Comments Summary Matrix: Index of Comments Received

C. Consultants for Site-Specific Properties

No.	Commenter	Date Received
C1.	**MHBC for Home Depot Canada Inc.** D. A. McKay, MSc, MLAI, MCIP, RPP, Vice President & Partner, MHBC L. Esho, BA, Planner, MHBC	Sep. 3, 2024
C2.	**Lehman & Associates for Catholic Archdiocese of Toronto.** Robert Lehman, F.C.I.P.	Sep. 14, 2024
C3.	**MHBC for TransCanada PipeLines Ltd. (TCPL)** K. Webber, MA, Planner, MHBC	Sep. 17, 2024
C4.	**Agora Research Group Inc.** C. Balbinot BES(Hons), MCIP, RPP	Sep. 26, 2024
C5.	**Arcadis Professional Services Inc.** Z. Altakawee, MCIP, RPP, Planner III	Sep. 26, 2024
C6.	**Jones Consulting Group Ltd. for Schlegel Villages** R. Duhamel, M.C.P., MCIP, RPP, Partner	Sep. 26, 2024
C7.	**Jones Consulting Group Ltd. for 970 Mapleview Inc.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Sep. 27, 2024
C8.	**Jones Consulting Group Ltd. for Lockhart Innisfil Investments Ltd.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Sep. 30, 2024
C9.	**Jones Consulting Group Ltd. for BEMP Holdings 2 Inc. & Honeyfield BEMP2 Ltd.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Sep. 30, 2024
C10.	**Jones Consulting Group Ltd. for Lockhart 960 Inc. & TLP22 Inc.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Sep. 30, 2024
C11.	**Innovative Planning Solutions (IPS) for Big Bay LP** C. Sellers, B.B.A., Associate C. Daffern, Planner	Sep. 30, 2024
C12.	**MHBC for Country Wide Homes At Berzy Inc.** K. Chisholm BES, M.Sc., MCIP, RPP, Partner O. Mudalige, Hon.BA, M.Sc., MRTPI, Intermediate Planner	Oct. 1, 2024
C13.	**Jones Consulting Group Ltd. for 440 Essa Developments Inc.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Oct. 1, 2024
C14.	**Jones Consulting Group Ltd. for Lockhart Innisfil Investments Ltd. & Lockhart Innisfil Investments II Ltd.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Oct. 1, 2024
C15.	**Jones Consulting Group Ltd. for Mattamy (Lockhart) Ltd.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Oct. 1, 2024

C16.	**Jones Consulting Group Ltd. for Mattamy (Salem) Ltd.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Oct. 1, 2024
C17.	**Jones Consulting Group Ltd. for 2619018 Ontario Inc.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Oct. 1, 2024

C18.	**Jones Consulting Group Ltd. for Big Bay 4 Inc.** B. Clement, MURP, ACIP, MCIP, RPP, Partner A. Newlove BURPl., MCIP, RPP, Planner	Oct. 2, 2024
C19.	**Jones Consulting Group Ltd. for 52 Lakeside Terrace Ltd.** B. Clement, MURP, ACIP, MCIP, RPP, Partner A. Newlove BURPl., MCIP, RPP, Planner	Oct. 3, 2024
C20.	**Jones Consulting Group Ltd. for Fernbrook Homes (Parkside) Ltd.** B. Clement, MURP, ACIP, MCIP, RPP, Partner A. Newlove BURPl., MCIP, RPP, Planner	Oct. 3, 2024
C21.	**Jones Consulting Group Ltd. for Pioneer Family Pools Barrie Inc.** B. Clement, MURP, ACIP, MCIP, RPP, Partner A. Newlove BURPl., MCIP, RPP, Planner	Oct. 3, 2024
C22.	**MHBC for Barrie West Development Inc. & Barrie West (Goodwin) Holdings Ltd.** K. Chisholm BES, M.Sc., MCIP, RPP, Partner T. Kawall, BES, Intermediate Planner	Oct. 4, 2024
C23.	**MHBC for PBM Realty Holdings Inc.** K. Chisholm BES, M.Sc., MCIP, RPP, Partner O. Mudalige, Hon.BA, M.Sc., MRTPI, Intermediate Planner	Oct. 4, 2024
C24.	**MHBC for McCowan & Associates Ltd., Ron McCowan & Partners REIT** K. Chisholm BES, M.Sc., MCIP, RPP, Partner T. Kawall, BES, Intermediate Planner	Oct. 4, 2024
C25.	**MHBC for PenEquity Inc.** O. Kemal, BES, RPP, MCP, President	Oct. 4, 2024
C26.	**MHBC for 3251586 Canada Inc.** K. Chisholm BES, M.Sc., MCIP, RPP, Partner T. Kawall, BES, Intermediate Planner	Oct. 4, 2024
C27.	**Zelinka Priamo Ltd. for Barrie Lifestyle Inc. & Barrie Lifestyle II Inc.** R. MacFarlane, MPL, MCIP, RPP, Senior Associate	Oct. 4, 2024
C28.	**Zelinka Priamo Ltd. for CP REIT Ontario Properties Ltd., Loblaw Properties Ltd., & Loblaws Inc.** R. MacFarlane, MPL, MCIP, RPP, Senior Associate	Oct. 4, 2024

C29.	**Innovative Planning Solutions (IPS) for Midnight Group Developments** C. Sellers, B.B.A., Associate D. Gokcen, B.E.S., M.Pl., RPP, Senior Planner R. Budiwarman, B.E.S., Planner	Oct. 4, 2024
C30.	**Jones Consulting Group Ltd. for Mapleview South (Innisfil) Ltd.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Oct. 11, 2024
C31.	**MHBC for Caplan-Barrie Holdings Ltd.** O. Kemal, BES, RPP, MCP, President	Oct. 22, 2024
C32.	**Jones Consulting Group Ltd. for Crystal Point Inc., Cresthaven Developments Inc., Coppercreek Estates Inc., Fernbrook Developments Inc., Garden Village Commercial Trustee, Fernbrook Commercial Centre Inc.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Nov. 1, 2024
C33.	**Jones Consulting Group Ltd. for ASA Development Inc.** R. Duhamel, M.C.P., MCIP, RPP, Partner	Nov. 6, 2024
C34.	**Innovative Planning Solutions (IPS) for 805 Essa Inc.** G. Barker, B.A.A., Partner C. Daffern, Planner	Nov. 13, 2024
C35.	**Innovative Planning Solutions (IPS) for 2847874 Ontario Inc.** C. Sellers, BA, Partner C. Daffern, Planner	Nov. 13, 2024
C36.	**KLM Planning Partners Inc. for Georgian Glen Developments Ltd.** M. Yarranton, President	Nov. 14, 2024
C37.	**Innovative Planning Solutions (IPS) for Dean Ives** C. Sellers, B.B.A., Partner	Nov. 14, 2024
C38.	**Innovative Planning Solutions (IPS) for Wynstar Anne Street LP** G. Barker, B.A.A., Partner J. Albert, BES, Intermediate Planner	Nov. 14, 2024
C39.	**Innovative Planning Solutions (IPS) for Barbay Holdings Inc.** D. Vella, MCIP, RPP, President / Director of Planning J. Albert, BES, Intermediate Planner	Nov. 14, 2024
C40.	**Innovative Planning Solutions (IPS) for Midnight Group Developments** C. Sellers, B.B.A., Associate D. Gokcen, B.E.S., M.Pl., RPP, Senior Planner R. Budiwarman, B.E.S., Planner	Nov. 14, 2024

C41.	**Innovative Planning Solutions (IPS) for North American Corporation & 9613714 Canada Inc.** D. Vella, MCIP, RPP, President / Director of Planning N. Skerratt, Senior Planner R. Budiwarman, BES, Planner	Nov. 14, 2024
C42.	**MHBC for PBM Realty Holdings Inc.** K. Chisholm BES, M.Sc., MCIP, RPP, Partner O. Mudalige, Hon.BA, M.Sc., MRTPI, Intermediate Planner	Feb. 12, 2025
C43.	**Dunlop Ferndale Inc.** B. Greenfield, President	Feb. 25, 2025
C44.	**Humphries Planning Group Inc. for Franline Investments Ltd.** R. Humphries BA, MCIP, RPP, President	Mar. 19, 2025
C45.	**Innovative Planning Solutions (IPS) for 1012 Yonge Street** D. Vella, MCIP, RPP, President / Director of Planning	Apr. 16, 2025
C46.	**MHBC for Country Wide Homes at Berczy Inc.** K. Chisholm BES, M.Sc., MCIP, RPP, Partner O. Mudalige, Hon.BA, M.Sc., MRTPI, Intermediate Planner	Apr. 21, 2025
C47.	**MHBC for Country Wide Homes at Berczy Inc.** K. Chisholm BES, M.Sc., MCIP, RPP, Partner O. Mudalige, Hon.BA, M.Sc., MRTPI, Intermediate Planner	Apr. 21, 2025
C48.	**Bousfields Inc. for 126, 136 and 140 Bradford Street** Mike Dror, MCIP, RPP	Apr. 21, 2025
C49.	**Bell** Monica Contreras, Architect, OAA	Jul. 10, 2025
C50.	**Innovative Planning Solutions (IPS) for 274 Georgian Drive** D. Gokcen, B.E.S., M.Pl., RPP, Senior Planner T. Feyzabi, B.Sc.,M. Plan., Intermediate Planner	Aug. 1, 2025
C51.	**HAB Creative Housing for 0 Huronia Road** M. Al-Haboobi, P.Eng	Sep. 1, 2025
C52.	**Bell** Monica Contreras, Architect, OAA	Sep. 3, 2025
C53.	**MHBC for Arten Development Group** K. Chisholm BES, M.Sc., MCIP, RPP, Partner O. Mudalige, Hon.BA, M.Sc., MRTPI, Intermediate Planner	Oct. 2, 2025

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C1.

September 3, 2024

City of Barrie
Development Planning Department
Barrie City Hall
70 Collier Street
Barrie, ON
L4M 5R5

newzoningbylaw@barrie.ca

RE: COMMENT LETTER
CITY OF BARRIE – DRAFT 3 ZONING BY-LAW
HOME DEPOT OF CANADA INC.
OUR FILE: 9316HA-36

On behalf of our client, Home Depot of Canada Inc. (Home Depot), we have reviewed the most recent City of Barrie Draft 3 Zoning By-law (hereinafter the "DZBL"), relative to our client's existing site and store operations located at 10 Barrie View Drive (Store #7204) in the City of Barrie (hereinafter the "Subject Lands").

On July 27, 2023, we submitted comments in relation to the second DZBL, where we raised concerns with the "Flex Building" standards that exceed and / or do not meeting the following requirements:

- A maximum building length of 60 m
  - *The Subject Lands currently has an existing building length of 91.31 m*
- A minimum landscaped area of 20% of the lot area
  - *The Subject Lands currently has an existing landscaped area at 15.81% of the lot area*

However, we note that our previous comments were not addressed in the most recent draft of the DZBL. Given the existing conditions of the Subject Lands, we request that City staff consider implementing a site-specific exemption in the final version of the Zoning By-law.

On this basis and moving forward, we will ensure to continue to monitor the DZBL policies released as part of the initiative in consideration of Home Depot's sites, and we look forward to working with City staff and stakeholders as necessary throughout this process.

We kindly request to receive notifications regarding any decisions made by the City Council or Committee of Council pertaining to this matter.

If you have any further questions, please do not hesitate to contact the undersigned.

Thank you.

Yours truly,

MHBC



David A. McKay, MSc, MLAI, MCIP, RPP
Vice President & Partner



Linda Esho, BA
Planner

cc. Home Depot of Canada Inc.

LEHMAN
& ASSOCIATES

September 14, 2024
Wendy Cooke
City Clerk
City of Barrie

SENT ONLY BY EMAIL

Dear Ms. Cooke:

Re: Catholic Archdiocese of Toronto Draft #3 Zoning Comments

I am writing on behalf of the Catholic Archdiocese of Toronto to provide input to the Town's zoning by-law review. The Archdiocese is the owner of three properties in the City of Barrie, all active churches. These are:

Holy Spirit Parish, Barrie at 650 Essa Road

St. John Vianney Parish, Barrie at 13 Baldwin Lane

St. Mary's Parish, Barrie at 65 Amelia Street.

We have reviewed Draft #3 and have the following comments.

Definition and use permissions are confusing and inaccurate

Many zoning by-laws retain a definition of a place of worship that is significantly out of date. Today most churches, mosques, temples and other places of worship support many activities beyond solely providing worship space. As a semi-public building in a residential neighborhood many places of worship have programs, courses, spaces for community groups and activities with community outreach and social purposes. For that reason most new by-laws are recognizing and enabling this role.

Place of Worship is defined by the current by-law as follows:

shall mean a building commonly used by any religious organization for

39 Kempenfelt Drive, Barrie, Ontario L4M 1B8
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> *worship, and may include accessory uses such as a rectory, manse, parish hall and intermittent non- academic religious or instruction associated with the organized worship or intermittent non- academic community oriented instruction including but not limited to uses such as arts and crafts, music, martial arts or other community based programs. These uses must be ancillary and subordinate to the primary use of the place of worship. Places of worship shall not include a religious institution.*

The draft by-law proposes a significant change to the existing permissions by limiting uses in a place of worship:

> *PLACE OF WORSHIP*
>
> *Means a **building use** for the regular assembly of persons for the practice of religious worship, services, or rites.*

This definition is not broad enough to describe the existing uses of the three churches nor the potential range of functions of a church. We recognize that other uses are permitted in the CHN zone that could be associated with a place of worship, however we believe the definition should be corrected. Also note the word 'use' should read 'used'.

The Town of Markham recently enacted a new comprehensive zoning by-law with the following definition of a place of worship:

> *Place of Worship means a building or part of a building used by a charitable religious group(s) for a sanctuary and may include accessory uses that include programs for community social benefit, which are subordinate and incidental to the practice of religious rites.*

The Town of Pickering uses the following definition:

> *Place of Worship: means a facility the principal use of which is the practice of religion, but which may include accessory uses subordinate and incidental to the principal use such as classrooms for religious instruction, programs for community social benefit, assembly areas, kitchens, offices and a residence for the faith group leader.*

In a similar vein the City of Brampton is proposing the following definition:

> *Place of Worship: shall mean premises primarily used for faith-based spiritual purposes wherein people assemble for religious*

> *worship, and which may include faith-based instruction or teaching, fellowship, recreation and charitable community outreach activities. Accessory uses or facilities to a Place of Worship shall include, but not be limited to classrooms for religious instruction, nursery or daycare facilities, assembly areas related to faith-based activities, kitchens and eating areas, fellowship halls, recreation facilities and administrative offices related to the place of worship, and a residential unit in accordance with this By-law.*

Any of these definitions would be appropriate from our perspective. All include the concept of a use that provides community social benefits.

All three church properties are proposed to be zoned as Community Hub Neighborhood zone, CHN, which permits 'Institutional Uses' but only as accessory uses. All boundaries appear to be correct.

There is also a use permission for institutional uses which reads as follows:

> *INSTITUTIONAL USES*
>
> *Means the **use** of land, **buildings** or other **structures** for some public or social purpose but not for a **commercial use** or for **commercial** business purposes and may include governmental, religious, educational, charitable, philanthropic, **hospital** or other similar but non-business uses. May include a **public service facility**.*

The permitted uses for the CHN zone do not include a Place of Worship. There is a permission for an Institutional Use, however only as an Accessory Use. We would request that the permission for a Place of Worship be made clear by adding it to the list of permitted Primary Uses. We would also like confirmation that the other permitted uses in the CHN zone would allow a rectory and a day care centre associated with a Place of Worship.

Place of Worship parking requirements have been increased without rationale

The current by-law has a requirement for 1 space per 5 persons in the sanctuary. The current standard is reasonable and all three properties have been developed in compliance with the existing standards.

The new by-law's parking standard applies to "*any Commercial Entertainment, Community Facilities Uses, Institutional Uses, Restaurants or Schools"* and then relates the number of spaces required to the number of worshippers.

We wish to understand which of the two standards for institutional uses in Draft #3 would apply to a place of worship. The two standards are found on page 65 and page 66:

> 1 **parking space** for every 4 persons (spectators, patrons, visitors, members of the audience, worshippers, or students as the case may be).
>
> And
>
> 1 Parking Space per 50 sq m of Gross Floor Area but in no case less than 2 Parking Spaces

Assuming that the first standard would apply, this would potentially increase the parking requirements for a Place of Worship by 20%, from one for five persons to one for four persons. We would request the technical basis for the change in the standard so we can understand the planning rationale.

Also it is not clear from the wording how the standard would be calculated in the case of a Place of Worship. Typically there is reference to the capacity of the worship area, such as in the current by-law.

It is our experience on many church properties over the past several decades that parking demand has declined, in many cases significantly. Other jurisdictions have reduced the parking standards for places of worship as a consequence.

The City of Brampton has recently published a draft of their new comprehensive zoning by-law and proposed that the parking for a place of worship will be based on the size of the net worship area (sanctuary) being 6.5 spaces per 100 square metres of the net worship area. This is a 65% reduction in parking requirements.

We would ask that the requirements for parking be clarified and not increased as this would create a legal non-confirming situation and significantly hinder any potential intensification of the church properties.

We also note that Table 19 has a minimum bicycle parking spaces ”For all other Non-Residential Uses “. We would like to clarify if this will not apply retroactively to existing places of worship should additional uses or buildings be proposed on the church site.

Introduction of the concept of ‘permitted buildings’ and unsupported structural regulations

We are unaware of any other zoning by-law in Ontario that specifically lists permitted building types in the manner found in Draft #3. We would appreciate any technical memo or report that explains the planning rationale of this form of permission, and the legal

basis. Our review of Section 34 of the Planning Act does not show any authority to prohibit the erection of any class or classes of buildings except in specific circumstances, none of which would apply to the CHN zone.

Some of the building standards applicable to the CHN zone include a maximum 60m building length, a minimum height of the first floor of 3.7m, a minimum building height of 2 storeys (6.4m) and a maximum of 4 storeys (14m). We do not understand the planning rationale for any of these standards.

Our review of the Official Plan and the Urban Design Guidelines finds no discussion of or policy basis for a minimum or maximum height on lands designated as Community Hub, for a maximum 60m building length or for a minimum height of the first floor. We do not think these standards are necessary but would request whatever technical information or planning rationale you may provide to assist our understanding.

Use permissions or building types?

The draft by-law sets out both permitted uses and permitted buildings. In the CHN zone only a Flex Building and a Low-Rise Building are permitted. A Flex Building is defined as follows:

> *FLEX BUILDING*
>
> *Means a dynamic building, between one (1) and four (4) storeys, specifically designed for an industrial use, commercial use and institutional use. Buildings may be single-tenant or multi-tenanted, with units generally having individual entrances, and may have shared servicing and loading facilities. May include, but is not limited to: retail store, service store, commercial plazas, theatres, major retail, some forms of office and major office, industrial buildings and warehouses, public service facilities, places of worship, community centres, hospitals and schools. Includes restaurant with drive-thru facility.*

We would request a clarification or explanation as to what the term 'dynamic' is intended to mean.

Our churches have been specifically designed for an institutional use. Should this read "*specifically designed for an industrial use, commercial use **OR** institutional use".*

What is the planning rationale for the requirement that the building has to have been designed for a specific use, can a building not be adapted and still be permitted?

This definition not only describes the form of the building, but also sets out the permitted uses. However, most of these uses are not permitted in the CHN zone. Which permission applies? We note the other permitted building forms do not list permitted uses.

Low-Rise building use?

A Low-Rise building is also permitted in the zone. It is defined as

> *LOW-RISE BUILDING*
>
> *Means a building that is between two (2) to five (5) storeys in height and includes a shared entrance to multiple units, with access to the units provided by interior corridors and hallways and may include a shared central staircase as well as an elevator.*

The Low-Rise Building definition seems to assume it is used for residential purposes. Is this the intent?

As a general note it is a best practice to provide the planning rationale for comprehensive by-law changes, much as Barrie's Official Plan requires an applicant to respond to the policy framework in policy 3.1.2 d) which states:

> "*Require development applications to demonstrate how relevant attractive city objectives and urban design policies are being achieved through any requisite planning justification report and/or urban design brief."*

In this way the public and the development community can understand the rationale for the myriad of changes that are proposed and respond in context. We would request that, prior to any approval of the draft by-law, staff document "how relevant attractive city objectives and urban design policies are being achieved" by the new comprehensive zoning by-law so we might understand the planning rationale.

I am available to discuss these issues at your convenience.



Robert Lehman F.C.I.P.

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

Authorized commenting Agency for TC Energy

C3.

September 17, 2024

Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis
Development Services

City of Barrie
70 Collier Street
Barrier, ON L4M 1G8

Via email: newzoningbylaw@barrie.ca
Jennifer.roberts@barrie.ca

Dear Jennifer Roberts:

RE: Comprehensive Zoning By-law: 3rd Draft
City of Barrie
MHBC File: PAR 50119

MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC) are the planning consultants for TransCanada PipeLines Limited (TCPL). This letter is in response to notification and request for comments of the third draft Comprehensive Zoning By-law and Zoning Map. TCPL has two (2) high-pressure natural gas pipelines and associated facilities contained within a right-of-way ("easement") crossing the City of Barrie.

TCPL's pipelines and related facilities are subject to the jurisdiction of the Canada Energy Regulator (CER) – formerly the National Energy Board ("NEB"). As such, certain activities must comply with the Canadian Energy Regulator Act ("Act") and associated Regulations. The Act and the Regulations noted can be accessed from the CER's website at www.cer-rec.gc.ca.

Policy Context

TCPL's pipelines are defined as Infrastructure in the Provincial Policy Statement (PPS). Section 1.6.8.1 of the PPS states that '*planning authorities shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs*.' The Growth Plan (2020) also references the importance of protecting and maintaining planned infrastructure to support growth in Ontario.

Appropriate setbacks of permanent and accessory structures to the rights-of-way are needed to manage the safety and integrity of the pipelines, as well as ensuring adequate access for emergencies, operations and maintenance. Where possible, TCPL also seeks to implement zoning regulations that implement its guidelines.

Third Draft Comprehensive Zoning By-law

We have reviewed the Third Draft of the Comprehensive Zoning By-law and offer the following proposed revisions for your consideration:

Additions = green underline Deletions = ~~red strikethrough~~

3.3.6 *TransCanada PipeL~~l~~ines Limited (TCPL) Requirements*

a) Notwithstanding anything in this Zoning By-law to the contrary, no ~~permanent~~ building or structure shall be located within 7 metres from the limit of the TCPL pipeline right-of-way; and

~~*b) Accessory structures shall have a minimum setback of at least 3 m from the limit of the pipeline right-of-way unless otherwise provided for in this Zoning By-law.*~~

b) Any parking area or loading including any parking spaces, loading space, stacking spaces, bicycle parking spaces, and any associated aisle or driveway shall have a minimum setback of 7 m from the limit of the TCPL pipeline right-of-way."

Thank you for the opportunity to comment. We look forward to reviewing the updated By-law. If you have any questions, please do not hesitate to contact our office.

Sincerely,

MHBC



Kaitlin Webber, MA
Planner | MHBC Planning

on behalf of TransCanada PipeLines Limited

AGORA RESEARCH GROUP INC.

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Kleinburg, Ontario
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Market Research • Land Use Planning • Real Estate Strategies

September 26, 2024

Celeste Kitsemetry, RPP
Supervisor of Growth Management
The City of Barrie

Development Services
70 Collier Street, P.O. Box 400
Barrie ON L4M 4T5

Tel: 705-739-4220 ext. 4430
E: Celeste.Kitsemetry@barrie.ca
&
newzoningbylaw@barrie.ca

Dear Ms. Kitsemetry,

Re: 675 Veteran's Drive, Barrie, Ontario –
Comments re Proposed Zoning By-law Draft #3 &
Barrie File Number: D11-020-2024

Agora Research Group Inc. has been retained by QMW Corp Inc. to facilitate the planning approvals process for the proposed industrial condominium development on lands municipally described as 675 Veteran's Drive in Barrie, Ontario, herein referred to as the "Site".

The Applicant is proposing to a construct an industrial condominium development consisting of six (6) one storey buildings on the Site with a combined total gross floor area of approximately 10,845.2 m^2 . The Light Industrial buildings will include mezzanines and accessory office space.

The Applicant has been actively engaged in the Site Plan Application Approval process since preliminary meetings with City of Barrie in September 2023. The following list identifies the various applications, meetings and submissions related to the Site Plan Approval process on the date this letter was issued.

- Pre-Consult Application Submission – October 26, 2023
- Pre-Consult Virtual Teams Meeting with Barrie Staff – December 7, 2023
- Pre-Consult – Received Final Consolidated Comment package – December 15, 2023

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- Pre-Consult – Received Project Complete Application Checklist – February 28, 2024
- Pre SPA Submission – April 5, 2024 submission
- Pre SPA Submission "Application Deemed Complete" – May 31, 2024
- Formal SPA Submission – July 18, 2024
- Formal SPA Submission "Notice of the Filing of a Complete Application" - August 13, 2023
- Formal SPA Submission Staff Comments - September 25, 2024
- Formal SPA Submission Staff Technical Meeting - Scheduled for September 26, 2024.

As I'm sure Staff is aware, the Applicant has expended significant time and money on this project under the assumption that the uses in the Light Industrial "LI" Zone would be permitted based upon the submitted Site Plan.

The Applicant is obviously concerned that there may be a new Zoning By-law in effect prior to obtaining Site Plan Approval. The proposed Zoning By-law zones the Site as "EI" and does not permit most of the uses under the in effect "LI" zone. Reference Appendix "I" which provides a detailed comparison between permitted uses in the "LI" Zone and in the "EI" Zone. Note that of the 43 permitted uses in the "LI" Zone only 9 are permitted in the "EI" Zone.

Furthermore, the "EI" standards are focused on larger industrial type uses such is large manufacturing and processing facilities, rail transfer facilities, nursery and garden supply centres, aggregate transfer station, cannabis production facility, food and beverage processing, truck terminal and industrial uses (general). The change in permitted uses reflects a radical change when compared to the in effect "LI" zone uses. The proposed zone change basically moves away from predominantly industrial service uses to large scale manufacturing and processing facilities along with large scale distribution and warehouse uses.

The zoning map comparison below between the in effect permitted uses and the proposed Zoning By-law uses (the Site is identified as a "red star"), provides further evidence that the proposed "EI" zones are surrounded by "EN" zoned properties in the vicinity of the Site. The exceptions are as follows:

1) TD Data Centre ("EI" zone) property located at 625 Veteran's Dr (16.09 hectares or 39.77 acres) which is understandable given the large size of the property and its use as a data processing/storage centre,

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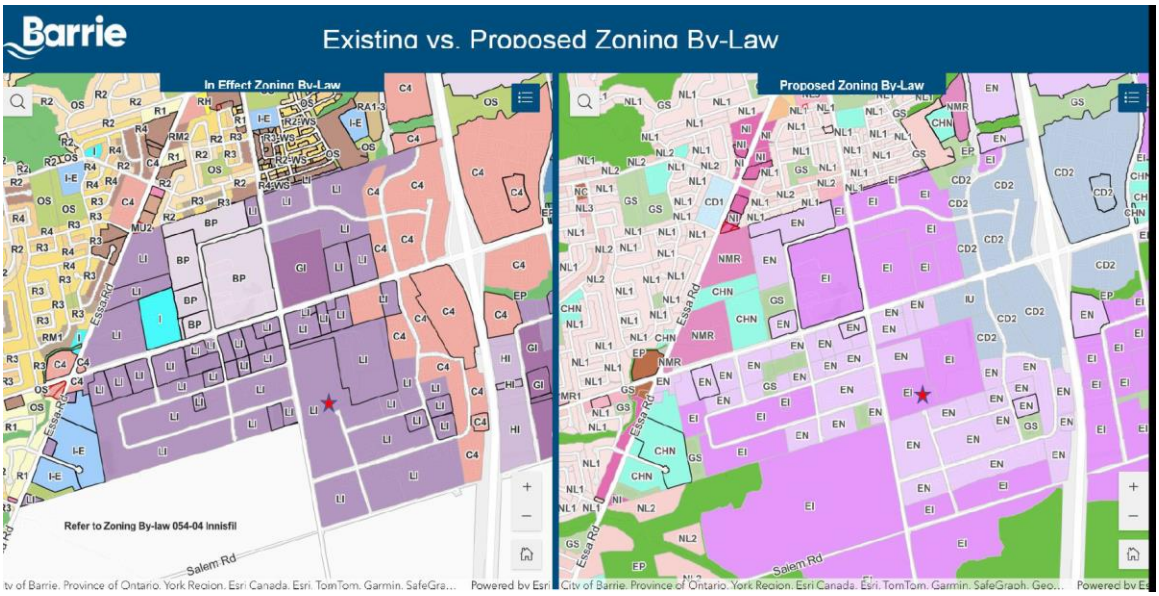
2) The undeveloped property located adjacent and to the north of the Applicant's Site municipally described at 665 Veteran's Dr (3.9 hectares or 9.6 acres) will not be developed in the near future according to recent discussions between the Applicant and Owner.



Based upon our assessment ,there does not appear to be any rationale or planning analysis as to why some properties are zoned "EN" and other properties are zoned "EI" in the same cluster.

We recognize that Barrie's new Official Plan designates the Site as "Employment Area – Industrial". Section 2.6.10.1 subsection (h) indicates that:

> ***2.6.10.1 Permitted Uses***
>
> "A *range of employment uses shall be permitted in areas designated as Employment Area – Industrial, such as:*
>
> ***(h) Subject to the Zoning By-law, non-industrial service-based uses*.**

Given the above Official Plan policy, it is our opinion that the proposed new Zoning By-law shall permit non-industrial service based uses on the Site similar to the "EN" uses defined in the proposed new Zoning By-law. Reference Appendix II

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which provides a detailed comparison between the permitted uses in the in effect "LI" Zone and the proposed "EN" Zone. Note that of the 43 permitted uses in the "LI" Zone, 31 uses are also permitted in the "EN" Zone.

Accordingly, the Applicant is requesting that the proposed zone associated with the Site change from "EI" to the "EN" zone in the new Zoning By-law Draft #3 to better align with the surrounding properties and accommodate uses that have been requesting space on the Site. The Applicant would further like to add the following uses to the proposed "EN" Zone.

- Office /medical
- Recreational Establishment
- Automotive repairs

In summary and based upon the assessment herein, it is our professional opinion that it would be considered good planning to change the Site's proposed Zoning By-law to the "EN" Zone which is more appropriately suited for smaller employment area sites. The proposed "EN" Zone will better reflect the emerging "employment non-industrial" uses along the Veteran's Drive corridor and would not create an incompatible land use context.

Yours truly,



_____

Claudio Balbinot BES(Hons), MCIP, RPP
Agora Research Group Inc.
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cc:

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APPENDIX “I”

7.0 INDUSTRIAL

LI uses no longer permitted in the Proposed Zoning By-law (EI uses)

7.1 GENERAL

7.1.1 No person shall hereafter use any lands, nor erect, *alter*, enlarge or use any *buildings or structures* in any Industrial *Zone* except in accordance with the provisions of this section and Section 4.0 of this By-law.

7.2 PERMITTED USES

7.2.1 The permitted *uses* in the Industrial *Zone* are listed in Table 7.2. (By-law 2015-068)

Table 7.2

Uses	Zones				
	Business Park (BP) (Formerly EM1- Business Park)	Light Industrial (LI) (Formerly EM1- Business Park and EM3- Service Industrial Zones)	Highway Industrial (HI) (Formerly EM2- Highway 400 Industrial)	General Industrial (GI) (Formerly EM4- General Industrial)	Restricted Industrial (RI) (Formerly EM5- Restricted Industrial)
Industrial Uses					
Abattoir					X
Animal Shelter		~~X~~		X	
Bakery		~~X~~	X	X	
Concrete Product Manufacturing				X	
Concrete Ready Mix Plant					X
Excavation and Processing of Mineral Aggregate Resources					X
Foundry				X	X
Manufacturing and Processing in Wholly Enclosed Buildings	X	X	X	X	X
Manufacturing, Refining, or Rendering of Noxious Products					X
Material Recovery Facility				X(1)	X(1)
Cannabis Production Facility (By-law 2019-086)				X	
Outdoor Storage		~~X~~	X	X	X
Outdoor Storage of Sand, Gravel, Stone, Soil or Salt					X
Printing and Publishing	X	~~X~~	X	X	
Rail Transfer Facility		X	X	X	
Recyclable Materials Transfer Station				X(1)	X(1)

Table 7.2					
Uses	**Zones**				
	Business Park (BP) (Formerly EM1- Business Park)	**Light Industrial (LI) (Formerly EM1- Business Park and EM3- Service Industrial Zones)**	**Highway Industrial (HI) (Formerly EM2- Highway 400 Industrial)**	**General Industrial (GI) (Formerly EM4- General Industrial)**	**Restricted Industrial (RI) (Formerly EM5- Restricted Industrial)**
Recycling Facility Concrete And/Or Asphalt					X
Rental Store Excluding Video and Electronic Rentals		X		X	
Research/Development Facility	X	X	X	X	
Self Storage		X		X	
Truck Terminal				X	
Warehousing in wholly enclosed buildings excluding self storage	X	X	X	X	
Wholesale Establishment		X	X	X	
Commercial Uses					
Accessory Employee Use	X	X	X	X	X
Accessory Retail	X	X	X	X	
Adult Entertainment Parlour				X	
Assembly Hall	X	X	X		
Automotive Repair Establishment		X		X	
Bank (By-law 2019-115)	X	X	X(3)		
Building Supply Centre (By-law 2019-115)		X(2)	X(2) (3)	X(2)	
Car Wash		X		X	
Conference Centre	X	X	X		
Custom Workshop		X		X	
Data Processing Centre	X	X	X	X	
Drive Through Facility	X	X Accessory Use Only	X	X	
Dry Cleaning Establishment		X		X	
Fitness or Health Club	X	X			
Golf Driving Range (outdoor)				X	
Hotel, Motel	X	X	X		
Miniature Golf (outdoor)		X			
Nursery or Garden Supply Centre		X		X	
Office	X	X Accessory Use Only	X	X	
Office, Medical	X	X	X		
Outdoor Display and Sales Area		X		X	

Table 7.2

Uses	Zones				
	Business Park (BP) (Formerly EM1- Business Park)	Light Industrial (LI) (Formerly EM1- Business Park and EM3- Service Industrial Zones)	Highway Industrial (HI) (Formerly EM2- Highway 400 Industrial)	General Industrial (GI) (Formerly EM4- General Industrial)	Restricted Industrial (RI) (Formerly EM5- Restricted Industrial)
Photography Studio	X	~~X~~			
Private Club		~~X~~			
Recreational Establishment		~~X~~			
Restaurant (By-law 2019-115)	X(3)	X(3) 1 per lot	X(3)	X(3)	
Service Store	X	~~X~~		X	
Trade Centre		~~X~~	X		
Transmission Establishment, Cellular and Electronic				X	X
Veterinary Clinic	X	~~X~~	X	X	
Agricultural Uses					
Heavy Equipment Dealer				X	
Kennel				X	
Kennel in wholly enclosed buildings		~~X~~			
Institutional Uses					
Child Care	X	~~X~~			
Commercial School	X	~~X~~	X		
Industrial School		X Accessory Use Only		X	
Place of Worship		~~X~~			
Funeral Service Provider		~~X~~			

(1) Shall be conducted only within a fully enclosed building. No *outdoor storage* or accessory *outdoor storage* will be permitted in association with these *uses*.

(2) Shall be restricted to a multi-tenanted building, to a maximum of 25% of the gross floor area of the total gross floor area of the building, to a maximum of 1000m^2, and that the provisions of Section 7.2.2 "Accessory Retail Uses" shall not apply. (By-law 2015-068)

(3) Shall only be permitted as part of a multi-tenanted building. (By-law 2019-115)

7.2.2 Accessory Retail Uses

Accessory retail *uses* shall only be permitted in association with *uses* identified in Table 7.2. Retail that is accessory to a permitted use shall only be permitted within the same *structure* and shall not exceed 25% of the *gross floor area* in the Highway Industrial (HI) and General Industrial (GI) *Zones* to a maximum of 300m^2. The lands that are zoned Business Park (BP) and Light Industrial (LI) shall not exceed

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APPENDIX “II”

BARRIE – ZONING STANDARDS COMPARISON
Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – **DRAFT 3**
Abattoir		
Animal Shelter	**X**	**Permitted in the EN Zone as a "Animal Related Services" Use.** **Animal Related Services Including** **I. Animal Boarding Establishment;** **II. Animal Shelter; and** **III. Veterinary Clinic**
Bakery	**X**	**Permitted in the EN Zone as "Commercial Uses" Use.** ***COMMERCIAL USES*** *Means the use of a building, or structure, for the purpose of commerce, including the sale of goods or provision of services. Commercial uses but do not include manufacturing and processing.*
Concrete Product Manufacturing		
Concrete Ready Mix Plant		
Excavation and Processing of Mineral Aggregate Resources		
Foundry		
Manufacturing and Processing in Wholly Enclosed Buildings	**X**	**Permitted in the EN Zone as a "Manufacturing Facility" use.**
Manufacturing, Refining, or Rendering of Noxious Products		
Material Recovery Facility		
Cannabis Production Facility (By-law 2019-086)		
Outdoor Storage	**X**	**Not permitted in the EN Zone.**
Outdoor Storage of Sand, Gravel, Stone, Soil or Salt		
Printing and Publishing	**X**	**Permitted in the EN Zone as "Commercial Uses".**
Rail Transfer Facility	**X**	**Permitted in the EN Zone as a "Rail Transfer Station.**
Recyclable Materials Transfer Station		

BARRIE – ZONING STANDARDS COMPARISON
Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – **DRAFT 3**
Recycling Facility Concrete And/Or Asphalt		
Rental Store Excluding Video and Electronic Rentals	**X**	**Permitted in the EN Zone as "Commercial Uses".**
Research/Development Facility	**X**	**Permitted in the EN Zone as a "Research and Development Centre"**
Self Storage	**X**	**Permitted in the EN Zone as "Self Storage".**
Truck Terminal		

BARRIE – ZONING STANDARDS COMPARISON
Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – **DRAFT 3**
Warehousing in wholly enclosed buildings excluding self storage	**X**	**Permitted in the EN Zone as "Industrial Use (General)".** INDUSTRIAL USE (GENERAL) Means a **building** or **structure** or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, warehousing, distribution, recycling operations and/or the bulk storage of goods and materials and related **accessory uses**. **Industrial uses** include uses such as: i. **MANUFACTURING FACILITIES** means the **use** of land, **buildings** or **structures** for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, **altering**, repairing, warehousing, or storing or adapting for sale of any goods, substance, article, thing or service, but shall not include any handling or recycling of hazardous waste material. ii. **WAREHOUSING AND DISTRIBUTION CENTRES** means a **building** or part thereof, which is used primarily for the storage, adapting for sale, packaging or distribution of goods and merchandise to retailers and/or individual consumers.

BARRIE – ZONING STANDARDS COMPARISON
Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – **DRAFT 3**
Wholesale Establishment	**X**	**Permitted in the EN Zone as "Major Retail" Use.** ***MAJOR RETAIL*** *Large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities. (Growth Plan for the Greater Golden Horseshoe, 2020) Major retail includes but is not limited to, Building Supply Centre and Wholesale Establishment.*
Commercial Uses		
Accessory Employee Use	**X**	**Not permitted in the EN Zone.**
Accessory Retail	**X**	**Permitted in the EN Zone as "Retail" Use.**
Adult Entertainment Parlour		
Assembly Hall	**X**	**Permitted in the EN Zone as "Community Facilities" Use.** ***COMMUNITY FACILITIES*** *Means the **use** of any **lot**, **building**, or **structure**, relating to a community facility, or other **use** generally accessible to the public.* ***Community Facilities** include:* *i.* ***Arena**;* *ii.* ***Assembly Hall**;* *iii.* ***Community Centre**;* *iv.* ***Museum**;* *v.* ***Private Club**; and* *vi.* ***Theatre**.*
Automotive Repair Establishment	**X**	**Not permitted in the EN Zone.**

BARRIE – ZONING STANDARDS COMPARISON
Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – **DRAFT 3**
Bank *(By-law 2019-115)*	**X**	**Not permitted in the EN Zone. Falls under "Personal Services" Use.**
Building Supply Centre *(By-law 2019-115)*	**X**[(2)]	**Permitted in the EN Zone as "Major Retail" Use.** ***MAJOR RETAIL*** *Large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities. (Growth Plan for the Greater Golden Horseshoe, 2020) Major retail includes but is not limited to, Building Supply Centre and Wholesale Establishment.*
Car Wash	**X**	**Not permitted in the EN Zone.**
Conference Centre	**X**	**Permitted in the EN Zone as "Conference Centre" Use.**
Custom Workshop	**X**	**Permitted in the EN Zone as "Custom Workshop" Use.**
Data Processing Centre	**X**	**Not permitted in the EN Zone.**
Drive Through Facility	**X**	**Permitted as Accessory Use only.**
Dry Cleaning Establishment	**X**	**Permitted in the EN Zone as "Commercial Uses" Use.** ***COMMERCIAL USES*** *Means the use of a building, or structure, for the purpose of commerce, including the sale of goods or provision of services. Commercial uses but do not include manufacturing and processing.*
Fitness or Health Club	**X**	**Permitted in the EN Zone as "Fitness and Health Club" Use.**
Golf Driving Range *(outdoor)*		

BARRIE – ZONING STANDARDS COMPARISON
Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – **DRAFT 3**
Hotel, Motel	**X**	**Permitted in the EN Zone as "Hotel" Use. Also permits a Motel.**
Miniature Golf (outdoor)	**X**	**Not permitted in the EN Zone.**
Nursery or Garden Supply Centre	**X**	**Permitted in the EN Zone as "Nursery or Garden Supply Centre" Use.**
Office	**X**	**Permitted in the EN Zone as "Office" Use.**
Office, Medical	**X**	**Not permitted in the EN Zone.**
Outdoor Display and Sales Area	**X**	**Permitted in the EN Zone as "Outdoor Display and Sales Area" Use.**
Photography Studio	**X**	**Permitted in the EN Zone as "Commercial Uses" Use.**
Private Club	**X**	**Permitted in the EN Zone as "Community Facilities" Use.** ***COMMUNITY FACILITIES*** *Means the use of any lot, building, or structure, relating to a community facility, or other use generally accessible to the public.* *Community Facilities include:* *i. Arena;* *ii. Assembly Hall;* *iii. Community Centre;* *iv. Museum;* *v. Private Club; and* *vi. Theatre.*

BARRIE – ZONING STANDARDS COMPARISON
Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – **DRAFT 3**
Recreational Establishment	**X**	**Not permitted in the EN Zone.**
Restaurant (By-law 2019-115)	**X(3)**	**Permitted in the EN Zone as "Restaurant" Use.**
Service Store	**X**	**Permitted in the EN Zone as "Repair Service" Use.**
Trade Centre	**X**	**Not permitted in the EN Zone.**
Transmission Establishment, Cellular and Electronic		
Veterinary Clinic	**X**	**Permitted in the EN Zone as a "Animal Related Services" Use.** ***Animal Related Services*** *Including* *I. Animal Boarding Establishment;* *II. Animal Shelter; and* *III. Veterinary Clinic*
Agricultural Uses		
Heavy Equipment Dealer		
Kennel		
Kennel in wholly enclosed buildings	**X**	**Permitted in the EN Zone as a "Animal Related Services" Use.** **Animal Related Services** Including *I. Animal Boarding Establishment;* *II. Animal Shelter; and* *III. Veterinary Clinic*
Institutional Uses		
Child Care	**X**	**Not permitted in the EN Zone.**
Commercial School	**X**	**Permitted in the EN Zone as a "Commercial School" Use.**
Industrial School	**X**	**Permitted in the EN Zone as a "Industrial School" Use.**
Place of Worship	**X**	**Not permitted in the EN Zone.**
Funeral Service Provider	**X**	**Permitted in the EN Zone as a "Funeral Establishment" Use.**

ARCADIS
200 East Wing –
360 James Street North
Hamilton ON L8L 1H5 Canada
tel 905 546 1010

September 26th, 2024

City of Barrie
Planning Department
70 Collier Street, Barrie,
ON L4M 4T5

To Whom It May Concern,

380 MAPLEVIEW DRIVE WEST BARRIE, ON
ZONING BY-LAW AMENDMENT CORRESPONDECE

As Arcadis Professional Services Inc., we represent the owners of the subject lands at 380 Mapleview Drive West, Barrie, ON. It is the intent of our clients to expand the commercial area to includea a future drive through restaurant and associated parking area.

We are currently in the preliminary stages of a site plan application and have attended a pre-consultation meeting on August 15th, 2024 with City staff for the purpose of defining the application requirements for site plan approval. The site is currently zoned General Commercial (C4) in the City's Zoning By-Law 2009-141 which permits restaurants and drive through facilities.

We have attended the in-person open house held by the City of Barrie to present Draft Three of the new proposed Zoning By-law. We understand that our clients' lands are proposed to be rezoned as Neighbourhood Commercial (NC) which would omit the permission for drive through facilities. This proposed zone is not aligned with our current site plan approval process and we respectfully object to any redesignation of these lands that would omit a drive through facility.

Please accept this as our formal notice of objection to the proposed zone change and to request that you include our contact information for any notifications or decisions related to the new Zoning By-law.

We would be happy to initiate further discussions with staff to determine a more appropriate zone that would preserve our as-of-right permissions while still being aligned with the proposed updates to the City's Zoning By-law.

Looking forward to further discussions,

Zara Altakawee | MCIP, RPP
Planner III

September 26, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Schlegel Villages Inc.
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting File: Sch-21066

I am writing to you on behalf Schlegel Villages who owns land that received a Minister's Zoning Order (MZO) on July 26, 2024. The lands are known municipally as 800 Yonge Street and otherwise illustrated on Map 328 in the attached approved MZO.

Schlegel Villages has submitted an application for site plan approval that would permit a four phase development consisting of a 6-storey Long-Term Care Facility containing 192 beds, a 12-storey Retirement Home containing 485 retirement suites and 120 senior's apartment dwellings, and two residential apartment buildings ranging in height from 18 to 26 storey's that will contain 360 units. Development of these lands will occur over four phases, starting with the Long-Term Care Facility for which a building permit application has already been submitted. The construction of the remaining phases will occur over an estimated 10-year period.

Our Client has reviewed the draft new Comprehensive City-Wide Zoning By-law and provides the following comments for your consideration:

1. The By-law contains many urban design 'form-based code' zoning provisions that would not permit the site to be developed as proposed. Examples of non-compliance include, but are not limited to, setbacks, angular planes, ground floor non-residential uses, balcony separation and size requirements, building length restrictions, glazing (window) requirements, and exterior yard parking limitations. Notwithstanding the permissions guaranteed in the MZO, it is noteworthy that the urban design restrictions contained in the proposed By-law would not permit the development of a landmark site that has been reviewed and approved by both City Council (as part of the CIHA Application) and the Minister of Municipal Affairs and Housing.

2. Section 1.10 of the By-law contains transition provisions; however, this section does not appropriately consider phasing and timing of development nor does it recognize instances where a Minister's Zoning Order has been issued, and the corresponding fact that the former By-law, as amended by the MZO, will continue to apply to the lands in perpetuity. We further note the following:

   a) Subsection 1.10 b) provides a transition window of two (2) years for "an approved Site Plan application" where construction has not yet started. What this section does not appear to contemplate, or at least lacks clarity on, is a situation where

phased construction has commenced on "an approved Site Plan application" but the issuance of building permits for all phases will take much longer than 2 years. The build time for each building is estimated to be 2+ years.

b) Subsection 1.10 c) recognizes prior approved Special Provisions created as a result of a formal planning process to rezone; however, in this case, the MZO was not the result of a formal rezoning planning process; instead, the MZO was an Order issued by the Minister of Municipal Affairs and Housing.

c) In order to provide long-term clarity and efficiency going forward for City staff (i.e. Building, Development Services) and the Landowner, Schlegel Villages Inc. requests that a new subsection f) be added to Section 1.10 that would read as follows (refer to text in red):

1.10. Transition

a) If owner/applicants have an approved Draft Plan of Subdivision but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

b) If owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

c) If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP.

d) For development that has been fully constructed without an SP, any non-conforming uses or built form standards are considered legal non-conforming. If Building Permits for new construction are submitted, the zoning review will be required to meet the standards of the By-law in effect at the time of Building Permit application.

e) If owner/applicants have an approved Committee of Adjustment application but have not yet started construction when the new By-law comes into effect, a transition window of one (1) year will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

f) For the portion of lands municipally known as 800 Yonge Street, which have been zoned by way of a Minister's Zoning Order #304-24 on July 26, 2024, By-law 2009-141, as amended by the Minister's Zoning Order, will continue to regulate the use of lands, buildings and structures and the provisions is this By-law will not apply.

DRAFT

As noted above, it is the view of our Client and its consultants that the law supports the position that the MZO, as approved, along with the existing performance standards, definitions and provisions incorporated into the MZO and set forth in By-law 2009-141 will continue to govern the subject lands in perpetuity. Notwithstanding this opinion, we believe the above-noted proposed amendment to the draft Comprehensive City-Wide Zoning By-law will provide for consistency and clarity going forward.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Brad Schlegel, Schlegel Villages

JONES CONSULTING GROUP LTD.
PLANNERS & ENGINEERS

September 27, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: 970 Mapleview Inc.
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting File: Law-12157

I am writing to you on behalf 970 Mapleview Inc. who owns land within the former Hewitt's Secondary Plan area. Our client has reviewed the draft new Comprehensive City-Wide Zoning By-law and offer the following background and comments for your consideration:

A. Background:

The lands were originally known as 932, 970, 1002 and 1006 Mapleview Drive East, but as a result of various approvals, hundreds of new addresses have been assigned to various lots and blocks. The lands have been subject to extensive approvals including:

A1. Draft approved plan of subdivision containing 902 single detached, street townhouse and cluster and mixed use dwelling units. Draft plan approval was originally granted in 2019 and there have been 3 applications for extensions or redline revisions to this plan.

A2. Two Zoning By-law Amendment applications were approved (By-laws 2018-015 and 2021-053) to implement the Hewitt's/Salem Zoning framework approved by Council in 2017.

A3. Two phases of the draft plan of subdivision have received final approval and have been registered. This includes the registration of 680 single detached and townhouse lots as well as two mixed use blocks. Construction of hundreds of homes have occurred, while hundreds of lots are vacant and homes will be constructed on same in in the future.

A4. Two site plan applications have received final and have been registered including:

a. 54 townhouse units and 940 square metres of commercial on lands known as 1000 Mapleview Drive east. Building construction on this site has not yet commenced.

b. 127 townhouse units on lands known as 1000 Mapleview Drive east. Building construction on this site has not yet commenced.

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a subdivision transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition if for an "approved Draft Plan of Subdivision" that has "not yet started construction".

In this case, the subdivision has started construction. Does this mean it is not transitioned? Furthermore, the site has proceeded beyond a draft plan of subdivision because two phases have received final approved and have been registered. Are vacant registered lots transitioned?

