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**TO:** GENERAL COMMITTEE

**SUBJECT:** APPLICATION FOR AMENDMENT TO THE ZONING BY-LAW-TERRA CAPITAL GROUP INC. (C/O TIM MOUZAFAROV) – 534, 536, 540 ESSA ROAD AND PART OF 8 BOAG COURT

**WARD:** #7

**PREPARED BY AND KEY CONTACT:** S.FARQUHARSON, M.C.I.P., R.P.P DEVELOPMENT PLANNER EXT. #4478

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

**GENERAL MANAGER APPROVAL:** R. FORWARD, MBA, M.Sc., P. ENG. GENERAL MANAGER OF INFRASTRUCTURE & GROWTH MANAGEMENT *R. Forward*

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

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**RECOMMENDED MOTION**

1. That the Zoning By-law Amendment Application submitted by Innovative Planning Solutions Inc. on behalf of Terra Capital Group Inc. (c/o Tim Mouzafarov) to rezone the lands known municipally as 534, 536, 540 Essa Road and Part of 8 Boag Court from "Multiple Residential Dwelling Second Density Special Provision RM2 (SP-473)", and "Single Detached Residential First Density (R1)" to "Multiple Residential Dwelling Second Density Special Provision RM2 (SP)" be approved.
2. That the following Special Provisions be referenced in the implementing Zoning By-law for the subject lands:
  - a) Permit a minimum density of 40 units per net hectare
  - b) Permit a maximum density of 55 units per net hectare
  - c) Increase maximum Gross Floor Area from 60% to 76%
  - d) Increase the maximum height from 10.0 metres to 10.5 metres
  - e) Reduce the minimum front yard setback from 7.0 metres to 3.6 metres
  - f) Reduce the minimum driveway length from 6.0 metres to 5.3 metres
  - g) Permit tandem parking
  - h) Reduce the minimum rear yard setback from 7.0 metres to 5.0 metres
  - i) Reduce the minimum secondary means of access from 7.0 metres to 5.4 metres
  - j) Reduce the minimum secondary means of access from 7.0 metres to 5.0 metres for those units adjacent to the required consolidated amenity space and/or internal private roadway

3. That pursuant to Section 34 (17) of the Planning Act, no further public notification is required for the passing of this By-law.

## **PURPOSE & BACKGROUND**

### **Report Overview**

4. The purpose of this report is to recommend approval of the application submitted by Innovative Planning Solutions on behalf of Terra Capital Group Inc. (c/o Tim Mouzafarov) for lands known municipally as 534, 536, 540 Essa Road and Part of 8 Boag Court (Ward 6). The original application was for a proposed 55 unit block/cluster townhouse development. As a result of the comments received at the neighbourhood meeting and public meeting and from Staff, the applicant subsequently revised the application to a 52 unit block/cluster townhouse development (see Appendix "A"). This revision has resulted in the original special provisions related to minimum front yard setback, building height, maximum density, and maximum gross floor being reduced.

### **Location**

5. The subject property is located on the east side of Essa Road, north of Mapleton Avenue, within the Holly Planning Area (Ward 6). The subject property is known municipally as 534, 536, 540 Essa Road and Part of 8 Boag Court and has a total lot area of approximately 0.96 hectares with 72.4 metres of frontage along Essa Road. The area is characterized as an established residential area, with commercial uses to the west and single detached residential dwellings about the subject lands to the immediate south, north and east.
6. The existing land uses surrounding the subject property are as follows:

North: Single detached residential dwellings zoned

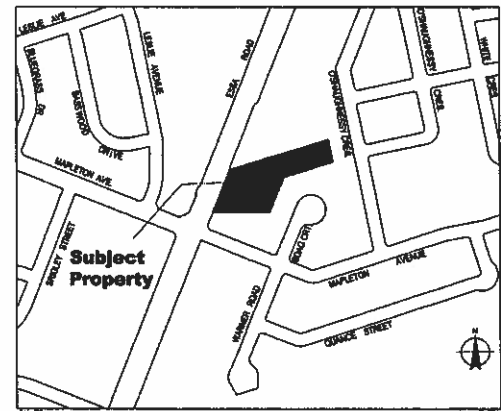
South: Single detached residential dwellings zoned

