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TO: GENERAL COMMITTEE

SUBJECT: APPLICATION FOR OFFICIAL PLAN AMENDMENT AND ZONING BY-

LAW AMENDMENT (PIVAG) - 45 AND 51 PENETANG STREET

WARD: 2

PREPARED BY AND KEY E. TERRY, RPP

CONTACT: PLANNER, EXT. #5135

SUBMITTED BY: A. MILLER, RPP

**DIRECTOR OF PLANNING AND BUILDING SERVICES** 

GENERAL MANAGER A

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 Official Plan Amendment application submitted by Innovative Planning Solutions, on behalf of PIVAG, for lands known municipally as 45 and 51 Penetang Street be approved as follows:
  - a) Amend Official Plan Schedule "A" Land Use to redesignate 45 Penetang Street from General Commercial to Residential:
  - b) Amend Schedule "C" Defined Policy Area to identify 45 and 51 Penetang Street as Defined Policy Area XX;
  - c) That notwithstanding the provisions of Section 4.2.2.3 (c) of the Official Plan, the text of the Official Plan be amended by adding Section 4.8.XX to permit a maximum density of 186 units per hectare on the subject lands.
- 2. That the Zoning By-law Amendment application submitted by Innovative Planning Solutions, on behalf of PIVAG to rezone from Residential Multiple Dwelling Second Density (RM2) and General Commercial (C4) to Residential Apartment Dwelling First Density-2 with Special Provisions (RA1-2) (SP-XX) be approved (D14-1660).
- 3. That the following Special Provisions (SP) be referenced in implementing Zoning By-law 2009-141 for the subject lands:
  - a) Permit a minimum front yard setback of 4 metres, whereas 7metres is required;
  - b) Permit a minimum interior side yard setback to the west property line of 3.5 metres, whereas 5 metres is required;
  - c) Permit a maximum gross floor area of 144%, whereas a maximum of 100% would be permitted;



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- d) Permit a minimum landscaped open space of 25%, whereas 35% is required;
- e) Permit a minimum landscaped buffer of 0.9 metres, whereas 3 metres is required;
- f) Permit a minimum parking ratio of 1 parking space per dwelling unit, whereas 1.5 spaces per unit is required;
- g) Permit a maximum building height of 19 metres, whereas 15 metres would be permitted; and
- h) Require a minimum consolidated rooftop amenity area of at least 30% of the building footprint.
- 4. That the owner/applicant is required to provide community benefits in accordance with Section 6.8 Height and Density Bonusing of the Official Plan, to be determined in accordance with City process to the satisfaction of the Director of Planning and Building Services.
- 5. That the development ultimately built substantially resembles the rendering submitted by the applicant on May 8, 2019 attached as Appendix "A" to Staff Report PLN024-19.
- 6. 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 the submissions and identified within Staff Report PLN024-19.
- 7. That pursuant to Section 34(17) of the *Planning Act*, no further public notification is required prior to the passing of the by-law. (PLN024-19) (D14-1660, D09-OPA75)

#### **PURPOSE & BACKGROUND**

#### Report Overview

- 6. The purpose of this Staff Report is to recommend approval of the subject applications, to permit the redesignation of the lands at 45 Penetang Street from General Commercial to Residential, to establish a Defined Policy Area within the Official Plan for both 45 and 51 Penetang Street to permit a maximum density of 186 units per hectare, and to rezone the lands from Residential Multiple Dwelling Second Density (RM2) and General Commercial (C4) to Residential Apartment Dwelling First Density-2 with Special Provisions (RA1-2) (SP-XXX). The effect of the applications would be to permit the development of a 6-storey residential apartment building with 50 units on the subject lands.
- 7. Staff have identified that a consolidated rooftop amenity area is appropriate for this development to meet the needs of future residents. Staff are recommending that the rooftop amenity be a minimum of 30% in area of the total building footprint as reflected in the recommended motion.
- 8. Through detailed review of the applications as submitted, consideration of public input, and consultation with staff, the original concept for this property has been modified by the applicant, including the requested special provisions applicable to the rezoning. The revised concept plan (Appendix "B" Revised Concept Plan) illustrates a 6 storey mid-rise building, however it should be clearly noted that the final confirmation of site design, and the details of the rooftop amenity area have not been formally established.



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- 9. Should Council approve the subject applications, the proposed development would be subject to Site Plan Control to further address detailed design matters, related but not limited to servicing, privacy, lighting, landscaping and the location of the waste enclosure on site.
- Staff have completed a detailed analysis of the supporting documentation provided by the applicant and conclude that an apartment building on this site meets the City's locational criteria for intensification outside of a designated intensification area. A mid-rise building on this site is consistent with existing development in the area, is accessible by transit, and is in close proximity to schools and close to the Urban Growth Centre. When assessed against all relevant Provincial and municipal policy, staff are of the opinion the proposal represents an appropriate form of development for the subject lands.

## Location

11. The subject properties are municipally known as 45 and 51 Penetang Street and are located northeast of the Urban Growth Centre within the Codrington Planning Area. An abandoned commercial building currently exists on site and the balance of the property is vacant. The property has a total area of 2,720.4m<sup>2</sup> with 53.9m of frontage on Penetang Street.



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Address: 45/51 Penetang

SUBJECT PROPERTY





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# Surrounding Land Uses

12. Existing land uses surrounding subject property consist of the following:

North: Medium density residential development; zoned Residential Multiple Dwelling Second Density (RM2)

South: Medium density residential development; zoned Residential Multiple Dwelling Second Density (RM2)

East: Pedestrian access connecting Penetang Street to Codrington Street and single detached residential development zoned; Residential Multiple Dwelling Second Density (RM2)

West: Medium density residential development; zoned Residential Multiple Dwelling Second Density (RM2)

#### **Existing Policy**

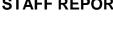
13. The properties are designated Residential and General Commercial in the City's Official Plan, and are zoned Residential Multiple Dwelling Second Density (RM2) and General Commercial (C4) in accordance with the City's Comprehensive Zoning By-law 2009-141. The lands are located within the Codrington Planning Area.