In cross-referenced **Section 1.9, non-conforming lots,** subsection f) appears to only recognize lots which "do not meet the minimum lot area of lot frontage requirements". There is no provision in Section 1.9 that would appear to allow for the construction of detached, semi-detached or townhouse lots fronting onto a Collector Road.

b. Numerous registered vacant lots in this subdivision are subject to a 118 provision. Are they transitioned or subject to the new By-law requirements? Again, non-conforming Section 1.9 does not appear to recognize this situation.

c. The subdivision contains 2 registered medium density/mixed use blocks. Are they transitioned or subject to the new By-law requirements? They should be because the block sizes and configuration were designed based on a planned built form which the proposed By-law no longer permitts.

d. For large development parcels it is typical that redline revisions or draft plan approval extensions, or other implementing approvals are required prior to final approval and registration. The 3-year transition window simply does not provide for the time it takes to deliver large subdivision projects.

Request #1: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Site Plan Transition:** Section 1.10b) of the proposed By-law contains a site plan transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10b) states that the only site plan transition is for "an approved Site Plan application" that has "not yet started construction".

   i. This section does not define what "an approved Site Plan application" is. Does this include applications that have been approved subject to conditions or only applications that have received final approval and are registered?

   ii. This section does not define "construction". Does this include earthworks, the installation of servicing or only the construction of buildings?

   iii. This section does not recognize that site plan approval extensions or amendments are required to deliver on large and complicated sites.

   iv. This section does not recognize the time and financial commitment it takes to obtain a complete site plan application, including preparing dozens of detailed design plans and reports.

   v. The two (2) year window does not provide an appropriate transition for site plan applications.

Request #2: In order to provide an appropriate transition for site plans, we recommend that Section 1.10b) be revised as shown in red below:

1.10 b) Lands subject to application for Site Plan Control approval that has been deemed complete by the City of Barrie, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. This transition continues in the event that subsequent implementing approvals are required such as, but not limited to, condominium applications, site plan amendments, lifting Holding provisions or extension to approval timelines. ~~If owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B3. **Neighbourhood Low (NL2) Zone and other related provisions:** If not appropriately transitioned, the proposed new By-law contains provisions that would impact on the implementation of this subdivision. Examples include the following:

a. Table 23 prohibits detached, semi-detached, and street townhouses from fronting onto a Collector Road. Every subdivision in Hewitt's and Salem, including this subdivision, have lots fronting onto Collector Roads. The yield and construction cost impacts of this change are staggering.

b. Section 4.6.1 governs parking structures and Table 11 requires an interior side yard setback of 3m, front yard setback of 6m and an exterior side yar of 4m, all of which conflict with the proposed NL2 standards.

c. Section 5.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units.

d. Table 4 requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than all townhouse and single car garages. This should be removed.

e. Table 4 states that the front yard setback to an attached garage is 5.5m, but this conflicts with Section 4.5 which requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

f. Table 26 requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m of those lots are vacant. This is an unnecessary and inappropriate requirement in greenfield development locations.

B4. Mid-Rise (MR1 & MR2) Zone and other related provisions: If not appropriately transitioned, then the proposed new By-law contains urban design 'form-based code' zoning provisions that would prevent the construction of the approved Site Plan applications on this property. Examples include the following:

a. The MR1 and MR2 zones only permit mid-rise buildings 5-8 storeys (MR1) or 5-12 storeys (MR2). The proposed development comprises 3-4 storeys in townhouse form.

b. Section 3.2.5 provides a limited amount of cluster townhouses as a transition but the language in that section lacks clarity (i.e. where exactly does the yard adjacent to NL start/stop)?. This Section could be substantially improved by simply permitting lower built forms on sites adjacent to Neighbourhood low zones.

c. Tables 38 and 40 require 17 square metres of amenity area (12m2 common & 5m2 private). This is a 5 square metre increase over the current By-law and higher than any other By-law I am aware of in Ontario.

d. Section 3.2.6 details the ratio for common amenity areas and rooftop areas and patio's do not count unless they are accessory to a recreational facility. Why a stand-alone rooftop patio for common usage doesn't count defines planning rationale.

e. Some of the requirements for private amenity areas (i.e. 3m separation, projections, location) appear randomly derived and should be justified/explained. These requirements should be removed and allowed to be dealt with as part of the site plan approval process.

f. Section 6.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate many interior residential access points on a site plan and the restrictions may conflict with the building code.

Request #3: That staff review the examples provided in Section B3 and B4 and then closely review the entire By-law to remove unnecessary provisions that impact on housing supply and make sure that conflicting sections are corrected.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Mike Riccardi, 970 Mapleview Inc.
Sal Crimi

JONES CONSULTING GROUP LTD.
PLANNERS & ENGINEERS

September 30, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Barrie Lockhart Road GP Inc.
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting Files: Sor-17045

I am writing to you on behalf Lockhart Innisfil Investments Ltd. and Lockhart Innisfil Investments II Ltd. who own two properties subject to plan of subdivisions within the former Hewitt's Secondary Plan area. Our clients have reviewed the draft new Comprehensive City-Wide Zoning By-law and offer the following background and comments for your consideration:

A. Background:

The lands were originally known as 400 Lockhart Road East, but as a result of various approvals, hundreds of new addresses have been assigned to various lots and blocks in this subdivision. The lands have been subject to extensive approvals including:

A1. Draft approved plan of subdivision containing 395 single detached, and street townhouse lots/blocks, and 1.55 ha. mixed use block. Draft plan approval was originally granted in 2019 and one extension application was also approved.

A2. A Zoning By-law Amendment application was approved (By-laws 2019-051)to implement the Hewitt's/Salem Zoning framework approved by Council in 2017. The Zoning By-law Amendment specifically included a Neighbourhood Mixed Use (NMU) zoned block that currently permits stand-alone or mixed use residential and commercial uses ranging in height from 3-12 storeys. Permitted ground oriented residential building types include all forms of townhouses (back-to-back, street, block, cluster, and stacked) as well as walkup and regular apartment buildings.

A3. This subdivision has received final approval and the lots/blocks have been registered. Approximately 181 lots were registered in Phase 1, and the balance was registered but subject to a 118 restriction. Construction of hundreds of homes have occurred, and at present, approximately 260 lots and the mixed use block remain vacant.

A4. The new By-law proposes to zone the singles/towns as NL2 and the mixed use block as Mid-Rise 1 (MR1).

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a subdivision transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition if for an "approved Draft Plan of Subdivision" that has "not yet started construction".

   In this case, the subdivision has started construction. Does this mean it is not transitioned? Furthermore, the site has proceeded beyond a draft plan of subdivision and has received final approved and registration. Are vacant registered lots transitioned?

b. The subdivision contain a registered Neighbourhood Mixed Use (NMU) block. Are they transitioned or subject to the new By-law requirements?

c. The lots/blocks were designed, approved and registered based on the current zoning framework, and house designs were developed and marketed under that zoning framework. The proposed changes to that zoning framework, as proposed in the new By-law, will negatively impact on sales and house construction, unless these lots/blocks are transitioned from the requirements of the new By-law.

Request #1: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Neighbourhood Low (NL2) Zone and other related provisions:** If not appropriately transitioned, the proposed new By-law contains provisions that would impact on the implementation of this subdivision. Examples include the following:

a. Section 4.6.1 governs parking structures and Table 11 requires an interior side yard setback of 3m, front yard setback of 6m and an exterior side yar of 4m, all of which conflict with the proposed NL2 standards.

b. Section 5.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units.

c. Table 4 requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than all townhouse and single car garages. This should be removed.

d. Table 4 states that the front yard setback to an attached garage is 5.5m, but this conflicts with Section 4.5 which requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

e. Table 26 requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m of those lots are vacant. This is an unnecessary and inappropriate requirement in greenfield development locations.

B3. Mid-Rise (MR1) Zone and other related provisions: If not appropriately transitioned, then the proposed new By-law contains urban design 'form-based code' zoning provisions that would prevent the construction of the approved Site Plan applications on this property. Examples include the following:

a. **Height:** The MR1 zone only permits mid-rise buildings 5-8 storeys in height(MR1); whereas, the current Neighbourhood Mixed Use (NMU) zone permits buildings 3-12 storeys in height. Notwithstanding the comments in B1 above, the Official Plan permits buildings less than 6 storeys if the minimum density of 125 units per hectare is achieved. Accordingly, the Owners request that buildings 3-12 storeys in height be permitted in accordance with the current Neighbourhood Mixed Use (NMU) zone provisions.

b. **Permitted Building Types:** The MR1 zone does not permit ground oriented building types with the exception provided for in Section 3.2.5. This section provides for a limited amount of cluster townhouses as a transition but the language in that section lacks clarity. For example:

i. Where exactly does the yard adjacent to NL start/stop?

ii. Does this section apply if NL2 lands are zoned on the other side of the street? According to the proposed definition of adjacent, it includes all property that would have bordered a property if there were not separated by a street (among other items). In this instance, the NMU block is located across the street from single detached and townhouse lots zoned NL2 and NL3 in the new By-law.

Request #2: In a broader application, this Section could be substantially improved by simply permitting lower built forms on sites adjacent to Neighbourhood low zones. However, in this site specific situation, where the Owners obtained approval of a rezoning specifically to implement the Hewitt's/Salem zoning framework that Council approved in 2017, then the Owners request is to permit all uses in the current Neighbourhood Mixed Use (NMU) zone. Be that via revisions to the transition policy noted in B1 above, or through a special provision specific to this block.

c. **General Standards:** Section 3 of the proposed By-law contains numerous provisions that will negatively impact on site design, reduce yield and increase construction costs. Example include:

i. Section 3.2.1 requires 25% of the ground floor GFA to consist of non-residential uses, additional setbacks for ground floor residential uses, and requires 50% of frontage on the street or common amenity area to be dedicated to non-residential uses excluding commercial parking or a parking structure.

ii. Tables 38 and 40 require 17 square metres of amenity area (12m2 common & 5m2 private). This is a 5 square metre increase over the current By-law and higher than any other By-law I am aware of in Ontario.

iii. Section 3.2.6 details the ratio for common amenity areas and rooftop areas and patio's do not count unless they are accessory to a recreational facility. Why a stand-alone rooftop patio for common usage doesn't count defines planning rationale.

iv. Some of the requirements for private amenity areas (i.e. 3m separation, projections, location) appear randomly derived and should be justified/explained. These requirements should be removed and allowed to be dealt with as part of the site plan approval process.

v. Section 3.2.7 establishes required separation distances to the face of buildings. This distances apply buildings of all heights, including ground oriented housing such as townhouses.

The facing distances should be removed and building placement/spacing should be determined through site plan control approval based urban design guidelines that provide flexibility based on site specific design constraints.

At a minimum, facing distances for ground oriented housing should be removed.

vi. Section 3.2.8 establishes maximum floor plate and podium sizes. The Owner requests removal of these requirements to provide flexibility in the design of buildings and sites, which are subject to site plan control approval.

vii. Section 3.2.11 establishes minimum wall-to-window ratio's which should be removed and left to the site plan control approval process.

viii. Section 3.4.9 limits the size of outdoor patio's and requires parking to be provided for that patio. The Owner requests removal of this section.

Outdoor patio's activate the streetscape and help support neighbourhood connectivity (e.g. neighbourhood residents walking to and using the patio). If there are concerns about patio noise (which has nothing to do with GFA), then restrictions on outdoor music etc., can be included in the municipal operating license.

Furthermore, requiring parking for seasonal patio's will create more surface parking and discourage active transportation.

d. **Additional Parking, Bicycle and Loading Standards:** Section 4 of the proposed By-law contains numerous parking provisions that the landowner is concerned with. Example include:

   i. Section 4.6.4 requires that all required residential parking spaces to energized outlets to support Level 2 charging of electric vehicles. This would include both surface and indoor parking garage parking stalls.

      The request is to revise this section to require rough-ins only for all indoor parking spaces. This transfers the cost of actual outlet and charger installation to the end-user.

   ii. The Owner is concerned about the long-term bicycle requirements listed in Section 4.8.

   iii. The Owner requests information explaining why the current 3m x 9m loading space dimensions are proposed to be increased to 3.5m x 10m.

e. **Elevations for Residential Entrances:** Section 6.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

   i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

   ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate many interior residential access points on a site plan and the restrictions may conflict with the building code.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Barrie Lockhart Road GP Inc.

JONES CONSULTING GROUP LTD.
PLANNERS & ENGINEERS

September 30, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: BEMP Holdings 2 Inc. and Honeyfield BEMP2 Ltd.
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting Files: Law-06129

I am writing to you on behalf BEMP Holdings 2 Inc. and Honeyfield BEMP2 Ltd. who own lots and blocks within a registered plan of subdivision within the former Hewitt's Secondary Plan area. Our clients have reviewed the draft new Comprehensive City-Wide Zoning By-law and offer the following background and comments for your consideration:

A. Background:

The lands were originally known as 515 Mapleview Drive East, but as a result of various approvals, hundreds of new addresses have been assigned to various lots and blocks in this subdivision. The lands have been subject to extensive approvals including:

A1. Draft approved plan of subdivision containing 354 single detached, semi-detached and street townhouse lots, and two mixed use blocks. Draft plan approval was originally granted in 2017 with 2 applications for extensions or redline revisions approved to this plan.

A2. Two Zoning By-law Amendment applications were approved (By-laws 2017-136 and 2019-117) to implement the Hewitt's/Salem Zoning framework approved by Council in 2017.

A3. The Zoning By-law Amendments specifically included two neighbourhood mixed use (NMU) zoned blocks that permit stand-alone or mixed use residential and commercial uses ranging in height from 3-12 storeys. Permitted ground oriented residential building types include all forms of townhouses (back-to-back, street, block, cluster, and stacked) as well as walkup and regular apartment buildings.

A4. This subdivision has received final approval and the lots/blocks have been registered. Construction of hundreds of homes have occurred, while a few lots and the two NMU blocks remain vacant.

   a. The NMU Blocks are known municipally as 495 and 505 Mapleview Drive East and further described as Blocks 149 and 150 on Registered Plan 51M-1235. Both blocks are owned by BEMP Holdings 2 Inc. and Honeyfield BEMP2 Ltd.

   b. 495 Mapleview Drive East comprises 2.59 ha. and 505 Mapleview Drive East comprises 1.52 ha.

c. Vacant lots 121 and 122 on Registered Plan 51M-1235 are owned by BEMP Holdings 2 Inc. and Honeyfield BEMP2 Ltd.

d. Vacant lots 4 through 15 on Registered Plan 51M-1235 are owned by BEMP Holdings 2 Inc.

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a subdivision transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition if for an "approved Draft Plan of Subdivision" that has "not yet started construction".

In this case, the subdivision has started construction. Does this mean it is not transitioned? Furthermore, the site has proceeded beyond a draft plan of subdivision and has received final approved and registration. Are vacant registered lots transitioned?

b. The subdivision contains 2 registered Neighbourhood Mixed Use (NMU) blocks. Are they transitioned or subject to the new By-law requirements?

Request: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Neighbourhood Low (NL2) Zone and other related provisions:** If not appropriately transitioned, the proposed new By-law contains provisions that would impact on the implementation of this subdivision. Examples include the following:

a. Section 4.6.1 governs parking structures and Table 11 requires an interior side yard setback of 3m, front yard setback of 6m and an exterior side yar of 4m, all of which conflict with the proposed NL2 standards.

b. Section 5.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units.

c. Table 4 requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than all townhouse and single car garages. This should be removed.

d. Table 4 states that the front yard setback to an attached garage is 5.5m, but this conflicts with Section 4.5 which requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

e. Table 26 requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m of those lots are vacant. This is an unnecessary and inappropriate requirement in greenfield development locations.

B3. Mid-Rise (MR1 & MR2) Zone and other related provisions: If not appropriately transitioned, then the proposed new By-law contains urban design 'form-based code' zoning provisions that would prevent the construction of the approved Site Plan applications on this property. Examples include the following:

a. **Height:** The MR1 zone only permits mid-rise buildings 5-8 storeys in height(MR1); whereas, the current Neighbourhood Mixed Use (NMU) zone permits buildings 3-12 storeys in height. Notwithstanding the comments in B1 above, the Official Plan permits buildings less than 6 storeys if the minimum density of 125 units per hectare is achieved.

b. **Permitted Building Types:** The MR1 zone does not permit ground oriented building types with the exception provided for in Section 3.2.5. This section provides for a limited amount of cluster townhouses as a transition but the language in that section lacks clarity (i.e. where exactly does the yard adjacent to NL start/stop)?. This Section could be substantially improved by simply permitting lower built forms on sites adjacent to Neighbourhood low zones.

In this instance, the two NMU blocks abut single detached and street townhouse lots that are proposed to be zoned NL2 and NL3 in the new By-law.

c. **General Standards:** Section 3 of the proposed By-law contains numerous provisions that will negatively impact on site design, reduce yield and increase construction costs. Example include:

i. Section 3.2.1 requires 25% of the ground floor GFA to consist of non-residential uses, additional setbacks for ground floor residential uses, and requires 50% of frontage on the street or common amenity area to be dedicated to non-residential uses excluding commercial parking or a parking structure.

ii. Tables 38 and 40 require 17 square metres of amenity area (12m2 common & 5m2 private). This is a 5 square metre increase over the

current By-law and higher than any other By-law I am aware of in Ontario.

iii. Section 3.2.6 details the ratio for common amenity areas and rooftop areas and patio's do not count unless they are accessory to a recreational facility. Why a stand-alone rooftop patio for common usage doesn't count defines planning rationale.

iv. Some of the requirements for private amenity areas (i.e. 3m separation, projections, location) appear randomly derived and should be justified/explained. These requirements should be removed and allowed to be dealt with as part of the site plan approval process.

v. Section 3.2.7 establishes required separation distances to the face of buildings. This distances apply buildings of all heights, including ground oriented housing such as townhouses.

The facing distances should be removed and building placement/spacing should be determined through site plan control approval based urban design guidelines that provide flexibility based on site specific design constraints.

At a minimum, facing distances for ground oriented housing should be removed.

vi. Section 3.2.8 establishes maximum floor plate and podium sizes. The Owner requests removal of these requirements to provide flexibility in the design of buildings and sites, which are subject to site plan control approval.

vii. Section 3.2.11 establishes minimum wall-to-window ratio's which should be removed and left to the site plan control approval process.

viii. Section 3.4.9 limits the size of outdoor patio's and requires parking to be provided for that patio. The Owner requests removal of this section.

Outdoor patio's activate the streetscape and help support neighbourhood connectivity (e.g. neighbourhood residents walking to and using the patio). If there are concerns about patio noise (which has nothing to do with GFA), then restrictions on outdoor music etc., can be included in the municipal operating license.

Furthermore, requiring parking for seasonal patio's will create more surface parking and discourage active transportation.

d. **Additional Parking, Bicycle and Loading Standards:** Section 4 of the proposed By-law contains numerous parking provisions that the landowner is concerned with. Example include:

i. Section 4.6.4 requires that all required residential parking spaces to energized outlets to support Level 2 charging of electric vehicles. This would include both surface and indoor parking garage parking stalls.

The request is to revise this section to require rough-ins only for all indoor parking spaces. This transfers the cost of actual outlet and charger installation to the end-user.

ii. The Owner is concerned about the long-term bicycle requirements listed in Section 4.8.

iii. The Owner requests information explaining why the current 3m x 9m loading space dimensions are proposed to be increased to 3.5m x 10m.

e. **Elevations for Residential Entrances:** Section 6.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate many interior residential access points on a site plan and the restrictions may conflict with the building code.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Joel Lawton, BEMP Holdings 2 Inc.
Joel Lawton and Alfio Manarin, Honeyfield BEMP2 Ltd.

JONES CONSULTING GROUP LTD.
PLANNERS & ENGINEERS

September 30, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Lockhart 960 Inc. (960 Lockhart Road)
TLP22 Inc. (1121 Big Bay Point Road)
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting Files: Law-23043

I am writing to you on behalf Lockhart 960 Inc. and TLP22 Inc. who own lands within the former Hewitt's Secondary Plan area. Our clients have reviewed the draft new Comprehensive City-Wide Zoning By-law and offer the following background and comments for your consideration:

A. Background & Overview:

The two parcels are known municipally as 960 Lockhart Road and 1121 Big Bay Point Road. Both properties contain a single detached dwelling and outbuildings.

- The developable area of 960 Lockhart, and all of 1121 Big Bay Point Road are designated Neighbourhood Area in the Barrie Official Plan.
- Policy 2.6.1.3e) permits development up to 12 storeys where the lands were comprehensively planned through a zoning by-law amendment or a secondary plan.
- The majority of 960 Lockhart Road was previously designated Neighbourhood Mixed Use Node according to the Hewitt's Creek Secondary Plan, which permit stand-alone residential and commercial or mixed use to a maximum height of 12 storeys.
- The proposed By-law zones the developable area of 960 Lockhart (2.67 ha.) and all of 1121 Big Bay Point Road (approximately 0.86 ha.) as Neighbourhood Low 2 (NL2).

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. 960 Lockhart Road:

a. **Zone Category:** The Owner requests that the developable area of 960 Lockhart Road be zoned Mid-Rise 2 (MR2) to reflect the prior Neighbourhood

Mixed Use designation that previously applied to the majority of the developable area on this property.

b. **Height:** The MR2 zone only permits mid-rise buildings 5-12 storeys in height; whereas, the current Neighbourhood Mixed Use (NMU) zone permits buildings 3-12 storeys in height. The Official Plan permits buildings less than 6 storeys if the minimum density of 125 units per hectare is achieved. Accordingly, the Owner requests that the MR2 zone be amended to permit buildings 3-12 storeys in height.

c. **Section 3, 4 and 6 By-law Standards:** The Owner is concerned about the many urban design based standards that are proposed in Sections 3 and 4 of the By-law. Examples include the requirement for active 'non-residential' frontage, angular planes, building step-backs and extra setbacks, new and significantly enlarged amenity area requirements, balcony standards, facing distances, floor plate and podium lengths, window to wall ratios, new landscape areas, parking garage restrictions, new bicycle parking standards, and limitations on pedestrian access/grading.

   The Owner believes that these standards will reduce the yield on the property and increase construction costs. From a planning perspective, there has been no planning justification provided that would explain the need for these standards, nor how they achieve the City's strategic priorities.

B2. 1121 Big Bay Point Road: The Owner intends to develop this site for townhouses, low-rise or mid-rise buildings, and the proposed by-law standards will make it more difficult to develop the site than the standards of By-law 2009-141. Examples include:

a. The urban design based standards referred to in B1.c

b. Various NL2 standards including:

   i. Parking structure requirements in Section 4.6.1 that conflict with the NL2 standards. This includes the requirement for interior side yard setback of 3m, front yard setback of 6m and an exterior side yar of 4m.

   ii. The maximum elevation for primary entrances and location of pedestrian entrances listed in Section 5.7. Site grading and building accesses points should be subject to City Engineering Standards. Site grading, stormwater management, servicing, and overall subdivision/site plan design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

   iii. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

   iv. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite or other entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units and/or significantly restrict the functioning of low-rise buildings.

   v. The requirement in Table 4 than an attached garage have a minimum area of 22 square metres. This size is significantly larger than

a standard parking space and larger than all townhouse and single car garages. This requirement should be removed.

vi. Table 4 states that the front yard setback to an attached garage is 5.5m, which conflicts with Section 4.5 that requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

vii. Table 26 requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m of those lots are vacant. This is an unnecessary and inappropriate requirement in greenfield development locations with adjacent houses on adjacent lands that are expected to be redeveloped in the future.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Joel Lawton, BEMP Holdings 2 Inc.
Joel Lawton and Alfio Manarin, Honeyfield BEMP2 Ltd.

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

September 30, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: NewZoningBylaw@barrie.ca
Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: Comment Letter – Draft 3 of the City of Barrie Zoning By-law
615-619 Big Bay Point & 201 Pine Drive

Since 2004, Innovative Planning Solutions (IPS) has, and continues to be, an active planning consulting firm in the City of Barrie. Throughout this period, IPS has worked with City Planning Officials and the many Councils on a significant number of development applications, while also initiating and participating in many amendments to the City's Comprehensive Zoning By-law (ZBL).

The third draft of a new City-wide Zoning By-law is now posted for public review and feedback. On behalf of Big Bay LP, IPS is pleased to submit the following comments on the draft new ZBL in relation to its properties located at 615-619 Big Bay Point & 201 Pine Drive (subject lands). Based on our review of the draft new ZBL, supported by review of corresponding Official Plan analysis, we have the following comments for your consideration.

Zoning

The subject lands are designated Neighbourhood Area within the City's newly approved Official Plan. The purpose of the Neighbourhood Area designation is to recognize new and existing neighbourhoods and communities (see **Figure 1**). The lands are positioned on an Arterial Road within the City (Big Bay Point Road), as per Official Plan Map 4b – Mobility Network.



Figure 1: The subject lands (red pin) designated Neighbourhood Area (yellow) as per City of Barrie Official Plan Map 2 - Land Use Designations

The Neighbourhood Area land use policies recognize under Section 2.6.1.2 that lands within shall be considered established neighbourhoods that are not intended to experience significant physical change that would alter their general character, **except for** lands designated Neighbourhood Area located on an Intensification Corridor (Map 1), **or lands fronting onto arterial or collector streets (Map 4a and Map 4b).** The subject lands are located on an arterial street, and thus should be considered appropriate for potentially significant physical change in built form in the context of the City's Official Plan.

To promote transit supportive development, new development occurring on lands fronting on streets classified on Map 4b as collector or arterial streets, or fronting onto Intensification Corridors as per Map 1, should be planned to a minimum residential density of 50.0 units per hectare (2.6.1.3.h). The subject lands meet this criterion for higher density built forms.

Policy 3.2.1.c provides that height and density are built form characteristics that are interrelated. Given this, proposed developments must seek a balance between height and density that is context sensitive, recognizing that areas including Intensification Corridors are the focus for increased heights

and densities and will experience built form changes to achieve the City's stated goals of evolving into a medium-sized City. **Draft 3 Zoning By-law Review**

The subject lands are zoned 'Neighbourhood Low 2 (NL2)' in the draft Zoning By-law. NL2 zoned lands can be found throughout the City, both within and outside of designated intensification areas. Many collector and arterial corridors within the City, that are not Intensification Corridors, are zoned primarily NL2 or NL3, as seen in the map below:

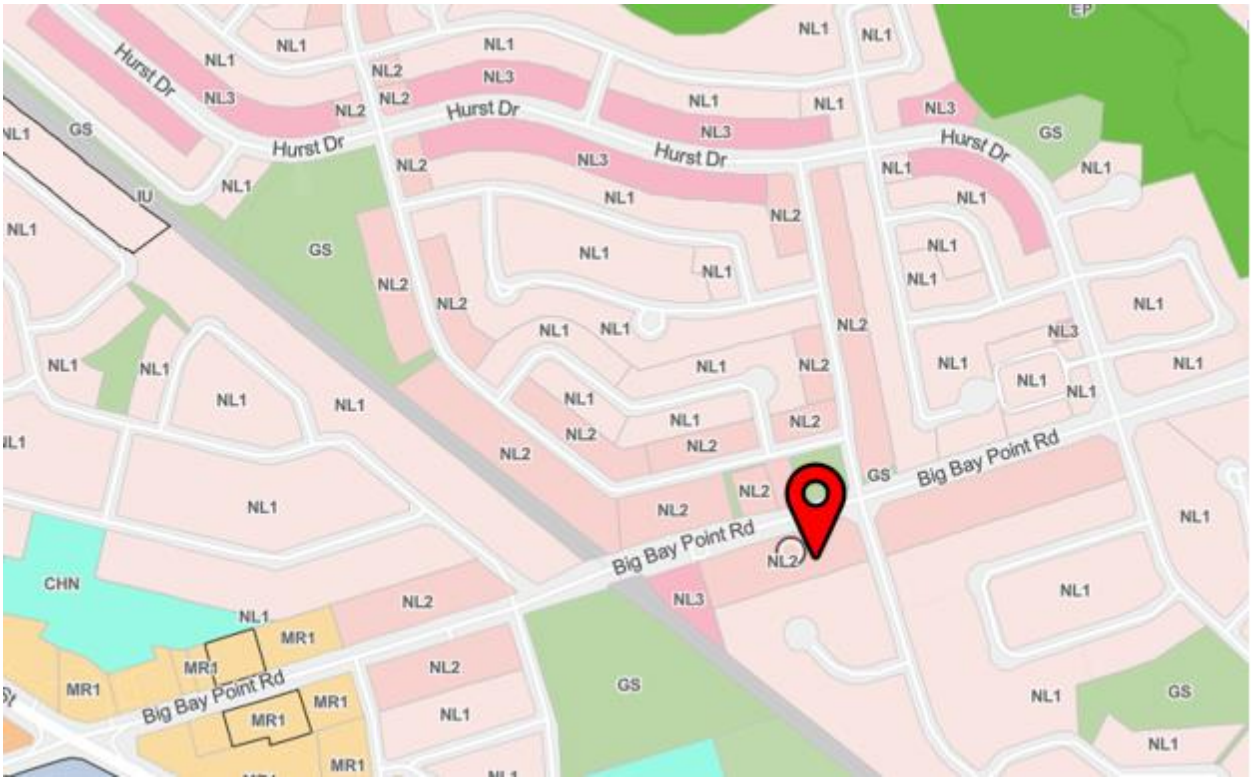


Figure 2: The subject lands (red pin) designated NL2 while lands designated NL3 are located both west and north

Though sites directly to the west and to the north of the subject lands are designated NL3, the subject lands are not. Though these designations are similar, according to section 5.6 *Permitted Buildings and Structures* the NL2 zone does not permit cluster rowhouses, where the NL3 zone does permit cluster rowhouses. Though the NL2 zone permits other kinds of rowhouses cluster rowhouses specifically are excluded, despite the fact that higher density buildings such as low-rise buildings are permitted.

Additionally, the by-law specifically states that Detached, Semi-Detached, and Rowhouse, On-Street, and Back-to-Back buildings are only permitted when fronting onto Local Roads, presumably for traffic control purposes. As a result, the only kind of development that would be permitted on the subject

lands and areas like it would be either single detached dwellings, or low-rise buildings (up to 4 stories), with no transition between the two available. This would directly go against the intensification policies in the relevant provincial legislation and the City of Barrie's Official Plan, and in our opinion would not be good planning.

Proposed Solutions

1. Zone properties fronting Big Bay Point Road within proximity to the Younge Street & Big Bay Point Road intensification area as 'Neighbourhood Low 3 (NL3)'; or,
2. Permit cluster rowhouses within the NL2 zone to allow for flexibility in built form within these areas which are aimed to be developed at higher densities than the NL1 zone.

It is our opinion that these lands would be better suited for the NL3 Zone, given their positioning on a high order arterial roadway within the City, where physical built form changes are anticipated by the Official Plan. We believe that this would be a more appropriate and effective way of achieving the City's Official Plan vision and goals, while allowing for an increased number and density of housing options, including a more attainable built form.

As mentioned previously, the subject lands are located on an arterial road and are located in proximity to the major commercial and intensification l node at Younge and Big Bay Point Road. We believe that the NL3 zone will allow for an appropriate transition from the Younge Street Intensification Corridor to the surrounding neighbourhood areas radiating outward from it. Alternatively, permitting the provision of cluster rowhouses within the NL2 zone, as applied to these properties, would also allow for a more effective transition.

Considering the desirable location, the available amenities in the surrounding area, the active transportation network, the proximity to Transit Route 12 with service to the Georgian Mall and Barrie South GO Station, and the proximity to both an intensification corridor and major commercial entities on Yonge Street, we believe this is an appropriate transitional area that should allow for increased density through the NL3 zone, or revised NL2 zone with more flexibility for cluster rowhouses.

Amenity Area Requirements

Under Section 5.10 *Neighbourhood Low 3 (NL3)* Table 28 *NL3 Lot, Yard, and Amenity Standards* the Neighbourhood Low 3 zone requires a minimum of 10 square meters of common amenity area, and 5 square meters of private amenity area per unit. While community spaces are vital for a vibrant residential environment, we believe this requirement is excessive and could have unintended negative consequences, including preventing intensification.

Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters. The 10 square meters required in Barrie significantly exceeds these established standards.

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with development to make housing more affordable. Requiring large common amenity spaces increases construction costs, making it harder to build affordable housing. Additionally, excessive amenity space may increase ongoing costs for residents, such as condominium fees, in order to maintain the amenity areas, regardless of whether the provided amenity space aligns with the actual needs of residents. This is not aligned with the province's goal of affordability.

Further, the City of Barrie has over 130 public recreational trails and parks covering over 1,200 ha, a ratio of 7.8 square meters per person. This is double the ratio of other similar cities in the surrounding area, as detailed in Table 1 below:

Table 1: Comparison of Parks and Outdoor Spaces

City	Parkland (ha)	Population	Parkland Per Resident (square meters)
Barrie	1,200	153,000	7.8
Richmond Hill	689	202,000	3.4
Markham	809	350,000	2.3
Toronto	8,000	2,800,000	2.9

This higher ratio of parkland per resident allows for more residents to access publicly owned and maintained parkland, reducing the need for private outdoor amenity space across the City.

Proposed Solutions

1. Reduce the required minimum amenity area to match the standards of other mid-size higher-density cities, and;
2. Combine the requirements for common amenity area and private amenity area to allow for more flexibility for all sites.

These solutions would allow for greater flexibility to create spaces that cater to the preferences of residents with differing needs and abilities. For example, lower maintenance housing for residents with

disabilities or senior residents may look like more compact and accessible private amenity spaces, such as balconies or terraces, and fewer lawns or gardens, which are more difficult to access and traverse. By imposing a large common amenity area requirement, less flexibility is permitted, which could lead to less efficient use of space. A more balanced requirement would encourage better design that meets both community needs and market realities.

Given these factors, we respectfully urge the City of Barrie to consider the requested changes to the common amenity space requirement for the NL3 zone to promote more affordable housing and efficient land use.

Conclusion

We appreciate the opportunity to comment on the City's draft new Zoning By-law. Should staff have any questions on this letter, please do not hesitate to contact the undersigned.

Respectfully submitted,
Innovative Planning Solutions



Cameron Sellers, B.B.A.
Associate



Cynthia Daffern
Planner

MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C12.

01 October 2024

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Council, Ms. Cooke and Ms. Kitsemetry
Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

RE: Request for Modifications to the Third Draft of the New City of Barrie Zoning By-law and Second Draft of the New Design Guidelines
Country Wide Homes at Berczy Inc. Landholdings

On behalf of our Client, Country Wide Homes At Berczy Inc. (hereinafter "Country Wide Homes" or "Client"), please find enclosed their requested modifications to the City of Barrie's third draft of the new Zoning By-law (the "new ZBL") and the second draft of their new City-Wide Community & Sustainable Design Guidelines ("Design Guidelines"). This follows comments submitted by MHBC on behalf of our Client on the City of Barrie's preliminary 2nd draft of the new Zoning By-law released in April 2023. Our Client is submitting comments for their landholdings in Barrie listed below and shown on the attached map.

- 8001 County Road 27 (*Draft Plan Ref: D12-443*)
- 500 Salem Road (*Draft Plan Ref: D30-008-2023*)

Country Wide Homes is a residential developer who own a number of landholdings across Ontario.

PROPOSED NEW COMPREHENSIVE ZONING BY-LAW (3RD DRAFT)

The purpose of this letter is to request that the City make changes to the new ZBL in advance of finalising the draft for approval by City of Barrie Council. Details are set out below, however Country Wide Homes reserves their right to continue to review and provide additional comments through the process.

General Comments

A) Draft Plan of Subdivision Transition Timeline

Section 1.10 sets out a specific timeline of transition to the new ZBL for existing approvals. As it relates to Section 1.10 a), it is requested that the "transition window" should not be limited to three years and should also make allowances for future potential redline revisions and/or draft plan extensions. This approach would align with the transition approach the City took in its new Official Plan, within Section 2.5.6 – Existing Approvals, which does not provide a limited transition window and includes any potential subsequent implementing approvals. As City staff are aware, Country Wide Homes has been working tirelessly to clear Draft Plan approval conditions towards the registration of the development at 8001 County Road 27. However, the detailed engineering design submission/review process is a lengthy process, and as such an extension to the draft plan approval has been required. It is likely that the development of 500 Salem Road will encounter similar obstacles. Should an extension be required, the work an applicant has carried out to-date is given due consideration, and an extension is granted on this basis. In the same way, the new Zoning By-law should not hinder the progress made by applicants and should allow for the previous by-law to apply within any draft plan approved development including those that may require further redline revisions and/or draft plan extensions.

Clarification is requested as to what is meant by "started construction" as written in this transition provision. It is recommended that "started construction" should relate to the commencement of site alteration.

B) Special Provisions and Transition Provisions

The draft transition provision at Section 1.10 c) of the new ZBL confirms that any Special Provision identified will be carried forward and that any new Building Permit applications will apply the former (now current) Zoning By-law standards. However, it is necessary that any future applications, not solely Building Permit applications, may rely on these Special Provisions. Additionally, Section 1.5 a) of the new ZBL repeals the current by-law in its entirety.

Therefore, for clarity it is requested that Section 1.10 and Section 1.10 c) are reworded to note the following:

> 1.10 Transition
> *Notwithstanding Section 1.5 a) as it relates to By-law 2009-141, the following will apply:*
> […]

c) If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP), that is carried over to the new By-law, the zoning review for new Building Permit *and Planning Act* applications will continue to apply the former By-law standards only as varied by the SP.

C) General Standards & Provisions – Section 3

- Clarification is requested in reference to Section 3.3.1 a) "other purpose" and whether this includes driveways. If "other purpose" includes driveways, confirmation is requested that Section 3.3.1 b) requires 50% of the landscaped area to be provided as soft landscaping and not 50% of the front yard (inclusive of driveways).

- At Section 3.3.8 the new ZBL requires the provision of unobstructed sight triangles on either side of all driveways (not just on corner lots where it is typically required). This provision requires further clarification and it is suggested that a Figure is included to demonstrate an example of how this provision is to be met. It should be considered whether the various minimum lot sizes for ground oriented built form is able to achieve what is being required within this provision. Additionally, it is noted that the provision of unobstructed sight triangles on either side of all driveways would hamper the development of smaller lots where such triangles would fall across neighbouring lots. It would rely on the ability of a home owner to work with a neighbouring property to maintain an unobstructed area within their neighbour's yard. Furthermore, it is recommended that the new ZBL clarify by definition the difference between a daylighting triangle and sight triangle.

D) Amenity Definitions

The definition of "Amenity Area" within the new ZBL notes that amenity areas *"shall not include any required landscaped area"*. Across the new ZBL, where 'landscaped areas' are required, it is required to be provided at a minimum 20% of the lot. For developments where common amenity areas are required, this definition of "Amenity Area" would seem to suggest that Common Amenity Areas need to be provided over and above the minimum 20% landscaped space.

"Amenity Area, Common" is defined as follows: "means any outdoor amenity area which is common" – which suggests that the tabulation of common amenity areas cannot take into consideration any indoor amenity offer.

For developments with multiple residential units, the combination of these two definitions has the ability to completely sterilize a site. It is suggested that these definitions be revised as follows:

Amenity Area
Means an indoor or outdoor communal area designed for active or passive recreational uses, such as, but not limited to, children's play areas, seating areas, sports facilities and fitness rooms for the shared use of the occupants of a residential development. *It may include any*

required landscaped area. It shall not include any required ~~*landscaped area,*~~ planting buffer or parking Lot.

Amenity Area, Common
Means any *indoor and/or* outdoor amenity area which is a common area available to occupants of the building(s) on the same lot. Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are associated with ~~*recreational facilities*~~ *amenity features* that are provided and maintained, such as ~~*swimming pools, tennis courts*~~ *seating, communal cooking facilities, recreation facilities,* lounges etc.

Further to the above, Country Wide Homes has more site-specific comments which are set out below.

8001 County Road 27

The new ZBL proposes new zones, which are set out in the table below.

Current Approved Zoning	Draft 3 ZBL (September 2024)
RM3 & RM3 H-146 (Neighbourhood Multiple Residential)	MR1 (Mid-Rise 1)
R5 (Neighbourhood Residential)	NL2 (Neighbourhood Area Low 2)
C5 (Convenience Commercial)	CD1 (Commercial District 1)
OS (Open Space)	GS (Greenspace)
I-E SP-584 (Educational Institutional Special Provision 584)	CHN (Community Hub Neighbourhood)
EP (Environmental Protection Area)	EP (Environmental Protection Area)

Residential RM3 to MR1

The areas which are currently zoned RM3 and RM3 H-146 'Neighbourhood Multiple Residential' within the Site have been Draft Plan approved as Medium Density blocks. Currently, through the RM3 zone, a number of residential forms are permitted including the following: Three or More Unit Dwelling; Back-to-Back Townhouse; Block / Cluster / Street / Townhouse; Stacked Townhouse; Walk-up Apartment; and Apartments – the latter permitted at a maximum height of 12 storeys. The proposed new MR1 'Mid-Rise 1' Zone permits only mid-rise buildings of 5 storeys minimum in height to a maximum height of 8 storeys.

Country Wide Homes would like to retain the flexibility the RM3 zone provides for future Site Plan applications for this Site. As such, a new Site-Specific Zone is requested for all the areas currently zoned RM3 and RM3 H-146 within the Site, to ensure that the range of residential forms and associated provisions are permitted within these Medium Density blocks.

MHBC will provide a draft of the proposed new Site-Specific Zoning for the City's review and consideration under separate cover.

Neighbourhood R5 to NL2

The areas currently zoned R5 'Neighbourhood Residential' in the Site have been Draft Plan approved for townhouses (now defined as rowhouses), and Country Wide Homes is working towards registration on this basis. The new ZBL proposes these areas are rezoned to NL2 which allows for rowhouses, but only when fronting onto Local Roads.

In the case of the Site, a number of the Draft Plan approved rowhouses face onto the future extension of Mabern Street – which is identified as being a "Minor Collector" road according to draft Appendix F to the new ZBL.

It is requested that the provisions of NL2 and other NL zones are adjusted to remove the prohibition of ground oriented built form on collector roads. Alternatively, notwithstanding the transition provisions proposed in Section 1.10, a new Site-Specific Zone will be required for all the areas currently zoned R5 within the Site, to ensure that rowhouses are permitted along the Minor Collector road.

MHBC are happy to work with the City to propose the best Site-Specific Zone for the Site, so as to ensure that the development can move forward with the new ZBL.

Commercial C5 to CD1

There is currently a small block within the site which is zoned for commercial off of County Road 27. Country Wide Homes is pleased to see the flexibility of uses that the new zone CD1 provides. However, they have concerns as it relates to the standards set out at Section 8.8 and Table 50. Due to the unique shape of the commercial block, and it's proximity to the TransCanada Pipeline, the new standards may likely hinder the development of this block. Primarily the concerns are as follows:

Minimum rear yard setback of 7.5 metres – which has increased from 7 metres
Minimum landscaped area of 20% – where currently there is no minimum

It is requested that the provisions of CD1 are adjusted to allow for standards which more closely align with the current C5 zone especially as it relates to the abovementioned standards. Alternatively, notwithstanding the transition provisions proposed in Section 1.10, a new site-specific zone will be required for the area currently zoned C5 within the Site, to ensure that development of this block may move forward with the new ZBL.

MHBC are happy to work with the City to propose the best site-specific zone for the Site, so as to ensure that the development can move forward with the new ZBL.

Educational Institutional – Community Hub

There is currently a block within the Site that is site specifically dual zoned I-E (SP-584) to allow its potential use as either a new school or future residential development. This block has been identified as the location of a future school, should the Simcoe County District School Board (SCDSB) exercise its option to purchase the block. Alternatively, should SCDSB decide to opt out of the purchase of the block within the specified timeframe, the Site Specific Zone permits the use of this block for residential development.

The third draft of the new ZBL is accompanied by a Special Provisions Map (Appendix A) which suggests that the Special Provision SP-584 is to remain for the Site. However, it is noted that the SP-584 relies on the provisions of Zone R5 should the School Board not exercise its option. Therefore, if the current Zoning By-law is repealed in its entirety, a new Site-Specific Zone will need to be prepared, with any necessary revision to ensure draft Zone NL2 (in place of current Zone R5) will apply, including the allowance of townhomes along a Minor Collector road, as noted above.

MHBC are happy to work with the City to propose the best Site-Specific Zone for the Site, so as to ensure that the development can move forward with the new ZBL.

500 Salem Road

The Site was Draft Plan approved (ref: D30-008-2023) on 31 May 2024, with a rezoning application approved through Zoning By-law 2024-049 on 1 May 2024. The previous owners of the Site previously transferred the Environmental Protection (EP) area and Open Space (OP) areas identified on the approved Draft Plan to the City of Barrie. Country Wide Homes acquired the portion of the Draft Plan approved for residential development.

The Site is currently zoned R5 (Neighbourhood Residential). The new ZBL propose the site is Zoned NL2 (Neighbourhood Area Low 2).

It is understood that through the transition provisions that the Draft Plan approval may rely on the current ZBL (to be repealed), following the approval of the new ZBL. As noted above, it is requested that the transition provisions are revised to allow for Draft Plan extensions to also rely on the current ZBL, so as to allow for the site to be delivered as soon as possible.

PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2ND DRAFT)

Upon initial review of the proposed new Design Guidelines, Country Wide Homes appreciates that the language used is generally flexible and not prescriptive in nature. Additionally, our Client acknowledges that the language used within Sections 1.1 'Purpose' and 1.2 'Application of the Guidelines' indicates that the new Design Guidelines are aspirational in nature but are ultimately flexible in their application and not prescriptive or mandatory.

However, Country Wide Homes does have concerns that this language is not abundantly clear on how they are to be interpreted and applied moving forward and request that clearer language be included.

Country Wide Homes requests the following language be inserted into Section 1.2 of the new Design Guidelines, which mirrors language used in the City of Barrie's new Official Plan:

> *1.2 Application of the Guidelines*
>
> *The City-Wide Community & Sustainable Design Guidelines document is a key tool for achieving the design excellence envisioned by the City. They shall be applied as follows:*
>
> *a) The City-Wide Community & Sustainable Design Guidelines should be followed to the greatest extent possible within reason for each development;*
> *b) If any relevant guidelines cannot be achieved on a site, then an urban design brief must be completed demonstrating how the spirit and intent of the relevant guideline(s) are to be maintained for that development.*
>
> *It is acknowledged that much of the design direction contained within the City-Wide Community & Sustainable Design Guidelines is aspirational in nature and is not expected to be fully realized in the short to medium term. The City's intent is for development and built form to incrementally move in the design direction identified through the Design Guidelines including the built form identified in the sample Demonstration Plans provided within the Design Guidelines. It is not an expectation of the City that individual sites will achieve this full design direction immediately.*

The Client also requests that the following paragraph within Section 1.2 'Application of the Guidelines' be amended as outlined below in order to include recognition of the City's Zoning By-law:

> *"Where a conflict exists, the direction contained in the Official Plan, Zoning By-law, Heritage Conservation District Plans, Secondary Plans, or Area-Specific Plans will prevail over the City-Wide Community & Sustainable Design Guidelines except in special cases where the City may give preference to the City-Wide Guidelines."*

Country Wide Homes may provide further comments on the proposed Community & Sustainable Design Guidelines in the future.

We respectfully request the consideration of the comments made above. Should you have any queries regarding any of the above, please do not hesitate to contact us.

Yours truly,

MHBC

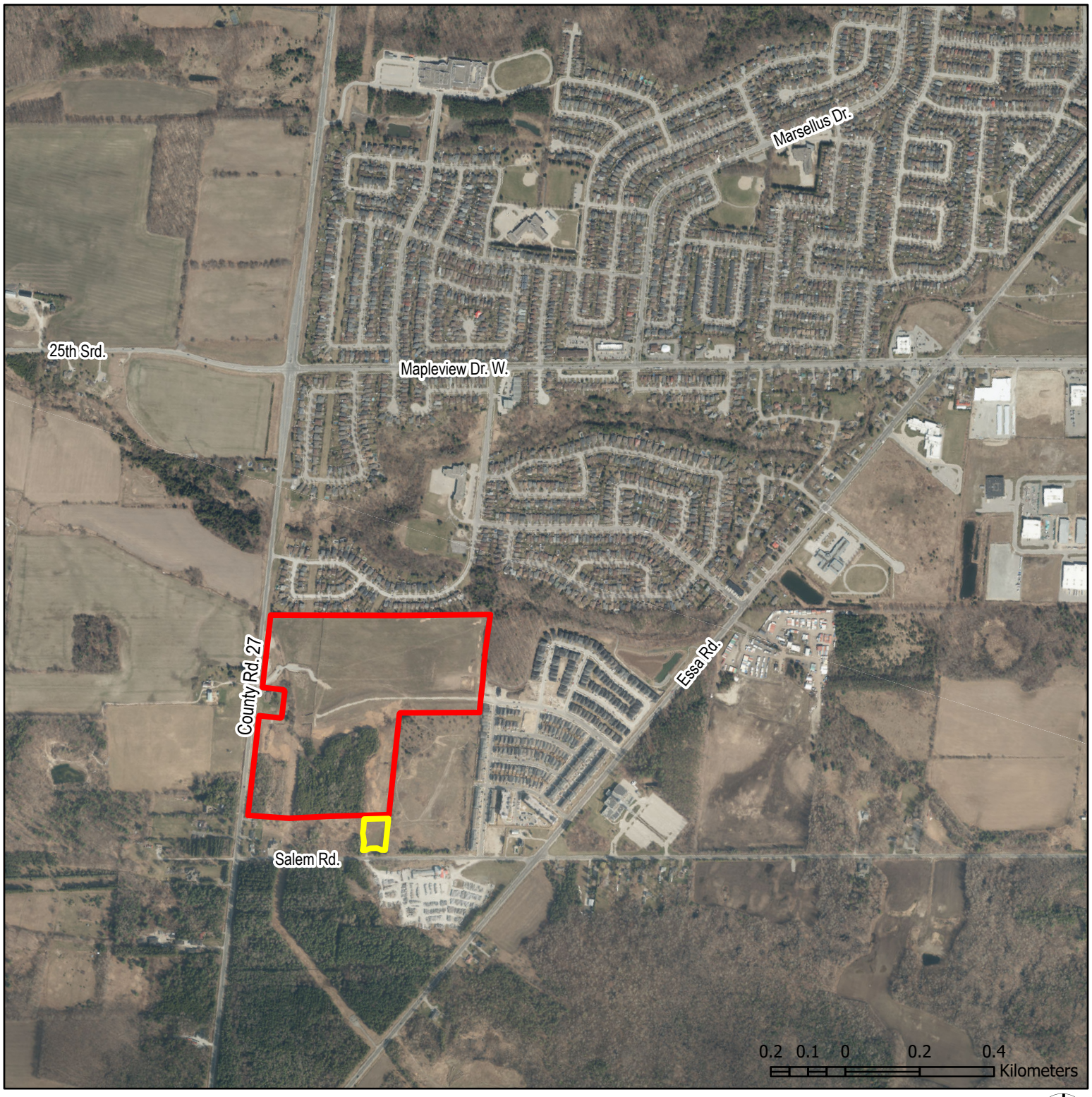


Kory Chisholm BES, M.Sc., MCIP, RPP
Partner



Opani Mudalige, Hon.BA, M.Sc., MRTPI
Intermediate Planner

cc. Alex Beduz (Country Wide Homes/Condor Properties Ltd.)
Ally Krstajic (Country Wide Homes/Condor Properties Ltd.)



COUNTRY WIDE HOMES PROPERTIES

- 8001 County Road 27
- 500 Salem Road

JONES CONSULTING GROUP LTD.
PLANNERS & ENGINEERS

October 1, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: 440 Essa Developments Inc.
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting File: Sti-19020

I am writing to you on behalf 440 Essa Developments Inc. who owns land in Barrie known municipally as 440 Essa Road. Our client has reviewed the draft new Comprehensive City-Wide Zoning By-law and we offer the following background and comments for your consideration:

A. Background:

The lands have been subject to lengthy and comprehensive planning processes including:

A1. Zoning By-law Amendment application was approved in 2020 (By-laws 2020-045).

