

PLANNING JUSTIFICATION REPORT

in support of
a Zoning By-law Amendment &
an Application for Plan of Subdivision Approval
(to allow for Condominium Tenure)

for
8952175 Canada Corp.
o/a Uplands Holding

181 Burton Avenue
Lot 9, Concession 14
CITY OF BARRIE

July 23, 2021

85 Bayfield Street, Suite 300, Barrie, ON L4M 3A7
T 705 797 8977 C 705 730 8850
celeste@cplan.ca

TABLE OF CONTENTS

1.0	INTRODUCTION	3
2.0	BACKGROUND	4
2.1	Location	
2.2	Zoning By-law Amendment	
2.3	Application for Plan of Subdivision Approval	
2.4	Technical Studies	
3.0	PROPOSED DEVELOPMENT	7
4.0	REVIEW OF APPLICABLE PLANNING POLICIES	9
4.1	Provincial Policy Statement	
4.2	Growth Plan for the Greater Golden Horseshoe	
4.3	City of Barrie Official Plan	
4.4	Lake Simcoe Protection Plan	
5.0	COMMENTS ARISING FROM OPEN HOUSE	15
6.0	SUMMARY	15

APPENDICES

Appendix 1: Draft Zoning By-law Amendment
Appendix 2: Draft Plan of Subdivision

LIST OF FIGURES

Figure 1: Location Map
Figure 2: Aerial Photo
Figure 3: Existing Zoning
Figure 4: Site Plan
Figure 5: Growth Plan for the Greater Golden Horseshoe – Schedule 2
Figure 6: City of Barrie Official Plan Schedule A: Land Use
Figure 7: City of Barrie Official Plan Schedule I: Intensification Areas

1.0 INTRODUCTION

Celeste Phillips Planning Inc. has been retained by 8952175 Canada Corp., operating as Uplands Holding to seek approvals for a Zoning By-law Amendment and Plan of Subdivision approval (to allow for condominium tenure) for a multi-residential building consisting of 22 units for the property shown on **Figure 1: Location Map**.

This report presents my professional planning opinion and includes a synopsis of applicable Provincial and Municipal planning policies as they relate to the planning approvals being requested for the subject lands. Further, this report provides the background and rationale relative to the applications.

Figure 1: Location Map



2.0 BACKGROUND

2.1 LOCATION

The property is municipally known as 181 Burton Avenue, consists of approximately 0.2 hectares (0.49 acres) and is located on the north side of Burton Avenue, west of Huronia Road and east of Bayview Drive. The property dimensions are ± 49.6 metres by ± 40.3 metres. The property forms part of Lot 9, Concession 14 which is located within Ward 8, and the Assessment Roll number is 434204001203600.

The site has remained undeveloped and is located within the designated Urban Growth Centre in the City of Barrie. The subject lands are surrounded by the following land uses:

- North: Open space and environmental protection area.
- East: General commercial uses.
- South: General commercial uses and residential uses.
- West: General commercial uses.

