



**BY-LAW NUMBER 2013-**

**A By-law of The Corporation of the City of Barrie to  
adopt an amendment to the Official Plan (O.P.A. #35)**

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

**AND WHEREAS**, by Motion 13-G-269 the Council of The Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan.

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

1. **THAT** Amendment No. 35 to the Official Plan for the Barrie Planning Area attached to and forming part of this by-law, is hereby adopted.
2. **THAT** this By-law shall come into force and have effect immediately upon the final passing thereof.

**READ** a first and second time the 2<sup>nd</sup> day of December, 2013.

**READ** a third time and finally passed this 2<sup>nd</sup> day of December, 2013.

**THE CORPORATION OF THE CITY OF BARRIE**

\_\_\_\_\_  
**MAYOR – J.R. LEHMAN**

\_\_\_\_\_  
**CITY CLERK – DAWN A. MCALPINE**

**AMENDMENT NO. 35  
TO THE  
CITY OF BARRIE  
OFFICIAL PLAN**

OFFICIAL PLAN

FOR THE

CITY OF BARRIE

Amendment No. 35

Amendment No. 35 to the City of Barrie Official Plan was prepared by the Barrie General Committee and was recommended to the Council of the City of Barrie under the provisions of the Planning Act, on the 4<sup>th</sup> day of November, 2013.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

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

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

BY-LAW NUMBER 2013-XXX

A By-law of the Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. No. 35).

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

AND WHEREAS, by Resolution 13-G-269, the Council of the Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan;

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

1. Amendment No. 35 to the City of Barrie Official Plan attached to and forming part of this by-law, is hereby adopted.

READ a first and second time this \_\_\_\_ day of \_\_\_\_\_, 2013.

READ a third time and finally passed this \_\_\_\_ day of \_\_\_\_\_, 2013.

THE CORPORATION OF THE CITY OF BARRIE

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Clerk

This Amendment No. 35 to the Official Plan for the City of Barrie which has been recommended by the Barrie General Committee and adopted by the Council of the Corporation of the City of Barrie, is hereby approved in accordance with the Planning Act as Amendment No. 35 to the City of Barrie Official Plan.

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Clerk

**AMENDMENT NO. 35**

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**AMENDMENT NO. 35  
TO THE CITY OF BARRIE  
OFFICIAL PLAN**

## **INTRODUCTION**

**PART A - THE PREAMBLE** does not constitute part of this amendment.

**PART B - THE AMENDMENT**, consisting of the following text and map constitutes Amendment No. 35 to the City of Barrie Official Plan.

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



## **PART A - THE PREAMBLE**

### **PURPOSE**

The purpose of this amendment is to include policies in the City of Barrie's Official Plan that will provide a framework to aid in the appropriate design and development of tall buildings throughout the City, particularly with respect to the Urban Growth Centre and the Intensification Areas.

### **LOCATION**

This is a text amendment to Section 6.6 of the City of Barrie Official Plan which relates to Height Control and as such will apply to the entire City.

### **BASIS**

The proposed amendment will replace Section 6.6: Height Control in the City of Barrie's Official Plan with Section 6.6: Tall Buildings. The policies for Tall Buildings will promote the appropriate design and placement of tall buildings, facilitating development that minimizes the potential negative impacts associated with tall building height while encouraging design that builds upon the strengths and assets of the local community. The Tall Building policies are based upon the following eight principles:

1. Prevent adverse building shadows on waterfront amenity areas, on pedestrian oriented streets, as well as existing and future planned open space areas.
2. Foster a pedestrian oriented environment that encourages street level activity.
3. Protect views and access to the City's waterfront.
4. Integrate new development within the context of the local urban form.
5. Minimize adverse microclimatic impacts on the streets.
6. Retain views of the Algonquin Ridgeline to preserve Barrie's "natural setting".
7. Protect views of major geographical landmarks, buildings, and principle viewing areas.
8. Contribute to a visually interesting skyline for the City of Barrie.

The proposed policy guidelines will provide Council, members of the public, and Staff with an enhanced toolkit for determining the merits of tall buildings within the City. The policies will also clarify the City of Barrie's priorities to the development industry, and will allow Staff to apply these policies when reviewing future development applications.

The proposed Policies for Tall Buildings are the result of a study completed by the City of Barrie involving a review of the current standards and policies regulating building height within the City. Following completion of this review, Staff recommended that the existing maximum height standards remain unchanged, but that additional policies are created to minimize some of the impacts often associated with the heights of tall buildings.

## **PART B - THE AMENDMENT**

### **DETAILS OF THE AMENDMENT**

That the Official Plan be amended by deleting and replacing Section 6.6: Height Control with Section 6.6: Tall Buildings, as follows:

#### **6.6 TALL BUILDINGS**

##### **6.6.1 CRITERIA**

The policies contained within Section 6.6 will be applicable to any building proposed to be greater than three (3) storeys in height.

##### **6.6.2 LOCATION**

Policies found within Section 6.6 are applicable across the entire City, but it is anticipated that the majority of this type of development will occur within the Urban Growth Centre and in the Intensification Nodes & Corridors as identified on Schedule I. As such, a number of the following policies have greater applicability in the Urban Growth Centre or Intensification Areas than in other parts of the City. However, all policies will be considered when reviewing applications to increase height or site plan applications proposing buildings in excess of three (3) storeys.

