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**TO:** GENERAL COMMITTEE

**SUBJECT:** APPLICATION FOR ZONING BY-LAW AMENDMENT – 49 COLLIER STREET

**WARD:** WARD 2

**PREPARED BY AND KEY CONTACT:** J. LAMBIE, SENIOR URBAN DESIGN PLANNER, EXT. 42324

**SUBMITTED BY:** M. BANFIELD, RPP, DIRECTOR OF DEVELOPMENT SERVICES

**GENERAL MANAGER APPROVAL:** B. ARANIYASUNDARAN, P. ENG, PMP, GENERAL MANAGER INFRASTRUCTURE AND GROWTH MANAGEMENT

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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**RECOMMENDED MOTION**

1. That the Zoning By-law Amendment Application submitted by Weston Planning, on behalf of Collier Owen Development Corporation, to rezone lands known municipally as 49 Collier Street from 'Central Area Commercial-2' (C1-2) to 'Central Area Commercial-2' with Special Provisions (C1-2)(SP-XXX)(H-YYY), attached as Appendix "A" to Staff Report DEV031-23, be approved.
2. That the following site-specific standards be referenced in the implementing zoning by-law for subject lands:
  - a) Permit a maximum Gross Floor Area of 975%, whereas 885% is the existing standard;
  - b) Permit a maximum podium height of 20.0 metres (4-5 storeys) and a maximum building height of 109.0 metres (33 storeys), with a minimum 3 metre step-back above the podium level along frontages abutting public streets, whereas the existing standard permits a maximum of 16.0 metres within 5.0 metres of the front lot line and the lot flankage on Owen Street and a maximum of 55.0 metres beyond 5.0 metres of the front lot line and the lot flankage;
  - c) Permit a parking standard of 0.80 parking spaces per residential unit, whereas 1.0 parking space per unit is the existing standard;
  - d) Require no landscape buffer along the side and rear lot lines, whereas the current standard requires a 3.0 metre continuous landscape buffer for apartment buildings in C1-2 zones; and
  - e) Require that a minimum of 50% of the building's ground floor fronting adjacent public streets consist of commercial and/or institutional uses.
3. That the Holding provision (H-YYY) be removed from site-specific zoning on the subject lands, municipally known as 49 Collier Street, when the following has been completed to the satisfaction of the Director of Development Services:

- a) That the owner/applicant undertake and agree to satisfy the requirements of a Certificate of Property Use and/or Record of Site Condition accepted by the Ministry of Environment, Conservation and Parks (MECP) under the Environmental Protection Act prior to any site works or issuance of a Building Permit.
4. That the written and oral submissions received relating to this application have been, on balance, taken into consideration as part of the deliberations and final decision related to the approval of the application as amended, including matters raised in those submissions and identified within Staff Report DEV031-23.
5. 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

6. The purpose of this report is to recommend approval of a Zoning By-law Amendment application submitted by the Weston Consulting, on behalf of Collier Owen Development Corporation, for lands known municipally as 49 Collier Street. The special provisions requested are to facilitate the development of a 33-storey mixed-use building on a vacant site.
7. This is a revised concept for the site that had previously received approvals from the Committee of Adjustment on June 24, 2020 (A14/20) which was to facilitate the development of a 16-storey mixed-use assisted living facility and retirement residence with ground floor commercial spaces. The site was subsequently sold to a new owner and development team who has submitted this revised proposal for Council's consideration.
8. The conceptual site plan, included for reference as Appendix "B" to Staff Report DEV031-23, proposes a development consisting of a 33-storey mixed-use building with 297 residential units and 1,271.6 square metres of ground floor commercial uses along Collier Street and Owen Street with 239 parking spaces, 14 electric vehicle (EV) spaces, and 110 bicycle parking spaces.
9. The proposed building elevations are attached to Staff Report DEV031-23 as Appendix "C". The final design details for the site design will be confirmed at the time of Site Plan Control.
10. With the conclusion of the technical review and public consultation process, which included a Neighbourhood Meeting on September 14, 2022, and Public Meeting on March 2, 2023, staff have determined that the proposal has regard for matters of provincial interest as outlined in the *Planning Act*, is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan for the Greater Golden Horseshoe (2019), as amended, and the City of Barrie Official Plan (2010) which was in effect at the time the application was deemed complete. As such, staff are recommending approval of the rezoning application as provided in the draft by-law attached to Staff Report DEV031-23 as Appendix "A".

### Site and Location

11. The subject property known municipally as 49 Collier Street is a vacant site on the southeast corner at the intersection of Collier Street and Owen Street. The site is approximately 0.26 hectares (0.63 acres) in size. The immediate surrounding land uses include:

- North** Collier Street, commercial and office uses. City Hall.
- East** Private laneway, mixed use buildings with residential, commercial and office uses.
- South** Public laneway, mixed use historic buildings with residential, commercial and office uses. Dunlop Street and Memorial Square and Meridian Place.
- West** Owen Street, mixed use buildings with residential, commercial and office uses.



#### Existing Policy

12. The subject property is designated 'City Centre' on Schedule "A" – Land Use and in the Urban Growth Centre on Schedule "I" – Intensification in the City's Official Plan.
13. The lands are currently zoned as 'Central Area Commercial-2' (C1-2) in the City's Comprehensive Zoning By-law 2009-141, as amended.
14. Approvals from the Committee of Adjustment were granted on June 24, 2020 (A14/20) to facilitate the development of an institutional, 16-storey assisted living facility and retirement residence. The following standards were approved on the site:
  - a) To permit a podium height of 16 metres within 5 metres of the front lot line and the lot flankage on Owen Street, whereas the Comprehensive Zoning By-law, under Section 6.3.2, permits a maximum of 10m within 5m of the front lot line and the lot flankage;
  - b) To permit a building height of 55 metres beyond 5 metres of the front lot line and the lot flankage, whereas the Comprehensive Zoning By-law, under Section 6.3.2 permits a maximum of 45 metres beyond 5 metres of the front lot line and the lot flankage;
  - c) To permit a maximum gross floor area of 885% of lot area, whereas the Comprehensive Zoning By-law, under Section 6.3.1, permits a maximum gross floor area of 600% of lot area;
  - d) To permit a minimum lot coverage of 7% for commercial uses, whereas the Comprehensive Zoning By-Law, under Section 6.3.2, requires a minimum lot coverage of 50% for commercial uses; and
  - e) To permit a minimum of 1 parking space per 4.85 suites/units (65 parking spaces), whereas the Comprehensive Zoning By-law, under Table 4.6.1, requires a minimum of 1 parking space per 2 suites/units (157 parking spaces).
15. The previous landowner did not pursue development and the lands were sold to the current owner; however, the additional development rights granted through the existing Minor Variance to Zoning By-law 2009-141, pursuant to Section 45 of the *Planning Act*, R.S.O. 1990 c. P.13, as amended, still apply to the subject lands.

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16. Given the proposed change in use and built form, the existing zoning does not permit the proposed development. As such, a Zoning By-law Amendment application has been submitted which would maintain the existing parent zoning and add site-specific provisions.

#### Background Studies

17. In support of the application, the following plans, reports, and studies were submitted. Additional addendum and briefs have been provided in response to City and agency comments during detailed review. Copies of the submission material are available online on the City's Proposed Developments webpage under [Ward 2 – 49 Collier Street](#).
- a) Planning Justification Report (Weston Consulting, October 2022)
  - b) Urban Design Brief, Shadow Study (Weston Consulting, November 2022)
  - c) Site Plan & Architectural Drawings (Scott Shields Architects Inc, June 3, 2022 / April 21, 2022)
  - d) Conceptual Landscape and Streetscape Plans (Envision Tatham, August 5, 2022)
  - e) Functional Servicing Report (Tatham Engineering., September 23, 2022)
  - f) Transportation Impact Study, Demand Management, and Parking Justification (Tatham Engineering, September 23, 2022 / May 16, 2023)
  - g) Pedestrian Wind Assessment (Gradient Wind, July 21, 2022)
  - h) Heritage Impact Assessment (GBCA Architects., December 2022)
  - i) Energy Conservation Report (Ecovert, September 19, 2022)
  - j) Civil Drawing Package (Tatham Engineering, September 2022)
  - k) Geotechnical Investigation and Geohydrology Assessment (McClymont & Rak Engineers Inc., August 2022)
  - l) Stormwater Management Report (Envision Tatham, September 27, 2022)

#### Public Consultation

18. A neighbourhood meeting was held on September 14, 2022, where property owners within 240 meters of the subject lands were circulated notice of the meeting, and as part of requirements for a complete application. The meeting was attended by twenty-nine (29) people, including former Ward 2 Councillor Keenan Aylwin and Planning staff.
19. A statutory Public Meeting was held on March 2, 2023, to present the subject application to Planning Committee and the broader public. Committee heard verbal comments from a member of the public and were provided with four pieces of correspondence from residents.
20. The comments and concerns expressed by residents at both the neighbourhood meeting and the public meeting, as well as those received in writing related to this proposal, are outlined in the public comment section of Staff Report DEV031-23. This list provides a summary of the comments as well as a corresponding response from staff to demonstrate that the issues have been considered in the review of this application to the greatest extent possible.