A2. Conditional Site Plan approval has been granted and final site plan approval is anticipated this fall that will permit the development of a 9-storey mixed use rental residential building that contains rental units and over 900m^2 of ground floor commercial space.

A3. Condominium application has been submitted and is pending approval.

A4. A conditional building permit has been submitted.

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development as planned.

B1. **Site Plan Transition:** Section 1.10b) of the proposed By-law contains a site plan transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10b) states that the only site plan transition is for "an approved Site Plan application" that has "not yet started construction".

i. This section does not define what "an approved Site Plan application" is. Does this include applications that have been approved subject to conditions or does this require an executed Site

Plan agreement. In our view, a conditional site plan approval should be transitioned.

ii. This section does not define "construction". Does this include earthworks, the installation of servicing, or only the construction of buildings? If a conditional permit is obtained, is the site not transitioned?

iii. This section does not recognize that site plan approval extensions or amendments are required to deliver on large and complicated sites.

iv. The two (2) year window does not provide an appropriate transition for site plan applications.

Request #2: In order to provide an appropriate transition for site plans, we recommend that Section 1.10b) be revised as shown in red below:

1.10 b) Lands subject to application for Site Plan Control approval that has been deemed complete by the City of Barrie, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. This transition continues in the event that subsequent implementing approvals are required such as, but not limited to, condominium applications, site plan amendments, lifting Holding provisions or extension to approval timelines. ~~If owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. Urban Design By-law Requirements: The urban design provisions included in the proposed by-law are overly restrictive and extend well beyond the level of proscriptive standards that are appropriately regulated through zoning. Many of the City of Barrie's most well known recent developments, including the development at 440 Essa Road, are likely to not meet the restrictive urban design regulations proposed to be included in the draft by-law.



The following 'urban design' zoning requirements are likely to cause significant issues for new developments:Examples of non-conformance include:

- Maximum building length
- Landscape and amenity area requirements
- Window to wall ratio
- Building setbacks to interior side yard requirements
- Angular plane requirements
- Requirements to connect rooftop amenity areas to a recreational facility

These types of urban design matters are more appropriately addressed in guideline documents, and not zoning. The result of codifying such restrictive requirements in the Zoning By-law will be to discourage new development by failing to allow new buildings to appropriately respond to their surrounding context and by establish ridged zoning regulations that are unable to be met. The result is a draft By-law that cannot be said to be good planning or in the public interest. Rather, the City should be looking at ways to encourage new development, particularly as a result of the acute housing crisis in Barrie.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Nick Stillo & Joe Villar, 440 Essa Developments Inc./One Urban

JONES CONSULTING GROUP LTD.
PLANNERS & ENGINEERS

October 1, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Lockhart Innisfil Investments Limited (560 Lockhart Road)
Lockhart Innisfil Investments II Limited (460 Lockhart Road)
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting Files: GoI-14193 & GoI-20538

I am writing to you on behalf Lockhart Innisfil Investments Limited and Lockhart Innisfil Investments II Limited who own two properties subject to plan of subdivision applications within the former Hewitt's Secondary Plan area. Our clients have reviewed the draft new Comprehensive City-Wide Zoning By-law and offer the following background and comments for your consideration:

A. Background:

The lands known municipally as 460 and 560 Lockhart Road. The lands have been subject to extensive approvals including:

A1. 460 Lockhart Road received approval of a Zoning By-law Amendment in August of this year (By-law 2024-083).

A2. 560 Lockhart Road received approval of a Zoning By-law Amendment in August of this year (By-law 2024-084).

A3. 460 Lockhart Road is the subject of a proposed draft plan of subdivision comprising 395 single detached, street townhouses and back-to-back townhouse lots/blocks. Draft Plan of subdivision approval is imminent.

The property contains a stormwater management pond and access road that services 460 Lockhart and the adjacent property owned by Barrie Lockhart Road GP Inc. Barrie Lockhart Road GP Inc. advanced the construction of the pond and new Collector Road Ball Gate, on the 460 Lockhart lands to facilitate the advanced construction of their site.

A4. 560 Lockhart Road is the subject of a proposed draft plan of subdivision comprising 199 single detached lots. Draft Plan of subdivision approval is imminent.

Mattamy (Lockhart) Limited has constructed one of the stormwater ponds on this site.

A5. The new By-law proposes to zone the developable portion of the property to Neighbourhood Low 2 (NL2).

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a subdivision transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition is for an "approved Draft Plan of Subdivision" that has "not yet started construction".

In this case, the subdivisions are not yet draft plan, but they are expected to be approved prior to adoption of the new By-law. However, construction has already commenced as a result of the adjacent developer constructing the stormwater management pond and the access road to same. Does this mean it is not transitioned?

b. The lots/blocks were designed, zoned and on the verge of approval based on the current zoning framework, and house designs are being developed under that zoning framework. The proposed changes to that zoning framework, as proposed in the new By-law, will negatively impact on sales and house construction, unless these lots/blocks are transitioned from the requirements of the new By-law.

c. For large development parcels it is typical that redline revisions or draft plan approval extensions, or other implementing approvals are required prior to final approval and registration. The 3-year transition window simply does not provide for the time it takes to deliver large subdivision projects.

Request: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Neighbourhood Low (NL2) Zone and other related provisions:** If not appropriately transitioned, the proposed new By-law contains provisions that would impact on the implementation of this subdivision. Examples include the following:

a. Table 23 of the proposed new By-law prohibits detached, semi-detached, and street townhouses from fronting onto a Collector Road. Every subdivision in Hewitt's and Salem, including this subdivision, have lots fronting onto Collector Roads. The yield and construction cost impacts of this change are significant.

b. Section 3.3.4 a) iii) of the proposed new By-law requires a 3m wide planting buffer for all lot lines abutting the environmental protection zone. The limits of environmental protection lands includes the core feature and a

vegetated buffer. For example, a woodlot would be protected to the dripline plus a buffer. The requirement for an additional 3m buffer, which would be on private land behind a fence, would impact on drainage/grading, and require deeper lots. This is an unnecessary and inappropriate zoning provision that should be removed.

c. Section 3.3.8 a) of the proposed new By-law requires a 3 x 3m sight triangle on either side of every driveway. Firstly, adjacent driveways may be located within 0.6m on either side of the joint lot line so a 3m x 3m site triangle is not possible. Furthermore, this triangle will significantly alter streetscape tree planting.

d. Section 4.5 of the proposed new By-law requires driveways to be 6 metres long, which conflicts with the 5.5 metres permitted in the NL2 zone.

e. Section 4.6.1 of the proposed new By-law governs parking structures and Table 11 requires an interior side yard setback of 3m, front yard setback of 6m and an exterior side yard of 4m, all of which conflict with the proposed NL2 standards.

f. Section 5.7 of the proposed new By-law establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

    i. The requirement for a residential entrance to be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

    ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units.

g. Table 4 of the proposed new By-law requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than all townhouse and single car garages. This should be removed.

h. Table 4 of the proposed new By-law states that the front yard setback to an attached garage is 5.5m, but this conflicts with Section 4.5 which requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

i. Table 26 of the proposed new By-law requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m if those lots are vacant. This is an unnecessary and inappropriate requirement in greenfield development locations.

j. Table 26 of the proposed new By-law establishes a maximum townhouse block length of 60 metres. Where larger townhouse widths are proposed, the 60 metre standard would prohibit 8 townhouses in a row. This 60 metre length should be increased to 70 metres to encourage the widest variety of townhouses to provide additional housing options without creating inefficiencies associated with extra side yards.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Lockhart Innisfil Investments Ltd & Lockhart Innisfil Investments II Ltd, Chris Matson

October 1, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Mattamy (Lockhart) Limited
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting File: Mat-20542

I am writing to you on behalf Mattamy (Lockhart) Limited who owns land within the former Hewitt's Secondary Plan area. Our client has reviewed the draft new Comprehensive City-Wide Zoning By-law and offers the following background and comments for your consideration:

A. Background:

The lands were originally known as 620 Lockhart Road; however, as a result of various approvals, hundreds of new addresses have been assigned to various lots and blocks. The lands have been subject to extensive approvals including:

A1. Draft approved plan of subdivision containing 596 single detached, street townhouse, back-to-back townhouses, and a small mixed use block. Draft plan approval was originally granted in 2022 and an application for redline revision was approved January 31, 2024. .

A2. A Zoning By-law Amendment application was approved in 2022 (By-laws 2022-027) to implement the Hewitt's/Salem Zoning framework approved by Council in 2017.

A3. Two phases of the draft plan of subdivision have received final approval and have been registered. This includes the registration of 490 single detached and townhouse lots (both street and back-to-back townhouses) and a mixed use block. Construction of hundreds of homes have occurred, while numerous lots are vacant but will be subject to home construction in the future.

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a subdivision transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition is for an "approved Draft Plan of Subdivision" that has "not yet started construction". In this case, the

subdivision has started construction. Does this mean it is not transitioned? Furthermore, the site has proceeded beyond a draft plan of subdivision because two phases have received final approved and have been registered. Are vacant registered lots transitioned?

b. Registered vacant lots in this subdivision are subject to a 118 provision. Are they transitioned or subject to the new By-law requirements?

c. The subdivision contains 1 registered medium density/mixed use block. Are they transitioned or subject to the new By-law requirements?

d. For large development parcels it is typical that redline revisions or draft plan approval extensions, or other implementing approvals are required prior to final approval and registration. The 3-year transition window simply does not provide for the time it takes to deliver large subdivision projects.

Request #1: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Neighbourhood Low (NL2) Zone and other related provisions:** If not appropriately transitioned, the proposed new By-law contains provisions that would impact on the construction of the remainder of this subdivision. Examples include the following:

a. Table 23 prohibits detached, semi-detached, and street townhouses from fronting onto a Collector Road. Every subdivision in Hewitt's and Salem, including this subdivision, have lots fronting onto Collector Roads. The yield and construction cost impacts of this change are staggering.

b. Section 3.3.1 requires front yard landscaping when that yard is not used for other purposes. More specifically, 50% of all landscaped areas in the front yard are to be soft landscaping. In addition, a driveway requires a 1m landscaped area on one side, of which 50% is soft landscaping.

This section requires clarification including:

i. What does the term "any other purpose' mean in 3.3.1 a)? Does any other purpose include a walkway, driveway, and porch/patio? If so, then the 50% of the remaining landscaped area would be soft. If not, then this clause would prohibit the normal development of ground oriented lots.

ii. Concerning 3.3.1d), we are not clear how this requirement is calculated. Please consider that one side of the driveway is 0.6m to the property line, and the other side of the driveway may be recessed up to 2.5m beyond the face of the house. Therefore is d) calculated to mean that 50% of the area between the front of the house to the property line adjacent to the driveway needs to be

landscaped area, or does this provision require 50% of the entire driveway length (which would include a portion of the abutting house) to be soft landscaping? If the latter, then there would be no room for a walkway to the front of the house.

c. Section 3.3.4 a) iii) requires a 3m wide planting buffer for all lot lines abutting the environmental protection zone.

   The limits of environmental protection lands includes the core feature and a vegetated buffer. For example, a woodlot would be protected to the dripline plus a buffer. The requirement for an additional 3m buffer, which would be on private land behind a fence, would impact on drainage/grading, and require deeper lots. This is an unnecessary and inappropriate zoning provision that should be removed.

d. Section 3.3.8 a) requires a 3 x 3m sight triangle on either side of every driveway. Firstly, adjacent driveways may be located within 0.6m on either side of the joint lot line so a 3m x 3m site triangle is not possible. Furthermore, this triangle will significantly alter streetscape tree planting.

e. Section 4.5 requires driveways to be 6 metres long, which conflicts with the 5.5 metres permitted in the NL2 zone.

f. Section 4.6.1 governs parking structures and Table 11 requires an interior side yard setback of 3m, front yard setback of 6m and an exterior side yard of 4m, all of which conflict with the proposed NL2 standards.

g. Section 5.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

   i. The requirement for a residential entrance to be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

   ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units.

h. Table 4 requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than all townhouse and single car garages. This should be removed.

i. Table 4 states that the front yard setback to an attached garage is 5.5m, but this conflicts with Section 4.5 which requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

j. Table 26 requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m of those lots are vacant.

   The problem with this requirement is that Mattamy Homes deliberately varies the front setback by approximately 2.5m depending on house and model type, porch sizes, and whether the units have cantilevered second floors. This proposed provision would then restrict the ability to vary product along

the streetscape. This is an unnecessary and inappropriate requirement in greenfield development locations and a special provision in this Table should be added to ensure this is not required in greenfield locations.

k. Table 26 also establishes a maximum townhouse block length of 60 metres. Where larger townhouse widths are proposed, the 60 metre standard would prohibit 8 townhouses in a row. This 60 metre length should be increased to 70 metres to encourage the widest variety of townhouses to provide additional housing options without creating inefficiencies associated with extra side yards.

B3. Mid-Rise (MR1 & MR2) Zone and other related provisions: The By-law proposes to change the zoning on the mixed use block from Neighbourhood Mixed Use (NMU) to Mid-Rise (MR1). If not appropriately transitioned as discussed above, then the proposed new By-law contains use restrictions and urban design 'form-based code' zoning provisions that would restrict the design and construction of the small mixed use block on the subdivision. Examples include the following:

a. The MR1 zone only permits mid-rise buildings 5-8 storeys (MR1). The block is small, at only 0.35 hectares and was planned and designed to accommodate ground oriented development, not a 5 + storey mid-rise building.

b. The permitted uses in the MR1 zone have changed, and would no longer permit stand-alone ground oriented residential or commercial uses that are currently permitted in the Neighbourhood Mixed Use (NMU) zone.

c. Section 3.2.5 provides a limited amount of cluster townhouses as a transition but the language in that section lacks clarity and creates development challenges. Examples include:

    i. Where exactly does the yard adjacent to NL start/stop), particularly on a small lot like this.

    ii. This section does not permit street townhouse; however, this block was designed (in terms of size and layout) to accommodate street townhouse in the event a small commercial use was not desired.

    iii. Table 5 establishes a rear yard setback of 6m; whereas, throughout Hewitt's, and including in the new NL2 zone, a 5m rear yard is permitted.

    iv. Table 6 requires townhouses to have a minimum width of 6m; whereas, 4.5m is permitted elsewhere in Hewitt's.

    This Section could be substantially improved by simply permitting lower built forms on sites adjacent to Neighbourhood low zones.

d. Section 6.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

    i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate many interior residential access points on a site plan and the restrictions may conflict with the building code.

e. Table 39 also establishes a maximum block length of 65 metres. The Owners feel that this is an unnecessary standard, and should be removed from the MR1 standards.

Request #2: That Block 180 on Registered Plan 51M-1265 be zoned Neighbourhood Low 2 (NL2) in the next draft of the new City-Wide Comprehensive Zoning By-law.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and look forward to meeting with and working with staff to address the inconsistencies and concerns noted above and any further concerns noted as we continue to review and understand this draft by-law. We also request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Mattamy Homes c/o Greg Kruzel, Liana Dimaranan, Christina Drozdov

October 1, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Mattamy (Salem) Limited
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting File: Mat-21045

I am writing to you on behalf Mattamy (Salem) Limited who owns land within the former Salem Secondary Plan area. Our client has reviewed the draft new Comprehensive City-Wide Zoning By-law and offers the following background and comments for your consideration:

A. Background:

The lands were originally known as 124, 180 and 228 McKay Road; however, as a result of various approvals, hundreds of new addresses have been assigned to various lots and blocks. The lands have been subject to extensive approvals including:

A1. Draft approved plan of subdivision containing 731 single detached, street townhouse, and back-to-back townhouses. Draft plan approval was originally granted in 2019, and revised in 2021.

A2. A Zoning By-law Amendment application was approved in 2019 (By-law 2019-069) to implement the Hewitt's/Salem Zoning framework approved by Council in 2017.

A3. One phase of the draft plan of subdivision has received final approval and have been registered. This includes the registration of several hundred single detached and townhouse lots and a mixed use block. Construction of hundreds of homes have occurred, while numerous lots are vacant and homes will be constructed on same in the future.

A4. A current application for redline revision and rezoning are in process that would add 20 additional lots and a stormwater management area. A public meeting was held in August 2024 with redline approval targeted this fall, 2024.

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a subdivision transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition if for an "approved Draft Plan of Subdivision" that has "not yet started construction". In this case, the subdivision has started construction. Does this mean it is not transitioned? Furthermore, the site has proceeded beyond a draft plan of subdivision because one phase has received final approved and have been registered. Are vacant registered lots transitioned?

b. Registered vacant lots in this subdivision are subject to a 118 provision. Are they transitioned or subject to the new By-law requirements?

c. The subdivision contains 21 registered Neighbourhood Mixed Use (NMU) blocks. Are they transitioned or subject to the new By-law requirements.

d. For large development parcels it is typical that redline revisions or draft plan approval extensions, or other implementing approvals are required prior to final approval and registration. The 3-year transition window simply does not provide for the time it takes to deliver large subdivision projects.

Request #1: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Special Provision Transition:** Section 1.10 c) notes that where special zoning provisions were granted as part of a formal planning process, they will continue to apply, but **only** as varied by the special provision. There are several implementation problems with this section as outlined below:

a. Special Provisions were granted for portions of my clients lands including the Neighbourhood Mixed Use Zone (NMU SP-571, 572 and 573) and the Institutional-Educational Zone (I-E SP-574). However, as per Section 1.10 c) the former zoning standard would only apply to the standard that was varied by the special provision.

This approach would work in some instances if the special provision was a stand-alone standard. For example, if the special provision added or removed a use, or established a specific standard such as height.

However, this approach is problematic when a special provision relies on one or more standards in By-law 2009-141. This is more often than not, the case with how special provisions were developed. There are hundreds of special provisions in Barrie, but specific to this site I have provided examples below:

i. Special provision 572 permits the height of a street townhouse to be 3 storeys; however, the new MR1 Zone does not permit townhouses. How is it possible to apply only height, if the use is not permitted in the new By-law?

ii. Special provision 574 states that on the school block, the standards of the current R5 zone would apply and refers to several sections of By-law 2009-141. Does this mean that the current R5 zone standards apply, but all other standards in the new by-law also apply? The school block is proposed to be zoned Community Hub Neighbourhood (CHN). Refer to additional comments in Section B5 on this proposed CHN zone.

iii. Special provision 574 also states that the Landscape Open Space requirements of Section 8.3.5.2 do not apply. Does this mean that the Landscaped Area requirements, which is a different term than Landscape Open Space, and in a different section of the proposed new By-law apply?

The site specific examples for the Mattamy property listed above need to be addressed as part of revisions to the proposed By-law.

Request #2: In order to provide an appropriate transition for special provisions, we recommend that Section 1.10 c) be revised as shown in red below:

1.10 c) Where lands have been subject to ~~If owner/applicants have completed~~ a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards. ~~only as varied by the SP~~.

The alternative to the suggestion above, is for staff to work through each special provision listed in By-law 2009-141 and determine one-by-one, the method in which it can be implemented as originally intended.

B3. **Neighbourhood Low (NL2) Zone and other related provisions:** If not appropriately transitioned, the proposed new By-law contains provisions that would impact on the construction of the remainder of this subdivision. Examples include the following:

a. Table 23 prohibits detached, semi-detached, and street townhouses from fronting onto a Collector Road. Every subdivision in Hewitt's and Salem, including this subdivision, have lots fronting onto Collector Roads. The yield and construction cost impacts of this change are staggering.

b. Section 3.3.1 requires front yard landscaping when that yard is not used for other purposes. More specifically, 50% of all landscaped areas in the front yard are to be soft landscaping. In addition, a driveway requires a 1m landscaped area on one side, of which 50% is soft landscaping.

This section requires clarification including:

i. What does the term "any other purpose' mean in 3.3.1 a)? Does any other purpose include a walkway, driveway, and porch/patio? If so, then the 50% of the remaining landscaped area would be soft. If not, then this clause would prohibit the normal development of ground oriented lots.

ii. Concerning 3.3.1d), we are not clear how this requirement is calculated. Please consider that one side of the driveway is 0.6m to the property line, and the other side of the driveway may be recessed up to 2.5m beyond the front face of the house. Therefore is d) calculated to mean that 50% of the area between the front of the house to the property line adjacent to the driveway needs to be landscaped area, or does this provision require 50% of the entire

driveway length (which would include a portion of the abutting house) to be soft landscaping? If the latter, then there would be no room for a walkway to the front of the house.

c. Section 3.3.4 a) iii) requires a 3m wide planting buffer for all lot lines abutting the environmental protection zone.

   The limits of environmental protection lands includes the core feature and a vegetated buffer. For example, a woodlot would be protected to the dripline plus a buffer. The requirement for an additional 3m buffer, which would be on private land behind a fence, would impact on drainage/grading, and require deeper lots. This is an unnecessary and inappropriate zoning provision that should be removed.

d. Section 3.3.8 a) requires a 3 x 3m sight triangle on either side of every driveway. Firstly, adjacent driveways may be located within 0.6m on either side of the joint lot line so a 3m x 3m site triangle is not possible. Furthermore, this triangle will significantly alter streetscape tree planting.

e. Section 4.6.1 governs parking structures and Table 11 requires an interior side yard setback of 3m, front yard setback of 6m and an exterior side yard of 4m, all of which conflict with the proposed NL2 standards.

f. Section 5.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

   i. The requirement for a residential entrance to be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

   ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units.

g. Table 4 requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than all townhouse and single car garages. This should be removed.

h. Table 4 states that the front yard setback to an attached garage is 5.5m, but this conflicts with Section 4.5 which requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

i. Table 26 requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m if those lots are vacant.

   The problem with this requirement is that Mattamy Homes deliberately varies the front setback by approximately 2.5m depending on house and model type, porch sizes, and whether the units have cantilevered second floors. This proposed provision would then restrict the ability to vary product along the streetscape. This is an unnecessary and inappropriate requirement in greenfield development locations and a special provision in this Table should be added to ensure this is not required in greenfield locations.

j. Table 26 also establishes a maximum townhouse block length of 60 metres. Where larger townhouse widths are proposed, the 60 metre standard would prohibit 8 townhouses in a row. This 60 metre length should be increased to 70 metres to encourage the widest variety of townhouses to provide additional housing options without creating inefficiencies associated with extra side yards.

B4. Mid-Rise (MR1) Zone and other related provisions: The By-law proposes to change the zoning on the mixed use block from Neighbourhood Mixed Use (NMU) to Mid-Rise (MR1). If not appropriately transitioned as discussed above, then the proposed new By-law contains use restrictions and urban design 'form-based code' zoning provisions that would restrict the design and construction of the small mixed use block on the subdivision. Examples include the following:

a. The MR1 zone only permits mid-rise buildings 5-8 storeys in height(MR1). The problem of course is that the registered plan of subdivision contains 21 Neighbourhood Mixed Use (NMU) blocks. These blocks were specifically designed, in terms of size and shape, for laneway townhouses and back-to-back townhouses. There is no ability whatsoever, to deliver 6+ storey mid-rise product on these blocks.

b. The permitted uses in the MR1 zone have changed, and would no longer permit stand-alone ground oriented residential or commercial uses that are currently permitted in the Neighbourhood Mixed Use (NMU) zone.

c. Section 3.2.5 provides a limited amount of cluster townhouses as a transition but the language in that section lacks clarity and creates development challenges. Examples include:

   i. Where exactly does the yard adjacent to NL start/stop, particularly on a small lot like this?

   ii. This section does not permit street townhouse; however, these blocks were designed, draft plan approved and registered to accommodate street townhouses and back-to-back townhouses.

   iii. Table 5 establishes a rear yard setback of 6m; whereas, throughout Hewitt's, and including in the new NL2 zone, a 5m rear yard is permitted.

   iv. Table 6 requires townhouses to have a minimum width of 6m; whereas, 4.5m is permitted elsewhere in Hewitt's.

   This Section could be substantially improved by simply permitting lower built forms on sites adjacent to Neighbourhood low zones.

d. Section 6.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

   i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

   ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate many interior

residential access points on a site plan and the restrictions may conflict with the building code.

e. Table 39 also establishes a maximum block length of 65 metres. The Owners feel that this is an unnecessary standard, and should be removed from the MR1 standards.

B5. Community Hub Neighbourhood (CHN) Provisions: The school block within this registered plan of subdivision was site specifically zoned to permit residential uses in the event that the School Board decides not to purchase the block. As per special provision 574, any future residential use of the school block was to be subject to the current R5 zone requirements.

The new By-law proposes to zone the lands Community Hub Neighbourhood (CHN). According to Table 69, neither single detached nor townhouse buildings are permitted, which is contrary to the planned future use of these lands if the school site is not developed. Also, In accordance with Official Plan policy 2.6.4.3 b)i) residential use of any form is permitted on Community Hub lands provided the development meets the minimum density requirement of 50 units per hectare.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and look forward to meeting with and working with staff to address the inconsistencies and concerns noted above and any further concerns noted as we continue to review and understand this draft by-law. We also request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Mattamy Homes c/o Greg Kruzel, Liana Dimaranan, Christina Drozdov

October 1, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: 2619018 Ontario Inc.
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting File: Sti-19020

I am writing to you on behalf of 2619018 Ontario Inc. who owns land in Barrie known municipally as 145 Bradford Street and 48 Ellen Street. The lands are designated High Density in the Official Plan and proposed to be zoned Urban Core (UC) in the proposed new City-Wide Zoning By-law. The property is located within the Urban Growth Centre and fronts onto an intensification corridor. The City's plan for Bradford Street is to see the redevelopment of this corridor with mid and high-rise mixed use buildings.

My client has retained a development consulting team to work together towards the submission of Zoning By-law Amendment and Site Plan Control approval applications to permit high density mixed use development on the site.

My client has reviewed the draft new Comprehensive City-Wide Zoning By-law and we offer the following background and comments for your consideration:

1. **Urban Zone Standards:** Section 7 of the by-law contains standards for urban zones, and several of the standards are of concern including:
    a. Section 7.7.1 requires active building entrances to the first floor every 15 metres of building façade alone the front or exterior side yard. This section also requires all of these entrances to be at or within 0.2m of finished grade.

    The concern with these requirements generally, is that they do not consider and allow for changes in property elevation, the amount of street exposure of the property or other detailed design constraints such as a high water table,

    The subject lands have frontage or an exterior side yard along John Street, Ellen Street and Bradford Street totaling approximately 365 metres. The site also slopes down from Bradford Street to Ellen Street. We anticipate that the design of this site will include multiple buildings with podium's that occupy the majority of the site. As a result, the Section 7.7.1 requirements would necessitate upwards of 25 separate active entrances, all within 0.2m of finished grade. Compliance with this provision is not feasible.

b.

2. **Urban Design By-law Requirements:** The urban design provisions included in the proposed by-law are overly restrictive and extend well beyond the level of proscriptive standards that are appropriately regulated through zoning. Many of the City of Barrie's most well known recent high density developments, are likely to not meet the restrictive urban design regulations proposed to be included in the draft by-law.

   These types of urban design matters are more appropriately addressed in guideline documents, and not zoning. The result of codifying such restrictive requirements in the Zoning By-law will be to discourage or create new challenges for new development by failing to allow new buildings to appropriately respond to their surrounding context and constraints. The City should be looking at ways to encourage new development, particularly in the Urban Growth Centre.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Sam Ghebrial, Alumi/Piveon Developments

October 2nd, 2024

VIA EMAIL

Michelle Banfield, MCIP, RPP
Director of Planning and
Building Services City of Barrie
70 Collier Street PO Box 400
Barrie, ON L4M 4T5

Dear Ms. Banfield:

Re: 3rd Draft of New City of Barrie Zoning By-law – Comment Letter
377 Big Bay Point Road, City of Barrie
City File No. D30-026-2022
Our File No. BOM-20529

We represent Big Bay 4 Inc. who owns the lands located at 377 Big Bay Point Road, in the City of Barrie. The purpose of this letter is to provide comments on the City of Barrie's 3rd draft of the new Comprehensive Zoning By-law. Our understanding is that the City of Barrie is currently undertaking a Zoning By-law Review to update the current Comprehensive Zoning By-law 2009-141 to be in conformity with the new Official Plan, as well as to address other municipal planning objectives. The Zoning By-law Review process is proposed to conclude by the end of 2024, and comments on this draft are due by October 4th, 2024.

A Zoning By-law Amendment application and Draft Plan of Subdivision application were submitted on the lands in October 2022 to permit 29 townhouse condominium units. The subject lands obtained approval for a Zoning By-law Amendment on August 14th, 2024, and are zoned Residential Multiple Dwelling Second Density Special Provision (RM2) (SP-665).

The Special Provision 665 permits the following site-specific development standards:

- Tandem parking is permitted on the lands
- A maximum density of 51 units per net hectare for block/cluster or stacked townhouse development
- A minimum setback to a secondary means of access of 6.4 metres
- A minimum front yard setback of 3 metres

The lands are proposed to be zoned Neighbourhood Low Three (NL3) in the 3rd draft of the new Comprehensive Zoning By-law. The NL3 zone is proposed to permit cluster rowhouses, which is defined as a rowhouse situated on a lot in such a way where at least one (1) dwelling unit does not have frontage on a street and may include stacked and back-to-back dwelling units. Please see a summary of our comments below.

1. Special Provision

Section 1.10 (c) states if owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP.

On Appendix A – Special Provisions and Hold Provisions, the Special Provision that was approved on the lands is not noted. We respectfully request that the Special Provision be added to the lands so that the items above are carried over to the new By-law.

Further, we request clarity on if this should be interpreted to mean that all standards of the proposed zone on the lands and all other general and parking standards in the new Comprehensive Zoning By-law are applicable, except for the varied standards noted in the Special Provision. As such, if a new provision has been added to the new Comprehensive Zoning By-law that was not able to be captured in the Special Provision on the lands, this would require further relief.

In our opinion, this should be further reviewed as this will cause additional delays on sites that already received approval.

2. Transition Provisions

Section 1.10 (a) states if owner/applicants have an approved Draft Plan of Subdivision but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

Section 1.10 (b) further states if owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

We are anticipating receiving Draft Plan Approval soon and submitting a Site Plan Control application for the lands, however, we may not receive approval before the new Zoning By-law is in full force and effect.

We request that the transition windows be increased to at least five (5) years to allow additional time to obtain a building permit without requiring other Planning Act applications. In our opinion, two (2) years is not enough time due to various revisions being typically requested for Site Plan Control, which results in a longer process.

Further, we request clarity on if an "approved Site Plan application" refers to receiving conditional Site Plan Approval or Final Site Plan Approval.

3. Facing Distance

Section 3.2.7, Facing Distance, has been added to the new Zoning By-law which provides minimum separation distances for when any combination of low-rise buildings, mid-rise buildings, high-rise buildings, and rowhouse buildings are located on the same lot.

In our opinion, this section should be removed as it is an urban design item that requires flexibility depending on the lot size and possible layout of built form.

In summary, we request that the Special Provision on the lands be identified, the transition provisions be revised to allow further flexibility and a longer timeframe, and that the general provisions be reviewed to avoid unnecessary complications for sites that require specific layouts.

We look forward to your review and continuing to be involved in this process. Please also accept this letter as our formal request to be notified of all future meetings regarding the Zoning By-law Review process.

Sincerely,

THE JONES CONSULTING GROUP LTD



Brandi L. Clement, MURP, ACIP, MCIP, RPP
Partner



Amanda Newlove, BURPl., MCIP, RPP
Planner

c: Big Bay 4 Inc., Owner

October 3rd, 2024

VIA EMAIL

Michelle Banfield, MCIP, RPP
Director of Planning and
Building Services City of Barrie
70 Collier Street PO Box 400
Barrie, ON L4M 4T5

Dear Ms. Banfield:

Re: 3rd Draft of New City of Barrie Zoning By-law – Comment Letter
52 Lakeside Terrace, City of Barrie
City File No. D11-EXE-011-2024
Our File No. JDD-16000

We represent 52 Lakeside Terrace Ltd. who owns the lands located at 52, 56 and 58 Lakeside Terrace, in the City of Barrie. The purpose of this letter is to provide comments on the City of Barrie's 3rd draft of the new Comprehensive Zoning By-law. Our understanding is that the City of Barrie is currently undertaking a Zoning By-law Review to update the current Comprehensive Zoning By-law 2009-141 to be in conformity with the new Official Plan, as well as to address other municipal planning objectives. The Zoning By-law Review process is proposed to conclude by the end of 2024, and comments on this draft are due by October 4th, 2024.

The subject lands were zoned General Commercial (C4) (SP-472) on April 10, 2013, by By-law 2012-076. The General Commercial (C4) permits a range of commercial uses, institutional uses and accessory residential uses. The Special Provision permits, in part, the following applicable site-specific development standards:

- A Retirement Home and Assisted Living Facility shall be permitted.
- Shall include the removal of internal lot lines so that the entire parcel can be treated as a single lot for zoning purposes.
- A continuous tight board fence with a minimum height of 2 metres along the lot line abutting a Residential Zone, or a different fencing arrangement may be permitted to be as determined by Site Plan approval.
- Site-specific development standards are permitted for medical offices/offices, assisted living facilities and retirement homes.

The lands are proposed to be zoned Neighbourhood Mid-Rise (NMR) in the 3rd draft of the new Comprehensive Zoning By-law, which is proposed to permit residential, health service facilities, and assisted living facilities.

Please see a summary of our comments below.

1. Special Provision

Section 1.10 (c) states if owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP.

On Appendix A – Special Provisions and Hold Provisions, the Special Provision that was approved on the lands is identified. This special provision needs to continue to be recognized in the new Zoning By-law.

Further, we request clarity on if this should be interpreted to mean that all standards of the proposed zone on the lands and all other general and parking standards in the new Comprehensive Zoning

By-law are applicable, except for the varied standards noted in the Special Provision. As such, if a new provision has been added to the new Comprehensive Zoning By-law that was not able to be captured in the Special Provision on the lands, this would require further relief.

In our opinion, this should be further reviewed as this will cause additional delays on sites that already received approval.

2. Transition Provisions

Section 1.10 (b) states if owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

Section 1.10 (e) further states if owner/applicants have an approved Committee of Adjustment application but have not yet started construction when the new By-law comes into effect, a transition window of one (1) year will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

The subject lands have had numerous approvals on them since the initial approvals were given in 2009 including an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, Site Plan Control, numerous Exemptions to Site Plan Control, several Minor Variance approvals, and numerous Consent to Sever approvals. As such, we are unclear which transition provisions would apply being there have been so many applications to this end.

We also request that the transition windows be increased to at least five (5) years to allow additional time to obtain a building permit without requiring other Planning Act applications. In our opinion, one (1) year is not enough time for Committee of Adjustment applications as at least two (2) years is provided to address any conditions of approval prior to even applying for a building permit.

3. General Provisions

Section 3.2.4, Building Step Back, has been added to the new Zoning By-law which provides minimum step back requirements between the second (2nd) and sixth (6th) storey, between the seventh (7th) and up to the 12th storey and any portion above the 12th storey for mid-rise and high-rise buildings.

Section 3.2.7, Facing Distance, has been added to the new Zoning By-law which provides minimum separation distances for when any combination of low-rise buildings, mid-rise buildings, high-rise buildings, and rowhouse buildings are located on the same lot.

Section 3.2.11, Window to Wall Ratio, has been added to the new Zoning By-law which requires a minimum and maximum window to wall ratio for the facades of any low-rise, mid-rise and high-rise building.

The design of these lands was approved previously. On large development sites such as this, adhering to new standards part way through would be detrimental to the development as it can take years to full build out. In our opinion, these sections should be removed as it is an urban design item that requires flexibility depending on the lot size and possible layout of built form.

In summary, we request that the Special Provision on the lands continue to be identified, the transition provisions be revised to allow further flexibility and a longer timeframe, and that the general provisions be reviewed to avoid unnecessary complications for sites that require specific layouts.

We look forward to your review and continuing to be involved in this process. Please also accept this letter as our formal request to be notified of all future meetings regarding the Zoning By-law Review process.

Sincerely,

THE JONES CONSULTING GROUP LTD





Brandi L. Clement, MURP, ACIP, MCIP, RPP
Partner

Amanda Newlove, BURPl., MCIP, RPP
Planner

c: 52 Lakeside Terrace Ltd., Owner

October 3rd, 2024

VIA EMAIL

Michelle Banfield, MCIP, RPP
Director of Planning and
Building Services City of Barrie
70 Collier Street PO Box 400
Barrie, ON L4M 4T5

Dear Ms. Banfield:

Re: 3rd Draft of New City of Barrie Zoning By-law – Comment Letter
70 Pioneer Trail, City of Barrie
City File No. D28-052-2020
Our File No. FER-15101

We represent Fernbrook Homes (Parkside) Ltd., who owns the lands located at 70 Pioneer Trail, in the City of Barrie. The purpose of this letter is to provide comments on the City of Barrie's 3rd draft of the new Comprehensive Zoning By-law. Our understanding is that the City of Barrie is currently undertaking a Zoning By-law Review to update the current Comprehensive Zoning By-law 2009-141 to be in conformity with the new Official Plan, as well as to address other municipal planning objectives. The Zoning By-law Review process is proposed to conclude by the end of 2024, and comments on this draft are due by October 4th, 2024.

The subject lands were zoned Residential Two Special Provision (R2) (SP-442) on September 16, 2009, by By-law 2009-140 and Ontario Municipal Board (OMB) Order PL031326. The Residential Two (R2) zone permits single detached dwellings.

The Special Provision 442 permits the following site-specific development standards:

- Development shall be permitted on a private road and for the purposes of the Zoning By-law Performance Standards, the private road would be used to determine the frontage and all other performance standards, unless otherwise identified.
- No building/structure shall be constructed within 7 metres of the municipal boundary between the City of Barrie and the Town of Innisfil, which will constitute 23 metres from the edge of the actual property line for the subject lands, which is located within the Town of Innisfil on the east.
- A detached garage shall be permitted in the front yard with a minimum front yard setback of 12 metres for proposed Lot 9 as identified on the Site Plan.
- The parcel identified as private amenity space/parkette (between proposed Lots 9 and 10, as identified on the Site Plan), shall have a frontage of 15 metres and shall not be utilized for any residential purposes.
- Accessory structures shall be permitted without a main building within the private amenity space/parkette.
- All accessory structures shall have a maximum height of 6 metres and a minimum side yard of 1.2 metres, with all other performance standards to be in accordance with the R2 Zone.
- A maximum of 19 residential units shall be permitted.

The lands are proposed to be zoned Neighbourhood Low One (NL1) in the 3rd draft of the new Comprehensive Zoning By-law, which is proposed to permit detached dwellings.

Please see a summary of our comments below.

1. Special Provision

Section 1.10 (c) states if owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is

carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP.

On Appendix A – Special Provisions and Hold Provisions, the Special Provision that was approved on the lands is identified. This special provision needs to continue to be recognized in the new Zoning By-law.

Further, we request clarity on if this should be interpreted to mean that all standards of the proposed zone on the lands and all other general and parking standards in the new Comprehensive Zoning By-law are applicable, except for the varied standards noted in the Special Provision. As such, if a new provision has been added to the new Comprehensive Zoning By-law that was not able to be captured in the Special Provision on the lands, this would require further relief.

In our opinion, this should be further reviewed as this will cause additional delays on sites that already received approval.

2. Transition Provisions

Section 1.10 (b) states if owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

We request that the transition windows be increased to at least five (5) years to allow additional time to obtain a building permit without requiring other Planning Act applications. In our opinion, two (2) years is not enough time due to various revisions being typically requested for Site Plan Control, which results in a longer process.

Further, we request clarity on if an “approved Site Plan application” refers to receiving conditional Site Plan Approval or Final Site Plan Approval. We also request clarification on how Site Plan Control applications that are currently being processed are being dealt with if the new By-law comes into effect during this time.

In summary, we request that the Special Provision on the lands continue to be identified, and that the transition provisions be revised to allow further flexibility and a longer timeframe.

We look forward to your review and continuing to be involved in this process. Please also accept this letter as our formal request to be notified of all future meetings regarding the Zoning By-law Review process.

Sincerely,

THE JONES CONSULTING GROUP LTD

Brandi L. Clement, MURP, ACIP, MCIP, RPP
Partner

Amanda Newlove, BURPl., MCIP, RPP
Planner

c: Fernbrook Homes (Parkside) Ltd., Owner

October 3rd, 2024

VIA EMAIL

Michelle Banfield, MCIP, RPP
Director of Planning and
Building Services City of Barrie
70 Collier Street PO Box 400
Barrie, ON L4M 4T5

Dear Ms. Banfield:

Re: 3rd Draft of New City of Barrie Zoning By-law – Comment Letter
518, 520, 522, & 524 Tiffin Street, City of Barrie
City File No. D28-025-2024
Our File No. PIO-21060

We represent Pioneer Family Pools Barrie Inc., who owns the lands located at 518, 520, 522, and 524 Tiffin Street, in the City of Barrie. The purpose of this letter is to provide comments on the City of Barrie's 3rd draft of the new Comprehensive Zoning By-law. Our understanding is that the City of Barrie is currently undertaking a Zoning By-law Review to update the current Comprehensive Zoning By-law 2009-141 to be in conformity with the new Official Plan, as well as to address other municipal planning objectives. The Zoning By-law Review process is proposed to conclude by the end of 2024, and comments on this draft are due by October 4th, 2024.

The subject lands were zoned General Industrial Special Provision (GI) (SP-646) on September 20, 2023, by By-law 2023-096. The General Industrial (GI) zone permits a range of industrial uses including warehousing and outdoor storage.

The Special Provision 646 permits the following site-specific development standards:

- The lands shall be considered one lot for purposes of zoning interpretation and implementation.
- A continuous landscape buffer of 0.0 metres is permitted directly adjacent to the existing building.
- Outdoor storage is permitted in the front yard.
- Fencing shall be permitted along all lot lines.
- Outdoor storage of sand, gravel, stone, soil or salt shall be permitted.
- A minimum side yard setback of 0.0 metres adjacent to the existing building is permitted.
- A minimum rear yard setback of 0.0 metres adjacent to the existing building is permitted.

The lands are proposed to be zoned Employment Industrial (EI) in the 3rd draft of the new Comprehensive Zoning By-law. The EI zone is proposed to permit general industrial uses, which is defined as a building or structure or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, warehousing, distribution, recycling operations and/or the bulk storage of goods and materials and related accessory uses.

Please see a summary of our comments below.

1. **Special Provision**

   Section 1.10 (c) states if owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP.

   On Appendix A – Special Provisions and Hold Provisions, the Special Provision that was approved on the lands is identified. This special provision needs to continue to be recognized in the new Zoning By-law.

Further, we request clarity on if this should be interpreted to mean that all development standards of the proposed zone on the lands and all other general provisions and parking standards in the new Comprehensive Zoning By-law are applicable, except for the varied standards noted in the Special Provision. As such, if a new provision has been added to the new Comprehensive Zoning By-law that was not able to be captured in the Special Provision on the lands, this would require further relief.

In our opinion, this should be further reviewed as this will cause additional delays on sites that already received approval.

2. Transition Provisions

Section 1.10 (b) states if owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.

We request that the transition windows be increased to at least five (5) years to allow additional time to obtain a building permit without requiring other Planning Act applications. In our opinion, two (2) years is not enough time due to various revisions being typically requested for Site Plan Control, which results in a longer process.

Further, we request clarity on if an "approved Site Plan application" refers to receiving conditional Site Plan Approval or Final Site Plan Approval. We also request clarification on how Site Plan Control applications that are currently being processed are being dealt with if the new By-law comes into effect during this time.

3. Permitted Uses

The lands are currently within the General Industrial (GI) zone in the Comprehensive Zoning By-law 2009-141, which permits warehousing and outdoor storage. There are no provisions in the current Zoning By-law that states outdoor storage must be an accessory use. In the 3rd draft of the new Comprehensive Zoning By-law, the lands are proposed to be zoned Employment Industrial (EI), which permits general industrial uses. The definition of industrial uses includes warehousing; however, outdoor storage is not included. Section 3.1.3 (a) of the new Zoning By-law states outdoor sales and display areas, and outdoor storage, is permitted only as an accessory use to a similarly permitted use, as determined through the permitted use tables of this By-law.

We respectfully request that the use of Outdoor Storage continue to be a permitted use in industrial zones. Many industrial uses, such as the one proposed on the subject lands, require outdoor storage on its own in order to operate efficiently. In our opinion, outdoor storage is an appropriate stand-alone permitted use for industrial areas as there are provisions on buffering, landscaping and setbacks to ensure any potential impacts are minimized.

The subject lands contain a considerable amount of outdoor storage, and as such, may not be considered an accessory use. This would significantly impact the ability of the development on the lands to proceed as previously approved.

4. Outdoor Storage Standards

Section 4.11 of the current Comprehensive Zoning By-law 2009-141 contains provisions on outdoor storage, such as required setbacks, maximum height, and fencing. The subject lands required a Special Provision to permit outdoor storage in the front yard and to permit the outdoor storage of sand, gravel, stone, soil and salt. The site complied with all other provisions in Section 4.11.

Section 3.1.3 of the proposed 3rd draft of the new Comprehensive Zoning By-law revises and expands these outdoor storage provisions. As previously noted, Section 1.10 (c) of the proposed 3rd draft of the new Comprehensive Zoning By-law states that the zoning review for new Building

Permit applications will continue to apply the former By-law standards only as varied by the Special Provision.

As such, it is our understanding that any new provisions that were not able to be captured in the Special Provision would now be applicable to the site. Section 3.1.3 includes the following additional provisions that are a concern:

a) Outdoor sales and display areas, and outdoor storage, is permitted only as an accessory use to a similarly permitted use, as determined through the permitted use tables of this By-law.

   As previously mentioned, in our opinion, outdoor storage should be included as a stand-alone permitted use in industrial zones.

b) If any use requires outdoor storage of 'other' merchandise, then no merchandise display shall exceed 3 metres in height and project further than 4.5 metres from the building face of any adjacent building.

   We are not clear on the purpose of this provision, as this was not included in the current Comprehensive Zoning By-law 2009-141. In our opinion, we do not understand the land use planning issue that this provision is proposed to solve as outdoor storage is already restricted to a maximum height of 4 metres.

   Further, we request clarification on what is defined as "other merchandise". Through the approval of the Zoning By-law Amendment on the subject lands, the outdoor storage of sand, gravel, stone, soil or salt is permitted, and is located further than 4.5 metres from the building on the site.

   We respectfully request this provision be removed.

d) Accessory outdoor storage shall not exceed 30% of the total lot area, unless it is associated with an automotive rental and sales establishment, automotive repair and service station, or automotive wrecking and repair establishment.

   We are not clear on the purpose of this provision as many other industrial land uses require additional outdoor storage, and there are provisions that require screening and landscaping to minimize any potential impacts. Further, on the subject lands the outdoor storage of the materials needed for their business would likely exceed 30% and being this is not in the current Zoning By-law this provision did not require an exception to the standard.

   We respectfully request this provision be removed.

n) Accessory outdoor storage shall not exceed 50% of the total gross floor area of the primary building.

   This provision was required in the current Comprehensive Zoning By-law 2009-141, however, it was not included in the Special Provision for the subject lands because it was only applicable to lands within the Light Industrial (LI) and Highway Industrial (HI) zones. If this provision is now applicable to the site, this would be detrimental to the development as the lands only contain one existing building of a smaller size and the remainder of the site is proposed to be used for outdoor storage of materials.

   As mentioned, the subject lands are currently zoned General Industrial Special Provision (GI) (SP-646). In our opinion, the intent of this provision was to minimize outdoor storage on industrial lands that are located adjacent to residential lands. The subject lands are located in a predominantly industrial zoned area, as such, we do not understand the purpose of minimizing outdoor storage on lands that are not anticipated to impact any adjacent land uses.

We respectfully request this provision be removed or revised as previously written in the current Comprehensive Zoning By-law 2009-141.

In summary, we request that the Special Provision on the lands continue to be identified, the transition provisions be revised to allow further flexibility and a longer timeframe, and that the general provisions be reviewed to avoid unnecessary complications for all industrial sites particularly those with previous approvals and/or in process Applications. In our opinion, there is a reason why there are various employment zones as there are areas that are predominately industrial and commercial, as such, some of the general provisions should not be applicable to all zones as these sites would have minimal impacts to any adjacent land uses

We look forward to your review and continuing to be involved in this process. Please also accept this letter as our formal request to be notified of all future meetings regarding the Zoning By-law Review process.

Sincerely,

THE JONES CONSULTING GROUP LTD

Brandi L. Clement, MURP, ACIP, MCIP, RPP
Partner

Amanda Newlove, BURPl., MCIP, RPP

c: Pioneer Family Pools Barrie Inc., Owner

MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C22.

October 4, 2024

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Ms. Crooke and Ms. Kitsemetry
Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

RE: Request for Modifications to the City of Barrie's Third Draft of the New Zoning By-law and Second Draft of the New Design Guidelines – Barrie West Development Inc. – 830 Yonge Street and 640 Mapleview Drive East

On behalf of Barrie West Development Inc. (the Owners of 830 Yonge Street) and Barrie West (Goodwin) Holdings Ltd. (the Owners of 640 Mapleview Drive East) (the "Client ") we are submitting this letter in response to the City of Barrie's third draft of their new Comprehensive Zoning By-law ("New ZBL") and the second draft of their new City-Wide Community & Sustainable Design Guidelines ("Design Guidelines"). We note that a public meeting was scheduled for October 1st, 2024, but was postponed to a future date that is yet to be determined. Comments were requested by October 4th, 2024, to gather feedback on the third draft of the New ZBL. It is understood that once finalized, a staff report with the final New ZBL and Design Guidelines will be presented to Council for consideration and endorsement sometime in the future.

PROPOSED NEW COMPREHENSIVE ZONING BY-LAW (3RD DRAFT)

We are requesting site-specific zoning to carry forward existing zoning by-law permissions. In acknowledgment of the City's new approach to zoning, the contemplated site-specific zoning would be harmonized with the provisions of the Commercial District 2 (CD2) Zone that do not add new restrictions. This approach will allow the most flexibility in the planning of future development, while assisting the City in achieving its objective of updating zoning provisions. MHBC will provide a draft of the proposed new site-specific zoning for the City's review and consideration under separate cover.

Our Client is submitting these comments for their landholdings known as Yonge GO Village West, municipally addressed as 830 Yonge Street and 640 Mapleview Drive East (the "Lands") as shown in **Appendix A**. These comments follow comments previously submitted on July 31st, 2023 in response to the second draft of the New ZBL.

Our Client currently has development approvals for a Grocery Store which is now under construction (Site Plan Application D11-027-2022). The Lands are subject to existing site-specific General Commercial (C4)(SP-348) and Mixed Use Node (MU1)(SP-594) zoning which was implemented with the passing of By-laws 2005-129 and 2020-074.

To assist with the planning and ultimate build out of the balance of the Lands, and to avoid unintended negative impacts arising from the enactment of the New ZBL, it is critical that any necessary existing site-specific zoning permissions for the Lands be carried forward.

The New ZBL proposes the following transition provisions:

Approved Zoning By-law Amendment:

> *"If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP."*

Approved Site Plan Application:

> *"If owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction."*

Correct zoning is extremely important to our client, as they have relied on a stable zoning framework in designing and marketing its development. Upon review of the New ZBL transition provisions, we have concerns with how existing permissions are being transitioned. Given uncertainties that accompany reliance on transition provisions, our client's strong preference is to not be reliant on them. For example, they are subject to change and amendment, potentially without their input. We are also concerned with the potential for issues associated with transition expiry and unforeseen interpretation conflicts. Balancing these concerns with the City's desire to enact the New ZBL leads us to the determination that a hybrid approach is most appropriate for zoning on the Lands.

