
TO: GENERAL COMMITTEE

SUBJECT: ZONING BY-LAW AMENDMENT APPLICATION - PARK CITY INC.
152 AND 156 MILLER DRIVE

WARD: 5

PREPARED BY AND KEY CONTACT: C. MCLAREN, RPP
SENIOR PLANNER, EXT. #4719

SUBMITTED BY: M. BANFIELD, RPP
DIRECTOR OF PLANNING AND BUILDING SERVICES

GENERAL MANAGER APPROVAL: A. MILLER, RPP
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 Innovative Planning Solutions on behalf of Park City Inc. to rezone lands known municipally as 152 and 156 Miller Drive, from Residential Single Detached Dwelling First Density (R1) to Residential Single Detached Dwelling Fourth Density - Special Provision, Hold (R4)(SP-XXX)(H-XXX) and Residential Multiple Dwelling Second Density - Special Provision, Hold (RM2)(SP-XXX)(H-XXX), be approved.
2. That the following Special Provisions be referenced in the implementing Zoning By-law for the proposed Residential Single Detached Dwelling Fourth Density (R4)(SP-XXX)(H-XXX) lots associated with the subject lands:
 - a) Permit a maximum building height of 10.5 metres, whereas 10 metres would be required;
 - b) Permit a minimum lot area of 240 metres squared, whereas 335 metres squared would be required; and
 - c) Permit a minimum rear yard setback of 5.3 metres, whereas 7 metres would be required.
3. That the following Special Provisions be referenced in the implementing Zoning By-law for the proposed Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) block associated with the subject lands:
 - a) Permit a maximum building height of 10.5 metres, whereas 10 metres would be required;
 - b) Permit a minimum lot frontage of 12.8 metres, whereas 21 metres would be required;
 - c) Permit a minimum rear yard setback of 6 metres associated with unit numbers 32, whereas 7 metres would be required;
 - d) Permit a minimum easterly interior side yard setback of 1.2 metres associated with unit numbers 35, whereas 1.8 metres would be required;

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- e) Remove the requirement for maximum Gross Floor Area, whereas a maximum Gross Floor Area of 60 percent would be permitted;
 - f) That single detached residential units be recognized as the only permitted use within the RM2 (SP-XXX)(H-XXX) zone, whereas single detached residential units are not permitted in an RM2 zone;
 - g) Require a minimum northerly interior side yard setback of 5 metres associated with unit numbers 5 to 8, whereas 1.8 metres would be permitted;
 - h) Require a minimum easterly interior side yard setback of 4 metres associated with unit number 15, whereas 1.8 metres would be permitted;
 - i) Require a minimum northerly interior side yard setback of 6 metres associated with unit number 15 to 17, whereas 1.8 metres would be permitted;
 - j) Require a minimum southerly interior side yard setback of 9 metres associated with unit numbers 33 to 35, whereas 1.8 metres would be permitted;
 - k) Require a minimum easterly interior side yard setback of 10 metres associated with unit numbers 36 and 37, whereas 1.8 metres would be permitted;
 - l) Require a minimum southerly interior side yard setback of 7 metres associated with unit numbers 40 to 43, whereas 1.8 metres would be permitted;
 - m) Permit a maximum density of 31 units per hectare (or a maximum of 39 Units), within the RM2 (SP-XXX)(H-XXX) zone;
 - n) That a 2 metres high privacy fence (City of Barrie Standard BSD-1206/BSD-1207) be required along the shared lot lines of all existing R1 zoned lots; and
 - o) That a minimum consolidated outdoor amenity area of 12 metres squared per unit (468 metres squared) be provided within the RM2 (SP-XXX)(H-XXX) zone.
4. That the By-law for the purpose of lifting the Holding Provision (H) from the Zoning By-law Amendment as it applies to the lands municipally known as 152 and 156 Miller Drive, shall be brought forward for approval once the owner provides the following to the satisfaction of the City of Barrie:
- a) The owner's execution of a Site Plan Agreement with the City which includes addressing matters related, but not limited to, building orientation, placement, design and materials, landscape buffering, site servicing (including adequate fire protection), access and parking.
5. That Site Plan Control By-law 99-312 be amended to include the subject lands as an additional area subject to Site Plan Control.
6. That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application as amended, including matters raised in those submissions and identified within Staff Report PLN042-19: proposed increase in density and height, reduced lot frontage, proposed setbacks/proximity of the proposed development to Miller Drive and the existing single detached residential properties in the area resulting in a decrease in privacy, insufficient parking, existing tree preservation/removals and compensation plantings, increase in traffic, emergency vehicle access, architectural style, provision of single detached residential units in an RM2 zone, servicing capacity (including adequate fire protection), stormwater management, snow storage, refuse

programming, proposed tenure, provision of second suites, local school capacity, construction nuisances, and adverse effects on property values.

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.

PURPOSE & BACKGROUND

Report Overview

8. The purpose of this report is to recommend approval of a Zoning By-law Amendment application submitted by Innovative Planning Solutions on behalf of Park City Inc. for lands known municipally as 152 and 156 Miller Drive (see Appendix "A" – Proposed Zoning By-law Amendment). The effect of the application would be to permit the development of four (4) single detached residential lots fronting Miller Drive and one (1) block that would be further subdivided through a subsequent Plan of Condominium to create thirty-nine (39) additional single detached residential lots on a private roadway (see Appendix "B" – Conceptual Site Plan - 43 Units). Staff are recommending approval of the subject application as the lands are considered to be appropriate for this form of residential infill development in accordance with both Provincial and Municipal policy.
9. The applicant has also submitted an application for Draft Plan of Subdivision (D12-446), which is being considered separately from the subject application. This application is required to create the four (4) single detached residential lots fronting Miller Drive and one (1) block over the remainder of the parcel which would be further subdivided into thirty-nine (39) additional single detached residential lots [Parcels of Tied Land (POTL's)] on a private roadway through further *Planning Act* applications. The applicant is proposing to develop the block as a Plan of Condominium; however, this requires that the lands be part of a registered Plan of Subdivision prior to further condominium blocks and lots (POTL's) being created. Should Council approve the subject Zoning By-law Amendment application, Planning staff, through delegated approval (Council Motion 10-G-346), would be in a position to recommend approval of the associated Draft Plan of Subdivision following final approval of the implementing Zoning By-law.
10. Should Council approve the subject Zoning By-law Amendment application, staff are recommending that a Holding Provision (H) be utilized over the subject lands to address detailed design matters such as, but not limited to, building design, including exterior finishing materials, landscape buffer/infill plantings, site servicing (including adequate fire protection) and parking. The Holding symbol (H) would be lifted following the owner's execution of a Site Plan Agreement with the City.

Location

11. The subject property is located on the west side of Miller Drive, south of Edgehill Drive and north of Ruffet Drive, within the Edgehill Drive Planning Area. The subject property is known municipally as 152 and 156 Miller Drive and has a total lot area of approximately 1.4 hectares with approximately 55 metres of frontage on Miller Drive.
12. The existing land uses surrounding the subject property are as follows:
 - North: Existing single detached residential units fronting Miller Drive and vacant lands within the Township of Springwater; zoned Residential Single Detached Dwelling First Density (R1).
 - South: Existing single detached residential units fronting Miller Drive and vacant lands within the Township of Springwater; zoned Residential Single Detached Dwelling First Density (R1).

East: Miller Drive and existing single detached residential units; zoned Residential Single Detached Dwelling First Density (R1).

West: Vacant lands within the Township of Springwater and TransCanada Pipeline.



Existing Policy

13. The subject lands are designated Residential Area within the City's Official Plan and are zoned Residential Single Detached Dwelling First Density (R1) by the City's Comprehensive Zoning By-law 2009-141. The predominant use of the Residential Area designation shall be for all forms and tenure of housing including senior citizen housing, nursing homes, bed and breakfast establishments and group homes.

Background Studies

14. In support of the application, the following reports were submitted. For additional information with respect to each of the following, please refer to Appendix "C" – Technical Study Descriptions. Copies of these reports may be found in their entirety at the following link:
<https://www.barrie.ca/City%20Hall/Planning-and-Development/Proposed-Developments/Ward5/Pages/152-156-Miller-Drive.aspx>

- Planning Justification Report
- Urban Design Brief
- Environmental Impact Study
- Tree Inventory, Analysis and Preservation Report/Plans
- Traffic Impact Study
- Preliminary Functional Servicing & Stormwater Management Report
- Stage 1-2 Archaeological Property Assessment

Neighbourhood Meeting

15. A Neighbourhood Meeting was held on May 15, 2018, to present the proposed development to the local residents (see Appendix "D" – Original Concept Plan - 75 Units). Approximately fifty-five (55) residents were in attendance in addition to the applicant, their consultants, the previous Ward 5 Councillor, Peter Silveira, and Planning staff. The questions/concerns expressed at the Neighbourhood Meeting related to the following:

- Increased Density:

Since the Neighbourhood Meeting, the proposed density has been reduced from approximately 54 to 30 units per hectare. As noted throughout the Analysis section of this report, Planning staff are satisfied that the proposed density (maximum 31 units per hectare) for the property is appropriate given that adequate parking, landscaping, open/amenity spaces and pedestrian/vehicular access can be accommodated on site. Should the subject application be approved, staff are satisfied that these matters would be adequately addressed through the subsequent site plan approval process without adversely impacting adjacent properties.

