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**TO:** GENERAL COMMITTEE

**SUBJECT:** INVESTIGATING THE APPROPRIATENESS OF REZONING THE VISTA PLACE UNOPENED ROAD ALLOWANCE FROM RESIDENTIAL (R2) TO OPEN SPACE (OS) (MOTION 16-G-227)

**WARD:** 8

**PREPARED BY AND KEY CONTACT:** ANDREW GAMEIRO, B.E.S., PLANNER, EXT # 5038

**SUBMITTED BY:** A. BOURRIE, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES

**GENERAL MANAGER APPROVAL:** R. FORWARD, MBA, M.Sc., P. ENG.  
GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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### **RECOMMENDED MOTION**

1. That lands located in the area south of Highway 400 to 406 Innisfil Street, west of Marshall Street, legally described as Lots 17 to 20 inclusive on Registered Plan 51M-1473 and the Vista Place unopened road allowance be rezoned from Single Detached Residential Second Density (R2) to Open Space (OS).

### **PURPOSE & BACKGROUND**

#### Purpose

2. The purpose of this report is to investigate the appropriateness of amending Zoning By-law 2009-141 for city-owned lands located in the area south of 400 and 406 Innisfil Street, west of Marshall Street, legally described as Lots 17 to 20 inclusive on Registered Plan 51M-1473 and Vista Place unopened road allowance, from 'Single Detached Residential Second Density' (R2) to 'Open Space' (OS).

#### Location

3. The subject lands are located in the area south of 400 to 406 Innisfil Street, west of Marshall Street in the Allendale Planning Area, as identified in Appendix 'A' of this report.

#### Surrounding Land Uses

4. North, South and East: Single detached residential dwellings, as identified in Appendix "B" and "D" of this report.
5. West: A small woodlot and a cluster residential townhouse development with access off Adelaide Street, as identified in Appendix 'B' and 'D' of this report.

Background

6. On October 24, 2016, City Council directed Planning and Building Services Department staff by Motion 16-G-227 to investigate the appropriateness of amending Zoning By-law 2009-141 for City-owned lands located in the area south of 400 and 406 Innisfil Street, west of Marshall Street, legally described as Lots 17 to 20 inclusive on Registered Plan 51M-1473 and Vista Place unopened road allowance, from 'Single Detached Residential Second Density' (R2) to 'Open Space' (OS) and to report back to General Committee.
7. The Vista Place unopened road allowance, along with lots 17 to 20 is a portion of a larger plan of subdivision, Plan 1473, which contained a total of 100 residential lots and part blocks. The plan was registered in August of 1964 and reflected lots 17 to 20 in compliance with the zoning standards of the day in terms of lot frontage and area.
8. In 1973, lots 17 to 20 were conveyed to the City of Barrie for municipal purposes, however, no detail related to the intended use was provided in the transfer documents. At the time of conveyance, the rear portion of lots 18 and 19 were severed off and merged on title with lot 14 on Plan 1575 which is located to the south and west, municipally known as 12 and 14 Debra Crescent.
9. Lots 17 to 20 and the intended right-of-way of Vista Place is vacant land that has a grade that slopes to a low point at Innisfil Street and to a high point at the south boundary of developed lots fronting on Debra Crescent and Marshall Street, as identified in Appendix "E" of this report. Lots 17 to 20 conform to the 'R2' residential zone standards in terms of lot frontage and area; however, given the significant grade, existing tree stand and configuration/shape of the lands, the properties have not been developed for residential purposes. The current review of the subject property confirms that viable development is unlikely. To prevent water run-off onto adjacent properties to the north, two catch basins have been installed on the property to collect and control run-off, as identified in Appendix "F" of this report.
10. The subject lands are currently maintained by the City to a minimal standard. There is no recreational/play equipment or programming that occurs on the subject property. Rather, the subject lands are enjoyed by local area residents as an informal open space throughout the year.

Existing Policy

11. The subject lands are designated 'Residential Area' in the City's Official Plan, as identified in Appendix "C", and as such are intended to be used primarily for residential uses. The residential designation permits various forms of housing subject to the zoning in effect and locational criteria. Uses compatible with basic residential uses, such as open spaces, day care facilities, places of worship and home occupations are also permitted within the Residential designation provided such uses are in keeping with the general scale appearance and character of the surrounding neighbourhood.
12. The subject lands are currently zoned 'Single Detached Residential Second Density' (R2) in Zoning By-law 2009-141, as identified in Appendix "D", which permits the development of single detached dwellings on lots that have a frontage and lot area of 15 meters and 500 m<sup>2</sup> respectively.