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## **Public Comments**

### **21. Proposed Building Height, Massing, and Blocked Views**

Concerns were raised with respect to the proposed building height. When contrasted with the previous approval, the proposed slender tower with smaller building footprint generally improves the site design and conditions. The proposed building type reduces the perceived scale of the massing along the streetscape, creates faster moving shadows, and increases views through the site and sky view from surrounding streets. The tower setbacks and step-backs also reduce the scale of zero lot line blank wall conditions and improves tower separation to adjacent properties.

The proposed podium design helps to establish a human-scale streetscape and mitigates down-drafts from the tower to improve pedestrian comfort at the street level. The stepped tower design, as well as the massing and material design of the podium, creates good street-level transitions to surrounding existing buildings.

Some concerns were highlighted about the lack of step-backs on Owen Street. The applicant has increased the step-back on Owen Street, above the 5<sup>th</sup> storey. The 'tower reveal' at the corner of Owen and Collier Street is intended to architecturally denote the corner and create a sense of arrival to the building by creating small variation in setbacks and additional space within the publicly accessible streetscape. This design is also intended to complement and accentuate the Owen Street view corridor to Memorial Square and Kempenfelt Bay beyond.

Comments were received from some property owners north of the site about lost views to Kempenfelt Bay. Staff note that these are not protected views and would otherwise be impacted by as-of-right development on the subject property.

### **22. Reduction in Parking Spaces**

#### *Original Submission*

Questions were raised about potential impacts from reducing the parking rate from 1.00 to 0.92 parking spaces per unit. A reduced parking rate is considered an appropriate planning consideration to facilitate walkable communities, support multi-modal transportation and transit options, and is understood to support housing affordability.

#### *Subsequent Submission*

The applicant submitted an addendum to their parking study to support a total reduction in the parking rate to 0.80 spaces per residential unit. The proposed concept maintains 0.92 spaces, but the reduction to the minimum standard provides the applicant with additional flexibility through site plan and detailed design without creating negative impacts to the functionality of the site or surrounding area. The City has approved several developments in the Urban Growth Centre at a rate of 0.8 parking spaces per unit.

#### *Commercial and Visitor Parking*

Comments regarding parking for commercial uses and visitor parking we also raised. There are no requirements for commercial parking in Central Area Commercial zones and the parking standards contemplate blended rates to include parking for residents and visitors. The Urban Growth Centre is envisioned as a walkable and pedestrian-oriented neighbourhood with a focus on active transportation and public transit for mobility. On-street parking will be available on Collier, Owen, and Dunlop Streets. The Collier Street parkade and multiple surface parking lots throughout the downtown are also within close walking distance.

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23. **Construction Impacts to Abutting Properties and Cultural Heritage**

Concerns were raised about design and construction impacts of the proposed development on surrounding buildings and the area's overall character. A Heritage Impact Assessment was provided as part of the development application. The assessment explores the contextual history and character of the area, as well as the architectural characteristics of the proposed building. Complementary material selections and a human scaled podium will create a compatible streetscape condition. Staff will encourage the owner/applicant to provide high-quality design treatments and material to ensure the development fits and complements the surrounding historic character of the downtown.

Comments were also received regarding the possibility of impacts to surrounding buildings due to vibration during construction. Noise & Vibration studies as well as a Construction Management Plan will be required as part of a future Site Plan application. These will identify and outline required mitigation measures for noise and vibration impacts to surrounding structures along with location of construction machinery and equipment to the satisfaction of the City.

24. **Availability of Sewer Capacity and Existing Services**

Concerns were raised about the age and capacity of existing City infrastructure in the downtown. Servicing capacity has been confirmed through the Functional Servicing Report prepared by Tatham Engineering. The report was accepted by Development Services staff and a further detailed review will occur through the Site Plan Control application.

25. **Fire Safety**

Concerns were raised about City staff's knowledge and training, available resources, and equipment to fight fires in tall building types. Barrie Fire & Emergency Services has no concern with the Zoning By-law Amendment and the proposed height of the building.

26. **Neighbourhood Services & Amenities, Active Uses At-Grade, and the Need for a Food Store**

Concerns were raised about the development's impacts on community amenities and services - particularly education and healthcare services. The City works with Provincial service providers through its broader growth management and policy work to plan for adequate services as the City grows.

Questions were asked about commercial uses and about the potential to locate a pharmacy and/or food store in the development. Ground floor commercial space included in this development is unlikely to facilitate a full-size grocery store use. Questions were also raised about accommodating institutional or community uses in the building, such as day-care. The Central Area Commercial zones permit a wide range of commercial and institutional uses. The proposed ground floor frontage will consist of a minimum of 50% commercial or institutional uses. Potential tenants have not been identified for the ground floor spaces at this stage in the design and development process; however, the design is such that these spaces can be configured based on the needs of an end user.

27. **Affordability, Size and Tenure of Units**

Comments were made regarding affordable housing and the target market for units in this development. No designated affordable units are proposed for this development. The tenure for the units is currently undetermined. It is understood that an increase in housing supply is needed in the City and that increases to supply can improve affordability. This proposal would increase housing in the area with the addition of 297 units.

28. **Sustainability and Green Development**

An Environmental Conservation Report submitted with the application identifies active and passive design strategies which will be explored through detailed design and a Site Plan Control application. The applicant has also identified that the development will endeavour for LEED certification. Other sustainability and green development measures may be explored and developed through detailed design.

Department and Agency Comments

29. The subject application was circulated to staff in various departments and to external agencies for review and comment.

a) **Development Services – Approvals** staff have reviewed the Functional Servicing Report submitted to support the proposed application and generally concur with the recommendations that support the proposed development. Servicing will be reviewed further through subsequent detailed design submission. The owner shall be responsible for the provision of all works and services, including connection to the existing municipal services, in accordance with current City of Barrie development standards and policies, and to the satisfaction of the municipality.

b) **Development Services – Transportation Planning** staff generally concurred with the findings of the submitted Transportation Impact Study (TIS), Transportation Demand Management Plan, and Parking Study. The technical standards for access requirements, location, width, and internal traffic movement will be confirmed during the detailed design process as part of the Site Plan Control application.

Transportation Planning is also generally supportive of the request to reduce the parking standard from 1 space per unit to 0.80 spaces per unit as outlined by the addendum justification. The recommendation to approve this request aligns with policy direction and recently endorsed for approved parking ratios within the City's Urban Growth Centre. Details for parking space locations, vehicular circulation and integrated walkability will be confirmed in more detail as part of the Site Plan Control process.

c) **Development Services – Heritage Planning** staff are satisfied with the submitted Heritage Impact Assessment. Comments regarding vibration and other potential construction impacts will be confirmed in more detail as part of the Site Plan Control process.

d) **Development Services – Parks Planning** staff noted no concerns with the Zoning By-law Amendment. If approved, technical matters such as landscaping, amenity areas, boundary fencing, and planting density will be addressed through the subsequent Site Plan Control application.

e) **Transit Operations** staff are supportive of the proposed development, Transportation Demand Management program, and will provide further comments on TDM measures and any streetscape design requirements for transit facilities on Collier Street at time of Site Plan Control.

f) **Waste Management and Environmental Sustainability – Risk Management Official** staff identified that the property is in Well Head Protection Area B, an Issues Contributing Area for Sodium & Chloride, a Significant Groundwater Recharge Area, a Highly

Vulnerable Aquifer, and is in the 250m buffer of a site flagged with suspected contaminants. Caution is required when designing building supports to ensure the municipal aquifer is not impacted. Staff noted that no conditions to address Environmental Risk Management requirements will be affected by approval of a Zoning By-law Amendment. Staff provided the applicant with conditions to be addressed as part of a future Site Plan application. Additional review will take place at or prior to Site Plan Control submission, including but not limited to, completing the risk management screening for depth of excavation and foundation impacts, snow storage location, use of low impact development techniques for stormwater management, as well as stating that permanent dewatering of the site is not permitted.

- g) **Waste Management and Environmental Sustainability – Environmental Compliance** staff identified several conditions and requirements to be addressed at time of Site Plan, such as erosion controls and fill management requirements, compliance with the sewer use by-law, requirement for a sampling port, and that permanent dewatering of the site is not permitted. Based on historical uses and proposed change of use from commercial to residential uses, a Record of Site Condition is required.
- h) **Waste Management and Environmental Sustainability – Environmental Sustainability** provided comments indicating the options for municipal waste collection.
- i) The City's **Fire Services Department** has identified they have no concerns with the Zoning By-law Amendment and identified several requirements to be reviewed in detail at Site Plan Control including any system modifications required to the Barrie Fire and Emergency Service radio communications system.
- j) The **Lake Simcoe Region Conservation Authority (LSRCA)** has reviewed the project and the technical information submitted in support of this proposal and has no objections to the application. Specific design details, including but not limited to, hydrogeological and geotechnical review will be addressed through the subsequent Site Plan Control application.