- Increased Height:

The applicant had originally requested a site specific zoning provision for an increase in building height to 11.5m for the proposed development. Since the Neighbourhood Meeting, the applicant has confirmed that a maximum building height of 10.5m would be sufficient to accommodate the proposed building design. The City's Comprehensive Zoning By-law 2009-141 requires a maximum building height of 10m within the R4 and RM2 zoning categories. Staff recognize that the proposed increase in height of 0.5m would not accommodate an additional storey, however would provide some flexibility in the overall building design. As such, staff are satisfied that the requested variance to the building height can be supported as noted below in paragraphs 59-60 of this report.

- Increased Traffic:

The property is located on Miller Drive, a minor collector roadway which is intended to carry traffic between arterial and local roadways within the City and may also be used to service property. Staff in the Roads, Parks and Fleet Department are satisfied that the proposed development will not negatively impact the existing transportation network in the vicinity of the proposed development.

- Boundary Tree Preservation/Removals and Privacy:

To assist in alleviating the privacy concerns expressed by adjacent residents, the applicant has submitted Tree Inventory and Preservation details associated with the subject lands. In this regard, several boundary trees have been identified for preservation. The applicant is required to preserve all boundary trees, failing which, owner authorization to remove or impact same would be required from any adjacent landowner. The balance of the trees internal to the site would be removed to accommodate the proposed development. However, infill plantings would be required to be provided in accordance with minimum planting densities through a subsequent site plan approval process, all to the satisfaction of the City Engineering (Parks) staff. In addition, staff are recommending that a 2m high tight board privacy fence be required along all shared property boundaries of the existing single detached residential properties adjacent to the proposed development. This would afford additional screening and privacy for the existing residential properties. Staff are satisfied that adequate boundary tree preservation and the provision of infill plantings/privacy fencing will adequately screen the proposed development from the existing single detached residential properties fronting Miller Drive. This

matter would be further addressed through the subsequent site plan approval process should Council approve the subject application.

- Tenure (rental vs. ownership):

While the applicant is proposing both freehold and condominium tenures associated with the proposed R4 lots and RM2 block, respectively, the issue of tenure is not a land use planning matter to be considered when making a decision on the appropriateness of zoning and has not been considered as part of this application review.

- Adverse Effects on Property Values:

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

- Insufficient Visitor Parking:

Planning staff note that the proposed development is able to accommodate the required parking on-site. In staff's opinion, a minimum of 2 spaces/unit, as proposed, would adequately service the proposed development given that the Zoning By-law requires a minimum parking ratio of 1-1.5 parking spaces per unit in accordance with the R4 and RM2 zoning categories, respectively. Having said that, it is important to note that the applicant is proposing double car garages and associated driveways for each of the proposed units which could ultimately result in the provision of 4 parking spaces/unit.

- Provision of Second Suites:

Concerns were expressed regarding the provision of second suites within the proposed development, thereby potentially doubling the proposed number of dwelling units on-site. Should Council approve the subject application, staff recognize that in accordance with the City's Comprehensive Zoning By-law, second suites would only be permitted within the proposed freehold units (4) fronting Miller Drive as the remaining condominium units (39) would not have frontage on a municipal street.

- Architectural style, site lighting, snow storage, stormwater management, servicing capacity (including adequate fire protection) and waste storage/removal:

Should the subject application be approved by Council, Planning staff are satisfied that the above mentioned site plan related matters would be adequately addressed at the time of a subsequent site plan approval process. In accordance with the City's Official Plan and Urban Design Guidelines, development applications that propose residential intensification will be of high quality urban design. In this regard, the City's standard Site Plan Agreement has been updated to reflect wording which would require all owner(s)/developer(s) to agree that the construction of the building(s) shall be in conformance with the approved, registered site plans as it relates to the building design, construction materials and quality. This will ensure that the design elements/materials presented at the time of a Zoning By-law amendment and/or site plan approval through architectural renderings, would be realized at the time of construction.

All exterior lighting is required to be dark sky friendly and directed away from adjacent properties and streets, snow is required to be stored on-site in appropriate locations, and all site servicing, including stormwater management and adequate fire protection, will be required to be addressed to the satisfaction of the City's Engineering and Fire & Emergency Services Departments at the time of a subsequent site plan approval.

With respect to refuse programming for the proposed RM2 block, all waste and recyclables are required to be maintained indoors or within an approved external enclosure (fully enclosed with a roof, roll-up door and constructed of similar materials to the main buildings) in order to be eligible for municipal waste pick-up. Alternatively, private collection would be required to facilitate below grade waste containers as currently identified on the Conceptual Site Plan. Staff are satisfied that this matter would be addressed through a subsequent site plan approval process. The proposed freehold units (4) fronting Miller Drive, would be eligible for Municipal curbside collection.

As noted above, should Council approve the subject Zoning By-law Amendment application, staff are recommending that a Holding Provision (H) be utilized over the subject lands to further address these detailed design matters. The Holding symbol (H) would be lifted following the owner's execution of a Site Plan Agreement with the City.

- Local School Accommodations/Capacity:

Comments were received from the Simcoe County District School Board and the Simcoe Muskoka Catholic District School Board indicating no concerns with the proposed rezoning and advising that pupils generated from the proposed development may be accommodated within the local Elementary and Secondary schools as noted below in paragraph 26.

- Compatibility with Existing Development/Privacy:

As noted above, the applicant is proposing to maintain the residential single detached built form that currently exists in the neighbourhood. Section 6.6.4 (e)(i) of the City of Barrie Official Plan serves to assist in addressing the issue of compatibility of new development within existing developed areas of the City. This policy states that;

- Where taller buildings are located next to lower scale buildings, design elements which make use of height transitions between sites shall be encouraged. Towers should be located on site away from areas directly adjacent to lower scale buildings. **Compatibility between sites is not intended to be interpreted as restricting new development to exactly the same height and densities of surrounding areas**, particularly in areas of transition such as the intensification corridors.

Staff are satisfied that the placement of the proposed single-detached residential dwellings on the site is appropriate and compatible with the existing single-detached residential development in the area. More specifically, the proposed 3-storey single detached residential dwellings are consistent with the existing R1 zoning permissions on the adjacent residential lots, save and accept the modest increase in height requested of 0.5m. As noted above, this increase in height would not accommodate an additional storey and staff recognize that the adjacent R1 lots could be redeveloped at any time at 3-stories (10m) in height in accordance with the existing zoning provisions over these lands. The preservation of existing boundary vegetation and the provision of infill plantings and privacy fencing will further assist in reducing the perceived impact of height. Additionally, staff recognize that the grade of the subject property gradually slopes from front to rear (east to west) by approximately 3.5m, thereby further reducing the perceived impact of height on the adjacent residential properties to the east fronting Miller Drive.

- Archaeological Study:

As noted in paragraph 14 of this report, an Archaeological Study was completed over the subject lands. Given that no archaeological resources were encountered, no further

archaeological assessment of the property is required. This report has been entered into the Ontario Public Register of Archaeological Reports in accordance with Ministry of Tourism, Culture and Sport requirements.

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

Concerns were expressed by area residents related to the construction nuisances that may be realized during site development. Staff note that construction practices will be limited to the hours of 7am to 7pm, Monday through Saturday, and will be prohibited on Sundays and statutory holidays in accordance with the City's Noise By-law 2006-140. Typical construction vibrations, particularly related to roadway compacting, may be realized during construction. However, the expectation is that any complaint of vibration would be required to be reviewed and addressed by the developer's Geotechnical Consultant to quantify vibration levels and to make recommendations to mitigate the vibration levels within Industry Standard to avoid any structural damage. Further, the applicant will be required to submit an erosion control plan which will identify stockpile locations, construction access and mud mats to reduce the sprawling of dirt onto the City's right-of-way. The applicant would also be required to submit a security deposit for road cleanup at the time of Site Plan Approval.

16. Following the Neighbourhood Meeting, the applicant endeavoured to address the concerns expressed by the area residents. In this regard, the original concept plan which proposed four (4) semi-detached residential units and 71 block townhouse units on-site (see Appendix "D" – Original Concept Plan - 75 Units) was amended to reflect a total of 43 single detached residential units (see Appendix "E" – Amended Concept Plan - 43 Units).

Public Meeting

17. A statutory Public Meeting was held on June 26, 2019 to present the subject application to General Committee. A number of written and verbal comments were received in opposition of the proposed development. The concerns expressed by both the verbal and written comments reiterated those previously received at the Neighbourhood Meeting as referenced above, however the following additional comments were received.

