
TO: GENERAL COMMITTEE

SUBJECT: APPLICATION FOR ZONING BY-LAW AMENDMENT – PRATT HANSEN GROUP AND PENADY (NORTH BARRIE) LIMITED – 295 CUNDLES ROAD EAST

WARD: WARD 3

PREPARED BY AND KEY CONTACT: JANET FOSTER, MCIP, RPP
SENIOR PLANNER, EXT. 4517

SUBMITTED BY: S. NAYLOR, MES, M.C.I.P., R.P.P., DIRECTOR OF PLANNING *5/16/16 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*

RECOMMENDED MOTION

1. That the Zoning By-law Amendment application submitted by Jones Consulting Group, on behalf of the Pratt Hansen Group and Penady Limited for the lands known municipally as 295 Cundles Road East, to remove the requirement to provide ground floor commercial, be approved.
2. That pursuant to Section 34(17) of the Planning Act, no further public notification is required prior to the passing of this by-law.

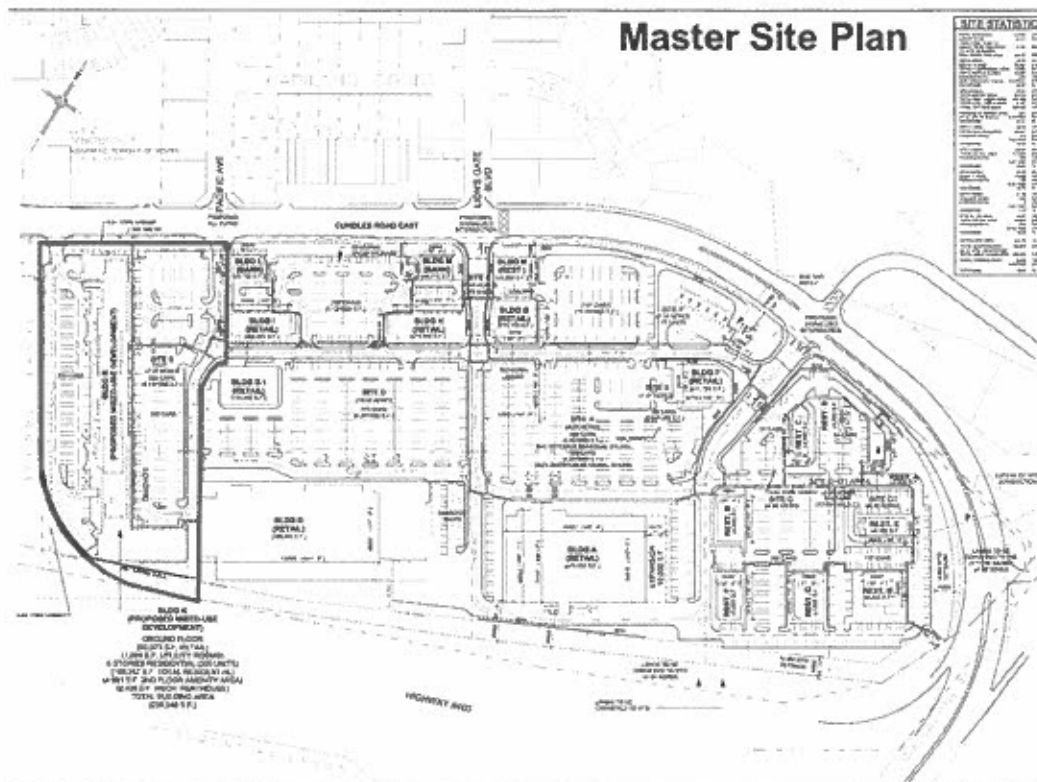
PURPOSE & BACKGROUND

Report Overview

3. The purpose of this report is to recommend approval of a zoning by-law amendment to remove the requirement for ground floor commercial and allow for two 6-storey residential buildings (total of 120 residential units) with one level of underground parking and associated surface parking.

Location

4. The subject property is located on the south side of Cundles Road East, north of Hwy. 400 and west of Duckworth Street. The Master Site Plan is shown on the following page with the subject lands outlined.
5. The subject lands are bounded to the south by Hwy. 400, existing detached and townhouse development to the north, commercial lands to the east, and an elementary and secondary school to the west.



