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**TO:** GENERAL COMMITTEE


**SUBJECT:** REZONING FROM MULTIPLE-FAMILY DWELLING FIRST DENSITY (RM1) TO MULTIPLE-FAMILY DWELLING SECOND DENSITY (RM2) SPECIAL PROVISION (SP) AND APARTMENT DWELLING FIRST DENSITY RESIDENTIAL (RA1-2) SPECIAL PROVISION (SP) 140, 142, 144, 148 & 152 CUMBERLAND STREET

**WARD:** 8

**PREPARED BY AND KEY CONTACT:** S. FARQUHARSON, DEVELOPMENT PLANNER, B.URPL. , EXT. 4478 AND R. WINDLE, M.C.I.P., R.P.P., MANAGER OF DEVELOPMENT CONTROL, EXT, 4324

**SUBMITTED BY:** S. NAYLOR, MES, M.C.I.P., R.P.P., DIRECTOR OF PLANNING 

**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 

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**RECOMMENDED MOTION**

1. That the application submitted by Innovative Planning Solutions on behalf of 1842648 Ontario Limited to amend the Zoning By-law from Multiple-Family Dwelling First Density (RM1) to Multiple-Family Dwelling Second Density with Special Provision and a Hold (RM2) (SP) (H) on the property legally described as Lots 9 and 10, south side on Registered Plan 433, known municipally as 148/152 Cumberland Street be approved.
2. That the application submitted by Innovative Planning Solutions on behalf of 1842648 Ontario Limited to amend the Zoning By-law from Multiple-Family Dwelling First Density (RM1) to Apartment Dwelling First Density with a Special Provision and a Hold (RA1-2)(SP)(H) on the property legally described as Lot 11 and 12, south side on Registered Plan 40, as well as Part of Robinson Street, Registered Plan 40, municipally known as 140/142 and a portion of 144 Cumberland Street be approved.
3. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands municipally known as 148/152 Cumberland Street:
  - a) The minimum landscaped open space strip at the south side of the subject property is reduced to a minimum of 1.1 metres.
  - b) That the density permitted on site shall be a minimum of 53 units per hectare and a maximum of 74 units per hectare.
  - c) That the amenity space be permitted within 0 metres of the required setbacks.

4. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law for the subject lands municipally known as 140/142 and a portion of 144 Cumberland Street:
  - a) The minimum landscaped open space strip at the south side of the subject property is reduced to a minimum of 1.1 metres.
  - b) That on-site parking be required at a minimum rate of 1.2 parking spaces per unit.
  - c) That the maximum surface parking area be increased to 40%.
  - d) Notwithstanding, Section 5.2.6 of the Zoning By-law, a commercial use shall not be permitted.
5. That the By-law for the purpose of lifting the Holding provision from Zoning By-law Amendments for the lands municipally known as 148/152 Cumberland Street and 140/142/144 Cumberland Street, shall be brought forward for Council consideration following a Site Plan Agreement being registered on title and the owner/applicant entering into a Planning Act S.40 Agreement for the payment of cash in lieu of parking regarding the reduced parking requirement for the lands known municipally as 140/142 and a portion of 144 Cumberland Street.
6. That in accordance with Section 34 (17) of the Planning Act, no further public notification is required with respect to the amendments as proposed.

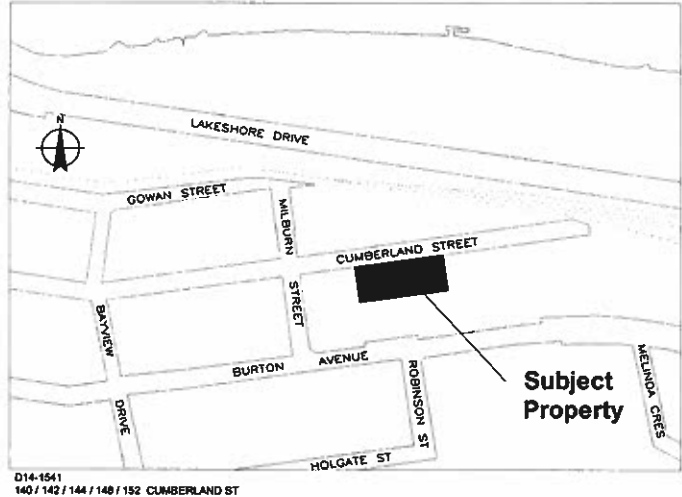
## **PURPOSE & BACKGROUND**

### Report Overview

7. The purpose of this staff report is to provide a recommendation regarding an application to rezone the subject lands from Multiple-Family Dwelling First Density (RM1) to Multiple-Family Dwelling Second Density RM2 Special Provision (SP) and Apartment Dwelling First Density Residential RA1-2 Special Provision (SP), to accommodate the redevelopment of the subject lands for a 3 storey, 12 unit walk-up apartment on properties located at 148/152 Cumberland Street) and a 5 storey, 28 unit apartment building on adjacent properties located at 140/142/144 Cumberland Street. The location of the proposed buildings on the subject lands, in the context of the existing neighbourhood is illustrated in Appendix "A". The applicant has indicated that the subject five separate properties would be merged and then subsequently re-divided so as to create two separate developable properties. The location of the subject lands, the proposed development scheme and the requested Special zone provisions, as indicated in staffs' recommendation, are illustrated on the Concept Plan attached as Appendix "B".
8. The application for the lands located at 148/152 Cumberland Street proposes an addition onto the existing 3 storey, 6 unit walk-up apartment to make it into a 12 unit building, with no increase in height. In doing so, the applicant requires special provisions under the RM2 zone for a reduction in the landscape buffer from the required 3.0 metres to 1.13 metres, a 0 metre setback for the amenity space, and that the maximum permitted density of 53 units per hectare be increased to 74 units per hectare.
9. The application for 140/142/144 Cumberland Street proposes a new 5 storey, 28 unit apartment building that requires special provisions for non-compliance with the Zoning By-law standards in the requested RA1 Zone. The proposed Special Provisions would include a reduced landscaping buffer from the required 3.0 metres to 1.14 metres and increasing surface parking coverage from the permitted 35% to 40%. The proposed apartment is also deficient in required on-site parking by 7 spaces. The Zoning By-law requires 42 parking spaces and the applicant is proposing 35 parking spaces (see Appendix "C").

