



Bill No. 001

BY-LAW NUMBER 2014-

**A By-law of The Corporation of the City of Barrie to
adopt an amendment to the Official Plan (O.P.A. #19)**

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-219 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. 19 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 13th day of January, 2014.

READ a third time and finally passed this 13th day of January, 2014.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

AMENDMENT NO. 19
TO THE
CITY OF BARRIE
OFFICIAL PLAN

OFFICIAL PLAN

FOR THE

CITY OF BARRIE

Amendment No. 19

Amendment No. 19 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 ___ day of _____, 2014.

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 _____, 2014.

Mayor

City Clerk

BY-LAW NUMBER 2014-XXX

A By-law of the Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. No. 19).

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 14-G-XXX, 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. __ 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 _____, 2014.

READ a third time and finally passed this ____ day of _____, 2014.

THE CORPORATION OF THE CITY OF BARRIE

Mayor

Clerk

This Amendment No. 19 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. 19 to the City of Barrie Official Plan.

Date

City Clerk

AMENDMENT NO. 19

TABLE OF CONTENTS

INTRODUCTION.....	1
PART A - THE PREAMBLE	2
Purpose	2
Location	2
Basis.....	2
PART B - THE AMENDMENT	4
Details of the Amendment.....	4
Implementation	5
Interpretation	5
PART C - THE APPENDIX.....	10

**AMENDMENT NO. 19
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.19 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 Official Plan Amendment is to facilitate residential development on the lands municipally known as 40 Ferndale Drive South and legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil. The property is currently designated as Environmental Protection, Future Urban and Residential in the City of Barrie Official Plan.

The Amendment will designate the developable limits of two Residential areas within the subject lands with the remaining portion of the property designated Environmental Protection to protect and buffer the Bear Creek Provincially Significant Wetland. The Amendment will also recognize the built form of medium density development in the Ardagh Secondary Plan. The medium density development will be permitted to develop at an increased density of 70 units per net hectare. An Amendment to the City of Barrie Official Plan, Amendment to the Ardagh Secondary Plan, Zoning By-law Amendment and Plan of Subdivision are required for this development proposal to proceed.

LOCATION

The subject property is municipally known as 40 Ferndale Drive South and legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil. The property is generally located on the west side of Ferndale Drive South, south of Tiffin Street and the Barrie-Collingwood Railway (BCRY). The lands are approximately 30.93 hectares in size.

BASIS

The subject lands are designated as Environmental Protection, Residential and Future Urban in the Official Plan. The property is located within the Ardagh Secondary Planning Area. It is part of the Secondary Plan that was identified as Deferral #3 to Amendment 104. As part of the lifting of the deferral for these lands, the Comprehensive Environmental Impact Study (EIS) identified that a Site Specific EIS was required to determine appropriate mitigation and buffer areas for development of the Future Urban parcels. The applicant has submitted a satisfactory EIS and worked with City staff, the Nottawasaga Valley Conservation Authority (NVCA) and the public to provide adequate protection for the Bear Creek Wetland complex.

The development concept includes two areas of residential development. The Amendment will designate the developable limits of these residential areas with the remaining lands designated as Environmental Protection. Through the development process 23.28 hectares of the 30.93 hectare site have been identified as Environmental Protection and will be dedicated to the City.

The north site is proposed for three 4-storey walk-up apartment buildings for a total of 144 units, the south site has a mix of housing forms, including 40 single detached units, 24 street townhouse units and 2 4-storey walk-up apartment buildings with a total of 96 units.

The Residential designation in the Official Plan permits, where appropriate, medium density developments in the form of walk-up apartments to a maximum density of 53 units per hectare. Similarly, the Ardagh Secondary Plan identifies the same density for medium density development. The consideration for an increase in density at this location has been balanced with the provision for an increased buffer area for the Bear Creek Wetland. The proposed medium density residential blocks are isolated from existing low density development and the surrounding land uses. The node to the north would be of a similar built-form to the medium density development on the opposite side of Ferndale

Drive South, and will be surrounded by Environmental Protection lands. The node to the south is also adjacent the Environmental Protection lands and provides a transition from the medium density development to a row of single detached dwellings backing on to the existing single detached neighbourhood.

PART B - THE AMENDMENT

DETAILS OF THE AMENDMENT

That the Official Plan for the City of Barrie, as it applies to lands legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, known municipally as 40 Ferndale Drive South, be amended as follows:

1. Schedule A - Land Use is hereby amended by designating lands from Future Urban, Residential and Environmental Protection to Residential and Environmental Protection on Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, and the remainder of Parts 1 and 2 on Plan 51R-19903, as illustrated on Attachment 1 to this Amendment.
2. Schedule C - Defined Policy Areas is hereby amended by adding Defined Policy Area BB on a portion of the lands legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, and the remainder of Parts 1 and 2 on Plan 51R-19903, as illustrated on Attachment 2 to this Amendment.
3. Section 4.8 of the City of Barrie Official Plan is hereby amended by adding Section 4.8.13 as follows:

4.8.13 Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, shall be permitted medium density residential uses as four storey walk-up apartments to a maximum density of 70 units per net hectare.
4. Schedule 2 - Land Use of the Ardagh Secondary Plan is hereby amended by designating a portion of the lands legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, from Environmental Protection Area and Low Density Residential to Environmental Protection Area, Low Density Residential and Medium Density Residential as shown on Attachment 3 to this Amendment.
5. Section 2.5.1.4 of the Ardagh Secondary Plan is hereby amended by adding Section 2.5.1.4 m) as follows:

2.5.1.4 m) Notwithstanding Section 2.5.1.4, Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, shall be permitted medium density residential uses as four storey walk-up apartments to a maximum density of 70 units per net hectare.

All other policies of the Official Plan of the City of Barrie shall apply.

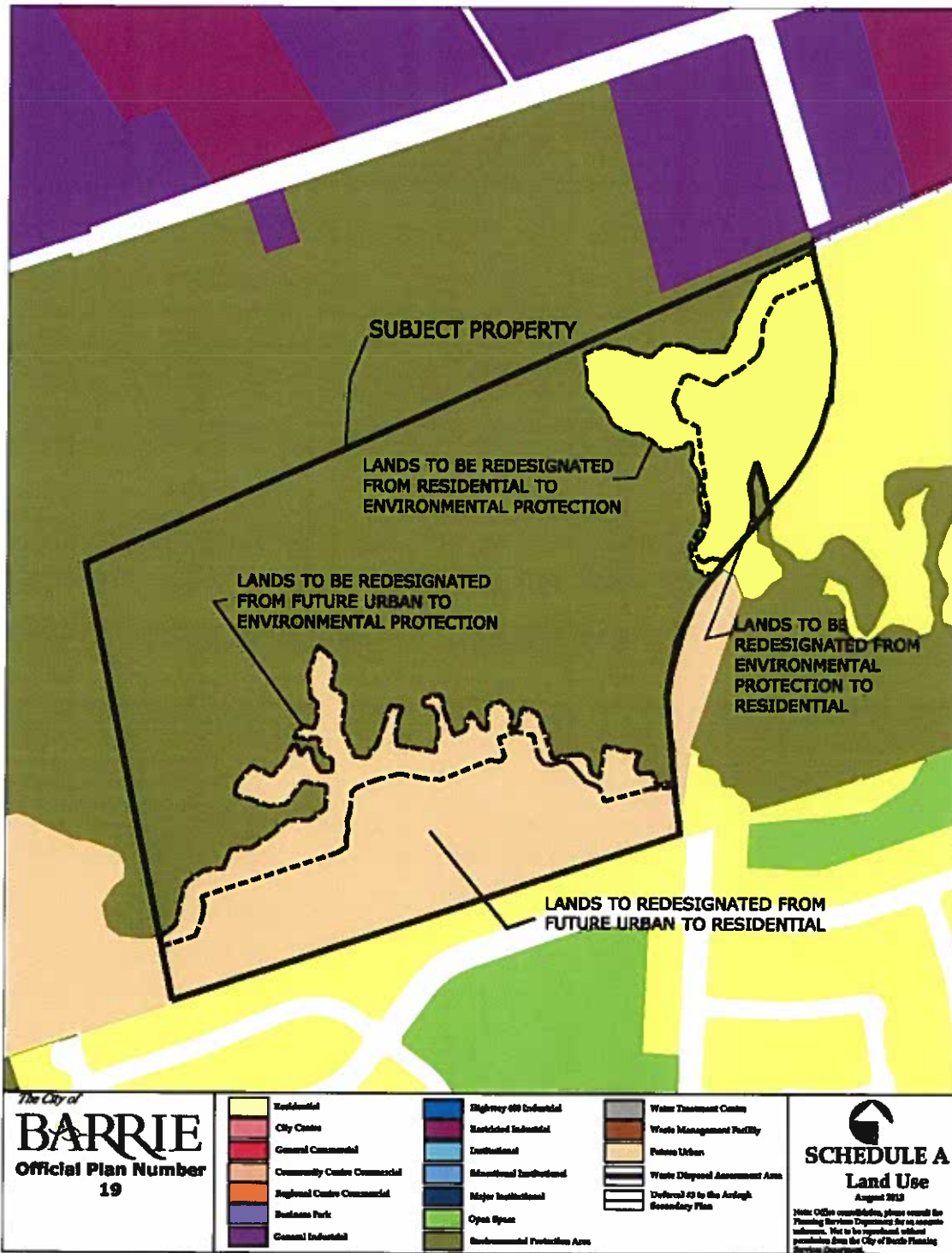
IMPLEMENTATION

Upon adoption of this Amendment, Council may consider an implementing Zoning By-law.

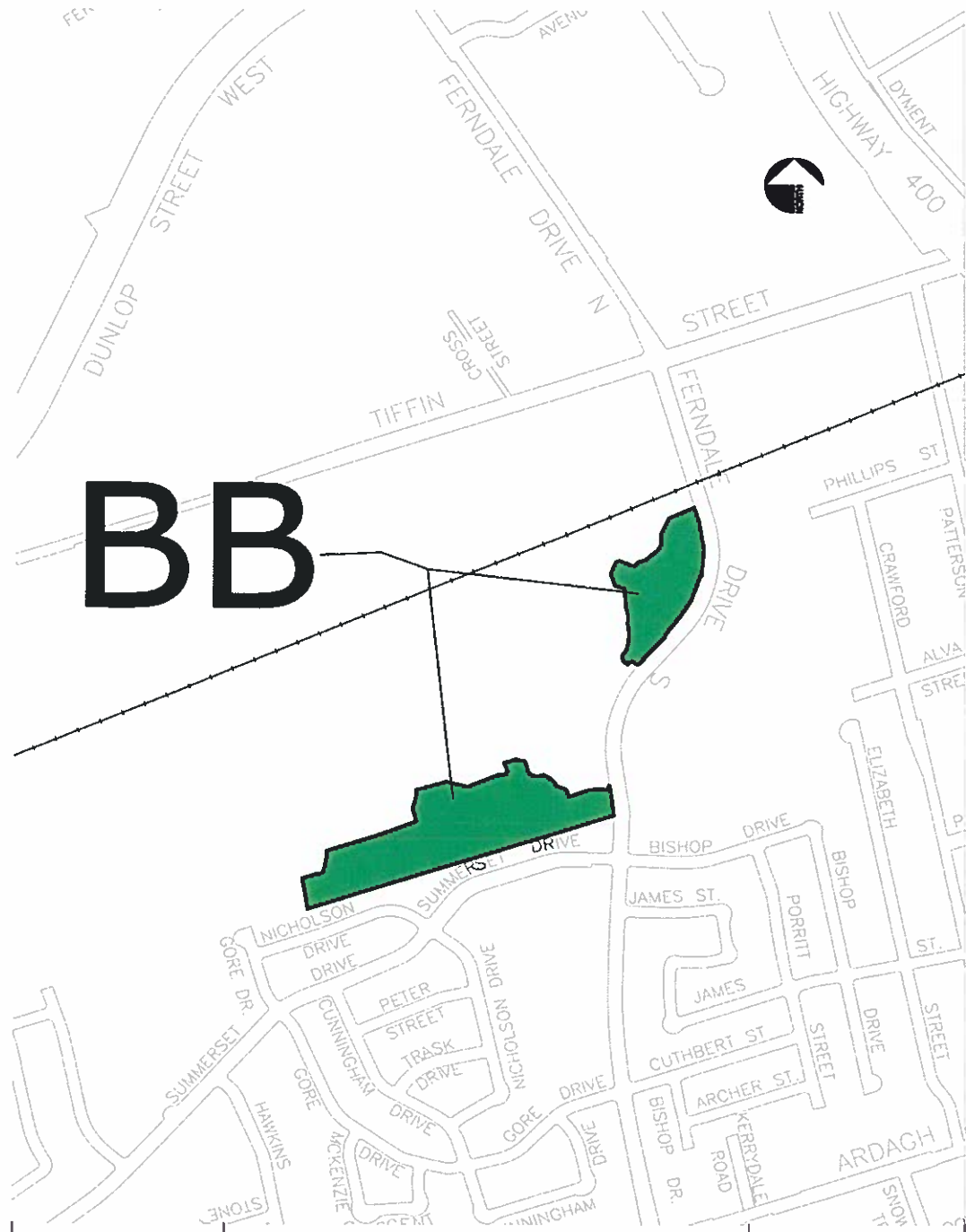
INTERPRETATION

The provisions of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

**ATTACHMENT 1
OFFICIAL PLAN
SCHEDULE A – LAND USE**



**ATTACHMENT 2
OFFICIAL PLAN
SCHEDULE C – DEFINED POLICY AREA**



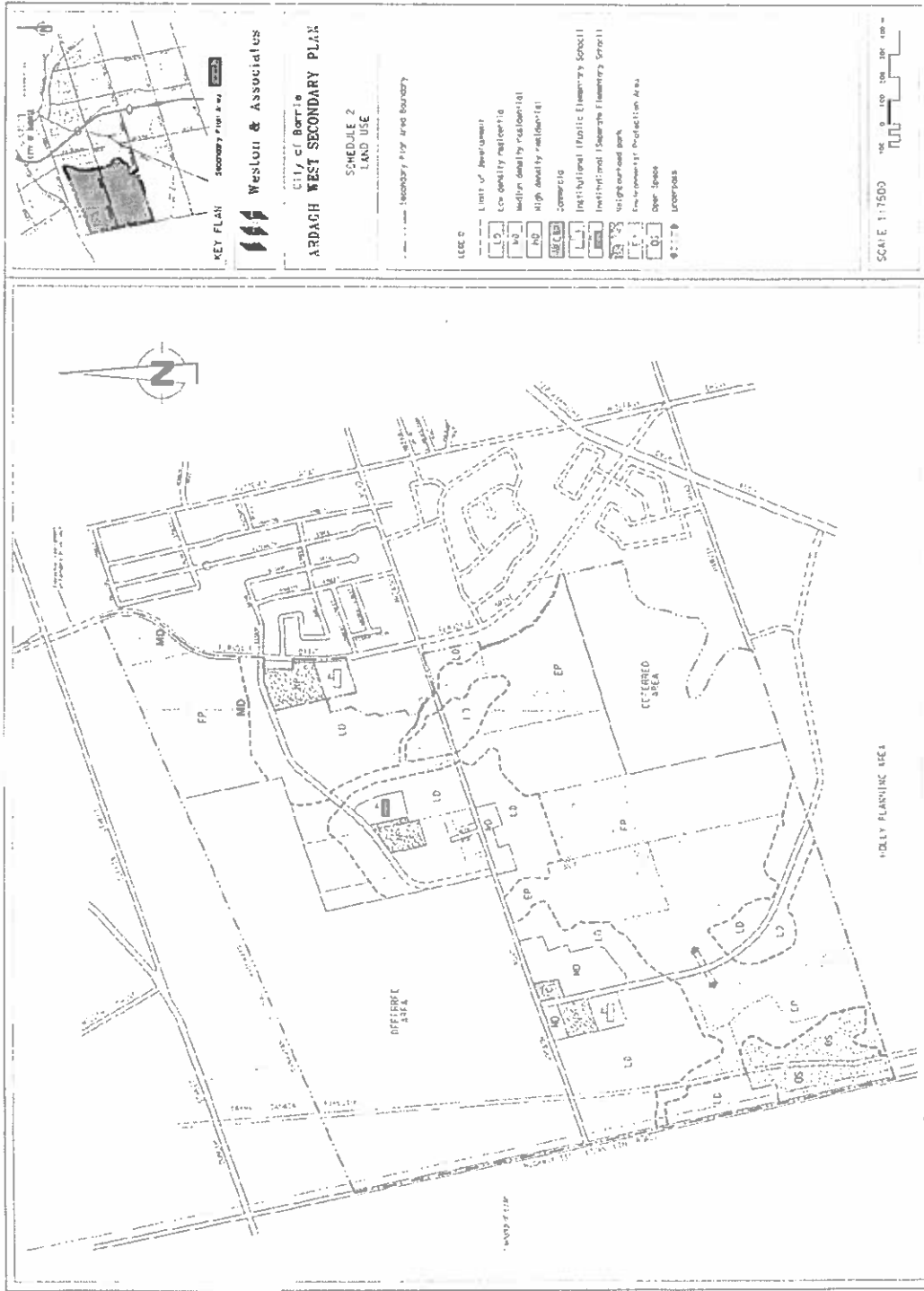
The City of
BARRIE
OFFICIAL PLAN
OPA 19

-  DEFINED POLICY AREA
-  HEIGHT REVIEW STUDY
-  CITY BOUNDARY

**SCHEDULE C
Defined Policy
Areas**

Note: Office consultations, please consult the Planning Services Department for an accurate reference. Not to be reproduced without permission from the City of Barrie Planning Services Department.

