corridor (MU2) Standards through By-law 2015-097. The proposed development is generally consistent with the MU2 zone standards with respect to building orientation and placement closer to Dunlop Street West, increased building height, parking supply and incorporating ground-floor commercial uses.
37. Policy 1.1.3.5 identifies a requirement for established minimum targets for intensification within built up areas. The proposal is consistent with this policy as the proposed density is 196 units per hectare, thereby contributing toward to the intensification target of 50 units per hectare set in Official Plan for intensification corridors. It is important to note that the intensification target applies to the entire corridor as a whole. While some properties may develop above the density target, others may develop below the target or remain unchanged, resulting in an overall density target of 50 units per hectare along the entire corridor.
38. Policy 1.4.3 identifies that an appropriate range and mix of housing types and densities should be provided, including affordable housing, facilitating residential intensification, directing development to locations where appropriate levels of infrastructure and public service facilities can support the development, and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit. The proposal is consistent with this policy in that it is providing high density rental housing in a designated intensification corridor with an appropriate transition to existing low and medium density residential neighbourhoods and commercial uses, can be serviced by existing infrastructure and public service facilities (such as transit, local schools and parks), and is designed with walkway connections to the municipal sidewalk to support active transportation.
39. Policy 1.5.1 encourages healthy, active communities through the provision of public streets, spaces and facilities to meet the needs of pedestrians, foster social interaction, facilitate active transportation and community connectivity, and a distribution of publicly-accessible built and natural settings for recreation. In this regard, the proposed development provides pedestrian connections to the municipal sidewalk for easy access to existing commercial developments along Dunlop Street West and the City Centre, thereby facilitating community connectivity and active transportation. The subject lands also back onto Audrey Milligan Park which would allow future residents to enjoy nature and participate in passive recreation.



STAFF REPORT PLN016-19
May 6, 2019

Page: 18
File: D14-1647
& D09-069-18
Pending #

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40. In accordance with policy 1.6.2, the proposed development will incorporate green infrastructure through the provision of a Low Impact Development (LID) treatment train approach consisting of rooftop infiltration, bioretention trenches, permeable pavers, underground storage chambers and continuous deflective separation system (CDS) treatment units in order to provide water quality control and reduce phosphorous levels on and leaving the site.
 41. Policies 1.6.3, 1.6.6.1 and 1.6.6.2 identify the promotion of intensification in areas serviced by existing infrastructure and public service facilities, including municipal sewage and water services. The proposal is consistent with this policy as the subject lands will be serviced by existing municipal sewage and water services.
 42. Policy 1.6.6.7 identifies the requirements for stormwater management, particularly as it relates to stormwater quality controls. The proposed development is consistent with this policy as the applicant is proposing best practices to manage the quality of stormwater on-site. To minimize the amount of phosphorus discharged from the site, a treatment train approach is to be utilized. Rooftop runoff from the proposed buildings and parking lot will be conveyed to underground storage chambers. Additional stormwater run-off from the parking lot will be conveyed to bioretention trenches as well as catch basins complete with sumps to capture larger particles. The applicant is also proposing continuous deflective separation system (CDS) treatment units in order to provide water quality control and reduce phosphorous levels. The existing site currently generates approximately 0.07 kilograms of phosphorous annually. If developed with the proposed stormwater quality controls as noted above, the total annual phosphorous load generated by the site will increase by only 0.01 kilograms (0.08 kg total). The stormwater management system proposed for the site has been designed to prevent threats to human health and safety and mitigate any risk to property.
 43. Policy 1.6.7.2 identifies the efficient use of existing infrastructure. The Department of Roads, Parks and Fleet has determined that the proposed development will be sufficiently accommodated by the existing road network surrounding the subject lands and is therefore consistent with this policy.
 44. In accordance with policy 1.6.7.4, the proposed development provides for medium to high density development in the vicinity of existing commercial uses along Dunlop Street West, whereby municipal transit is available. The orientation and setback of the proposed building along Dunlop Street West, as well as the provision of walkway connections to the municipal sidewalk, would support the current and future use of public transit and active transportation.
 45. Policy 1.8.1 identifies the promotion of energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and climate change adaptation through compact built form, the use of active transportation and transit, and design and orientation that maximizes energy efficiency and conservation, and considers the mitigating effects of additional vegetation. The proposal is consistent with this policy in that it is a compact built form, adjacent to existing commercial development and located along a transit route so as to be transit supportive, thereby reducing greenhouse gas emissions.
 46. In accordance with Policy 2.1.8, the Lake Simcoe Region Conservation Authority (LSRCA) is satisfied from a Natural Heritage perspective, that development of this site will have no negative impact on the natural features or ecological function of the Bunker's Creek and Milligan's Pond water feature located south of the subject lands.
 47. Policies within Section 3.1 Natural Hazards, require development to be directed outside of natural hazards. The proposal is consistent with this section as the property is not located within a natural hazard area, and has made provision for appropriate setbacks and buffers from the Bunker's Creek and Milligan's Pond environmental feature.



48. Based on the foregoing, staff are of the opinion that the proposed development is consistent with, or does not conflict with the Provincial Policy Statement (2014).

Growth Plan for the Greater Golden Horseshoe (2017) (the Growth Plan)

49. The Growth Plan for the Greater Golden Horseshoe (2017) (the Growth Plan) provides a framework for implementing Ontario's vision for building strong, prosperous communities by managing growth in this region. 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:
<http://placestogrow.ca/images/pdfs/ggh2017/en/growth%20plan%20%282017%29.pdf>
50. In accordance with the Guiding Principles found in Section 1.2 of the Growth Plan, the proposed development supports the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living through the provision of pedestrian connections to the municipal sidewalks along Dunlop Street West for access to people's daily commercial needs. Further, the density of the proposed development results in the efficient use of land and existing municipal infrastructure, including the existing Dunlop Street West transit service. The proposal also provides a range of housing options through a variety of rental apartment units (1, 2 and 3-bedroom units) to serve a variety of sizes, incomes and ages of households and protects the abutting Bunker's Creek and Milligan's Pond water feature.
51. Policies 2.2.1.2 (a), (c), (d) and (e) direct growth to settlement areas with existing water and wastewater systems that can support complete communities, focused in delineated built-up areas and strategic growth areas with existing transit and public service facilities, and directed away from hazardous lands. The proposal conforms to these policies by utilizing existing municipal water and wastewater systems, supports complete communities by providing medium density development adjacent to commercial uses, is focused in a built-up area that is serviced by transit and near public service facilities and commercial uses (local schools, Audrey Milligan Park and commercial uses on Dunlop Street and in the City Centre), and is not within or adjacent to hazardous lands.
52. Policy 2.2.1.4 identifies how complete communities will be achieved through a diverse mix of land uses; the provision of a range and mix of housing options to accommodate the needs of all household sizes and incomes; provision of a range of transportation options and public service facilities; high quality compact built form; mitigation of climate change impacts; and integration of green infrastructure and low impact development. The provision of high density rental apartment units as proposed, would contribute to accommodating the needs of various household sizes and incomes. Additionally, the site has multiple transportation options including active and public transportation, availability of public service facilities and commercial uses (local schools, Audrey Milligan Park and commercial uses on Dunlop Street and in the City Centre), and the inclusion of a compact built form would aid in the mitigation of climate change impacts by efficiently using land and municipal services. Finally, the applicant is incorporating Low Impact Development (LID) features into the proposed development, such as bioretention trenches, permeable pavers, underground storage chambers and CDS units for stormwater quality control.
53. Section 2.2.2 of the Growth Plan requires that a minimum of 40 percent of all residential development occurring annually within the City will be within the existing built-up area until such time that the next municipal comprehensive review is approved and in effect. At that time, this minimum target will be increased to 50 percent. By the year 2031, and for each year thereafter, a minimum of 60 percent of all residential development occurring annually within the City will be required to be within the delineated built-up area. This proposal conforms to this policy in that the proposed development is within the City's built-up area and would contribute toward the required minimum 40 percent target.



STAFF REPORT PLN016-19
May 6, 2019

Page: 20
File: D14-1647
& D09-069-18
Pending #

54. To support the achievement of complete communities, Policy 2.2.6.3 provides that municipalities require multi-unit residential developments to incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. The proposed development conforms to this policy through the provision of a variety of unit sizes, including 1, 2 and 3-bedroom rental apartment units.
55. Based on the foregoing, staff are of the opinion that the proposed development conforms to, or does not conflict with, the Growth Plan for the Greater Golden Horseshoe (2017).

Official Plan (OP)

56. The 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 OP can be found in its entirety at the following link:
<https://www.barrie.ca/City%20Hall/Planning-and-Development/Documents/Official%20Plan%20-%20January%202017.pdf>
57. As noted above, the subject lands are designated 'Residential Area' and 'Environmental Protection Area' within the City's Official Plan. Lands that are designated 'Residential Area' are intended to be used primarily for residential uses, with all forms of housing permitted subject to locational criteria. Lands that are designated 'Environmental Protection Area' are intended primarily for preservation and conservation in their natural state and uses such as passive outdoor recreation, forestry and wildlife management may be permitted where appropriate. In this case, the proposed development is located entirely on the Residential portion of the subject lands with an appropriate development setback to the environmentally protected area. The environmental protection lands are being protected and would be dedicated to the City at no cost through the site plan control process.
58. There are a number of policies in the Official Plan that generally support the proposed development. These policies relate to providing 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.
59. Section 2.3 (d) identifies that there will be a growing need to provide residential densities which are higher, more cost effective, energy efficient, and more environmentally sustainable than previous development in the City. New housing stock is expected to include a growing percentage of multi-unit development at medium and high densities in order to provide a complete range of housing options for the City's residents. Further, 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. 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 (rental apartment units) from what currently exists in the area, utilizes existing infrastructure and services, and would support public transit use.

General Policies

60. 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. The proposed development is consistent with this policy in that it proposes residential intensification in an area where existing infrastructure (water, storm and sanitary services) and service facilities (local



schools, public transit and Audrey Milligan Park) are available. Further, the proposed development provides a variety of rental apartment options (1, 2 and 3-bedroom units), contributes to a safe, vibrant and pedestrian friendly Dunlop Street West streetscape through the provision of “eyes on the street” by way of street oriented development along Dunlop Street West, multiple pedestrian access connections to the municipal sidewalk and would contribute toward a complete community given the proposed commercial units, as well as existing commercial uses located along Dunlop Street West.