East: Single detached residential dwellings zoned

West: Commercial Uses and Residential Multiple Dwelling Townhouse

### **Existing Policy**

7. The subject property is designated "Residential Area" within the City's Official Plan and is zoned "Residential Multiple Dwelling Second Density Special Provision RM2(SP-473)" and "Single Detached Residential First Density (R1)" by Comprehensive Zoning By-law 2009-141. The existing Special Provision only permits the lands to be used for an apartment use.
8. The property falls within the Essa Road Secondary Intensification Corridor as identified on Schedule 'I' of the Official Plan which identifies target densities of 50 units per hectare.



**Supporting Information**

9. In support of the subject application, the following reports were submitted:
- a) **Planning Justification Report** (December 2014) provides a review of the property characteristics and surrounding lands as well as the planning policy basis and opinion of Innovative Planning Solutions that the proposal is an appropriate form of development and location for residential intensification.
  - b) **Planning Addendum to Planning Justification Report** (June 2, 2015) Provides an updated review of the application and response to the concerns raised by City staff.
  - c) **Functional Servicing and Stormwater Management Report** (December 2014) provides the opinion of Pearson Engineering Ltd. that the subject lands will require the connection of sanitary, storm and watermain services to the existing services on Essa Road. The report concludes that that the proposed tohome development is feasible.
  - d) **Urban Design Brief** – provides an overall review of the built form and the design elements of the development and provides the opinion Paul Marques Architect Inc. that the proposed design of the site is appropriate for this location
  - e) **Noise Impact Study** (December 12, 2014) provides the opinion of R. Bouwmeester and Associates that based on the site plan configuration of the subject lands, that the MOECC transportation noise guidelines can be met in all the dwelling units and common outdoor amenity area with the proposed recommendations.
  - f) **Tree Inventory and Preservation Plan**, provides the option that some of the boundary trees on the site are to be protected to the extent possible with preservation fencing in accordance with preservation methods.

**Neighbourhood Meeting**

10. A Neighbourhood (Ward) Meeting, was held on February 19, 2015 at the Holly Community Centre, which presented the proposed development to local residents. There were approximately 12 residents attended in addition to the applicants, their consultants, Planning Staff and Councillor Brassard. The intent of the Neighbourhood Meeting was to engage the area residents to hear what their comments/concerns were for the proposed development for the site and the area. Some of the items that were discussed at the Neighbourhood Meeting included sidewalks along Essa Road, fencing surrounding the development, and traffic generated from the site.

**Public Meeting**

11. A Public Meeting was held on March 23, 2015 to discuss the subject application. Six members of the public spoke at the public meeting with three speaking in support of the application, while the others had concerns with the density, internal road, and environmental issues. These items are further discussed the staff report. The applicant also submitted at the public meeting 13 signed letters of the support for the development from property owners in the area.
12. The applicant's consultant confirmed that these units would be utilized as freehold condominiums.

Department and Agency Comments

13. The Engineering Department have commented that if the application is approved, the owner would be required to submit a detailed engineering submission that addresses traffic, parking, vehicle access and circulation, servicing, drainage, and stormwater management at the Site Plan Control stage.
14. The Traffic division indicated that there were no concerns with the proposed traffic to be generated from the development and that a full movement access from Essa Road would be supported.
15. The Parks Planning provided comments on the original concept plan, regarding landscaping, pedestrian connectivity internally and the size and functionality of the amenity space. These items of design would be further addressed in more detailed review at the Site Plan Control stage. As there are also areas of tree protection and preservation, the applicant will be required to obtain consent letters from the surrounding property owners. The intent of these consent letters is for the adjacent landowners to acknowledge and agree that the shared boundary trees with the proposed development may potentially be affected. These letters of consent would be required at the site plan control process if this application is to be approved.
16. The application was also circulated to the Lake Simcoe Region Conservation Authority (LSRCA), whose comments stated that they were satisfied from a watershed perspective that any approval of the amendments would be consistent with the PPS and the Lake Simcoe Protection Plan (LSPP). If the application is approved, then conformity to the LSPP related to stormwater management will be to be addressed.

