

DEPUTATION REQUEST

Request for deputation, any written submissions and background information for consideration by City Council must be submitted to the Legislative and Court Services Department by 9:00 a.m. on the **WEDNESDAY PRIOR TO THE REQUESTED MEETING**.

PLEASE PRINT

COUNCIL MEETING DATE:			DECEMBER 4 2017		
GENERAL COMMITTEE MOTION NUMBER:					
SUBJECT: TECK ROAD ZBA + DRAFT PLAN FILE D14-1636					
NAME OF PERSON TO APPEAR: GREG BARKER + DAVID SEAMAN					
EMAIL ADDRESS: gbarker@IPS CONSULTING INC. COM					
STREET ADDRESS: 150 DUNLOP ST E, SUITE 201					
BARRIE			L4M 1B1		
City			Postal Code		
PHONE:		HOME:		BUSINESS:	
705 812		3281			
NAME OF PERSON REQUESTING APPEARANCE (if different from person appearing):					
PHONE: HOME: BUSINESS:					
NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable):					
1862145 ONTARIO LIMITED					
BRIEF STATEMENT OF PURPOSE OF DEPUTATION:					
SEE ATTACHED LETTER					
LETTER SUBMITTED WITH REQUEST: YES <input checked="" type="checkbox"/> NO					

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City of Barrie, Legislative and Court Services Department
70 Collier Street, P.O. Box 400, Barrie, L4M 4T5
Tel: 705 739-4204 Fax: 739-4243
www.barrie.ca



INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

Tuesday November 28th, 2017

City of Barrie Ontario
70 Collier Street
L4M 4T5

Attention: Edward Terry, Planner

Re: Deputation Request Letter
Zoning By-Law Amendment and Plan of Subdivision
City File No: D14-1636
Lots 114 to 116, Block 175 and Part of Teck Road Unopened Road
Allowance, Plan 51M-867, Part of Lots 1 & 2 Registered Plan 1192
City of Barrie, County of Simcoe

On behalf of 1862145 Ontario Limited, Innovative Planning Solutions requests the opportunity to provide a deputation to Council during its regularly scheduled December 4th, 2017 Council Meeting. The purpose of this deputation is to provide additional information relative to the proposed Zoning Bylaw Amendment (ZBA) and Draft Plan of Subdivision applications (File D14-1636) on lands known as 2,4,5,8 Teck Road, 344, 350 and 354 Ardagh Road.

At the November 27th, 2017 General Committee (GC) meeting, GC passed a motion to approve the proposed ZBA and Draft Plan of Subdivision as recommended in the City of Barrie Planning Staff report PLN040-17 (provided under Appendix 1), albeit with modifications. The ZBA sought to rezone the lands from the existing R3 and R1 zoning categories to the R4 zoning category with Special Provisions to facilitate the development of 17 low density, single detached dwellings. The concept plan is provided within the above noted Staff report.

The Staff recommended Special Provisions are outlined below:

- a) Permit a minimum lot area of 260m², whereas the By-law requires 335m²;
- b) Permit a minimum rear yard setback of 6m, whereas the By-law requires 7m;
- c) Permit a minimum front yard setback to a garage of 6m, whereas the By-law requires 7m;
- d) Permit a minimum landscape buffer abutting parking area of 2.6m, whereas the By-law requires 3m; and
- e) The development shall be permitted on a private internal road and the private internal road shall be treated as a municipal right-of-way for zoning standards and provisions in Zoning By-law 2009-141. The private internal road shall be deemed to be the front lot line for the purposes of determining lot frontage and other performance standards as set out in Section 5.3.1 whereas the By-law requires a municipal right-of-way.

The modifications made by GC removes item (a) above relative to a proposed minimum lot area of 260m² whereas the By-law requires 335m². It should be noted that the proposed reduced lot area is only required for the lots on the south side of the proposed private road.

