


April 22, 2014

TO: GENERAL COMMITTEE



SUBJECT: OFFICIAL PLAN AMENDMENT NO. 41 – MINOR HOUSEKEEPING CHANGES TO THE 2009 OFFICIAL PLAN

WARD: ALL

PREPARED BY AND KEY CONTACT: K. BRISLIN, SENIOR POLICY PLANNER, EXTENSION # 4440

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

GENERAL MANAGER APPROVAL: K. BRADLEY, B.A., M.L.A., GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH MANAGEMENT (ACTING)

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

RECOMMENDED MOTION

1. That Official Plan Amendment 41, attached as Appendix "A" to Staff Report PLN014-14, be approved

PURPOSE & BACKGROUND

Report Overview

2. The purpose of this report is to report back from a statutory public meeting held on March 31, 2014, and to recommend approval of Official Plan Amendment No. 41 which deals with five proposed minor housekeeping amendments to the Official Plan.
3. The City's Official Plan was adopted in April 2009 to replace the 1996 Official Plan, including OPA 100, which was a significant amendment adopted in 2006. Since the Official Plan was adopted, minor inconsistencies with the Official Plan mapping have come to light.
4. Council Motion 14-G-025 dated February 3, 2014, recommended that a public meeting be held to consider several proposed minor changes collectively as a housekeeping Official Plan Amendment.
5. Most of the affected properties are City owned lands, however two private owners were affected and their respective representatives were contacted at the time of the staff report (PLN006-14 dated February 3, 2014) was submitted to General Committee.

ANALYSIS

6. The 2009 Official Plan applies to all lands within the boundary of the City of Barrie with the exception of those lands annexed into the City in January of 2010. These lands will be included in the Official Plan through a general amendment when the applicable secondary plans are approved by Council.

7. All of the revisions included herein relate to the Official Plan map Schedule "A" Land Use, and deal with incorporating road re-alignments and parcel fabric changes consistent with the recently approved housekeeping Zoning By-Law
8. The zoning changes preceded the Official Plan changes as staff were initially proposing to include additional policy related housekeeping matters. However, upon further review, staff determined that the proposed policy changes were beyond the scope of minor housekeeping amendments, and they were not included as proposed housekeeping amendments.
9. Staff contacted the planning consultants representing the owners of the two private properties affected by the proposed amendment, 40 and 42 Anne Street North and 128 Penvill Trail, advising them of the scheduling of the public meeting for the proposed housekeeping amendments. Prior to sending out the Notice of Public Meeting, staff received e-mail communication from a consultant representing the owners of 128 Penvill Trail, questioning the need for the proposed Official Plan Amendment, given that the staff report indicated that it was minor and could be dealt with through the interpretive provisions of Section 7 of the Official Plan. In addition, given that the lands are properly zoned, and under the Planning Act zoned properties are deemed to conform to the Official Plan, staff agreed to remove this matter from the proposed housekeeping amendments, and did not include it in the Notice of Public Meeting, and was not presented as a proposed change at the public meeting.
10. Details and reasons for the proposed mapping changes to Schedule A Land Use are as follows:
 - a) Remnant parcels created by the realignment of Lakeshore Drive and Simcoe Street including lands owned by the City of Barrie are to be designated City Centre.
 - b) 42 and 44 Anne Street – This is a proposed designation change from Residential to General Commercial. This designation would be consistent with the previous Official Plan as amended by Official Plan Amendment 83 prior to the approval of the 2009 Official Plan, but which change was inadvertently excluded from Schedule "A" to the 2009 Official Plan.
 - c) City owned land to rear of 92 and 96 Ardagh Road this is a proposed designation change from Residential to Environmental Protection to recognize the identification of the lands as Level 1 Natural Heritage Resource as shown on Schedule H of the Official Plan. This Environmental Protection designation is the same as the existing designation of the balance of this block of City owned land.
 - d) City owned land to east of 8 and 10 Trotter Court this is a proposed designation change from Residential to Environmental Protection Area to reflect the floodplain boundary. The proposed Environmental Protection Area designation is the same as the existing designation of the balance of this block of City owned land.