ANALYSIS

Policy Planning Framework

17. The following provides a review of the applicable Provincial policies, as well as the City of Barrie's Official Plan.

Provincial Policy

Provincial Policy Statement (2014) (PPS) and Places to Grow (2012) (The Growth Plan)

18. In staffs' opinion, the proposed development would conform with the Provincial Policy Statement and The Growth Plan in terms of contributing to the range of housing types available and would serve to utilize existing and planned infrastructure in the area. The proposed development would be appropriate, as it would be located on an identified intensification corridor within an existing built up residential area of the City, which is supported by the availability of existing infrastructure and public transit along Essa Road. It is the opinion of the Planning Department that the proposed development meets the policies and the intent of the Provincial Policy Statement and the Growth Plan.

Official Plan

19. As noted above, the subject lands are designated Residential within the City's Official Plan. Lands that are designated Residential are intended to be used primarily for residential uses, with all forms of housing permitted subject to locational criteria.
20. Schedule I of the Official Plan identifies Essa Road as a Secondary Corridor which is intended to develop at densities of approximately 50 units/ha. The proposed development is considered to be

in conformity with the City's intensification policies as the subject application proposes a high density, block/cluster townhouse residential units along a secondary corridor, in an area that has been planned for residential intensification. The proposed development would contribute to a compact urban form and efficiently use land and resources, support transit, and optimize the use of existing infrastructure and services.

21. Official Plan Housing policies in Section 3.3.2.1 of the Official Plan encourage the "maintenance of reasonable housing costs by encouraging a varied selection with regard to size, density and tenure." Residential intensification is encouraged "throughout the built-up area in order to support the viability of healthy neighbourhoods and to provide opportunities for a variety of housing types". Residential intensification includes infill development, which refers to the development of vacant or under-used parcels within existing urban areas.
22. In accordance with Section 4.2.2.2 (e) of the Official Plan, high density residential development shall consist of developments which are in excess of 54 units per hectare. The Official Plan further states that high density developments in excess of 150 units per hectare shall be restricted to locations within the City Centre. In this regard, the subject application is proposing a density of approximately 55 units per hectare and is located outside of the City Centre. The proposed high density development would support the locational criteria of the Official Plan, such as being located on an arterial road with public transit, and close proximity to facilities such as schools, parks and accessible commercial development with municipal services adequately being available. As such, the proposed development would in accordance with the Official Plan.
23. The proposed development would support the Affordable Housing Policies of the Official Plan by providing a form of affordable housing located in close proximity to shopping along Mapleton Avenue and Essa Road, community facilities (Holly Community Centre) and existing available public transit along Essa Road.

Intensification

24. Official Plan Section 4.2.2.3 (b) further provides guidance that medium and high density development is encouraged to locate within the Intensification Corridors and should be directed to locate close to parks, schools and local commercial facilities, and adjacent to arterial or collector roads. The subject lands are located on Essa Road, which is a designated Intensification Corridor, which has a targeted density of 50 units per hectare. The targeted 50 units per hectare is meant to be an average over the entire corridor, and not all properties are intended to redevelop at this density. The proposed density would contribute to the City's ability to achieve residential densities in the areas of the City (Nodes, corridors, UGC) where intensification is specifically being targeted.
25. In staffs' opinion, the proposed development would contribute to creating a complete community, bringing about a greater mix of housing/built form types and densities, while still maintaining the overall intent of the intensification policies of the Official Plan. The Official Plan contains policies in support of achieving this mix and diversity in housing types, housing options, and densities, and thus in staffs' opinion, Official Plan policies support the proposed rezoning request.
26. Staff would note that the proposed development has the characteristics of a higher density development, but is able to use the land more efficiently with narrow streets and longer units for tandem parking inside the garage. While this development proposal exceeds the density target of 50 units per hectare, it is not a typical high density development. This, in staff's opinion, would be an appropriate density on an Intensification Corridor, and would be in keeping with the intent of the Intensification Policies. It is anticipated that these types of development will be more common along the Intensification Corridors and densities may exceed 50 units per hectare on a site by site basis but would be consistent with the density target which is calculated over the entire corridor.