## **Supporting Information**

- 14. In support of the applications, the following studies and supplementary information was submitted. For additional information on all materials, please refer to Appendix "C" Technical Study Descriptions.
  - Planning Justification Report with a Shadow Study (Innovative Planning Solutions, November 2018)
  - Urban Design Brief (Innovative Planning Solutions, November 2018)
  - Functional Servicing Report (Pearson Engineering, November 2018)
  - Phase 1 Environmental Site Assessment (Skelton Brumwell & Associates Inc.)
  - Phase 2 Environmental Site Assessment (PEACE Environmental Inc.)
  - Preliminary Geotechnical Investigation (Peto MacCallum Ltd., September 2017)

# **Public Consultation**

- 15. A Neighbourhood Meeting was held on February 21, 2019. Approximately 10 members of the public were in attendance in addition to, the owners representatives and consulting team, Planning staff and the Ward 2 Councillor, Kennan Aylwin. The comments/concerns provided by residents at this meeting related to the following:
  - · Concerns with height of the building as a result of site grading;
  - Traffic concerns associated with additional vehicles on Penetang Street generated by the proposed development;
  - Rental rates of the proposed units:
  - Privacy and screening for existing residential properties to the south;
  - Impact of drainage on adjacent residential properties to the south and west; and
  - Potential lighting impacts on adjacent residential properties.



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16. A Public Meeting as required by the Planning Act, was held on April 15, 2019. Six members of the public provided comments at this meeting. Comments/questions received at this meeting related to: proposed building height, parking requirements, preservation of the existing commercial designation on site, number of bedrooms within the proposed units and privacy for existing residential properties adjacent to the site.

17. The comments/concerns expressed through the public consultation process are listed in the following Public Comments section of Staff Report PLN024-2019. Each comment is followed by a response from staff to demonstrate that the issues have been addressed in the review of this application to the greatest extent possible.

## **Public Comments**

#### 18. Change in Use

As part of the technical review associated with the subject applications, staff considered the change in the principal land use from commercial to residential. The proposed mid-rise residential apartment building would be located in proximity to the Urban Growth Centre (UGC) to the southwest and an Intensification Corridor to the immediate south on Codrington Street. A high concentration of commercial uses are within walking distance of the subject property in the UGC. The commercial portion of the property has remained vacant for a significant amount of time. In staff's opinion, it is appropriate to consolidate the two properties and develop them together as one mid-rise residential development. The density of the proposed development will contribute to the viability of commercial uses in the UGC and local transit routes.

#### 19. Proposed Building Height and Privacy

The proposed 6-storey mid-rise apartment building provides an appropriate transition to the UGC and is complimentary in height to the existing surrounding 3-storey and 4-storey residential buildings to the north, west, and south of the subject site.

The rooftop amenity area on top of the fifth story on the west side of the building provides a stepback in the building articulation from this west side yard and the proposed rendering illustrates that no balconies are proposed facing the side yards of the adjacent sites (see Appendix "D"). The building is also proposed to be located 23m from the rear yard, whereas a minimum rear yard setback of 7m would be required in accordance with the City's Comprehensive Zoning By-law. To address concerns of privacy to the adjacent lots to the south due to changes in grade, the applicant has responded by proposing additional trees along the south lot line to provide enhanced privacy above and beyond the existing trees and privacy fencing.

#### 20. Drainage

The Functional Servicing and Preliminary Stormwater Management Report and the Geotechnical Investigation Report submitted in support of the subject applications have identified that the technical requirements for redeveloping this property can be achieved without adversely affecting adjacent residential properties. If approved, the property would be subject to Site Plan Control at which time detailed engineering would be required to demonstrate that redevelopment can be supported in accordance with all technical standards to the satisfaction of the City.

#### 21. Traffic and Parking

Staff are of the opinion that the reduction to the parking ratio of 1 space per unit can be supported given proximity to public transit on Penetang Street, nearby amenities, services, and the UGC is



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within walking distance. The reduced parking ratio will promote active transportation including walking and cycling. City Traffic Operations staff have review the application and have no concerns with the traffic generated from the proposed development or the reduced parking ratio proposed.

Barrie Transit has identified plans for a high order transit route along the nearby Codrington Street in the near future. As such, the proposed parking ratio for the proposed development is also supported by the Transit Department.

## 22. Lighting Impacts

In accordance with the City's Comprehensive Zoning By-law, lighting facilities shall be directed away from abutting properties and streets. The applicant would be required to address the City's Dark Sky lighting policies at the time of a subsequent site plan application should Council approve the subject applications.

## **Department and Agency Comments**

- 23. The subject application was circulated to staff in various departments and to external agencies for review and comment. In general, the comments received indicated no concern with the principle of proposed development at this location. The City will require a protection and technical design considerations to meet the Master Planning objectives for municipal infrastructure and the delivery of services, including a future protection of 1.5 m for the ultimate right of way (R.O.W) widening along the entire Penetang Street frontage.
- 24. The Lake Simcoe Region Conservation Authority (LSRCA) confirmed that the proposal is generally consistent with the PPS, the Growth Plan and is in conformity with the Lake Simcoe Protection Plan and Ontario Regulation 179/06 of the Conservation Authorities Act. A detailed review of the Phosphorus Budget would be carried out through the subsequent Site Plan Approval Process should Council approve the subject applications.

#### **ANALYSIS**

# Policy Planning Framework

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

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

- 25. 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.
- 26. The proposed development is consistent with this policy in that it is located within the settlement area of the City of Barrie; will utilize existing and available infrastructure (sewage, storm and water)



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and public service facilities such as transit, recreation facilities and schools; provides for an alternate housing type in this neighbourhood; provides a compact form of development that minimizes impacts to climate change; is designed with a pedestrian oriented built form with direct access to transit and active transportation connections; and will contribute to the mix of land uses available to the larger community.

