


TO: GENERAL COMMITTEE


SUBJECT: ZONING BY-LAW AMENDMENT APPLICATION – 203 ALVA STREET

WARD: 6

PREPARED BY AND KEY CONTACT: STEVEN FARQUHARSON, BURPL, M.C.I.P., R.P.P., DEVELOPMENT PLANNER, EXT. #4478

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

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

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

RECOMMENDED MOTION

1. That the Zoning By-law Amendment Application submitted by Innovative Planning Solutions Inc. on behalf of Tim and Wendy Hill to rezone lands known municipally as 203 Alva Street (Ward 6) from Residential Single Detached Second Density (R2) to Residential Multiple Dwelling First Density Special Provision Hold (RM1)(SP)(H) be approved.
2. That the following Special Provisions be referenced in the implementing Zoning By-law for the subject lands:
 - a) That the minimum lot frontage for a semi-detached dwelling be reduced to 15.24 metres, to accommodate a 7.6 metre frontage per dwelling unit for Lots 2-5, whereas 18.0 metres and 9.0 metres respectively, are required.
 - b) That the minimum lot frontage be reduced to 15.24 metres for Lot 1 for a duplex dwelling, whereas 17.0 metres is required.
 - c) That the front yard setback of the accessory structure (attached garage) be a minimum of 6.0 metres for Lot 1, whereas 9.0 metres is required.
3. That the By-law for the purpose of lifting the Holding Provision (H) from the Zoning By-law Amendment as it applies to the land municipally known as 203 Alva Street, be brought forward for approval once the owner provides the following to the satisfaction of the Corporation of the City of Barrie:
 - a) The Owner execute an updated Development Agreement to the satisfaction of the City of Barrie.
4. 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

Report Overview

5. The purpose of this staff report is to recommend approval of the application to amend the City's Zoning By-law for lands known municipally as 203 Alva Street (Ward 6) to permit the development of 2 semi-detached residential dwellings (4 units) and one duplex dwelling (see Appendix "A" and "B").

Background

6. The applicant had previously been approved through the Part Lot Control process (see paragraph 16), for the creation of the 3 residential lots. The existing zoning of the subject land is Residential Single Detached Second Density (R2), which only permits single detached dwellings. The applicant has applied to change the zoning to Residential Multiple Dwelling First Density Special Provision (RM1) (SP). This would allow the applicant to construct a different housing type in the form of semi-detached dwellings and a duplex, which would increase the total number of residential units to 6. The proposed development would require the existing executed Development Agreement to be amended to reflect the appropriate revisions to the originally approved drawings as there are now additional dwelling units to what was originally approved.

Location

7. The subject property is located on the north side of Alva Street between Patterson Road and Crawford Street, within Ward 6, and within the Ardagh Planning Area. The lands can be legally described as Registered Plan 959, Part Lots 41 and 42, Plan 51R-38879, Parts 1-6 and 10-13.

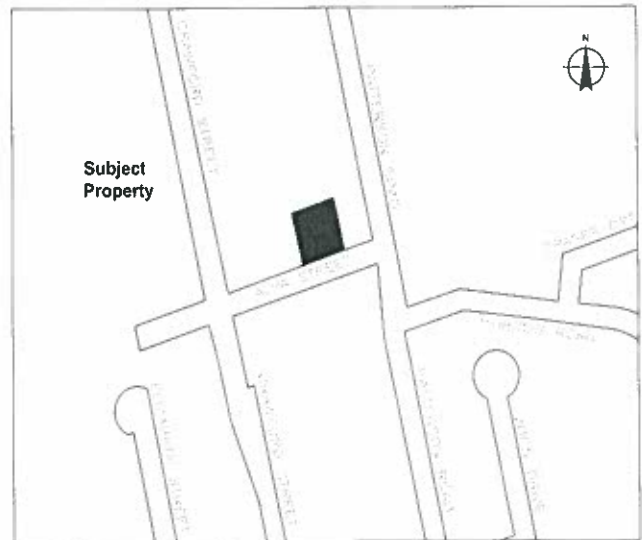
Surrounding Land Uses

8. North:
Existing single detached residential.

South:
Existing townhouse development with frontage on Alva Street.

East:
Existing single detached residential.

West:
Existing single detached residential with frontage on Patterson Road.



Existing Policy

9. The subject property is designated Residential Area within the City's Official Plan and is zoned Residential Single Detached Second Density (R2) by Comprehensive Zoning By-law 2009-141.