Therefore, Staff consider the proposal to be appropriate and would conform to the Official Plan requirements for intensification.

Intensification Area Urban Design Guidelines

27. In June of 2013, Council received the Urban Design Guidelines for the Intensification Areas as prepared by Brook McIlroy, October 2012. These guidelines are intended to ensure that new development is compatible with the existing built fabric while creating an attractive and safe public realm that supports alternative modes of transportation and is environmentally sustainable. One of the consistent themes throughout these guidelines is to create higher density, mixed-use, pedestrian friendly streetscapes throughout the intensification areas. In this regard, buildings should be positioned to frame abutting streets, main entrances should be directly accessible from public sidewalks and the front street wall of buildings should be built to the front property line. The Guidelines further suggest that development on prominent streets should meet a high standard of design. The development being proposed is in the form of block/cluster townhouses, would provide an alternative housing form to a multiple storey building, but at the same time satisfying the goals of the intensification areas.

Zoning Rationale for Special Provisions (SP)

28. In order for the Applicant to achieve the proposed development scheme a number of special provisions have been requested (See *Appendix "C"*).
29. The existing policies of the RM2 zone restrict the allowable density for block/cluster townhouses to 40 units per net hectare. The initial application proposed 55 units which would be 59 units per net hectare. However, as a result of the comments made by staff, the applicant has reduced the number units to 52, which has resulted in a maximum density of 55 units per net hectare. Staff recommend that a special provision for a minimum density of 40 units per net hectare be achieved on site to ensure that the planning policy framework that has been established for the intensification areas is satisfied. This would provide a density range of 40-55 units per hectare and would prevent the underdevelopment of the properties in an area that has been identified for intensification. The proposed increase in the Gross Floor Area (GFA) is connected to the density proposed to the site. Staff are of the opinion that the increase in the GFA to 76% from 60% and the 55 units per net hectare as proposed are considered appropriate and would serve to implement the intensification policies of the PPS, the Growth Plan and Official Plan.
30. The applicant is proposing a 0.5 metre increase in height (from 10.0 metres to 10.5 metres) in order to achieve the desired design, which would be generally in keeping with the existing character of the area. Based on the above, Staff are of the opinion that the requested variance is appropriate.
31. The applicant is requesting that the minimum required front yard setback be reduced from 7.0 metres to 3.6 metres, along Essa Road. This reduction in the front yard setback offers a connection to the street and provides a well-defined entrance to the dwelling units along Essa Road. This form of development would bring the buildings closer to the street, would encourage intensification, and is supported by the Intensification Area Urban Design Guidelines. The intent of the front yard setback is to ensure that the building has adequate distance from the travelled portion of the road, while at the same time providing a pedestrian connection to the residential units. The proposed setback of 3.6 metres satisfies both of these objectives. Staff note that the expectation is that the front doors and internal unit space will be oriented towards Essa Road. This detail would be addressed through the Site Plan application.
32. The applicant is proposing to provide a reduced driveway length for Units 9 and 17 from 6.0 metres to 5.3 metres, and tandem parking be permitted for all units. The reduced driveway

lengths are a result of the units being located in close proximity to the bend in the internal road. In support of this requested special provision, the applicant has submitted a turning template which shows that vehicles can enter and exit the units safely and will be completely off the travelled portion of the roadway. Planning staff are of the opinion that a reduce driveway length for units 9 and 17 would be appropriate and that by permitted tandem parking for all units would ensure that sufficient parking is provide to all of the individual units and not on the private 6.4 metre wide private roadway. All other driveway lengths within the development meet the minimum requirement of 6.0 metres. The applicant has acknowledged that the site plan agreement will identify the deficient driveway length for these two units.