We are therefore requesting site-specific zoning to carry forward existing zoning by-law permissions. In acknowledgment of the City's new approach to zoning, the contemplated site-specific zoning would be harmonized with the provisions of the Commercial District 2 (CD2) Zone that do not add new restrictions. This approach will allow the most flexibility in the planning of future development, while assisting the City in achieving its objective of updating zoning provisions. MHBC will provide a draft of the proposed new site-specific zoning for the City's review and consideration under separate cover.

We trust the City receives these comments on the third draft of the New ZBL in the cooperative spirit in which they are intended. Should the City wish to discuss any or all of the above, we will gladly make ourselves available.

PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2ND DRAFT)

Upon initial review of the proposed new Design Guidelines, we appreciate that the language used is generally flexible and not prescriptive in nature.

We acknowledge that the language used within Sections 1.1 'Purpose' and 1.2 'Application of the Guidelines' indicates that the new Design Guidelines are aspirational in nature but are ultimately flexible in their application and not prescriptive or mandatory.

However, we do have concerns that this language is not abundantly clear on how they are to be interpreted and applied moving forward and request that clearer language be included.

We request the following language be inserted into Section 1.2 of the new Design Guidelines, which mirrors language used in the City of Barrie's new Official Plan:

1.2 Application of the Guidelines

The City-Wide Community & Sustainable Design Guidelines document is a key tool for achieving the design excellence envisioned by the City. They shall be applied as follows:

a) *The City-Wide Community & Sustainable Design Guidelines should be followed to the greatest extent possible within reason for each development;*
b) *If any relevant guidelines cannot be achieved on a site, then an urban design brief must be completed demonstrating how the spirit and intent of the relevant guideline(s) are to be maintained for that development.*

It is acknowledged that much of the design direction contained within the City-Wide Community & Sustainable Design Guidelines is aspirational in nature and is not expected to be fully realized in the short to medium term. The City's intent is for development and built form to incrementally move in the design direction identified through the Design Guidelines including the built form identified in the sample Demonstration Plans provided within the Design Guidelines. It is not an expectation of the City that individual sites will achieve this full design direction immediately.

We also request that the following paragraph within Section 1.2 'Application of the Guidelines' be amended as outlined below in order to include recognition of the City's Zoning By-law:

> *"Where a conflict exists, the direction contained in the Official Plan, Zoning By-law, Heritage Conservation District Plans, Secondary Plans, or Area-Specific Plans will prevail over the City-Wide Community & Sustainable Design Guidelines except in special cases where the City may give preference to the City-Wide Guidelines."*

We may provide further comments on the proposed Community & Sustainable Design Guidelines in the future.

Kindly notify us of any and all reports, studies, public and/or statutory meetings as well as City Council decisions made with respect to the New ZBL.

Yours truly,

MHBC





Kory Chisholm, BES, M.Sc, MCIP, RPP
Partner

Tyler Kawall, BES
Intermediate Planner

cc *Alex Lusty | Davies Howe LLP*

Appendix A – Subject Lands



MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C23.

4 October 2024

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Council, Ms. Cooke and Ms. Kitsemetry
Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

RE: Request for Modifications to the Third Draft of the New City of Barrie Zoning By-law and Second Draft of the New Design Guidelines
PBM Realty Holdings Inc. Landholdings

On behalf of our Client, PBM Realty Holdings Inc. (hereinafter "PBMR" or "Client"), please find enclosed the requested modifications to the City of Barrie's third draft of the new Zoning By-law (the "new ZBL") and the second draft of their new City-Wide Community & Sustainable Design Guidelines ("Design Guidelines"). This follows comments submitted by MHBC on behalf of PBMR on the City of Barrie's preliminary 2nd draft of the new Zoning By-law released in April 2023. Our Client is submitting comments for their landholdings in Barrie listed below and shown on the attached map. The registered owner of each address is set out below.

- 364 St. Vincent Street – PBM Realty Holdings Inc.;
- 49 Truman Road – PBM Realty Holdings Inc.;
- 168 Tiffin Street – PBM Realty Holdings Inc.;
- 191 John Street – Moore Packaging Corp;
- 217 Dunlop Street East – 217 Dunlop St East Limited;
- 30 Alliance Boulevard – 30 Alliance Boulevard Ltd.

As noted previously PBMR both own and operate a large cardboard manufacturing facility in the City of Barrie as well as own and lease a number of large multi-tenanted industrial / commercial facilities.

PROPOSED NEW COMPREHENSIVE ZONING BY-LAW (3RD DRAFT)

The purpose of this letter is to request that the City make changes to the new ZBL in advance of presenting the final draft to Council for approval. Detailed comments are set out below, however, PBMR reserve their right to continue to review and provide additional comments throughout the new City Zoning By-law process.

General Comments

A) Site Plan Transition Timeline

Section 1.10 sets out a specific timeline of transition to the new ZBL for existing approvals. As it relates to *Section 1.10 b)*, it is requested that the "transition window" should not be limited to two years and should also make allowances for future potential site plan amendments which are simply to extend the approval in place. This approach would align with the transition approach the City took in its new Official Plan, within Section 2.5.6 – Existing Approvals, which does not provide a limited transition window and includes any potential subsequent implementing approvals.

Should a site plan amendment be required, the work an applicant has carried out to-date is given due consideration, and an amendment to the date of the approval is granted on this basis. In the same way, the new ZBL should not hinder the progress made by applicants and should allow for the previous zoning by-law to apply within any site plan approved development including those that may require further amendments.

Clarification is requested as to what is meant by "started construction" as written in this transition provision. It is recommended that "started construction" should relate to the commencement of site alteration.

B) Special Provisions and Transition Provisions

The draft transition provision at *Section 1.10 c)* of the new ZBL confirms that any Special Provision identified will be carried forward and that any new building permit applications will apply the former (now current) zoning by-law standards. However, it is necessary that any future applications, not solely Building Permit applications, may rely on these Special Provisions. Additionally, a degree of flexibility should be built into the transition, to allow for the use of the new ZBL provisions should these provisions be less restrictive than the Special Provisions in place. It is also noted that Section 1.5 a) of the new ZBL repeals the current by-law in its entirety.

Therefore, for clarity it is requested that Section 1.10 is reworded to note the following:

> 1.10 Transition
> *Notwithstanding Section 1.5 a) as it relates to By-law 2009-141, the following will apply:*
> […]
>
> c) If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP)*,* that is carried

over to the new By-law, the zoning review for new Building Permit *and Planning Act* applications will continue to apply the former By-law standards only as varied by the SP. *Where the provisions of the SP is more restrictive than the new By-law, the owner/applicant may rely on the provisions as set out in the new By-law*.

C) Amenity Definitions

The definition of "Amenity Area" within the new ZBL notes that amenity areas *"shall not include any required landscaped area"*. For developments where common amenity areas are required, this definition of "Amenity Area" would seem to suggest that Common Amenity Areas need to be provided over and above any minimum landscaped space.

"Amenity Area, Common" is defined as follows: "means any outdoor amenity area which is common" – which suggests that the tabulation of common amenity areas cannot take into consideration any indoor amenity offer.

For developments with multiple residential units, the combination of these two definitions has the ability to completely sterilize a site. It is suggested that these definitions be revised as follows:

Amenity Area
Means an indoor or outdoor communal area designed for active or passive recreational uses, such as, but not limited to, children's play areas, seating areas, sports facilities and fitness rooms for the shared use of the occupants of a residential development. *It may include any required landscaped area. It* shall not include any required ~~*landscaped area,*~~ planting buffer or parking Lot.

Amenity Area, Common
Means any *indoor and/or* outdoor amenity area which is a common area available to occupants of the building(s) on the same lot. Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are associated with ~~*recreational facilities*~~ *amenity features* that are provided and maintained, such as ~~*swimming pools, tennis courts,*~~ *seating, communal cooking facilities, recreation facilities,* lounges etc.

D) Section 3 – General Provisions

PBMR has concerns with a number of the proposed general provisions in the new ZBL, and believe these need to be re-evaluated in light of the City's new Official Plan.

Section 3.2.6 'Common and Private Amenity Areas' – Further to the comments regarding amenity above, PBMR have concerns with the prescriptive nature of this provision and request this section be removed. It is considered more appropriate for the City's Design Guidelines.

Section 3.2.7 'Facing Distances' – Minimum Facing Distances are considered inappropriate and should be removed.

Section 3.2.11 'Window to Wall Ratio' – Minimum Window-to-Wall Ratios are considered inappropriate and should be removed.

E) Section 4 – Parking & Loading

Section 4.9.2 Loading Space Size and Location – As noted in the previous comment letter, it is inappropriate to prohibit loading from being located within the front and exterior yards across the City. Many uses and site-specific circumstances may necessitate parking to be located within these yards. These requirements are overly prescriptive and should be removed from the new ZBL. Preferred locations can be encouraged through the City's Design Guidelines while maintaining flexibility to appropriately locate loading spaces where site and use specific requirements necessitate.

Further to the above, PBMR has more site-specific comments which are set out below.

<u>217 Dunlop Street East</u>

The Site is currently zoned 'Transition Centre Commercial with Special Provision' (C2-1)(SP-608). The new ZBL proposes to rezone the site as 'Urban Core' (UC). However, it is noted that the following uses are currently identified as being permitted in the existing C2-1 zone but are not proposed to be carried forward within the new UC zone:

- Automotive Service Station
  (*now an Automotive Repair and Service Station*)
- Bed & Breakfast Establishment
  (permitted in the UT zone but not the UC zone)
- Building Supply Centre
  (*now defined as Major Retail*)
- Child Care
  (*now defined as Child Care Centre*)
- Custom Workshop
- Entertainment Establishment
  (*confirmation is requested whether this is considered to be covered under the definition of Commercial Entertainment. If yes, then it is requested that the definition makes this clear*)
- Nursery or Garden Supply Centre
- Recreational Establishment
  (*some of the defined uses under the definition of Recreational Establishment (such as Fitness or Health Club) are permitted, however it is requested that all uses are permitted under this definition*)
- Rental Store
- Shopping Centre
- Training and Rehabilitation Centre
  (*confirmation is requested whether this is considered to be covered under the definition of Institutional Uses. If yes, then it is requested that the definition makes this clear*)
- Trade Centre
- Veterinary Clinic
  (*now also defined as Animal-related Services*)

It is requested that these uses be carried forward with the site-specific zone.

PBMR acknowledge that the 3rd draft of the new ZBL is accompanied by a special provisions map (Appendix A) which confirms that the Special Provision SP-608 is to remain for the Site. As noted in the general comments above, it is necessary that any future *Planning Act* applications may rely on the Special Provision in place, and that a level of flexibility is permitted to rely on the new ZBL, where the new ZBL is less restrictive than the SP. It is also again requested that By-law No. 2022-007 (the By-law which sets out SP-608) is identified at Table 3 (Continued By-laws) of Section 1.5 b).

Alternatively, notwithstanding the transition provisions proposed in Section 1.10, a new site-specific zone will be required for the Site, to provide more flexibility to the future development of the Site.

MHBC are happy to work with the City to propose the best site-specific zone for the Site, so as to ensure that the development can move forward with the new ZBL

A number of the comments raised in the previous comment letter are reiterated:

Section 7.7.1 Entrance Standards for Urban **Zones** - This should be removed. Mandating the number of active entrances based on metres of street line is inappropriate. Many uses limit active entrances for security and operational purposes. Mandating that active entrances be within 0.2 metres of finished grade is inappropriate. Site-specific conditions and design requirements may necessitate more grade differential to the entrances. If desired, these should be addressed within the City's Design Guidelines.

Section 7.7.2 Exterior Finishes - These provisions all mandate specific materials related to windows and exterior building walls. This is inappropriate to be mandated within a Zoning By-law and should be removed. If desired, this should be addressed within the City's Design Guidelines.

Section 7.7.4 Mixed-Use Development - This should be removed. It is not appropriate to mandate a minimum of two uses in every new building within the Urban Zone, which front onto arterial/collector streets. If desired, this should be addressed within the City's Design Guidelines.

30 Alliance Boulevard and 364 St Vincent Street

Both sites are currently zoned 'Highway Industrial' (HI). The new ZBL proposes to rezone both sites as 'Employment Non-Industrial' (EN).

However, it is noted that the following uses are currently identified as being permitted in the existing HI zone but are not proposed to be carried forward within the new EN zone:

- Bakery
  (*confirmation is requested whether this is considered to be covered under the definition of Restaurant or Food and Beverage Processing. If yes, then it is requested that the definition makes this clear*)
- Bank

(*now defined as Personal Services*)
- Manufacturing and Processing in Wholly Enclosed Buildings
  (*now also defined as Industrial Use (General)*)
- Office, Medical
  (*confirmation is requested whether this is considered to be covered under the definition of Office. If yes, then it is requested that the definition makes this clear*)
- Outdoor Storage
  (*confirmation is requested whether Section 3.1.3 General Standards and Provisions permits this*)
- Printing and Publishing
- Rail Transfer Station
  (*while technically permitted under the Government Services, Rail Transfer Station is listed as a use permitted within the EI zone but not the EN zone*)
- Trade Centre
- Warehousing in Wholly Enclosed Building excluding self storage
  (*now defined as Industrial Use (General)*)

It is requested that these uses be carried forward within the City's new EN zone, or specifically identified under an umbrella definition of a use already permitted in the new ZBL.

Table 58 and Section 9.7.3 a) i) limit the lot coverage of uses in this zone to a maximum of 40%. It is requested that the current maximum lot coverage for the HI zone of 50% is maintained within the new ZBL to allow for more efficient and compact use of the City's employment areas.

49 Truman Road, 168 Tiffin Street and 191 John Street

All three sites are currently zoned 'General Industrial' (GI). The new ZBL proposes to rezone these sites as 'Employment Industrial' (EI).

However, it is noted that the following uses are currently identified as being permitted in the existing GI zone but are not proposed to be carried forward within the new EI zone:

- Animal Shelter, Kennel and Veterinary Clinic
  (*now defined as Animal-related Services*)
- Bakery
  (*confirmation is requested whether this is considered to be covered under the definition of Restaurant or Food and Beverage Processing. If yes, then it is requested that the definition makes this clear*)
- Building Supply Centre
- Concrete Product Manufacturing
  (*confirmation is requested whether this is considered to be covered under the definition of Industrial Use (General). If yes, then it is requested that the definition makes this clear*)
- Dry Cleaning Establishment
  (*now defined as Personal Services*)
- Heavy Equipment Dealer
  (*confirmation requested whether this is considered to be covered under the definition*

of Automotive Rental & Sales Establishment. *If yes, then it is requested that the definition makes this clear*)

- Outdoor Display and Sales Area
- Outdoor Storage
  (*confirmation is requested whether Section 3.1.3 General Standards and Provisions permits this*)
- Printing and Publishing
- Rental Store excluding Video and Electronic Rentals
- Research and Development Centre
- Self Storage
- Service Store
  (*now also defined as Personal Services*)
- Transmission Establishment, Cellular and Electronic
- Wholesale Establishment
  (*now defined as Major Retail*)

It is requested that these uses be carried forward within the City's new EI zone, or specifically identified under an umbrella definition of a use already permitted in the new ZBL.

The current minimum lot frontage within the GI Zone is 15m except where the lot abuts onto an arterial road in which case this is increased to 30m. At ***Table 56***, the new EI zone proposes a minimum lot frontage of 30 m for all lots. It additionally proposes a minimum exterior side yard of 6m whereas currently there is no differentiation between interior and exterior side yard minimum. At ***Table 57,*** a maximum of 15m building height is set whereas currently there is no maximum building height set except in circumstances where next to a residential zone. It is requested that these Tables within the new ZBL be revised to maintain the current minimum lot frontage, minimum side yard and maximum building height to allow for more efficient and compact use of the City's employment areas.

PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2ND DRAFT)

Upon initial review of the proposed new Design Guidelines, PBMR appreciates that the language used is generally flexible and not prescriptive in nature. Additionally, they acknowledge that the language used within Sections 1.1 'Purpose' and 1.2 'Application of the Guidelines' indicates that the new Design Guidelines are aspirational in nature but are ultimately flexible in their application and not prescriptive or mandatory.

However, PBMR have concerns that this language is not abundantly clear on how they are to be interpreted and applied moving forward, and therefore request that clearer language be included. The request is that the following language be inserted into Section 1.2 of the new Design Guidelines, which mirrors language used in the City of Barrie's new Official Plan:

1.2 Application of the Guidelines

The City-Wide Community & Sustainable Design Guidelines document is a key tool for achieving the design excellence envisioned by the City. They shall be applied as follows:

a) The City-Wide Community & Sustainable Design Guidelines should be followed to the greatest extent possible within reason for each development;
b) If any relevant guidelines cannot be achieved on a site, then an urban design brief must be completed demonstrating how the spirit and intent of the relevant guideline(s) are to be maintained for that development.

It is acknowledged that much of the design direction contained within the City-Wide Community & Sustainable Design Guidelines is aspirational in nature and is not expected to be fully realized in the short to medium term. The City's intent is for development and built form to incrementally move in the design direction identified through the Design Guidelines including the built form identified in the sample Demonstration Plans provided within the Design Guidelines. It is not an expectation of the City that individual sites will achieve this full design direction immediately.

PBMR also requests that the following paragraph within Section 1.2 'Application of the Guidelines' be amended as outlined below in order to include recognition of the City's Zoning By-law:

"Where a conflict exists, the direction contained in the Official Plan, Zoning By-law, Heritage Conservation District Plans, Secondary Plans, or Area-Specific Plans will prevail over the City-Wide Community & Sustainable Design Guidelines except in special cases where the City may give preference to the City-Wide Guidelines."

PBMR may provide further comments on the proposed Community & Sustainable Design Guidelines in the future.

We respectfully request the consideration of the comments made above. Should you have any queries regarding any of the above, please do not hesitate to contact us.

Yours truly,
MHBC



Kory Chisholm BES, M.Sc., MCIP, RPP
Partner



Opani Mudalige, Hon.BA, M.Sc., MRTPI
Intermediate Planner

cc. PBM Realty Holdings Inc. | Leanna Amaral

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C24.

October 4th, 2024

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Ms. Crooke and Ms. Kitsemetry
Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

RE: Request for Modifications to the City of Barrie's Third Draft of the New Zoning By-law and Second Draft of the New Design Guidelines
158 Dunlop Street East - McCowan & Associates Ltd.
400 Bayfield Street – Ron McCowan
521 Bayfield Street – Partners REIT

On behalf of the Owners noted above, (the "Client"), we are submitting this letter in response to the City of Barrie's third draft of their new Comprehensive Zoning By-law ("New ZBL") and the second draft of their new City-Wide Community & Sustainable Design Guidelines ("Design Guidelines"). We note that a public meeting was scheduled for October 1st, 2024, but was postponed to a future date that is yet to be determined. Comments were requested by October 4th, 2024, to gather feedback on the third draft of the New ZBL. It is understood that once finalized, a staff report with the final New ZBL and Design Guidelines will be presented to Council for consideration and endorsement sometime in the future.

The comments in this letter pertain to three separate sites in the City of Barrie owned by our Client which are municipally addressed as 158 Dunlop Street East, 400 Bayfield Street and 521 Bayfield Street (landholdings are shown in **Figures 1, 2 and 3**).

Figure 1: Location of 158 Dunlop Street East Lands



Figure 2: Location of 400 Bayfield Street Lands

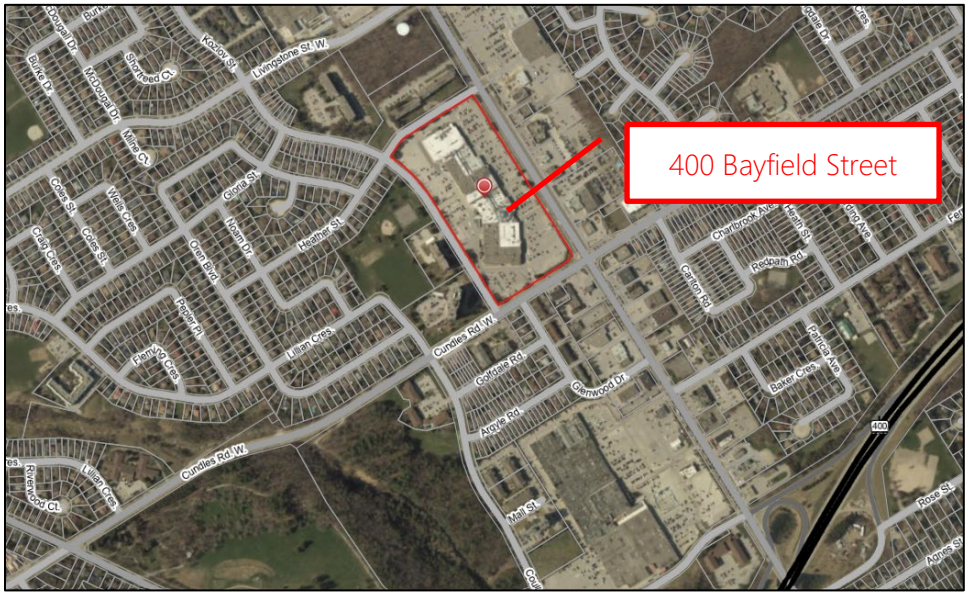
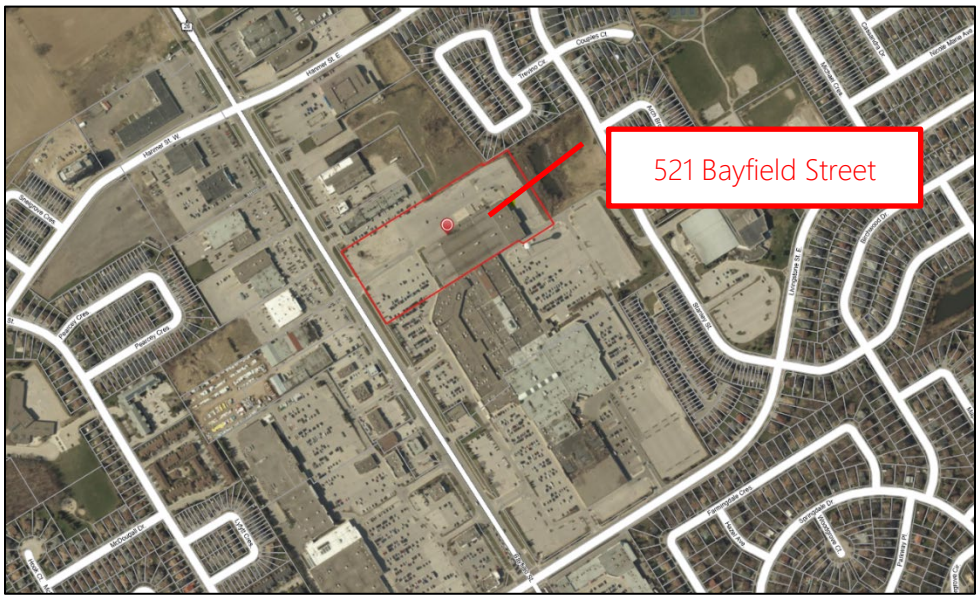


Figure 3: Location of 521 Bayfield Street Lands



The purpose of this Comment Letter is to request that the City of Barrie make changes to the New ZBL and Design Guidelines to better align with the new approved Official Plan (the "New OP"), inclusive of Provincial modifications. Comments are further addressed in more detail below in the remaining sections of this Commenting Letter.

We reserve our right to continue to review and provide additional comments throughout the development process of new New ZBL and Design Guidelines.

Comments for each of the above-noted properties are provided under separate sub-headings below:

158 Dunlop Street East

Under the City of Barrie's Zoning By-law 2099-141 (the "Current ZBL"), 158 Dunlop Street East is currently zoned the Central Area Commercial Exception One (C1-1) Zone. Under the New ZBL, 158 Dunlop Street East is proposed to be zoned the Urban Core (UC) Zone with an Urban Growth Centre (UGC) Overlay.

1. <u>Parking Standards</u>

We note that 158 Dunlop Street East is located within District 2 (Urban Growth Centre) of the New ZBL's Parking District Map. We support the proposed reduced minimum parking standards for the Parking District 2 area as this will promote more efficient development and reduce required parking where supported; however, we do not support the proposed maximum parking standards for Parking District 2. There may be circumstances where it is appropriate to provide additional parking above

and beyond the minimum zoning requirements as dictated by the market. Having maximum parking standards would be too restrictive and would lead to several concerns such as:

A. While the City's vision to transition to higher densities and transit-oriented development within the Urban Growth Centre is supported, the imposition of restrictive maximum parking provisions in these areas assumes a City that has a robust public transit network which is not the case in Barrie at present.

B. Imposing maximum parking provisions for residential and non-residential uses will restrict and discourage important retail / commercial uses preventing the area from developing into a complete community. These maximums discourage uses such as pharmacies, restaurants, fitness centres and 2-3 bedroom residential units from locating in these areas and forces them to locate in other areas of the City that are less accessible by transit. This will negatively impact residents that rely on transit at present to access these uses and those who will benefit from them being located in the areas better served by transit.

C. Given the cost to build parking, the market will naturally push to have the least amount of parking spaces required for a given project, based on the proposed use and built form. The reduced minimum parking requirements in these areas will naturally drive down overall parking supply while maintaining the flexibility to provide the appropriate amount of parking for uses that require more parking.

D. The City of Barrie's new Official Plan includes policies such as Section 2.3.2 that encourage a diverse range and mix of uses including attracting food retailers within the Urban Growth Centre (UGC), which the Subject Lands are located within. The imposition of maximum parking requirements will serve to discourage certain important uses from the area including food retailers.

2. Continuation of Existing Permitted Uses and Confirmation of Interpretation

As our Client would like to keep his options open for potential redevelopment, it is important that all existing permitted uses from the current Central Area Commercial Exception C1-1 Zone zone continue to be carried forward.

Based on our review of the New ZBL, the following uses are currently identified as being permitted in the existing C1-1 Zone but are not proposed to be carried forward within the new Urban Core (UC) Zone:

- Art Gallery;
- Assembly Hall;
- Automotive Service Station;
- Building Supply Centre;
- Bus Terminal;
- Bus Transfer Station;
- Child Care;
- Custom Workshop;
- Data Processing Centre;
- Nursery or Garden Supply Centre;

- Recreational Establishment;
- Religious Institution;
- Rental Store;
- Shopping Centre;
- Trade Centre; and
- Veterinary Clinic.

We request confirmation that all of the above-noted uses will be carried forward as part of the proposed UC Zone in the New ZBL.

We also note that the following proposed uses appear to only be permitted as part of a mixed-use development:

- Commercial Entertainment;
- Commercial School;
- Commercial Uses;
- Fitness or Health Club;
- Gaming Establishment;
- Laundry or Dry Cleaner;
- Local Convenience Retail;
- Repair Service;
- Restaurant;
- Retail Store; and
- School.

We request that these uses not be restricted as being only permitted if forming part of a mixed-use development, as there may be scenarios where it is appropriate for these uses to be standalone uses.

<u>Confirmation of Interpretation</u>

All the uses identified below are permitted within the existing Shopping Centre Commercial (C3) zone. We request confirmation that these uses are carried forward to the new Commercial District 2 (CD2) zone under different uses.

- Parking Lot > carried forward as Parking, Commercial
- Entertainment Establishment > carried forward as Commercial Entertainment
- Florist > carried forward Retail Store
- Office, Medical > carried forward as Health Services Facility
- Photography Studio > carried forward as Personal Services
- Private Club > carried forward as Community Facilities and Arcade and Game Establishment
- Library > carried forward as Institutional Uses

400 Bayfield Street & 521 Bayfield Street

Under the City of Barrie's Zoning By-law 2099-141 (the "Current ZBL"), 400 Bayfield Street is currently zoned the Shopping Centre Commercial Exception (C3 (SP-14)) Zone and 521 Bayfield Street is zoned the Shopping Centre Commercial (C3) Zone. Under the New ZBL, 400 and 521 Bayfield Street are both proposed to be zoned the Commercial District (CD2) Zone.

1. Parking Standards

We note that 400 and 521 Bayfield Street are both located within Parking District 3 (Strategic Growth Areas / Intensification Corridors) of the New ZBL's Parking District Map. Overall, we support the proposed reduced minimum parking standards for Parking District 3 as this will promote appropriate development to maximize efficiency of land use and reduce parking where the market conditions will support it.

While we appreciate that there is no maximum parking standard for grocery store uses, we do not support the proposed maximum parking standards for any other non-residential uses in Parking District 3 and request that they be removed from the final new ZBL. Maximum parking standards are overly restrictive and will have a number of negative consequences such as:

E. While the City's vision to transition to higher densities and transit-oriented development within the identified Strategic Growth Areas and Intensification Corridors is supported, the imposition of restrictive maximum parking provisions in these areas assumes a City that has a robust public transit network which is not the case in Barrie at present.
F. Imposing maximum parking provisions for residential and non-residential uses will restrict and discourage important retail / commercial uses preventing these areas from developing into complete communities. These maximums discourage uses such as pharmacies, restaurants, fitness centres and 2-3 bedroom residential units from locating in these areas and forces them to locate in other areas of the City that are less accessible by transit. This will negatively impact residents that rely on transit at present to access these uses and those who will benefit from them being located in the areas better served by transit.

G. Given the cost to build parking, the market will naturally push to have the least amount of parking spaces required for a given project, based on the proposed use and built form. The reduced minimum parking requirements in these areas will naturally drive down overall parking supply while maintaining the flexibility to provide the appropriate amount of parking for uses that require more parking.

H. The City of Barrie's new Official Plan includes policies such as Section 2.3.3 that encourage a diverse range and mix of uses including attracting food retailers within Strategic Growth Areas (SGA) such as along Bayfield Street, which the Subject Lands are located within. The imposition of maximum parking requirements will serve to discourage certain important uses from these areas including food retailers.

We do not support minimum short-term and long-term bicycle parking requirements for all residential and non-residential uses in Parking District 3. Minimum long term (indoor) bicycle parking standards are not necessary for non-residential uses as different commercial uses are characterized by different customer volumes, frequencies and length of stay. Setting a predefined minimum standard for long-term indoor bicycle parking would take a "one size fits all" approach which is not compatible with a diverse range of commercial uses and has the potential to negatively impact the efficient use of commercial space. Additionally, we question why residential uses within Parking District 3 would require both one long-term indoor and one short-term outdoor bicycle parking space per unit. It is

very unlikely that there will be demand in every residential unit for a long-term indoor bicycle parking space. Further, as short-term outdoor bicycle parking is generally meant to serve visitors rather than residents, it is very unlikely that visitor bicycle parking needs would ever approach one space for every residential unit at a any given time. Short-term (outdoor) bicycle parking spaces equipped with racks or stands provide the most flexible and scalable option to meet a variety of residential and commercial needs. We expect that the market will meet the short-term (outdoor) and long-term (indoor) bicycle parking demands on a case-by-case basis for different residential buildings and commercial businesses. We believe that bicycle parking considerations are most appropriate for the new City-Wide Design Guidelines and not a rigid requirement in the Zoning By-law.

Section 4.6.4 of the new ZBL would require that Low-, Mid- and High-Rise Buildings, including Flex-Buildings, provide all required parking spaces as Electric Vehicle Ready Parking (EVRP), and further, that 20% of all required parking spaces associated with commercial and industrial uses be EVRP spaces. We are concerned that the effect of such a requirement would mean that any intensification through the addition of new commercial or residential uses would be burdened with the significant costs of retrofitting existing paved parking lots.

2. Confirmation Standalone Residential Uses Continue to be Permitted

We understand the intent of the Commercial District Two (CD2) zone is to permit a wide range of commercial, mixed-use, and residential development. Section 8.7.1a) of the By-law states *"50% of the ground floor gross floor area of a lot shall be used for non-residential uses",* while Table 53: CD2 Building Standards requires a minimum commercial gross floor area of "*50% of the Ground Floor Gross Floor Area.*"

We request clarification from the City as to why Section 8.7.1a) references "*non-residential uses*" while Table 53 references "*commercial*" uses. Additionally, we request confirmation that standalone residential uses are permitted in the CD2 Zone so long as the sum of the ground floor residential uses of all buildings on the lot does not exceed 50% of the sum of ground floor gross floor areas of all buildings on the lot, and that this will be identified in the updated Zoning By-law.

Additionally, it is noted that as per the New Zoning – Special Provisions map, the existing SP-14 is proposed to be removed from 400 Bayfield Street. We request that the following site-specific use under SP-14 be carried forward as part of the proposed CD2 Zone:

- Radio transmission establishment together with related studio uses, including a transmission tower of no greater than 12 metres in height from the roof level of the existing structure located thereon shall be permitted.

3. Introduction of Amenity Area Requirements

In addition to requiring a minimum private amenity area of $5m^2$ per unit, the new ZBL would also require a minimum common amenity area of $10m^2$ per unit for Mid-Rise and High-Rise buildings in the CD2 zone. This results in a significant $15m^2$ of amenity area combined for each unit.

Incorporating 10m^2 of common outdoor amenity area in a consolidated form is not an efficient or compatible use of land in a commercial zone, and would be challenging to implement. The Planning Act requires that new developments either provide parkland or a cash-in-lieu payment for public parkland elsewhere. Residents in the CD2 zone would benefit from access to the City's public parks and their own private amenity areas in the form of balconies, terraces, etc. and therefore common amenity areas are not needed. For these reasons, the requirement for a minimum common amenity area for dwelling units in Mid-Rise and High-Rise buildings in the CD2 zone should be removed.

The new ZBL defines "*Amenity Area, Common*" as follows:

"Means any outdoor amenity area which is a common area available to occupants of the building(s) on the same lot. Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are associated with recreational facilities that are provided and maintained, such as swimming pools, tennis courts, lounges etc."

We question why rooftops, patios and above ground decks Can only be included in the common amenity areas if they are associated with specific recreational facilities. This language is overly prescriptive and we request that it be revised as follows:

"Amenity Area, Common"
Means any indoor and/or outdoor amenity area which is a common area available to occupants of the building(s) on the same lot. Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are associated with recreational features amenity features that are provided and maintained, such as swimming pools, tennis courts, seating, communal cooking facilities, recreation facilities, lounges etc.

The new ZBL defines "*Amenity Area*" as follows:

"Means an indoor or outdoor communal area designed for active or passive recreational uses, such as, but not limited to, children's play areas, seating areas, sports facilities and fitness rooms for the shared use of the occupants of a residential development. Shall not include any required landscaped area, planting buffer or parking Lot."

The new ZBL defines "*Landscaped Area*" as follows:

"Means open space comprised of lawn and ornamental shrubs, flowers and trees and may include incidental landscaping accessories such as boulders, sculptures, fountains and ponds, paths, walkways, patios and hard-surfaced areas. Shall not include parking lots or driveways or any required amenity area and planting buffers."

We question why the calculation of landscaped open space cannot include amenity areas and why amenity areas cannot include any landscaped areas. Many outdoor amenity areas are inherently comprised of landscaped open areas comprised of lawn, plantings, and landscaping accessories such as boulders, sculptures, fountains and ponds, paths, walkways, patios and hard-surfaced areas. Excluding landscaped areas from amenity areas and amenity areas from landscaped areas is overly

prescriptive, will significantly compromise the ability to accommodate both on a site, and adds significant complexity to the calculation. For these reasons, we request that the definition of "Amenity Area" be revised to state "May include any landscaped area in a rear or interior side yard", and the definition of "Landscaped Area" be revised to state "May include any required outdoor amenity area".

4. Continuation of Existing Permitted Uses and Confirmation of Interpretation

As our Client operates existing retail centres at both 400 Bayfield and 521 Bayfield sites, and would like to keep his options open for potential redevelopment, it is important that all existing permitted uses from the current Shopping Centre Commercial (C3) and (C3 (SP-14)) zones continue to be carried forward.

Confirmation of Interpretation

All the uses identified below are permitted within the existing Shopping Centre Commercial (C3) zone. We request confirmation that these uses are carried forward to the new Commercial District 2 (CD2) zone under different uses.

- Entertainment Establishment > carried forward as Commercial Entertainment
- Florist > carried forward Retail Store
- Kennel in wholly enclosed building > Carried forward as Animal-related Services
- Office, Medical > carried forward as Health Services Facility
- Parking Lot > carried forward as Parking, Commercial
- Photography Studio > carried forward as Personal Services
- Private Club > carried forward as Community Facilities and Arcade and Game Establishment
- Library > carried forward as Institutional Uses

5. Transition Policy for Approved Site Plan Applications

Section 1.10b) of the new ZBL introduces a transition policy for lands with approved Site Plan applications, which reads as follows:

"b) If owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction"

As it relates to 1.10 b) clarification is requested with respect to what constitutes an approved Site Plan application. Similarly, it is requested that transition provisions also be provided for circumstances in which an amendment is received to an approved Site Plan application within the transition window. Additionally, clarification is requested with respect to what the City considers to be construction having started in the context of 1.10. It is recommended that "started construction" should relate to the commencement of site alteration.

In this regard, our Client concurs with the suggested transition language provided within correspondence by Jones Consulting:

1.10 b) Lands subject to application for Site Plan Control approval that has been deemed complete by the City of Barrie, will be transitioned from this By-law and reman subject to the provisions of By-law 2009-141. This transition continues in the event that subsequent implementing approvals are required such as, but not limited to, condominium applications, site plan amendments lifting Holding provisions or extensions to approval timelines.

General Urban Design Related Zoning Requirements

It is noted that there are several urban design guideline-related zoning requirements proposed in Section 3 'General Standards and Provisions' and Section 7 'Urban Zones' of the New ZBL and it is requested that these requirements be removed from any future drafts of the New ZBL.

The purpose of urban design guidelines is to provide a variety of best practices that are to be considered for any proposed development, if applicable. In most cases, urban design guidelines are flexible in their application as some guidelines may be feasible or appropriate in certain circumstances. Essentially, they are simply 'guidelines'. Imposing urban design guideline-related zoning requirements within the New ZBL will severely restrict the design of developments and would most certainly result in many variances being requested to diverge from any of the urban design guideline-related requirements that are not feasible or appropriate in the context of a specific development and/or use.

It is acknowledged that when the New ZBL was drafted, the adopted New OP contained many prescriptive urban design policies. Since the release of the City's New ZBL, the Province announced the final approval of the New OP, which contained many alterations to the adopted version. Many of these alterations specifically were revisions to the prescriptive urban design policies by adjusting them in a way to be more inherently flexible as opposed to prescriptive. We anticipate that for the New ZBL to conform to the New OP, these urban design guideline-related zoning requirements will be removed from New ZBL and instead, be included in the City's new Urban Design Guidelines document.

Itemized Comments/Requested Modifications

**These are identified in order that they appear within the New ZBL*

Number	**3rd Draft New ZBL Section #**	**Comment/Request**
Section 3 – General Standards and Provisions		
1	3.2.1 – Active Frontage Requirements	These provisions are overly prescriptive and should be removed and are more appropriate as Urban Design Guidelines.
2	3.2.2 – Angular Plane	Minimum Transition/Angular Plane provisions should be removed as design objectives can be

		achieved without the need for an angular plane on every building.
3	3.2.4 – Builing Step-Backs and Setbacks	Minimum Step-back requirements should be removed, as design objectives can be achieved without the need for a step back on every building.
4	3.2.5 – Buildings to Transition to the Neighbourhood Low Zone	These provisions are overly prescriptive and should be removed and are more appropriate as Urban Design Guidelines.
5	3.2.7 – Facing Distances	Minimum Facing Distances are inappropriate and should be removed.
6	3.2.8 – Floor Plate and Podium Lengths	These provisions are overly prescriptive and should be removed and are more appropriate as Urban Design Guidelines.
7	3.2.11 – Window to Wall Ratio	These provisions are overly prescriptive and should be removed and are more appropriate as Urban Design Guidelines.

Number	**3rd Draft New ZBL Section #**	**Comment/Request**
Section 7 – Urban Zones		
1	Section 7.6, Table 43 - Permitted Buildings and Structures	Rowhouses and Low-Rise Buildings should be identified as permitted uses within the UC Zone and should not be limited to permitted for transition only.
2	7.7.1 a) Entrance Standards for Urban Zones	This should be removed. Mandating the number of active entrances based on metres of street line is inappropriate. Many uses limit active entrances for security and operational purposes. If desired, this should be addressed within the City's Urban Design Guidelines.
3	7.7.1 b) Entrance Standards for Urban Zones	This should be removed. Mandating that active entrances be within 0.2 metres of finished grade is inappropriate. Site-specific conditions and design requirements may necessitate more grade differential to the entrances. If desired, this should be addressed within the City's Urban Design Guidelines.
4	7.7.2 a) - c) Exterior Finishes	These three zone provisions all mandate specific materials related to windows and exterior building walls. This is inappropriate to be mandated within a Zoning By-law and should be removed. If desired, this should be addressed within the City's Urban Design Guidelines.

5	7.7.4 Mixed-use Development	This should be removed. It is not appropriate to mandate a minimum of two uses in every new building within the Urban Zones that front onto arterial and collector streets. If desired, this should be addressed within the City's Urban Design Guidelines.

PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2ND DRAFT)

Upon initial review of the proposed new Design Guidelines, we appreciate that the language used is generally flexible and not prescriptive in nature.

We acknowledge that the language used within Sections 1.1 'Purpose' and 1.2 'Application of the Guidelines' indicates that the new Design Guidelines are aspirational in nature but are ultimately flexible in their application and not prescriptive or mandatory.

However, we do have concerns that this language is not abundantly clear on how they are to be interpreted and applied moving forward and request that clearer language be included.

We request the following language be inserted into Section 1.2 of the new Design Guidelines, which mirrors language used in the City of Barrie's new Official Plan:

1.2 Application of the Guidelines

The City-Wide Community & Sustainable Design Guidelines document is a key tool for achieving the design excellence envisioned by the City. They shall be applied as follows:

a) *The City-Wide Community & Sustainable Design Guidelines should be followed to the greatest extent possible within reason for each development;*
b) *If any relevant guidelines cannot be achieved on a site, then an urban design brief must be completed demonstrating how the spirit and intent of the relevant guideline(s) are to be maintained for that development.*

It is acknowledged that much of the design direction contained within the City-Wide Community & Sustainable Design Guidelines is aspirational in nature and is not expected to be fully realized in the short to medium term. The City's intent is for development and built form to incrementally move in the design direction identified through the Design Guidelines including the built form identified in the sample Demonstration Plans provided within the Design Guidelines. It is not an expectation of the City that individual sites will achieve this full design direction immediately.

We also request that the following paragraph within Section 1.2 'Application of the Guidelines' be amended as outlined below in order to include recognition of the City's Zoning By-law:

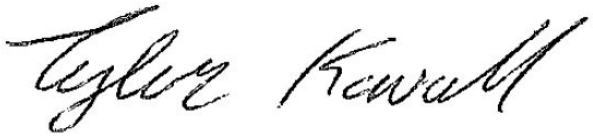
"Where a conflict exists, the direction contained in the Official Plan, Zoning By-law, Heritage Conservation District Plans, Secondary Plans, or Area-Specific Plans will prevail over the City-Wide Community & Sustainable Design Guidelines except in special cases where the City may give preference to the City-Wide Guidelines."

We may provide further comments on the proposed Community & Sustainable Design Guidelines in the future.

Kindly notify us of any and all reports, studies, public and/or statutory meetings as well as City Council decisions made with respect to the New ZBL.

Yours truly,
MHBC





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Intermediate Planner

cc Ron McCowan | McCowan & Associates Ltd.

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C25.

October 4, 2024

M. Banfield, Director of Development Services
City of Barrie
70 Collier St., PO Box 400
Barrie, ON L4M 4T5 e: newzoningbylaw@barrie.ca
Address

Dear New Zoning By-law Team:

RE: Draft 3 Zoning By-law (September 2024): City of Barrie
Review, Comments and Recommendations – 303 Cundles Road East
OUR FILE 10179S

MacNaughton Hermsen Britton Clarkson (MHBC) represent PenEquity Inc. (on behalf of Penady (North Barrie) Limited) ('PenEquity') for land use planning matters related to their lands at 303 Cundles Road East, located between Provincial Highway 400 to the south and Cundles Road East to the north ('Subject Lands'). The Subject Lands have an approximate lot area of 1.94 ha (4.79 acres) and currently remain as vacant lands. These lands are within a 450 m radius of existing commercial uses.

SUBJECT LAND CONTEXT: Existing Developments
To provide context for the comments regarding the Draft 3 Zoning By-law ('ZB3'), it is important to provide the proposed and existing uses that abut the Subject Lands:

South: Provincial Highway 400;
West: Community Hub – recently developed six (6) storey residential apartment buildings;
North: Community Hub – Institutional Use – existing Barrie Free Methodist Church
East: Commercial Area – North Barrie Crossing Mall

SUBJECT LANDS: OFFICIAL PLAN
The Subject Lands are within a Strategic Growth Area (SGA), based on the City of Barrie: Official Plan 51 ('OP'), Map 1: Community Structure. This SGA extends from just west of St. Vincent Street, north of Hwy 400 and south of Cundles Rd E eastward to where Cundles Rd E passes J.C. Massie Way and crosses Hwy 400 near Lakeside Trail. According to OP, s.2.3.3.c and s.2.3.3.h:

> ***Strategic Growth Areas shall accommodate*** *higher levels of intensification,* ***tall buildings, higher densities,*** *and will be planned to evolve as distinct places of major activity around planned transit facilities, primary gateways into the City, and existing regional shopping destinations.*
> *Higher densities and taller built form will be encouraged within Strategic Growth Areas.*

Under section 3.2.1.c Human Scale Design, MMAH modification 31 noted:

> *Height and density are built form characteristics that are interrelated. Given this, proposed developments must seek a balance between height and density that is context sensitive, recognizing that areas including intensification corridors,* ***Strategic Growth Areas****, Major Transit Station Areas and the Urban Growth Centre are the focus for* ***increased heights and densities*** *and will experience built form changes to achieve the City's stated goals of evolving into a medium-sized City.*

ZONING CONTEXT: Existing vs Draft Revisions

Under Zoning By-law 2009-141, the Subject Lands are currently zoned Commercial (C4) with Special Provisions (SP-520; SP-530; and SP-638). This Commercial zoning aligns with the abutting property to the east that contains a commercial plaza. Lands to the north and west are currently zoned Institutional (I and I-E), with the Institutional (I-E) zone containing two six-storey residential buildings with surface parking situated along the Subject Lands' western lot line.

SUBJECT LANDS: CHANGING ZONE DISTRICTS and STANDARDS 2009 to 2025 CURRENT ZONE DISTRICT vs DRAFTS 1 to 3 NEW ZONING BY-LAW			
Date	**Zoning By-law Version**	**Zone District**	**2023 Special Provisions (s.13.2.110) (SP-520; SP-530; SP-638) (By-law 2023-89)**
2009 to 2025	Current ZB 2009-141	General Commercial (C4 (SP-520; SP-530))	• 12 storey building height maximum (s.13.2.110.a.a.ii) • Stand-alone residential building of 6 storeys with maximum of 196 dwelling units • 505 additional residential dwelling units (maximum) (s.13.2.110.a.a.iii) • 3.4 m minimum rear yard setback, outside of 14 m MTO ROW setback
Date	**ZBR Versions**	**Zone District**	**Revised Provisions (excerpt of standards)**
March, 2023	Draft 1	Commercial District 2 (CD2 (SP520; SP-530))	Permitted Built Forms: • Mid-Rise and High-Rise buildings • Low-Rise permitted as sub-component of Mid- and High-Rise Residential use permitted in conjunction with permitted commercial uses
June, 2023	Draft 2	Medium Density Residential MR1	Permitted Built Forms: • Mid-Rise: 5 to 8 storeys 75 m building length • Low-Rise: 2 to 4 storeys 60 m building length • 75 m building length Special Provisions: **keep SP-520; SP-530** Parking District 2
Sept, 2024	Draft 3	Medium Density Residential MR1 (Appendix 1???)	Permitted Built Form: • Mid-Rise: 5 to 8 storeys 65 m building length

			Repeal of Special Provisions (s.1.5.a) – repeal ZB 2009-141

After the release of the second Draft Zoning By-law, the Development Services department submitted Staff Report DEV059-23, "New Zoning By-law Update" to the City of Barrie General Committee on November 1, 2023, that recommended the following, regarding Existing Zoning Appro
5. Existing Zoning Approvals and Special Provisions

That, as appropriate, Zoning By-law amendment applications approved prior to the enactment of the draft new Zoning By-law, be carried forward as part of the body of the draft Zoning By-law under a new 'special provisions' section.

Given that the Subject Lands had recently received approval of Special Provisions, as noted in the above chart, it is unclear why the third draft Zoning By-law does not contain a new Special Provisions section as recommended. The concern is that development planning and investment in such plans is based on the approved Special Provisions granted for the Subject Lands.

It appears that City has now proposed to repeal in-effect special provisions such that the Subject Lands will no longer be subject to the current lot-specific zoning standards recently sought that provided for increased supply of residential units within a higher building height. The Draft ZB's proposed zoning for the Subject Lands completely alters not only the zoning but the more permissive design standards and the list of permitted uses that have applied to the property to date.

GENERAL ASSESSMENT/COMMENTS and RECOMMENDATIONS:

1. **Transition to Form-Based Code**

   The City of Barrie's 'Building Barrie' web page outlines that the aim of a form-based approach to zoning is as follows:

   to create greater flexibility in land use and make it easier for residents, businesses, and industry stakeholders to use the by-law.

   With the removal of Special Provisions, and the regulatory design standards now introduced to the ZB, the regulations are now less flexible than in ZB 2009-141.

   While the City claims that a form-based approach to zoning is to split uses from built form, it is adding more restrictions to this format by introducing excessive building design standards of all the built form features. This is not the actual intent of a form-based approach. The intent is to provide broad building envelope parameters within lot line setbacks to simplify and provide flexibility for architectural design and interpretation that is specific to a property's context. The character of that built form should have been characterized within interpretable policies of the Official Plan.

2. **Design Standards**

   In the proposed third draft ZB, the City has introduced building design regulations that are more appropriate within an Urban Design Guideline. Public comments that the City received in

early 2023 questioned the appropriateness of design regulations of window-to-wall ratio, step-backs, facing distances, angular planes and building length standards. The City has ignored these concerns yet they remain relevant and applicable to the third draft ZB and negatively impact the development of the Subject Lands.

The rationale for these building design regulations, specifically in regard to Window-to-Wall Ratio was contained in a November 1, 2023 Staff Report (item 34), wherein the authors incorrectly noted that the Planning Act, s.34.1(5) (which should have referenced s.34(1)5) supported having such ratios within the Zoning By-law. This is an incorrect application of the legislation, as the legislation speaks only to the 'elevation' of building openings:

> 34(1) Zoning By-laws
> *Minimum elevation of doors, etc.*
> 5. *For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality.*

This regulation would only be applicable to buildings and structures within, or near Hazardous Lands, such as floodplains, and that are susceptible to flooding hazards. The elevation of building apertures to higher levels above a 1:100 flood event is the intent of the legislation. It is not applicable to design elements of buildings, such as window to wall ratios.

The approach of a municipality designing buildings through zoning regulations removes the opportunity for creative and vernacular architectural design. Such restrictive design regulations will serve to increase the cost of development. These costs, in the case of residential buildings, are borne by purchasers as the design elements are based on high quality standards. This negatively impacts the provision of affordable housing.