Background Studies

10. In support of the application, the following reports were submitted:
 - a) **Planning Justification Report** (October 2013) – 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) **Planning Addendum to Planning Justification Report** (April 9, 2014) – Provides an updated review of the application and response to the concerns raised at the public meeting and by City staff.

Public Meeting

11. The applications were presented to General Committee at a public meeting held on November 25, 2013. There was one verbal comment received from the public meeting with a concern that the proposed development would generate increased noise to the neighbouring lot. The resident was requesting that a fence be installed to mitigate the noise, however there is no requirement under the Zoning By-law that would require the applicant to install a fence between two low density residential properties.

Internal Circulation

12. The subject application was circulated to staff in various departments and to external agencies for review and comment.
13. The Engineering Department has commented that a Development Agreement was executed on April 29, 2013 as a condition of the Part Lot Control Exemption By-law (By-law 2013-077) that was previously approved for the subject property. This Agreement addressed the urbanization and servicing of Alva Street and contained a schedule of approved detailed servicing and grading design drawings that supported the original conceptual lot layout and development plan for the subject lands and surrounding properties. The agreement would have to be revised to address the proposed additional lots, if approved.
14. Parks Planning reviewed the proposal and has requested that the Development Agreement be amended to require the applicant to provide four new boulevard trees be planted as part of the Municipal Street Tree Planting Program.

Agency Circulation

15. The subject application was circulated to a number of external agencies for review and comment. Bell Canada, PowerStream and Lake Simcoe Region Conservation Authority provided comments on the application and indicated that they had no concerns with the proposed development.

Part Lot Control

16. The subject lands previously proceeded through the Deeming and Part Lot Control Exemption planning process (D23-PAT), as per Section 50(4) and (7) of the Planning Act. This process enabled the City to pass By-law 2013-076 which deemed Lots 41 and 42 on Plan 959 to not be part of a registered plan of subdivision. Council also passed By-law 2013-077 to exempt the subject land from the Part Lot Control provisions of the Planning Act in order to effect the further division/merger of the subject parcels of land. The passing of these By-laws allows the subject lands to be divided and merged to create 3 vacant single detached lots. At the time of the passing of the By-law, no registered plan was registered and therefore the applicant does not require further approval through the Part Lot Control process to create 5 residential lots. However an R-

Plan would be required to be registered on title to create the new residential lots and an updated Development Agreement would be required to reflect the amended plans and address both the Engineering Department and Parks Planning Department comments. To address the requirement for an updated Development Agreement, staff recommends that the zoning be approved subject to a holding provision where removal would be conditional on the applicant executing an updated Development Agreement to the satisfaction of the City.

ANALYSIS

Policy Planning Framework

17. The following provides a review of the applicable provincial policies, as well as the City of Barrie's Official Plan.

Provincial Policy Statement (PPS) (2014) and Places to Grow (2006) (The Growth Plan)

18. The Provincial Policy Statement (PPS) (2014) promotes efficient development and land use patterns and accommodating an appropriate range and mix of residential, employment, recreational and open space. In addition, the policies promote cost effective development standards to minimize land consumption and facilitate compact form.
19. The applications have been reviewed with reference to the Places to Grow (Growth Plan) policies that have been in place since 2006 and the office consolidation for the Simcoe Sub-Area adopted in January 2012. The Growth Plan promotes the wise management of resources through the utilization of existing services and transportation infrastructure. The Growth Plan provides tools for decision makers to ensure land is used efficiently through intensification. The Growth Plan requires that 40% of all development occurring annually within the City must be within the existing built boundary.
20. The existing road network and municipal services are available in this area. However, the applicant is required to complete the urbanization of the north half of Alva Street and the extension of existing municipal sanitary and storm sewer systems. This is a result of the comments received from the Engineering Department as part of part lot control application D23-PAT.
21. As such, the proposed development would be appropriate, as the proposal would be an infill opportunity within an existing built up residential area of the City, which is supported by the availability of existing infrastructure and public transit along Patterson Road. It is the opinion of the Planning Department that the proposed development meets the policies and the intent of the Provincial Policy Statement and the Growth Plan.

Official Plan

22. 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.
23. Housing policies in 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." 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.