##### **6.6.3 GENERAL POLICIES**

- (a) Innovative architectural design will be encouraged to reduce the visual and physical impact of height on the adjacent pedestrian realm, including design features such as tower and podium configurations or other design measures.
- (b) Tower design featuring floor plate sizes that result in slimmer buildings, along with other innovative design solutions which assist in reducing the visual and physical impact of tall buildings, will be preferred over slab style building design where important views need to be protected.
- (c) Where tall buildings are proposed adjacent to existing tall buildings, or where multiple tall buildings are proposed on the same property, sufficient separation distance (as detailed in Zoning By-law) will be provided between towers in order to maintain privacy, access to light, and views of the sky. Proposals for tall building developments are expected to include a rationale on the appropriate separation distance between adjacent towers.
- (d) Where possible, parking areas, site servicing, loading areas, and building utilities should be located towards the rear of buildings with appropriate screening. The use of underground parking is strongly encouraged in place of above-ground structured or surface parking. Where above-ground structured parking is proposed, at least 60% of the property frontage, and flankage in the case of corner lots, will consist of residential or commercial uses.

- (e) Tall buildings directly contribute to the look and feel of the City's architectural styles. Accordingly, tall buildings will be held to a high standard of design excellence by using quality urban design, architectural treatments, and building materials in order to promote a visually interesting skyline.

#### **6.6.4 POLICIES**

##### **(a) BUILDING SHADOWING**

- i.) Tall buildings will be designed to best mitigate the impact of shadows on public parks and open spaces, private amenity areas, and surrounding streets, throughout the day. Development applications located adjacent to the open space waterfront areas surrounding Kempenfelt Bay shall be designed to minimize the impacts of shadowing particularly between March 21 and September 21.
- ii.) Buildings will make use of setbacks, stepping provisions, and other such design measures in order to reduce shadow impacts. Towers will be positioned on sites to reduce the extension of shadows onto surrounding areas. Appropriate spacing will be provided to allow for adequate sunlight and views of the sky between adjacent building towers.

##### **(b) VIEWS AND ACCESS TO KEMPENFELT BAY**

- i.) Tall buildings will be sited to preserve and define any vistas terminating at Kempenfelt Bay, specifically the view corridors down Bayfield Street, Mulcaster Street, and Berczy Street. These vistas will only be considered when viewed from publically accessible areas such as streets and parks. No policy in this Plan is intended to imply that views from private property will be protected.
- ii.) Buildings with frontages adjacent to view corridors will make use of setbacks, stepping provisions, and 45 degree angular planes to reduce the visual impact of building height on vistas.
- iii.) Buildings adjacent to Kempenfelt Bay will also be designed to maintain physical accessibility to the waterfront for all City of Barrie residents along existing streets and trails, and may include the requirement for pedestrian access through development proposals.

##### **(c) MICROCLIMATIC IMPACTS**

- i.) Tall buildings will be designed to minimize adverse microclimatic impacts in order to foster a comfortable pedestrian realm at the street level. Microclimatic impacts may include the effects of wind channelling, the urban heat island effect, adverse shadowing, and the interruption of sunlight.
- ii.) Where appropriate, tall buildings will incorporate features that provide weather protection for pedestrians, such as podium bases, canopies, awnings, facade interruptions, arcades, landscaping, or other creative solutions.

**(d) STREET LEVEL ACTIVITY**

- i.) The policies for 6.6.4 (d) are intended for tall buildings located within the Urban Growth Centre and other intensification areas. However, they may be applied to tall buildings outside of these areas when in accordance with good planning and urban design principles.
- ii.) New development will foster a pedestrian friendly public realm by featuring a street wall of continuous built form frontage adjacent to any principal streets. This street wall will include active at-grade uses, with building facades incorporating transparent windows, doors, glazing, and other such architectural treatments.
- iii.) The primary building facades should be positioned and oriented along the property line in order to achieve a uniform street edge. Corner lot buildings should be designed to reinforce multiple street-facing frontages. Main entrances should be directly accessible from public sidewalks. Exceptions to this rule may be considered where greater setbacks are applied to improve the streetscape by incorporating outdoor patios, extended sidewalks, or other creative publically accessible uses.
- iv.) Tall buildings will incorporate building articulations, massing and materials that respect a pedestrian scale and create interest. Features that separate buildings from the street or inhibit pedestrian activity, such as fencing or long stretches of blank walls, will be actively discouraged.

**(e) LOCAL AREA COMPATIBILITY**

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

**(f) VIEWS OF THE ALGONQUIN RIDGELINE, LANDMARKS, AND LOOKOUTS**

- i.) All development proposals shall preserve major public views of the Algonquin ridge, geographical and building landmarks, and principal viewing areas such as the Nelson Street and Vancouver Street Lookouts.
- ii.) For tall buildings located within the Urban Growth Centre, adequate spacing should separate building towers in order to maximize views of the Algonquin ridge.

**6.6.5 HEIGHT CONTROL**

Those areas which are designated as areas subject to height control on Schedule C of this Plan will be governed by the height provisions of the Zoning By-law.

