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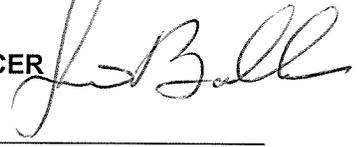
**TO:** GENERAL COMMITTEE

**SUBJECT:** REMOVAL OF HOLDING PROVISION – SUNFIELD HOMES (BARRIE) LIMITED – 30 WHITE CRESCENT

**PREPARED BY AND KEY CONTACT:** C. MCLAREN, DEVELOPMENT PLANNER, EXT. # 4719

**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:** JON M. BABULIC, CHIEF ADMINISTRATIVE OFFICER 

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**RECOMMENDED MOTION**

1. That the Holding Provision (H-35) of By-law 85-95, as amended by By-law 95-36, for the lands owned by Sunfield Homes (Barrie) Limited, legally described as Block 81, Registered Plan 51M-835 and Part 3, Reference Plan 51R-24996 and known municipally as 30 White Crescent, be lifted subject to the following condition (D14-1461):
  - a) That the owner/applicant be required to pay the outstanding municipal property taxes on the subject lands, all to the satisfaction of the Director of Finance prior to the by-law for removal of the hold being presented to Council for approval.
2. That the City Clerk be directed to provide the appropriate notice for the lifting of the Holding Provision (H-35) pursuant to Section 36 of the *Planning Act*.

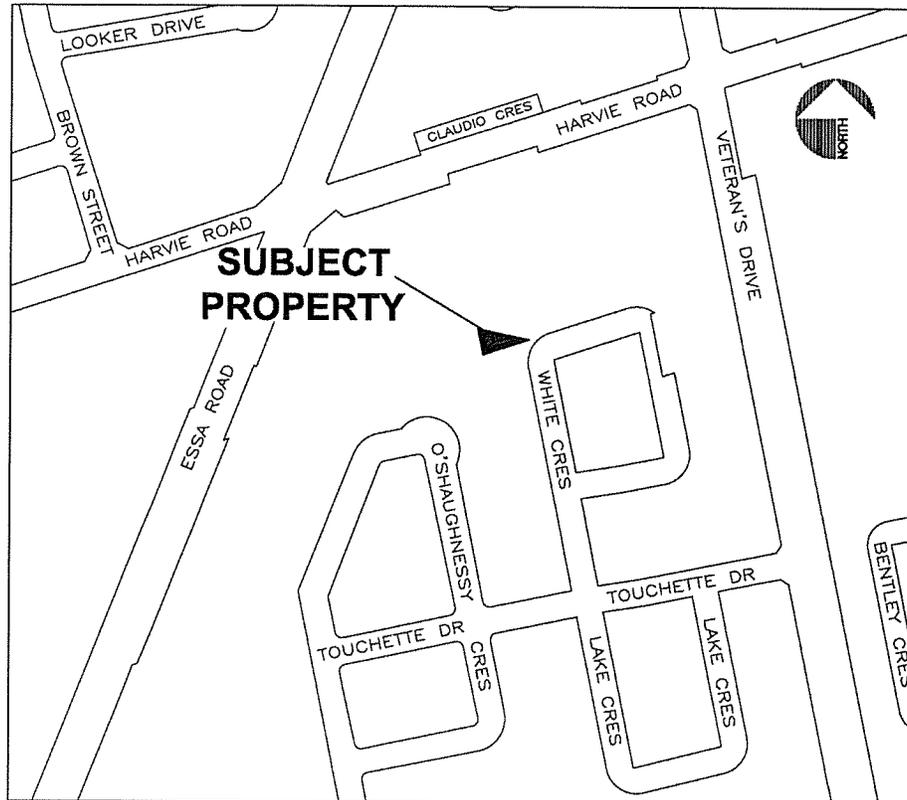
**PURPOSE & BACKGROUND**

Purpose

3. The purpose of this report is to recommend the removal of Holding "H" Provision (H-35) from the subject property in response to an application from the owner.

Location

4. The subject lands are located between Harvie Road and White Crescent, west of Veteran's Drive, within the Holly Planning Area and are legally described as Block 81, Registered Plan 51M-835 and Part 3, Reference Plan 51R-24996.



