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**TO:** GENERAL COMMITTEE

**SUBJECT:** ZONING BY-LAW AMENDMENT APPLICATION - 185 PATTERSON ROAD (WARD 6)

**PREPARED BY AND KEY CONTACT:** A. SHAIKH, PLANNER, EXT. #4434

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

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

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

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**RECOMMENDED MOTION**

1. That the Zoning By-law Amendment Application submitted by Innovative Planning Solutions Inc. on behalf of 1438451 Ontario Ltd. to rezone lands known municipally as 185 Patterson Road (Ward 6) from Single Detached Residential Dwelling First Density (R1) to Multiple Residential Dwelling First Density (RM1 SP-471) be approved subject to the following condition:
  - i) That the owner dedicate a 1.5 metre road widening along the entire Patterson Road frontage to the City of Barrie, free and clear of encumbrances, prior to passing of the by-law if this application is approved.
2. That the following Special Provisions (SP-471) be referenced in the implementing Zoning By-law for the subject lands:
  - i) That the minimum frontage be reduced to 15 metres, to accommodate a 7.5 metre frontage per semi-detached lot.
  - ii) That the driveway length for each lot be a minimum of 11 metres.
3. That pursuant to Section 34 (17) of the Planning Act, no further public notification is required for the passing of this By-law.

**PURPOSE & BACKGROUND**

Purpose

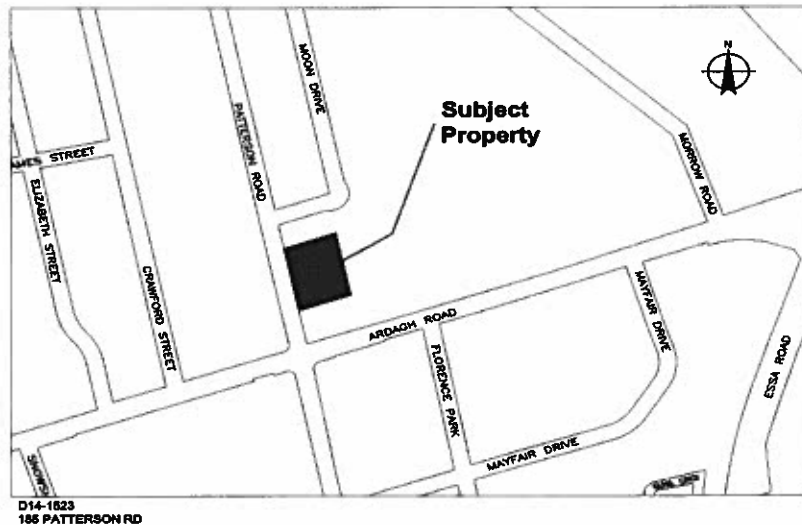
4. The purpose of this staff report is to provide a recommendation regarding an application to amend the City's Zoning By-law for lands known municipally as 185 Patterson Road (Ward 6). The application proposes to rezone the subject lands from Single Detached Dwelling First Density (R1) to Multiple Residential Dwelling First Density Special Provision (RM1-SP) to permit the development of eight semi-detached residential units. The applicant has requested Special Provisions to allow for reduced lot frontages, and to establish a minimum driveway length.

Location

5. The subject property is located north of Ardagh Road, west of Essa Road and east of Ferndale Road, is located within Ward 6, and within the Ardagh Planning Area. The lands can be legally described as Plan 20, Part Lots 9 & 10, RP 51R2744 Part 2.

Surrounding Land Uses

6. North:  
Existing single detached residential.
- South:  
Existing single detached residential with frontage on Ardagh Road
- East:  
Existing single detached residential.
- West:  
Existing single detached residential with frontage on Patterson Road.



Existing Policy

7. The subject property is designated Residential Area within the City's Official Plan and is zoned Single-Detached Residential First Density by Comprehensive Zoning By-law 2009-141.

Development Proposal

8. The original application was submitted to the Planning Services Department to rezone the subject property from Residential First Density (R1) to Multiple Residential First Density (RM1) with a Special Provision to reduce the minimum lot frontage to 15 metres, or 7.5 metres per semi-detached lot. Following discussion with Planning staff, the applicant submitted an updated conceptual site plan with an additional Special Provision to establish a driveway length of 11 metres to accommodate the parking of two vehicles in tandem (SP-471).

Background Studies

9. In support of the application, the following studies were submitted:
- a) **Planning Justification Report** (October 2011) – provides a review of the property characteristics and surrounding lands as well as the planning policy basis and opinion of the applicant's agent, Innovative Planning Solutions, for the application to be approved.
  - b) **Functional Servicing Report** (October 2011) – provides that the subject lands will have frontage and access on Patterson Road for the purpose of this development and proposes that the development can be adequately serviced with respect to transportation, water distribution system, sanitary, and secondary utilities.
  - c) **Response Package** (February 2012) – further to the comments provided by staff, the applicant has submitted a 'Response Package', updating the conceptual site plan, site

grading plan, and landscaping details to the satisfaction of some of the concerns expressed by Engineering, Parks Planning, and Planning staff through the initial application review.

