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**TO:** **PLANNING COMMITTEE**

**SUBJECT:** **APPLICATION FOR ZONING BY-LAW AMENDMENT (BALLYMORE BUILDING (BARRIE) CORP. C/O BALLYMORE HOMES) 750 LOCKHART ROAD**

**WARD:** **10**

**PREPARED BY AND KEY CONTACT:** **A. GAMEIRO, RPP, PLANNER, EXT. 5038**

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

**GENERAL MANAGER APPROVAL:** **A. MILLER, RPP  
GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT**

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

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**RECOMMENDED MOTION**

1. That the Zoning By-law Amendment application submitted by KLM Planning on behalf of Ballymore Building (Barrie) Corp. c/o Ballymore Homes to rezone lands known municipally as 750 Lockhart Road, Barrie (Ward 10) from 'Agricultural General' (AG) and 'Environmental Protection' (EP) to 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX), 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) and 'Environmental Protection' (EP), be approved.
2. That the following Special Provisions (SP) be referenced in the implementing of Zoning By-law 2009-141 for the subject lands:
  - a) The porches and steps shall be permitted to encroach into any required front yard and/or required exterior side yard up to 0.8 metres from the front or exterior side lot line in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone, whereas a building, porch or balcony, with or without a foundation, may encroach into the front or exterior side yard setback up to 1 metre from the lot line;
  - b) The steps shall be permitted to encroach 0.3 metres into a required parking space located within a garage in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone, whereas steps are not permitted to encroach into a required parking space;
  - c) The bay, bow or box windows with or without a foundation below shall not exceed 4.5 metres in width and may project a maximum of 0.6 metres into the required front, exterior side and rear yards in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone, whereas only sills, belt courses, cornices, eaves and gutters, chimney breasts or pilasters may project a distance of not more than 0.6 metres into a required yard;
  - d) A rear walkout basement shall not be considered a storey in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone, whereas a basement that extends more than 1.8 metres from finished grade level to the ceiling shall be considered a storey;

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- e) The tandem parking is permitted in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone, whereas tandem parking is not permitted for residential dwellings containing more than 3 units; and
  - f) The following Special Provisions (SPs) shall apply lands zoned the 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX):
    - i) The uses permitted under Section 12 of the Zoning By-law, including Agricultural Uses, Conservation Uses such as forestry, reforestation, and other activities connected with the conservation of soil and wildlife, and Accessory Uses shall be permitted;
    - ii) The uses, buildings and structures permitted under Sections 4.2.1 through to 4.2.1.4, Sections 4.2.1.6 through to 4.2.1.11 and Section 4.2.1.13 of the Zoning By-law shall be permitted;
    - iii) A minimum lot area of 0.4 hectares is required;
    - iv) A minimum lot frontage of 22 metres is required;
    - v) A by-law to re-zone lands identified as 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) shall not be approved until such time as 60 percent of the Hewitt's Secondary Plan Area Phase 2 lands have received Draft Plan approval, or as otherwise deemed appropriate by the City of Barrie; and
    - vi) For the purposes of the by-law, provisions of the *Planning Act* respecting the moratorium for amendment of, or variance to, the by-law shall not apply to lands zoned 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX).
  - 3. That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application as amended, including the following matters raised in those submissions and identified within Staff Report DEV007-20.
  - 4. That pursuant to Section 34(17) of the *Planning Act*, no further public notification is required prior to the passing of the by-law. (DEV007-20) (File: D14-1674)

## **PURPOSE & BACKGROUND**

### **Report Overview**

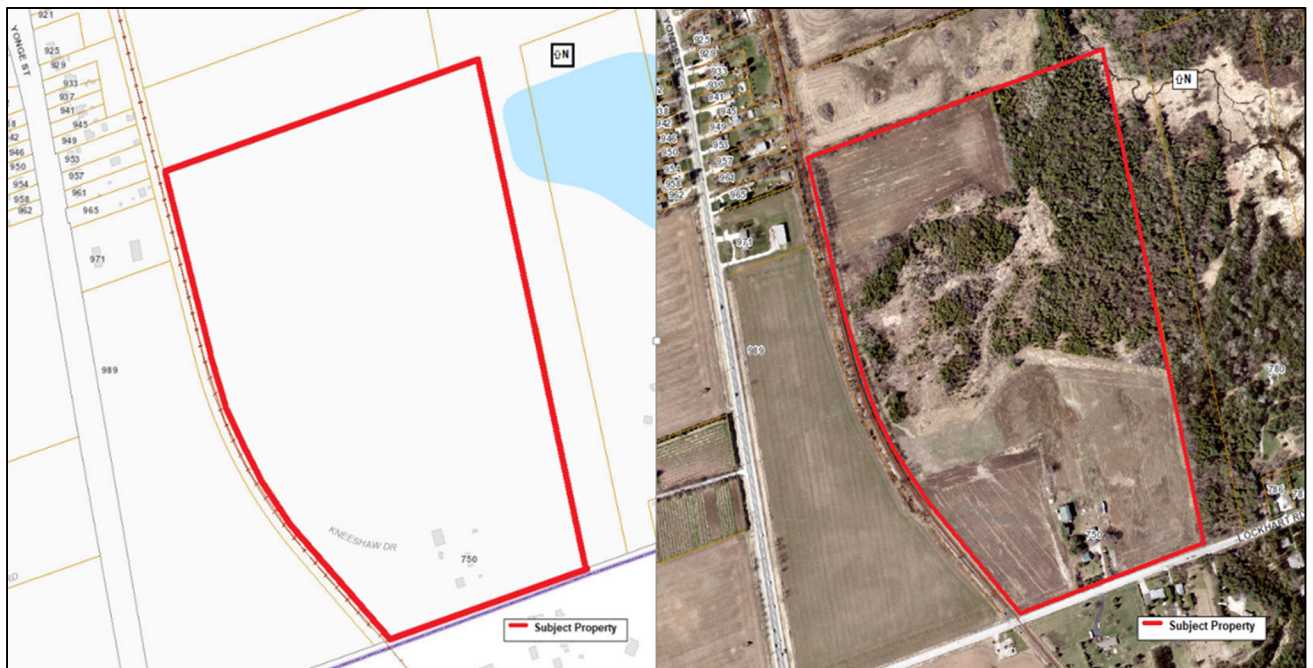
- 5. The purpose of this report is to recommend approval of a Zoning By-law Amendment application for Phase 1 and 3 lands in the Hewitt's Secondary Plan Area, known municipally as 750 Lockhart Road, Barrie (see Appendix "A" – Draft Zoning By-law Amendment). The effect of the application would be to permit the development of 87 townhouse units within Phase 1, plus the necessary infrastructure to support the Phase 1 development which is located on lands in Phase 3 (see Appendix "B" – Proposed Draft Plan of Subdivision). This infrastructure includes the extension of Kneeshaw Drive to Lockhart Road and a stormwater management pond.
- 6. With the conclusion of the technical review and community consultation processes, which included a Neighbourhood Meeting on June 27, 2019 and a Public Meeting on September 9, 2019, staff have determined that the proposal has regard for matters of provincial interest as outlined in the *Planning Act*, is consistent with the Provincial Policy Statement (2014), and conforms to the Growth

Plan for the Greater Golden Horseshoe (2019), the City of Barrie Official Plan (2010), and the Hewitt's Secondary Plan. As such, this application is being recommended for approval.

7. A Draft Plan of Subdivision Application (File: D12-444) is being considered concurrently with the subject application. Should Council approve the proposed Zoning By-law Amendment Application, Planning staff would be in a position to issue Draft Plan Approval for the Phase 1 lands within the Draft Plan of Subdivision. Development of the Phase 3 lands would be addressed through a future Zoning By-law Amendment Application which would be subject to Council approval.

#### Site and Location

8. The subject site is known municipally as 750 Lockhart Road, Barrie and forms part of the Hewitt's Secondary Plan Area. The site totals approximately 26.42 hectares (65.28 acres) in area. The subject lands are located within Phase 1 and 3 of the Hewitt's Secondary Plan (see Appendix "C" – Hewitt's Secondary Plan Phasing). The site contains an existing homestead on the southern portion of the subject lands, a wetland and forested area forming part of the Natural Heritage System (NHS), and farmed fields on the northern portion of the subject lands. The site is located east of Yonge Street, on the north side of Lockhart Road, and is adjacent to the Metrolinx/GO rail line.



**Figure 1: Location Map & Aerial Photograph - 750 Lockhart Road, Barrie**

9. The existing land uses surrounding the subject property are as follows:
  - North: Draft approved plans of subdivision consistent with the policies of the Hewitt's Secondary Plan.
  - South: Rural development within the Town of Innisfil.
  - East: Environmentally protected area to become part of the NHS.

West: Metrolinx/GO rail line, a mix of rural and large lot residential development, which form part of the Yonge Street Mixed Use Corridor in the Hewitt's Secondary Plan.

#### Existing Policy

10. The Official Plan includes the Hewitt's Secondary Plan and designates the Phase 1 portion of the subject lands as Residential Area and Natural Heritage System (NHS). To the south, the Phase 3 portion of site is designated Medium/High Density Residential Area and NHS (see Appendix "D" – Hewitt's Secondary Plan Land Use). The subject parcel is currently zoned 'Agricultural General' (AG) and 'Environmental Protection' (EP) pursuant to Zoning By-law 054-04 (Innisfil).



**Figure 2: Zoning Map (Innisfil By-law 054-04) - 750 Lockhart Road, Barrie**

11. The predominant use of the Residential Area designation shall be for low and medium density built forms. The predominant use of the Medium/High Density Residential Area designation shall be for medium and high density built forms. The 87 street townhouse units proposed on the Phase 1 portion of the subject lands would be permitted within the existing Residential Area designation, but not within the current AG or EP zones. While the designation over the Phase 3 portion of the subject lands permits residential development, the applicant is proposing a 'Residential Hold' (RH) Zone over those lands to prohibit development until 60 percent of Phase 2 has been Draft Plan approved, or as otherwise deemed appropriate by the City, in accordance with the Hewitt's Secondary Plan. The future development of the Phase 3 lands would require a Zoning By-law Amendment, which would be subject to Council approval.

#### Supporting Information

12. In support of the subject application, the following reports and studies were submitted. For additional information on all materials, please refer to Appendix "E" – Technical Study Descriptions.



- Planning Justification Report (KLM Planning Partners Inc., March 2019);
- Subwatershed Impact Study (SIS) (RJ Burnside, September 2016);
- Master Transportation Study (LEA Consulting Ltd., February 2017);
- Transportation Impact Study (The Municipal Infrastructure Group Ltd., March 2019, Addendum December 2019);
- Functional Servicing Report (SCS Consulting Group Ltd., March 2019);
- Geotechnical Report (Soil Engineers Ltd., March 2019);
- Hydrogeological Report (RJ Burnside, January 2019, Updated November 2019);
- Noise Impact Study (Valcoustics Canada Ltd., March 2019);
- Railway Vibration Study (Valcoustics Canada Ltd., March 2019);
- Natural Heritage Evaluation (Savanta, March 2019, Addendum December 2019); and,
- Stage 1 & 2 Archaeological Assessment (ASI [Archaeological & Cultural Heritage Services], December 2018).

Copies of these reports and studies may be found in their entirety at the following link:  
<https://www.barrie.ca/City%20Hall/Planning-and-Development/Proposed-Developments/Ward10/Pages/750-Lockhart-Road.aspx>.

