
TO: GENERAL COMMITTEE

SUBJECT: ZONING BY-LAW AMENDMENT APPLICATION – DUSKO JANKOV – 403 COX MILL ROAD (FILE: D14-1661)

WARD: 8

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

SUBMITTED BY: A. MILLER, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES

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

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

RECOMMENDED MOTION

1. That the Zoning By-law Amendment application submitted by Skelton Brumwell & Associates Inc., on behalf of Dusko Jankov, to rezone lands known municipally as 403 Cox Mill Road in the City of Barrie, legally described as Part Lot 2 on Registered Plan 321 and Part 2 on 51R-41028, from 'Residential Single Detached Dwelling First Density' (R1) to 'Residential Single Detached Dwelling Second Density' (R2), be approved as shown in Appendix "A" to Staff Report PLN020-19 (File: D14-1661).
2. That the written and oral submissions received relating to the 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 matters raised in those submissions and identified within Staff Report PLN020-19: the incompatibility with the surrounding neighbourhood as it relates to lot area, frontage, and built form and concerns that the proposed development is not meeting the City's minimum intensification targets.
3. That pursuant to Section 34 (17) of the *Planning Act*, no further public notification is required prior to the passing of the By-law.

PURPOSE & BACKGROUND

Report Overview

4. The purpose of this report is to recommend approval of a Zoning By-law Amendment application submitted by Skelton Brumwell & Associates Inc., on behalf of Dusko Jankov, for lands known municipally as 403 Cox Mill Road (see Appendix "A" – Proposed Zoning By-law Amendment). The effect of the application is to facilitate the severance of the subject lands into two (2) lots for the purpose of developing two (2) single-detached dwellings with frontage and access on Cox Mill Road, as identified in Appendix "B" – Conceptual Site Plan. Staff are recommending approval of the subject application as the lands are considered to be appropriate for this form of low-density residential development in that it is consistent with, or does not conflict with Provincial and City planning policy.

- If approved, a subsequent application for Consent would be required for the creation of a new lot and would be considered by the Committee of Adjustment. It is important to note that Council's decision on the subject application is independent from any decision made by the Committee of Adjustment regarding a future Consent application. Approval of the subject application does not suggest that a future Consent application will receive approval.

Development Proposal

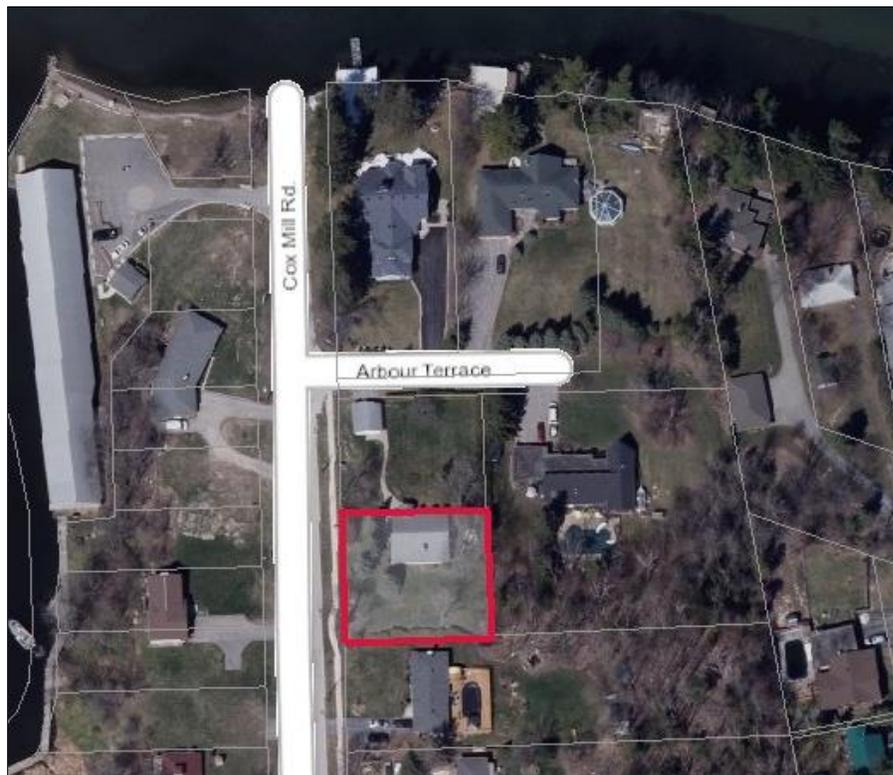
- The subject application proposes amend the zoning of the subject lands from 'Residential Single Detached Dwelling First Density' (R1) to 'Residential Single Detached Dwelling Second Density' (R2) in accordance with Zoning By-law 2009-141. The purpose of the application is to permit a smaller minimum lot area and frontage on the subject lands. Specifically, the proposed R2 zone would permit a minimum lot area of 500 square metres and a 15 metre frontage, whereas the existing R1 zone requires a minimum lot area of 900 square metres and a 22 metre frontage.
- The application, if approved, would facilitate the future severance of the subject lands into two (2) lots (1 severed and 1 retained) to permit the development of two (2) new single-detached dwelling units with frontage and access on Cox Mill Road. The proposed lots would have an area 590 square metres and 16.15 metres of frontage. Both lots would exceed the minimum required standards for lot area and frontage in the 'Residential Single Detached Dwelling Second Density' (R2) zone (minimum 500 square metre area with 15 metres of frontage).

Location

- The subject lands are located on the east side of Cox Mill Road, south of Arbour Trail and have an area of 0.3 acres (0.12 hectares) with 32.3 metres of frontage on Cox Mill Road. The subject property currently contains an existing single-detached dwelling unit and is located in an area consisting primarily of low-density residential uses with a variety of lot sizes, configurations and frontages.



9. The existing land uses surrounding the subject property are as follows:
- North: A vacant residential lot which is zoned 'Residential Single Detached Dwelling First Density' (R1).
 - South: Existing single detached dwellings which are zoned 'Residential Single Detached Dwelling First Density' (R1) and 'Residential Single Detached Dwelling Second Density Special Provision No. 435' (R2)(SP-435).
 - East: Existing single detached dwellings which are zoned 'Residential Single Detached Dwelling First Density' (R1).
 - West: Existing single-detached dwellings and vacant building lots which are zoned 'Residential Single Detached Dwelling Second Density Special Provision No. 470' (R2)(SP-470) and 'Environmental Protection' (EP).



Existing Policy

10. The subject property is designated 'Residential' in the City's Official Plan and is zoned 'Residential Single Detached Dwelling First Density' (R1) in accordance with Zoning By-law 2009-141, as amended.



