



Bill No. 096

BY-LAW NUMBER 2013-

**A By-law of The Corporation of the City of Barrie to
adopt an amendment to the Official Plan (O.P.A. #012)**

WHEREAS, Section 21 of The Planning Act, R.S.O., 1990 Chapter P.13 authorizes councils to initiate an amendment to or repeal of any official plan that applies to the municipality;

AND WHEREAS, by Motion 13-G-073 the Council of The Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan.

NOW THEREFORE, the Council of The Corporation of the City of Barrie enacts as follows:

1. **THAT** Amendment No. 12 to the Official Plan for the Barrie Planning Area attached to and forming part of this by-law, is hereby adopted.
2. **THAT** this By-law shall come into force and have effect immediately upon the final passing thereof.

READ a first and second time the 13th day of May 2013.

READ a third time and finally passed this 13th day of May 2013.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

AMENDMENT NO. 12

TO THE

CITY OF BARRIE

OFFICIAL PLAN

OFFICIAL PLAN
FOR THE
CITY OF BARRIE
Amendment No. 12

Amendment No. 12 to the City of Barrie Official Plan was prepared by the Barrie General Committee and was recommended to the Council of the City of Barrie under the provisions of the Planning Act, on the __ day of __, 2013.

Mayor

City Clerk

This amendment was adopted by the Corporation of the City of Barrie by By-law No. -----in accordance with the provisions of the Planning Act, on the -day of -----, 2013.

Mayor

City Clerk

BY-LAW NUMBER 2013-XX

A By-law of the Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. No. 12)

WHEREAS, Section 21 of The Planning Act, R.S.O., 1990 Chapter P.13 authorizes Council to initiate an amendment to or repeal of any Official Plan that applies to the municipality;

AND WHEREAS, by Resolution 13-G-073 of the Council of the Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan;

NOW THEREFORE, the Council of the Corporation of the City of Barrie enacts as follows:

1. Amendment No. 12 to the Official Plan for the Barrie Planning Area attached to and forming part of this by-law, is hereby adopted.

READ a first and second time this __ day of _____, 2013

READ a third time and finally passed this __ day of _____, 2013

THE CORPORATION OF THE CITY
OF BARRIE

Mayor

Clerk

This Amendment No. 12 to the Official Plan for the Barrie Planning Area which has been recommended by the Barrie General Committee and adopted by the Council of the Corporation of the City of Barrie, is hereby approved in accordance with the Planning Act as Amendment No. 12 to the City of Barrie Official Plan.

Date

City Clerk

**AMENDMENT NO. 12
TO THE CITY OF BARRIE
OFFICIAL PLAN**

**AMENDMENT NO. 12
TO THE CITY OF BARRIE
OFFICIAL PLAN**

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INTRODUCTION

PART A – THE PREAMBLE does not constitute part of this Amendment.

PART B – THE AMENDMENT, consisting of the following text and map constitutes Amendment No. 12 to the City of Barrie Official Plan.

Also attached is **PART C – THE APPENDIX**, which does not constitute part of this amendment. This appendix contains the Public Meeting Minutes, Staff Report and Council Direction associated with this amendment.

PART A – THE PREAMBLE

PURPOSE

The purpose of this amendment is to amend Schedule A – Land Use and create a Defined Policy Area in the Official Plan of the City of Barrie, and amend Schedule 2 – Land Use and the text in the Secondary Plan for the Bayshore Planning Area, to permit a small lot single detached residential development on a private road with a commercial component that can be developed for residential use after certain conditions are met to the satisfaction of the City of Barrie.

LOCATION

The lands subject to this amendment are located in the Bayshore Planning Area in the City of Barrie and are situated at the northwest corner of Big Bay Point Road and Hurst Drive. The lands are legally described as Part of Lot 15, Concession 13, former Township of Innisfil and municipally identified as 650 Big Bay Point Road and 63 Kell Place.

The property is approximately 1.35 hectares (3.25 acres) in size and currently designated General Commercial and Residential in the City of Barrie Official Plan and the Secondary Plan for the Bayshore Planning Area.

BASIS

The PPS promotes efficient development and land use patterns and a range and mix of residential, employment, recreational and open space uses. In addition, the policies promote cost effective development standards to minimize land consumption and facilitate compact form.

The Places to Grow: Growth Plan for the Greater Golden Horseshoe directs municipalities to identify and promote growth in the established serviced settlement area and encourages the development of complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.

The subject property is located at a prominent intersection of two arterial roads in the existing settlement area. The site is in the vicinity of a school, open space areas and has access to public transit. These applications, as well as the previous land use investigation for this property, indicate support for a mixed use development composed of local commercial and higher density residential that is encouraged by the policies of the PPS and Places to Grow.

Staff are supportive of planning permissions that would enable a mixed use development of the site in the form of higher density residential use while maintaining a small commercial component to facilitate local convenience commercial uses. The incorporation of residential units into the majority of the site with a commercial component is in keeping with the current Official Plan policies to promote infill and intensification opportunities in the existing settlement area.

PART B – THE AMENDMENT

DETAILS OF THE AMENDMENT

The Official Plan is amended by revising the Schedules and text of the Official Plan and Secondary Plan for the Bayshore Planning Area as follows:

1. Revise Schedule A – Land Use of the Official Plan for the property municipally identified as 650 Big Bay Point Road from General Commercial to Residential and General Commercial as illustrated by Schedule A to Amendment No. 12.
2. Revise Schedule C – Defined Policy Area of the Official Plan for that portion of the property municipally identified as 650 Big Bay Point Road and designated as General Commercial to identify Defined Policy Area Z as illustrated by Schedule B to Amendment No. 012.
3. Add text to section to Section 4.8 – Defined Policy Area of the Official Plan as follows:

Defined Policy Area [Z] (OPA No.12)

Lands shown on Schedule C, located at the northwest corner of Big Bay Point Road and Hurst Drive, shall permit single detached residential units on a private road once the Holding (H) symbol has been lifted from the Site Specific Zoning By-law for the subject lands.

4. Revise Schedule 2 – Land Use of the Secondary Plan for the Bayshore Planning Area for the property municipally identified as 650 Big Bay Point Road and 63 Kell Place from General Commercial and Residential to General Commercial and Medium Density Residential as illustrated by Schedule C to Amendment No. 12.
5. Revise the text in Section 2.4.2 – Commercial Policies of the Secondary Plan for the Bayshore Planning Area as follows:

2.4.2 Commercial Policies

Revised 2nd sentence of paragraph regarding size of Commercial land:

- b) ...The commercial area at Big Bay Point Road will have a site area of approximately 0.158 hectares...

Add as a last sentence to paragraph:

- c) ...The commercial area at Big Bay Point Road will also permit residential development once the Holding (H) symbol has been lifted from the Site Specific Zoning By-law for the subject lands.

IMPLEMENTATION

An implementing Zoning By-law to rezone the subject lands from General Commercial (C4) and Residential Single Detached (R3) to Residential Single Detached with Special Provisions (R4)(SP-483), (R3)(SP-484) and Convenience Commercial with Special Provisions and a Holding symbol (C5)(SP-485)(H-122) will be presented concurrent to Official Plan Amendment No. 12.