Location

10. The subject lands are located on Cumberland Street south of Lakeshore Drive and east of Bayview Drive, which is classified as a local road. The five properties subject to the application are located within the Allandale Planning Area and are municipally known as 140, 142, 144, 148 & 152 Cumberland Street. The total area of the subject lands is approximately 0.40 hectares, with 100 metres frontage on Cumberland Street, and is currently occupied by 3 single detached dwellings and an existing 3 storey 6-plex.



Surrounding Land Uses

11. Existing land uses surrounding the property include the following:

South: Existing Commercial Use on Burton Avenue (Car Wash)

North: Existing RM1 residential uses (3 storey walk-up apartment)

West: Existing Single Detached Dwellings

East: Vacant City Owned Property Zoned Environmental Protection

Existing Land Use Permissions

12. The properties are designated Residential within the City's Official Plan and are zoned Multiple-Family Dwelling First Density (RM1) by Zoning By-law 2009-141.

Supporting Reports

13. In support of the subject application, the following technical reports were submitted:
- a) **Planning Justification Report (February 2012)** – provides a review of the property characteristics and surrounding lands as well as the planning policy basis and opinion of Innovative Planning Solutions for the application to be approved as a five storey apartment building and three storey walk-up apartment. A detailed site concept plan and proposed building renderings were provided.
  - b) **Urban Design Brief (May 22, 2012)** – provides the opinion of The Marketing Company, that the design elements of the structures are appropriate given the location and the existing character of the neighbourhood.
  - c) **Functional Servicing Report (December 2011)** – provides the opinion of Gemmill Engineering of the impacts and availability of water, sewer, sanitary and stormwater management aspects of the site development. It concludes that servicing can be made available to support the proposed development.

- d) **Noise Impact Study (June 22, 2012)** – provides, in the opinion of R. Bouwmeester & Associates, that acoustic measures such as forced air heating systems and central air conditioning are required for all units.

Public Meeting

14. The application was presented to General Committee at a Public Meeting held on September 10, 2012. Prior to the Public Meeting, written letters of opposition were received from surrounding residents. Members of the public also spoke at the meeting in objection to the proposed development. Public comments regarding the subject application included the following concerns:
- a) Increased traffic and parking;
  - b) Lack of representation with no Ward Councillor for the area;
  - c) The proposed five storey apartment building was out of character with the surrounding uses and would set a precedent;
  - d) Natural Heritage of the adjacent Environmental Protection Lands;
  - e) Infrastructure upgrades are required for the proposed increase population; and
  - f) Non-compliant with the Historic Neighbourhood Strategy.

Internal Circulation

15. Parks Planning provided comments regarding their concerns of allowing for a reduced 1.1 metre landscaping strip without the submission of a tree preservation plan, which would show the impact it would have on peripheral and neighbouring trees. They have also stated that the 1.1 metre buffer offers no realistic tree preservation opportunities for the 3 storey walk up addition. These items can be addressed through the submission of a detailed Site Plan application.
16. The Engineering Department provided comments on the proposed developments, which requires the owner to confirm (at Site Plan Control) that a sufficiently sized easement in favour of the City is present or will be provided for access, maintenance and replacement of the existing storm sewer and sanitary sewer system located on the subject lands. Items such as parking, vehicle access/circulation, servicing and drainage would be dealt with as part of a detailed engineering submission through Site Plan Control.

Agency Circulation

17. The application was circulated to external agencies and comments were received (Appendix "E") from the Lake Simcoe Region Conservation Authority and GO Transit in relation to the proposed development and propose conditions to be addressed at the time of Site Plan Approval.

**ANALYSIS**

Policy Planning Framework

18. Staff have reviewed the applications against the applicable municipal policies including the Official Plan, the Allandale Centre Community Improvement Plan, the Cumberland/Gowan Street Land Use Study, the Historic Neighbourhoods Strategy, the City's Intensification Strategy and the draft Intensification Area Urban Design Guidelines. Given the two distinct components of the

applications, staff have provided the general policy context for each of the policies/plans mentioned above with separate comments, if needed, for the 3 storey walk-up proposed for 148/152 Cumberland Street and the 5 storey apartment proposal for 140/142/144 Cumberland Street.

Provincial Policy Statement (2005) (PPS) and The Places to Grow (2006) (The Growth Plan)

19. The Provincial Policy Statement 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 land is available through intensification to accommodate an appropriate range and mix of residential and employment uses that promotes efficient and cost effective development standards to minimize land consumption.
20. The PPS further states that new development should occur adjacent to existing built-up areas, have a compact form, and take into account planned infrastructure and public service facilities to accommodate projected needs.
21. The application has been reviewed with reference to the Growth Plan policies that have been in place since 2006 and the office consolidation for the Simcoe Sub-Area adopted in January 2012. The Growth Plan provides tools for decision makers to ensure land is used efficiently through intensification. The Growth Plan requires that 40% of all development occurring annually within the City must be within the existing built boundary. The Growth Plan strives to have a target of 150 residents and jobs per hectare for the Downtown Barrie Urban Growth Centre (UGC).
22. The Growth Plan stipulates that population growth will be accommodated by directing a significant portion of new growth to the existing built up area of the City of Barrie through intensification, which is to be focused within designated intensification areas. In addition, the Growth Plan promotes development that represents the wise management of resources through the utilization of existing services and transportation infrastructure.
23. The subject properties are located within both the existing built boundary and the UGC. The proposed development represents intensification in the form of both infill and redevelopment of previously developed properties in a designated intensification area (UGC). The properties are located within the existing built up area and have access to existing infrastructure and services and therefore represent wise use of existing resources and promote efficient and cost effective development. Additional residential development would contribute to the mix of low to medium density residential land uses that exist along Cumberland Street. As such, it is the opinion of staff that the applications generally meet the policies and the intent of the Provincial Policy Statement and the Growth Plan.

Official Plan

24. The subject property is designated Residential within the City's Official Plan. Lands designated Residential are intended to be used primarily for residential uses, with all forms of housing permitted subject to locational criteria.
25. The applications are generally consistent with the Housing Goals and General Policies identified in Official Plan Policy 3.3. in that the development proposal would contribute to the range and mix of housing types and unit sizes. In addition, it would contribute to the variation in tenure, density and scale in the neighbourhood, which contributes to reasonable housing costs. The proposed development would ensure the quality and variety of housing stock would be maintained and improved and promotes densities for new housing which efficiently uses land, resources, infrastructure and public services (including transit) and supports pedestrian friendly streetscapes.