Department Comments:

13. Engineering Services have advised that the City does not have any plans to construct a municipal roadway on the subject lands. If the subject lands are deemed surplus and sold for future development, matters such as grading, drainage and stormwater management would be addressed through the site plan control and/or building permit processes. As such, municipal access/maintenance easements would not be required for the existing catch basins located on the subject lands. Finally, Engineering Services has noted that the significant grade of the subject

lands will pose challenges for future development. Please refer to the contour map in Appendix "E" for more information.

14. Parks and Forestry have advised that they do not consider the subject lands to be a park and there are no plans to install recreational equipment. Given that the lands are under City ownership, they are maintained to a minimal property standard, which includes intermittent grass cutting during the summer season and the removal of winter obstacles that pose risk for injury (i.e. tobogganing jumps). Any service level change would require additional staff and resources.
15. Parks and Forestry have advised that there is no interest or need for the subject lands to be developed for parkland or that it contain playground equipment given other facilities within the general area, as identified in Appendix 'G' of this report. It has been determined that sufficient parkland is located within the area to serve the needs of the public. Shear Park and Allandale Heights Park are located within 300 m of the subject lands, and both parks contain recreational equipment/facilities such as playground structures, trails, tennis courts, basketball courts and baseball diamonds.
16. Parks and Forestry have advised that if the lands are re-zoned to 'Open Space' (OS), it is their preference not to maintain them. Instead, Parks and Forestry recommend that the subject lands be naturalized/restored with careful tree planting, and posted as a 'natural regeneration area'.
17. Parks and Forestry have noted that staff could request that Council allocate a small amount of funding to assist with tree planting on the site. It would take approximately 750 trees (small saplings) at \$20.00 each, representing a total of \$15,000.00 to replant the site. The funding could be phased over a number of years to minimize the cost to the City per year.
18. Legal Services have indicated that the subject lands could be a source of revenue should they be deemed surplus and sold as a developable parcel of land. However, it is important to note that the City's Engineering Services Department has identified that the significant grade of the site will pose challenges for future development and the City does not have any plans to open the Vista Place road allowance.

## **ANALYSIS**

19. The subject lands have clear unobstructed access to Innisfil Street. Given the size of the subject lands, they may have value as a developable site. However, the City is not proposing to construct a municipal roadway, and the existing grades, tree stand and lot configuration pose some constraints for future development on the subject lands.
20. Under the existing 'Single Detached Residential Second Density' (R2) zoning standards, the lots that make up the subject lands may be developed for single detached dwellings. However, the lot configuration and grading of the subject lands is not suitable for the development of single detached dwellings. The subject lands could be severed and merged with adjacent lots, provided the property owners are willing to purchase the lands. However, all abutting property owners will need to agree, and even then, some of the parcels may be landlocked without frontage on a municipal street.
21. The subject lands could also be developed at a higher density, provided they are deemed out registration and re-zoned. The existing grades, tree stand and configuration of the subject lands make this built form unlikely. The subject lands are also surrounded by a stable low-density residential neighbourhood, and therefore, a higher density development is not compatible with existing uses in the area.

22. The subject lands are designated 'Residential' in the City's Official Plan. Where lands are designated 'Residential', the predominant use shall be for all forms and tenure of housing. However, according to Policy 4.2.2.1(b) of the Official Plan, uses compatible with basic residential uses, such as open spaces, day care facilities, places of worship and home occupations may be permitted within the Residential designation provided such uses are in keeping with the general scale, appearance and character of the surrounding neighbourhood.
23. The subject lands are surrounded by low-density residential lots and are currently used by local area residents as an informal open space for recreational and leisure-time activities. If the subject lands are re-zoned to 'Open Space' (OS), the proposed land use would be in character with the surrounding area, and consistent with the general intent and purpose of the Official Plan.
24. As directed by Council, there is nothing preventing the property from being rezoned from 'Single Detached Residential Second Density' (R2) to 'Open Space' (OS). This option is preferred by local area residents and the ward councilor.
25. Given the current use of the lands, as well as the topography and lot configuration, Planning staff believe that Open Space represents the most appropriate land use and zoning designation. The subject lands need to be deemed out of registration and re-zoned to 'Open Space' (OS). Planning staff also recommend that the subject lands be naturalized/restored with tree planting, and signed as a 'natural regeneration area'. Careful tree planting could alleviate the risk from illegal tobogganing on the site during the winter months. Regenerating the site would also have obvious environmental benefits, such as providing a connection to the small tree stand to the west. It would also eliminate the need for City staff to maintain the subject lands.
26. Parks and Forestry staff will consider in future Operating Budgets, subject to Council approval, funds to phase in a tree naturalization program for the subject lands should the rezoning to 'Open Space' (OS) be approved.