The special provisions of the residential single detached zone will permit Residential Single Detached Fourth Density (R4) lots with reduced lot frontage and lot area on a private road. The small commercial segment remaining at the northwest corner of Hurst Drive and Big Bay Point Road will permit convenience commercial

uses in accordance with the permitted uses for the Convenience Commercial (C5) Zone. The (H) symbol for the Special Provisions on the Convenience Commercial site shall be lifted by the City of Barrie when the following is provided to the satisfaction of the City:

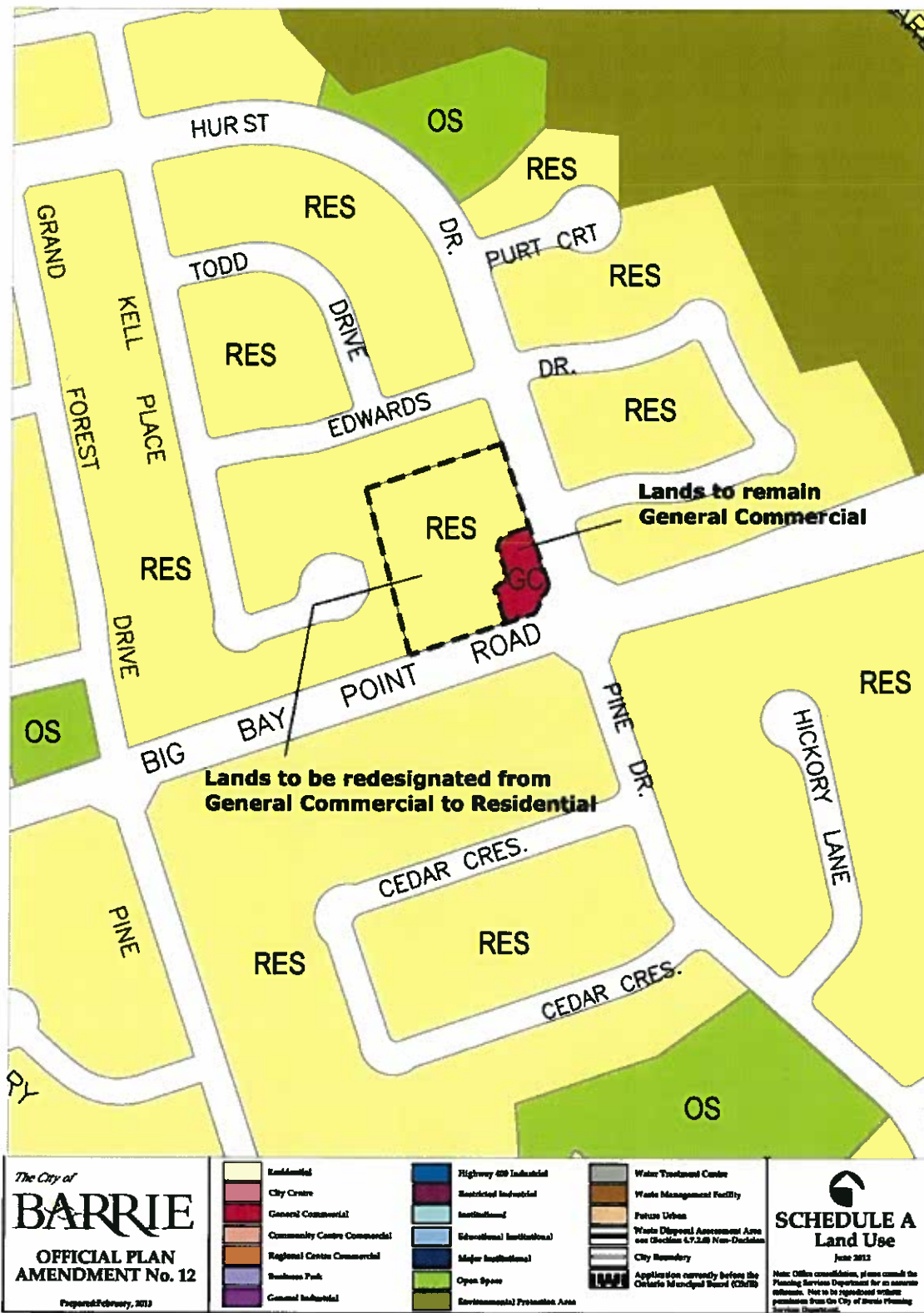
- i. The owner has demonstrated that the lands have been offered for sale or lease for commercial use, by way of proof of listing for sale or lease with a real estate broker; and,
- ii. On or after one (1) year from the date of the signing of a contract with a real estate broker, the lands have not been sold or leased by way of a signed contract for commercial purposes.

Once the (H) is lifted from the commercial site, the development of single detached residential units with reduced lot frontage and lot area on a private road will be permitted as outlined in the special provisions of the site specific zoning by-law.

INTERPRETATION

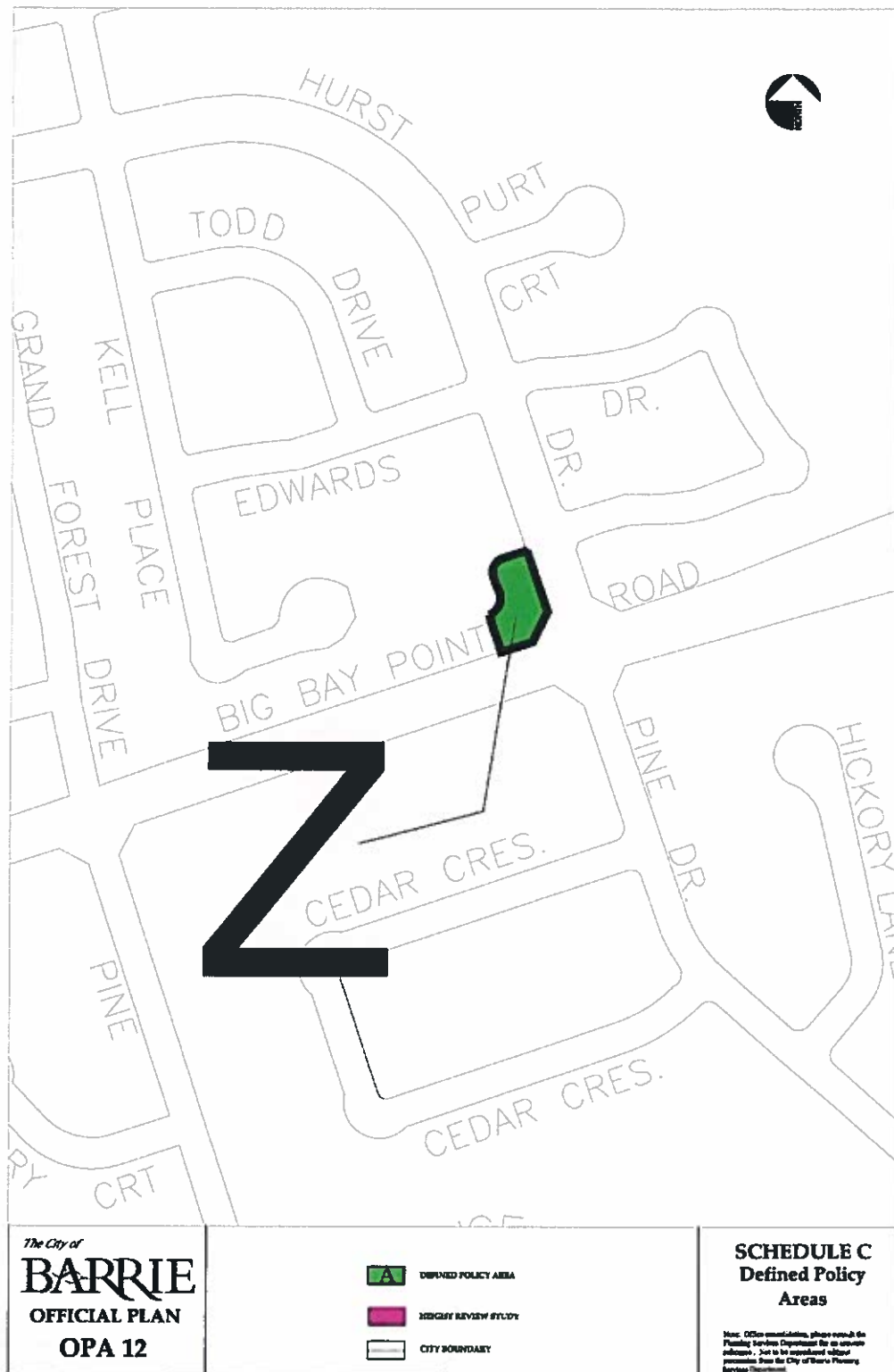
The remaining provisions of the Official Plan, as amended from time to time, shall apply in regard to this Amendment.

