
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.PI., 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;

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- b) The snow be cleared by a private contractor at the expense of the condominium corporation and once snow storage demands outpace supply, the snow be removed from the site by the private contractor at the expense of the Condominium Corporation;
 - c) The garbage be collected curb side by a private garbage contractor and paid for by the Condominium Corporation;
 - d) The Condominium Agreement as well as the Purchase and Sale Agreement include a notification clause that snow removal and garbage will solely be the responsibility of the Condominium Corporation and not the City of Barrie;
 - e) A landscape plan be submitted to the satisfaction of City staff that address privacy for neighboring property owners on the north side of the proposed development; and
 - f) Any drainage swales which are proposed/required on private property be subject to an easement in favour of the Condominium Corporation to ensure the drainage swales remain in place in the future.
4. That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to approval of the application as amended and including the matters identified within Staff Report PLN040-17.
 5. That pursuant to Section 34(17) of the *Planning Act*, no further public notification is required prior to the passing of this By-law.

PURPOSE & BACKGROUND

Report Overview

1. The purpose of this staff report is to recommend approval of the 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 & 354 Ardagh Road (Ward 6). The effect of the application would be to permit the development of a 17 single detached residential dwellings subject to a number of special provisions to the Zoning By-law. The majority of the requested special provisions are required to accommodate the lots on the south side of the proposed development.
2. The applicant has completed a number of requisite studies/reports that support the proposed change in permitted zoning for the subject property and which are in conformity with Provincial Policies and the City's Official Plan. Staff have completed a comprehensive review of the applications against both municipal and provincial policy and are of the opinion that the application represents appropriate development for this location. Therefore, staff are recommending approval.

Location

3. The subject property is located just north of Ardagh Road and east Wright Drive, within the Ardagh planning area (Ward 6). The property currently contains an unopen road stub (deemed surplus by the City), and undeveloped lands.
4. The subject property is known municipally as 2, 4, 5, 8 Teck Road, 344, 350 & 354 Ardagh Road and has a total area of approximately 6677.3 m² (1.65 acres) with 58.48 m of frontage on Wright Drive. To the north, south and east, the lands are predominantly a low density residential neighbourhood. To the west is undeveloped but recently approved low and medium density residential as well as EP lands.

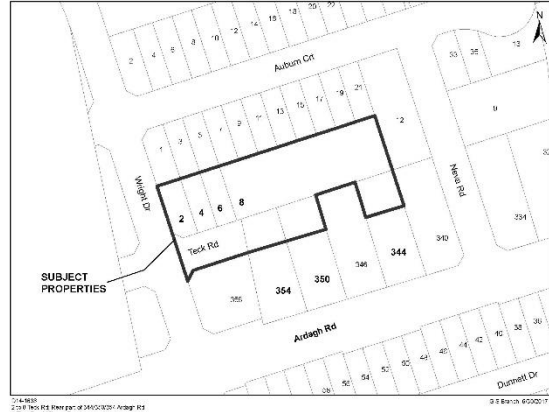
5. The existing land uses surrounding the subject property are as follows:

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.

Neighbourhood (Ward) Meeting

14. A Neighbourhood (Ward) Meeting was held on July 19, 2017 to present the proposed development to the local residents (see Appendix "D"). There were approximately 6 residents who attended this meeting in addition to the consultants on behalf of the applicant and planning staff. The concerns raised at the Neighbourhood Meeting related to Privacy; garbage collection; snow removal; tree preservation; noise & dust during construction and stormwater management.
15. The majority of concerns were expressed by neighbours north of the proposed development on Auburn Court save and except for one neighbour on the south side who is not part of the land assembly.

Public Meeting

16. A statutory Public Meeting was held on September 11, 2017 to present the subject application. A number of comments and concerns were expressed at the public meeting including:

- Private Condo Road

Residents have expressed concern with the Private Condo Road. They have stated that snow removal and garbage collection should be serviced by the City.

In staffs' opinion, snow removal and garbage collection can adequately be serviced by a private company.

- Snow Storage

Residents have expressed concern that snow plowed within the proposed development will be pushed onto neighbouring properties because there is not adequate room for snow storage.