ATTACHMENT 3
ARDAGH SECONDARY PLAN
SCHEDULE 2 – LAND USE CONCEPT



PART C – THE APPENDIX

PART C - THE APPENDIX

TABLE OF CONTENTS

	Page
MINUTES OF THE GENERAL COMMITTEE PUBLIC MEETING.....	11
STAFF REPORT.....	15
COUNCIL RESOLUTION.....	33

Minutes of the General Committee Public Meeting



City Clerk's Office
COUNCIL DIRECTION MEMORANDUM

TO: Director of Planning
Director of Legal Services

FROM: Dawn McAlpine, City Clerk

DATE APPROVED
BY COUNCIL: May 14, 2012

12-G-114 APPLICATION FOR A PROPOSED OFFICIAL PLAN AMENDMENT, AMENDMENT TO THE ZONING BY-LAW AND DRAFT PLAN OF SUBDIVISION - THE JONES CONSULTING GROUP ON BEHALF OF THE OWNER, PRATT DEVELOPMENT) 998817 ONTARIO INC. AND 433513 ONTARIO INC.) - 40 FERNDALE DRIVE SOUTH (May 7, 2012) (File: D09-OPA019/D14-1533/D12-340) (WARD 6)

Ray Duhamel of The Jones Consulting Group explained that the purpose of the public meeting is to review an application for an Official Plan Amendment, Amendment to the Zoning By-law and Draft Plan of Subdivision submitted by The Jones Consulting Group Ltd., on behalf of the owner, Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.) for lands located on the west side of Ferndale Drive, south of Tiffin Street. He noted that the property is located within the Ardagh Planning Area, known municipally as 40 Ferndale Drive South. He displayed an aerial photograph of the subject property and described the North and South sites in detail using additional photographs. He explained that The Bear Creek Wetland occupies approximately 70% of the subject lands and is not proposed for development. Mr. Duhamel commented that he believes the development proposal is consistent with the Provincial Policy Statement and Growth Plan. He explained the history associated with the Official Plan designation and Ardagh Secondary Plan and noted that the wetland boundary was deferred pending a comprehensive environmental impact study was submitted and approved by the Ministry of Natural Resources. Mr. Duhamel stated that the lands are considered to be designated Future Urban, Residential and Environmental Protection Area within the City's Official Plan and are currently zoned Residential Hold (RH) and Environmental Protection (EP). He noted that the owner has applied to re-designate a portion of the subject lands from Future Urban and Environmental Protection to Residential and to amend the current zoning of the property from Residential Hold (RH) and Environmental Protection (EP) to Residential (R3, RM2-TH, RM2-SP) to permit the future development of low and medium density residential units in two separate sites on the subject property. Mr. Duhamel concluded by listing the technical studies that have been submitted to date. He described the concept plans for both the north and south sites and reviewed the renderings of the proposed apartments and townhouses.

PUBLIC COMMENTS:

1. **Stephen Manuel, 18 Summerset Drive** introduced himself as a member of the Steering Committee of the Friends of Bear Creek Wetland Group. He explained that the Steering Committee will be highlighting the concerns included in their written submission, dated May 7, 2012 by the Friends of the Bear Creek Wetland Community Group.

2. **Andrea Ward, 113 Nicholson Drive** identified herself as a member of the Steering Committee for the Friends of Bear Creek Wetland Community Group and expressed concerns regarding the impact the proposed development will have on the environment, including the habitat for wildlife, plants and trees. She inquired whether the development proposal had been reviewed by the appropriate agencies and if the integrity of the environmental impact study has been analyzed and undergone a peer review. Ms. Ward asked if an impact study has been completed on the East Manhattan development since its construction. She commented that she believes the proposed development does not meet provincial policies and the City's Natural Heritage requirements. Ms. Ward noted that she believes the proposed development may lead to health issues including water contamination and the potential for West Nile disease.
3. **Larry Skory, 16 Summerset Drive** introduced himself as a member of the Steering Committee of the Friends of Bear Creek Wetland Group. He expressed concerns regarding the impact the proposed development will have on the existing neighbourhoods in the area. He inquired regarding the impact to the existing properties in the area. He commented that he is concerned that property values and amount of privacy will decrease as a result of the development. Mr. Skory stated that conflicting information was provided to home owners when they purchased their homes. He noted that he believes there is a discrepancy between the current residential density and the proposed development. Mr. Skory suggested that a forest buffer and/or wildlife buffer may address privacy concerns and assist with the movement of wildlife. He concluded by inquiring if the proposed development will result in increased property taxes.
4. **Rich Olech, 121 Nicholson Drive** introduced himself as a member of the Steering Committee of the Friends of Bear Creek Wetland Group. He provided comments regarding the design concept of the proposed development. His inquires concerning the design concept related to, the elevation differences, bore hole testing, storm water sewer location, sidewalks and storm water management. He noted that this area is not located in an intensification area as defined by the City. Mr. Olech inquired if additional development will occur by other developers if the proposed development is approved. He asked a number of questions regarding the timeline associated with the development schedule proposals for lands west of the subject property, buffer zones from existing properties and the construction of underground parking. Mr. Olech expressed concerns related to intensification. He commented that he believes the City's draft Natural Heritage Strategy is intended to protect the environmentally protected lands and stated that the subject lands have been identified as Level 1 in the draft study. Mr. Olech concluded by providing comments related to the proposed transportation corridor. He noted that safety and traffic flow along Nicholson Drive, Summerset Drive, Ferndale Drive and Gore Road need to be addressed. He inquired if Gore Road will be extended in the future and expressed safety concerns about the orientation of the proposed new road. Stephen Manuel, requested that City Council protect the environment and the interests of the community. He noted that the environmental impacts of the proposed development must be minimized. On behalf of the Steering Committee, Mr. Manuel asked that the developer act as a community leader in environmental protection to create a legacy for future generations. He noted that the residents are interested in being partners with the City and the developer. He concluded by stating that he feels the development proposal should be delayed until the social, environmental and economic impacts of the development have been addressed.

5. **Robin Brandon, 128 James Street** expressed concern regarding the impact the proposed development may have on the wetland environment. She noted that she felt the developer was showing a lack of respect for the environment through the advertising campaign used for the neighbouring development. Ms. Brandon commented that a large amount of garbage was collected at a local clean-up event at the Eco Park. She expressed concern that garbage may be dumped in the wetlands if the development proceeds. Ms. Brandon inquired if the development meets the required provincial policies. She concluded by requesting that the developments not be approved.
6. **Frances McGill, 147 Anne Street North** read aloud an excerpt from the City of Barrie's Urban Design Manual regarding policies concerning environmentally protected lands. She commented that she believes that people are paying a premium to live adjacent to the wetlands and believes the property values will be decreased if the development proceeds. Ms. McGill noted that the Ardagh Secondary Plan identifies the number of threatened species that live in the area and inquired if these species live in the Bear Creek Wetlands. She concluded by stating that she feels the proposed development will lead to habitat loss and degradation of the area.
7. **Al McNair, 33 St Vincent Street** commented that he is speaking on behalf of the Breton Field Naturalists' Club (BFNC). He stated that he feels that people require access to the natural environment for their well-being and therefore need to protect and nurture nature. Mr. McNair observed that the Ferndale Drive extension across the Bear Creek Wetland has created road access for the Manhattan Project (East). He expressed concern that clearing woodlands and creating hard surfaces may have a damaging impact on the natural hydrological functioning of the wetland and the species living within it. He commented that requiring setbacks from the wetland boundaries may not be sufficient to maintain the ecological features and functions of the wetland. Mr. McNair stated that he believes the woodlands are critical for the functioning of the wetlands and for forest and wetland species of wildlife. He observed that he does not feel that provincial policies have been addressed for this site and inquired regarding the status of the City's Natural Heritage Policies in the Official Plan. Mr. McNair noted that the Bear Creek Wetland was identified as Level 1, the highest level of significance in the 2010 draft mapping for the City's Natural Heritage System. He speculated that if the Natural Heritage Policies were in place, the development would not be permitted on the subject properties. He concluded by requesting that the City take a comprehensive approach to protecting the natural heritage features and functions of the Bear Creek ecosystem before consideration is given to this and future development projects in the area.
8. **Darren Roskam, 3 Archer Street** commented that he is a resident of Ward 6 and uses his bicycle for transportation. He explained that he has noticed that there seem to be fewer turtles in the area. Mr. Roskam stated that he feels this is a result of development in the area and believes that the Eco Park should be maintained. Members of General Committee asked a number of questions related to the information provided.

WRITTEN CORRESPONDENCE:

1. Correspondence from Ethan Ward, dated April 30, 2012.
2. Correspondence from James, dated April 30, 2012.

3. 105 form letters received from The Friends of Bear Creek Wetland Community Group dated May 2, 2012 submitted.
4. Correspondence from Members of the Steering Committee for The Friends of Bear Creek Wetland Community Group received May 6, 2012.

Staff Report



STAFF REPORT PLN019-13
September 9, 2013


Page: 1
File: D09-OPA019
& D14-1533
Pending #:


TO: GENERAL COMMITTEE


SUBJECT: OFFICIAL PLAN & ZONING BY-LAW AMENDMENT FOR 40 FERNDAL
DR. S. TO PERMIT LOW AND MEDIUM DENSITY RESIDENTIAL ON
TWO SEPARATE SITES ADJACENT THE BEAR CREEK WETLAND

WARD: 6

PREPARED BY AND KEY CONTACT: C. TERRY, BES, M.C.I.P., R.P.P.
SENIOR DEVELOPMENT PLANNER, EXTENSION #4430

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 INFRASTRUCTURE & GROWTH
MANAGEMENT 

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

RECOMMENDED MOTION

1. That the application submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc and 433513 Ontario Inc.) for lands identified as Part of the North Half of Lot 4 and Lot 5, Concession 14 to amend the Official Plan to permit residential development be approved to include the following (D09-OPA019):
 - a) Amend Official Plan Schedule A – Land Use to designate the subject lands as Environmental Protection and Residential as illustrated in Appendix A attached to Staff Report PLN019-13.
 - b) Amend Official Plan Schedule C – Defined Policy Area to identify the Residential parcels as Defined Policy Area BB as illustrated in Appendix B to Staff Report PLN019-13.
 - c) Add text to the Official Plan Section 4.8 – Defined Policy Areas as follows:

4.8.13 Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.
 - d) Amend Schedule 2 – Land Use of the Ardagh Secondary Plan to designate the subject lands as Environmental Protection, Low Density Residential and Medium Density Residential as illustrated in Appendix C attached to Staff Report PLN019-13.
 - e) Add text to the Ardagh Secondary Plan Section 2.5.1.4 – Residential Densities (Medium Density) Policies as follows:

2.5.1.4 m) Notwithstanding Section 2.5.1.4, Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.

2. That the application, submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.), to amend the Zoning By-law from Environmental Protection (EP) and Residential Hold (RH) to Residential Single Detached Third Density (R3), Residential Multiple with Special Provisions (RM2-SPXXX)(RM2-SPXXX), and Residential Multiple Townhouse with Special Provisions (RM2-TH SPXXX) on the property legally described as Part of the North Half of Lot 4 and 5, Concession 14, be approved as illustrated in Appendix D attached to Staff Report PLN019-13. (D14-1533)

3. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law:
 - a) RM2 (SP-XXX) identified as Block 45 on Appendix G to Staff Report PLN019-13:
 - i) Permit a maximum of 144 residential units to a maximum density of 70 units per hectare.
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres.
 - iii) Permit a rear yard setback of 5 metres.
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units.
 - v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking.
 - vi) Permit a maximum of 50 surface parking stalls in the front yard.
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan.
 - viii) Permit a 0 metre landscape buffer area along the side and rear property line to any parking area.
 - ix) Permit an accessory structure (utility building) to be located in the front yard to a maximum size of 17m².
 - x) Permit a maximum gross floor area of 70%.
 - xi) Permit construction columns in the structured parking area to encroach into the required parking space.
 - xii) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a secondary means of access to the exterior area at ground level.
 - xiii) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan.

 - b) RM2 (SP-XXX) identified as Block 44 on Appendix G to Staff Report PLN019-13:
 - i) Permit a maximum of 96 residential units and a maximum density of 70 units per hectare.
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres.
 - iii) Permit a rear yard setback of 5 metres.
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units.

- v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking.
 - vi) Permit a maximum of 65 parking stalls in the front yard.
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan.
 - viii) Permit a maximum gross floor area of 78%.
 - ix) Permit construction columns in the structured parking area to encroach into the required parking space.
 - x) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a secondary means of access to the exterior area at ground level.
 - xi) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan.
- c) RM2-TH (SP-XXX) identified as Blocks 41-43 on Appendix G to Staff Report PLN019-13:
- i) Permit a minimum driveway length of 6 metres for street townhouses.
4. That no further notice is required in accordance with Section 34 (17) of the *Planning Act*. (PLN019-13 D14-1533)

PURPOSE & BACKGROUND

Report Overview

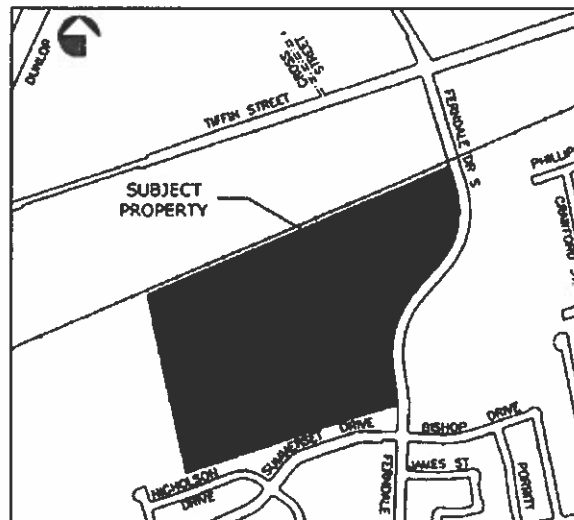
5. The purpose of this staff report is to recommend approval of the development proposal as revised for lands designated as Future Urban and Residential in the Official Plan. The lands were formerly part of a Deferral Area in the Ardagh Secondary Plan. The deferral related to the confirmation of the boundary for the Bear Creek Provincially Significant Wetland. The deferral has since been lifted.
6. As part of the lifting of the deferral for these lands, the Comprehensive Environmental Impact Study (EIS) identified that a Site Specific EIS was required to determine appropriate mitigation and buffer areas for development. The applicant has submitted a satisfactory EIS and worked with staff, the Nottawasaga Valley Conservation Authority (NVCA) and the public to provide further protection to the wetland through a revised development concept. If the application is approved the total EP land dedication to the City would be 23.28 hectares of the 30.93 hectare site.
7. The revised development concept includes two areas of residential development. The north site is proposed for three 4-storey walk-up apartment buildings for a total of 144 units as illustrated in Appendix E to Staff Report PLN019-13. The south site has a mix of housing forms, including 40 single detached units, 24 street townhouse units and 2 4-storey walk-up apartment buildings with a total of 96 units as illustrated in Appendix F to Staff Report PLN019-13.
8. Concurrent to the Official Plan Amendment and Zoning By-law Amendment applications, a Draft Plan of Subdivision (D12-401), attached as Appendix G to Staff Report PLN019-13 has also been submitted. Staff have been granted delegated authority for Plans of Subdivision and are processing the application. In addition, a Site Plan application (D11-1637) was recently submitted for the north site and it is currently under review.

Location

9. The subject property is located on the west side of Ferndale Drive South, south of Tiffin Street and the Barrie-Collingwood Railway (BCRY). A portion of the property is municipally identified as 40 Ferndale Drive South. The site is currently vacant with the exception of a sales trailer for the residential development under construction at 39 Ferndale Drive South, on the east side of Ferndale Drive South.

Surrounding Lands

- North: BCRY corridor and lands zoned for industrial use.
- East: Ferndale Drive South, Multiple Residential Development known as Manhattan East, and the Bear Creek EcoPark.
- South: Existing R2 and R3 single detached Residential neighbourhood.
- West: Bear Creek Provincially Significant Wetland and additional lands identified as Future Urban.



Existing Policy

10. The subject lands are currently designated Future Urban, Environmental Protection, and Residential in the City of Barrie Official Plan, and zoned Environmental Protection (EP) and Residential Hold (RH) in accordance with Zoning By-law 2009-141.
11. The following reports were submitted in support of the original submission and updated as necessary to support the current concept:
- a) Planning Justification Report
 - b) Environmental Impact Study & Addendum
 - c) Functional Servicing Report
 - d) Traffic Impact Study Update
 - e) Traffic Impact Study (South Residential Development)
 - f) Preliminary Stormwater Management Report & Updates
 - g) Technical Memorandum on High Water Level Analysis
 - h) Detailed Engineering Servicing and Grading Design Plans
 - i) Tree Inventory & Tree Preservation

- j) Erosion Control Planting Plan & Details, Stormwater Management Pond Planting Plans
- k) Environmental Noise Study & Railway Vibration Analysis
- l) Geotechnical Investigation
- m) Archaeological Assessment

Public Meeting

12. A Public Meeting was held on May 7, 2012. The City received a significant amount of correspondence and submissions from the public. In addition, the Friends of the Bear Creek Wetland Community Group (FBCWCG) was formed to represent the interest of some of the local residents. Several members of the public spoke at the Public Meeting in opposition to the proposal, including a presentation by the FBCWCG. The major issue of concern was the environment, specifically the protection and preservation of the Bear Creek Provincially Significant Wetland.

Community Collaboration

13. Over the course of several months, a working group including the Ward Councillor, staff from Planning Services and Engineering, and staff from NVCA, met with the applicant and their consulting team as well as representatives from the FBCWCG. Through this collaborative process, the issues of the FBCWCG were clarified and are being addressed by the City and applicant through this process.
14. In addition to the standard Planning requirements for development applications, the collaborative process has identified environmental attributes to be included in the development, such the installation of turtle fencing along Ferndale Drive South, turtle nesting beds on the slope of the stormwater management ponds, and a naturalized treed area at the rear of the single detached lots on the south site. The treed area was requested by representatives of the FBCWCG to provide a visual buffer for the existing residents backing on to the proposed single detached lots. The treed area is not part of the wetland feature and will remain in private ownership.

Revised Submission

15. Further to the detailed comments and discussion between all parties, a revised concept was officially submitted on May 2, 2013. The submission included the required updates to the background studies and plans to support the new concept.
16. The most significant revisions for the north site (Appendix E) include:
- a) Developable area has been reduced from 2.87 hectares to 2.31 hectares and scoped to remove the "fingers" reaching towards the wetland feature.
 - b) Increase in wetland buffer from 10 and 20 metres to 30 metres on average.
 - c) Revised built form from two 4-storey walk-up apartments (96 units) and 33 stacked/condo townhouses to three 4-storey walk-up apartments (144 units) oriented closer to the street with an increase in density to 70 units per hectare.
 - d) Removal of the proposed day nursery.