SCHEDULE A

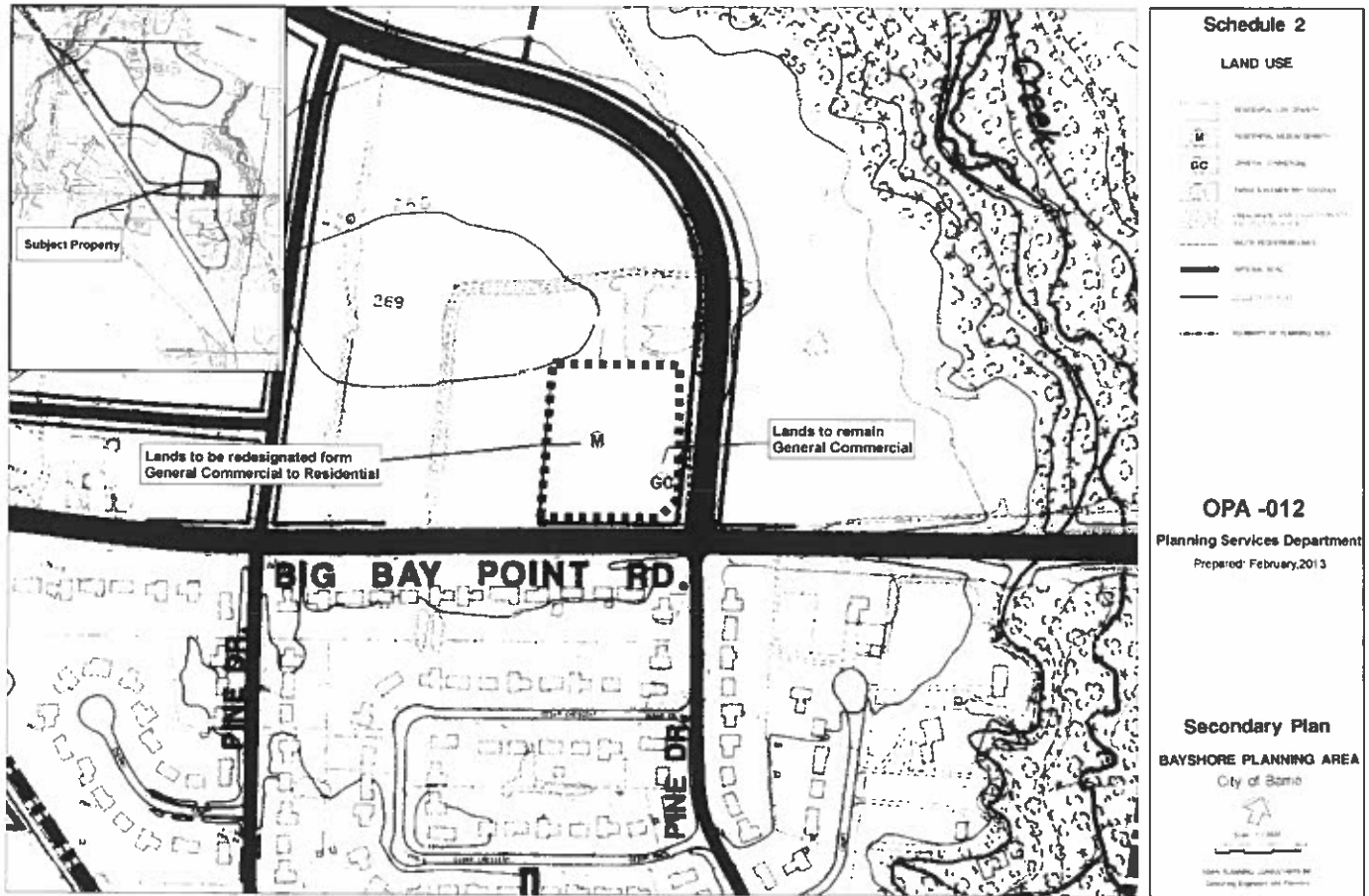


<p><i>The City of</i> BARRIE OFFICIAL PLAN AMENDMENT No. 12 Prepared February, 2012</p>	<p>Landfilled</p>	<p>Highway 409 Industrial</p>	<p>Water Treatment Centre</p>
	<p>City Centre</p>	<p>Restricted Industrial</p>	<p>Waste Management Facility</p>
	<p>General Commercial</p>	<p>Institutional</p>	<p>Future Urban</p>
	<p>Community Centre Commercial</p>	<p>Educational Institutional</p>	<p>Waste Disposal Assessment Area see Section 4.7.2.8 Non-Duckholes</p>
<p>Regional Centre Commercial</p>	<p>Major Institutional</p>	<p>City Boundary</p>	<p>Application currently before the Ontario Municipal Board (OMB)</p>
<p>Business Park</p>	<p>Open Space</p>	<p>Environmenta Protection Area</p>	<p>SCHEDULE A Land Use June 2012</p>
<p>General Industrial</p>			<p>Note: Other considerations, please consult the Planning Services Department for an accurate assessment. Not to be reproduced without permission from the City of Barrie Planning Services Department.</p>

SCHEDULE B



SCHEDULE C



PART C - THE APPENDIX

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Minutes of the General Committee Public Meeting



City Clerk's Office
COUNCIL DIRECTION MEMORANDUM

TO: Director of Planning

FROM: Dawn McAlpine, City Clerk

DATE APPROVED
BY COUNCIL: February 13, 2012

12-G-014 APPLICATIONS FOR A PROPOSED OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT AND PLAN OF SUBDIVISION - SIERRA VISTA HOLDINGS LTD. - 650 BIG BAY POINT ROAD AND 63 KELL PLACE (February 6, 2012) (D09-OPA012, D14-1527, D12-399)

Celeste Philips of Celeste Phillips Planning Inc. explained that the purpose of the public meeting is to review applications for a Proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision submitted by Celeste Phillips Planning Inc. on behalf of Sierra Vista Holdings. She noted that the lands are located on the northwest corner of Big Bay Point Road and Hurst Drive and are known municipally as 650 Big Bay Point Road and 63 Kell Place. Ms. Philips provided an air photo of the subject property and surrounding area. She described the existing site conditions and commented that the surrounding land uses are primarily single family dwellings. Ms. Philips provided the site details noting that a previous application for the property was not approved by City Council or the Ontario Municipal Board. She explained that the subject property is close to numerous schools, parks and a childcare centre.

Ms. Philips explained the development proposal for the property and noted that the proposal includes a commercial/residential block and 38 single detached dwelling units. She displayed the Development Plan and provided the details concerning the parameters associated with the proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision. Ms. Philips stated that she believes the applications are consistent with provincial planning policy and municipal policy including the City of Barrie Official Plan. She concluded by summarizing the proposal and provided her professional planning opinion with respect to the applications.

Members of General Committee asked a number of questions concerning the information provided and received responses from the presenter and City staff.

PUBLIC COMMENTS:

1. **Stuart Brown, 40 Bloxham Place** stated that he is concerned with the impact the proposed development will have on the value of his home. He inquired regarding the selling price of the proposed homes. He commented that he is opposed to having homes built on the second storey of a commercial building.

12-G-014 Continued ...