By removing item (a), the concept plan will require revision, resulting in the loss of 3 residential units, all of which are located on the south side of the proposed private road. Effectively the proposed 8 dwellings on the north side will remain, while the 9 lots on the south side will be reduced to 6. This will result in larger homes, which reduces the impact of providing varying housing sizes to the area, and potentially larger side yards. Fundamentally, the lands will continue to function as proposed, with three fewer lots.

During the November 27th 2017 GC meeting, it was noted that many recent development applications have been presented to GC with Special Provisions, often with support from Staff. This is generally a result of development applications being refined through the ZBA process, including pre-consultation, neighbourhood and public meetings and discussion with municipal departments and staff and ultimately justified under the context of the applicable Provincial and Municipal Planning policies. Generally, it is only then that applications are brought forward for General Committee consideration.

Of the concerns raised by members of the public and staff through the ZBA process, including pre-consultation meeting (August 20, 2016), neighbourhood meeting (July 19, 2017), subsequent meeting with staff (July 31, 2017), meeting with the Ward Councillor (August 29th, 2017), and Public Meeting (September 11th, 2017), neither density nor the proposed reduced lot area were among them.

While concerns were raised by residents along Auburn Court relative to privacy, it is our opinion that these concerns have been addressed and further that the removal of the proposed lot area special provision would not mitigate the concern further. It is also noted that a resident on Ardagh Road (346 Ardagh Road) raised a concern relative to vehicle lights shining onto his property. It is felt that this has been resolved by agreeing to install a 2m tight board fence, the removal of the proposed lot area special provision would not mitigate this concern further.

Specific to the proposed minimum lot area of 260m² Special Provision, it should be noted that within the City of Barrie there are 2 examples of similar developments where a private road is used to service single detached dwellings and where a reduced lot area has been approved. By-law 2013-090 (650 Big Bay Point Road & 63 Kell Place – R4-SP483) and By-law 2012-034 (East side of Town Line Road, Block 7 on Draft Plan of Subdivision and being part of PIN 58911-2035 – R4-SP424) are in effect and permit lot areas of 230m² (and 9m frontages) and 250m² (and 5m rear yard setbacks) respectively. It is noted that the proposed lot area of 260m², lot frontage of 11.95m and rear yard setback of 6m is greater than both of these existing approvals.

From a Planning perspective, the proposed concept plan for 17 single detached dwellings has been reviewed under the context of Provincial and Municipal Planning policies. The Growth Plan and Provincial Policy Statement support the proposed ZBA as a means to provide for a housing/unit size that is not provided in the general area which effectively adds to the range of housing available while making efficient use of the land and infrastructure. By eliminating the proposed reduced lot area, the ultimate development of the land would likely result in providing larger homes on the larger lots which would effectively detract from the

range of housing types available and result in a less efficient, less compact use of the land and infrastructure. Conformity and consistency with the Growth Plan and Provincial Policy Statement respectively has been provided in both the Planning Justification Report submitted on behalf of the applicant and the Staff Report (PLN040-17).

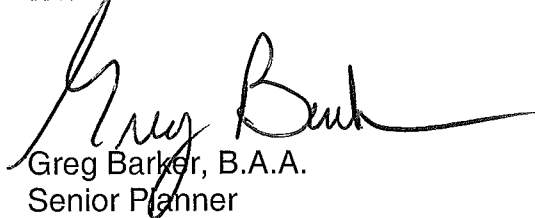
Locally, the City's Official Plan supports intensification of vacant infill lands. This helps to support the viability of neighbourhoods and provides opportunities for various housing types. It is noted that the surrounding lands also consist of low density single detached dwellings, similar to what is proposed by this application at a density of 25 units per hectare. Given the Provincial target of 80 residents and jobs per hectare for Greenfield development, every opportunity at the municipal level should be taken to accommodate intensification within the built boundaries, where conformity with applicable Planning policies has been demonstrated. The City's Official Plan provides that 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 an additional form of housing that is not available in the immediate area and which is recognized to be in accordance with good land use planning principles (Official Plan Policies 3.3.2.1(a) & (b)). It is noted that this type of development (compact single detached dwellings on a condo road) is not available in the immediate area.