#### Public Engagement

13. A Neighbourhood Meeting was held on June 27, 2019 to present the proposed development to local residents. Eight (8) residents were in attendance in addition to the applicant's consultants, and Planning staff. Members of the public identified the following as matters of interest:

- a) Increased traffic as a result of the proposed development and the need for road improvements along Lockhart Road

According to the City's Multi-modal Active Transportation Master Plan (MMATMP), Lockhart Road is proposed to be widened to a four lane roadway with a continuous median and a two-way left-turn lane by 2031.

The northern portion of the subject lands, identified as street townhouse blocks 1 to 16, are located within Phase 1 of the Hewitt's Secondary Plan Area. These lands would contain 87 street townhouse units and are forecasted to be built out by 2023. The southern portion of the subject lands are located within Phase 3 of the Hewitt's Secondary Plan Area and are proposed to be developed with approximately 73 units which are forecast to be built out by 2031. The forecasted build out of the entire plan of subdivision would correspond with the timing of the proposed improvement of Lockhart Road.

- b) A loss of privacy and negative impacts to the enjoyment of adjacent lands

The subject lands are surrounded by a draft approved plan of subdivision to the north, the Metrolinx/GO rail line to the west and a wooded area and wetland to the east which form part of the NHS in the Hewitt's Secondary Plan Area. The subject lands do not directly abut any existing residential land uses, nor are any tall buildings over 3-storeys proposed on the site. Further, the street townhouse blocks abutting the Metrolinx/GO rail line would have a building setback of 30 metres to rail line right-of-way, providing a large separation from existing rural residential lots located on Yonge Street. The proposed land uses are also consistent with the land use designations of the Hewitt's Secondary Plan.

- c) Timing of construction and development of the area in general

The timing of the development is identified above in section (i) of paragraph 13.

14. A Statutory Public Meeting was held on September 9, 2019. In addition to the matters raised at the Neighbourhood Meeting, members of the public also identified the following matters of interest:

a) Dewatering and the impact of development on existing wells

Residents raised concerns regarding potential impacts to private wells in the area as a result of any dewatering associated with the proposed development. The applicant submitted a hydrogeological study in support of the proposed development, which includes a record of all private wells in the area, and characterizes local groundwater resources and assesses potential impacts to private wells from the development of the subject lands. According to the well monitoring data in the hydrogeological study, construction dewatering on the subject lands may result in the short-term removal of water at the subsurface (shallow sandy till layer), but is not expected to impact private wells in the surrounding area.

A well monitoring program for high risk wells (wells located within the sandy till layer) was commissioned by the Hewitt's Land Owners Group in 2019, through which the wells of participating private landowners were monitored. An impact contingency and mitigation plan for private well impacts has also been developed for the Hewitt's Secondary Plan Area. The plan provides a mechanism for interference complaints to be addressed and for a temporary or permanent alternate water supply to be provided to affected land owners.

The applicant will require a permit from the Ministry of the Environment, Conservation and Parks (MECP) to undertake dewatering on the site. In the event that dewatering on the site has a negative impact on any private wells in the surrounding area, property owners may contact the City. The City's Development Field Inspection staff would investigate the matter and the City's Development Services Department would notify the MECP immediately. The MECP stipulates that in the event that a private well is impacted by dewatering, the applicant/developer is required to mitigate the issue by providing an alternate water supply in the interim and/or drilling a new well for the affected property owner.

b) Pedestrian Safety and Traffic Calming Infrastructure

Residents wanted assurances that traffic calming infrastructure would be incorporated into the design of the associated draft plan of subdivision. Specifically, residents identified a need for traffic calming infrastructure along Kneeshaw Drive, along with traffic signals on Lockhart Road. Through the detailed design process associated with the draft plan of subdivision process, a condition of approval would be to provide a Traffic Calming Management Plan which identifies traffic calming infrastructure at appropriate locations. This will ensure that traffic calming infrastructure is built as part of the final subdivision development. In this case, traffic calming infrastructure may include, but is not limited to: traffic circles (roundabout), curb extensions (neck downs or chokers), lane narrowing and raised median islands. Additionally, dual sidewalks are proposed along Kneeshaw Drive, while all other streets will contain one sidewalk (see Appendix "F": Pedestrian Circulation Plan).

City Transportation Planning staff have confirmed that traffic control signals are not currently warranted at the proposed intersection of Kneeshaw Drive and Lockhart Drive as indicated in the warrant analysis prepared by TMIG, dated December 6, 2019. The City has reviewed the merit of implementing unwarranted traffic control signals at this time and recommend to have traffic control signals installed as part of the Lockhart Road Right-of-Way (ROW) Expansion which is anticipated to be completed in 2031. The applicant will be required, as a condition of approval of the associated draft plan of subdivision, to provide an eastbound left turn lane onto Kneeshaw Drive as an interim measure until the Lockhart Road ROW Expansion is completed.

- c) Ensuring that significant environmental features are protected

The proposed development includes the preservation of a provincially significant wetland with a total area of approximately 36.5 hectares (Blocks 25-27 and 30). This wetland forms part of the NHS in the Hewitt's Secondary Plan Area, and as such, would be zoned 'Environmental Protection' (EP) and dedicated to the City of Barrie through the subdivision process, ensuring protection in perpetuity.

- d) The provision of viable parkland to service the development

Questions were raised regarding the provision of parkland within the associated draft plan of subdivision. Specifically, residents and Council noted that the Hewitt's Secondary Plan identifies a village square within the southern half of the subject lands, which are located within Phase 3. There were concerns that an adequate supply of parkland was not being provided to service the future residents of the development.

Through the review process, it was determined that a village square is not warranted within the proposed development. The draft approved plan of subdivision on lands to the north proposes a village square which would be within a 5 minute walk to the residents of the 87 townhomes proposed. The applicant has also paid the City \$325,366.00 in accordance with the Hewitt's Master Parkland Agreement for the provision of parkland facilities in the Hewitt's Secondary Plan Area. Additionally, Future Residential Blocks 22 and 24 located within the Phase 3 lands on the site would be developed through a subsequent site plan control application in the future, through which the applicant would be required to provide a private amenity area for each block. Residents in both Phase 1 and 3 would have access to parkland.

- e) Protective barriers adjacent to the Metrolinx/GO Rail Line abutting the west side of the development

Council asked if a protective fence/wall would be provided on the west limit of the subject lands along Kneeshaw Drive, adjacent to the Metrolinx/GO rail line. A protective wall/fence will not be provided along Kneeshaw Drive as it is a municipal right-of-way and will not contain any buildings or structures.

A berm and a fence would be required as a condition of the subdivision approval along street townhouse Blocks 1 to 3 which would be located directly adjacent to the Metrolinx/GO rail line. Additionally, a 30 metre building setback from the rail line right-of-way would be required for street townhouse units on Blocks 1 to 3, in accordance with Metrolinx standards and the City's Zoning By-law.

15. No written comments have been received from the public.

#### Department & Agency Comments

16. The subject application was circulated to staff in various departments and to a number of external agencies for review and comment. The following comments were received:
17. The Lake Simcoe Region Conservation Authority (LSRCA) provided comments indicating that they are satisfied, from a watershed management perspective that the proposed development is consistent with the Provincial Policy Statement, and conforms to the Growth Plan of the Greater Golden Horseshoe, the Lake Simcoe Protection Plan, Ontario Regulation 179/06 under the *Conservation Authorities Act*, and the Natural Heritage policies of the City of Barrie Official Plan and, as such, they have no objection to the approval of the subject application.

18. The Simcoe County District School Board provided comments indicating that they had no objection to the approval of the subject application.
19. The Simcoe Muskoka Catholic District School Board provided comments indicating that they had no objection to the approval of the subject application and confirmed that any students generated from the proposed development would be accommodated at St. Michael the Archangel Catholic Elementary School and St. Peter's Catholic High School.
20. Based on a review of the documents submitted in support of the subject application, the Development Approvals branch in the Development Services Department provided comments indicating that the proposed development can be accommodated by the anticipated municipal infrastructure and that the site can develop in a manner that conforms to the City of Barrie master plans and standards.
21. The Transportation Planning Branch in the Development Services Department provided comments indicating that they have no concerns and are satisfied that the proposed development will not cause any operational issues and will not result in significant delays or congestion on the surrounding roadway network. Through the conditions of draft plan approval for the associated subdivision, the applicant will be required to provide traffic calming infrastructure along Kneeshaw Drive to the satisfaction of the City. As noted in Paragraph 14(ii) above, a traffic signal would be provided at the intersection of Kneeshaw Drive and Lockhart Road, as part of the Lockhart Road expansion which is anticipated to be completed in 2031.
22. Development Approvals (Parks), Metrolinx/GO, Enbridge Gas, Hydro One, Bell, and Barrie Fire and Emergency Services provided comments indicating that they have no objection to the approval of the subject application. All agencies/departments were satisfied that any technical revisions or outstanding matters can be adequately addressed through the Draft Plan of Subdivision Application process.

## **ANALYSIS**

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

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

24. Section 2 of the *Planning Act* requires that the council of a municipality 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.
25. The proposed development has regard for these matters as it is located within the settlement area of Barrie; it is outside of the adjacent environmental feature; will utilize planned and available infrastructure (sewage, water, and waste management systems) and public service facilities such as transit and schools; provides for a more compact style of low density housing; provides a more compact form of development that helps to minimize impacts to climate change than traditional single detached housing; and is designed with a pedestrian oriented built form with pedestrian connections to the municipal sidewalk.

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**Provincial Policy Statement (2014)**

26. The Provincial Policy Statement (PPS) 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 here: <http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>.
27. Policy 1.1.1 outlines the means by which healthy, livable, and safe communities are sustained. This proposal is consistent with this policy in the following ways:
- a) The use of land surrounded by developed or approved parcels promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities for the long-term (policy 1.1.1.a.);
  - b) The provision of townhouse units with the opportunity for second suites aids in achieving a range and mix of residential units. The neighbourhood that the proposal forms part of also includes single detached and high-density units, as well as park facilities and access to the Natural Heritage System to meet long-term needs (policy 1.1.1.b.);
  - c) The proposal is sensitive to the adjacent environmentally sensitive feature, provides “eyes on the street” by way of street oriented development, and provides a pedestrian connection to the municipal sidewalk and trails network, promoting active transportation (policy 1.1.1.c.);
  - d) The proposal is within the settlement area and is adjacent to draft approved lands (policy 1.1.1.d.);
  - e) The proposal includes compact development adjacent to existing and planned serviced lands thereby promoting cost efficiency and minimizing the consumption of land (policy 1.1.1.e.);
  - f) The subject lands are mostly flat with proposed sidewalks connecting to the municipal sidewalk network beyond the property, and will be serviced by public transit thereby improving accessibility for persons with disabilities and older persons (policy 1.1.1.f.);
  - g) Based on the comments received from the Engineering Department, the proposal conforms to the approved master plans and will be serviced by planned municipal infrastructure, and the proposed transportation system can accommodate the anticipated traffic (policy 1.1.1.g.); and,
  - h) The proposal respects the adjacent environmentally sensitive feature and is more compact than standard development in the City, reducing consumption of land and improving access to transit (policy 1.1.1.h.).
28. Policy 1.1.3.6 identifies a requirement that new development taking place in designated growth areas should occur adjacent to the built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure, and public service facilities. The proposal is consistent with this policy as the proposal is adjacent to draft approved developments, includes a compact form that contributes to a mix of uses in the area and allows for the efficient use of land, infrastructure, and public service facilities.
29. Policy 1.6.1 requires that infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities be provided in a coordinated, efficient and cost-



effective manner that considers impacts from climate change while accommodating projected needs. This proposed development is consistent with this policy by developing in a manner that conforms to the City's approved master plans and anticipated infrastructure and by coordinating infrastructure with the surrounding developments. Finally, the infrastructure is planned in a financially viable manner demonstrated through the Long-Range Financial Plan and will be available to meet current and projected needs.