Ms. Philips responded to the question. Mayor Lehman provided clarification regarding the current zoning for the property and the potential uses.

2. **William Kell, 8 Edwards Drive** commented that he was Chairman of the Innisfil Planning Board in 1980 and discussed his perspective of the history of the neighbourhood. He observed that he believes the property should remain zoned commercial. He noted that he is opposed to the development and believes the entrance to the development is too close to a major intersection and that the streets within the development are too narrow for emergency services vehicles to access the homes. He stated that he feels that an alternative exit should be included in the development and questioned where the snow will be placed in the winter. He concluded by stating that he believes the development will impact the value of his home.
3. **David Steele, 317 Pine Drive** questioned how vehicles will be able to enter and exit the driveways from the proposed lots 10 and 11 onto Hurst Drive. He noted that he does not believe that the driveways should be on Hurst Drive.

Ms. Philips responded to the question.

4. **Mary Moffett, 85 Edwards Drive** noted that she is also opposed to the development and that the previous speakers had addressed some of her concerns. She stated that she is concerned about safety and questioned if the roads within the proposed development will be wide enough for emergency service vehicles. She also noted that the schools in the area already have portables and expressed concern with sufficient space for any new student. She stated that she would like the property to remain zoned commercial.
5. **Ed Frazer, 13 Edwards Drive** commented that he has been opposed to the development proposals for this property for the past four years. He noted that he feels that the proposal has not changed from the last application submitted to the City. He stated that the surrounding homes are mainly bungalows in the area and does not feel that 1 ½ or 2 storey homes are appropriate for the area. Mr. Frazer commented that he does not believe that the owner of the property has tried to actively market the property for commercial uses. He read aloud from the Ontario Municipal Board decision with reference to the previous decision. He noted that he believes the residents living in the area would prefer a commercial development to provide a meeting place for neighbours and that removing the commercial space would impact the quality of life for the neighbours. He observed that travelling to the commercial area on Big Bay Point Road and Yonge Street using public transit is not convenient particularly for retirees in the area. He questioned whether measures are in place by the City to prevent a developer from applying to have a commercially zoned piece of property changed to residential. He concluded by stating that he believes that the development proposal means a lot to the residents in the existing area and requested that the applications be denied.

The Mayor sought clarification from the applicant's planning staff on the commercial zoning.

6. **Chris Damas, 23 Edwards Drive** noted that the Bayshore Secondary Plan (BSP) was approved 25 years ago by the City of Barrie and that the Plan designated the subject property commercial. He stated that the BSP established the plans of subdivision and two commercial areas within the secondary plan including the subject site. He read aloud an excerpt from the BSP and stated that he believes the subject property is not subject to the City's Intensification Policy or altered by provincial planning changes and therefore the development proposal should not be approved. Mr. Damas commented that he believes that Hurst Drive and Big Bay Point Roads are arterial roads meant to move traffic. He stated that he has concern having driveways and an entrance off of Hurst Drive for the proposed development. He explained that the traffic from Hurst Drive causes noise

12-G-014 Continued ...

and believes that a wall will have to be built around the proposed development in order to mitigate the noise resulting from the traffic.

Mr. Damas read aloud a letter sent in 1987 from a previous owner of the subject property describing their intent to develop a commercial plaza on the site. Mr. Damas stated that he feels the property should remain commercial as the current owner was aware of the zoning at the time of purchase. He explained that there are currently a number of commercially developed plazas in the area and he feels that the subject property has potential for other uses other than typical convenience commercial. He expressed concern regarding the potential loss of the century old maple trees. He provided a number of suggestions for the property and asked what the future plans are for Hurst Drive.

The Mayor obtained clarification from staff and the Ward Councillor regarding the proposed lane widths for Hurst Drive.

Members of General Committee asked a number of questions regarding the information provided.

WRITTEN CORRESPONDENCE:

1. Correspondence from MTO Central Region dated January 4, 2012.
2. Correspondence from Simcoe County District School Board dated January 5, 2012.
3. Correspondence from Hydro One Networks Inc. dated January 18, 2012.
4. Correspondence from Ernie Miller dated January 25, 2012.
5. Correspondence from Richard Moffett dated January 28, 2012.
6. Correspondence from Marion Fraser dated January 30, 2012.
7. Form Letter from Andy and Corrie VanDyke, dated January, 2012 containing additional hand written comments.
8. Form Letter from David and Carol Steele, dated January, 2012 containing additional hand written comments.
9. Form Letter from James Sawdon, dated January, 2012 containing additional hand written comments.
10. Form Letter from Donna Johnstone, dated January, 2012 containing additional hand written comments.
11. Form Letter from Doug and Ann Clarke, dated January, 2012 containing additional hand written comments.
12. Form Letter from residents in the area of 650 Big Bay Point Road and 63 Kell Place, dated January, 2012 (47 form letters included).

Staff Report



STAFF REPORT PLN009-13
March 18, 2013


Page: 1
File: D09-OPA012
D14-1527
Pending #

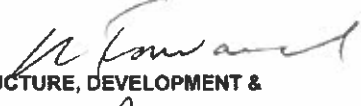
TO: GENERAL COMMITTEE


SUBJECT: OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT TO PERMIT RESIDENTIAL DEVELOPMENT AT 650 BIG BAY POINT ROAD & 63 KELL PLACE – SIERRA VISTA HOLDINGS

WARD: 9

PREPARED BY AND KEY CONTACT: C. TERRY, SENIOR DEVELOPMENT PLANNER
EXT. 4430

SUBMITTED BY:  For: S. NAYLOR, M.E.S., M.C.I.P., R.P.P.
DIRECTOR OF PLANNING SERVICES

GENERAL MANAGER APPROVAL: R. FORWARD, MBA, M.Sc., P. ENG. 
GENERAL MANAGER OF INFRASTRUCTURE, DEVELOPMENT & CULTURE

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD, CHIEF ADMINISTRATIVE OFFICER 

RECOMMENDED MOTION

1. That the Official Plan Amendment application submitted by Celeste Phillips on behalf of Sierra Vista Holding Ltd. as interpreted by staff to designate the lands municipally known as 650 Big Bay Point Road from General Commercial to General Commercial and Residential be approved as illustrated in Appendix "A" to Staff Report PLN009-13 (D09-OPA012).
2. That the Official Plan Amendment application submitted by Celeste Phillips on behalf of Sierra Vista Holding Ltd. as interpreted by staff to designate the lands municipally known as 650 Big Bay Point Road from General Commercial to General Commercial and Residential Medium Density in the Bayshore Secondary Plan be approved as illustrated in Appendix "B" to Staff Report PLN009-13 (D09-OPA012).
3. That the Zoning By-law Amendment application submitted by Celeste Phillips on behalf of Sierra Vista Holding Ltd., as interpreted by staff and illustrated in Appendix "C" to Staff Report PLN009-13, be denied (D14-1527).

PURPOSE**Report Overview**

4. The purpose of Staff Report PLN009-13 is to consider applications for Official Plan Amendments and a Zoning By-law Amendment for the property municipally identified as 650 Big Bay Point Road and 63 Kell Place. The Official Plan applications are intended to remove the majority of the commercial designation for the property identified as 650 Big Bay Point Road in the Official Plan and Bayshore Secondary Plan to permit residential development on a private road.
5. Through the rezoning, the applicant has proposed that the majority of 650 Big Bay Point Road be rezoned from General Commercial (C4) to Residential Single Detached with Special Provisions for reduced frontage and area (R4-SP), a small section of Residential Single Detached with Special Provisions for reduced area (R3-SP), and to rezone 63 Kell Place from Residential Single

Detached (R3) to Residential Single Detached with Special Provisions for reduced frontage and area (R4-SP).