Background Studies

11. In support of the application, the following plans, reports and studies were submitted:

- Planning Justification Report (October 2018)
- Tree Inventory, Analysis and Preservation Report (December 2018)
- Conceptual Site Plan (January 2018)
- Conceptual Building Elevations (January 2018)
- Conceptual Severance Plan (September 2018)
- Lot Grading and Servicing Plans (September 2018)

For additional information with respect to the technical reports and studies, please refer to Appendix "D" – Technical Study and Report Descriptions. Copies of the submission material associated with the subject application may be found at the following link: <https://www.barrie.ca/City%20Hall/Planning-and-Development/Proposed-Developments/Ward8/Pages/403-Cox-Mill-Road.aspx>

Neighbourhood Meeting

14. A Neighbourhood Meeting was held on February 13th, 2019 regarding the subject application, whereby five (5) members of the public were in attendance. Those in attendance did not raise any concerns with the application, but emphasized the importance of ensuring that the proposed lot sizes and built-form are compatible with the surrounding area so as to not impact the character of the neighbourhood.

Public Meeting

15. A Statutory Public Meeting was held on April 1st, 2019 to present the subject application to General Committee. The matters raised in both the verbal and written comments reiterated those previously received at the Neighbourhood Meeting as referenced above, however the following additional comment was received:

- Concerns that the development is not meeting the intensification targets of the City

Concerns were expressed by an area resident regarding the density of the development proposal. Specifically, the resident questioned how the development proposal would satisfy the City's intensification targets.

The subject lands are located within a low-density residential neighbourhood which is not identified as an intensification area in the Official Plan. As such, modest infill and intensification may be permitted, provided municipal services are available and the built-form, lot area and frontage is generally consistent with the character of the surrounding neighbourhood. In this case, the applicant is proposing single-detached residential dwelling units in an area characterized by low-density development. Medium and high density development is typically directed to other areas of the City such as the City Centre, Intensification Nodes/Corridors and/or sites with frontage on arterial and collector roads, in accordance with the Official Plan.

Department & Agency Comments

16. The subject application was circulated to staff in various departments and to external agencies for review and comment.
17. The Lake Simcoe Region Conservation Authority (LSRCA) provided comments indicating that the subject lands are not located within an area governed by Ontario Regulation 179/06 under the *Conservation Authorities Act* and does not contain any natural heritage features. The LSRCA confirmed that the development proposal is generally consistent with the Provincial Policy Statement, the Growth Plan and in conformity with the Lake Simcoe Protection Plan and Ontario Regulation 179/06 under the *Conservation Authorities Act*. Based on their review, the LSRCA is satisfied with development proposal from a watershed management and natural heritage perspective.
18. Engineering staff provided comments indicating that adequate municipal servicing and infrastructure is available on Cox Mill Road to permit the development proposal. Engineering staff noted that the subject lands shall be developed in accordance with all City of Barrie standards and policies through a subsequent building permit process.
19. City staff in the Roads, Parks and Fleet Department indicated that they had no concerns with the development proposal and noted that safe access may be provided from Cox Mill Road.
20. Parks Planning staff commented on the development proposal and confirmed that they are generally satisfied with the development, as reflected on the Conceptual Site Plan in Appendix "B". Parks Planning staff noted that the property owner must obtain written permission in the form of a Consent to Harm Agreement from adjacent property owners prior to harming and/or removing shared boundary and/or private trees during construction, in accordance with the Province of Ontario *Forestry Act* (if applicable).
21. The Building Services Division of the Planning and Building Services Department provided comments indicating that they had no concerns with the proposed Zoning By-law Amendment. Staff

in the Building Services Division noted that a building permit would be required for the proposed residential dwellings.

22. The City's Fire Department reviewed the proposed development and expressed no concerns with the approval of the subject application.
23. Enbridge, Hydro One, Electra Utilities and Bell Canada reviewed the proposed development and have expressed no objection to the approval of the subject application.
24. The Simcoe County District School Board and the Simcoe Muskoka Catholic District School Board provided comments indicating they had no concerns with the proposed Zoning By-law Amendment application as there is capacity to accommodate pupils in existing schools in the area.

ANALYSIS

Policy Planning Framework

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

Ontario Planning Act, R.S.O. 1990

26. Section 2 of the *Planning Act* requires that the Minister, the Council of a Municipality, a local board, a planning board and the Tribunal, shall have regard to, among other matters, matters of Provincial interest such as, but not limited to, the protection of ecological systems, including natural areas; the adequate provision and efficient use of transportation; sewage and water services and waste management systems; the adequate provision of a full range of housing, including affordable housing; the resolution of planning conflicts involving public and private interests; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and the mitigation of greenhouse gas emissions and adaptation to a changing climate. The *Planning Act* can be found in its entirety at the following link: <https://www.ontario.ca/laws/statute/90p13>.
27. The proposed development is consistent with this legislation in that it is located within the settlement area of Barrie; it is not located within or adjacent to any natural heritage features; will utilize existing and available infrastructure (sewage, water and waste management systems) and public service facilities such as transit, parks and schools; provides for a variety of residential units (potential for second suites); provides a more compact form of development that minimizes impacts to climate change (2 single-detached dwellings vs. 1 single-detached dwelling); and a built form that is generally consistent with the surrounding neighbourhood. Further, the proposed lots also exceed the minimum lot area and frontage requirements of the R2 zone, and the applicant is proposing increased building setbacks in an effort to respect the character of the existing residential neighbourhood.

Provincial Policy Statement (2014) (PPS)

28. The Provincial Policy Statement provides policy direction on matters of Provincial interest related to land use planning and development and sets the policy foundation for regulating the development and use of land. The PPS can be found in its entirety at the following link: <http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463>