## **ANALYSIS**

### **Policy Planning Framework**

- 30. The following provides a review of the application in accordance with applicable provincial and municipal policy documents.

### **Ontario Planning Act, R.S.O. 1990**

- 31. Section 2 of the *Planning Act* requires that the Minister, the council of a municipality, a local board, a planning board and the Tribunal, shall have regard to, among other matters, matters of provincial interest such as, but not limited to, the protection of ecological systems, including natural areas; the adequate provision and efficient use of transportation, sewage and water services and waste management systems; the adequate provision of a full range of housing, including affordable housing; the resolution of planning conflicts involving public and private interests; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; the promotion of built form that, is well-designed, encourages a sense of place, and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant; and the mitigation of greenhouse gas emissions and adaptation to a changing climate. The *Planning Act* can be found in its entirety at the following link: <https://www.ontario.ca/laws/statute/90p13>.



32. The proposed development is consistent with this legislation as it is located within the settlement area of Barrie; the concept includes residential units in the 'City Centre' which will contribute to the availability of a variety of housing options; will utilize planned and available infrastructure (sewage, water and waste management systems); provides a compact form of development that minimizes impacts to climate change; and is in a location supported by transit and active transportation initiatives.

#### **Provincial Policy Statement (2020) (PPS)**

33. The Provincial Policy Statement (2020) (PPS) provides policy direction on matters of provincial interest related to land use planning and development and sets the policy foundation for managing growth for regulating the development and use of land. The PPS can be found in its entirety at the following link: <https://www.ontario.ca/page/provincial-policy-statement-2020>
34. The PPS further states that new development should occur adjacent to and within existing built-up areas, have a compact form, mix of uses and densities that allow for the efficient use of land, planned infrastructure and public service facilities (i.e., transit) to accommodate projected needs. Intensification and redevelopment are also promoted to meet projected population growth for the next 30 years.
35. The proposed development is consistent with the PPS as the lands are within built boundary of this community and the redevelopment of these lands promotes intensification in the Urban Growth Centre. The proposed development aligns with the policies of a healthy, liveable, and compact community and would be serviced by existing municipal infrastructure and services, thereby representing efficient and cost-effective development.
36. Although not included in detail, staff have reviewed the relevant policies and are of the opinion that the development is consistent with the applicable policies of the Provincial Policy Statement (2020).

#### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), as amended**

37. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (Growth Plan), as amended, is the Ontario government's initiative to plan for growth and development in a way that supports economic prosperity, protects the environment and natural resources, and helps communities achieve a high quality of life. It provides a framework for implementing Ontario's vision for building strong, prosperous communities by managing growth and it establishes the long-term framework for where and how the region will grow. The Growth Plan can be found in its entirety at the following link: <https://www.ontario.ca/document/place-grow-growth-plan-greater-golden-horseshoe>
38. The Growth Plan provides direction for municipalities in areas related to intensification of existing built-up areas with a focus on strategic growth areas, including Urban Growth Centres and Major Transit Station Areas. The primary focus of the plan is on building complete communities that are well-designed to meet people's daily needs, offer transportation choices, accommodate people at all stages of life by providing an appropriate mix of jobs, local services, public service facilities and a full range and mix of housing options to meet various incomes and household sizes.
39. The Growth Plan further requires that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, 50% of all residential development occurring annually within the City must be within the existing built boundary. In addition, the Growth Plan promotes the wise management of resources through the utilization of existing services and transportation infrastructure.

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40. The proposed amendment will permit the development of mixed use, high density residential development in the existing built boundary, more specifically the designated Urban Growth Centre, at an estimated density of approximately 1188 units per hectare. The development is proposed to utilize existing municipal servicing infrastructure, public facilities and is located near active transportation facilities, located on a transit route and in proximity to the downtown transit terminal and GO station. High density development at this location will contribute to the City's intensification targets required by the Growth Plan and enhance our goal to create a complete community. This proposal will also provide employment opportunities with the planned development of commercial uses as part of the project.
41. Based on the foregoing, staff are of the opinion that the proposed development conforms to the Growth Plan as it contributes to the residential growth in the Urban Growth Centre, will utilize available and planned infrastructure, supports the downtown and access municipal and provincial transit services.

#### **City of Barrie Official Plan (2010)**

42. The application was deemed complete November 2022. As such, the application has been reviewed against the City's previous Official Plan (2010).
43. The Official Plan (2010) provides guidance for the consideration of land use changes, the provision of public works, actions of local boards, municipal initiatives, and the actions of private enterprise. It gives direction for implementing by-laws, guidelines for more detailed planning and the means for controlling growth so that the City's capacity to provide a healthy community environment is not exceeded.
44. The subject lands are designated 'City Centre' as identified on Schedule "A" – Land Use and are part of the Urban Growth Centre outlined on Schedule "I" – Intensification in the City's Official Plan. The 'City Centre' designation is intended to promote a mix of land uses including commercial; cultural and institutional uses; leisure and recreational uses; major office uses and all levels of government and special purpose agencies. It is also a general policy of the Official Plan to promote the creation of residential units in conjunction with other uses within this area. The special provisions proposed do not restrict the ability of the site to include a greater mix of land uses as permitted in the 'Central Area Commercial' zone.

#### **Affordable Housing**

45. Section 3.3.2.2 identifies the goal to achieve a minimum target of 10% of all new housing units to be affordable. Although there are no formally recognized affordable units identified for this site, this project may assist with overall affordability, as apartments or condominiums are a more attainable form of housing for prospective homebuyers, thereby increasing affordable options in the City.

#### **Energy Conservation and Renewable Energy Systems**

46. Section 3.7.2.1 promotes compact urban forms to support active transportation, transit use, vehicle trip reduction, and the consideration of increased densities and sustainable building materials to support energy conservation. The proposed development conforms to this policy as it provides a compact development and opportunities for future residents and occupants to support active transportation and transit use. In addition, the Energy Conservation Report identifies several passive and active design strategies employed to achieve high-performing building envelope and mechanical systems. Per the conclusions of the Energy Conservation Report, further sustainable design and energy strategies, and more advanced measures such as combined heat and power, solar photovoltaics, solar air heating and solar thermal solutions could be explored in detailed design and reviewed upon the submission of a Site Plan Control application.

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### Intensification Policies

47. Section 4.2.2.6 of the Official Plan states that residential intensification shall be focused in the Urban Growth Centre, Intensification Nodes, Intensification Corridors, and the Major Transit Station Areas identified by the Official Plan. Intensification is intended to promote development that is more compact and will efficiently use land and resources, optimize the use of existing and new infrastructure and services, support public transit and active transportation, and contribute to improving air quality and promoting energy efficiency.
48. The subject lands are located within the Urban Growth Centre and with the concept proposed will provide 297 residential units on 0.26 hectare, resulting in an estimated density of 1188 units per hectare, with employment opportunities available in the ground floor commercial space proposed. The Residential Density Analysis is included as Appendix "D" to Staff Report DEV031-23, which calculates the current residential density of the area at 69.08 residential units per hectare, increased to 78.39 units per hectare when including the proposed development. The proposed development is therefore consistent with the intent of these policies and exceeds the minimum target densities anticipated by the Official Plan (i.e., 150 persons and jobs combined per hectare within the Urban Growth Centre).

### The 'City Centre'

49. Section 4.3.2.2 of the Official Plan encourages a variety of residential housing types at medium and high densities within the 'City Centre' to increase the resident population, provide live/work opportunities, ensure the downtown is used after business hours and create a local market for convenience and service goods. The area is comprised of the traditional central business district, historic downtown as well as some of the City's older residential areas. The 'City Centre' is recognized as a strategic priority in terms of focusing community interest and investment to encourage a mix of land uses and linkages with the waterfront. The proposed development will add a mix of uses in the City Centre, adding new residents and businesses to the downtown.

### Urban Design Guidelines

50. Policy 6.5.2.3 [a) to k)] identifies guidelines for the 'City Centre' focusing on high quality buildings, public spaces, and streetscape designs that are pedestrian-oriented, and enhancing visual and physical connectivity to the waterfront. Staff generally concur that the proposed concept conforms to these high-level guidelines, with the final plan to be confirmed with detailed design at the time Site Plan Control.