24. Official Plan Policy 4.2.2.2 (c) stipulates that low density residential development shall consist of single-detached, duplexes or semi-detached dwellings with frontage on a public street. The applicant is proposing low density development in the form of semi-detached and duplex dwellings consistent with this policy. The proposed built form is consistent with the target average density for low density areas which is to be achieved by combining a mix of housing forms and densities. The requested RM1 zoning would be surrounded by existing R1 zoning, however as stated above semi-detached and duplex dwellings are encouraged within low density and are compatible in built form and traffic generation with single detached dwellings. Therefore, in staff's opinion would not result in any negative impacts on the existing neighbourhood.
25. The proposed development would be a form of intensification in an area that is outside of the identified areas as outline on Scheduled I of the Official Plan. Section 4.2.2.6(d) provides a list of criteria that must be satisfied for intensification to occur outside of the identified areas. Planning staff have reviewed these policies and have determined that the proposed development would be in keeping with the intensification policies of the Official Plan. Specifically, the scale and character of the proposed dwellings are compatible and can be integrated into the neighbourhood, existing infrastructure i.e. roads, water/sewer services are available, community facilities such as parks are in close proximity to the subject lands, public transit is available on Patterson Road and the few units being proposed would not detract from the City's ability to achieve residential densities in the areas of the City (Nodes, corridors, UGC) where intensification is specifically being targeted.
26. In staffs' 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 staffs' opinion, Official Plan policies support the proposed rezoning request.

Zoning By-law Special Provisions

27. The applicant is proposing a Residential Multiple Dwelling First Density Special Provision (RM1)(SP) zoning to accommodate the proposed development. The applicant is proposing a reduced minimum lot frontage of 15.2 metres (7.62 metres frontage per semi-detached unit), for Lots 2-5, whereas the Comprehensive Zoning By-law requires 18 metres (9 metres frontage per semi-detached unit) for RM1 properties. The reduction in the lot frontages for these lots would be keeping with the character of the area as they would compliment the frontages of the townhouse dwellings on the south side of Alva Street, which have an average frontage of 6.5 metres and provides for an opportunity for an infill development on a vacant underutilized parcel. The proposed reduced lot frontage does not result in any other variances in the RM1 zone. The lots subject to the requested Special Provisions are illustrated in Appendix "C" of this report.
28. 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, albeit minor representing intensification and a more efficient use of a vacant portion of land, while still maintaining the overall character of the surrounding residential neighbourhood. The Zoning By-law requires a minimum lot area of 300m² for a semi-detached dwelling lot and 560m² for a duplex dwelling lot. The applicant is proposing 368.5m² for the semi-detached lots and 737m² for the duplex dwelling, which is greater than what the Zoning By-law requires.
29. The applicant is also requesting a special provision for lot frontage for a proposed duplex dwelling (Lot 1) be reduced from the required 17.0 metres, to 15.2 metres. A reduction of 1.8 metres in lot frontage is considered to be minor and would still provide an efficient lot area and would not affect the proposed amenity area and would be in keeping with the surrounding character of the area.

30. Due to the existing municipal easement at rear of Lot 1, the dwelling would need to be shifted south in order to ensure that the future dwelling is not located on the easement. This creates a deficient front yard setback for the accessory structure (private garage). The Zoning By-law requires a 7 metre setback to the front lot line, where as the proposed setback would be 6.0 metres. With this setback the applicant would still be able to provide sufficient on-site parking for the proposed units. This special provision would only apply to Lot 1, as Lots 2-5 would comply with the setback requirements.
31. It is the opinion of the Planning Department that the proposed zoning and associated special provisions are appropriate.

ENVIRONMENTAL MATTERS

32. The application was circulated to the Lake Simcoe Region Conservation Authority, who has commented that they have no objection to the proposed development.

ALTERNATIVES

33. 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 Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the residential policies of the Official Plan.

FINANCIAL

34. The proposed rezoning of the subject parcel would permit 2 semi-detached dwellings (4 units) and a duplex on the subject lands. The applicant has confirmed that the dwelling units would be sold for approximately \$300,000. Based on the applicant's assumptions and approximate price point, the proposed application if approved, would generate \$3,325.88 annually in municipal taxes for each unit (total for 5 units). The current (2013) taxes totaled \$2,989.57 for Part of Lots 41 and 42 on Registered Plan 959, therefore the estimated annual increase in taxes would be approximately \$16,965.71.
35. Development charges revenue would be estimated to be \$30,788.00 for each dwelling unit for a total of \$153,940.00. There would also be an additional \$1,759.00 for educational development charges, which is to be applied to each residential lot.
36. The properties, when developed will be required to have an updated Development Agreement. All costs associated with the approval and development of the site will be the owner's responsibility. Given that the subject lands are to be created by way of part lot control, the developer would be responsible for all capital costs for the new infrastructure required within the development limits. Costs associated with the ongoing maintenance and operational costs of the new infrastructure will be the responsibility of future owners. The City will incur additional operating costs associated with extending municipal services to the areas such as fire protection, policing, boulevard landscaping maintenance and increased contributions to reserves to plan for the eventual replacement of the municipal assets.