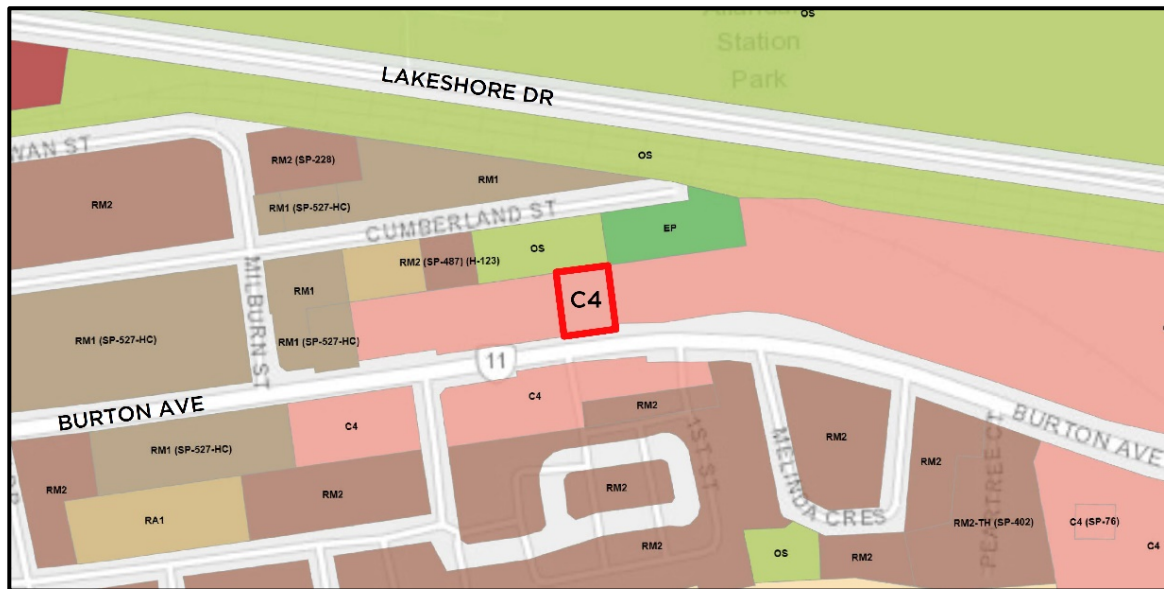
Figure 2: Aerial Photo



2.2 ZONING BY-LAW AMENDMENT

The property is designated General Commercial in the City of Barrie Official Plan. As shown on **Figure 3: Existing Zoning**, the lands are currently zoned for **General Commercial (C4)** uses in the City of Barrie Zoning By-law 2009-141.

Figure 3: Existing Zoning



A Zoning By-law Amendment is being requested to rezone the lands to the **Mixed-Use Corridor with Special Provisions (MU2(SP-XXX))** zone to allow for the proposed three storey residential development. The proposal generally complies with the MU2 Zone, but some exceptions to the standard requirements are being requested. The Zoning By-law Amendment is attached to this report as Appendix 1.

The Mixed Use Corridor (MU2) Zone requires front yard setbacks of 3.0 metres for residential uses on the ground floor. The proposed residential building will be setback 1 metre from the front lot line and will have entrances on both sides of the building. Front yards within the MU2 zone are typically required to be fully paved and seamlessly connected with abutting sidewalks, but the front yard of the proposed development will include some landscaped open space.

The required ground level floor height within the MU2 zone is 4.5 metres which is generally intended for ground floor commercial uses, but this is not typical for residential uses. Therefore, the proposed ground level floor height is 2.7 metres.

The minimum floor area for one bedroom apartment units is 45 square metres, but the proposed Zoning By-law Amendment will request that the minimum be reduced to 42 square metres to allow for more affordable units.

The Zoning By-law amendment will also slightly increase the maximum permitted side yard by 0.1 metres and reduce the required outdoor amenity space by 0.9 square metres per unit.

The requirements of the Mixed Use Corridor (MU2) Zone and the site statistics of the proposed development are shown in the table below.

Zoning Provision	Required (MU2 Zone)	Provided
Lot Area (min.)	-	1,998.9m ²
Lot Frontage (min.)	-	40.4m
Front Yard Setback to residential uses on the ground floor (min.)	3.0m	1.0m
Side Yard Setback (max.)	3.0m	3.1m
Rear Yard (min.)	7.0m	24.1m
Building Height	7.5m - 16.5m	12.6m
Street Level Floor Height (min.)	4.5m	2.7m
Parking Spaces (min.)	22 (1 space per unit incl. 1 barrier free space)	22 (1 space per unit incl. 2 barrier free spaces)
Drive Aisle (min.)	6.4m	6.4m
Outdoor Amenity Area (min.)	12m ² per unit (264m ²)	244m ²
Dwelling Unit Floor Area (min.)	35m ² + 10m ² per bdrm	42.2m ²
Parking Coverage (max.)	35%	32.8%
Front Yard Landscaping	Fully paved	Not fully paved

The requested exceptions are minor in nature and will not alter the intended character of the Mixed Use Corridor Zone.