Offsite snow storage can address this concern. Mandatory snow removal will be a condition of draft plan approval and required to be added as a notification clause within the Condominium Agreement as well as the Purchase and Sale agreement for future residents.

- Privacy

Residents on Auburn Court expressed concern about privacy, shadowing and loss of natural light due to the elevation of the houses on the north side of the proposed development.

The proposal actually reduces the number of homes backing on to the houses on Auburn Court by proposing a wider frontage for each lot then currently approved subdivision plan for this property. The homes proposed on the north side of the development meet the zoning by-law requirements for height and rear yard setback, although the grade difference may create a perceived loss of privacy to the north from "peering down" from elevated decks or second story windows.

It is the combination of building height and grade that may create a problem. It is staffs' opinion that landscaping can be incorporated in the rear yards to mitigate privacy concerns; including from elevated yards and second story. A landscape plan condition can be included in the draft plan conditions to this effect.

Another resident on Ardagh Road expressed concern with light from cars shining directly into his property. In staffs' opinion this can be rectified with a 2m tight board fence.

- 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

the Growth Plan requirements to accommodate 40% of new growth within the “built boundary” of the City, the proposed application represents infill intensification of a vacant site within an existing subdivision. It is staffs’ opinion that the subject application is consistent with the PPS and conforms to the Growth Plan.

Official Plan

23. As noted above, the subject lands are presently designated Residential within the City’s Official Plan. The property is not located on an intensification corridor as identified on Schedule I of the Official Plan. As such, the application has been reviewed in relation to section 4.2.2.6 (d) of the Official Plan which addresses properties that are outside of an intensification corridor or node.
24. The Official Plan encourages Residential intensification in built-up areas in order to support the viability of neighbourhoods and provides opportunities for a variety of housing types. The property is located in the City’s Built-up area. The proposed development would contribute to a compact urban form and efficient use of land and resources, support transit and optimize the use of existing infrastructure and services.
25. The proposed development would result in a density of approximately 25 units per net hectare, which is considered Low Density Residential in the City’s Official Plan.
26. Section 4.2.2.6 (d) of the Official Plan requires development applications that propose residential intensification outside of an Intensification Area be considered on their merits provided the proponent demonstrates that the scale and physical character of the proposed development is compatible with, and can be integrated into the surrounding neighbourhood; that infrastructure, transportation facilities, and community facilities and services are available without significantly impacting the operation and capacity of existing systems; that public transit is available and accessible; and that the development will not detract from the City’s ability to achieve increased densities in areas where intensification is being focused. It is the opinion of staff that the proponent has demonstrated that the development can satisfy the above noted criteria.
27. Further, the proposed development is located within close proximity to a number of schools (St. Joan of Arc Catholic High School, St Catherine of Siena School and Ardagh Bluffs Public School). The property is also located immediately north of a municipal transit route that will provide service to the future residents.
28. Section 3.3 Housing sets out a number of applicable goals and policies. Section 3.3.1(a), “To provide for an appropriate range of housing types, unit sizes, affordability and tenure arrangements at various densities and scales that meet the needs income levels of current and future residents.” Section 3.3.1(e) is to “encourage all forms of housing required to meet the social, health and well-being requirements of current and future residents including special needs requirements.”
29. Section 3.3.2.1(a), “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.” Section 3.3.2.1(b) and (c) of the Official Plan encourages the provision of a wide range of housing opportunities including rental housing in order to meet identified housing needs in accordance with good land use planning principles. Residential intensification is also encouraged in built-up areas in order to support the viability of neighbourhoods and provide opportunities for a variety of housing types. The development, if approved, would serve to address these policies. Staff is satisfied the proposal conforms to these policies of the Official Plan given that the proposed condo road development represents a more compact style of Single detached development and is the only site of its kind in the immediate neighbourhood.

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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

underdeveloped lands. Staff is of the opinion that deeming of the private internal road as a municipal street for the purposes of the Zoning By-law can be supported.