30. Policy 1.6.7.1 identifies that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs. The proposal is consistent with this policy as the transportation system has been designed to be safe, energy efficient, facilitate the movement of people and goods, and is appropriate to address the needs of the Hewitt's Secondary Plan Area and beyond. This is accomplished using a grid system, with municipal sidewalks, that will be serviced by public transit.
31. Policy 1.8.1 identifies the promotion of energy conservation, air quality, and climate change adaptation through compact built form, 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 as it is a compact built form, on a transportation network that supports active transportation, and along transit routes to support transit.
32. Policies within section 3.1 Natural Hazards require development to be directed outside of natural hazards. The proposal is consistent with this section as it is not within a natural hazard area.
33. Although not included in detail, staff have reviewed the relevant policies and are of the opinion that the development is consistent with all of the applicable policies of the Provincial Policy Statement (2014).

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

34. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (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. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) can be found in its entirety here: <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>.
35. Policy 1.2.1 outlines the guiding principles for the Growth Plan. They include:
  - Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime;
  - Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability; and,
  - Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.

The proposed development conforms to these guiding principles as it is designed to support healthy and active living and meet people's needs for daily living through the provision of pedestrian connections to the municipal sidewalk network and the Natural Heritage System beyond. Further, the density of the proposed development results in the efficient use of land the use of the City's transit service. The proposal also provides alternative housing options in the area through the

provision of townhouse units with the opportunity for second suites to serve a variety of sizes, incomes and ages of households.

36. Policy 2.2.7.2 requires that designated greenfield areas be developed at densities of no less than 50 residents and jobs combined per hectare. The proposed development conforms to this policy as there are 87 townhouse units proposed over 2.54 hectares, with an overall density of 34.24 units per developable hectare. The average persons per household for medium density residential is 2.571, for a total of 88.02 persons per developable hectare.
37. Staff have reviewed the relevant policies and are of the opinion that the development is consistent with all of the applicable policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019).

#### **City of Barrie Official Plan (OP)**

38. 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 here: <https://www.barrie.ca/City%20Hall/Planning-and-Development/Documents/Official%20Plan%20-%20January%202017.pdf>.

#### **General Policies**

##### **3.3 – Housing**

39. Policies 3.3.2.1(a), (b), and (g) encourage a varied selection of housing types with regard to size, density, and tenure, the support of programs and policies encouraging a wide range of housing opportunities including rental housing, and directs new residential development to be at densities that are consistent with the Official Plan. This proposal conforms to this policy at a density of approximately 34 units per hectare, which is consistent with policy 9.5.7.3(a)i) Residential Land Use Policies of the Hewitt's Secondary Plan.
40. Section 3.3.2.2 identifies the goal that a minimum target of 10% of all new housing units be affordable. This policy represents a target of the Official Plan, not a requirement. There are opportunities for the future owners to include second suites in the proposed townhouse units which will act as a means of increasing affordable housing options in the area. Street townhouse units are also considered to be generally more affordable than traditional ground-related housing, such as single and semi-detached dwelling units.

#### **Land Use Policies**

##### **4.2.2.7 Secondary Planning Areas**

41. Policy 4.2.2.7(a) identifies the Hewitt's Secondary Plan as an approved secondary plan within the City of Barrie, while policy 4.2.2.7(b) identifies that new development proposed within these areas shall be in accordance with the Secondary Plan policies of the applicable Secondary Plan.

#### **Hewitt's Secondary Plan**

42. The Hewitt's Secondary Plan establishes a detailed planning framework for the future urban development of the Hewitt's Secondary Plan Area. The Hewitt's Secondary Plan Area is comprised of five residential districts and the Yonge Street mixed use corridor, and can be accessed here:

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<https://www.barrie.ca/City%20Hall/Planning-and-Development/Documents/Official%20Plan%20-%20January%202018.pdf>.

43. The Hewitt's Secondary Plan designates the Phase 1 portion of the subject lands as Residential Area and Natural Heritage System (NHS). To the south, the Phase 3 portion of site is designated Medium/High Density Residential Area and NHS (see Appendix "D" – Hewitt's Secondary Plan Land Use).
44. Schedule 9B of the Hewitt's Secondary Plan identifies a Natural Core Area on the subject lands. Policy 9.3.2.1 states that the Natural Core Area designation on Schedule 9B includes important natural heritage, hydrological and hydrogeological features or groupings of such features, including key natural heritage and hydrological features, together with required buffers and adjacent lands intended to protect the function of the features and ensure the long-term sustainability of the Natural Heritage System within an urban context. The proposal is consistent with this policy as the Natural Core Area would be zoned 'Environmental Protection' (EP) and conveyed to the City at no cost through the Draft Plan of Subdivision process to ensure that the area is protected in perpetuity.
45. Policy 9.2.4.4 identifies that lands designated Residential Area shall permit a range of low and medium density residential uses which will be predominantly ground related development, as well as medium to high density developments along arterial and collector roads. It also identifies that residential areas be organized so that residents are generally within a 5 minute walk of park facilities. The proposal generally conforms to this policy as the development provides 87 townhouse units and 4 future residential blocks, which are within walking distance of a village square located within a draft approved subdivision to the north. The proposed development also includes a large NHS area, which would include trails to provide opportunities for passive and active recreation. The location, extent and design of the trail system would be determined through the detail design process associated with the draft plan of subdivision.
46. Policy 9.2.4.6 identifies that the community will be developed based on a modified grid street system and related off-street pathway system. The proposal conforms to this policy as the proposed development contributes to the larger grid street system across the Hewitt's Secondary Plan Area.
47. Policy 9.2.8 identifies that the average density for population and employment for the Hewitt's and Salem Secondary Plan Areas is 50 persons and jobs per hectare for both the developable Plan Areas combined. The proposal conforms to this policy as the development provides a density of approximately 88 persons per developable hectare. This is also not reflective of the opportunity for home based businesses within the proposed development and the jobs they may create.
48. Policy 9.3.7 identifies that the relevant policies of the Lake Simcoe Protection Plan (LSPP) shall apply to lands in the Lake Simcoe Watershed. The review of this application in light of the LSPP is being conducted by the Lake Simcoe Region Conservation Authority (LSRCA). The LSRCA has indicated that they have no objections to the rezoning (see paragraph 17 above).
49. Policy 9.5.7.2 outlines the permitted uses and includes low density residential development. Policy 9.5.7.3(a) details that low density residential development shall permit a mix of housing types at a density of no less than 20 units per net hectare and no greater than 40 units per net hectare. The proposed development has a density of approximately 34 units per net hectare. Policy 9.5.7.3(a)iii limits the height to a maximum of 3 storeys, which is consistent with the maximum permitted height of the Neighbourhood Residential (R5) zone being requested for this site.
50. According to Policies 9.5.8.2 and 9.5.8.3 of the Hewitt's Secondary Plan, Medium/High Density Residential Areas shall be developed with medium and high density residential uses, such as townhouses, walk-up apartments, stacked townhouses and apartment buildings, at densities ranging from 40 to 100 units per hectare. As noted throughout this report, lands designated

Medium/High Density Residential Area are located within Phase 3 of the Hewitt's Secondary Plan and are not permitted to develop at this time. Through the associated Draft Plan of Subdivision Application, the applicant is proposing 4 future residential blocks on the Phase 3 lands. As noted in the recommended motion, the Future Residential Blocks in the Medium/High Density Residential Area lands are proposed to be zoned to a 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) Zone which would prohibit development until 60 percent of the Phase 2 lands have received Draft Plan Approval, or as otherwise deemed appropriate by the City of Barrie, in accordance with the Hewitt's Secondary Plan. The development of the Phase 3 lands would be subject to another zoning by-law amendment, which would be reviewed by City staff and would require Council approval. The Phase 3 lands are included in the proposed development for the purposes of providing required infrastructure, which includes a stormwater management pond and the extension of Kneeshaw Drive, along with associated infrastructure. The infrastructure proposed within the Phase 3 lands would service development both internal (Phase 1) and external to the subject lands.

51. Policy 9.6.4(c) requires that the provision of water and wastewater services relate to the phasing of development as set out in Section 9.7.3.2 of the Hewitt's Secondary Plan and the Master Plans and Class EAs identified above. The proposed development is within Phase 1 and 3 of the Hewitt's Secondary Plan, conforming to Policy 9.7.3.2. Additionally, Development Approval staff in the Development Services Department have confirmed that the development conforms to these Master Plans and Class EAs.
52. The subject lands are proposed to be developed in stages per the phasing policies of the Hewitt's Secondary Plan, as shown on the Proposed Draft Plan of Subdivision in Appendix "B". The first stage of the development is proposed in the northern portion of the subject lands which is located within Phase 1 of the Hewitt's Secondary Plan. In order to enable the full build out of Phases 1 and 2 of the Hewitt's Secondary Plan, both within and external to the site, Kneeshaw Drive must be extended through the Phase 3 lands located in the southern portion of the site to provide a connection to Lockhart Road. The extension of Kneeshaw Drive would include municipal services, a stormwater management (SWM) pond and a maintenance access. These measures are proposed as part of the first stage works associated with the proposed draft plan of subdivision.
53. Subsequent stages of the proposed development would involve the built-out of the remaining developable lands at the southerly extent of the site, which are located within Phase 3 of the Hewitt's Secondary Plan Area, and are identified as four (4) future residential blocks situated around Kneeshaw Drive and the SWM pond on the draft plan of subdivision. To ensure that the southerly extent of the site is not developed at this time, a 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) Zone would be applied to the Phase 3 lands. The future development of these blocks would require a subsequent Zoning By-law Amendment Application, which would be subject to Council approval. The use of the RH(SP-XXX) Zone would provide the City with an assurance that the Phase 3 lands do not advance ahead of those in Phase 2.
54. Policies 9.6.5(a) and (b) outline the requirement for development to comply with the recommendations of the Drainage and Stormwater Management Master Plan and the need to submit a Subwatershed Impact Study as part of the submission of a complete application. The proposal conforms to these policies as Development Approvals staff in the Development Services Department have confirmed that the development conforms to the Drainage and Stormwater Management Master Plan and Subwatershed Impact Study that were submitted and approved for the entire Hewitt's Secondary Plan Area prior to the submission of the subject application.
55. Policies 9.6.6(a) and (b) require utilities and telecommunication providers to work with the applicant and the City to establish the availability and location of services and that their services should be located within an initial common trench. As part of the technical review of this application InnPower (hydro provider), Enbridge (gas provider), and Bell (telecommunications) have been circulated for

comment. As part of the detailed design, the exact locations of the utilities, including trenches will be determined; however, it is standard practice to locate these services within a common trench in the public right-of-way, in conformity with policies 9.6.6(a) and (b).