2.3 APPLICATION FOR PLAN OF SUBDIVISION APPROVAL

An Application for a Plan of Subdivision Approval is submitted as part of the application package for the proposed development. The Draft Plan of Subdivision that is attached to this report as Appendix 2 proposes to divide the property into two blocks, one residential block with an area of 0.182 hectares and one road widening block with an area of 0.018 hectares. The plan of subdivision approval will allow for the lands to be incorporated into a block on a registered plan, thereby permitting condominium tenure.

2.4 TECHNICAL STUDIES AND DRAWINGS

In addition to this Planning Justification Report, the following reports are submitted in support of the planning applications:

- ◆ Noise Impact from GO Layover Site & Stationary Sources Memorandum, Valcoustics. Canada Ltd., July 2020.
- ◆ Functional Servicing Report, (including Stormwater Management, Water Balance and Phosphorus Calculations) Pearson Engineering, July 2020.
- ◆ Scoped Environmental Impact Study, Cambium Inc., October 2020.
- ◆ Geotechnical Investigation Report, WSP, February 2021.
- ◆ Architectural Drawings, ISM Architects Inc., October 10, 2019.

3.0 PROPOSED DEVELOPMENT

The proposed residential development will create 22 condominium dwelling units in a three storey building along Burton Avenue. The units will consist of 16 one bedroom and 6 two bedroom units. The proposed density is 110 units per hectare.

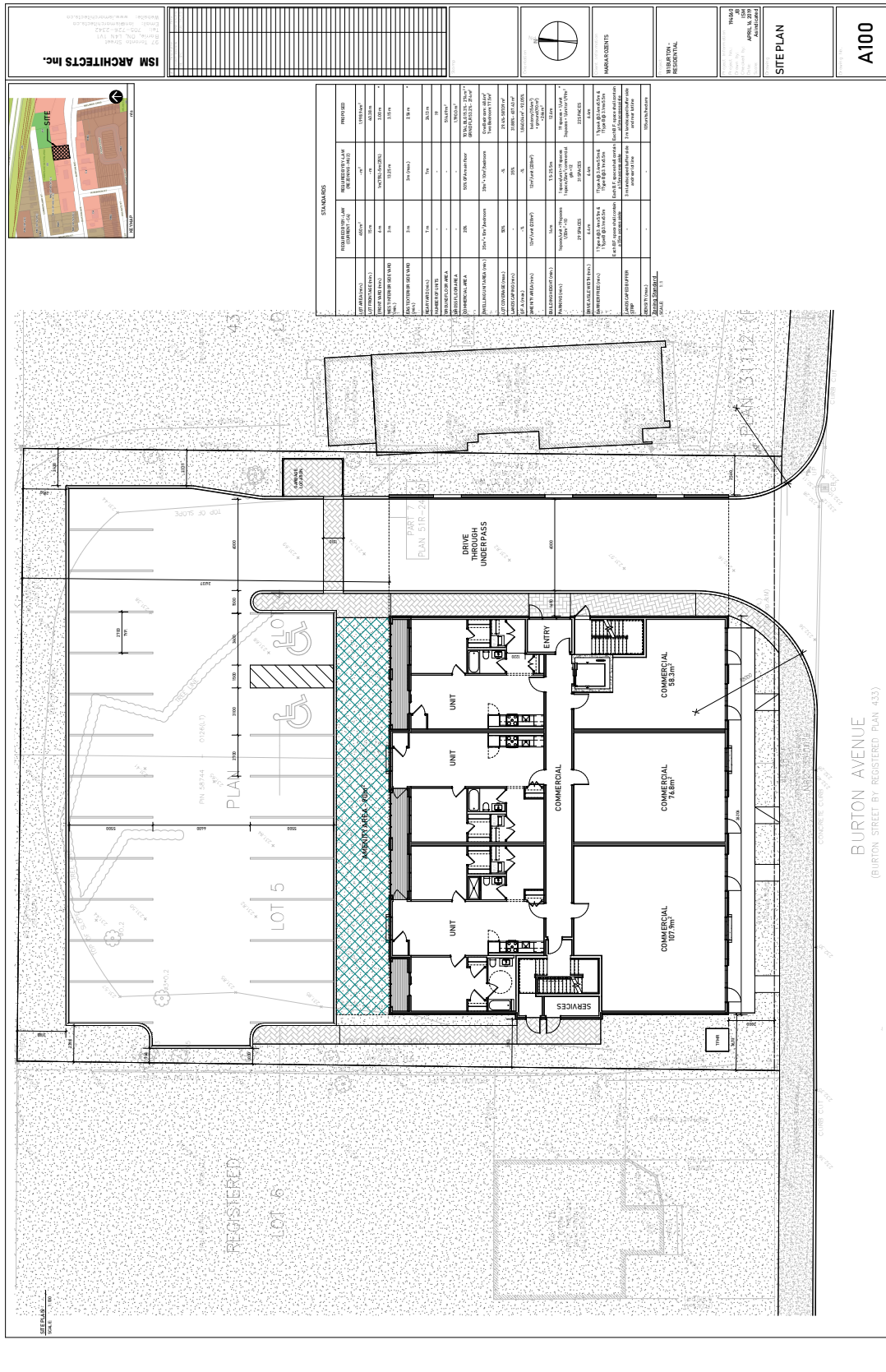
A road widening along Burton Avenue will be provided for road improvements that will include buffered bicycle lanes by 2051.