Public Meeting

10. A public meeting was held on January 9, 2012, in accordance with the Planning Act.
11. Prior to the public meeting, one written letter of opposition was received. Several members of the public stated their opinions on the proposed rezoning verbally at the public meeting, and a petition in opposition to the development containing 13 signatures was received. Public opinions regarding the subject application included the following comments/concerns:
  - Residents desire to maintain the existing character of strictly single detached homes;
  - Concerns over increased traffic and safety;
  - Property devaluation;
  - Concerns over onsite and offsite parking;
  - Reduced privacy;
  - Storm water runoff.
12. The various comments/concerns identified above will be addressed later in this report.

Interdepartmental and Agency Circulation

13. The subject application was circulated to staff in various departments and to external agencies for review and comment. The Lake Simcoe Region Conservation Authority, Bell Canada, and the Ministry of Transportation all provided comments indicating they have no concern with the proposed rezoning.
14. The Engineering Department states that Patterson Road is subject to a municipal road widening as per Schedule "E" of the Official Plan. Accordingly, the owner will be required to dedicate a 1.5 metre road widening to the City along the entire Patterson Road frontage (the conceptual site plan identifies this road widening, as demonstrated in Appendix "A").
15. Engineering staff commented on Council's policy that requires each residential unit to have its own connection to a water and sewer main, as opposed to a mutual connection (a "Y" connection) as proposed by the applicant. If the applicant should decide to use a mutual "Y" connection, copies of an executed agreement between the home owners regarding the responsibility of the shared sanitary services shall be provided to the satisfaction of the Engineering Department.
16. Parks Planning reviewed the proposal and has requested that the applicant install one new native tree per newly created lot (thus eight trees in total), to fit within the municipal boulevard, or if not possible then within the lot itself. If this rezoning application is approved by Council, the request for the installation of new trees would be recommended as a condition of approval for the applicant's application for part lot control exemption. A part lot control exemption would be required to allow the applicant to divide the property into separate lots for each semi-detached unit, in order to allow for their individual sale.

17. In accordance with Tree Preservation By-law 2005-120, Parks Planning have indicated that a Tree Preservation Fence (BSD-21A & BSD-23) is to be installed at the edge of the existing adjacent woodlot towards the rear of the property, and that this area be denoted a Tree Preservation Area to be protected for the duration of the active construction on the site. The revised conceptual site plan submitted as part of the 'Response Package' makes reference to the Tree Preservation Fence and Tree Preservation Area to the satisfaction of Parks Planning.

## **ANALYSIS**

### Provincial Policy

18. Section 1.1.1 of the Provincial Policy Statement promotes efficient development and land use patterns and a range and mix of residential uses. The policies promote cost effective development standards to minimize land consumption and facilitate compact form.
19. Section 2.2.2.1 of the Growth Plan for the Greater Golden Horseshoe contains policies encouraging intensification, defined as the development of vacant or underused lots, and as infill development.
20. Both of the above mentioned provincial policies encourage the efficient use of land, and the development of underutilized lots through infill development. As such, it is staff's opinion that the proposed development is in conformity with and supported by provincial policy.

### Official Plan

21. The subject lands are designated Residential within the City's Official Plan. Lands designated Residential are intended to be used primarily for residential land uses, including various forms of housing subject to the Zoning By-law and other locational criteria. In accordance with the Official Plan, low density residential development permits the construction of single detached, duplex, and semi-detached dwellings with frontage on a public street.
22. Housing policies at Section 3.3.2.1 of the Official Plan encourage the "maintenance of reasonable housing costs by encouraging a varied selection with regard to size, density and tenure" and that the "Zoning By-law will be amended to allow for innovative housing" when in accordance with good land use planning principles. Residential intensification is encouraged "throughout the built-up area in order to support the viability of healthy neighbourhoods and to provide opportunities for a variety of housing types". Residential intensification includes infill development, which refers to the development of vacant or under-used parcels within existing urban areas.
23. In staff's opinion, the proposed development would contribute to creating a complete community, bringing about a greater mix of housing/built form types and densities, while still maintaining the overall low density residential character of the surrounding neighbourhood. The Official Plan contains policies in support of achieving this mix and diversity in housing types, housing options, and densities, and thus in staff's opinion Official Plan policy supports the proposed development.

### Zoning By-law Special Provisions

24. The applicant is proposing a reduced minimum lot frontage of 15 metres (7.5 metres per semi-detached unit), whereas the Comprehensive Zoning By-law requires 18 metres (9 metres per semi-detached unit) for RM1 properties. The reduced lot frontage will result in lot areas of 928.3m<sup>2</sup> (458.5m<sup>2</sup> per semi-detached unit), well above the standards of the Zoning By-law which requires a minimum of 600m<sup>2</sup> (300m<sup>2</sup> per semi-detached unit) for RM1 properties.
25. Due to the reduction in the minimum lot frontage, the proposed development is unable to accommodate a driveway that permits more than one automobile parked side by side. The

Zoning By-law requires that a parking space be 2.7 metres wide and 5.5 metres in length, thus two parking spaces side by side requires a 5.4 metre wide driveway. If a 7.5 metre minimum lot frontage is permitted, a 5.4 metre wide driveway would not be in keeping with the 60% maximum front yard parking coverage standard as required by the Zoning By-law.