- e) A small isolated piece of the wetland adjacent Ferndale Drive South was removed from the Bear Creek PSW through consultation with the Ministry of Natural Resources. The integration of this parcel into the developable area contributed to an expansion of EP lands directly adjacent the wetland feature.
 - f) Incorporation of turtle nesting beds into the slope of the stormwater management pond.
 - g) Consolidation of amenity space into three areas.
17. The most significant revisions for the south site (Appendix F) include:
- a) Developable area has been reduced from 6.37 hectares to 5.34 hectares and scoped to remove the "fingers" reaching towards the wetland feature.
 - b) Increase in wetland buffer from 10 and 20 metres to 30 metres on average.
 - c) Reduction of the single detached lots from 43 to 40 to match lot lines where possible with the existing neighbourhood.
 - d) Revised built form of the medium density block from 73 stacked/condo townhouses to two 4-storey walk-up apartments (96 units) oriented to the street with an increased density of 70 units per hectare.
 - e) Change in the depth of the street townhouse lots from removing the irregular rear lot line. The frontage and area for each lot still meets the zoning by-law standard.
 - f) Incorporation of turtle nesting beds into the slope of the stormwater management pond.

Internal Circulation

18. **Engineering:** Staff have reviewed the Functional Servicing and Stormwater Management Reports submitted in support of this application and have found them to be acceptable. The applicant has identified that servicing infrastructure can be provided for the project. Detailed engineering for water, sanitary and stormwater management will be required through the Draft Plan of Subdivision process and/or through Site Plan Control for the medium density blocks.
19. **Engineering – Traffic:** Staff have reviewed the Traffic Impact Study submitted in support of this application and have found it to be acceptable. A road widening and day-lighting triangle are required along the Ferndale Drive South frontage that have been shown on the Concept (Attachment E) and on the Draft Plan of Subdivision (Attachment F). Staff have identified that until such time as Street 'A' connects to the adjacent lands, a temporary turning circle will be required.
20. **Engineering – Parks:** Staff have reviewed the information submitted in support of this application, and have provided detailed comments for tree preservation, fencing, and landscaping and amenity space. These comments will be addressed and implemented through the Draft Plan of Subdivision conditions and/or through Site Plan Control for the medium density blocks. Staff have agreed to support the special provision requested for the non-consolidated amenity area in the medium density blocks, subject to an analysis of their function. At this stage, it appears that at least one area on each of the sites will be big enough to facilitate the necessary recreational requirements. The applicant will be required to provide cash-in-lieu of parkland dedication for the entire development as a condition of Draft Plan of Subdivision.

21. Engineering – BCRY: An Environmental Noise and Vibration Study was submitted in support of this application and the development concept provides the required setback of 30 metres from the railway corridor. Any special requirements for construction materials or mitigation recommended by the Study shall be identified through the Site Plan and Building Permit processes.

Agency Circulation

22. Staff and the applicant worked closely with NVCA staff to achieve a concept for the subject lands that met the objectives of the Provincial Policy Statement and NVCA policies while maintaining the development rights for the applicant as identified in the Comprehensive EIS as approved by the Ministry of Natural Resources. For example, through the new design, the applicant was able to achieve an average of 30 metres of buffer area to the Bear Creek Wetland whereas the original concept identified 10 – 20 metre buffer areas. The increase in the buffer area helped to preserve more of the upland vegetation and breeding habitat for wildlife at the fringe of the wetland, which will contribute to the future sustainability of the wetland feature.

ANALYSIS

Provincial Policy

23. The Provincial Policy Statement (PPS) identifies that land within Settlement Areas should be used efficiently and encourage a range of uses and opportunities for intensification. Through working with the City and the NVCA, the development concept submitted has provided an opportunity for a compact development with a higher density built form that also incorporates adequate buffering for the Bear Creek Provincially Significant Wetland to satisfy the Natural Heritage and Natural Hazard policies of the PPS.
24. The Provincial Growth Plan, Places to Grow also directs growth to established serviced settlement areas and supports intensification strategies. The development concept contributes to a mix of housing types and intensification opportunities in a planning area that has developed as predominantly low density. Municipal infrastructure does exist in the surrounding area to service the proposal. Staff are confident that the concept plan as recommended, has successfully achieved a balance between the environment and development, and is therefore consistent with provincial policy.

Official Plan Policy

25. The subject lands are currently designated as Residential, Environmental Protection and Future Urban in the Official Plan. The proposed amendment is to designate the developable limits of the north and south concept plans, as illustrated in Appendices E and F to Staff Report PLN019-13, to Residential with the remaining lands as Environmental Protection.
26. The Residential designation permits, where appropriate, medium density developments in the form of walk-up apartments to a maximum density of 53 units per hectare. The applicant has requested an increase in density for the medium density blocks to 70 units per net hectare.
27. Staff is supportive of the proposed increase to the density permissions to 70 units per net hectare for medium density development for the two medium density blocks. The consideration for an increase in density at this location has been balanced with the provision for an increased buffer area for the Bear Creek Wetland. A recommendation for approval of a Defined Policy Area to permit the increased density for these sites is included as outlined in the Recommended Motion in (1 b) and c) to Staff Report PLN019-13.
28. The subject property is located within the Ardagh Secondary Planning Area. It is part of the Secondary Plan that was identified as Deferral #3 to Amendment 104. Official Plan Section

4.1.2.4 – Ardagh Secondary Planning Area identifies that an Official Plan Amendment must be submitted for the development of the Future Urban Areas identified through the Comprehensive EIS completed for this area.

29. The applicant has submitted a scoped EIS as required by the Official Plan. In addition to the requirement under the Ardagh Secondary Plan, an EIS is required for the property because it is identified as a Level 1 Natural Heritage Resource on Schedule H of the Official Plan.
30. The EIS has been reviewed in detail by staff and the NVCA. Further to additional works and an addendum submission, the EIS has been completed to the satisfaction of the City and NVCA. Staff is confident that the developable limit for both the Future Urban parcel and the redefined limit of development for the Residential parcel meet the objectives of the Comprehensive EIS, the Natural Heritage Resource policies of the Official Plan and the overall objectives of the NVCA.

Ardagh Secondary Plan

31. The Ardagh Secondary Plan identifies that the housing mix for the Plan area should include 20 – 30% medium density development. Although there are medium density nodes located in the Plan Area, almost all were actually constructed with single detached dwelling units. Staff has estimated the housing mix for medium density built-form is 0.75% for the Ardagh Secondary Plan and 11.4% for the Ardagh Secondary Planning Area which would include the recently built Manhattan East development at 39 Ferndale Drive.
32. The addition of the two medium density nodes in the Ardagh Secondary Plan is in keeping with the housing mix identified for the area and would assist in moving closer to the overall 20-30% medium density target identified above. In addition, the proposed medium density blocks, consisting of walk-up apartment buildings, are isolated from existing low density neighbourhood. The node to the north would be of a similar built-form to the mixed medium density development on the opposite side of Ferndale Drive South, and will be surrounded by EP lands. The node to the south is also adjacent the EP lands and street townhouses. Single detached dwellings are proposed adjacent the existing single detached neighbourhood to the south.
33. Associated with the designation of the two medium density nodes, the applicant has applied for special density permission for the development to permit up to 70 units per hectare. As with the Official Plan, medium density development is identified as a maximum of 53 units per hectare in the Secondary Plan. The increase in density is due, in part, to the additional EP lands dedicated to the City. Lands identified as EP are not included in the area for a density calculation per Official Plan policy.
34. Staff is satisfied that the additional communal provisions for the site are being met for the development, including adequate amenity space and parking for the increased units. It is therefore staffs' opinion that the policies of the Ardagh Secondary Plan are being met in principle for medium density development.

Zoning By-law

35. The current zoning for the majority of the property is Environmental Protection (EP) with a portion zoned Residential Hold (RH) in the general area of the north site. The Zoning By-law is meant to provide standards to implement the intent of the Official Plan, which in this case, identifies the north site as largely Residential and the south site as Future Urban. Both areas permit development subject to meeting the requirements of the City and partner agencies such as the NVCA. Staff is satisfied with the supporting information submitted with these applications to support development on both the north and south parcel. The proposed zoning configuration is illustrated on Appendix D attached to Staff Report PLN019-13.

36. The proposed RM2 zone for walk-up apartments on the north site permits a development concept that integrates with the development on the opposite side of Ferndale Drive, and does not border any other residential developments. A multiple unit development has a significantly reduced footprint, and can therefore provide a larger buffer area for the adjacent wetland features.
37. The proposed RM2 zone for walk-up apartments on the south site is part of a development concept that transitions from singles and townhouses and walk-up apartments. The medium density block backs onto the wetland buffer area and is not adjacent the existing single detached neighbourhood. As with the north site, staff is supportive of this block because of the significantly reduced footprint. The topography of the area and the visual buffer provided to the existing neighbourhood will limit the potential perceived intrusion of the walk-up apartments.
38. A number of special zoning provisions are required on both the north and south medium density blocks to increase the height of the buildings, to accommodate partial underground parking, and reduce setbacks to accommodate the buildings on the decreased lot size. However, no reductions in parking or the provision of amenity areas is being requested by the applicant. Staff is satisfied that walk-up apartment buildings at an increased density can be supported at this location.
39. The proposed R3 zone is a line of single detached lots adjacent the existing single detached neighbourhood to the south of the site. The existing homes are therefore separated from the proposed medium density development on the south site by a public street and a row of single detached homes. In addition, the existing development would be provided a visual barrier to the new development by a naturalized treed area at the rear of each of the single detached lots.
40. A row of street townhouses zoned RM2-TH is proposed backing onto the EP lands. The depth of the properties was reduced with the increase in buffer area. The applicant has requested a special zoning provision for the street townhouses to permit a 6 metre driveway rather than the 11 metres required for a street townhouse. A 6 metre driveway can properly accommodate a parked vehicle therefore staff has no objection to the reduced driveway length given the overall reduction in lot depth.
41. In accordance with the Draft Plan of Subdivision attached as Appendix G to Staff Report PLN019-13, 23.28 hectares of lands are proposed as EP and will be dedicated to the City. This area includes the Bear Creek Provincially Significant Wetland feature as well as approximately 30 metres of buffer area from both development sites.

Draft Plan of Subdivision

42. A Draft Plan of Subdivision application was submitted concurrent to the Official Plan Amendment and Rezoning applications. The Draft Plan attached as Appendix G to Staff Report PLN019-13, includes the delineation of the Blocks for Residential development, Environmental Protection, Stormwater Management, Roads, Walkways, Road Widening and Reserves.
43. The Draft Plan Conditions are currently being prepared. The conditions will include, but not be limited to, confirmation of zoning conformity, the requirements for final detailed engineering, the provision of satisfactory pedestrian and vehicular improvements on and off site, and implementation of the recommendations in all the reports and plans submitted.

Site Plan

44. The two medium density blocks will be required to submit a Plan of Condominium and go through Site Plan Control prior to development. A Site Plan application (D11-1637) has been submitted for the north site, to be known as the Upper West Side. The technical meeting was held on July 25, 2013.

45. The Site Plan process will address all technical development issues including, but not limited to, confirmation of zoning conformity, servicing infrastructure, transportation improvements, the function of amenity areas, landscaping, fencing and architectural design, to assure the development is of the highest quality.

ENVIRONMENTAL MATTERS

46. The following environmental matters have been considered in the development of the recommendation:
- a) The protection and preservation of the Bear Creek Wetland feature, including mitigation measures for flora and fauna, such as increased buffer areas and turtle nesting beds.
 - b) The inclusion of a naturalized visual barrier for the adjacent residents.

ALTERNATIVES

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

Alternative #1 General Committee could maintain the existing Official Plan designation and Zoning for the subject property (i.e. Status Quo).

This alternative is not recommended as the Future Urban and Residential Hold designations were placed on the parcel to allow for development to take place once the site specific Environmental Impact Study was completed to identify the developable line(s). The applicant has worked cooperatively with City staff, the NVCA, the Ward Councillor and local residents to accommodate their concerns and ultimately create a design that integrates into the existing neighbourhood and provides adequate buffers to the wetland feature.

FINANCIAL

48. The proposed concept for the subject parcel would permit 144 apartments on the north site, and 40 single detached dwellings, 24 street townhomes and 96 apartments on the south site. The estimated property tax for the project is \$319,285 on the north parcel and \$292,679 on the south parcel. That is an increase of \$580,623.06 from the current taxes (2013) of \$31,340.94 for the vacant property.
49. The Development Charges for residential uses can be estimated as \$17,756.00 per apartment unit (assuming all 2 bedrooms), \$22,955.00 per townhouse unit, and \$30,707.00 per single detached unit for a total of approximately \$6,040,640.00 at the current rate.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

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

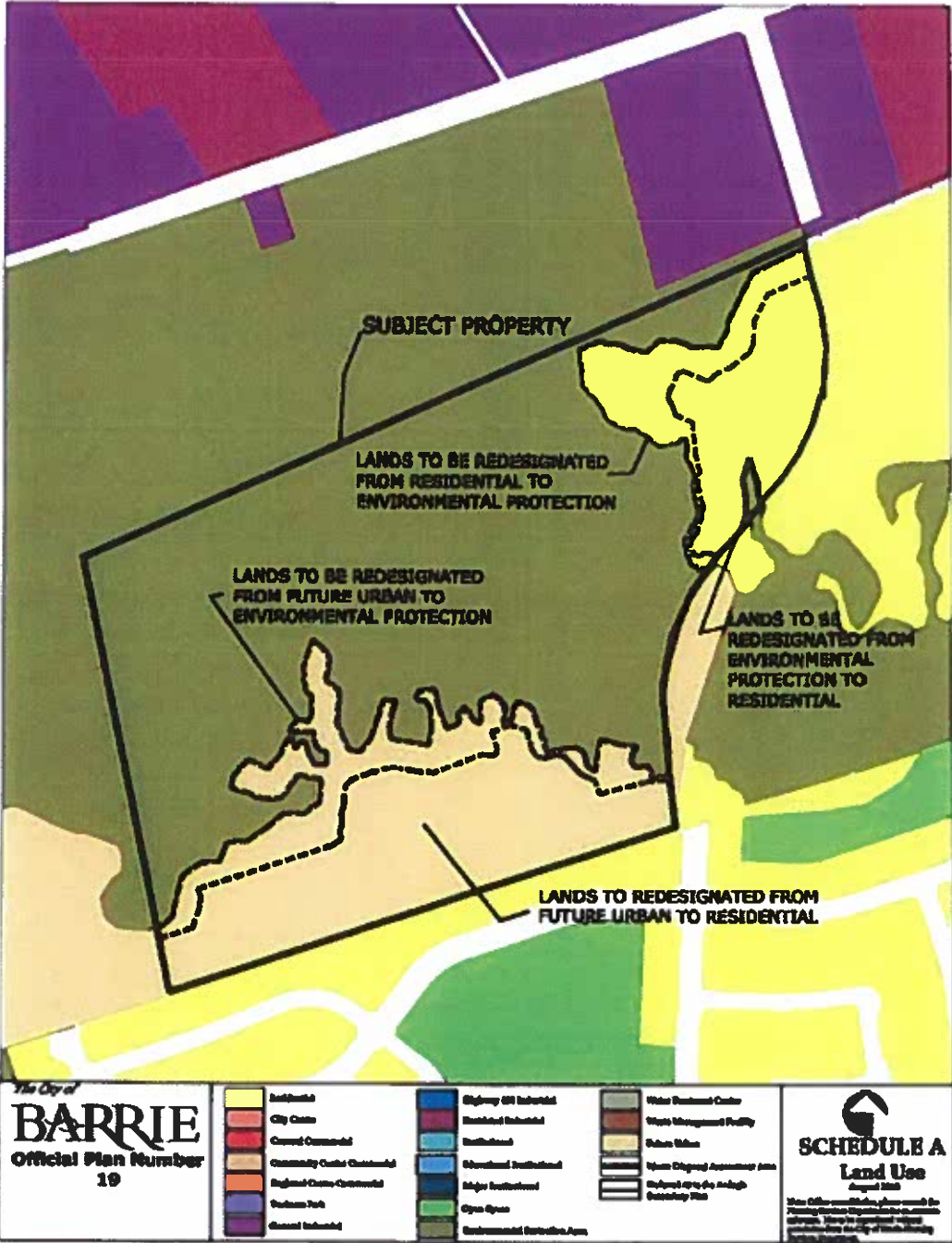
Manage Growth and Protect the Environment

51. Staff worked cooperatively with the applicant, NVCA and the public to achieve a design concept that balanced the opportunity for development with the expanded protection of the Bear Creek Wetland feature. The City would be granted an additional EP land dedication of 1.56 hectares of developable land, over and above the Bear Creek Wetland and the original buffer proposed by the applicant. In exchange, consideration was given to a modified development concept with higher density built-form that has reduced the overall development footprint.