56. Policies 9.6.13(a) and (b) state that the City shall work to ensure efficient and effective allocation of fire and ambulance station sites, and police services to serve the Hewitt's Secondary Plan Area. To satisfy these policies, Barrie Fire and Emergency Services, Barrie Police, and the County of Simcoe have been circulated as part of the technical review. No service has identified the need for a site within the proposed development.
57. Policy 9.7.3.1 outlines the requirements prior to development and includes the following:
- a) Policy 9.7.3.1(a) – Council for the City of Barrie has satisfied itself that future growth can proceed in a financially sustainable manner, as demonstrated in its Long-Term Fiscal Impact Assessment of Growth, (FIA) prepared by Watson & Associates Economists Ltd. as adopted by Council, or as updated through the City's Long Range Financial Plan (LRFP);
  - b) Policy 9.7.3.1(b) - The City has in full force and effect, and not subject to appeal, a Development Charges By-law(s) enacted under *the Development Charges Act*, 1997 or any successor legislation, identifying and imposing charges applicable to the lands in the Salem and Hewitt's Secondary Plan Areas;
  - c) Policy 9.7.3.1(c) - Landowners in the Hewitt's Secondary Plan Area have entered into an agreement or agreements with the City or shall be required to enter into an agreement or agreements with the City including development agreements in accordance with Section 6.1.3 of the Official Plan;
  - d) Policy 9.7.3.1(d) - Landowners have entered into a Master Parkland Agreement for the Hewitt's Secondary Plan Area with the City where required in accordance with the provisions of Section 9.6.7.3 of this Plan;
  - e) Policy 9.7.3.1(e) - Landowners in the Hewitt's Secondary Plan Area have entered into a cost sharing agreement, prior to the approval of any draft plan of subdivision or condominium or rezoning by the City, to establish the means by which each developer/owner will share in the provision of community facilities and services as well as common amenities (e.g. collector roads, municipal water and wastewater services, parkland) for the Secondary Plan Area; and,
  - f) Policy 9.7.3.1(f) - Any additional requirements of the City are satisfied including consideration of provisions for the public ownership of the Natural Heritage System where it forms part of lands proposed for development.

Council for the City of Barrie has an adopted a Long-Term Fiscal Impact Assessment of Growth to which this development is consistent with; the City has a Development Charges By-law (Municipal – Wide Development Charges By-law 2019-055) in full force and effect; the applicant will be required to enter into a subdivision agreement with the City to move forward with the registration of the draft plan of subdivision; a Master Parkland Agreement has been entered into for the landowners within the Hewitt's Secondary Plan Area; and, the landowners within the Hewitt's Secondary Plan Area have entered into a cost sharing agreement. Finally, in accordance with Policy 9.7.3.1(f), the NHS lands on the site would be rezoned to 'Environmental Protection' (EP) and dedicated to the City at no cost through the subdivision process.



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58. As described previously in this report, the associated Draft Plan of Subdivision Application contemplates dwelling units within the Hewitt's Phase 1 lands and associated infrastructure in Phases 1 and 3, which will also serve future growth. While demand for municipal infrastructure and services will result from the build out of the Phase 1 lands, the future residential blocks incidentally created in the Phase 3 lands will not generate demand for infrastructure and services until the development of those blocks is approved through future *Planning Act* applications. Further approvals from the City would be required for a zoning by-law amendment, draft plan of subdivision and site plan control applications. This is consistent with the City's "growth pays for growth" principle which is noted in the Hewitt's Secondary Plan.
59. Policy 9.7.3.2(a) details how development shall proceed in four phases as designated on Schedule 9E of the Hewitt's Secondary Plan and that prior to the commencement of development in each phase, the policies of Section 9.7.3.1 shall be satisfied, required Subwatershed Impact Studies shall be completed, the availability of water and wastewater services confirmed, the availability of internal and external transportation infrastructure to support the level of development proposed shall be confirmed, and the City shall be satisfied that development can be undertaken in a financially responsible manner in conformity with the principle that growth pays for growth to the greatest extent possible. In order to commence with development in Phases 2 and 3 of the Hewitt's Secondary Plan Area, 60 percent of the land which is available for development in each of the previous phases must be in approved draft plans of subdivision or site plans.
60. As previously stated, the first development stage on the northern portion of the site is located within Phase 1, while the balance of the lands are located within Phase 3 as designated on Schedule 9E of the Hewitt's Secondary Plan (please see Appendix "C" – Hewitt's Secondary Plan Phasing). An approved Subwatershed Impact Study exists for the entire Hewitt's Secondary Plan Area, the availability of water and wastewater have been confirmed as per the municipal master plans, the availability of internal and external transportation infrastructure to support the development has been confirmed, and the City is satisfied that the development can be undertaken in a financially responsible manner.
61. As identified in paragraphs 51, 52, 57 and 59 of this report, the Phase 3 lands will contain infrastructure and services that will support development within and external to the site. The infrastructure and services proposed within the Phase 3 portion of the lands would facilitate the registration and development of draft plans of subdivision in Phases 1 and 2. This upholds the intent of the Hewitt's Secondary Plan with respect to phasing and facilitation of the normal progression of growth. Additionally, the Phase 3 lands would be zoned 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) which would prohibit development on said lands until 60 percent of Phase 2 lands have received approval and the infrastructure and services to support the development are available to the satisfaction of the City. The future development of the Phase 3 lands would be subject to subsequent *Planning Act* applications, which would require City approval.
62. As the future development blocks within the Phase 3 component of the lands will not generate a demand for services and infrastructure until future applications are submitted and approved, requirements for those uses would be assessed at the time of such applications accordingly. Additionally, the forecasts and targets of the Hewitt's Secondary Plan will not be impacted as residential development would only occur on the Phase 1 lands, and the applicant will be required to enter into a voluntary payment agreement as have other land owners, which ensures that development will continue in a fiscally prudent manner.
63. Policy 9.7.3.2(c) requires that the City plan for the provision of municipal services, including internal and external road infrastructure, in a coordinated manner with land use approvals including plans of subdivision, plans of condominium and site plans, as well as with the City's Long Range Financial Plan (LRFP), Transportation Master Plan, and Infrastructure Master Plan, to ensure services, and road infrastructure, are available prior to occupancy. The proposed development is consistent with

this policy as it would include planned services, would connect to a draft approved plan of subdivision to the north and will not be occupied prior to the availability of these same services. More specifically, policies 9.7.3.1(c)i) and iv) require that stormwater management facilities be constructed and dedicated as a condition of draft approval and road infrastructure is constructed or secured to be constructed. The proposal conforms to these policies as the proposed development will contain on-site stormwater management systems and the roads shown on the draft plan of subdivision (Appendix "B" – Draft Plan of Subdivision) will be dedicated to the City free of charge through the subdivision process following registration.

64. Staff have reviewed the relevant policies and are of the opinion that the development is consistent with all of the applicable policies of the Official Plan and the Hewitt's Secondary Plan.

#### Site Specific Provisions

65. The applicant is requesting a special provision to allow porches and steps to encroach into any required front yard and/or required exterior side yard up to 0.8 metres from the front or exterior side lot line in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone. The Zoning By-law requires a minimum setback of 1 metre for porches and stairs. The general intent and purpose of maintaining setbacks for porches and stairs is to minimize impacts on the municipal right-of-way and to provide sufficient space for maintenance and snow storage.
66. The requested provision would permit an increased encroachment for stairs and porches in a required front and exterior side yard, providing flexibility in the design of future dwelling units. The final grade of the proposed lots would not be determined until the detailed design of the associated draft plan of subdivision, so the applicant has yet to determine the height of porches and the number of risers required for stairs. As such, the requested provision would allow porches and stairs to be reasonably accommodated on the proposed lots without encroaching within the municipal right-of-way. A setback of 0.8 metres is considered to be comparable to the required setback of 1 metre and would still provide sufficient space for maintenance and snow storage within the municipal right-of-way.
67. The applicant is requesting a site-specific zoning provision to permit steps to encroach 0.3 metres into a required parking space located within a garage in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone. Currently, the Zoning By-law prohibits encroachments within required parking spaces, with the exception of structural columns within a parking structure which may encroach 0.3 metres into the width of a required parking space. The general intent and purpose of prohibiting encroachments into a required parking space is to ensure that parking spaces are unobstructed, can accommodate a vehicle, and that sufficient space is provided around parking spaces for pedestrian access.
68. As noted in paragraph 66 above, the final grade of the proposed lots would not be determined until the detailed design of the associated draft plan of subdivision, so the applicant has yet to determine how high future entrances will be from the finished garage floor. As such, it is expected that 1 to 3 steps may be required to provide access to an entrance located within a private garage. To accommodate this, the applicant is requesting a site specific provision to allow stairs to encroach within a required parking space in a garage. The proposed encroachment would reduce the length of a required parking space from 5.5 to 5.2 metres, and the width from 2.7 to 2.4 metres. It is important to note that encroachments would likely be confined to a small portion of a required parking space, ensuring that the entire space is not obstructed. Additionally, the proposed encroachment would still provide space for pedestrian access to facilitate activities such as the loading/unloading of vehicles. Planning staff are of the opinion that the encroachment would provide flexibility in the design of the future dwellings without hindering the ability to utilize private garages for parking, and is considered be comparable to the Zoning By-law's encroachment permissions for structural columns in parking structures.

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69. The applicant is requesting a site-specific provision to allow bay, bow or box windows with or without a foundation to project a maximum of 0.6 metres into a required front, exterior side and rear yard in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone. The site specific provision would also restrict the width of bay, bow or box windows to a maximum of 4.5 metres. Currently, the Zoning By-law requires a minimum front yard setback of 3 metres, an exterior side yard setback of 2 metres and a rear yard setback of 5 metres. The general intent and purpose of requiring minimum setbacks is to provide space for landscaping, drainage and stormwater infiltration, separation between buildings, unobstructed site lines, and to prevent impacts on the municipal right-of-way.
70. The requested provision would be restricted to bay, bow and box windows only, and therefore, the main façades of buildings and structures would still be required to comply with the minimum setback requirements of the Zoning By-law. The requested provision would restrict the width of bay, bow and box windows to a maximum of 4.5 metres, which would limit encroachments to a small portion of a building façade, ensuring that the intent of the Zoning By-law is maintained. Finally, the requested provision would allow for an interesting building façade design with articulations, which would contribute to creating an attractive streetscape. Based on the foregoing, Planning staff are of the opinion that the requested provision maintains the general intent and purpose of the Zoning By-law.
71. The applicant is requesting a site-specific zoning provision to specify that a rear walkout basement shall not be considered a storey in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone. Zoning By-law 2009-141, as amended, defines 'storey' as "that portion of a building other than a basement or attic which is included between one floor level and the next higher floor level or the ceiling." Further, the Zoning By-law defines 'basement' as "that portion of a building between two floor levels which are partly below the finished grade level and in which the height from adjacent finished grade level to the ceiling is less than 1.8 metres." Although the grades of the site would be determined through the detailed design of the associated draft plan of subdivision, it is likely that the height from the finished grade level at the rear of the street townhouse lots to the ceiling of the basement will exceed 1.8 metres. This would result in a basement being considered a storey, although the majority of the basement would be located underground. If approved, the implementing zoning by-law would facilitate the development of 3-storey street townhouse units with walk out basements. Given that the majority of the basements would be located underground and the townhouse dwelling would measure 2 storeys from the street, Planning staff are of the opinion that the requested provision is considered appropriate and would not result in unreasonable height impacts on the site. The proposed walkout basements would also provide opportunities for the creation of second suites.
72. The applicant is requesting a site-specific zoning provision to permit tandem parking in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone. The Zoning By-law prohibits tandem parking for three or more unit dwellings. In addition to single detached and two unit dwellings, the R5 Zone also permits block, cluster and street townhouse dwelling units. This provision would apply primarily to the block, cluster and street townhouse dwelling units. It is important to note that the street townhouse blocks would be subdivided in the future through a Part Lot Exemption application and the townhouse units would be located on independent lots. As such, the street townhouse units would be classified as a residential building containing less than 3 units. According to Table 4.6 of Zoning By-law 2009-141, tandem parking is permitted for residential buildings containing less than 3 units. Therefore, a special zoning provision to permit tandem parking is not required for the proposed street townhouse units located in the 'Neighbourhood Residential Special Provision No. XXX' (R5)(SP-XXX) Zone. However, the applicant has requested that the special provision be included in the proposed Zoning By-law Amendment Application to ensure that tandem parking would be permitted on the subject lands, should the provisions of the Zoning By-law change in the future. In this case, each street townhouse unit would be equipped with a driveway and a garage. A tandem parking provision would permit each unit to have 1 parking

space in the garage and 1 in the driveway, in a tandem configuration. The parking spaces would be used exclusively by the owners of the respective units. As such, the proposed tandem parking provision would not result in unreasonable conditions for the owners of the street townhouse units. Therefore, Planning staff are of the opinion that the proposed provision maintains the general intent and purpose of the Zoning By-law, as tandem parking is permitted by the Zoning By-law and the site-specific provision is being recommended in the abundance of caution.