### Tall Building and Height Control (Section 6.6)

51. The subject lands are designated as a 'Height Review Study Area' on Schedule 'C' (Defined Policy Areas) of the City of Barrie Official Plan. Accordingly, the submission of technical studies and plans, including but not limited to, an Urban Design Report and Shadow Study were submitted in support of the application.
52. The general design policies of Section 6.6 of the Official Plan have been considered for this project. These require innovative architectural design to reduce visual and physical impacts of height on adjacent public realm and where possible, parking, site servicing, loading areas and building utilities should be located underground, in structures, or at the rear of buildings with appropriate screening. In addition, the orientation and stepping provisions for buildings to mitigate microclimatic impacts on parks and open spaces, private amenity areas, and surrounding streets are required.

Summary

53. Based on the foregoing staff are of the opinion that the proposed development conforms with the City's Official Plan (2010). More specifically, the proposed development provides density that would serve to utilize existing services and infrastructure in the Urban Growth Centre in accordance with the intensification policies of the City's Official Plan.

**Comprehensive Zoning By-law 2009-141**

54. The applicant is proposing to amend the zoning on the subject lands from 'Central Area Commercial' (C1-2) to 'Central Area Commercial with Special Provisions' (C1-2)(SP-XXX) to facilitate the proposed development of a 33-storey, 297-unit mixed-use building with a 5-storey podium which includes 1,271 square metres of ground floor commercial spaces along both Collier and Owen Streets.
55. The following table outlines the C1-2 standards, the variances granted to the subject site to facilitate the previously contemplated assisted living facility, and the proposed Special Provisions to facilitate the new development concept.

<b>Standard</b>	<b>C1-2 zone</b>	<b>A14/20</b>	<b>Proposed</b>
<b>Parking Spaces</b>	1 space per residential unit.  Commercial parking is not required.	1 parking space per 4.85 units/suites in an assisted living facility/retirement residence.	0.80 parking spaces per residential unit  Parking spaces can be located within the same zone if land division or condominium occurs
<b>Building Height &amp; Step Backs</b>	10 metres (3 storeys) within 5 metres of the lot frontage and lot flankage, 45 metres (12-15 storeys) beyond 5 metres of the lot frontage and lot flankage	16 metres within 5 metres of the front lot line and the lot flankage on Owen Street; Beyond 5 metres of the front lot line and lot flankage on Owen Street, 55 metres.	20 metres (4-5 storeys) within 3 metres of the front lot line and the lot flankage on Owen Street; Beyond 3 metres, a maximum building height of 109 metres (33 storeys).
<b>Gross Floor Area (max. % of lot area)</b>	600%	885%	975%
<b>Landscape Buffer</b>	3.0 metres continuous	--	Not required.
<b>Minimum Coverage for Commercial Uses (% of lot area)</b>	50%	7%	50%

56. The Conceptual Site Plan and Proposed Elevations have been attached as Appendix "B" and "C" to Staff Report DEV031-23 respectively.

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Zoning Rationale for Special Provisions (SP)

57. The site-specific zoning standards requested to facilitate this development are outlined below, followed by a brief explanation and justification of support by staff.

- a) *Permit a parking standard of 0.80 parking spaces per residential unit, whereas 1 space per unit is required.*

Given the site's location in the Urban Growth Centre - which is to become a walkable community well served by amenities, services, transit, and active transportation facilities - Planning and Transportation Planning staff are supportive of the reduction, and the findings of the submitted Transportation Impact Study and Parking Studies. Staff have also approved several applications in the Urban Growth Centre with this parking rate. In addition to an analysis of potential unit type and vehicle use, the development is targeting a minimum bicycle parking rate of 0.37 spaces per unit and proposing a range of Transportation Demand Management measures to incentivize and encourage the use of public transit.

- b) *Permit a maximum building height of 20 metres (4-5 storeys) within 3 metres of the front lot line and the lot flankage on Owen Street; Beyond 3 metres of front lot line and flankage on Owen Street, a maximum building height of 108 metres (33 storeys).*

Staff have had detailed discussions with the applicant regarding massing design and determined that the proposed height of the building can be incorporated in accordance with the parameters of the policy direction for the Urban Growth Centre, the City's Tall Buildings policies, and Intensification Urban Design Guidelines. Actual heights in the concept design, taken from average grade, include 18.9 metres for the podium structure and 107.1 metres for the tower. A buffer was provided with maximum permitted heights of 20 metres and 109 metres to allow flexibility through detailed design.

Through discussions with the applicant, and to respond to feedback received through consultation, staff requested an increase to the tower step-back along Owen Street to further define the podium building and street wall along streetscapes to improve the pedestrian experience. An additional storey was added to the tower to offset for the loss of gross floor area. This compromise will improve the overall condition of the streetscape without significantly altering the massing. The revised plans propose balconies be permitted to encroach the step-back area along Owen Street to a maximum of 1.6 metres for a small portion of the building. This is proposed to provide further articulation and visual interest in the tower design at the northwest corner, as well as to provide for individual unit amenity. Staff support the requested site-specific provisions as the established podium maintains a distinct street wall for transition to surrounding uses and structures, creates a clearly defined building base, middle and top, and architecturally celebrates a significant corner and view corridor to the water (Refer to Appendix "C" - Elevations).

- c) *Permit a maximum Gross Floor Area of 975%.*

The proposed increase in density is generally consistent with the applicable policy framework by focusing density within a vacant and underutilized parcel that has access to existing services and infrastructure. The additional density will optimize the use of the site within the Urban Growth Centre. The proposed increase represents a 90% increase from existing permissions, given the previous minor variance approval that increased the density to 885% of the lot area. The technical reports provided in the application, including Functional Servicing Report prepared by Tatham Engineering have confirmed that the additional density can be appropriately serviced.

As a result of the change in use of the development (i.e. from institutional to mixed-use), the proposed architectural design is also able to shape the proposed density on site using a taller form with a smaller building footprint which reduces development impacts (faster moving shadows, increased sky views, tower separation to adjacent properties, reduction in scale of blank walls etc.) and also increases the amount of ground level commercial space provided.

d) *Eliminate the requirement for a landscape buffer.*

The general intent of this requirement is to provide separation between commercial and residential uses. However, the existing contextual character of this block, and within the Urban Growth Centre is an urbanized zero lot line condition with mixed use buildings. The C1 zone standards also require no side or rear yard setbacks. The proposed building maintains the existing character of the Collier streetscape, proposing a mixed-use podium with zero lot line conditions with the residential tower above setback from the side and rear property lines.

The rear and side yard to the site are also laneways and service areas for the block that will not allow for optimal plantings or inviting spaces. Staff therefore support and recommend removal of the requirement.

e) *Require a minimum of 50% of ground floor building frontages along abutting public streets consist of commercial and/or institutional uses.*

Staff note that the requirement established through A14/20 for 7% minimum coverage for commercial uses will also remain. To ensure that the intent of the by-law is maintained for activated streetscapes in the downtown, and to provide some flexibility for the applicant to respond to market demands, staff recommend requiring that a minimum of 50% of ground floor building frontages along public streets consist of non-residential uses. Staff will work with the applicant and encourage a high degree of ground floor transparency and public permeability through the subsequent Site Plan Control application.

58. The original submission materials incorrectly identified that a special provision would be required to reduce a requirement from 5 loading spaces to 1. As 1,271 square metres of commercial uses are proposed within the development, staff have confirmed that Section 4.7.1 of Zoning By-law 2009-141 requires 1 loading space for 1,000 – 2,999 square metres of commercial gross floor area. The proposed concept conforms with the requirements of the By-law and the associated design standards will be confirmed through a future Site Plan Control application.

Site Plan Control

59. The subject property will be subject to Site Plan Control as per Section 41 of the *Planning Act* and in accordance with By-law 99-312. Site Plan Control addresses the detailed design elements of the lands regarding access, servicing, stormwater management, landscaping, lighting, setbacks, building orientation/placement/massing, parking, etc.
60. Should Council approve the rezoning application, the applicant will be required to submit a Site Plan Control application.

Summary

- 61. Planning staff are satisfied that the oral and written submissions along with all departmental and agency comments relating to this application have been considered and/or addressed and are of the opinion that the requested site-specific provisions represent good planning and would facilitate development that is consistent with the City's policies, guidelines, and goals.
- 62. Planning staff therefore recommend approval of the Zoning By-law Amendment application to add special provisions to the 'Central Area Commercial-2' (C1-2) zone for the subject lands as it is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2019), as amended, and the City of Barrie Official Plan. The implementation of the requested site-specific standards will be confirmed through detailed design at the time of Site Plan Control.

**ENVIRONMENTAL AND CLIMATE CHANGE IMPACT MATTERS**

- 63. There are no environmental and/or climate change impact matters related to the recommendation.