Attachments: Appendix "A" – Proposed Official Plan Schedule A
Appendix "B" – Proposed Official Plan Schedule C – Defined Policy Area
Appendix "C" – Proposed Schedule 2 – Land Use, Ardagh Secondary Plan
Appendix "D" – Zoning By-law Schedule
Appendix "E" – Concept Plan for North Site
Appendix "F" – Concept Plan for South Site
Appendix "G" – Proposed Draft Plan of Subdivision

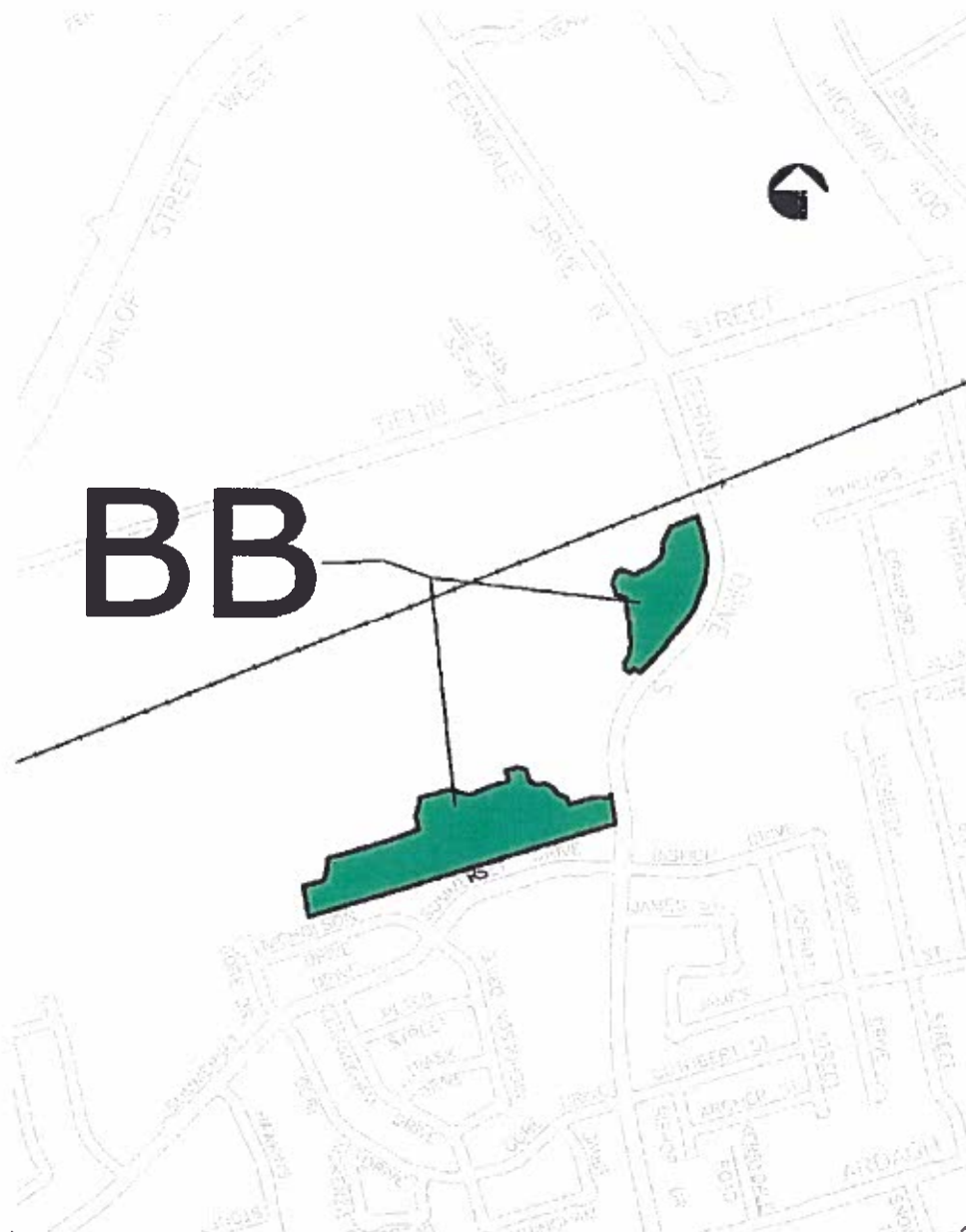
APPENDIX "A"

Proposed Official Plan Schedule A



APPENDIX "B"

Proposed Official Plan Schedule C – Defined Policy Area



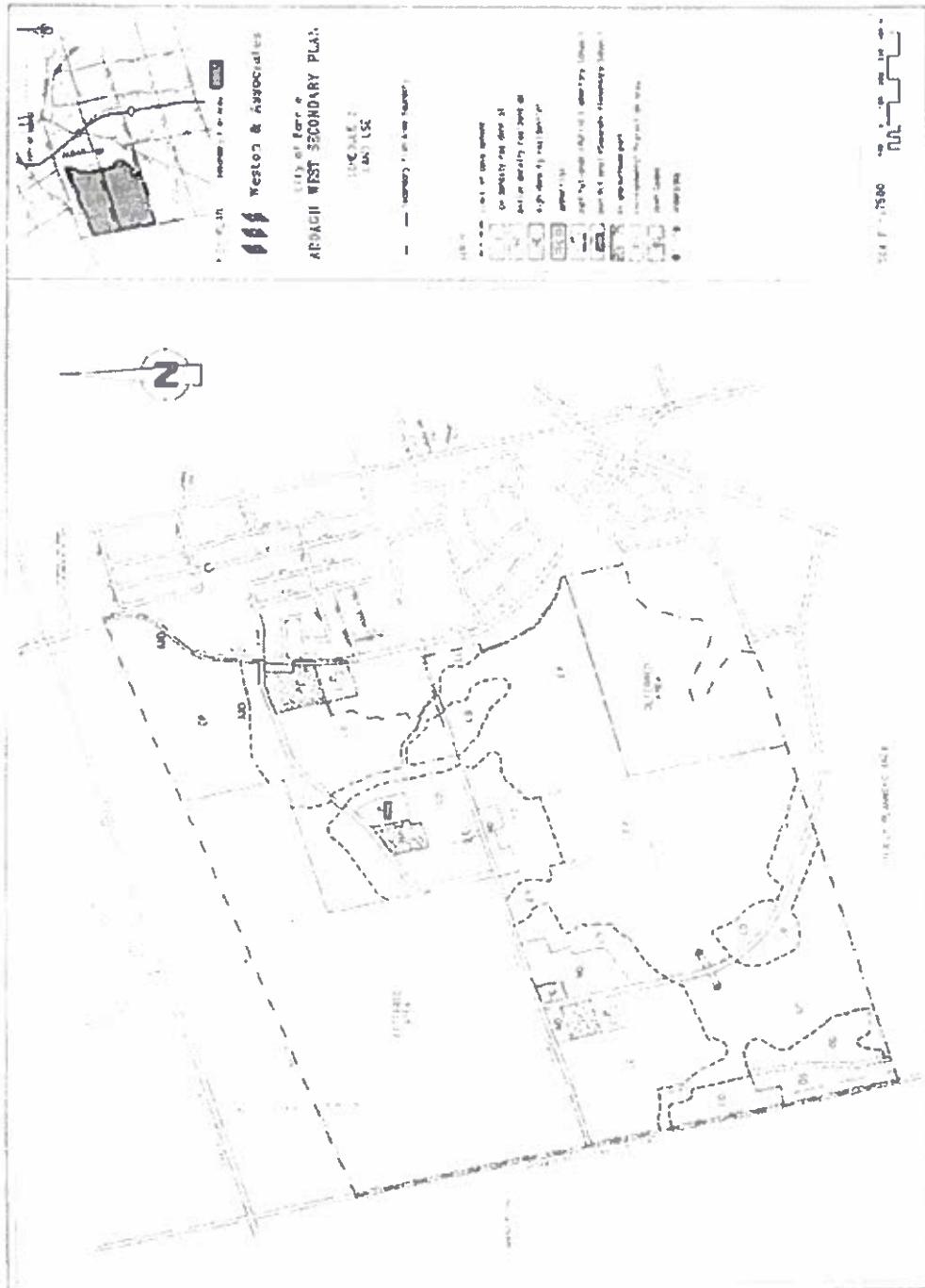
-  PROPOSED POLICY AREA
-  HEIGHT REVIEW STUDY
-  CITY BOUNDARY

SCHEDULE C
Defined Policy
Areas

Notes: Other municipalities, please report the Planning Services Department for all services available. Not to be implemented without permission from the City of Barrie Planning Services Department.

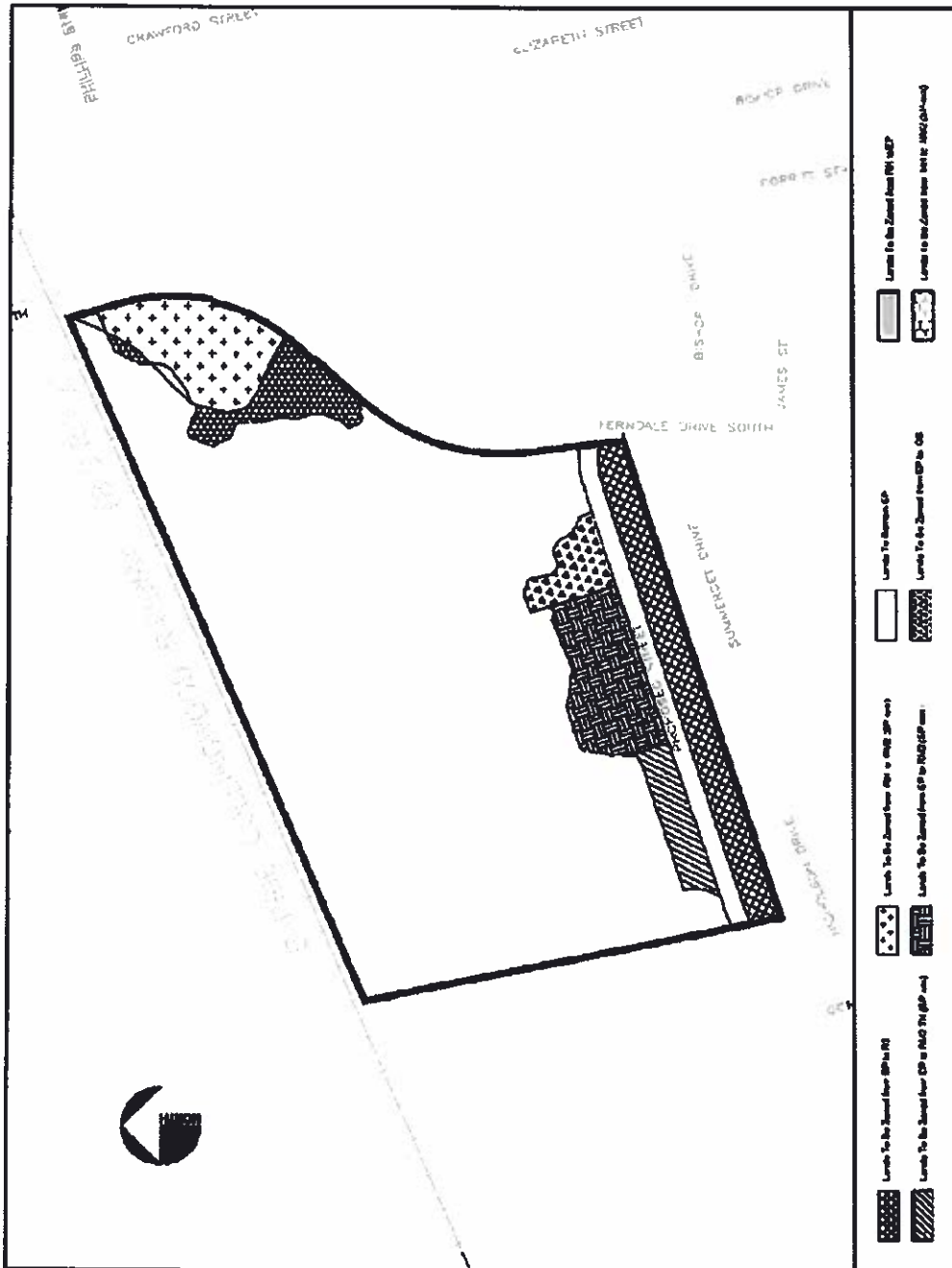
APPENDIX "C"

Proposed Schedule 2 – Land Use, Ardagh Secondary Plan



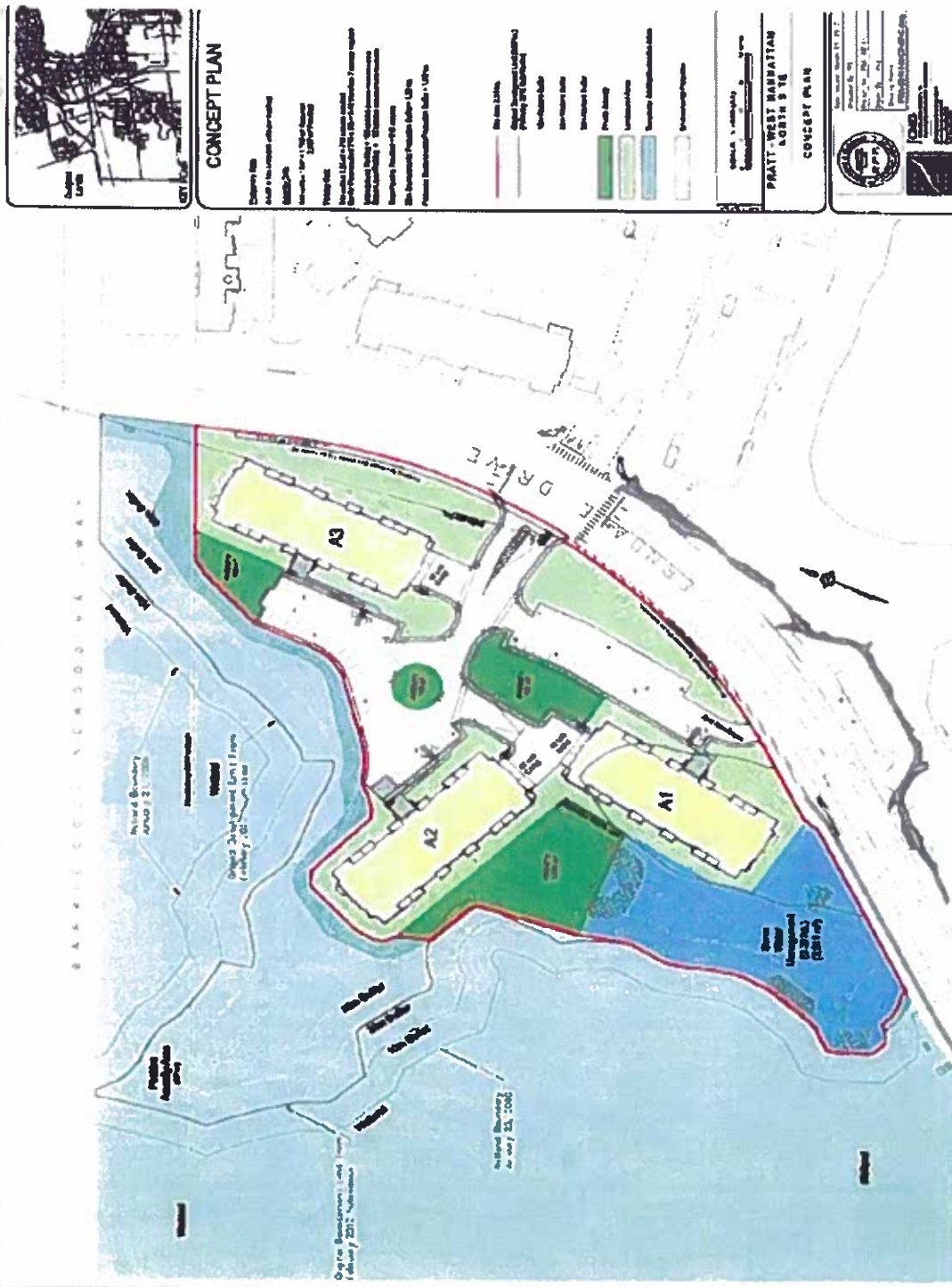
APPENDIX "D"

Proposed Zoning By-law Schedule



APPENDIX "E"

Concept Plan for North Site



TO: Director of Legal Services – register by-law / note
 City Clerk – Dawn – note
 Director of Planning – note – prepare map
 Director of Engineering – note
 Director of Building and By-law Services note

FROM: Dawn McAlpine, City Clerk

DATE APPROVED

BY COUNCIL: September 30, 2013

13-G-219 OFFICIAL PLAN & ZONING BY-LAW AMENDMENT FOR 40 FERNDALE DR. S. TO PERMIT LOW AND MEDIUM DENSITY RESIDENTIAL ON TWO SEPARATE SITES ADJACENT THE BEAR CREEK WETLAND (WARD 6)

That the following motion be considered by City Council on September 30, 2014:

1. That the application submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.) for lands identified as Part of the North Half of Lot 4 and Lot 5, Concession 14 to amend the Official Plan to permit residential development be approved to include the following (D09-OPA019):
 - a) Amend Official Plan Schedule "A" - Land Use to designate the subject lands as Environmental Protection and Residential as illustrated in Appendix "A" attached to Staff Report PLN019-13;
 - b) Amend Official Plan Schedule "C" - Defined Policy Area to identify the Residential parcels as Defined Policy Area BB as illustrated in Appendix "B" to Staff Report PLN019-13;
 - c) Add text to the Official Plan Section 4.8 - Defined Policy Areas as follows:
 - 4.8.13 Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.
 - d) Amend Schedule 2 - Land Use of the Ardagh Secondary Plan to designate the subject lands as Environmental Protection, Low Density Residential and Medium Density Residential as illustrated in Appendix "C" attached to Staff Report PLN019-13; and
 - e) Add text to the Ardagh Secondary Plan Section 2.5.1.4 - Residential Densities (Medium Density) Policies as follows:

- 2.5.1.4 m) Notwithstanding Section 2.5.1.4, Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.
2. That the application, submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.), to amend the Zoning By-law from Environmental Protection (EP) and Residential Hold (RH) to Residential Single Detached Third Density (R3), Residential Multiple with Special Provisions (RM2-SPXXX)(RM2-SPXXX), and Residential Multiple Townhouse with Special Provisions (RM2-TH SPXXX) on the property legally described as Part of the North Half of Lot 4 and 5, Concession 14, be approved as illustrated in Appendix "D" attached to Staff Report PLN019-13.
 3. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law:
 - a) RM2 (SP-XXX) identified as Block 45 on Appendix "G" to Staff Report PLN019-13:
 - i) Permit a maximum of 144 residential units to a maximum density of 70 units per hectare;
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres;
 - iii) Permit a rear yard setback of 5 metres;
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units;
 - v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking;
 - vi) Permit a maximum of 50 surface parking stalls in the front yard;
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan;
 - viii) Permit a 0 metre landscape buffer area along the side and rear property line to any parking area;
 - ix) Permit an accessory structure (utility building) to be located in the front yard to a maximum size of 17m²;
 - x) Permit a maximum gross floor area of 70%;
 - xi) Permit construction columns in the structured parking area to encroach into the required parking space;
 - xii) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a

secondary means of access to the exterior area at ground level;
and

- xiii) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan.
- b) RM2 (SP-XXX) identified as Block 44 on Appendix "G" to Staff Report PLN019-13:
- i) Permit a maximum of 96 residential units and a maximum density of 70 units per hectare;
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres;
 - iii) Permit a rear yard setback of 5 metres;
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units;
 - v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking;
 - vi) Permit a maximum of 65 parking stalls in the front yard;
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan;
 - viii) Permit a maximum gross floor area of 78%;
 - ix) Permit construction columns in the structured parking area to encroach into the required parking space;
 - x) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a secondary means of access to the exterior area at ground level;
and
 - xi) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan; and
- c) RM2-TH (SP-XXX) identified as Blocks 41-43 on Appendix "G" to Staff Report PLN019-13:
- i) Permit a minimum driveway length of 6 metres for street townhouses.

4. That no further notice is required in accordance with Section 34 (17) of the Planning Act. (PLN019-13) (File: D14-1533)

AMENDMENT NO. 19
TO THE
CITY OF BARRIE
OFFICIAL PLAN

OFFICIAL PLAN

FOR THE

CITY OF BARRIE

Amendment No. 19

Amendment No. 19 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 ___ day of _____, 2014.

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 _____, 2014.