6. The rezoning application also proposes a dual zoning General Commercial with Special Provisions to restrict uses and Residential Single Detached with Special Provisions for reduced frontage and area (C4-SP/R4-SP) on a small segment of property (0.158ha) at the corner of Hurst Drive and Big Bay Point Road. The applicant has requested a sunset clause of 1 year for the commercial development. If after 1 year no interest is shown in the commercial development of the site, residential development would be permitted as Residential Single Detached with Special Provisions for reduced frontage and lot area (R4-SP) at the southeast corner of the property.
7. Staff have recommended that the Official Plan designation as illustrated in Appendix "A" and Secondary Plan designation as illustrated in Appendix "B" to Staff Report PLN009-13 can be supported to facilitate commercial and medium density residential development on this site, as previously approved by the City. However, staff do not support a 1 year sunset clause on the potential for commercial development, or the residential lots for single detached housing proposed by the rezoning application as illustrated in Appendix "C" to Staff Report PLN009-13. The proposed development concept is attached as Appendix "D" to Staff Report PLN009-13.

BACKGROUND

8. The property is currently vacant, but had been used for commercial purposes (restaurant) for several decades. The commercial use existed on the subject lands prior to the lands being annexed into the City of Barrie in 1981. The residential R3 zoned portion of the property, known municipally as 63 Kell Place, was conveyed to the owners by the City during the development of the surrounding residential area, in exchange for the parcel of land that now makes up Hurst Drive to the east of the subject property.
9. Applications for an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision were submitted for a residential townhouse development on the subject site in 2009 (D09-OPA120, D14-1471, D12-389). The applications were denied by the City in favour of an alternative design prepared for Council respecting the following key principles:
 - That the subject lands are suitable for intensification in accordance with the Provincial Growth Plan, the City's Intensification Strategy and the update to the Official Plan.
 - That a commercial component of a minimum of 465 m² (5,000 ft²) be maintained at the southeasterly corner of the site.
 - Notwithstanding the list of Permitted Uses in the C4 Zone, all uses in the C4 Zone shall be permitted, except Drive Through Facilities related to Offices, Banks or Restaurants including Fast Food Outlets; Car Wash; Adult Entertainment Parlour; Arcade or Game Establishment; Automotive Service Station; and Automotive Repair.
10. The owners appealed the applications submitted in 2009 to the Ontario Municipal Board (OMB) based on the lack of decision by the City within the requisite time period provided by the *Planning Act*. In the OMB decision dated January 6, 2011, the Board was not satisfied that the subject site was redundant as a commercial property and did not accept the justification for the change in the site from commercial to entirely residential as requested by the applicant. In addition, the applicant identified to the Board that the City's concept was not workable and the Board did not accept the alternative mixed use design presented by the City. Ultimately, a change in land use was not approved for the site and the application was denied by the OMB.

LOCATION

11. The subject lands are located at the northwest corner of Hurst Drive and Big Bay Point Road. The property has a total area of approximately 1.3 hectares (3.3 acres) and is known municipally as 650 Big Bay Point Road and 63 Kell Place.

Surrounding Land Uses

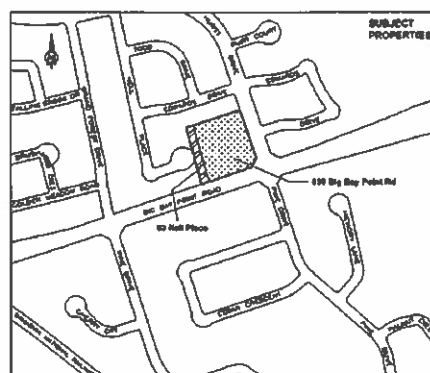
12. Existing land uses surrounding the subject property consist of the following:

North: Existing residential single detached dwellings zoned R3 (min. 12m frontage).

South: Big Bay Point Road and existing residential single detached dwellings zoned R1 (min. 20m frontage).

East: Hurst Drive and existing residential single detached dwellings zoned R2 (min. 15m frontage).

West: Existing residential single detached dwellings zoned R3 (min. 12m frontage).



Public Consultation

13. A public meeting was held on February 6, 2012 in accordance with the Planning Act. In addition, a Town Hall meeting was hosted by the Ward Councillor on February 1, 2012 to discuss the application with the community.
14. Numerous letters, information calls and presentations at the public meeting have been received in opposition to the proposed development. The predominant concerns from the public include the following:
- loss of commercial development that could serve the local community;
 - increased traffic and safe access/egress onto Hurst Drive;
 - decreased neighbourhood property values; and
 - the need for increased setbacks and similar built form adjacent the existing low-density development.

Departmental Comments

15. The application and supporting information has been circulated to the required agencies and departments for comment.
16. The Engineering Department provided both standard and special conditions for potential Draft Plan of Subdivision approval, however concern was raised with the 6 metre pavement width for the internal private roadway proposed by the applicant. Staff have advised that a minimum 6.4 metre width is necessary to support emergency vehicles and other services like garbage trucks. In addition, comment was provided to advise that no sanitary sewer service connection is

- available from Hurst Drive for the 2 potential lots fronting on Hurst Drive outside of the proposed condominium.
17. Engineering Department – Parks Planning identified the requirement for a Tree Preservation Plan to the satisfaction of the City. Staff have agreed to make this requirement a condition at the Draft Plan of Subdivision stage if the applications are approved. In addition, a review of the concept plan identified concern with the provision of an adequate landscape buffer for the commercial block, the lack of external pedestrian connections, no internal sidewalks, and the limitations of the proposed 1 metre landscape block along the north side of the concept plan.
 18. Emergency Services have identified that given the reduced road width for the proposed internal private road, it should be appropriately designed and designated as no parking along both sides of its entire length to ensure emergency vehicles can appropriately maneuver around the site.
 19. After the submission of additional detail to evaluate the proposed zoning for the property, Building Department – Zoning comments confirmed that all of the proposed lots are deficient in lot area and the majority are deficient in lot frontage. The application does not request additional special provisions, therefore all other standards for the proposed R3-SP and R4-SP zones will continue to apply to the development including, but not limited to: setbacks, lot coverage, building height and parking requirements.

ANALYSIS

Provincial Policy Statement (PPS) and Places to Grow

20. The PPS promotes efficient development and land use patterns and a range and mix of residential, employment, recreational and open space uses. In addition, the policies promote cost effective development standards to minimize land consumption and facilitate compact form.
21. The Places to Grow: Growth Plan for the Greater Golden Horseshoe directs municipalities to identify and promote growth in the established serviced settlement area and encourages the development of complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.
22. It is acknowledged that these principles need not be applied to every circumstance within the City. Not every infill opportunity is appropriately addressed by higher density housing forms and mixed use developments. However, staff believe that the attributes and characteristics of the subject lands are such that a mixed use, medium density development is the most appropriate use of this site and anything lesser would be a missed intensification opportunity.
23. The property is located at a prominent intersection of two arterial roads in the existing settlement area. The site is in the vicinity of a school, open space areas and has access to public transit. These applications, as well as the previous land use investigation for this property, indicate support for a mixed use development composed of local commercial and higher density residential that is encouraged by the policies of the PPS and Places to Grow. Staff are supportive of planning permissions that would enable a mixed use development of the site in the form of higher density residential use while maintaining a small commercial component to facilitate local convenience commercial uses.

Official Plan/Bayshore Secondary Plan

24. The subject lands are designated General Commercial Area and Residential Area by the City of Barrie Official Plan and the Bayshore Secondary Plan. The property is one of two General Commercial sites identified to serve the population in the Bayshore Secondary Plan Area. The

General Commercial designation maintains the opportunity to provide commercial uses on this site that would serve the surrounding community and the travelling public. Staff have recommended that a General Commercial designation be maintained at the southeast corner of the property to represent the neighbourhood commercial component that is supported by past market opinion, and should be included in the redevelopment of this property.