33. Through the design of the units, the applicant is proposing for the rear portions of the buildings to have a secondary means of access. The Zoning By-law requires a minimum of 7.0 metres from the lot line when an entry is proposed on the unit, in addition to the main entry. The original application proposed a setback of 4.5 metres, however as part of the redesign of the development and reducing the number of units, the setback being proposed for Blocks 3-6 is 5.4 metres and 5.0 metres for Block 2. This increase from what was originally proposed allows for the existing tree vegetation to be preserved along the north lot line for Blocks 3-6 and to centrally locate the amenity space and to have the front of the units face towards Essa Road. Staff are of the opinion that the proposed setbacks for a secondary means of access is appropriate and still maintains the intent of the Zoning By-law and does not offend the intent impeding the secondary means of access to the units.
34. The requested rear yard setback has not been changed as a result of the revised submission of the 52 unit concept for block/cluster townhouse development. The applicant is requested a reduction in the setback from 7.0 metres to 5.0 metres. Planning staff have reviewed the intent of the rear yard setback, which is to ensure that there is appropriate separation to the adjacent lands. The proposed reduced setback would only apply to unit 52 and would only affect one adjacent lot. The proposed 5.0 metres would provide sufficient space for accessing the rear amenity space of unit 52 and is not anticipated to impact the adjacent land owners. In addition to the requested 5.0 metre setback the boundary of the development will also be required to have landscaping and 2.0 metre high tight board fence, which will be addressed at the site plan control stage if approved.
35. The proposed zoning with the requesting special provisions is an appropriate form of development along an identified intensification corridor. The proposed site layout in Staff's opinion is functional and will be further reviewed and refined through Site Plan Control process.

#### Site Plan Control

36. The proposal if approved, would be subject to Site Plan Control, at which time a further review of items such as access, servicing, stormwater management, landscaping, pedestrian connections, lighting, setbacks, building orientation/placement/massing, parking, etc. would be conducted.
37. The concept plan and elevation drawings submitted provide a general indication of how the property would be developed and the ultimate design of the future buildings. Staff have identified that some issues would need to be addressed through the submission of a detailed site plan for such things as building elevations/orientation, vehicle movement, pedestrian connection, detailed design elements such as an articulated roofline, a combination of brick/stone and stucco building façade materials, iron balcony railings, and enhanced landscaping/amenity areas.

#### ENVIRONMENTAL MATTERS

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

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## ALTERNATIVES

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

Alternative #1

General Committee could refuse the proposed Zoning By-law Amendment applications and maintain the current zoning for an apartment use for 536 and 540 Essa Road and a single detached residential dwelling for 534 Essa Road and 8 Boag Court.

This alternative is not recommended as the subject property is ideally suited for residential intensification and does support the policies of the Official Plan.

Alternative #2

General Committee could alter the proposed recommendation by recommending different setback standards or not permitting the 52 unit block/cluster townhouse development.

This alternative is not recommended as the preliminary Conceptual Plan provided a special residential housing design in keeping with the City's Official Plan.

## FINANCIAL

40. The proposed rezoning of the subject parcel would permit 52 unit block/cluster townhouse development of the subject lands. Based on the applicant confirming that these would be freehold condominium units, the proposed application if approved, would generate between \$152,641 to \$173,777.66 annually in municipal taxes. The current (2014) taxes totaled \$14,502.66 for the subject lands, therefore the estimated annual increase in taxes would be approximately \$138,139.17 to \$158,636.51.
41. Development charges revenue would be estimated to be \$1,608,776.00 (\$30,938.00 per unit), and parkland dedication fee would be owing for this proposal.
42. Given that the subject lands are to be created by way of part lot control and be within one or more Plans of Condominium, the developer would be responsible for all capital costs for the new infrastructure required within the development limits. Costs associated with the ongoing maintenance and operational costs of the new infrastructure will be the responsibility of future owners. The City will incur additional operating costs associated with extending municipal services to the areas such as fire protection, policing, boulevard landscaping maintenance and increased contributions to reserves to plan for the eventual replacement of the municipal assets.

## AFFORDABLE HOUSING

43. The City of Barrie Official Plan, which is supported by the Affordable Housing Strategy, provides criteria in which to determine if a unit is affordable. The applicant has indicated that the anticipated new dwelling units would be sold in the range of \$259,990 to \$295,990. The Official Plan states that if the purchase price results in annual accommodations costs which do not exceed 30% of the gross annual household income for low to moderate income households, than they are considered to be affordable. In accordance with data collected from CMHC(2014), and based upon the anticipated selling prices for the subject units, the housing costs would represent a 26% annual gross annual income, which would meet the Official Plan policies for affordable housing.



