Bill No. 064

BY-LAW NUMBER 2017-069

A By-law of The Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. 61)

WHEREAS, Section 21 of *The Planning Act*, R.S.O., 1990 Chapter P.13 authorizes councils to initiate an amendment to or repeal of any official plan that applies to the municipality;

AND WHEREAS, Motion 17-G-137 of the Council of The Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan.

NOW THEREFORE, the Council of The Corporation of the City of Barrie enacts as follows:

1. **THAT** Amendment No. 61 the Official Plan for the Barrie Planning Area attached to and forming part of this by-law, is hereby adopted.

2. **THAT** this By-law shall come into force and have effect immediately upon the final passing thereof.

READ a first and second time the 19th day of June, 2017.

READ a third time and finally passed this 19th day of June, 2017.

THE CORPORATION OF THE CITY OF BARRIE

MAYOR – J.R. LEHMAN

CITY CLERK – DAWN A. MCALPINE

AMENDMENT NO. 61

TO THE

CITY OF BARRIE

OFFICIAL PLAN

OFFICIAL PLAN

FOR THE

CITY OF BARRIE

Amendment No. 61

Amendment No. 61 to the City of Barrie Official Plan was prepared by the Barrie General Committee and was recommended to the Council of the City of Barrie under the provisions of the Planning Act, on the 5th day of June, 2017.

Mayor

City Clerk

This amendment was adopted by the Corporation of the City of Barrie by By-law No. 2017-069 in accordance with the provisions of the Planning Act, on the 19th day of June, 2017.

Mayor

City Clerk

Bill No. 064

BY-LAW NUMBER 2017-069

A By-law of the Corporation of the City of Barrie to adopt an amendment to the Official Plan (O.P.A. No. 61).

WHEREAS, Section 21 of The Planning Act, R.S.O., 1990 Chapter P.13 authorizes Council to initiate an amendment to or repeal of any Official Plan that applies to the municipality;

AND WHEREAS, by Resolution 17-G-137, the Council of the Corporation of the City of Barrie deems it expedient to pass such a by-law to adopt an amendment to the City of Barrie Official Plan;

NOW THEREFORE, the Council of the Corporation of the City of Barrie enacts as follows:

1. Amendment No. 61 to the City of Barrie Official Plan attached to and forming part of this by-law, is hereby adopted.

READ a first and second time this 19th day of June, 2017.

READ a third time and finally passed this 19th day of June, 2017.

THE CORPORATION OF THE CITY OF BARRIE

Mayor

Clerk

This Amendment No. 61 to the Official Plan for the City of Barrie which has been recommended by the Barrie General Committee and adopted by the Council of The Corporation of the City of Barrie, is hereby approved in accordance with the Planning Act as Amendment No. 61 to the City of Barrie Official Plan.

Date

City Clerk

AMENDMENT NO. 61

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AMENDMENT NO. 61

TO THE CITY OF BARRIE

OFFICIAL PLAN

INTRODUCTION

PART A - THE PREAMBLE does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and map constitutes Amendment No. 61 to the City of Barrie Official Plan.

Also attached is **PART C - THE APPENDIX,** which does not constitute part of this amendment. This appendix contains the Public Meeting Minutes, Staff Report, and the Council Resolution associated with this amendment.

PART A - THE PREAMBLE

PURPOSE

The purpose of this Official Plan Amendment is to amend Schedule A: Land Use to change the designation of the property municipally identified as 20 and 30 Miller Drive from "General Commercial" to "Residential".

The redesignation of the lands is intended to facilitate a medium density residential development. The site details will be fully examined through the associated Rezoning application and the Site Plan Control process.

LOCATION

The subject lands are located within the 400 North Planning Area, legally described as Part Lot 24, Concession 8, (formerly in the Township of Springwater), now in the City of Barrie, County of Simcoe, designated as Part 2 on Plan 51R-37645 and Part 4 on Plan 51R-32127, and municipally known as 20 and 30 Miller Drive.

The subject lands are generally located on the west side of Miller Drive, north of the Dunlop Street West and are part of a larger development project which also includes lands that are currently designated as "Residential" known municipally as 40 Miller Drive.

BASIS

The Provincial Policy Statement and Places to Grow policies generally direct growth to occur adjacent to existing built-up areas, have compact form and a variety of housing types that allow for the efficient use of land, planned infrastructure and public service facilities. The proposed development is an infill property between the established single detached homes and commercial development at Dunlop Street West. Improved transit and pedestrian connection to the community are also being integrated into the project details.

The property is located partially within or adjacent to a Secondary Intensification Node as identified on Schedule I of the City's Official Plan, however Staff have determined that the general provisions for permitting intensification outside of Intensification Areas should be used to evaluate this project.