73. The applicant is requesting a site-specific provision to permit the uses listed under Section 12 'Agriculture' (AG) of Zoning By-law 2009-141, including Agricultural Uses, Conservation Uses such as forestry, reforestation, and other activities connected with conservation of soil and wildlife, and accessory uses in the 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) Zone. As noted throughout this staff report, the southern portion of the subject lands are located within the Phase 3 area of the Hewitt's Secondary Plan. As such, a Holding (H) provision would be applied to the Phase 3 lands to prohibit residential development until 60 percent of the Hewitt's Secondary Plan Area have received draft plan approval, or as otherwise deemed appropriate by the City of Barrie. The Phase 3 lands are currently zoned 'Agricultural General' (AG) in Innisfil Zoning By-law 054-04, which remains in effect in virtue of the *Barrie-Innisfil Boundary Act*. The applicant is requesting a site-specific provision to allow agricultural and conservation uses to continue on the Phase 3 lands located on the southern portion of the site, in accordance with the AG Zone provisions of Zoning By-law 2009-141, as amended. The requested provision would allow for the Phase 3 lands to continue to be used for agricultural and conservation uses, until such time as they are subject to future *Planning Act* approvals to permit development. Planning staff are of the opinion that the requested provision maintains the general intent and purpose of the Zoning By-law as it will allow existing uses to continue on the subject lands, while still prohibiting development on the Phase 3 lands.
74. The applicant is requesting a site-specific zoning provision to permit uses, buildings and structures identified in Sections 4.2.1 through to 4.2.1.4 and 4.2.1.6 through to 4.2.1.13 in the 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) Zone. The uses proposed would include public and private services and utilities; recreational uses such as parks, playgrounds and greenspaces; construction facilities such as sheds, trailers and outdoor storage; temporary sales trailers; bed and breakfast establishments; temporary sales and occasional/special events up to a maximum of 4 days; accessory structures and uses; outdoor patios; sale of fruits and vegetables; model homes; and, other uses such as archaeological uses, community mailboxes, gardens, natural heritage and stormwater management facilities. The requested provision would permit accessory uses on the subject lands, which would otherwise be permitted in the AG Zone. However, given that the lands are located within Phase 3 of the Hewitt's Secondary Plan Area, Planning staff are of the opinion that Model Home uses (Section 4.2.1.12) are considered residential development, and therefore should not be permitted in the RH(SP-XXX) Zone. Consequently, Planning staff are of the opinion that the requested provision maintains the general intent and purpose of the Zoning By-law, provided that Model Home uses identified in Section 4.2.1.12 are excluded from the site-specific provision. This has been reflected in the recommended motion.
75. The applicant is requesting site-specific zoning provisions to require a minimum lot area of 0.4 hectares and a minimum lot frontage of 22 metres in the 'Residential Hold Special Provision No. XXX'(RH)(SP-XXX) Zone. These site-specific zoning provisions would ensure that Blocks 22, 23, 24 and 32 comply with the standards of the Zoning By-law, as they would not meet the minimum lot area and frontage requirements of the AG Zone. The AG Zone requires a lot area of 40 hectares and a frontage of 150 metres for agricultural uses and 4 hectares and 60 metres for conservation uses. As noted throughout this report, Blocks 22, 23, 24 and 32 are located within Phase 3 of the Hewitt's Secondary Plan Area and are designated for future residential development. The site specific provision will allow the lands to be used for agricultural and conservation uses in the interim until the lands are re-zoned and developed in accordance with the phasing policies of the Hewitt's Secondary Plan.

76. Planning staff are recommending a site-specific zoning provision which would prohibit the passing of a By-law to re-zone lands identified as 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) until such time as 60 percent of the Phase 2 lands in the Hewitt's Secondary Plan Area have received draft plan approval, or as otherwise deemed appropriate by the City of Barrie. This provision would provide an extra level of protection for the City, ensuring that the Phase 3 lands are not developed until all requirements, as stipulated in the Hewitt's Secondary Plan, have been satisfied.
77. The applicant is requesting a site-specific zoning provision for lands identified as 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) which would exempt those lands from the provisions of the *Planning Act* respecting a moratorium for the amendment of, or variance to, the standards and uses of the Zoning By-law. The *Planning Act* prohibits amendments or variances to a privately initiated By-law for a period of two (2) years. The applicant anticipates that the Phase 3 lands in the Hewitt's Secondary Plan Area will be available for development within the next two (2) years. The requested provision would permit the land owner to amend the zoning of the Phase 3 lands at any time over the next two (2) years, provided the applicable phasing and infrastructure requirements of the Hewitt's Secondary Plan have been implemented to the satisfaction of the City. This approach provides the applicant with flexibility and ensures that the future development of the Phase 3 lands would not be delayed by the moratorium provisions of the *Planning Act*.

#### Summary

78. Planning staff are satisfied that the oral and written submissions relating to this application have been considered and/or addressed.
79. Planning staff recommend the approval of the proposed zoning by-law amendment application for the development of 87 townhouse units in Phase 1 with supporting infrastructure in Phase 3, as it is considered to be appropriate and is consistent with the Provincial Policy Statement (2014), and conforms to the Growth Plan (2019), City of Barrie Official Plan and the Hewitt's Secondary Plan, while also being respectful of existing land uses adjacent to the proposed development.

#### **ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS**

80. There are environmentally sensitive lands on the site which form part of the Natural Heritage System (NHS) in the Hewitt's Secondary Plan Area. These lands would be zoned 'Environmental Protection' (EP) and dedicated to the City at no cost through the subdivision process, ensuring protection in perpetuity.

#### **ALTERNATIVES**

81. The following alternatives are available for consideration by Planning Committee:

##### **Alternative #1**

Planning Committee could refuse the subject Zoning By-law Amendment application and maintain the current "Agricultural General" (AG) Zone and 'Environmental Protection' (EP) Zone pursuant to Zoning By-law 054-04 (Innisfil).

This alternative is not recommended as this proposal is part of the lands that were annexed on January 1, 2010 with the intent to allow the City of Barrie to expand in a compact and sustainable manner. The proposed amendment is consistent with, and conforms to, both provincial and municipal policy.



**Alternative #2**

Planning Committee could refuse to amend the zoning of the Phase 3 development lands located on the southern portion of the subject lands and maintain the current 'Agricultural General' (AG) and 'Environmental Protection' (EP) zoning pursuant to Zoning By-law 054-04 (Innisfil).

This alternative is not recommended as the Phase 3 lands would contain infrastructure necessary to support and facilitate the development of Phases 1 and 2 of the Hewitt's Secondary Plan. Additionally, the Phase 3 lands would be zoned 'Residential Hold Special Provision No. XXX' (RH)(SP-XXX) which would prohibit development of the lands until such time as 60 percent of the Hewitt's Secondary Plan Area Phase 2 lands have received draft plan approval, or as otherwise deemed appropriate by the City of Barrie. The future development of the Phase 3 lands would require further *Planning Act* applications, which would be reviewed by City staff and would be subject to Council approval.

The Special Provisions requested for the Phase 3 lands would also allow the lands to continue to be used for agricultural and conservation uses in the interim.

**FINANCIAL**

82. Through the subdivision process, the applicant will be required to enter into a Subdivision Agreement with the City, which requires the payment of Development Charges and securities for site development works. Through the subdivision registration process, the City will collect approximately \$4,542,444 in Development Charges (\$52,212 per unit, indexed annually).
83. Additionally, as per the Memorandum of Understanding, the developer has agreed to pay a capital contribution charge of \$5,128 per unit for all lots in Phase 1, which will add approximately \$446,136 in additional revenues.
84. An education levy of \$2,959 per dwelling unit for all lots within Phase 1 would be required to be paid at the issuance of a building permit, representing a total of \$257,433.
85. \$325,366 was received on December 28, 2018 in accordance with the Hewitt's Master Parkland Agreement.
86. A Finance Administration fee of \$75 per residential dwelling will be charged at building permit issuance, representing a total of \$6,525 for lots in Phase 1.
87. Municipal property taxes are collected annually. The total municipal taxes collected in 2019 for the subject site was \$2,607.28. At this time, it is not possible to provide estimates of the market prices for the housing that will be available through this future subdivision as building permits are not expected until 2021 at the earliest. However, the assessed value of the future housing is anticipated to be greater than the current assessed value of the property and will therefore increase the amount of property tax that is collected on the subject site today.
88. In terms of the subdivision process, the developer will be responsible for the initial capital costs and maintenance for a two year period for all new infrastructure required to support this development. Following assumption of this subdivision at the end of the maintenance period, the infrastructure will then be transferred into City ownership. At this time, the costs associated with asset ownership including maintenance and operations, lifecycle intervention expenses, and the contributions to reserves to support the ultimate replacement and possible disposition of the assets in the long-term, will be carried by the City.

89. The City will also incur additional operating costs associated with extending municipal services to the area including fire protection, policing, snow clearing, and boulevard landscaping maintenance. Taken together, these are all normal growth-related expenses that are being actively planned for through the City's Capital Planning process and will be presented to Council during the annual budget cycle for approval.

**LINKAGE TO 2018-2022 STRATEGIC PLAN**

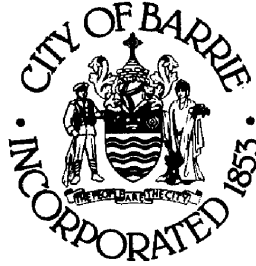
90. The recommendations included in this Staff Report relate to the following goals set by Council for the 2018-2022 timeline.

GOAL	HOW IT'S ACHIEVED
Fostering a safe and healthy City	The proposal includes compact development that supports active transportation
Building strong neighbourhoods	The proposal integrates with the surrounding draft approved plans of subdivision and aid in creating a complete community
Improving the ability to get around Barrie	The compact nature of the proposed built form along with the modified grid street system and sidewalks allow for route variation for vehicles and support active and public transportation options

Attachments: Appendix "A" – Draft Zoning By-law Amendment  
Appendix "B" – Proposed Draft Plan of Subdivision  
Appendix "C" – Hewitt's Secondary Plan Phasing  
Appendix "D" – Hewitt's Secondary Plan Land Use  
Appendix "E" – Technical Study Descriptions  
Appendix "F" – Pedestrian Circulation Plan

APPENDIX "A"

Draft Zoning By-law Amendment



Bill No. XXX

BY-LAW NUMBER 2020-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 750 Lockhart Road and as shown on Schedule "A" to this By-law, from Agricultural General (AG) and Environmental Protection (EP) to Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX), Residential Hold Special Provision No. XXX (RH)(SP-XXX) and Environmental Protection (EP) be approved.

