



PLANNING AND BUILDING SERVICES MEMORANDUM

TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL

FROM: C. KITSEMETRY, RPP, PLANNER

NOTED: A. BOURRIE, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES AND
GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT
(ACTING)

M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

RE: EXTENSION OF DECISION TIMELINE FOR PROPOSED OFFICIAL PLAN
AMENDMENT AND ZONING BY-LAW AMENDMENT APPLICATIONS
(FILE NO.S D09-OPA068, D14-1655)
410 YONGE ST. & 343 LITTLE AVE. (WARD #8) MASON HOMES LIMITED

DATE: MARCH 4, 2019

The purpose of this memorandum is to provide members of Council with an update of the status of the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications submitted by Innovative Planning Solutions Inc. on behalf of Mason Homes Limited for lands known municipally as 410 Yonge Street & 343 Little Avenue, Barrie.

According to Section 34 of the *Planning Act*, municipalities are required to make a decision on an OPA application within 210 days of deeming an application complete and 180 days for a ZBA application, unless an OPA application has also been submitted, then the 210 days would apply to the municipal decision. If a decision is not made within the 210 day timeframe, an applicant may appeal the application to the LPAT based on non-decision. In this case, the review period associated with the subject application expires on March 14, 2019. Given the ongoing discussions with the applicant and their consulting team, there will not be an opportunity for the City to make a decision on the subject application until after that date.

The applicant has voluntarily submitted a letter to the City, attached as Appendix "A", acknowledging that the application will not be considered by General Committee on or before March 14, 2019, and confirming that there is no intention to appeal to LPAT based on non-decision under the agreement that this matter will be brought forward to the April 15, 2019 General Committee meeting dates. This is being done to facilitate further discussions between staff and Mason Homes regarding the nature of the applications and the recommendation report.

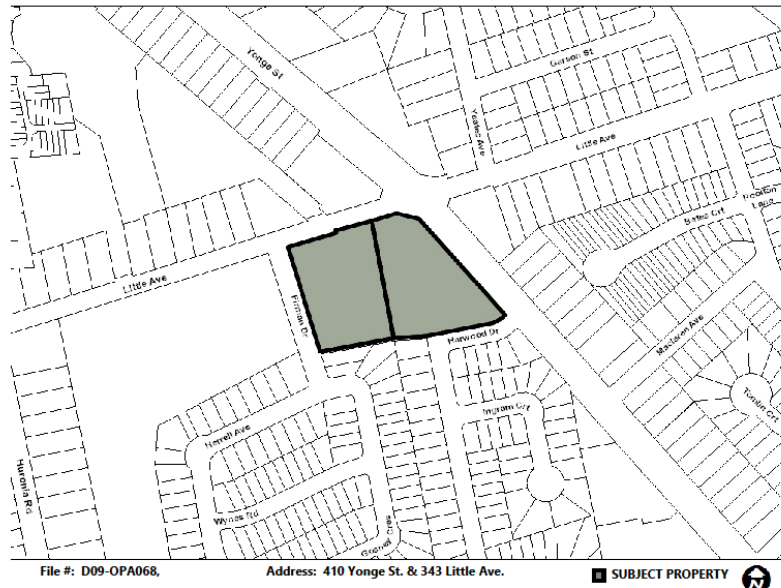
Notwithstanding the voluntary letter agreeing to an extended review timeframe, the Planning Justification Report submitted by the applicant's consultant is the only planning justification forming part of the official record associated with the subject application. If the applicant were to file an appeal on the subject application, the applicant's PJR and associated plans, reports, and studies are the only documents that would be heard as evidence by the LPAT. To protect the City's interests, this memorandum documents key planning issues with the subject application at this time. Identified items will be resolved by the time a recommendation report is presented to General Committee.

Application Details

The subject application was received and deemed to be complete by the City on August 18, 2018. The application was circulated to all applicable City departments and external agencies for review and comment. Planning staff have been working with the applicant, their consultants and our technical review team through the review process to address the comments received as well as the intent of the changes to the Official Plan and Zoning By-law.

The property is approximately 2.27 hectares in size and is largely bounded by municipal roads including Harwood Drive, Yonge Street, Little Avenue, Firman Drive and a municipally owned walkway linking Firman Drive with Harwood Drive.

The application for an Official Plan Amendment is to request a change in designation from General Commercial to Residential. The intersection of Yonge Street and Little Avenue is also identified as an Intensification Node on Schedule I – Intensification Areas in the City's Official Plan.



The application for Zoning By-law Amendment is to request a change in land use from General Commercial (C4) to Residential Multiple Second Density with Special Provisions (RM2)(SP-XXX) including:

- an increase in density to 73 units per hectare;
- reduced front and rear yard setbacks;
- increased lot coverage and gross floor area;
- increased building height to 17 metres; and
- an unconsolidated amenity area.

The Proposed Concept Plan submitted for the redevelopment of these lands is attached as Appendix "B".

Public Consultation

A neighborhood meeting was held on November 28, 2018. Approximately 23 members of the public were in attendance, plus Planning staff and Councillor (Elect) Harris. Comments provided by residents for this redevelopment proposal included:

- proposed built-form and increase in density;
- potential issues with grading, drainage and stormwater management;
- concern with traffic and provision of visitor parking;
- City road widening and line of sight from Harwood Drive;
- proposed building height and loss of view;
- location of snow storage and garbage enclosure;
- pedestrian connectivity and availability of parkland; and
- construction timelines.