**6.6.6 TALL BUILDING APPLICATION SUBMISSION REQUIREMENTS**

- (a) The City may require the following to accompany any Zoning By-law Amendment or Site Plan applications for tall buildings; **(Mod G (w))**
- i) A BLOCK PLAN defined as the block on which the proposed development is to be built. The Block Plan shall have regard for: servicing, grading and drainage; land use; building form and massing (including shadow, and noise analysis and may have regard for wind analysis); traffic circulation; parking/loading; ingress/egress; through-block pedestrian connections at grade and above grade; public spaces with facilities; visual enhancement of existing views, and street and internal landscaping (including lighting, planting, furniture and surface treatments).
  - ii) A CONTEXT PLAN defined as including all adjacent blocks to the site such that the plan can have sufficient regard to traffic circulation, pedestrian connections, open space linkages, view corridors, shadow/wind/noise impacts, and land use compatibility.
  - iii.) A SHADOW IMPACT STUDY demonstrating the effect of building shadowing on adjacent public properties. Particular attention will be given to the effect of shadowing between March 21 and September 21.
  - iv.) A MICROCLIMATIC IMPACT REPORT may be required wherever there is potential for adverse microclimatic impacts on the local pedestrian environment. The report will determine the severity of these microclimatic impacts, and will identify measures to be taken to mitigate them.

**PART C - THE APPENDIX**

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**MINUTES OF THE GENERAL COMMITTEE PUBLIC MEETING****City of Barrie**70 Collier Street (Box 400)  
Barrie, ON L4M 4T5**Minutes – Final  
General Committee****Monday, August 12, 2013****7:00pm****Council Chamber****13-G-199****APPLICATION FOR A PROPOSED OFFICIAL PLAN AMENDMENT - CITY OF BARRIE - POLICIES ON THE DESIGN AND PLACEMENT OF TALL BUILDINGS (August 12, 2013) (File: D09-OPA035)**

Mr. A. Shaikh, Policy Planner and Mr. M. Kalyaniwalla, Manager of Planning Policy for the City of Barrie indicated the purpose of the public meeting is to review a proposed Official Plan Amendment to include policies on the design and placement of Tall Buildings.

Mr. Shaikh indicated that a review of the current tall building development standards established through the 1989 Height Review Study was undertaken. He advised that the review concluded that no significant changes are required to the height standards and provide for considerable re-development potential that would address provincial growth regulations. A 3D modeling simulation was provided to illustrate how the City Centre would look if structures were built to the current maximum permitted height. The modeling was also used to illustrate the impact of shadowing.

Mr. Shaikh explained that the Planning Services Department is recommending that the underlying rationale associated with the 1989 Height Review Study is still suitable. He noted that a clearer policy on the consideration of applications for tall buildings would assist in ensuring that tall buildings are situated in an appropriate manner which would build upon the strengths of the downtown.

A. Shaikh advised the proposed amendment will amend Section 6.6: Height Control in the City of Barrie's Official Plan (April 2010) to introduce new polices for the design and development of Tall Buildings to provide clear guidelines for the review of requests for increased height. He noted the Policies on Tall Building development in the City are intended to promote the appropriate design and placement of tall buildings, facilitate development

that mitigates the potential negative impacts associated with tall building height and encourage design that promotes the strengths and assets of the local community. A. Shaikh advised that the Tall Building Policies will be based upon the following eight principles:

- Prevent adverse building shadows on waterfront amenity areas, on pedestrian oriented streets, as well as existing and future planned open space areas;
- Foster a pedestrian oriented environment that encourages street level activity;
- Protect public views and access to the City's waterfront;
- Integrate new development within the context of the local urban form;
- Minimize adverse microclimatic impacts on the streets;
- Retain views of the Algonquin Ridgeline to preserve Barrie's "natural setting";
- Protect views of major geographical landmarks, buildings and principle viewing areas; and
- Contribute to a visually interesting skyline for the City of Barrie.

Mr. Shaikh noted that clear policy guidelines will assist Council, the public, the development community and staff in identifying appropriate design and placement of tall buildings, particularly in the Urban Growth Centre.

In closing, Mr. Shaikh indicated that currently and with the adoption of the proposed policy, that each application is assessed on its own merits, to ensure that the Tall Building principles are considered ensuring that the buildings are compatible with existing build in the area.

#### **PUBLIC COMMENTS:**

1. **Mr. Ian Rowe, 140 Dunlop Street East** complimented staff on the review. He asked Council to consider a number of issues, as follows:



- that the results of the review indicate that the original height study is not invalid due to its age and it reflects community values both then and today;
  - that the Intensification Study did not identify deficiencies in the Zoning By-law and it is no longer viable for the development community to conclude that taller buildings are required to meet intensification targets; and
  - that the argument that it is economically unfeasible to development without increases to the height is not supported as the Mady Project on Collier Street has not required variances with respect to height, to the best of his knowledge.
2. **Mr. Rod Burns, 2 Toronto Street** suggested that proposed policy document is not detailed as Toronto's. He commented that the principles discussed in the presentation are a good basis but more detailed information is required as it would provide Council, the public and development community with in-depth guidelines to assess proposals for height variances. Mr. Burns stated that he feels the current height restrictions are appropriate and any requests for increases to height should be presented to Council on a site specific basis. He commented on the pedestrian interface associated with 2 Toronto Street. He noted that the developers have received height variances and subsequently placed their development up for sale.

Members of General Committee asked a number of questions related to the presentation and received responses from the presenter.

**STAFF REPORT**



**STAFF REPORT PLN023-13  
October 28, 2013**

**File: D14TE-HEI  
Pending #**

**TO: GENERAL COMMITTEE**

**SUBJECT: POLICIES FOR TALL BUILDINGS**

**PREPARED BY AND KEY CONTACT: A. SHAIKH, PLANNER  
EXT. #4434**

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

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

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

**DATE: OCTOBER 28, 2013**

**RECOMMENDED MOTION**

1. That the Official Plan Amendment Application submitted by The Corporation of the City of Barrie to amend the policies applying to building heights by removing "Section 6.6 Height Control" and replacing with "Section 6.6 Tall Buildings", as set out in Appendix 'A' attached to Staff Report PLN023-13, be approved.
2. That the draft Official Plan Amendment as attached to Appendix 'A' of Staff Report PLN023-13 be approved.