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 20-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 from Agricultural General (AG) and Environmental Protection (EP) pursuant to Zoning By-law 054-04 (Innisfil) to Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX), Residential Hold Special Provision No. XXX (RH)(SP-XXX) and Environmental Protection (EP) pursuant to Zoning By-law 2009-141, in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding any other provision of Zoning By-law 2009-141, as amended, for lands zoned Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX), the following provisions shall apply:
  - i. Porches and steps shall be permitted to encroach into any required front yard and/or required exterior side yard up to 0.8 metres from the front or exterior side lot line in the Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX) Zone.
  - ii. Steps shall be permitted to encroach 0.3 metres into a required parking space located within a garage in the Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX) Zone.
  - iii. Bay, bow or box windows with or without a foundation below shall not exceed 4.5 metres in width and may project a maximum of 0.6 metres into the required front, exterior side and rear yards in the Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX) Zone.

- 
- iv. A rear walkout basement shall not be considered a storey in the Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX) Zone.
- v. Tandem parking is permitted in the Neighbourhood Residential Special Provision No. XXX (R5)(SP-XXX) Zone.
3. **THAT** notwithstanding any other provision of Zoning By-law 2009-141, as amended, for lands zoned Residential Hold Special Provision No. XXX (RH)(SP-XXX), the following special provisions shall apply:
- i. Additional permitted uses include:
- a. Uses permitted under Section 12 of the Zoning By-law, including Agricultural Uses, Conservation Uses such as forestry, reforestation, and other activities connected with the conservation of soil and wildlife, and Accessory Uses shall be permitted in the Residential Hold Special Provision No. XXX (RH)(SP-XXX) Zone.
- b. Uses, buildings and structures permitted under Sections 4.2.1 through to 4.2.1.4, Sections 4.2.1.6 through to 4.2.1.11 and Section 4.2.1.13 of the Zoning By-law shall be permitted in the Residential Hold Special Provision No. XXX (RH)(SP-XXX) Zone.
- ii. A minimum lot area of 0.4 hectares is required in the Residential Hold Special Provision No. XXX (RH)(SP-XXX) Zone.
- iii. A minimum lot frontage of 22 metres is required in the Residential Hold Special Provision No. XXX (RH)(SP-XXX) Zone.
- iv. A By-law to rezone lands identified as Residential Hold Special Provision No. XXX (RH)(SP-XXX) may not be approved until such time as 60 percent of the Hewitt's Secondary Plan Area Phase 2 lands have received draft plan approval, or as otherwise deemed appropriate by the City of Barrie.
- v. For the purposes of this By-law, provisions of the *Planning Act* respecting the moratorium for amendment of, or variance to, this By-law shall not apply.
4. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above described lands generally shown on Schedule "A" to this By-law, shall apply to the said lands except as varied by this By-law.
5. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this **date** day of **month**, 2020.

**READ** a third time and finally passed this **date** day of **month**, 2020.

**THE CORPORATION OF THE CITY OF BARRIE**

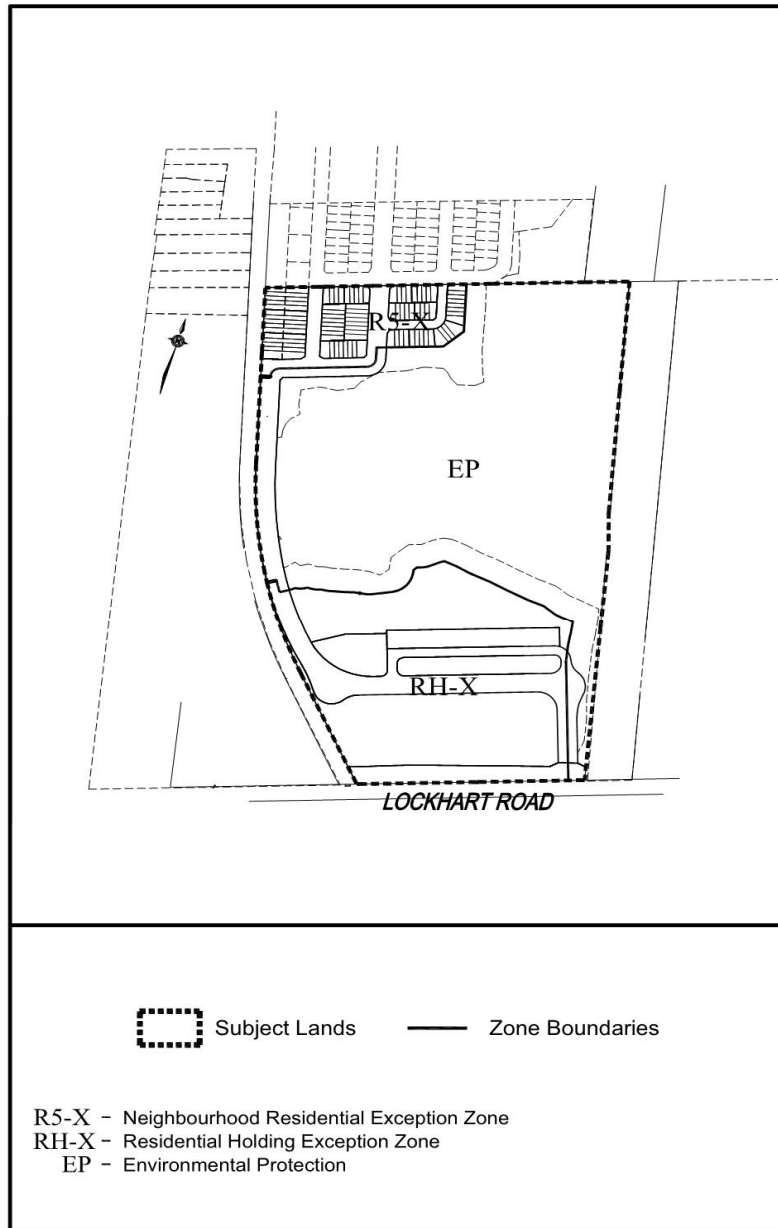
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**MAYOR – J. R. LEHMAN**

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**CITY CLERK – WENDY COOKE**

Schedule "A" attached to By-law 2020-XXX



THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

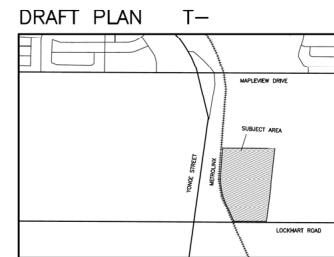
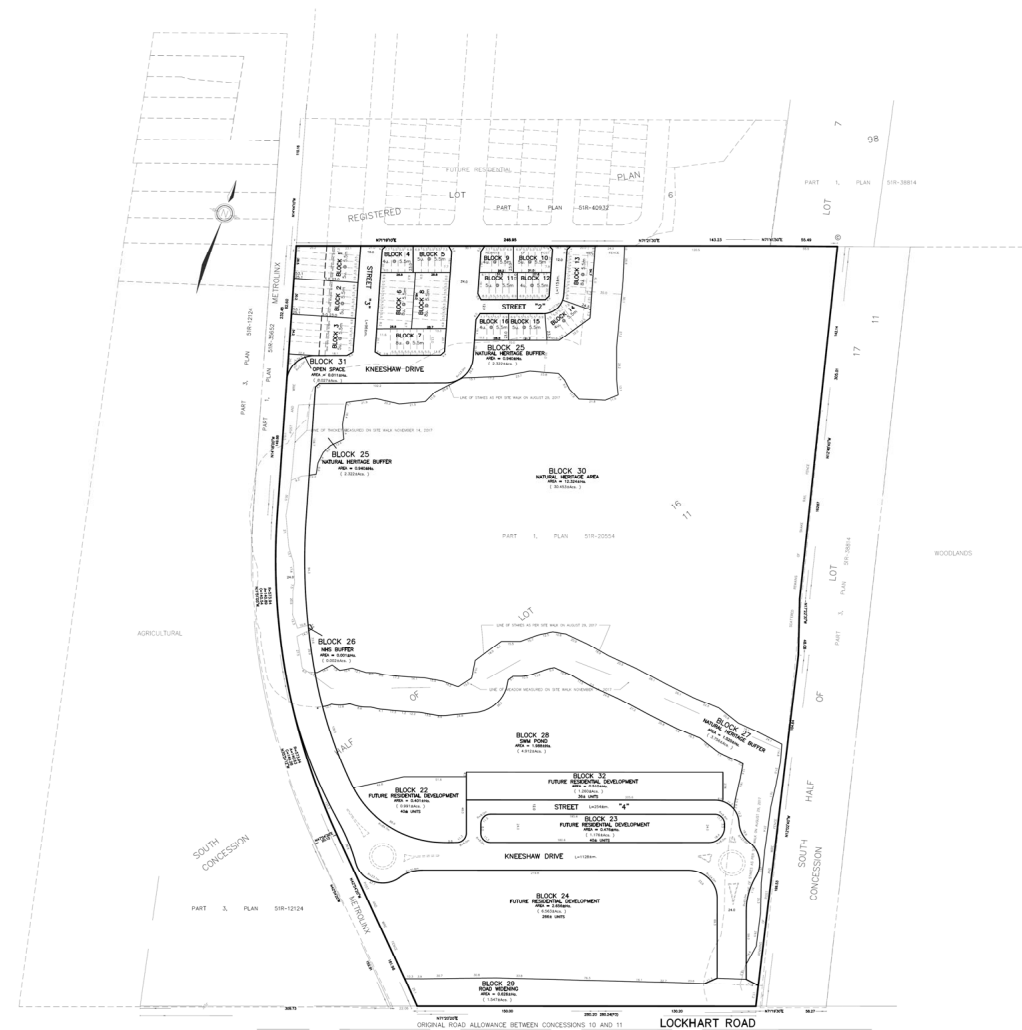
CITY CLERK – WENDY COOKE



## APPENDIX "B"

### Proposed Draft Plan of Subdivision

DRAFT PLAN OF SUBDIVISION  
PART OF THE SOUTH HALF OF LOT 16,  
CONCESSION 11  
(GEOGRAPHIC TOWNSHIP OF INNISFIL)  
CITY OF BARRIE  
COUNTY OF SIMCOE  
SCALE 1:1500



#### KEY PLAN

#### SECTION 51, PLANNING ACT, ADDITIONAL INFORMATION

- A. AS SHOWN ON DRAFT PLAN
- B. AS SHOWN ON DRAFT PLAN
- C. AS SHOWN ON DRAFT PLAN
- D. SEE SCHEDULE OF LAND USE
- E. AS SHOWN ON DRAFT PLAN
- F. AS SHOWN ON DRAFT PLAN
- G. AS SHOWN ON DRAFT PLAN
- H. MUNICIPAL PIPED WATER AVAILABLE AT TIME OF DEVELOPMENT
- I. CLAY+LOAM
- J. AS SHOWN ON DRAFT PLAN
- K. SANITARY AND STORM SEWERS, GARBAGE COLLECTION, FIRE PROTECTION
- L. AS SHOWN ON DRAFT PLAN

#### SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE  
SUBDIVIDED AS SHOWN ON THIS PLAN, AND THEIR RELATIONSHIP TO  
THE ADJACENT LAND ARE ACCURATELY AND CORRECTLY SHOWN.

DATE February 27, 2019  
PIER DE ROSA  
J.D. BARNES LTD.

