



Powell Planning & Associates

Evolution through planning & development

81 MARY STREET
BARRIE, ONTARIO

PLANNING JUSTIFICATION REPORT

MARCH 2022



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647-828-2467



PLANNING JUSTIFICATION REPORT

Application for Minor Variance

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Table of Contents

1.0 INTRODUCTION	Page 1
1.1 Overview	Page 1
2.0 BACKGROUND	Page 2
2.1 Pre-Consultation and Supporting Documents	Page 2
3.0 SITE DESCRIPTION & SURROUNDING LAND USES	Page 3
3.1 The Site	Page 3
4.0 PROPOSED DEVELOPMENT	Page 4
4.1 The Development	Page 4
5.0 PLANNING ANALYSIS	Page 5
5.1 The <i>Planning Act</i>	Page 5
5.2 The Provincial Policy Statement, 2020	Page 9
5.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020	Page 12
5.4 Lake Simcoe Protection Plan, 2009	Page 15
5.5 City of Barrie Official Plan, 2018	Page 17
5.6 City of Barrie Zoning By-law 2009-141, 2021	Page 26
5.7 Proposed Minor Variances	Page 27
6.0 CONCLUSION	Page 30
FIGURES	
Figure 1: Context Map	
Figure 2: Aerial	
Figure 3: Surrounding Land Uses	
Figure 4: Schedule D: Roads Plan	
Figure 5: Schedule B: Planning Areas	
Figure 6: Site Plan	
Figure 7: Schedule A: Land Use	
Figure 8: Schedule I: Intensification Areas	
Figure 9: Schedule G: Drinking Water System Vulnerable Areas	
Figure 10: City of Barrie Zoning By-law 2009-141	
TABLES	

Table 1 – Variance Site Statistics



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1.0 Introduction

1.1 Overview

Powell Planning & Associates (PPA) has been retained by Gerry Lemos (the Landowner) to provide a request for consideration for Minor Variance for the purposes of developing a three-storey multi-use residential/commercial building on the lands municipally known as 81 Mary Street, legally described as Plan 17 N PT Lot17, City of Barrie. See **Figure 1: Context Map**

This Report will review the merits of the proposed development in accordance with Provincial, and Municipal land use policy to establish how the proposal demonstrates good planning. This Report will also demonstrate how the proposed application meets the Four Tests that must be met for the approval of a Minor Variance, in accordance with Section 45(1) of the *Planning Act*. The following documents have been reviewed in this regard:

- *Planning Act*, R.S.O., 1990
- Provincial Policy Statement (2020)
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)
- Lake Simcoe Protection Plan; (2009)
- City of Barrie Official Plan (2018)
- City of Barrie Zoning By-law 2009-141 (2021)



2.0 Background

2.1 Pre-Consultation and Supporting Documents

A Pre-Consultation application was submitted to the City of Barrie in March 2021, and a Technical Meeting was held on Thursday April 22, 2021 for City Staff to review and provide comment on the proposed redevelopment of 81 Mary Street. This proposal would result in the development of a three-storey, mixed use residential/commercial building with on-site parking. The ground floor would be occupied by personal service use and the upper two storeys would house four residential units.

The City of Barrie provided initial comments to the Applicant on April 20, 2021, and in an on-going manner, into the Fall of 2021 based on the originally proposed Plan. The originally proposed site plan has since been reconfigured based on City Staff comments, which note that, among other matters, an application for Minor Variance is required in accordance with the City of Barrie's Zoning By-law 2009-141 to facilitate the proposed development, alongside the submission of a Parking Study.



3.0 Site Description & Surrounding Land Uses

3.1 The Site

Rectangular in shape, the site is located in the periphery of Downtown Barrie, east of Highway 400. Specifically, the subject lands are located on the northeast side of Mary Street, and are immediately surrounded by single detached residential dwellings and commercial development to the north, east, south and west. The rear yard of the subject lands backs onto an existing surface parking lot with access to Maple Avenue. See **Figure 2: Aerial** for the specific site configuration. The subject lands are approximately 506.5 square metres (5451.92 square feet) in area with 12.57 metres (41.24 feet) of frontage on Mary Street, and are serviced with full municipal water, sewer and waste collection services. **Figure 3: Surrounding Land Uses** further demonstrates the built form in the immediately surrounding area. The subject lands are currently vacant in accordance with the November 2020 demolition of the former single-detached house. No environmental or significant natural heritage features are identified on, or immediately adjacent to the proposed development. Mary Street is classified as a Local Road, in accordance with Schedule 'D' of the City's Official Plan, as per **Figure 4: Schedule D Roads Plan**. Located in the City of Barrie's 'Commercial' Planning Area, walkability, active transportation and mixed uses are all characteristics of the subject area and proposed development that will continue. See **Figure 5: Schedule B: Planning Area**.

4.0 Proposed Development

4.1 The Development

The proposed development would result in the creation of a new 3-storey multiple residential building with ground floor commercial and a total of four (4) residential units. The proposed development offers a density of 80 units/ha, and 160 residents and jobs/ha. Parking will be located towards the rear of the site, with provisions for five spots in total, one being accessible. An asphalt driveway will border the property's north lot line, whereas enhanced landscaping will be provided fronting onto Mary Street. The site has been designed to respect and enhance accessibility features including a front entrance ramp and curb ramp located towards the rear of the building. Snow storage will be provided in the soft landscaping areas at the rear of the site alongside provisions for outdoor bicycle parking spaces for visitors. Five vehicular parking spaces are provided, including one accessible spot. See **Figure 6: Site Plan** for a detailed capture of the site's future development.

To implement the proposed development, two *Planning Act* applications are required;

- i) a Minor Variance application for relief from the 'Transition Centre Commercial' (C2-1) provisions of the Zoning By-law 2009-141 for the side yard setback, commercial floor area, commercial parking spaces and the drive aisle; and
- ii) Site Plan Control, which will be submitted following this application

5.0 Planning Analysis

This section of the planning justification provides a detailed analysis of the proposed development in the context of the following provincial, regional and local policy.

5.1 The *Planning Act*

The *Planning Act*, R.S.O, 1990 (the “*Planning Act*”), as amended, is the legislative document that controls land use planning and development approvals in the Province of Ontario. Section 2 outlines matters of Provincial Interest, which municipalities shall have regard to when making land use planning decisions, including the orderly development of safe and healthy communities, the appropriate location of growth and development, and the promotion of a built form that is well designed and encourages a sense of place.

The proposed development aligns with the following Provincial interests, as outlined in the *Planning Act*:

(a) the protection of ecological systems, including natural areas, features and functions;

The proposed development is located in an area in which a number of ecologically sensitive features exist including; a significant groundwater recharge area, Well Head Protection Area, and Highly Vulnerable Aquifer. The appropriate technical supporting documentation including a stormwater management plan will be prepared to support the Site Plan application which demonstrates that the proposed development will not adversely affect these features or their functions. The reports will be submitted to the Lake Simcoe Conservation Authority and the City of Barrie for review and the recommendations and mitigation measures will be appropriately implemented, as necessary.

(e) the supply, efficient use and conservation of energy and water

The proposed development will be a complete rebuild, that will utilize modern technology and energy systems to increase the site’s efficiency and utilization of energy and available water.