## **Provincial Policy Statement (2014) (PPS)**

- 27. 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 may be found in its entirety at the following link: <a href="http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463">http://www.mah.gov.on.ca/AssetFactory.aspx?did=10463</a>
- 28. Policy 1.1.1 outlines the means by which healthy, livable, and safe communities are sustained. This proposal is consistent with this policy as the development is located within the settlement area of the City of Barrie, is 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; contributes to the range of medium to high density residential units in the form of a mid-rise building, adds residential to the existing commercial uses in the nearby UGC (approximately 120m away from the subject site) to provide a mix of development in the area; and includes compact, high density development that utilizes serviced lands, thereby promoting cost efficiency and minimizing the consumption of land.
- 29. 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, will utilize existing and available infrastructure and facilities, proposes a density that is transit supportive with direct access to transit and the active transportation network, and provides a compact form of development with a rooftop amenity area that will contribute to minimizing the impacts to climate change.
- 30. Policies 1.1.3.3, 1.1.3.4 and 1.1.3.5 require municipalities to identify appropriate locations and promote opportunities for intensification and redevelopment, and to establish minimum targets for intensification within built up areas. The proposal is consistent with these policies as the property is located within a transition area in close proximity to the UGC where density targets of 150 units/jobs per hectare are to be provided in accordance with the overall intensification targets of the City.
- 31. 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 would provide high density housing in an area where sufficient infrastructure and public service facilities exist, is in close proximity to UGC where commercial uses are available, and has access to municipal transit and the active transportation network.
- 32. Policy 1.5.1 identifies that healthy, active communities should be promoted by meeting the needs of pedestrians, fostering social interaction and facilitate active transportation and community connectivity, and providing publicly accessible built and natural settings for recreation. This



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proposal is consistent with this policy as it encourages active transportation through the provision of bicycle parking and a reduced parking ratio given proximity to the UGC.

- 33. 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 land will be serviced by existing municipal sewage and water services.
- 34. Policy 1.6.7.2 identifies the efficient use of existing infrastructure. The Department of Roads, Parks and Fleet have determined that the proposed development would be adequately serviced by the existing road network surrounding the subject lands and is therefore consistent with this policy.
- 35. Policy 1.8.1 identifies the promotion of energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and climate change adaptation through compact built form, the use of active transportation and transit, and design and orientation that maximizes energy efficiency and conservation, and considers the mitigating effects of additional vegetation. The proposal is consistent with this policy in that it is a compact built form, and directly located on a transit route.
- 36. Policy section 3.1 Natural Hazards, requires that development to be directed outside of natural hazards. The proposal is consistent with this section as the property is not within a natural hazard area.
- 37. 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: Growth Plan for the Greater Golden Horseshoe (2019) (the Growth Plan)

- 38. A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2019) (the Growth Plan) provides a framework for implementing Ontario's vision for building strong, prosperous communities by managing growth in this region. It establishes the long-term framework for where and how the region will grow. The Growth Plan may be found in its entirety at the following link: <a href="https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe">https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe</a>
- 39. In accordance with the Guiding Principles found in Section 1.2.1 of the Growth Plan, the proposed development supports the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout their lifetime. The density of the proposed development results in the efficient use of land and existing municipal infrastructure, including Barrie Transit's Bus Route 3. The proposal also introduces a range of housing options into the neighbourhood so as to contribute to the existing mix of commercial uses in the UGC and lower density residential uses in this community.
- 40. Policies 2.2.1.2 (a), (c), (d) and (e) direct growth to settlement areas with existing water and wastewater systems that can support complete communities, focused in delineated built-up areas and strategic growth areas with existing transit and public service facilities, and directed away from hazardous lands. The proposal conforms to these policies by utilizing existing municipal water and wastewater systems, is located within an existing built-up area that is serviced by transit, is close to public service facilities (i.e. City Hall, the Court House and Library), and is not within or adjacent to hazardous lands.
- 41. Policy 2.2.1.4 identifies how complete communities will be achieved through a diverse mix of land uses; the provision of a range and mix of housing options to accommodate the needs of all household sizes and incomes; provision of a range of transportation options and public service facilities; and integration of green infrastructure and low impact development as much as possible.



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This proposal has multiple transportation options including active and public transportation, direct access to public service facilities such as public open space, and the inclusion of a compact built form that would aid in the mitigation of climate change impacts by efficiently using land and municipal services.

- 42. Policy 2.2.2 of the Growth Plan requires that a minimum of 50% of all residential development occurring annually within the City will be within the existing built-up area by the time that the next municipal comprehensive review is approved and in effect. This proposal conforms to this policy in that the proposed development is located within the City's built-up area and would contribute toward the required minimum 50% target.
- 43. To support the achievement of complete communities, policy 2.2.6.3 provides that municipalities require multi-unit residential developments to incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. The proposed development conforms to this policy through the addition of a variety of rental apartment inclusive of 1 and 2 Bedroom units.
- 44. Based on the foregoing, the proposed development conforms to, or does not conflict with, the Growth Plan for the Greater Golden Horseshoe (2017).

## City of Barrie Official Plan (OP)

- 45. The Official Plan provides guidance for the consideration of land use changes, the provision of public works, actions of local boards, municipal initiatives, and the actions of private enterprise. It gives direction for implementing by-laws, guidelines for more detailed planning and the means for managing growth so that the City's capacity to provide a healthy community environment is achieved. The Official Plan may be found in its entirety at the following link: <a href="https://www.barrie.ca/City%20Hall/Planning-and-Development/Pages/Official-Plan.aspx">https://www.barrie.ca/City%20Hall/Planning-and-Development/Pages/Official-Plan.aspx</a>
- 46. There are a number of policies in the Official Plan that support the development of these lands for mid-rise residential. These policies relate to providing increased densities, directing growth to take advantage of existing services and infrastructure, the provision of a range and mix of housing types at appropriate locations, and promoting a balance of land uses to achieve a complete community structure.
- 47. As noted previously in this report, the Official Plan Amendment Application under review proposes to change the principal land use at 45 Penetang Street from General Commercial to Residential and also to establish a "Defined Policy Area" to both 45 and 51 Penetang Street to permit a maximum density of 186 units per hectare. The site is 120 metres from the UGC (as established by the Province in 2008) and abuts the Codrington Intensification Corridor in accordance with Schedule 'I' of the Official Plan (defined by the City in 2009). Staff are satisfied that the redesignation from commercial to residential at this location will not have a significant impact on the retail market needs in this area, or the general availability of retail market space. Further, the introduction of residential population should benefit the existing retail market in the UGC.

## **Community Context**

48. Policies 2.3 (d) and (g) identify that there will be a growing need to provide residential densities which are higher, more cost effective, energy efficient, and more environmentally sustainable than previous development in the City. Intensification represent an opportunity to development complete communities, and is an essential component of the City's growth management strategy to minimize the infrastructure requirements of new development and to utilize existing services. The proposed development is in a location that provides appropriate transition to the UGC and proposes to meet the density objectives of the built boundary through the provision of a higher density multiple



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dwelling unit built form, utilizing existing infrastructure and services and supporting the use of public transit.