26. With respect to the density, the Official Plan states that the density range for high density development shall consist of developments which are in excess of 53 units per net hectare. The density of the proposed 3 storey, 12 unit walk-up apartment is 74 dwelling units per hectare and the density of the proposed 5 storey, 28 unit apartment building is 117 dwelling units per hectare. The combined density of all properties if they were developed as one would be 99 dwelling units per hectare. As such, both developments would be considered high density residential according to the Official Plan.
27. The application is consistent with the Density and Intensification policies of the Official Plan in that it would contribute to achieving the stated goal of directing at least 40% of residential development to areas within the existing built-up area and would contribute to achieving the minimum gross density target of 150 residents and jobs combined per hectare for the Downtown Barrie UGC.
28. The proposed development was reviewed in association with the Intensification policies of the Official Plan, which encourages residential intensification to be focused in the Urban Growth Centre, Intensification Nodes, Intensification Corridors, and the Major Transit Station Areas. The subject properties are identified in accordance with Schedule "I" of the Official Plan as being within the Urban Growth Centre. The proposed development would contribute to a more compact urban form and would efficiently use land and resources, support transit, and optimize the use of existing infrastructure and services.
29. The Residential policies of Section 4.2 of the Official Plan set out locational criteria for medium and high density development. Specifically, Section 4.2.2.3 (b) of the Official Plan encourages medium and high densities to be located in the Intensification Nodes and Corridors, and be directed towards areas that are i) adjacent to arterial and collector roads, ii) in close proximity to public transit and facilities such as schools, parks and commercial developments, and iii) are located in areas where planned services such as sewers, and watermains or other municipal services are adequate.
30. The subject lands are located within the UGC, which is an Intensification Area as illustrated on Schedule I of the Official Plan. Cumberland Street is connected directly to Gowan Street (Minor Collector Road), which is connected to Burton Avenue (Arterial Road). The subject lands are located within walking distance of the Allandale GO Train Station and the public bus route that runs along Burton Avenue. The subject lands are also located in an area that is served by existing municipal infrastructure including roads, water and sanitary sewer.
31. Given the above, staff are satisfied that the proposed development satisfies the City's locational criteria for high density development and is consistent with the Density and Intensification policies and Housing Goals and policies, as outlined in the Official Plan.
32. Staff also reviewed the Residential policies of the Official Plan which *encourages residential revitalization and intensification throughout the built up area in order to support the viability of healthy neighbourhoods and to provide opportunities for a variety of housing types. The review of intensification applications will include consideration of the existing and planned character and lot fabric of the area as well as the intensification and density targets of this Plan. The City may specify standards in the implementing Zoning By-law for matters such as minimum densities, built form, height and setbacks to regulate the physical character of residential intensification and revitalization. Area specific Urban Design Guidelines will be developed to address built form including exterior design features.*
33. The Residential Goals of the Official Plan is to plan the location and design of residential development to enhance the compatibility between dwelling types at different densities and to minimize potential conflict between incompatible land uses.

34. In staffs' opinion, the addition to the existing 3 storey walk-up apartment on the property located at 148/152 Cumberland Street would be compatible and in keeping with the existing built form and character of the area. Staff support the requested site specific zoning provisions, which are discussed in detail later in this report. The property is subject to Site Plan Control and therefore site design, layout, building design and other technical elements would be addressed in detail.
35. The proposed 5 storey apartment building would, in staffs' opinion, generally be in keeping with the existing mixed density residential character of the area and would be compatible in built form with the existing 3 storey walk-up apartments on adjacent properties as shown in Appendix "F".
36. The Official Plan contains general design policies (Policy 4.2.2.4.) that need to be considered for an application of this nature. Policy 4.2.2.4(a) stipulates that *residential development shall provide the necessary on-site parking required under the Zoning By-law and a functional open space amenity area including landscaping, screening, buffering and accessibility considerations.*
37. In staffs' opinion, the application for 148/152 Cumberland Street satisfies this policy subject to the approval of appropriate site specific zoning provisions (discussed later in this report).
38. The proposed development of a 5 storey apartment at 140/142/144 Cumberland Street also satisfies Policy 4.2.2.4(a). However, the applicant is proposing fewer parking spaces than required in the Zoning By-law. The applicant is proposing 35 on-site parking stalls, where the requirement under the Zoning By-law requires 42 spaces be provided, which is a deficiency of 7 spaces. The subject lands are within the UGC, therefore consideration can be given to reducing the number of required parking spaces. This issue is discussed further in the Zoning Rationalization section of this report.
39. Policy 4.2.2.4(b) states that *densities shall be graduated where possible in order to provide integration between adjoining residential land uses. Where medium or high density uses abut development of a low density nature, buffering protection will be provided to minimize the impact to the lower density uses.*
40. Policy 4.2.2.4(b) does not preclude higher density development from locating adjacent to low density as long as appropriate buffering is provided. The current concept plan includes an approximately 18 metre (60 feet) setback from the proposed 5 storey apartment building to the shared property line with the adjacent single-family dwelling at 136 Cumberland Street. This is a significant separation that includes landscaped areas and parking. The subject lands are under Site Plan Control which provides a mechanism to ensure appropriate buffering is provided and the impact on the adjacent property is minimized.
41. The proposed development maintains the intent of the Design Policies of the Official Plan, which strives to ensure that densities shall be graduated where possible in order to provide integration between adjoining residential land uses. Where medium or high density uses abut development of a low density nature, buffering protection will be provided to minimize the impact to the lower density uses. The proposed development would appear to be able to be integrated with the existing built form, while at the same time being able to provide a buffer to existing uses. The Official Plan does not specifically prevent a higher density development of this nature adjacent to low density uses. The implementation of the Official Plan policies, the Zoning By-law and Site Plan Control can ensure the physical impact of the building is minimized.
42. Finally, the subject properties are located in an area that is experiencing a form of transition, which is evident by the mix of multi-unit residential dwellings, adjacent to single family dwellings. The application represents residential intensification and revitalization of an area that is appropriate given its existing character and location within the UGC.