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;



The proposed development aims to make efficient use of the existing transportation network, water and wastewater infrastructure and waste management systems by allowing for appropriately scaled density in an urban area, and better developing an underutilized site.

(h) the orderly development of safe and healthy communities;

The proposed mixed-use development includes both ground floor commercial and upper storey multiple residential units. The intensified use of the property will result in additional “eyes on the street”, which positively impacts the neighbourhood safety. The proposed units are in an area accessible to transit routes and pedestrian links and are in proximity to commercial, retail and recreational uses.

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

The proposed development offers accessibility features such as front and rear yard ramps to access the commercial space, and one accessible parking space.

(j) the adequate provision of a full range of housing, including affordable housing;

The proposed development offers four residential units that offers much needed density and diversification of housing options than what exists in the immediate area, and than what was originally on the site. By adding more attainable units to the housing stock, opportunities for affordability and attainability are increased.

(k) the adequate provision of employment opportunities;

The proposed development offers commercial space on the ground floor of the site, therefore contributing to employment targets.

(p) the appropriate location of growth and development;

By developing on a lot that is already serviced and located in an urban area, this proposal is successful in fostering growth and development where it is meant to occur.

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;



The subject site is directly serviced by a side walk to facilitate active transportation, oriented towards pedestrians. The subject property is also very well serviced by all of Barrie Transit's Routes, where as transit either runs directly on Mary Street, or a Route and Stop is within close proximity/walking distance to the subject site, as per below:

- 1A Georgian Mall
- 1B Welham (direct service on Mary Street)
- 2A Dunlop (direct service on Mary Street)
- 2B Park Place
- 3A Bayview (direct service on Mary Street)
- 3B Painswick
- 4A East Bayfield
- 4B South GO
- 5A Edgehill
- 5B Wellington
- 6A Letitia (direct service on Mary Street)
- 6B College
- 7A Grove
- 7B Bear Creek
- 8A RVH/Yonge (direct service on Mary Street)
- 8B Crosstown/Essa
- 100A Red Express
- 100B Blue Express
- 100C Red Express
- 100D Blue Express

There is a pronounced availability of Transit to the subject site in accordance with its proximity to Downtown Barrie. The necessity to have reduced parking standards on site is well supported by the site's characteristics that foster active transportation. This matter is further identified in the March 17th, 2022 Parking Study prepared by JD Northcote Engineering Inc. which concludes that the subject site is suited for a car-free lifestyle due to its proximity to transit, the presence of supporting municipal on-street parking and parking lot infrastructure, and surrounding land uses.



Therefore, the subject site offers an appropriate ratio of on-site vehicular and bicycle parking for residents and visitors.

The *Planning Act* also enables a municipal Committee of Adjustment to authorize variances from the provisions of the municipality's Zoning By-law. The requested variance(s) must meet the four tests as prescribed by Section 45(1) of the *Planning Act*.

The application must:

- I. be minor in nature,
- II. be desirable for the appropriate development or use of the land, building(s) or structure(s),
- III. maintain the intent of the Zoning By-law; and
- IV. maintain the intent of the Official Plan

In accordance with the Site Plan, four minor variances are required to facilitate the subject development as proposed, including variances from:

1. the minimum side yard,
2. the minimum drive aisle width,
3. the minimum commercial lot coverage; and
4. the minimum amount of commercial parking

The proposed development aligns with the aforementioned provincial interests and therefore represents good planning in accordance with the *Planning Act*.



5.2 The Provincial Policy Statement, 2020

The 2020 Provincial Policy Statement (PPS) is a broad-range policy document that provides direction for managing and directing land use to achieve efficient development and land use patterns across Ontario. The PPS promotes the focus of urban growth to settlement areas and away from significant or sensitive resources. Growth is to be obtained through efficient development patterns which optimize the use of land, resources and public investment in infrastructure and public service facilities. The PPS promotes a mix of housing types and intensification within the urban area and the efficient use of municipal services.

Overall, the PPS broadly identifies that healthy, livable and safe communities are sustained by, among other matters, promoting efficient development and land use patterns, accommodating a range and mix of land uses, and promoting cost effective development patterns.

The following PPS policies are of particular relevance to the redevelopment of the subject lands:

Section 1.1.1 states that *“healthy, liveable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) *accommodating an appropriate range and mix of residential....employment (uses), (including commercial),and other uses to meet long-term needs;*
- c) *avoiding development and land use patterns which may cause environmental public health and safety concerns; ...*
- e) *promoting the integration of land use planning, growth management, transit supportive development, intensification and infrastructure planning to achieve cost effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;...”*

The proposed development meets these broad policies of the PPS. The proposed development seeks to implement an efficient land use pattern, provide mixed use development in the form of commercial and residential units, which makes efficient use of land and resources. Finally, the proposal can be described as transit supportive and is located within walking distance of existing arterial roads.



Policy 1.1.3.1: “Settlement areas shall be the focus of growth and development.”

Policy 1.1.3.2: “Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;....”

Policy 1.1.3.3: “Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated....”

Policy 1.1.3.4: “Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”

Policy 1.4.3: “Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) Permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;....”

Policy 1.6.6.2: “Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and

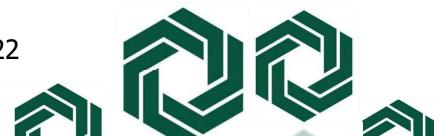


municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.”

The proposed development offers a compact, mixed-use, urban form that is consistent with the policies of the PPS. The subject lands are located within the ‘City Centre’ designation of the City of Barrie’s Official Plan, where full municipal services are available. The PPS indicates that full municipal services are the preferred form of servicing for settlement areas and the utilization of existing services should be optimized. The subject lands have full municipal water and sewer services and the proposed, more intensive, mixed-use of the subject lands is consistent with the servicing and infill policies of the PPS.

Residential intensification, additional, much needed diversified housing, that is transit supportive will result from the proposed development, to the benefit of the City. The proposed development is located in an appropriate area to accommodate additional growth, as evidenced by the designation of the lands within the City of Barrie Official Plan, as discussed in later sections of this report. The proposed development will not have impact on the natural environment, as there are no significant natural heritage features identified on, or in direct proximity to the subject property. Similarly, due to both the subject land’s location and current state, the development is not anticipated to have an impact on stormwater management or groundwater resources during, or following construction, as demonstrated in the supporting technical documentation being prepared for submission in support of the development.

The proposed development aligns with many provincial policies and the intent, and overall direction of the province as to how and where growth is to occur. Therefore, the proposal represents good planning in accordance with the 2020 Provincial Policy Statement.



5.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) 2020 provides a policy framework for implementing Ontario’s vision for building stronger communities by better managing growth in the Greater Golden Horseshoe, which includes the City of Barrie. The Growth Plan directs growth to settlement areas and prioritizes intensification and a compact built form, where mixed uses are also encouraged.

Similar to the intent of the PPS, the Growth Plan provides a policy framework to build complete communities that are well designed, offer transportation choices, accommodate people at all stages of life, with a mix of housing, range of employment options and access to services to meet daily needs.