Draft Plan of Subdivision

37. Subject to a Council approval of the Zoning By-law Amendment for the subject property, the applicant will be subject to further reviewed by City staff and applicable outside agencies for the Draft Plan of Subdivision. Details related to servicing, grading, landscape, fencing, and other similar matters would be addressed in detail as part of the Draft Plan of Subdivision application.
38. Subdivision approval should include the following conditions:
 - a) 2m tight board fencing will be erected where it does not currently exist between the subject lands and neighboring properties;
 - b) Snow will be cleared by a private contractor at the expense of the condominium corporation. Once snow storage demands outpace supply, snow will be removed from the site by the private contractor at the expense of the condominium corporation;
 - c) Garbage will be collected curb side by a private garbage contractor and paid for by the condominium corporation;
 - d) The Condominium Agreement as well as the Purchase and Sale Agreement will include a notification clause that Snow Removal and Garbage will solely be the responsibility of the Condominium Corporation and not the City of Barrie;
 - e) A landscape plan be submitted to the satisfaction of City staff that addresses privacy for neighboring property owners on the north side of the proposed development; and
 - f) Any drainage swales which are proposed/required on private property will be subject to an easement in favour of the condominium corporation to ensure the drainage swales remain in place in the future.

Summary

39. Staff have reviewed the comments received and consider the proposed Zoning By-law Amendment application to be appropriate and conform with the relevant Provincial Policy and the City's Official Plan.
40. Staff are satisfied that the proposed development will provide for appropriate spatial separation between the existing single detached residences to the west, north and east and south. Should the application be approved, staff are satisfied that the detailed design elements can be adequately addressed through a Draft Plan of Subdivision application.

ENVIRONMENTAL MATTERS

41. There are no environmental matters related to the recommendation.

ALTERNATIVES

42. The following alternatives are available for consideration by General Committee:

Alternative #1 General Committee could approve the proposed Zoning By-law Amendment application with a holding (H) provision requiring Site Plan Approval.

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.