25. The incorporation of residential into the majority of the site with a required commercial component is in keeping with the current Official Plan policies to promote infill and intensification opportunities in the existing settlement area. However, staff feel that the detail of the applications proposed represent an inefficient use of services and resources, as well as a missed opportunity to provide a mixed use development demonstrating alternative housing types and commercial land use in an appropriate gateway location to the neighbourhood. The proposed design does not transition into the existing neighbourhood, nor does it provide an aesthetically pleasing streetscape that maintains visually significant entrance features as encouraged in the design principles of the Bayshore Secondary Plan.
26. The development concept provided by the applicant, attached as Appendix "D" to Staff Report PLN009-13, demonstrates 38 single detached lots with a neighbourhood commercial component or 43 single detached lots. The residential density for the proposal is approximately 32 units per hectare. A density of 30 or more units per hectare is in fact considered medium density in accordance with the Secondary Plan. The low density residential designation in the Bayshore Secondary Plan, as characterized in the surrounding single detached neighbourhood, permits a maximum density of 20 units per hectare.
27. In the current Zoning By-law, medium density housing has a permitted density of 40 units per hectare for block/cluster townhouse units and 53 units per hectare for stacked townhouses. In staff's opinion, this is an appropriate density for the site and the unit type should provide more consistent and potentially higher quality urban design. In addition, medium density uses are generally required to provide communal attributes for the development such as visitor parking and amenity space for residents that are not required with the proposed single detached zoning.
28. Although staff are not supportive of the single detached housing proposed for this project, regardless of the built form, a medium density designation is necessary in the Bayshore Secondary Plan to accommodate future residential infill as part of a mixed use development for this site. Staff have recommended the approval of a medium density symbol on the subject lands in the Bayshore Secondary Plan to identify residential use at an increased density to the surrounding area, as illustrated in Appendix "B" to Staff Report PLN009-13.

Residential Development

29. The subject applications represent the potential redevelopment of a significant (1.35 hectares) commercial property at the intersection of two arterial roads leading into an expansive residential community. Staff maintain the opinion that there is an opportunity for this site to be developed as a gateway into this community with a medium density residential use and the desired commercial component to service the surrounding neighbourhood.
30. The proposed design concept, as illustrated in Appendix "D" to Staff Report PLN009-13, identifies reverse lot frontage along Big Bay Point Road that could extend along Hurst Drive given the request for a time limit on the requirement for commercial development. A tight board fence would be required along the property line for the entire length of the frontage on Big Bay Point Road and a portion of Hurst Drive for the development. Given the existing fencing on Big Bay Point Road, this development would contribute to approximately 300 metres (1000 ft.) of continuous fencing as a gateway feature to the adjoining residential community. In staffs' opinion, this is not an acceptable design standard for a new mixed use development in an existing neighbourhood.

31. Staff are of the opinion that the proposed built form for small lot single family dwellings is an inefficient use of the site. The single detached housing form proposed for this property will permit individual lots approximately 40% to 50% smaller in size than the surrounding residential neighbourhood. The R4-SP examples outlined in the table below represent 27 of the 34 potential R4-SP parcels proposed by the applicant on the concept plan attached as Appendix "D" to Staff Report PLN009-13, not including the R4-SP lots that would result from the commercial block if the sunset clause was invoked.

Zone	R2	R3	Proposed R4-SP		
Min. Lot Frontage	15m	12m	9.2m	9.19m	9.44m
Min. Lot Area	500m ²	400m ²	235m ²	247m ²	252m ²

32. The proposed reduction in lot standards demonstrated above, in combination with the reduced internal road width, has raised concern for staff with the future functionality of the site. In addition to the general site design factors such as fencing and reverse lot frontage, staff have concern that the following design attributes will either not be provided, or will not be provided adequately: interior sidewalks; interior/exterior pedestrian connections; visitor and on-street parking; snow storage; and the provision of adequate amenity areas (private/communal). It should be noted that the proposed single detached residential zone does not require Site Plan Control to implement urban design guidelines or the standard considerations of site design.
33. In staffs' opinion, single family dwelling units do not reflect the most appropriate form of housing development for this property. This is exacerbated by the potential for the entire property to be developed for residential use if the sunset clause is invoked. Staff maintain their original position that medium density development, in the form of townhouses for example, would provide the best opportunity for residential intensification as part of a mixed use development. Typical medium density built form with a more communal design concept would provide the best opportunity for enhanced urban design, and provide flexibility on site to provide a better integrated residential component as part of a mixed use development.

Commercial Development

34. The current designation for the site is General Commercial (C4). The previous application and direction of Council was to keep the C4 zone but remove certain commercial uses that may have a negative impact on the surrounding residential community. The applicant has continued to introduce the C4 zone with restrictions on certain uses. However, since the time of the original submission, a new Zoning By-law has been introduced for the City.
35. The Convenience Commercial zone (C5) permits a wider range of uses in Zoning By-law 2009-141 than what was previously permitted in Zoning By-law 85-95. Staff recommend that the commercial component of the site be recognized as the Convenience Commercial (C5) zone to better reflect the size of the commercial block and the potential uses encouraged for this site rather than a General Commercial (C4) zone with multiple restrictions on uses.
36. At the OMB Hearing for the previous applications, market opinion on the commercial potential of the site was provided by consultants on behalf of both the City and the applicant. The Board preferred the market analysis of the City's consultant, Doug Annand, that recommended 465m² (5000ft²) of commercial space should be maintained on the subject site. Staff are still in support of a neighbourhood commercial use being part of this development.

37. The concept provided by the applicant identifies a commercial block approximately 0.158 hectares in size. It can be generally assumed that 30% of a commercial site is for the commercial structure. The concept plan, attached as Appendix "D" to Staff Report PLN009-13, does provide a commercial block of an appropriate size to accommodate the recommended 465m² of commercial space.
38. As part of this application, a 1 year sunset clause has been requested for the commercial use. After the 1 year has passed, the commercial component of this development would no longer be required and residential use could be built in the identified commercial block. The 1 year sunset clause requested as part of this application is not supported by staff, and at the time of writing this report, satisfactory criteria to invoke the clause have not been established nor provided for the removal of the commercial component from the site.

Additional Applications

39. The owner is proposing a Plan of Subdivision over the lands currently zoned General Commercial (C4) and Residential Single Detached (R3) that would result in a developable block of land. If the principle of development is approved by Council, the Plan of Subdivision conditions would be prepared and administered by staff. The Draft Plan of Subdivision conditions will include, but not be limited to:
- a) Preparation of a Functional Servicing Report/Plan with an analysis of capacity and design to the satisfaction of the City of Barrie;
 - b) Preparation of a Stormwater Management Report/Design to the satisfaction of the City of Barrie and the Lake Simcoe Region Conservation Authority (LSRCA);
 - c) An Erosion and Sedimentation Control Plan to the satisfaction of the City of Barrie and the LSRCA;
 - d) A Grading and Drainage Plan to the satisfaction of the City of Barrie and LSRCA,
 - e) A Tree Preservation Plan to the satisfaction of the City of Barrie; and
 - f) A Development Agreement registered on title, and the payment of fees and securities to the satisfaction of the City of Barrie.
40. To facilitate the development, the submission of additional applications would be required for Part Lot Control and Plan of Condominium. The single detached nature of the proposed built form will not require Site Plan Control. If Council approves the applications as proposed, staff would recommend the requirement for Site Plan Control to ensure appropriate site standards and urban design guidelines are applied to the project.