61. 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 is 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 at densities consistent with the Official Plan. Residential intensification includes infill development, which refers to the development of vacant or under-used parcels within existing urban areas. Staff are satisfied the proposal conforms to these policies of the Official Plan given that the proposed development provides for an alternative housing form with a variety of unit sizes (1, 2 & 3 bedroom rental apartment 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 an existing built-up area of the City and is intensifying a site located on a designated intensification corridor as identified in Schedule ‘I’ of the Official Plan.

Affordable Housing

62. Section 3.3.2.2 identifies the goal that a minimum target of 10 percent of all new housing units be affordable. In the case of rental housing, the criteria for affordable housing is identified as the least expensive of:
- A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
 - A unit for which the rent is at or below the market rent of a unit in the regional market area.
63. The County of Simcoe has identified that the median household income for the City of Barrie is \$79,984. As such, the average household income in the City of Barrie would allow for a monthly rental rate of \$1,999, representing 30 percent of household income spent on an annual basis. The average market rents in the City of Barrie are as follows: \$766 for bachelor units; \$1,035 for 1-bedroom units; \$1,205 for 2-bedrooms units; and, \$1,415 for 3-bedroom units. The decision on price point for the proposed rental units has not yet been made by the applicant as it is typically determined closer to the initiation of the construction process. Although the applicant has not yet made a decision on the specific price point for the residential units being proposed, the building type is conducive to providing more affordable housing options as a variety of unit sizes and types are being proposed (1, 2 and 3-bedroom units). The proposed development also provides for a more attainable tenure/form of housing in that the applicant is proposing rental units rather than private ownership. The applicant is proposing a total of 93 rental units which will increase the rental housing stock in the City of Barrie. If approved, the proposed development would contribute to improving the City's rental housing availability and may assist in reducing rental rates across the City by increasing the rental housing stock. Consequently, staff are of the opinion that the development would satisfy the affordable housing policies of the Official Plan by contributing to the affordable and rental housing stock in the City of Barrie.



Energy Conservation and Renewable Energy Systems

64. 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. This proposal conforms to this policy as it provides a compact development that is located within walking distance to the City Centre and the Waterfront. The built form would also provide future residents an opportunity to participate in active transportation as sidewalk connections are proposed to Dunlop Street West which would offer pedestrian access to adjacent commercial uses, and the development would be serviced by the City's transit system. The compact built form would consume less land and resources and utilize existing infrastructure and services, thus supporting overall energy conservation in the City. Additionally, the proposed development will incorporate features, such as Low Impact Development (LID) devices, to minimize stormwater management impacts on the natural environment.

Land Use Policies

65. In accordance with Section 4.2.2.2 of the Official Plan, 'net residential hectare' for medium and high density residential development shall mean the area of land measured in hectares utilized solely for the residential dwelling units, excluding local residential streets, Open Space and Environmental Protection Areas. High density residential development shall consist of developments which are in excess of 54 units per hectare. In accordance with these provisions, the proposed development represents a density of 196 units per hectare, and as such, would be considered to be high density in accordance with the Official Plan. The reduced zoning standards proposed would result in a high density residential development that is able to use the land and municipal infrastructure and services more efficiently. At the same time, there is an appropriate separation distance/setback proposed from the abutting environmental lands to the south, ensuring the protection of the Bunker's Creek and Milligan's Pond water feature.
66. Section 4.2.2.3 (b) of the Official Plan further provides that medium and high density development is encouraged to locate within the Intensification Nodes and Corridors and should be directed to locate adjacent to arterial and collector roads, in close proximity to public transit, schools, parks, commercial development and where planned services and facilities such as roads, sewers and water mains, or other municipal services are adequate. In staffs' opinion, the proposed development meets the City's locational criteria with respect to medium and high density development as the subject property is located on Dunlop Street West, a designated Intensification Corridor and arterial roadway whereby public transit is available. Commercial development is located to the west of the subject lands, as well as within the City Centre which is located approximately 300 metres east of the site. The development will also include 138 square metres of ground floor commercial space to service existing and future residents in the area. Finally, the subject lands are also serviced by local schools and are located within close proximity to parks (Audrey Milligan Park, Eccles Park, and Donald Street Park) and passive recreation lands associated with the City-owned Environmental Protection (EP) lands south of the site.
67. Section 4.2.2.3(c) of the Official Plan restricts high density developments in excess of 150 units per hectare to locations within the City Centre unless an amendment considering the criteria noted in paragraph 66 above and other relevant policies of the Official Plan have been approved. The Official Plan policy provides consideration for increasing the density restriction of 150 units per hectare if criteria are met and supported through the application process. It is the opinion of staff that the Official Plan Amendment required to consider a higher density at this location is well supported through a detailed policy review and will result in a more effective use of a site located within an Intensification Corridor and within close proximity to Highway 400 and the City Centre. Locational and servicing constraints, unreasonable shadowing, environmental impacts and traffic and parking impacts have not been identified as concerns for this proposal. Intensification represents an essential component of the City's growth management strategy to minimize



infrastructure requirements of new development and to utilize existing facilities and services such as transit, schools and open space. Where planning policy and locational criteria can be satisfied and potential impacts can be avoided or minimized, good planning principles can be achieved.

68. The General Design Policies in Section 4.2.2.4 of the Official Plan require residential development to provide necessary on-site parking, graduated densities and functional amenity areas including landscaping, screening and buffering. As illustrated on the amended concept plan submitted in support of the subject application (Appendix "C" – Revised Conceptual Site Plan), adequate on-site parking and amenity areas (rooftop terraces, balconies and landscaped open space) have been provided on site. In this regard, the applicant is proposing a parking ratio of 1 space per residential unit in accordance with the MU2 zone standards, as well as 5 visitor parking spaces. The applicant is also proposing a parking rate of 1 space per 30 square metres of gross floor area for commercial uses, which applies to the majority of the retail commercial and office uses permitted in Zoning By-law 2009-141, as amended. In addition, the proposed private balconies, rooftop terraces and landscaped open space on the site exceed the minimum amount of unconsolidated amenity area (12 m² per unit) required within the MU2 zone. Finally, the applicant is proposing upper floor building step-backs and increased building setbacks, as well as landscaped areas and privacy fencing to provide an appropriate transition and buffering to surrounding land uses and City streets.
69. Staff note that the proposed development would result in a higher density than that of the existing low and medium density developments located on Dunlop Street West and in surrounding neighbourhoods. However, it is important to note that the subject lands are located on an Intensification Corridor in which higher density mixed-use pedestrian-oriented developments with a strong street presence are encouraged. It is important to note that the Dunlop Street Primary Intensification Corridor is an area of the City that is currently in transition and staff anticipate that the corridor will continue to evolve and develop with higher density buildings. When an area is in transition, it is important to recognize and be sensitive to existing conditions, while at the same time encouraging appropriate new, high quality development applications to proceed. Consideration has been given to providing an appropriate transition and buffering to adjacent residential and environmentally protected lands through adequate separation distances/building setbacks, step-backs and opportunities for landscape buffers and privacy fencing.
70. The proposed building has been strategically placed in the northwest corner of the subject lands, creating a strong street presence along the Dunlop Street West frontage. Following the Neighbourhood and Public Meetings, the applicant relocated the proposed building from the northeast to the northwest corner of the site. The concept plan was amended in response to comments and concerns received from property owners immediately east and south of the subject lands with respect to shadowing and a loss of privacy. The applicant has increased the east side yard setback to 21 metres, providing a greater separation distance between the proposed development and existing residential dwellings immediately east and south of the subject lands. The location of the building has also allowed the applicant to increase the width of the landscape buffer strip on the east side of the property from 1 metre to 2 metres, so as to provide more opportunities for buffer planting and privacy fencing. While a 3 metre side yard setback is being provided along the west side of the building, in accordance with the MU2 zone standards, it is important to note that the west side of the building abuts an 8 metre wide parking area which services a building currently occupied by a commercial office use. The width of the parking area and the proposed west side yard setback would provide a separation distance of 12 metres between the proposed development and the building located on the adjacent lands immediately west of the site. Furthermore, a 3 metre landscape buffer strip is proposed along the west side lot line which will provide opportunities for buffering, as well as privacy fencing. The applicant is also proposing increased step-backs on the front and sides of the building in the form of rooftop terraces (on the 7th floor) to break up the roof line and mass of the building. The proposed upper floor step-



STAFF REPORT PLN016-19
May 6, 2019

Page: 24
File: D14-1647
& D09-069-18
Pending #

backs would also reduce shadowing and provide a transition to surrounding land uses and City streets (see Appendix "G" – Conceptual Building Elevations).

71. The applicant is proposing a 20 metre development setback from the flow channel of Bunker's Creek, as well as an additional 6 metre buffer/protection zone. The lands located within the 20 metre development setback and 6 metre buffer will be zoned as 'Environmental Protection' (EP) lands and will be dedicated to the City at no cost through the site plan control process. The Bunker's Creek and Milligan's Pond water feature will be protected as the lands will be owned by the City where development is prohibited in the EP zone. The EP area would also provide a large separation distance between the proposed building and existing residential uses to the south on Perry Street.
72. Staff are of the opinion that the combination of the above mentioned features will ensure that the proposed development functions effectively and would provide an appropriate transition to the abutting low and medium residential land uses, as well as an appropriate buffer from environmentally protected lands, thereby minimizing the impacts on surrounding land uses.

Intensification Policies

73. The proposed development was reviewed in association with the Intensification policies of the Official Plan. These policies implement the City of Barrie Intensification Study that was completed in 2009 which encourages residential intensification to be directed to the Urban Growth Centre (UGC), Intensification Nodes, Intensification Corridors, and the Major Transit Station Areas.
74. Intensification corridors are defined as *"Intensification areas along major roads, arterial or higher order transit corridors that have the potential to provide a focus for higher density mixed use development consistent with planned transit service levels"*.
75. The development, if approved, would serve to address many of the criteria outlined in the Intensification Study and the Intensification Policies of the Official Plan. The subject property has frontage on Dunlop Street West, which in accordance with Schedule 'I' of the Official Plan, is identified as an Intensification Corridor.
76. Further, Section 4.2.2.6(c) identifies that intensification will contribute to 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. The proposed development would also contribute to a more compact urban form and efficiently use land and resources, support transit, and optimize the use of existing infrastructure and services; including public transit.
77. In Planning staff's opinion, the proposed development would satisfy the intensification policies noted above, as it provides for a density of 196 units per hectare through a compact built form; the project is considered infill development that utilizes existing municipal infrastructure; is adjacent to and supports public transit; supports active transportation given its proximity to commercial uses, parks and schools, and proposed walkway connections; and, promotes energy efficiency through compact design.