A Public Meeting was held on Dec. 10, 2018. No verbal comments were provided from the public at General Committee. One piece of correspondence was circulated to Committee from a resident that included comments/questions related to: grading, building height and potential loss of view; location of the garbage enclosure; and availability of public parkland.

Planning and Land Use Matters Under Review

The key planning and land use matters that remain under review and discussion include:

- Change in the principle of land use from commercial to residential

Planning staff requested additional information to support the request to change the use of this property from commercial to residential in the City's Official Plan and Zoning By-law. The intent of the supplementary study was to provide a history of marketing the property for commercial use and a general market needs analysis for commercial development, including the opportunity for mixed-use commercial, at this location. The study, dated November 2018, was submitted by Innovative Planning Solutions on behalf of Mason Homes.

- Conformity with, and intent of, the City's Intensification Policies and Design Guidelines

The property that is the subject of this application is a large parcel of land at the intersection of Yonge Street and Little Avenue, which is identified as an Intensification Node on Schedule I: Intensification Areas in the Official Plan with an intended density of 50-120 units per hectare. Intensification Urban Design Guidelines (Oct. 2012) have been developed as a tool for the implementation of intensification policies. Staff will be evaluating the proposed singular use of this property for residential development in terms of the Guidelines, more specifically section 5.4 Intensification Node Guidelines and section 5.1 Mixed Use and Residential Avenue Guidelines.

- Proposed built-form and required special provisions for the Residential Multiple (RM2) zone

As noted above, the proposed built form and design characteristics of the property will be reviewed in terms of the Intensification Urban Design Guidelines. In addition, the requested changes to the zoning standards of the Residential Multiple Second Density zone (RM2) will be reviewed in accordance with the design characteristics for intensification areas as well as the Mixed Use Node (MU1) zone which can now be implemented for Intensification Nodes and Corridors. The application as submitted illustrates a condominium townhouse development at this location. Appendix "C" illustrates the proposed elevation of the stacked townhouses and reverse frontage townhouses, which are shown on the concept for the Yonge Street and Little Avenue streetscape.

- Dedication of parkland/public open space to the City

Comment from staff during the preliminary review of the proposed development was that this area of the City is underserved by parkland. This comment was further supported by the application to change the principle of land use from commercial to residential with increased density and unconsolidated amenity space. The concept as presented with this application does not include a park or public open space. Planning staff requested additional information from the applicant to justify their position that this development does not require a land dedication and should be cash-in-lieu of parkland under the *Planning Act*. The study, dated November 2018, was submitted by Innovative Planning Solutions on behalf of Mason Homes.

The details of the application submission as well as the supplementary information will be part of the staff analysis of the project as it relates to the change in the principle of land use and development in an identified Intensification Node.

Next Steps:

Staff will continue to work with the applicant in an attempt to address the matters raised through the review and analysis of this proposal. A working session has been scheduled with the applicant and their consulting team on February 26, 2019.



PLANNING AND BUILDING SERVICES MEMORANDUM

Addressing these items may require an amendment to the plans and/or additional information being submitted by the applicant. A staff report to General Committee that will include, but not be limited to, analysis of the planning and land use matters and the comments received through the public consultation process, has been targeted for April 15, 2019.

If you have any questions, please contact the Planning file manager, Celeste Kitsemetry (celeste.kitsemetry@barrie.ca) at 705-739-4220 extension 4430.



PLANNING AND BUILDING SERVICES MEMORANDUM

APPENDIX "A"

LETTER FROM THE APPLICANT

From: Ashley Mason <AMason@masonhomes.ca>
Sent: Friday, February 22, 2019 8:40 AM
To: Michelle Banfield
Cc: Celeste Kitsemetry; Darren Vella; Jared
Subject: D09-OPA068, D14-1655 (Yonge/Little)

Hi Michelle:

Further to our conversations on this matter, please be advised that on behalf of Mason Homes, we agree not to appeal a non-decision of the proposed official plan and zoning by-law amendment applications for the above noted project, under the agreement that this matter will be brought forward to the April 15th, 2019 General Committee and April 29th Council meeting dates. This is being done to facilitate further discussions between staff and Mason Homes regarding the nature of the applications and recommendation report. Should a decision not be rendered by such a date, we note Mason Homes retains our right to appeal a non-decision.

The intent of this communication is to provide an extended timeframe for a decision to be rendered in light of the new Planning Act timeframes, not to insinuate that an appeal is forthcoming.

We understand this confirmation being communicated via email is sufficient.

Kind regards,

Ashley Mason
Vice President
Mason Homes Limited
70 Innovator Ave, Unit #1
Stouffville, ON L4A 0Y2
Cell: 416-717-9406
Tel: 905-640-6777 x42 Fax: 905-640-2777
E amason@masonhomes.ca

NOTE: This e-mail message is intended only for the named recipient(s) above and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message

PROPOSED CONCEPT PLAN



APPENDIX "C"

STACKED AND REVERSE FRONTAGE TOWNHOUSE ELEVATIONS
(PROPOSED FOR STREET FRONTAGE)