**PURPOSE & BACKGROUND**

Report Overview

3. The purpose of this staff report is to recommend the inclusion of new Official Plan policies establishing a framework for the appropriate design, location, and orientation of tall buildings across the City of Barrie.

Background

4. The current standards and policies for regulating height within the UGC originated from a Height Review Study adopted by Council in 1989. The purpose of that study was to establish new maximum height and built form controls for the downtown. This resulted in amendments to the Zoning By-law to incorporate new maximum height standards within the UGC, including the C1-1,

C1-2, C2-1, and C2-2 zones, along with sub-categories for the Apartment Dwelling RA1 and RA2 zones. Amendments were also made to the policies in Official Plan Section 6.6 'Height Control' to include a preservation of major public views.

5. On June 11, 2013, a staff report was received by the Development Services Committee on the subject of the Height Review and Tall Buildings Principles. The purpose of the staff report was to explore the ongoing development pressure being experienced in the City of Barrie's Urban Growth Centre (UGC) through land owners making applications to obtain approval for additional building height over and above the existing maximum height standards of the Zoning By-law. The report explores the performance of the current standards, the process of reviewing applications for additional height permission, and made recommendations on the inclusion of additional policies.
6. The Height Review and Tall Building Principles staff report reviewed the existing standards with respect to the new policy directions provided through the Province's Growth Plan for the Greater Golden Horseshoe, as well as the City of Barrie's Intensification Study. The staff report recommended no change to the existing height restrictions of the Zoning By-law, explaining that the current standards allow sufficient height permissions to achieve Barrie's intensification targets outlined within the Growth Plan and Intensification Study. However, the report identified the need for a set of clear and concise policies to provide guidance on the design, location, and orientation of tall buildings across the City of Barrie. The staff report recommended the scheduling of a public meeting to consider a draft Official Plan Amendment to include new policies on tall buildings. Further background information can be found in the Height Review and Tall Buildings staff report received by Development Services Committee on June 11, 2013.
7. An Open House was held on August 7, 2013, and a Public Meeting was held during the General Committee meeting on August 12, 2013, in order to consider a set of draft policies as part of an amendment to the City's Official Plan. Comments received by members of the public and Council are summarized further on in this report.

#### Existing Policy Framework

#### 8. *Provincial Policy Statement & Growth Plan for the Greater Golden Horseshoe*

The recommended Official Plan Amendment conforms to the Provincial Policy Statement with respect to the promotion of efficient development and land use patterns, providing for a range and mix of residential, employment, recreation, and open space uses.

The amendment is also consistent with policies found within the Growth Plan for the Greater Golden Horseshoe. The amendment will assist in achieving the Growth Plan's goals with respect to fostering intensification throughout the City, creating compact complete communities that feature a range and mix of uses, and promoting pedestrian-friendly environments.

#### 9. *Official Plan & Intensification Area Urban Design Guidelines*

The proposed Official Plan Amendment is consistent with other policies found throughout the Official Plan, in particular policies promoting intensification in appropriate locations, the importance of sensitive and high quality urban design, as well as the need to consider the compatibility of the scale and character of an intensification project with an existing neighbourhood.

The policies also compliment the Intensification Area Urban Design Guidelines with respect to the use of setbacks and stepping provisions for reducing the physical and visual impact of building

height, the fostering of a pedestrian realm, the encouraging of at-grade retail uses, and the respecting of existing built form context.

## **ANALYSIS**

10. Tall buildings are a critical factor for meeting the City of Barrie's intensification targets. In many cases, tall buildings can revitalize a community by providing an influx of new residents and businesses into the neighbourhood. The design of mixed-use high-rise projects offer residents greater choices for living, working, shopping, and recreation opportunities, usually within walking distance of each other, contributing to sustainable development and curbing urban sprawl. Tall buildings can also redefine a skyline, creating a modern identity and a unique signature for a city.
11. Due to their scale and stature, tall buildings also have the potential to pose significant challenges in terms of how they impact and relate to their surroundings. Development applications received by the City seeking greater height permissions are often controversial, receiving considerable attention from members of the public. Concerns frequently expressed by the public regarding these applications include issues of the fit and scale of tall buildings with existing buildings, the impacts of shadows over adjacent properties, the interruption of views, the obstruction of public access to amenity areas, and other such examples.
12. The purpose of the proposed Official Plan Amendment is to provide a comprehensive set of policies to guide Council, staff, and the public in reviewing and assessing the merits of applications for tall buildings across the City. The policies will clarify the City of Barrie's priorities to the development industry, and will allow staff to implement these policies when reviewing future development applications.

### **Policies for Tall Buildings**

13. If approved by Council, the Official Plan will be amended by deleting Section 6.6 'Height Control', and replacing with Section 6.6 'Tall Buildings'. All of the applicable policies currently found under 'Height Control' have been integrated within the proposed 'Tall Buildings' amendment.