Servicing and Transportation

78. It is a goal of the Official Plan to ensure that all development within the City is serviced by municipal sanitary and storm sewers, municipal water, electrical and other utilities. Policies 5.1.2.1(j), (m), (n), and (o) detail how development of these services will occur. The proposal conforms to these policies as the development will be entirely serviced by municipal and other public utilities.



STAFF REPORT PLN016-19
May 6, 2019

Page: 25
File: D14-1647
& D09-069-18
Pending #

79. The Official Plan identifies goals to protect and enhance water quality, encourage effective stormwater management, and ensure stormwater management practices minimize stormwater peak flows and other negative impacts. Policies 5.3.2.2(a) and (b), and 5.3.2.3 detail how development shall achieve these goals and outline applicable design criteria. Staff are satisfied that stormwater management for the proposed development can be adequately addressed in accordance with these policies through the subsequent site plan control process.
80. The Official Plan further identifies goals to promote healthy communities, active living, public transit, all forms of active transportation, and the safe integration and connectivity between the various modes of transportation. Policies 5.4.2.3 (a), (c), and (f) detail how new development shall encourage and promote the use of public transit. This development conforms with these policies through the provision of increased densities to support the local transit service and by providing pedestrian connections to municipal sidewalks whereby local transit stops are present and provide connections to inter-regional transit systems, such as GO Transit.
81. Policy 5.4.2.4 (b) identifies pedestrian and bicycle route linkages shall be encouraged through new development. This proposal conforms to this policy through the provision of walkway connections throughout the site and to Dunlop Street West where existing commercial uses are present. Detailed items such as bicycle racks would be considered through a subsequent site plan control process should Council approve the subject Official Plan and Zoning By-law amendment applications.

Urban Design Guidelines

82. Policy 6.5.2.2 (a) identifies 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, the avoidance of large exposed blank walls, provision of well-defined entrances, and pedestrian links shall be designed to promote safety of the user and be fully accessible between commercial and residential properties. Conceptual building elevations have been provided by the applicant and are attached as Appendix "G" to this report. 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.
83. Policy 6.5.2.2 (b) identifies the linking of driveways to reduce the number of turns onto and off of major roads, adequate accessible parking, smaller parking areas for larger properties, and major parking and loading areas confined to the rear of the building. The proposal conforms to this policy in that the site would have only one access point from Dunlop Street West with an appropriate separation distance from the intersection of Boys Street, so as to avoid traffic conflicts. Accessible parking has also been provided in accordance with the MU2 zone standards in the Zoning By-law. Finally, all parking is proposed to be located internal to the building and the rear of the site where it will be screened from the street by the building.
84. Policy 6.5.2.2 (c) states that planting strips shall be provided along the street frontage and should contain planting materials and street furniture, commercial uses abutting residential uses should be screened by way of landscaping and fencing, and Environmental Protection Areas should not be included in the minimum landscaping standard. The proposal conforms with this policy as the applicant is requesting a special zoning provision to permit landscaping in the front yard to accommodate planting features. Landscape buffer strips are also proposed along the side lot lines to accommodate buffer planting and fencing which will assist in screening the proposed ground floor commercial uses from adjacent land uses. The Environmental Protection Area is being protected, does not form part of the proposed development and is not being included in the minimum landscaped open space standard.



STAFF REPORT PLN016-19
May 6, 2019

Page: 26
File: D14-1647
& D09-069-18
Pending #

85. Policy 6.5.2.2 (g) encourages energy efficiency through a compact built form that encourages the use of transit, active transportation, and focusing major development along transit routes. The proposal conforms to this policy by providing a compact built form whose population supports transit use, sidewalk connections and proximity of commercial and public services that promote active transportation, and transit routes that travel along Dunlop Street West.
86. Planning staff are of the opinion that the development proposal adheres to the design policies of the Official Plan as it relates to location, density, landscaping and amenity areas, and providing an appropriate transition and buffering between adjacent land uses.

Tall Buildings and Height Control

87. In January of 2014, the City introduced new policies for Tall Buildings within Section 6.6 of the Official Plan. These policies are applicable to any proposed building above 3-stories in height, particularly within the Urban Growth Centre and the Intensification Nodes and Corridors. The general design policies of this section require that innovative architectural design will be encouraged to reduce the visual and physical impact of height on the adjacent pedestrian realm and where possible, parking, site servicing, loading areas and building utilities should be located towards the rear of buildings with appropriate screening. The policies further state that the use of underground parking is strongly encouraged and tall buildings are to be held to a high standard of design excellence by using quality urban design, architectural treatments and building materials in order to promote a visually interesting skyline.
88. In accordance with Section 6.6.4 (a), the tall building policies further 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.
89. 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. As referenced above in paragraph 14 of this report, 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.
90. In staff's opinion, the proposed development is consistent with the Tall Building Policies of the Official Plan. The applicant has amended the concept plan since the original submission and has relocated the proposed building from the northeast to the northwest corner of the site. In doing so, the proposed building will be setback 21 metres from adjacent residential lots to the east. The width of the landscape buffer strip located along the east side lot line has also increased from 1 metre to 2 metres, which provides more opportunities for buffer planting and privacy fencing between the proposed development and adjacent residential land uses. Although the building is setback 3 metres from the west side lot line, in accordance with the MU2 zone standards, it is important to note that the adjacent lot is occupied by a commercial office use. The west side of the proposed building also abuts a parking area located on the adjacent lot, which is approximately 8 metres wide. As such, there would be a separation distance of 12 metres between the proposed development and the adjacent commercial office building located west of the subject lands. A 3 metre landscape buffer strip is also proposed along the west side lot line, which will provide an opportunity for buffer planting and tight board privacy fencing. The applicant has also provided step-backs on the front and sides of the building on the 7th floor in the form of rooftop terraces to



provide a transition to adjacent land uses and reduce shadowing (see Appendix "G" – Conceptual Building Elevations).

91. In locating the building in the northwest corner of the site, the applicant is also directing the building massing and density closer to the intersection of Dunlop Street West and Boys Street, which is desirable. As demonstrated by the conceptual block plan (Appendix "F" – Conceptual Block Plan) submitted in support of the application, there is a future opportunity to consolidate 1 Boys Street and 249 Dunlop Street West located immediately west of the site and develop the lands with a multi-residential or mixed-use building with structured or underground parking. In doing so, building density and massing would be concentrated at the intersection of Dunlop Street West and Boys Street, helping to frame the intersection and providing an appropriate separation from existing low-density residential land uses to the southeast on Perry Street. Furthermore, the proposed building will be setback 20 metres from the limit of the environmentally protected lands at the rear of the site, providing a large separation between the proposed development and existing residential land uses on Perry Street.
92. With respect to building design, there are proposed upper floor step-backs on the front and sides of the building in the form of rooftop terraces on the 7th floor of the building to provide a transition to adjacent land uses and reduce shadowing, and to break up the roofline and mass of the building. A mix of projecting and recessing balconies is also proposed on all sides of the building in alternate locations to reduce the repetitiveness of floor plates. All parking is proposed to be located internal to the proposed building and at the rear of the site where it would be screened from view of the street. Finally, there are no public parks/open spaces immediately abutting the proposed building which would be impacted by shadows.
93. A Shadow Impact Study was submitted in support of the subject applications, which evaluated shadowing impacts on adjacent lots during the fall, spring, summer and winter solstices (please refer to Appendix "H" – Shadow Impact Study). According to the Shadow Impact study, no property is shadowed for more than 4 hours during the spring, fall and winter solstices, and no more than 1 hour during the summer solstice. Minimal shadow impacts would be realized over the Dunlop Street West public realm with the greatest impacts being realized during the winter solstice. Based on the shadow analysis provided, Planning staff are satisfied that the proposed development is considered to be consistent with the Tall Building Shadowing policies of the Official Plan.

Height and Density Bonusing

94. The Bonusing Policies (Section 6.8) within the Official Plan permit the negotiation of community benefits when considering passing a By-law to increase the height and/or density of a development beyond what is currently permitted in the Zoning By-law. With respect to the subject development, the applicant is proposing a Zoning By-law Amendment that includes permission for increased height and density over and above what the current 'Residential Multiple Dwelling Second Density – Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) zoning on the subject lands permits. As such, the Bonusing Policies for the purpose of obtaining community benefits could be applied. Notwithstanding the above, on May 29, 2017, a memorandum was provided to Council which identified that development proposals within the City's Intensification nodes and corridors that generally comply with the 'Mixed Use Corridor' (MU2) zoning standards would not be subject to Bonusing Policies. Given that this parcel is considered to be within the Dunlop Street Primary Intensification Corridor and generally complies with the MU2 zoning standards, particularly as it relates to maximum building height (maximum 26.5 metres/8-storeys proposed, whereas 25.5 metres/8-storeys may be permitted for mixed-use developments), the Bonusing Policies of the Official Plan would not apply. There is no maximum density provision associated with the MU2 zoning standards.



STAFF REPORT PLN016-19
May 6, 2019

Page: 28
File: D14-1647
& D09-069-18
Pending #

95. The development, if approved, would serve to address many of the criteria outlined in the Official Plan, and more specifically, the Intensification Policies of the Official Plan. In this regard, Schedule 'I' of the Official Plan identifies Dunlop Street as a Primary Intensification Corridor which has a targeted density of 50 units per hectare. It is important to note that while 50 units per hectare is the target density, not all properties are intended to redevelop at this density. Depending on individual site circumstances, properties may potentially develop at densities both above and below this target with the understanding that the target density is to be achieved over the entire corridor.
96. It is anticipated that these types of development will be more common along the Intensification Corridors and densities may exceed 50 units per hectare on a site by site basis but would be consistent with the density target which is calculated over the entire corridor. Therefore, staff are satisfied that the proposed density (196 units per hectare) would contribute to a more compact urban form that supports transit, and efficiently uses land and resources by optimizing the use of existing infrastructure and services in an area where intensification has been targeted.
97. Based on the provisions identified above, staff are of the opinion that the proposed development, if approved, is considered to be consistent with or does not conflict with the City's Official Plan.