Public Meeting Comments

11. Councillor Ainsworth inquired as to notification of neighbours of 42 and 44 Anne Street North. Staff advised that this was done with Official Plan Amendment No. 83 and when the original Zoning By-law was put in place. Since this is simply to re-instate the original approval, only the owner was contacted.

ENVIRONMENTAL MATTERS

12. One of the effects of the proposed Housekeeping Official Plan Amendment is the designation of Environmental Protection (EP) Zoned City owned lands of lands within the City's inventory protected natural or environmental lands.

ALTERNATIVES

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

Alternative #1

General Committee could maintain the existing Official Plan 2009 (i.e. Status Quo).

This alternative would not address minor housekeeping matters that have come to light through the use of the document which is one of our key land use planning documents referred to by the public and staff on a daily basis.

FINANCIAL

14. One purpose of this housekeeping Official Plan Amendment is to correct mapping and text inconsistencies. If these changes were not made, there may be less clarity for citizens and adjacent or affected landowners regarding the long term intent of City owned natural areas lands. Inconsistencies on private lands subject to this amendment could potentially affect future appeals on lands and the City may be subject to legal action resulting in costs being incurred by the City in terms of direct financial costs and redirection of staff time related to any legal actions.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

15. The recommendation included in this staff report is not specifically related to the goals identified in the 2010-2014 City Council Strategic Plan.

Attachments: Appendix "A" – Part A Preamble and Part B – Details of the Amendment Official Plan Amendment No. 41.

APPENDIX A

PARTS A and B TO AMENDMENT 41

PART A – THE PREAMBLE

Purpose

The purpose of this amendment is to amend Schedule "A" to address housekeeping mapping changes that are required as a result of road re-alignment or inconsistencies that have come about as a result of changes in parcel fabric or previous amendments that were not incorporated into the 2009 Official Plan.

Location

The proposed amendments are as follows:

- a) Remnant parcels created by the realignment of Lakeshore Drive and Simcoe Street located at:
 - i. the south east corner of the property at 24 Maple Avenue described as Plan 115 Lots A and 4, and Plan 557 Lots 41-44, RP 51R21694 Parts 1, 4, 5 and 6, and
 - ii. 2-4 Bayfield Street, consisting of lands described as Plan 347 Part Lot 8, as shown on Schedule 1 attached to this amendment.
- b) 44 and 42 Anne Street North described as Concession 6 Vespra East, North Part of Lot 24, as shown on Schedule 2 attached to this amendment.
- c) Lands located to the rear of 92-96 Ardagh Road being part of lands described as Plan 20 Part Lot 8 and constituting part of City owned land within the Patterson Place Natural Area as shown on Schedule 3 attached to this amendment.
- d) Lands to the east of 8 and 10 Trotter Court being described as former Township of Innisfil Con 13 Part Lot 1 RP 51R24325 Parts 1 and 2 RP 51R24240 Part 2 RP 51R33075, as constituting part of City owned lands referred to as Ardagh Bluffs West Natural Area, as shown on Schedule 4 attached to this amendment.

Basis

The proposed amendment will change the land use designation on Schedule "A" Land Use, to address minor amendments of a housekeeping nature to the land use mapping on Schedule "A" Land Use.

PART B - THE AMENDMENT

Details of the Amendment

The Official Plan is amended by altering Schedule "A" Land Use in accordance with Schedules 1-4 of Official Plan Amendment No. 41.