Based on the above, we would respectfully request that Council re-consider the approval of the proposed Zoning By-Law Amendment application as recommended by Staff in Staff Report PLN040-17, specifically to include the Special Provision for a reduced lot area of 260m² whereas 335m² is required.

Trusting this is satisfactory; we look forward to the opportunity to make a verbal deputation on December 4th, 2017 to Council. Should you have any questions, concerns or require any additional information, please do not hesitate to contact the undersigned at your convenience.

Respectfully submitted,

INNOVATIVE PLANNING SOLUTIONS



Greg Barker, B.A.A.
Senior Planner

Appendix 1



TO: GENERAL COMMITTEE

SUBJECT: APPLICATIONS FOR ZONING BY-LAW AMENDMENT AND DRAFT PLAN OF SUBDIVISION – 1862145 ONTARIO INC. – TECK ROAD AND ARDAGH ROAD

WARD: 6

PREPARED BY AND KEY CONTACT: E. TERRY, B.U.R.P.I., PLANNER
EXT. 5135

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

RECOMMENDED MOTION

1. That the Zoning By-law Amendment application submitted by Innovative Planning Solutions on behalf of 1862145 Ontario Inc. to rezone the lands known municipally as 2, 4, 5, 8 Teck Road, 344, 350 and 354 Ardagh Road from Residential First Density (R1) and Residential Third Density (R3) to 'Single Family Dwelling Fourth Density - with special zoning provision (R4) (SP), be approved.
2. That the following Special Provisions (SP) be referenced in the implementing of Zoning By-law 2009-141 for the subject lands:
 - a) Minimum lot area of 260m², whereas the By-law requires 335m²;
 - b) Minimum rear yard setback of 6m, whereas the By-law requires 7m;
 - c) Minimum front yard setback to a garage of 6m, whereas the By-law requires 7m;
 - d) Minimum landscape buffer abutting parking area of 2.6m, whereas the By-law requires 3m; and
 - e) The development shall be permitted on a private internal road and the private road shall be treated as a municipal right-of-way for zoning standards and provisions in Zoning By-law 2009-141. The private internal road shall be deemed to be the front yard lot line for the purposes of determining lot frontage and other performance standards as set out in Section 5.3.1 whereas the By-law requires a municipal right-of-way.
3. That the special conditions of the Draft Plan of Subdivision include:
 - a) A 2m tight board fencing be erected where it does not currently exist between the subject lands and neighboring properties;

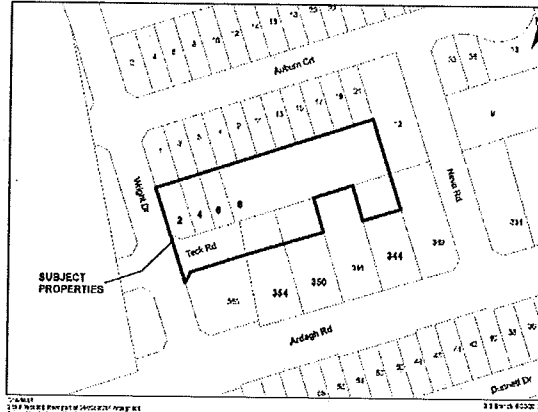
5. The existing land uses surrounding the subject property are as follows:

North: Low density single detached residential dwellings and an Elementary School, zoned Residential R3 and Institutional respectively

South: Single detached residential dwellings, zoned Residential R1 & R3

East: Single detached residential dwellings, zoned Residential R1

West: Recently approved low and medium density residential zoned



Land Assembly

6. The subject lands for the application comprise various ownership interests which include recently severed portions of 344, 350 and 354 Ardagh Road. The applicant received written authorization from all landowners to submit the required applications on their behalf. In addition, the applicant is in the process of obtaining the existing unopened portion of the Teck Road road allowance from the City of Barrie. City Council declared this land as surplus and offered for sale this portion of land by general notice. The applicant entered into an Agreement of Purchase and Sale with the City.
7. City Council has deferred the final sale of the unopened road allowance until the approval of the rezoning application has been resolved.