Existing Policy

6. The subject lands are comprised of approximately 3 hectares and form part of a larger 19 hectare development parcel currently being developed for commercial uses. The larger development was the subject of previous approvals for Official Plan and Zoning By-law Amendments to allow for a mix of commercial and residential uses. The subject lands are located in the westerly portion of the larger development and were originally approved for a 6-storey mixed use building with commercial on the ground floor and residential units on the upper 5 floors. A master site plan, D11-1476, was approved and registered over the entire parcel.
7. The previously approved site specific Zoning By-law 2006-283 (General Commercial C4 (SP-382) (H-93) & (SP-383) (H-94)) provided for special provisions, that among other matters, removed the internal lot lines for the purposes of zoning interpretation such that the larger parcel would be regarded as a single lot for zoning purposes (i.e. lot coverage; parking provision; yard setbacks; etc.), required a minimum and maximum number of residential units (65 – 196) to be built on the westerly 3 hectares; and placed a holding provision on the lands until such time as a predevelopment agreement was entered into with the City for cost sharing items and the completion of identified road infrastructure improvements on Cundles, Duckworth and Highway 400. The Holding provision has been removed and the master site plan and predevelopment agreements are registered on title.

Supporting Information

8. In support of the subject application, a Planning Justification Report was submitted, prepared by Jones Consulting Group, dated March 2016.

Neighborhood (Ward) Meeting

9. A Neighborhood Meeting was held on April 12, 2016. There were 26 people from the public in attendance. Comments expressed and questions asked included appropriate driveway access, concerns regarding drainage and impacts on the adjacent existing residential development on the north side of Cundles Road and the separation distance between the proposed residential development and the commercial development currently under construction. No comments or concerns were expressed with regard to the removal of the ground floor commercial component. The applicant has revised their proposal to shift the driveway access further west to allow greater distance separation from the main access at Pacific Avenue. Drainage and separation from the commercial uses will be addressed at the site plan stage through stormwater management and servicing as well as landscape buffer treatments.
10. A public meeting was held on May 16, 2016 in accordance with the Planning Act. There were no members of the public in attendance at the public meeting and no correspondence has been received.
11. Correspondence was received from the Nottawasaga Valley Conservation Authority (NVCA) (April 27, 2016) advising that they had no objection to the proposed zoning by-law amendment and that a permit in accordance with their regulations would not be required for the proposed development. Correspondence was also received from the City's Engineering Department dated May 20, 2016 and PowerStream dated May 20, 2016, both of which identified no objection to the application.
12. Correspondence was received from the Ministry of Transportation, dated April 4, 2016 advising that an MTO Building and Land Use Permit would be required that reflected the proposed land use changes.

ANALYSIS

Policy Planning Framework

13. The following provides a review of the applicable provincial and municipal policies.

Provincial Policy Statement and Places to Grow

14. The subject property is located within the built-up area of the City, where the proposed development would contribute to Barrie developing as a complete community, in that the new residential units will be constructed within close proximity to schools, health care, commercial shopping needs, recreation and open space uses, is transit supportive, and can be serviced with existing infrastructure (roads, sewer and water). The application conforms to the Provincial Policy Statement and Places to Grow.

Official Plan and Zoning

15. The subject lands are located within the Alliance Planning Area and are designated General Commercial.
16. Policies contained in Section 4.3 Commercial, permit a range of retail and service commercial uses; however, section 4.3.2.5 b) identifies that other uses are permitted in the General Commercial designation including medium density residential. Part c) identifies that development shall be in separate buildings and/or a grouping of separate buildings. Part d) identifies that residential uses shall be located within or above commercial or office uses at grade. The proposed residential buildings are located 'within' a large commercial development and satisfy the general intent of the policy in that the site is within a mixed residential/commercial development.