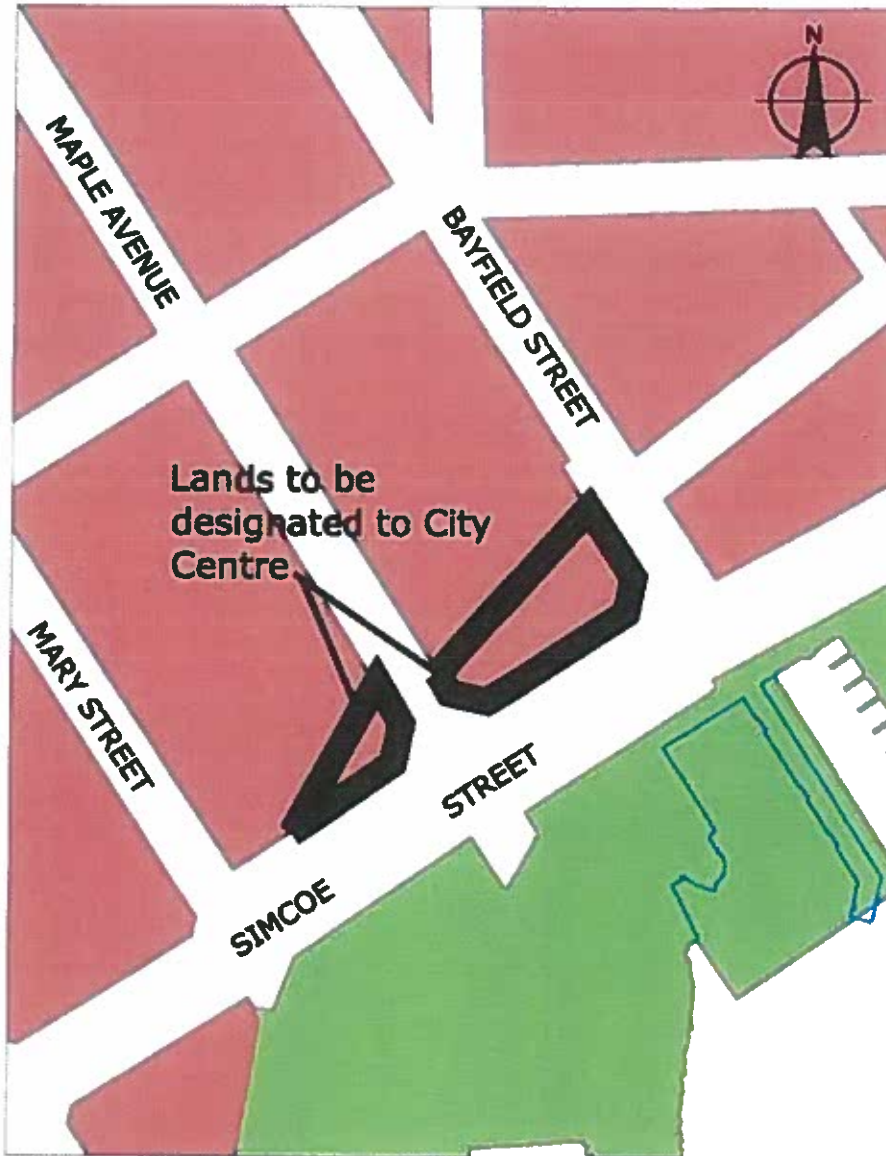
Implementation

These lands have been so reflected in the comprehensive implementing Zoning By-law.