#### OWNER'S CERTIFICATE

I AUTHORIZE KLM PLANNING PARTNERS INC. TO PREPARE AND SUBMIT  
THIS DRAFT PLAN OF SUBDIVISION TO THE CITY OF BARRIE FOR APPROVAL.

OWNER  
BALLYMORE BUILDING  
(BARRIE) CORP.  
12840 YONGE STREET  
SUITE 200  
RICHMOND HILL, ON  
L4E 4H1

LOUIE MORRA  
A.S.D.

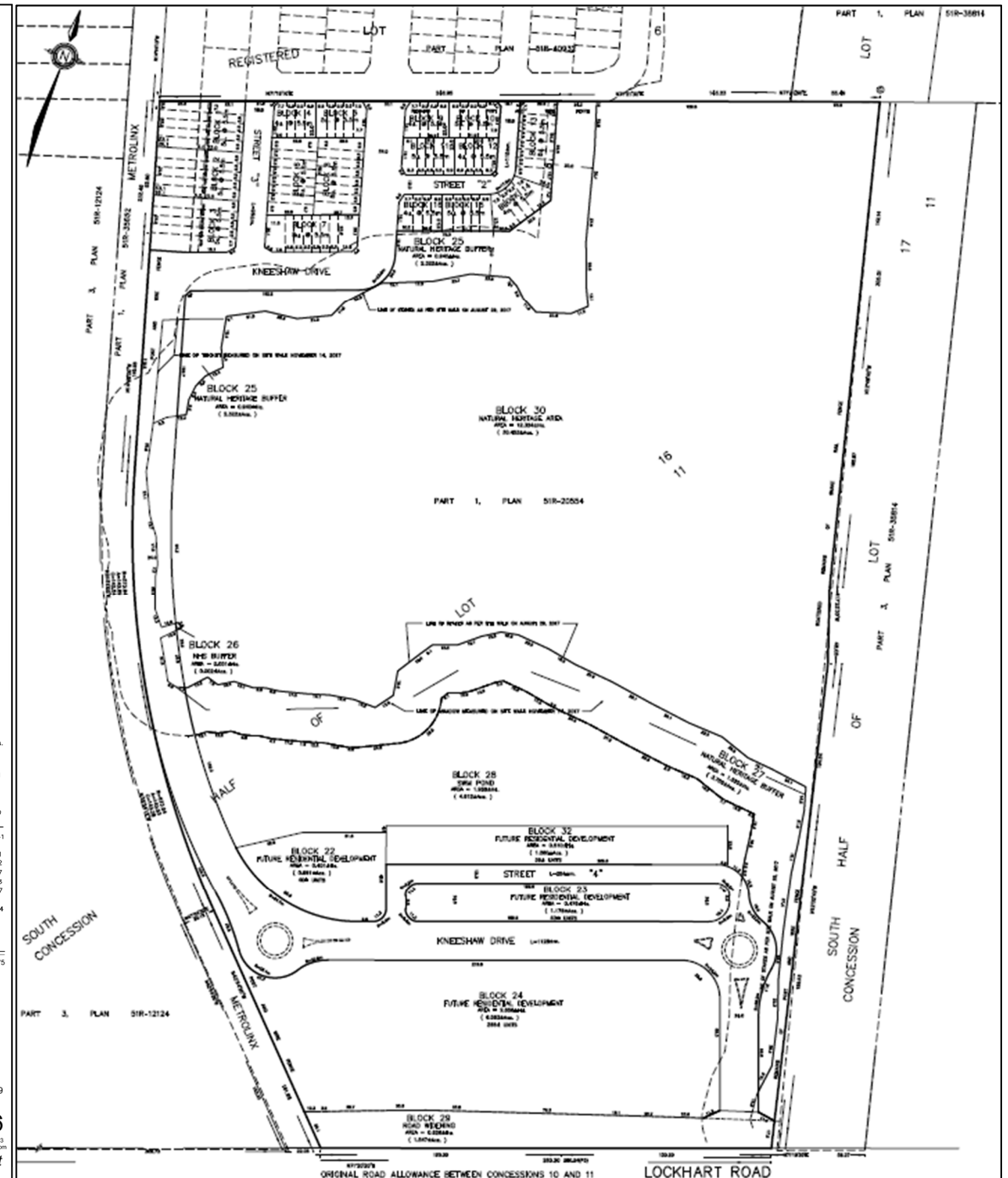
#### SCHEDULE OF LAND USE

TOTAL AREA OF LAND = 26.416±Hq. (65.275±AcS)

TOWNHOUSE DWELLINGS	BLOCKS	LOTS	UNITS	#Hq.	#AcS.
STREET TOWNHOUSES					
BLOCKS 1-16	16	87	1,639	4,051	
W. USE PROPOSED = 0.0m					
FUTURE RESIDENTIAL DEVELOPMENT					
BLOCKS 22-24 and 32	4	382	4,043	9,990	
SUBTOTAL	20	469	5,682	14,041	
BLOCKS 25-27 - NATURAL HERITAGE BUFFER 30m	3			2,461	6,081
BLOCK 28 - SWM POND	1			1,988	4,912
BLOCK 29 - ROAD WIDENING	1			0,626	1,547
BLOCK 30 - NATURAL HERITAGE AREA	1			12,324	30,463
BLOCK 31 - OPEN SPACE	1			0,011	0,027
STREETS AND LANEWAYS				3,324	8,214
24.0m WIDE TOTAL LENGTH 1100m. AREA=2.600Hq.					
18.0m WIDE TOTAL LENGTH 1100m. AREA=1.900Hq.					
12.0m WIDE TOTAL LENGTH 1100m. AREA=1.100Hq.					
TOTAL LENGTH 1100m. AREA=5.600Hq.					
TOTAL	27	469	26,416	65,275	

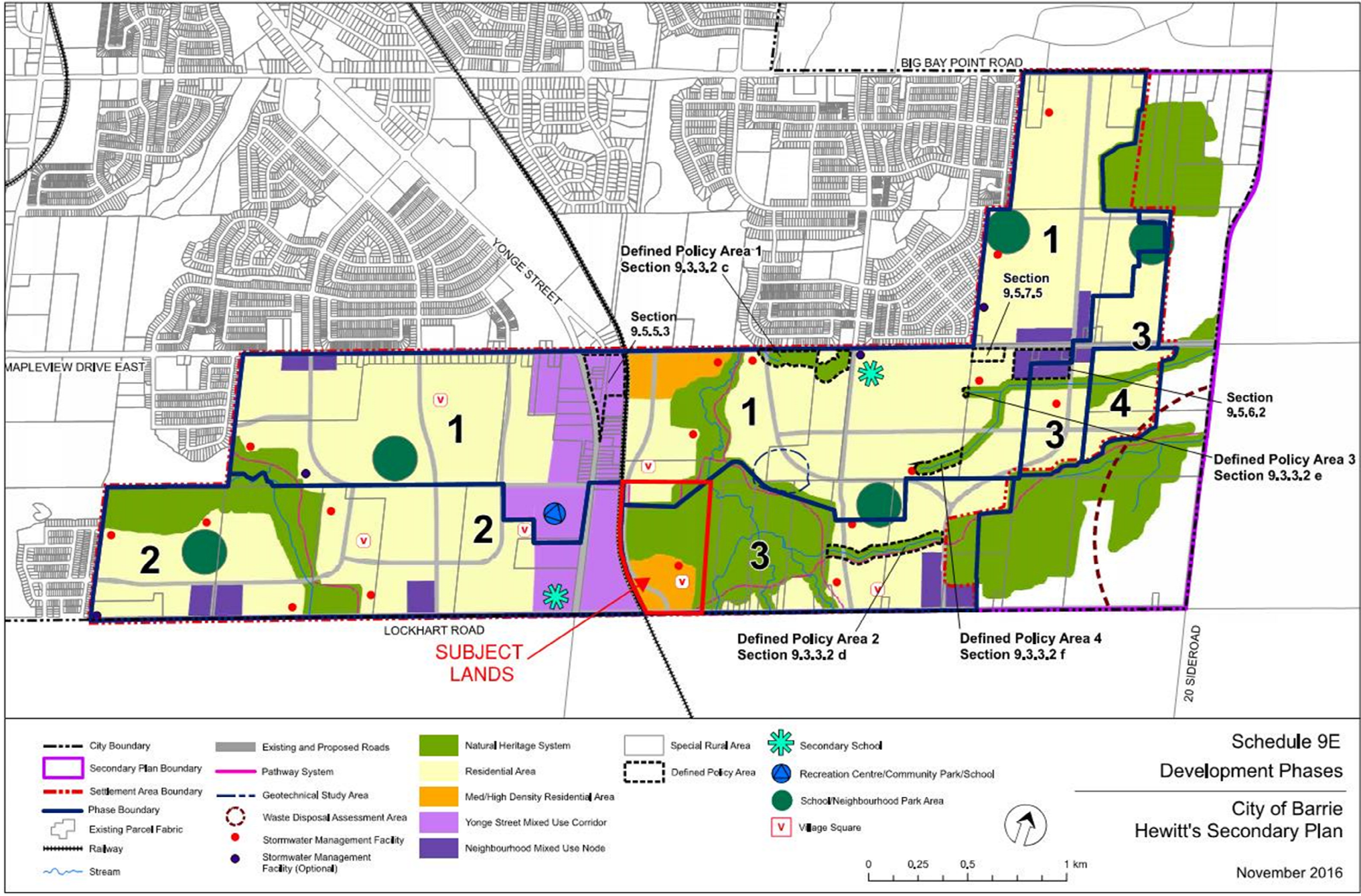
- NOTE - ELEVATIONS RELATED TO CANADIAN GEODETIC DATUM
- NOTE - \*SUBJECT TO FINAL CALCULATION
- NOTE - BLOCKS 17, 18, 19, 20 and 21 OMITTED

PROJECT No. P-3006  
SCALE 1:1500 APR. 17, 2019  
(3006DES13) X-REF: (3006MAS1)  
**KLM** DWG. No. - 19:6  
PLANNING PARTNERS INC. 64 JARDIN DRIVE - UNIT 1B, CONCORD, ONTARIO L4K 3P3  
TEL: (905) 881-4055 FAX: (905) 881-0007 [info@klmpartners.com](mailto:info@klmpartners.com)  
Planning • Design • Development



APPENDIX "C"