With respect to section 4.2.2.3 Locational Criteria for medium and high density residential uses, Miller Drive is a collector road, the site is in close proximity to public transit, facilities and existing municipal services and infrastructure. The site therefore meets the intent of the intensification provisions of the Official Plan. In addition, the site acts as a transition property from the commercial and light industrial uses on Dunlop Street to the lower density residential uses along Miller Drive.

In support of the change in land use from General Commercial to the more sensitive designation of Residential, the owner/applicant has submitted a Phase 1 Environmental Assessment. The Phase 1 report is required to include a detailed history of the property and evaluate the potential for noxious uses or contamination on the site. The study concludes that the portion of the vacant property currently designated as General Commercial was not previously developed for any other use.

The owner/applicant has demonstrated that a medium density development can be accommodated on this site, and integrated into the existing community.

PART B - THE AMENDMENT

DETAILS OF THE AMENDMENT

The Official Plan for the City of Barrie, as it applies to lands legally described as Lots 2 and 3, Concession 14, Former Innisfil and all of Blocks 160, 161, 162, 163 and 164 Plan 51M-867 in the City of Barrie, be amended as follows:

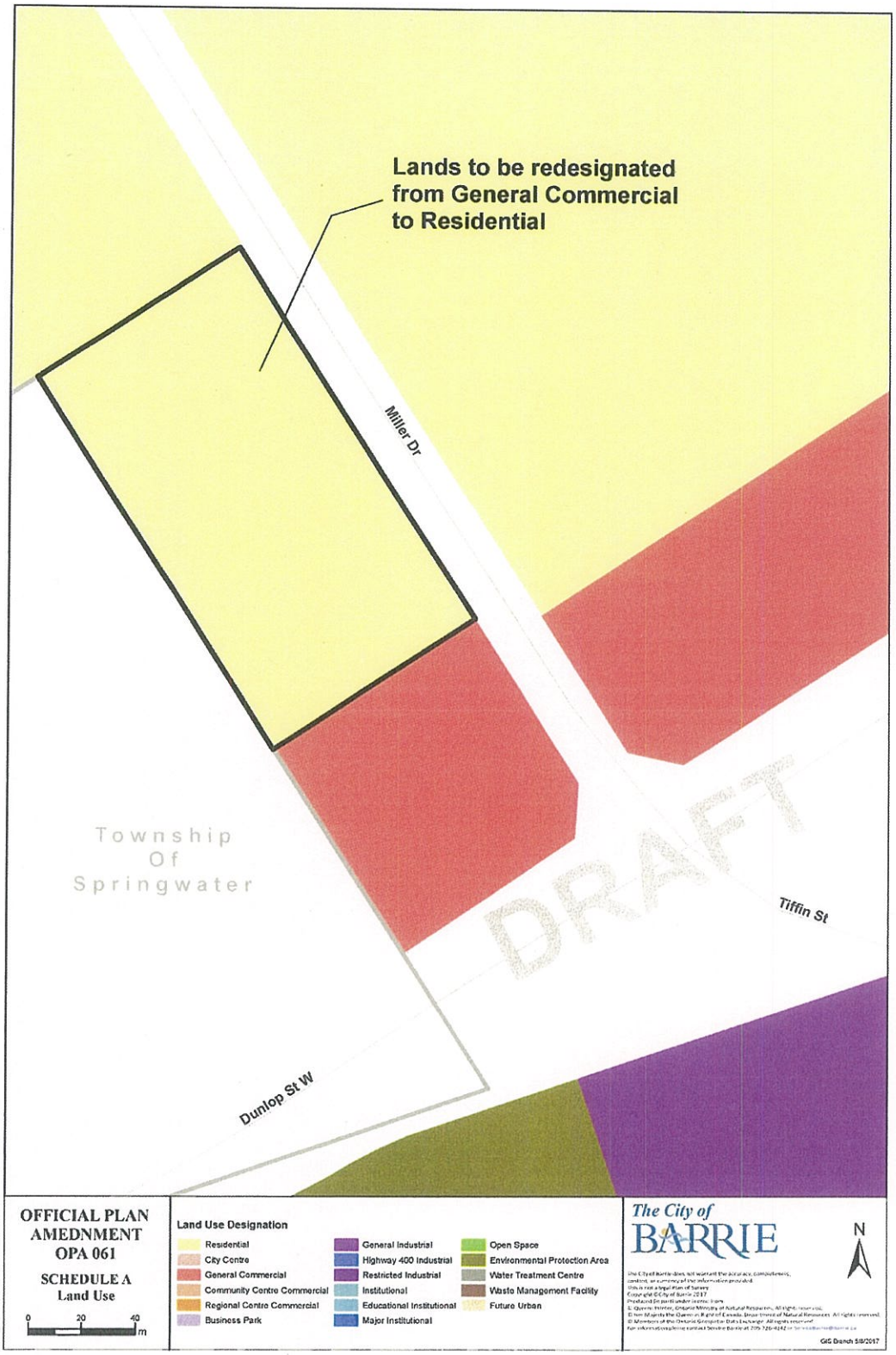
1. Schedule A - Land Use Plan is hereby amended by redesignating certain lands shown on Schedule A from "General Commercial" to "Residential".