Intensification Area Urban Design Guidelines

98. In June of 2013, Council received the Urban Design Guidelines for the Intensification Areas as prepared by Brook McIlroy, October 2012. These guidelines are intended to ensure that new development is compatible with the existing built fabric while creating an attractive and safe public realm that supports alternative modes of transportation and is environmentally sustainable. One of the consistent themes throughout these guidelines is to create higher density, mixed-use, pedestrian friendly streetscapes throughout the intensification areas. In this regard, buildings should be positioned to frame abutting streets, main entrances should be directly accessible from public sidewalks and the front street wall of buildings should be built to the front property line. The Guidelines further suggest that development on prominent streets should meet a high standard of design.
99. The proposed development satisfies the City's Urban Design Guidelines for the Intensification Areas in that a variety of rental apartment units (1, 2 and 3-bedroom units) are proposed in a multi-storey compact development with a strong street presence along Dunlop Street West. The proposed building would also include street-oriented commercial uses on the ground floor and pedestrian connections to the municipal sidewalk to encourage active transportation such as walking and cycling. The proposed development is considered to be pedestrian-friendly, compact and efficient in that it will utilize existing services and infrastructure and is transit-supportive. Finally, the applicant is proposing architectural features and landscaping which will enhance the design of the site and the aesthetic of the Dunlop Street intensification corridor. Site design, building materials and landscaping would be refined through a subsequent site plan control process, should the subject applications be approved.

Transition to Low-Density Residential Land Uses

100. While the subject lands are located along the Dunlop Street West Primary Intensification Corridor in which medium and high density developments ranging from five (5) to eight (8) storeys in height are encouraged, new developments are expected to provide an appropriate transition to low-density residential land uses. There are many ways in which a new development can provide an appropriate transition to low-density residential land uses, including the provision of building setbacks to reduce height and shadowing impacts of tall buildings, increased building setbacks to provide appropriate spatial separation between buildings, and buffering in the form of infill plantings/vegetation and tight board fencing.



101. The proposed development is considered to be high density development as defined in the City's Official Plan. As noted throughout the Analysis section of this report, several design elements have been incorporated into the proposed development in order to provide an appropriate transition to the existing two and three storey single-detached residential dwellings to the immediate south and east, and to the commercial office use to the west, such as increased rear and side yard setbacks and building separations, side and front step backs on the 7th floor of the building in the form of rooftop terraces, provision of buffer/infill plantings and tight board privacy fencing. As such, Planning staff are satisfied that the proposed development will provide an appropriate transition from the Dunlop Street Primary Intensification Corridor to adjacent lands located immediately east, south and west of the site.

Zoning Rationale for Special Provisions (SP)

102. As noted above, the applicant has requested a Mixed Use Corridor with Special Provisions (MU2)(SP-XXX) zoning over the subject lands to permit the proposed development. The site-specific zoning provisions being requested are discussed in greater detail in paragraphs 103-120 below.

Front Yard Setback

103. The applicant is proposing a minimum front yard setback of 0.5 metres, whereas a minimum of 1 metre 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 general intent and purpose of the zoning by-law is to ensure that buildings have a strong street presence and are located within close proximity to the municipal sidewalk (minimum 1 metre setback) in order to provide pedestrian connections that encourage active transportation, and to provide an opportunity to create outdoor amenity spaces such as patios (5 metre setback) to serve ground-floor commercial uses. The goal of the zoning by-law is to create pedestrian-friendly and transit supportive intensification corridors where there is a connection between private developments and the municipal sidewalk.
104. In this case, the applicant is seeking a special zoning provision to accommodate the main entrance/vestibule located in the centre of the proposed building. The front yard setback for the remainder of the building ranges from 1.8 and 1.9 metres (ground-floor commercial units) to a maximum of 3.8 metres. The proposed front yard setback would result in a building with a strong street presence, while still providing opportunities to incorporate pedestrian connections to the municipal sidewalk and outdoor amenity spaces such as patios to create a pedestrian-friendly environment along the intensification corridor.

Landscape Buffer Strips

105. The applicant is requesting site-specific zoning provisions to permit a landscape buffer strip with a width of 2 metres along the east side lot line and 1 metre along a small portion of the south interior side lot line, whereas a minimum landscape buffer strip with a width of 3 metres is required where a mixed-use zone abuts a residential zone. The general intent and purpose of the zoning by-law is to ensure that landscape buffer strips are wide enough to accommodate buffer planting and tight board privacy fencing so as to screen parking areas and commercial uses from adjacent residential land uses. Buffer planting and privacy fencing assist in mitigating impacts associated with noise, lighting, vehicular traffic and pedestrian activity.
106. Since the original submission, the applicant has amended the concept plan by increasing the landscape buffer strip along the east side lot line from 1 metre to 2 metres. City staff in the Engineering Services Department have confirmed that the width of the landscape buffer strip is sufficient and can accommodate appropriate buffer planting and 2 metre tight board privacy fencing. As such, Planning staff are of the opinion that the proposed landscape buffer strip width of



STAFF REPORT PLN016-19
May 6, 2019

Page: 30
File: D14-1647
& D09-069-18
Pending #

2 metres is appropriate and will function as intended by screening the parking area and mitigating impacts such as vehicular noise and lighting, and pedestrian activity.

107. With respect to the 1 metre wide landscape buffer being requested along the south interior side lot line, it is important to note that this reduction applies only to an area of the site containing 6 parking spaces abutting an adjacent residential land use. Also, there are no commercial uses proposed at the rear of the building which would result in increased pedestrian activity at the rear of the site. Furthermore, the residential dwelling located on adjacent lands (3 Boys Street) is set back approximately 32 metres from the abutting lot line and there is existing vegetation (i.e. mature trees) located between the existing dwelling and the proposed parking area. The existing vegetation would function as a natural buffer between the dwelling and the proposed parking area. Finally, the landscape buffer strip being proposed provides sufficient space for a 2 metre tight board privacy fence and smaller buffer planting. As such, the proposed landscape buffer strip width of 1 metre in this specific location is appropriate given the context of the site and the adjacent lands. Consequently, Planning staff are of the opinion that the proposed landscape buffer strip will function as intended by screening the parking area and mitigating impacts such as vehicular noise and lighting, and pedestrian activity.

Maximum Building Height

108. The applicant is requesting a maximum building height of 26.5 metres (8-storeys), whereas a maximum building height of 25.5 metres (8-storeys) is permitted. The general intent and purpose of the zoning by-law is to ensure that building heights along the City's intensification corridors are generally compatible with surrounding land uses, provide an appropriate transition to existing residential neighbourhoods, and do not result in unreasonable shadowing on adjacent lands.
109. As noted throughout the analysis section of this report, Planning staff are satisfied that the proposed increase in height is appropriate and will not have a negative impact on the adjacent residential properties given that step-backs, increased separation distances/building setbacks have been provided from the south and east property limits, adequate buffer/infill plantings and tight board privacy fencing are proposed through the subsequent site plan control process. In addition, shadowing over adjacent properties and streets upon completion of the proposed building is not considered to be unreasonable. Planning staff are of the opinion that the proposed 26.5 metre (8-storey) height associated with the proposed building would provide for a desirable built form along Dunlop Street West that is generally consistent with the MU2 zone standards, whereby a maximum building height of 25.5 metres (8-storeys) is permitted for mixed-use buildings. The increase in building height is considered marginal and is required to accommodate the design of the proposed building, as well as variations in average grade on the site. Therefore, the increase in building height is consistent with the general intent and purpose of the zoning by-law.

Maximum Density

While the MU2 zone standards do not specify density, the Official Plan has policies for density ranges throughout the City. The applicant is proposing to amend the Official Plan to permit a density in excess of 150 units per hectare on lands located outside of the UGC/City Centre. Specifically, the applicant is proposing a density of 196 units per hectare. As noted throughout the analysis section of this report, Planning staff are satisfied that the proposed increase in density is appropriate for the subject lands. However, in order to control the density of the subject lands, staff are recommending that a maximum density of 196 units per hectare be permitted on the subject lands as reflected in the recommended motion. This would establish a maximum density through the implementing zoning by-law and would prevent an overdevelopment of the site, and is consistent with the Official Plan Amendment.



STAFF REPORT PLN016-19
May 6, 2019

Page: 31
 File: D14-1647
 & D09-069-18
 Pending #

East Side Yard Setback

110. The applicant is proposing an east side yard setback of 21 metres, whereas a maximum side yard setback of 3 metres is permitted within 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 which create a continuous urban landscape. Recognizing this, Planning staff feel it is also important to respect existing land uses and ensure that appropriate building transitions and buffering are provided between new and existing developments, particularly lower density residential land uses.
111. In response to comments provided by local residents during the public consultation process, Planning staff are recommending that a minimum east side yard setback of 19 metres be required as reflected in the recommended motion. The special provision would ensure that the proposed development, if approved, does not change substantially and the concept plan as presented to Council is realized at the time of construction. A minimum side yard setback of 19 metres would also provide the applicant with some flexibility (2 metres) during the detailed design process associated with the application, should any modifications to the concept plan be required through a subsequent site plan control process.

Landscaping in the Front Yard

112. The applicant is proposing a front yard area that is not fully paved, whereas front yard setback areas in the MU2 zone are required to be fully paved and seamlessly connected with the abutting sidewalk. The general intent and purpose of the zoning by-law is to ensure that there are connections between private developments and the sidewalk/street along the City's intensification corridors. The City's intensification corridors are intended to function as pedestrian-friendly and transit supportive areas, characterized by mixed-use medium and high density developments with a strong street presence, pedestrian connections to the municipal sidewalk, street furniture and outdoor spaces such as patios.
113. In this case, the proposed building has a strong street presence and ground-floor commercial uses are proposed along the Dunlop Street frontage. Multiple connections are also proposed from the building to the municipal sidewalk which will encourage active transportation and pedestrian activity. There is also sufficient space in the front yard to accommodate outdoor amenity spaces to service both the commercial and residential uses in the building should the applicant choose to incorporate such elements into the development. If approved, such matters would be addressed through a subsequent site plan control process. Finally, reducing paved surfaces in the front yard will provide more opportunities for landscaping and planting, which would not only contribute to creating an attractive streetscape, but would also assist in site drainage and stormwater management. Consequently, Planning staff are of the opinion that the requested site-specific provision is consistent with the general intent and purpose of the zoning by-law.