**ALTERNATIVES**

- 64. The following alternatives are available for consideration by the General Committee:

<p><b><u>Alternative #1</u></b></p>	<p>General Committee could deny the request to rezone the subject lands with special provisions.</p> <p>This alternative is not recommended as the development effectively redevelops a vacant and underutilized site in the Urban Growth Centre, which is the target location for projects that include buildings of greater height, and reduced parking is a design objective to encourage walkability, active transportation, and transit use. Staff will confirm the final design through the Site Plan Control process.</p>
<p><b><u>Alternative #2</u></b></p>	<p>General Committee could alter the special provisions such as the proposed standards for increased building height and gross floor area, or reduced landscape buffers and parking.</p> <p>Although, this alternative is available, it is not recommended. The site-specific provisions are generally based on the concept submitted in support of the application, attached to Staff Report DEV031-23 as Appendix "B". Removal or alteration to the site-specific standards recommended by staff could permit an alternative concept that does not meet the basic parameters of the City's standards or design guidelines.</p>

**FINANCIAL**


- 65. It is not possible to estimate the assessed value of the subject property following development, however, the assessed value of the future development is anticipated to be far greater than the current assessed value of the property and will therefore increase the amount of property tax collected on the subject site as of the time of authoring this report.
- 66. A final unit breakdown will be established through detailed design. The current rate for the applicable development charges depends on the final number of bedrooms in each apartment, Apartments 2+ bedrooms are charged \$48,878.00 per unit, Apartments Bachelor and 1 Bedroom

are charged \$34,319.00 per unit. Taken at a proposed 47% to 53% respective split, the concept attached as Appendix "B" to Staff Report DEV031-23 represents a total of \$12,231,003.00.

67. The current rate for retail space is \$454.41 per square metre for a total of \$577,555.11 for the proposed 1,271 square metres of ground floor commercial space.
68. All costs associated with the approval and development of the site would be the applicant's responsibility. The applicant would be responsible for all capital costs for any new infrastructure required within the development limits and any of the costs associated with upsizing municipal water and sewer mains already installed, and traffic turning lanes or signals, if required.
69. Cash in lieu of parkland dedication per unit is calculated at \$3,693.00 per unit (2023 rate, subject to an annual inflation adjustment on January 1<sup>st</sup> of each year). Taken with the proposed 297 units, this represents \$1,096,821.00. This fee will be confirmed through the subsequent review of the development proposal through the Site Plan Control process.
70. Education Levies will be calculated and collected at the time of issuance of the building permit. The current fee is \$4,283.00 per unit. (2023 rate, subject to an annual inflation adjustment on January 1st of each year)
71. The building permit fees will be confirmed through the Site Plan Control process and collected at the time of submission of building permit applications.

#### **LINKAGE TO 2022-2026 COUNCIL STRATEGIC PLAN**

72. The recommendations included in this Staff Report support the following goals identified in the 2022-2026 Strategic Plan:
  - Affordable Place to Live
  - Thriving Communities
73. In accordance with Council's goals, the proposed development will offer residential uses with the potential for more affordable and attainable housing options in the Urban Growth Centre as identified in Official Plan (2010), utilize existing services and infrastructure, support transit and active transportation alternatives, and contribute to activating the downtown.

Attachments:  Appendix "A" – Draft Zoning By-law Amendment  
Appendix "B" – Conceptual Site Plan  
Appendix "C" – Elevations  
Appendix "D" – Density Analysis



APPENDIX "A"

Draft Zoning By-law Amendment



Bill No. XXX

BY-LAW NUMBER 2023-XXX

**A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie.**

**WHEREAS** the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141 to rezone lands legally described as PLAN 2 PT LOT 10 N DUNLOP ST PT LOTS 52 AND 53 S COLLIER ST PLAN 85 LOTS 4 AND 5 E, and municipally known as 49 Collier Street as shown on Schedule "A" to this By-law, from 'Central Area Commercial-2' (C1-2) to 'Central Area Commercial-2 with Special Provisions' (C1-2)(SP-XXX)(H-YYY);

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 23-P-XXX.

**NOW THEREFORE** the Council of The Corporation of the City of Barrie enacts the following:

1. **THAT** the Zoning map be amended to change the zoning from 'Central Area Commercial-2 (C1-2) to 'Central Area Commercial-2 with Special Provisions' (C1-2)(SP-XXX), pursuant to Zoning By-law 2009-141, in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.
2. **THAT** notwithstanding the provisions set out in Table 4.6 – Parking in By-law 2009-141, the minimum required parking standards shall be 0.80 parking spaces per residential unit.
3. **THAT** notwithstanding the provisions set out in Table 6.3 in By-law 2009-141, a maximum Gross Floor Area, as percentage of the lot area, of 975% is permitted.
4. **THAT** notwithstanding the provisions set out in Section 6.3.2 in By-law 2009-141, a maximum building height of 20 metres (4-5 storeys) within 3 metres of the front lot line and the lot flankage along Owen Street; and beyond 3 metres of the lot frontage and flankage, a maximum building height of 109 metres (33 storeys) is permitted.
5. **THAT** notwithstanding the site-specific provision set out in number 4 above, balconies may project from the exterior wall of a building into a required step-back to a maximum of 1.6 metres.

- 
6. **THAT** notwithstanding the provisions set out in Section 6.3.2 in By-law 2009-141, a minimum of 50% of the ground floor building frontages abutting public streets will consist of commercial or institutional uses.
  7. **THAT** notwithstanding section 6.3.7.1 of By-law 2009-141, a continuous landscape buffer of 3 metres is not required along the side and rear lot lines.
  8. **THAT** the Holding symbol (H-YYY) can be removed from site-specific zoning 'Central Area Commercial with Special Provisions, Hold' (C1-2)(SP-XXX)(H-YYY) as shown on Schedule "A" attached to this By-law, when the following has been submitted to the satisfaction of the Director of Development Services:
    - a. That the owner/applicant undertake and agree to satisfy the requirements of a Certificate of Property Use and/or Record of Site Condition, as accepted by the MECP under the Environmental Protection Act, prior to any site works or issuance of a Building Permit.
  9. **THAT** the remaining provisions of Comprehensive Zoning By-law 2009-141, as amended from time to time, applicable to the above-described lands shown in Schedule "A" to this by-law shall apply to the said lands except as varied by this By-law.
  10. **THAT** development be substantially in accordance with Schedule "B" of this by-law.
  11. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this \_\_\_ day of \_\_\_\_\_, 2023.

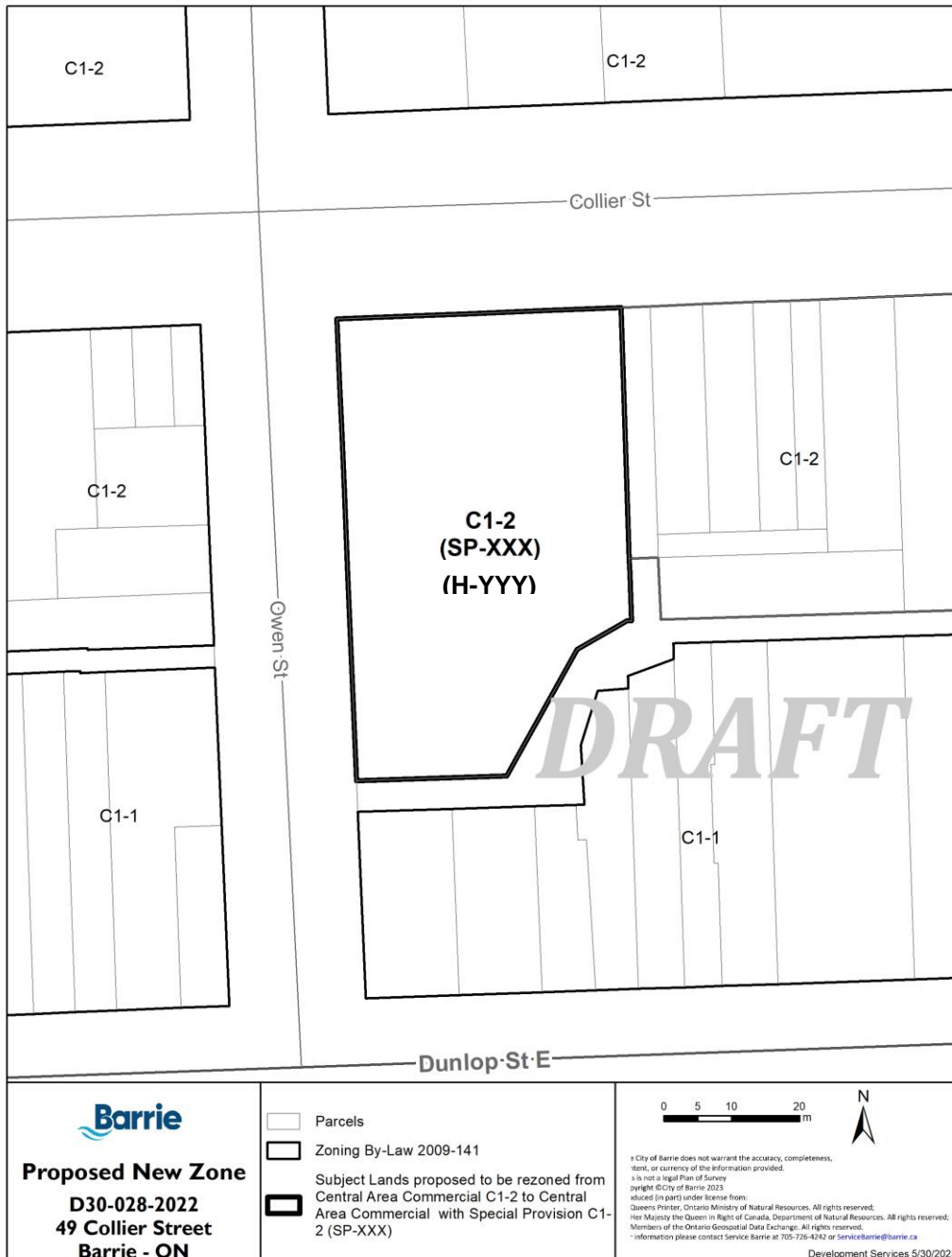
**READ** a third time and finally passed this \_\_\_ day of \_\_\_\_\_, 2023.