# Housing

- 49. The Housing Policies of the OP as provided for in Section 3.3.1, encourage complete communities with an appropriate range of housing types; building design and densities which efficiently use land, resources, infrastructure and public service facilities; contributes to safe, vibrant and pedestrian friendly streetscapes; and directs development toward locations where infrastructure and public service facilities are available. The proposed development is consistent with this policy in that it proposes residential intensification in an area where existing infrastructure (water, storm and sanitary services) and transit are available and will contribute to the development of a vibrant pedestrian friendly streetscape providing "eyes on the street" with windows and balconies facing Penetang Street.
- 50. Policies 3.3.2.1 (a), (b), (c) and (g) of the Official Plan encourage the maintenance of reasonable housing costs by encouraging a wide range of housing opportunities in order to meet identified housing needs where it is recognized to be in accordance with good land use planning principles. The Official Plan further encourages residential intensification in built-up areas in order to support the viability of neighbourhoods and provide opportunities for a variety of housing types at densities consistent with the Official Plan. Residential intensification includes infill development, which refers to the development of vacant or under-used parcels within existing urban areas.
- 51. Staff are satisfied the proposal conforms to these policies of the Official Plan given that the proposed development provides for an alternative housing form with a variety of unit sizes that would contribute to a compact urban form and the efficient use of land and resources, supports transit, optimizes the use of existing infrastructure and services within an existing built-up area of the City and is generally consistent with the density targets of the Official Plan.

# Affordable Housing

- 56. Section 3.3.2.2 a) (ii) identifies the goal that a minimum target of 10% of all new housing units be affordable. In the case of rental, the criteria for affordable housing is identified as the least expensive of:
  - a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households: or
  - a unit for which the rent is at or below the average market rent of a unit in the regional market area
- 57. The County of Simcoe has identified that the median household income for the City of Barrie is \$79,984. As such, the average household income in the City of Barrie would allow for a monthly rental rate of \$1,999, representing 30 percent of household income spent on an annual basis. The size and variety of rental apartment units proposed, would contribute to a type of residential housing that is more affordable than traditional single detached housing in the City of Barrie. Further, the provision of 50 rental units associated with the proposed development would contribute to improving the City's rental housing availability and may assist in reducing rental rates across the City by increasing the rental housing stock. Consequently, staff are of the opinion that the development would satisfy the affordable housing policies of the Official Plan by contributing to the affordable and rental housing supply in the City of Barrie.



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## **Land Use Policies**

- 58. The Goals for Residential Land Use outlined in Section 4.2.1, outline the need to promote a sense of neighbourhood, foster complete communities through a mix of land use, develop high-quality and plan for new medium and high density development in Intensification Areas. These goals are represented in the principle of development for the subject lands, including the development of higher density residential units available in close proximity to the commercial nature of the UGC.
- 59. The subject lands are designated Residential in the City's Official Plan. Residential lands are intended to provide a variety of housing types and tenure options. Official Plan Policy 4.2.2.3 (c) states that "High density development in excess of 150 units per hectare shall be restricted to locations within the City Centre unless an amendment considering the (locational) criteria...and other relevant policies of this Plan has been approved." With the exception of policy 4.2.2.3 (c), there are no maximum densities associated with high density residential development in the City's Official Plan.
- 60. The subject application proposes to amend the Official Plan on a site specific basis to allow for an apartment building at 45 and 51 Penetang with an overall site density of 186 units per hectare. Official Plan policy 4.2.2.3 (b) provides locational criteria for considering medium and high density residential development. The criteria state that medium and high density development shall be encouraged to located in the Intensification Areas identified on Schedule 'I' of the Official Plan and shall be generally directed toward areas that are:
  - i. adjacent to arterial and collector roads;
  - ii. in close proximity to public transit, and facilities such as schools, parks, accessible commercial development; and
  - iii. where planned services and facilities such as roads, sewers and watermains, or other municipal services are adequate.
- 61. In staff's opinion, the subject lands would satisfy the locational criteria for intensification stated in policy 4.2.2.3 (b) in accordance with the following:
  - The property has frontage on Penetang Street, a minor collector road capable of supporting the additional traffic created by a mid-rise development without service upgrades;
  - ii. Schools nearby include Codrington Public School, Oakley Park School, & Barrie North Collegiate. Shopping, Governmental (Institutional uses), and the UGC are within walking distance. Neighbourhood parks are nearby (Berczy Street Park and Archie Goodall Park), as is the Barrie Waterfront (Kempenfelt, Bayview, and Heritage Parks) within a kilometre south of the property. Penetang Street and Codrington Street to the south are serviced by public transit (Route 3 that operates one-way on each street) with two stops in close vicinity in each direction.
  - iii. The Functional Servicing Report concluded the proposed development will require the connection of sanitary and watermain services to the existing municipal services on Penetang Street.
- 62. Section 4.2.2.6 (d) states that Development applications that propose residential intensification outside of the Intensification Areas will be considered on their merits provided the proponent demonstrates the following to the satisfaction of the City:
  - i. That the scale and physical character of the proposed development is compatible with, and can be integrated into, the surrounding neighbourhood.



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The immediate area includes three-and-four storey residential buildings, providing an appropriate transition to the Intensification corridor on Codrington Street and the UGC (within 120 metres).

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

The lands are located on the south side of Penetang Street, a minor collector road, near the intersection of Penetang Street and Berczy Street, and are in close proximity to four arterial roads (Codrington Street, Bayfield Street, St. Vincent Street, and Duckworth Street), that act as transportation corridors with access to Highway 400 through two interchanges. Schools nearby include Codrington Public School, Oakley Park School, & Barrie North Collegiate. Shopping, Governmental (Institutional uses), and the downtown core are within walking distance of the subject lands. Neighbourhood parks are nearby (Berczy Street Park and Archie Goodall Park), as is the Barrie Waterfront (Kempenfelt, Bayview, and Heritage Parks) within approximately one (1) kilometre south of the subject property.

iii. That public transit is available and accessible.

> In this regard, Penetang Street and Codrington Street to the south are serviced by public transit (Route 3 that operates one-way on each street) with two stops in close vicinity in each direction. The Barrie Transit Terminal is within 1.3 kilometres.

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

It is not anticipated that this relatively small development will detract from the development objectives for the adjacent Urban Growth Centre and Primary Intensification Corridor. Staff are of the opinion that the proposed development will assist the City in achieving its provincially mandated growth targets.