### **Criterion for the Applicability of Tall Building Policies**

14. The policies contained within the amendment to Section 6.6 will be applicable across the entire City.
15. The policies are intended to address impacts that generally arise where building heights are in excess of three storeys. It is of course recognized that potential impacts of tall buildings varies based on height, location, surrounding areas and other factors. This criterion also recognizes that the traditional building height of Barrie's historic downtown, being the densest area of the City with the greatest as-of-right height permissions, ranges from two to three storeys. Thus, any building planned to be greater than this traditional height and scale would be subject to the policies contained within Section 6.6.
16. It is expected that the majority of tall buildings will be concentrated within the Urban Growth Centre and the Intensification Areas. As such, some of the policies have greater applicability within these areas. An example of this are the policies contained within 6.6.4(b) 'Views and Access to Kempenfelt Bay', which may not be a factor when considering applications further away from the core areas surrounding the waterfront.

General Policies

17. The policies proposed under Subsection 6.6.3 'General Policies' in Appendix 'A' outline planning principles intended to apply generally to any tall building proposal in the City. A summary and discussion of subsection 6.6.3 is provided below:

a) *Reducing the visual and physical impact of height*

Innovative architectural design will be encouraged to reduce the visual and physical impact of height on the adjacent pedestrian realm including design features such as tower and podium or other design measures.

b) *Slender towers are preferred, with separation distances between towers.*

Slimmer building design and the use of tower separation distances both alleviate some of the visual and physical impacts of building height, while also increasing privacy, access to sunlight, and views of the sky.

c) *Parking, site servicing, utilities, and loading areas should be shielded from public view.*

This will be achieved by locating these areas at the rear of buildings with sufficient shielding. Underground parking will be favoured over above-ground structured or surface parking. Above-ground structured parking should not take away from the pedestrian experience at the grade level, and should continue to feature at least 60% residential or commercial usages along the frontages.

d) *Contribute to a visually interesting skyline for the City of Barrie.*

Tall buildings directly contribute to the look and feel of the City's architectural styles. Accordingly, tall buildings will continue to be held to a high standard of design excellence in order to promote a visually interesting skyline.

Policies Based on Tall Building Impacts

18. The policies proposed for Subsection 6.6.4 each deal with a specific potential impact that may be associated with a tall building. Some of these policies may have greater applicability in the Urban Growth Centre or Intensification Areas than other parts of the City, however all policies will be considered when any proposal for a tall building is being reviewed. Many of the policies currently included within Section 6.6 'Height Control' are proposed to be integrated into the amended policies.

19. A discussion of each of the proposed Subsection 6.6.4 policies is provided below:

a) *Building Shadowing*

Tall buildings will be designed to best mitigate the impact of shadows on public parks and open spaces, private amenity areas, and surrounding streets throughout the daytime hours. Locating tall buildings adjacent to these shadow sensitive areas creates the potential for periods of excessive shadowing, restricting the number of weeks out of the year when residents of Barrie can comfortably enjoy outdoor amenities. Part of the appeal of these outdoor amenities includes the enjoyment of direct sunlight and views of the sky throughout the day. Despite the best intention to avoid shadowing altogether, the

nature of an existing built environment is such that shadowing cannot be guaranteed to have no impact in every circumstance.

**b) *Views and Access to Kempenfelt Bay***

The stretches of publicly owned land surrounding Kempenfelt Bay are one of the greatest assets to the City of Barrie and its residents. Key public views and the ease of accessibility to Kempenfelt Bay should be protected in order to ensure the City's continued connection to the waterfront. Special consideration will be given to specific view corridors, including Bayfield, Mulcaster, Poyntz, and Berczy Streets, which consist of corridors providing unobstructed views of the water. These policies are strictly intended to consider the impacts on views from public areas, and are in no way intended to imply that views from private properties will be protected.

**c) *Microclimatic Impacts***

Close proximity of tall buildings to each other creates the potential for adverse microclimatic effects, including the channeling of strong winds, the creation of urban heat island effects, and the reduction of access to sunlight. Mitigating these microclimatic impacts contributes to a more comfortable pedestrian realm.

**d) *Street Level Activity***

The first few storeys of a building can have a tremendous impact on the pedestrian experience. Special attention will be given to the lower storeys of new development to ensure that a safe and accessible pedestrian environment is achieved by fostering a continuous street wall of at-grade activity, minimizing gaps between buildings at the ground level.

**e) *Local Area Compatibility***

Ensure that proposed new development is compatible with the context and character of the local area's existing and planned built form. Compatibility is not intended to mean restricting new development to exactly the same height and densities of surrounding areas, particularly in the Urban Growth Centre, and within intensification nodes and corridors.

**f) *Views of the Algonquin Ridgeline, Landmarks, and Lookouts***

The Algonquin Ridge serves as a backdrop to Barrie's historic downtown, and can be observed from the South Shore area, along Lakeshore Drive, and from the lake. The Ridge provides the impression of a city integrated into a natural green setting, softening the visual impact of Downtown Barrie's urban built form. High-rise development within the UGC should ensure views of the Ridge are available between buildings.

Special consideration will also be given to the effect of new tall building development on the views and backdrops of certain major geographical landmarks, historic buildings, and other principle viewing areas. This may include (but is not limited to) Memorial Square, the Spirit Catcher, the Allandale Centre, the Old City Hall Arch, the historic churches within the downtown, as well as the Nelson Street and Vancouver Street lookouts.

### Additional Submission Requirements for Tall Building Proposals

20. In addition to the 'block plan' and 'context plan' already listed as potential submission requirements under the current Section 6.6 policies, the proposed amendment adds 'shadow impact study' and 'microclimatic impact report' as additional documents that may be requested to accompany any rezoning or site plan applications for tall buildings received by the City of Barrie. Any of these four additional submission requirements may be requested by Planning Services in order to better assess the impacts that a proposed tall building may have on their surroundings.