### **ENVIRONMENTAL MATTERS**

27. The westerly portion of the subject lands contains a small portion of a larger tree stand that is primarily located along the southern boundary of the townhouse development fronting onto Adelaide Street, as identified in Appendix 'B' of this report. This tree stand appears to be greater than 0.2 hectares in size and therefore would be considered a woodlot under the City's Tree Cutting By-law. The woodlot is not identified as a Natural Heritage Resource on Schedule H of the City's Official Plan but is identified as a Natural Heritage Feature on the Lake Simcoe Region Conservation Authority (LSRCA) Land Cover Mapping. Any tree removal from the property along the westerly property boundary would require a permit under the City's Tree Cutting By-law. It is also expected that the LSRCA would require compensation planting to be considered should a portion of the tree cover be removed.
28. Regenerating the site through careful tree planting and designating it as a 'natural regeneration area' would have environmental benefits, such as providing a connection to the existing tree stand located on the west side of the subject lands. It would also provide added greenery to an existing stable residential neighbourhood, whereas the redevelopment of the subject lands would result in the removal of vegetation. This represents an added benefit to not only the neighbourhood, but the community as a whole.

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## **ALTERNATIVES**

29. The following alternative is available for consideration by General Committee:

**Alternative #1**

General Committee could have the property deemed out of registration and take no further action.

This alternative would enable the subject lands to be consolidated into one parcel. This alternative is not recommended, as the City would still need to maintain the lands and may create a potential expectation that the lands be used as a park. Re-zoning to an 'Open Space' (OS) designation and naturalizing the property is more appropriate given the nature of the subject lands and its proximity to an existing woodlot.

**Alternative #2**

General Committee could consider the land surplus and offer them for sale.

This alternative is not recommended because the subject lands are not viable for development, as noted in the Planning analysis and Engineering comments contained in this report.