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

Urban design is a key consideration, with appropriate surface parking positioned to the rear and buffered from view along the Streetscape. Further parking is located below the building, while numerous landscaped spaces can be found throughout the concept plan.

#### Servicing and Transportation

- 63. 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 and other public utilities.
- 64. The Official Plan identifies goals to protect and enhance water quality, encourage effective stormwater management, and ensure stormwater management practices minimize stormwater peak flows and other negative impacts. Policies 5.3.2.2 (a) and (b), and 5.3.2.3 detail how development shall achieve these goals and outline applicable design criteria. Staff are satisfied that detailed technical investigation for the proposed development, including the implementation of



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innovative stormwater management measures, will adequately address these policies through the Site Plan Control process.

- 65. The required provisions outlined in Policy 5.4 Transportation, specifically Policy 5.4.2.1 have been applied to the subject lands, which are located on Penetang Street as identified on Schedule D Roads Plan. In accordance with Schedule 'E', there are no road widening conveyances associated within the proposed development. However, in accordance with the Multi Modal Active Transportation Master Plan (MMATMP), a future road widening protection zone of 1.5m was identified along the entire Penetang Street frontage. The intent of this protection zone is to restrict the placement of any permanent structures or parking so as to ensure there are no site deficiencies created should the City require these lands in the future for widening purposes. Details of the future protection zone would be further addressed through a subsequent site plan application.
- 66. The Official Plan further identifies goals to promote healthy communities, active living, public transit, all forms of active transportation, and the safe integration and connectivity between the various modes of transportation. Policies 5.4.2.3 (a), (c), and (f) detail how new development shall encourage and promote public transit. This development conforms to these policies through the provision of increased densities that supports the local transit service, provides pedestrian connections to municipal sidewalks, municipal transit along Penetang Street.

## Tall Building Policies

- 67. The Tall Buildings and Height Control policies of Section 6.6 were reviewed as it relates to the proposed 6-storey building. The subject lands are positioned fronting a minor collector road and public transit corridor, Penetang Street, with a right-of-way that is 20 metres wide. Tall buildings directly contribute to the look and feel of the City's architectural styles and are held to a high standard of design excellence by using quality urban design, architectural treatments, and building materials to promote a visually interesting skyline. The proposed building promises to compliment and add to the variety in styles along Penetang Street. The proposed building will be of a highquality design with a variety of materials and treatments. The proposed built form and architectural design will create a pedestrian-friendly realm and improved Streetscape. The policies for Building Shadowing in Section 6.6.4 (a) were reviewed through a Shadow Study in conjunction with policies for Street Level Activity in Section 6.6.4 (d). The policies state that tall buildings are to be designed to best mitigate the impact of shadows on public parks and open spaces, private amenity areas, and surrounding streets, throughout the day. New tall buildings are to foster a pedestrian friendly public realm by featuring a street wall of built form, with building facades to be positioned and oriented along the property line in order to achieve a uniform street edge.
- In general, urban areas will have shadowing implications from existing and proposed developments due to the very nature of an urban environment and intensification objectives for higher density development through the provision of tall buildings. While shadowing cannot be eliminated, it may be reduced and mitigated through good urban design and building orientation and placement on a site. The shadow analysis submitted in support of the subject application, provides that minimal shadow impacts would be cast on surrounding properties across and on the street in the Spring/Fall. Other orientations and placement of the building were considered; however, the proposed orientation best suits the characteristics of the site as well as the City's Urban Design Guidelines. With the proposed layout, the building would not require any additional setbacks, stepping provisions beyond the west side step back provided, or other such design measures to reduce shadow impacts, thereby providing a building facade along the property line that creates a uniform street edge, with a main entrance accessible from the public sidewalk. The proposed building also incorporates articulations, massing and materials that respect a pedestrian scale and creates visual interest.



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#### <u>Implementation</u>

- 68. In accordance with Section 6.4 Parkland Dedication Requirements of the OP, cash-in-lieu of parkland be required at the time of site plan approval for the subject lands.
- 69. In accordance with Section 6.8 of the OP, upon the City determining that an application that would have the effect of permitting an increase in the height and/or density that exceed the maximum height and/or density permitted in the Zoning By-law is appropriate, City staff shall also recommend for the provision of community benefits pursuant to Section 37 of the Planning Act provided that:
  - The development constitutes good planning and is consistent with the goals, objectives and policies of this Plan;
  - The community benefit provided bears a reasonable planning relationship to the increase in the height and/or density of the proposed development including having an appropriate geographic relationship to the development; and
  - Adequate infrastructure exists or will be provided by the developer to support the proposed development.
- 70. Based on the foregoing, the proposed development, if approved, is considered to be consistent with or does not conflict with the City's Official Plan. The conceptual site plan, attached as Appendix "E" to this report, does, in the opinion of staff, meet the general intent of the Official Plan.

# Comprehensive Zoning By-law 2009-141

71. As noted in the recommendation, as well as identified in previous sections of this report, the applicant has proposed a rezoning of the subject lands from Residential Multiple Dwelling Second Density (RM2) and General Commercial (C4) to Residential Apartment Dwelling First Density-2 - Special Provision (RA1-2-SP). The proposed 6-storey residential apartment dwelling complies with the residential uses permitted under the proposed RA1-2 zone under the existing Zoning Bylaw, however a number of site specific zoning provisions have been requested (see Appendix "F").

# Zoning Rationale for Special Provisions (SP)

72. Staff are of the opinion that the following special provisions will provide appropriate and flexible standards to successfully guide the development of this property to facilitate the requested built form in accordance with the concept site plan submitted in support of this application.

#### Front Yard Setback

73. The applicant is proposing a front yard setback of 4m, whereas the By-law requires a minimum front yard setback of 7m. The general intent and purpose of the zoning by-law is to ensure that buildings have a strong street presence and are located within close proximity to the municipal sidewalk. The goal of the zoning by-law is to create pedestrian-friendly and transit supportive streets where there is a connection between private developments and the municipal sidewalk. The proposed front yard setback would result in a building with a strong street presence, while still providing opportunities to incorporate pedestrian connections to the municipal sidewalk to create a pedestrian-friendly environment along a transit route.