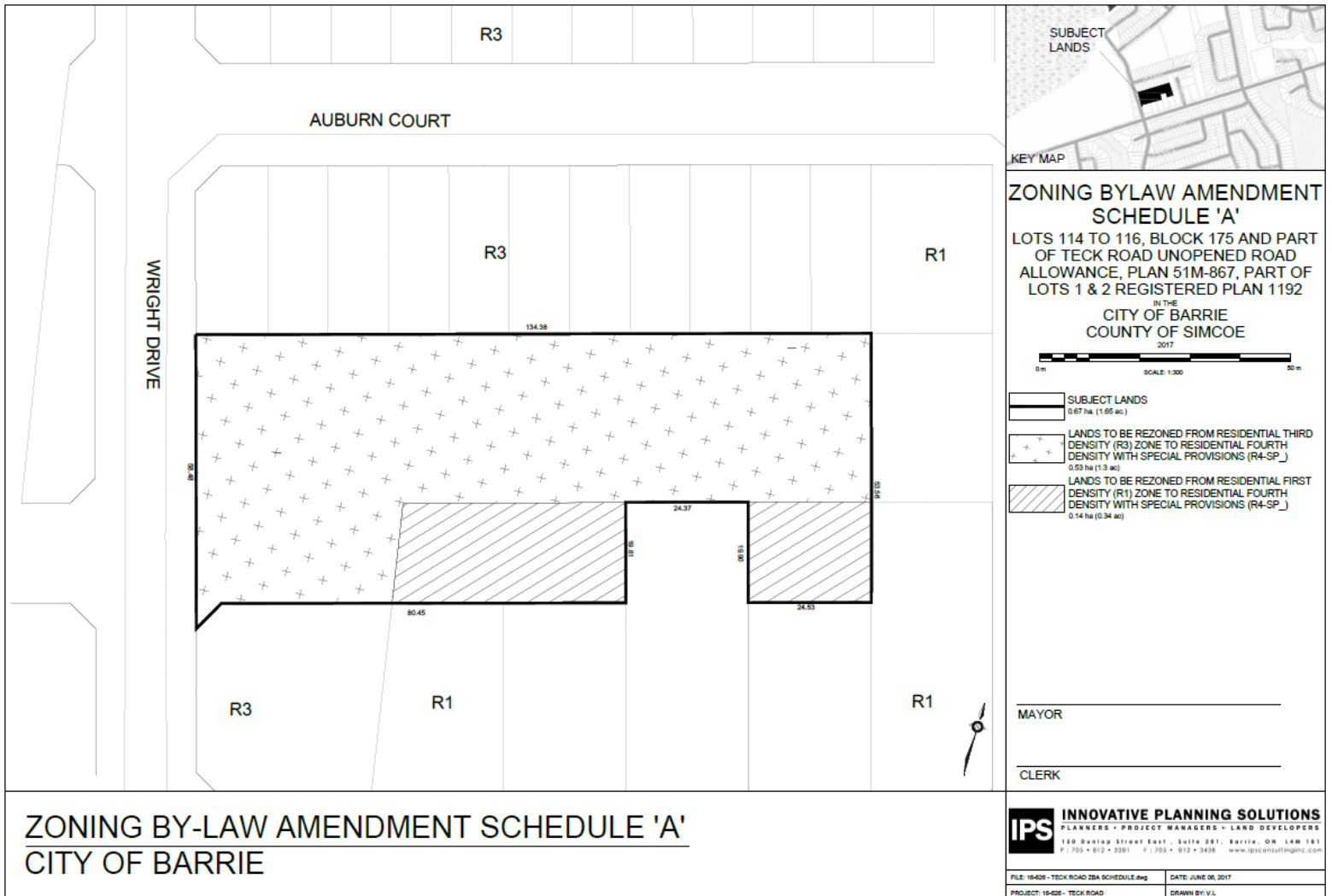
LINKAGE TO 2014-2018 STRATEGIC PLAN

49. The recommendations included in this Staff Report are not specifically related to the goals identified in the 2014-2018 Strategic Plan.

Attachments: Appendix "A" – Proposed Zoning By-law Amendments