Interpretation

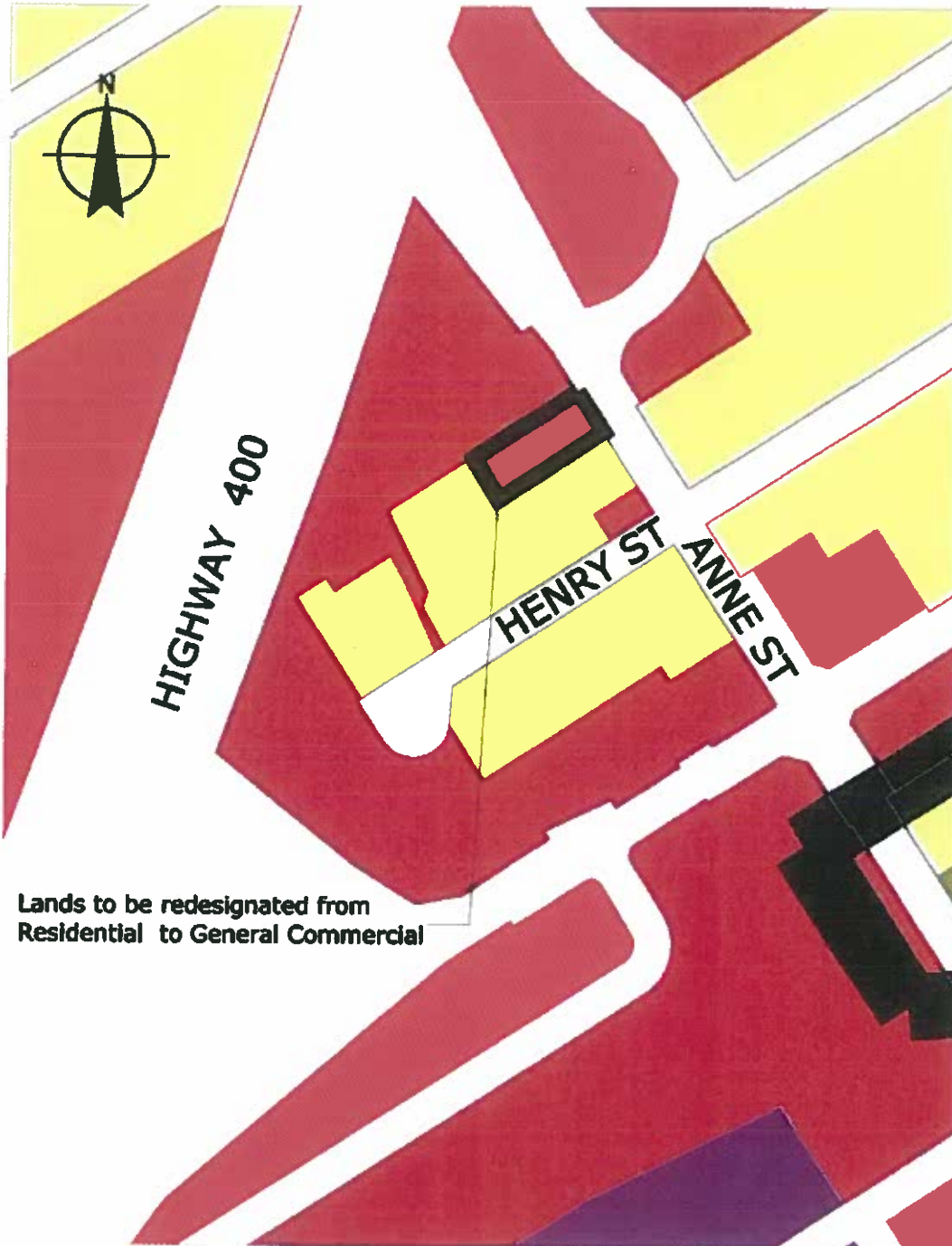
The provision of the Official Plan, as amended from time to time, shall apply in regard to this Amendment.