AFFORDABLE HOUSING

37. As a result of the statistical information that City staff have found as part of the Affordable Housing Strategy, the average price of a new single detached dwelling unit in the City of Barrie is \$460,858. The applicant has indicated that the anticipated new dwelling units would be sold for approximately \$300,000. Based on this price point, it can be determined that the proposed housing would be affordable. This would contribute to the affordable housing stock in the City of Barrie, and assist in achieving the 10% per annum target of the Official Plan.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

38. 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
39. 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.

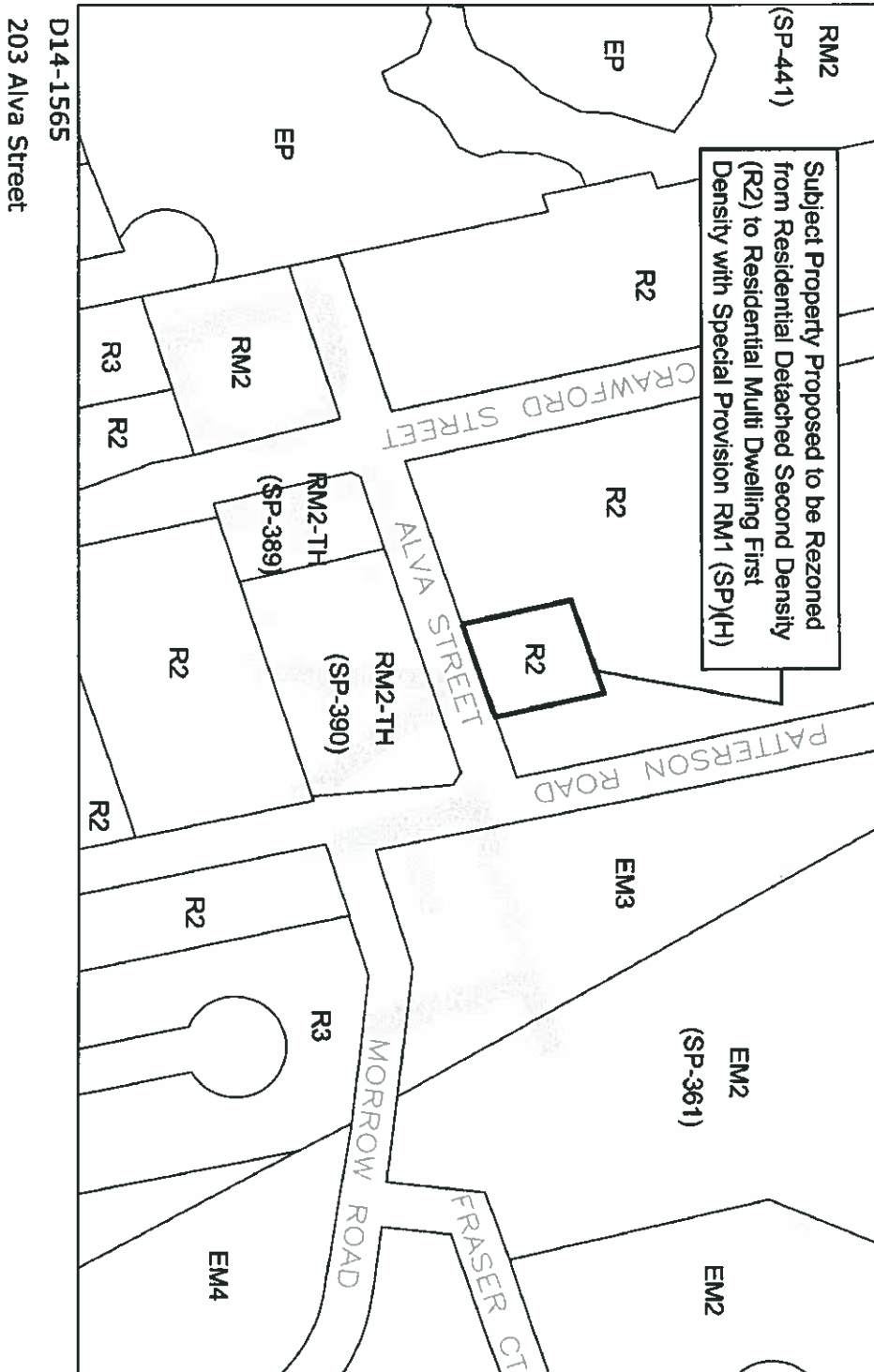
CONCLUSION

40. Based on the above, Planning staff are of the opinion that the proposed amendment to the Zoning By-law to permit 2 semi-detached dwelling residential lots and 1 duplex dwelling lot would be appropriate.
41. Staff are in support of the proposed development supported by provincial and municipal policy, and in staffs' opinion, represents good planning.

Attachment: Appendix "A" – Proposed Zoning
Appendix "B" – Conceptual Site Plan
Appendix "C" - Illustration of Proposed Site Specific Provisions

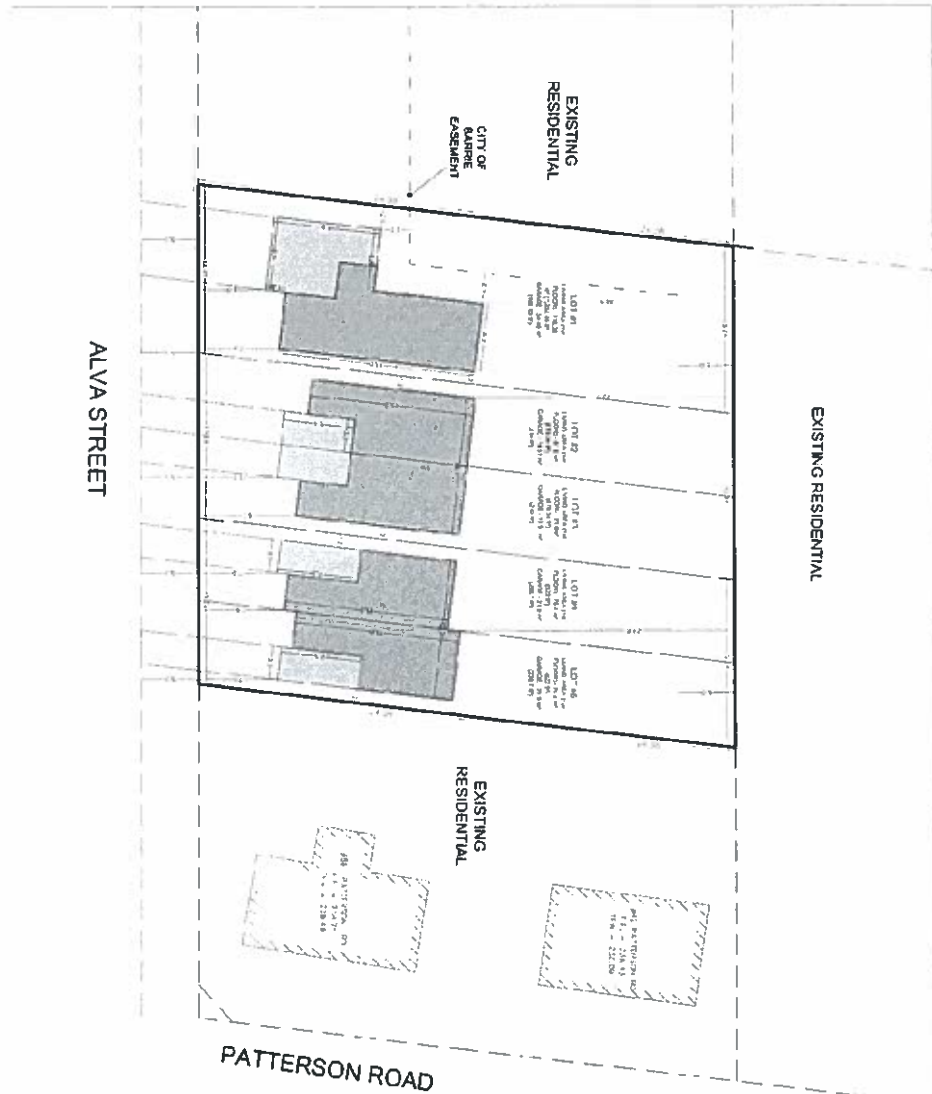
APPENDIX "A"

Proposed Zoning



APPENDIX "B"