**THE CORPORATION OF THE CITY OF BARRIE**

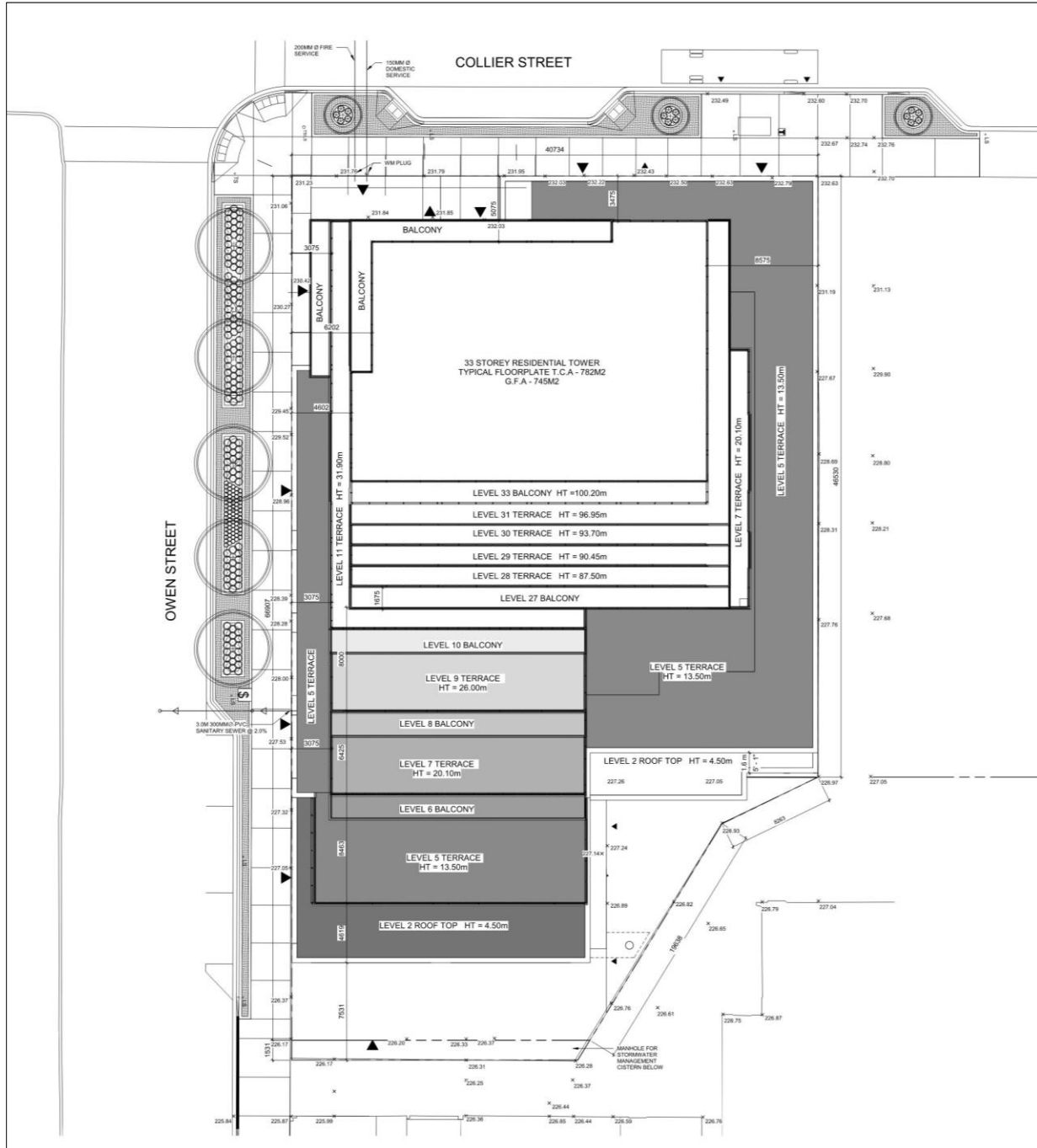
\_\_\_\_\_  
**MAYOR A. NUTTALL**

\_\_\_\_\_  
**CITY CLERK – WENDY COOKE**

Schedule "A" to Attached By-law 2023-XXX