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29. Policy 1.1.1 outlines the means by which healthy, liveable, and safe communities are sustained. This proposal is consistent with this policy in the following ways:
- The use of serviced land, surrounded by developed parcels, promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities for the long term;
 - The proposed built-form (single-detached dwellings) would complement and reflect the built form in the neighbourhood, and would provide an opportunity for the future creation of second suites which would aid in achieving a range and mix of residential development and housing tenure in the area;
 - The proposed development is not located in or adjacent to environmentally sensitive lands and is not expected to impact local wildlife and/or biodiversity;
 - The subject lands do not contain any built heritage resources or cultural heritage landscapes;
 - The applicant is ultimately proposing to sever an existing single-detached residential lot for the development of two (2) new single-detached dwellings that will utilize existing services and infrastructure within a settlement area, thereby promoting cost efficiency and minimizing the consumption of land; and,
 - Comments received from the City's Engineering Department confirm that the proposal can be serviced by existing municipal services (sanitary/storm sewers and watermain). In addition, the existing transportation system can accommodate the proposed increase in traffic generated by one (1) additional single-detached residential dwelling unit and safe access can be provided via Cox Mill Road.
30. Policies 1.1.3.1 and 1.1.3.2 identify settlement areas as the focus of growth and development with land use patterns based on densities and a mix of land uses that efficiently use land and resources, infrastructure and public service facilities, minimizes negative impacts to air quality and climate change, and supports active transportation. The proposed development is consistent with these policies in that it is located within the settlement area of Barrie, will utilize existing and available infrastructure and public service facilities such as parks, schools and transit, and provides a more compact form of development (2 single-detached dwellings vs. 1 single-detached dwelling) that minimizes impacts to climate change, and will have access to the municipal sidewalk to support active transportation.
31. Policy 1.1.3.3 provides that Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. In this regard, the applicant is proposing a modest form of infill/intensification in the form of one (1) additional single-detached residential dwelling unit on an existing lot (2 single-detached dwellings vs. 1 single-detached dwelling). The proposed built-form is consistent with the surrounding neighbourhood which consists primarily of single-detached residential dwelling units. Finally, the subject lands are serviced by existing municipal infrastructure (water, sewer storm services) and public service facilities (schools, parks and transit).
32. In accordance with Policy 1.1.3.4, appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. As noted above, the lot area and frontage of the proposed lots and the

setbacks for the proposed dwellings would exceed the minimum requirements of the 'Residential Single Detached Dwelling Second Density' (R2) zone so as to reflect the existing character of the neighbourhood (see Appendix "C" – Conceptual Site Plan).

33. Policy 1.1.3.5 identifies a requirement for established minimum targets for intensification within built up areas. The proposal is consistent with this policy as the proposed density is 16.6 units per hectare, thereby contributing to the Official Plan's intensification target of 12 to 25 units per hectare for low-density residential areas. The average density in low-density residential areas shall be achieved by combining a mix of housing types and densities within these ranges.
34. Policy 1.4.3 identifies that an appropriate range and mix of housing types and densities should be provided, including affordable housing, facilitating residential intensification, directing development to locations where appropriate levels of infrastructure and public service facilities can support the development, and promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit. The proposal is consistent with this policy in that it is considered a modest form of intensification by utilizing an existing single-detached residential lot for the development of one (1) additional single-detached dwelling unit in an existing low-density residential neighbourhood. The proposed development can also be serviced by existing infrastructure and public service facilities (parks, schools and transit) and will have access to the municipal sidewalk to support active transportation.
35. Policy 1.5.1 encourages healthy, active communities through the provision of public streets, spaces and facilities to meet the needs of pedestrians, foster social interaction, facilitate active transportation and community connectivity, and a distribution of publicly-accessible built and natural settings for recreation. In this regard, the proposed development will have direct access to the municipal sidewalk, thereby facilitating community connectivity and active transportation. The subject lands are also located within close proximity to local parks and natural areas (Pioneer Park, Tyndale Park, Sheppard's Park and Lover's Creek Ravine) which would allow for future residents to enjoy nature and participate in active and passive recreation.
36. Policies 1.6.3, 1.6.6.1 and 1.6.6.2 identify the promotion of intensification in areas serviced by existing infrastructure and public service facilities, including municipal sewage and water services. The proposal is consistent with this policy as the subject lands are serviced by existing municipal sewage, storm and water services.
37. Policy 1.6.7.2 identifies the efficient and safe use of existing transportation infrastructure. The Department of Roads, Parks and Fleet has determined that the proposed development can be sufficiently accommodated by the existing road network surrounding the subject lands and safe access can be provided to Cox Mill Road. Therefore, the development proposal is consistent with this policy.
38. Policy 1.6.10 identifies that waste management systems shall be located and designed in accordance with provincial legislation and standards. The proposed development is consistent with this policy as it can be adequately serviced by the City's municipal curbside collection program.
39. Policy 1.7.1 encourages a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes. The design of the built form proposed on the subject lands reflects the high quality and standard of architectural design seen throughout the surrounding neighbourhood (see Appendix "C" – Conceptual Building Elevations). This will preserve the character of the area, including both the existing homes and new developments in the neighbourhood.

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40. In accordance with Policy 2.1 and 2.2, the Lake Simcoe Region Conservation Authority (LSRCA) is satisfied from a natural heritage and watershed perspective, that development of this site will not have a negative impact on natural features or watercourses. The subject lands are not located in or immediately adjacent to any natural heritage and/or water features.
 41. Policies within Section 3.1 Natural Hazards, require development to be directed outside of natural hazards. The proposal is consistent with this Policy as the property is not located within or adjacent to a natural hazard area.
 42. Based on the foregoing, staff are of the opinion that the proposed development is consistent with, or does not conflict with the Provincial Policy Statement (2014).

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

43. A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2019) (A Place to Grow) 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 can be found in its entirety at the following link: <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>
44. In accordance with the Guiding Principles found in Section 1.2.1 of A Place to Grow, the proposed development supports the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living through the provision of direct access to the municipal sidewalk along Cox Mill Road. Further, the modest increase in density proposed on the subject lands results in the efficient use of land and existing municipal infrastructure and public service facilities (parks, schools and transit). The proposal also provides an opportunity for the creation of second suites within the proposed single-detached dwellings to increase the range of housing types/options in the City, and will not impact any natural heritage and/or water features.
45. Policies 2.2.1(2) (a), (c), (d) and (e) direct growth to settlement areas with existing water and wastewater systems that can support complete communities, focused in delineated built-up areas and strategic growth areas with existing transit and public service facilities, and directed away from hazardous lands. The proposal conforms to these policies by utilizing existing municipal water, storm and wastewater systems, is focused in a built-up area that is serviced by transit and located near public service facilities (parks and schools), and is not within or adjacent to hazardous lands.
46. Section 2.2.2 of A Place to Grow requires that by the next time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target in the City of Barrie is a minimum of 50 percent of all residential development within the delineated built-up area. Section 2.2.2 further states that until the next municipal comprehensive review is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017 will continue to apply. In this case, the minimum intensification target for built-up areas as identified on Schedule I – Intensification Areas of the City of Barrie Official Plan is a minimum of 40 percent. This proposal conforms to this policy in that the proposed development is within the City's built-up area and would contribute toward the required minimum 40 percent target.
47. Based on the foregoing, staff are of the opinion that the proposed development conforms to, or does not conflict with, A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2019).