- Provision of singles in an RM2 zone:

As noted below in paragraphs 69-71, staff are satisfied that the provision of singles in the proposed RM2(SP-XXX)(H-XXX) zone is appropriate given the proposed common elements (private road) condominium nature of the proposed development. In addition, the provision of singles serves to respond to the concerns expressed by area residents through the public consultation process related to the original proposal for semi-detached and townhouse units over the subject lands.

- Emergency vehicle access:

Staff in the City's Fire & Emergency Services Department have confirmed that they have no concerns with the proposed Zoning By-law Amendment and appropriate Fire Department access can be provided to the site in accordance with the concept plan submitted. Having said that, further review/approval would be required at the time of a subsequent site plan approval process should Council approve the subject application.

- Reduced lot frontage for RM2 block:

As noted below in paragraph 63, Planning staff are satisfied that the proposed lot frontage associated with the RM2 block is appropriate given the irregular configuration of the property.

More specifically, the concept site plan provides for an appropriate streetscape consistent with existing development along Miller Drive and adequate vehicular/pedestrian access and landscaping can be provided within the proposed 12.8m frontage to service the common elements condominium proposed.

- **Setback to Miller Drive:**

Staff are satisfied that the proposed 7m front yard setback adjacent to Miller Drive is appropriate given that it is greater than that required by the existing R1 zoning over the subject lands (which would permit a minimum front yard setback 4.5m) and is consistent with the provisions of the proposed R4 zoning of the subject lands. In addition, the proposed 7m setback is generally consistent with the setbacks associated with the existing residential properties fronting Miller Drive immediately south of the subject lands.

- **Absence of Municipal sidewalks on Miller Drive and Edgehill Drive in the vicinity of the subject lands:**

While staff recognize that municipal sidewalks do not currently exist along Miller Drive, north of Ruffet Drive or along Edgehill Drive, west of 374 Edgehill Drive, staff note the provision of appropriate pedestrian connections within the proposed development site. The installation of municipal sidewalks along Miller Drive and Edgehill Drive will occur when these roadways are urbanized in the future, pending Council's approval/funding.

- **Servicing capacity (water/sanitary), adequate fire protection and low water pressure for existing Miller Drive residents:**

Comments were received from area residents concerning the capacity of existing municipal infrastructure to service the proposed development. As noted in paragraphs 14 and 21 of this report, the applicant has completed a preliminary functional servicing and stormwater management report to demonstrate that the proposed development can be adequately serviced. This may be accomplished by upgrading the existing municipal watermain and by extending the municipal sanitary sewer infrastructure located to the south of the subject lands. The applicant has also completed preliminary fire flow tests on local hydrants. As a result of the preliminary work completed to date, Engineering staff are now satisfied that servicing may be further addressed through detailed design at the time of a subsequent Site Plan Approval. Further, development would not be permitted to proceed until such time that the Engineering and Fire Services Departments are satisfied that the lands can be appropriately serviced and adequate fire flows (fire protection) are provided.

With respect to the comments received from existing Miller Drive residents concerning low water pressure, Water Operations staff have confirmed that this can be attributed to the undersized historical lateral connections provided to these properties. The City's Municipal water service infrastructure on Miller Drive is sufficient to service the existing residential properties along Miller Drive.

- **Concern with the reduction in density from the original concept submitted:**

Staff are satisfied that the provision of single detached residential units over the subject lands at the density proposed (maximum 31 units per hectare, or 39 units in total) would result in an adequate increase in density for the property given that these lands are not located within a designated intensification area.

Amended Concept Plan

18. Following the Neighbourhood and Public Meetings and the concerns expressed by local residents and staff through the technical review process, the applicant has made several changes to the original concept plan submitted to address the comments/concerns identified to date (see Appendix "B" – Conceptual Site Plan – 43 Units). Most notably, the applicant has:
- reduced the total number of units on site by nearly one-half of those originally proposed, from 75 to 43 units, resulting in a decrease in overall density of approximately 54 to 30 units per hectare;
 - modified to the proposed built form from residential semi-detached and townhouse units to exclusively single detached residential units;
 - reduced the proposed building height from 11.5m to 10.5m;
 - relocated the proposed amenity space from the north-westerly to south westerly limits of the property;
 - increased the proposed parking ratio from 1.5 spaces/unit to a minimum of 2 spaces/unit through the provision of double car garages/driveways for each of the proposed units, resulting in up to 4 spaces/unit;
 - reconfigured the proposed internal private roadway through the provision of two dead-end road stubs to accommodate the reorientation of six (6) units; and
 - increased the building setbacks/spatial separation distances of the proposed units to the adjacent residential properties, where possible, to accommodate the preservation of boundary trees.

Department & Agency Comments

19. The subject application was circulated to staff in various departments and to external agencies for review and comment.
20. The Nottawasaga Valley Conservation Authority (NVCA) provided comments surrounding the wetland features identified at the north end and south-western corner of the property. More specifically, NVCA has agreed to wetland compensation (cash-in-lieu payment in the amount of \$25,200.00) for feature loss associated with the removal of these features to accommodate the proposed development. The cash-in-lieu compensation will be directed toward wetland-related stewardship initiatives. NVCA Engineering staff have identified the need for further technical study related to geotechnical considerations and erosion and sediment control, however this review may be further addressed at the time of a subsequent site plan approval.
21. Engineering staff provided comments indicating that a 2m road allowance widening along the entire Miller Drive frontage would be required to be conveyed to the City at the time of a subsequent subdivision or site plan approval. This widening has been reflected on the Conceptual Site Plan attached as Appendix "B" to this report. Additional comments were received identifying that the applicant would be responsible for the design, construction and all costs associated with extending the sanitary sewer service from Ruffet Drive, north along Miller Drive, to service subject lands. Infrastructure Planning staff further identified that a water service analysis would be required to confirm adequate fire flow protection would be available for the site. In this regard, the applicant has completed preliminary flow tests on local hydrant and Infrastructure Planning staff are of the opinion that the proposed development can be supported with reinforcement (upgrading) of the

existing watermain on Miller Drive, the provision of adequate looping within the development site, and/or additional site specific design measures (i.e. building materials, increased separation distances, sprinklers, etc.) to gain additional fire flow credit. As a result of the preliminary analysis completed to date, Engineering staff are now satisfied that these matters may be further addressed at the time of detailed design. Should Council approve the subject application as recommended, the Holding Provision (H-XXX) noted below in paragraph 54, would ensure that development of the site would not be permitted to proceed until such time that the Engineering Department is satisfied that the lands can be appropriately serviced and adequate fire protection is provided. A number of other technical comments related to the proposed development were also provided and would be required to be addressed at the time of a subsequent site plan application.

22. Staff in the Roads, Parks and Fleet Department indicated that they had no concerns with the Traffic Brief and subsequent Addendum submitted in support of the proposed development which concluded that the site access will operate efficiently as an un-signalized full-movement driveway and the proposed development will not cause any operational issues to the local roadway network.
23. Parks Planning commented on the site plan attached as Appendix "B" to this report and confirmed that they were generally satisfied with the development as reflected on this plan. However, details such as boundary fencing and the location and size of infill/buffer and streetscape plantings would be further addressed at the time of the subsequent site plan approval.
24. The City's Fire & Emergency Services Department provided comments indicating no concern with proposed development.
25. Enbridge, Alectra, Canada Post, Hydro One and Bell Canada have reviewed the proposed development and have expressed no objection to the approval of the subject application as they are satisfied that any technical revisions or outstanding matters would be adequately addressed through the subsequent Draft Plan of Subdivision and Site Plan Approval applications. Further, Bell Canada provided their standard condition of Draft Approval related to easements for communication/telecommunication infrastructure.
26. The Simcoe County District School Board (SCDSB) and the Simcoe Muskoka Catholic District School Board (SMCDSB) provided comments indicating they had no concerns with the proposed Zoning By-law Amendment application. The SMCDSB advised that pupils generated from the proposed development may be accommodated within The Good Shepherd Catholic Elementary School and St. Joan of Arc Catholic Secondary School. Both School Boards confirmed that their normal notification clauses would be required to be inserted into all Purchase and Sale Agreements advising prospective purchasers that pupils generated by the proposed development may be transported to/accommodated in temporary facilities outside of the neighbourhood.
27. The Ministry of Tourism, Culture and Sport provided comments indicating that the findings and recommendations contained in the Stage 1-2 Archaeological Assessment prepared by AMICK Consultants Limited, have been entered into the Ontario Public Register of Archaeological Reports.
28. MHBC Planning, on behalf of TransCanada PipeLines Limited (TCPL), provided comments indicating that there are two high pressure natural gas pipelines crossing the subject lands toward the north-west corner of the site. As such, certain activities must comply with the Nation Energy Board Act and the National Energy Board Damage Prevention Regulations. In this regard, standard conditions of Draft Plan Approval were provided related to access, fencing, stormwater management and landscaping within and adjacent to the pipeline easement. Should Council approve the subject application, all conditions of TCPL would be included in the subsequent Draft Plan of Subdivision approval for the subject lands. Additional comments were received from TCPL relating to the provision of a minimum 7m building setback to the pipeline right-of-way. The

Conceptual Site Plan identified in Appendix "B" has been modified to accommodate this setback to the satisfaction of TCPL.

