


TO: GENERAL COMMITTEE

SUBJECT: ZONING BY-LAW AMENDMENT AT 145 BRADFORD STREET FROM
GENERAL COMMERCIAL TO TRANSITION CENTRE COMMERCIAL
(WARD 2)

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

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 

RECOMMENDED MOTION

1. That the Zoning By-law Amendment application submitted by Innovative Planning Solutions on behalf of GD Coates Holdings Inc. to rezone the lands municipally known as 145 Bradford Street from General Commercial (C4) to Transition Centre Commercial with Special Provisions and a Holding Zone (C2-2)(SP)(H), be approved as illustrated in Appendix "A" to Staff Report PLN002-13 (D14-1484).
2. That the Special Provisions as described in detail in Appendix "B" to Staff Report PLN002-13, be referenced in the implementing Zoning By-law for the subject lands, including but not limited to an increase in height, decreased side yard setbacks, and a reduced commercial component.
3. That the By-law for the purpose of lifting the Holding Zone from the Zoning By-law Amendment as it applies to the lands municipally known as 145 Bradford Street, shall be brought forward for approval once the owner/applicant provides the following to the satisfaction of the City of Barrie:
 - a) A Record of Site Condition accepted by the Ministry of the Environment;
 - b) A Site Plan Agreement with the City;
 - c) An urban design concept incorporating non-traditional amenity areas (e.g. green roofs) and low impact development techniques; and
 - d) A legal survey to verify that the Ministry of the Environment Guideline D-2 separation distance requirement between a sensitive land use and the City of Barrie Wastewater Treatment Facility has been met.
4. That the owner of the lands municipally known as 145 Bradford Street is obligated to convey the required road widening and daylighting triangle to the City of Barrie free and clear of all encumbrances at Site Plan Approval.
5. That pursuant to Section 34(17) of the Planning Act, no further public notification is required with respect to this amendment as proposed.

PURPOSE & BACKGROUND

Report Overview

6. The purpose of this staff report is to recommend an application to rezone the lands known municipally as 145 Bradford Street from General Commercial (C4) to Transition Centre Commercial with Special Provisions and a Hold (C2-2)(SP)(H). The property is located in the Urban Growth Centre (UGC) as identified in the Growth Plan and represented as an Intensification Area in the City's Official Plan. This development represents a mixed use project with a residential density of approximately 220 units per hectare.
7. The rezoning would permit a mixed use residential and commercial development with a range of housing types. The concept submitted by the applicant consists of a 17 storey residential apartment building with 2 storey parking (194 units), 2 – 5 storey buildings with commercial and office use plus 60 residential units, and 9 townhouse units with permissions for home occupations.

Location

8. The subject property, known municipally as 145 Bradford Street, is a corner lot located on the east side of Bradford Street, and has further frontage on John Street to the south and Ellen Street to the east. The site is currently vacant and is approximately 1.19 hectares in size. The previous use of the property was for automotive sales and service.

Surrounding Land Uses

9. The property is generally surrounded by the following:

North

Used car dealership and commercial uses

East

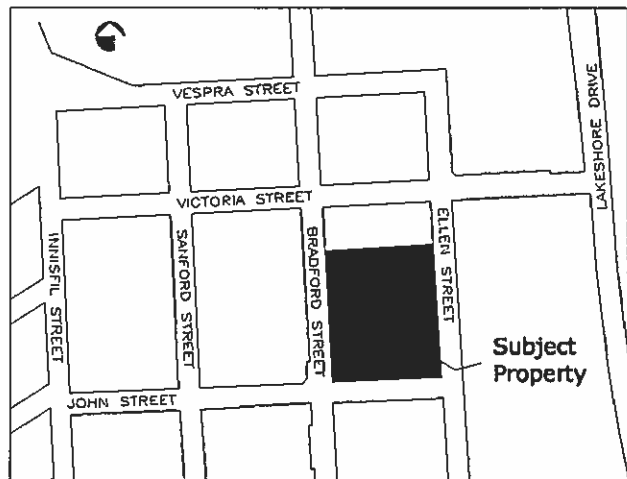
Existing high rise condominium buildings and 2 storey commercial plaza

South

Automotive sales/services, commercial uses, City of Barrie Water Pollution Control Centre

West

Commercial uses and single detached residential development



Existing Policy

10. The property is designated City Centre Area in the City's Official Plan. This designation encourages both high and medium density residential and mixed commercial/residential development. The Official Plan policies for the UGC promote the City Centre's continued growth and vitality as a multi-functional centre serving the City of Barrie and the broader region, including the establishment of a strong and diverse residential population base.