**LINKAGE TO 2014-2018 STRATEGIC PLAN**

44. The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:
- Inclusive Community
45. The development is an example of infill development that makes use of existing services and provides rental units, which supports the goals and objectives of the Affordable Housing Strategy.

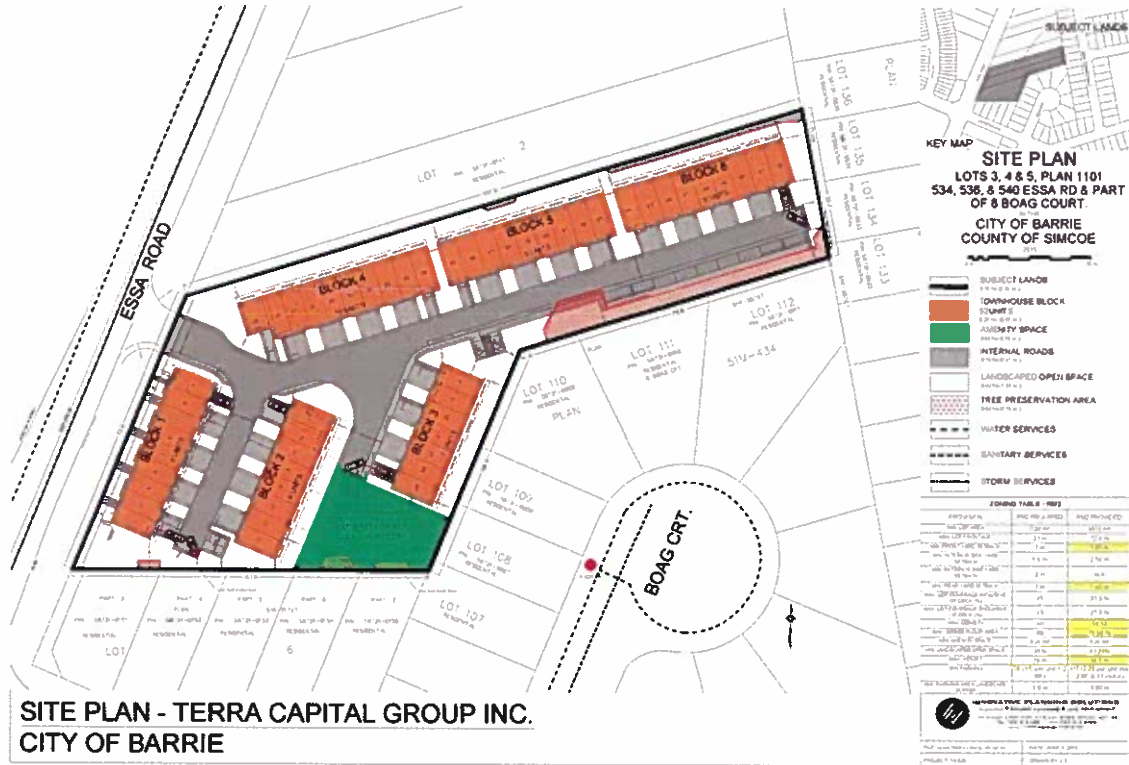
**CONCLUSION**

46. Based on the above, Planning staff are of the opinion that the proposed amendment to the Zoning By-law to permit 52 unit block/cluster townhouse development would be appropriate.