29. In response to the January 2018 Environmental Impact Study (EIS) and December 2018 Addendum Letter completed by Azimuth Environmental Consulting in support of the proposed development, the Ministry of the Environment, Conservation and Parks (MECP) originally provided comments concerning the impact the proposed development may have on Species and Risk (SAR) habitat. Following a subsequent submission by the applicant's consultant confirming no impact on SAR habitat, additional comments were received from MECP identifying no further concerns with the proposal.
30. Ainley Group, on behalf of the Township of Springwater, provided technical comments related to the preliminary Functional Servicing and Stormwater Management Report submitted in support of the subject application. City Engineering staff have confirmed that they will review and comment on matters related to infrastructure design and engineering given that the subject lands are located within the City of Barrie.

ANALYSIS

Policy Planning Framework

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

Provincial Policy

32. The Provincial Policy Statement (2014) (PPS) provides overall policy directions 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: <https://www.ontario.ca/document/provincial-policy-statement-2014>
33. The PPS in brief contains policies that provide direction for communities to manage and direct land uses to achieve efficient development and land use patterns. This is achieved by ensuring that sufficient land is available through intensification to accommodate an appropriate range and mix of residential and employment uses; avoiding land use patterns which may cause public health and safety concerns and promotes efficient and cost-effective development.
34. The PPS further states that new development should occur adjacent to and within existing built-up areas, have a compact form, mix of uses and densities that allow for the efficient use of land, planned infrastructure and public service facilities (i.e. transit) to accommodate projected needs. Intensification and redevelopment is also promoted to meet projected population growth for the next 20 years.
35. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (A Place to Grow) is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. It provides a framework for implementing Ontario's vision for building strong, prosperous communities by managing growth and 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>
36. A Place to Grow is intended to provide direction for municipalities in areas related to intensification of existing built-up areas with a focus on strategic growth areas, including urban growth centres and major transit station areas. The primary focus of A Place to Grow is on building complete

communities that are well-designed to meet people's daily needs, offer transportation choices, accommodate people at all stages of life by providing an appropriate mix of jobs, local services, public service facilities and a full range and mix of housing options to meet various incomes and household sizes.

37. A Place to Grow further requires that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, 50% of all residential development occurring annually within the City must be within the existing built boundary. In addition, the Growth Plan promotes the wise management of resources through the utilization of existing services and transportation infrastructure.
38. Staff are satisfied that the proposed development is consistent with the policies found in both the PPS and A Place to Grow in that it would result in residential intensification that would make efficient use of land, utilize existing infrastructure, and would contribute to the range of housing types available in the area. In staff's opinion, the proposed development is considered to be appropriate, as it would be located within an existing built-up residential area of the City that is supported by the availability of existing infrastructure and public transit along Miler Drive. In accordance with the requirements of A Place to Grow to accommodate 50% of new growth within the existing built boundary of the City, the proposed application represents intensification of an existing site. Notwithstanding that the proposed development is considered to be consistent with Provincial Policy, all development proposals must also be reviewed on a site specific basis to confirm that they are consistent with Municipal policies and requirements and are appropriate for the area in which they are proposed.

Official Plan

39. 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>
40. As noted above, the subject lands are designated Residential Area within the City's Official Plan. Lands designated Residential are intended to be used primarily for residential uses, with all forms and tenure of housing permitted subject to locational criteria.
41. There are a number of policies in the Official Plan that generally support the proposed development. Section 2.3 Assumptions, 3.1 Growth Management, 3.3 Housing and 4.2 Residential, relate to the provision of 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.
42. Section 2.3 (d) and (e) of the Official Plan identifies that there will be a growing need to provide higher residential densities than previous development within the City and Barrie and new housing stock will include a growing percentage of multiple family development at medium and high densities in order to provide a complete range of housing options within the City. Intensification represents an essential component of the City's growth management strategy to minimize the infrastructure requirements of new development and to utilize existing services including transit, schools and open space. Further, mixed land uses and increased density represent an opportunity to develop complete communities, as intended by the Growth Plan.
43. Sections 3.3.2.1 (a), (b) and (c) of the Official Plan encourage the maintenance of reasonable housing costs by encouraging a varied selection of housing with regard to size, density and tenure.

The provision of innovative housing and a wide range of housing opportunities are encouraged in order to meet identified housing needs where it is recognized to be in accordance with good land use planning principles. The Official Plan further encourages residential intensification in built-up areas in order to support the viability of neighbourhoods and provide opportunities for a variety of housing types. Residential intensification includes infill development, which refers to the development of vacant or under-used parcels within existing urban areas.

44. Staff are satisfied that the subject application conforms to the above policies of the Official Plan given that the proposed development provides for an alternative housing form in the area (small lot single detached condominium units) at an increased density, would contribute to a compact urban form and the efficient use of land and resources, supports transit, and optimizes the use of existing infrastructure and services within an existing built-up area of the City.

Affordable Housing

45. Section 3.3.2.2 identifies the goal that a minimum target of 10 percent of all new housing units be affordable. In the case of home ownership, the criteria for affordable housing is identified as the least expensive of:
- housing 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
 - housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.
46. The County of Simcoe has identified that the median household income for the City of Barrie is \$79,984. This household income would allow the purchase of an affordable unit to a maximum price of \$305,000 per unit, representing 30% of household income spent on accommodation on an annual basis. The regional maximum of 10% below average resale price of a home in Barrie is \$445,582. The applicant has indicated that the proposed average price of the units is targeted at \$590,000 to \$750,000 and as such, would not be considered affordable. Having said that, should Council approve the subject application, staff recognize that in accordance with the City's Comprehensive Zoning By-law, second suites would be permitted within the proposed R4 lots fronting Miller Drive which would act as a means of increasing affordable housing options in the area.
47. In accordance with Section 4.2.2.2 of the Official Plan, low density residential development shall consist of single detached, duplexes, or semi-detached dwellings with frontage on a public street and densities ranging between 12 and 25 units per net residential hectare. Medium density residential development shall consist of multiple dwelling types such as triplexes, fourplexes, apartments and street/stacked/cluster townhouses ranging between 26-53 units per hectare, while high density residential development shall consist of developments which are in excess of 54 units per hectare. In accordance with these provisions, the proposed development represents a density of approximately 30 units per hectare, and as such, would be considered to be medium density residential in accordance with the Official Plan. While staff note that the provision of single detached residential units over the lands does not represent the typical built form of medium density residential development, the proposed built form serves to respond to the comments received during the public consultation process and would result in a development that is able to use the land more efficiently within a currently underutilized site.
48. Section 4.2.2.3 (b) of the Official Plan further provides that medium and high density development is encouraged to locate within the Intensification Nodes and Corridors and should be directed to locate adjacent to arterial and collector roads; in close proximity to public transit, schools, parks,

commercial development; and where planned services and facilities such as roads, sewers and watermains, or other municipal services are adequate.

49. Although the subject lands are not located within a designated Intensification Area, in staff's opinion the proposed development would meet the City's locational criteria with respect to medium density development as the subject property is located on a collector roadway (Miller Drive) and public transit is available along Miller Drive to service the proposed development (transit stops located at the intersections of Miller Drive/Edgehill Drive and Miller Drive/Ruffet Drive, approximately 120-180m from the subject land). Existing commercial facilities are located in proximity to the subject lands at the intersections of Miller Drive/Dunlop Street West and Ferndale Drive/Dunlop Street West. Additional commercial lands are also proposed at the intersection of the future Sproule Drive extension and Ferndale Drive North. As noted above in paragraph 26, both the SCDSB and the SMCDSD have confirmed that students generated from the proposed development could be accommodated in area schools. Pringle Park is located less than 400m (approximately a 5-10 minute walk) from the subject lands and would adequately service the existing residents in the area as well as the future residents associated with the proposed development. In addition, the applicant is proposing a private on-site amenity area (playground) to further service residents of the proposed development.
50. Section 4.2.2.6 (d) of the Plan requires that development applications that propose residential intensification outside of the Intensification Areas will be considered on their merits provided the proponent demonstrates that the scale and physical character of the proposed development is compatible with, and can be integrated into the surrounding neighbourhood; that infrastructure, transportation facilities, and community facilities and services are available without significantly impacting the operation and capacity of existing systems; that public transit is available and accessible; and that the development will not detract from the City's ability to achieve increased densities in areas where intensification is being focused.
51. In staff's opinion, the proposed development would satisfy the Intensification Policies noted above as it provides a built form that is consistent with and can be integrated into the surrounding area. The proposed development provides sufficient separation/buffering from the existing single detached residences fronting Miller Drive through the preservation of significant boundary trees and the provision of privacy fencing and infill plantings. Municipal transit is available along Miller Drive and the Municipal infrastructure in the area may be upgraded/extended to adequately service the proposed development. Finally, the proposed development should not detract from the City's ability to achieve increased densities in the defined Intensification Areas.
52. Recent Provincial and Municipal policy changes with respect to intensification have resulted in increased pressure for the City to ensure that lands within the existing built boundary are redeveloped with increased densities. In this regard, the proposed development is considered to be appropriate given the relevant Intensification and locational policies of the Official Plan with respect to medium and high density development. In addition, staff are of the opinion that sufficient buffers and separation distances have been established between the adjacent low-rise residential properties and the proposed development as noted above.
53. Based on the provisions identified above, staff are of the opinion that the proposed development is considered to be consistent and in conformity with the Official Plan. More specifically, the proposed development meets the locational criteria for medium density residential development and provides for an appropriate density that would serve to utilize existing services and infrastructure in accordance with the Intensification policies of the City's Official Plan. Finally, the visual impact of the proposed singles on the adjacent single detached residential properties fronting Miller Drive would be minimal given the grade differential (approximately 3.5m lower than abutting lands), the spatial separation afforded through increased setbacks, the preservation of the existing boundary vegetation on-site and the provision of infill plantings and boundary fencing.