11. The property is currently zoned General Commercial (C4), which permits all commercial uses defined in the City's Zoning By-law. Residential uses are permitted as accessory to the main commercial use, however, a large scale residential development such as that proposed by the applicant is not permitted in a commercial zone.

Background

12. The submission was originally received and considered complete for circulation on February 25, 2010. At the time of circulation, the applicant was advised that a public meeting would not be scheduled until additional information was submitted. Staff actively worked with the applicant to ensure the submission of the additional information necessary prior to being able to provide a recommendation. This information included a further justification of residential intensification and proposed mixed use of the site, confirmation that adequate servicing can be provided, and an updated traffic study. Subsequent to receiving the outstanding information, the public meeting was held on June 6, 2011.
13. To date, the applicant has provided the following reports, plus additions and/or revisions, in support of the subject application:
- a) Planning Justification Report (September 2009), plus additional correspondence
 - b) Functional Servicing Report (June 2009, Revised June 2011, Revised August 2012)
 - c) Preliminary Traffic Assessment (May 25, 2009), Traffic Impact Study (October 2011)
 - d) Preliminary Geotechnical Investigation (July 20, 2009)
 - e) Phase 1 Environmental Assessment - Confidential (May 28, 2009)
 - f) Shadow Study Analysis (undated – with submission received February 2011)

Public Consultation

14. The application was presented to General Committee at a public meeting held on June 6, 2011, in accordance with the Planning Act requirements for a proposed Zoning By-law Amendment. Several written submissions were received by staff, and nine citizens voiced their concerns verbally at General Committee. The following is a general summary of the comments and questions raised:

a) Traffic

Area residents have raised concerns regarding the increase in traffic, in particular along Ellen Street.

As noted in the report summary above, the applicant has completed a Traffic Impact Study to be considered as part of this application. The Traffic Impact Study has been reviewed and accepted by the Engineering Department. The Study conclusions indicate that this development would not cause a decrease in the level of service on the existing roads.

b) Height

Area residents have identified that there should be no increase in the standard height permitted for the apartment building.

The permitted height for the C2-2 zone proposed for this site is 45 metres. The applicant has requested a special provision for 65 metres in height. The existing and approved apartment towers in the vicinity of this proposal have been permitted heights of 55 metres and 77 metres. The request for an increase in height is not out of character with similar proposals along the waterfront.

c) Reduced Setbacks and Landscaping

General concern was raised due to the reduction in standard requirements for setbacks and landscaping provisions.

The proposed reduction in setbacks is similar to those contemplated in the City's Intensification Strategy. Reduced setbacks are encouraged for new development projects in the Urban Growth Centre and the designated Intensification Nodes and Corridors. Urban Design Guidelines for Intensification Areas are near completion and are expected to be released in early 2013. These guidelines include alternative design standards such as reduced setbacks to encourage a pedestrian interface with the community.

With the reduction in setbacks due to the implementation of alternative design standards, standard landscaping buffer areas are also reduced. To facilitate some landscaping on this site, the applicant has proposed the introduction of non-traditional landscaping such as green roofs. Urban design details that incorporate non-traditional landscaping as well as low impact development techniques for stormwater management will be explored through the Site Plan process.