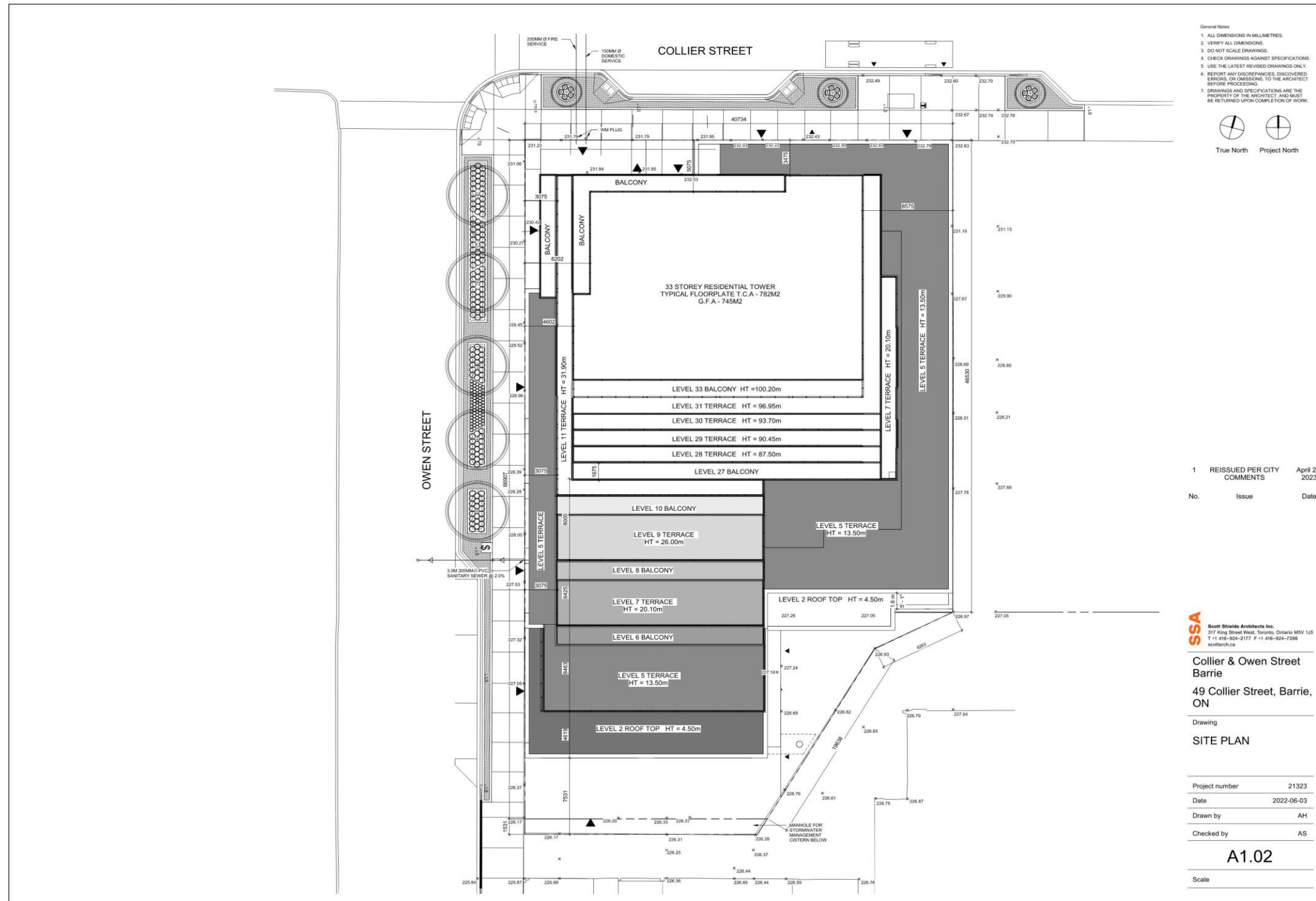


Schedule "B" to Attached By-law 2023-XXX

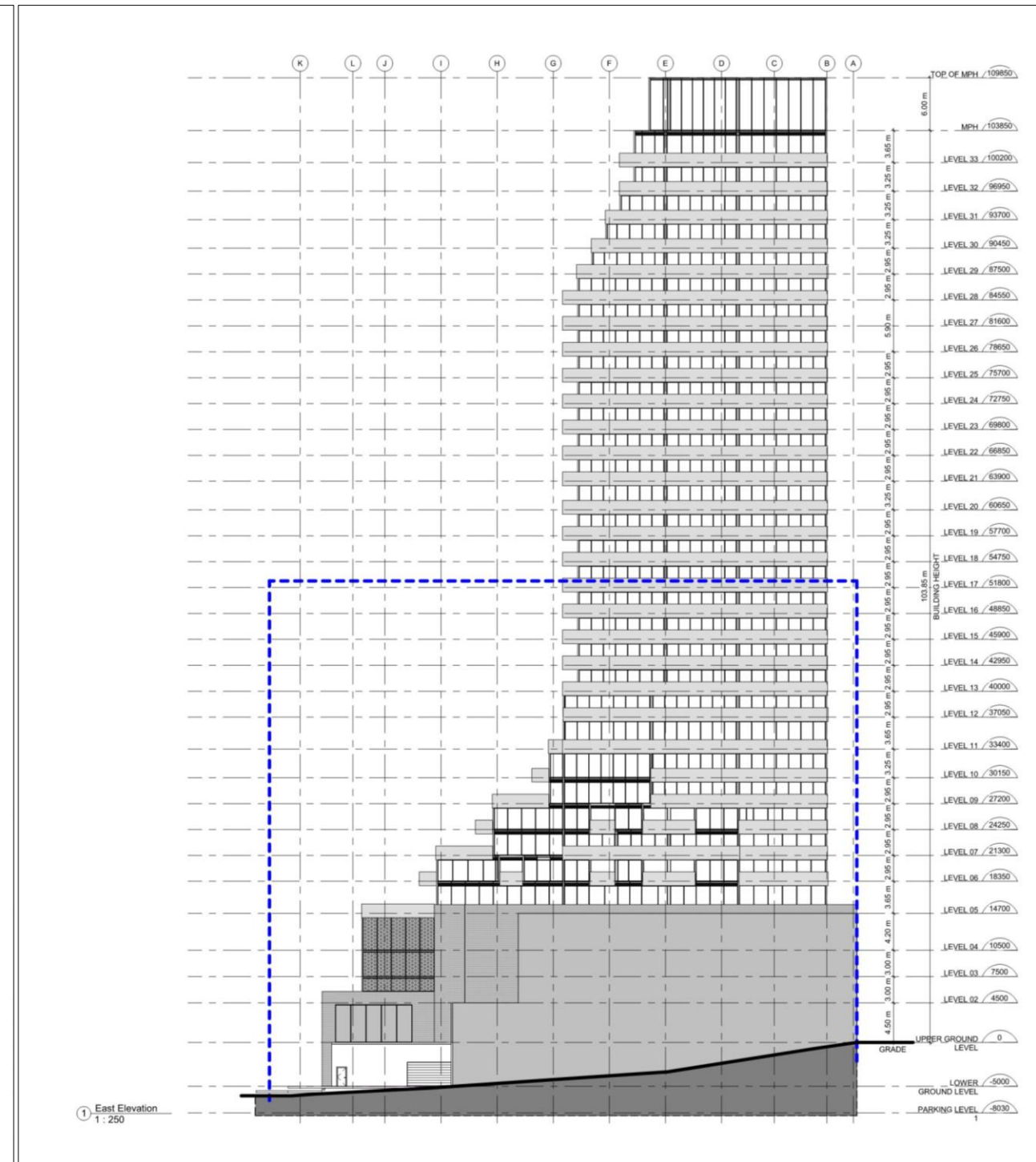
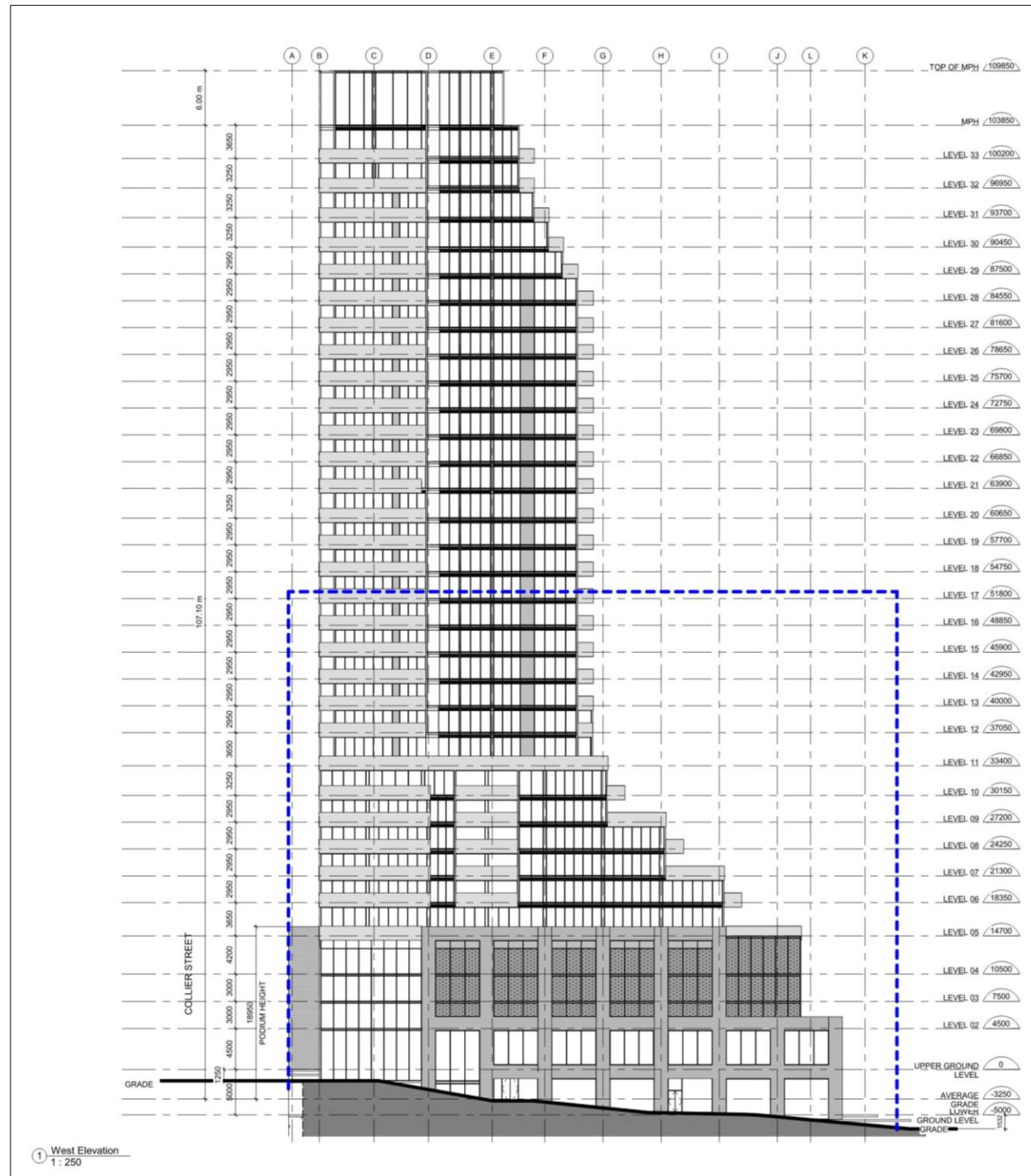


APPENDIX "B"

Conceptual Site Plan (Phase 1)