Mayor

City Clerk

BY-LAW NUMBER 2014-XXX

A By-law of the Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. No. 19).

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 14-G-XXX, 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. __ 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 _____, 2014.

READ a third time and finally passed this ____ day of _____, 2014.

THE CORPORATION OF THE CITY OF BARRIE

Mayor

Clerk

This Amendment No. 19 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. 19 to the City of Barrie Official Plan.

Date

City Clerk

AMENDMENT NO. 19

TABLE OF CONTENTS

INTRODUCTION.....	1
PART A - THE PREAMBLE	2
Purpose	2
Location	2
Basis.....	2
PART B - THE AMENDMENT	4
Details of the Amendment.....	4
Implementation	5
Interpretation	5
PART C - THE APPENDIX.....	10

**AMENDMENT NO. 19
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.19 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 Official Plan Amendment is to facilitate residential development on the lands municipally known as 40 Ferndale Drive South and legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil. The property is currently designated as Environmental Protection, Future Urban and Residential in the City of Barrie Official Plan.

The Amendment will designate the developable limits of two Residential areas within the subject lands with the remaining portion of the property designated Environmental Protection to protect and buffer the Bear Creek Provincially Significant Wetland. The Amendment will also recognize the built form of medium density development in the Ardagh Secondary Plan. The medium density development will be permitted to develop at an increased density of 70 units per net hectare. An Amendment to the City of Barrie Official Plan, Amendment to the Ardagh Secondary Plan, Zoning By-law Amendment and Plan of Subdivision are required for this development proposal to proceed.

LOCATION

The subject property is municipally known as 40 Ferndale Drive South and legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil. The property is generally located on the west side of Ferndale Drive South, south of Tiffin Street and the Barrie-Collingwood Railway (BCRY). The lands are approximately 30.93 hectares in size.

BASIS

The subject lands are designated as Environmental Protection, Residential and Future Urban in the Official Plan. The property is located within the Ardagh Secondary Planning Area. It is part of the Secondary Plan that was identified as Deferral #3 to Amendment 104. As part of the lifting of the deferral for these lands, the Comprehensive Environmental Impact Study (EIS) identified that a Site Specific EIS was required to determine appropriate mitigation and buffer areas for development of the Future Urban parcels. The applicant has submitted a satisfactory EIS and worked with City staff, the Nottawasaga Valley Conservation Authority (NVCA) and the public to provide adequate protection for the Bear Creek Wetland complex.

The development concept includes two areas of residential development. The Amendment will designate the developable limits of these residential areas with the remaining lands designated as Environmental Protection. Through the development process 23.28 hectares of the 30.93 hectare site have been identified as Environmental Protection and will be dedicated to the City.

The north site is proposed for three 4-storey walk-up apartment buildings for a total of 144 units, the south site has a mix of housing forms, including 40 single detached units, 24 street townhouse units and 2 4-storey walk-up apartment buildings with a total of 96 units.

The Residential designation in the Official Plan permits, where appropriate, medium density developments in the form of walk-up apartments to a maximum density of 53 units per hectare. Similarly, the Ardagh Secondary Plan identifies the same density for medium density development. The consideration for an increase in density at this location has been balanced with the provision for an increased buffer area for the Bear Creek Wetland. The proposed medium density residential blocks are isolated from existing low density development and the surrounding land uses. The node to the north would be of a similar built-form to the medium density development on the opposite side of Ferndale

Drive South, and will be surrounded by Environmental Protection lands. The node to the south is also adjacent the Environmental Protection lands and provides a transition from the medium density development to a row of single detached dwellings backing on to the existing single detached neighbourhood.

PART B - THE AMENDMENT

DETAILS OF THE AMENDMENT

That the Official Plan for the City of Barrie, as it applies to lands legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, known municipally as 40 Ferndale Drive South, be amended as follows:

1. Schedule A - Land Use is hereby amended by designating lands from Future Urban, Residential and Environmental Protection to Residential and Environmental Protection on Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, and the remainder of Parts 1 and 2 on Plan 51R-19903, as illustrated on Attachment 1 to this Amendment.
2. Schedule C - Defined Policy Areas is hereby amended by adding Defined Policy Area BB on a portion of the lands legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, and the remainder of Parts 1 and 2 on Plan 51R-19903, as illustrated on Attachment 2 to this Amendment.
3. Section 4.8 of the City of Barrie Official Plan is hereby amended by adding Section 4.8.13 as follows:

4.8.13 Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, shall be permitted medium density residential uses as four storey walk-up apartments to a maximum density of 70 units per net hectare.
4. Schedule 2 - Land Use of the Ardagh Secondary Plan is hereby amended by designating a portion of the lands legally described as Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, from Environmental Protection Area and Low Density Residential to Environmental Protection Area, Low Density Residential and Medium Density Residential as shown on Attachment 3 to this Amendment.
5. Section 2.5.1.3 of the Ardagh Secondary Plan is hereby amended by adding Section 2.5.1.4 m) as follows:

2.5.1.4 m) Notwithstanding Section 2.5.1.4, Part of North Half of Lots 4 & 5, Concession 14, Former Innisfil, shall be permitted medium density residential uses as four storey walk-up apartments to a maximum density of 70 units per net hectare.

All other policies of the Official Plan of the City of Barrie shall apply.

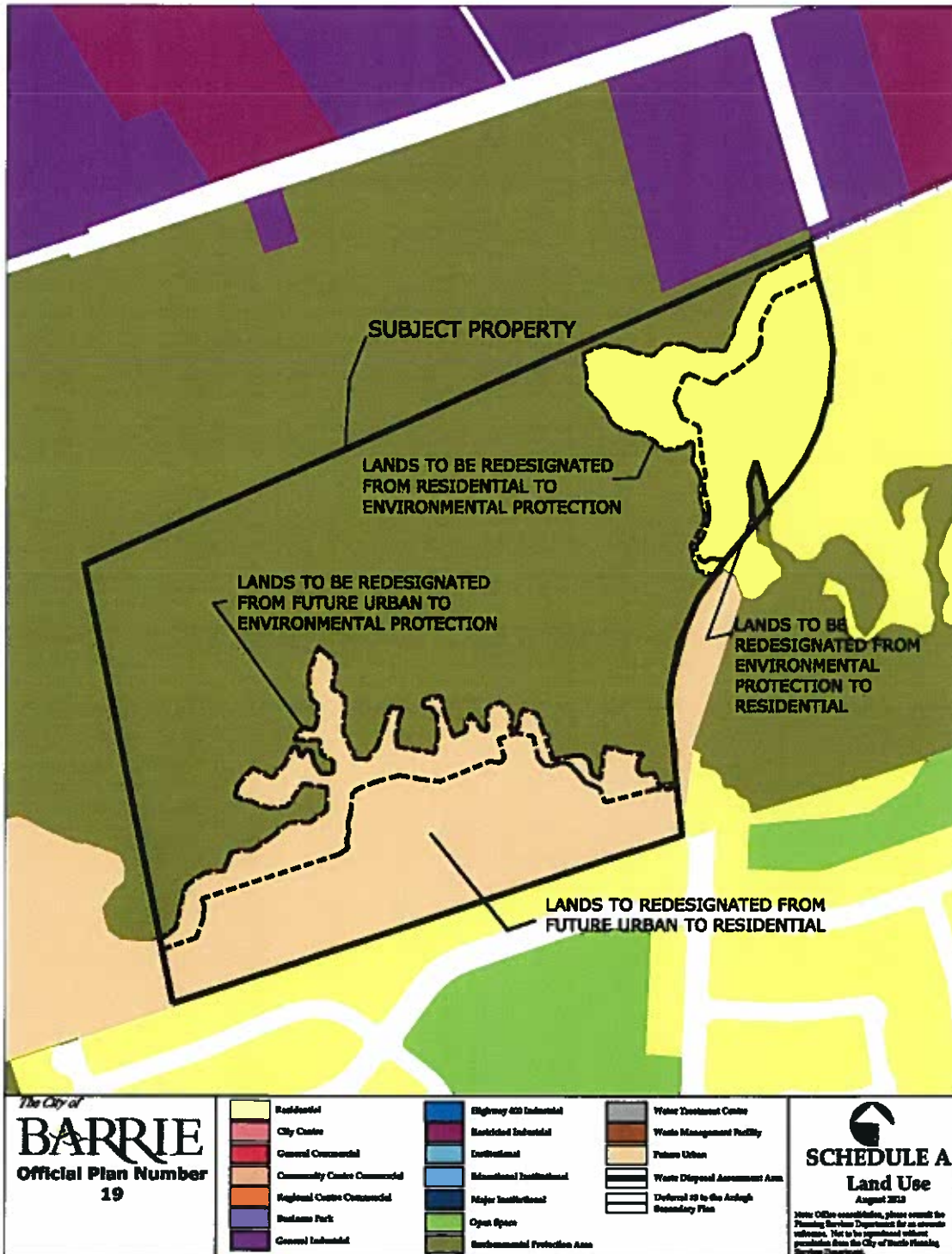
IMPLEMENTATION

Upon adoption of this Amendment, Council may consider an implementing Zoning By-law.

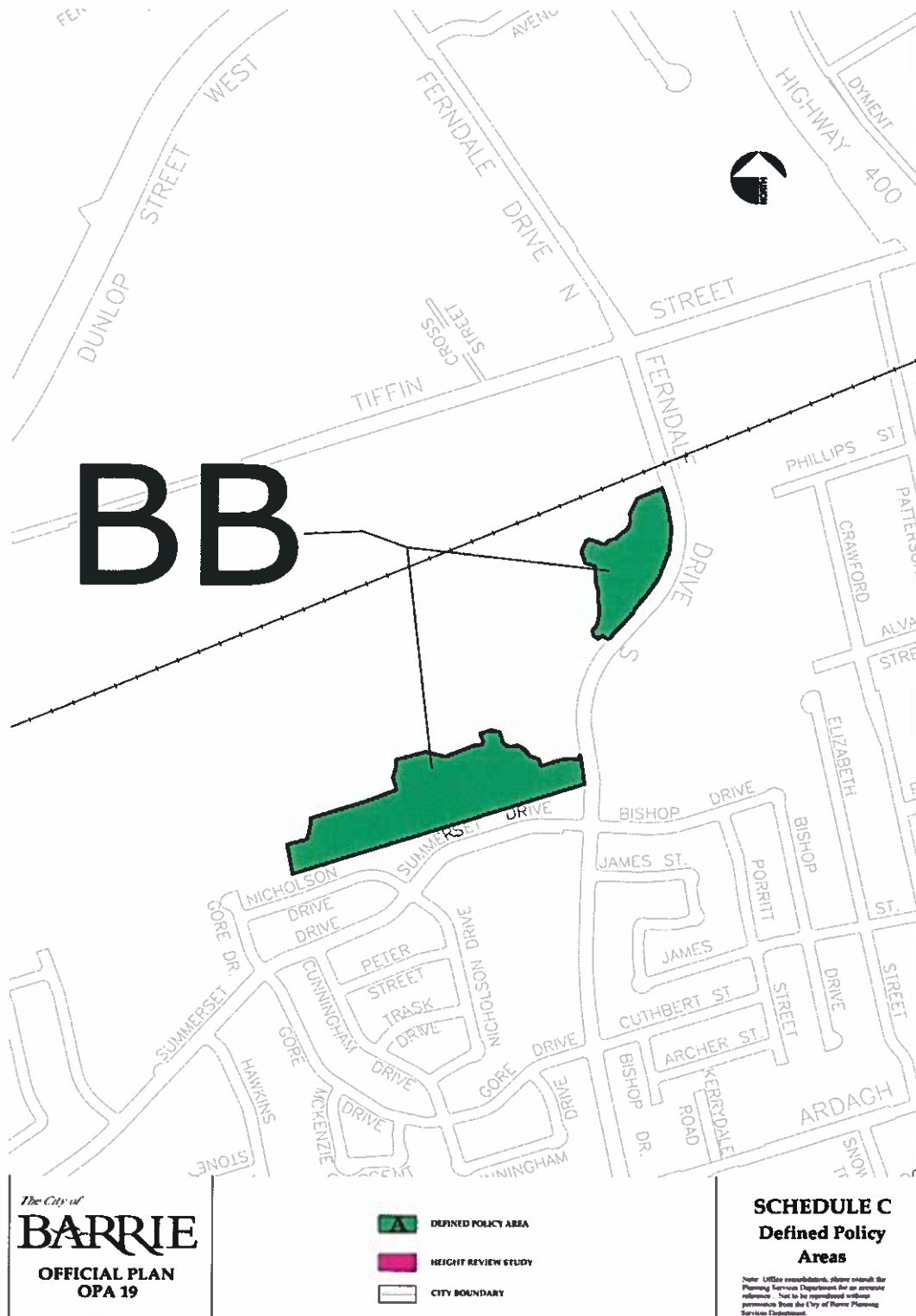
INTERPRETATION

The provisions of the Official Plan, as amended from time to time, shall apply in regard to the Amendment.

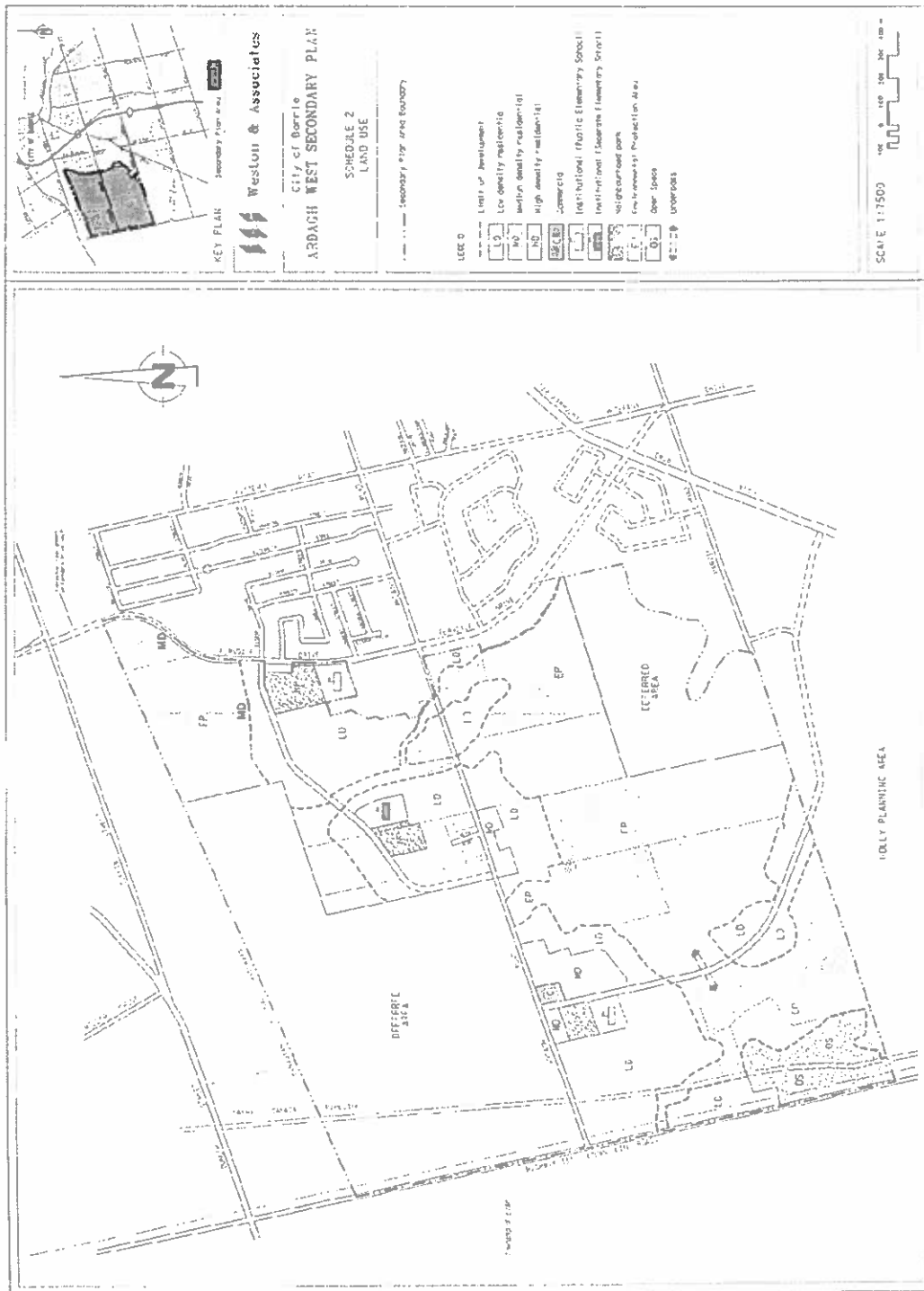
**ATTACHMENT 1
OFFICIAL PLAN
SCHEDULE A – LAND USE**



**ATTACHMENT 2
OFFICIAL PLAN
SCHEDULE C – DEFINED POLICY AREA**



ATTACHMENT 3 ARDAGH SECONDARY PLAN SCHEDULE 2 – LAND USE CONCEPT



PART C – THE APPENDIX

PART C - THE APPENDIX

TABLE OF CONTENTS

	Page
MINUTES OF THE GENERAL COMMITTEE PUBLIC MEETING.....	11
STAFF REPORT.....	15
COUNCIL RESOLUTION.....	33

Minutes of the General Committee Public Meeting



City Clerk's Office
COUNCIL DIRECTION MEMORANDUM

TO: Director of Planning
Director of Legal Services

FROM: Dawn McAlpine, City Clerk

DATE APPROVED

BY COUNCIL: May 14, 2012

12-G-114 APPLICATION FOR A PROPOSED OFFICIAL PLAN AMENDMENT, AMENDMENT TO THE ZONING BY-LAW AND DRAFT PLAN OF SUBDIVISION - THE JONES CONSULTING GROUP ON BEHALF OF THE OWNER, PRATT DEVELOPMENT) 998817 ONTARIO INC. AND 433513 ONTARIO INC.) - 40 FERNDALE DRIVE SOUTH (May 7, 2012) (File: D09-OPA019/D14-1533/D12-340) (WARD 6)

Ray Duhamel of The Jones Consulting Group explained that the purpose of the public meeting is to review an application for an Official Plan Amendment, Amendment to the Zoning By-law and Draft Plan of Subdivision submitted by The Jones Consulting Group Ltd., on behalf of the owner, Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.) for lands located on the west side of Ferndale Drive, south of Tiffin Street. He noted that the property is located within the Ardagh Planning Area, known municipally as 40 Ferndale Drive South. He displayed an aerial photograph of the subject property and described the North and South sites in detail using additional photographs. He explained that The Bear Creek Wetland occupies approximately 70% of the subject lands and is not proposed for development. Mr. Duhamel commented that he believes the development proposal is consistent with the Provincial Policy Statement and Growth Plan. He explained the history associated with the Official Plan designation and Ardagh Secondary Plan and noted that the wetland boundary was deferred pending a comprehensive environmental impact study was submitted and approved by the Ministry of Natural Resources. Mr. Duhamel stated that the lands are considered to be designated Future Urban, Residential and Environmental Protection Area within the City's Official Plan and are currently zoned Residential Hold (RH) and Environmental Protection (EP). He noted that the owner has applied to re-designate a portion of the subject lands from Future Urban and Environmental Protection to Residential and to amend the current zoning of the property from Residential Hold (RH) and Environmental Protection (EP) to Residential (R3, RM2-TH, RM2-SP) to permit the future development of low and medium density residential units in two separate sites on the subject property. Mr. Duhamel concluded by listing the technical studies that have been submitted to date. He described the concept plans for both the north and south sites and reviewed the renderings of the proposed apartments and townhouses.