Existing Policy

8. The property is designated Residential in the City of Barrie Official Plan and is zoned Residential First Density (R1) and Residential Third Density (R3) in accordance with the City's Comprehensive Zoning By-law 2009-141.

Supporting Information

9. In support of the subject application, the following reports were submitted:
- a) **Planning Justification Report** (June 2017) provides a review of the property characteristics and surrounding lands, description of the proposed development as well as the planning policy basis and opinion of Innovative Planning Solutions that the proposal is an appropriate form of development and location for 17 single detached residential dwellings on a private condo road.
 - b) **Functional Servicing Report** (May 2017) serves to demonstrate on a preliminary basis that the proposed residential development can be accommodated by the existing infrastructure (water, storm and sanitary) on Wright Drive.
 - c) **Tree Inventory & Preservation Plan Report** (May 2017) identifies the existing trees on site, their characteristics and areas where preservation and removal would occur should the development proceed. The findings of the study indicated a total of 139 trees were observed on the subject property. The report concluded that a number of boundary trees noted are recommended for retention however, all other remaining trees are recommended for removal due to its state of health decline and to facilitate the proposed development.

- Stormwater Management

Residents have expressed concern regarding Stormwater management (Runoff and flooding) from the proposed development.

The applicant has provided a report outlining how stormwater will be addressed as part of their application. City engineering staff have confirmed that stormwater can adequately be managed on site.

Residents also have expressed concern regarding new residents changing the grade of the property through landscaping and negatively impacting the drainage on site.

Staff recommend that the swales at the rear of the subject properties have an easement in favour of the condo corporation therefore major landscaping that could affect the drainage would have to obtain permission from the condo board.

17. Innovative Planning Solutions provide a letter on behalf of the applicant dated Wednesday September 27, 2017 in response to a number of the residents' concerns raised at the Public Meetings. A number of their suggested mitigation measures would be appropriate conditions of Draft Plan of Subdivision.

Department & Agency Comments

18. Hydro One and the Simcoe County District School Board have reviewed the application and has no objection to the approval of the proposed Plan of Subdivision and Zoning By-law Amendment. School Board Planning staff request that our normal warning/notification clauses be included in the conditions of draft plan approval.
19. The Engineering Department is generally satisfied that the property can be provided with full municipal services through an extension of the existing infrastructure. Staff have concluded that the FSR and its recommendations for further considerations at detailed site plan design are acceptable.
20. Subject to final approval of the change in zoning and subdivision approval, the property would be subject to a Site Plan approval. The site plan approval will address issues which relate to matters such as traffic, parking, vehicle access and circulation, servicing, stormwater management, amenity space buffer planting adjacent to existing residential and other matters that serve to ensure that the development meets all municipal standards and provides an appropriate interface with surrounding properties.

ANALYSIS

Policy Planning Framework

21. The following provides a review of the applicable provincial and municipal policies.

Provincial Policy

Provincial Policy Statement (2014) (PPS) and Places to Grow (2012) (The Growth Plan)

22. Staff has reviewed the Provincial Policy Statement and the Provincial Growth Plan and is satisfied that the proposed application meets the intent of the policies found in both documents. The proposed application represents a unit size that is not provided in the general area, adding to the range of housing available, and makes efficient use of land and infrastructure. In accordance with

30. Based on the provisions identified above, staff are of the opinion that the proposed development, if approved, is considered to be consistent and in conformity with the Official Plan.

Zoning Rationale for Special Provisions (SP)

31. As noted above, the applicant has requested a Residential Single Detached Dwelling Fourth Density with Special Provisions (R4-SP) zoning over the subject lands to permit the proposed development of 17 single detached units. A number of special provisions are also requested, each of the requested site specific zoning provisions are discussed below:

Minimum Lot Area (5.3.1)

32. The applicant has requested a site specific zoning provision for a reduced minimum lot area. The proposed lots (9/17) abutting the south lot line only require this reduced lot area. The applicant is proposing a minimum lot area of 260 square metres whereas 335 square metres is required by the R4 zone. The proposed concept demonstrates that a dwelling with a GFA of approximately 1,800 square feet can be accommodated on the lots, including a 2 car garage and parking for 2 vehicles on the driveway.