SCHEDULE 1 TO OFFICIAL PLAN AMENDMENT NO 41



OPA 41- Simcoe Street
realignment

SCHEDULE 2 TO OFFICIAL PLAN AMENDMENT NO 41



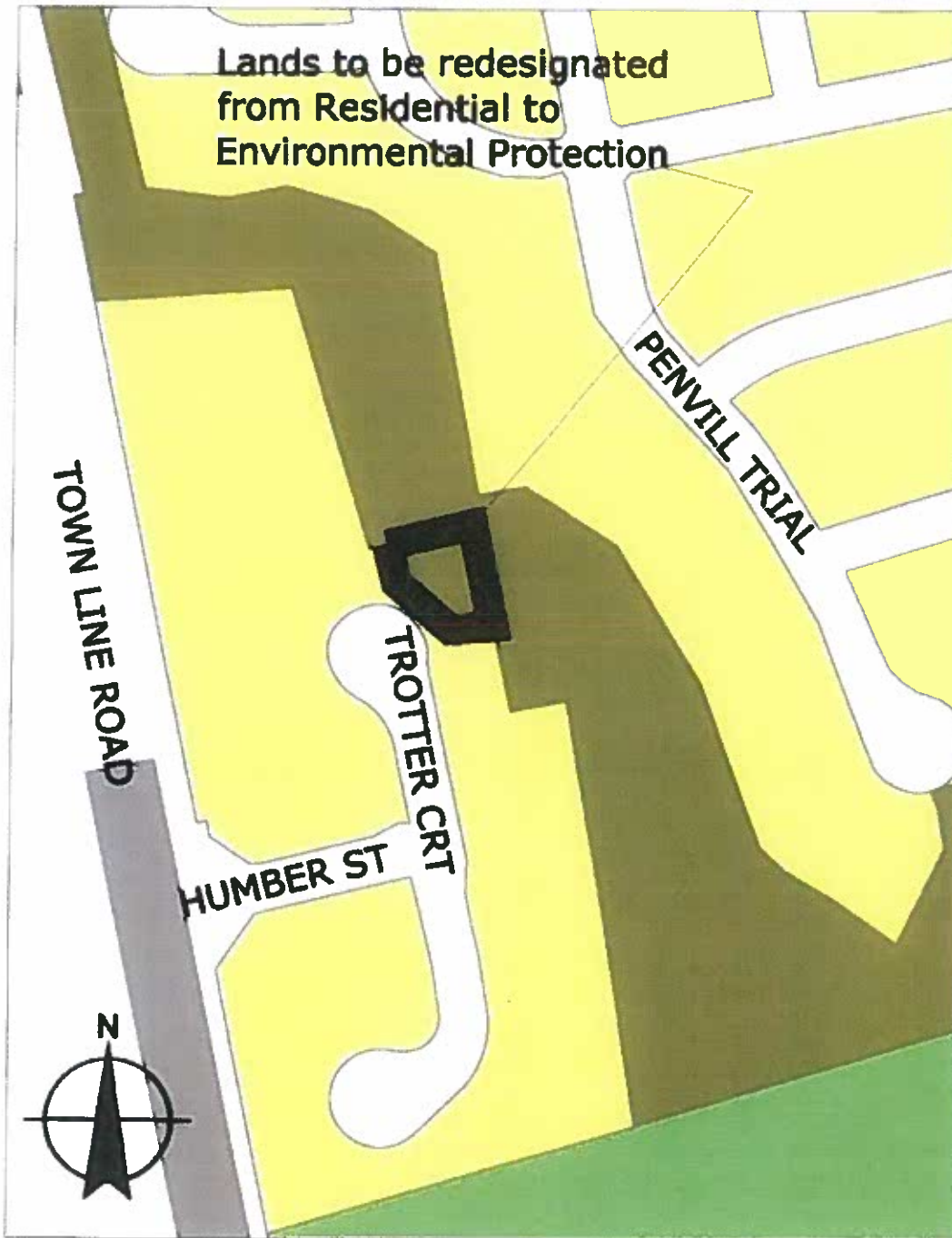
OPA 41 - 42 & 44 Anne Street

SCHEDULE 3 TO OFFICIAL PLAN AMENDMENT NO 41



OPA 41- North of 92 & 96 Ardagh Road

SCHEDULE 4 TO OFFICIAL PLAN AMENDMENT NO 41



OPA 41- East of 8 & 10 Trotter Crt