### Applying the Policies to Tall Building Proposals

21. Any development proposal within the City greater than three storeys which requires approval under the provisions of the Planning Act is subject to the proposed policies of Section 6.6.
22. For development projects that propose building heights over and above the maximum standards set out in the Zoning By-law, the proponents of the development must apply for either a Zoning By-law Amendment, or in some cases they may be considered for a minor variance application. The rezoning and minor variance process provides an opportunity for staff to consider the impacts that the additional height would have on the goals and objectives of the Official Plan, including Section 6.6. If it is determined that there may potentially be negative impacts resulting from the proposed development, staff are able to work with the applicant to find solutions to eliminate or mitigate any concerns.
23. Similarly, any tall building project received by the City in the form of a Site Plan Application can also be reviewed in the context of the policies described in Section 6.6. Conditions of site plan approval can be applied to address these policies.

### Public Meeting Comments on Draft Policies

24. With respect to the comments/concerns expressed during the public meeting, Planning staff offer the following:
- *The proposed policies will further encourage the development of tall buildings in excess of the maximum height permissions (of the Zoning By-law) OR the proposed policies will discourage the development of tall buildings.*

The Official Plan Amendment does not contain any policies that actively encourage or discourage the overall number of tall buildings being developed within Barrie. The policies are intended to ensure that when tall buildings are proposed, that they are designed with an appropriate consideration of their location, orientation, and the impacts they may have on their surroundings.

- *The City of Barrie is proposing to increase/decrease the maximum height permissions for tall buildings*

No increases or decreases to the maximum height permissions within the Zoning By-law are being recommended through this amendment. In addition, the Height Review and Tall Building Principles staff report received by the Development Services Committee on June 11, 2013, recommended maintaining the existing maximum permissions at their current standards.

- *The commercial component of tall buildings will intrude on the private residential areas.*

The combinations of both commercial and residential uses are existing standards that are already found within the City's current Zoning By-law within the C1, C2, and C4 zones. The promotion of at-grade commercial uses in residential buildings located within these zones is not a new recommendation, but instead provides further policy justification and support for facilitating this form of mixed-use development.

As evident in existing mixed-use buildings featuring a combination of commercial and residential uses, the commercial and residential aspects of these buildings are located within the same building but utilize separate access points, and often use separate parking areas as well. Examples of this include the Bayshore Landing at 150 Dunlop Street East, or the Lakeview Condominiums currently under construction at 55 Mulcaster Street. These policies do not encourage commercial uses to encroach on the privacy of residential uses in any way.

Staff are of the opinion that this recommendation is supported by both Provincial and local policy as well as the recommendations of the City of Barrie's Intensification Study. Mixed use development helps to foster complete communities, reduce travel times for work, recreation and day to day shopping needs, and fosters a pedestrian oriented urban environment which will not only help to revitalize the City Centre and other intensification areas, but will encourage and attract a broader demographic to live within these areas. Staff are of the opinion that this is one of the key and vital components to future growth and development of the community.

- *The amendment includes policies intended to prohibit the use of rock fences, shrubbery, trees, or other landscaping at the foot of buildings.*

No policy within the proposed amendment is intended to prohibit landscaping features. The Planning Services Department encourages creative and attractive landscaping surrounding buildings, where appropriate. The purpose of encouraging greater street level activity is to attract more users to Barrie's downtown by providing more opportunities for residents to be able to enjoy restaurant, cafe, and patio uses, in addition to the waterfront park amenities currently available.

The revitalization of the City Centre is a Strategic Priority of Council, and it is a well recognized planning principle that a resident population base is a critical component of any revitalization strategy. However, condominium developments locating in the UGC are expected to serve a function greater than only creating more residential units. A crucial factor for any downtown revitalization plan is to provide a variety of uses that attract people to interact with each other at the street level, including public amenities, or dining, shopping, and entertainment activities. As such, efforts should be taken ensuring that new developments actively provide opportunities for pedestrian interaction on the street.

- *The proposed policies are not sufficient in length or substance in comparison to the tall building policies of other Ontario municipalities.*

The proposed Official Plan policies are of equal or greater extent compared to the 'tall building' related Official Plan policies of many other Ontario municipalities. In addition, the formulation of the proposed Official Plan Amendment included a thorough review of existing policy from other Ontario municipalities regarding the impacts of tall building



height, while maintaining a strong focus on issues and concerns specific to the City of Barrie.

Other major municipalities in Ontario, notably Toronto and Markham, have also produced detailed urban design guidelines relating to the design of tall buildings. Many of the urban design principles featured within these guidelines are also found within the City of Barrie's Intensification Area Urban Design Guidelines and Urban Design Manual likewise.

### **SUMMARY**

25. The proposed Official Plan Amendment, if adopted, will provide Council, members of the public, and staff with an enhanced planning framework for assessing the merits of tall building development proposals across the City. The policies will clarify the City of Barrie's priorities to the development industry, and will allow staff to apply these policies when reviewing future development applications.
26. Examples of policies found within this amendment include the consideration for the impacts of shadowing on public amenity areas, the protection of key public views and vistas, the enhancement of the pedestrian experience at the street level, and other such concerns.
27. The policies contained within the proposed Official Plan Amendment will contribute to achieving intensification that provides a range and variety of opportunities for living, working, shopping, and enjoyment through the development of mixed-use tall buildings. The amendment will assist in facilitating intensification, while also ensuring that public interests are protected.