26. The applicant has agreed to a slight revision to the proposed development to address the above issue, providing for an extended driveway length of 11 metres. This will provide space for two automobiles to be parked in tandem. This policy is applied to street townhouse units, which are the same frontage proposed for the semi-detached units.
27. Staff are not opposed to a reduction in the minimum lot frontage, and are of the opinion that this will facilitate an increase in density representing intensification and a more efficient use of an underutilized vacant portion of land, while still maintaining the overall low density character of the surrounding residential neighbourhood. In addition, the proposed lot areas are sizeable, addressing any concern for lost amenity space due to the reduced lot frontage. Staff are also satisfied with the revision to the initial application to extend the driveway length in order to accommodate tandem parking for two automobiles.

#### Public Meeting Comments

28. With respect to the comments/concerns expressed by the citizens during the public meeting, Planning staff offer the following:
  - *Maintain the existing character of strictly single detached houses;*  
While the proposed development is a different form of residential housing not presently common within the area, this will also have the effect of introducing a greater mix of housing options, costs, and densities as supported by the Official Plan, the PPS, and the Growth Plan, while still maintaining the overall low density residential character of the neighbourhood.
  - *Property devaluation;*  
The applicant has suggested that the proposed dwellings will have a target market value ranging from \$250,000 to \$300,000 per semi-detached unit (\$500,000 to \$600,000 per constructed building), which is similar to the value of properties currently on the market within the surrounding neighbourhood. Notwithstanding this approximation, land use planning decisions are based on adherence to planning policies and good planning principles, as opposed to the effect on land value.
  - *Concerns over increased traffic and safety;*  
It is not expected that the introduction of eight additional dwellings at 185 Patterson Road will have any significant impact on traffic within the neighbourhood. A Traffic Study was not required, however, the Engineering Department has commented that Patterson Road is identified as a minor collector road as per Schedule "E" of the Official Plan, which is designed to carry traffic between arterial roads and local roads, while also being used to service local property.
  - *Concerns over onsite and offsite parking;*  
A revised plan has been submitted proposing an 11 metre driveway capable of accommodating two tandem parking spaces. The 11 metre driveway is in keeping with the 60% front yard parking coverage standard as required by the Zoning By-law.
  - *Reduced privacy;*  
As part of this development, the significant woodlot that separates the rear of the proposed development from the rear of surrounding properties will be preserved, and therefore maintain the existing privacy barrier between the abutting properties.
  - *Storm water control;*

A Functional Service Report was included with the applicant's submission, which demonstrates how the site would facilitate storm drainage throughout the site as required, and indicates that storm drainage would not have any negative impact on the surrounding lands and properties.

### **ENVIRONMENTAL MATTERS**

29. The applicant has established a Tree Preservation Area on their conceptual site plan to indicate an area to be protected for the duration of the active construction on the site, ensuring that the existing woodlot is maintained.

### **ALTERNATIVES**

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

**Alternative #1** General Committee could maintain the existing Single Detached Residential R1 zoning on the subject property.

This alternative is not recommended as it prevents this neighbourhood from achieving a mix of housing types and densities consistent with the policies of the Official Plan, the Provincial Policy Statement, and the Growth Plan for the Greater Golden Horseshoe.

### **FINANCIAL**

31. Any redevelopment or intensification of the subject land would result in increased municipal tax revenue generated from the property for the City of Barrie. The ultimate taxes resulting from the 8 developed lots based on an estimate of \$250,000.00 per lot would yield municipal taxes for 2011 of \$26,448.34 (8 x 250,000 x 1.322417%), or \$3,306.04 per lot. As the current residential municipal taxes yielded are \$3,770.85, this would represent an increased tax yield of \$22,677.49.
32. The City's portion of the development charges collected at the time of building permit issuance based on current rates is \$235,528.00 (\$29,441.00 per unit), including both municipal and education development charges. Building permit fees are based on a cost recovery basis and are collected for the 8 properties based on the detailed building permit drawing submission at time of application.

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

33. The recommendations included in this staff report support the following goal identified in the 2010-2014 City Council Strategic Plan:
- Manage Growth and Protect the Environment
34. The development is an example of infill development that makes use of existing services, and provides for a greater range of housing types and densities. In addition, the existing woodlot is to be maintained, and a tree preservation area is to be established during the construction phase.
35. Staff are in support of the proposed development supported by provincial and municipal policy, and in staff's opinion, represents good planning.

Attachment: Appendix "A" – Conceptual Site Plan - 185 Patterson Road

APPENDIX "A"

Conceptual Site Plan – 185 Patterson Road