Lake Simcoe Protection Plan (LSPP)

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

Official Plan (OP)

49. The Official Plan provides guidance for consideration of land use changes, the provision of public works, actions of local boards, municipal initiatives, and the actions of private enterprise. It gives direction for implementing by-laws, guidelines for more detailed planning and the means for controlling growth so that the City's capacity to provide a healthy community environment is not exceeded. The OP can be found in its entirety at the following link:
<https://www.barrie.ca/City%20Hall/Planning-and-Development/Documents/Official%20Plan%20-%20January%202017.pdf>
50. As noted above, the subject lands are designated 'Residential' within the City's Official Plan. Lands that are designated 'Residential' are intended to be used primarily for residential uses, with all forms of housing permitted subject to locational criteria.
51. There are a number of policies in the Official Plan that generally support the proposed development. These policies relate to providing increased densities, directing growth to take advantage of existing services and infrastructure and the provision of a range and mix of housing types at appropriate locations.

General Policies

52. Section 3.1.1 identifies that it is a goal of the City to direct growth to take advantage of existing services and infrastructure where possible, and to minimize the cost of infrastructure extension. The proposed development is consistent with this goal of the Official Plan as the subject lands can be directly connected to existing municipal sanitary, storm and water services on Cox Mill Road. Utilities such as natural gas and electricity are also available through local utility companies.
53. Section 3.3.1 encourages complete communities with an appropriate range of housing types; building design and densities which efficiently use land, resources, infrastructure and public service facilities; contributes to safe, vibrant and pedestrian friendly streetscapes; and directs development toward locations where infrastructure and public service facilities are available. The proposed development is consistent with this policy in that it proposes modest residential intensification in an area where existing infrastructure (water, storm and sanitary services) and service facilities (local parks, schools and transit) are available. Further, the proposed development contributes to a safe, vibrant and pedestrian-friendly streetscape by way of street oriented development along Cox Mill Road and direct access to the existing municipal sidewalk. The proposed built-form is also generally compatible with the scale, height and character of existing and proposed dwellings in the surrounding area.
54. Section 3.3.2.1(c) of the Official plan states that the City shall encourage residential revitalization and intensification throughout the built-up area in order to support the viability of healthy neighbourhoods and to provide opportunities for a variety of housing types. Residential intensification is defined to include, among others, infill and redevelopment of clean sites. The proposed development is considered a form of residential intensification as defined in the City's Official Plan. When reviewing development applications for residential intensification, consideration

is given to the lot fabric and the existing and planned character of the area, as well as the intensification and density targets of the Official Plan. The proposed development consists of two (2) lots with a developable area that is equal to or larger than that on existing R2 residential lots on the west side of Cox Mill Road. The subject lands are also located in a neighbourhood with varying lot sizes, frontages and configurations. Furthermore, the proposed development consists of a modest form of intensification that will make a small contribution to the City's overall intensification target for built-up areas.

Affordable Housing

55. Section 3.3.2.2 identifies the goal that a minimum target of 10% of all new housing units be affordable. The criteria for affordable housing is identified as the least expensive of:
- A unit for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or,
 - A unit for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.

This policy represents a target of the Official Plan. The proposed R2 residential zoning would permit second suites which are considered to be a more attainable and/or affordable form of housing. Section 3.3.2.2 of the Official Plan further identifies that second suites are permitted in single-detached dwellings, subject to the standards of the comprehensive zoning by-law. In addition, the applicant has indicated that he/she will maintain ownership of the subject lands for the development of two (2) family-owned and occupied single-detached dwelling units.

Drinking Water Protection

56. Schedule G – Drinking Water System Vulnerable Areas of the Official Plan identifies areas of vulnerability for drinking water sources, including Intake Protection Zones (IPZs). Schedule G of the Official Plan identifies the subject lands within an IPZ. Section 3.5.2.3.5 of the Official Plan prohibits development, site alteration and land uses that involve the storage or manufacture of pathogens, chemicals or dense aqueous phase liquids in IPZs, as identified on Schedule G, where they would constitute a significant drinking water threat. The proposed development is a low-density residential use which would not involve activities that pose significant risks to water resources. As such, the criteria noted above does not apply to the development proposal. Further, the subject application has been reviewed in detail by the Lake Simcoe Region Conservation Authority (LSRCA). Based on their review, the LSRCA is satisfied with development proposal from a watershed management perspective.

Energy Conservation and Renewable Energy Systems

57. Section 3.7.2.1 promotes a compact urban form, which supports active transportation, transit use, vehicle trip reduction, and the consideration of increased densities and building materials to support energy conservation. This proposal conforms to this policy as it provides a more compact development than what currently exists on the subject lands. Specifically, the applicant is proposing to amend the zoning of the subject lands to facilitate the severance of the property into two (2) lots for the development of two (2) single-detached dwelling units. The subject lands are currently occupied by one (1) existing single-detached dwelling unit. The development proposal would double the density on the subject lands, while consuming less land and utilize existing services and infrastructure, thus supporting overall energy conservation in the City. Additionally, the proposed development will have direct access to the municipal sidewalk on Cox Mill Road, providing future residents with an opportunity to participate in active transportation and public transit on Hurst Drive.