ENVIRONMENTAL MATTERS

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

ALTERNATIVES

42. There are two alternatives available for consideration by General Committee:

Alternative #1

General Committee could approve the zoning amendment application as interpreted by staff and illustrated in Appendix "C" to Staff Report PLN009-13 for:

- a) A portion of the lands municipally known as 650 Big Bay Point Road from General Commercial (C4) to a dual zone General Commercial with Special Provisions to restrict uses and Residential Single Detached with Special Provisions for reduced frontage and area (C4-SP/R4-SP);
- b) The majority of the lands municipally known as 650 Big Bay Point Road from Commercial (C4) to Residential Single Detached with Special Provisions for reduced frontage and area (R4-SP) and Residential Single Detached with Special Provisions for reduced area (R3-SP); and
- c) The lands municipally known as 63 Kell Place from Residential Single Detached (R3) to Residential Single Detached with Special Provisions for reduced frontage and area (R4-SP).

This alternative is not recommended as the proposed plan promotes the use of a reverse lot design that segregates the development from the neighbourhood, creates a single detached built form that is not an efficient use of the former commercial site, and limits the potential for future commercial development. If Council were to choose this alternative, staff would recommend that Council impose Site Plan Control and modify the proposed dual zone of the commercial component to Convenience Commercial with Special Provisions (C5-SP) that define satisfactory timing and requirements for the release of a sunset clause for commercial development and permits future residential development as requested by the applicant.

Alternative #2

General Committee could deny the proposed applications and maintain the current Commercial and Residential land use designations on the lands municipally known as 650 Big Bay Point Road and 63 Kell Place.

This alternative is not recommended as the City's Commercial expert identified that 465m² of commercial space would be the appropriate contribution to this area. A commercial development of that size can be accommodated on a small segment of the subject lands, leaving the remainder for an alternative residential development form. Although the General Commercial zone (C4) permits a range of uses, they may not all be appropriate for this neighbourhood and the zone does not include permissions for separate residential uses on the site. In addition, the existing Residential (R3) parcel known as 63 Kell Place is not easily accessible and has limited opportunity for development as a separate parcel.

FINANCIAL

43. The estimated tax assessment, development charges and building permit fees have not been calculated for the project at this time. The development of condominium tenure single detached housing on the small lot sizes proposed by the applicant does not currently exist in the City for comparison. Staff do not feel that an accurate representation of potential tax increases and fees is possible under these circumstances.

44. If Council accepts staffs' recommendation to deny the proposed zoning for the site or provides an alternative that is not acceptable to the applicant, the decision can be appealed to the Ontario Municipal Board. The potential costs related to legal proceedings would be calculated if warranted by an appeal of Council decision on the proposed development.

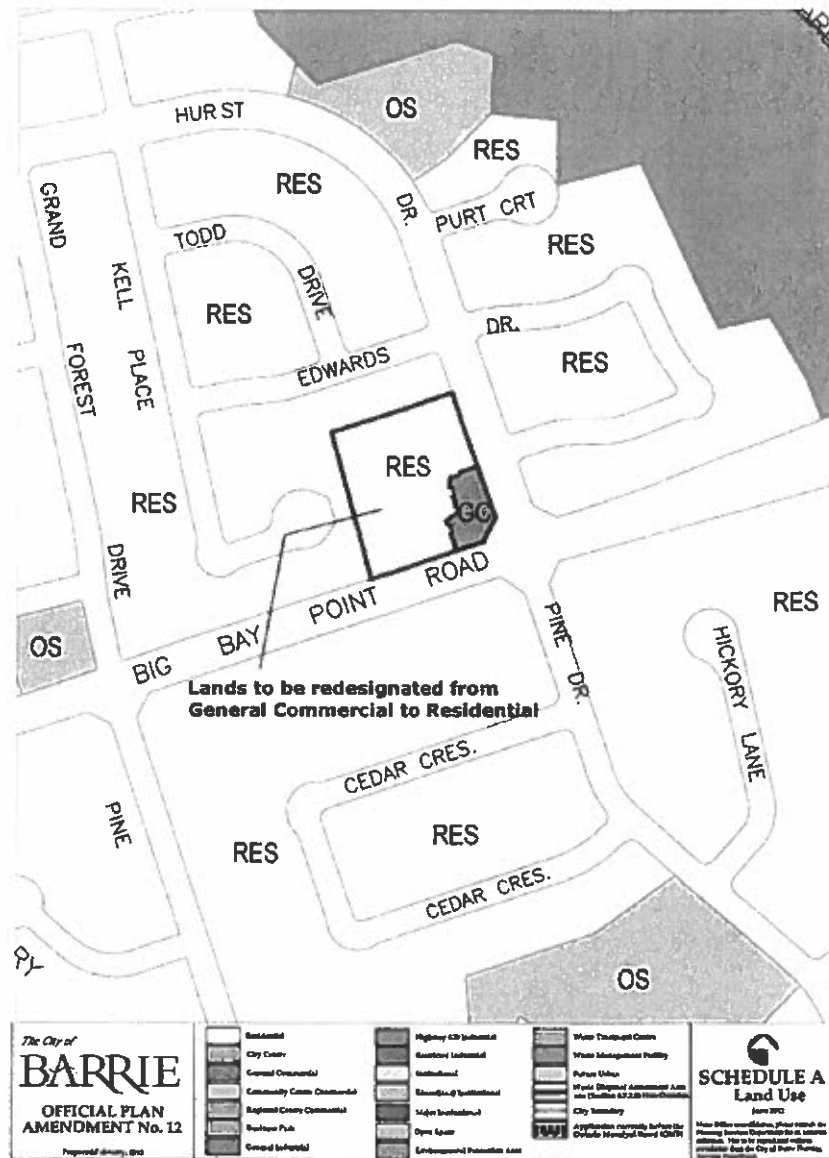
LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

45. The recommendations included in this Staff Report are not specifically related to the goals identified in the 2010-2014 City Council Strategic Plan.

Attachments: Appendix "A" – Proposed Official Plan Amendment
Appendix "B" – Proposed Secondary Plan Amendment
Appendix "C" – Proposed Zoning By-law
Appendix "D" – Proposed Concept Plan

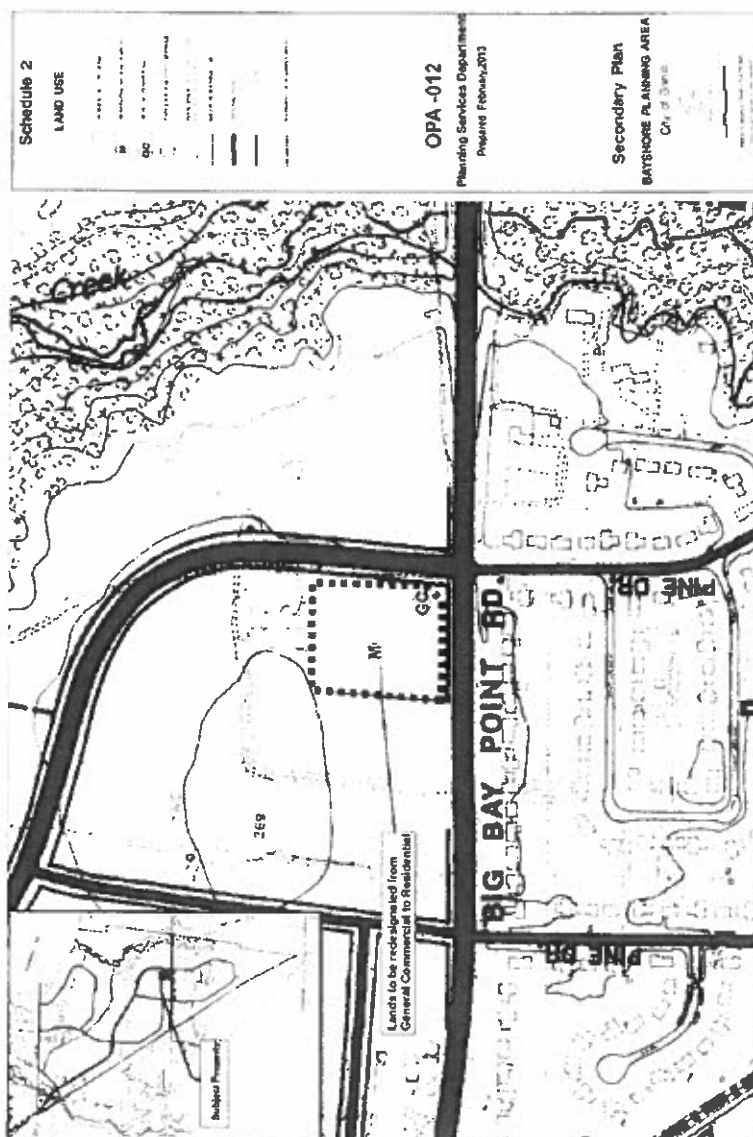
APPENDIX "A"