# West Interior Side Yard

74. The applicant is proposing a west side yard setback of 3.5m, whereas the By-law requires a minimum side yard setback of 5m. The general intent and purpose of side yard setbacks is to ensure that there is an appropriate separation between land uses. Staff recognize that while the



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deficient side yard setback is proposed adjacent to an existing low rise building, the applicant is providing enhanced landscaping along the western boundary of the site. Further, balconies are not proposed to be located on the west side elevation of the proposed development so as to maintain the privacy of the existing low rise building to the west. This special provision is considered appropriate by staff.

#### Maximum Gross Floor Area

75. The applicant is proposing a maximum gross floor area of 144% whereas the By-law requires a maximum GFA of 100%. The general intent and purpose of a maximum gross floor area is to regulate the overall scale and massing of a building. Staff are of the opinion that the proposed increased floor area would result in a more efficient use of the subject lands and provides for a more appropriate housing form for the surrounding area that is consistent with the City's growth targets. This provision is considered appropriate given the context of the surrounding neighbourhood and the design of the proposed development.

#### Landscaped Open Space

76. The applicant is proposing a minimum Landscaped Open Space of 25%, whereas the By-law requires 35%. Landscaped open space is intended to provide separation between land uses and amenity areas for residents to ensure a site is not entirely devoid of greenspace. The proposed applications have a deficiency of 10% of landscaped open space from the zoning by-law. Staff are of the opinion that sufficient landscape areas would be located along the southerly limits of the property in addition to the provision of the proposed rooftop amenity area and ground floor amenity space for the enjoyment of the future residents. In general, the landscape areas provide sufficient area for green space on the parcel and the proposed amenity areas for the residents are considered to be appropriate.

## East Landscape Buffer

- 77. The applicant is proposing a minimum landscaped buffer of 0.9m for the east and south side yard whereas the By-law requires a minimum landscape buffer of 3m. The general intent and purpose of this provision is to ensure that landscape buffer strips are wide enough to accommodate buffer planting and tight board privacy fencing so as to screen parking areas from adjacent residential land uses. Buffer planting and privacy fencing assist in mitigating impacts associated with noise, lighting, vehicular traffic and pedestrian activity.
- 78. Staff recognize that the reduced Landscape Buffer Area of 0.9 metres from 3 metres is only associated with the eastern lot line, adjacent to the proposed driveway, as well as a small pinch point along the south lot line. Along the east lot line, the proposed residential apartment building is sufficiently set back 12.9 metre (in addition to a 4.65 metre pedestrian access) from the adjacent residential lot. In accordance with the Zoning By-law, a 2.0-metre high tight board fence would also be required to be constructed around the perimeter (east, west, south lot lines) as a component of the proposed development. The minimum landscaped buffer area of 3.0 metres is exceeded in some areas along the west and south lot lines. Staff consider the reduced landscaped buffer area provision minor in nature.

# Minimum Parking Ratio

79. The applicant is proposing a parking ratio of 1 parking space per unit, whereas the City's Comprehensive Zoning By-law 2009-141 requires a minimum of 1.5 spaces per unit. The general intent and purpose of the parking standard is to ensure that there is sufficient parking available on site to support the proposed use. The parking reduction is supported by access to public transit,

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nearby amenities, services, and the urban centre. The reduced parking ratio will create less vehicular traffic to and from the site, while also promoting active transportation including walking and cycling. Given the location of the site and taking into consideration the locational criteria as it relates to the site, staff are of the opinion that the proposed parking ratio is appropriate.

#### **Building Height**

- 80. The applicant is requesting a maximum building height of 19 metres (6-storeys), whereas a maximum building height of 15 metres (5-storeys) would be permitted in accordance with the propose RA1-2 zoning for the property. The general intent and purpose of the maximum building height provision is to ensure that building heights are generally compatible with surrounding land uses, provide an appropriate transition to existing residential neighbourhoods, and do not result in unreasonable shadowing on adjacent lands.
- 81. Planning staff are satisfied that the proposed increase in height is appropriate and will not have a negative impact on the adjacent residential properties given that the west side step-back as well as increased separation distances have been provided from the south and east property limits, adequate buffer/infill plantings and tight board privacy fencing are proposed through the subsequent site plan control process. In addition, shadowing over adjacent properties and streets upon completion of the proposed building is not considered to be unreasonable based on the shadow study provided in the Planning Justification Report. Planning staff are of the opinion that the proposed 19 metre (6-storey) height associated with the proposed building would provide for a desirable built form along Penetang Street that is generally consistent with the low to mid-rise character of the surrounding neighbourhood.

#### Consolidated Rooftop Amenity Area

82. The applicant is proposing a consolidated rooftop amenity space with a minimum area of 30% of the building footprint of the proposed building. Consolidated amenity area is not required by the by-law but is considered appropriate in this instance to compensate for the requested reduced landscaped open space. As a result, staff a recommending a site specific zoning provision over the subject lands to ensure that this amenity space is provided at the time of site development as reflected in the recommended motion of this report.

## Site Plan Control

- 83. Should Council approve the proposed Official Plan Amendment and Zoning By-law Amendment applications, the development of the project would be subject to Site Plan Control per Section 41 of the *Planning Act* and in accordance with By-law 99-312. Site Plan Control addresses the detailed design and technical development of the site in accordance with current policy, standards and design guidelines. To ensure more than just the basic standards of development are applied to the final design of the project, a concept plan and urban design brief were required for review as part of the subject application.
- 84. Elements of detailed design that will be applied at the Site Plan stage include, but are not limited to:
  - a) Streetscape and built form design;
  - b) Pedestrian accessibility, walkability and direct linkages to transit;
  - c) Surface parking lighting;
  - Service Infrastructure, stormwater management, water balance and phosphorous loading; and
  - e) Location and availability of waste storage/collection and snow storage.



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#### **ENVIRONMENTAL MATTERS**

85. There were no environmental matters to be considered in the development of this recommendation.

# <u>ALTERNATIVES</u>

86. The following alternatives are available for consideration by General Committee:

#### Alternative #1

General Committee could deny the proposed Official Plan and Zoning Bylaw Amendment applications for Residential Apartment use and maintain the existing Residential Multiple Dwelling Second Density (RM2) and General Commercial designation and (C4) zone for the subject lands.

This alternative is not recommended as the redesignation and rezoning of these lands would support the development of a large vacant parcel in a transition area adjacent to the UGC. The proposal would add a higher density residential use into the mix of land uses in this area thereby promoting a complete neighbourhood with pedestrian connections and opportunities for successful commercial uses.