Parking for the residential units will be provided in the rear yard of the property to assist in creating an urban environment within the Urban Growth Centre. The rear yard will also include a common outdoor amenity area for residents. The lands to the north are zoned for environmental protection and open space uses which will provide natural views for all units facing north as well as enhance the proposed landscaping within the rear yard. Future residents will also have private amenity areas in the form of balconies on the north and south faces of the building. In light of potential noise sources identified in the Valcoustics Memorandum, the architect has suggested the use of triple glazed windows and the Lumon balcony system which is a glassed-in balcony with curtain windows.

The front yard will contain landscaped open space and walkways will be constructed to the building's entrances on the east and west side of the building.

Below grade garbage bins will be installed on the east side of the driveway. A private company will be contracted to collect the garbage so no municipal garbage pick-up will be required.

The proposed development is shown on **Figure 4: Site Plan** on the following page.



4.0 REVIEW OF APPLICABLE PLANNING POLICIES

4.1 CONSISTENCY WITH THE PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement, 2020 (PPS) came into effect on May 1, 2020, and provides planning policy direction on matters of Provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land in Ontario. It is noted that all planning decisions made in the Province of Ontario are required to be consistent with the Provincial Policy Statement.

The proposed development conforms with the Provincial Policy Statement, 2020, as follows:

- Creating efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term (1.1.1 a, 1.1.3.2 a, 1.4.3.b d).
- Providing a range and mix of residential housing types in a transit supportive development within an intensification area (1.1.1 b, e, 1.1.3.2 f, 1.1.3.3, 1.4.1, 1.4.3 e, 1.7.1 b).
- Ensuring the development is accessible for persons with disabilities (1.1.1 f).
- Developing lands that can be serviced by existing infrastructure (1.1.1 g, 1.1.3.2 b, 1.1.3.3, 1.4.3 c, 1.6.1).
- Proposing intensification on vacant lands within the built-up area of an existing settlement area (1.1.2, 1.1.3.1, 1.1.3.4, 1.1.3.6).
- Dedicating lands to the municipality to assist in creating an improved right-of-way (1.6.8.1, 1.7.1 g).
- Exceeding minimum intensification targets for developments within built-up areas (1.1.3.5).
- Contracting private waste management services (1.6.10).

In more general terms, approval of the rezoning for the subject lands will be consistent with the Provincial Policy Statement as the development will assist the City of Barrie in achieving its intensification and density targets set by the Province of Ontario.

Based on the foregoing, it is my opinion that the proposal is consistent with the Provincial Policy Statement, 2020.