PUBLIC COMMENTS:

1. **Stephen Manuel, 18 Summerset Drive** introduced himself as a member of the Steering Committee of the Friends of Bear Creek Wetland Group. He explained that the Steering Committee will be highlighting the concerns included in their written submission, dated May 7, 2012 by the Friends of the Bear Creek Wetland Community Group.

2. **Andrea Ward, 113 Nicholson Drive** identified herself as a member of the Steering Committee for the Friends of Bear Creek Wetland Community Group and expressed concerns regarding the impact the proposed development will have on the environment, including the habitat for wildlife, plants and trees. She inquired whether the development proposal had been reviewed by the appropriate agencies and if the integrity of the environmental impact study has been analyzed and undergone a peer review. Ms. Ward asked if an impact study has been completed on the East Manhattan development since its construction. She commented that she believes the proposed development does not meet provincial policies and the City's Natural Heritage requirements. Ms. Ward noted that she believes the proposed development may lead to health issues including water contamination and the potential for West Nile disease.
3. **Larry Skory, 16 Summerset Drive** introduced himself as a member of the Steering Committee of the Friends of Bear Creek Wetland Group. He expressed concerns regarding the impact the proposed development will have on the existing neighbourhoods in the area. He inquired regarding the impact to the existing properties in the area. He commented that he is concerned that property values and amount of privacy will decrease as a result of the development. Mr. Skory stated that conflicting information was provided to home owners when they purchased their homes. He noted that he believes there is a discrepancy between the current residential density and the proposed development. Mr. Skory suggested that a forest buffer and/or wildlife buffer may address privacy concerns and assist with the movement of wildlife. He concluded by inquiring if the proposed development will result in increased property taxes.
4. **Rich Olech, 121 Nicholson Drive** introduced himself as a member of the Steering Committee of the Friends of Bear Creek Wetland Group. He provided comments regarding the design concept of the proposed development. He inquires concerning the design concept related to, the elevation differences, bore whole testing, storm water sewer location, sidewalks and storm water management. He noted that this area is not located in an intensification area as defined by the City. Mr. Olech inquired if additional development will occur by other developers if the proposed development is approved. He asked a number of questions regarding the timeline associated with the development schedule proposals for lands west of the subject property, buffer zones from existing properties and the construction of underground parking. Mr. Olech expressed concerns related to intensification. He commented that he believes the City's draft Natural Heritage Strategy is intended to protect the environmentally protected lands and stated that the subject lands have been identified as Level 1 in the draft study. Mr. Olech concluded by providing comments related to the proposed transportation corridor. He noted that safety and traffic flow along Nicholson Drive, Summerset Drive, Ferndale Drive and Gore Road need to be addressed. He inquired if Gore Road will be extended in the future and expressed safety concerns about the orientation of the proposed new road. Stephen Manuel, requested that City Council protect the environment and the interests of the community. He noted that the environmental impacts of the proposed development must be minimized. On behalf of the Steering Committee, Mr. Manuel asked that the developer act as a community leader in environmental protection to create a legacy for future generations. He noted that the residents are interested in being partners with the City and the developer. He concluded by stating that he feels the development proposal should be delayed until the social, environmental and economic impacts of the development have been addressed.

5. **Robin Brandon, 128 James Street** expressed concern regarding the impact the proposed development may have on the wetland environment. She noted that she felt the developer was showing a lack of respect for the environment through the advertising campaign used for the neighbouring development. Ms. Brandon commented that a large amount of garbage was collected at a local clean-up event at the Eco Park. She expressed concern that garbage may be dumped in the wetlands if the development proceeds. Ms. Brandon inquired if the development meets the required provincial policies. She concluded by requesting that the developments not be approved.
6. **Frances McGill, 147 Anne Street North** read aloud an excerpt from the City of Barrie's Urban Design Manual regarding policies concerning environmentally protected lands. She commented that she believes that people are paying a premium to live adjacent to the wetlands and believes the property values will be decreased if the development proceeds. Ms. McGill noted that the Ardagh Secondary Plan identifies the number of threatened species that live in the area and inquired if these species live in the Bear Creek Wetlands. She concluded by stating that she feels the proposed development will lead to habitat loss and degradation of the area.
7. **Al McNair, 33 St Vincent Street** commented that he is speaking on behalf of the Breton Field Naturalists' Club (BFNC). He stated that he feels that people require access to the natural environment for their well-being and therefore need to protect and nurture nature. Mr. McNair observed that the Ferndale Drive extension across the Bear Creek Wetland has created road access for the Manhattan Project (East). He expressed concern that clearing woodlands and creating hard surfaces may have a damaging impact on the natural hydrological functioning of the wetland and the species living within it. He commented that requiring setbacks from the wetland boundaries may not be sufficient to maintain the ecological features and functions of the wetland. Mr. McNair stated that he believes the woodlands are critical for the functioning of the wetlands and for forest and wetland species of wildlife. He observed that he does not feel that provincial policies have been addressed for this site and inquired regarding the status of the City's Natural Heritage Policies in the Official Plan. Mr. McNair noted that the Bear Creek Wetland was identified as Level 1, the highest level of significance in the 2010 draft mapping for the City's Natural Heritage System. He speculated that if the Natural Heritage Policies were in place, the development would not be permitted on the subject properties. He concluded by requesting that the City take a comprehensive approach to protecting the natural heritage features and functions of the Bear Creek ecosystem before consideration is given to this and future development projects in the area.
8. **Darren Roskam, 3 Archer Street** commented that he is a resident of Ward 6 and uses his bicycle for transportation. He explained that he has noticed that there seem to be fewer turtles in the area. Mr. Roskam stated that he feels this is a result of development in the area and believes that the Eco Park should be maintained. Members of General Committee asked a number of questions related to the information provided.

WRITTEN CORRESPONDENCE:

1. Correspondence from Ethan Ward, dated April 30, 2012.
2. Correspondence from James, dated April 30, 2012.

3. 105 form letters received from The Friends of Bear Creek Wetland Community Group dated May 2, 2012 submitted.
4. Correspondence from Members of the Steering Committee for The Friends of Bear Creek Wetland Community Group received May 6, 2012.

Staff Report

The City of
BARRIE

STAFF REPORT PLN019-13
September 9, 2013

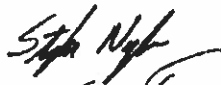
Page: 1
File: D09-OPA019
& D14-1533
Pending #:


TO: GENERAL COMMITTEE


SUBJECT: OFFICIAL PLAN & ZONING BY-LAW AMENDMENT FOR 40 FERNDAL
DR. S. TO PERMIT LOW AND MEDIUM DENSITY RESIDENTIAL ON
TWO SEPARATE SITES ADJACENT THE BEAR CREEK WETLAND

WARD: 6

PREPARED BY AND KEY CONTACT: C. TERRY, BES, M.C.I.P., R.P.P.
SENIOR DEVELOPMENT PLANNER, EXTENSION #4430

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 INFRASTRUCTURE & GROWTH
MANAGEMENT 

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

RECOMMENDED MOTION

1. That the application submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.) for lands identified as Part of the North Half of Lot 4 and Lot 5, Concession 14 to amend the Official Plan to permit residential development be approved to include the following (D09-OPA019):
 - a) Amend Official Plan Schedule A – Land Use to designate the subject lands as Environmental Protection and Residential as illustrated in Appendix A attached to Staff Report PLN019-13.
 - b) Amend Official Plan Schedule C – Defined Policy Area to identify the Residential parcels as Defined Policy Area BB as illustrated in Appendix B to Staff Report PLN019-13.
 - c) Add text to the Official Plan Section 4.8 – Defined Policy Areas as follows:

4.8.13 Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.
 - d) Amend Schedule 2 – Land Use of the Ardagh Secondary Plan to designate the subject lands as Environmental Protection, Low Density Residential and Medium Density Residential as illustrated in Appendix C attached to Staff Report PLN019-13.
 - e) Add text to the Ardagh Secondary Plan Section 2.5.1.4 – Residential Densities (Medium Density) Policies as follows:

2.5.1.4 m) Notwithstanding Section 2.5.1.4, Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.

2. That the application, submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.), to amend the Zoning By-law from Environmental Protection (EP) and Residential Hold (RH) to Residential Single Detached Third Density (R3), Residential Multiple with Special Provisions (RM2-SPXXX)(RM2-SPXXX), and Residential Multiple Townhouse with Special Provisions (RM2-TH SPXXX) on the property legally described as Part of the North Half of Lot 4 and 5, Concession 14, be approved as illustrated in Appendix D attached to Staff Report PLN019-13. (D14-1533)

3. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law:
 - a) RM2 (SP-XXX) identified as Block 45 on Appendix G to Staff Report PLN019-13:
 - i) Permit a maximum of 144 residential units to a maximum density of 70 units per hectare.
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres.
 - iii) Permit a rear yard setback of 5 metres.
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units.
 - v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking.
 - vi) Permit a maximum of 50 surface parking stalls in the front yard.
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan.
 - viii) Permit a 0 metre landscape buffer area along the side and rear property line to any parking area.
 - ix) Permit an accessory structure (utility building) to be located in the front yard to a maximum size of 17m².
 - x) Permit a maximum gross floor area of 70%.
 - xi) Permit construction columns in the structured parking area to encroach into the required parking space.
 - xii) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a secondary means of access to the exterior area at ground level.
 - xiii) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan.

 - b) RM2 (SP-XXX) identified as Block 44 on Appendix G to Staff Report PLN019-13:
 - i) Permit a maximum of 96 residential units and a maximum density of 70 units per hectare.
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres.
 - iii) Permit a rear yard setback of 5 metres.
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units.

- v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking.
 - vi) Permit a maximum of 65 parking stalls in the front yard.
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan.
 - viii) Permit a maximum gross floor area of 78%.
 - ix) Permit construction columns in the structured parking area to encroach into the required parking space.
 - x) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a secondary means of access to the exterior area at ground level.
 - xi) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan.
- c) RM2-TH (SP-XXX) identified as Blocks 41-43 on Appendix G to Staff Report PLN019-13:
- i) Permit a minimum driveway length of 6 metres for street townhouses.
4. That no further notice is required in accordance with Section 34 (17) of the *Planning Act*. (PLN019-13 D14-1533)

PURPOSE & BACKGROUND

Report Overview

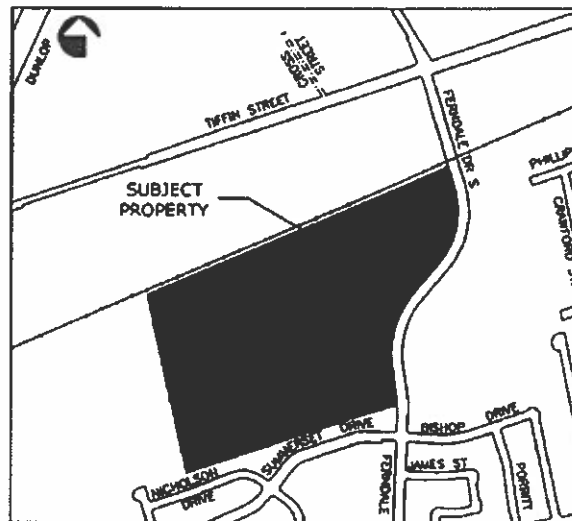
5. The purpose of this staff report is to recommend approval of the development proposal as revised for lands designated as Future Urban and Residential in the Official Plan. The lands were formerly part of a Deferral Area in the Ardagh Secondary Plan. The deferral related to the confirmation of the boundary for the Bear Creek Provincially Significant Wetland. The deferral has since been lifted.
6. As part of the lifting of the deferral for these lands, the Comprehensive Environmental Impact Study (EIS) identified that a Site Specific EIS was required to determine appropriate mitigation and buffer areas for development. The applicant has submitted a satisfactory EIS and worked with staff, the Nottawasaga Valley Conservation Authority (NVCA) and the public to provide further protection to the wetland through a revised development concept. If the application is approved the total EP land dedication to the City would be 23.28 hectares of the 30.93 hectare site.
7. The revised development concept includes two areas of residential development. The north site is proposed for three 4-storey walk-up apartment buildings for a total of 144 units as illustrated in Appendix E to Staff Report PLN019-13. The south site has a mix of housing forms, including 40 single detached units, 24 street townhouse units and 2 4-storey walk-up apartment buildings with a total of 96 units as illustrated in Appendix F to Staff Report PLN019-13.
8. Concurrent to the Official Plan Amendment and Zoning By-law Amendment applications, a Draft Plan of Subdivision (D12-401), attached as Appendix G to Staff Report PLN019-13 has also been submitted. Staff have been granted delegated authority for Plans of Subdivision and are processing the application. In addition, a Site Plan application (D11-1637) was recently submitted for the north site and it is currently under review.

Location

9. The subject property is located on the west side of Ferndale Drive South, south of Tiffin Street and the Barrie-Collingwood Railway (BCRY). A portion of the property is municipally identified as 40 Ferndale Drive South. The site is currently vacant with the exception of a sales trailer for the residential development under construction at 39 Ferndale Drive South, on the east side of Ferndale Drive South.

Surrounding Lands

- North: BCRY corridor and lands zoned for industrial use.
- East: Ferndale Drive South, Multiple Residential Development known as Manhattan East, and the Bear Creek EcoPark.
- South: Existing R2 and R3 single detached Residential neighbourhood.
- West: Bear Creek Provincially Significant Wetland and additional lands identified as Future Urban.



Existing Policy

10. The subject lands are currently designated Future Urban, Environmental Protection, and Residential in the City of Barrie Official Plan, and zoned Environmental Protection (EP) and Residential Hold (RH) in accordance with Zoning By-law 2009-141.
11. The following reports were submitted in support of the original submission and updated as necessary to support the current concept:
- a) Planning Justification Report
 - b) Environmental Impact Study & Addendum
 - c) Functional Servicing Report
 - d) Traffic Impact Study Update
 - e) Traffic Impact Study (South Residential Development)
 - f) Preliminary Stormwater Management Report & Updates
 - g) Technical Memorandum on High Water Level Analysis
 - h) Detailed Engineering Servicing and Grading Design Plans
 - i) Tree Inventory & Tree Preservation

- j) Erosion Control Planting Plan & Details, Stormwater Management Pond Planting Plans
- k) Environmental Noise Study & Railway Vibration Analysis
- l) Geotechnical Investigation
- m) Archaeological Assessment

Public Meeting

12. A Public Meeting was held on May 7, 2012. The City received a significant amount of correspondence and submissions from the public. In addition, the Friends of the Bear Creek Wetland Community Group (FBCWCG) was formed to represent the interest of some of the local residents. Several members of the public spoke at the Public Meeting in opposition to the proposal, including a presentation by the FBCWCG. The major issue of concern was the environment, specifically the protection and preservation of the Bear Creek Provincially Significant Wetland.

Community Collaboration

13. Over the course of several months, a working group including the Ward Councillor, staff from Planning Services and Engineering, and staff from NVCA, met with the applicant and their consulting team as well as representatives from the FBCWCG. Through this collaborative process, the issues of the FBCWCG were clarified and are being addressed by the City and applicant through this process.
14. In addition to the standard Planning requirements for development applications, the collaborative process has identified environmental attributes to be included in the development, such the installation of turtle fencing along Ferndale Drive South, turtle nesting beds on the slope of the stormwater management ponds, and a naturalized treed area at the rear of the single detached lots on the south site. The treed area was requested by representatives of the FBCWCG to provide a visual buffer for the existing residents backing on to the proposed single detached lots. The treed area is not part of the wetland feature and will remain in private ownership.

Revised Submission

15. Further to the detailed comments and discussion between all parties, a revised concept was officially submitted on May 2, 2013. The submission included the required updates to the background studies and plans to support the new concept.
16. The most significant revisions for the north site (Appendix E) include:
- a) Developable area has been reduced from 2.87 hectares to 2.31 hectares and scoped to remove the "fingers" reaching towards the wetland feature.
 - b) Increase in wetland buffer from 10 and 20 metres to 30 metres on average.
 - c) Revised built form from two 4-storey walk-up apartments (96 units) and 33 stacked/condo townhouses to three 4-storey walk-up apartments (144 units) oriented closer to the street with an increase in density to 70 units per hectare.
 - d) Removal of the proposed day nursery.

- e) A small isolated piece of the wetland adjacent Ferndale Drive South was removed from the Bear Creek PSW through consultation with the Ministry of Natural Resources. The integration of this parcel into the developable area contributed to an expansion of EP lands directly adjacent the wetland feature.
 - f) Incorporation of turtle nesting beds into the slope of the stormwater management pond.
 - g) Consolidation of amenity space into three areas.
17. The most significant revisions for the south site (Appendix F) include:
- a) Developable area has been reduced from 6.37 hectares to 5.34 hectares and scoped to remove the "fingers" reaching towards the wetland feature.
 - b) Increase in wetland buffer from 10 and 20 metres to 30 metres on average.
 - c) Reduction of the single detached lots from 43 to 40 to match lot lines where possible with the existing neighbourhood.
 - d) Revised built form of the medium density block from 73 stacked/condo townhouses to two 4-storey walk-up apartments (96 units) oriented to the street with an increased density of 70 units per hectare.
 - e) Change in the depth of the street townhouse lots from removing the irregular rear lot line. The frontage and area for each lot still meets the zoning by-law standard.
 - f) Incorporation of turtle nesting beds into the slope of the stormwater management pond.