Consideration of the Existing and Planned Neighbourhood

43. Notwithstanding the fact that the application satisfies the locational criteria for intensification and the other Official Plan polices mentioned above, the Official Plan and a number of neighbourhood level plans (including the Historic Neighbourhood Strategy (HNS), Allandale Community Improvement Plan, the Allandale Centre Revitalization Plan) provide additional policy direction and require consideration to determine the appropriateness of the proposed development at the requested location on Cumberland Street.
44. This portion of Cumberland Street is generally characterized by a mix of residential uses and densities. Neighbouring properties are occupied by a mix of single family dwellings and multi-family dwellings including semi-detached/duplex dwellings, 3 unit dwellings and 3-storey walk-ups as shown in Appendix "F". The property directly adjacent to the east of 148/152 Cumberland Street is owned by the City of Barrie. The property is vacant and vegetated and is generally considered undevelopable. The property directly adjacent to the west of 140/142/144 Cumberland Street is privately owned and is occupied by a single-family dwelling. Two 3-storey walk-up apartment buildings are located directly across Cumberland Street from 148/152 Cumberland Street. Although Cumberland Street is residential in character, General Commercial (C4) properties fronting onto Burton Avenue, directly about the subject lands.

***The Cumberland/Gowan Street Land Use Study***

45. The Cumberland Street/Gowan Street Land Use Study was prepared in 1990. The study area included the full extent of Cumberland Street, including the unopened portion at the east end and Gowan Street. The intent of the study was to prepare guidelines for lands within the study area, which would form a basis for any required Official Plan and/or Zoning By-law Amendments. It was the direction of Council at the time to review the study area as it had the potential to serve as transitional zoning into the downtown core. When the study was being completed, GO Transit was in operation and provided service twice a day.
46. The study stated that the existing low/medium density residential character should be maintained and that future development applications should be compatible with the surrounding residential community and at a scale and intensity that is consistent with the predominant density of the sub area.
47. When the study was completed in 1990, it predated the PPS, the Growth Plan and Intensification Study. With these documents now in full force and effect, policies were established that encouraged development to occur in areas subject to locational criteria as discussed above. The area is now under a new planning regime, which promotes these types of intensification developments. It is important to note that the Cumberland/Gowan Street Study recommends rezoning the subject lands to RM2 to permit a medium density residential development.

***Allandale Centre Community Improvement Plan & Allandale Centre Revitalization Plan***

48. The Allandale Centre Community Improvement Plan (ACCIP) was prepared in 2006 and further consolidated in 2009, to provide policies that would help revitalize the Allandale Centre for mixed use neighbourhoods where people can live, work and play, while drawing upon the historical significance of the railway. The principals of the ACCIP were formulated to provide a guiding framework for decision making and future development of the area over the next 20 years.
49. The intent of the Allandale Centre Revitalization Plan (ACRP) was updated in 2006 to further install the goals and values of the ACCIP which recognized that the area has opportunities for redevelopment in an intensified community which would include mixed commercial and medium density uses in a variety of buildings. The ACRP identifies that the subject lands would be rezoned from the RM1 to RM2 (this zone permits a maximum building height of 10 metres or 3



storeys), as it would be an area suited for residential intensification, due to its close proximity to the Allandale GO Station and public transit routes. However, the Plan envisions the area to develop as a mix of medium and low density residential, which allows for the opportunity to be intensified at transit supportive densities, while at the same time not altering the character of the area.

50. The ACCIP/ACRP does not preclude 5 storey apartment buildings from being located on Cumberland Street. In staffs' opinion, the subject properties would be appropriate for this type of development as it would provide a development at a high enough density to be transit supportive and while at the same time compatible with the existing and planned character of the area. The proposed rezoning of the lands to RM2 at 148/152 Cumberland Street and RA1-2 140/142/144 Cumberland Street would be in keeping with the intent of the ACCIP and ACRP.

#### ***Historic Neighbourhoods Strategy***

51. The Historic Neighbourhoods Strategy (HNS) was developed to engage the residents who live in historic areas of the City to provide input and shape the goals and visions on how these neighbourhoods should accommodate future growth. The HNS process fostered a dialogue among the residents and City staff about the challenges these areas are facing and will face as a consequence of intensification. The HNS was approved by Council on June 21, 2010, which provided policies in accordance with Section 4.2.2.6(h) of the Official Plan, which specifies that the City will undertake special studies for established residential areas where additional pressures are felt for intensification and development or other significant issues. The project came about in response to concerns with growth in Barrie, within the UGC and the impacts it would have on the City's Historic Neighbourhoods.
52. The HNS grouped the study areas into the three different categories or streets (red, yellow and green), which showed how future development should take place. The subject lands are located on a red street, which is described as a primarily residential area that is expected to stay primarily residential in nature. The growth expectations of these areas are expected to occur primarily through small scale residential infill and renovations/additions to the existing housing stock. The application, if approved, would contribute to the existing housing stock and would maintain the character of the area, which is made up of a mix of single family dwellings and multi-family dwellings including semi-detached/duplex dwellings, 3 unit dwellings and 3 storey walk-ups.
53. The HNS identified that 5 storey apartment uses are to be located on yellow streets. The yellow streets in the Allandale area are located along Essa Road and Gowan Street and Lakeshore Drive, which all provide direct access to the Allandale GO Station. These locations provide a transition from the red streets (single detached dwellings) to a growing mix of housing forms. Staff recognize that the subject lands are not located on a yellow street, however the subject lands are located in a unique area, which is surrounded by existing multi-unit buildings which is on a dead end street with direct access to Gowan Street, and is in close proximity to the Allandale Go Station.

#### ***Urban Design Guidelines (UDG) for Intensification Areas***

54. On May 4, 2009, City Council adopted an Intensification Strategy as part of the City's overall growth management plan as a measure of conformity with the Provincial Policy Statement and the policies of the Growth Plan. Official Plan policies have since been approved implementing the Intensification Strategy (see discussion earlier in this report). The Intensification Strategy and associated Official Plan polices requires completion of area specific Urban Design Guidelines to guide intensification and the associated built forms within the Intensification Areas, including the Urban Growth Centre (UGC).