### **ENVIRONMENTAL MATTERS**

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

### **ALTERNATIVES**

29. The following alternative is available for consideration by General Committee:

**Alternative #1**            General Committee could decide not to support the adoption of the proposed Official Plan Amendment.

This alternative is not recommended as it would prevent the addition of Official Plan policies providing greater clarity and direction on the design, location, and orientation of tall buildings across the City.

### **FINANCIAL**

30. There are no financial implications for the Corporation resulting from the proposed recommendation.

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

31. The recommendation included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:

     Create a Vibrant and Healthy City Centre

32. The addition of Official Plan policies regarding the improved design of tall buildings can contribute to the revitalization of the City Centre, due to the greater number of tall buildings located in this area. The design of mixed-use high-rise projects offers the ability for residents to live, work, and play in a vibrant neighbourhood, contributing to the sustainable development of the City. Tall building policies will also ensure that a variety of public interests within the downtown, including the enjoyment of waterfront amenities areas, are protected.

**Appendix A: Official Plan Amendment Parts A & B**

**PART A - THE PREAMBLE**

**PURPOSE**

The purpose of this amendment is to include policies in the City of Barrie's Official Plan that will provide a framework to aid in the appropriate design and development of tall buildings throughout the City, particularly with respect to the Urban Growth Centre and the Intensification Areas.

**LOCATION**

This is a text amendment to Section 6.6 of the City of Barrie Official Plan which relates to Height Control and as such will apply to the entire City.

**BASIS**

The proposed amendment will replace Section 6.6: Height Control in the City of Barrie's Official Plan with Section 6.6: Tall Buildings. The policies for Tall Buildings will promote the appropriate design and placement of tall buildings, facilitating development that minimizes the potential negative impacts associated with tall building height while encouraging design that builds upon the strengths and assets of the local community. The Tall Building policies are based upon the following eight principles:

9. Prevent adverse building shadows on waterfront amenity areas, on pedestrian oriented streets, as well as existing and future planned open space areas.
10. Foster a pedestrian oriented environment that encourages street level activity.
11. Protect views and access to the City's waterfront.
12. Integrate new development within the context of the local urban form.
13. Minimize adverse microclimatic impacts on the streets.
14. Retain views of the Algonquin Ridgeline to preserve Barrie's "natural setting".
15. Protect views of major geographical landmarks, buildings, and principle viewing areas.
16. Contribute to a visually interesting skyline for the City of Barrie.

The proposed policy guidelines will provide Council, members of the public, and Staff with an enhanced toolkit for determining the merits of tall buildings within the City. The policies will also clarify the City of Barrie's priorities to the development industry, and will allow Staff to apply these policies when reviewing future development applications.

The proposed Policies for Tall Buildings are the result of a study completed by the City of Barrie involving a review of the current standards and policies regulating building height within the City. Following completion of this review, Staff recommended that the existing maximum height standards remain unchanged, but that additional policies are created to minimize some of the impacts often associated with the heights of tall buildings.

## **PART B - THE AMENDMENT**

### **DETAILS OF THE AMENDMENT**

That the Official Plan be amended by deleting and replacing Section 6.6: Height Control with Section 6.6: Tall Buildings, as follows:

#### **6.6 TALL BUILDINGS**

##### **6.6.1 CRITERIA**

The policies contained within Section 6.6 will be applicable to any building proposed to be greater than three (3) storeys in height.

##### **6.6.2 LOCATION**

Policies found within Section 6.6 are applicable across the entire City, but it is anticipated that the majority of this type of development will occur within the Urban Growth Centre and in the Intensification Nodes & Corridors as identified on Schedule I. As such, a number of the following policies have greater applicability in the Urban Growth Centre or Intensification Areas than in other parts of the City. However, all policies will be considered when reviewing applications to increase height or site plan applications proposing buildings in excess of three (3) storeys.

##### **6.6.3 GENERAL POLICIES**

- (f) Innovative architectural design will be encouraged to reduce the visual and physical impact of height on the adjacent pedestrian realm, including design features such as tower and podium configurations or other design measures.
- (g) Tower design featuring floor plate sizes that result in slimmer buildings, along with other innovative design solutions which assist in reducing the visual and physical impact of tall buildings, will be preferred over slab style building design where important views need to be protected.
- (h) Where tall buildings are proposed adjacent to existing tall buildings, or where multiple tall buildings are proposed on the same property, sufficient separation distance (as detailed in Zoning By-law) will be provided between towers in order to maintain privacy, access to light, and views of the sky. Proposals for tall building developments are expected to include a rationale on the appropriate separation distance between adjacent towers.
- (i) Where possible, parking areas, site servicing, loading areas, and building utilities should be located towards the rear of buildings with appropriate screening. The use of underground parking is strongly encouraged in place of above-ground structured or surface parking. Where above-ground structured parking is proposed, at least 60% of the property frontage, and flankage in the case of corner lots, will consist of residential or commercial uses.
- (j) Tall buildings directly contribute to the look and feel of the City's architectural styles. Accordingly, tall buildings will be held to a high standard of design

excellence by using quality urban design, architectural treatments, and building materials in order to promote a visually interesting skyline.

#### **6.6.4 POLICIES**

##### **(g) BUILDING SHADOWING**

- v.) Tall buildings will be designed to best mitigate the impact of shadows on public parks and open spaces, private amenity areas, and surrounding streets, throughout the day. Development applications located adjacent to the open space waterfront areas surrounding Kempenfelt Bay shall be designed to minimize the impacts of shadowing particularly between March 21 and September 21.
- vi.) Buildings will make use of setbacks, stepping provisions, and other such design measures in order to reduce shadow impacts. Towers will be positioned on sites to reduce the extension of shadows onto surrounding areas. Appropriate spacing will be provided to allow for adequate sunlight and views of the sky between adjacent building towers.