Holding Provisions

54. In accordance with section 6.7 of the Official Plan, the City may utilize Holding Provisions (H) in accordance with the *Planning Act*, where the specific use of land has been identified but where the details of the development have not yet been fully resolved. In this regard, staff are recommending that a Holding symbol (H) be utilized over the subject lands to address detailed design matters that would be addressed through a subsequent site plan application. These matters relate specifically to site servicing, including adequate fire protection, but would also address matters such as building design, including exterior finishing materials, and landscape buffer/infill plantings as it relates specifically to the minimum size, species type and quantities. As identified in the recommended motion, the Holding symbol (H) would be lifted following the owner's execution of a Site Plan Agreement with the City.

Height and Density Bonusing

55. The Bonusing Policies (Section 6.8) within the Official Plan permit City Council to negotiate community benefits when considering passing a By-law to increase the height and/or density of a development beyond what is currently permitted in the Zoning By-law. With respect to the subject development, the applicant is proposing a Zoning By-law Amendment that includes permission for increased height (0.5m) over and above what the current and proposed zoning on the subject lands permits. As such, the Bonusing Policies for the purpose of obtaining community benefits could be applied.
56. As noted above, the applicant is proposing a maximum building height of 10.5m and maximum density of 31 units per hectare. The proposed density of the development is below the maximum density permission of the RM2 zone. While the proposed building height exceeds the maximum building height of 10 metres permitted in the R4 and RM2 zones, it is important to note that the slight increase in height will not translate into an additional storey and/or units. Therefore, there is no financial uplift value (additional units) associated with the modest increase in the height associated with the proposed development. The increase in building height is required to facilitate the desired building design (flat roof), while accounting for the varied grades across the property.
57. Based on the above, Planning staff are of the opinion that the application, if approved, should not be subject to the height and density bonusing policies of the Official Plan as the proposed building height and density is generally consistent with the provisions of the Zoning By-law.

Zoning Rationale for Special Provisions (SP)

58. As noted above, the applicant has requested a Residential Single Detached Dwelling Fourth Density with Special Provisions (R4)(SP-XXX) and Residential Multiple Dwelling Second Density with Special Provisions (RM2)(SP-XXX) zoning over the subject lands. The site specific provisions (SP) have been requested to implement the proposed development concept and are discussed below.

Maximum Building Height

59. The applicant is proposing that the maximum permitted height of the proposed dwelling units be increased from 10 metres to 10.5 metres in order to achieve the desired building design (flat roofs) over the subject lands. Staff recognize that the proposed 0.5m increase in height would not accommodate an additional storey, however would provide flexibility in the building design given that varied grades across the property. More specifically, the proposed 3-storey single detached residential dwellings are consistent with the existing R1 zoning permissions on the adjacent residential lots, save and accept the modest increase in height requested. In this regard, staff note

that the adjacent bungalows fronting Miller Drive could be redeveloped at 3-stories (10m) in accordance with the existing R1 zoning provisions over these lands without further Planning approval being required.

60. The existing topography of the site would also serve to benefit the perceived impact of the proposed increase in height given that the subject lands generally slope from east to west and can be up to approximately 3.5m lower in some areas. As a result, the height increase would be well transitioned from the front to the rear of the site. In addition, the preservation of existing boundary vegetation and the provision of infill plantings and privacy fencing would also serve to reduce the visual impact of the additional height (0.5m) requested. As such, Planning staff are satisfied that the proposed increase in height is appropriate and would not appear to have a negative impact on the adjacent residential properties fronting Miller Drive

Minimum Lot Area and Rear Yard Setback - R4 Lots

61. The applicant has requested site specific zoning provisions related to a reduced lot area (240m²) and rear yard setback (5.3m) associated with the proposed R4 lots. In this regard, the City's Comprehensive Zoning By-law requires a minimum lot area of 335m² and minimum rear yard setback of 7m within the R4 zoning category. While staff recognize that the reduced lot area and rear yard setback can be attributed partially to the requirement for a future 2m road widening, staff note that the proposed lot size and rear yard setback are consistent with the R5 zoning standards established for single detached residential lots in the Salem and Hewitt's Secondary Planning Areas. The intent of the R5 zoning category is to recognize smaller single detached residential lots that utilize land more efficiently. Given that the R5 zoning category is restricted to lands within the Salem and Hewitt's Secondary Planning Areas per Section 14.1(a) of the City's Comprehensive Zoning By-law, the applicant has requested site specific provisions associated with the proposed R4 zone to permit a reduced lot area and rear yard setback consistent with the R5 zoning category.
62. Given the nature of the proposed residential infill development for small lot singles and the irregular configuration of the property, staff are satisfied that the size, configuration and setbacks associated with the proposed R4(SP-XXX)(H-XXX) lots are appropriate for the subject lands. Further, staff are of the opinion that the conceptual site plan provides for an appropriate streetscape generally consistent with existing development along Miller Drive and adequate private outdoor amenity space would be provided for within the proposed 5.3m rear yards associated with the R4 lots.

Minimum Lot Frontage - RM2 Block

63. The applicant is requesting that the minimum required lot frontage associated with the proposed RM2 block be reduced from 21 metres to 12.8 metres. Given the irregular configuration of the property, Planning staff recognize that the applicant has maximized the frontage potential associated with the proposed RM2 block to accommodate adequate vehicular and pedestrian access to the service the proposed common elements condominium, all while ensuring that an appropriate streetscape is realized for Miller Drive through the provision of four (4) single detached residential lots fronting this roadway. Adequate landscape areas have been provided on either side of the proposed access to accommodate entrance features and/or landscaping and snow loading areas for the proposed condominium block. As such, staff are satisfied that the proposed reduction to the lot frontage is appropriate as it relates to the conceptual site plan (see Appendix "B") submitted in support of the subject application.

Minimum Required Side and Rear Yard Setbacks – RM2 Block

64. Site specific zoning provisions have been requested to recognize reduced side and rear yard setbacks associated with the proposed RM2 block. In this regard, the Zoning By-law requires minimum side and rear yard setbacks of 1.8m and 7m, respectively. The concept plan (see

Appendix "B") submitted in support of the proposed Zoning By-law Amendment application identifies a 1.2m side yard setback associated with unit No. 35 and a 6m rear yard setback associated with unit No. 32. All other units would meet or exceed the minimum required side and rear yard setbacks associated with this block.

65. Planning staff recognize that the requirement for a 1.8m side yard setback within the RM2 zoning category is to provide additional separation distances between existing uses and what would typically be multiple-residential uses (i.e. block/cluster townhousing) permitted within the RM2 zoning category. In accordance with the zoning standards established for all single detached residential units in the City's Comprehensive Zoning By-law, a minimum 1.2m side yard setback would be required. Staff are satisfied that the proposed 1.2m easterly side yard setback associated with unit No. 35 is appropriate as it relates to the proposed single detached residential nature of the proposed development and as such, has been reflected in the recommended motion.
66. With respect to the site specific provision requested to reduce the minimum required rear yard setback, staff note that the reduced rear yard setback would apply to unit No. 32 only. This reduction can be attributed to the provision of centralized refuse programming for the site. Staff are satisfied that the reduction to the required rear yard setback associated with unit No. 32 is appropriate as adequate private amenity space can be provided within the resulting 6m rear yard setback associated with this unit and the required consolidated amenity space for the development is proposed immediately south of this unit. Further, any perceived impact of the reduced rear yard setbacks on adjacent lands would be negligible given that this yard abuts vacant lands within the Township of Springwater.
67. Given the above, staff are satisfied that the site specific zoning provisions requested to permit reduced side and rear yard setbacks associated with unit No. 35 and No. 32, respectively, are appropriate for the subject lands. Further, Planning staff are recommending that these SPs be tied to the concept plan (see Appendix "B") submitted in support of the subject application and be reflected in the implementing Zoning By-law for the subject lands as referenced in the recommended motion.