Departmental Comments

15. The application and supporting studies as revised through staff consultation have been circulated to the required agencies and departments for comment.
16. The preliminary comments provided by Engineering staff required the applicant to submit additional information for review, including a Traffic Impact Study and updated Functional Servicing Report to the satisfaction of the City's Engineering Department. The information has been accepted in principle, and a more detailed review of the site design will be required at the Site Plan stage. This detailed design will include the incorporation of mitigation measures to minimize the impacts of the development on the high water table conditions identified by the Geotechnical Report prepared for this site. In addition, the Engineering Department has identified that a 3 metre road widening for Bradford Street and 5 metre x 5 metre daylighting triangle at Bradford Street and John Street are required to be conveyed to the City through the Site Plan Approval process.
17. The Environmental Operations Department provided a review of the Phase 1 Environmental Assessment submitted by the applicant due to the proposed change in land use for the site. The former use of the property for automotive service, as well as the historic industrial use on the surrounding properties, triggers the requirement for a Record of Site Condition to be submitted to the Ministry of the Environment. The submission of a Record of Site Condition is required for the removal of the Holding Zone on the Zoning By-law.

ANALYSIS

Provincial Policy Framework

18. The Ontario Provincial Policy Statement (PPS) has been reviewed in the context of this application. Staff are satisfied that the application is consistent with the PPS respecting

development in the form of infilling and intensification in the built-up area and the utilization of existing servicing and transportation infrastructure.

19. Section 2 of the Growth Plan for the Greater Golden Horseshoe provides guidance to municipalities on 'Where and How to Grow'. These policies encourage intensification in the built-up area. In addition, the downtown area of the City has been designated as an Urban Growth Centre (UGC) in the Growth Plan and is intended to achieve a minimum density target of 150 persons and jobs per hectare. The subject application proposes 254 apartment units, 9 town homes and commercial/office use on 1.19 hectares of land. The proposed development represents intensification in the UGC and the integration of mixed use development in an area of the community highlighted for redevelopment.

Official Plan

20. The City of Barrie has incorporated the policy framework of the Growth Plan into the City's Official Plan. The Official Plan highlights the designated Urban Growth Centre (UGC) as an area that should represent the highest densities of residents and jobs per hectare within the City. The subject property is designated City Centre in the Official Plan and is located in the Urban Growth Centre. The proposed development represents the intensification objectives of the City for increased residential density and mixed use in the downtown.
21. The special provisions requested by the applicant are in part to implement the alternative design standards for intensification projects identified in the City's Intensification Study, such as reduced setbacks. Urban Design Guidelines for Intensification Areas that highlight alternative design standards are expected to be completed in early 2013. A draft of these guidelines has been prepared and is being used as a reference by staff.

Historic Land Use

22. The applicant submitted a Phase 1 Environmental Assessment to provide an evaluation of the site to determine if the previous land use as an automotive dealership could have impacted the proposed use of the site for residential purposes. The automotive dealership did have an automotive service component, therefore it was determined that further investigation was warranted to ensure the site is suitable for a more sensitive land use.
23. A Phase 1 report has been submitted that confirmed the existence of underground tanks which were associated with the automotive service use. The applicant will be required to remove the tanks and further mitigate any potential on-site contamination prior to residential development. A Record of Site Condition that confirms the site is suitable for the proposed development is required to be submitted prior to the release of the Holding Zone.

Minimum Distance Separation

24. The Ministry of the Environment D2 Guidelines recommend a separation distance of 150 metres between a sensitive land use and the City of Barrie Wastewater Treatment Facility, located to the south of the subject site. Initial investigation has shown that the separation distance is exceeded for the proposed development, however a legal survey is required to verify that this distance can be achieved prior to the Holding Zone being lifted from these lands.