4.2 CONSISTENCY WITH A PLACE TO GROW: GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE, 2019

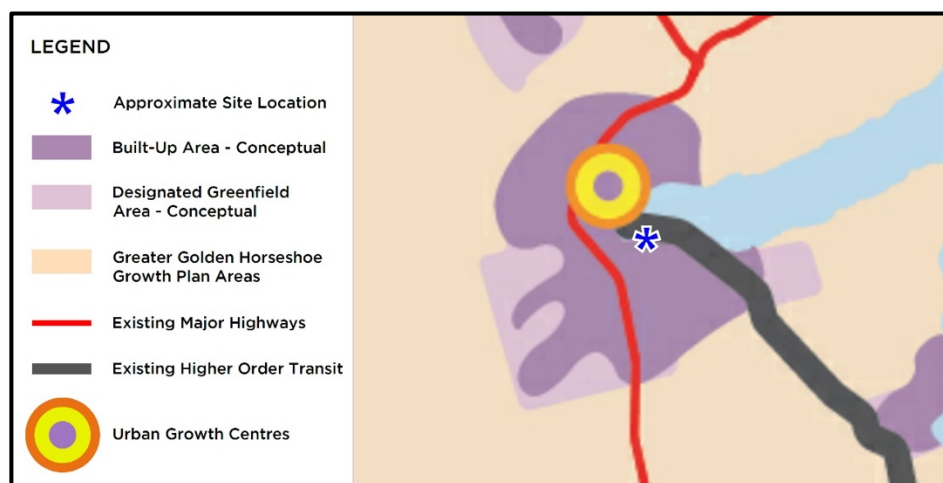
A Place to Grow: Growth Plan for the Greater Golden Horseshoe was prepared and approved under the Places to Growth Act, 2005 and has been updated in 2017 and most recently in May 2019. This document contains policies to manage growth to the year 2041 and is to be read in conjunction with the Provincial Policy Statement.

This document guides decisions on a wide range of issues, including transportation, infrastructure, land use planning, urban form, housing, natural heritage and resource protection. All Regional and Municipal documents in the Greater Golden Horseshoe are required to conform to the policies of this Plan.

Section 2.1 of the Growth Plan states: *This Plan is about accommodating forecasted growth in complete communities. These are communities that are well designed to meet people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, public service facilities, and a full range of housing to accommodate a range of incomes and household sizes.*

The Growth Plan also directs new development to settlement areas such as the City of Barrie where there are full municipal services. *To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH [Greater Golden Horseshoe] need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification.* As noted previously, the lands proposed for multi-residential development are located within the Urban Growth Centre of the City of Barrie.

The subject lands are within the **Built-up Area - Conceptual** designation on Schedule 2: A Place to Grow Concept, as shown on **Figure 5**.



The proposed residential development is consistent with the policies of the Growth Plan as follows:

- Developing lands in a compact form within a settlement area with existing municipal services (2.1, 2.2.1.2 a, 2.2.1.4 e).
- Proposing a wider mix of land uses along Burton Avenue (2.2.1.4 a).
- Creating residential dwelling units that encourage the use of active transportation and that are close to high quality public open spaces, parkland and opportunities for recreation (2.1, 2.2.4.8 b, 2.2.4.10, 3.2.2.2 d).
- Proposing development in a strategic growth area with convenient access to existing transit routes in close proximity to higher order transit (2.1, 2.2.1.2 c).
- Providing a range and mix of housing options for residents to accommodate people at all stages of life (2.2.1.4 c, 2.2.4.9 a).
- Assisting in the revitalization of the Urban Growth Centre by proposing intensification within the delineated built-up area (2.1, 2.2.2.3 c).
- Supporting the regional transit network (2.2.3 b, 3.2.2.2 a-c).
- Assisting in the achievement of 150 residents and jobs per hectare within the Downtown Barrie Urban Growth Centre (2.2.1.1, 2.2.3.2 c, 2.2.4.3 c).
- Assisting the City of Barrie achieve their minimum residential target of 210,000 by 2031 (5.2.4.2).
- Ensuring lands are zoned in a manner that supports the achievement of complete communities (2.2.2.3 d).
- Assisting in adding population to the Urban Growth Centre (2.2.3.1 d).