Step-backs, angular plans and building length maximums will also reduce the amount of units that could be achieved within every new building, as the floor areas will be greatly reduced by each separate design regulation (e.g. step-back + facing distance + angular plane + building length = multiple unit loss). Such loss is contrary to the Provincial Interest which is to intensify lands in compact form while increasing the quantity of residential units.

3. Permitted Uses and Site-Specific Provisions

Between the current ZB 2009-141 commercial C4 zone and Special Provision permitted uses of the Subject Lands and the third draft Zoning By-law, it is unclear what the rationale has been in terms of adding and/or deleting permitted uses between current and proposed. A chart has been added, (see attached Appendix 1), that highlights the change in permissible uses. It has not been established what the rationale has been for the multiple changes to the permissible uses of the Subject Lands. It is preferable that the current C4 permitted uses should be maintained for the Subject Lands along with the recently sought Special Provisions.

The City has noted in their Staff Reports that they received many comments requesting that site-specific uses and zone provisions be carried forward into the new Zoning By-law. The City did continue to propose site-specific uses within the second Draft ZB, but has now removed Special Provisions other than for active development applications currently under review by the City.

It is assumed that the rationale for removal of Special Provisions is to enforce a new built form and uses, specifically for the Subject Lands, irrespective of the increased residential unit count potential. While this repeal of existing Special Provisions may also be an attempt to create a 'clean' new Zoning By-law, it should be noted that the *Planning Act* permits applications to amend the Zoning By-law, and rather than prohibit or restrict such applications:

> *34(10 By-law may be amended*
> *(10) Despite any other provision of this section, any by-law passed under this section or a predecessor of this section may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed. R.S.O. 1990, c. P.13, s. 34 (10).*
>
> *Consultation*
> *(10.0.1) The council shall permit applicants to consult with the municipality before submitting applications to amend by-laws passed under this section. 2024, c. 16, Sched. 12, s. 5 (3).*
>
> *Prescribed information*
> *(10.1) A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council. 1996, c. 4, s. 20 (5).*

4. Section 4: Parking and Loading Requirements

In the proposed third draft ZB, there have been new proposed requirements regarding Electric Vehicle Ready Parking ("EVRP") and new Bicycle Parking requirements proposed for residential and commercial developments. Section 4.6b) states that Low-, Mid-, and High-Rise Buildings, including Flex-Buildings, shall provide all required parking spaces as EVRP. Section 4.6c) states that 20% of all required parking spaces associated with commercial and industrial uses, shall be EVRP spaces. Both of these requirements have considerable cost and hydro requirements that will impact a developer's ability to design and facilitate a development project.

Similarly, Section 4.8 speaks to the City's new proposed parking requirements that, for a building containing 10 or more Dwelling Units (within District 3 (Strategic Growth Areas and Intensification Corridors as the Subject Lands are proposed), such a development will be required to provide 1 space per dwelling unit via both a long-term and a short-term bicycle parking spot. This is considerable, in terms of the area required

(especially in the case of a mid-rise or higher development), as it is essentially requiring 2 spaces per dwelling unit. Given the location of this property, it is still considered a suburban area where the majority of travel is achieved via a motorized vehicle.

RECOMMENDATIONS

In context that there has been limited discussion regarding the most recent third draft ZB, the following represents revisions that would serve as more 'flexible' zoning regulations for a form-based ZB:

1) **Special Provisions**
   Include a new section that retains the special provisions of those properties identified in Appendix A of the third draft ZB;

2) **Design Guidelines**
   Remove all regulations pertaining to building design features and defer to the Official Plan design policies and the Design Guidelines document. Or, as an alternative, amend the Official Plan to identify the character that is sought within each land use designation.

3) **Electric Vehicle (EV) and Bicycle Parking Requirements**
   Parking requirements regarding Electric Vehicle Ready Parking and Bicycle Parking should be reconsidered and significantly reduced. These requirements will have a significant cost implication to any developer, impacting the amounting of space required, the size, availability and capacity of hydro transformers which will generally hinder the ability to intensify lands. On the other hand, remove the EV regulatory requirements until such time as a feasibility study is undertaken by the City to ascertain whether Alectra Utilities has the electrical system capacity to service EV requirements within Strategic Growth Areas, such as throughout the Cundles Road East SGA.

CONCLUSION

We appreciate the opportunity to provide our comments regarding the third draft Zoning By-law and would welcome an opportunity to meet with City staff to discuss the revisions that may be undertaken to achieve both the City's vision and our vision for the Subject Lands.

Yours truly,

MHBC



Oz Kemal, BES, RPP, MCP
President

cc. PenEquity

APPENDIX 1

Comparison Chart: CB 2009-141 to Draft 3 Zoning By-law: Permitted Uses and Zoning Provisions				
		Permitted Use		Not permitted
Permitted Uses	**ZB 2009-141: General Commercial (C4)**	**3rd Draft ZB: Mid-Rise 1 (MR1)**	**3rd Draft ZB: Commercial District (CD2)**	**Special Provision C4(SP-638)(SP-520)(SP-530)**
Accessory Retail				a) That notwithstanding the provisions set out in site specific By-law 2010-130 as amended, for the 'General Commercial with Special Provisions' (C4)(SP520)(SP-530) zone, Special Provision (SP-638) be added as follows: a. Residential uses are permitted on the lands known municipally as 303 Cundles Road East, as part of a larger commercial/institutional and residential development, with the following special provisions: i. A minimum rear yard setback of 3.4 metres, outside of the 14 metre setback required by the Ministry of Transportation for Highway 400. ii. A maximum height of 45 metres (12 stories). iii. A maximum of 505 additional residential dwelling units. b) Be permitted a residential building(s) of 6 storeys and have a minimum of 65
Adult Entertainment Parlour				
Animal-related Services				
Arcade or Game Establishment				
Arena				
Art Gallery				
Assembly Hall				
Assisted Living Facility				
Automotive Leasing Establishment				
Automotive Repair Establishment				
Automotive Sales Establishment				
Automotive Service Station				
Bake Shop				
Bank				
Bed and Breakfast Establishment(1)				
Bingo Hall				
Boarding, Lodging, Rooming House				
Body Rub Parlour				
Building Supply Centre				
Bus Terminal				
Bus Transfer Station				
Car Wash				
Cemetery				
Child Care Centre				
College				
Commercial Entertainment				
Community Facilities				

Comparison Chart: CB 2009-141 to Draft 3 Zoning By-law: Permitted Uses and Zoning Provisions				
		Permitted Use		Not permitted
Commercial School				residential units and a maximum of 196 residential units.
Commercial Uses				
Community Centre				
Conference Centre				
Custom Workshop				
Data Processing Centre				
Dormitories				
Drive-Through Facility				
Dwelling Unit(s) in conjunction with permitted commercial uses except defined automotive uses				
Entertainment Establishment				
Farmer's Market				
Fitness or Health Club				
Florist				
Food/Refreshment Stands				
Food/Refreshment Vehicle				
Funeral Establishment				
Golf Driving Range (indoor)				
Government Services				
Grocery Story				
Group Home				
Health Services Facility				
Home Occupation				
Hotel, Motel				
Hospice				
Hospitality				
Institutional Uses				
Kennel in wholly enclosed building				
Laundry or Dry Cleaning Depot				
Library				
Live-Work Space				
Local Convenience Retail				
Lodging Unit				

Comparison Chart: CB 2009-141 to Draft 3 Zoning By-law: Permitted Uses and Zoning Provisions				
		Permitted Use		Not permitted
Long-Term Care Facility				
Major Office				
Major Retail				
Marina				
Micro Brewery				
Micro Distillery				
Miniature Golf (outdoor)				
Mobility Hub(s)				
Nightclub				
Nursery or Garden Supply Centre				
Office				
Office, Medical				
Outdoor Display and Sales Area				
Outdoor Patio				
Outdoor Recreation				
Parking, Commercial				
Parking Lot				
Personal Service Store				
Photography Studio				
Place of Worship				
Private Club				
Recreational Establishment				
Rental Store				
Residential				
Restaurant				
Retail Store				
School				
Self Storage				
Service Store				
Shared Accommodation				
Shopping Centre				
Social Services Facility				
Studio				
Supportive Housing				
Taxi Establishment				
Theatre				
Training and Rehabilitation Centre				

MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C26.

October 4, 2024

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Ms. Crooke and Ms. Kitsemetry
Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

RE: Request for Modifications to the City of Barrie's Third Draft of the New Zoning By-law and Second Draft of the New Design Guidelines – 3251586 Canada Inc. – Yonge GO Village East – 759 Yonge Street

On behalf of 3251586 Canada Inc. (the "Client ") we are submitting this letter in response to the City of Barrie's third draft of their new Comprehensive Zoning By-law ("New ZBL") and the second draft of their new City-Wide Community & Sustainable Design Guidelines ("Design Guidelines"). We note that a public meeting was scheduled for October 1st, 2024, but was postponed to a future date that is yet to be determined. Comments were requested by October 4th, 2024, to gather feedback on the third draft of the New ZBL. It is understood that once finalized, a staff report with the final New ZBL and Design Guidelines will be presented to Council for consideration and endorsement sometime in the future.

PROPOSED NEW COMPREHENSIVE ZONING BY-LAW (3RD DRAFT)

We are requesting site-specific zoning to carry forward existing zoning by-law permissions. In acknowledgment of the City's new approach to zoning, the contemplated site-specific zoning would be harmonized with the provisions of the Urban Transition (UT) Zone that do not add new restrictions. This approach will allow the planned development to proceed without issue, while assisting the City in achieving its objective of updating zoning provisions. MHBC will provide a draft of the proposed new site-specific zoning for the City's review and consideration under separate cover.

Our Client is submitting these comments for their landholdings known as Yonge GO Village East, municipally addressed as 759 Yonge Street (the "Lands") as shown in **Appendix A**. These comments follow comments previously submitted on July 31st, 2023, in response to the second draft of the New ZBL.

The Lands are subject to existing site-specific zoning pursuant to Zoning By-law 2017-066 and received Draft Plan of Subdivision approval in 2017. The first phase of development has been registered and is under construction and a 3-year Draft Plan extension has been provided. Rather than varying a select few provisions of Zoning By-law 2009-141, the current site-specific MU1 SP-541 and MU1 SP-542 zone introduced a comprehensive set of permitted uses and zoning standards as this was one of the first sites to use the City's new mixed use zones, which were subsequently incorporated into Zoning By-law 2009-141.

As our Client intends to proceed with registration and construction of the remaining phase as per the current approvals, it is critical that any necessary existing site-specific zoning permissions for the Lands be carried forward to avoid unintended negative impacts arising from the enactment of the New ZBL.

The New ZBL proposes the following transition provisions:

Approved Draft Plans of Subdivisions:

> *"If owner/applicants have an approved Draft Plan of Subdivision but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction."*

Approved Zoning By-law Amendment:

> *"If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP."*

Correct zoning is extremely important to our client, as they have relied on a stable zoning framework in designing and marketing its development. Upon review of the New ZBL transition provisions, we have concerns with how existing permissions are being transitioned. Given uncertainties that accompany reliance on transition provisions, our client's strong preference is to not be reliant on them. For example, they are subject to change and amendment, potentially without their input. We are also concerned with the potential for issues associated with transition expiry and unforeseen interpretation conflicts. Balancing these concerns with the City's desire to enact the New ZBL leads us to the determination that a hybrid approach is most appropriate for zoning on the Lands.

We are therefore requesting site-specific zoning to carry forward existing zoning by-law permissions. In acknowledgment of the City's new approach to zoning, the contemplated site-specific zoning would be harmonized with the provisions of the Urban Transition (UT) Zone that do not add new restrictions. This approach will allow the planned development to proceed without issue, while assisting the City in achieving its objective

of updating zoning provisions. MHBC will provide a draft of the proposed new site-specific zoning for the City's review and consideration under separate cover.

We trust the City receives these comments on the third draft of the New ZBL in the cooperative spirit in which they are intended. Should the City wish to discuss any or all of the above, we will gladly make ourselves available.

PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2ND DRAFT)

Upon initial review of the proposed new Design Guidelines, we appreciate that the language used is generally flexible and not prescriptive in nature.

We acknowledge that the language used within Sections 1.1 'Purpose' and 1.2 'Application of the Guidelines' indicates that the new Design Guidelines are aspirational in nature but are ultimately flexible in their application and not prescriptive or mandatory.

However, we do have concerns that this language is not abundantly clear on how they are to be interpreted and applied moving forward and request that clearer language be included.

We request the following language be inserted into Section 1.2 of the new Design Guidelines, which mirrors language used in the City of Barrie's new Official Plan:

1.2 Application of the Guidelines

The City-Wide Community & Sustainable Design Guidelines document is a key tool for achieving the design excellence envisioned by the City. They shall be applied as follows:

a) *The City-Wide Community & Sustainable Design Guidelines should be followed to the greatest extent possible within reason for each development;*
b) *If any relevant guidelines cannot be achieved on a site, then an urban design brief must be completed demonstrating how the spirit and intent of the relevant guideline(s) are to be maintained for that development.*

It is acknowledged that much of the design direction contained within the City-Wide Community & Sustainable Design Guidelines is aspirational in nature and is not expected to be fully realized in the short to medium term. The City's intent is for development and built form to incrementally move in the design direction identified through the Design Guidelines including the built form identified in the sample Demonstration Plans provided within the Design Guidelines. It is not an expectation of the City that individual sites will achieve this full design direction immediately.

We also request that the following paragraph within Section 1.2 'Application of the Guidelines' be amended as outlined below in order to include recognition of the City's Zoning By-law:

> *"Where a conflict exists, the direction contained in the Official Plan, Zoning By-law, Heritage Conservation District Plans, Secondary Plans, or Area-Specific Plans will prevail over the City-Wide Community & Sustainable Design Guidelines except in special cases where the City may give preference to the City-Wide Guidelines."*

We may provide further comments on the proposed Community & Sustainable Design Guidelines in the future.

Kindly notify us of any and all reports, studies, public and/or statutory meetings as well as City Council decisions made with respect to the New ZBL.

Yours truly,

MHBC





Kory Chisholm, BES, M.Sc, MCIP, RPP
Partner

Tyler Kawall, BES
Intermediate Planner

cc Alex Lusty | Davies Howe LLP

Appendix A – Subject Lands



ZELINKA PRIAMO LTD
A Professional Planning Practice

VIA EMAIL

October 4, 2024

City of Barrie
City Hall
70 Collier Street
Barrie, ON L4M 4T5

Attention: Ms. Celeste Kitsemetry, Supervisor of Growth Management

Dear Ms. Kitsemetry:

Re: Draft New Zoning By-law – Third Draft (September, 2024)
Preliminary Comments on Behalf of Barrie Lifestyle Inc. and Barrie Lifestyle II Inc.
Various Properties (Generally Located at Bryne Drive & Caplan Avenue)
Barrie, Ontario
Our File: MAV/BAR/21-01

We are the planning consultants for Barrie Lifestyle Inc. and Barrie Lifestyle II Inc. (herein referred to as BL Inc.) for the City of Barrie Zoning By-law Review. BL Inc. is the owner of the following commercial properties in the City of Barrie:

- 406 and 436 Bryne Drive (Dollarama, HSBC and Farmboy);
- 42 Caplan Avenue (Commercial Plaza anchored by Value Village, Cosmara, TA Appliances, and Bad Boy);
- 52 Caplan Avenue (The Brick);
- 60-70 Mapleview Drive (Wendy's, Jack Astors, and TD Bank); and
- 36 Barrie View Drive (Staples – free standing).

On behalf of BL Inc., we have been monitoring the City of Barrie Zoning By-law Review process. We reviewed the first Draft Zoning By-law and submitted preliminary comments on April 28, 2023. We reviewed the second Draft Zoning By-law and submitted preliminary comments on July 27, 2023. The City of Barrie released a Third Draft Zoning By-law, and we have preliminary comments as outlined below. We will continue to review the Zoning By-law and may provide further comments as needed.

Preliminary Comments on Draft City of Barrie Zoning By-law

According to the Draft Zoning Schedule, the BL Inc. lands are all proposed to be zoned Commercial District (CD2).

At this time our preliminary comments for the Draft Zoning By-law ("Draft ZBL") are as follows:

- We reiterate our comments seeking clarification as to how existing developed sites will be recognized, including:

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Email: zp@zpplan.com

  - How any previous decisions of Minor Variance are to be considered and carried over under the Draft ZBL;
  - The Draft ZBL is a significant departure from the in-effect Zoning By-law (2009-141), as amended. Based on our review, we would anticipate that implementing the Draft ZBL could result in a significant number of properties (including both Canadian Tire lands) being rendered legal non-conforming. In order to avoid rendering existing conforming developments as non-conforming under the Draft ZBL, it would be appropriate to add a "Vacuum" clause to the Draft By-law, where notwithstanding any other provisions of the new By-law, any lot and the location thereon of any building or structure, existing on the effective date of the new By-law, would be deemed to comply and would be permitted by the new Bylaw. In addition, it would be appropriate to provide an allowance for additions and alterations to legally existing buildings without rendering the existing development as non-conforming as a result of the addition or alteration;
  - Section 4.15 of the Draft ZBL relates to Non-Conforming Uses and Non-Complying Buildings. We seek clarification as to the appropriateness of how the Draft ZBL recognizes and treats legal non-conforming uses and non-complying buildings, including renovations, replacement, and expansions;
- The Draft ZBL includes four definitions of amenity area, including "Amenity Area", "Amenity Area, Community", "Amenity Area, Common", and "Amenity Area, Private". The Draft ZBL only provides minimum provisions for "Amenity Area, Common" and "Amenity Area, Private", and it is therefore unclear the purpose of "Amenity Area, Community", as it has no application within the By-law. The definition of Common Amenity is such that it only recognizes outdoor amenity spaces, and primarily only those spaces at ground level, whereby, the Draft ZBL does not recognize indoor amenity areas. We suggest that a simplified approach be considered and that indoor common amenity areas be included as part of the definition;
- The Draft Zoning Maps includes a schedule titled "New Zoning By-law Special Provisions and Holding Provision", which we understand identifies special provisions that exist within By-law 2009-141. We seek clarification as to how those special provisions are intended to be applied in the Draft ZBL as there is no reference that provides clarity or the specific standards. In addition, it remains unclear the interpretation where there are specific section references, or where standards or terminology is proposed to change;
- Section 1.9(c), Non-Conforming Buildings and Structures, states "any legally existing, non-conforming building or structure may be used by a permitted use in the applicable zone, as established under this By-law." This does not have regard to existing non-conforming uses and should more clearly tie to the Non-Conforming Uses Section by indicating that Non-Conforming uses are permitted to continue in existing non-conforming buildings or structures.
- Section 1.10. Transition, states: c) "*If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP*". In many instances the Zoning By-law adds new standards that do not currently exist in Zoning By-law 2009-141, and

many new terms have been introduced. We seek clarification as to the appropriateness of this zoning standard;

- Low-Rise Building is a defined term as follows "*Means a building that is between two (2) to five (5) storeys in height and includes a shared entrance to multiple units, with access to the units provided by interior corridors and hallways and may include a shared central staircase as well as an elevator*". We reiterate our comments for the Low-Rise Building definition, including:
    - The definition is so broad that it would capture numerous other types of built forms, including (for example) any Detached House or Rowhouse, provided they are more than 2 storeys in height. However, the Draft ZBL differentiates between Low-Rise Building built forms and other types of built forms, including where those uses are permitted and the standards that are to be applicable, whereby it is unclear what certain building types are to be considered;
    - Low-Rise Building is a specific built form type, which must be a minimum of two storeys in height. The Low-Rise Building is a permitted form in a number of zones, including Neighbourhood Commercial, Commercial District and Employment Zones. It is unclear as to why a minimum building height of two-storeys is to be required for a Low-Rise building. We suggest that the definition of Low-Rise Buildings be revised to ensure non-residential Buildings are permitted as one storey;
- Flex Building is a defined term, which has been revised to the following: "*Means a dynamic building, between one (1) and four (4) storeys, specifically designed for an industrial use, commercial use and institutional use. Buildings may be single-tenant or multi-tenanted, with units generally having individual entrances, and may have shared servicing and loading facilities. May include, but is not limited to: retail store, service store, commercial plazas, theatres, major retail, some forms of office and major office, industrial buildings and warehouses, public service facilities, places of worship, community centres, hospitals and schools. Includes restaurant with drive-thru facility.*" We continue to be unclear as to what is meant by "Flex Building" and how it is distinguished from other forms/terms, and its need/application throughout the Draft ZBL. The definition identifies that a building may be single tenanted or multiple tenanted, and so it is unclear how a building will be considered "low rise" instead of "flex". We suggest that the "flex building" term be removed from the Zoning By-law;
- The provisions are highly complex and prescriptive. In our submission, Section 3.1.3 should not apply to render existing sites as legal non-conforming, and should only apply to new development, and that the provisions should be simplified. In addition, we note:
    - Subsection b) states "*If any use requires outdoor storage of 'other' merchandise, then no merchandise display shall exceed 3 metres in height and project further than 4.5 metres from the building face of any adjacent building*" It is unclear what is meant by "outdoor storage of 'other' merchandise" and how this differs from outdoor sales and display areas, as other merchandise is not defined. We suggest this provision be clarified or removed;
    - Subsection 3.1.3 g) states "*Any permitted accessory outdoor storage which adjacent to a street or a lot in any zone, other than the zone in which the accessory outdoor storage is located, must be screened from view from the*

street or lot through the construction and maintenance of a stone, or masonry wall, or chain link fence, and appropriate landscaping screen, and no such enclosure shall be less than 2 metres in height…" In our submission, this provision is overly prescriptive, as it relates to applying for side yards for "any other zone". For example, the site at 75 Mapleview Drive West is abutting the "EN" zone, and would therefore be subject to this provision. We suggest that this provision be revised to apply to a more appropriately scoped range of circumstances;

- Section 3.2.1 provides requirements for Active Frontages, including identification of a specific percentage of ground floor that is required to be dedicated to non-residential uses, additionally providing a modified setback requirement for residential portions of the building, and that another percentage of the frontage is to be used for non-residential purposes. We understand the intent to guide for development to animate the street and provide for a mix of uses on site; however, we suggest that the provision is overly complex and rigid, and may not be appropriate as a zoning standard, and may be better suited as an urban design guideline. Further, we seek clarification if this zoning standard is based on any specific Official Plan policy that would 'require' non-residential uses to be located/provided in this manner;
- Section 3.2.2 provides angular plane requirements for development adjacent to a Neighbourhood Low zone, and in our submission we suggest that angular planes be better suited as Urban Design Guidelines and suggest the draft Zoning be revised accordingly;
- Section 3.2.5 states: "Rowhouse, cluster, and low-rise buildings, for the purpose of transition, shall only be permitted on a lot if:", and then provides a number of criteria. In our submission, Section 3.2.5 is unclear as to what instances are meant by transition, and the provision appears to restrict those built form types only to certain instances as per Section 3.2.5. We suggest clarification be provided;
- Section 3.2.6b)i. (formerly 4.3.3.1 and 4.5.1) states "*Common amenity areas shall be designed and located so that the length does not exceed 4 times the width*." We seek clarification regarding this provision, and whether it is based upon any specific background study or information;
- Section 3.2.6b)iii. states "Common amenity areas shall be designed and located so that *"Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are accessory to recreational facilities, such as swimming pools, tennis courts, lounges, etc."*. In our submission, it is unclear why the location of these amenities must be accessory to a "recreational facility", and seek clarification as to the appropriateness of this provision;
- Section 3.2.6c) (formerly 4.3.3.2) provides a number of regulations applicable to Private Amenity, including these areas shall "*be accessed from each dwelling unit*". We continue to suggest that the wording of this provision is unclear as it relates to private amenity being accessed from each dwelling unit, and suggest that this subsection be removed;
- Section 3.2.6d) states: "*A balcony must remain open on all sides except those along an exterior wall to which it is attached, or where a separation for balconies between adjacent dwelling units is required*". It is unclear why an inset balcony is not considered appropriate and we suggest this provision be removed;
- Section 3.2.6c)i) identifies that private amenity (such as a balcony) "*shall not form part of a required front yard or exterior side yard*"; however, Section 3.3.2c) related

to permitted encroachments, states: "*A balcony, located above the ground floor of a building, may encroach into the required setback of any zone but shall not cause any setback to be less than 0.6 metres*". In our submission, the zoning provisions are directly contradictory and we suggest that 3.2.6c)i) be removed;

- Section 3.2.7 provides for building facing distances for buildings, where "building facing distance" is a defined term as follows: "*Means the distance between two buildings on a lot. A principal face means the longest side of the structure or building face. Secondary face means the shorter side of the structure or building face. Secondary faces longer than 25.0 metres shall be considered a primary face for the purpose of establishing facing distances on a lot*." We seek clarification if the intent is for all portions of a building to adhere to building facing distances. For example, a minimum building facing distance of 25m is identified for buildings of 13 or more storeys – are all portions of that building required to be separated by 25m (including the portion of building below 13 storeys)? As written, we understand that the entirety of the building would be required to be set back, which in our submission does not reflect an efficient development standard;
- The Draft ZBL introduces the provision of a Window-to-Wall Percentage, defined as "*Means the ratio of window area to non-window area on the face on any building or structure wall. This may include entry ways, non-openable windows or similar…*". We reiterate our comment that such zoning provisions are overly complex standards that address matters of materiality, and we suggest the Window-to-Wall Ratio be removed from the Draft ZBL. Further, Section 3.2.11 provides that the maximum window to wall ratio is 60%; however, the minimum window to wall ratio for certain building facades is 50%, whereby the building design in certain circumstances must be within a 10% range. We are unclear the need for such onerous standards, and suggest the Window to Wall Ratio be removed from the Zoning By-law;
- Section 4.5.1 (formerly Sections 4.17 and 4.19) identifies that the maximum number of driveways per lot (in Neighbourhood Zones) is 1, except 2 where the lot is a through lot. In our submission, this provision is an inappropriate standard that does not take into consideration the size, configuration, or use of a lot, and that conditions or uses may warrant multiple driveways such as commercial uses, industrial uses and gas bars. We reiterate our suggestion that Section 4.5.1c) be removed, or that clarification be provided for what uses it may be applicable to (i.e., single detached dwelling);
- Section 3.3.9 (formerly Sections 4.18.1 and 4.5) includes standards for lands abutting Highway 400, including establishing a 14m setback for integral site options. However, the provision does not establish where the 14m setback is to be measured from (presumably the Highway 400 feature). We suggest the zoning be updated to clarify where the setback is to be measured from;
- Section 3.3.5 (formerly sections 4.19 and 4.12) identifies setbacks to specific rail lines. We reiterate our comment seeking clarification as to the appropriateness of the identified setbacks;
- The Draft ZBL does not include a section related to Holding (H) Zones and we suggest that clarity be provided in this regard; and
- We note that many section references appear to be out of sequence and order, creating a lack of clarity for review. For example, the first subsection of Section 8 is labelled as 8.5. We suggest clarity be provided for ease of reading and interpretation;

Comments Specific for Commercial District (CD2) Zone

The Commercial District CD2 are applicable to all of the BL Inc. lands. We continue to have concerns with Section 8 (Formerly Section 7) as follows:

- Section 8.7.1 states: "50% of the ground floor gross floor area of a lot shall be used for non-residential uses", but does not specify whether this provision represents a minimum or maximum, whereby exactly 50% is required. Further, it is unclear how the 50% metric was derived, and whether it is an appropriate standard. We seek clarification if this standard is based on any specific background study or information;
- Section 8.7.1c) states that "New development shall not result in a reduction to the gross floor area of non-residential uses, which have existed on a lot prior to the date of passing of this By-law". We seek clarification as to the appropriateness of this standard for existing large-format retail centres, and whether a 1:1 replacement is an attainable standard, and if this is based on any Official Plan policy that would guide for this replacement. Further, this does not take into account a potential for any building reduction to existing developed sites (i.e. renovation that results in a reduced GFA);
- The CD2 zone are proposed to be subject to a maximum 7m front yard setback. We seek clarification that, where multiple buildings are provided on a lot, the maximum setback will not be measured to all buildings on the property but rather will be measured to the nearest building wall. We suggest that the City reconsider the maximum setback requirement, in particular for existing developed commercial sites, prior to comprehensive redevelopment;
- Major Office is defined as follows: *"Means a freestanding office building of approximately 4,000.0 square metres of floor space or greater, or with approximately 200 jobs or more*." We reiterate our comment seeking clarification as to the appropriateness of approximations within a zoning by-law, and the appropriateness of the number of jobs metric within a zoning by-law;
- We note that Common Amenity is required at a rate of 10 sq.m per dwelling unit for certain building types in the CD2 zone, and that private amenity is required at a rate of 5 sq.m per dwelling unit. We seek clarification as to whether the combined 15 sq.m per dwelling unit is based on any specific background study or information. In addition:
    - We note that the definition of Common Amenity is such that it must be located outside of the building (interior spaces are not considered amenity), and that common amenity is predominantly located at grade (only in certain instances may it be located above grade). We strongly suggest that the City consider the implications of such a standard. As a hypothetical example, to accommodate a 50-unit building, a minimum communal amenity area of 500sq.m would be required outside of the building, which would generally need to be required at grade (unless meeting specific criteria), in addition to the 20% landscape area requirement and other requirements (such as private amenity also located outdoors). The standard as written, is not an appropriate development standard and should be revised;
    - The definition of private amenity is such that for each unit a minimum of 5 sq.m of private amenity is required, which is effectively in the form of a balcony. In our submission, the minimum 5 sq.m of private amenity is not

an appropriate standard, in particular for instances where balconies are not appropriate to provide for certain units due to environmental considerations or otherwise;

- The CD2 zone are subject to a minimum 2 storey building height for a low-rise building. There does not appear to be a corresponding New OP policy that would require development be a minimum of 2 storeys. We reiterate our comments that a minimum 1 storey building height is appropriate, and we suggest that revisions be considered accordingly.

Comments Specific for Parking and Loading Provisions (Section 4)

We continue to have concerns with Section 4 (Formerly Sections 16 and 15), including:

- Section 4.1(e), Parking and Loading General: indicates that *"no parking is permitted in any required landscape areas or buffers".* It is unclear how this relates to the soft landscaping requirements, which requires 50% soft landscaping.
- Section 4.6.1a) establishes standards for Parking Structures that are located both above and below grade, including establishing a side yard setback of 3m and a front and rear yard setback of 6m. We seek clarification as to the appropriateness and need for the proposed setbacks, in particular for below grade parking structures, and suggest that the provision seeks to establish inefficient development standards;
- The parking provisions (Table 13) establish minimum standards for parking requirements, and, for certain uses, establish that parking is to be calculated *"for every 4 persons (spectators, patrons, visitors…)".* Further, for the "Commercial Entertainment, Community Facilities Uses, Institutional Uses, Restaurants or Schools" uses, there appear to be two separate standards provided for District 5, calculating parking based on a square foot rate and also per person rate. We continue to seek clarification as to how the zoning will calculate number of persons for a use;
- Section 4.6.4 provides standards for "Electric Vehicle Ready Parking (EVRP)", including that "*Low-, Mid- and High-Rise Buildings, including Flex-Buildings, shall provide all required parking spaces as EVRP*" and that "*20% of all required parking spaces associated with commercial and industrial uses, shall be EVRP spaces*;". We seek clarification if the proposed rates are based on any particular background study that would inform them as appropriate, and we flag that the zoning provision requires exactly 20% of parking spaces for commercial uses to be provided as EVRP (whereby this number is not a minimum or maximum). In the instance where a commercial use is located within a building type that requires 100% of parking to be EVRP, we seek clarification that the 20% rate is to apply and not the 100%, as it is unclear;
- We reiterate our comment seeking clarification regarding the minimum bicycle parking requirements (long term and short term), and whether those provisions are based upon any specific background study or information. In particular the minimum long-term bicycle parking requirement for all non-residential uses, and whether it is necessary and/or appropriate for long-term bicycle parking to be provided for certain non-residential use; and
- We note that the definition of "Bicycle Parking, Long-Term" specifies that the bicycle parking is to be located within the building, and we seek clarification as to

whether other options for the location of bicycle parking may be considered as appropriate;

- Section 4.9.2.a)i) (formerly sections 16.4.3 and 15.4.3) states that loading spaces shall "*not be located in the front yard or exterior side yard of any lot".* The location standards differ from the existing Zoning By-law (2009-141) and we reiterate our comment seeking clarification as it relates to existing developed lands, as they may be rendered non-conforming; and
- Section 4.9.2.a), Loading Spaces & Loading Space Size and Location – prescribes minimum dimensions of loading spaces, which is an increase from the existing zoning by-law 2009-141, as amended, from 3m width to 3.5m width, 9m length to 10m, and 4m vertical clearance to 4.2m. Further, there are new setback provisions that include that loading be setback a minimum of 6m from a street line. In our submission, existing developed sites should not be rendered legal non-confirming as a result of this modification, and the Draft ZBL should be revised to clarify that the dimensions and locational criteria only apply to newly required loading spaces.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is provided notice related to this matter.

Yours very truly,

ZELINKA PRIAMO LTD.



Rob MacFarlane, MPL, MCIP, RPP
Senior Associate

cc. The Client (via email)

Zelinka Priamo Ltd.
LAND USE PLANNERS

VIA EMAIL

October 4, 2024

City of Barrie
City Hall
70 Collier Street
Barrie, ON L4M 4T5

Attention: Ms. Celeste Kitsemetry, Supervisor of Growth Management

Dear Ms. Kitsemetry:

Re: City of Barrie New Zoning By-law – Third Draft (August, 2024)
Preliminary Comments on Behalf of CP REIT Ontario Properties Limited, Loblaw Properties Limited, and Loblaws Inc.
Various Properties
Barrie, Ontario
Our File: CHO/LRE/BAR/19-01

We are the planning consultants for CP REIT Ontario Properties Limited ("Choice"), Loblaw Properties Limited, and Loblaws Inc. (collectively known as "Loblaw"), for the City of Barrie Zoning By-law Review. Choice and Loblaw collectively are the landowner and/or leaseholder of a number of sites within the City of Barrie, including the following:

- 319 Blake Street;
- 620 Yonge Street;
- 472 Bayfield Street;
- 201-211 Cundles Road East;
- 547 Cundles Road East;
- 289 Yonge Street;
- 380 Mapleview Drive West (owner 380 Mapleview Inc.);
- 299 Yonge Street; and
- 309 Yonge Street.

On behalf of Choice and Loblaw, we have been monitoring the City of Barrie Zoning By-law Review process. We reviewed the First Draft Zoning By-law and submitted preliminary comments on April 28, 2023. The City of Barrie released a Second Draft Zoning By-law, and we submitted preliminary comments on July 27, 2023. We met with Staff on August 23, 2024, to discuss our preliminary comments. The City of Barrie released a Third Draft Zoning By-law ("Draft ZBL"), and we have preliminary comments as outlined below. We will continue to review the Zoning By-law and may provide further comments as needed.

PRELIMINARY COMMENTS ON DRAFT CITY OF BARRIE ZONING BY-LAW

Based upon our review of the Draft ZBL:

- According to the Draft Zoning Schedule, the Choice and Loblaw lands are identified as follows:
  - 319 Blake Street – Zoned Commercial District (CD1);
  - 620 Yonge Street – Zoned Commercial District (CD2);

- 472 Bayfield Street – Zoned Commercial District (CD2);
- 201-211 Cundles Road East – Zoned Commercial District (CD2);
- 547 Cundles Road East – Zoned Commercial District (CD2);
- 289 Yonge Street – Zoned Commercial District (CD2);
- 380 Mapleview Drive West – Zoned Neighbourhood Commercial (NC);
- 299 Yonge Street – Zoned Commercial District (CD2) ; and
- 309 Yonge Street – Zoned Commercial District (CD2).

At this time our preliminary comments for the Draft Zoning By-law ("Draft ZBL") are as follows:

- We reiterate our comments seeking clarification as to how existing developed sites will be recognized, including:
  - How any previous decisions of Minor Variance are to be considered and carried over under the Draft ZBL;
  - The Draft ZBL is a significant departure from the in-effect Zoning By-law (2009-141), as amended. Based on our review, we would anticipate that implementing the Draft ZBL could result in a significant number of properties (including both Canadian Tire lands) being rendered legal non-conforming. In order to avoid rendering existing conforming developments as non-conforming under the Draft ZBL, it would be appropriate to add a "Vacuum" clause to the Draft By-law, where notwithstanding any other provisions of the new By-law, any lot and the location thereon of any building or structure, existing on the effective date of the new By-law, would be deemed to comply and would be permitted by the new Bylaw. In addition, it would be appropriate to provide an allowance for additions and alterations to legally existing buildings without rendering the existing development as non-conforming as a result of the addition or alteration;
  - Section 4.15 of the Draft ZBL relates to Non-Conforming Uses and Non-Complying Buildings. We seek clarification as to the appropriateness of how the Draft ZBL recognizes and treats legal non-conforming uses and non-complying buildings, including renovations, replacement, and expansions;
- The Draft ZBL includes four definitions of amenity area, including "Amenity Area", "Amenity Area, Community", "Amenity Area, Common", and "Amenity Area, Private". The Draft ZBL only provides minimum provisions for "Amenity Area, Common" and "Amenity Area, Private", and it is therefore unclear the purpose of "Amenity Area, Community", as it has no application within the By-law. The definition of Common Amenity is such that it only recognizes outdoor amenity spaces, and primarily only those spaces at ground level, whereby, the Draft ZBL does not recognize indoor amenity areas. We suggest that a simplified approach be considered and that indoor common amenity areas be included as part of the definition;
- The Draft Zoning Maps includes a schedule titled "New Zoning By-law Special Provisions and Holding Provision", which we understand identifies special provisions that exist within By-law 2009-141. We seek clarification as to how those special provisions are intended to be applied in the Draft ZBL as there is no reference that provides clarity or the specific standards. In addition, it remains unclear the interpretation where there are specific section references, or where standards or terminology is proposed to change;
- Section 1.9(c), Non-Conforming Buildings and Structures, states "any legally existing, non-conforming building or structure may be used by a permitted use in

the applicable zone, as established under this By-law." This does not have regard to existing non-conforming uses and should more clearly tie to the Non-Conforming Uses Section by indicating that Non-Conforming uses are permitted to continue in existing non-conforming buildings or structures.

- Section 1.10. Transition, states: c) "*If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP*". In many instances the Zoning By-law adds new standards that do not currently exist in Zoning By-law 2009-141, and many new terms have been introduced. We seek clarification as to the appropriateness of this zoning standard;
- Low-Rise Building is a defined term as follows "*Means a building that is between two (2) to five (5) storeys in height and includes a shared entrance to multiple units, with access to the units provided by interior corridors and hallways and may include a shared central staircase as well as an elevator*". We reiterate our comments for the Low-Rise Building definition, including:
    - The definition is so broad that it would capture numerous other types of built forms, including (for example) any Detached House or Rowhouse, provided they are more than 2 storeys in height. However, the Draft ZBL differentiates between Low-Rise Building built forms and other types of built forms, including where those uses are permitted and the standards that are to be applicable, whereby it is unclear what certain building types are to be considered;
    - Low-Rise Building is a specific built form type, which must be a minimum of two storeys in height. The Low-Rise Building is a permitted form in a number of zones, including Neighbourhood Commercial, Commercial District and Employment Zones. It is unclear as to why a minimum building height of two-storeys is to be required for a Low-Rise building. We suggest that the definition of Low-Rise Buildings be revised to ensure non-residential Buildings are permitted as one storey;
- Flex Building is a defined term, which has been revised to the following: "*Means a dynamic building, between one (1) and four (4) storeys, specifically designed for an industrial use, commercial use and institutional use. Buildings may be single-tenant or multi-tenanted, with units generally having individual entrances, and may have shared servicing and loading facilities. May include, but is not limited to: retail store, service store, commercial plazas, theatres, major retail, some forms of office and major office, industrial buildings and warehouses, public service facilities, places of worship, community centres, hospitals and schools. Includes restaurant with drive-thru facility.*" We continue to be unclear as to what is meant by "Flex Building" and how it is distinguished from other forms/terms, and its need/application throughout the Draft ZBL. The definition identifies that a building may be single tenanted or multiple tenanted, and so it is unclear how a building will be considered "low rise" instead of "flex". We suggest that the "flex building" term be removed from the Zoning By-law;
- The provisions are highly complex and prescriptive. In our submission, Section 3.1.3 should not apply to render existing sites as legal non-conforming, and should only apply to new development, and that the provisions should be simplified. In addition, we note:
    - Subsection b) states "*If any use requires outdoor storage of 'other' merchandise, then no merchandise display shall exceed 3 metres in height*

and project further than 4.5 metres from the building face of any adjacent building" It is unclear what is meant by "outdoor storage of 'other' merchandise" and how this differs from outdoor sales and display areas, as other merchandise is not defined. We suggest this provision be clarified or removed;

- Subsection 3.1.3 g) states "*Any permitted accessory outdoor storage which adjacent to a street or a lot in any zone, other than the zone in which the accessory outdoor storage is located, must be screened from view from the street or lot through the construction and maintenance of a stone, or masonry wall, or chain link fence, and appropriate landscaping screen, and no such enclosure shall be less than 2 metres in height…"* In our submission, this provision is overly prescriptive, as it relates to applying for side yards for "any other zone". For example, the site at 75 Mapleview Drive West is abutting the "EN" zone, and would therefore be subject to this provision. We suggest that this provision be revised to apply to a more appropriately scoped range of circumstances;

- Section 3.2.1 provides requirements for Active Frontages, including identification of a specific percentage of ground floor that is required to be dedicated to non-residential uses, additionally providing a modified setback requirement for residential portions of the building, and that another percentage of the frontage is to be used for non-residential purposes. We understand the intent to guide for development to animate the street and provide for a mix of uses on site; however, we suggest that the provision is overly complex and rigid, and may not be appropriate as a zoning standard, and may be better suited as an urban design guideline. Further, we seek clarification if this zoning standard is based on any specific Official Plan policy that would 'require' non-residential uses to be located/provided in this manner;
- Section 3.2.2 provides angular plane requirements for development adjacent to a Neighbourhood Low zone, and in our submission we suggest that angular planes be better suited as Urban Design Guidelines and suggest the draft Zoning be revised accordingly;
- Section 3.2.5 states: "Rowhouse, cluster, and low-rise buildings, for the purpose of transition, shall only be permitted on a lot if:", and then provides a number of criteria. In our submission, Section 3.2.5 is unclear as to what instances are meant by transition, and the provision appears to restrict those built form types only to certain instances as per Section 3.2.5. We suggest clarification be provided;
- Section 3.2.6b)i. (formerly 4.3.3.1 and 4.5.1) states "*Common amenity areas shall be designed and located so that the length does not exceed 4 times the width*." We seek clarification regarding this provision, and whether it is based upon any specific background study or information;
- Section 3.2.6b)iii. states "Common amenity areas shall be designed and located so that *"Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are accessory to recreational facilities, such as swimming pools, tennis courts, lounges, etc."*. In our submission, it is unclear why the location of these amenities must be accessory to a "recreational facility", and seek clarification as to the appropriateness of this provision;
- Section 3.2.6c) (formerly 4.3.3.2) provides a number of regulations applicable to Private Amenity, including these areas shall "*be accessed from each dwelling unit*". We continue to suggest that the wording of this provision is unclear as it relates to private amenity being accessed from each dwelling unit, and suggest that this subsection be removed;

- Section 3.2.6d) states: "*A balcony must remain open on all sides except those along an exterior wall to which it is attached, or where a separation for balconies between adjacent dwelling units is required*". It is unclear why an inset balcony is not considered appropriate and we suggest this provision be removed;
- Section 3.2.6c)i) identifies that private amenity (such as a balcony) "*shall not form part of a required front yard or exterior side yard*"; however, Section 3.3.2c) related to permitted encroachments, states: "*A balcony, located above the ground floor of a building, may encroach into the required setback of any zone but shall not cause any setback to be less than 0.6 metres*". In our submission, the zoning provisions are directly contradictory and we suggest that 3.2.6c)i) be removed;
- Section 3.2.7 provides for building facing distances for buildings, where "building facing distance" is a defined term as follows: "*Means the distance between two buildings on a lot. A principal face means the longest side of the structure or building face. Secondary face means the shorter side of the structure or building face. Secondary faces longer than 25.0 metres shall be considered a primary face for the purpose of establishing facing distances on a lot*." We seek clarification if the intent is for all portions of a building to adhere to building facing distances. For example, a minimum building facing distance of 25m is identified for buildings of 13 or more storeys – are all portions of that building required to be separated by 25m (including the portion of building below 13 storeys)? As written, we understand that the entirety of the building would be required to be set back, which in our submission does not reflect an efficient development standard;
- The Draft ZBL introduces the provision of a Window-to-Wall Percentage, defined as "*Means the ratio of window area to non-window area on the face on any building or structure wall. This may include entry ways, non-openable windows or similar…*". We reiterate our comment that such zoning provisions are overly complex standards that address matters of materiality, and we suggest the Window-to-Wall Ratio be removed from the Draft ZBL. Further, Section 3.2.11 provides that the maximum window to wall ratio is 60%; however, the minimum window to wall ratio for certain building facades is 50%, whereby the building design in certain circumstances must be within a 10% range. We are unclear the need for such onerous standards, and suggest the Window to Wall Ratio be removed from the Zoning By-law;
- Section 4.5.1 (formerly Sections 4.17 and 4.19) identifies that the maximum number of driveways per lot (in Neighbourhood Zones) is 1, except 2 where the lot is a through lot. In our submission, this provision is an inappropriate standard that does not take into consideration the size, configuration, or use of a lot, and that conditions or uses may warrant multiple driveways such as commercial uses, industrial uses and gas bars. We reiterate our suggestion that Section 4.5.1c) be removed, or that clarification be provided for what uses it may be applicable to (i.e., single detached dwelling);
- Section 3.3.9 (formerly Sections 4.18.1 and 4.5) includes standards for lands abutting Highway 400, including establishing a 14m setback for integral site options. However, the provision does not establish where the 14m setback is to be measured from (presumably the Highway 400 feature). We suggest the zoning be updated to clarify where the setback is to be measured from;
- Section 3.3.5 (formerly sections 4.19 and 4.12) identifies setbacks to specific rail lines. We reiterate our comment seeking clarification as to the appropriateness of the identified setbacks;
- The Draft ZBL does not include a section related to Holding (H) Zones and we suggest that clarity be provided in this regard; and

- We note that many section references appear to be out of sequence and order, creating a lack of clarity for review. For example, the first subsection of Section 8 is labelled as 8.5. We suggest clarity be provided for ease of reading and interpretation;

Comments Specific for Neighbourhood Commercial (NC) Zone

The Neighbourhood Commercial (NC) Zone is applicable to 380 Mapleview Drive West, which is currently zoned General Commercial (C4) Zone under By-law 2009-141, as amended. We reiterate our concerns with the NC Zone as follows:

- The NC Zone is proposed to be subject to a minimum 2-storey building height for a low-rise building. There does not appear to be a corresponding Official Plan policy that would require development be a minimum of two storeys. In our submission, a minimum 1 storey building height is appropriate, and we suggest that revisions be considered accordingly;
- The NC Zone is proposed to be subject to a minimum commercial GFA of 250 sq.m, and a maximum commercial GFA of 2,000 sq.m (or 30% of lot area) for a low-rise building. As existing commercial developments may be rendered non-conforming, we seek clarification regarding the appropriateness of this provision, and whether it is based upon any specific background study or information; and
- The NC Zone is proposed to be subject to a minimum Ground Level Floor Height of 3.7m. There does not appear to be a corresponding Official Plan policy that would require a min 3.7m ground floor height, and we seek clarification regarding the appropriateness of this standard.

Comments Specific for Commercial District (CD) Zone

The Commercial District (CD1 and CD2) Zones are applicable to all but one of the Choice and Loblaw Lands (being 380 Mapleview Drive West). We continue to have concerns with Section 8 (Formerly Section 7) as follows:

- Section 8.7.1 states: “50% of the ground floor gross floor area of a lot shall be used for non-residential uses”, but does not specify whether this provision represents a minimum or maximum, whereby exactly 50% is required. Further, it is unclear how the 50% metric was derived, and whether it is an appropriate standard. We seek clarification if this standard is based on any specific background study or information;
- Section 8.7.1c) states that “New development shall not result in a reduction to the gross floor area of non-residential uses, which have existed on a lot prior to the date of passing of this By-law”. We seek clarification as to the appropriateness of this standard for existing large-format retail centres, and whether a 1:1 replacement is an attainable standard, and if this is based on any Official Plan policy that would guide for this replacement. Further, this does not take into account a potential for any building reduction to existing developed sites (i.e. renovation that results in a reduced GFA);
- Mid-Rise Buildings in the CD1 Zone are proposed to be subject to a minimum Ground Level Floor Height of 3.7m. There does not appear to be a corresponding Official Plan policy that would require a min 3.7m ground floor height, and we seek clarification regarding the appropriateness of this standard;
- The CD1 and CD2 zones are proposed to be subject to a maximum 7m front yard setback. We seek clarification that, where multiple buildings are provided on a lot, the maximum setback will not be measured to all buildings on the property but

rather will be measured to the nearest building wall. We suggest that the City reconsider the maximum setback requirement, in particular for existing developed commercial sites, prior to comprehensive redevelopment;

- Major Office is defined as follows: *"Means a freestanding office building of approximately 4,000.0 square metres of floor space or greater, or with approximately 200 jobs or more*." We reiterate our comment seeking clarification as to the appropriateness of approximations within a zoning by-law, and the appropriateness of the number of jobs metric within a zoning by-law;
- We note that Common Amenity is required at a rate of 10 sq.m per dwelling unit for certain building types in the CD1 and CD2 zones, and that private amenity is required at a rate of 5 sq.m per dwelling unit. We seek clarification as to whether the combined 15 sq.m per dwelling unit is based on any specific background study or information. In addition:
    - We note that the definition of Common Amenity is such that it must be located outside of the building (interior spaces are not considered amenity), and that common amenity is predominantly located at grade (only in certain instances may it be located above grade). We strongly suggest that the City consider the implications of such a standard. As a hypothetical example, to accommodate a 50-unit building, a minimum communal amenity area of 500sq.m would be required outside of the building, which would generally need to be required at grade (unless meeting specific criteria), in addition to the 20% landscape area requirement and other requirements (such as private amenity also located outdoors). The standard as written, is not an appropriate development standard and should be revised;
    - The definition of private amenity is such that for each unit a minimum of 5 sq.m of private amenity is required, which is effectively in the form of a balcony. In our submission, the minimum 5 sq.m of private amenity is not an appropriate standard, in particular for instances where balconies are not appropriate to provide for certain units due to environmental considerations or otherwise;
- The CD1 and CD2 zones are subject to a minimum 2 storey building height for a low-rise building. There does not appear to be a corresponding New OP policy that would require development be a minimum of 2 storeys. We reiterate our comments that a minimum 1 storey building height is appropriate, and we suggest that revisions be considered accordingly.