Rear Yard Setback (5.3.1)

33. The applicant has requested a site specific zoning provision for a reduced minimum rear yard setback for the proposed units which abut the south lot line only. The applicant is proposing a 6 metre setback where the By-law requires a 7 metre setback for the R4 zone. The existing lots abutting the proposed south lots are quite deep and the owners (save for one), were part of the land assembly that facilitated this application. The distance from the closest adjacent residential dwelling to the proposed dwellings is approximately 23 metres.

Front Yard Setback for a Garage (5.3.1)

34. Under the proposed Residential R4 zone the applicant is proposing a front yard setback to a garage of 6m whereas the Zoning By-law requires 7m. The proposed reduced setback of 6 metres will not negatively impact the streetscape nor will it contribute to the appearance of cluttered accessory structures as the garages will be built with similar materials as the dwelling. The proposed setback will maintain a suitably sized driveway with a length of 6m, which provides sufficient space for vehicular parking. Snow storage may be limited however, private snow removal and a notification clause to that effect for future residents can be a condition of subdivision approval.

Landscape Buffer abutting Parking Area (5.3.7.1)

35. The applicant has requested a reduction in the minimum landscape buffer abutting a parking area from the required 3m to 2.6m. This provision is only proposed where it is required internally, in other words it would only impact one resident purchasing the end lot within the new proposed development. Staff is of the opinion that a reduced landscape buffer abutting a parking area can be supported in this context.

Deeming of the Private Internal Road as a Municipal Street for Zoning Purposes (5.2.5.1)

36. The applicant proposes to deem the private internal road as a municipal street right of way for the purposes of implementing the zoning standards of the Zoning By-law. The By-law does not contemplate nor provide standards for the development form being proposed. The proposed private internal road accommodates an efficient development pattern on otherwise vacant and

This alternative is not recommended. In staffs' opinion outstanding design concerns, including the landscaping, grading and built form can be addressed through Subdivision approval. Site Plan approval would be a redundant additional step, that is not a public process.

Alternative #2

General Committee could refuse the proposed Zoning By-law Amendment applications and maintain the current R1 & R3 zoning on the subject property.