The subject property is located within the City of Barrie built boundary. Urban development is permitted within the built boundary, based on the principle of supporting the achievement of forecasted residential and employment growth within ‘Complete Communities’. Below is an analysis of the key Growth Plan policy statements that are relevant to this proposal:

Policy 2.2.1.2: *“Forecasted growth to the horizon of this Plan (2041) will be allocated based on the following:*

a) the vast majority of growth will be directed to settlement areas that:

- i. have a delineated built boundary;*
- ii. have existing or planned municipal water and wastewater systems; and*
- iii. can support the achievement of complete communities...*

c) within settlement areas, growth will be focused in:

- i. delineated built-up areas;*
- ii. strategic growth areas;*
- iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*



iv. areas with existing or planned public service facilities.”

Policy 2.2.1.3: “Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this plan, which will:

c) provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.”

Policy 2.2.1.4 “Applying the policies of this Plan will support the achievement of complete communities that:

a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;

c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;

d) expand convenient access to:

i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;

ii. public service facilities, co-located and integrated in community hubs;

iii. an appropriate supply of safe, publicly accessible open spaces, parks, trails, and other recreational facilities;...

e) provide for a more compact built form and a vibrant public realm, including open spaces;”

Policy 2.2.2.1 “By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:

a) A minimum of 50 per cent of all residential development occurring annually...will be within the delineated built-up area; ...”

Policy 2.2.2.3 “All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout the delineated built-up areas, which will:



- c) encourage intensification generally throughout the delineated built-up area;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;”

Policy 2.2.6.1 “Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:

a) *Support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*

- i. *identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents ...”*

Policy 4.2.10.1 “Upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with the Ontario Climate Change Strategy, 2015 and the Climate Change Action plan, 2016 that will include:

- a) *supporting the achievement of complete communities as well as the minimum intensification and density targets in this Plan;*
- b) *reducing dependence on the automobile and supporting existing and planning transit and active transportation; ...”*

Overall, the proposed development provides an opportunity for mixed-use intensification within a settlement area, within a delineated built boundary, that is serviced by full municipal water and sewer services. The proposed Minor Variances will implement the necessary land use permissions required to facilitate the proposed built form consistent with the existing land use provisions contained within the City of Barrie Official Plan, as detailed in Section 5.5 of this report.

This proposed development aligns with many provincial objectives and directives found in the Growth Plan. Specifically, in regard to allocating growth and development where it is meant to occur, in accordance with the availability of servicing, while offering a product that is in line with the principles of creating complete, diverse communities. Therefore, based on the analysis of these policies, this proposal represents good planning in accordance with the Growth Plan, 2020.



5.4 Lake Simcoe Protection Plan, 2009

The Lake Simcoe Protection Plan (LSPP) is a policy and implementation document that guides efforts to protect and restore the ecological health of the Lake Simcoe Watershed. The Lake Simcoe Protection Act, 2008 provides the authority for the establishment of the LSPP, 2009 and requires that decisions under the *Planning Act* conform to the applicable designated policies of the Plan and have regard for the other applicable policies.

The following designated policies of the LSPP were identified by the Lake Simcoe Conservation Authority as being potentially relevant to this development proposal:

“4.8-DP: An application for major development shall be accompanied by a stormwater management plan that demonstrates:

- a. consistency with stormwater management master plans prepared under policy 4.5, when completed;*
- b. consistency with subwatershed evaluations prepared under policy 8.3 and water budgets prepared under policy 5.2, when completed;*
- c. an integrated treatment train approach will be used to minimize stormwater management flows and reliance on end-of-pipe controls through measures including source controls, lot-level controls and conveyance techniques, such as grass swales;*
- d. through an evaluation of anticipated changes in the water balance between pre-development and post-development, how such changes shall be minimized; and*
- e. through an evaluation of anticipated changes in phosphorus loadings between pre-development and post-development, how the loadings shall be minimized.”*

“6.40-DP: Outside of the Oak Ridges Moraine area, an application for major development within a significant groundwater recharge area shall be accompanied by an environmental impact study that demonstrates that the quality and quantity of groundwater in these areas and the function of the recharge areas will be protected, improved or restored.”

Major development is defined by the LSPP and the Lake Simcoe Phosphorus Offsetting Policy (LSPOP) as development which consists of:



- a. the creation of four or more lots;
- b. the construction of a building or buildings within a ground floor area of 500m² or more; or
- c. the establishment of a major recreational use.

In accordance with these thresholds, the development does not constitute as major development. However, the development has been designed in accordance with best practices to effectively manage stormwater and mitigate any risks associated with construction and as such, represents good planning and is both consistent with and has regard for the intent of the LSPP.



5.5 City of Barrie Official Plan, 2018

The proposed development is located within the 'City Centre' designation, with the 'Urban Growth Centre' (UGC) of the City of Barrie Official Plan (OP), as shown on **Figure 7: Schedule A: Land Use** and **Figure 8: Schedule I: Intensification**. The subject site is also located within the Historic Downtown Neighbourhood and is therefore required to address the policies and provisions of the Historic Neighbourhood Strategy.

It is the intent of the OP to accommodate the projected needs for residential, employment and other lands in order to achieve a complete community with an appropriate mix of jobs, local services and housing. The OP encourages the continued expansion and diversification of the City's economic base and strives to achieve an appropriate balance between employment and residential land uses.

The following general policies apply to the subject lands:

"3.1.1 (a) To accommodate projected needs for residential, employment, and other lands in order to achieve a complete community with an appropriate mix of jobs, local services, housing, open space, schools, and recreation opportunities.

(b) To encourage and accommodate the continued expansion and diversification of the City's economic base with regard to the industrial, commercial, tourism, and institutional sectors in order to strengthen the City's role as the area's principal employment centre and to achieve an appropriate balance between employment and residential land uses.

(e) To direct growth to take advantage of existing services and infrastructure where possible, and to minimize the cost of infrastructure extension."

"3.1.2.2 (d)

The approval of specific development applications shall be governed by the following principles:

- i) encouraging a mix and form of housing that supports affordable housing and specialty needs housing;*
- ii) giving priority to lands adjacent to existing development;*
- iii) sequential development of neighbourhood facilities;*



- iv) provision of community facilities and urban services with emphasis on using existing sewage and water services where possible;
- v) provision of schools and parks;
- vi) provision of sidewalks and access to public transit.
- vii) sequential construction of collector roads and access to arterial and boundary roads;
- viii) sequential construction of sanitary sewer and watermain extensions and electrical distribution systems;
- ix) adequacy of storm drainage; and,
- x) protection of the environment and significant natural resources.”

“3.1.2.3 b)

By 2015, and for each year thereafter, at least 40% of residential unit development shall be directed to the area within the built-up area as identified on Schedule I – Intensification Areas of the Plan”

“3.1.2.3 c)

The City’s Growth Management Strategy identifies that the built-up area, as identified on Schedule I, can accommodate an additional 13,500 housing units, of which 39% are in the Urban Growth Centre and 61% are outside the Urban Growth Centre.”

“3.3.1 a) *To provide for an appropriate range of housing types, unit sizes, affordability and tenure arrangements at various densities and scales that meet the needs and income levels of current and future residents.*

b) *To ensure that the quality and variety of the housing stock is maintained and improved.*

c) *To promote building designs and densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support and contribute to safe, vibrant, pedestrian and cyclist-friendly streetscapes,*



d) To ensure the development of complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.

e) To encourage all forms of housing required to meet the social, health and well-being requirements of current and future residents including special needs requirements.

f) To direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and future population.”