Internal Circulation

18. **Engineering:** Staff have reviewed the Functional Servicing and Stormwater Management Reports submitted in support of this application and have found them to be acceptable. The applicant has identified that servicing infrastructure can be provided for the project. Detailed engineering for water, sanitary and stormwater management will be required through the Draft Plan of Subdivision process and/or through Site Plan Control for the medium density blocks.
19. **Engineering – Traffic:** Staff have reviewed the Traffic Impact Study submitted in support of this application and have found it to be acceptable. A road widening and day-lighting triangle are required along the Ferndale Drive South frontage that have been shown on the Concept (Attachment E) and on the Draft Plan of Subdivision (Attachment F). Staff have identified that until such time as Street 'A' connects to the adjacent lands, a temporary turning circle will be required.
20. **Engineering – Parks:** Staff have reviewed the information submitted in support of this application, and have provided detailed comments for tree preservation, fencing, and landscaping and amenity space. These comments will be addressed and implemented through the Draft Plan of Subdivision conditions and/or through Site Plan Control for the medium density blocks. Staff have agreed to support the special provision requested for the non-consolidated amenity area in the medium density blocks, subject to an analysis of their function. At this stage, it appears that at least one area on each of the sites will be big enough to facilitate the necessary recreational requirements. The applicant will be required to provide cash-in-lieu of parkland dedication for the entire development as a condition of Draft Plan of Subdivision.

21. Engineering – BCRY: An Environmental Noise and Vibration Study was submitted in support of this application and the development concept provides the required setback of 30 metres from the railway corridor. Any special requirements for construction materials or mitigation recommended by the Study shall be identified through the Site Plan and Building Permit processes.

Agency Circulation

22. Staff and the applicant worked closely with NVCA staff to achieve a concept for the subject lands that met the objectives of the Provincial Policy Statement and NVCA policies while maintaining the development rights for the applicant as identified in the Comprehensive EIS as approved by the Ministry of Natural Resources. For example, through the new design, the applicant was able to achieve an average of 30 metres of buffer area to the Bear Creek Wetland whereas the original concept identified 10 – 20 metre buffer areas. The increase in the buffer area helped to preserve more of the upland vegetation and breeding habitat for wildlife at the fringe of the wetland, which will contribute to the future sustainability of the wetland feature.

ANALYSIS

Provincial Policy

23. The Provincial Policy Statement (PPS) identifies that land within Settlement Areas should be used efficiently and encourage a range of uses and opportunities for intensification. Through working with the City and the NVCA, the development concept submitted has provided an opportunity for a compact development with a higher density built form that also incorporates adequate buffering for the Bear Creek Provincially Significant Wetland to satisfy the Natural Heritage and Natural Hazard policies of the PPS.
24. The Provincial Growth Plan, Places to Grow also directs growth to established serviced settlement areas and supports intensification strategies. The development concept contributes to a mix of housing types and intensification opportunities in a planning area that has developed as predominantly low density. Municipal infrastructure does exist in the surrounding area to service the proposal. Staff are confident that the concept plan as recommended, has successfully achieved a balance between the environment and development, and is therefore consistent with provincial policy.

Official Plan Policy

25. The subject lands are currently designated as Residential, Environmental Protection and Future Urban in the Official Plan. The proposed amendment is to designate the developable limits of the north and south concept plans, as illustrated in Appendices E and F to Staff Report PLN019-13, to Residential with the remaining lands as Environmental Protection.
26. The Residential designation permits, where appropriate, medium density developments in the form of walk-up apartments to a maximum density of 53 units per hectare. The applicant has requested an increase in density for the medium density blocks to 70 units per net hectare.
27. Staff is supportive of the proposed increase to the density permissions to 70 units per net hectare for medium density development for the two medium density blocks. The consideration for an increase in density at this location has been balanced with the provision for an increased buffer area for the Bear Creek Wetland. A recommendation for approval of a Defined Policy Area to permit the increased density for these sites is included as outlined in the Recommended Motion in (1 b) and c) to Staff Report PLN019-13.
28. The subject property is located within the Ardagh Secondary Planning Area. It is part of the Secondary Plan that was identified as Deferral #3 to Amendment 104. Official Plan Section

- 4.1.2.4 – Ardagh Secondary Planning Area identifies that an Official Plan Amendment must be submitted for the development of the Future Urban Areas identified through the Comprehensive EIS completed for this area.
29. The applicant has submitted a scoped EIS as required by the Official Plan. In addition to the requirement under the Ardagh Secondary Plan, an EIS is required for the property because it is identified as a Level 1 Natural Heritage Resource on Schedule H of the Official Plan.
30. The EIS has been reviewed in detail by staff and the NVCA. Further to additional works and an addendum submission, the EIS has been completed to the satisfaction of the City and NVCA. Staff is confident that the developable limit for both the Future Urban parcel and the redefined limit of development for the Residential parcel meet the objectives of the Comprehensive EIS, the Natural Heritage Resource policies of the Official Plan and the overall objectives of the NVCA.

Ardagh Secondary Plan

31. The Ardagh Secondary Plan identifies that the housing mix for the Plan area should include 20 – 30% medium density development. Although there are medium density nodes located in the Plan Area, almost all were actually constructed with single detached dwelling units. Staff has estimated the housing mix for medium density built-form is 0.75% for the Ardagh Secondary Plan and 11.4% for the Ardagh Secondary Planning Area which would include the recently built Manhattan East development at 39 Ferndale Drive.
32. The addition of the two medium density nodes in the Ardagh Secondary Plan is in keeping with the housing mix identified for the area and would assist in moving closer to the overall 20-30% medium density target identified above. In addition, the proposed medium density blocks, consisting of walk-up apartment buildings, are isolated from existing low density neighbourhood. The node to the north would be of a similar built-form to the mixed medium density development on the opposite side of Ferndale Drive South, and will be surrounded by EP lands. The node to the south is also adjacent the EP lands and street townhouses. Single detached dwellings are proposed adjacent the existing single detached neighbourhood to the south.
33. Associated with the designation of the two medium density nodes, the applicant has applied for special density permission for the development to permit up to 70 units per hectare. As with the Official Plan, medium density development is identified as a maximum of 53 units per hectare in the Secondary Plan. The increase in density is due, in part, to the additional EP lands dedicated to the City. Lands identified as EP are not included in the area for a density calculation per Official Plan policy.
34. Staff is satisfied that the additional communal provisions for the site are being met for the development, including adequate amenity space and parking for the increased units. It is therefore staffs' opinion that the policies of the Ardagh Secondary Plan are being met in principle for medium density development.

Zoning By-law

35. The current zoning for the majority of the property is Environmental Protection (EP) with a portion zoned Residential Hold (RH) in the general area of the north site. The Zoning By-law is meant to provide standards to implement the intent of the Official Plan, which in this case, identifies the north site as largely Residential and the south site as Future Urban. Both areas permit development subject to meeting the requirements of the City and partner agencies such as the NVCA. Staff is satisfied with the supporting information submitted with these applications to support development on both the north and south parcel. The proposed zoning configuration is illustrated on Appendix D attached to Staff Report PLN019-13.

36. The proposed RM2 zone for walk-up apartments on the north site permits a development concept that integrates with the development on the opposite side of Ferndale Drive, and does not border any other residential developments. A multiple unit development has a significantly reduced footprint, and can therefore provide a larger buffer area for the adjacent wetland features.
37. The proposed RM2 zone for walk-up apartments on the south site is part of a development concept that transitions from singles and townhouses and walk-up apartments. The medium density block backs onto the wetland buffer area and is not adjacent the existing single detached neighbourhood. As with the north site, staff is supportive of this block because of the significantly reduced footprint. The topography of the area and the visual buffer provided to the existing neighbourhood will limit the potential perceived intrusion of the walk-up apartments.
38. A number of special zoning provisions are required on both the north and south medium density blocks to increase the height of the buildings, to accommodate partial underground parking, and reduce setbacks to accommodate the buildings on the decreased lot size. However, no reductions in parking or the provision of amenity areas is being requested by the applicant. Staff is satisfied that walk-up apartment buildings at an increased density can be supported at this location.
39. The proposed R3 zone is a line of single detached lots adjacent the existing single detached neighbourhood to the south of the site. The existing homes are therefore separated from the proposed medium density development on the south site by a public street and a row of single detached homes. In addition, the existing development would be provided a visual barrier to the new development by a naturalized treed area at the rear of each of the single detached lots.
40. A row of street townhouses zoned RM2-TH is proposed backing onto the EP lands. The depth of the properties was reduced with the increase in buffer area. The applicant has requested a special zoning provision for the street townhouses to permit a 6 metre driveway rather than the 11 metres required for a street townhouse. A 6 metre driveway can properly accommodate a parked vehicle therefore staff has no objection to the reduced driveway length given the overall reduction in lot depth.
41. In accordance with the Draft Plan of Subdivision attached as Appendix G to Staff Report PLN019-13, 23.28 hectares of lands are proposed as EP and will be dedicated to the City. This area includes the Bear Creek Provincially Significant Wetland feature as well as approximately 30 metres of buffer area from both development sites.

Draft Plan of Subdivision

42. A Draft Plan of Subdivision application was submitted concurrent to the Official Plan Amendment and Rezoning applications. The Draft Plan attached as Appendix G to Staff Report PLN019-13, includes the delineation of the Blocks for Residential development, Environmental Protection, Stormwater Management, Roads, Walkways, Road Widening and Reserves.
43. The Draft Plan Conditions are currently being prepared. The conditions will include, but not be limited to, confirmation of zoning conformity, the requirements for final detailed engineering, the provision of satisfactory pedestrian and vehicular improvements on and off site, and implementation of the recommendations in all the reports and plans submitted.

Site Plan

44. The two medium density blocks will be required to submit a Plan of Condominium and go through Site Plan Control prior to development. A Site Plan application (D11-1637) has been submitted for the north site, to be known as the Upper West Side. The technical meeting was held on July 25, 2013.

45. The Site Plan process will address all technical development issues including, but not limited to, confirmation of zoning conformity, servicing infrastructure, transportation improvements, the function of amenity areas, landscaping, fencing and architectural design, to assure the development is of the highest quality.

ENVIRONMENTAL MATTERS

46. The following environmental matters have been considered in the development of the recommendation:
- a) The protection and preservation of the Bear Creek Wetland feature, including mitigation measures for flora and fauna, such as increased buffer areas and turtle nesting beds.
 - b) The inclusion of a naturalized visual barrier for the adjacent residents.

ALTERNATIVES

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

Alternative #1 General Committee could maintain the existing Official Plan designation and Zoning for the subject property (i.e. Status Quo).

This alternative is not recommended as the Future Urban and Residential Hold designations were placed on the parcel to allow for development to take place once the site specific Environmental Impact Study was completed to identify the developable line(s). The applicant has worked cooperatively with City staff, the NVCA, the Ward Councillor and local residents to accommodate their concerns and ultimately create a design that integrates into the existing neighbourhood and provides adequate buffers to the wetland feature.

FINANCIAL

48. The proposed concept for the subject parcel would permit 144 apartments on the north site, and 40 single detached dwellings, 24 street townhomes and 96 apartments on the south site. The estimated property tax for the project is \$319,285 on the north parcel and \$292,679 on the south parcel. That is an increase of \$580,623.06 from the current taxes (2013) of \$31,340.94 for the vacant property.
49. The Development Charges for residential uses can be estimated as \$17,756.00 per apartment unit (assuming all 2 bedrooms), \$22,955.00 per townhouse unit, and \$30,707.00 per single detached unit for a total of approximately \$6,040,640.00 at the current rate.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

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

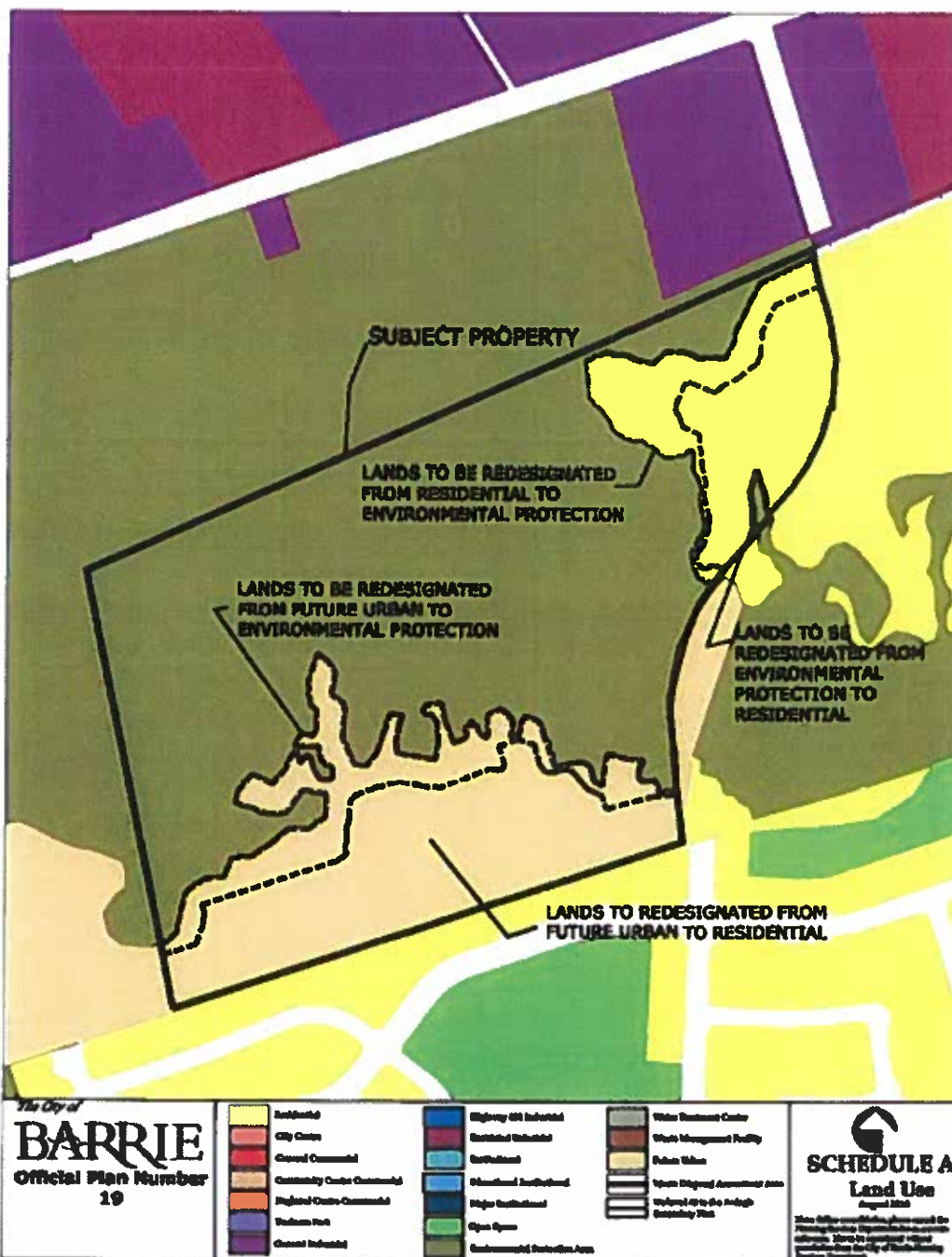
Manage Growth and Protect the Environment

51. Staff worked cooperatively with the applicant, NVCA and the public to achieve a design concept that balanced the opportunity for development with the expanded protection of the Bear Creek Wetland feature. The City would be granted an additional EP land dedication of 1.56 hectares of developable land, over and above the Bear Creek Wetland and the original buffer proposed by the applicant. In exchange, consideration was given to a modified development concept with higher density built-form that has reduced the overall development footprint.

Attachments: Appendix "A" – Proposed Official Plan Schedule A
Appendix "B" – Proposed Official Plan Schedule C – Defined Policy Area
Appendix "C" – Proposed Schedule 2 – Land Use, Ardagh Secondary Plan
Appendix "D" – Zoning By-law Schedule
Appendix "E" – Concept Plan for North Site
Appendix "F" – Concept Plan for South Site
Appendix "G" – Proposed Draft Plan of Subdivision

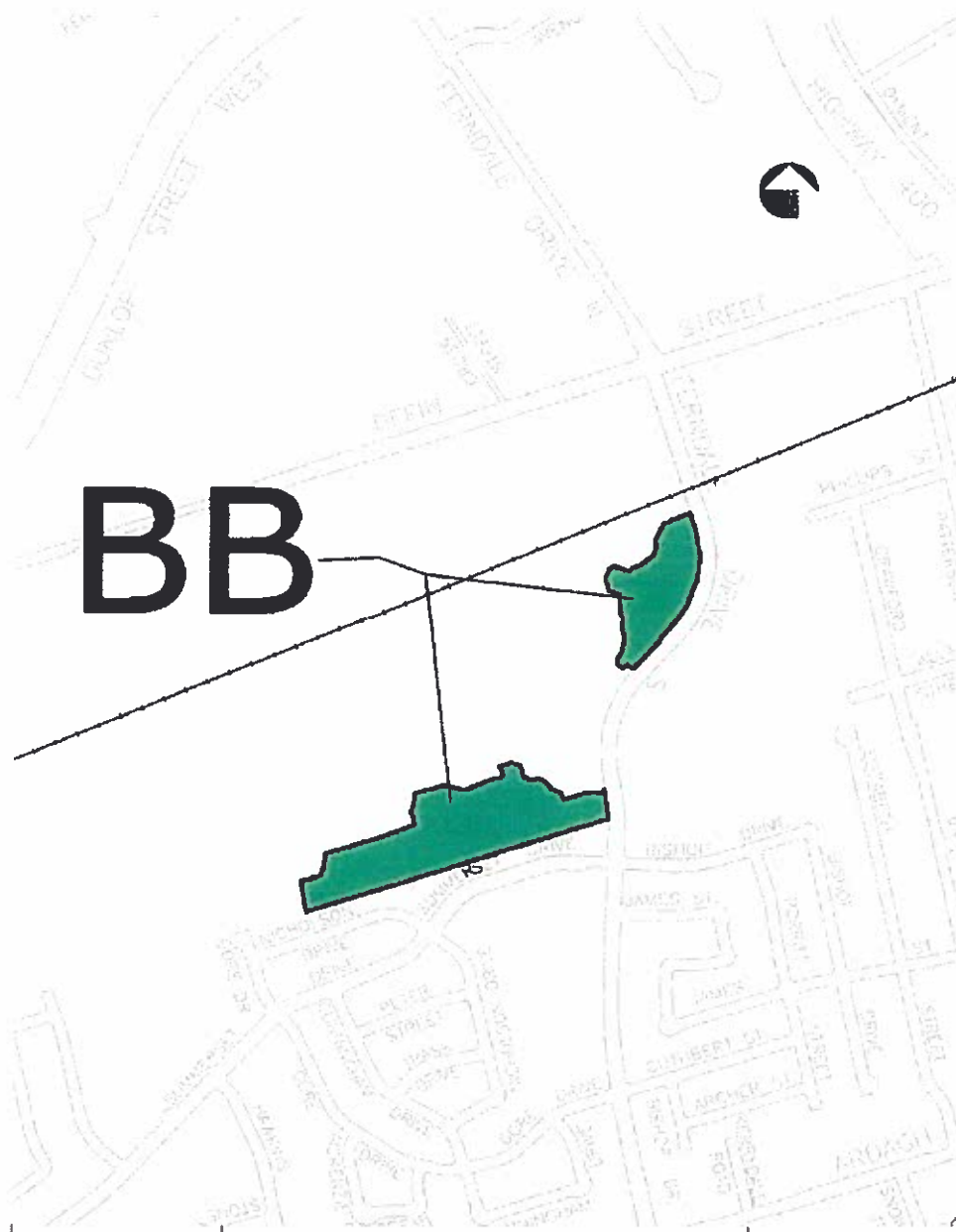
APPENDIX "A"