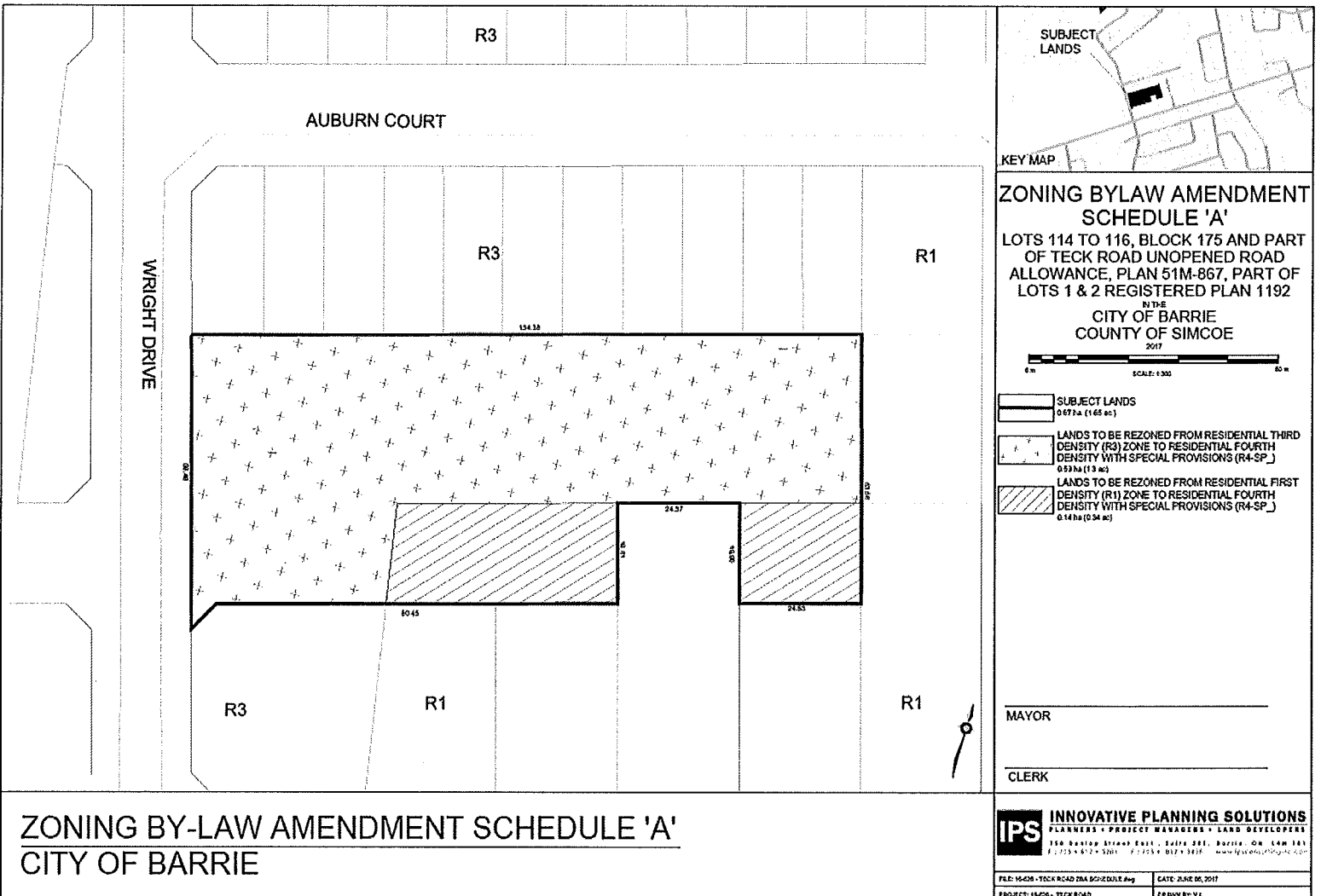
This alternative is not recommended. The residential development is considered appropriate infill development for the property. Appropriate buffering and screening measures can be incorporated through the Draft Plan Conditions to reduce the impact between the neighbouring properties. In addition, the proposed condo road compact development satisfies Provincial and City policy as noted in the analysis of the report.

FINANCIAL

43. The properties, when developed, would be subject to Draft Plan of Subdivision. All costs associated with the approval and development would be the developer's responsibility. The proposed Rezoning of the subject lands if approved would permit the development of 17 single detached residential units. The annual municipal property tax revenue based on a selling price of \$825,000 per unit is estimated to be \$159,066.36 for the site. The current municipal tax revenue for the property is \$8,754.32. The new potential tax revenue is \$150,312.04.
44. Building permit application fees will cost a total of approximately \$20,672.84 taking into consideration \$13.80 per sq. m. plus \$70 for each unit. Minor additional costs may apply.
45. The Development Charge for Single Detached units is \$43,478 per unit x 17 units minus a single family credit of \$43,478 = \$695,648. The credit is on the assumption the replacement permit is issued within 60 months of the dwelling being occupied. This rate would be adjusted for inflation each year as of January 1st. The fee is calculated and paid at the time of issuance of the building permit.
46. The Education levy is currently \$1,759 per unit which represents a total levy of \$28,144. This total levy includes a credit based upon the same assumption as noted above.
47. An additional parkland contribution would not be required as this application is part of an existing subdivision which made those contributions in the past.
48. The developer would be responsible for all capital costs for any new infrastructure required within the development limits and any of the frontage costs associated with upsizing to municipal water and sewer mains already installed. Costs associated with the ongoing maintenance and operational costs of the new internal infrastructure would be the responsibility of the condominium corporation. Further, all costs associated with snow/waste removal, landscape maintenance and site lighting would be the responsibility of the developer/future condominium corporation. The City would not incur additional operating and maintenance costs associated with extending maintenance and increased contributions to reserves to plan for the eventual replacement of the municipal assets as these services are already in place. Garbage collection will be provided by a private contractor.