## **FINANCIAL**

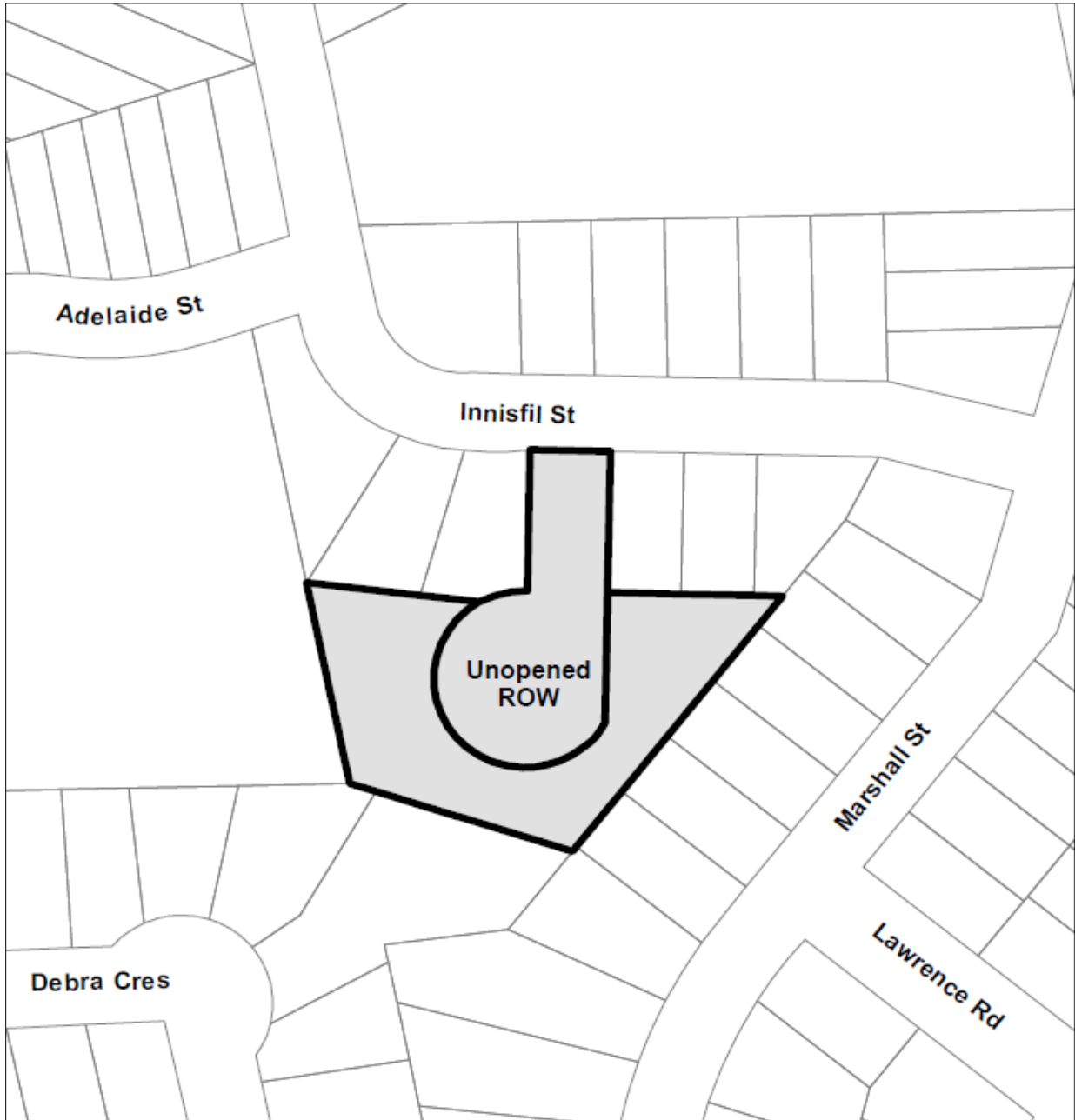
30. If the subject lands are re-zoned to 'Open Space' (OS) and naturalized through tree planting, Council would have to consider allocating \$15,000.00 to assist with the planting of trees. The funding could be phased over a number of years to minimize the annual cost to the City. Parks and Forestry staff will consider in future Operating Budgets, subject to Council approval, funds to phase in a tree naturalization program for the subject lands should the rezoning to 'Open Space' (OS) be approved.

## **LINKAGE TO 2014-2018 STRATEGIC PLAN**



31. *Inclusive Community (Provide Great Public Spaces)* – If the subject lands are re-zoned to 'Open Space' (OS) and naturalized through careful tree planting, the City will increase its inventory of parkland, open spaces and natural areas to better serve local area residents and improve the natural environment.

Attachments: Appendix "A" – Key Map  
Appendix "B" – Aerial Photograph  
Appendix "C" – Official Plan Land use Designation Map  
Appendix "D" – Existing Zoning Map  
Appendix "E" – Contour Map  
Appendix "F" – Existing Infrastructure Map  
Appendix "G" – Parkland Location Map

