

**TO:** GENERAL COMMITTEE

**SUBJECT:** PART LOT CONTROL EXEMPTION  
207 ALVA STREET (WARD 6)

**PREPARED BY AND KEY CONTACT:** A. HILL, DEVELOPMENT PLANNER  
EXT. 4719

**SUBMITTED BY:** S. NAYLOR, MES, M.C.I.P., R.P.P., DIRECTOR OF PLANNING *Steph Naylor*

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

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

**RECOMMENDED MOTION**

1. That Council approve a by-law to remove Part Lot Control on the subject property described as Part of Lot 47, Plan 959, City of Barrie, in order to allow for the creation of three residential lots in accordance with Section 50(7) of the Planning Act, subject to:
  - a) The owner entering into a development agreement that will address the urbanization of Alva Street and the connection of the existing house and proposed lots to full municipal services to the satisfaction of the Engineering Department.
  - b) The owner addressing any and all matters related to the Lake Simcoe Region Conservation Authority has been appropriately addressed.
  - c) Final approval of the rear yard variance.

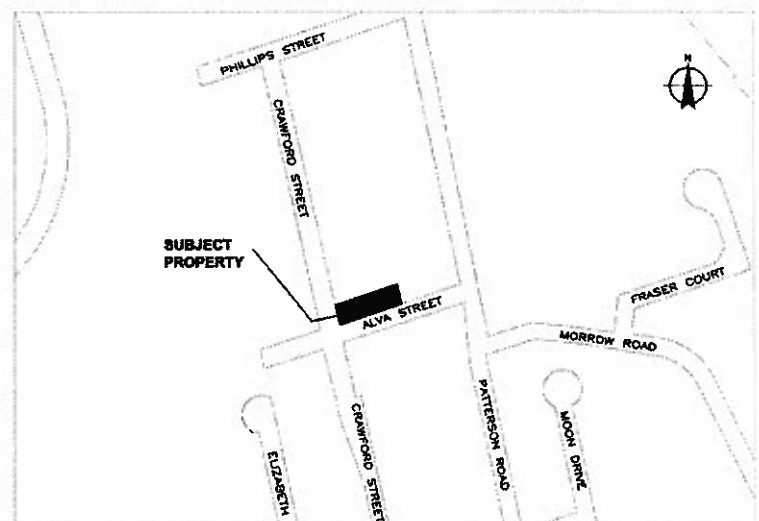
**PURPOSE & BACKGROUND**

Purpose

2. To consider removing Part Lot Control on the subject lands, such that a single lot can be subdivided into three single family detached lots. The proposed plan is attached as Appendix "A".

Location

3. The subject lands are located at the northeast corner of Crawford and Alva Streets in the Ardagh Planning Area. The property is known municipally as 207 Alva Street, and is located in Ward 6. An existing residential single family home is located on the property.



Existing Policy

4. The property is designated Residential Area within the City of Barrie Official Plan and is situated within the Ardagh Planning Area. The lands are zoned Single Detached Residential Dwelling Second Density - R2 by Comprehensive Zoning By-law 85-95 and 2009-141.

Part Lot Control

5. Section 50(7) of the Planning Act enables the City to pass a by-law to remove Part Lot Control from all or part of a registered plan of subdivision in order to effect the further division or merger of parcels of land. Removal of the Part Lot Control is a process permitted under the Planning Act, and is typically utilized where matters such as servicing, roads, parks, etc. have been previously reviewed. Unlike the severance process through the Committee of Adjustment, the removal of Part Lot Control does not include an opportunity for public input and appeal. This process is an alternate way of allowing lands to be subdivided other than through the Committee of Adjustment. In this instance, the owner is requesting the division of land that would be in accordance with the current standards of the Zoning By-law with the exception of the rear yard setback for the existing dwelling.

Surrounding Land Uses

6. The subject property is surrounded by the following land uses:  
  
North: Existing single detached residential, zoned Residential R2.  
  
South: Vacant land proposed for block townhouses, zoned RM2-TH.  
  
East: Existing single detached residential, zoned R2.  
  
West: Vacant land and existing single detached residential R2.
7. No public meeting is required. Under the Planning Act, public meetings are required for planning matters regarding a proposed amendment to the Official Plan or to the Zoning By-law, or for a proposed plan of subdivision. Part Lot Control does not constitute any of the three aforementioned planning matters.