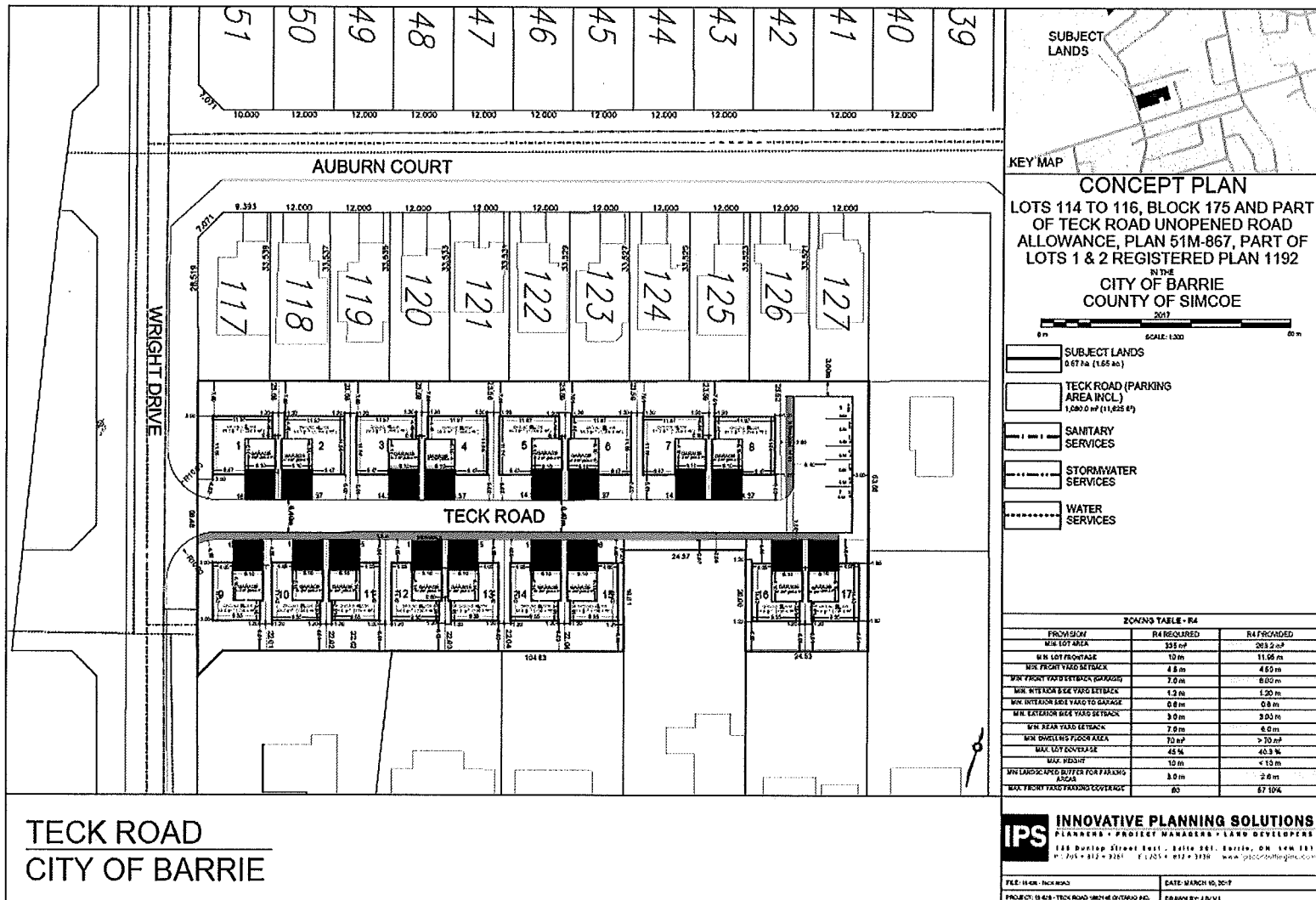
APPENDIX "A"