#### Alternative #2

General Committee could approve the Official Plan Amendment and Zoning By-law Amendment application without the requested Special Provisions (SP).

This alternative is not recommended, as the collaboration with staff has resulted in the original application being amended to ensure the required SP's are generally consistent with the City's principles for designing appropriate infill projects, including the streetscape orientation of buildings to create and encourage a pedestrian friendly, appropriate setbacks to address privacy and landscaping, active transportation and transit user interface.

## **FINANCIAL**

- 87. The proposed rezoning of the subject parcel, at a minimum, would permit the development of 50 rental apartment units. The annual property tax revenue based on the cost of the building being approximately \$15,000,000.00 for the proposed development is \$1,653 for each of the potential 50 units for a total of \$82,650.00. The current tax revenue from the property is \$20527.47. Therefore the estimated municipal property tax increase would be approximately \$62,122.58.
- 88. Building permit application fees as an average are estimated to be in the order of \$1,857.55 per unit which would represent a total fee of approximately \$92,877.40 for the estimated 50 units proposed. (2019 rate, subject to an annual inflation adjustment on January 1st of each year). Permit fees based on \$20.90/m2 for residential and underground parking at \$9.60/m2. Area of building appear to be 814m2 x 5 storeys for a total of 4070m2 plus 814m2 of underground parking.
- 89. Current development charges for an apartment unit are \$20,770.00 for Bachelor and 1-Bedroom Apartment dwelling units, and \$29,048 for 2+ Bedroom apartment dwelling units. Therefore the development charge revenue is estimated to be \$1,204,060.00 for the proposed development. (2019 rate, calculated at time of building permit issuance, subject to an annual inflation adjustment

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on January 1st of each year. It is also anticipated that a new DC by-law will be passed June 17, 2019 that will result in revisions to the DC rates.)

- 90. The Education levy is currently \$1,759 per unit, which represents a total levy of \$87,950.00 for the estimated 50 units. (2019 rate)
- 91. A cash in lieu of parkland contribution will be required. The amount is currently \$5,418 per residential unit, which represents a total levy of \$270,900.00 for the estimated 50 units (2019 rate). Cash in Lieu of Parkland fees are subject to an annual inflationary adjustment on January 1<sup>st</sup> of each year, and will be re-assessed in the fall of 2019 which may result in revision to the Cash in Lieu of Parkland rates.

# **LINKAGE TO 2018–2022 STRATEGIC PLAN**

- 92. The recommendation(s) included in this Staff Report support the following goals identified in the 2018-2022 Strategic Plan:
  - Building Strong Neighbourhoods

93. In accordance with Council's strategic goals, the proposal represents redevelopment of an underutilized site within walking distance of the Urban Growth Centre with higher density residential rental uses. The introduction of the proposed mid-rise built form will provide an alternative housing option, and promotes the integration of residents to support a diverse and complete community with a mix of land uses.

Attachments: Appendix "A" – Proposed Official Plan Amendment Schedule

Appendix "B" - Proposed OP Amendment to Schedule C - Defined Special Policy Area

Appendix "C" - Technical Study Descriptions

Appendix "D' – Proposed Elevation Appendix "E" – Conceptual Site Plan

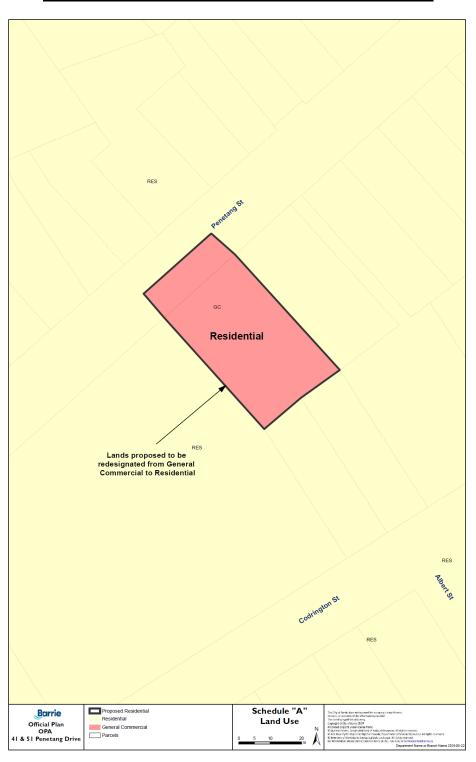
Appendix "F" - Proposed Zoning By-law Amendment



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# APPENDIX "B" Proposed Official Plan Amendment to Schedule C – Defined Special Policy Area





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#### **APPENDIX "C"**

## **Technical Study Descriptions**

In support of the application, the following studies and supplementary information was submitted:

# a) Planning Justification Report (Innovative Planning Solutions, November 2018)

The Planning Justification Report described the surrounding area and general details for the proposed development of this property. The detail includes the identification of the site as forming part of a transitional area in close proximity to the Urban Growth Centre to the south-west and an Intensification Corridor to the immediate south and includes a shadow study.

The analysis included basic justification for consideration of the application in accordance with the applicable Provincial and City documents, including the Provincial Policy Statement, Places to Grow, the City's Official Plan and Intensification initiatives. The report articulates that the former commercial property at 45 Penetang Street has remained vacant for a period of time and that the site is within 120 m of the UGC. In the opinion of the Planning Consultant, this project met the goals and directives of these documents.

## b) Urban Design Brief (Innovative Planning Solutions, November 2018)

The Urban Design Brief was a comprehensive design submission that included street view, floor plans, proposed built form and elevations for the mid-rise building to support the proposed concept. In the opinion of the Planning Consultant, the development met the goals and directives of good design. It is anticipated that this brief will be updated at the Site Plan Control stage to reflect the revised development concept, any modifications to built form, and the integration of the rooftop amenity into the design.

#### c) Functional Servicing Report (Pearson Engineering, November 2018)

The Functional Servicing Report reviewed the existing infrastructure to service the proposed change in land use and density at this location. The consulting team concluded the proposed development will require the connection of sanitary and watermain services to the existing municipal services on Penetang Street. Storm services for the development will be conveyed to Penetang Street.

The SWM design for this site takes into account the existing conditions and is contained within the site's boundaries. A Jellyfish filter and permeable pavers are proposed to provide the required quality control to satisfy the MOE Enhanced level requirements and underground storage chambers are proposed for quantity control.