Parking Area – Lot Coverage

114. The applicant is proposing a maximum lot coverage of 50 percent for parking spaces, aisles and driveways, whereas a maximum lot coverage of 35 percent is permitted in the MU2 zone. The general intent and purpose of the zoning by-law is to ensure that sites are not fully covered by hard surfaces and that sufficient landscaped open space and amenity areas are provided. Landscaped open spaces also assist in stormwater management by allowing for effective drainage and infiltration.
115. A large portion of the subject lands are environmentally protected and will be dedicated to the City through a subsequent site plan control process, should the subject applications be approved. A 4.5 metre road widening would also be conveyed to the City through the site plan control process. As



such, the overall developable area of the subject lands is significantly reduced, resulting in an increase in lot coverage for the proposed parking area. After the future land dedications to the City, 33 percent of the site will consist of landscaped open space. The MU2 zone does not require a minimum percentage of landscaped open space on a site. For comparison, the 'Residential Apartment' (RA1 & RA2) zone in Zoning By-law 2009-141 requires that 35 percent of a lot consist of landscaped open space. Developments in the MU2 zone are intended to be denser and more urban in character than traditional residential developments elsewhere in the City. As such, developments in the MU2 zone generally have less landscaped open space than traditional residential developments in other areas of the City. However, in this case, the amount of landscaped open space proposed on the subject lands is generally consistent with that of the RA1 and RA2 zones, and is appropriate.

116. Applicants are also encouraged to utilize Low Impact Development (LID) technologies to improve stormwater management, particularly in high density infill development sites where greenspace is limited. In this case, the applicant is proposing to incorporate LIDs into the development and has demonstrated that the stormwater management system for the site would function effectively. Furthermore, while the parking area exceeds the maximum lot coverage permitted for parking areas in the MU2 zone, the applicant is proposing to incorporate more landscaping in the front yard area, rather than paving the entire area as required by the by-law. Finally, the residential amenity area proposed on the site exceeds the minimum requirement of the MU2 zone (12 square metres per unit), which permits unconsolidated amenity areas in the form of private balconies, rooftop terraces, patios and landscaped open space. Consequently, Planning staff are of the opinion that the requested site-specific provision is consistent with the general intent and purpose of the zoning by-law.

Minimum Commercial Parking Requirements

117. The applicant is proposing a commercial parking rate of 1 space per 30 square metres of gross floor area, whereas subsection 4.6.2.3(b) of the zoning by-law requires a minimum parking rate of 1 space per 24 square metres for multiple commercial uses in the MU2 zone. The general intent and purpose of requiring minimum parking rates for commercial uses is to ensure that there is sufficient parking supply for the uses and to ensure that commercial parking does not infringe on residential parking, especially in a mixed-use development. In this case, the residential parking supply on this site will be required to be separate from the commercial parking and shall be reserved for the sole use of residential tenants only. If approved, Planning staff will require the applicant to provide signage on-site to clearly identify commercial and residential parking spaces through the subsequent site plan control process.
118. It is important to note that the parking rate of 1 space per 24 square metres of gross floor area for multiple commercial uses was adopted by Council in 2015. The intent of this zoning provision was to reduce the parking requirement for commercial sites that contain a variety of commercial uses. Prior to the implementation of this zoning provision, Planning staff would calculate the parking rate for each individual use, which often resulted in a surplus of parking spaces beyond what was actually required on-site.
119. The proposed commercial parking rate of 1 space per 30 square metres of gross floor area for this site is consistent with the parking standard for a wide variety of commercial uses, including but not limited to retail, office, personal service stores and photography studios. This parking rate would also allow for additional commercial uses with a less restrictive parking rate such as a bakery, laundry/dry cleaning, rental store and service store. Historically, a parking rate 1 space per 30 square metres of gross floor area for commercial sites has proven to function effectively throughout the City. Planning staff also review all building permits and business licenses for new businesses and uses in commercial zones, through which parking is verified to ensure that there is sufficient parking on-site. As such, Planning staff feel that there will be sufficient parking for the future



STAFF REPORT PLN016-19
May 6, 2019

Page: 33
File: D14-1647
& D09-069-18
Pending #

employees and customers of the commercial uses located on the subject lands. Therefore, Planning staff are of the opinion that the requested site-specific provision maintains the general intent and purpose of the zoning by-law.

120. In staffs' opinion, the proposed site layout is functional and the proposed site-specific zoning over the subject lands represents an appropriate form of development for the Dunlop Street Primary Intensification Corridor. The above noted site-specific provisions have been reflected in the recommended motion in order to provide local residents with some level of assurance that the future redevelopment of the property would be reflective of the concept plan submitted in support of the subject application.

Site Plan Control

121. Subject to Council approval of the proposed Official Plan and Zoning By-law Amendment applications, the property would be subject to Site Plan Control as per Section 41 of the *Planning Act* and in accordance with By-law 99-312. Site Plan Control addresses the development and design of the lands with regard to access, servicing, stormwater management, landscaping, lighting, setbacks, building orientation/placement/massing, parking, etc.
122. The concept plan and conceptual building elevation drawings 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 buildings. However, should the subject Official Plan and Zoning By-law Amendment applications be approved, the applicant would be required to submit a site plan application which would be further reviewed by City staff and applicable external agencies to ensure that the development complies with all municipal standards and provides an appropriate interface with adjacent properties and streets. In the interim, staff note that consideration has been given to appropriate urban design matters through the provision of detailed design elements such as various building façade materials, a reduced front yard setback, orientation of the buildings adjacent to and toward Dunlop Street West, provision of private amenity areas, along with a combination of surface and structured parking.

Summary

123. Staff have reviewed the comments received and considered the proposed Official Plan and Zoning By-law Amendment applications, having regard to conformity with relevant Provincial Policy and the City's Official Plan. In staffs' professional opinion, the provision for a mixed-use residential and commercial development on the subject lands at the density proposed, is considered appropriate and would conform to relevant Provincial Policy, the City's Official Plan and complies with the policy planning framework established for residential intensification.

ENVIRONMENTAL MATTERS

124. The environmentally sensitive lands associated with the Bunker's Creek and Milligan's Pond water feature will be zoned 'Environmental Protection' (EP) and will be required to be conveyed to the City at the time of Site Plan Approval in order to help ensure the protection of the feature in perpetuity.



ALTERNATIVES

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

Alternative #1

General Committee could alter the proposed recommendation by suggesting a reduced density or built-form, or sending it back to staff for additional consultation with the owner/applicant and the public.

Although this alternative is available, a Neighbourhood Meeting and Public Meeting have been formally held, as well staff have been available for discussion and have received comments from the public. It is not anticipated that additional consultation would result in alterations to the application that would make the proposal more acceptable to the neighbourhood residents. As noted in the recommendation, staff are satisfied that the supporting documentation submitted by the owner/applicant, including updates as requested, justifies consideration of the development as proposed.

Alternative #2

General Committee could maintain the density limits for this site at 150 units per hectare and approve the change in zoning from 'Residential Multiple Dwelling Second Density – Special Provision No. 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed Use Corridor – Special' (MU2)(SP).

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. Should the applicant appeal the Council decision with this alternative, City Planning staff will not be in a position to offer supporting evidence.

Alternative #3

General Committee could maintain the density limits for this site at 150 units per hectare and deny the change in zoning from 'Residential Multiple Dwelling Second Density – Special Provision No. 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed Use Corridor – Special' (MU2)(SP).

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. Should the applicant appeal the Council decision with this alternative, City Planning staff will not be in a position to offer supporting evidence.

FINANCIAL

126. The subject applications, if approved, would permit the development of 93 residential apartment units and 138 square metres of ground floor commercial space on the subject lands. The proposed development would generate an annual tax revenue of approximately \$153,729, based on 2019 tax rates.



STAFF REPORT PLN016-19
May 6, 2019

Page: 35
File: D14-1647
& D09-069-18
Pending #

127. Building permit application fees for the proposed development are estimated to be approximately \$152,416.96. If approved, building permit fees will be confirmed through the subsequent site plan control process, and collected at the time of the submission of a building permit application.
128. Current development charges for a bachelor or 1-bedroom unit are \$20,770.00 and \$29,048.00 for 2 or more bedroom units. Based on the preliminary floor plans submitted in support of the application, development charge revenue for the proposed residential uses is estimated to be approximately \$2,122,004.00. Development charges are calculated and paid at the time of issuance of the building permit.
129. Development charges for the proposed ground-floor commercial space is calculated at \$31.66 per square foot. Based on the proposed 138 square metres (1,485 square feet) of ground floor commercial space, development charges are estimated to be approximately \$47,173.40 for the commercial component of the development. Development charges are calculated and paid at the time of issuance of the building permit.
130. The education levy for residential uses is currently \$1,759.00 per unit, which represents a total levy of \$163,587.00.
131. The education levy for retail commercial uses is \$0.47 per square foot of gross floor area, which represents a total levy of \$700.30.
132. Cash in lieu of parkland is currently calculated at \$5,418.00 per residential unit, which represents a total contribution of \$503,874.00 for the proposed development (2019 rate, subject to an annual inflationary adjustment on January 1st of each year). Cash in lieu of parkland for the proposed commercial uses is 2 percent of the assessed land value and will be confirmed through a subsequent site plan control process, should the subject applications be approved.
133. Given that there is an existing single detached residential dwelling on the subject lands, a redevelopment DC credit in the amount of \$54,361.00 may be available provided the existing dwelling is demolished and building permits are issued within 60 months of the last date of occupancy of the current dwelling.
134. Given that the subject lands, when developed, will be subject to Site Plan Control, 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 frontage costs associated with upsizing to municipal water and sewer mains already installed, 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.
135. The City will also incur minimal additional operating costs associated with increased demand for municipal services outside of the development limits. However, the impacts of the additional units are anticipated to be minimal and are all normal growth-related expenses that are actively planned throughout the City's Capital Plan and Forecasting Plan.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

136. The recommendations included in this Staff Report support the following goals identified in the 2018-2022 Strategic Plan:
 - Building Strong Neighbourhoods