IMPLEMENTATION

Upon adoption of this Amendment, Council may consider an implementing Zoning By-law.

INTERPRETATION

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


Lands to be redesignated from General Commercial to Residential
Miller Dr
Township Of Springwater
DRAFT
Tiffin St
Dunlop St W
OFFICIAL PLAN AMEDNMENT OPA 061
SCHEDULE A
Land Use
0 20 40 m
Land Use Designation
Residential
City Centre
General Commercial
Community Centre Commercial
Regional Centre Commercial
Business Park
General Industrial
Highway 400 Industrial
Restricted Industrial
Institutional
Educational Institutional
Major Institutional
Open Space
Environmental Protection Area
Water Treatment Centre
Waste Management Facility
Future Urban
The City of BARRIE
N
GIS Branch 5/8/2017

PART C – THE APPENDIX

PART C - THE APPENDIX

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The City of BARRIE

City of Barrie

Direction Memos

City Council

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

JANUARY 16, 2017

17-G-010 **APPLICATION FOR AN OFFICIAL PLAN AMENDMENT AND AN AMENDMENT TO THE ZONING BY-LAW - HEDBURN DEVELOPMENT CORPORATION - 20, 30 AND 40 MILLER DRIVE (WARD 5) (FILE: D14-1610)**

Mr. Darren Vella of Innovative Planning Solutions advised that the purpose of the Public Meeting was to review applications submitted by Innovative Planning Solutions on behalf of Hedburn Development Corporation to amend the Official Plan and Zoning By-law to permit a residential development at 20, 30 and 40 Miller Drive.

Mr. Vella discussed slides concerning the following topics:

- A map illustrating the application context including the site location and current surrounding uses;
- Excerpt of maps illustrating the current land use designation and zoning associated with the subject properties;
- The development proposal in the context of the City of Barrie's Intensification Areas;
- A image illustrating the development proposal;
- Artist renderings of the proposed designs for the apartment and townhouse units with a view from Miller Drive;
- The requested amendments to the Official Plan and Zoning By-law including the special provisions requested; and
- The studies that were undertaken as part of the application.

In closing, Mr. Vella summarized the development proposal and provided his professional planning opinion that the development would be consistent with the Planning Policy.

Ms. Janet Foster, Senior Planner summarized the special provisions that were being requested by the applicant. She provided details related to the primary planning and land use considerations associated with the application. Ms. Foster discussed the comments and concerns of the public who attended the Neighbourhood Meeting on October 26, 2016.

VERBAL COMMENTS

1. **Mr. André Champoux, 59 Miller Drive** advised that he had three issues with the proposed development. He commented that the first issue was that he felt that the developer should pay for the sidewalk in front of the building and not taxpayers. He noted his second concern was associated with the proposed location of the park. Mr. Champoux suggested that the proposed park be moved further away from Dunlop to protect the privacy of the existing residents and to act as a buffer to the existing neighbourhood. He indicated that his third issue was related to the proposed commercial property and the suggested convenience store. Mr. Champoux discussed his concern that insufficient parking was allocated for the convenience store and that it would attract unpleasant customers that store may draw. Mr. Champoux also suggested additional lighting in the area of the proposed development due to current and the potential for additional problems in the neighbourhood.

The City of BARRIE

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

City of Barrie

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JANUARY 16, 2017

17-G-010 **Continued..**

2. **Mr. Harry Frielink, 48 Miller Drive** commented that he was speaking against the requested exception to the Zoning By-law to increase the apartment building height to 3.5 storeys. He noted that his home is 21 feet from the proposed development and commented that a neighbouring shop was not permitted to build higher. He advised that he understands that there is a housing problem and the need for higher density, but indicated he felt that this development is not the same type of density and again noted his objection related to the over 3 storey building. Mr. Frielink suggested the provision of a buffer between the development and his home. He discussed how long he had resided at his home and his family situation and his concerns that residents in the apartment buildings would be able to look down into his back yard. He suggested that a buffer of white pines be installed to provide his property some privacy. Mr. Frielink noted his concerns associated with the potential loss of privacy in his backyard as it relates to his children and reiterated his request for a buffer between his property and the proposed development.

3. **Ms. Kim Rowntree, 77 Miller Drive** discussed her concerns associated with the current community being left unfinished and a new development being started. She provided examples of items that she felt have been left unfinished in the neighbourhood including the completion of Sproule Drive and points of access. She requested consideration of completing the existing neighbourhood before adding a new development to ensure that it could be sustained.

Members of General Committee asked a number of questions of City staff and the presenter and received responses.