It is my opinion that the proposed residential development will assist the Province realize the goals, objectives and targets set out in Places to Grow: Growth Plan for the Greater Golden Horseshoe. Based on my review of the proposed development plan as well as the reports and studies submitted, it is my opinion that the proposal is consistent with the Growth Plan for the Greater Golden Horseshoe, 2019.

4.3 CONFORMITY WITH THE CITY OF BARRIE OFFICIAL PLAN

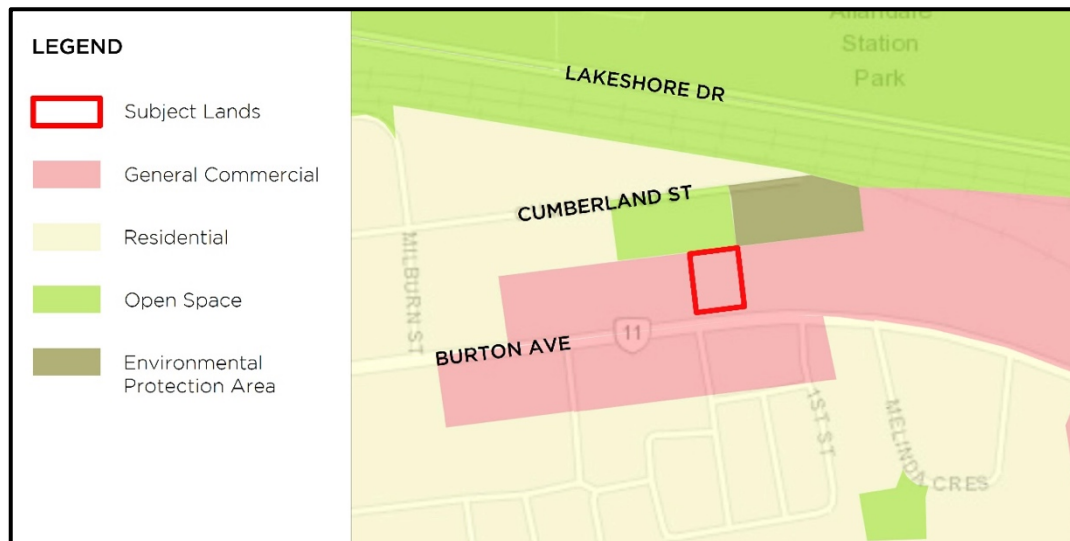
The City of Barrie Official Plan sets the development goals, objectives and policies for the guidance of public and private development decisions within the city. The Official Plan was most recently consolidated in January 2018.

The subject lands are within the **General Commercial** designation as shown on **Figure 6: Land Use**. Medium density residential uses are permitted within the General Commercial designation. City staff have advised that no Official Plan Amendment will be required because higher order residential intensification is encouraged within the Urban Growth Centre shown on **Figure 7: Intensification Areas**.

The City's Growth Management Strategy determined that 5,265 additional units could be accommodated within the Barrie Urban Growth Centre. Urban Growth Centres are to be the focus for growth and development in Southern Ontario.

The Urban Growth Centre is not included in the **Historic Neighbourhood Defined Policy Area** shown on Schedule C – Special Policy Areas of the City of Barrie Official Plan, as this is a key intensification area identified in the Places to Grow Growth Plan.

