

TO: GENERAL COMMITTEE

SUBJECT: REMOVAL OF HOLDING PROVISION – THE HEDBURN DEVELOPMENT CORP.– 228A-228H CRAWFORD STREET

PREPARED BY AND KEY CONTACT: SANDRA MATTSON, DEVELOPMENT PLANNER, EXT. 4478

SUBMITTED BY: M. KALYANIWALLA, M.C.I.P., R.P.P. *M. Kalyaniwalla*
ACTING DIRECTOR OF PLANNING SERVICES

GENERAL MANAGER APPROVAL: R. FORWARD, MBA, M.Sc., P. ENG. *R. Forward*
GENERAL MANAGER OF INFRASTRUCTURE, DEVELOPMENT & CULTURE

CHIEF ADMINISTRATIVE OFFICER APPROVAL: JON M. BABULIC, CHIEF ADMINISTRATIVE OFFICER *J. Babulic*

RECOMMENDED MOTION

1. That the Holding Provision (H-96) of By-laws 85-95 and 2009-141, as amended by By-law 2007-099, for the lands owned by The Hedburn Development Corp., legally described as Part of Lots 45 and 46, Plan 959, being Parts 9 and 10, Reference Plan 51R-35282, City of Barrie, County of Simcoe, and known municipally as 228A-228H Crawford Street, be lifted (D14-1507/D14-1396).
2. That the City Clerk be directed to provide the appropriate notice for the lifting of the Holding Provision (H-96) pursuant to Section 36 of the *Planning Act*.

PURPOSE & BACKGROUND

Purpose

3. The purpose of this report is to recommend the removal of Holding "H" Provision (H-96) from the subject property in response to an application from the owner, in order to permit development to occur.

Location

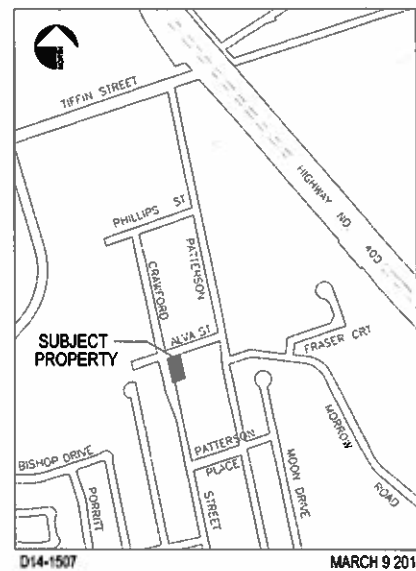
4. The subject property is located on the east side of Crawford Street, south of Alva Street. The property has frontage on Crawford Street and an area of approximately 0.2 ha and is known municipally as 228A-228H Crawford Street.

Surrounding Land Uses

The subject property is surrounded by the following land uses:

North: Existing single detached residential, zoned R2.

South: Existing single detached residential, zoned R2.



East: Vacant lands zoned RM2-TH (SP-390) (H-97).

West: Existing Place of Worship zoned RM2.

Existing Policy

5. The lands are designated Residential Area in the City's Official Plan and are situated within the Ardagh Planning Area. The lands are zoned RM2 – TH (SP- 389)(H-96) in accordance with the comprehensive Zoning By-law, as amended by By-law 2007-099.
6. Section 36 of the *Planning Act* allows the City of Barrie to apply a Holding "H" Provision on zoning by-laws, which are passed under Section 34. The purpose of the Holding Provision is to enable the City to identify, in a zoning by-law, the use(s) that are permitted for a specific parcel of land and to establish conditions precedent to their development.
7. The City of Barrie may consider the removal of a Holding Provision once the conditions have been satisfied which originally resulted in it being implemented. A by-law pursuant to Section 36 of the *Planning Act* must be passed prior to the removal occurring.
8. To remove the Holding Provision, the City is required to give notice of its intent to pass the by-law that will remove the "H" symbol from the subject lands, in accordance with the *Planning Act*.

ANALYSIS

Development Proposal

9. The applicant/owner is requesting to have the Holding Provision (H-96) lifted from the subject property in order to permit the development of eight (8) street townhouses on the subject lands (as per attached Appendix A – Site/Survey Plan).
10. The Holding Provision provides that the lands so zoned cannot be used for purposes permitted by the RM2-TH (SP-389) (H-96) zone until the (H) symbol is removed pursuant to Section 36 of the *Planning Act*. The Holding Provision requires:

"That the owner provide full urbanization of the easterly portion of Crawford Street adjacent to the development, or enter into a Development Agreement with the City to address same (including any urbanization matters or financial requirements thereto) to the satisfaction of the Engineering Department."

11. A Development Agreement was completed and registered on November 24, 2010 to the satisfaction of the Engineering Department. Therefore, the condition precedent to removal of the Holding Provision has been satisfied.
12. The removal of the Holding Provision will ultimately allow for development to occur on the lands and will enable building permits to be secured on the lots.

Summary

13. Staff have reviewed the application and the required condition to register the Development Agreement, as prescribed in By-law 2007-099, has been satisfied as it relates to the subject property. As such, the Holding Provision (H-96) on the subject lands may now be removed, enabling the development of the property to proceed as previously noted.

ENVIRONMENTAL MATTERS

14. There are no environmental matters related to the recommendation.

ALTERNATIVES

15. There is one option available to General Committee in regard to this report:

Alternative #1 That the removal of the Holding Provision (H-96) be denied.

This alternative is not recommended given that the proposed development is in conformity with the site specific by-law, is zoned to permit residential use and development can proceed in accordance with the zoning of the lands.

FINANCIAL

16. The removal of the hold would enable building permits to be issued on eight freehold townhouse properties, and once developed, the assessment would increase resulting in increased taxes. The ultimate taxes resulting from the 8 developed lots based on an estimate of \$225,000.00 per lot would yield municipal taxes for 2010 of \$2,483.40 per lot ($225,000.00 \times 1.103730\%$). The total for the 8 properties would be \$19,867.20. As the current vacant residential municipal taxes are \$2,971.59, there would be an increased tax yield of \$16,895.61.
17. The City's portion of the development charges which will be collected at the time of building permit issuance based on current rates will be \$189,440.00 (\$23,680.00 per unit).
18. Cash in lieu of parkland in the amount of \$1,500.00 per unit, or 5% of the value of the land, will be collected at the time of building permit issuance based on the current rate.
19. Building permit fees are based on a cost recovery basis and will be collected for the 8 properties based on the detailed building permit drawing submission at time of application.
20. The owner/applicant would be responsible for any costs arising from the development of the project in accordance with the registered Development Agreement.

LINKAGE TO COUNCIL STRATEGIC PRIORITIES

21. The 2010-2014 Council Goals have not been established as of the time of writing this report.
22. Approval of the removal of the Holding Provision would provide for the development to occur on vacant lands that have been intended to be utilized for medium density residential and is expected to provide residential housing opportunities in an established neighbourhood.

Attachment: Appendix A – Site/Survey Plan

Site Plan 228A-228H Crawford St. (Excerpt of Dwg. 2415-1 dated Aug. 2010 by Skelton Brumwell)