STAFF REPORT PLN016-19
May 6, 2019

Page: 36
File: D14-1647
& D09-069-18
Pending #

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- i) Build Walkable, diverse neighbourhoods the encourage community connections; and,
 - ii) Grow responsibly.
 - Improving the ability to get around
 - Increase transportation options, including active transportation modes.
137. In accordance with Council's goals, the proposed development would provide for a compact form of development that will utilize existing services and infrastructure. The proposed development is considered to be a more affordable form of housing, promotes and facilitates community connections, supports active transportation and public transit, and would support diverse and safe neighbourhoods.
- Attachments: Appendix "A" – Proposed Defined Policy Area
Appendix "B" – Proposed Zoning By-law Amendment
Appendix "C" – Revised Conceptual Site Plan
Appendix "D" – Original Conceptual Site Plan
Appendix "E" – Technical Study Descriptions
Appendix "F" – Conceptual Block Plan
Appendix "G" – Conceptual Building Elevations
Appendix "H" – Shadow Impact Study

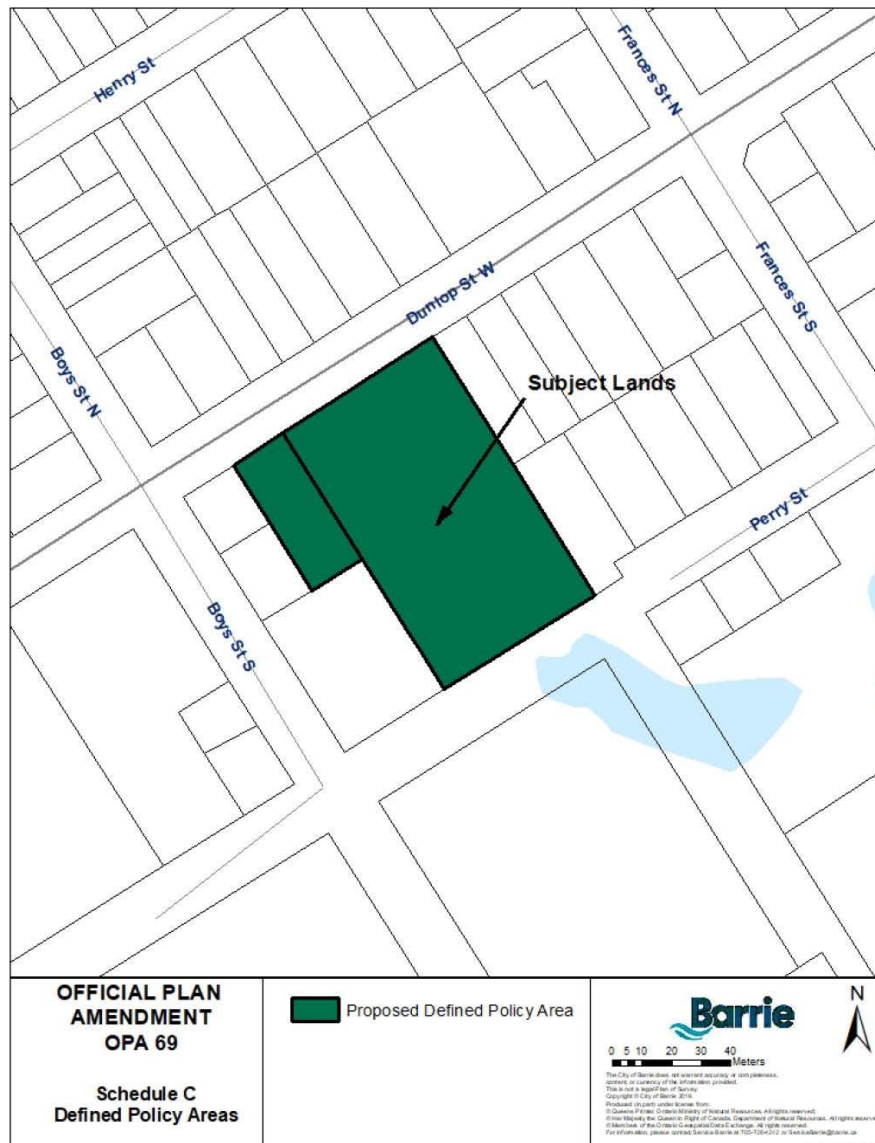


STAFF REPORT PLN016-19
May 6, 2019

Page: 37
File: D14-1647
& D09-069-18
Pending #

APPENDIX "A"

Proposed Defined Policy Area – Official Plan Amendment





STAFF REPORT PLN016-19
May 6, 2019

Page: 38
File: D14-1647
& D09-069-18
Pending #

APPENDIX "B"

Proposed Zoning By-Law Amendment



Bill No. 074

BY-LAW NUMBER 2019-XXX

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie.

WHEREAS the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141 to rezone lands known municipally as 233, 237, 241 and 245 Dunlop Street West, shown on Schedule "A" to this By-law from 'Residential Multiple Dwelling Second Density – Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) and 'Environmental Protection' (EP).

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 19-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 233, 237, 241 and 245 Dunlop Street West from 'Residential Multiple Dwelling Second Density – Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) and 'Environmental Protection' (EP) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the provisions set out in Section 5.4.3.1 of By-law 2009-141, a minimum front yard setback of 0.5 metres is required in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
3. **THAT** notwithstanding the provisions set out in Section 5.4.4.0 of By-law 2009-141, a minimum landscape buffer strip with a width of 2 metres is required along the east side lot line in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
4. **THAT** notwithstanding the provisions set out in Section 5.4.4.0 of By-law 2009-141, a minimum landscape buffer strip with a width of 1 metre is required along the south interior side lot line in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
5. **THAT** notwithstanding the provisions set out in Section 5.4.3.4 of By-law 2009-141, a maximum building height of 26.5 metres is permitted in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.



STAFF REPORT PLN016-19
May 6, 2019

Page: 39
File: D14-1647
& D09-069-18
Pending #

6. **THAT** notwithstanding the provisions set out in Section 5.4 of By-law 2009-141, a maximum building density of 196 units per hectare is permitted in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
7. **THAT** notwithstanding the provisions set out in Section 5.4.3.1 of By-law 2009-141, a minimum east side yard setback of 19 metres is required in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
8. **THAT** notwithstanding the provisions set out in Section 5.4.3.2(a) of By-law 2009-141, front yard setback areas are not required to be fully paved in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
9. **THAT** notwithstanding the provisions set out in Section 5.4.4.1 of By-law 2009-141, a maximum lot coverage of 50 percent is permitted for parking spaces and aisles for apartment dwellings in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
10. **THAT** notwithstanding the provisions set out in Section 4.6.2.3(b) of By-law 2009-141, a minimum parking rate of 1 space per 30 square metres of gross floor area for multiple commercial uses shall be required in the 'Mixed-use Corridor – Special Provision' (MU2)(SP-XXX) zone.
11. **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.
12. **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 May, 2019.

READ a third time and finally passed this ____ day of May, 2019.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE



STAFF REPORT PLN016-19
May 6, 2019

Page: 40
File: D14-1647
& D09-069-18
Pending #

- 2 -

Schedule "A" to Attached By-law 2019-XXX



MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

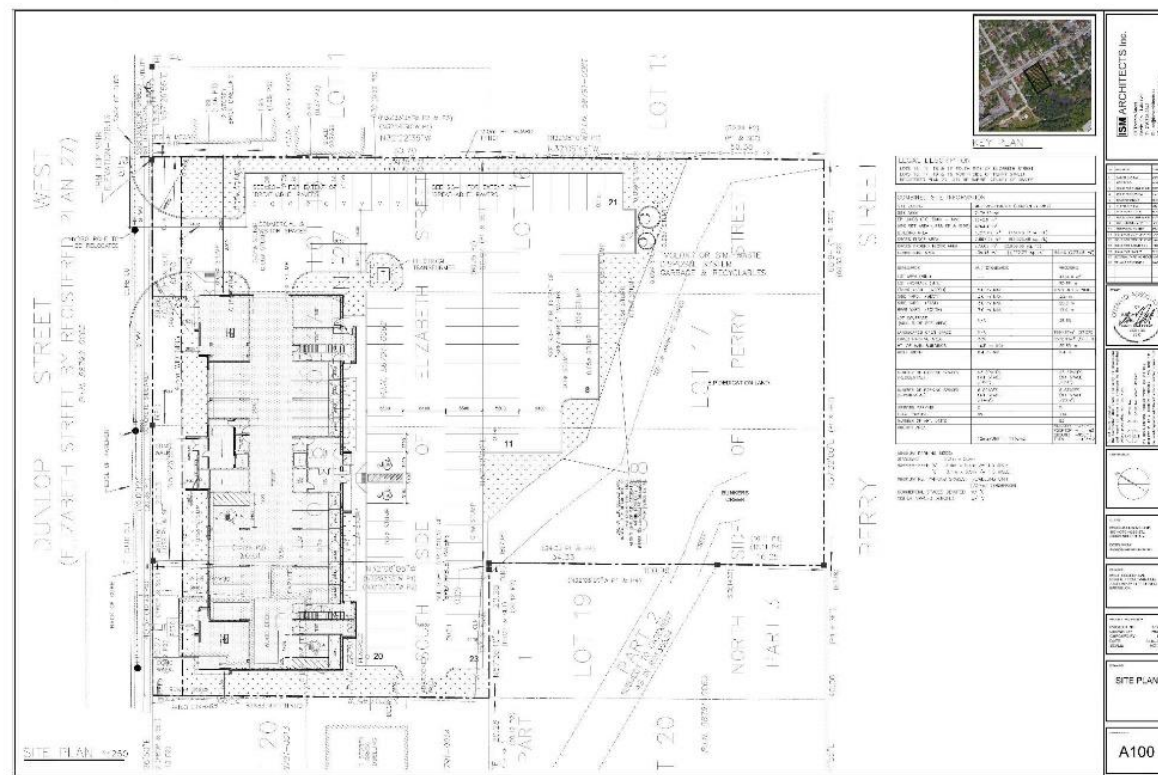


STAFF REPORT PLN016-19
May 6, 2019

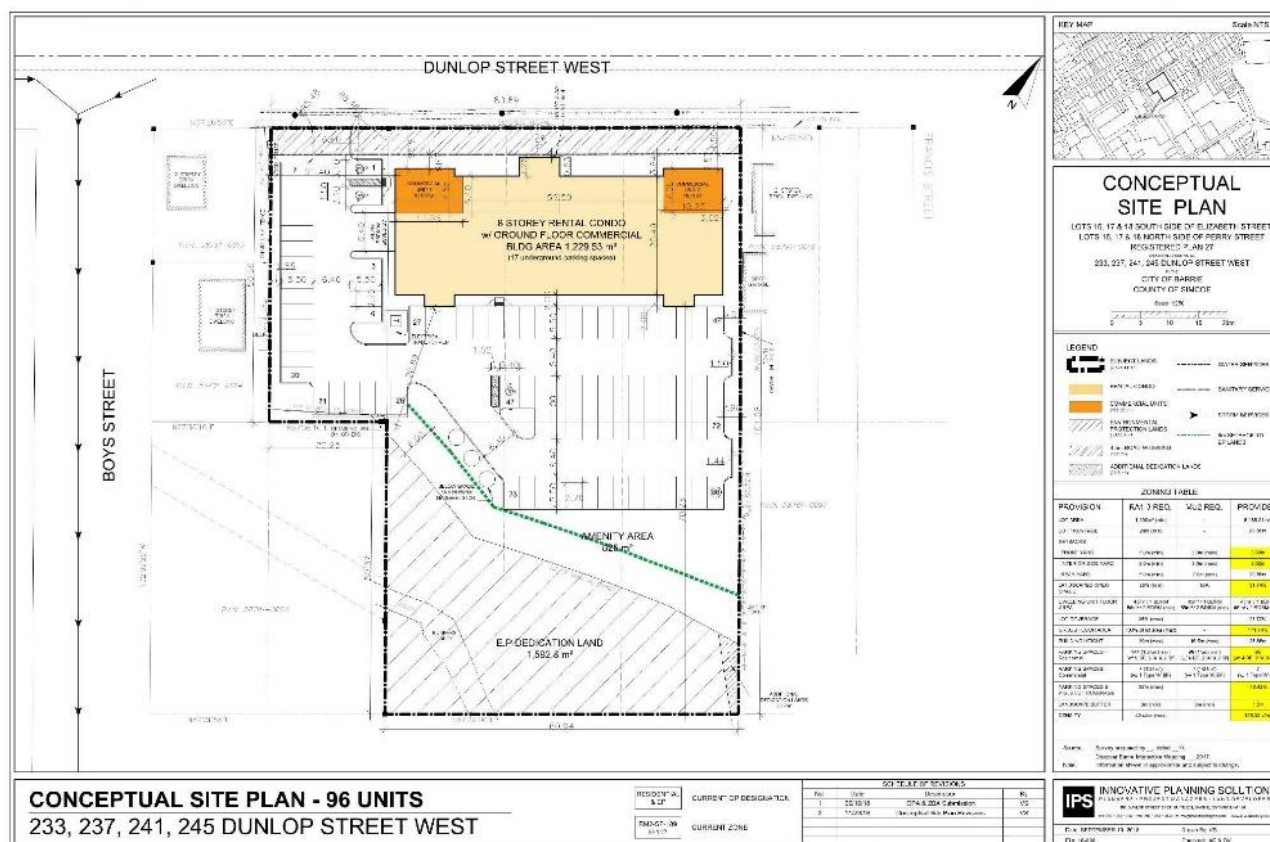
Page: 41
File: D14-1647 & D09-069-18
Pending #

APPENDIX "C"

Revised Conceptual Site Plan (Eight Storey Building with 93 Rental Apartment Units and 138 Square Metres of Ground Floor Commercial Space)



Original Conceptual Site Plan (Eight Storey Building with 96 Rental Apartment Units and 165 Square Metres of Ground Floor Commercial Space)





STAFF REPORT PLN016-19
May 6, 2019

Page: 43
File: D14-1647
& D09-069-18
Pending #

APPENDIX "E"

Technical Study Descriptions

- a) **Planning Justification Report** (October 2018) – provides a review of the property characteristics and surrounding lands, description of the proposed development as well as the planning policy basis and opinion of Innovative Planning Solutions, that the proposal is an appropriate form of development and location for intensification within a designated Intensification Area.
- b) **Urban Design Brief** (January 2018) – provides an overall review of the built form and the design elements of the development and provides the opinion of ISM Architects Inc. that the proposed design of the site is appropriate for this location.
- c) **Tree Inventory and Preservation Plan and Report** (October 2018) – concludes that the majority of the trees and tree groupings within the site development limits will not be retained post development, with the exception of 17 trees located adjacent to the south property boundary. The report also notes that mitigation measures will be undertaken to ensure that the retained specimens are not irreversibly injured during site development. Additionally, where written consent has not been obtained from adjacent property owners, shared boundary trees will be preserved and protected in accordance with the City's Tree Preservation by-law. Finally, the report notes that any necessary tree or vegetation removals should be completed outside of the primary breeding bird nesting window between April 1st and August 31st.
- d) **Assessment of Setback from Watercourse (May 2018)** – concludes that a development setback of 20 metres from the flow channel of Bunker's Creek and a 6 metre buffer area is satisfactory and will not have an impact on the creek or its function.
- e) **Hydrogeological Evaluation (January 2018)** – concludes that the subject lands are well suited for infiltration measures such as infiltration trenches and pervious pipe infiltration systems and the proposed development does not pose a significant risk to the local groundwater system.
- f) **Functional Servicing & Stormwater Management Report** (December 2017) – concludes that the subject lands will require the connection of sanitary and watermain services to existing municipal infrastructure on Dunlop Street West. The stormwater management design for the site takes into account the existing conditions of the subject lands and is contained within the site's boundaries. An oil/grit separator is proposed to provide the required quality control to satisfy the Ministry of Environment's Enhanced Level of Protection requirements and underground storage chambers and infiltration trenches are proposed for quantity control. The report further provided the opinion of Pearson Engineering Ltd., that servicing and effective stormwater management is feasible for the proposed development.
- g) **Traffic Impact Study (December 2017)** – concludes that the site would have a good level of service for left/right turn movements in the morning (a.m.) and evening (p.m.) peak hour.
- h) **Slope Assessment** (February 2, 2018) – provides an opinion of the applicant's Geotechnical Engineer, Alston Associates that the existing slope condition is considered to be stable and well protected and will perform satisfactorily post development, subject to the provision of a 7 metre development setback from the crest of the existing slope on the site.
- i) **Shadow Impact Study** (February 2019) – conclusions provided by ISM Architects Inc. that the development will not result in unreasonable shadowing on adjacent lands or the Dunlop Street West Public Realm. The study notes that no property will experience shadowing for longer than 1 hour during the summer solstice, and no longer than 4 hours during the fall, spring and winter solstice.

APPENDIX "F"

Conceptual Block Plan





STAFF REPORT PLN016-19
May 6, 2019

Page: 45
File: D14-1647 & D09-069-18
Pending #

APPENDIX "G"

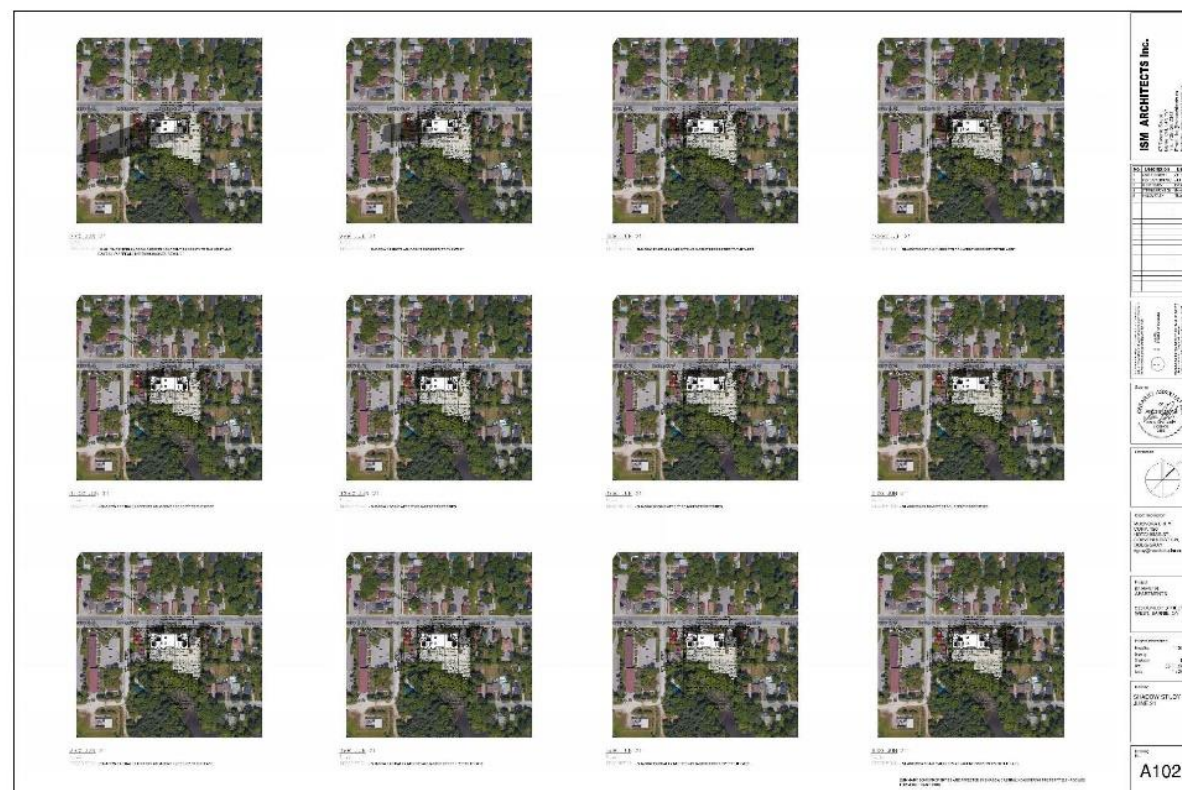
Conceptual Building Elevations



APPENDIX "H"

Shadow Impact Study

Summer Solstice (June 21st)