55. Regarding area specific Urban Design Guidelines, it should be noted that the City's consultant, Brook McIlroy, has completed Urban Design Guidelines for the Intensification Areas. The Final Draft of guidelines are currently going through a final technical edit by staff and are anticipated to be presented to Council in the next 1 -2 months. The subject applications have been reviewed against the guidelines.
56. The Intensification Area Urban Design Guidelines document has identified area specific Guidelines based on 3 main typologies including: Mixed-Use and Residential Avenue Guidelines, Mixed-Use Main Street Guidelines and Established Residential Street Guidelines. The UDG also provide additional related guidelines for specific areas such as Intensification Node Guidelines, Major Transit Station Area Guidelines and Historic Allandale Neighbourhood Guidelines. Mid-rise residential development ranging from 4 – 8 storeys is encouraged within Intensification Areas, subject to all other applicable guidelines within the document.
57. First and foremost, Cumberland Street development is guided by the Allandale Neighbourhood Guidelines. The Guidelines recognize that sites "*may become available within the neighbourhood and would present an opportunity to incorporate higher density residential buildings (i.e. townhouses and walk-up apartments).*" Given its location within Allandale and the fact that Cumberland Street is a local street, the guidelines for Established Neighbourhood Streets also apply. The Guidelines state that any higher density residential uses "*should reinforce these areas as Established Neighbourhood Streets through buildings that are compatible with, and transition to, adjacent stable residential neighbourhoods.*"
58. The priority directions for Established Neighbourhood Streets state "*where feasible, new housing development should contribute to higher density residential form, including townhouses and apartments.*" However, it is further stated that new "*development should be designed to integrate with the stable and low-rise residential character of these areas. Buildings should therefore consider reasonable height transitions. For example, 4 to 5 storeys is appropriate directly adjacent to 2 storeys (provided all other guidelines within this document are achieved), while 6 to 8 storeys is too tall.*"
59. The proposed 5 storey apartment at 140/142/144 Cumberland Street would fall within the height range of 4 – 8 storey encouraged in the Intensification Areas. In addition, the 5 storey building could be designed to minimize the impact on the adjacent property including setbacks and building design that are encouraged within the UDG. It is staffs' opinion that a 5 storey apartment use and addition to an existing 3 storey walk-up apartment at this location is desirable and would be consistent with the UDG for this area and would provide a balance between desirable intensification and the existing character of adjacent properties.

#### Zoning By-law Special Provisions

##### **148/152 Cumberland Street**

60. To accommodate the proposed redevelopment of the 3 storey walk-up at 148/152 Cumberland Street, the applicant has proposed a number of site specific standards for the requested RM-2 zone. The special provisions are outlined in Appendix "C".
61. The Zoning By-law limits 3 storey walk-up apartments to a maximum density of 53 units per hectare, while the applicant is proposing a density of 74 units per hectare for the proposed addition to the existing 3 storey walk-up apartment building, on a lot with an area of 1,626 square metres.
62. As the subject property is located within the UGC, a proposed density of 74 units per hectare would be in keeping with the requirements of the Intensification Strategy. To ensure that the planning policy framework that has been established for the intensification areas is satisfied, staff

are recommending that a minimum density of 53 units per hectare be achieved on site given the location of the site within the UGC. This will prevent the underdevelopment of the property in an area that has been identified for intensification. Staff are of the opinion that the proposed additional density would be in keeping with the character of the area and would satisfy the intensification policies of the PPS, the Growth Plan, Official Plan and the City's Intensification Strategy and has been reflected in the recommended motion.

63. The applicant has requested a 0 metre setback for the proposed amenity space (i.e. the required building setbacks are included in the calculation of amenity space). The Zoning By-law does not permit the inclusion of building setbacks in the calculations of the required amenity space. The proposed 0 metre setback of the amenity space is located in the rear of the proposed building, with no adjacent buildings. This will give the visual effect that it is integrated as part of the walk-up apartment. In staffs' opinion, the amenity space is sufficient without the technical addition of the setback area. It should be noted that this is a provision in the Zoning By-law that is currently being reviewed by staff as a technical amendment to allow for this type of inclusion of setbacks in the amenity space calculations.
64. The applicant has requested a reduction of the landscaping strip from 3.0 metres to 1.1 metres for the south and east lot lines. The applicant has indicated that this is to ensure that there is adequate vehicular movement for the required parking spaces in the rear portion of the lot. The proposed reduction is not anticipated to have an impact on the vacant City owned property to the east and commercial operations to the south. The applicant will be required as part of the site plan approval process to submit a landscaping plan and construct a 2 metre high tight board fence which will also provide additional buffer to the adjacent vacant City block and commercial use.
65. The requested site specific provisions do not negatively impact the ability of the applicant to accommodate all other applicable zoning standards such as parking and building setbacks.

**140/142/144 Cumberland Street**

66. The applicant is proposing to rezone 140/142/144 to RA1-2 to facilitate a 5 storey, 28 unit apartment building, which would include the following deficiencies to be identified through special provisions.
67. The applicant is requesting the landscaping buffer be reduced to 1.1 metres from the required 3.0 metres. Much like the variance requested for 148/152 Cumberland Street, the proposed reduction in the landscaping buffer along the rear lot line would serve to ensure vehicular movement for the parking spaces on the rear portion of the lots. The proposed reduction is not anticipated to have an impact to the commercial operations to the south, and additional measures such as a 2 metre high tight board fence would be required as part of the site plan approval process. Staff have no objections to the proposed reduction to the required landscaping buffer.
68. The applicant also proposed a reduction in the parking requirements for the number of parking spaces from the required 42 spaces to 35 spaces (equates to approximately 1.2 parking spaces per unit) and increase the maximum surface parking from the required 35% to 45%.
69. The Intensification Study recognizes that in certain locations throughout the City, a reduction in required parking can be considered, provided that it encourages transit supportive development and alternative transportation. The intensification policies promote density at key locations such as the UGC, because the area is accessible for the existing service network. The subject lands satisfy these policies, being within walking distance to both municipal public transit (approximately 352 metres) and the Allandale GO Station (approximately 445 metres). Therefore, from a policy perspective, staff do not object to reducing the parking standards from 1.5 spaces per dwelling

unit to 1.2 spaces per unit and the resulting increase in the surface area for parking to accommodate the requested parking.

Site Plan Control

70. The concept plan submitted provides a general indication of how the property would be developed and the ultimate design of the proposed buildings if the application were to be approved. This proposed development would be subject to Site Plan Control, which would address the technical site and building design elements including but not limited to site servicing, landscaping, lighting, parking and access. Staff are recommending that both developments have a holding provision be placed on the lands that would not be removed until the owner/applicant enters into a Site Plan Agreement.