Appendix "B" – Proposed Plan of Subdivision
Appendix "C" – Proposed Special Provisions
Appendix "D" – Elevation Pictures
Appendix "E" – Letter from IPS dated September 27, 2017

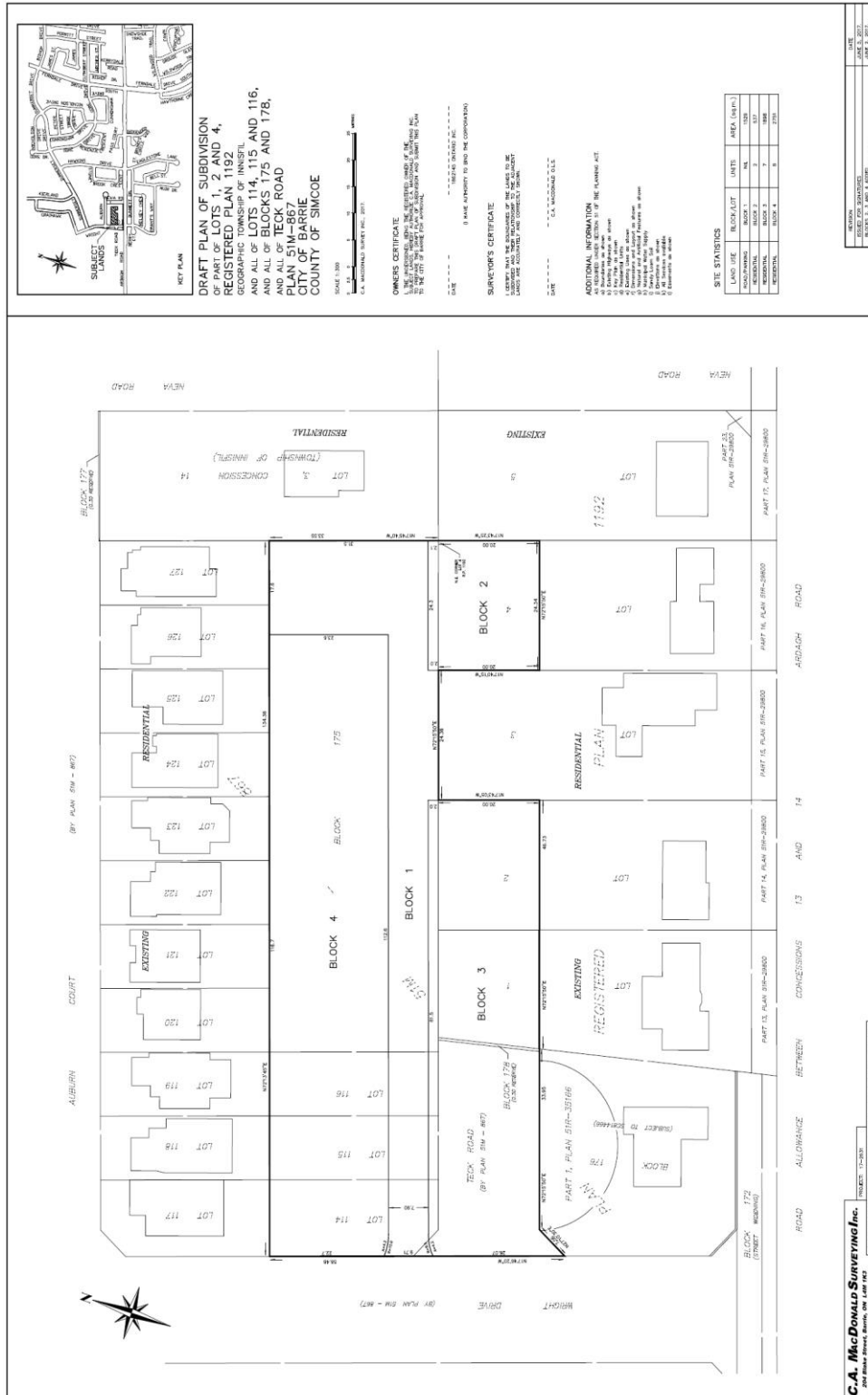
APPENDIX "A"