Comments Specific for Parking and Loading Provisions (Section 4)

We continue to have concerns with Section 4 (Formerly Sections 16 and 15), including:

- Section 4.1(e), Parking and Loading General: indicates that *"no parking is permitted in any required landscape areas or buffers".* It is unclear how this relates to the soft landscaping requirements, which requires 50% soft landscaping.
- Section 4.6.1a) establishes standards for Parking Structures that are located both above and below grade, including establishing a side yard setback of 3m and a front and rear yard setback of 6m. We seek clarification as to the appropriateness and need for the proposed setbacks, in particular for below grade parking structures, and suggest that the provision seeks to establish inefficient development standards;
- The parking provisions (Table 13) establish minimum standards for parking requirements, and, for certain uses, establish that parking is to be calculated *"for every 4 persons (spectators, patrons, visitors…)".* Further, for the "Commercial

Entertainment, Community Facilities Uses, Institutional Uses, Restaurants or Schools" uses, there appear to be two separate standards provided for District 5, calculating parking based on a square foot rate and also per person rate. We continue to seek clarification as to how the zoning will calculate number of persons for a use;

- Section 4.6.4 provides standards for "Electric Vehicle Ready Parking (EVRP)", including that "*Low-, Mid- and High-Rise Buildings, including Flex-Buildings, shall provide all required parking spaces as EVRP*" and that "*20% of all required parking spaces associated with commercial and industrial uses, shall be EVRP spaces*;". We seek clarification if the proposed rates are based on any particular background study that would inform them as appropriate, and we flag that the zoning provision requires exactly 20% of parking spaces for commercial uses to be provided as EVRP (whereby this number is not a minimum or maximum). In the instance where a commercial use is located within a building type that requires 100% of parking to be EVRP, we seek clarification that the 20% rate is to apply and not the 100%, as it is unclear;
- We reiterate our comment seeking clarification regarding the minimum bicycle parking requirements (long term and short term), and whether those provisions are based upon any specific background study or information. In particular the minimum long-term bicycle parking requirement for all non-residential uses, and whether it is necessary and/or appropriate for long-term bicycle parking to be provided for certain non-residential use; and
- We note that the definition of "Bicycle Parking, Long-Term" specifies that the bicycle parking is to be located within the building, and we seek clarification as to whether other options for the location of bicycle parking may be considered as appropriate;
- Section 4.9.2.a)i) (formerly sections 16.4.3 and 15.4.3) states that loading spaces shall "*not be located in the front yard or exterior side yard of any lot".* The location standards differ from the existing Zoning By-law (2009-141) and we reiterate our comment seeking clarification as it relates to existing developed lands, as they may be rendered non-conforming; and
- Section 4.9.2.a), Loading Spaces & Loading Space Size and Location – prescribes minimum dimensions of loading spaces, which is an increase from the existing zoning by-law 2009-141, as amended, from 3m width to 3.5m width, 9m length to 10m, and 4m vertical clearance to 4.2m. Further, there are new setback provisions that include that loading be setback a minimum of 6m from a street line. In our submission, existing developed sites should not be rendered legal non-confirming as a result of this modification, and the Draft ZBL should be revised to clarify that the dimensions and locational criteria only apply to newly required loading spaces.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is provided notice related to this matter.

Yours very truly,

ZELINKA PRIAMO LTD.



Rob MacFarlane, MPL, MCIP, RPP
Senior Associate

cc. CP REIT Ontario Properties Limited (via email)
Loblaw Properties Limited (via email)
Loblaws Inc. (via email)

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

October 4, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: NewZoningBylaw@barrie.ca
Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: Comment Letter – Draft 3 of the City of Barrie Zoning By-law
545-565 Big Bay Point Rd

Since 2004, Innovative Planning Solutions (IPS) has, and continues to be, an active planning consulting firm in the City of Barrie. Throughout this period, IPS has worked with City Planning Officials and the many Councils on a significant number of development applications, while also initiating and participating in many amendments to the City's Comprehensive Zoning By-law (ZBL).

The third draft of a new City-wide Zoning By-law is now posted for public review and feedback. On behalf of Midnight Group Developments, IPS is pleased to submit the following comments on the draft new ZBL in relation to its properties located at 545-565 Big Bay Point Road (subject lands). Based on our review of the draft new ZBL, supported by review of corresponding Official Plan analysis, we have the following comments for your consideration.

Official Plan Policies

The subject lands are designated Neighbourhood Area within the City's newly approved Official Plan. The purpose of the Neighbourhood Area designation is to recognize new and existing neighbourhoods and communities (see **Figure 1**). The lands are positioned on an Arterial Road within the City (Big Bay Point Road), as per Official Plan Map 4b – Mobility Network.



Figure 1: The subject lands (red pin) designated Neighbourhood Area (yellow) as per City of Barrie Official Plan Map 2 - Land Use Designations

The Neighbourhood Area land use policies recognize under Section 2.6.1.2 that lands within shall be considered established neighbourhoods that are not intended to experience significant physical change that would alter their general character, **except for** lands designated Neighbourhood Area located on an Intensification Corridor (Map 1), **or lands fronting onto arterial or collector streets (Map 4a and Map 4b).** The subject lands are located on an arterial street, and thus should be considered appropriate for potentially significant physical change in built form in the context of the City's Official Plan.

To promote transit supportive development, new development occurring on lands fronting on streets classified on Map 4b as collector or arterial streets, or fronting onto Intensification Corridors as per Map 1, should be planned to a minimum residential density of 50.0 units per hectare (2.6.1.3.h). The subject lands meet this criterion for higher density-built forms.

Policy 3.2.1.c provides that height and density are built form characteristics that are interrelated. Given this, proposed developments must seek a balance between height and density that is context sensitive, recognizing that areas including Intensification Corridors are the focus for

increased heights and densities and will experience built form changes to achieve the City's stated goals of evolving into a medium-sized City.

Draft 3 Zoning By-law Review

The subject lands are zoned 'Neighbourhood Low 2 (NL2)' in the draft Zoning By-law. NL2 zoned lands can be found throughout the City, both within and outside of designated intensification areas. Many collector and arterial corridors within the City, that are not Intensification Corridors, are zoned primarily NL2 or NL3, as seen in the map below:

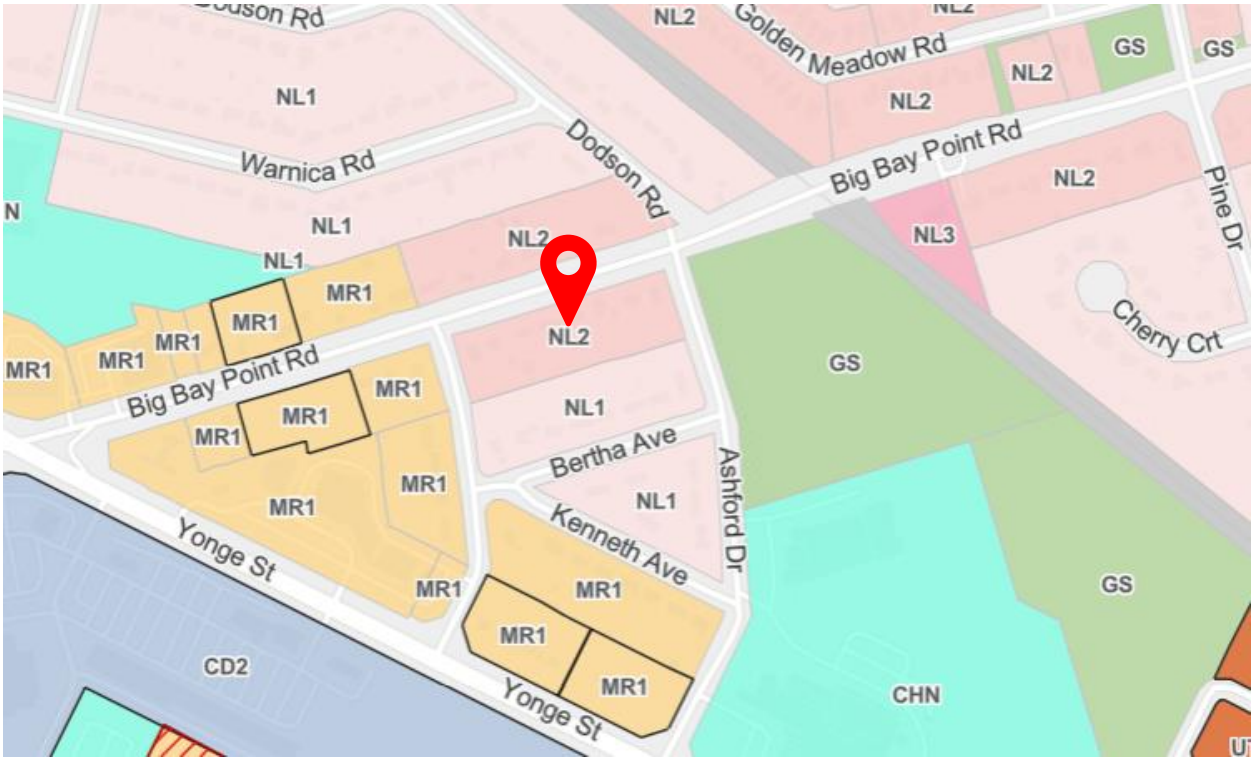

Figure 2: The subject lands (red pin) are proposed to be zoned NL2.

Directly west of the subject lands are proposed Mid-Rise 1 (MR1) zones that align with the Yonge Street Intensification corridor. Additionally, the lands north and south are *Neighbourhood Low zones* NL2 and NL1. The lands east of the subject lands are zoned as *greenspace* (GS) and are used a prominent park in the community. Beyond the park, lands are proposed for NL3 and NL2 zones. The transition from the intensification corridor does not seem to provide an adequate prevailing scale of density and height of buildings.

The NL2 zone does not permit for a residential use that is higher than 4 storeys, or 14 m. This is contrasted with the abutting MR1 zone where the maximum height for buildings is 8 storeys. The

scaling of height between these two zones does not create an appropriate transition of height on the Big Bay Point corridor.

Additionally, the NL2 zone specifically states that Detached, Semi-Detached, and Rowhouse, On-Street, and Back-to-Back buildings are only permitted when fronting onto Local Roads, while Big Bay Point is an *Arterial Road* as per map 4B of the official plan. As a result, the only kind of development that would be permitted on the subject lands and areas like it would be either single detached dwellings, or low-rise buildings (up to 4 stories), with no transition between the two available. This would directly go against the intensification policies in the relevant provincial legislation and the City of Barrie's Official Plan, and in our opinion would not be good planning.

Proposed Solution

1. Zone properties fronting Big Bay Point Road within proximity to the Younge Street & Big Bay Point Road intensification area as 'Neighbourhood Intensification (NI)';

It is our opinion that these lands would be better suited for the NI Zone, given their positioning on a high order arterial roadway within the City, where physical built form changes are anticipated by the Official Plan. We believe that this would be a more appropriate and effective way of achieving the City's Official Plan vision and goals, while allowing for an increased number and density of housing options, including a more attainable built form.

As mentioned previously, the subject lands are located on an arterial road and are located in proximity to the major commercial and intensification node at Yonge and Big Bay Point. We believe that the NI zone will allow for an appropriate transition from the Younge Street Intensification Corridor to the surrounding neighbourhood areas radiating outward from it.

Considering the desirable location, the available amenities in the surrounding area, the active transportation network, the proximity to Transit Route 12 with service to the Georgian Mall and Barrie South GO Station, and the proximity to both an intensification corridor and major commercial entities on Yonge Street, we believe this is an appropriate transitional area that should allow for increased density.

Amenity Area Requirements

Under Section 5.11 *Neighbourhood Intensification (NI)* Table 30 *NI Lot, Yard, and Amenity Standards* the Neighbourhood Intensification zone requires a minimum of 12 square meters of common amenity area, and 5 square meters of private amenity area per unit for mid-rise buildings. While community spaces are vital for a vibrant residential environment, we believe this requirement is excessive and could have unintended negative consequences, including preventing intensification.

Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters. The 12 square meters required in Barrie significantly exceeds these established standards.

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with development to make housing more affordable. Requiring large common amenity spaces increases construction costs, making it harder to build affordable housing. Additionally, excessive amenity space may increase ongoing costs for residents, such as condominium fees or rent, in order to maintain the amenity areas, regardless of whether the provided amenity space aligns with the actual needs of residents. This is not aligned with the province's goal of affordability.

Further, the City of Barrie has over 130 public recreational trails and parks covering over 1,200 ha, a ratio of 7.8 square meters per person. This is double the ratio of other similar cities in the surrounding area, as detailed in Table 1 below:

Table 1: Comparison of Parks and Outdoor Spaces

City	Parkland (ha)	Population	Parkland Per Resident (square meters)
Barrie	1,200	153,000	7.8
Richmond Hill	689	202,000	3.4
Markham	809	350,000	2.3
Toronto	8,000	2,800,000	2.9

This higher ratio of parkland per resident allows for more residents to access publicly owned and maintained parkland, reducing the need for private outdoor amenity space across the City.

Proposed Solutions

1. Reduce the required minimum amenity area to match the standards of other mid-size higher-density cities, and;
2. Combine the requirements for common amenity area and private amenity area to allow for more flexibility for all sites.

These solutions would allow for greater flexibility to create spaces that cater to the preferences of residents with differing needs and abilities. For example, lower maintenance housing for residents with disabilities or senior residents may look like more compact and accessible private amenity spaces, such as balconies or terraces, and fewer lawns or gardens, which are more difficult to access and traverse. By imposing a large common amenity area requirement, less flexibility is permitted, which could lead to less efficient use of space. A more balanced requirement would encourage better design that meets both community needs and market realities.

Given these factors, we respectfully urge the City of Barrie to consider the requested changes to the common amenity space requirement for the NI zone to promote more affordable housing and efficient land use.

Conclusion

We appreciate the opportunity to comment on the City's draft new Zoning By-law. Should staff have any questions on this letter, please do not hesitate to contact the undersigned at info@ipsconsultinginc.com.

Respectfully submitted,
Innovative Planning Solutions

Cameron Sellers, B.B.A.	Dafne Gokcen, B.E.S, M.Pl., RPP	Ray Budiwarman, B.E.S
Associate	*Senior Planner*	*Planner*

JONES CONSULTING GROUP LTD.
PLANNERS & ENGINEERS

October 11, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Mapleview South (Innisfil) Ltd.
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City Files: D30-015-2021 (Subdivision & Rezoning)
D11-022-2024 (Block 193 "A" Site Plan)
D11-023-2024 (Block 192 "B" Site Plan)
Jones Consulting File: Rei-17055

I am writing to you on behalf Mapleview South (Innisfil) Ltd. who owns land within the former Hewitt's Secondary Plan area. Our client has reviewed the draft new Comprehensive City-Wide Zoning By-law and offer the following background and comments for your consideration:

A. Background:

The lands are known as 953 Mapleview Drive East and been subject to extensive approvals including:

A1. Draft approved plan of subdivision containing 470 single detached, street townhouse and apartment dwelling units. Draft plan approval was granted in 2026 and will lapse December 1, 2025. Given the need for external infrastructure (i.e. adjacent SWM ponds and water/sanitary sewers), we anticipate an extension to draft plan approval being required by 2025. The Owner hopes that the first phase will be registered in 2026.

A2. The first 'complete' detailed engineering design submission has occurred and first submission comments have been received. A second submission addressing the 1st submission comments has been targeted for the first quarter of 2025.

A3. A Zoning By-law Amendment application was approved (By-law 2022-054) to implement the Hewitt's/Salem Zoning framework approved by Council in 2017. Specific to the mixed use/ medium density blocks, they were zoned either Neighbourhood Mixed Use (NMU) or Neighbourhood Residential Multiple (RM3).

A4. A Site Plan Control application has been filed and deemed complete for the Neighbourhood Mixed Use Block (Block 193), to permit a 100 unit five (5) storey building with 350 square metres of ground floor commercial. First submission comments have been received and a Site Plan Control technical meeting was held with the City on October 10, 2024. The project team is now working to address the 1st submission comments.

A5. A Site Plan Control application has been filed and deemed complete for medium density block (Block 192) to permit a 120 unit five (5) storey apartment building. First

submission comments have been received and a Site Plan Control technical meeting was held with the City on October 10, 2024. The project team is now working to address the 1st submission comments.

A6. A Pre-Consultation application was submitted for medium density Block 191 in 2023. Comments were received from the City in September 2023 that would permit 260 units in two 5 storey apartment buildings and 16 cluster townhouse dwellings. Design work on this block is intended to commence following approval of A4 and A5 above.

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this subdivision as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a subdivision transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition if for an "approved Draft Plan of Subdivision" that has "not yet started construction".

In this case, the subdivision has started construction as it relates to the relocation of the on-site channel. Does this mean it is not transitioned?

In cross-referenced **Section 1.9, non-conforming lots,** subsection f) appears to only recognize lots which "do not meet the minimum lot area of lot frontage requirements". There is no provision in Section 1.9 that would appear to allow for the construction of detached, semi-detached or townhouse lots fronting onto a Collector Road.

b. As noted in Section A to this letter, the subdivision contains 3 medium density/mixed use blocks. Are they transitioned or subject to the new By-law requirements? They should transitioned because the block sizes and configuration were designed based on a planned built form which the proposed By-law no longer permits.

c. For large development parcels it is typical that redline revisions or draft plan approval extensions, or other implementing approvals are required prior to final approval and registration. The 3-year transition window simply does not provide for the time it takes to deliver large subdivision projects.

Request #1: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Site Plan Transition:** Section 1.10b) of the proposed By-law contains a site plan transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10b) states that the only site plan transition is for "an approved Site Plan application" that has "not yet started construction".

i. This section does not define what "an approved Site Plan application" is. Does this include applications that have been approved subject to conditions or only applications that have received final approval and are registered?

ii. This section does not define "construction". Does this include earthworks, the installation of servicing or only the construction of buildings?

iii. This section does not recognize that site plan approval extensions or amendments are required to deliver on large and complicated sites.

iv. This section does not recognize the time and financial commitment it takes to obtain a complete site plan application, including preparing dozens of detailed design plans and reports. Accordingly, it is inappropriate to not transition complete applications because they have not yet achieved approval status.

v. The two (2) year window does not provide an appropriate transition for site plan applications.

Request #2: In order to provide an appropriate transition for site plans, we recommend that Section 1.10b) be revised as shown in red below:

1.10 b) Lands subject to application for Site Plan Control approval that has been deemed complete by the City of Barrie, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. This transition continues in the event that subsequent implementing approvals are required such as, but not limited to, condominium applications, site plan amendments, lifting Holding provisions or extension to approval timelines. ~~If owner/applicants have an approved Site Plan application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B3. **Neighbourhood Low (NL2) Zone and other related provisions:** If not appropriately transitioned, the proposed new By-law contains provisions that would impact on the implementation of this subdivision. Examples include the following:

a. Block 192 is proposed to be zoned NL2, which will not permit the development of this block as planned and approved. As outlined in Section A above, this Block is subject to an active Site Plan Control application that is not yet 'approved'. This Block should be transitioned and zoned MR1.

b. Block 191 is proposed to be zoned NL2, which will not permit the development of this block as planned and approved. As outlined in Section A above, Pre-Consultation has occurred on this block. If the zoning on this lot is not transitioned by a revised Section 1.10, then the Owner requests that this Block be zoned MR1, with a special provision to permit townhouses and mid-rise buildings in accordance with the Pre-Consultation application.

c. Table 23 prohibits detached, semi-detached, and street townhouses from fronting onto a Collector Road. Every subdivision in Hewitt's and Salem, including this subdivision, have lots fronting onto Collector Roads. The yield and construction cost impacts of this change are staggering.

d. Concerning 3.3.1d), we are not clear how this requirement is calculated. Please consider that one side of the driveway is 0.6m to the property line, and the other side of the driveway may be recessed up to 2.5m beyond the front face of the house. Therefore is d) calculated to mean that 50% of the area between the front of the house to the property line adjacent to the driveway needs to be landscaped area, or does this provision require 50% of the entire driveway length (which would include a portion of the abutting house) to be soft landscaping? If the latter, then there would be no room for a walkway to the front of the house.

e. Section 3.3.4 requires 3m planting buffers on all lot lines adjacent to the NL2 zone and the Environmental Protection Zone. This section raises the following concerns:

    i. This section does not consider that there are many blocks in a subdivision that are adjacent to NL2 zone lots. Examples include walkways, servicing blocks, future development blocks, and stormwater management blocks. It is inappropriate to require planting buffers in all of these instances.

    ii. In the case of EP zoned lands, the limits of those lands would have been identified as part of a natural heritage evaluation and up to a 30m buffer would have be established – all of which is zoned EP. It is inappropriate to require an additional buffer on private lands, on the inside of a private fence, just because it is adjacent to EP lands.

f. Section 3.3.8 a) requires a 3 x 3m sight triangle on either side of every driveway. Firstly, adjacent driveways may be located within 0.6m on either side of the joint lot line so a 3m x 3m site triangle is not possible.

g. Section 4.6.1 governs parking structures and Table 11 requires an interior side yard setback of 3m, front yard setback of 6m and an exterior side yar of 4m, all of which conflict with the proposed NL2 standards.

h. Section 5.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

    i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

    ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate second suite entrances in the interior side or rear which will reduce the ability to deliver additional dwelling units.

i. Table 4 requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than all townhouse and single car garages. This should be removed.

j. Table 4 states that the front yard setback to an attached garage is 5.5m, but this conflicts with Section 4.5 which requires 6m. Furthermore, Table 4 requires exterior side yard setback of 3m which conflicts with the 2m exterior side yard in the NL2 zone.

k. Table 26 requires the front yard setback to be an average of adjacent building setbacks (+/- 20%) or 3m of those lots are vacant. This is an unnecessary and inappropriate requirement in greenfield development locations.

B4. Mid-Rise (MR1) Zone and other related provisions: If not appropriately transitioned, then the proposed new By-law contains urban design 'form-based code' zoning provisions that would prevent the construction of the approved Site Plan applications on this property. Examples include the following:

a. Tables 38 and 40 require 17 square metres of amenity area (12m2 common & 5m2 private). This is a 5 square metre increase over the current By-law and higher than any other By-law I am aware of in Ontario.

b. Section 3 of the By-law contains numerous provisions that will negatively impact on the design and function of Bock 193 on this Draft Plan of Subdivision and for which no explanation or planning rationale for their inclusion has been provided. Examples include outdoor patio limitations, active frontage requirements, the application of angular planes to a 5 storey building, building step-backs and setbacks, facing distances, floor plate and podium length requirements, window to wall ratio, extra landscaping requirements.

c. Section 3.2.6 details the ratio for common amenity areas and rooftop areas and patio's do not count unless they are accessory to a recreational facility. Why a stand-alone rooftop patio for common usage doesn't count defines planning rationale.

d. Some of the requirements for private amenity areas (i.e. 3m separation, projections, location) appear randomly derived and should be justified/explained. These requirements should be removed and allowed to be dealt with as part of the site plan approval process.

e. Section 6.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

i. The requirement for a residential entrance must be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate many interior residential access points on a site plan and the restrictions may conflict with the building code.

Request #3: That staff review the examples provided in Section B3 and B4 and then closely review the entire By-law to remove unnecessary provisions that impact on housing supply and make sure that conflicting sections are corrected.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for October 1, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Michelle Banfield, Executive Director of Development Services
Mapleview South (Innisfil) Ltd., Enzo Di Giovanni, Antonio Conte, Jessica Ferrari

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C31.

October 22, 2024

Celeste Kitsemetry
Supervisor of Growth Management
The City of Barrie
70 Collier Street
Barrie, ON L4M 4T5

e: newzoningby-law@barrie.ca
e: Celeste.Kitsemetry@barrie.ca

Dear C. Kitsemetry:

RE: SUBMISSION LETTER: DRAFT #3 NEW ZONING BY-LAW
150 CAPLAN AVENUE, BARRIE
OUR FILE 2138A

On behalf of our client, Caplan-Barrie Holdings Limited, we are pleased to submit comments regarding Draft #3 Zoning By-law, in relation to lands municipally addressed as 150 Caplan Avenue (the 'Subject Lands'), in the City of Barrie. These lands are located on the north side of Caplan Avenue, west of Veterans Drive. The Subject Lands are approximately 2.78 hectares and are currently vacant.

Within the current City of Barrie Zoning By-law 2009-141 (consolidated January, 2024), zoning district map, the Subject Lands are currently zoned Business Park (BP (SP-338)). The BP zone permits manufacturing and processing, as well as warehousing, within wholly enclosed buildings. In this context, the development intent for the Subject Lands is to build smaller industrial units that would allow for small-scale manufacturing, processing, warehousing within wholly enclosed buildings, – adaptable to tenant needs. As the previous draft #2 Zoning By-law permitted these types of uses, through the 'Employment Area' definition and use, we did not provide comments in our previous submissions. We note further below, that draft #3 Zoning By-law does not permit these current permitted uses for the Subject Lands, yet have maintained the definition of 'Employment Area' as follows:

> *EMPLOYMENT AREA*
> *Means those areas, designated in the City of Barrie Official Plan, for clusters of business and economic activities, including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.*

Official Plan Context

Under the Official Plan (May, 2024), Map 1: Community Structure, the Subject Lands are situated within the Employment Area, and in Map 2: Land Use Designation, the Subject lands are designated as Employment Area – Non-Industrial. Under Section 2.6.9 Employment Area – Non-Industrial, ss. 2.6.9.1 Permitted Uses, the following are identified as 'shall be' permitted uses on the Subject Lands:

a) Office (including major office);
b) Training centres, and alternative and continuing education;
c) Research and development centres and laboratories;
d) Food production and processing;
e) Parks and other open space areas;
f) Community facilities;
g) Hospitality and tourism;
h) Commercial and retail;
i) Major retail; and,
j) The land uses permitted in Section 2.6.10.1 of this Plan, except waste management.

Section 2.6.10.1 also permits the following on the Subject Lands:

a) Manufacturing and fabrication;
b) Parks and other open space areas;
c) Distribution facility/warehousing/storage (excluding retail sales warehouse);
e) Assembly and processing;
f) Ancillary retail and/or commercial supporting a primary industrial use;
g) Other ancillary uses supporting a primary industrial use;
h) Subject to the Zoning By-law, non-industrial service-based uses; and,
i) Office (excluding major office).

Subject Lands: Proposed Zone District

Within the previous draft #2 Zoning By-law, as well as within this draft #3 Zoning By-law, the Subject Lands are zoned as 'Employment – Non-Industrial (EN)'. This zoning is in conformity with the Official Plan's designation of the lands, also as Employment – Non-Industrial within an Employment Area.

Previous Submitted Comments

On July 24, 2023, we submitted comments to the City of Barrie regarding draft #2 Zoning By-law, as they affect the Subject Lands. At that time, our concerns pertained to:

- Building Length, definition
- Section 9.5.3: Table 9-6
    - Maximum building length – 60 m in EN zone;
    - Lot Coverage – 40%.

Our request at that time was for the removal of building length that pertained to 'primary dwelling unit' and for a return of lot coverage for the Subject Lands to 50%, as permitted under the current Zoning By-law.

As noted above, our previous submission letter in response to draft #2, did not address the matter of permitted uses as the 'Employment Non-Industrial' zone continued to permit Employment uses in conformity with the recently adopted Barrie Official Plan, which continues to permit manufacturing and processing, as well as warehousing.

A screenshot of draft #2 Zoning By-law identifies 'Employment' as a permitted use – and outlined in red below:

9.2 Permitted Uses

a) **Primary Use**s permitted in the Employment Industrial (EI), Employment Non-Industrial (EN), and Employment Restricted Industrial (ER) **Zone**s are those marked by a '●' in Table 9-1.

b) **Accessory Use**s permitted in the Employment Industrial (EI), Employment Non-Industrial (EN), and Employment Restricted Industrial (ER) **Zone**s are those marked by a '◊' in Table 9-1.

Table 9-1: Permitted Uses in the Employment **Zone**s

PERMITTED USES –EMPLOYMENT ZONES			
USES	EMPLOYMENT INDUSTRIAL (EI)	EMPLOYMENT NON-INDUSTRIAL (EN)	EMPLOYMENT RESTRICTED INDUSTRIAL (ER)
Adult Entertainment		●	See Table Notes*
Animal-related Services		●	
Automotive Rental & Sales Establishment	●	●	
Automotive Repair and Service Station		●	
Automotive Wrecking and Repair Establishment	●		
Body Rub Parlour		●	
Cemetery		●	
Commercial Entertainment		●	
Commercial Parking		●	
Commercial School		●	
Commercial Uses		●	
Arena		●	
Community-related		●	
Drive-Thru Window	◊	◊	
Employment		●	
Funeral Establishment		●	

Screenshot from Draft 2 Zoning By-law

Draft #3 Zoning By-law Comments

In comparing the regulations proposed between Draft #2 and Draft #3, we note the following as our two main concerns:

1. Lot Coverage
2. Permitted Uses

1. Lot Coverage:
   It is noted that Draft #3 has not increased the permissible lot coverage to 50% in Section 9.9: Employment Area – Non-Industrial (EN), Table 58: EN Lot and Yard Standards. The Table 58 has maintained a maximum lot coverage at 40%. This remains a concern.

2. Permitted Uses: EN Designation vs EN Zone
   As noted above, the Official Plan permits Industrial uses within the Employment – Non-Industrial designated lands, including Distribution Facility/Warehousing/Storage (excluding retail sales warehouse) and Manufacturing and Fabrication/Processing. It is noted that in the draft #3 Zoning By-law, Section 9.5: Permitted Uses, Table 54: Permitted Uses in Employment Zones, that these two uses are not identified as permitted within the EN zone, even though, as noted above, these uses were included as permitted uses for the EN zone within draft #2 of the Zoning By-law.
   In context of the revisions made between draft #2 and draft #3 of the Zoning By-law, it is also noted that the use of 'Employment' was deleted from Table 54: Uses Permitted in Employment

Zones and was replaced by 'Industrial Use (General)'. The definition of Industrial Use (General), as provided for in section 15: Definitions means:

> *a building or structure or part thereof used primarily for the purpose of manufacturing, processing, fabrication, assembly, treatment, packaging, warehousing, distribution, recycling operations and/or the bulk storage of goods and materials and related accessory uses.*

We would recommend that a dot be placed in the EN column of Table 54 to permit the 'Industrial Use (General)' in the EN zone, as well as manufacturing and processing, and warehousing to bring the EN zone in conformity with the permitted uses for Employment Area-Non-Industrial designation as approved in Official Plan, sections 2.6.9.1 and 2.6.10.1

We appreciate that within the Draft #3 Zoning By-law, that reference to a maximum building length has been removed and is not included within Table 59: EN Building Standards.

Recommendation

Based on the above main concerns, our recommendation regarding Draft #3 Zoning By-law revisions would be as follows:

1. Table 58: EN Lot and Yard Standards
   Increase the maximum Lot Coverage to 50%.

2. Table 54: Permitted Uses in Employment Zones (EN Zone District)
   Ensure that the Official Plan, s. 2.6.10.1 permitted uses are identified as permitted in the EN zone, including:
   - Manufacturing and Fabrication/Processing;
   - Distribution Facility/Warehousing/Storage (excluding retail sales warehouse); and,
   - Industrial Use (General).

Conclusion

We appreciate the opportunity to provide our comments regarding the Draft #3 Zoning By-law as they affect the Subject Lands. We would be more than pleased to discuss the above matters with you, should you require further clarification or have any questions regarding the Subject Lands.

Yours truly,

MHBC



Oz Kemal, BES, MCP, RPP
President

cc. *P. Zentil, Zentil Property Management Inc.*
J. Zentil, Zentil Property Management Inc.

November 1, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law

- **Crystal Point Inc. (120/122 Saunders Road)**
- **Cresthaven Developmements Inc. (131 Saunders Road)**
- **Coppercreek Estates Inc. (160/166 Saunders Road)**
- **Fernbrook Developments Inc.**
  - **(1, 11, 31, 41, 341, 351, 361, 371 King Street**
  - **(154, 312, 322 King Street)**
  - **155, 342 and 352 King Street)**
- **Garden Village Commercial Trustee (676-684 Veteran's Drive)**
- **Fernbrook Commerical Centre Inc. (645 Veteran's Drive)**

City File: D30-016-2024
Jones Consulting File: Has-08374

I am writing to you on behalf of the above noted companies who own developed land that contains hundreds of thousands of square feet of purpose built multi-unit commercial and industrial buildings in Barrie.

My client has reviewed the draft new Comprehensive City-Wide Zoning By-law and we offer the following background and comments for your consideration.

A. Background

Construction on my clients King Street and Veteran's Drive properties commenced In 2005 and construction has continued through to the current 645 Veteran's Drive property – which is currently partially complete. There are 17 existing buildings and 23 buildings in total, when the Veteran's Drive project is complete. When the final construction is completed, there will be approximately 107 separate businesses that exist among the King Street and Veteran's Drive properties. Those 100+ businesses are located within purpose built buildings that have been designed to accommodate a wide range of commercial and industrial uses.

Construction on my clients Saunders Road properties commenced in 1989 and was completed in the early 2000s. In total there are 5 existing buildings providing accommodation for fifty (50) separate businesses.

These purpose built commercial and industrial buildings are unlike most residential buildings, which generally contain the same residential use over their lifespan. In the case of purpose built commercial and industrial buildings, uses change regularly as leases expire or are

renewed. Some businesses expand, some leave to find other locations based on their market needs, and other new businesses start. The key to the long-term success of these buildings is to provide flexibility to incubate businesses as demands and needs change. As an example, over a 20 year period, a single unit(s) may convert from a veterinary clinic to a commercial/industrial school, and then to an office or small assembly use.

Without the flexibility to accommodate and adapt to a wide range of uses, these purpose built buildings will be unable to properly function because more traditional employment uses require different parking, access, loading spaces, ceiling heights, mechanical and staffing spaces than what currently exists. They are simply not designed to accommodate large scale manufacturing, associated research and development and warehousing. Any outcome that results in uses being limited to those primary employment uses will significantly compromise their mid-to long-term viability.

B. Provincial Planning Statement (2024)

The new Provincial Planning Statement includes notable changes to the definition of employment areas and the permitted uses within same.

More specifically, the definition of an employment area now specifically excludes institutional and commercial uses as well as retail and office uses not associated with the primary employment use. The PPS definition of employment area is provided below:

> **Employment area:** means those areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An *employment area* also includes areas of land described by subsection 1(1.1) of the *Planning Act*. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

In addition to the definition change above, the new PPS also identifies that employment areas are to be protected that require those locations for manufacturing, research and development in connection with manufacturing, warehousing and goods movement.

3. Planning authorities shall designate, protect and plan for all *employment areas* in *settlement areas* by:

    a) planning for *employment area* uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
    b) prohibiting residential uses, commercial uses, *public service facilities* and other institutional uses;
    c) prohibiting retail and office uses that are not associated with the primary employment use;
    d) prohibiting other *sensitive land uses* that are not ancillary to uses permitted in the *employment area*; and
    e) including an appropriate transition to adjacent non-*employment areas* to ensure land use compatibility and economic viability.

In my opinion, the new PPS provides very clear direction to Municipalities to protect actual employment areas that are location dependent, in order to support manufacturing, warehousing and goods movement. This means that Municipalities need to carefully review the location of their planned employment areas to make sure they actually meet the criteria/characteristics noted in the PPS. In my opinion, the properties owned by my clients are located in areas that are actually transitional spaces to employment areas, and not directly within employment areas.

C. Barrie Official Plan

In my opinion, the properties owned by my clients are located in areas that are actually transitional spaces to employment areas. Accordingly, the new PPS direction should result in the City reviewing and updating their new Official Plan to make sure that actual employment areas are protected, and other areas, including my clients lands, are excluded from same.

I also note that the new Official Plan contains a specific policy that was intended to provide long-term flexibility and sustainability to purpose built commercial and industrial lands that are designated "Employment – Industrial", such as my clients Saunders Road properties. The specific policy is 2.6.10.2 j), which reads as follows:

> *Retail and/or commercial uses that existed in Employment Industrial areas prior to the implementation of this Plan may be permitted to expand, change and redevelop.*

The effect of this policy is to allow all of the uses that are currently existing on a site to move to a different unit, expand, or be rebuilt depending on business needs.

D. Barrie Zoning

The properties on King Street and Veteran's Drive are currently zoned Light Industrial (LI) and are proposed to be zoned Employment Non-Industrial (EN) in the new draft By-law. The proposed zoning matches the Official Plan designation of "Employment Area – Non Industrial".

The properties on Saunders Road are currently zoned Light Industrial (LI) and are proposed to be zoned Employment Industrial (EI) in the new draft By-law. The proposed zoning matches the Official Plan designation of "Employment Area – Non Industrial".

In reviewing the list of permitted uses in the draft By-law, we note the following:

1. For reasons noted in Section B above, some of the permitted uses listed in the EN and EI zones are not consistent with the PPS because the By-law and the Official Plan have not been updated to identify employment areas according to the new Provincial direction, as opposed to transitional or commercial areas that have been historically included in employment areas.

2. The list of permitted uses in the proposed Employment Industrial (EI) zone does not implement the intent of policy 2.6.10.2.j) which, as noted above, was specifically included in the Official Plan to protect the long-term viability of these purpose built multi-tenanted commercial/industrial buildings. It is inappropriate to require over one hundred business spaces to require a multitude of future rezonings to allow for the implementation of this policy.

• • •

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for November 14, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Jen Roberts, Manager of Strategic Initiatives, Policy and Analysis
Michelle Banfield, Executive Director of Development Services
Colin Hassey, Crystal Point Inc., Cresthaven Developmements Inc., Coppercreek Estates Inc., Fernbrook Developments Inc., Garden Village Commercial Trustee, Fernbrook Commerical Centre Inc. (645 Veteran's Drive)

November 6, 2024

By Email Only to:
cityclerks@barrie.ca

Ms. Wendy Cooke, City Clerk
Barrie City Hall
70 Collier Street, Barrie, ON L4M 4T5

Attention: Mayor Alex Nuttall and Members of Council

Dear Mayor Nuttall and Members of Council:

Re: ASA Development Inc.
989 Yonge Street & Harvie Road (30 & 31 Laurentian Way and 1-12 Beacon Road)
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024
Jones Consulting Files: ASA-17068 & ASA-20533

I am writing to you on behalf ASA Development who owns the above noted development properties on Yonge Street and adjacent to Harvie Road in Barrie. The former is located within the former Hewitt's Secondary Plan area, and the latter is located in the northwest corner of Harvie Road and the proposed extension of Beacon Road.

My client has reviewed the draft new Comprehensive City-Wide Zoning By-law and offers the following background and comments for your consideration:

A. Background

This section provides background information on the above noted properties.

A1. 989 Yonge Street:

The lands known municipally as 989 Yonge Street have been subject to a number of approvals and preliminary applications including:

A1. 2017: Consent (B49-17) and minor variance (A63-17) applications that resulted in the creation of this development property separate from the original dwelling on the lands.

A2. 2019:

- Approval of a Zoning By-law Amendment (By-law 2020-088). This Amendment rezoned the lands to Neighbourhood Mixed Use.
- A concurrent application for Plan of Condominium exemption was also filed in 2019 and remains on hold pending approval of a future site plan application.

A3. 2020: Site Plan exemption application for a sales centre.

A4. 2023: Pre-Consultation application for a revised mixed use high density site plan consisting of 2,750 apartment units and 4,532 square metres of commercial GFA.

A2. Harvie Road (30 & 31 Laurentian Way and 1-12 Beacon Road):

The lands known municipally as 30 & 31 Laurentian Way and 1-12 Beacon Road have been subject to a number of approvals and preliminary applications including:

A1. 2022:

- Approval of a Zoning By-law Amendment (By-law 2022-052). This Amendment rezoned the lands to R4 and RM2, both of which were subject to site specific provisions.
- Draft Plan of Subdivision approval of file D30-018-2021 which proposed the creation of 12 single detached lots, 2 medium density blocks, a municipal road (Laurentian Way) and the extension of a municipal road (Beacon Road).

  Since this time detailed design drawings have been completed, all draft plan clearances have been received (except Bell Canada) and a draft subdivision agreement has been prepared by the City. Unprecedented problems created by Bell Canada have delayed this project by almost 12 months.

A2. 2023:

- By-law approving the removal of the holding provision on the property.
- Tree removal permit TRP-001-2023 issued by the City.
- Site Alteration permit SAP-001-2023 issued by the City.
- Conditional Site Plan approval for 31 Laurentian Way (File D11-007-2023) which proposes the creation of 27 townhouses, A 52 unit four storey apartment and a common elements condominium. Final site plan approval has been delayed due to unprecedented problems created by Bell Canada.
- Conditional Site Plan approval for 30 Laurentian Way (File D11-008-2023) which proposes the creation of 40 townhouses and a common elements condominium. Final site plan approval has been delayed due to unprecedented problems created by Bell Canada.

B. Draft By-law Comments:

Our client has reviewed the draft By-law in the context of the approvals noted in Section A above, and the changes in the By-law that would impact on the ability to complete the development of this project as planned.

B1. **Subdivision Transition**: Section 1.10 a) of the proposed By-law contains a three year subdivision transition provision that would apply the new by-law after that time provided the subdivision has "not yet started construction". Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10 a) states that the only subdivision transition is for an "approved Draft Plan of Subdivision" that has "not yet started construction".

   The By-law does not define construction. Is this limited to house construction, or was it intended to include earthworks, tree removal, servicing etc.? I assume the intent is to mean house construction, but the by-law is not clear. If it was intended to include the latter items, then that is a significant problem because there is typically a significant time delay between activities such as earthworks or servicing and the time of construction.

b. It is not clear whether the medium density blocks in the subdivision would also be transitioned because the by-law is unclear on this point.

c. For large development projects it is typical that redline revisions or draft plan approval extensions, or other implementing approvals are required prior to final approval and registration. The 3-year transition window to receive building permits for all of the houses simply does not provide for the time it takes to deliver a subdivision projects.

Request: In order to provide an appropriate transition for subdivisions, we recommend that Section 1.10a) be revised as shown in red below:

1.10 a) Lots/blocks within ~~If owner/applicants have~~ an approved Draft Plan of Subdivision and/or registered plan without a building permit, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. In accordance with Section 2.5.6 and 2.5.7 of the Official Plan, this transition continues in the event that subsequent implementing approvals are required such as, but not limited to, redline approvals of the subdivision, extensions of draft plan approval, applications for release of Part Lot Control approval, lifting Holding Provisions, or site plan control approval. ~~but have not yet started construction when the new By-law comes into effect, a transition window of three (3) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B2. **Site Plan Transition:** Section 1.10b) of the proposed By-law contains a site plan transition provision. Unfortunately, this provision lacks implementation clarity and is a concern for the reasons outlined below:

a. 1.10b) states that the only site plan transition is for "an approved Site Plan application" that has "not yet started construction".

i. This section does not define what "an approved Site Plan application" is. Does this include applications that have been approved subject to conditions or only applications that have received final approval and are registered?

ii. This section does not define "construction". Does this include earthworks, the installation of servicing or only the construction of buildings?

iii. This section does not recognize that site plan approval extensions or amendments are required to deliver on large and complicated sites.

iv. This section does not recognize the time and financial commitment it takes to obtain a complete site plan application, including preparing dozens of detailed design plans and reports.

v. The two (2) year transition window to receive all building permits does not provide an appropriate transition for site plan applications.

Request #2: In order to provide an appropriate transition for site plans, we recommend that Section 1.10b) be revised as shown in red below:

1.10 b) Lands subject to application for Site Plan Control approval that has been deemed complete by the City of Barrie, will be transitioned from this By-law and remain subject to the provisions of By-law 2009-141. This transition continues in the event that subsequent implementing approvals are required such as, but not limited to, condominium applications, site plan amendments, lifting Holding provisions or extension to approval timelines. ~~If owner/applicants have an approved Site Plan~~

~~application but have not yet started construction when the new By-law comes into effect, a transition window of two (2) years will apply to the zoning review for new Building Permit applications, after which time the new By-law standards will apply to all new construction.~~

B3. **Neighbourhood Low (NL1) Zone and other related provisions:** The lands at Laurentian Way/Beacon Road are proposed to be zoned NL1. If they not appropriately transitioned, then the proposed new By-law contains provisions that would impact on the implementation of this subdivision and site plans. Examples include the following:

a. Rowhouse, Cluster units are not permitted in the NL1 zone according to Table 23; however, there are standards for same in Table 24. The proposed development at Laurention Way/Beacon Road contains 67 cluster townhouses.

b. Table 23 of the proposed new By-law prohibits detached, semi-detached, and street townhouses from fronting onto a Collector Road. Every subdivision in Hewitt's and Salem, including this subdivision, have lots fronting onto Collector Roads. The yield and construction cost impacts of this change are significant.

c. Section 3.3.8 a) of the proposed new By-law requires a 3 x 3m sight triangle on either side of every driveway. Adjacent driveways may be located within 0.6m on either side of the joint lot line so a 3m x 3m site triangle is not possible. Also, the proposed Rowhouse Cluster units have 5.5 metres of frontage so there is less than 3m remaining after the 2.7m driveway (e.g. 5.5m – 2.7m = 2.8m).

d. Section 5.7 of the proposed new By-law establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

    i. The requirement for a residential entrance to be 1.2m from finished grade could result in untold amounts of additional fill to be brought into a site.

    ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate the internal entrances fronting onto the private roads.

e. Table 4 of the proposed new By-law requires an attached garage to be a minimum of 22 square metres. This size is significantly larger than a standard parking space and larger than single garage sizes on the townhouse and single detached dwellings. This should be removed.

f. Table 25 of the proposed new By-law establishes a maximum low-rise building length of 60 metres. However, the proposed four storey low-rise apartment is 71 metres in length. In my opinion, the inclusion of arbitrary building length limitations will reduce the number of units delivered on projects or increase the cost of construction. The building length limitation should be removed.

g. Section 3.2 a) requires the low-rise buildings adjacent to an arterial street to have a minimum of 25% of the ground floor to be non-residential uses. The

proposed low-rise apartment building on the Laurentian Way/Beacon Road site is designed as residential only.

B4. Mid-Rise (MR2) Zone: The lands located at 989 Yonge Street are proposed to be zoned MR2. The proposed new By-law contains new requirements that would impact on the development of the site as proposed including:

a. Table 40 requires 17 square metres of amenity area (12m2 common & 5m2 private). This is a 5 square metre increase over the current By-law and higher than any other By-law I am aware of in Ontario.

b. Some of the requirements for private amenity areas (i.e. 3m separation, projections, location) appear randomly derived and should be justified/explained. These requirements should be removed and allowed to be dealt with as part of the site plan approval process.

c. Section 6.7 establishes the maximum elevation for primary entrances and location of pedestrian entrances, which is a matter that should be subject to City Engineering Standards, not a Zoning provision. Site grading, stormwater management, servicing, and overall subdivision design are highly complex tasks that should not be governed by blunt tools like a zoning by-law. The cost and yield implications of this section is significant and we ask you to consider the following:

    i. The requirement for a residential entrance must be 1.2m from finished grade could result in significant amounts of additional fill to be brought into a site, as well as extra retaining walls.

    ii. The requirement that pedestrian entrances must be located facing the front or exterior side yard would eliminate many interior residential access points on a site plan and the restrictions may conflict with the building code.

    iii. The provisions in 6.7 are not authorized by Section 24 of the Planning Act.

d. Section 3, Table 4 limits the height of an attached garage to be 4.5m. This is insufficient to permit structured parking on mid-rise or high-rise sites.

B5. Design Requirements in Sections 3 and 4: These sections contain Urban design 'form-based code' and other zoning provisions that are more appropriately addressed in guideline documents, and not zoning. The result of codifying such restrictive requirements in the Zoning By-law will be to (i) discourage new high quality development by failing to allow new buildings to appropriately respond to their surrounding context and constraints, (ii) tie the creative hands of architects, (iii) add cost, (iv) reduce the number of units, and (v) delay approvals because rezonings or minor variances will invariably be required. Examples include the following:

- Active Frontage Requirements: Section 3.2.1 requires all mid-rise buildings fronting onto an arterial street to contain non-residential uses on 25% of the ground floor area and 50% of the building frontage or amenity area. In the case of the 989 Yonge Street, a portion of the frontage along Lockhart Road, which is an arterial street, is planned for a Metrolinx overpass and ground floor commercial in those adjacent buildings is not appropriate. Also, having non-residential uses at ground level in an interior building adjacent to an amenity area is not feasible.

- Building Step-Backs & Setbacks: The step and setbacks listed in Section 3.2.4 have not been explained and appear arbitrary.
- Common and Private Amenity Areas: Section 3.2.6 lists amenity area ratio sizes (e.g. not to exceed 4 x width) and location requirements that are overly prescriptive. Section 3.2.6 also states that rooftop patio's do not count towards amenity area requirements unless they are accessory to a recreational facility such as a pool. I can think of now reason why a stand-alone rooftop patio for common use should not count as an amenity area.
- Facing Distances: Section 3.2.7 contains facing distances that have not been explained and appear arbitrary.
- Floor Plate and Podium Lengths: Section 3.2.8 contains restrictions on floor plate sizes and podium lengths that will not only prevent the development as planned, but also add considerable construction cost and decrease the number of units that can be developed on the site.
- Window to Wall Ratio: Section 3.2.11 tries to regulate the amount of glazing and openings, which is something controlled by the Ontario Building Code under the limiting distance calculations. This type of provision is not authorized by Section 34 of the Planning Act.
- Snow Storage & Landscaped Areas: Section 3.3.1 g) prohibits snow storage in landcaped areas, which appears to mean that dedicated non-landscaped snow storage areas must be provided. This will unnecessarily reduce parking and units on a property.
- Waste Management: Section 3.3.11a)iii. prohibits accessory waste buildings from being located within 10m of the front face of the primary building. This provision should be revised to 'detached' structures, because most mid-rise buildings have integrated waste rooms (either attached or in the structure) that are located within 10m of the front face of the buildings.
- Outdoor Patios: Section 3.4.9 restricts outdoor patios to 50% of the GFA of the commercial use. This unnecessary restriction may result in less patio space being developed along Yonge Street – which is an undesirable outcome.
- Barrier Free Parking Spaces: Table 17 contains a typographic error in parking spaces greater than 100. The table requires both Type A and Type B spaces to be provided at 1 space plus 3%. This would be double the requirement of the AODA. Given that the second note to Table 17 states that the AODA prevails in the even to conflict, I recommend that this section be removed in its entirety.
- Electric Vehicle Ready Parking: Section 4.6.4 requires EVRP for all required spaces, which would include surface and structured parking. This requirement should be changed to rough ins, not EV Ready – which would require the installation of 100% of required spaces to have charging stations installed. This is unviable and, in my opinion, unenforceable under Section 34 of the Planning Act.
- Long-Term Bicycle Parking: Table 19 requires 0.3 long-term bicycle parking spaces per 100m2 of GFA. My client questions the need or even the benefit to providing long-term, as opposed to only short-term bicycle parking, for non-residential uses.

- Loading Spaces: Section 4.9.2 contains new loading space requirements, including an increase in the size from 3m x 9m currently, to the 3.5m x 10m in the proposed By-law. I have never encountered any concerns with the current loading space size and my client requests that this proposed provision be revised to match current.

We kindly ask that you bring this letter to the attention of the Mayor and Members of Council prior to the public meeting scheduled for November 14, 2024. We appreciate the opportunity to provide comments on the draft By-law and we request notification of all future meeting dates where this matter will be discussed and any decisions rendered.

Sincerely,



Ray Duhamel, M.C.P., MCIP, RPP
Partner

c. Liam Munnoch, Planner
Celeste Kitsemetry, Supervisor of Growth Management
Jennifer Roberts, Manager of Strategic Initiatives, Policy and Analysis
Michelle Banfield, Executive Director of Development Services
ASA Development Inc. c/o Abdullah Guirguis.