Cash in-lieu of Parking

71. Section 40 of the Planning Act allows the City to enter into an agreement with a property owner that would exempt them from providing the required on-site parking under the Zoning By-law. This agreement allows the City to collect cash in lieu of parking in order to provide and maintain public parking facilities. The Zoning By-law requires that 42 parking spaces be provided for the 5 storey, 28 unit apartment use based on 1.5 parking spaces per unit. The applicant is currently proposing 35 parking spaces, a reduction of 7 parking spaces. In accordance with City policy, the applicant would be required to pay \$15,000 per a deficient parking space. The monies collected would be placed in a municipal fund that would provide public parking in the City where it is in the most need. The Transportation Planning Department have reviewed the proposed development and concur with the application of Council's cash in-lieu policy for this proposal that if deficient parking is to occur on the subject lands as a result of the proposed development, that cash in-lieu should be applied.
72. It is the opinion of staff that a reduction in the parking is appropriate subject to the owner/applicant entering into a Section 40 Agreement for the payment of cash in lieu of parking.

**SUMMARY/CONCLUSION**

Redevelopment of 3 Storey Walk-Up at 148/152 Cumberland Street

73. Staff have reviewed the comments received and considered the proposed Zoning By-law Amendment application, having regard to conformity with the relevant Provincial Policy, the City's Official Plan, Allandale CIP, Cumberland/Gowan Street Study, Historic Neighbourhood Strategy, Intensification Strategy and the Intensification Areas Urban Design Guidelines.
74. The proposed rezoning of the lands to RM2 would accommodate appropriate, desirable redevelopment and revitalization of the existing 3 storey walk-up. It is the opinion of staff that the application is consistent with provincial and municipal policies for intensification. If approved, the development would complement the surrounding residential uses. The rezoning of the property to RM2(SP) would facilitate a development that fits with the character of the neighbourhood. It is appropriate given the subject lands location within the UGC and the proximity to public transit, and would support land uses such as the commercial/employment areas along Burton Avenue, Essa Road and in the Downtown. In general, the requested site specific provisions do not negatively impact the ability of the applicant to accommodate other applicable zoning standards. As such, staff supports the application for 148/152 Cumberland Street.

5 Storey Apartment Building at 140/142/144 Cumberland Street

75. The rezoning of the property at 140/142/144 Cumberland Street to RA1-2 to accommodate a 5 storey apartment building is generally consistent with the PPS, the Growth Plan and the

intensification policies in the Official Plan. In this case, staff believe that a taller building is appropriate and could be designed to minimize the impact on the neighbouring single family dwelling.

76. Based on existing land uses (3 storey walk-ups in the area) the neighbourhood plans, the proximity to the train station and Burton Avenue and its location within the UGC, staff believe this portion of Cumberland Street can appropriately transition to higher density residential land uses. Staff are of the opinion that the RA1-2 zone with a maximum height of 15 metres is appropriate for achieving intensifications goals in the UGC while at the same time providing an appropriate transition to existing lower density land uses and results in development that is consistent with the neighbourhood plans for the area.
77. As such, staff is prepared to support the rezoning of 140/142/144 Cumberland Street from RM1 to RA1-2.

### **ENVIRONMENTAL MATTERS**

78. The application was circulated to the Lake Simcoe Region Conservation Authority, who have no objection to the proposed rezoning subject to the applicant completing the preparation of a Water Resource Management Study and a Stormwater Management Report as part of the Site Plan application, to the satisfaction of the Lake Simcoe Region Conservation Authority and the City of Barrie.

### **ALTERNATIVES**

79. There are two alternatives presented for consideration by General Committee:

**Alternative #1:** General Committee could deny the rezoning application for the subject lands and maintain the existing Multi-Family Single Residential Dwelling RM1 zoning.

This alternative is not recommended as it does not support intensification in an area that has been identified for residential intensification and which meets the locational criteria of the Official Plan, the City's Intensification Strategy and is consistent with Provincial Policy.

**Alternative #2:** General Committee could alter the proposed recommendation by approving the 3 storey, 12 unit walk-up apartment at 148/152 Cumberland Street and denying the proposed zoning to permit a 5 storey apartment building at 140/142/144 Cumberland Street.

This alternative is not recommended as 5 storey apartment buildings is an appropriate built form at this location and there are tools in place to ensure impact on neighbouring property is minimized. A 5 storey building of this location provides intensification in an area that has and will continue to transition to higher density development based on its location, and future plans.

### **FINANCIAL**

80. If the site were developed for a 28 unit apartment, it would result in estimated yearly municipal tax revenue of \$31,304.00, an increase of the annual taxes of \$26,603.56. The 12 unit walk-up apartment would generate \$13,416.00 in yearly taxes, which would be an increase of the annual taxes of \$4,838.24.

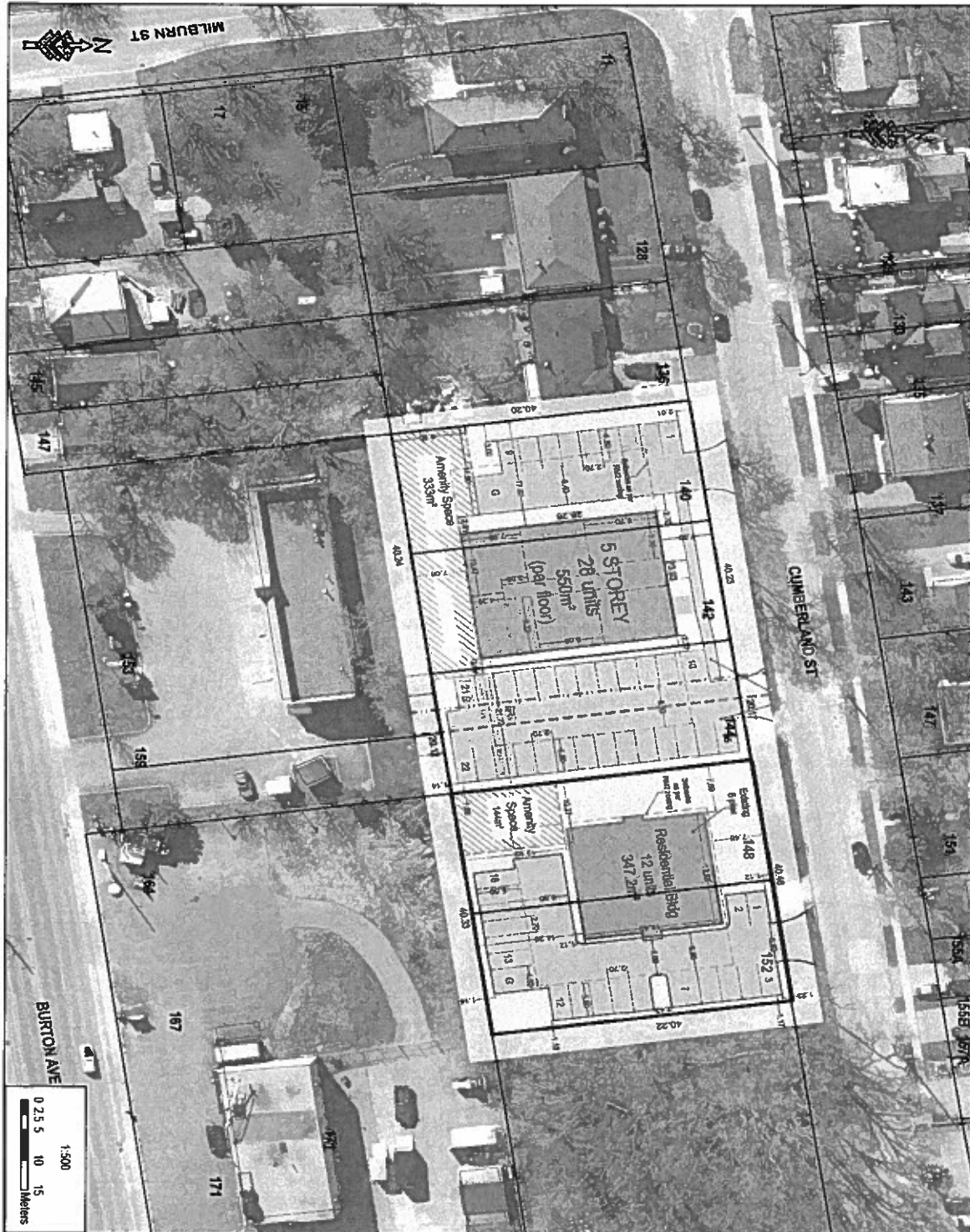
81. Building permit application fees for the 5 storey apartment building at 140/142/144 Cumberland Street would be approximately \$42,625.00 and the proposed addition to the 3 storey walk-up building is estimated to be \$16,144.80. Municipal development charges revenue would be estimated to be \$464,128.00 for the 28 unit apartment and \$198,912.00 for the 12 unit walk-up apartment.
82. Through the site plan approval process, the owner would be responsible for the balance of servicing and development costs related to the subject property. There are no outstanding local improvement or City of Barrie Act charges that apply to the subject property.

**LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN**

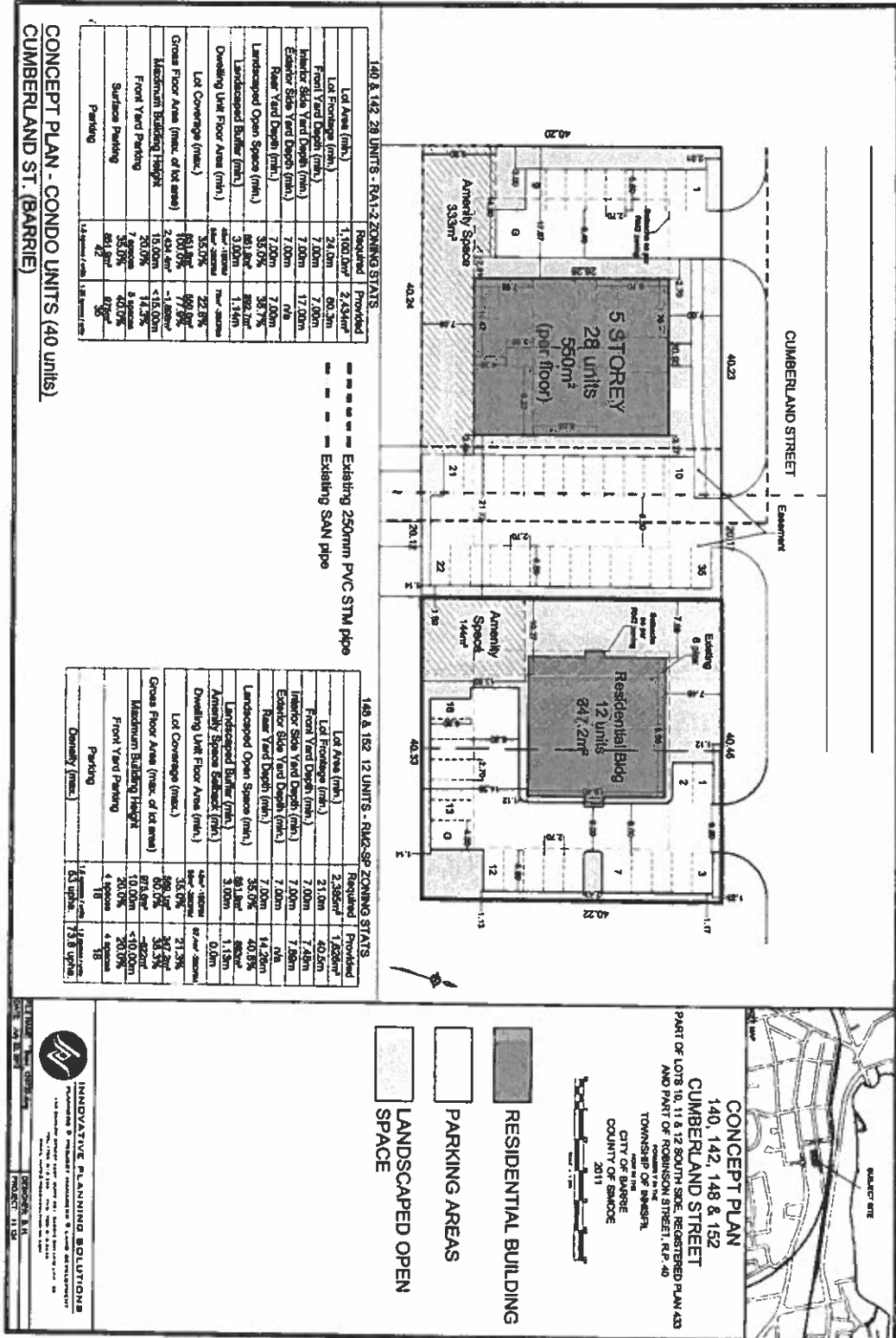
83. The recommendations included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
  - Manage Growth and Protect the Environment
84. The recommendation will allow for intensified residential development within the built boundary and the UGC. The redevelopment of the existing 3 storey, 6 unit walk-up apartment, to 12 units and 5 storey, 28 unit apartment use allows for an appropriate intensification in this area, while maintaining Council's vision of managing growth within the UGC.