Zoning Special Provisions

25. The following is a brief description of the special provisions requested by the applicant and/or identified by staff as required to accommodate the proposed development concept:

- a) The applicant has requested that the apartment tower at the north east corner of the site be permitted a maximum height of 65 metres, including rooftop mechanical devices. A maximum height of 45 metres is currently permitted in the C2-2 zone. The surrounding buildings are also in excess of 45 metres, including 55 metres and permissions for 77 metres in height. The increase in height is not out of character with the existing and proposed buildings in the general area, and should have limited impact on surrounding commercial and high density land uses.
- b) To accommodate the design and proposed reduction in setbacks, the stepping provisions for the apartment building as outlined in section 6.3.2 of the Zoning By-law are not proposed to apply. These provisions require significantly increased setbacks depending on the height of buildings. The reduced setbacks contemplated as part of the City's Intensification Study cannot be successfully implemented if the stepping provisions are imposed in reference to the proposed site design. A transition of height and varied built-form are demonstrated as part of the concept for this property that should meet the intent of the stepping provisions for the development with the exception of the apartment building.
- c) The minimum side yard setbacks for this development are proposed to be reduced to accommodate the proposed design concept. The reduced standards for setbacks are reflective of the guidelines recommended by staff as part of the City's Intensification Study. The reductions are as follows:
 - i) Right Side (Ellen St.) setback 1.5 metres or 3 metres for buildings greater than 12.5 metres in height rather than the standard 4 metres.
 - ii) Left Side (Bradford St.): 3 metres rather than the standard 4 metres.
- d) A 3 metre landscape buffer area, as described in section 6.3.7.1 of the Zoning By-law, is required around the side and rear of the proposed apartment building. The reduced setbacks and proposed design may not accommodate the full landscape buffer required, however that cannot be determined until the submission of the Site Plan. Staff are satisfied with the applicant's intention to incorporate other aspects of green design to accommodate amenity and landscaped space for this development. The details of the amenity area and buffer provisions will be further identified and approved through the final site plan design for the development.
- e) The Zoning By-law identifies that 50% of the total lot area must have coverage for commercial uses. In this instance, second floor commercial/office is also incorporated into the design which is not part of the calculated commercial coverage. The proposed minimum lot coverage for commercial use is approximately 12.5% of the total lot area or 1,504 square metres. However, 1,814 square metres of additional commercial space is proposed (15% of the total lot area) on the second floor of the buildings fronting on Bradford Street. Staff are satisfied with the provision of a minimum of 3,318 square metres (27.5% of the total lot area) of commercial/office use for this property, and supports the focus of the commercial component on Bradford Street.
- f) The applicants' original submission requested a new definition for a live-work unit. Staff have identified that home occupation could be a permitted use in the residential multiple units in accordance with section 5.2.10 of the Zoning By-law provided direct access to the street is provided for the unit.

A home occupation as defined in the Zoning By-law meets the intent of the live-work unit described by the applicant. The permissions for mixed use will encourage additional commercial/office space to be available, which is promoted in the downtown.

To ensure the full range of commercial/office use can be accommodated, notwithstanding the standards applied to home occupations in a Residential Zone, the following additional provisions are recommended to apply to home occupations in the C2-2 (SP) Zone:

- i) Minimum 50% gross floor area must be owner occupied residential use.
- ii) Retail and/or Direct sales uses are permitted.
- iii) The number of employees or number of customers being served at one time is not restricted.
- iv) The owner must demonstrate that the required additional parking is available but it is not required to be located on the lot of the individual unit.

Site Plan Control

- 26. The project is subject to Site Plan Control, and will be required to go through a detailed design review at the time of the Site Plan submission. The concept plan submitted by the applicant includes the incorporation of non-traditional amenity space such as green roofs and the use of low impact development techniques for stormwater management.
- 27. If approved, staff will require design elements that highlight amenity space and low impact development through the detailed site design as well as reflecting the City's Urban Design Guidelines for Intensification Areas. The Site Plan process is one component of the project that will need to be completed to the satisfaction of the City prior to considering the removal of the Holding Zone. This is important for a project of this scale as it will allow for technical site design elements to be reviewed and approved.
- 28. The following lands were identified as conveyances required by the City, free and clear of all encumbrances, at Site Plan Approval:
 - a) A 3 metre road widening across the entire frontage of Bradford Street; and
 - b) A 5 metre x 5 metre daylighting triangle at the intersection of Bradford Street and John Street.