Proposed Zoning By-law Amendments



APPENDIX "C"

Proposed Concept Plan



APPENDIX "E"

Letter from Innovative Planning Solutions



INNOVATIVE PLANNING SOLUTIONS

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Wednesday September 27th, 2017

City of Barrie Ontario
70 Collier Street
L4M 4T5

Attention: Edward Terry, Planner

Re: Response to Public Meeting Comments
Zoning By-Law Amendment and Plan of Subdivision
Lots 114 to 116, Block 175 and Part of Teck Road Unopened Road
Allowance, Plan 51M-867, Part of Lots 1 & 2 Registered Plan 1192
City of Barrie, County of Simcoe

Based on the comments and correspondence received from the September 11th, 2017 public meeting and on behalf of 186245 Ontario Inc, Innovative Planning Solutions is pleased to provide the following response letter.

For convenience, we have summarized the concerns/comments into the following general groupings.

1. Privacy

- a. The subject lands are currently designated and zoned for the development of single detached dwellings which is what is proposed through the applications. In order to mitigate privacy concerns to the extent possible, the applicant has agreed to erect privacy fencing, as per City of Barrie standards, in locations which are appropriate. It is noted that fencing exists between the subject lands and the majority of surrounding properties. Fencing will be erected where it does not currently exist. The applicant also understands that through the draft plan of subdivision process, it is anticipated that landscape plans will be required to be prepared and implemented to the satisfaction of the City.

2. Snow Storage

- a. Provided that the development is proposed on a private road network, it is anticipated that snow will be cleared from the road and stored internally, on private properties and in snow banks along the private road by a private contractor at the expense of the condominium corporation. There are some areas which can accommodate small amounts of additional snow storage, namely adjacent to the parking area; however should snow storage demands outpace supply, snow will be removed from the site by a private contractor at the expense of the condominium corporation. This is a common strategy used in many

- c. Justification for the proposed private road rather than a typical municipal road stems from the ability to construct the private road to a width of 6.4m; this allows for the development of residential lots on both sides of the private road. Given the constraints imposed by the existing surrounding residential lots, the development of the site on a full municipal road (20m width) would not accommodate lots on both sides of the street and render the development unfeasible from an economic perspective. The proposed private internal road accommodates an efficient development pattern on otherwise vacant and underdeveloped lands and in accordance with Provincial and Municipal planning policy. Based on the above, the proposed deeming of the private internal road as a street for the purposes of the zoning bylaw is considered appropriate.

5. Site Plan

- a. It is acknowledged that the previously submitted planning report provided the following statement "Future Planning Act applications anticipated at this stage to be required following approval of the ZBA include Site Plan Application, Draft Plan of Condominium Exemption (to legally create the private road and common areas), and Part Lot Control".
- b. At this time, a site plan application has been determined to be unnecessary to ensure the appropriate and orderly development of the subject lands.
- c. The application package made to the City of Barrie included a Zoning Bylaw Amendment application and a Draft Plan of Subdivision application. It is understood that through the Draft Plan of Subdivision, the municipality has the ability and authority under Section 51 of the Planning Act to implement conditions of approval as the municipality deems reasonable, having regard to the nature of the development proposed for the subdivision. It is through this process that the City can obtain the necessary designs, reports, approvals etc that the Municipality deems appropriate and would otherwise seek to obtain through a Site Plan approval process. The Site Plan approval process would only serve to mirror the draft plan of subdivision and would be considered redundant. Further, it is noted within the City of Barrie Site Plan Control Bylaw (Bylaw 99-312) that lands within the R1-R4 zoning category are not subject to Site Plan Control. Based on the above, we formally request that the proposed development not be subject to Site Plan Control.

Should you have any additional questions or concerns, please do not hesitate to contact the undersigned at your convenience.