**APPENDIX "A" – KEY MAP**



**Vista Place Subdivision**

-  Subject Property
-  Parcels

GIS Branch 5/25/2017



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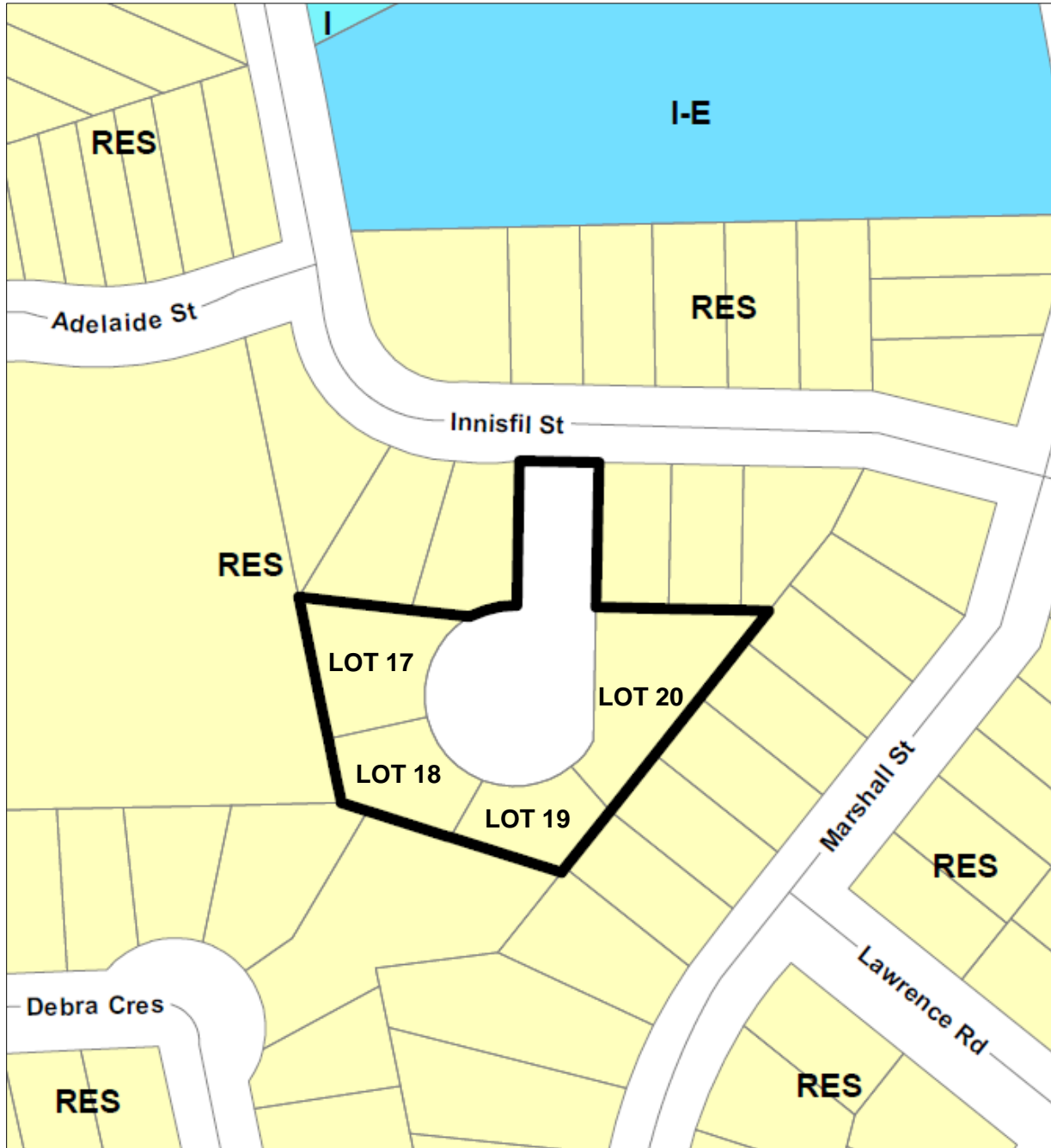