Figure 6: City of Barrie Official Plan Schedule A: Land Use

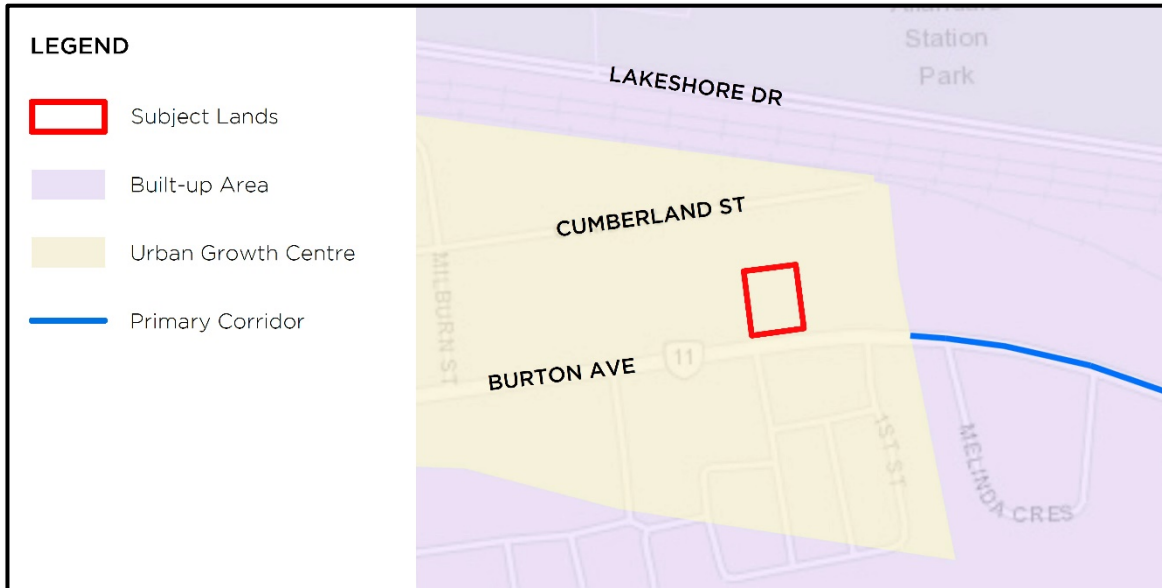


The proposed residential development conforms with the City of Barrie Official Plan as follows:

- Creating a compact urban form through infill development on underutilized lands within the Urban Growth Centre (4.2.2.6 a, b).
- Providing a mix of one and two bedroom apartments (3.3.1 a, b).
- Proposing residential intensification within the built-up area to support the viability of a complete community (3.3.2.1. c).

- Developing residential uses with easy access to local stores and services (3.3.1 d, 6.5.2.2.a vi).

Figure 7: City of Barrie Official Plan Schedule I: Intensification Areas



- Assisting in optimizing existing and planned infrastructure investments (4.2.2.6 c, 3.1.1 e, 3.3.1 c, f, 4.2.2.3.b iii, 5.1.1 c).
- Assisting in achieving the minimum density of 150 persons and jobs combined per hectare (4.2.2.6.d iv, 4.2.2.6.g i).
- Providing on-site parking and a functional open space amenity area for residents (4.2.2.4 a).
- The woodlot to the north will provide a buffer to the existing low-density residential dwellings on Cumberland Street (4.2.2.4 b).
- Utilizing high quality construction materials to mitigate adverse impacts from the existing railway (4.2.2.4 c).
- Improving the streetscape of Burton Avenue (4.2.2.6.e iv, 6.5.2.2.a i).
- Providing landscaped buffers around the parking area within the rear yard (6.5.2.2.b iv, 6.6.3 d).
- Creating residential dwelling units that encourage active transportation and the use of public transportation (4.2.2.6 c, 3.1.2.3 f, 4.2.2.3.b ii, 5.4.1 c, 5.4.2.3 b, c).

- Proposing a higher-density residential use along an arterial road (4.2.2.3.b i) on vacant, unused land.
- Providing housing options for persons with disabilities (4.2.2.6.e vii, 5.4.2.4 b, 6.5.2.2.a v, 6.5.2.2.b ii, 5.4.2.3 e).
- Creating residential units with the potential for views of Kempenfelt Bay that are within a 15 minute walk from the excellent public amenity areas along the shoreline (6.6.4.b i).
- Accommodating the planned widening of the Burton Avenue right-of-way that will include buffered bicycle lanes (5.4.2.1 a).

Having reviewed the City of Barrie Official Plan, it is my opinion that the proposed development conforms to the applicable policies.