Proposed Official Plan Schedule A



APPENDIX "B"

Proposed Official Plan Schedule C - Defined Policy Area



The City of
BARRIE
OFFICIAL PLAN
OPA 19

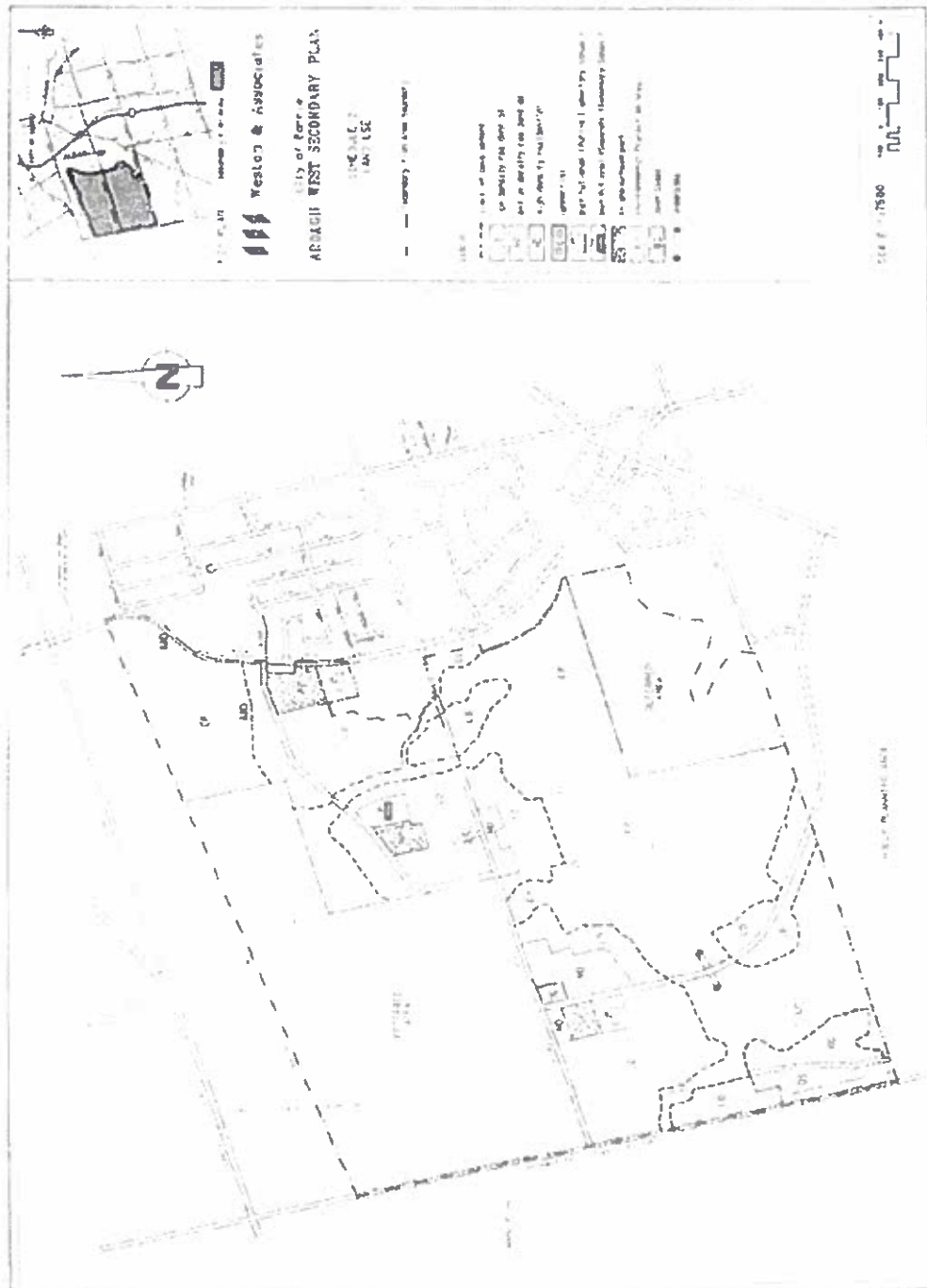
-  DESIGNATED POLICY AREA
-  RESIDENT REVIEW DEMAND
-  CITY BOUNDARY

SCHEDULE C
Defined Policy
Areas

These Designated Areas have been created for Planning Review purposes only. No other information should be used to determine the City of Barrie Planning Department's position.

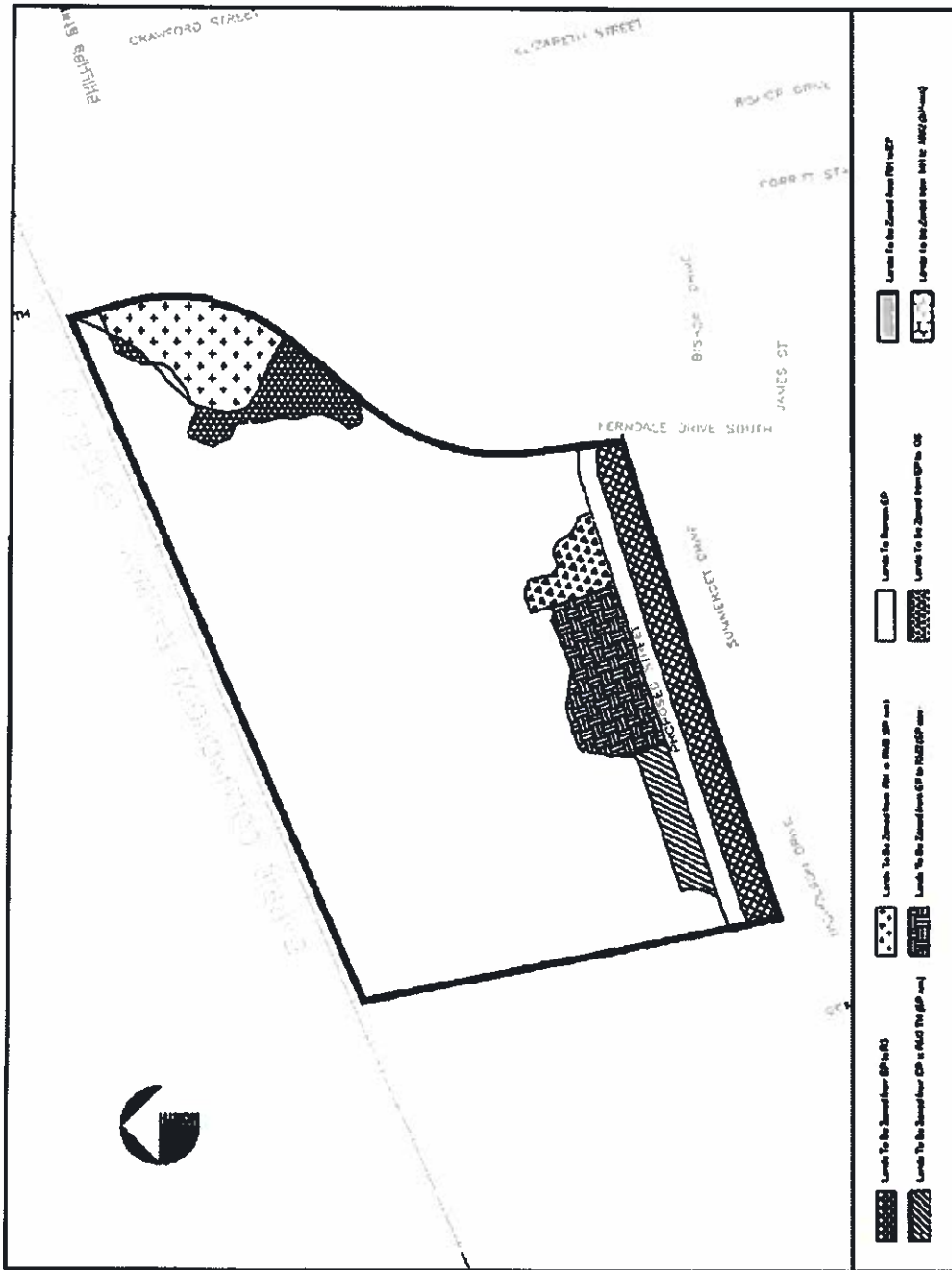
APPENDIX "C"

Proposed Schedule 2 – Land Use, Ardaah Secondary Plan



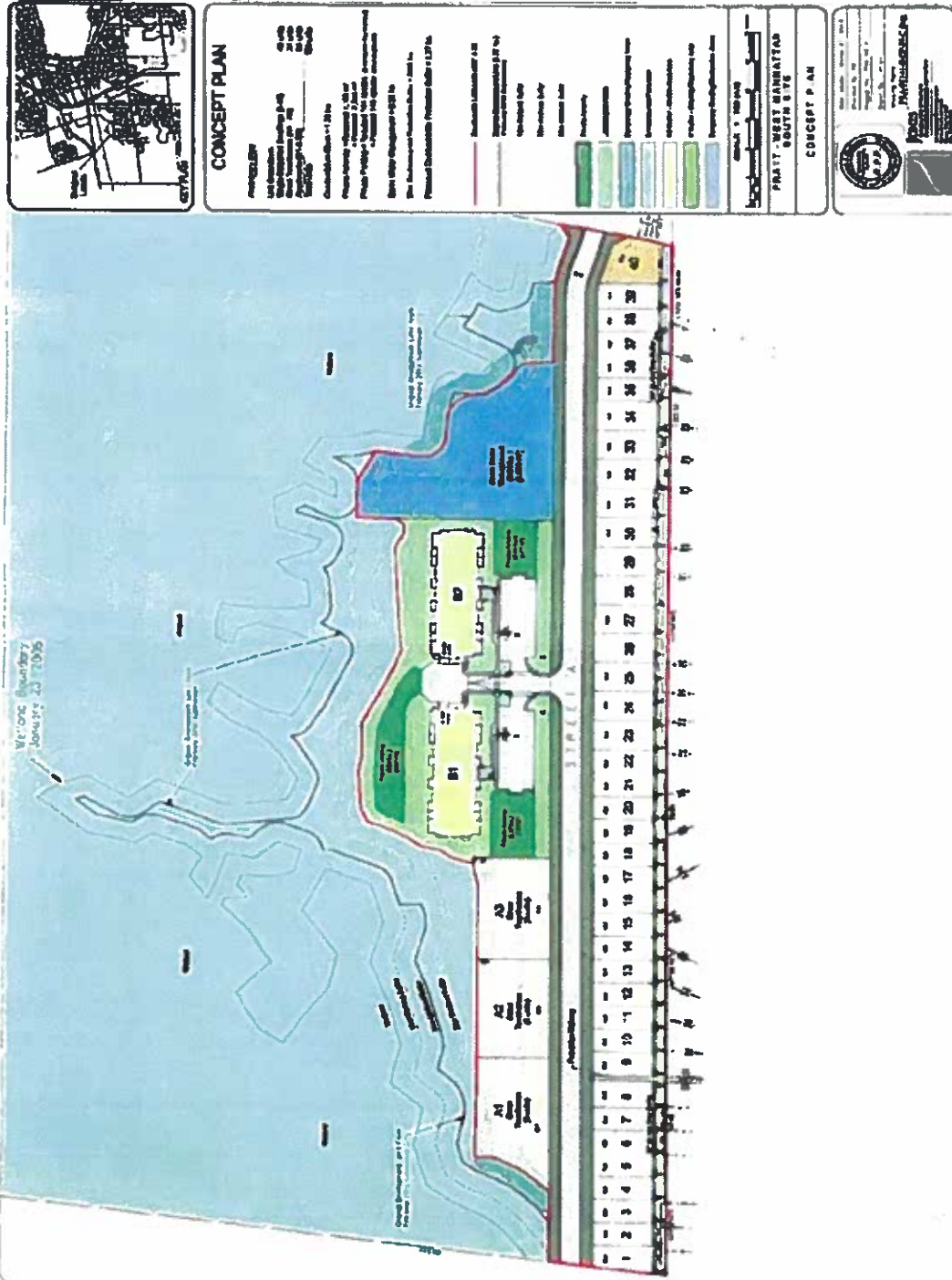
APPENDIX "D"

Proposed Zoning By-law Schedule



APPENDIX "F"

Concept Plan for South Site





City Clerk's Office
COUNCIL DIRECTION MEMORANDUM

TO: Director of Legal Services – register by-law / note
 City Clerk – Dawn – note
 Director of Planning – note – prepare map
 Director of Engineering – note
 Director of Building and By-law Services note

FROM: Dawn McAlpine, City Clerk

DATE APPROVED
 BY COUNCIL: September 30, 2013

13-G-219 OFFICIAL PLAN & ZONING BY-LAW AMENDMENT FOR 40 FERNDAL DR. S. TO PERMIT LOW AND MEDIUM DENSITY RESIDENTIAL ON TWO SEPARATE SITES ADJACENT THE BEAR CREEK WETLAND (WARD 6)

That the following motion be considered by City Council on September 30, 2014:

1. That the application submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.) for lands identified as Part of the North Half of Lot 4 and Lot 5, Concession 14 to amend the Official Plan to permit residential development be approved to include the following (D09-OPA019):
 - a) Amend Official Plan Schedule "A" - Land Use to designate the subject lands as Environmental Protection and Residential as illustrated in Appendix "A" attached to Staff Report PLN019-13;
 - b) Amend Official Plan Schedule "C" - Defined Policy Area to identify the Residential parcels as Defined Policy Area BB as illustrated in Appendix "B" to Staff Report PLN019-13;
 - c) Add text to the Official Plan Section 4.8 - Defined Policy Areas as follows:

4.8.13 Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.
 - d) Amend Schedule 2 - Land Use of the Ardagh Secondary Plan to designate the subject lands as Environmental Protection, Low Density Residential and Medium Density Residential as illustrated in Appendix "C" attached to Staff Report PLN019-13; and
 - e) Add text to the Ardagh Secondary Plan Section 2.5.1.4 - Residential Densities (Medium Density) Policies as follows:

- 2.5.1.4 m) Notwithstanding Section 2.5.1.4, Part of the North Half of Lot 4 and 5, Concession 14 shall be permitted medium density residential units as four storey walk-up apartments to a maximum density of 70 units per net hectare.
2. That the application, submitted by the Jones Consulting Group Ltd. on behalf of Pratt Development (998817 Ontario Inc. and 433513 Ontario Inc.), to amend the Zoning By-law from Environmental Protection (EP) and Residential Hold (RH) to Residential Single Detached Third Density (R3), Residential Multiple with Special Provisions (RM2-SPXXX)(RM2-SPXXX), and Residential Multiple Townhouse with Special Provisions (RM2-TH SPXXX) on the property legally described as Part of the North Half of Lot 4 and 5, Concession 14, be approved as illustrated in Appendix "D" attached to Staff Report PLN019-13.
 3. That the following Special Provisions (SP) be referenced in the implementing Zoning By-law:
 - a) RM2 (SP-XXX) identified as Block 45 on Appendix "G" to Staff Report PLN019-13:
 - i) Permit a maximum of 144 residential units to a maximum density of 70 units per hectare;
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres;
 - iii) Permit a rear yard setback of 5 metres;
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units;
 - v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking;
 - vi) Permit a maximum of 50 surface parking stalls in the front yard;
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan;
 - viii) Permit a 0 metre landscape buffer area along the side and rear property line to any parking area;
 - ix) Permit an accessory structure (utility building) to be located in the front yard to a maximum size of 17m²;
 - x) Permit a maximum gross floor area of 70%;
 - xi) Permit construction columns in the structured parking area to encroach into the required parking space;
 - xii) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a

secondary means of access to the exterior area at ground level;
and

- xiii) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan.
- b) RM2 (SP-XXX) identified as Block 44 on Appendix "G" to Staff Report PLN019-13:
- i) Permit a maximum of 96 residential units and a maximum density of 70 units per hectare;
 - ii) Permit 4-storey walk-up apartment buildings to a maximum building height of 18 metres;
 - iii) Permit a rear yard setback of 5 metres;
 - iv) Require a minimum of 45% of the parking spaces for the apartment buildings be provided as structured/enclosed parking below the residential units;
 - v) Require a minimum of 3% of the parking spaces to be dedicated to barrier free and accessible parking;
 - vi) Permit a maximum of 65 parking stalls in the front yard;
 - vii) Permit the required outdoor amenity area of 12m² per unit to be unconsolidated and inclusive of the required rear/side yard setback in accordance with the approved Site Plan;
 - viii) Permit a maximum gross floor area of 78%;
 - ix) Permit construction columns in the structured parking area to encroach into the required parking space;
 - x) Permit a minimum of 5 metres of landscape open space from the face of the building wall for each ground floor unit with a secondary means of access to the exterior area at ground level;
and
 - xi) Permit accessory buildings and structures to exceed a total of 50m² for the site in accordance with the approved Site Plan; and
- c) RM2-TH (SP-XXX) identified as Blocks 41-43 on Appendix "G" to Staff Report PLN019-13:
- i) Permit a minimum driveway length of 6 metres for street townhouses.

4. That no further notice is required in accordance with Section 34 (17) of the Planning Act. (PLN019-13) (File: D14-1533)