Attachments: Appendix "A" – Property Location Plan  
Appendix "B" – Concept Plan  
Appendix "C" – Zoning Special Provisions Table  
Appendix "D" – Map Illustrating Urban Growth Centre  
Appendix "E" – Agency Comments  
Appendix "F" – Surrounding Land Uses

**APPENDIX "A"**  
**Property Location Plan**



APPENDIX "B"  
Concept Plan

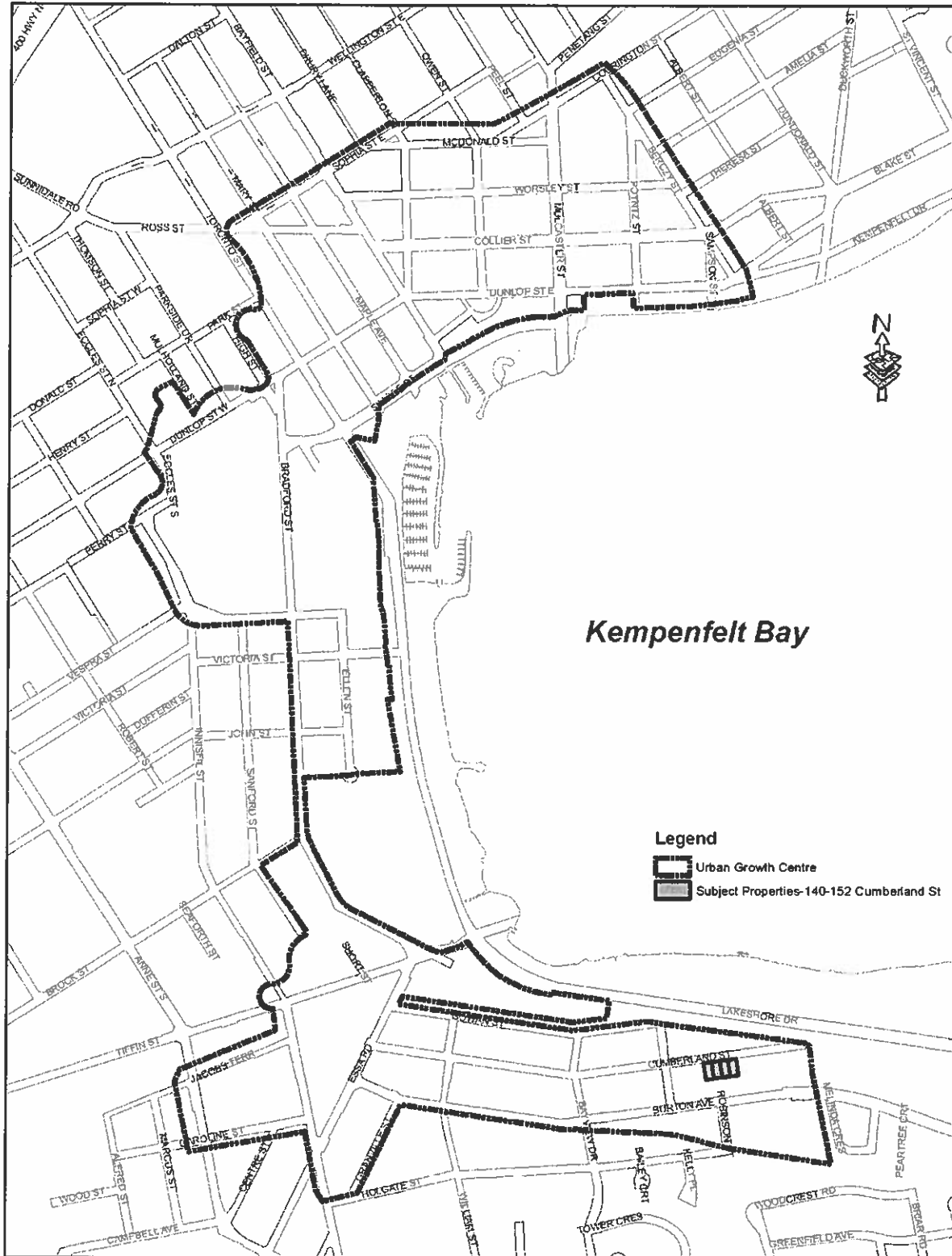




**APPENDIX "C"**  
**Zoning Provision Table**

<b>Standard</b>	<b>Required</b>	<b>Special Provision Proposed</b>
148-152 Cumberland Street	RM2 Zone	
Maximum Density	53 units/hectare (12 units)	74 units/hectare (12 units)
Minimum required landscaped buffer along the abutting lot line	3.0 metres	1.13 metres
Amenity Space in addition to the required setback.	7.0 metres	0 metres
<b>Standard</b>	<b>Required</b>	<b>Special Provision Proposed</b>
140-142 Cumberland Street	RA1-2 Zone	
Maximum coverage of parking spaces including aisles	35%	40%
Required Parking Spaces (1.5 per unit)	42 spaces	35 spaces
Minimum required landscaped buffer along the abutting lot line	3.0 metres	1.1 metres

**Appendix "D"**  
**Urban Growth Centre**



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**Appendix "E"**  
**Agency Comments**

Lake Simcoe Region Conservation Authority

The Lake Simcoe Region Conservation Authority has commented that they have no objection to the approval of the rezoning, but would require as part of the Site Plan process the preparation of a Water Resources Management Study to the satisfaction of the LSRCA and the City demonstrating that the quality and quantity of surface and ground water will be maintained or improved and that the associated recharge function would be sustained. Preparation of a Stormwater Management Report to the satisfaction of the City demonstrating conformity with Designated Policy 4.8-4.11 of the Lake Simcoe Protection Plan would also be required.






Go Transit

GO Transit (GO) provided comments based on the Noise Impact Study prepared in support of the subject application by R. Bouwmeester & Associates and dated June 22, 2012. GO commented that a warning clause be included in all development agreements, offers to purchase and agreements of purchase and sale or lease for all residential units within 300 metres of the rail corridor. This warning clause states that there may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that GO Transit or any railway entering into an agreement with GO Transit to use the right-of-way or their assigns or successors as aforesaid may expand their operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). Metrolinx, who carries out the business as GO Transit, will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.

**Appendix "F"**  
**Surrounding Land Uses**



**Legend**

-  Subject Properties-140-152 Cumberland St
-  Single Detached Dwelling
-  Semidetached Dwelling
-  Two Unit Dwelling (4 units)
-  3 Storey Walk-up Apartment