Gross Floor Area (GFA) – RM2 Block

68. An additional site specific zoning provision has been requested to remove the maximum Gross Floor Area (GFA) requirement from the lands, whereas the City's Comprehensive Zoning By-law would permit a maximum GFA of 60% within the RM2 zoning category. In accordance with the City's Comprehensive Zoning By-law, Planning staff recognize that the provision for GFA is restricted to multi-unit residential dwellings (i.e. block cluster townhouses and walk-up apartment, etc.) and would not typically apply to single detached residential dwellings. As such, staff have no concerns with the removal of the GFA provision for the proposed RM2(SP-XXX)(H-XXX) block given the proposed single detached units associated with the subject application.

Provision of Single Detached Residential Units – RM2 Block

69. In accordance with the Conceptual Site Plan provided (see Appendix "B"), the applicant is proposing single detached residential units over the subject lands, including with the proposed RM2 block. The provision of singles serves to respond to the concerns expressed by area residents through the public consultation process related to the original proposal for semi-detached and townhouse units over the subject lands.
70. As noted above, the proposed RM2(SP-XXX) zoning is required given the common elements condominium (private road) proposed for the subject lands, however the City's Comprehensive Zoning By-law does not permit new single detached residential dwellings within an RM2 zone. As

such, a site specific zoning provision would be required to permit single detached residential units as a permitted use within the proposed RM2(SP-XXX) zoning over the subject lands.

71. Given that the subject lands are not located within a designated intensification area, Planning staff are satisfied that the provision of small lot singles at the density proposed (approximately 31 units per hectare), would constitute an appropriate form of low-rise medium density infill residential development adjacent to the existing single detached residential dwellings in the area. In addition, Planning staff are satisfied that the provision of singles within the proposed RM2 block is appropriate given the condominium nature of the proposed development. Further, Planning staff are recommending that the built form associated with the proposed RM2 block be restricted to single detached residential units so as to provide local residents with some level of assurance that the future development of the property would be reflective of the concept plan submitted in support of the subject application.
72. While no other site specific zoning provisions would be required to implement the proposed development concept in accordance with the proposed R4(SP-XXX)(H-XXX) and RM2(SP-XXX)(H-XXX) zoning over the subject lands, staff are recommending that the approval of the subject application be tied to the concept plan proposed by the owner (see Appendix "B"). In this regard, staff are recommending that the following additional and more restrictive site specific zoning provisions be incorporated into the implementing zoning by-law for the subject lands:
- (a) That a minimum northerly interior side yard setback of 5m associated with unit Nos. 5 to 8 be required, whereas 1.8m would be permitted;
 - (b) That a minimum easterly interior side yard setback of 4m associated with unit No. 15 be required, whereas 1.8m would be permitted;
 - (c) That a minimum northerly interior side yard setback of 6m associated with unit Nos. 15 to 17 be required, whereas 1.8m would be permitted;
 - (d) That a minimum southerly interior side yard setback of 9m associated with unit Nos. 33 to 35 be required, whereas 1.8m would be permitted;
 - (e) That a minimum easterly interior side yard setback of 10m associated with unit Nos. 36 and 37 be required, whereas 1.8m would be permitted;
 - (f) That a minimum southerly interior side yard setback of 7m associated with units Nos. 40 to 43 be required, whereas 1.8m would be permitted;
 - (g) That a maximum density of 31 units per hectare (or a maximum of 39 units), be permitted within the RM2 (SP-XXX) (H-XXX) zone;
 - (h) That a 2m high privacy fence (City of Barrie Standard BSD-1206/BSD-1207) be required along the shared lot lines of all existing R1 zoned lots; and
 - (i) That a minimum consolidated outdoor amenity area of 12m² per unit (468m²) be provided within the RM2 (SP-XXX) (H-XXX) zone.
73. In staff's opinion, the proposed site layout is functional and the proposed site specific zoning provisions over the subject lands represents an appropriate form of residential infill development within an existing established area of the City on a site that is currently underutilized. The above noted site specific provisions have been reflected in the recommended motion in order to provide local residents with some level of assurance that the future redevelopment of the property would be reflective of the concept plan submitted in support of the subject application.

Site Plan Control

74. Subject to Council approval of the proposed Zoning By-law Amendment application, the proposed RM2 block would be subject to Site Plan Control as per Section 41 of the *Planning Act* and in accordance with By-law 99-312. While single detached residential lots are not typically subject to Site Plan Control, the owner has agreed to register a Site Plan Agreement over the proposed R4 lots also so as to proceed with the zoning of the subject lands at this time and defer detailed design matters to a subsequent site plan control process. Site Plan Control addresses the development and design of the lands with regard to access, servicing (including adequate fire protection), stormwater management, landscaping, lighting, setbacks, building orientation/placement/massing, parking, etc. As such, Planning staff are recommending that Site Plan Control By-law 99-312 be amended to include the subject lands as an additional area subject to Site Plan Control, as reference in the recommended motion (see Appendix "F" – Proposed Amendment to Site Plan Control By-law 99-312).
75. The concept plan and preliminary reports submitted in support of the subject application provide a general indication of how the property would be developed. However, should the subject Zoning By-law Amendment application be approved, the applicant would be required to submit a site plan application which would be further reviewed by City staff and applicable external agencies to ensure that the development complies with all municipal standards and provides an appropriate interface with adjacent properties and streets. Additionally, as noted above in paragraph 54, staff are recommending that a Holding symbol (H) be utilized over the subject lands so as to ensure that the above noted matters are adequately addressed through the subsequent site plan application prior to the Holding symbol (H) being removed.

Summary

76. Staff have reviewed the comments received and considered the proposed Zoning By-law Amendment application, having regard to conformity with relevant Provincial Policy and the City's Official Plan. In staff's opinion, the provision of 43 single detached residential units on the subject lands at the density proposed, is considered appropriate and would conform with relevant Provincial Policy, the City's Official Plan and complies with the policy planning framework established for residential Intensification.
77. In staff's professional opinion, the proposed development represents an appropriate form of residential infill development for the subject lands and would be considered compatible with the adjacent single detached residential properties in the area. Should the application be approved, staff are satisfied that the detailed design elements would be adequately addressed through a subsequent site plan application prior to the Holding symbol (H) being removed.

ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS

78. The following environmental and climate change impact matters have been considered in the development of the recommendation:
- a) As noted in paragraph 20 of this report, the Nottawasaga Valley Conservation Authority (NVCA) has agreed to wetland compensation (cash-in-lieu payment in the amount of \$25,200.00) for feature loss associated with the removal of the wetland features identified at the north-westerly and south-westerly limits of the property to accommodate the proposed development. The cash-in-lieu compensation will be directed toward wetland-related stewardship initiatives within NVCA's watershed.

ALTERNATIVES

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

Alternative #1

General Committee could refuse the proposed Zoning By-law Amendment application and maintain the existing Residential Single Detached Dwelling First Density (R1) zoning over the subject property.

This alternative is not recommended as the subject property is ideally suited for residential infill 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 framework established for residential infill and intensification outside of the City's designated intensification areas.

Alternative #2

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

This alternative is not recommended as the applicant has responded to the comments received through the technical review and public consultation process and staff are satisfied that the proposed special provisions are appropriate for the subject lands as they relate to the amended concept plan submitted. Further, staff are of the opinion that the concept plan is generally consistent with the City's guidelines for intensification and City standards with respect to access, servicing, stormwater management, landscaping, setbacks, building orientation/placement/massing, parking, etc., however as noted throughout this report, these matters would be required to be addressed further at the time of a subsequent site plan application.

FINANCIAL

80. The subject applications, if approved, would permit the development of 43 single detached residential dwelling units. The current annual property tax revenue generated from the subject lands is \$10,448.23. The proposed development would generate an annual tax revenue of approximately \$309,600.00, representing an increase of \$299,151.77, based on 2019 tax rates.
81. Building permit application fees for the proposed development are estimated to be approximately \$175,000. If approved, building permit fees will be confirmed through the subsequent Site Plan Control process, and collected at the time of the submission of a building permit application.
82. Current development charges for single detached dwellings are \$63,854.00 per unit as of December 1, 2019. The development charge revenue for the proposed development is estimated to be approximately \$2,745,722.00. Residential Development Charges are subject to an annual inflationary adjustment on January 1st of each year. Development charges are calculated and paid at the time of issuance of the building permit.
83. The education levy for residential uses is currently \$2,959.00 per unit, which represents a total levy of \$127,237.00.

84. Cash in lieu of parkland is currently calculated at \$5,418.00 per residential unit, which represents a total contribution of \$232,974.00 for the proposed development (2019 rate, subject to an annual inflationary adjustment on January 1st of each year).
85. The proposed development would be subject to a finance administration fee of \$3,225.00, which would be collected at the time of issuance of a building permit.
86. Given that the subject lands, when developed, will be subject to Site Plan Control, all costs associated with the approval and development of the site would be the applicant's responsibility. The applicant would be responsible for all capital costs for any new infrastructure required within the development limits and any of the frontage costs associated with upsizing to municipal water and sewer mains already installed, if required. Costs associated with the ongoing maintenance and operational costs of the new internal infrastructure, snow removal, landscape maintenance and site lighting would be the responsibility of the applicant.