**ANALYSIS**

Provincial Policy Statement, Growth Plan, and Official Plan

8. The removal of Part Lot Control on the subject property will facilitate the construction of two single family homes on land that currently accommodates a single residential unit. The division of the property and the construction of the homes represent residential infill intensification, and the efficient use of land. Therefore, the proposed development is in conformity with a number of the goals as outlined in the Official Plan and the City's Intensification Study, as well as the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe.

Zoning By-law 85-95 and 2009-141

9. The property has a total frontage of 24.38m, an average depth of 76.2m and a lot area of 1857.7m<sup>2</sup> (19,997.4ft<sup>2</sup>). The owner is proposing to subdivide the property into three single family lots. Each lot would have a frontage of approximately 25m and a depth of 24.38m for a total lot area of approximately 634.5m<sup>2</sup>. By-law 85-95 and 2009-141 requires a minimum lot frontage of 15m and lot area of 500m<sup>2</sup>. As such, the proposed lots would conform to the zoning provisions.

10. An application to the Committee of Adjustment is required to address a deficient rear yard setback which would result from the creation of the three lots. The existing house will have a rear yard setback of 6.89m on one of the lots (Part 3), whereas the Comprehensive Zoning By-law requires 7m. This matter is being considered by the Committee of Adjustment on April 25, 2012.
11. Given that the proposed lots conform to the standards of the Zoning By-law, and there is the opportunity to create three lots that are in general keeping with the lots in the area to the south, staff are recommending that the Part Lot Control By-law be approved by Council, so as to permit the creation of three single family residential lots.

#### Servicing

12. 207 Alva Street is connected to municipal water but is currently on septic. All three properties will be required to connect to a municipal sewer, in accordance with section 4.2.2.5(b) of the Official Plan, which indicates that private septic systems will be discouraged. A local sewer line is located on Crawford Street and a trunk sewer line is located on Patterson Road. If the Part Lot Control exemption is approved, the owner would be required to extend a sewer line along Alva Street to connect to the created lots and existing house, all at the owner's expense.
13. The owner would also be required to urbanize that portion of Alva Street fronting the property. This would include the provision of curbing, which is similar to the required works of the developer on the south side of Alva Street.
14. All of the matters would be secured through a development agreement between the owner and the City to the satisfaction of the Engineering Department.

#### ENVIRONMENTAL MATTERS

15. The westerly half of the property falls within the Lake Simcoe Region Conservation Authority (LSRCA) regulatory limit. As such, the owner will be required to address any matters identified by the Conservation Authority (if any) prior to the Part Lot Control By-law being finally approved. This may include entering into an agreement to secure any required works. The application has been circulated to the LSRCA for comment.

#### ALTERNATIVES

16. There is one alternative available for consideration by General Committee:

##### Alternative #1

That Council not approve the request for a division of land through a Part Lot Control Exemption By-law in accordance with Section 50(7) of the Planning Act.

Staff do not recommend this as the applicant would then need to make a further application to the Committee of Adjustment thus extending the time period and cost for creation of the lots and the transfer to purchasers. The use of a Part Lot Control exemption to divide the land is appropriate.

#### FINANCIAL

17. When developed, the assessment would increase resulting in increased property taxes. A single developed lot based on an estimated property value of \$250,000 per lot would yield municipal taxes, in 2011 dollars of \$3,306 per lot (\$250,000 x 1.322417%). This is based on sales in the general area of the property. Taxes on the existing house are in the order of \$3,025 (2011). The total for the three properties created plus the lot containing the existing house would be estimated

to be \$9,337 (2011). This would be an increase in municipal taxes of approximately \$6,312 (2011).

18. The City's portion of the development charges (2012 rate) collected for the two lots at the time of building permit issuance based on current rates would be \$56,706.00 (\$28,353.00 per unit).
19. 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.
20. Building permit fees are based on a cost recovery basis and are collected for the three properties based on the detailed building permit drawing submission at time of application.

#### **LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN**

21. The recommendations included in this staff report are not specifically related to the goals identified in the 2010-2014 City Council Strategic Plan.

#### **CONCLUSION**

22. Given that the proposed lots conform to the standards of the Zoning By-law, and there is the opportunity to create two new lots that are in general keeping with the other lots in the area, staff are recommending that the Part Lot Control Exemption Application be approved by Council, so as to permit the creation of two new residential lots for single ownership.

Attachment: Appendix "A" – Reference Plan

APPENDIX "A"

Reference Plan