WRITTEN COMMENTS

1. Correspondence from Enbridge Gas Distribution, dated October 19, 2016.

2. Correspondence from PowerStream, undated.

3. Correspondence from Coco Group, dated December 22, 2016.

Directions Memo:
Director of Planning and Building Services - note

Staff Report

The City of BARRIE

STAFF REPORT PLN010-17
May 29, 2017

Page: 1
File: D09-OPA061, D14-1610
Pending #:

TO:	GENERAL COMMITTEE
SUBJECT:	APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT MEDIUM DENSITY RESIDENTIAL LAND USE AT 20, 30 AND 40 MILLER DRIVE
WARD:	5
PREPARED BY AND KEY CONTACT:	C. TERRY, MCIP, RPP PLANNER, EXTENSION #4430
SUBMITTED BY:	R. FORWARD, MBA, M.Sc., P. ENG., 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:	C. LADD, CHIEF ADMINISTRATIVE OFFICER

RECOMMENDED MOTION

1. That the Official Plan Amendment application submitted by Innovative Planning Solutions, on behalf of Hedburn Development Corporation for lands known municipally as 20 and 30 Miller Drive, to amend the land use designation on Schedule A - Land Use from General Commercial to Residential as identified in Appendix "A" to Staff Report PLN010-17 be approved.

2. That the Zoning By-law Amendment application submitted by Innovative Planning Solutions, on behalf of Hedburn Development Corporation for lands known municipally 20, 30 and 40 Miller Drive to rezone the lands from General Commercial (C4) and Residential Single Detached (R1) to Residential Multiple with Specific Provisions (RM2)(SP-538) as identified in Appendix "B" to Staff Report PLN010-17 be approved with the following special provisions:

   a) That a maximum density of 71 units per hectare shall be permitted;

   b) That a maximum gross floor area of 100% shall be permitted;

   c) That four storey walk-up apartment buildings, with underground or partially underground parking, to a maximum building height of 18 metres shall be permitted;

   d) That a front yard setback of 5.0 metres shall be permitted;

   e) That a rear yard setback of 4.5 metres shall be permitted;

   f) That a 4.5 metre setback for secondary means of access shall be permitted; and

   g) That tandem parking shall be permitted.

3. 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 the approval of the application, including the following matters raised in those submissions and identified within Staff Report PLN010-17: the transition of built-form on site, proximity to industrial land uses, sidewalks, parking, transit and potential shadow impacts.

4. That no further public notice is required in accordance with Section 34 (17) of the *Planning Act*.

PURPOSE & BACKGROUND

Report Overview

5. The purpose of this staff report is to recommend that the property municipality identified as 20, 30 & 40 Miller Drive be designated and zoned to permit medium density residential development. Several key issues were examined as a result of this proposed development, including but not limited to the proximity of industrial type uses, intensification criteria, transition of built-form and pedestrian connectivity.

Location

6. The subject property is located on the west side of Miller Drive, north of the intersection with Dunlop Street North.

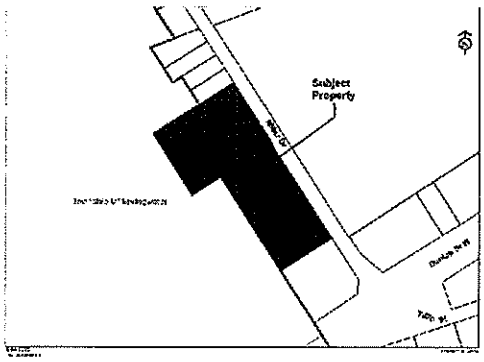
Surrounding Land Uses

North
single detached residential uses

East
Miller Drive, vacant lands zoned Residential Hold

South
gas station and car wash (McEwen), Dunlop Street West, commercial and light industrial uses, Tiffin Street

West
Township of Springwater lands zoned Highway Commercial with self-storage and lumber yard uses (Miller Lumber)



Background

7. The subject property was partially designated and zoned for commercial uses along with the lands to the south which are now occupied by a gas station and car wash (By-law 2001-263 & By-law 2002-177). The lands have remained vacant and were consolidated with a large single detached residential property to the north to create the subject property. The owner/applicant has proposed a development concept that permits a variety of medium density residential uses at an increased density of 71 units per hectare.

8. Reports submitted in support of this application include:

   a) Planning Justification Report (IPS, July 2016)

   b) Urban Design Brief (IPS, July 2016)

   c) Functional Servicing Report (Gerrits Engineering, November 2015)

   d) Traffic Impact Study (JD Northcote Engineering, November 2015)

e) Phase 1 Environmental Assessment (Azimuth Environmental Consulting, April 2016)

f) Odour, Dust and Nuisance Study (SPL Consultants, November 2015)

g) Noise Impact Study (Swallow Acoustic Consultants, July 2016)

h) Shadow Study (IPS, December 2015)

i) Tree Inventory and Preservation Plan (Kuntz Forestry Consulting, September 2015)

Department and Agency Consultation

9. The proposed concept and supporting documentation has been circulated and reviewed by City departments and external agencies including but limited to the Nottawasaga Valley Conservation Authority (NVCA).