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

November 13, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: NewZoningBylaw@barrie.ca
Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: Comment Letter – Draft 3 of the City of Barrie Zoning By-law
803 & 805 Essa Road

Since 2004, Innovative Planning Solutions (IPS) has, and continues to be, an active planning consulting firm in the City of Barrie. Throughout this period, IPS has worked with City Planning Officials and the many Councils on a significant number of development applications, while also initiating and participating in many amendments to the City's Comprehensive Zoning By-law (ZBL).

The third draft of a new City-wide Zoning By-law is now posted for public review and feedback. On behalf of 805 Essa Inc., IPS is pleased to submit the following comments on the draft new ZBL in relation to its properties located at 803 & 805 Essa Road (subject lands). Based on our review of the draft new ZBL, supported by review of corresponding Official Plan analysis, we have the following comments for your consideration.

Summary of Official Plan Policy

The subject lands are designated Neighbourhood Area within the City's Official Plan (Map 2), while being positioned on an Intensification Corridor within the City (Map 1).

Intensification Corridors within the City are considered a key intensification component of Barrie's Community Structure (2.3). Dedicated higher order transit facilities are to be located along intensification corridors in order to connect strategic growth areas (2.3.3.g). Development within

the Built-Up Area shall be directed toward areas including lands fronting intensification corridors (2.4.2.2.a.i).

Section 2.3.6 of the Official Plan details policies relating to development on intensification corridors, as follows:

> *Intensification Corridors are areas planned for **higher-density and mixed-use development along arterial streets that connect Barrie's growth centres**. Intensification Corridors are illustrated on Map 1. In addition to other policies of this Plan, the following policies shall apply to the Intensification Corridors:*
>
> *a) The function of Intensification Corridors is to support transit-oriented development in areas outside of Strategic Growth Areas, Urban Growth Centre, and Major Transit Station Areas, and take a forward-looking approach to development that is walkable and with a range of uses that support transit users in accordance with the respective land use designation.*
>
> *b) It is expected that the level of intensification will vary along the length of an Intensification Corridor to reflect different contexts. The scale of built form along Intensification Corridors must conform with the applicable land use designation and Section 3 policies.*
>
> *c) Intensification Corridors will be planned so that all new development and redevelopment within these corridors are supported by public transit infrastructure and active transportation infrastructure. This infrastructure should also incorporate winter city design elements, as detailed in the City-Wide Urban Design Guidelines.*
>
> *d) For those street segments identified as Intensification Corridors:*
>
> > *i) The properties fronting those streets are the properties envisioned for development or redevelopment; and,*
> >
> > *ii) Development or redevelopment, where possible, must be oriented towards those street segments.*

The Neighbourhood Area land use policies recognize under Section 2.6.1.2 that lands within shall be considered established neighbourhoods that are not intended to experience significant physical change that would alter their general character, ***except for*** lands designated Neighbourhood Area located on an Intensification Corridor (Map 1), or lands fronting onto arterial or collector streets (Map 4a and Map 4b). The subject lands are both located on an Intensification Corridors as well as an arterial street within the City.

Policy 2.6.1.3.f provides that along an Intensification Corridor in the Neighbourhood Area designation, development may be permitted up to ***eight storeys***, subject to criteria. To promote

transit supportive development, new development occurring on lands fronting on streets classified on Map 4b as collector or arterial streets, or fronting onto Intensification Corridors as per Map 1, should be planned to a minimum residential density of 50.0 units per hectare (2.6.1.3.h).

Policy 3.2.1.c provides height and density are built form characteristics that are interrelated. Given this, proposed developments must seek a balance between height and density that is context sensitive, recognizing that areas including Intensification Corridors are the focus for increased heights and densities and will experience built form changes to achieve the City's stated goals of evolving into a medium-sized City.

Draft 3 Zoning By-law Review

The subject lands are proposed to be zoned 'Neighbourhood Intensification (NI)' in the City's 3rd draft Zoning By-law, along with adjacent lands to the north and south, as illustrated in Figure 2. NI zoned lands can be found, generally speaking, on Intensification Corridors throughout the City.

As per Table 23 of the City's 3rd Draft Zoning By-law, permitted uses within the NI zone are limited to low-rise and mid-rise building. Table 30 of the City's 3rd Draft Zoning By-law includes provisions for the NI zone relating to NI Lot, Yard and Amenity Standards as follows:

		Low-Rise Building	Mid-Rise Buildings
Lot Standards	**Lot Coverage (Maximum)**	50%	
	Lot Frontage (Minimum)	30 m	35 m
	Exterior Side Yard Setback (Minimum)	3 m	
Yard Standards	**Front Yard Setback (Minimum)**	3 m	
	Interior Side Yard Setback (Minimum)	3 m	
	Landscaped Area (Minimum)	20%	
	Rear Yard Setback (Minimum)	5 m	3 m
Amenity Area Requirements	**Common Amenity (Minimum)**	8 sq m per Dwelling Unit	12 sq m per Dwelling Unit
	Private Amenity (Minimum)	N/A	5 sq m per Dwelling Unit

	Low-Rise Building	Mid-Rise Building
Dwelling Unit Width (Minimum)	N/A	
Building Height	2 Storeys (5.5 m) Minimum 4 Storeys (14 m) Maximum	4 Storeys (14 m) Minimum 6 Storeys (21 m) Maximum
Building Length (Maximum)	60 m	

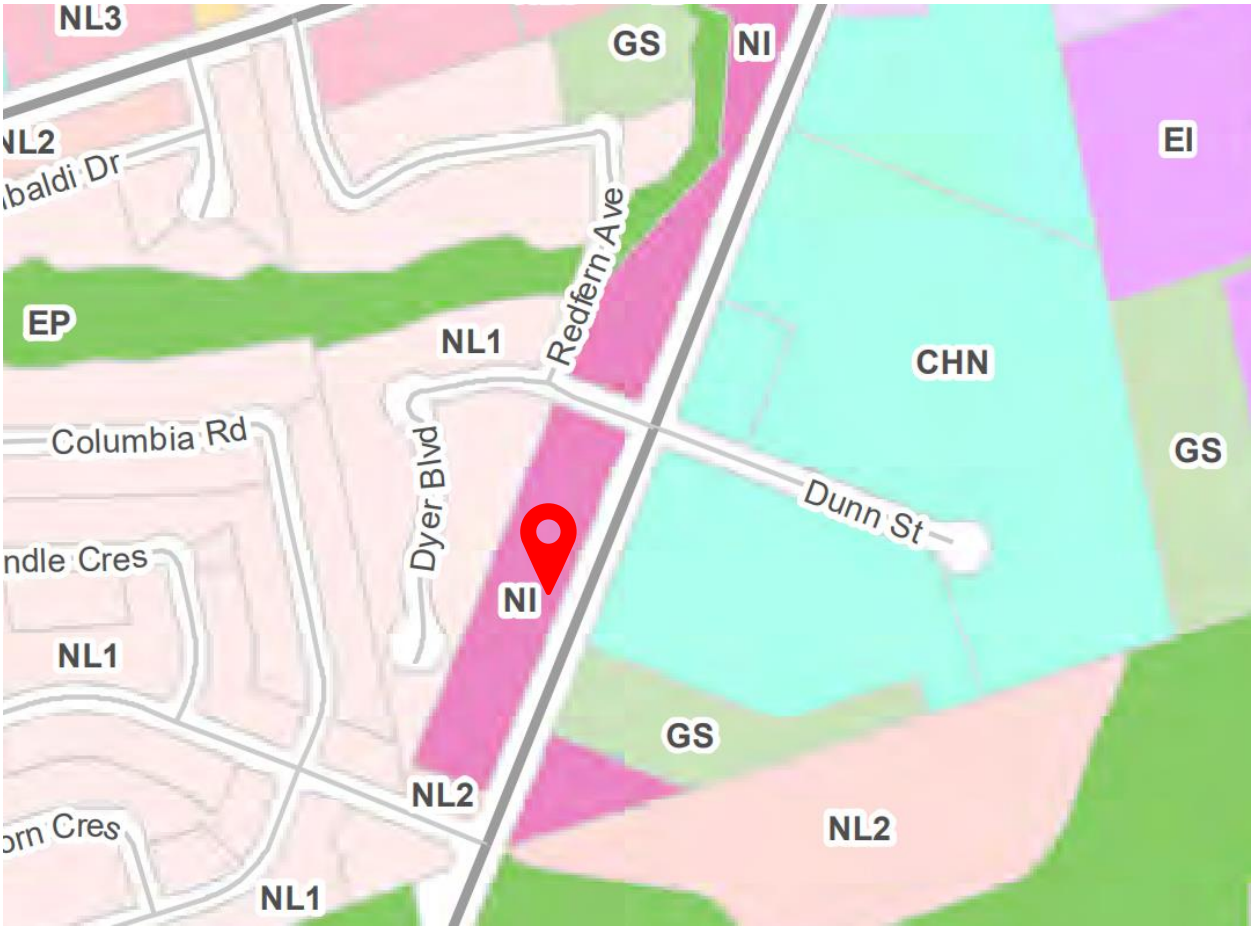

Figure* 1*: *The subject lands (red pin) are proposed to be zoned NI.*

The 3rd Draft Zoning By-law NI Zone standards have been reviewed, and we offer the following:

Height

Table 30 restricts the height of mid-rise buildings in the NI zone to 6 storeys. This height maximum is not consistent with the Official Plan's direction for properties within Intensification Corridors (8-storeys). The NI zone should be consistent with the Official Plan's vision for Intensification Corridors and match the same height permission of 8 storeys. The Official Plan criteria for 8 storey height within Intensification Corridors (and corresponding NI zoning) would need be adhered to for all projects within, and should they not meet said criteria, the 8 storey height would not be permitted. The current propose 3rd draft zoning framework would require any development in the future NI zone to go through a Zoning By-law Amendment (ZBA) for any development in excess of 6 storeys, where the Official Plan permits it. This should not be considered appropriate,

and represents a significant time and cost prohibition to getting new housing to the market, as has been deemed critical and priority by the Province of Ontario.

Proposed Solution

1. Modify Table 30 to stipulate a maximum building height of 8 storeys (28 metres) for mid-rise buildings within the NI zone.

Amenity Area Requirements

Under Table 30*,* the NI zone requires a minimum of 12 square meters of common amenity area per unit, along with 5 square metres of private amenity area per unit, for mid-rise buildings. While community spaces are vital for a vibrant residential environment, we believe this requirement is excessive and could have unintended negative consequences, including preventing appropriate intensification.

Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters. The 12 square meters proposed in Barrie significantly exceeds these established standards in other Municipalities across southern Ontario.

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with development to make housing more affordable. Excessive common amenity space requirements increase construction costs, while reducing the quantity of houses and appropriate intensification being developed, making it harder to build affordable housing. Additionally, excessive amenity space may increase ongoing costs for residents, such as condominium fees or rent, in order to maintain the amenity areas, regardless of whether the provided amenity space aligns with the actual needs of residents. This is not aligned with the province's goal of affordability.

Further, the City of Barrie has over 130 public recreational trails and parks covering over 1,200 ha, a ratio of 7.8 square meters per person. This is double the ratio of other similar cities in the surrounding area, as detailed in Table 1 below:

Table 1: Comparison of Parks and Outdoor Spaces			
City	**Parkland (ha)**	**Population**	**Parkland Per Resident (square meters)**
Barrie	1,200	153,000	7.8
Richmond Hill	689	202,000	3.4
Markham	809	350,000	2.3
Toronto	8,000	2,800,000	2.9

This higher ratio of parkland per resident allows for more residents to access publicly owned and maintained parkland, reducing the need for private outdoor amenity space across the City.

Proposed Solution

1. Reduce the required minimum common amenity area to match the standards of other mid-size cities (eg. 2 square metres per dwelling unit), and;
2. Require unconsolidated amenity area rather than consolidated, such that private amenity areas contribute toward the amenity space requirement per unit to allow for more flexibility for all sites, as opposed to requiring consolidated / common amenity area.

We respectfully urge the City of Barrie to consider the requested changes to the common amenity space requirement for all zones to promote more affordable housing and efficient land use.

Front Yard Setback

Table 30 of the City's 3rd Draft Zoning By-law requires a front yard setback of 3.0 meters in the NI Zone. The draft urban design guidelines include active street frontages under Section 5.2 Building Performance Guidelines. The stated Design Intent is to site and design buildings to frame and activate streets and public open spaces. A reduced setback, in this case, would be a reasonable solution.

The City's current Zoning By-law (2009-141) requires a minimum front yard setback of 1.0 metre for lands zoned MU2, reflecting properties fronting Intensification Corridors. A smaller front yard setback allows for a more interactive and stronger urban streetscape along Intensification Corridors.

Proposed Solution

1. Reduce the minimum front yard setback to 1.0 metres within the NI zone.

Conclusion

When a primary goal of development is to create more opportunities for housing, and increased housing affordability, the provisions of the 3rd Draft ZBL provisions as they currently stand, specifically as they relate to the NI zone, restrict the ability to provide such general and affordable / attainable housing and appropriate intensification in general. We are hopeful the City will consider the requested revisions to the NI zone noted within this correspondence.

We appreciate the opportunity to comment on the City's 3rd Draft Zoning By-law. Should staff have any questions on this letter, please do not hesitate to contact the undersigned.

Respectfully submitted,
Innovative Planning Solutions

Greg Barker, B.A.A.
Partner

Cynthia Daffern
Planner

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

November 13, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: NewZoningBylaw@barrie.ca
Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: **Comment Letter – Draft 3 of the City of Barrie Zoning By-law**
57 Berczy Street

Since 2004, Innovative Planning Solutions (IPS) has, and continues to be, an active planning consulting firm in the City of Barrie. Throughout this period, IPS has worked with City Planning Officials and the many Councils on a significant number of development applications, while also initiating and participating in many amendments to the City's Comprehensive Zoning By-law (ZBL).

The third draft of a new City-wide Zoning By-law is now posted for public review and feedback. On behalf of 2847874 ONTARIO INC., IPS is pleased to submit the following comments on the 3rd draft ZBL in relation to 57 Berczy Street (site) (see **Figure 1**).



Figure 1: 57 Berczy Street

Based on our review of the draft new ZBL, supported by review of corresponding Official Plan analysis, we have the following comments for your consideration.

3rd Draft Zoning By-law

The subject lands are proposed to be zoned 'Neighbourhood Low Area 1', the lowest density of the proposed neighbourhood zone within the 3rd Draft Zoning By-law (see **Figure 2**).

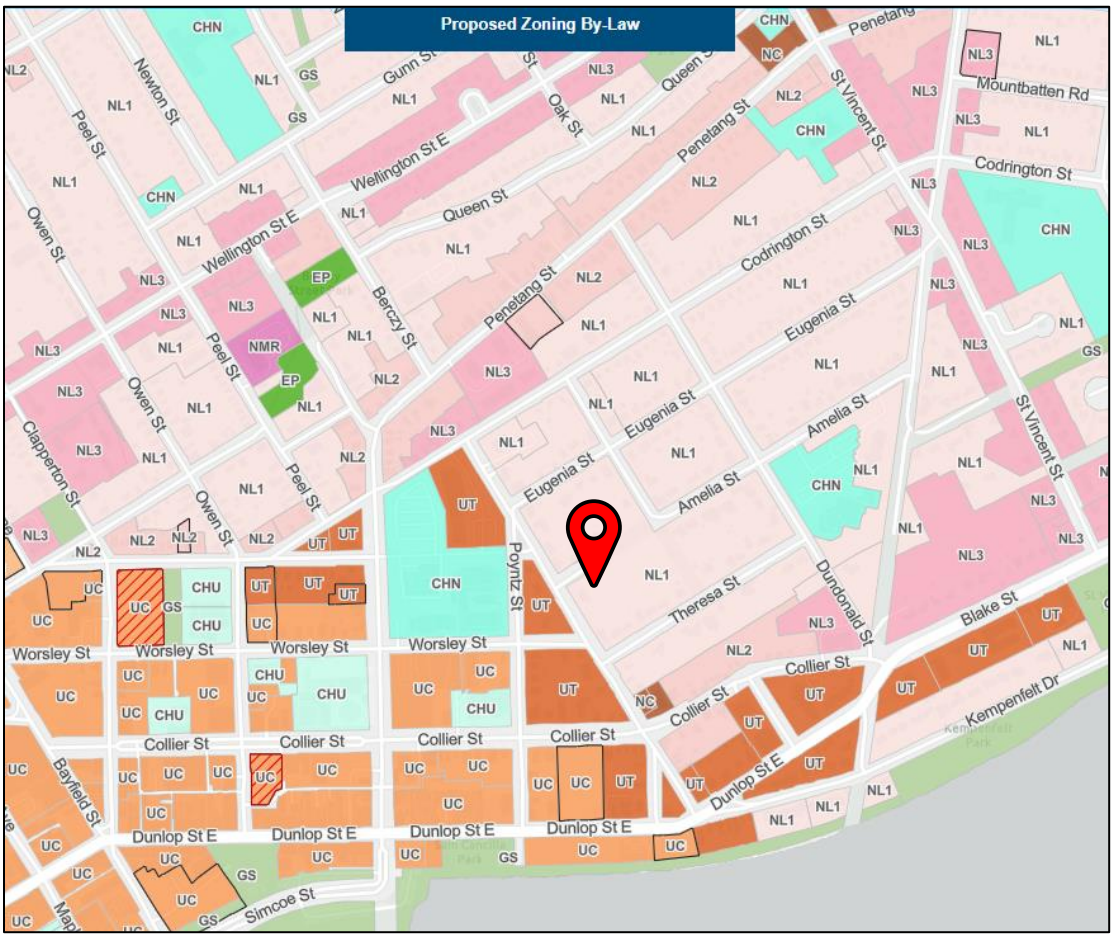

Figure 2: 3rd Draft Zoning By-law map

The site is of significant size and underutilized, when considering the surrounding area, and represents an opportunity for appropriate intensification. The site has a frontage of ~64 meters along Berczy Street and ~66 meters along Amelia Street. The total site has a total area of 0.71 hectares (1.75 ac). This is approximately 10 times larger than the surrounding sites along Berczy street and Theresa Street (see **Table 1**). The site currently possesses one (1) single detached dwelling.

Table 1			
Example	**Address**	**Frontage**	**Area**
Site	57 Berczy St	~64 m / ~66 m	~7094 m2
1	45 Berczy St	~19 m	~718 m2
2	12 Theresa St	~18 m	~665 m2
3	16 Theresa St	~18 m	~680 m2
4	18 Theresa St	~18 m	~669 m2
5	20 Theresa St	~18 m	~669 m2
6	22 Theresa St	~18 m	~651 m2

The site is located directly adjacent to (across the road from) the City's Urban Growth Centre (Official Plan Map 1) and thus represents an appropriate location for transition to stable existing neighbourhoods to the east of the property. We feel that the adjacent Urban Transition (UT) zone within the Urban Growth Centre, should transition to a higher order Neighbourhood Low zone than the NL1 currently proposed by the draft By-law.

The site is also in close proximity to, and has access to, community resources including public schools, employment opportunities, transit stops, commercial plazas, parks, and places of worship within walking distance. As a result, the site provides an opportunity for appropriate intensification.

NL3 zones are proposed to the north, south, and east of the subject lands. Overall, this change would provide for more housing opportunities on a significantly underutilized site, aligned with Official Plan policies regarding intensification and new zoning by-law policies regarding appropriate intensification and appropriate transitions.

Proposed Solution:

- Zone 57 Berczy Street to NL3.

NL1 Cluster townhomes

Cluster townhomes are one of several types of rowhouses noted in the new third draft Zoning By-law, similar to that of other rowhouses such as on-street, back-to-back, and rear access. However, cluster rowhouses are the only townhouse type not permitted as-of-right within the NL1 zone in the new draft by-law as per Section 5.5, Table 22. Cluster townhomes are restricted to the NL3 zone only, despite the fact that there are many potential opportunities for cluster townhomes on sites such as 57 Berczy Street.

The site fronts onto 2 roads, yet it still would have a significantly underutilized lot should a built form such as on-street townhouses, back-to-back townhouses, or rear-access townhomes. A similar situation would exist for any NL1 site within the City which possesses significant depth.

Proposed Solution:

- Permit cluster townhouses in the NL1 zone.

This would allow for more diversity in the housing stock / form provided, while not introducing an incompatible use. Should the cluster townhome built form not be appropriately achievable / feasible on any given NL1 site, other checks and balances are in place to prevent through other zoning standards / requirements as well as the Site Plan Control process.

Amenity Space

Under Section 5.8 *Neighbourhood Low 1 (NL1)* Table 24 *NL1 Lot, Yard, and Amenity Standards* the Neighbourhood Low 1 zone requires a minimum of 10 square meters of common amenity area per unit. While community spaces are vital for a vibrant residential environment, we believe this requirement is excessive and could have unintended negative consequences, including preventing intensification.

Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters. The 10 square meters required in Barrie significantly exceeds these established standards.

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with development to make housing more affordable. Requiring large common amenity spaces increases construction costs, making it harder to build affordable housing. Additionally, excessive amenity space may increase ongoing costs for residents, such as condominium fees, in order to maintain the amenity areas, regardless of whether the provided amenity space aligns with the actual needs of residents. This is not aligned with the province's goal of affordability.

Further, the City of Barrie has over 130 public recreational trails and parks covering over 1,200 ha, equating to a ratio of 7.8 square meters per person. This is more than double the ratio of other similar cities in the surrounding area, as detailed in Table 1 below:

Table 1: Comparison of Parks and Outdoor Spaces			
City	**Parkland (ha)**	**Population**	**Parkland Per Resident (square meters)**
Barrie	1,200	153,000	7.8
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Markham	809	350,000	2.3
Toronto	8,000	2,800,000	2.9

This higher ratio of parkland per resident allows for more residents to access publicly owned and maintained parkland, reducing the need for private outdoor amenity space across the City. By imposing a large common amenity area requirement, less flexibility is permitted, which could lead to less efficient use of space. A more balanced requirement would encourage better design that meets both community needs and market realities.

Proposed Solution

- Reduce the required minimum amenity area within all NL zones to be consistent with the amenity requirements of other mid-size cities.
- Permit unconsolidated amenity space.

Given the above factors, we respectfully request the City of Barrie consider the requested changes to the zoning of 57 Berczy Street (NL3 zone), provisions of the NL1 zone, and/or the common amenity space requirement for all NL zones, to promote housing affordability and efficient land use.

Respectfully submitted,

Innovative Planning Solutions

Cameron Sellers, BA
Partner

Cynthia Daffern
Planner

KLM PLANNING

64 JARDIN DRIVE, UNIT 1B
CONCORD, ONTARIO L4K 3P3

T 905.669.4055

KLMPLANNING.COM

File: P-3457

November 11, 2024

City of Barie
70 Collier Street
Barrie ON
L4M 4T5

Attention: **Mayor Nuttal and Members of Council**

Re: **City of Barrie New Comprehensive Zoning By-law, Draft 3**
Affordability Committee Public Meeting November 14, 2024.
Georgian Glen Developments Limited
1 Cheltenham Road, & 280 and 274 Penetanguishene Road
City of Barrie, ON

Dear Mayor Nuttal and Members of Council,

KLM Planning Partners Inc. is the land use planner on behalf of Georgian Glen Developments Limited ('Georgian Glen") with respect to their lands located at 1 Cheltenham Road, 280 and 274 Penetanguishene Road in the City of Barrie (the "City") (the "Subject Lands").

On behalf of Georgian Glen, we are pleased to submit this letter providing comments on the City of Barrie New Comprehensive Zoning By-law, Draft 3 (September 2024) (the "Proposed ZBL") which is to be considered at the Affordability Committee Public Meeting on November 14, 2024.

The Subject Lands are located at the southwest corner of Cheltenham Road and Penetanguishene Road and are approximately +/- 0.5799 hectares (+/- 1.4329 acres). The lands are currently vacant and are surrounded by residential apartments to the south and west, with heights of three (3) storeys. The Subject Lands are made up of three parcels including remnants from the original development completed by Georgian Glen as part of the surrounding subdivision in the mid 1990's which was originally intended for Commercial which has not come to fruition over the years due to market constraints.

Georgian Glen, together with Pratt Development were the original developers and builders within the Georgian Drive Secondary Plan who worked together with the City in the planning of the community that lead to the front ending of services and infrastructure to accommodate the development of the area that has also supported both the Royal Victoria Regional Health Centre and Georgian College. The owners of Georgian Glen who were involved in the planning and development for the area that commenced in 1980's, continue to be involved today.

We provided comments to the City on behalf of Georgian Glen in a letter dated December 21, 2023, on Draft #2 of the Proposed ZBL to request Mid-Rise residential buildings up to six storeys within the Neighbourhood Commercial Zone in accordance with the City of Barrie Official Plan.

The Subject Lands are currently zoned 'General Commercial (C4) and Agricultural (A) within Zoning By-law 2009-141. The Proposed ZBL indicates that the Subject Lands in their entirety are proposed to be zoned "Neighbourhood Commercial (NC)".

The purpose of this letter is to request that the proposed Neighbourhood Commercial Zone allow Mid-Rise buildings with a maximum height of 6 storeys. While we support the principle of the proposed Neighbourhood Commercial zone which allows a mix of uses including residential and commercial, the proposed permitted maximum height of 4 storeys falls short of the City of Barrie Official Plan (the "OP") that currently allows up to six storeys in this location.

In arriving at the above noted request, which we believe represents good planning, we have reviewed the OP, and the City of Barrie Draft Urban Design Brief. We believe that our request conforms to the policies of the OP.

The Subject Lands are designated 'Neighborhood Area' in the OP which permits Residential and Retail on collector or arterial streets, amongst other uses.

Furthermore, the Development Policies of section 2.6.1.3 d) of the OP states:

> *d) Outside of historic neighbourhoods, new development of **up to six storeys may be permitted** on vacant lands designated Neighbourhood Area where:*
>
> > *i) The lands are comprehensively planned through a zoning by-law amendment or a secondary plan (municipally or privately initiated) to accommodate buildings of up to six storeys;*
> >
> > *ii) The lands front onto and are oriented towards an arterial or collector street, as identified on Map 4b, or are accessed by a private road that is connected to an arterial or collector street;*
> >
> > *iii) Appropriate transitions can be achieved, as per the Section 3 policies of this Plan; and,*
> >
> > *iv) Servicing availability can be confirmed by the City.* (emphasis added)

The requested maximum height of 6 storeys requested by Georgian Glen complies with the OP policies. The Subject Lands are currently vacant and located on an arterial road (Penetanguishene Rd) and a minor collector street (Cheltenham Rd.). In addition, the city zoning review is intended to result in a comprehensive zoning by-law amendment that satisfies criteria i). Furthermore, the Transition policies of Section 3 and the Draft Urban Design Guidelines can be satisfied and are most appropriately addressed through future Site Plan Approval. In addition, we note that while not necessary in our opinion, the Proposed ZBL contains transition policies that would require that angular plane requirements of 45 degrees are required for buildings above four storeys measured from the lot line of any adjacent Neighbourhood Low zone. Based on our analysis it is appropriate that up to six storeys are allowed in the Proposed ZBL for the Subject Lands.

On behalf of Georgian Glen, we met with City Planning staff on June 7th, 2024, and the discussion was generally supportive of allowing a maximum of 6 storeys in accordance with the OP. However, staff were concerned that this should not occur without a formal development application. In our opinion, the intent of the City Zoning review is to bring the existing zoning into conformity with the Official Plan and to not do so in these circumstances will create unnecessary potential delays, uncertainty, and needlessly adding to costs to the end user that will not assist in resolving the housing crisis in Ontario.

Please consider this letter as our formal request to be notified of any future meetings, events and drafts related to the Proposed ZBL so we can remain informed and engaged in the process and provide comments as necessary. In addition, we wish to receive formal notice of any decisions made by the City of Barrie on this matter. We reserve the right to provide further comments as necessary.

Should you have any questions or wish to review or discuss the comments, please do not hesitate to contact the undesigned.

Yours truly,
KLM PLANNING PARTNERS INC.



Mark Yarranton
President

CC: Celeste Kitsemetry – City of Barrie - Supervisor of Growth Management
Michelle Banfield – City of Barrie - Director of Development Services
Jennifer Roberts – City of Barrie- Manager of Strategic Initiatives, Policy and Analysis
Georgian Glen Developments Limited

.

INNOVATIVE PLANNING SOLUTIONS

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November 14, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: NewZoningBylaw@barrie.ca
Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: **Comment Letter – Draft 3 of the City of Barrie Zoning By-law**
26 Theresa Street

Since 2004, Innovative Planning Solutions (IPS) has, and continues to be, an active planning consulting firm in the City of Barrie. Throughout this period, IPS has worked with City Planning Officials and the many Councils on a significant number of development applications, while also initiating and participating in many amendments to the City's Comprehensive Zoning By-law (ZBL).

The third draft of a new City-wide Zoning By-law is now posted for public review and feedback. On behalf of the owner Dean Ives, IPS is pleased to submit the following comments on the 3rd draft ZBL in relation to 26 Theresa Street (site) (see **Figure 1**).



Figure 1: 26 Theresa Street

Based on our review of the draft new ZBL, supported by review of corresponding Official Plan analysis, we have the following comments for your consideration.

3rd Draft Zoning By-law

The subject lands are proposed to be zoned 'Neighbourhood Low Area 1', the lowest density of the proposed neighbourhood zone within the 3rd Draft Zoning By-law (see **Figure 2**).

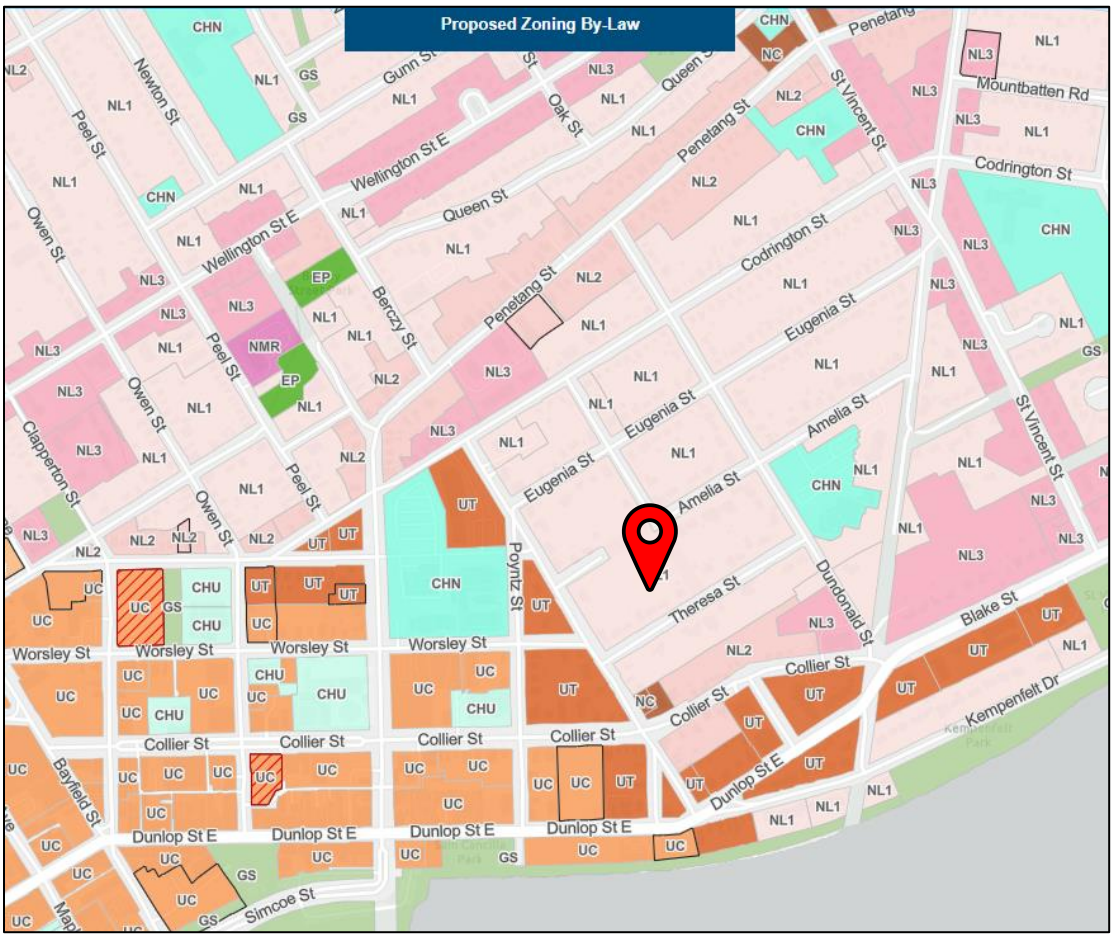

Figure 2: 3rd Draft Zoning By-law map

The site is of significant size and underutilized, when considering the surrounding area, and represents an opportunity for appropriate intensification. The site has a frontage of ~30 meters along Theresa Street and 100+ meters along the Albert Street right-of-way (ROW). The total site has a total area of 0.33 hectares (0.75 ac). This is approximately 5 times larger than the surrounding sites along Theresa Street (see **Table 1**). The site currently possesses one (1) single detached dwelling and one (1) detached garage).

Table 1			
Example	**Address**	**Frontage**	**Area**
Site	26 Theresa St	~30 m / ~100 m	~3300 m2
1	45 Berczy St	~19 m	~718 m2
2	12 Theresa St	~18 m	~665 m2
3	16 Theresa St	~18 m	~680 m2
4	18 Theresa St	~18 m	~669 m2
5	20 Theresa St	~18 m	~669 m2
6	22 Theresa St	~18 m	~651 m2

The site is located in very close proximity to the City's Urban Growth Centre (Official Plan Map 1) and thus represents an appropriate location for transition to stable existing neighbourhoods to the east of the property. Opportunity also exists to consolidate these lands with the adjacent vacant lands at 57 Berczy Street for a comprehensively planned transition development. We feel that the nearby Urban Transition (UT) zone within the Urban Growth Centre, should transition to a higher order Neighbourhood Low zone than the NL1 currently proposed by the draft By-law.

The site is also in close proximity to, and has access to, community resources including public schools, employment opportunities, transit stops, commercial plazas, parks, and places of worship within walking distance. As a result, the site provides an opportunity for appropriate intensification.

NL3 zones are proposed to the north, south, and east of the subject lands. Overall, this change would provide for more housing opportunities on a significantly underutilized site, aligned with Official Plan policies regarding intensification and new zoning by-law policies regarding appropriate intensification and appropriate transitions.

Proposed Solution:

- Zone 26 Theresa Street to NL3.

NL1 Cluster townhomes

Cluster townhomes are one of several types of rowhouses noted in the new third draft Zoning By-law, similar to that of other rowhouses such as on-street, back-to-back, and rear access. However, cluster rowhouses are the only townhouse type not permitted as-of-right within the NL1 zone in the new draft by-law as per Section 5.5, Table 22. Cluster townhomes are restricted to the NL3 zone only, despite the fact that there are many potential opportunities for cluster townhomes on sites such as 26 Theresa Street.

The site would have a significantly underutilized portion of land remaining were on-street townhouses, back-to-back townhouses, or rear-access townhomes be developed on it. A similar situation would exist for any NL1 site within the City which possesses significant depth.

Proposed Solution:

- Permit cluster townhouses in the NL1 zone.

This would allow for more diversity in the housing stock / form provided, while not introducing an incompatible use. Should the cluster townhome built form not be appropriately achievable / feasible on any given NL1 site, other checks and balances are in place to prevent through other zoning standards / requirements as well as the Site Plan Control process.

Amenity Space

Under Section 5.8 *Neighbourhood Low 1 (NL1)* Table 24 *NL1 Lot, Yard, and Amenity Standards* the Neighbourhood Low 1 zone requires a minimum of 10 square meters of common amenity area per unit. While community spaces are vital for a vibrant residential environment, we believe this requirement is excessive and could have unintended negative consequences, including preventing intensification.

Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters. The 10 square meters required in Barrie significantly exceeds these established standards.

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with development to make housing more affordable. Requiring large common amenity spaces increases construction costs, making it harder to build affordable housing. Additionally, excessive amenity space may increase ongoing costs for residents, such as condominium fees, in order to maintain the amenity areas, regardless of whether the provided amenity space aligns with the actual needs of residents. This is not aligned with the province's goal of affordability.

Further, the City of Barrie has over 130 public recreational trails and parks covering over 1,200 ha, equating to a ratio of 7.8 square meters per person. This is more than double the ratio of other similar cities in the surrounding area, as detailed in Table 1 below:

Table 1: Comparison of Parks and Outdoor Spaces			
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This higher ratio of parkland per resident allows for more residents to access publicly owned and maintained parkland, reducing the need for private outdoor amenity space across the City. By imposing a large common amenity area requirement, less flexibility is permitted, which could lead to less efficient use of space. A more balanced requirement would encourage better design that meets both community needs and market realities.

Proposed Solution

- Reduce the required minimum amenity area within all NL zones to be consistent with the amenity requirements of other mid-size cities.
- Permit unconsolidated amenity space.

Given the above factors, we respectfully request the City of Barrie consider the requested changes to the zoning of 26 Theresa Street (NL3 zone), provisions of the NL1 zone, and the common amenity space requirement for all NL zones, to promote housing affordability and efficient land use.

Respectfully submitted,
Innovative Planning Solutions



Cameron Sellers, B.B.A.
Partner

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

November 14, 2024

City of Barrie
Development Services Department
70 Collier Street, Barrie, ON L4M 4T5

Attention: Jennifer Roberts, RPP
Manager of Strategic Initiatives Policy and Analysis

Re: Wynstar Anne Street LP
435 Anne Street North and 33 Harrison Crescent, Barrie
Review of 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law

On behalf of Wynstar Anne Street LP, Innovative Planning Solutions (hereinafter 'IPS') is pleased to submit the following comment letter regarding the 3rd Draft of the proposed new City-wide Zoning By-law (City File: D30-016-2024) with regards to 435 Anne Street North and 33 Harrison Crescent in the City of Barrie (hereinafter "Subject Lands") as shown in Figure 1 below. The Subject Lands are currently zoned 'Agricultural (A)' and 'Residential Single Detached Dwelling Third Density (R3)' under the City of Barrie Comprehensive Zoning By-Law 2009-141 and are proposed to be zoned as 'Neighbourhood Low 1 (NL1)' and 'Neighbourhood Low 1 (NL3)' within the 3rd Draft of the proposed new City-wide Zoning By-law.

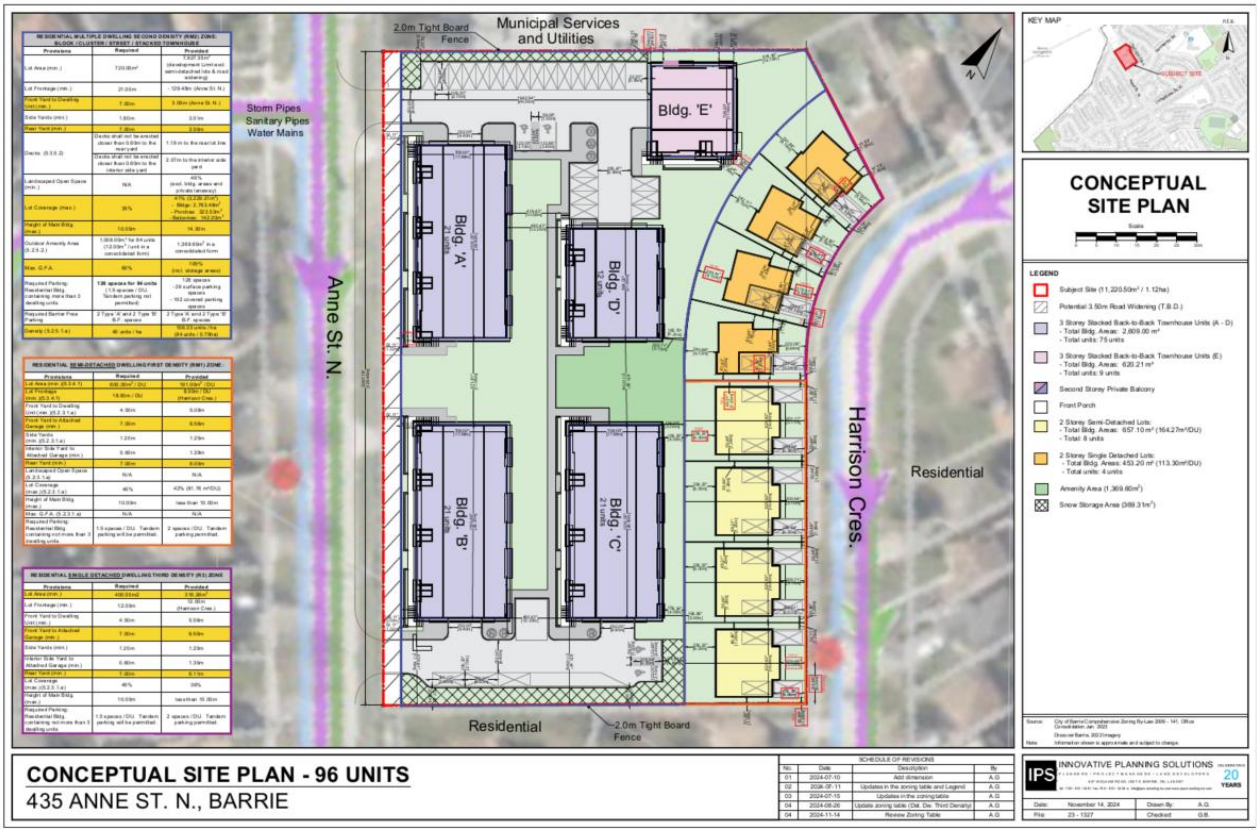
Figure 1. Subject Lands – 435 Anne Street North and 33 Harrison Crescent



Proposal

A Zoning By-law Amendment and Draft Plan of Subdivision applications are being prepared to permit the re-development of the lands in the form of 4 single-detached dwellings units, 8 semi-detached dwelling units and 84 stacked back-to-back townhouse units (9 of which constitute affordable housing via partnership with Habitat for Humanity) as shown in Figure 2 below.

Figure 2. Conceptual Site Plan



Zoning Review of 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law

The Subject Lands are proposed to be zoned as 'Neighbourhood Low 1 (NL1)' and 'Neighbourhood Low 1 (NL3)' within the 3rd Draft of the proposed new City-wide Zoning By-law as shown in Figure 3 below.

Figure 3: Subject Lands Zoning new City-wide Zoning By-law

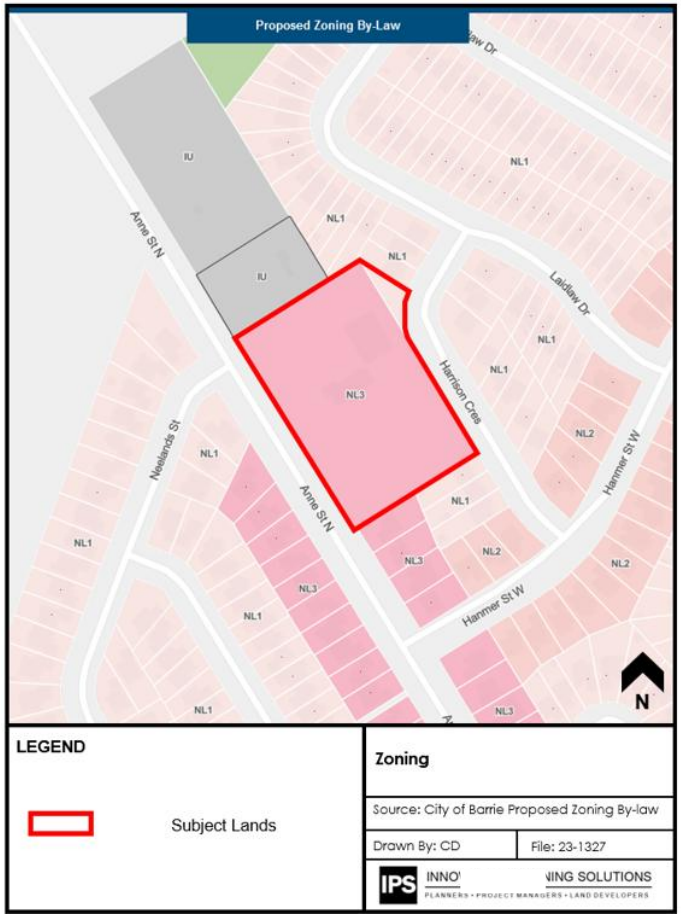


Table 1 reviews zoning provisions in Table 24: NL1 Lot, Yard and Amenity Standards and Table 25: NL1 Building Standards under Section 5.8 of the 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law with regards to the proposed single-detached and semi-detached dwellings.

Table 1. Neighbourhood Low 1 (NL1) Zoning Review for Single-detached and Semi-detached dwellings

Lot Standards	House Types			Rowhouse Types				
	Coach	**Detached**	**Semi-Detached**	**On-Street**	**Back- to-Back**	**Rear Access**	**Cluster**	**Low-Rise Building**
Lot Coverage (Maximum)	N/A	45%	55%	50%	N/A	65%	45%	60%
Dwelling Unit Width (Minimum)	N/A	N/A	N/A	6 m	6 m	5.5 m	6 m	N/A
Building Height (Maximum)	1 Storey (4.5 m)	3 Storeys (11 m)		3 Storeys (11 m)				4 Storeys (14 m)

Building Length (Maximum)	N/A	60 m

		House Types			Rowhouse Types				
		Coach	**Detached**	**Semi-Detached**	**On- Street**	**Back- to-Back**	**Rear Access**	**Cluster**	**Low-Rise Building**
	Lot Frontage (Minimum)	N/A	12 m	7.5 m	6 m	7 m	5.5 m	6 m	30 m
	Exterior Side Yard Setback (Minimum)	3 m							
Yard Standards	**Front Yard Setback (Minimum)**	N/A	20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 6 m (8m to the northern average front yard on Harrison Crescent – 6.4m requirement at 20% less than average)						
	Interior Side Yard Setback (Minimum)	3 m	1.2 m	1.2 m, on one side	1.2 m for End Units			1.2 m	5 m
	Landscaped Area (Minimum)	N/A							20%
	Rear Yard Setback	3 m	7 m	6 m	6 m	N/A	1.2 m	6 m	7 m
Amenity Area Requirements	**Common Amenity (Minimum)**	N/A							10 sq m per Dwelling Unit
	Private Amenity (Minimum)	N/A							

Table 2 reviews zoning provisions in Table 28: NL3 Lot, Yard, and Amenity Standards and Table 29: NL3 Building Standards under Section 5.10 of the 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law with regards to the proposed stacked back-to-back townhomes.

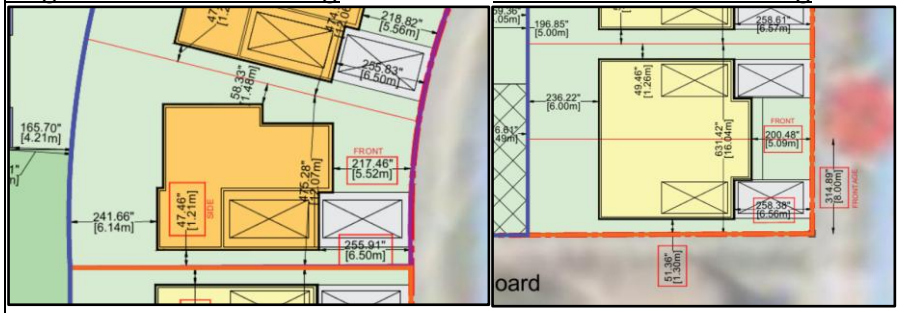
Table 2. Neighbourhood Low 3 (NL3) Zoning Review for Stacked Back-to-back Townhomes

		Rowhouse Types	
		Cluster	**Low-Rise Building**
Lot Standards	**Lot Coverage (Maximum)**	70%	
	Lot Frontage (Minimum)	4.5 m	30 m
	Exterior Side Yard Setback (Minimum)	3 m	
Yard Standards	**Front Yard Setback (Minimum)**	20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 3 m (6.04 m required based on setback to south of the property)	
	Interior Side Yard Setback (Minimum)	1.2 m for End Units	5 m
	Landscaped Area (Minimum)	20 %	
	Rear Yard Setback (Minimum)	5 m	
Amenity Area Requirements	**Common Amenity (Minimum)**	10 sq m per Dwelling Unit	
	Private Amenity (Minimum)	5 sq m per Dwelling Unit	N/A

	Rowhouse Types	
	Clusters	**Low-Rise Building**
Dwelling Unit Width (Minimum)	4.5 m	N/A
Building Height (Maximum)	4 Storeys (14 m)	
Building Length (Maximum)	60 m	

Table 3. Required Variances and Planning Rationale

Zoning Provision Requirement	Provided	Planning Rationale / Comments
Neighbourhood Low 1 (NL1) Zone (single-detached and semi-detached)		
Front Yard Setback (Minimum) 20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 6 m (8m to the northern average front yard on Harrison Crescent – 6.4m requirement at 20% less than average)	<u>Single-detached</u> 5.52 m <u>Semi-detached</u> 5.09 m	A minimum front-yard setback of 6.4 m is required on Harrison Crescent. A front-yard setback of 5.52 m for single-detached dwellings and 5.09 m for semi-detached has been provided. The intent of the minimum front yard setback provision is to ensure an appropriate relationship between the built form and the street. A minimum front yard setback of 5.52 m for single-detached dwellings and 5.09 m for semi-detached maintains an appropriate relationship from the front lot line to the principal structure. As shown below, for single-detached dwellings 5.52 m setback is provided from the front lot line to the attached garage, whereas a 6.5m setback is provided from the lot line to the remainder of the principal structure.

		For semi-detached dwellings 5.09 m setback is provided from the front lot line to the attached garage, whereas a 6.56 m setback is provided from the lot line to the remainder of the principal structure. Single-detached Dwelling Semi-detached Dwelling  As such, an appropriate relationship between the built form of the and the street has been maintained and the reduction in the minimum front yard setback requirement is justified.
Rear Yard Setback Single-detached 7 m	<u>Single-detached</u> 6 m	A minimum rear yard set-back for a single-detached dwelling unit of 6.00 m has been provided where 7.00 m is required. A rear yard setback of 6.00 m is proposed for each semi-detached dwelling unit, whereas 7.00 m is required. The intent of a rear-yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. The reduction of 1 m from the rear-yard setback maintains an adequate buffer of 6 m between single-detached home and the interior side-yard of the adjoining property. Furthermore, reduction of 1 meter maintains the ability for the proposed single-detached homes to create an appropriate back-yard amenity space. As such, this minor reduction in the minimum rear yard set-back is justified as the reduction maintains the intent of the rear-yard setback.