“3.3.2.1 a) The City will encourage the maintenance of reasonable housing costs by encouraging a varied selection with regard to size, density and tenure. The Zoning By-law will be amended to allow for innovative housing where it is recognized to be in accordance with good land use planning principles.

b) The City shall support programs and policies encouraging a wide range of housing opportunities including rental housing in order to meet identified housing needs in accordance with good land use planning principles.

c) The City shall encourage residential revitalization and intensification throughout the built-up area in order to support the viability of healthy neighbourhoods and to provide opportunities for a variety of housing types. Residential intensification includes secondary suites, conversion of existing housing into multiple unit forms, infill, redevelopment of clean and brownfield sites, and other innovative strategies. The review process for intensification applications will include consideration of the existing and planned character and lot fabric of the area as well as the intensification and density targets of this Plan. The City may specify standards in the implementing Zoning By-law for matters such as minimum densities, built form, height and setbacks to regulate the physical character of residential intensification and revitalization. Area specific Urban Design Guidelines will be developed to address built form including exterior design features

d) The City will direct that new residential development be at densities that are consistent with this Plan and encourage the creation of complete, mixed-use communities that include the integration and use of transit and active transportation.



g) The City will direct that new residential development be at densities that are consistent with this Plan and encourage the creation of complete, mixed-use communities that include the integration and use of transit and active transportation.”

“3.3.2.2 a) It is a goal of this Plan to achieve a minimum target of 10% of all new housing units per annum to be affordable housing in accordance with the following criteria: In the case of home ownership, the least expensive of (1) housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households; or (2) housing for which the purchase price is at least 10% below the average purchase price of a resale unit in the regional market area. In the case of rental housing, the least expensive of (1) a unit for which the rent does not exceed 30% of gross annual household income for low and moderate-income households; or (2) a unit for which the rent is at or below the average market rent of a unit in the regional market area.

b) Low, medium and high-density housing that will facilitate the availability of affordable housing will be encouraged where it is in accordance with the intent of the Official Plan.

c) Affordable housing will be encouraged to locate in close proximity to shopping, community facilities, and existing or potential public transit routes such as arterial or collector roads.”

“3.3.2.2 d) Consideration will be given to modifications to existing zoning and servicing standards that will facilitate the provision of affordable housing units in new residential developments where such revisions are in accordance with the intent of the Official Plan.”

“3.5.2.3.3 a) Schedule G identifies areas where the variety of permitted land uses may be limited in order to protect groundwater resources.

b) The City will work in partnership with the County of Simcoe, adjacent municipalities, the Conservation Authorities, provincial ministries, the Health Unit and other partners to protect, maintain and enhance groundwater and surface waters to:

i) minimize and prevent the potential negative impacts of land use practices or development on groundwater; and

ii) restrict or limit development and land use on lands containing wells and well head protection areas identified on Schedule G.



c) The City may require a risk assessment and/or hydrogeology analysis where there is potential for a proposed development to pose significant risk to a vulnerable aquifer located in one of the well head protection areas identified on Schedule G.

d) The risk assessment which shall be completed to the satisfaction of the Ministry of the Environment and in consultation with the respective Conservation Authorities, where appropriate, and the City shall address the following:

- i) existing groundwater quality and local hydrogeological setting;**
- ii) nature of any predicted adverse impacts;**
- iii) the ability to eliminate or effectively mitigate these impacts; and**
- iv) the proposed mitigation measures.”**

“4.2.2.3 a) In areas where secondary plans have been prepared and adopted by the City, a determination has been made with regard to the appropriate location and concentrations of low, medium and high-density housing. In these areas, any additional medium or high-density residential proposals must proceed by way of amendment to this Plan. In areas where a secondary plan is not in effect, the locational criteria outlined in the remainder of this section shall apply.

b) Medium and high-density residential development shall be encouraged to locate in the Intensification Nodes and Corridors identified on Schedule I, and generally directed towards areas that are:

- i) adjacent to arterial and collector roads;**
- ii) in close proximity to public transit, and facilities such as schools, parks, accessible commercial development; and**
- iii) where planned services and facilities such as roads, sewers and watermains, or other municipal services are adequate.**

e) Convenience Commercial uses may be permitted in suitable locations generally at the intersection of collector roads and local roads in a location central or easily accessible to the neighbourhood trade area.”



“4.2.2.6 c) Intensification will contribute to development that is more compact and will efficiently use land and resources, optimize the use of existing and new infrastructure and services, support public transit and active transportation, contribute to improving air quality and promoting energy efficiency.

“4.3.1 a) To maintain, enhance and support the City's role as the primary commercial/service centre of the region.

b) To encourage the maintenance and expansion of commercial/service sector activity through the adoption of land use designations and policies which will complement and enhance the efforts of the private sector in the provision of goods, services and employment opportunities.

c) To promote a distribution of commercial facilities that provide a high level of convenience and accessibility for residents and limit the need for travelling extensive distances for minor purchases and local service facilities.

d) To minimize the impacts of retail and other service development on adjacent land uses and on the traffic carrying capacity of area roads.”

“4.3.2.1

(a) There are five categories of commercial land uses established by this Plan as shown on Schedule A – Land Use: (Mod E (aa))

- 1. City Centre;**
- 2. Regional Centre;**
- 3. Community Centre;**
- 4. General Commercial; and**
- 5. Convenience Commercial.**

(b) The design, appearance and scale of new commercial development shall be in harmony with adjacent land uses and adequate screening, buffering and noise protection for adjoining residential uses shall be provided. Pedestrian accessibility, including barrier-free access, shall be considered in the design of new commercial development.

(c) Where new commercial development or redevelopment occurs, adequate off-street parking and off street loading facilities shall be provided except within the City Centre designation where the provision of these facilities shall be encouraged wherever feasible. In addition,



commercial uses shall provide adequate parking which is accessible for persons with disabilities within close proximity to the access door.

- (d) *The impact of commercial development on the safe and efficient movement of traffic, both vehicular and pedestrian, shall be minimized by encouraging shared access points including the use of cross access easements, for and between commercial developments as well as the provision of barrier-free pedestrian linkages between residential and commercial areas.*
- (e) *The City may require the proponents of any application for commercial development not provided for in this Plan and the Zoning By-law to submit detailed impact studies. Impact studies may, among other matters, include an analysis of the impact of new development on existing shopping areas, the downtown core, traffic and public transportation. In reviewing an application, Council shall place greater emphasis on the merits of the application based on sound land use planning principles including location criteria, compatibility with surrounding uses and compatibility with the goals and policies of this Plan.*
- (f) *Retail warehouse uses shall only be permitted on commercially designated lands. In recognition of their regional trade area, these uses will be encouraged to locate along County roads and major arterial roads.*
- (g) *Regional scale shopping may occur in different forms including a Regional Centre and freestanding developments.*
- (h) *The zoning of individual sites may not allow for a full range of commercial uses or the full extent of development intensity at every location based on site specific factors that may include traffic, land use compatibility, environmental and other factors.*
- (i) *(Approval of development within commercial areas will be subject to the availability of required urban services including municipal sewer and water, sidewalks, access to public transit, adequate vehicular access, accessible and off-street parking and loading facilities.”*

4.8.24.1 DEFINITION: *The Defined Historic Neighbourhood Policy area includes a number of older low density residential neighbourhoods in and around the original settlement areas of the City. These areas display an identifiable cultural landscape and historical layering of the built form reflective of the City's past. The Urban Growth Centre is not included in the Historic Neighbourhood Defined Policy Area, as this is a key intensification area identified in the Places to Grow Growth Plan.*



“6.6.3 (a) Innovative architectural design will be encouraged to reduce the visual and physical impact of height on the adjacent pedestrian realm, including design features such as tower and podium configurations or other design measures...”