17. The applicant is proposing to remove the requirement for ground floor commercial in the residential buildings, however, the subject lands would continue to include, if approved, 2 residential buildings and 4 commercial buildings, as well as continue to form part of the larger 19 hectare commercial parcel. The residential uses in this location were permitted through previous approvals (see proposed concept plan attached as Appendix "A").
18. Section 4.2 Residential of the Official Plan, specifically goals 4.2.1 e) and f) state that new residential development shall not jeopardize the expansion of commercial uses and that the location and design of residential development will be planned to enhance compatibility and minimize conflict between incompatible land uses. As stated previously, residential uses have been approved within this larger development and conform to this policy. The removal of the ground floor commercial requirement would be in keeping with residential goals as identified in the Official Plan.
19. The approved site specific zoning by-law permitted residential uses on site to a maximum building height of 6 storeys with ground floor commercial and 5 storeys of residential. The By-law permitted a minimum of 65 units with a maximum of 196 units. The previous applicant received committee of adjustment approval for an additional 4 units for a total of 200 units permitted on site. The current applicant is proposing 120 units. The By-law also identified that for the purpose of zoning compliance, the entire 19 hectare parcel would be treated as one parcel for zoning compliance regardless of land ownership. The By-law further recognized residential land uses as being permitted on the westerly portion of the entire parcel. Residential uses are permitted in a General Commercial C4 zone provided they are in conjunction with permitted commercial uses. As the entire parcel is being treated as one lot for zoning compliance, the residential uses, albeit without ground floor commercial, are being maintained in conjunction with other permitted commercial uses.
20. Comprehensive Zoning By-law 2009-141 (Section 5.3.7.2 Apartment Buildings) identifies that a continuous landscaped buffer area shall be provided along the side and rear lot lines of any lot which is occupied by an apartment dwelling. The landscaped buffer area shall be 3m in width along the side and rear lot lines. The development is subject to site plan control, at which time appropriate buffering from the commercial uses would be implemented.

Site Plan Control

21. Subject to Council's approval of the Zoning By-law Amendment for the subject property, the applicant would be subject to site plan approval. At that time, drainage, servicing, grading and landscape buffering treatments will be addressed in accordance with Zoning By-law requirements and in accordance with the City's Urban Design Manual.

Affordable Housing

22. The Provincial Policy Statement defines "affordable" in the case of home ownership, as the least expensive of:
 - a) Housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households; or
 - b) Housing for which the purchase price is at least 10% below the average price of a resale unit in the regional market area.

The County of Simcoe has identified that the median household income for the City of Barrie is \$76,209. This household income would allow the purchase of an affordable unit to a maximum price of 304,804 per unit, representing 30% of household income spent on accommodation on an annual basis. The regional maximum of 10% below average resale price of a home in Barrie is

\$318,550. The applicant has indicated that the proposed average price for units is targeted at \$265,000 per unit. Based on this proposed price point, the residential housing units would be considered "affordable" as defined by the PPS.

ENVIRONMENTAL MATTERS

23. The NVCA and City Engineering Department have no objections to the proposed zoning by-law amendment. However, public comments identified a concern with regard to any drainage impacts from the construction of the subject lands. The proposed development is subject to site plan control. At the time of site plan control, drainage impacts will be reviewed and if required mitigated.

ALTERNATIVES

24. There is one alternative available for consideration by General Committee:

Alternative #1 General Committee could refuse the proposed Zoning By-law Amendment application and maintain the current requirement to provide commercial uses at-grade in the proposed residential buildings.

This alternative while available is not being recommended. The mixed use development, originally approved by Council, was not developed by the previous applicant. Although it would have allowed for ground floor commercial with upper levels of residential units, the proposal is to maintain and add new commercial uses within the larger property, consistent with the original proposed mixed use development concept.