10. The NVCA has confirmed that the property appears to be on the watershed divide between NVCA and the Lake Simcoe Region Conservation Authority (LSRCA). In accordance with the comments from NVCA, the property does not appear to have a natural hazard and once drainage patterns are identified through detailed stormwater management analysis, the determination of the appropriate Conservation Authority can be confirmed. NVCA further identified that provided adequate stormwater management is implemented; the development is not anticipated to have a negative impact on the wetland feature across Miller Drive to the east of the subject lands.

11. The additional comments received as a result of this circulation relate to detailed design and have been incorporated into the Analysis section of this report if warranted.

Public Consultation

12. A Neighbourhood Meeting was held on October 26, 2016. There were 12 people from the public in attendance. Comments from the public included concern with the provision of sidewalks, traffic impacts, transit service improvements, adequate parking, dust and noise from construction, privacy adjacent existing residences, location and appropriate lighting for the amenity area.

13. A Public Meeting was held on January 16, 2017, in accordance with the provisions of the Planning Act. The concerns voiced by the public included concern with the provision of sidewalks, the location of the park, the commercial use on site, density and height adjacent existing residential, and the existing unfinished development in the community.

14. The City has also received correspondence and inquiries regarding the project. The issues raised include investigating the introduction of sensitive land use in proximity to existing industrial uses, transition of built-form height, and the shadow impacts on lands on the opposite side of Miller Drive.

15. In response to the concerns raised by the public, staff offer the following summarized response:

a) Sidewalks The owner/applicant will be required to provide a sidewalk along Miller Drive across the face of this development. In addition, to improve pedestrian accessibility in the neighbourhood, the owner/applicant has offered to provide a sidewalk from this development north along Miller Drive to connect with the existing sidewalk.

b) Transition of Built-Form The owner/applicant has submitted a preliminary concept that transitions the height of buildings on site from four-storey walk-up apartments to 2-storey

townhouses adjacent the existing single detached residences. This provision will be implemented through the Site Plan Control process.

c) Parking The owner/applicant has not requested a decrease in the minimum parking standard required by the Zoning By-law. Staff will review the details of the parking provided for future residents and visitors through the Site Plan Control process.

d) Commercial The original concept plan did include a small commercial component. This is no longer part of the development.

e) Traffic Impacts The owner/applicant has submitted a traffic study in support of this application. The study does not recommend additional lanes or traffic calming measures.

f) Transit Improvements The owner/applicant has agreed to provide a transit stop and any additional improvements necessary to provide transit for the future residents of this area.

g) Proximity of Existing Uses The owner/applicant has submitted a study in accordance with the Ministry of Environment and Climate Change (MOECC) D-6 Guidelines for the location of sensitive land uses in proximity to industrial uses. The recommendations advise that a warning clause be registered on title for those lands within 50 metres of the Miller Lumber facility.

h) Shadow Impacts The owner/applicant has submitted a shadow study in support of this application. The study concluded that the heights proposed by this development would have minimal impact on the surrounding properties.

i) Amenity Area The final location, lighting and access to the required private amenity space will be confirmed through the Site Plan Control process.

ANALYSIS

Provincial Policy

16. The Provincial Policy Statement and Places to Grow policies generally direct growth to occur adjacent to existing built-up areas, have compact form and a variety of housing types that allow for the efficient use of land, planned infrastructure and public service facilities.

17. The proposed development is an infill property between the established single detached homes and commercial development at Dunlop Street West. Improved transit and pedestrian connection to the community are also being integrated into the project details.

Compatibility between Industrial Facilities and Sensitive Land Uses

18. The owner/applicant has submitted a study to evaluate the introduction of the proposed residential use in proximity to surrounding commercial and industrial activity. The study was completed in accordance with the Ministry of Environmental and Climate Change (MOECC) D-6 Guidelines for the location of sensitive land uses in proximity to industrial uses. The uses include, but are not limited to the operations at Miller Lumber, Coco Paving and Carr Excavating.

19. A potential for dust nuisance from the Miller Lumber site has been identified. The report has recommended that a warning clause be put on title for the future residences within 50 metres of the property line closest to that facility to acknowledge the existence of the Miller Lumber use and

the potential for dust nuisance. This clause will be confirmed and implemented for the property through the Site Plan Control process.

Official Plan Policy

20. The subject lands are currently designated as General Commercial and Residential in the City's Official Plan. That portion of the lands designated as General Commercial is proposed to be changed to Residential. The property is located partially within or adjacent to a Secondary Intensification Node as identified on Schedule I – Intensification Areas of the Official Plan.