D14-1461

Existing Policy

5. The subject property is designated Residential Area by the City's Official Plan and is zoned Single Detached Residential Dwelling Third Density R3 (H-35) by Zoning By-laws 85-95 and 2009-141, as amended by By-law 95-36.
6. Section 36 of the Planning Act allows the City of Barrie to apply a holding "H" provision on zoning by-laws, which are passed under Section 34. The City's policies pertaining to its use of the Holding Provision are established in Section 6.6 of the Official Plan.
7. The purpose of the Holding Provision is to enable the City to identify, in a zoning by-law, the use(s) that are permitted for a specific parcel of land and to establish conditions precedent to their development.
8. The City of Barrie may consider the removal of a Holding Provision once the conditions have been satisfied which originally resulted in it being implemented. A by-law pursuant to Section 36(4) of the *Planning Act* must be passed prior to the removal occurring.
10. To remove the Holding Provision, the City is required to give notice of its intent to pass the by-law that will remove the "H" symbol from the subject lands under regulations contained in the *Planning Act*.

Surrounding Land Uses

11. Existing land uses surrounding the subject property consist of the following:
- North: Vacant residential lands fronting Harvie Road – zoned Multiple Residential Dwelling Second Density (RM2) Special Provision (SP-462).
  - South: Existing low density residential in the form of single detached dwellings - zoned Single Detached Residential Dwelling Third Density (R3).
  - East: Vacant residential lands - zoned Multiple Residential Dwelling Second Density (RM2-TH).
  - West: Vacant residential lands - zoned Residential Hold (RH).

**ANALYSIS**

Developmental Proposal

12. The owner, Sunfield Homes (Barrie) Limited, has applied to have the Holding Provision (H-35) lifted from the subject property in order to permit the development of one single detached residential dwelling on the subject lands.
13. Prior to the removal of Holding Provision (H-35), the following conditions are required to be satisfied:
- i) The availability of Pollution Control Plant and Water Treatment Plant capacity for the purposes of sewage and water treatment;
  - ii) The payment of Development Charges; and
  - iii) That the minimum frontage requirements of By-law 85-95 for an R3 Zone be complied with.
14. The original intent of the Holding Provision (H-35) was to ensure that sufficient land was added to Block 81, Registered Plan 51M-835 of the Sunfield Homes subdivision lands in order to meet all performance standards of an R3 lot. The lot addition for Block 81 was created through Consent Application B24/07 which severed a portion of the lands to the north (Part 3, Reference Plan 51R-24996), located at 221 Harvie Road, and merged them with Block 81.
15. Staff have confirmed that all minimum performance standards of Zoning By-law 85-95 have been satisfied for the R3 zone and that adequate water and sanitary servicing is available for the subject lot. The owner has also paid the required \$27,289.00 in Development Charges which satisfies the final condition of the Holding Provision.
16. The intent of the removal of the Holding Provision is to allow for residential development and construction of a single detached dwelling on the subject lands.
17. The removal of the Holding Provision will enable the owner to secure a building permit which will result in the development of one single detached residential dwelling on the subject lands.

Summary

18. Staff have reviewed the subject application to lift the Holding Provision (H-35) from the subject lands and are satisfied that the required conditions, as prescribed in By-law 95-36 have been adequately satisfied as it relates to the subject property. As such, the Holding Provision (H-35) attached to By-law 95-36 on the subject lands may now be removed enabling the development of the property to proceed as previously noted.

**ENVIRONMENTAL MATTERS**

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

**ALTERNATIVES**

20. There is one option available to General Committee in regard to this report:

**Alternative #1** That the removal of the Holding Provision H-35 be denied.

This alternative is not recommended given that all conditions of the 'H' provision have been satisfied. The property has merged with adjacent lands to the north through Consent file B24/07, is appropriately zoned for residential use and meets all of the R3 performance standards of Zoning By-law 85-95, adequate water and sanitary servicing is available and the required Development Charges have been paid in full.