Release of the Hold

- 29. Through the recommendations included in Staff Report PLN002-13, staff have identified that a Holding Zone be placed on the recommended rezoning for the subject site until the following is completed to the satisfaction of the City of Barrie:
 - a) A Record of Site Condition accepted by the Ministry of the Environment;
 - b) The Site Plan Approval process;
 - c) An urban design concept incorporating non-traditional amenity space and the implementation of low impact development techniques; and
 - d) A legal survey to verify that the Ministry of the Environment Guideline D-2 separation distance requirement between a sensitive land use and the City of Barrie Wastewater Treatment Facility has been met.

30. Once the City is satisfied that the applicant has fulfilled these commitments, a By-law to remove the Holding Zone from this property will be forwarded to Council for approval. Staff have recommended that no further public process be required for the Holding Zone to be removed.

ENVIRONMENTAL MATTERS

31. The following environmental matters have been considered in the development of the recommendation:
- a) A Record of Site Condition is required for the change in land use from commercial to residential.
 - b) A minimum separation distance must be provided between the proposed sensitive land use and the City of Barrie Wastewater Treatment Facility.
 - c) A design concept that incorporates non-traditional amenity space such as green roofs into the proposed development.
 - d) The implementation of low impact development techniques to mitigate impacts on the high ground water table.

ALTERNATIVES

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

Alternative #1

General Committee could maintain the existing commercial zoning permissions with respect to the development of the property at 145 Bradford Street (i.e. Status Quo).

This alternative is not recommended as it does not meet the intensification objectives of providing increased residential presence in the Urban Growth Centre or promote a mix of residential and commercial/business uses in a key redevelopment area of the downtown core.

Alternative #2

General Committee could alter the proposed recommendation by granting approval for the Transition Centre Commercial Zone (C2-2) for the mixed use residential and commercial development at this location, with no special permissions for reduced setbacks, increased height, reduced commercial lot area coverage and home occupations.

Although this alternative is available, the special provisions for reduced setbacks represent the proposed urban design guidelines for intensification areas suggested by the City in the Intensification Study. In addition, the permissions for home occupations and commercial uses are encouraged to support a mix of land use and range of housing choices in the downtown.

FINANCIAL

33. Estimated property taxes for the 263 residential units, commercial and office space is \$440,610. That is an increase of \$429,430 from the current taxes (2012) of \$11,180.13 for the vacant commercial property.

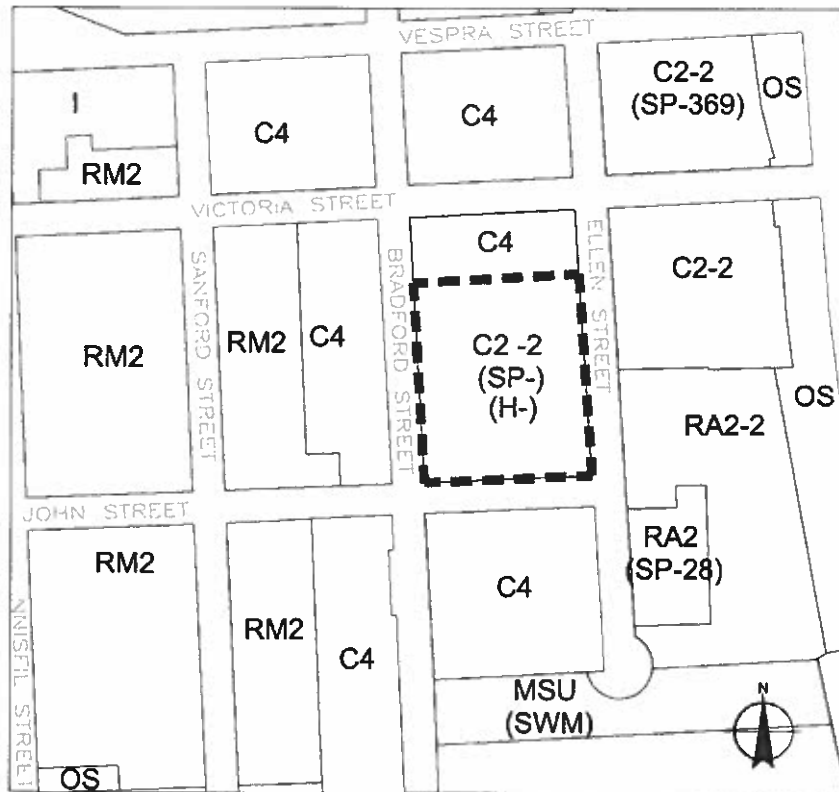
34. This property is located within the Downtown Core Planning Area and special consideration is given to this area in accordance with the Development Charge By-law. The Development Charges for commercial use is calculated at \$836,578.87, however, under the By-law, commercial charges are exempt until June 13, 2013. The Development Charges for residential uses, calculated at \$16,576 per unit for a total of \$4,359,488, would also be subject to a 50% reduction of the current rate under the Development Charges By-law, therefore \$2,179,744 would be paid to the City based upon the current proposal. The current Development Charge By-law is being reviewed, and if revisions are made to the By-law, the above estimated charge would be altered accordingly.
35. The Building Permit fees are estimated for the residential construction at \$439,378.50, for the commercial/office at \$67,730 and for the parking structure at \$92,433.90 for a total of \$599,542.40.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