21. The original intent of the owner/applicant including the commercial use on the site was to comply with the mixed use provisions identified for Intensification Nodes. Staff have determined that the commercial use proposed by the applicant was not effectively integrated into the subject site due to parking and access constraints with the concept. Furthermore, staff have recommended that the general provisions for permitting intensification outside of Intensification Areas should be used to evaluate this project as the property is not located on an Intensification Corridor, or have direct access to the Intensification Node at the intersection of Dunlop Street West and Miller Drive.

22. With respect to section 4.2.2.3 Locational Criteria for medium and high density residential uses, Miller Drive is a collector road, the site is in close proximity to public transit, facilities and existing municipal services and infrastructure. The site therefore meets the intent of the intensification provisions of the Official Plan. In addition, the site acts as a transition property from the commercial and light industrial uses on Dunlop Street to the lower density residential uses along Miller Drive.

23. In support of the change in land use from General Commercial to the more sensitive designation of Residential, the owner/applicant has submitted a Phase 1 Environmental Assessment. The Phase 1 report is required to include a detailed history of the property and evaluate the potential for noxious uses or contamination on the site. The study concludes that the portion of the property currently designated as General Commercial is vacant and was not previously developed for any other use.

Zoning

24. The owner/applicant has demonstrated that a medium density development can be accommodated on this site, and integrated into the existing community. The site specific provisions requested, including the increase in density to 71 units per hectare, increase in height for the four-storey walk-up apartment buildings, and reduced setbacks, can be accommodated and further vetted to ensure good design through the Site Plan Control process.

Site Plan Control

25. Subject to Council approval of the Official Plan Amendment and Zoning By-law Amendment requested through this application, the owner/applicant will be required to complete the Site Plan Control process. Staff will investigate the design details of the development, including but not limited to:

a) transition of housing form and height;

b) amenity space location;

c) parking for both residents and visitors;

d) provision of sidewalks, including a connection to existing development;

e) noise and nuisance mitigation and/or warning clauses;

f) transit improvements;

g) garbage collection; and

h) snow storage

ENVIRONMENTAL MATTERS

26. There is one environmental matter that was considered as part of this development:

a) The existence of a natural hazard on the subject lands has been evaluated and as noted in the comments received from NVCA, a feature has not been identified.

ALTERNATIVES

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

Alternative #1 General Committee could maintain the existing Official Plan designation of Commercial and zoning as Commercial (C4) and Residential Single Detached (R1). (i.e. Status Quo)

This alternative is not recommended as the owner/applicant has demonstrated that a medium density development can be accommodated on this site, which is in close proximity to an identified Intensification Node.

FINANCIAL

28. The final unit count and type will be confirmed through the Site Plan process. The estimated cost for each type of built-form, including the related municipal taxes can be summarized as follows:

TYPE	SIZE	COST	TAXES
Townhouse	3 BDRM	$380,000.00	$4,370.00
Stacked Townhouse	2 BDRM	$340,000.00	$3,910.00
Stacked Townhouse	1 BDRM	$290,000.00	$3,335.00
Apartment	2 BDRM	$350,000.00	$4,025.00
Apartment	1 BDRM	$280,000.00	$3,220.00

29. Development Charges are calculated and collected at the time of issuance of the building permit. The current fee for bachelor and 1 bedroom apartment units are $19,168.00. The current fee for 2 bedroom or larger units is $26,808.00 per unit. The current fee for townhouses is $32,503.00 per unit. Education Levies are currently $1,759.00 per unit.