(d) Where possible, parking areas, site servicing, loading areas, and building utilities should be located towards the rear of buildings with appropriate screening....”

The subject lands are located within the Built-up area and Urban Growth Centre (UGC) which are intended to accommodate the majority of the growth throughout the City, providing a variety of housing options and employment opportunities to serve the projected growth of the City of Barrie. In accordance with the City's OP, and general growth principles, the density target for the UGC is 150 residents and jobs combined per hectare. With the conservative assumptions that each residential unit can house approximately 1.5 people per unit and the commercial space can offer 2 jobs, the proposed three-story, mixed-use development represents approximately 160 residents and jobs combined per hectare, a density that surpasses the minimum gross density target of 150 residents and jobs/ha in the UGC. Through its density and in accordance with various OP policies, this development makes efficient use of land, facilities and existing infrastructure. Its location is within proximity to commercial, institutional and recreational opportunities, supports the existing transit in the area and supports active transportation.

With regard to affordable housing, each residential unit is anticipated to be priced at \$1,600 a month in rent. This rate may increase as it is a rate that is typically determined closer to when construction is initiated and given the recent supply chain pressures and inflation, it makes it difficult to confirm at this time. However, the proposed building type is conducive to providing a less expensive, more attainable housing option in the form of multiple residential units, for all units, at a ratio greater than 10%, in accordance with the City of Barrie's Official Plan.

The Defined Historic Neighbourhood Policy area includes a number of older, low-density residential neighbourhoods in and around the original settlement areas of the City of Barrie. The UGC is not included in the Historic Neighbourhood Defined Policy Area. However, as these areas display an identifiable cultural landscape and historic laying of built form, urban design guidelines such as lot patterns and setbacks, scale and roofline, architectural style and features, and building materials which adhere with the City of Barrie's Intensification Area Urban Design Guidelines Section 4.3.10, have been included in the supporting design package.



The subject lands are also located in the Well Head Protection Area – C (5-year time of travel), an Issues Contributing Area for Sodium and Chloride, a Highly Vulnerable Aquifer (HVA), and a Significant Groundwater Recharge Area, as indicated on Schedule G – Drinking Water System Vulnerable Areas, see **Figure 9: Schedule G: Drinking Water System Vulnerable Areas**. The subject lands have also been identified as a site with known or suspected contaminants. The proposed development is not anticipated to negatively impact the ground water or well head protection area.

The proposed development will be serviced by existing infrastructure where future residents, employers and employees will benefit from the available amenities and established public transit routes in the immediate vicinity. The proposal will also contribute to the range of available housing types, the overall housing stock, and projected residential and employment growth in the area. Furthermore, the development proposes a non-residential commercial component, assisting in achieving a diverse and expanded economic base and creating a complete, mixed-use community.

The proposed development represents good planning and conforms to the general policies and overall intent of the City of Barrie Official Plan.



5.6 City of Barrie Zoning By-law 2009-141, 2021

The purpose of the Zoning By-law is to implement the policies and objectives of the Official Plan by regulating the use of land, buildings and structures. The subject lands are currently zoned 'Transition Centre Commercial' (C2-1), as shown on **Figure 10: City of Barrie Zoning By-law 2009-141**. The 'C2-1' zone category requires a minimum 3 metre side yard setback and a minimum drive aisle width of 6.4 metres. The 'C2-1' zone category also requires a minimum of 50% commercial lot coverage and 3 parking spaces for the commercial use. The proposed development would require relief from these regulations, as outlined in the below **Site Statistics Table**.

Table 1 – Variance Site Statistics

Standards	C2-1	Proposed
Side Yard (Minimum)	3 metres	1.5 metres
Drive Aisle (Minimum)	6.4 metres	3 metres (existing condition)
Parking	3 commercial spaces	0
Area of the Lot for Commercial Purposes	50%	14.05%

The proposed development aligns with the following key standards of the 'C2-1' Zone:

- Unit Size;
- Gross Floor Area;
- Permitted commercial and residential uses;
- Building Height; and
- Parking (for the residential use);

The proposed development meets the requirements of Section 5.3 of the City of Barrie Zoning By-law 2009-141 in relation to the 'Apartment Dwelling' Second Density Zone (RA2) Zone. Given the minor nature of the relief being requested, minor variances are the most appropriate tool to facilitate the proposed development. The proposal represents good planning in accordance with the City of Barrie's Zoning By-law 2009-141 as it respects the vast majority of the standards for the 'Transition Centre Commercial' (C2-1) Zone and related 'Apartment Dwelling' Second Density (RA2) Zone, the relief requested is minor in nature, as outlined in the following section.



5.7 Proposed Minor Variances

When evaluating the merits of a Minor Variance application, the *Planning Act* establishes four tests that are required to be satisfied, which are:

- 1- Does the proposal meet the intent of the Zoning By-law;
- 2- Does the proposal meet the intent of the Official Plan
- 3- Is the proposal desirable
- 4- Is the proposal in fact, minor in nature.

Test 1 – Does the proposal meet the intent of the Zoning By-law? - Yes

In review of the four tests, relief is being requested from:

- the minimum side yard;
- the minimum drive aisle;
- the minimum parking required for commercial space; and
- the minimum commercial lot area

In this regard, the proposal generally meets the intent of the Zoning By-law. The subject lands are currently zoned 'Transition Centre Commercial' (C2-1), where mixed-use commercial and residential buildings are contemplated. The subject lands are rectangular in size and the proposed development is oriented towards the street, maximizing the building frontage along Mary Street, with a side yard drive aisle leading to rear yard parking. This lot configuration is considered desirable and is in keeping with City of Barrie staff recommendations to create a more functional parking area. The reductions in side yard and (existing) drive isle widths are required in order to accommodate the building orientation, with sufficient parking area and landscaped open space.

A minimum of 50% of the total lot area is required to be commercial in a 'C2-1' Zone. In order to facilitate the proposed development and maintain the other lot requirements, a total of 71.41 square metres of commercial space is proposed, which is more than adequate in accordance with the future commercial use of the site, which will be office space. This represents approximately 58% of the ground floor area of the proposed development. The proposed residential units comply with the requirements of the 'Apartment Dwelling' Second Density (RA2) Zone and the total developed area of the lot is 25.5%, where 35% is permitted. The requested reduction in required commercial lot area is offset by additional landscaped open space, amenity space and



maintenance of existing boundary vegetation between the proposed building and adjacent development. The development is successful in offering ground floor commercial space, while maximizing the site's potential to provide attainable housing. A reduction in commercial parking is appropriate given the presence of active transportation and transit that service the subject site, as well as the proximity to Downtown Barrie, where public parking is available. Given the concerns of City of Barrie staff regarding the potential overdevelopment of the subject lands, the reduction in total lot coverage while maintaining over 50% of the proposed floor area as commercial would meet the intent of the Zoning By-law. This development offers a compromise for the overall public good by providing a mix of permitted uses, with a prioritization of housing on the site while still encompassing commercial space, therefore conforming to the Zoning By-law.