FINANCIAL

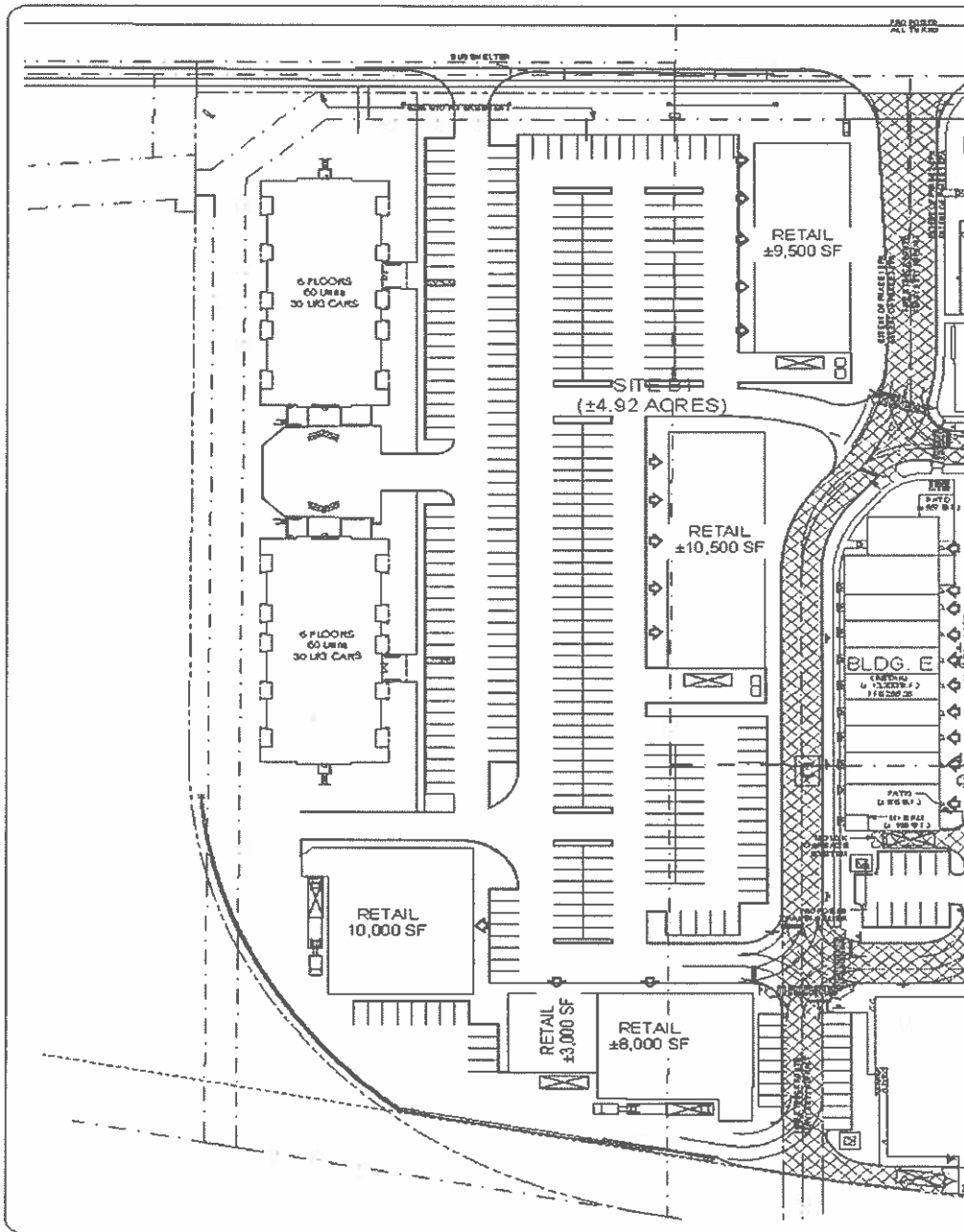
25. The property, when developed, would be subject to site plan control. All costs associated with the approval and development would be the developer's responsibility. If approved, the proposed zoning by-law amendment of the subject lands would permit the development of 120 residential apartment units in two 6-storey buildings. The annual municipal property tax revenue is estimated to be \$365,706.68 for the 120 residential units (2016 tax rate). The current municipal tax revenue for the vacant property is \$62,478.40, therefore, the estimated municipal increase would be \$303,228.28.
26. Building permit application fees as an average are estimated to be in the order of \$249,300 based on 13,850m² gross floor area for the residential component.
27. The applicant has identified that the 120 residential units will be made up of 28 – 1 bedroom, 44 – 2 bedroom and 48 – 3 bedroom units. Given this:
- Residential development charges = \$2,070,872.00
 - Residential cash in lieu of parkland = \$120,000.00

LINKAGE TO 2014-2018 STRATEGIC PLAN

28. The recommendations included in this Staff Report would support the 2014-2018 Strategic Plan goal of Inclusive Community in that the development supports diverse and safe neighbourhoods and promotes and facilitates community connections.

APPENDIX "A"

Proposed Concept Plan



**PRATT HANSEN GROUP
THE JUNCTION
CUNDLES ROAD EAST**

CONCEPT PLAN 1

Gross Floor Area: 17,659 m²

Residential Component:

2 Apartment Buildings 13,850 m²
60 Units per building / 120 Units
6925 m²/each Building

Commercial Component:

5 Retail Buildings 3,809 m²
41,000 ft²/AE Buildings

Residential Parking Required 132 Spaces
(Based on 2 Buildings at 120 Units Total x 1.1)

Total Parking Provided 396 Spaces*

*Residential Parking Provided 162 Spaces

Surface Parking Space 98
Underground Parking Space 60
Barrier Free Parking Space 4

*Commercial Parking Provided 234 Spaces

Surface Parking Space 294

20 0 20 40m
SCALE = 1:500 (A1)
PRATT HANSEN GROUP
THE JUNCTION
CUNDLES ROAD EAST
CONCEPT PLAN 1



TURNER FLEISCHER

Drawn/Revised/Checked: J.T., M.D., 11.30.15
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Project No.: PRA-16013
Drawn By: m.v.r.
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