4.4 LAKE SIMCOE PROTECTION PLAN

The Lake Simcoe Protection Plan was last updated in July 2019. As noted on the Province's website, the Plan addresses long term environmental issues in Lake Simcoe and its watershed by:

- promoting immediate action to address threats to the ecosystem, such as excessive phosphorus
- targeting new and emerging causes of stress such as invasive species and climate change
- protecting and restoring important natural areas such as shorelines and wetlands
- restoring the health of the fish and other aquatic life

Designated Policy (DP) 4.8 requires the submission of a stormwater management report with any application for *major* development. Major development includes the construction of a building or buildings within a ground floor area of 500 square metres or more.

The Functional Servicing Report prepared by Pearson Engineering addresses the importance of ensuring that post development flows from the property do not exceed predevelopment flows. Additionally, the Pearson Engineering Report provides both water balance and phosphorus calculations. Low Impact Development features are proposed in order to reduce the post development phosphorus loading for the site as well as improve the site's stormwater quality. Water balance can be achieved with rooftop infiltration.

Designated Policy (DP) 6.40 requires the submission of an Environmental Impact Study to address the quality and quantity of groundwater and the function of the recharge areas. The environmental work has been completed by Cambium Inc.

and concludes that the proposed development will not result in adverse hydrologic impacts to the adjacent wetland and no additional avoidance measures or setbacks are required.

5. COMMENTS ARISING FROM THE OPEN HOUSE

City of Barrie Planning Staff convened a Virtual Open House with area residents on April 22, 2021. A summary of comments is as follows:

- **Front and rear yard setbacks.**
 - The rear yard setback exceeds the zoning requirement, and the Zoning By-law Amendment will reduce the required front yard setback to 1.0m which is typical within the MU2 zone.
- **Management of garbage.**
 - On site management of garbage is proposed through private collection.
- **Concern about birds flying into glass balconies.**
 - Architect is investigating options.
- **Barrier free units.**
 - Barrier free units will be provided in accordance with the Ontario Building Code.
- **Concern about traffic, and potential need for turn restrictions/traffic light.**
 - The City of Barrie proposes a road widening to the existing 4 lane roadway. The city has not required the preparation of a Traffic Study. Of note, the current commercial zoning would permit more traffic than the proposed 22 residential units.
- **Request for consideration of 3 bedroom units.**
 - Comment noted. One bedroom and two bedroom units are proposed.
- **Site specific concern about loss of view from homeowner living on Woodcrest Road.**
 - The current zoning permits a height of 14 metres whereas the proposed development is 12.6 metres. Other projects approved in the area include 3 storeys at 1 Milburn Street and at 196 Burton Avenue and a 2 ½ storey building on a sloped site at 133 Frank's Way. Existing trees on the subject property are higher than the proposed 12.6 metre high building.

6. SUMMARY

Having reviewed the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, The Lake Simcoe Protection Plan, the City of Barrie Official Plan and Zoning By-law 2009-141, it is my considered opinion that the proposed Zoning By-law Amendment and Application for Plan of Subdivision Approval are appropriate and represent good planning for the following reasons:

- Approval of the proposed Zoning By-law Amendment and Subdivision Plan is consistent with the policies set out in the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe and conforms to the goals and policies of the City of Barrie Official Plan.
- The vacant site at 181 Burton Ave is within Barrie's Urban Growth Centre and is an ideal location for multi-residential development.
- The site is within a 10 minute walking distance to the Allendale GO Station and local commercial uses.
- The active transportation opportunities will include the buffered bicycle lanes along the enhanced Burton Avenue as well as the network of high quality open spaces along the waterfront.
- The development will increase the number of residents with easy access to public transit within the City.
- Full municipal services are already available.
- The lands to the north are zoned and designated for open space and environmental protection uses.
- The development will assist the Province and City in reaching their density targets.
- The Mixed Use Corridor (MU2) zone is appropriate for the Urban Growth Centre.

For all these reasons, it is my professional planning opinion that the approval of the Zoning By-law Amendment and Application for Plan of Subdivision Approval to permit the proposed 3-storey residential condominium development is appropriate and represents good planning.

Respectfully submitted,



Celeste Phillips, MCIP, RPP

APPENDIX 1:

DRAFT ZONING BY-LAW AMENDMENT

APPENDIX 2:

DRAFT PLAN OF SUBDIVISION