36. 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
 - Create a Vibrant and Healthy City Centre
37. This project advances the intensification goals for the Urban Growth Centre and facilitates an increased residential presence in the downtown. The proposed development provides a range of medium and high density housing types and incorporates commercial and office space to meet the objective of creating a vibrant and healthy City Centre.
- Attachments: Appendix "A" – Proposed Zoning By-law Amendment
Appendix "B" – Proposed Zoning By-law Special Provisions
Appendix "C" – Draft Concept Plan

APPENDIX "A"

Proposed Zoning



D14-1484
145 Bradford Street

APPENDIX "B"

Proposed Zoning - Special Provisions

Rezoning from General Commercial (C4) to Transition Centre Commercial with Special Provisions and a Hold (C2-2)(SP)(H):

1. Special Provisions include:
 - a. A building with a maximum height of 65 metres, including rooftop mechanical devices, is permitted as part of this development.
 - b. The stepping provisions for the height of a building as outlined in section 6.3.2 of Zoning By-law 2009-141 will not be applicable to this development.
 - c. The minimum setbacks for this development are as follows:
 - i. Right Side (Ellen St.): 1.5 metres or 3 metres for buildings greater than 12.5 metres in height
 - ii. Left Side (Bradford St.): 3 metres
 - d. A Landscape Buffer Area for the apartment building as described in section 6.3.7.1 of Zoning By-law 2009-141 is not required for this development.
 - e. A minimum lot coverage for commercial use of 12.5% of the total lot area (1504m²) and a minimum of 3,318 square metres of commercial use for the development must be provided, not including home occupations.
 - f. Home Occupation is a permitted use in residential multiple units in accordance with section 5.2.10 of Zoning By-law 2009-141, provided direct access to the street is provided for the unit. Notwithstanding the specific provisions of section 5.2.10, the following additional provisions also apply for the C2-2 (SP) Zone:
 - i. Minimum 50% gross floor area must be owner occupied residential use.
 - ii. Retail and/or Direct sales uses are permitted.
 - iii. The number of employees or number of customers being served at one time is not restricted.
 - iv. The owner must demonstrate that the required additional parking is available but it is not required to be located on the lot of the individual unit.
2. A Holding Zone is proposed for the site to ensure the following:
 - a. A Record of Site Condition accepted by the Ministry of the Environment;
 - b. A Site Plan Agreement with the City;
 - c. An urban design concept incorporating amenity areas (e.g. green roofs) and low impact development techniques; and
 - d. A legal survey submitted to the satisfaction of the City of Barrie to verify that the Ministry of the Environment Guideline D-2 separation distance requirement between a sensitive land use and the City of Barrie Wastewater Treatment Facility has been met.

APPENDIX "C"
Draft Concept