**APPENDIX "B" – AERIAL PHOTOGRAPH**



	<p><b>Vista Place Subdivision</b></p> <p> Subject Property</p> <p> Parcels</p>	<p>GIS Branch 5050017  </p> <p><small>The City of Barrie does not warrant the accuracy, completeness, content, or currency of the information provided. This is not a legal Plan of Survey. Copyright © City of Barrie 2017 Produced in part under license from: © Queen's Printer, Ontario Ministry of Natural Resources. All rights reserved. © Her Majesty the Queen in Right of Canada, Department of Natural Resources. All rights reserved. © Members of the Ontario Geospatial Data Exchange. All rights reserved. For information please contact Service Barrie at 705-726-6242 or <a href="mailto:Service@barrie.ca">Service@barrie.ca</a></small></p>
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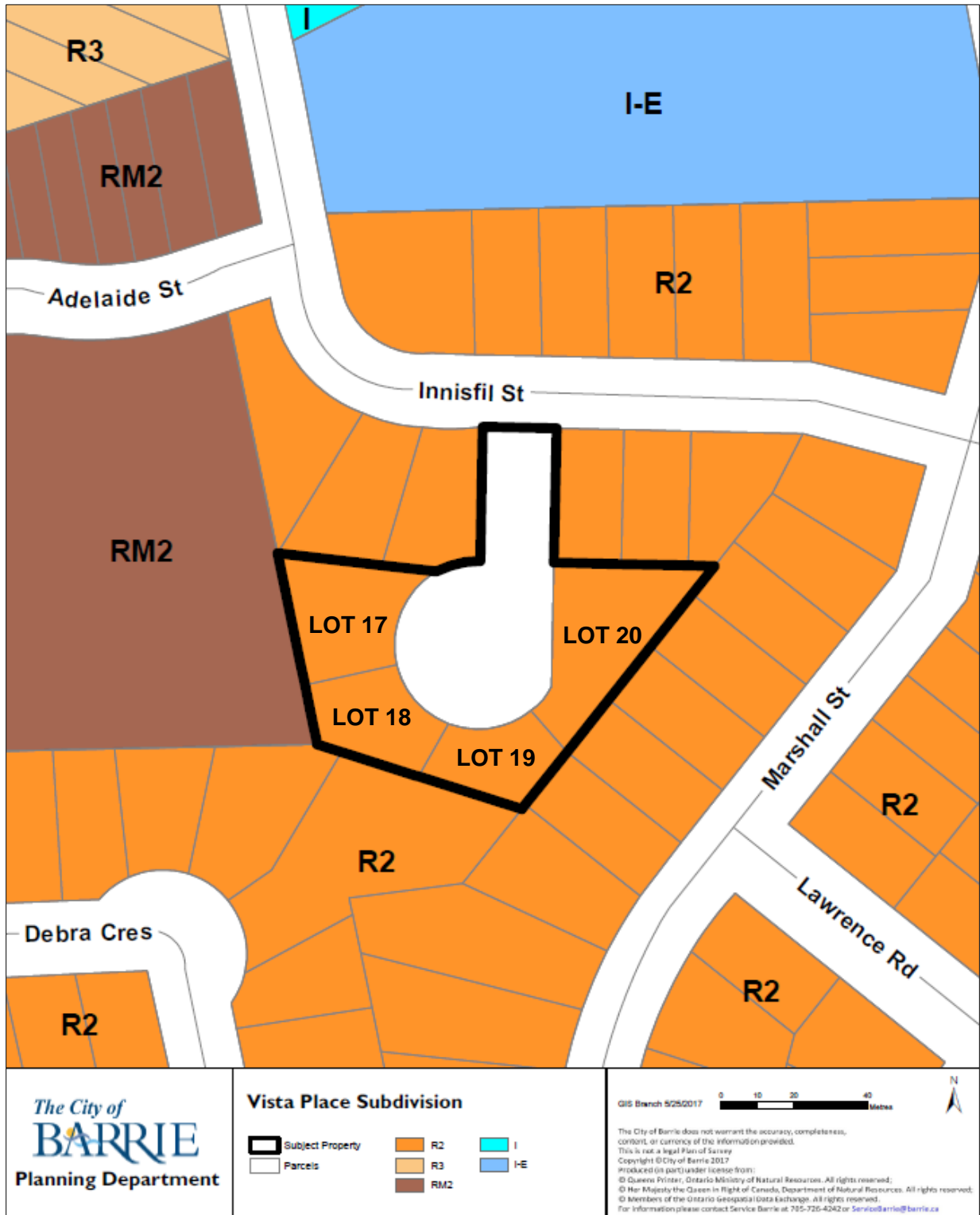
**APPENDIX "C" – OFFICIAL PLAN LAND USE DESIGNATION MAP**