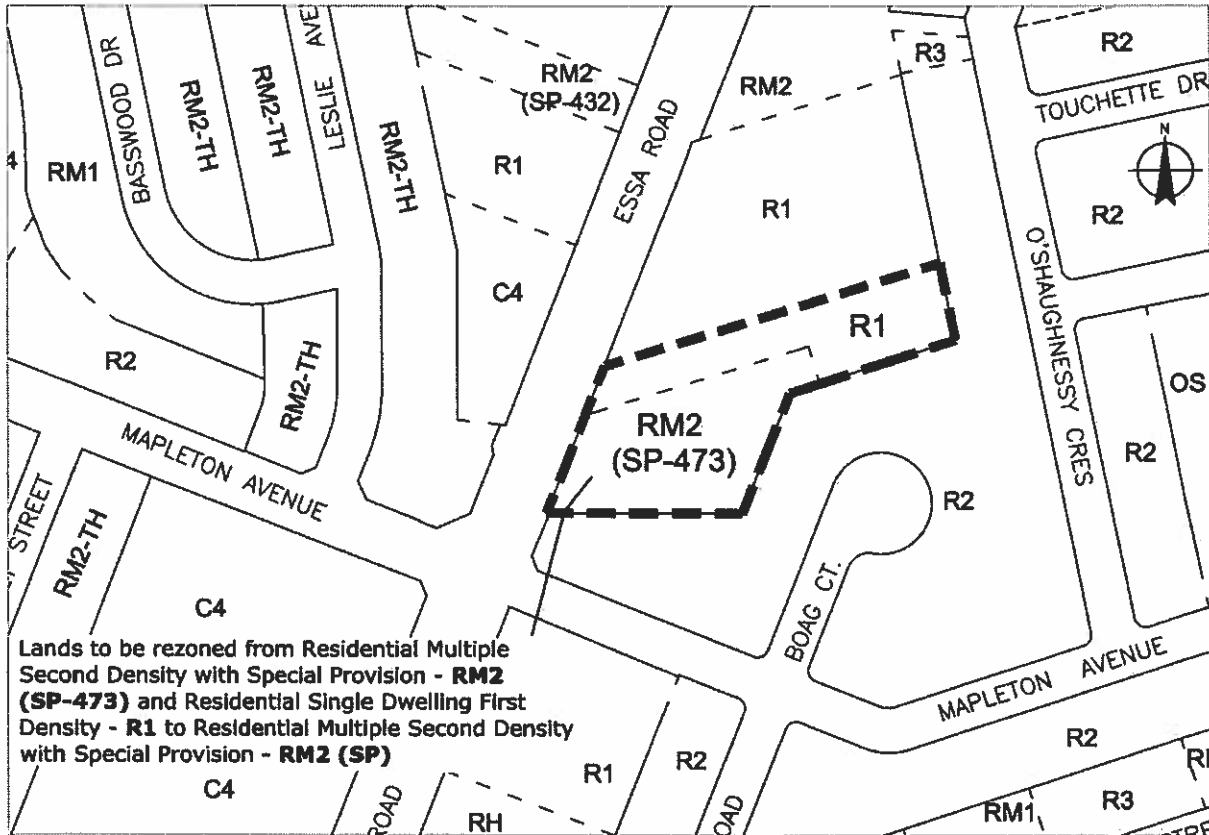
**Attachment:**

- Appendix "A" – Proposed Zoning
- Appendix "B" – Conceptual Site Plan
- Appendix "C" – Illustration of Proposed Site Specific Provisions

**APPENDIX "A"**  
**Concept Plan**



APPENDIX "B"  
Proposed Zoning



Lands to be rezoned from Residential Multiple Second Density with Special Provision - **RM2 (SP-473)** and Residential Single Dwelling First Density - **R1** to Residential Multiple Second Density with Special Provision - **RM2 (SP)**

D14-1583  
534/ 536/540 Essa Rd/ Rear of 8 Boag Crt

**APPENDIX "C"**

**Requested Special Provisions**

<b>Standard</b>	<b>Required</b>	<b>Special Provision Proposed</b>
Maximum Gross Floor Area	60%	76%
Maximum density for block/cluster townhouse	40 units per net hectare	55 units per net hectare
Minimum density for a block/cluster townhouse	40 units per net hectare	40 units per net hectare
Minimum Front Yard setback	7.0 metres	3.6 metres
Minimum Rear Yard Setback	7.0 metres	5.0 metres
Maximum Height	10.0 metres	10.5 metres
Minimum Secondary means on access	7.0 metres	5.4 metres (Block 3-6)
Minimum Secondary means on access	7.0 metres	5.0 metres (Block 2)
Minimum Driveway Length	6.0 metres	5.3 metres (Units 9 and 17)
Tandem Parking	Not permitted	Permitted