LINKAGE TO 2018–2022 STRATEGIC PLAN

87. The recommendations included in this Staff Report support the following goals identified in the 2018-2022 Strategic Plan:
 - ☒ Fostering a Safe & Healthy City
 - i) Build a greener Barrie while mitigating and adapting to climate change.
 - ☒ Building Strong Neighbourhoods
 - ii) Build walkable, diverse neighbourhoods that encourage community connections;
 - iii) Grow Responsibly
88. In accordance with Council's goals, the proposed development would provide for a compact form of development that would maximize the use of the subject lands, utilize existing services and infrastructure, supports public transit and would support diverse and safe neighbourhoods.

Attachments: Appendix "A" – Proposed Zoning By-law Amendment
Appendix "B" – Conceptual Site Plan – 43 Units
Appendix "C" – Technical Study Descriptions
Appendix "D" – Original Concept Plan – 75 Units
Appendix "E" – Amended Concept Plan – 43 Units
Appendix "F" – Proposed Amendment to Site Plan Control By-law 99-312

APPENDIX "A"

Proposed Zoning By-law Amendment



Bill No. XXX

BY-LAW NUMBER 2020-XXX

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

WHEREAS the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141 to rezone lands known municipally as 152 and 156 Miller Drive, shown on Schedule "A" to this By-law from Residential Single Detached Dwelling First Density (R1) to Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-XXX)(H-XXX) and Residential Multiple Dwelling Second Density – Special Provision, Hold (RM2)(SP-XXX)(H-XXX).

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 152 and 156 Miller Drive, shown on Schedule "A" to this By-law from Residential Single Detached Dwelling First Density (R1) to Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-XXX)(H-XXX) and Residential Multiple Dwelling Second Density – Special Provision, Hold (RM2)(SP-XXX)(H-XXX) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the provisions set out in Section 5.2 of By-law 2009-141, single detached residential units shall be recognized as the only permitted use in the Residential Multiple Dwelling Second Density (RM2)(SP-XX)(H-XXX) zone, in accordance with Schedule "B" attached to this By-law.
3. **THAT** a maximum density of 31 units per hectare (or a maximum of 39 units) shall be permitted in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone.
4. **THAT** notwithstanding the provisions set out in Section 5.2.5.2 of By-law 2009-141, a minimum consolidated outdoor amenity area of 12m² per unit (468m²) shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone.
5. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a maximum height of 10.5 metres shall be permitted in the Residential Single Detached Dwelling Fourth Density

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- Special Provision, Hold (R4)(SP-XXX)(H-XXX) and Residential Multiple Dwelling Second Density
 - Special Provision, Hold (RM2)(SP-XXX)(H-XXX) zones.
6. **THAT** notwithstanding the provisions set out in Section 5.3.1 of by-law 2009-141, the requirement for maximum Gross Floor Area shall be removed from the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone.
 7. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum lot area of 240m² shall be provided in the Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-XXX)(H-XXX) zone.
 8. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum rear yard setback of 5.3 metres shall be provided in the Residential Single Detached Dwelling Fourth Density – Special Provision, Hold (R4)(SP-XXX)(H-XXX) zone.
 9. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum lot frontage of 12.8 metres shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone.
 10. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum rear yard setback of 6 metres associated with unit No. 32 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule “B” attached to this By-law.
 11. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum easterly interior side yard setback of 1.2 metres associated with unit No. 35 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule “B” attached to this By-law.
 12. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum northerly interior side yard setback of 5 metres associated with unit Nos. 5 to 8 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule “B” attached to this By-law.
 13. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum easterly interior side yard setback of 4 metres associated with unit No. 15 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule “B” attached to this By-law.
 14. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum northerly interior side yard setback of 6 metres associated with unit Nos. 15 to 17 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule “B” attached to this By-law.
 15. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum southerly interior side yard setback of 9 metres associated with unit Nos. 33 to 35 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule “B” attached to this By-law.
 16. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum easterly interior side yard setback of 10 metres associated with unit Nos. 36 and 37 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule “B” attached to this By-law.

17. **THAT** notwithstanding the provisions set out in Section 5.3.1 of By-law 2009-141, a minimum southerly interior side yard setback of 7 metres associated with units Nos. 40 to 43 shall be provided in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule "B" attached to this By-law.
18. **THAT** a continuous 2 metre high tight board privacy fence shall be provided along the shared lot lines of all existing Residential Single Detached Dwelling First Density (R1) zoned lands in the Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone, in accordance with Schedule "B" attached to this By-law.
19. **THAT** the (H) symbol that appears on Schedule "A" attached hereto identifies a Holding Zone pursuant to Section 36 of the Planning Act, R.S.O. 1990, c.P.13. This indicates that the lands so zoned cannot be used for a purpose permitted by the Residential Single Detached Fourth Density – Special Provision, Hold (RM2)(SP-XXX)(H-XXX) and Residential Multiple Dwelling Second Density (RM2)(SP-XXX)(H-XXX) zone until the (H) symbol is removed pursuant to Section 36 of the Planning Act. The (H) provision shall be lifted by The Corporation of the City of Barrie upon completion of the following matters to the satisfaction of The Corporation of the City of Barrie:
 - a) The execution of a Site Plan Agreement which includes matters relating to, but not limited to, the building orientation, placement, design and materials, landscape buffering, site servicing (including adequate fire protection), access and parking.
20. **THAT** the remaining provision 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.
21. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this ____th day of January, 2020.

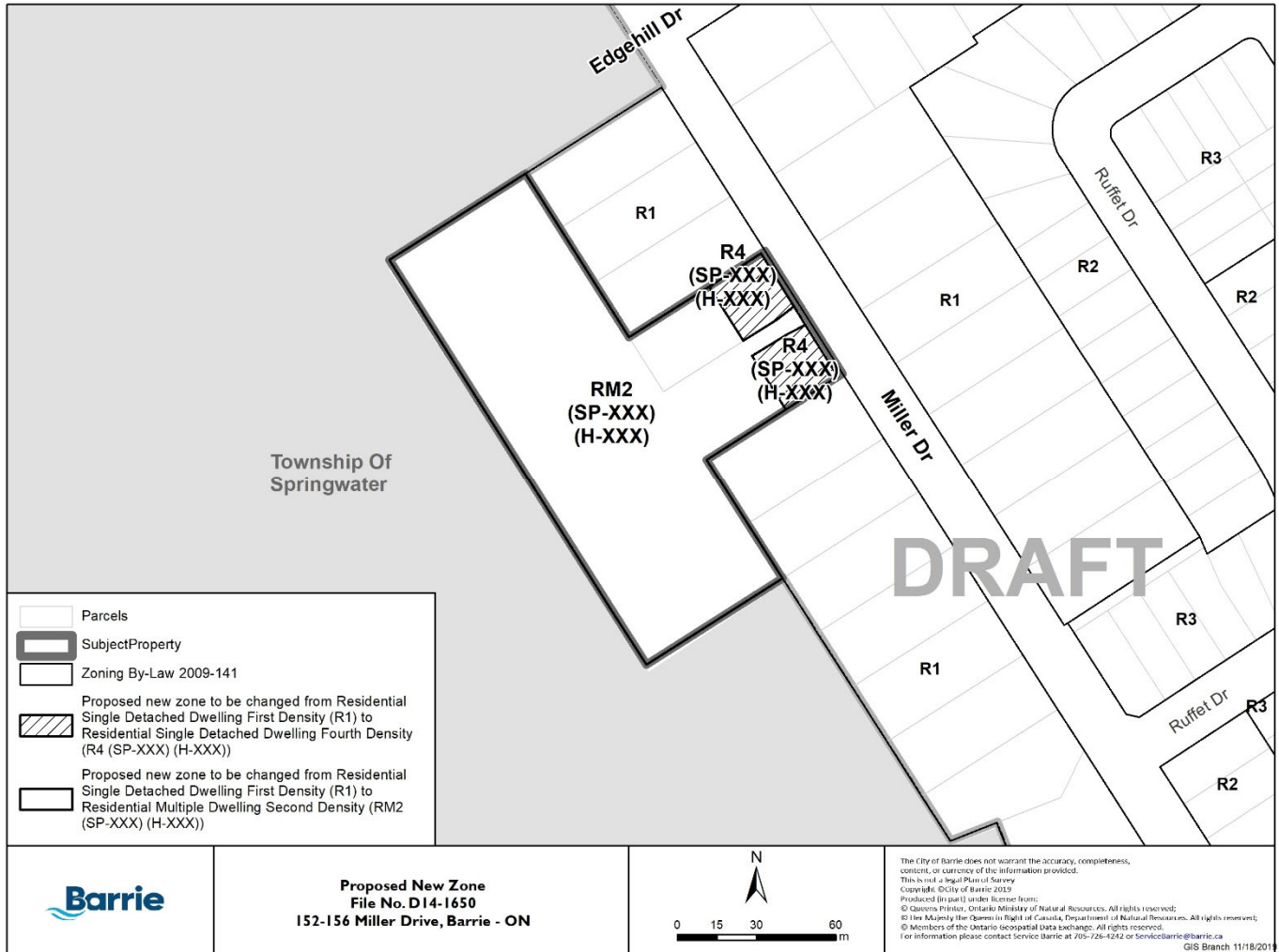
READ a third time and finally passed this ____th day of January, 2020.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