Land Use Policies

58. Section 4.2.1(f) of the Official Plan identifies that it is a goal of the City to plan the location and design of residential development to enhance compatibility between dwelling types at different densities and to minimize potential conflict between incompatible uses. The proposed development is consistent with this policy as the applicant is proposing to amend the zoning of the subject lands from R1 to R2 to facilitate the development of two (2) single-detached dwelling units in a neighbourhood that consists of primarily single-detached dwelling units on R1 and R2 residential lots. The proposed land use, lot sizes and built form are generally consistent with the established character of the neighbourhood and, if approved, would not result in conflicts between land uses.
59. Section 4.2.2.1(a) states that the predominant use of Residential lands shall be for all forms and tenure of housing. The proposed development is consistent with this policy as the proposed built form (single-detached dwelling units) reflects the form and character of Cox Mill Road and surrounding area. The area consists primarily of single-detached dwelling units on varying lot sizes. The area and frontage of existing lots in the surrounding area (Cox Mill Road) range from 457 square metres with 15 metres of frontage to 5000 square metres with 40 metres of frontage.
60. In accordance with Section 4.2.2.2 of the Official Plan, 'net residential hectare' for low-density residential development shall mean the area of land measured in hectares utilized for residential dwelling units including the lot area and the local residential streets, but excluding Open Space and Environmental Protection Areas. Low-density residential developments shall consist of single-detached, duplexes or semi-detached dwelling units at densities ranging between 12 and 25 units per net hectare. The average density within this range shall generally be achieved by combining a mix of housing types/built form and densities within these ranges. In accordance with these provisions, the proposed development represents a density of 16.6 units per net hectare. The proposed zoning by-law amendment would facilitate an increase in density on the subject lands, which is currently 8.3 units per hectare, while remaining consistent with the density range of the Official Plan and respecting the character of the neighbourhood. In doing so, the proposed development is able to use the land, municipal infrastructure and services more efficiently.
61. The General Design Policies in Section 4.2.2.4 of the Official Plan requires residential development to provide necessary on-site parking and a functional open space amenity area (i.e. landscaping), and encourage the maintenance and improvement of the character, and appearance of existing residential areas. The proposed development is consistent with this policy as the proposal exceeds the minimum parking and setback requirements of the R2 zone in Zoning By-law 2009-141 (see Appendix "B" – Conceptual Site Plan). In this regard, each of the proposed dwelling units could accommodate 2 vehicles in the driveway and 2 in the garage. The increased building setbacks proposed also provide for a large rear yard amenity area, as well as landscaped areas in the front and side yards. Further, the built form and lot area/frontage proposed is consistent with the surrounding neighbourhood, which contains existing single-detached dwelling units on R1 and R2 residential lots. The applicant is also proposing a building design which reflects the high quality and standard of architectural design seen throughout the surrounding area (see Appendix "C" – Conceptual Building Elevations). This will preserve the character of the area, including both existing homes and new development occurring on the west side of Cox Mill Road.
62. Section 4.2.2.5(a) discourages the spot re-zoning of residential lands when they would have a negative impact on an existing neighbourhood. Specifically, development that generates large amounts of traffic, noise, odours, dust and other nuisances which could have a negative impact on adjoining residential land uses shall be discouraged in order to maintain healthy, safe and liveable communities and a high degree of residential area amenity. In this case, the applicant is proposing to amend the zoning of the subject lands to an R2 zone which would permit single-detached dwellings. The surrounding neighbourhood is made up primarily of single-detached dwelling units on R1 and R2 residential lots. As such, the proposed development is considered to be compatible

with the existing built form and land uses in the area. In addition, the proposed development is not expected generate high volumes of traffic and is not considered to be a use that generates large amounts of noise, odours or dust.

63. Section 4.2.2.5(b) of the Official Plan requires uses in the Residential designation to have access to full municipal sewer and water services. The proposed development is consistent with this policy as the subject lands are serviced by municipal sewer, storm and water services located on Cox Mill Road.

Intensification Policies

64. Section 4.2.2.6 of the Official Plan encourages intensification in residential areas through residential conversions, infill, and redevelopment to promote an increase in planned and/or built densities, and to achieve a desirable compact urban form. Further, Section 4.2.2.6 of the Official Plan states that intensification will contribute to development that is more compact and will efficiently use land and resources, and optimize the use of existing and new infrastructure and services. The applicant is proposing to redevelop the subject lands with two (2) new single-detached dwelling units on lots that are similar in size and character to existing lots in the surrounding area. Planning staff are of the opinion that the proposed development is consistent with the Official Plan as it would result in a modest increase in density, a more compact and compatible built-form, and would efficiently utilize existing infrastructure on Cox Mill Road.
65. The proposed development would result in a modest increase in density on the subject lands due to the creation of one (1) additional residential lot. Specifically, the density would increase from 8.3 to 16.6 units per net hectare. Although the subject lands are not located within a designated intensification area, Policy 4.2.2.6(d) of the Official Plan contains six criteria in the assessment of development applications outside of intensification areas including:

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

The existing lots on Cox Mill Road are currently occupied by one (1) and two (2) storey single-detached dwelling units. The applicant is proposing two (2) single-detached residential lots with an area of 590 square metres and 16.15 metres of frontage. Each of the proposed lots would be developed with a two-storey single-detached dwelling unit. As a comparison, the nine (9) R2 residential lots located immediately west of the subject lands on Cox Mill Road have an average developable lot area of approximately 477 square metres and an average frontage of 16.2 metres (394 to 410 Cox Mill Road). The proposed lots have a greater developable area than the existing R2 lots located directly across the street on the west side of Cox Mill Road. Consequently, Planning staff are of the opinion that the scale and character of the proposed development is consistent with the existing built form and lot sizes in the surrounding area.

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

As noted above, the proposed development would utilize the existing road, sanitary, storm and water services on Cox Mill Road. Staff in the Engineering Services Department have confirmed that the proposed single-detached dwelling units can be adequately serviced by this existing infrastructure.

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

The subject lands are located within walking distance of a public transit route which runs along Hurst Drive. Transit stops are located at the intersection of Hurst Drive and Cox Mill Road.

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

The proposed development will not detract from the City's ability to achieve increased densities in areas where intensification is being encouraged. The City's Intensification Areas are intended to be developed with mid and high-rise residential and/or mixed-use developments. In this case, the subject lands are located within a low-density residential neighbourhood and the applicant is proposing single-detached dwellings. The proposed development is considered low-density residential and will result in a higher and better use of an existing residential lot that is currently occupied by one (1) single-detached dwelling unit. The proposed use of the land is also considered to be compatible with surrounding land uses, as the subject lands are surrounded by existing single detached residential lots. Therefore, the proposed development is considered to be appropriate for the area and will not have a negative impact on the City's ability to encourage intensification within the Urban Growth Centre and the Intensification Nodes and Corridors, which are better suited to accommodate medium and high density developments.

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

As noted in Appendix "C" of this staff report, the applicant has submitted conceptual building elevations in support of the subject application. The design and building materials being proposed by the applicant are consistent with that of the existing and proposed single-detached dwelling units located on Cox Mill Road. Therefore, Planning staff are of the opinion that the design of the proposed dwellings is of a high quality and would not have a negative impact on the safety and efficiency of the neighbourhood.

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

The subject lands do not contain any heritage resources. Therefore, the proposed development is consistent with this policy of the Official Plan.

66. The proposed development would satisfy the intensification policies noted above as it provides for a density of 16.6 units per net hectare through a more compact built form within an existing low-density residential neighbourhood; the project is considered infill development that utilizes existing municipal infrastructure; is within close proximity to and supports public transit; supports active transportation with direct access to municipal sidewalks; is serviced by local parks and schools; and, promotes energy efficiency through compact design and the efficient use of land.