##### **(h) VIEWS AND ACCESS TO KEMPENFELT BAY**

- iv.) Tall buildings will be sited to preserve and define any vistas terminating at Kempenfelt Bay, specifically the view corridors down Bayfield Street, Mulcaster Street, and Berczy Street. These vistas will only be considered when viewed from publically accessible areas such as streets and parks. No policy in this Plan is intended to imply that views from private property will be protected.
- v.) Buildings with frontages adjacent to view corridors will make use of setbacks, stepping provisions, and 45 degree angular planes to reduce the visual impact of building height on vistas.
- vi.) Buildings adjacent to Kempenfelt Bay will also be designed to maintain physical accessibility to the waterfront for all City of Barrie residents along existing streets and trails, and may include the requirement for pedestrian access through development proposals.

##### **(i) MICROCLIMATIC IMPACTS**

- iii.) Tall buildings will be designed to minimize adverse microclimatic impacts in order to foster a comfortable pedestrian realm at the street level. Microclimatic impacts may include the effects of wind channelling, the urban heat island effect, adverse shadowing, and the interruption of sunlight.
- iv.) Where appropriate, tall buildings will incorporate features that provide weather protection for pedestrians, such as podium bases, canopies, awnings, facade interruptions, arcades, landscaping, or other creative solutions.

(j) STREET LEVEL ACTIVITY

- v.) The policies for 6.6.4 (d) are intended for tall buildings located within the Urban Growth Centre and other intensification areas. However, they may be applied to tall buildings outside of these areas when in accordance with good planning and urban design principles.
- vi.) New development will foster a pedestrian friendly public realm by featuring a street wall of continuous built form frontage adjacent to any principal streets. This street wall will include active at-grade uses, with building facades incorporating transparent windows, doors, glazing, and other such architectural treatments.
- vii.) The primary building facades should be positioned and oriented along the property line in order to achieve a uniform street edge. Corner lot buildings should be designed to reinforce multiple street-facing frontages. Main entrances should be directly accessible from public sidewalks. Exceptions to this rule may be considered where greater setbacks are applied to improve the streetscape by incorporating outdoor patios, extended sidewalks, or other creative publically accessible uses.
- viii.) Tall buildings will incorporate building articulations, massing and materials that respect a pedestrian scale and create interest. Features that separate buildings from the street or inhibit pedestrian activity, such as fencing or long stretches of blank walls, will be actively discouraged.

(k) LOCAL AREA COMPATIBILITY

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

(l) VIEWS OF THE ALGONQUIN RIDGELINE, LANDMARKS, AND LOOKOUTS

- iii.) All development proposals shall preserve major public views of the Algonquin ridge, geographical and building landmarks, and principal viewing areas such as the Nelson Street and Vancouver Street Lookouts.
- iv.) For tall buildings located within the Urban Growth Centre, adequate spacing should separate building towers in order to maximize views of the Algonquin ridge.

**6.6.5 HEIGHT CONTROL**

Those areas which are designated as areas subject to height control on Schedule C of this Plan will be governed by the height provisions of the Zoning By-law.

**6.6.7 TALL BUILDING APPLICATION SUBMISSION REQUIREMENTS**

- (b) The City may require the following to accompany any Zoning By-law Amendment or Site Plan applications for tall buildings; **(Mod G (w))**
  - i) A BLOCK PLAN defined as the block on which the proposed development is to be built. The Block Plan shall have regard for: servicing, grading and drainage; land use; building form and massing (including shadow, and noise analysis and may have regard for wind analysis); traffic circulation; parking/loading; ingress/egress; through-block pedestrian connections at grade and above grade; public spaces with facilities; visual enhancement of existing views, and street and internal landscaping (including lighting, planting, furniture and surface treatments).
  - ii) A CONTEXT PLAN defined as including all adjacent blocks to the site such that the plan can have sufficient regard to traffic circulation, pedestrian connections, open space linkages, view corridors, shadow/wind/noise impacts, and land use compatibility.
  - vii.) A SHADOW IMPACT STUDY demonstrating the effect of building shadowing on adjacent public properties. Particular attention will be given to the effect of shadowing between March 21 and September 21.
  - viii.) A MICROCLIMATIC IMPACT REPORT may be required wherever there is potential for adverse microclimatic impacts on the local pedestrian environment. The report will determine the severity of these microclimatic impacts, and will identify measures to be taken to mitigate them.

**COUNCIL RESOLUTION**



**City Clerk's Office  
COUNCIL DIRECTION MEMORANDUM**

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TO: Director of Planning Services – note/implement  
Director of Legal Services – note  
Director of Building and By-law - note

FROM: Dawn McAlpine, City Clerk

DATE APPROVED  
BY COUNCIL: November 4, 2013

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**13-G-269 POLICIES FOR TALL BUILDINGS**

1. That the Official Plan Amendment Application submitted by The Corporation of the City of Barrie to amend the policies applying to building heights by removing "Section 6.6 Height Control" and replacing with "Section 6.6 Tall Buildings", as set out in Appendix "A" attached to Staff Report PLN023-13, be approved.
2. That the draft Official Plan Amendment as attached to Appendix "A" of Staff Report PLN023-13 be approved. (PLN023-13) (File: D14TE-HEI)