Test 2 – Does the proposal meet the intent of the Official Plan? - Yes

The development proposal meets the intent of the Official Plan, as outlined earlier in this report. The City of Barrie Official Plan encourages the development of permitted uses in an area that optimizes access to community facilities, is conducive to transit, is compatible with its surroundings and contributes to intensification and density targets. The proposed development:

- provides an opportunity for mixed-use intensification offering attainable housing, which is well-suited with the existing area;
- is located in an area on full municipal services and in proximity to transit services;
- provides adequate off-street parking;
- is suitable based on the existing housing stock and existing lot

The proposed minor variances therefore conform to the Official Plan.

Test 3 – Is the proposal desirable? - Yes

The proposal is desirable, as it provides housing options in a currently undersupplied market, in a stable neighbourhood. The subject lands are ideal for mixed-use redevelopment given its location within the 'City Centre' of Barrie. The proposal would also contribute to the development of a healthy, attractive, complete and sustainable community and offer a higher and better use of fully serviced lands in the 'City Centre'. Future residents will benefit from proximity to the downtown core, retail and recreational amenities. In addition, the development will make efficient use of land



and provide a diversified housing stock and a desirable housing option in the Urban Growth Centre.

The subject lands are located on Mary Street, where the proposed lot configuration and rear parking area are similar to the existing lots located along Mary Street, therefore align with the character of the existing neighbourhood.

Test 4 – Is the proposal, in fact, minor in nature? - Yes

The impact of the variances from the Zoning By-law requirements would be considered to be minor as they are within the general standards of the 'C2-1' 'Transitional Commercial' and 'RA2' 'Apartment Dwelling' Second Density zones. The proposal offers dwelling units and commercial uses, which are both uses that are permitted as of right in this zone category. The relief requested is considered to be minor in nature given the existing character of the neighbourhood, the benefit being proposed for the overall development and the existing lot dimensions. The variances will better accommodate the site layout and design requirements of the proposed building on the subject lands, including building orientation, parking, lot patterns and setbacks, and visual impact. The design maintains adequate front yard setbacks, landscaped open space and vegetative buffers, as well as required residential parking. Where an alleviation of parking is required for commercial space, appropriate justification has been provided in this report and the accompanying Parking Study submitted by JD. Northcote Engineering. The subsequent standards that require relief are minor in nature and necessary to foster a sustainable, much needed, diverse development, in an area where growth of this nature is meant to occur.



6.0 Conclusion

The subject lands are located at 81 Mary Street, legally described as Plan 17 N PT Lot17, in the City of Barrie. The property is designated as 'City Centre', within the 'Urban Growth Centre' in the City of Barrie's Official Plan. The City of Barrie Comprehensive Zoning By-law 2009-141, 2021 zones the lands as 'Transition Centre Commercial' (C2-1) and also requires dwelling units in the same building as a commercial use to comply with the standards of the 'Apartment Dwelling' Second Unit (RA2) zone.

An application has been made to recognize minor deficiencies in the side yard and (existing) drive aisle widths and minimum commercial lot area and parking requirements of the 'C2-1' zone to facilitate the development of one new three-storey mixed use building containing a total of one (1) commercial and four (4) residential units.

In order to develop a professional opinion regarding the consistency and conformity of the proposed development and to determine if the proposal represents good planning, a review of all relevant planning policy documents was undertaken in this report.

The proposed development of an under-utilized property within the Urban Growth Centre, for a new mixed-use building, represents a higher and better use of an existing lot, and as such the proposal conforms to the Provincial Growth Plan and is consistent with the Provincial Policy Statement. The proposed development conforms to the policies of the City of Barrie Official Plan. This is an appropriate scale and density, given its location in an area where higher density, mixed-use development is appropriate and in character with the surrounding area. The proposed development is transit and active transportation supportive given its proximity to existing transit routes and active transportation infrastructure. The proposed development will be designed to be compatible with the adjacent residential properties and makes efficient use of existing municipal water, waste and sewer services.

Through this analysis it has been determined that:

- i. The proposed land use is the intended use for the City Centre and Urban Growth Centre designations and is therefore appropriate for the subject lands;



- ii. The subject lands are and will be serviced by full municipal water, waste and sewer services and are accessible by existing active transportation infrastructure and transit services; and
- iii. The proposed development is in character and compatible with the surrounding residential area.

Based on the detailed analysis contained within this report, it is my professional opinion that the proposed development;

- i. has regard to matters of provincial interest as detailed in the Planning Act, R.S.O., 1990, as amended;
- ii. is consistent with the Provincial Policy Statement (2020);
- iii. is consistent with the Growth Plan for the Greater Golden Horseshoe (2020);
- iv. is consistent with and has regard for the Lake Simcoe Protection Plan (2009);
- v. conforms to the City of Barrie's Official Plan (2018);
- vi. conforms to the City of Barrie's Zoning By-law (2021);
- vii. meets the Four Tests of a Minor Variance, as required by Section 45(1) of the *Planning Act*; and
- viii. has merit, represents good planning and is within the best interest of the public

Respectfully submitted,



Aimee Powell, B.URPI., MPA, MCIP, RPP
Chief Planning Officer
Powell Planning & Associates

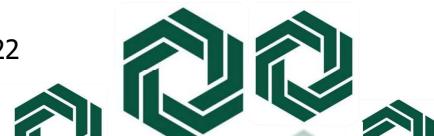
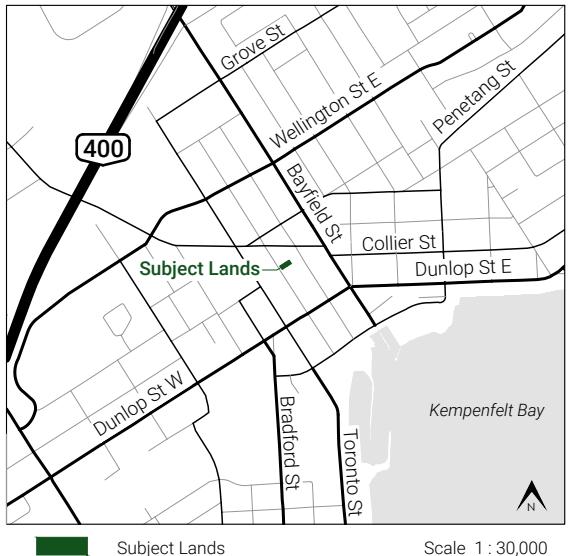




Figure 1

Context Map

81 Mary Street
City of Barrie, ON



LEGEND

Subject Lands

0 20 40 60 80m
Scale: 1:2,000



Source: County of Simcoe Interactive map.

Drawn By: A.M.

Date: December 22, 2021

File No: 122-21



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Figure 2

Aerial Photo

Legend



Subject Lands



Source: County of Simcoe Interactive map.

Drawn By: A.M.

Date: December 22, 2021

File No: 122-21



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81 Mary Street
City of Barrie, ON



Figure 3

Surrounding Land Uses

Legend



Subject Lands

0 10 20 30 40m
Scale: 1 : 1,000



Source: County of Simcoe Interactive map.

Drawn By: A.M.