Servicing and Transportation

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

Consent (Severance) Policies

68. Section 6.2 of the Official Plan is designed to guide the Committee of Adjustment when considering applications for the conveyance (severance) of land. As noted in paragraph 5 above, should the subject application be approved, the applicant would require a subsequent Consent (severance) application for the creation of the proposed lots (1 severed lot and 1 retained lot). Although Consent (severance) applications are considered by the Committee of Adjustment, Planning staff have

discussed the Consent policies of the Official Plan in paragraphs 69 to 72 below for General Committee's benefit.

69. Section 6.2.1.1 of the Official Plan states that, in the case of lot creation for infill development, the distance between the two existing lot lines shall be approximately 150 metres or less. The proposed development is consistent with this policy as the subject lands have a frontage of 32.3 metres.
70. To maintain the integrity of residential planning areas, Section 6.2.1.1 of the Official Plan requires the lot size, frontage and configuration of both the lot to be severed and the lot to be retained should be in keeping with existing, proposed and anticipated development in the area. As discussed in paragraphs 58 and 65 of this staff report, the subject lands are located in a neighbourhood which consists primarily of single-detached residential dwelling units on R1 and R2 residential lots. The proposed lots are consistent with the lot size, frontage and configuration found within the neighbourhood, particularly the nine (9) existing R2 residential lots located immediately west of the subject lands on Cox Mill Road (394 to 410 Cox Mill Road). Additionally, the applicant is proposing to develop the lands with two-storey single-detached dwelling units, which is consistent and compatible with the existing built form in the area.
71. Section 6.2.1.2 of the Official Plan requires that newly created residential lots shall be connected to full municipal services; shall have access to a municipal roadway without causing traffic hazards; and, shall not be located in areas which are subject to flooding, erosion or other physical hazards. The proposed development is consistent with this policy as the subject lands are connected to full municipal services, have frontage on and safe access to Cox Mill Road, and are not located within or adjacent to any natural hazard areas.
72. Section 6.2.1.2 further states that severances in urbanized areas may be permitted, however, development is encouraged to take place by registered plans of subdivision, particularly if one of the following apply:
 - i. Where more than 10 building lots, including the retained parcel, would be created;
 - ii. Where the extension of a public road or a new road allowance would be required; and,
 - iii. Where the extension of municipal water or sewer is required.

Should Council approve the proposed rezoning, Planning staff are satisfied that the proposed lot creation may proceed by way of a Consent (severance) application, as the proposal consists of only two (2) lots (1 retained and 1 proposed) and does not require the extension of municipal infrastructure and/or services.

Bonusing

73. The Bonusing Policies (Section 6.8) within the Official Plan permit the negotiation of community benefits when considering passing a By-law to increase the height and/or density of a development beyond what is currently permitted in the Zoning By-law. However, Section 6.8(c) states that development proposals in the R1, R2, R3, R4 and RM1 residential zones are not subject to the Bonusing policies of the Official Plan. As such, the Bonusing policies of the Official Plan do not apply to the subject application.
74. Zoning By-law 2009-141 does not have maximum density provisions for the R1, R2, R3, R4 and RM1 zones. The proposed development is consistent with the R2 zone standards in Zoning By-law 2009-141, particularly maximum building height. Furthermore, the proposed development is consistent with the density range of 12 to 25 units per hectare for low-density residential uses, in accordance with Section 4.2.2.2 of the Official Plan (16.6 units per hectare proposed).

Zoning By-law 2009-141

75. The applicant is proposing to amend the zoning of the subject lands from ‘Residential Single Detached Dwelling First Density’ (R1) to ‘Residential Single Detached Dwelling Second Density’ (R2). The purpose of the amendment is to facilitate the future severance of the subject lands for the creation of two (2) single-detached residential lots (1 severed and 1 retained lot).
76. Section 5.3.1 of Zoning By-law 2009-141, as amended, requires a minimum lot area of 500 square metres and 15 metres of frontage in the R2 zone. The proposed development would exceed the minimum lot area and frontage provisions as the applicant is proposing a lot area of 590 square metres and 16.15 metres of frontage for each lot (see Appendix “B” – Conceptual Site Plan). Additionally, the building setbacks for the proposed single-detached dwelling units exceed the minimum standards of the R2 zone, as noted in the table below.

Zoning Standard	Required – R2 Zone	Proposed – 403A	Proposed – 403B
Lot Area (min.)	500 m ²	590.71 m ²	590.71 m ²
Lot Frontage (min.)	15 m	16.16 m	16.16 m
Front Yard Setback (min.)	4.5 m	8.09 m	9 m
Side Yard Setbacks (min.)	1.2 m	2.29 m	2.29 m
Rear Yard Setback (min.)	7 m	14.33 m	13.41 m
Lot Coverage (max.)	45%	27.1%	27.1%
Building Height (max.)	10 m	9.45 m	9.45 m

77. The proposed zoning by-law amendment is consistent with zoning utilized in the redevelopment and intensification on surrounding lands and reflects appropriate densities in the context of current City and Provincial Planning policies. Such intensification is evident in the area, as nine (9) lots located immediately west of the subject lands on Cox Mill Road were rezoned to R2 residential in 2011 and have been recently developed with single-detached dwelling units or are currently listed for sale as building sites (394 to 410 Cox Mill Road).

Consent (Severance) Application

78. As noted throughout this report, should the subject application be approved, a subsequent Consent (severance) application would be required for the creation of the proposed lot. The Consent application would be considered by the Committee of Adjustment. The Consent application would be further reviewed by applicable City Departments and External Agencies, including, but not limited to: the Planning and Building Services Department, Engineering Services Department, Roads, Parks and Fleet Department and the Lake Simcoe Region Conservation Authority (LSRCA). In the interim, Planning staff note that consideration has been given to the appropriate Consent Policies of the Official Plan, as well as the City’s technical standards and guidelines for low-density residential development in the evaluation of the proposed Zoning By-law Amendment application.

Building Permit Application

79. Planning staff note that building permits would be required for the development of the proposed single-detached dwelling units. The proposed dwelling units would be reviewed for compliance with the Ontario Building Code and all applicable law, including zoning. Through this process, City staff would also review lot grading, drainage and site servicing for compliance with the City's technical standards and guidelines.

Summary

80. Planning staff have reviewed the proposed Zoning By-law Amendment application and associated comments, while having regard for conformity with relevant Provincial and City Planning policies. In staff's opinion, amending the zoning of the subject lands from 'Residential Single Detached Dwelling First Density' (R1) to 'Residential Single Detached Dwelling Second Density' (R2) to facilitate a future severance and construction of two (2) new single-detached dwelling units is considered appropriate and conforms to relevant Provincial Policy, the City's Official Plan and complies with the policy planning framework established for lot creation and residential infill and intensification.