#### d) Phase 1 Environmental Site Assessment (Skelton Brumwell & Associates Inc.)

The Phase 1 ESA of the subject lands includes a review of historical information as well as a site inspection to develop an opinion about the possibility of any contaminants on the site. The consulting team concluded that there is a potential for contamination on the subject lands and recommended that a Phase 2 ESA be completed.

# e) Phase 2 Environmental Site Assessment (PEACE Environmental Inc.)

The objectives of the ESA Phase 2 investigation were:

• Determine potential sources of environmental liability associated with the site, arising from current and historical activities on the site.

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- Determine through intrusive testing whether soil and/or groundwater at the site has been adversely
  impacted by those new potential sources of environmental liability as identified and disclosed by the
  client.
- Delineate the extent of the impacts, should any exist.

The consulting team concluded that none of the Contaminants of Concern pose any risk and that the site under investigation does not require any further environmental investigation.

# f) Preliminary Geotechnical Investigation (Peto MacCallum Ltd., September 2017)

A Geotechnical report was prepared to examine the subsurface soil and support capabilities for the future development of the site for multi-storey residential uses. The report concludes that development can be supported, however it is anticipated that geotechnical expertise will be required as part of the detailed design and construction processes.

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# **APPENDIX "D"**

# **Proposed Building Elevation – Artist Rendering**



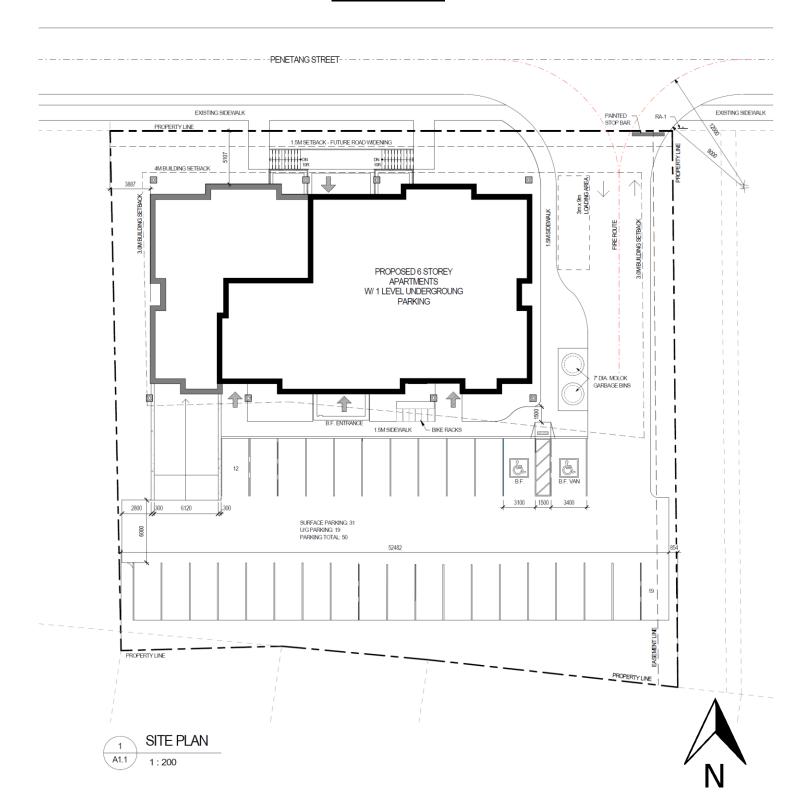


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## **APPENDIX "E"**

# **Concept Site Plan**





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### **APPENDIX "F"**

### **Proposed Zoning By-Law Amendment**



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 Bylaw 2009-141 to rezone lands known municipally as 45 & 51 Penetang Street from General Commercial (C4) Zone and Residential Multiple Dwelling 2nd Density (RM2) Zone to Residential Apartment Dwelling First Density-2 – Special Provision (RA1-2 (SP-)) Zone.

**AND WHEREAS** the Council of the Corporation of the City of Barrie may pass by-laws pursuant to Section 34 of the Planning Act, R.S.O 1990, as amended;

**AND WHEREAS** the Council of the Corporation of the City of Barrie has determined a need to rezone a parcel of land known municipally as 45 & 51 Penetang Street;

**AND WHEREAS** the Council of the Corporation of the City of Barrie deems the said application to be in conformity with the Official Plan of the City of Barrie, as amended, and deems it advisable to amend Bylaw 2009-141.

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

- THAT the Zoning By-Law Map, is hereby further amended by rezoning those lands municipally known as 45 & 51 Penetang Street in the City of Barrie, from General Commercial (C4) and Residential Multiple Dwelling 2nd Density (RM2) to Residential Apartment Dwelling First Density-2 – Special Provision (RA1-2 (SP-\_\_)) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
- 2. THAT Notwithstanding anything to the contrary found in this By-law, the following special provisions shall apply to the lands zoned (RA1-2-SP), being the subject property:
  - Minimum Parking Ratio of 1 space per unit (Table 4.6);
  - Minimum Front Yard Setback of 4.0 metres (Table 5.3);
  - Minimum Side Yard (Interior) of 3.5 metres (Table 5.3);
  - Maximum Gross Floor Area (GFA) to Lot Area of 144% (Table 5.3);
  - Maximum Height of 15.7 metres (Apartment Dwelling First Density-2) (Table 5.3.2);
  - Minimum Landscape Open Space of 3.5 metres in Depth from a Secondary Means of Access, 25% (682 m2) (Section 5.3.3.2);
  - Minimum Landscape Buffer Area of 0.9 metres from the surface parking area (Section 5.3.7).



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3.	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.

- 4. THAT the owner/applicant is required to provide community benefits in accordance with Section 37 of the *Planning* Act, to be distributed as follows:
  - a. That a minimum of 10% of all community benefit bonusing money be deposited in the Community Improvement Facility Reserve;
  - b. That a minimum of 70% of all community benefit bonusing money be deposited in an Affordable Housing Reserve; and
  - c. That 20% of all community benefit bonusing money be allocated to a project directed to the priorities established for Ward 2 funds.
- 5. THAT this by-law shall take effect as of the date of passing, subject to the provisions of the Planning Act, R.S.O. 1990, Ch. P.13 as amended.

<b>READ</b> a <b>FIRST and SECOND</b> time and finally <b>PASSED</b> thisday of _	2019.
THE CORPORATION	ON OF THE CITY OF BARRIE
	Mayor

Clerk



**Barrie** 

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