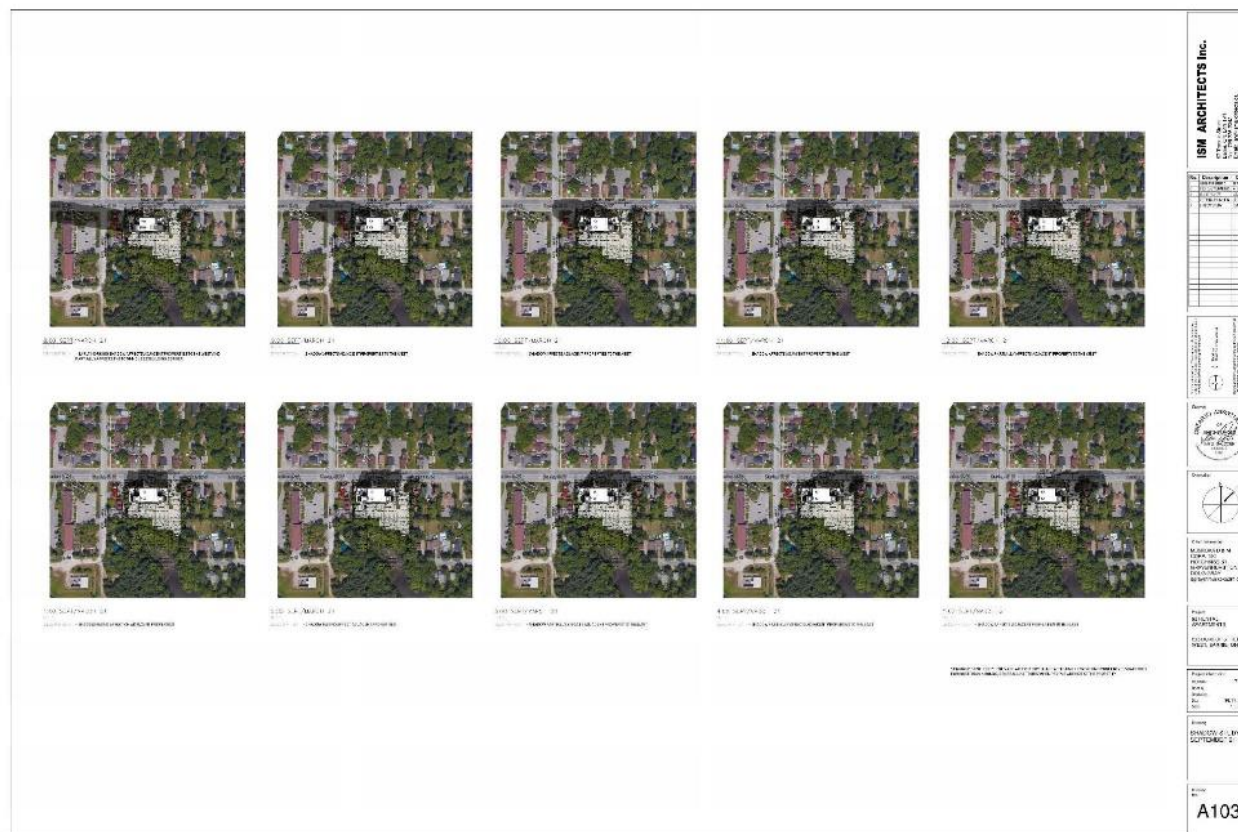


STAFF REPORT PLN016-19
May 6, 2019

Page: 47
File: D14-1647 & D09-069-18
Pending #

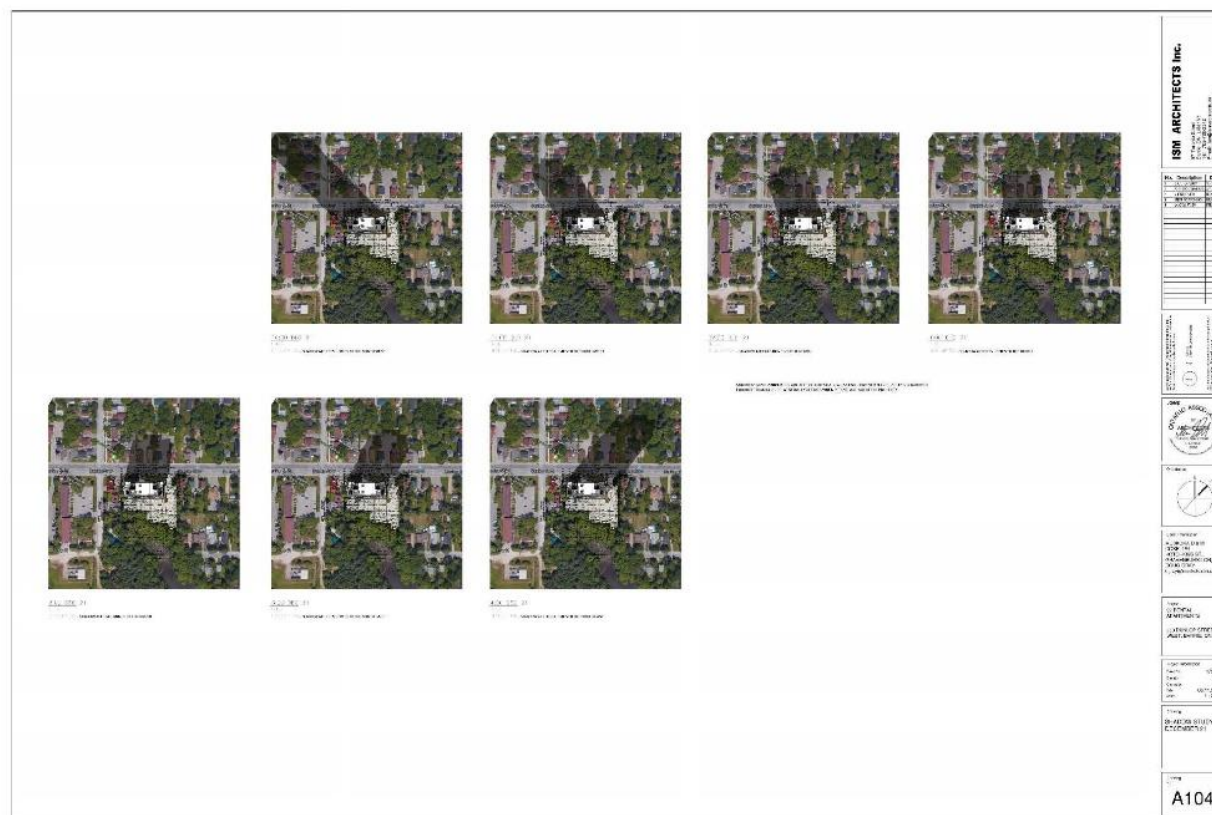
Shadow Impact Study

Fall and Spring Solstice (September 21st and March 21st)



Shadow Impact Study

Winter Solstice (December 21st)



Council Resolution



City of Barrie

Directions Memo

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

May 13, 2019

19-G-120

OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT APPLICATION - MDM DEVELOPMENTS INC. - 233, 237, 241 AND 245 DUNLOP STREET WEST (WARD 2)

1. That the Official Plan Amendment application submitted by Innovative Planning Solutions on behalf of MDM Developments Inc. for lands known municipally as 233, 237, 241 and 245 Dunlop Street West and Roll Number 434203200405700 (no address) in the City of Barrie, legally described as Lots 16, 17, 18 and 19 South Side of Elizabeth Street and Lots 16, 17, 18 North Side of Perry Street on Registered Plan 27, be approved as follows:
 - a) Amend Official Plan Schedule C - Defined Policy Area to identify the subject lands as Defined Policy Area [XX] as shown in Appendix "A" to Staff Report PLN016-19; and
 - b) That notwithstanding the provisions of Section 4.2.2.3 (c) of the Official Plan, the text of the Official Plan be amended by adding Section 4.8.XX to permit a maximum density of 196 units per hectare on the subject lands.
2. That the Zoning By-law Amendment Application submitted by Innovative Planning Solutions on behalf of MDM Developments Inc. to rezone lands known municipally as 233, 237, 241 and 245 Dunlop Street West and Roll Number 434203200405700 (no address) in the City of Barrie, legally described as Lots 16, 17, 18 and 19 South Side of Elizabeth Street and Lots 16, 17, 18 North Side of Perry Street on Registered Plan 27, from 'Residential Multiple Dwelling Second Density - Special Provision 189, Hold-112' (RM2)(SP-189)(H-112) to 'Mixed-use Corridor - Special Provision' (MU2)(SP-XXX) and 'Environmental Protection' (EP), be approved as shown in Appendix "B" to Staff Report PLN016-19.
3. That the following Special Provisions be referenced in the implementing Zoning By-law 2009-141 for the subject lands:
 - a) Permit a minimum front yard setback of 0.5 metres, whereas a minimum of 1 metre is required for 75 percent of the frontage and a maximum of 5 metres is permitted for 25 percent of the
 - b) Permit a minimum landscape buffer strip with a width of 2 metres along the east side lot line, whereas a minimum landscape buffer strip with a width of 3 metres is required where a Mixed Use Zone abuts a Residential Zone;
 - c) Permit a minimum landscape buffer strip width of 1 metre along the southern interior side lot line, whereas a minimum landscape buffer strip with a width of 3 metres is required where a Mixed Use Zone abuts a Residential Zone;
 - d) Permit a maximum building height of 26.5 metres (8-storeys), whereas a maximum building height of 25.5 metres (8 -storeys) is permitted;
 - e) Permit a maximum density of 196 units per hectare (93 units);
 - f) Permit a minimum east side yard setback of 19 metres;
 - g) Permit a front yard setback area that is not fully paved, whereas front yard setback areas shall be fully paved and seamlessly connected with the abutting sidewalk;



City of Barrie

Directions Memo

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

May 13, 2019

19-G-120 Continued...

- h) Permit a maximum lot coverage of 50 percent for parking spaces and aisles for an apartment dwelling, whereas a maximum lot coverage of 35 percent is permitted; and
 - i) Permit a minimum commercial parking rate of 1 space per 30 square metres of gross floor area, whereas a minimum of 1 space per 24 square metres of gross floor area is required for multiple commercial uses.
4. That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application as amended, and including the following matters raised in those submissions and identified within Staff Report PLN016-19:
- Proposed increase in building height and density;
 - Insufficient parking;
 - Tree preservation and removals;
 - Traffic congestion and safety concerns on Dunlop Street West;
 - Environmental impacts on Bunker's Creek, Milligan's Pond and local wildlife;
 - Shadowing onto adjacent land uses and City streets;
 - Servicing capacity;
 - Local school capacity;
 - Construction nuisances;
 - Impacts associated with additional intensification along Dunlop Street West;
 - Proposed setbacks/proximity of the proposed development to the existing residential properties in the area resulting in a decrease in privacy; and
 - Adverse effects on property values.
5. That pursuant to Section 34 (17) of the Planning Act, no further public notification is required prior to the passing of the By-law. (PLN016-19) (File: D09-OPA069-19, D14-1647)

Directions Memo:

Director of Planning and Building Services – action
Director of Legal Services – note
Director of Legislative and Court Services – note