Date: February 7, 2022

File No: 122-21



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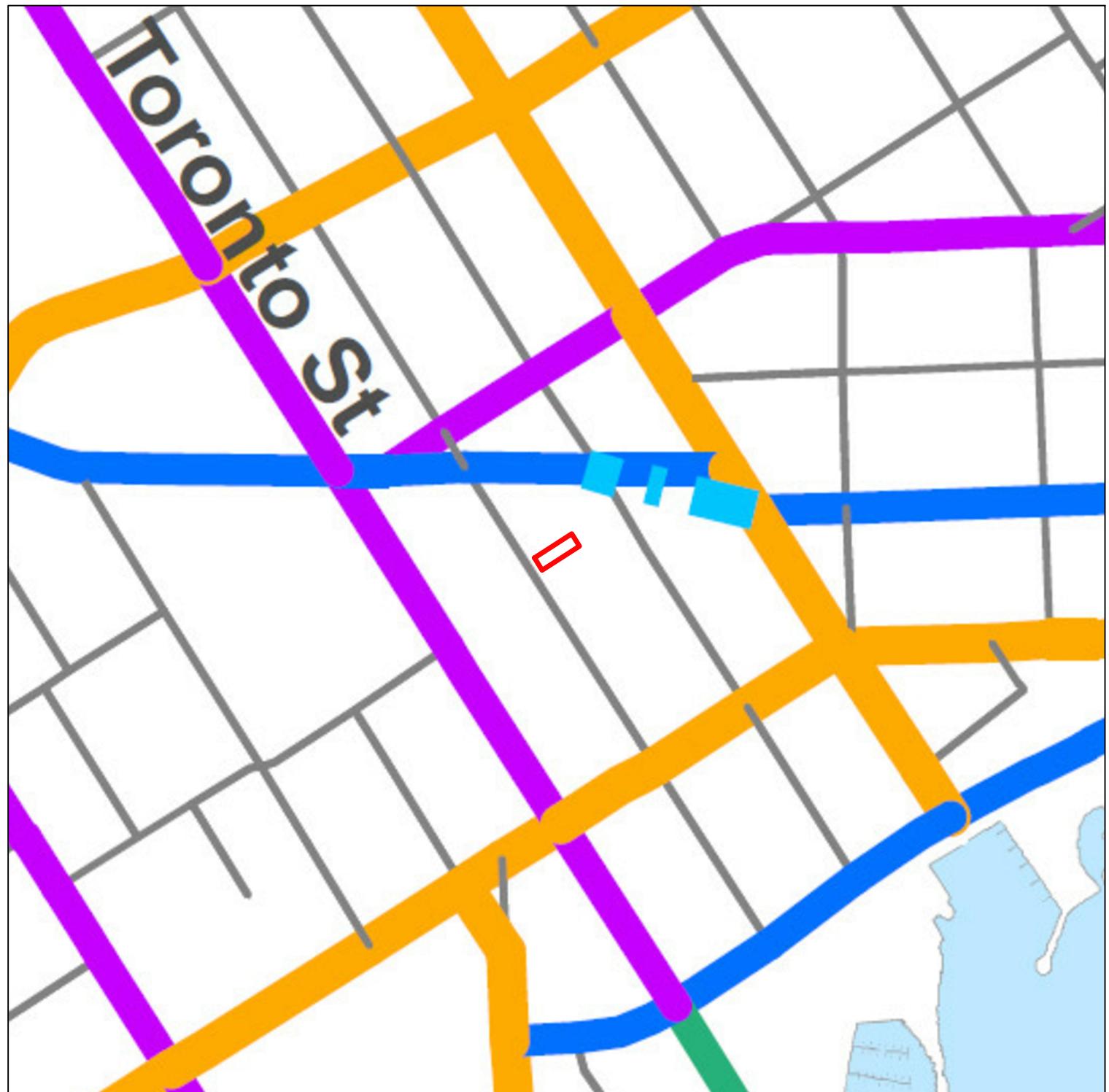


Figure 4

**City of Barrie
Official Plan
Schedule D:
Roads Plan**

81 Mary Street
City of Barrie, ON

Legend

- Subject Lands
- Local Road
- Major Collector
- Minor Collector
- Arterial
- Future Collector

0 50 100 150 200m
Scale: 1 : 5,000



Source: City of Barrie Official Plan Schedule D: Roads Plan, 2018.

Drawn By: A.M.

Date: February 7, 2022

File No: 122-21



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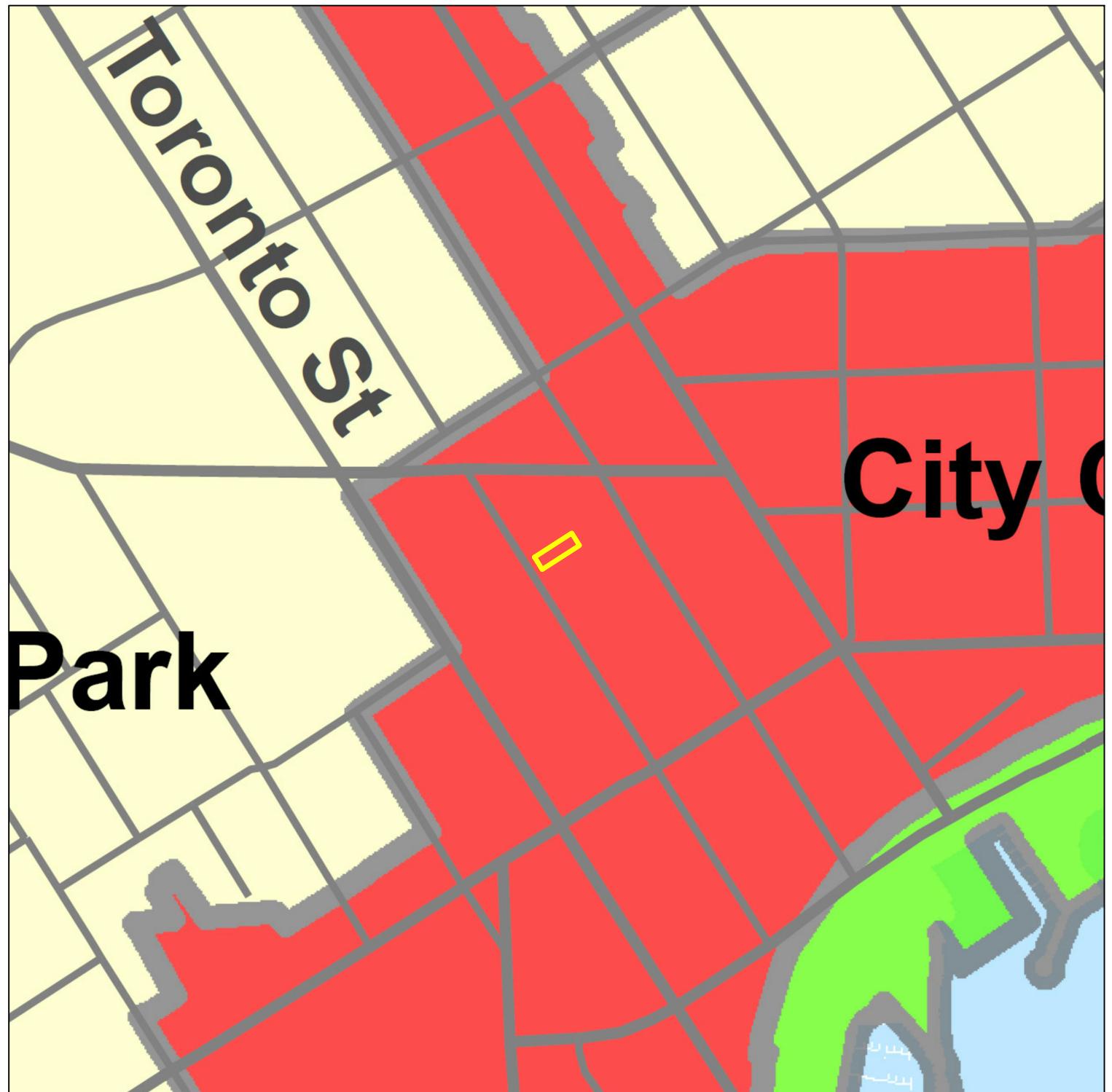