LINKAGE TO 2014-2018 STRATEGIC PLAN

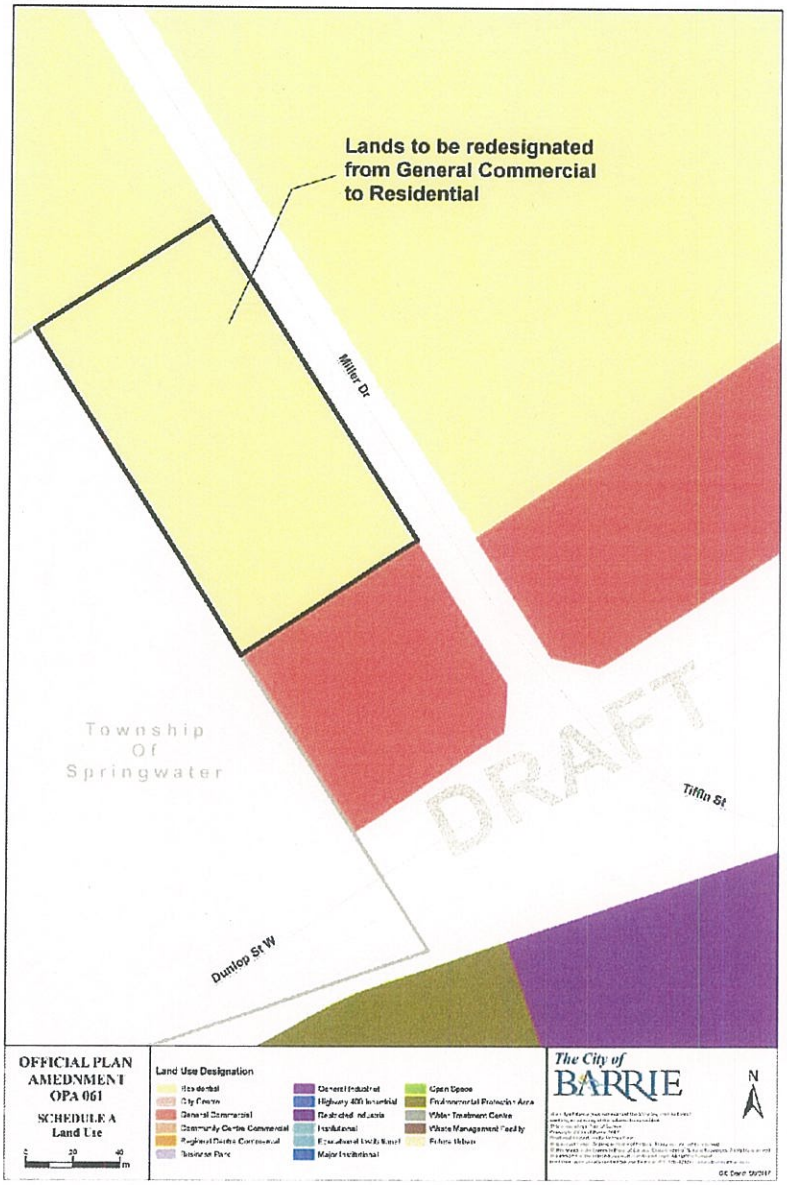
30. The recommendations included in this Staff Report support the 2014-2018 Strategic Plan goal of Inclusive Community in that the development supports safe neighbourhoods and promotes and facilitates community connections.

Attachments:

Appendix "A" – Proposed Official Plan Schedule A: Land Use
Appendix "B" – Proposed Zoning Map Schedule
Appendix "C" – Proposed Draft Plan of Subdivision

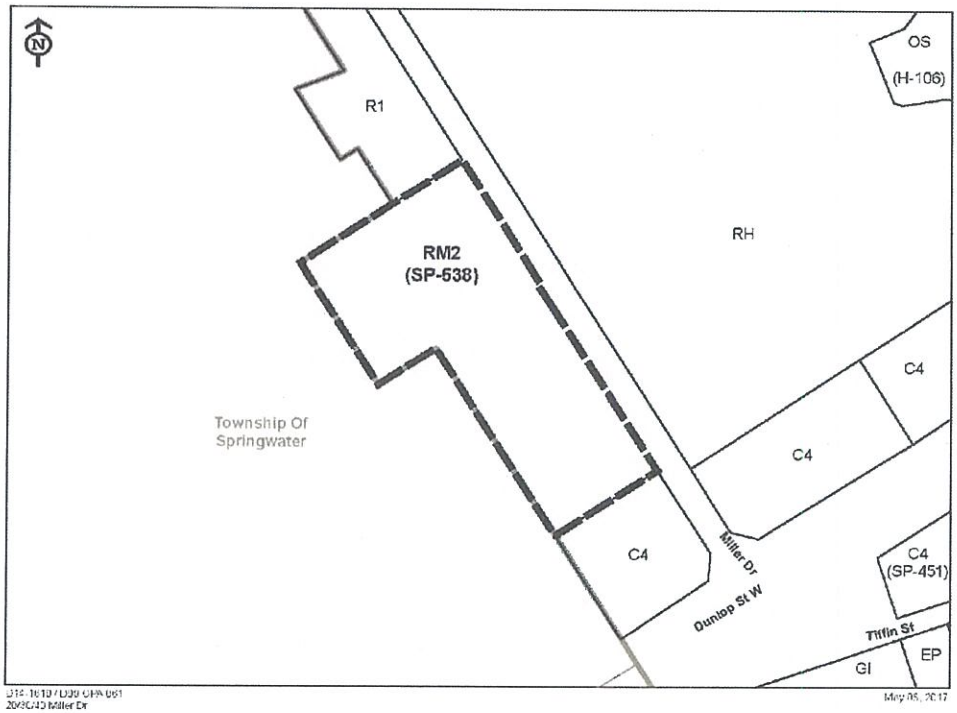
APPENDIX "A"