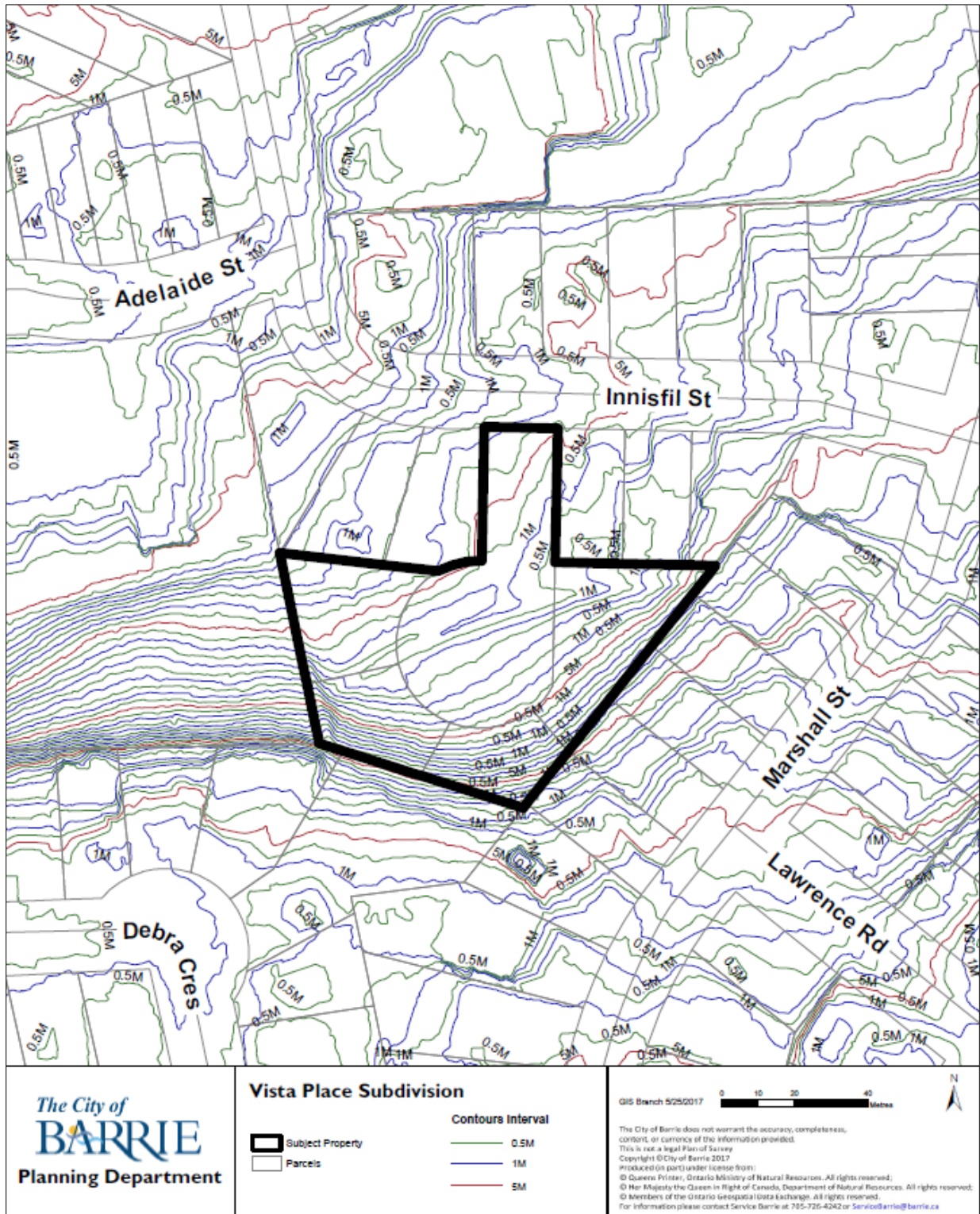
<p>The City of <b>BARRIE</b> Planning Department</p>	<p><b>Vista Place Subdivision</b></p> <ul style="list-style-type: none"> <li><span style="border: 2px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Subject Property</li> <li><span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Parcels</li> <li><span style="background-color: yellow; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Residential</li> <li><span style="background-color: cyan; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Institutional</li> <li><span style="background-color: lightblue; display: inline-block; width: 15px; height: 10px; margin-right: 5px;"></span> Educational Institutional</li> </ul>	<p>GIS Branch 5/25/2017</p> <p style="text-align: right;">0 10 20 40 Metres</p> <p style="text-align: right;">N</p> <p><small>The