Figure 5

**City of Barrie
Official Plan
Schedule B:
Planning Areas**

81 Mary Street
City of Barrie, ON

Legend

- Subject Lands
- Commercial
- Residential
- Open Space

0 50 100 150 200m
Scale: 1 : 5,000



Source: City of Barrie Official Plan Schedule B: Planning Areas
Land Use, 2018.

Drawn By: A.M.

Date: February 7, 2022

File No: 122-21



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Figure 7

**City of Barrie
Official Plan
Schedule A: Land Use**

81 Mary Street
City of Barrie, ON

Legend

- Subject Lands
- City Centre
- Residential
- Open Space
- Institutional
- Educational Institutional

0 50 100 150 200m
Scale: 1 : 5,000



Source: City of Barrie Official Plan Schedule A: Land Use, 2020.

Drawn By: A.M.

Date: February 7, 2022

File No: 122-21



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Figure 8

**City of Barrie
Official Plan
Schedule I:
Intensification Areas**

81 Mary Street
City of Barrie, ON

Legend

- Subject Lands
- Urban Growth Centre (150 persons/ jobs per ha)
- Built-up Area
- Major Transit Stations (50-120 units per ha)
- Primary Corridor (50 Units per ha)

0 50 100 150 200m
Scale: 1 : 5,000



Source: City of Barrie Official Plan Schedule A: Intensification Areas, 2018.

Drawn By: A.M.

Date: February 7, 2022

File No: 122-21



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Figure 9

**City of Barrie
Official Plan
Schedule G:
Drinking Water System
Vulnerable Areas**

81 Mary Street
City of Barrie, ON

Legend

- Subject Lands
- WHPA - B (2 Year Capture Zone)
- WHPA - C (5-10 Year Capture Zone)
- WHPA - D (25 Year Capture Zone)
- Transportation Pathways

0 50 100 150 200m
Scale: 1 : 5,000



Source: City of Barrie Official Plan Schedule G: Drinking Water System Vulnerable Areas, 2018.

Drawn By: A.M.

Date: February 7, 2022

File No: 122-21



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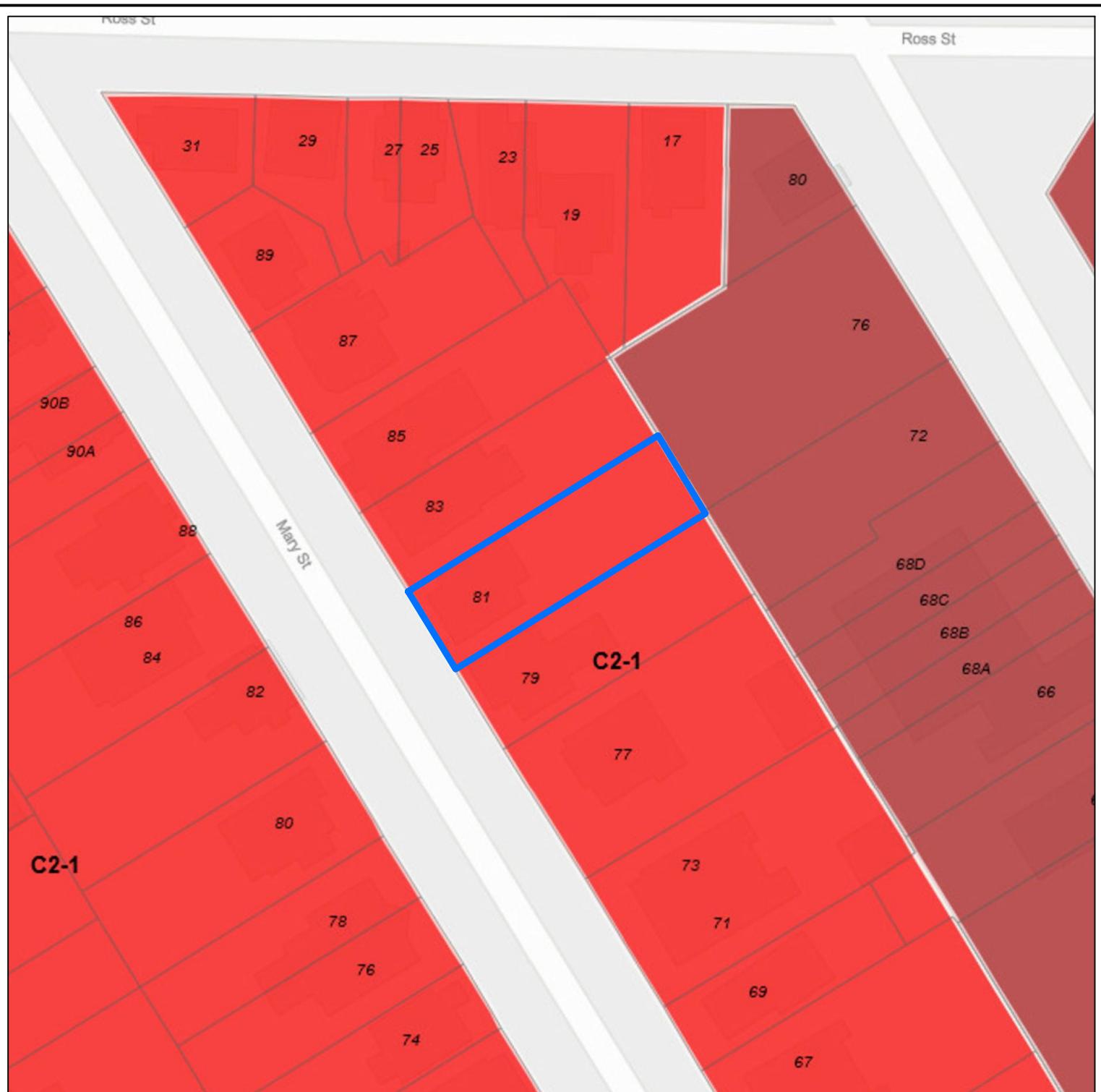


Figure 10

**City of Barrie
Zoning By-law
2009-141**

81 Mary Street
City of Barrie, ON

Legend



Subject Lands



Transition Centre Commercial (C2-1)



Central Area Commercial (C1-1)



Scale: 1:750



Source: Discover Barrie Web Maps - Planning and Development - Zoning By-law Regulation, December 22, 2021.

Drawn By: A.M.

Date: February 7, 2022

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