Conceptual Site Plan – 203 Alva Street



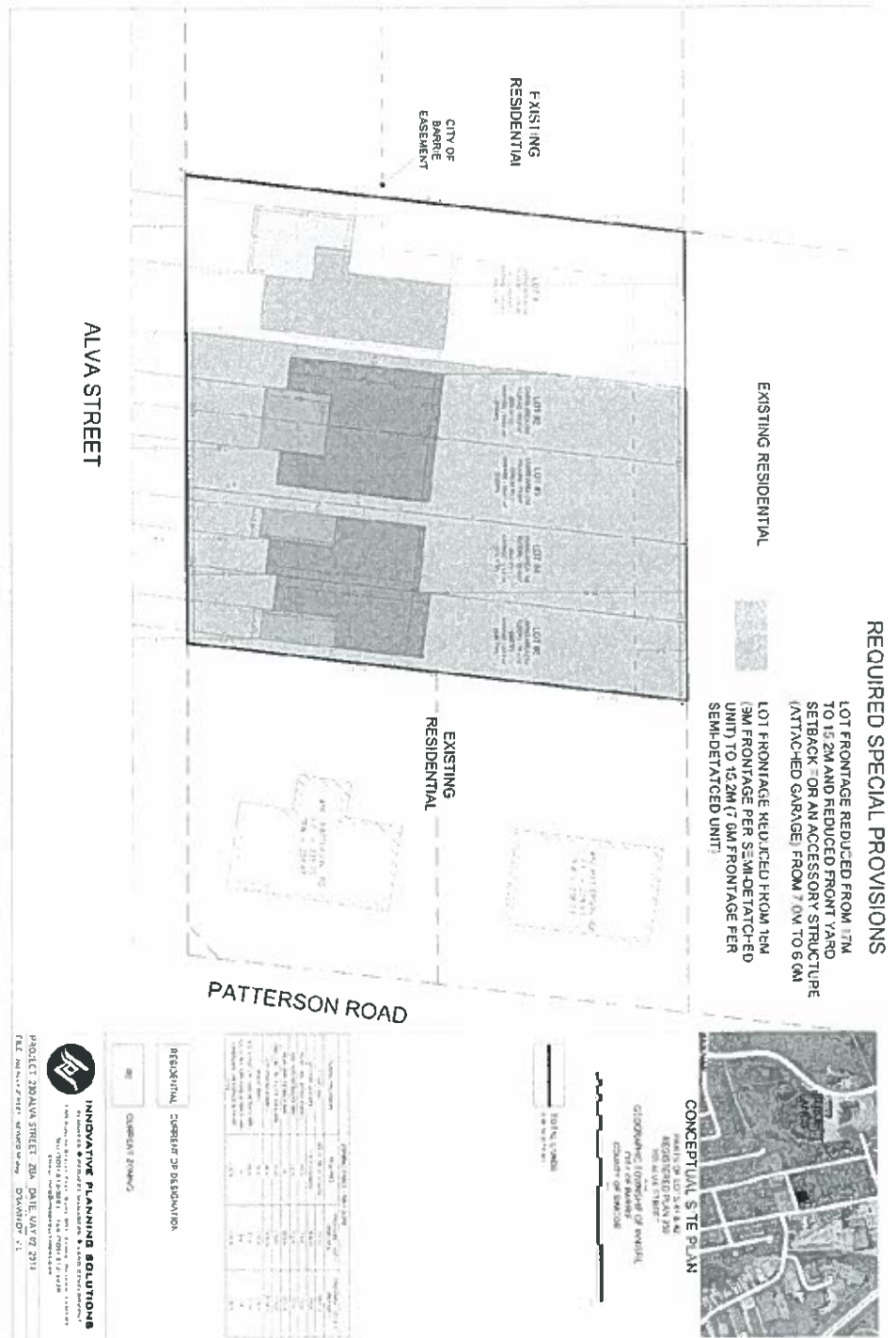
CONCEPTUAL SITE PLAN
 DISTRICT OF LOTS 1 & 2
 RESIDENTIAL TOWNHOMES
 203 ALVA STREET
 CITY OF BARRIE
 COUNCILOR S. SKELTON

DATE: 05/26/14
 DRAWN BY: [Name]
 CHECKED BY: [Name]

INNOVATIVE PLANNING SOLUTIONS
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 THE CITY OF BARRIE, ONTARIO
 DRAWN: 05/26/14

APPENDIX "C"
Illustration of Proposed Site Specific Provisions



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 FILE: INNOVATIVE PLANNING SOLUTIONS - 200 - 04/17/2014