City of Barrie does not warrant the accuracy, completeness, content, or currency of the information provided. This is not a legal Plan of Survey. Copyright © City of Barrie 2017 Produced in part under license from: © Queens Printer, Ontario Ministry of Natural Resources. All rights reserved; © Her Majesty the Queen in Right of Canada, Department of Natural Resources. All rights reserved. © Members of the Ontario Geospatial Data Exchange. All rights reserved. For information please contact Service Barrie at 735-735-4342 or <a href="mailto:Service@barrie.ca">Service@barrie.ca</a></small></p>
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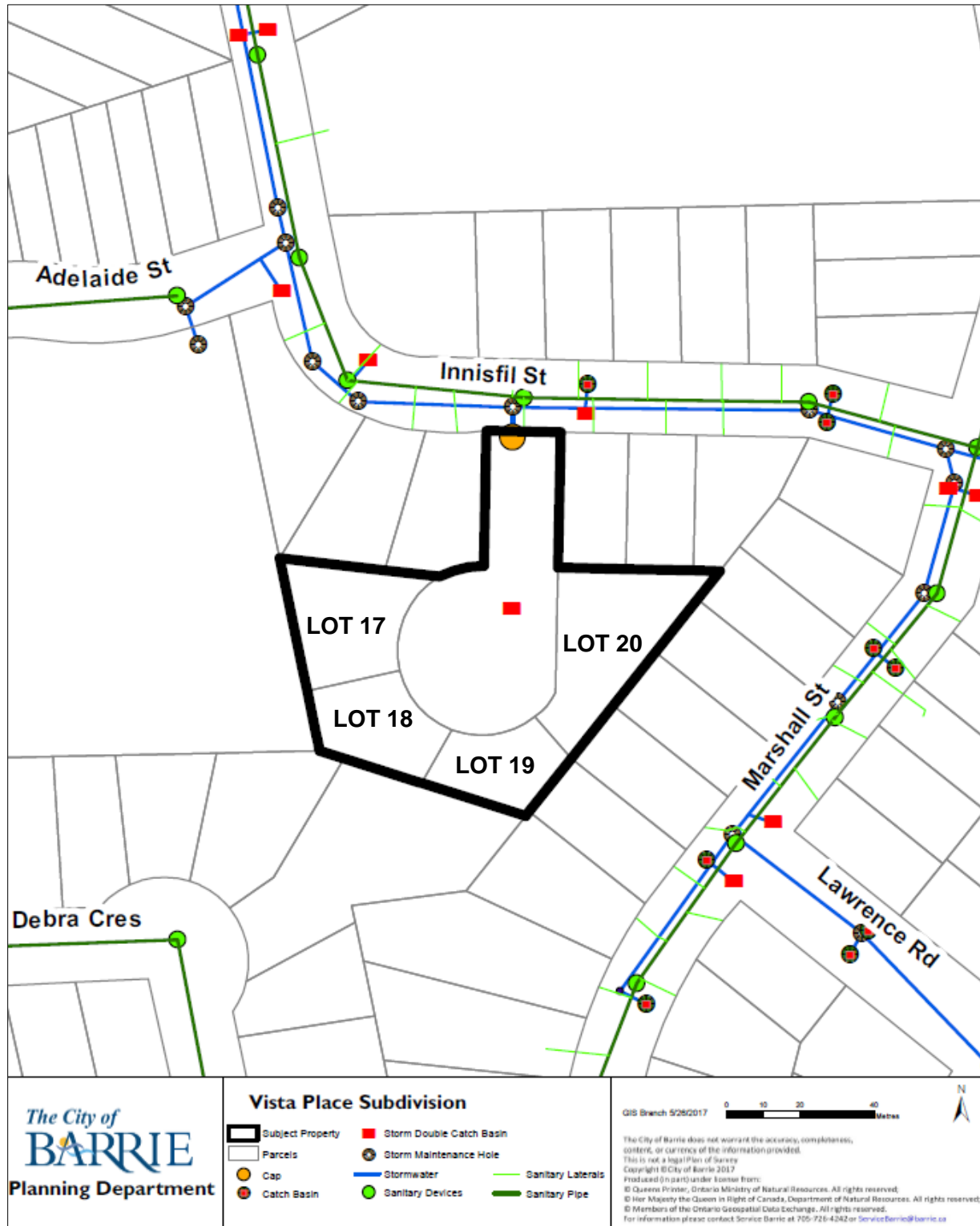
**APPENDIX "D" – EXISTING ZONING MAP**



**APPENDIX "E" – CONTOUR MAP**



**APPENDIX "F" – EXISTING INFRASTRUCTURE MAP**



**APPENDIX "G" – PARKLAND LOCATION MAP**