Proposed Zoning By-law Amendments



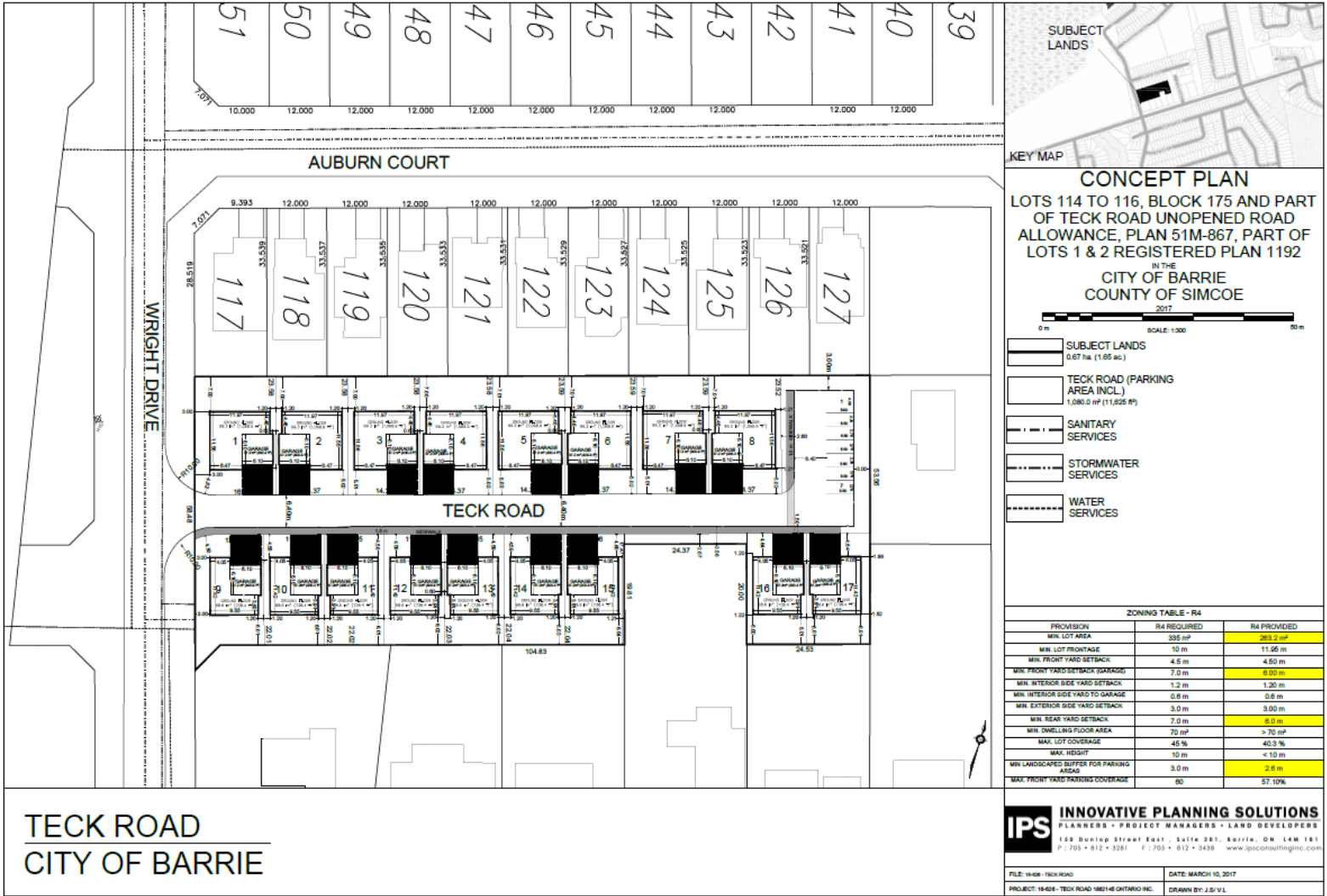
ZONING BY-LAW AMENDMENT SCHEDULE 'A'
CITY OF BARRIE

APPENDIX "B"
Proposed Plan of Subdivision



APPENDIX "C"

Proposed Concept Plan



APPENDIX "D"

Elevations



APPENDIX "E"

Letter from Innovative Planning Solutions



INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

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

condominium developments within the municipality. It is also noted that the road network is proposed with a width of 6.4m which is much smaller than the typical 20m ROW for municipal streets. As such and because there is less road coverage over the site, there will also be a corresponding amount of snow falling on the road network.

- b. As an extension of this, garbage will also be collected by a private garbage contractor, paid for by the condominium corporation. It is anticipated that garbage collection would follow the municipal garbage collection calendar and would be picked up curb side, not in a communal garbage bin, similar to other single detached developments.

3. Storm Drainage

- a. As noted in the preliminary Functional Servicing Report which was submitted with the proposed applications, stormwater can be accommodated within the downstream pond. The preliminary grading plan proposes to control onsite stormwater entirely on site and directed via grassed swales and storm sewer pipes which will connect to the existing municipal storm system. The preliminary FSR also provides that additional on site measures such as soak away pits will be examined at the detailed design stage. Generally, stormwater will be directed along the roadway and the rear yards of the proposed dwellings and in a westerly direction towards Wright Drive where existing municipal storm sewers exist.
- b. The applicant has indicated that any drainage swales which are proposed/required on private property will be subject to an easement in favour of the condominium corporation to ensure the drainage swales remain in place in the future. Any earthworks by private landowners within the easement area would first require approval from the condominium corporation, including demonstrating that drainage will be maintained on site.

4. Private Road

- a. The applications propose the development of 17 single detached dwellings with a private parking area predicated on the use of a private internal roadway. This roadway is more typical for multi family developments such as block/cluster townhouses or apartment complexes, however the proposed use of a private road in this instance is considered appropriate given the sites unique characteristics.
- b. In terms of ownership, it is proposed that the internal roadway, including parking area will become the ownership of the condominium corporation which will be comprised of the 17 prospective property owners of the development. As such, all costs associated with the maintenance, clearing and upkeep of the internal private road will be the responsibility of the Condominium Corporation, not the municipality.

- 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.

Respectfully submitted,
Innovative Planning Solutions

A handwritten signature in black ink, appearing to read "Greg Barker".

Greg Barker, B.A.A.
Senior Planner