Proposed Official Plan Schedule A: Land Use



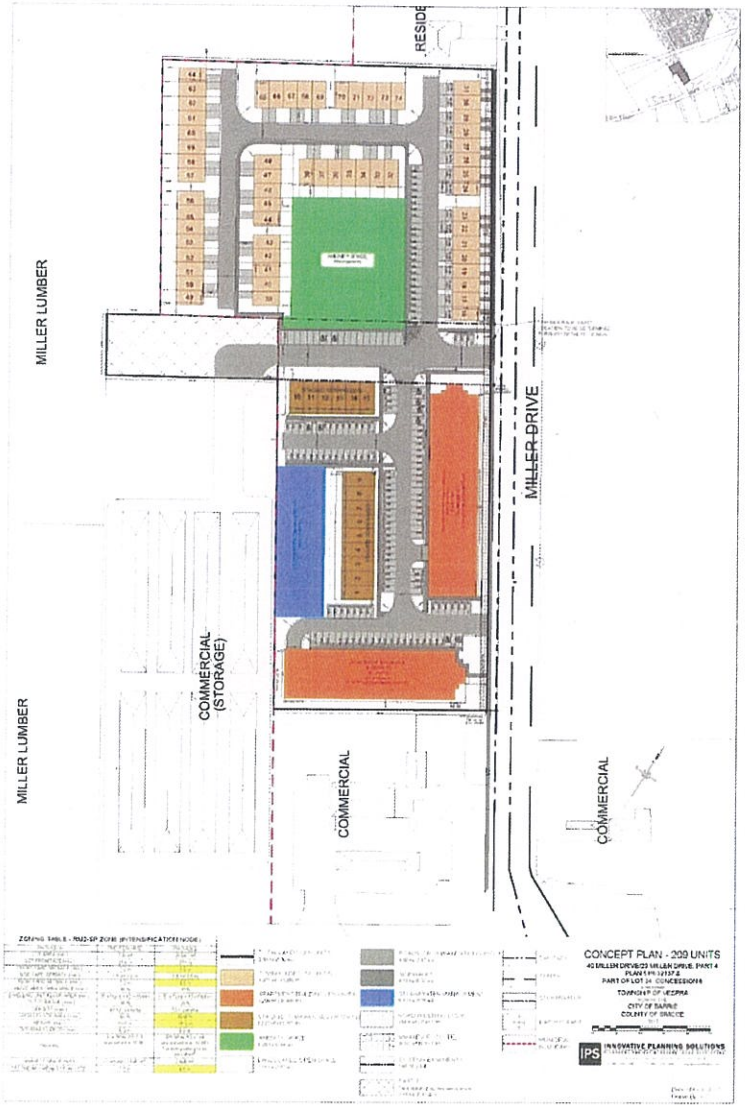
APPENDIX "B"

Proposed Zoning Map Schedule



APPENDIX "C"

Proposed Concept Plan



Council Resolution

The City of BARRIE

City of Barrie

70 Collier Street (Box 400)
Barrie, ON L4M 4T5

Direction Memos

City Council

June 5, 2017

17-G-137 **APPLICATIONS FOR OFFICIAL PLAN AND ZONING BY-LAW AMENDMENTS TO PERMIT MEDIUM DENSITY RESIDENTIAL LAND USE AT 20, 30 AND 40 MILLER DRIVE (WARD 5)**

1. That the Official Plan Amendment application submitted by Innovative Planning Solutions, on behalf of Hedburn Development Corporation for lands known municipally as 20 and 30 Miller Drive, to amend the land use designation on Schedule A - Land Use from General Commercial to Residential as identified in Appendix "A" to Staff Report PLN010-17 be approved.

2. That the Zoning By-law Amendment application submitted by Innovative Planning Solutions, on behalf of Hedburn Development Corporation for lands known municipally 20, 30 and 40 Miller Drive to rezone the lands from General Commercial (C4) and Residential Single Detached (R1) to Residential Multiple with Specific Provisions (RM2)(SP-538) as identified in Appendix "B" to Staff Report PLN010-17 be approved with the following special provisions:

   a) That a maximum density of 71 units per hectare shall be permitted;

   b) That a maximum gross floor area of 100% shall be permitted;

   c) That four storey walk-up apartment buildings, with underground or partially underground parking, to a maximum building height of 18 metres shall be permitted;

   d) That a front yard setback of 5.0 metres shall be permitted;

   e) That a rear yard setback of 4.5 metres shall be permitted;

   f) That a 4.5 metre setback for secondary means of access shall be permitted; and

   g) That tandem parking shall be permitted.

3. 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 the approval of the application, including the following matters raised in those submissions and identified within Staff Report PLN010-17: the transition of built-form on site, proximity to industrial land uses, sidewalks, parking, transit and potential shadow impacts.

4. That no further public notice is required in accordance with Section 34 (17) of the *Planning Act*. (PLN010-17) (File: D09-OPA061, D14-1610)

Directions Memo:
Director of Planning and Building Services – action
Director of Legal Services – note
Director of Legislative and Court Services - note