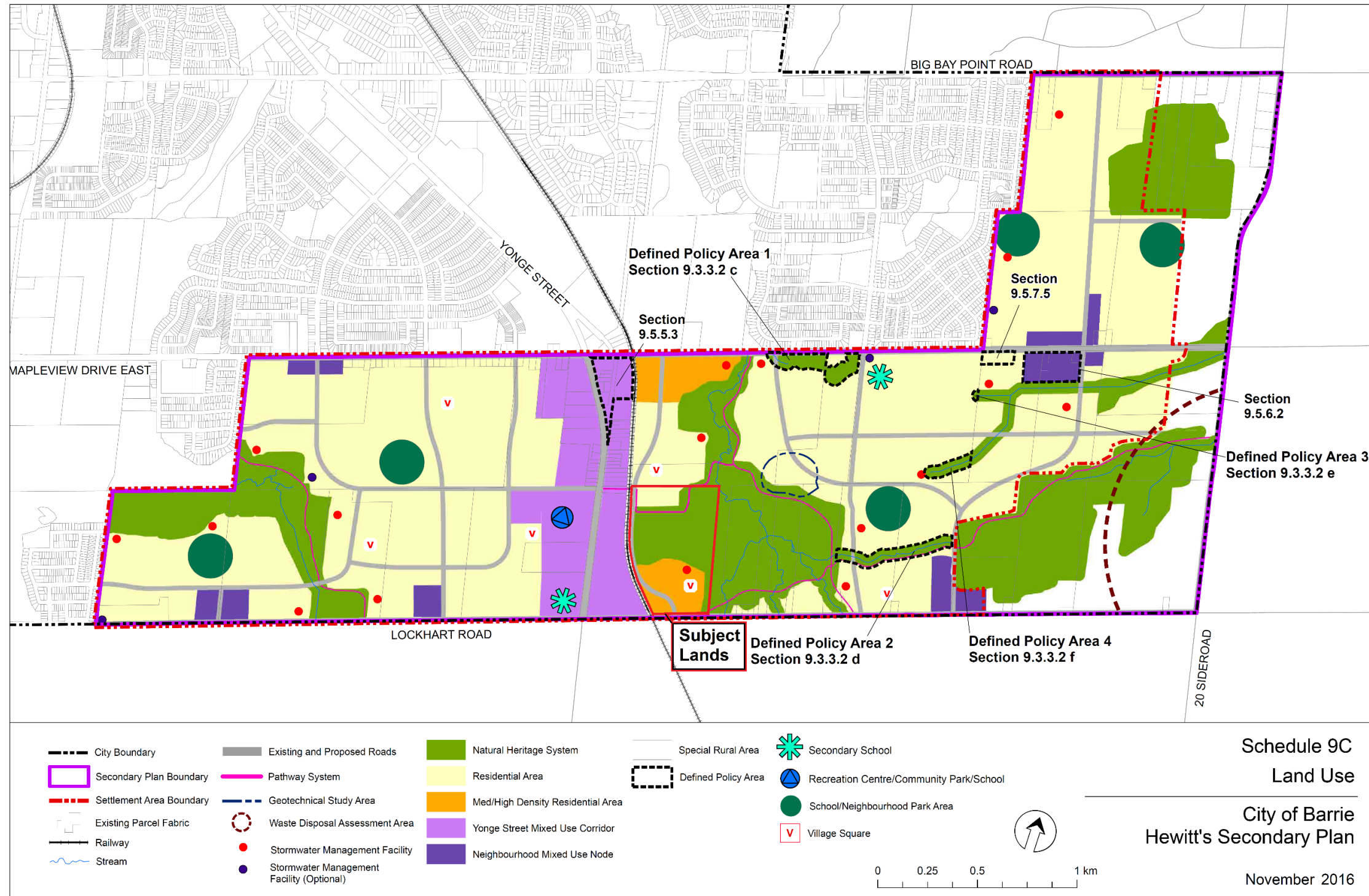
Hewitt's Secondary Plan Phasing





## APPENDIX "D"

### Hewitt's Secondary Plan Land Use



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## APPENDIX "E"

### Technical Study Descriptions

**Subwatershed Impact Study (SIS) (RJ Burnside, September 2016):** This study identifies site specific constraints and preferred servicing solutions within the limits of the Hewitt's Secondary Plan area. It includes the limits of the proposed development in relation to general terrestrial resources, general aquatic resources, the Natural Heritage System, natural heritage constraints, hydrogeological and geological conditions, surface and groundwater conditions, and includes recommendations for stormwater management and low impact development (LID) measures, erosion and sediment control, grading and earth works, road design, and the storm, sanitary and water network.

**Master Transportation Study (LEA Consulting Ltd., February 2017):** This study analyzes the impact of the entire Hewitt's Secondary Plan Area as well as a detailed traffic study for the proposed site accesses for each land parcel. The study concluded that the current road configuration can accommodate 2,100 residential units within the Hewitt's Secondary Plan area and the full build out of the Hewitt's Secondary Plan can be accommodated on the future roadway network.

**Transportation Impact Study (The Municipal Infrastructure Group Ltd., March 2019, Addendum December 2019):** Builds upon the Master Transportation Study for the Hewitt's Secondary Plan Area with a focus on the proposed development site. The traffic scenarios in the study are consistent with those in the Master Transportation Study and concludes that the proposed development will not cause any operational issues and will not add significant delay or congestion to the surrounding roadway network. The study recommends traffic calming measures along Kneeshaw Drive to promote active transportation and reduce the negative effects associated with motor vehicles.

**Planning Justification Report (KLM Planning Partners Inc., March 2019):** provides a review of the property characteristics and surrounding lands, description of the proposed development as well as the professional opinion of the Jones Consulting Group Ltd. that the proposal is an appropriate form of development, is consistent with the policies contained in the Provincial Policy Statement (PPS), conforms to the policies of the Growth Plan, City of Barrie Official Plan, and the Hewitt's Secondary Plan, and represents good planning.

**Functional Servicing Report (SCS Consulting Group Ltd., March 2019):** reviews the external and internal roads, provides details of water and sanitary servicing, identifies stormwater drainage, including a preliminary water balance and phosphorus assessment, and discusses the ability to accommodate utility and communication utilities. The report concludes that the site can be graded and serviced feasibly in accordance with previously approved reports/master plans and the City of Barrie, Lake Simcoe Region Conservation Authority, Ministry of Environment, Conservation and Parks design criteria and Private Utility Company (i.e., InnPower, Bell, Enbridge etc.) policies and standards.

**Geotechnical Report (Soil Engineers Ltd., March 2019):** reviews site conditions and outlines the investigation procedure, and includes subsurface conditions, such as ground surface, fill, sand silt till/silty sand till, silty sand/sand, clayey silt till, and groundwater, and includes recommendations for site preparation, pipe bedding, house foundations, floor slab construction, earthquake considerations, excavation and backfill, lateral earth pressure, permanent perimeter drainage, and pavement construction.

**Hydrogeological Report (RJ Burnside, January 2019, Updated November 2019):** reviews the relevant regulations and policies, provides an understanding of the geological and hydrogeological conditions, including topography and physiogeography, quaternary geology, bedrock geology, hydrostratigraphy, and the local groundwater system. It reviews the need for dewatering, identifies potential receptors such as environmental features, groundwater use, and a water well survey, includes a water balance analysis, and identifies potential impacts and proposed mitigation.

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**Noise Impact Study (Valcoustics Canada Ltd., March 2019):** identifies noise sources and noise-sensitive land uses and recommends any required mitigation measures. The study concludes that the development satisfies the transportation noise requirements of the Ministry of Environment, Conservation and Parks (MECP) guideline NPC-300 so long as the recommendations of the report are followed.

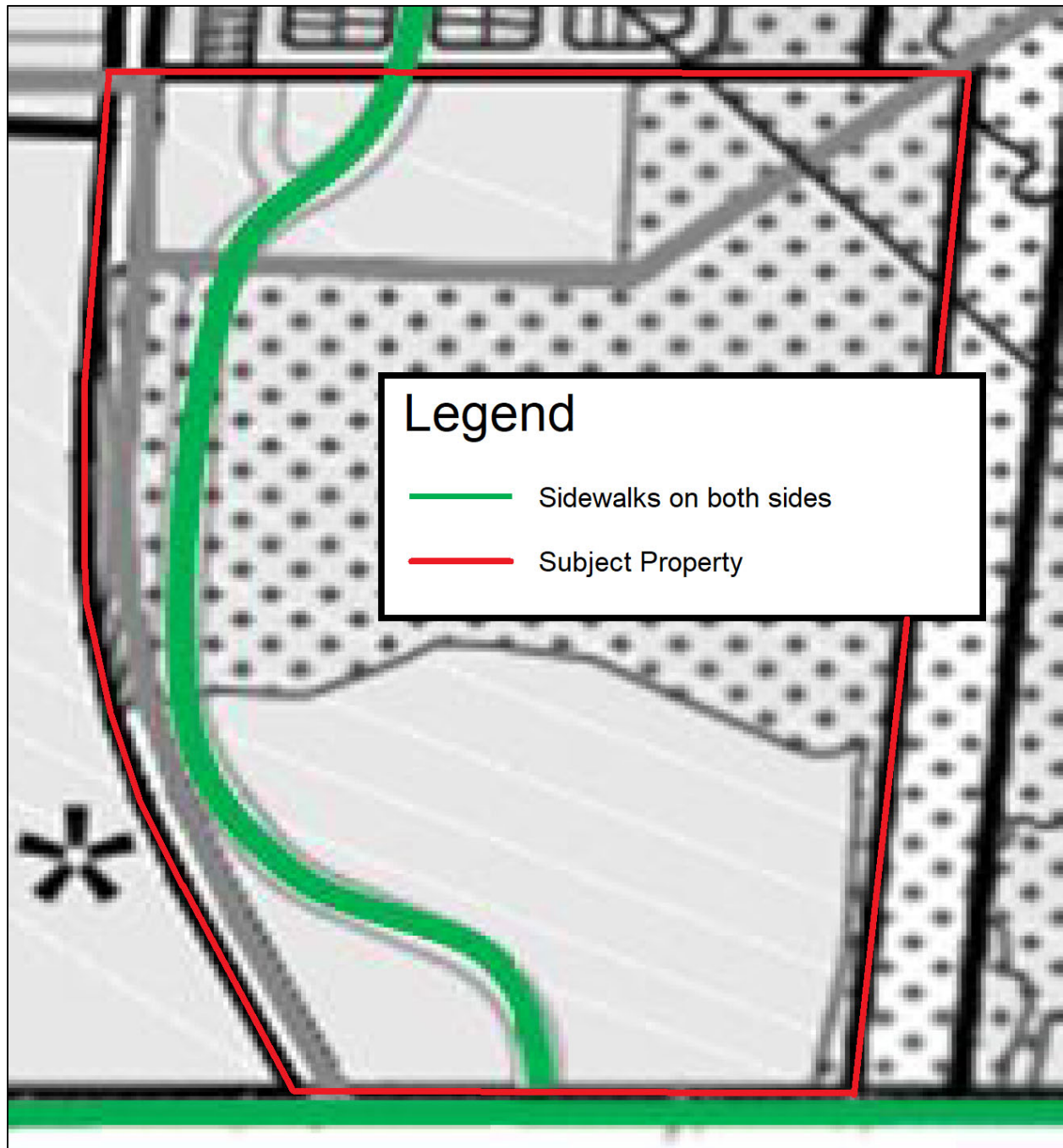
**Railway Vibration Study (Valcoustics Canada Ltd., March 2019):** evaluates the ground-borne vibration impacts associated with the Metrolinx Rail Line located immediately west of the subject lands. The study concludes that the measured ground-borne vibration velocity magnitudes due to the rail line did not exceed the applicable vibration guideline limits for residential developments. Therefore, vibration mitigation measures are not mandatory for the proposed development.

**Natural Heritage Evaluation (Savanta, March 2019):** documents the natural environmental features present on the site and provides an assessment of the potential for the presence of Species at Risk and habitats of Endangered or Threatened Species, Significant Wildlife Habitat and other Significant Natural Heritage Features for the subject property and adjacent lands. The report concludes that the proposed development will not result in negative impacts to the environment or wildlife provided that the recommended protection measures and recommendations are implemented.

**Stage 1 & 2 Archaeological Assessment (ASI [Archaeological & Cultural Heritage Services], December 2018):** provides background research into the archaeological land use history of the subject site using documentary sources, historic maps, topographic maps and satellite imagery, and included a Stage 1 field inspection and Stage 2 assessment. No archaeological resources were encountered and the study recommends the site be cleared of further archaeological concerns.

APPENDIX "F"

Pedestrian Circulation Plan



Dual Sidewalks proposed along Kneeshaw Drive.  
All other local roads will contain one sidewalk.