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



Schedule "B" to Attached By-law 2020-XXX



MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

APPENDIX "B"

Conceptual Site Plan – 43 Units

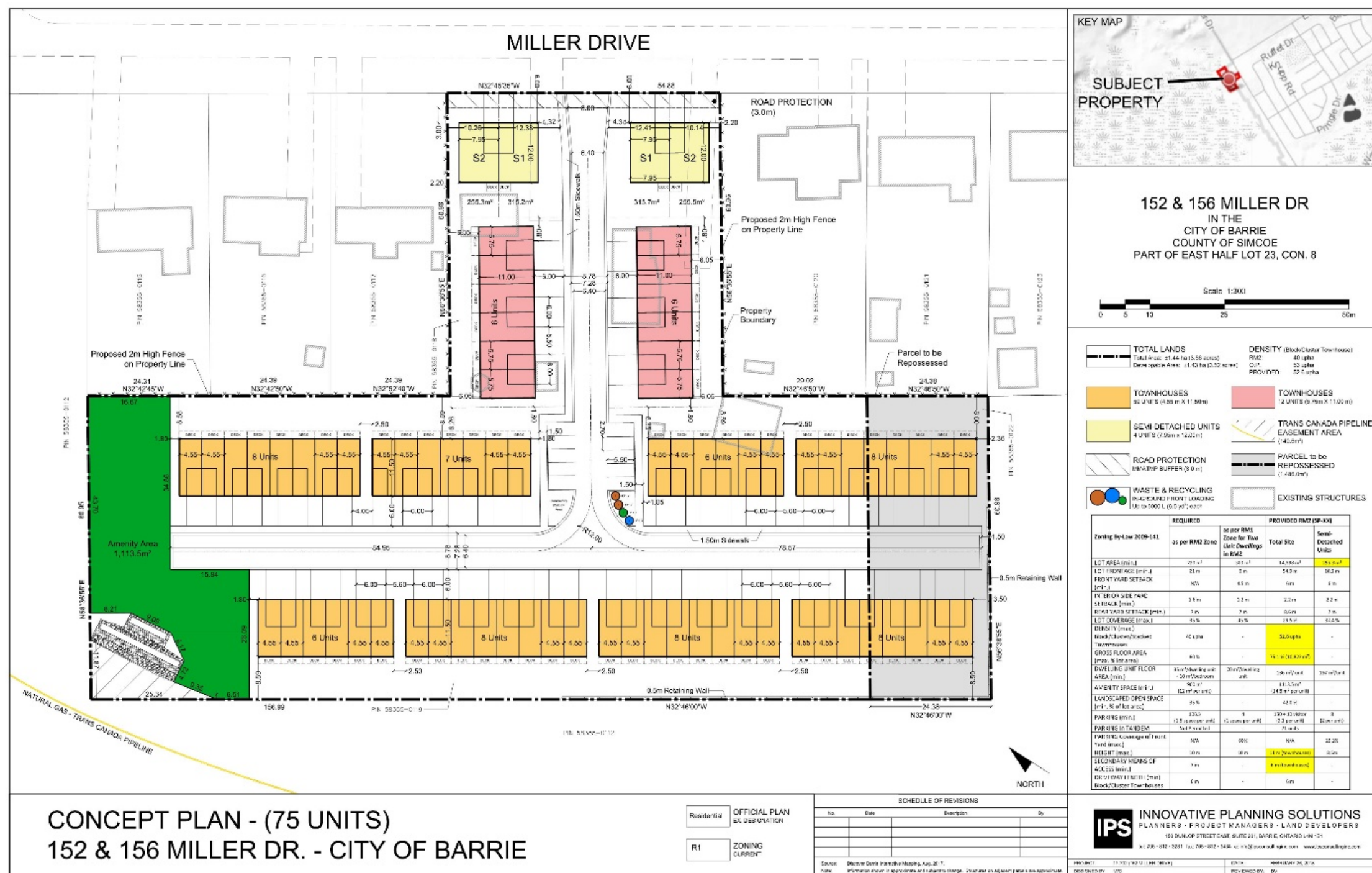


APPENDIX “C”

Technical Study Descriptions

- a) **Planning Justification Report** (March 2018, addendum May 2018, revised April 2019) – provides a review of the property characteristics and surrounding lands, description of the proposed development as well as the planning policy basis and opinion of Innovative Planning Solutions, that the proposal represents good planning as it conforms or is consistent with the applicable policies reviewed in the *Planning Act*, Provincial Policy Statement, Growth Plan – Places to Grow, and the City of Barrie Official Plan.
- b) **Urban Design Brief** (April 2019) - provides an overall review of the built form and the design elements of the development and provides the opinion of Innovative Planning Solutions that the site is appropriate for this form of residential intensification as the proposed design can be successfully integrated into the urban fabric of the existing neighbourhood.
- c) **Environmental Impact Study** (January 2018, Addendum December 2018) – considers the potential impacts of the proposed development on habitat of SAR known and/or inferred to occur in the vicinity of the subject property. In the opinion of Azimuth Environmental Consulting Inc. the results of species specific assessments of impact to habitat indicate that the proposed development can be achieved with no impacts to individual or habitats of SAR, regardless of whether or not the species was found to be present during the time of surveys.
- d) **Tree Inventory, Analysis and Preservation Report/Plans** (May 2018, Addendum April 2019, Amended Plans November 2019) – concludes that the majority of the trees and tree groupings within the site development limits will not be retained post development, however mitigation measures will be undertaken to ensure that any retained specimens are not irreversibly injured during site development. In this regard, several boundary trees have been identified for preservation. The applicant is required to preserve all boundary trees, failing which, owner authorization to remove or impact same would be required from any adjacent landowner.
- e) **Traffic Brief** (April 2018, Addendum March 28, 2019) – Provides the opinion of JD Engineering that the proposed development will not cause any operational issues and will not add significant delay or congestion to the local roadway network.
- f) **Preliminary Functional Servicing & Stormwater Management Report** (March 19, 2019, Rev.1 Aug 15, 2019) – provides the opinion of The Hewgill Group that the proposed 43-unit residential development will meet the criteria established with respect to municipal servicing, stormwater management, transportation and secondary servicing. The report further concludes that development of the subject lands can proceed without negatively impacting the existing infrastructure, natural features and the downstream drainage system.
- g) **Stage 1-2 Archaeological Property Assessment** (January 2018) – considers the potential for the presence of archaeological resources within the limits of the subject lands and summarizes the assessments completed to determine same. The report concludes that no archaeological resources were encountered during the course of the survey and recommends that no further archaeological assessment of the property be required. This report has been entered into the Ontario Public Register of Archaeological Reports in accordance with Ministry of Tourism, Culture and Sport requirements.

Original Concept Plan – 75 Units



Amended Concept Plan – 43 Units



APPENDIX "F"

Proposed Amendment to Site Plan Control By-law 99-312



Bill No. XXX

BY-LAW NUMBER 2020-XXX

A By-law of The Corporation of the City of Barrie to further amend By-law 99-312, being a By-law of The Corporation of the City of Barrie to establish site plan control areas and the processing of site plans within the City of Barrie.

WHEREAS Section 41(2) of the Planning Act, R.S.O. 1990, c.P.13 provides that where an Official Plan is in effect in a municipality, the Council of the municipality may by by-law designate the whole or any part of the area covered by the Official Plan as a site plan control area;

AND WHEREAS the Council of The Corporation of the City of Barrie enacted By-law 99-312, being By-law of The Corporation of the City of Barrie to establish site plan control areas and the processing of site plans within the City of Barrie on the 13th day of December, 1999;

AND WHEREAS the Council of The Corporation of the City of Barrie adopted Motion 19-G-XXX authorizing the passing of a By-law to further amend By-law 99-312 to include an additional area of site plan control.

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

1. **THAT** Section 7 of By-law 99-312 be and the same is hereby amended by adding the following subsection.

(xx) That lands municipally known as 152 and 156 Miller Drive as shown on Schedule "A" which is attached to and forms part of this By-law.

2. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

READ a first and second time this ____th day of January, 2020.

READ a third time and finally passed this ____th day of January, 2020.



THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J. R. LEHMAN

CITY CLERK – WENDY COOKE

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



File #: D14-1650

Address: 152-156 Miller Drive

■ SUBJECT PROPERTY