ENVIRONMENTAL MATTERS

81. There are no environmental matters related to the recommendation.

ALTERNATIVES

82. There is one alternative available for consideration by General Committee:

Alternative #1 General Committee could refuse the subject Zoning By-law Amendment application and maintain the current 'Residential Single Detached Dwelling First Density' (R1) zoning designation on the subject lands.

This alternative is not recommended as the subject lands are suited for low-density residential development in the form and density proposed given the full range of services and facilities available in the area. The proposed amendment is also in keeping with the Provincial and Municipal policy for infill and intensification outside of the City's designated intensification areas.

FINANCIAL

83. The subject application, if approved, would permit the development of one (1) additional single-detached dwelling unit on the subject lands (2 total). The proposed development would generate an annual tax revenue of approximately \$7,896.00, based on 2019 tax rates.
84. Building permit application fees for the proposed development are estimated to be approximately \$8,619.68.
85. Current development charges for a single detached dwelling unit are \$47,111.00, plus a \$75.00 finance fee. Based on the Conceptual site plan submitted in support of the subject application, development charge revenue for the proposed development is estimated to approximately \$94,372.00. Development charges are calculated and paid at the time of issuance of the building permit.
86. The education levy for residential uses is currently \$1,759.00 per unit, which represents a total levy of \$3,518.00.

-
87. Cash in lieu of parkland is currently calculated at \$5,418.00 per residential unit, which represents a total contribution of \$10,836.00 for the proposed development (2019 rate, subject to an annual inflationary adjustment on January 1st of each year).
88. Given that there is an existing single-detached residential dwelling on the subject lands, a redevelopment DC credit in the amount of \$54,361.00 may be available provided the existing dwelling is demolished and building permits are issued within 60 months of the last date of occupancy of the current dwelling.
89. The City will also incur minimal additional operating costs associated with increased demand for municipal services outside of the development limits. However, the impacts of one (1) additional unit is anticipated to be minimal and are all normal growth-related expenses that are actively planned throughout the City's Capital Plan and Forecasting Plan.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

90. The recommendations included in this Staff Report support the following goals identified in the 2018-2022 Strategic Plan:
- Building Strong Neighbourhoods
 - i) Build Walkable, diverse neighbourhoods that encourage community connections; and,
 - ii) Grow responsibly.
 - Fostering a Safe and Healthy City
 - i) Build a greener Barrie while mitigating and adapting to climate change.
91. In accordance with Council's goals, the proposed development would provide for a more compact form of development that will maximize the use of the subject lands, and utilize existing City services and infrastructure. The proposed development would also have direct access to the municipal sidewalk and the City's transit service, improving the ability to get around and supporting active transportation.
- Attachments: Appendix "A" – Proposed Zoning By-law Amendment
Appendix "B" – Conceptual Site Plan
Appendix "C" – Conceptual Building Elevations
Appendix "D" – Technical Study Descriptions

APPENDIX "A"

Proposed Zoning By-Law Amendment



Bill No. 074

BY-LAW NUMBER 2019-XXX

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

WHEREAS the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141 to rezone lands known municipally as 403 Cox Mill Road, shown on Schedule "A" to this By-law from 'Residential Single Detached Dwelling First Density' (R1) to 'Residential Single Detached Dwelling Second Density' (R2).

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 19-G-XXX.

NOW THEREFORE the Council of The Corporation of the City of Barrie enacts the following:

1. **THAT** the zoning map is amended to change the zoning of 403 Cox Mill Road from 'Residential Single Detached Dwelling First Density' (R1) to 'Residential Single Detached Dwelling Second Density' (R2) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** the remaining provisions of By-law 2009-141, as amended from time to time, applicable to the above described lands as shown in Schedule "A" to this by-law shall apply to the said lands except as varied by this By-law.
3. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

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

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



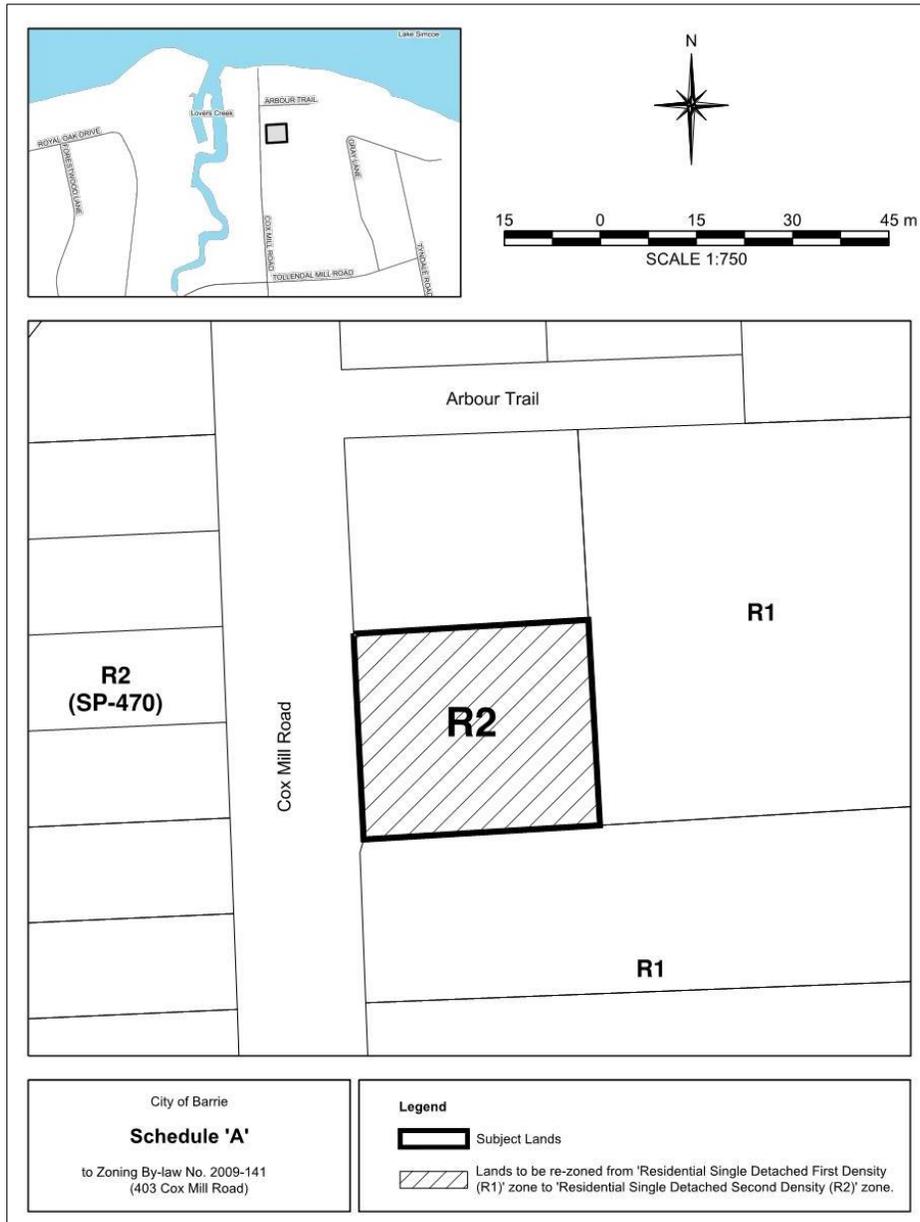
THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

