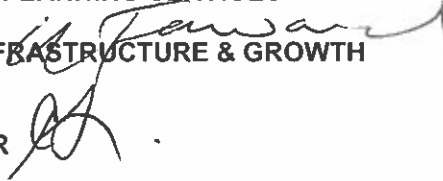



TO: MAYOR J. LEHMAN AND MEMBERS OF COUNCIL **FILE: D14-1587**

FROM: S. NAYLOR, M.C.I.P., R.P.P., DIRECTOR OF PLANNING SERVICES

NOTED: R. FORWARD, GENERAL MANAGER OF INFRASTRUCTURE & GROWTH MANAGEMENT 
C. LADD, CHIEF ADMINISTRATIVE OFFICER 

RE: BY-LAW 2015-105 (BILL #107) REGARDING A BLENDED PARKING RATE AND INCREASE IN COMMERCIAL GFA FOR PENADY (BARRIE) LIMITED AND LOBLAWS PROPERTIES LIMITED - CUNDLES ROAD EAST

DATE: NOVEMBER 9, 2015

This memorandum has been prepared to provide supplementary information regarding Bill No. 115 which is being introduced to repeal By-law 2015-105 which was passed on October 26, 2015 to amend the Zoning By-law related to the Penady (Barrie) Limited & Loblaws Property Limited property at 295, 299, 307, 319, 327, 341, 349, 359, 367, 379, 567 and 607 Cundles Road East. By-law 2015-105 approved a blended parking rate for residential and non-residential uses, as well as an increase in the allowable commercial gross floor area for the above noted file.

The original special provision that was placed on the subject lands through By-law 2011-114 limited the maximum gross floor area not to exceed 3,252m² for permitted automotive related uses. By-law 2015-105 inadvertently does not include the reference to "permitted automotive related uses" and as such there would be no GFA limit for those uses on the subject lands. The intent of the original By-law would not be maintained, which was to restrict automotive related uses on the subject lands. All other paragraphs of the By-law are correct and do not require further amendment.

The purpose of the Bill No. 115 is to introduce a new Bill for the rezoning of the Penady and Loblaws properties with the appropriate paragraph 6 as noted below related to maximum gross floor area:

"6. THAT notwithstanding the provisions set out in Section 6.3.1 of By-Law 2009-141, a maximum gross floor area of 3,253 square metres for permitted automotive related uses shall be required in the General Commercial (C-4)(SP-383)(SP-520) and General Commercial (C-4)(SP-520) zones".

Due to the somewhat unusual circumstances regarding Bill No. 115, staff felt an information memorandum on the matter was appropriate.

The applicants, Penady (Barrie) Limited and Loblaws Properties Limited, have been made aware of the error and concur with the proposed amendment.

If members of Council have any questions, please do not hesitate to contact Tami Kitay, Manager of Development at ext. 4324.


S. Naylor, M.C.I.P., R.P.P.,
Director of Planning Services