**FINANCIAL**

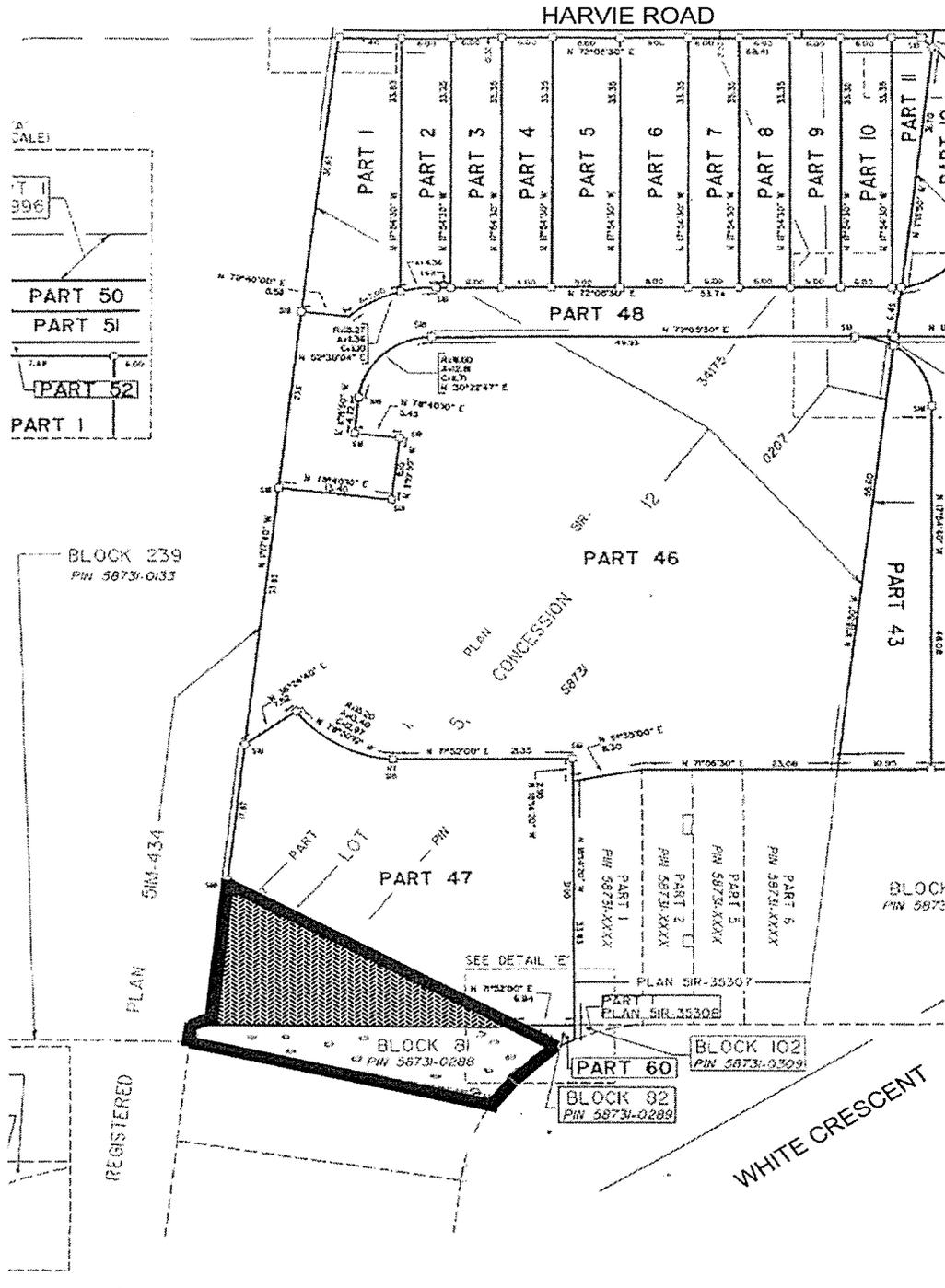
21. Based on the application for one single detached residential dwelling unit, the estimated municipal tax revenue (estimated assessed value of \$300,000.00) would be \$3,274.25.00 (based on 2011 tax rates), resulting in an incremental increase of \$2,404.27. Building permit application fees based on an approximation of 200m<sup>2</sup> gross floor area coverage for one residential unit would be approximately \$4,270.50. As noted above, Development Charges revenue has recently been collected in the amount of \$27,289.00.
22. The municipal property taxes for the subject lands are in arrears in the amount of \$1,610.45. The next instalment is due on September 28, 2011 in the amount of \$298.00. In this regard, a condition of the subject application requires that the owner/applicant be required to pay the outstanding municipal property taxes, all to the satisfaction of the Director of Finance. Staff is recommending that the outstanding taxes be paid prior to the by-law to remove the hold being presented to Council for approval.
23. The owner will be responsible for the balance of all servicing and developing costs related to the subject property.

**LINKAGE TO COUNCIL STRATEGIC PRIORITIES**

24. The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2010-2014 City Council Strategic Plan.

Attachment: Appendix "A" – 30 White Crescent Lot Plan

Appendix "A" -30 White Crescent Lot Plan



- Subject Property 30 WHITE CRESCENT
- Lands currently zoned R3(H-35) – holding to be removed
- Block 81 zoned R3