Proposed Official Plan Amendment



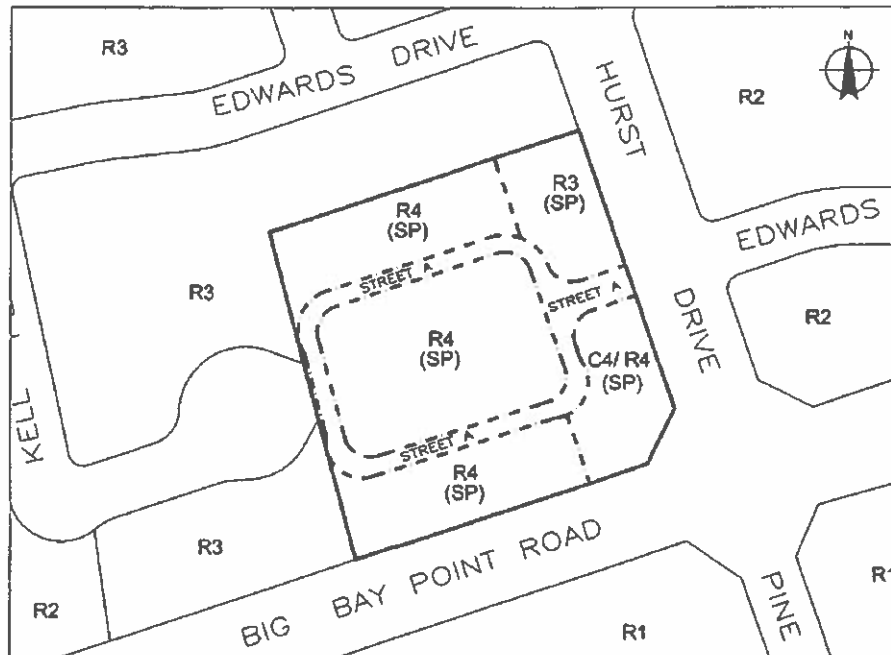
APPENDIX "B"

Proposed Secondary Plan Amendment



APPENDIX "C"

Proposed Zoning By-law

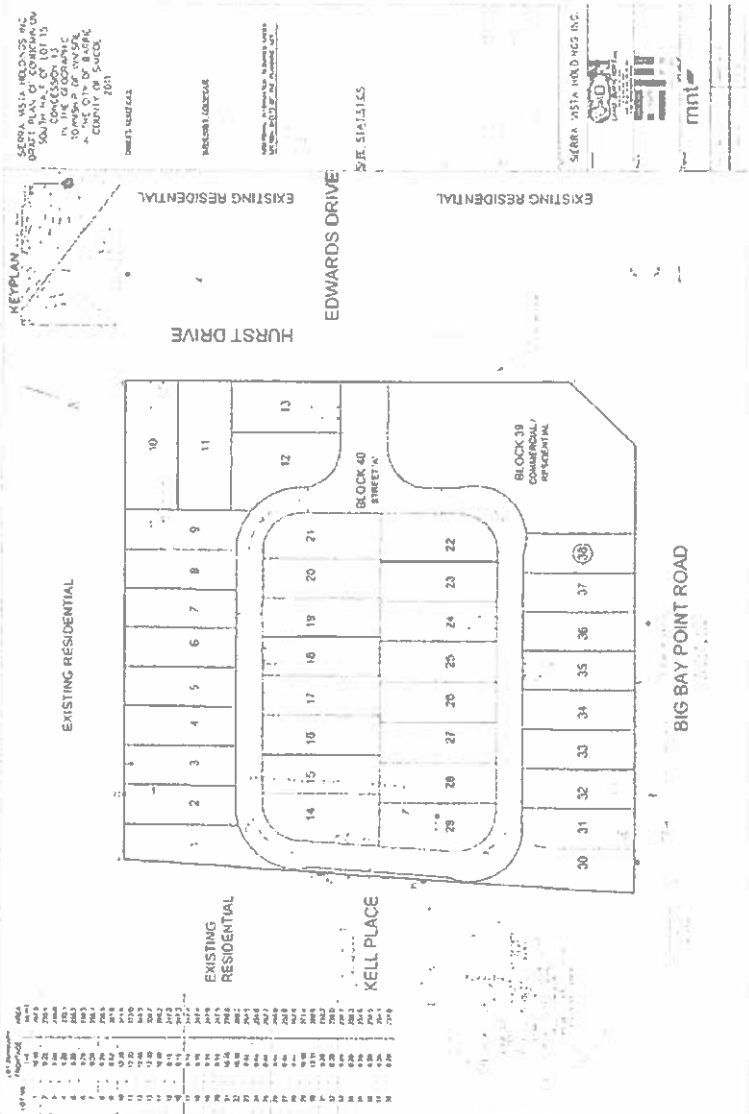


D14-1527
650 BIG BAY POINT RD

February, 2013

APPENDIX "D"

Proposed Concept Plan



TO: Director of Legal Services – advise and note
Director of Planning – prepare OPA and Zoning Map
Director of Engineering – note
Director of Recreation, Transit and Facilities – note
City Clerk – Tammie note

FROM: Dawn McAlpine, City Clerk

DATE APPROVED
BY COUNCIL: March 25, 2013

13-G-073 OFFICIAL PLAN AND ZONING BY-LAW AMENDMENT TO PERMIT RESIDENTIAL DEVELOPMENT AT 650 BIG BAY POINT ROAD AND 63 KELL PLACE - SIERRA VISTA HOLDINGS (WARD 10)

1. That the Official Plan Amendment application submitted by Celeste Phillips on behalf of Sierra Vista Holding Ltd. as interpreted by staff to designate the lands municipally known as 650 Big Bay Point Road from General Commercial to General Commercial and Residential be approved as illustrated in Appendix "A" to Staff Report PLN009-13 (D09-OPA012).
2. That the Official Plan Amendment application submitted by Celeste Phillips on behalf of Sierra Vista Holding Ltd. as interpreted by staff to designate the lands municipally known as 650 Big Bay Point Road from General Commercial to General Commercial and Residential Medium Density in the Bayshore Secondary Plan be approved as illustrated in Appendix "B" to Staff Report PLN009-13 (D09-OPA012).
3. That the Zoning By-law Amendment application submitted by Celeste Phillips on behalf of Sierra Vista Holding Ltd. to facilitate the development concept as illustrated in Appendix "D" attached to Staff Report PLN009-13 be approved with Special Provisions applicable to the condominium proposal to be confirmed with the applicant prior to passage of the By-law, as well as any additional policy provisions required to facilitate residential development in a commercial designation.
4. That Site Plan Control be required for the subject lands. (D14-1527). (PLN009-13) (File: D09-OPA012 & D14-1527)