- 2 -

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

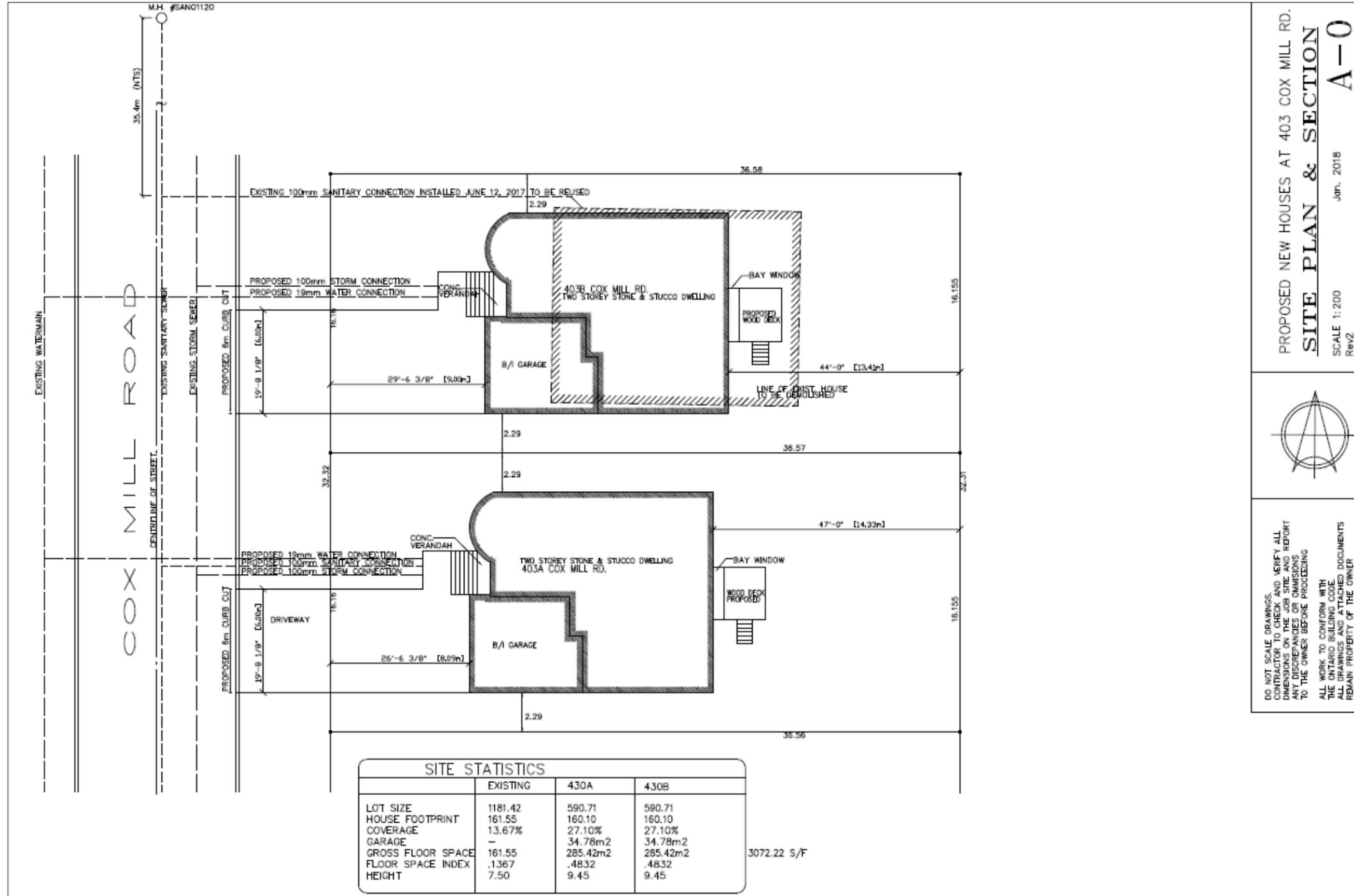


MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

APPENDIX "B"

Conceptual Site Plan



PROPOSED NEW HOUSES AT 403 COX MILL RD.
SITE PLAN & SECTION
SCALE 1:200
Rev2
Jan. 2018
A-0



DO NOT SCALE DRAWINGS.
CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS ON THE JOB SITE AND REPORT ANY DISCREPANCIES OR OMISSIONS TO THE OWNER BEFORE PROCEEDING.
ALL WORK TO CONFORM WITH THE ONTARIO BUILDING CODE.
ALL DRAWINGS AND ATTACHED DOCUMENTS REMAIN PROPERTY OF THE OWNER OF 403 COX MILL RD.

APPENDIX "C"

Conceptual Building Elevations

Front Elevation



Rear Elevation



APPENDIX "D"

Technical Study and Report Descriptions

- a) **Planning Justification Report** (October 2018) – provides a review of the property characteristics and surrounding lands, description of the proposed development as well as the planning policy basis and opinion of Skelton Brumwell & Associates Inc., that the proposal is an appropriate form of development and location for modest residential infill and intensification.

- b) **Tree Inventory, Analysis and Preservation Report** (December 2018) provides an assessment of the existing vegetation on the subject lands and makes recommendations on tree preservation, and how to protect trees during construction. The report concludes that seven (7) trees on the subject lands are recommended to be removed, while nine (9) existing trees are recommended to be preserved and protected. The report also notes that mitigation measures will be undertaken to ensure that the retained specimens are not irreversibly injured during site development. Additionally, where written consent has not been obtained from adjacent property owners, shared boundary trees will be preserved and protected in accordance with the City's Tree Preservation by-law.