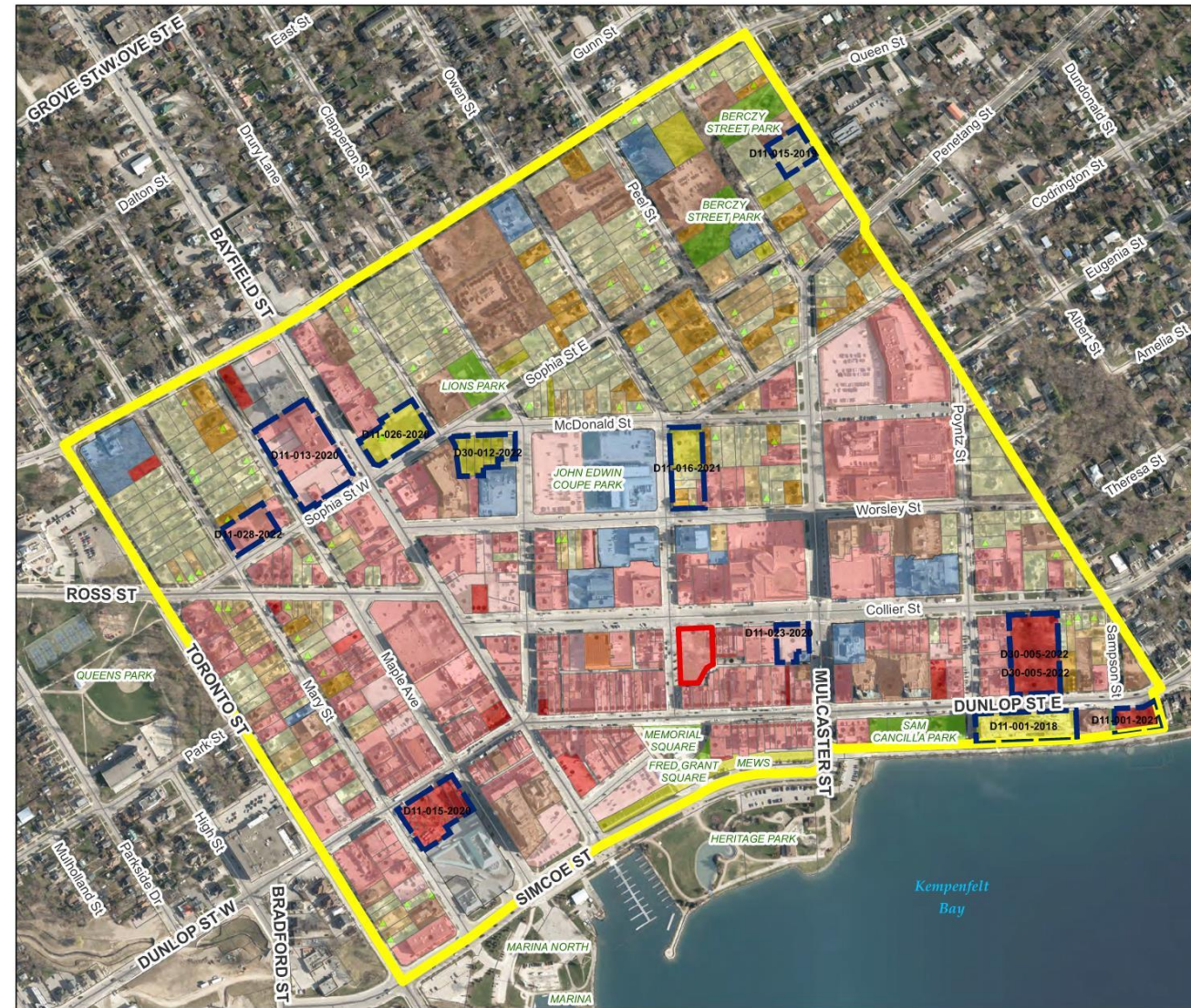
APPENDIX "D"

Density Analysis

RESIDENTIAL DENSITY ANALYSIS  
D30-028-2022  
49 COLLIER STREET, BARRIE -ON

Total Study Area	83.29 ha
Total Developable Area - Only residential (Private properties)	31.90 ha
Total Developable Area - All Residential and Non-Residential (Private properties)	56.94 ha
Total Area Parks/ Open Space/SWM Ponds/Walkways/Laneways	1.81 ha
Total Area Roads right of way	24.54 ha

PROPERTY USAGE TYPE	Total Dwelling Units	Land Area (ha)	Residential Density Dwelling Units/ha
Single Dwelling Unit	300	11.69	25.67
Semis/ Duplex	122	3.13	38.97
Townhouse Dwelling Unit	588	4.24	138.65
Freehold Townhouse/Row house			
Multiresidential	1194	4.84	246.83
Vacant residential and Commercial lands		3.47	
Non- residential areas(Commercial/ Institutional)		25.03	
Parks/ Open Space/ Walkway / Laneway		1.81	
Other Proposed Developments in the area			
D11-001-2018 - 185-205 Dunlop St E (10-storey, 178 residential building with 1,764.0 m2 of ground floor commercial)	178	0.47	381
D11-015-2019 - 134, 136 & 138 Berczy St (14 3-storey townhouses)	14	0.21	68
D11-013-2020 - 136 Bayfield Street; 14 Sophia St W & 113 & 115 Maple Ave (12-storey mixed-use condominium building with 292 units and ground floor commercial space, associated parking and 8 townhouse units fronting onto Maple Avenue, for a total of 300 units.)	300	0.88	340
D11-015-2020 - 39-67 Dunlop St W & 35-37 Mary St (Two 33-storey towers with ground floor commercial space and 5 levels of above grade parking. Total units 490. Phase 1 Registered)	495	0.45	1107
D11-023-2020 - 79 Collier Street (15-storey mixed-use building containing 136 residential units (28 units will be affordable housing units), and approximately 404 square metres of ground floor commercial space)	136	0.17	808
D11-026-2020 - 113 & 117 Bayfield St and 6,8 & 12 Sophia St E (8-storey residential building containing 108 purpose-built rental units; 70 to be Affordable Units as per final site plan drawings.)	108	0.36	296
D11-001-2021 - 217 Dunlop St E (13-storey condominium building with 24 residential units)	24	0.19	127
D11-016-2021 - 67 Owen St (20-storey mixed use residential with 118 residential units and 160 assisted living and ground floor commercial )	118	0.41	290
D30-005-2022 - 129 Collier St (ZBA from C2-1 to C2-1 (SP) to permit two residential towers, 12-storeys in height with 293 residential units)	293	0.61	484
D30-012-2022 17 Sophia St E, 3,5,7,11 McDonald St, 58 & 60 Clapperton St - D30-012-2022 ZBA to permit a 21 storey tower with a 4-storey podium and a total of 253 residential units. (Currently 2 residential units existing on the site)	253	0.31	815
D11-028-2022 - 30 Sophia St W (4-storey mixed use building with 39 residential units and 400m2 ground floor commercial)	39	0.23	167
<b>Subject Property</b> 49 Collier Street- D30-028-2022  (ZBA to permit a 33-storey mixed-use building with 297 residential units and 1,271m2 ground floor retail)	297	0.26	1158



**Residential Density Analysis**  
D30-028-2022  
49 Collier St, Barrie - On

- ▲ Second Suite
- Parcel
- Study
- Other Proposed Developments

- Subject Lands
- Property with 3 to 6 residential units
- Multi-residential
- Parks
- Commercial
- Parking Lot
- Parking Building
- Infrastructure...
- Institutional

Property Type

- Vacant Commercial
- Vacant Residential
- Single Family
- Freehold Town/ Row Housing
- Semi-detach... Duplex

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 Development Services  
 Date: 5/30/2023



RESIDENTIAL DENSITY ANALYSIS  
D30-028-2022  
49 COLLIER STREET, BARRIE -ON

Total Study Area	83.29 ha
Total Developable Area - <i>Only residential (Private properties)</i>	31.90 ha
Total Developable Area - <i>All Residential and Non-Residential (Private properties)</i>	56.94 ha
Total Area Parks/ Open Space/SWM Ponds/Walkways/Laneways	1.81 ha
Total Area Roads right of way	24.54 ha

PROPERTY USAGE TYPE	Total Dwelling Units	Land Area (ha)	Residential Density Dwelling Units/ha
Current Residential Density <i>(Only Residential Lands included)</i>	2204	31.90	69.08
Current Residential Density <i>(All Residential and Non-residential lands included)</i>	2204	56.94	38.71
Projected Residential Density Including Proposal for Subject Lands <i>(Only Residential Lands included)</i>	2501	31.90	78.39
Projected Residential Density Including Proposal for Subject Lands <i>(All Residential and Non-residential lands included)</i>	2501	56.94	43.93
Projected Residential Density Including Proposal for Subject Lands and Other Proposed Developments in the Area <i>(Only Residential Lands included)</i>	4459	31.90	139.77
Projected Residential Density Including Proposal for Subject Lands and Other Proposed Developments in the Area <i>(All Residential and Non-residential lands included)</i>	4459	56.94	78.32

Prepared by: Development Services  
Date: May 30, 2023

Note:

This Density Analysis is based on the Assessment Database.  
MPAC property Code was used to identify the number of residential units in the Area.  
Second Suite units registered in the area were also added; they were counted on their corresponding dwelling unit.  
Areas for Parks/ Open Space/ SWM Ponds/ Roads and Laneways were not included in the density calculations.