Neighborhood Low 3 NL3 Zone (stacked back-to-back townhomes)		
Front Yard Setback (Minimum) 20% more or less than the Average Front Yard Setback between adjacent lots, otherwise, 3 m (6.04 m required based on setback to south of the property)	3.00 m along Anne Street North	A front yard setback of 3.00 m is provided whereas 5.00 m is required. The development proposes a 3.00 m front yard setback along Anne Street North, whereas 7.00 m is required. The proposed front yard setback is 6.50 m if measured from the current property limits. However, the request for a 3.50 m wide strip of land along Anne Street North for road widening purposes has limited the available developable area in conjunction with the requirement for amenity space. Notwithstanding, the proposed reduced setback allows for a comfortable and suitable distance from Anne St. North adhering to good urban design principles. This setback maintains the ability for landscaping to enhance the streetscape. Furthermore, it facilitates efficient land use and supports the intensification objectives of the City. Considering the limitations listed above, the proposed setback is considered appropriate and justified for back-to-back stacked townhouse development that aims to intensify Anne Street North.
Rear Yard Setback (Minimum) 5 m	3.50 m	Rear Yard Setback of 3.50 m whereas 5.00m is required. The proposed development proposes a 3.50 m rear yard setback for the townhouse dwellings to the rear of the proposed single detached and semi-detached dwellings. The intent of a rear-yard setback is to ensure that both an adequate buffer exists between the massing of primary structures on adjoining properties, as well as create an appropriate amenity area within the rear yard. Given that the proposed amenity space has been consolidated and provided for the centrally, in front of the townhouse blocks an appropriate amenity area has been provided for and relocated. The applicant is recommending a reduced rear yard as it permits a greater consolidated amenity area to be utilized by future residents. This approach avoids a design where available amenity space is fragmented reducing its viability as a programable space. The design of the amenity space will be further refined at the Site Plan stage. A fence will screen and separate the adjacent backyards to provide privacy and ensure that the reduced rear yard setback will not result in privacy concerns for future residents. Given the proposed mitigation measures to privacy concerns, the realized benefit of a consolidated amenity area and

		the layout of the site, the proposed reduced rear setback is considered appropriate for the townhouse development. The proposed rear-yard setback also abuts the proposed single-detached and semi-detached units and will not cause concern for existing residents. An adequate buffer exists between the massing of primary structures on adjoining properties as there is a minimum separation of 10.05 m to the adjoining on semi-detached structure to the east of the townhouse block.
Building Height (Maximum) 4 Storeys (14 m)	14.30 m	The proposed building height of 14.30 m whereas 14.0 m is required. The intent of a maximum building height is to ensure compatibility with the existing neighborhood as well as minimize shadow impacts on to neighbouring properties. This increase in height is minor in nature and compatible with the surrounding neighborhood as it represents a 0.3-metre increase which signifies a 2.1% increase in height. As such, the increase in height is marginally greater than the zoning provision requirement maintaining the intent of maximum building height.

We kindly request that City Staff review the identified zoning provision variances above for the 3rd Draft of the proposed new Comprehensive City-wide Zoning By-law. We anticipate the 1st Submission for the Draft Plan of Subdivision and Zoning By-law Amendment for the Subject Lands will be submitted in December of 2024. It is our professional planning opinion that the proposed variances requested to the Comprehensive City of Barrie Zoning By-law represents good planning.

Respectfully submitted,
Innovative Planning Solutions



Greg Barker, B.A.A
Partner



John Albert, BES
Intermediate Planner

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

November 14, 2024

City of Barrie
Development Services Department
70 Collier Street, Barrie, ON L4M 4T5

Attention: Michelle Banfield, RPP
Executive Director of Development Services

Re: Barbay Holdings Inc.
550, 580 and 582 Bayfield Street and 49 Hanmer Street West, Barrie
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024

On behalf of Barbay Holdings Inc., Innovative Planning Solutions (hereinafter 'IPS') is pleased to submit the following comment letter regarding the 3rd Draft of the proposed new City-wide Zoning By-law (City File: D30-016-2024) with regards to the properties 550, 580 and 582 Bayfield Street and 49 Hanmer Street West in the City of Barrie (hereinafter "Subject Lands") as shown in Figure 1 below. The comments below also pertain to D28-079-2024 filed for 580 and 582 Bayfield Street and 49 Hanmer Street West, Barrie.

Figure 1. Subject Lands - 550, 580 and 582 Bayfield Street and 49 Hanmer Street West

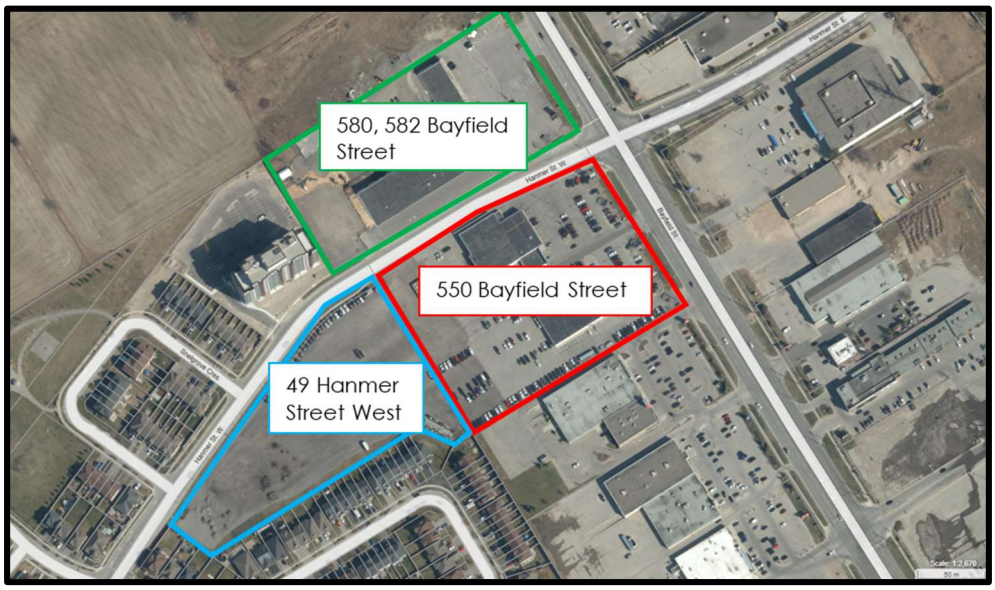


Table 1. Reviews and provides comments regarding the 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law General Provisions.

Table 1. 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law General Provision Comments

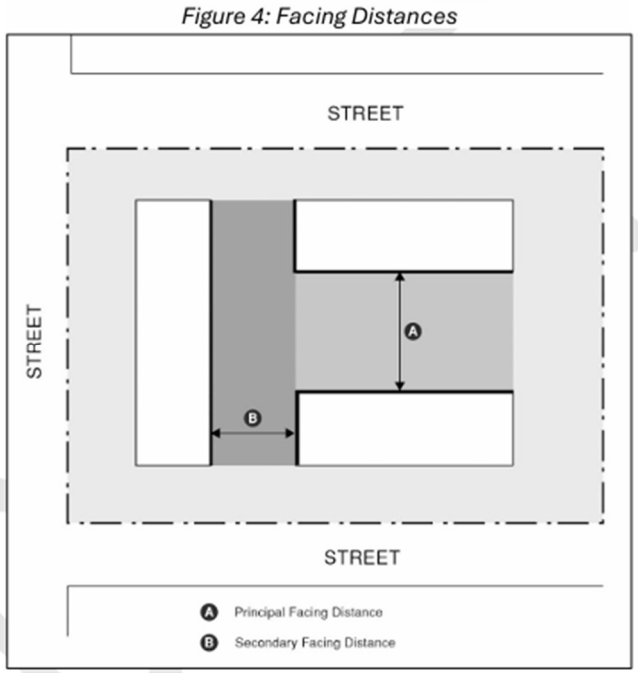
	Zoning Provision	3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law	Request	Planning Rationale
1.	3.2.1. a) Active Frontage Requirements	Low-rise, and mid-rise buildings fronting an intensification corridor, or arterial street, as identified in Appendix F, require a minimum of 25% of the gross floor area of the ground floor to consist of non-residential uses;	Remove the requirement of 25% of the gross floor area on the ground floor dedicated to non-residential uses or reduce the requirement to: "Low-rise, and mid-rise buildings fronting onto an intensification corridor, or arterial street, as identified in Appendix F, require a minimum of 15% of the gross floor area of the	The requirement for a low-rise and mid-rise building to have 25% of the gross floor area on the ground floor dedicated to non-residential uses as the ground floor is over-prescriptive as the ground floor must also accommodate for structured parking, ground floor amenity area, residential units at grade, lobby, mail room, garbage vestibule, ramp for underground parking and loading. Dictating that 25% of the ground floor area must be dedicated to commercial uses limits the building design. Another point of contention is that not all buildings can accommodate commercial uses at grade. Furthermore, this provision will give rise to zoning by-law applications that are forced to amend this provision as many low-rise buildings will not be able to accommodate commercial uses grade.

<table>
<tr><td></td><td></td><td></td><td>ground floor to consist of non-residential uses".</td><td></td></tr>
<tr><td>2.</td><td>3.2.1. b) Active Frontage Requirements</td><td>Where the ground floor of a mid-rise building facing a street includes residential uses, the ground floor of the building containing residential uses shall be setback an additional 1.5 metres from the façade of the non-residential uses;</td><td>Remove zoning provision or move provision into Urban Design Guidelines.</td><td>The requirement that the ground floor of a mid-rise building facing a street an additional 1.5 metres from the façade of the non-residential uses goes against the urban design principles that buildings should frame a street with a continuous street wall. A 1.5 m setback from the façade creates a break within the continuous street wall. See justification from other Urban Design Guidelines below:
<table>
<tr><td>Town of Aurora Urban Design Guidelines 2020 pg.16</td><td>City of Brampton Urban Design Guidelines November 2023 Pg. 15</td><td>City of Cambridge Urban Desing Guidelines 2013 pg.23</td></tr>
<tr><td>The height, scale, massing and placement of buildings are important to creating the ‘street wall’ and framing the streetscape.</td><td>Ensure all faces of a building reflect a consistent and cohesive design/architectural style.
a. Design front elevations to create/enhance a consistent, articulated and animated</td><td>3.4.2 Setbacks & Stepbacks
• New buildings or changes to existing buildings should match the established setback of</td></tr>
</table></td></tr>
</table>

				Design Guidelines Between Buildings Maintain a consistent 'street wall'.	street wall along the streetscape.	its adjacent buildings, providing that a continuous street wall results.
3.	3.2.1. c) Active Frontage Requirements	If a mid-rise building is required to provide non-residential uses, a minimum of 50% of the frontage along a street, or common amenity area, shall be for non-residential uses, but shall not be used for commercial parking, an underground parking structure, or above-ground parking structure,	Remove zoning requirements.	The requirement for a mid-rise building to have 50% of the gross floor area on the ground floor dedicated to non-residential uses as the ground floor is over-prescriptive as the ground floor must also accommodate for structured parking, ground floor amenity area, residential units at grade, lobby, mail room, garbage vestibule, ramp for underground parking and loading. Dictating that 25% of the ground floor area must be dedicated to commercial uses limits the building design. Another point of contention is that not all buildings can accommodate commercial uses at grade. Furthermore, this provision will give rise to zoning by-law applications that are forced to amend this provision as many low-rise buildings will not be able to accommodate commercial uses grade.		

		or surface parking lot.		
4.	3.2.6. i. Common and Private Amenity Areas	The length does not exceed four (4) times its width;	Remove zoning requirements or move provisions into Urban Design Guidelines.	The requirement for the length of a common amenity area to be limited to 4 times the width prevents the design of rectilinear parks as common amenity spaces which is overly prescriptive. This provision should be moved to the urban design guidelines.
5.	3.2.6. ii. Common and Private Amenity Areas Common Amenity Area	Shall be in any yard other than a required minimum front yard or required minimum exterior side yard;	Remove zoning requirements.	A Common Amenity Area will often be located within the minimum front yard or required minimum exterior side yard. The zoning provisions are overly prescriptive. The location of a common amenity area in the front yard and exterior-side yard as opposed to a rear yard enhances the safety of the amenity area through passive surveillance from pedestrians (eyes on the street) and front-facing balconies. As such, there should not be a limitation to the location of the common amenity area within the front yard or exterior side yard. As such, Common Amenity Areas should be permitted in both the front and exterior side yards.
6.	3.2.6. i Common and Private Amenity Areas Private Amenity	Not form part of a required front yard or exterior side yard;	Remove zoning requirements.	A private amenity area will often form a part of the minimum front yard or required minimum exterior side yard (for example, walkout exterior side yard patio space for a townhouse screened by a fence). The zoning provision is overly prescriptive. As such, there should not be a limitation to the location of the private amenity area forming a part of the front yard or exterior side yard.
7.	3.2.6. iv. Common and Private	Provide a minimum distance of 3.0 metres	Remove zoning requirements or move provisions	Providing a separation distance of 3.0 metres between a private amenity area and a wall of another building with windows of habitable rooms

	Amenity Areas Private Amenity	between a private amenity area and a wall of another building containing windows of habitable rooms which face the private amenity area.	into Urban Design Guidelines.	facing the private amenity area is overly prescriptive. A private amenity area could be located within 3 meters of a wall of another building containing windows of habitable rooms and provide screening instead of a 3m separation between the private amenity area and windows of habitable rooms which face the amenity area. Furthermore, the windows of adjacent buildings are not particularly different from the habitable windows of the same building's privacy issues. Buildings facing each other at 90 degrees can also be closer than 3m to the window of the adjacent building facing a private amenity area. As well, building design to this level of detail will not be known during the zoning stage. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
8.	3.2.6. v. Common and Private Amenity Areas Private Amenity	Private amenity areas for dwelling units below finished grade shall have a maximum 50% first storey projection above the below grade patio.	Request removal of provision.	Private amenity areas for dwelling units below finished grade shall have a maximum 50% first storey projection above the below-grade patio is overly prescriptive. The provision can be revised to "Private amenity Areas of greater 6 square metres and have a maximum 50% first storey projection above the below grade patio." or "Private amenity areas for dwelling units below finished grade shall have a maximum 60% first storey projection above the below-grade patio". This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.

9.	3.2.7. d) Facing Distances	A facing distance a minimum of 50% of the standard noted in Table 7: Building Facing Distances is permitted between the principal face and the secondary face of any two (2) buildings; and	Remove zoning provision or move provision into Urban Design Guidelines.	This provision will result in an additional amount of separation between the principal face and the secondary face of any two (2) buildings which is not necessary. For example, the secondary face of a 1-2 story building does not require a 12.5 m meter facing distance separation from the primary face of a 13-storey building. A 4.5-meter separation would be adequate. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications. *Figure 4: Facing Distances* 

<table>
<tr>
<td>10.</td>
<td>3.2.6. d) Common and Private Amenity Areas

Balcony Standards</td>
<td>A balcony must remain open on all sides except those along an exterior wall to which it is attached, or where a separation for balconies between adjacent dwelling units is required;</td>
<td>Remove zoning provision restrictions for recessed balconies.</td>
<td>Recessed balconies should be permitted. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.</td>
</tr>
<tr>
<td>11.</td>
<td>3.2.7. b) Facing Distances</td>
<td>b) An additional one (1) metre of facing distance is required when below-grade entrances and/or below-grade private outdoor amenity area is provided;</td>
<td>Remove zoning provision for an additional one (1) metre of facing distance is required when below-grade entrances and/or below-grade private outdoor amenity area.</td>
<td>An additional 1 m of facing distance being required when below-grade entrances and/or below-grade private outdoor amenity areas are provided as is not required at a sufficient facing distance has been provided as per Table 7 shown below:

Table 7: Building Facing Distances

<table>
<tr><th>Building Facing Distances</th><th>Minimum Separation Distance</th></tr>
<tr><td>One (1) to Two (2) and a half (1/2) Storeys</td><td>9 m</td></tr>
<tr><td>Three (3) to Four (4) Storeys</td><td>11 m</td></tr>
<tr><td>Five (5) to 12 Storeys</td><td>15 m</td></tr>
<tr><td>13 or More Storeys</td><td>25 m</td></tr>
</table>

An additional facing distance of 1 m would not be required as the required minimum separation distance is 9m. As such, an additional 1 m for below grade entrances and below grade private</td>
</tr>
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<tr><td></td><td></td><td></td><td></td><td>outdoor amenity areas are not necessary for adequate separation between building faces of adjacent buildings. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.</td></tr>
<tr><td>12.</td><td>Building Step-Backs and Setbacks 3.2.4. a)</td><td>a) A 3-metre step-back shall be provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street as shown in Figure 2;</td><td>Reduce the requirement to the zoning provision as follows: “A 1.5-metre step-back shall be provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street as shown in Figure 2.” or move to Urban Design Guidelines.</td><td>A 3-metre step-back being provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street is an overly prescriptive provision. Typically, a 1.5 m step back is required between the 2nd and 6th floors. See City of Toronto Mid-rise and High-rise Guidelines and City of Brampton Draft Urban Design Guidelines 2023 below for reference:
<table>
<tr><td>City of Toronto Mid-Rise Design Guidelines pg. 98</td><td>City of Brampton Draft Urban Design Guidelines 2023 pg.11</td></tr>
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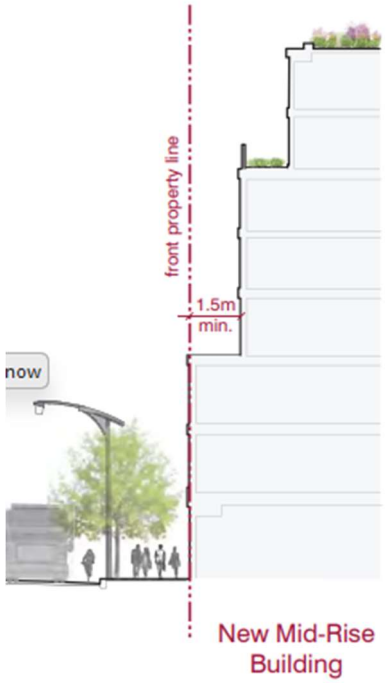
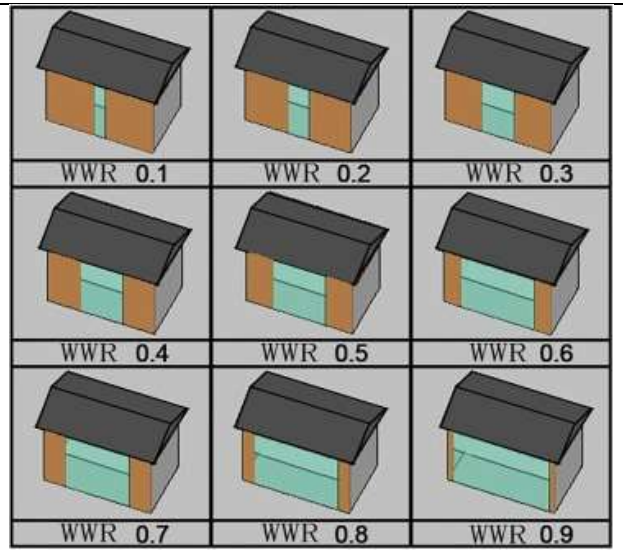
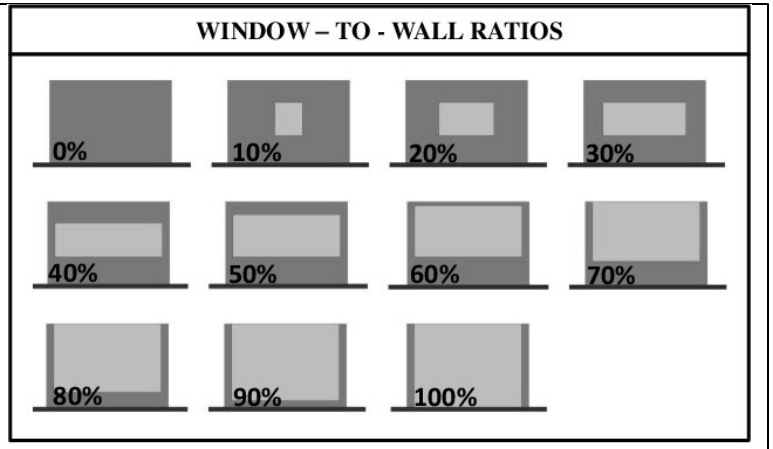
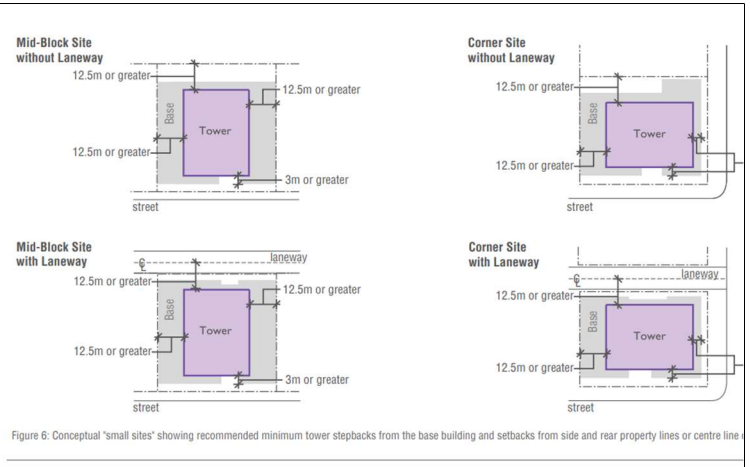
					4.2.2 Built Form d. A physical and/or visual break between the 2nd and 3rd floors is incorporated (i.e., material change when on the same plane; cantilever podium; stepback of minimum 1.5m above the 2nd or 3rd level)
13.	Building Step-Backs and Setbacks 3.2.4. e)	Notwithstanding the above, the minimum distance between any two	Remove zoning provision.	Regulating the minimum distance between any two buildings with no windows to habitable living spaces on the same lot to require a 3-metre separation is not necessary and is overly perspective to the building	

		(2) buildings with no windows to habitable living space on the same lot shall be three (3) metres.		design. The provision should be amended to state "the minimum distance between any two (2) buildings with windows to habitable living space on the same lot shall be three (3) metres" or "the minimum distance between any two (2) buildings with no windows to habitable living space on the same lot shall be two (2) metres". This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
14.	3.3 f) Snow Storage	Snow storage is not permitted to be located within the required amenity areas, or planting buffers;	Remove zoning provision.	Snow storage should be permitted within planting buffers. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications. We request that the policy be revised to: "Snow storage is not permitted to be located within the required amenity areas".
15.	3.2.6. vi. Common and Private Amenity Areas Private Amenity	Private amenity areas for above-grade dwelling units in back-to-back, rowhouses and stacked back-to-back, rowhouses shall consist of a balcony and be defined by a wall or railing between adjacent units to a height of 1.8	Remove zoning provision or move provision into Urban Design Guidelines.	There is a need to separate private amenity areas between adjacent units. However, the requirement for a 1.8-metre wall or railing between adjacent units and a minimum balcony depth of 1.8 metres is overly prescriptive. A 1.8 m wall or railing is an excessive performance standard to separate private amenity areas from adjacent units. A 1.8 m depth for all balconies is also excessive as typically balcony depth is 1.5m. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.

		metres and provide a minimum balcony depth of 1.8 metres;		
16.	3.4.9. a) Outdoor Patios	An outdoor patio may not exceed 50% of the gross floor area of the use to which it is an accessory; and	Remove zoning provisions limiting patio space size as a function of the gross floor area of the use to which it is an accessory.	An outdoor patio for a retail store or restaurant use may exceed 50% of the gross floor area of retail or restaurant to which is accessory. This mainly occurs because of multi-tenant commercial uses at grade with small gross floor area footprints. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications about retail and restaurant uses at grade with accessory patios, especially for tenants with smaller gross floor area footprints within multi-tenanted plazas and/or ground floor podiums.
17.	3.2.6. e) Common and Private Amenity Areas Balcony Standards	A balcony must be fully supported by the building to which it is attached; and,	Remove zoning provision restrictions for balconies with support structures that are structurally sound from an engineering perspective.	A balcony with an appropriately engineered support structure attached to the side of a building that can support the weight of the balcony should be permitted. Further clarification is required in the definition of "fully supported by the building". This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
18.	3.2.11. a) Window-to-Wall Ratio	The façades of any low-rise building, mid-rise building, or high-	Remove zoning provision.	This provision requires a WRR of 0.5 as illustrated below:

		rise building, shall have a total maximum of 60% of the window-to-wall ratio, as measured across all building façades; and		 The zoning provision requirement as shown above is overly prescriptive as not every façade will be able to meet the performance standard that 50% of the façade be windows or openings (or similar). This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
19.	3.2.11. b) Window-to-Wall Ratio	b) A minimum of 50% of the façade of any low-rise building, mid-rise building, or high-rise building, abutting a street, landscaped open	Remove zoning provision.	This provision requires that the façades of any low-rise building, mid-rise building, or high-rise building should have a window-to-wall ratio of 50% as illustrated below:

		space, or amenity area, shall be windows, openings, or similar.		 The zoning provision requirement as shown above is overly prescriptive as not every façade will be able to meet the performance standard of a window-to-wall ratio of 50% - especially for low-rise buildings.
20.	3.2.4. c) Building Step-Backs and Setbacks	c) Any portion of a building above the 12th storey shall be setback a minimum of 12.5 metres from any interior lot line, or rear lot line.	Reduce the zoning requirement as follows: "Any portion of a building above the 12th storey shall be setback a minimum of 6	Any portion of a building above the 12th storey being setback 12.5 metres from any interior lot line, or rear lot line is overly prescriptive. The 12.5-metre setback will prohibit the viability of smaller sites for high-rise development. See the reference below from the City of Toronto Mid-Rise Design Guidelines pg. 55.

			metres from any interior lot line, or rear lot line." or move to Urban Design Guidelines.	 Figure 6: Conceptual "small sites" showing recommended minimum tower stepbacks from the base building and setbacks from side and rear property lines or centre line
21.	3.2.7. c) Facing Distances	c) Where buildings that face each other differ in height, the greater height shall be used to determine the required building facing distance;	Amend to "Where buildings that face each other differ in height, the lesser height shall be used to determine the required building facing distance;" and move provision into Urban Design Guidelines.	This provision will result in an additional amount of separation between buildings of differing heights which is not necessary. For example, a 1-2 story building does not require a 25 m meter facing distance separation from 13 storey building. A 9-meter separation would be adequate. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
22.	Integration of Flex Buildings 3.2.9. a)	A flex building shall be treated as a podium when integrated with either a mid-rise,	Amend the zoning provision to read more clearly by adding an additional row of	This policy is confusing to interpret and read as buildings are presented as three separate standards – flex buildings, mid-rise buildings and high-rise buildings as shown below:

		or high-rise building. When integrated with these forms, a flex building shall conform to the applicable standards for the zone either a mid-rise, or high-rise building is located in.	standards regarding the podiums within the mid-rise and high-rise buildings.	*Table 53: CD2 Building Standards* **Flex Building** / **Low-Rise Building** / **Mid-Rise Building** / **High-Rise Building** **Building Height**: 4 Storeys (14 m) Maximum / 2 Storeys (5.5 m) Minimum, 4 Storeys (14 m) Maximum / 5 Storeys (17.5 m) Minimum, 12 Storeys (42 m) Maximum / 12 Storeys (42 m) Minimum, 20 Storeys (62 m) Maximum **Building Length (Maximum)**: 65 m / 75 m **Commercial Gross Floor Area (Minimum)**: 50% of the Ground Floor Gross Floor Area **Ground Level Floor Height (Minimum)**: 3.7 m / N/A Adding the provision that a flex building is also the podium of a mid-rise building is hard to follow. There is no reason for a flex building to be treated as a podium when integrated with either a mid-rise, or high-rise building as mid-rise and high-rise buildings already have their own standards. Instead, the zoning provision would read more clearly if an additional row of standards were added regarding the podiums within the mid-rise and high-rise buildings. For example, the following row below "Ground Level Floor Height (Minimum)" could address podium provisions as shown below for clarity: <u>Example of podium provisions for all building types</u>

	Flex Building	Low-Rise building	Mid-rise building	High-rise Building
Podium Length Requirements	60m	75m	90m	90m

23.	3.3.1. c) Landscaped Area	c) In all other zones a minimum of 50% of all landscaped areas on a lot shall be provided as soft landscaping, in the form of vegetation such as grass, flowers, trees and shrubbery;	Move this zoning provision to the urban design guidelines and amend the soft-landscaping requirement as: "In all other zones a minimum of 30% of all landscaped areas on a lot shall be provided as soft landscaping, in the form of vegetation such as grass, flowers, trees and shrubbery".	A minimum of 50% of all landscaped areas on a lot shall be provided as soft landscaping is an overly onerous performance standard. A reduction to 30% of soft-landscaping requirement is requested as follows: "In all other zones a minimum of 30% of all landscaped areas on a lot shall be provided as soft landscaping, in the form of vegetation such as grass, flowers, trees and shrubbery".
24.	3.3.4. a) Planting Buffers	a) A contiguous planting buffer of a minimum width of 3 metres shall be provided: i. Along lot lines of all zones adjacent to Neighbourhood Low zones. Planting buffers are not required	Amend zoning provision to: "A contiguous planting buffer of a minimum width of 1.5 metres shall be provided: i. Along lot lines of all zones adjacent to Neighbourhood Low zones.	Due to design constraints, it is not always possible to provide for a contiguous planting buffer of a minimum width of 3 metres, (i) along lot lines of all zones adjacent to Neighbourhood Low zones and (ii) along lot lines of Employment zones abutting a Neighbourhood, Mid-Rise, Commercial, Employment, Community Hub, Greenspace, or Environmental Protection zones. We request that the width of the contiguous planting buffer be reduced to a minimum width of 1.5 metres. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments

		between lots in Neighbourhood Low zones. ii. Along lot lines of Employment zones abutting a Neighbourhood, Mid-Rise, Commercial, Employment, Community Hub, Greenspace, or Environmental Protection zone.	Planting buffers are not required between lots in Neighbourhood Low zones. ii. Along lot lines of Employment zones abutting a Neighbourhood, Mid-Rise, Commercial, Employment, Community Hub, Greenspace, or Environmental Protection zone."	and Committee of Adjustment applications as many proposals will not be able to meet this performance standard.
25.	3.3.11. iii. Waste Management for Residential Buildings	iii. Any accessory building or structure accommodating waste receptacles shall not be permitted within 10 metres of the front face of the primary building;	Reduce the zoning requirement as follows: "Any accessory building or structure accommodating waste receptacles shall not be permitted within 3 metres of the front face of the primary building".	For smaller properties, it will be difficult to meet the performance standard where waste receptacles are not permitted within 10 metres of the front face of the primary building as will be located beside the building within 10 meters of the front face of the primary building. As such, we request that this zoning provision be revised to reduce the requirement to 3 metres as follows: "Any accessory building or structure accommodating waste receptacles shall not be permitted within 3 metres of the front face of the primary building". Furthermore, this requirement will be difficult to achieve as many buildings have loading located within the front face of the building – as such this overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and

				Committee of Adjustment applications as many proposals will not be able to meet this performance standard. The location of the waste receptacles is also typically deferred to detailed site plan drawings which also complicates the implementation of this zoning provision.
26.	15. Definitions Facing Distances	Facing Distances Means the distance between two buildings on a lot. A principal face means the longest side of the structure or building face. The secondary face means the shorter side of the structure or building face. Secondary faces longer than 25.0 metres shall be considered primary faces to establish facing distances on a lot.	The definition of "Facing Distances" be revised to read as follows: "the minimum distance between the primary or secondary faces between two buildings" for clarity.	A facing distance is described as "The distance between two buildings on a lot.", however, that describes the separation distance between buildings – not the facing distance. The facing distance should be revised to indicate that the facing distance is to be measured from the primary or secondary face of the structure or building. The definition of "Facing Distances" should be revised to read as follows "the minimum distance between the primary or secondary faces between two buildings" for clarity.
27.	15. Definitions Electric Vehicle	Electric Vehicle Ready (Parking) This means a parking space	Move the electrical specifications within the	A charging station having a 208-to-240-volt power source with a dedicated circuit of up to 60 amps should be moved from the zoning standards into the City of Barrie Engineering for electric vehicle parking.

	Ready (Parking)	which has energized electrical outlets installed at the time of construction that can support Level 2 charging (208-to-240-volt power source with a dedicated circuit of up to 60 amps) of an electric vehicle when a charging station is installed in the future.	provision from Zoning By-law to City of Barrie Engineering Standards. The Zoning By-law definition should be amended to broadly read: "Electric Vehicle Ready (Parking) Means a parking space which has energized electrical outlets for an electric vehicle."	The electrical specifications for a charging station are more appropriately regulated through an Engineering standard rather than a zoning by-law provision. The specification "can support Level 2 charging (208-to-240-volt power source with a dedicated circuit up to 60 amps)" should be removed from the zoning by-law definition.

Table 2. below reviews the 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law against the existing zoning permissions from Zoning By-law 2009-141 for the General Commercial (C4) zone and Commercial District 2 (CD2) zone and provides comments regarding zoning provisions.

Table 2. 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law Comments Commercial District 2 (CD2) Provisions

	Zoning Provision	**Zoning By-law 2009-141**	**3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law**	**Request**	**Planning Rationale**
	Commercial District 2 (CD2) Provisions				

28.	Lot Coverage (minimum)	a) That portion of the building abutting the front yard or a side yard abutting a street shall be used for commercial uses on the ground floor; b) A minimum of 50% of the total gross floor area of a 1-storey building shall be used for commercial uses;	50% of the Ground Floor Gross Floor Area shall be Commercial	Reduce the zoning provision requirement to "A minimum of 20% of the total gross floor area of the ground floor of a building shall be used for commercial uses".	The requirement for a building to have 50% of the gross floor area on the ground floor dedicated to commercial uses as the ground floor is overly prescriptive as the ground floor must also accommodate for ground floor amenity area, residential units at grade, lobby, mail room, garbage vestibule and loading. Dictating that 50% of the ground floor area must be dedicated to commercial uses limits the building design. Another point of contention is that not all buildings can accommodate commercial uses at grade. Furthermore, this provision will give rise to zoning by-law applications that are forced to amend this provision as many low-rise buildings will not be able to accommodate commercial uses at grade. The economic feasibility of having 50% ground floor as commercial gross floor area for a low-rise building and the flexibility for commercial uses on the 2nd floor instead of the ground floor must also be considered.
29.	Amenity Area Common Amenity (Minimum) for Mid-Rise and High-rise Building	e) Where a lot contains more than 4 residential dwelling units, a consolidated outdoor amenity area based on a	10 m^2 per Dwelling Unit	Reduce to 6 m^2 per Dwelling Unit for Amenity Area Common Amenity.	Given that both the combined amenity space area (Common Amenity and Private amenity) is greater than all the total required amenity areas in the comparable Zoning By-laws in Ontario (shown in the table below), it suggests that 10 m^2 per Dwelling Unit for Common Amenity Area and 5 m^2 per Dwelling Unit for Private Amenity Area represents an excessive requirement for the total required amenity area. As such a reduction to 6 m^2 per Dwelling Unit for Amenity Area Common Amenity and 4m^2 per Dwelling Unit for
30.	Amenity Area Private		5 m^2 per Dwelling Unit	Reduce to 4m^2 per Dwelling Unit for Amenity	

<table>
<tr>
<td></td>
<td>Amenity (Minimum) for Mid-Rise and High-rise Building</td>
<td>minimum 12m^2 per unit and which is not inclusive of the minimum required yard area adjacent to the building and exclusive of any on-site community centre building(s) shall be provided; and</td>
<td></td>
<td>Area Common Amenity.</td>
<td>Amenity Area Common Amenity is justified. At a combined 12m^2 per dwelling for Amenity Space, the by-law will still provide for 2.0m^2 more total combined amenity space than any other comparable Zoning By-laws reviewed in Ontario.
<table>
<tr><th>Zoning By-law</th><th>Zoning Provision</th></tr>
<tr><td>City of Toronto Zoning By-law 569-2013 40.10.40.50(1)</td><td>Regulation 40.10.40.50(1), a minimum rate of 2.0 square metres of indoor amenity space and a minimum of 2.0 square metres for outdoor amenity spaces must be provided for each dwelling unit on the lot.</td></tr>
<tr><td>City of Vaughan Comprehensive Zoning By-law Number No. 001-2021 4.3 Amenity Area Requirements</td><td><u>Amenity Area Requirements</u>
8.0 m^2 per dwelling unit for the first eight dwelling units, and an additional 5.0 m^2 of amenity area per dwelling unit shall be required for each additional dwelling unit

<u>Outdoor Amenity Area Requirements</u>
For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one contiguous outdoor area of 55.0 m^2 located at grade.</td></tr>
<tr><td>City of Mississauga</td><td>Minimum contiguous amenity area</td></tr>
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<tr><td></td><td></td><td></td><td></td><td></td><td><table><tr><td>Zoning By-law 0225-2007 Table 6.2.1</td><td>The lesser of 2.8 m^2 per dwelling unit or 5% of the site area</td></tr></table></td></tr>
<tr><td>31.</td><td>District 3 (Strategic Growth Areas and Intensification Corridors) Bicycle Parking Long-term for a building containing 10 or more Dwelling Units</td><td>n/a</td><td>1 Spaces per Dwelling Unit</td><td>Revise the requirement for the zoning provision to “0.8 Spaces per Dwelling Unit”.</td><td rowspan="2">Given that the long-term bicycle parking spaces for residential uses range between 0.9 and 0.8 spaces per unit a reduction in the required long-term parking spaces from 1 to 0.8 spaces per unit is justified (as shown in comparable zoning provisions in the table below). Given that the short-term bicycle parking requirements range between 0.3 and 0.07 parking spaces per unit, a reduction in the short-term bicycle parking space is justified.

City of Toronto Zoning By-law 569-2013 230.5.10 Bicycle Parking Rates All Zones
<table><tr><th>Use</th><th>Long-term Bicycle Parking Spaces</th><th>Short-term Bicycle Parking Spaces</th></tr><tr><td>Residential Dwelling Unit in Bicycle Zone 1 (High-density)</td><td>0.9 per dwelling unit</td><td>0.2 per dwelling unit</td></tr><tr><td>Residential Dwelling Unit in Bicycle Zone 2</td><td>0.68 per dwelling unit</td><td>0.07 per dwelling unit</td></tr></table></td></tr>
<tr><td>32.</td><td>District 3 (Strategic Growth Areas and Intensification Corridors) Bicycle Parking Short-term for a building containing 10 or</td><td>n/a</td><td>1 Spaces per Dwelling Unit</td><td>Revise the requirement for the zoning provision to “0.2 Spaces per Dwelling Unit”.</td></tr>
</table>

	more Dwelling Units					(Medium Density)		
33.	District 5 (All Other Lands) Bicycle Parking Long-term for a building containing 10 or more Dwelling Units	n/a	0.5 Spaces per Dwelling Unit	Revise the requirement for the zoning provision to "0.2 Spaces per Dwelling Unit".		Commercial Uses	3 plus 0.3 bicycle parking spaces for every 100 square metres of the interior floor area	0.2 for each 100 square metres of interior floor area
					City of Vaughan Comprehensive Zoning By-Law Number No. 001-2021 6.5 Bicycle Parking Space Requirements	Use	Long-term Bicycle Parking Spaces	Short-term Bicycle Park Spaces
						Apartment Dwelling	0.8 per dwelling unit	0.2 per dwelling unit or 6 spaces – whichever is greater
						Commercial Use	0.1 per 100 m^2 GFA - non-residential	0.2 per dwelling unit or 6 spaces – whichever is greater
					Mississauga Zoning By-law 0225-2007 3.1.6.5.1 Required Number of Bicycle	Use	Long-term Bicycle Parking Spaces	Short-term Bicycle Parking Spaces
						Apartment Building	0.8 spaces per unit	The greater of 0.1 spaces per unit

					Parking Spaces			or 6.0 spaces
						Residential Dwelling Unit in Bicycle Zone 2 (Medium Density)	0.1-0.2 per 100 m2 GFA - non-residential	0.3 spaces per 100 m2 GFA - non-residential

We kindly request that City Staff further review the zoning provisions above within the 3rd draft of the proposed new Comprehensive City-wide Zoning By-law. It is our professional planning opinion that the proposed modifications to the Comprehensive City of Barrie Zoning By-law represent good planning.

Respectfully submitted,
Innovative Planning Solutions



Darren P. Vella, MCIP RPP
President / Director of Planning



John Albert, BES
Intermediate Planner

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

November 14, 2024

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: NewZoningBylaw@barrie.ca
Jennifer Roberts
Manager of Strategic Initiatives, Policy and Analysis, Development Services

Re: Comment Letter – Draft 3 of the City of Barrie Zoning By-law
200-210 Bertha Avenue, 207-209 Montgomery Drive, and 218 Ashford Drive

Since 2004, Innovative Planning Solutions (IPS) has, and continues to be, an active planning consulting firm in the City of Barrie. Throughout this period, IPS has worked with City Planning Officials and the many Councils on a significant number of development applications, while also initiating and participating in many amendments to the City's Comprehensive Zoning By-law (ZBL).

The third draft of a new City-wide Zoning By-law is now posted for public review and feedback. On behalf of Midnight Group Developments, IPS is pleased to submit the following comments on the 3rd draft new ZBL in relation to its properties located at 200-210 Bertha Avenue, 207-209 Montgomery Drive, and 218 Ashford Drive (subject lands). Based on our review of the draft new ZBL, supported by review of corresponding Official Plan analysis, we have the following comments for your consideration.

Official Plan Policies

The subject lands are designated Neighbourhood Area within the City's newly approved Official Plan. The purpose of the Neighbourhood Area designation is to recognize new and existing neighbourhoods and communities (see **Figure 1**).



Figure 1: The subject lands (red pin) designated Neighbourhood Area (yellow) as per City of Barrie Official Plan Map 2 - Land Use Designations

The Neighbourhood Area land use policies recognize under Section 2.6.1.2 that new development, including intensification, may be possible where it respects the scale, height, massing, lot pattern, building type, orientation, character, form, and planned function of the immediate area.

Per the Neighbourhood Development Policies under 2.6.1.3, development up to three stories is permitted, and up to four stories may be permitted if the property is outside of a Historic Neighbourhood (as the subject lands are) and if the height is specified in the Zoning By-law. For lands fronting onto an arterial road, development up to six storeys may be permitted.

Draft 3 Zoning By-law Review

The subject lands are proposed to be zoned 'Neighbourhood Low 1 (NL1)' in the City's 3rd draft Zoning By-law. NL1 zoned lands can be found throughout the City, both within and outside of designated intensification areas (**Figure 2**).

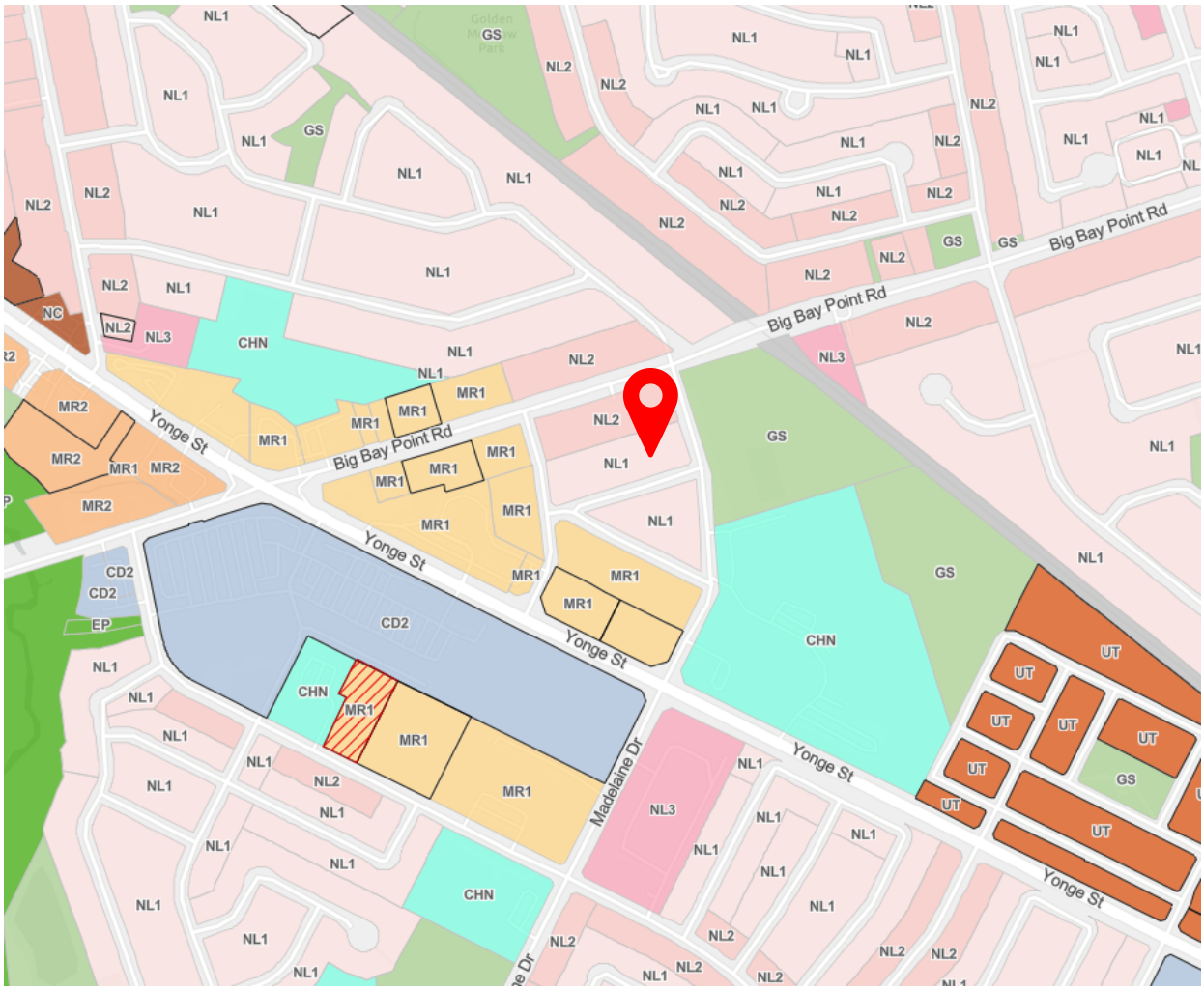

***Figure 2**: The subject lands (red pin) are proposed to be zoned NL1.*

Directly west and southwest of the subject lands are proposed Mid-Rise 1 (MR1) zones which are located within the Yonge/Big Bay Point Strategic Growth Area. These lands have been planned as a focal area and long-term centre of residential growth, commerce, jobs, and social interaction, per the Official Plan. The proposed zoning for these properties corresponds with the direction in the Official Plan.

The lands directly north and south of the subject lands are proposed as *Neighbourhood Low zones* NL2 and NL1. IPS previously submitted a letter on October 4, 2024 regarding the abutting property which fronts onto Big Bay Point Road. In that letter, we expressed our opinion that the proposed NL2 zone was not appropriate for a property along an arterial road and adjacent to a Strategic Growth Area. We proposed that the NI *Neighbourhood Intensification* Zone would be more appropriate.

The owner of the lands fronting onto Big Bay Point is the same owner as the subject lands, and their intention is to develop this entire block in two phases with a shared internal roadway and underground parking garage. Given that the lands will eventually be merged, the subject lands can be considered to be fronting onto Big Bay Point, which is an arterial road.

The lands east of the subject lands are zoned as *greenspace* (GS) and represent a prominent park in the community. Beyond the park, lands are proposed for NL1, NL2, NL3, and UT zones.

It is our opinion that the subject lands should be provided a higher order zoning classification, in order to provide an appropriate transition from the MR-1 zone adjacent to the west and south (which permit 8 storey buildings) to the lower density zoning classifications found east of the subject lands.

Proposed Solution

1. Consider the entire block as one consolidated lot to be developed cohesively in two phases, with Big Bay Point as the lot frontage; and
2. Zone properties fronting Big Bay Point Road within proximity to the Younge Street & Big Bay Point Road Strategic Growth Area as 'Neighbourhood Intensification (NI)'.

It is our opinion that the lands fronting onto Big Bay Point Road that are in close proximity to the Strategic Growth Area would be better suited for the NI Zone, given their positioning directly adjacent to higher-density lands. In the case of the subject lands, they should be considered to be fronting onto the arterial road since they will be developed as a second phase of a proposed development on the lots with Big Bay Point Road addresses.

Considering the desirable location, the available amenities in the surrounding area, the active transportation network, the proximity to Transit Route 12, the proximity to the Barrie South GO Station, and the proximity to both an Intensification Corridor and Strategic Growth Area, we believe this is an appropriate transitional area that should allow for increased density, as compared to established low density neighbourhoods which are not suitable for significant intensification.

Amenity Area Requirements

Under Section 5.11 *Neighbourhood Intensification (NI)* Table 30 *NI Lot, Yard, and Amenity Standards* the Neighbourhood Intensification zone requires a minimum of 12 square meters of common amenity area, and 5 square meters of private amenity area per unit for mid-rise buildings. While community spaces are vital for a vibrant residential environment, we believe this requirement is excessive and could have unintended negative consequences, including preventing intensification.

Near-by cities such as Toronto, Markham, and Richmond Hill have much lower common amenity space requirements. For example, Toronto requires only 2 square meters per dwelling unit, while Markham's requirements can be as low as 1 square meter per unit. Richmond Hill follows similar standards, ranging between 2-5 square meters. The 12 square meters required in Barrie significantly exceeds these established standards.

The Ontario government, through the More Homes Built Faster Act (Bill 23), has set a target of building 1.5 million homes over the next 10 years to address the housing supply crisis. A key aspect of this initiative is reducing the costs associated with development to make housing more affordable. Requiring large common amenity spaces increases construction costs, making it harder to build affordable housing. Additionally, excessive amenity space may increase ongoing costs for residents, such as condominium fees or rent, in order to maintain the amenity areas, regardless of whether the provided amenity space aligns with the actual needs of residents. This is not aligned with the province's goal of affordability.

Further, the City of Barrie has over 130 public recreational trails and parks covering over 1,200 ha, a ratio of 7.8 square meters per person. This is double the ratio of other similar cities in the surrounding area, as detailed in Table 1 below:

Table 1: Comparison of Parks and Outdoor Spaces

City	Parkland (ha)	Population	Parkland Per Resident (square meters)
Barrie	1,200	153,000	7.8
Richmond Hill	689	202,000	3.4
Markham	809	350,000	2.3
Toronto	8,000	2,800,000	2.9

This higher ratio of parkland per resident allows for more residents to access publicly owned and maintained parkland, reducing the need for private outdoor amenity space across the City.

Proposed Solutions

1. Reduce the required minimum amenity area to match the standards of other mid-size higher-density cities, and;
2. Combine the requirements for common amenity area and private amenity area to allow for more flexibility for all sites.

These solutions would allow for greater flexibility to create spaces that cater to the preferences of residents with differing needs and abilities. For example, lower maintenance housing for residents with disabilities or senior residents may look like more compact and accessible private amenity spaces, such as balconies or terraces, and fewer lawns or gardens, which are more difficult to access and traverse. By imposing a large common amenity area requirement, less flexibility is permitted, which could lead to less efficient use of space. A more balanced requirement would encourage better design that meets both community needs and market realities.

Given these factors, we respectfully urge the City of Barrie to consider the requested changes to the common amenity space requirement for all zones to promote more affordable housing and efficient land use.

Conclusion

We appreciate the opportunity to comment on the City's draft new Zoning By-law. Should staff have any questions on this letter, please do not hesitate to contact the undersigned.

Respectfully submitted,
Innovative Planning Solutions

Cameron Sellers, B.B.A.	Dafne Gokcen, M.Pl., RPP	Ray Budiwarman, B.E.S
Partner	*Senior Planner*	*Planner*

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November 14th, 2024

Celeste Kitsemetry
Supervisor of Growth Management
City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Sent via email: celeste.kitsemetry@barrie.ca

Re: **3rd Draft Zoning By-law Comments – Park Place North Lands, 410 Bayview Drive**

On behalf of our clients North American (Park Place North) Corporation and 9613714 Canada Inc., Innovative Planning Solutions, acting as the agent of the owners, has reviewed the proposed Draft 3 Zoning By-Law as it pertains to their lands located at 410 Bayview Drive (the 'Subject Property').

The Subject Property forms part of the broader Park Place development and is subject to an approved Minor Variance application (A30/23) to address parking requirements and landscape buffers, as well as an approved Site Plan Application (D11-017-2022), which sets out permissions for four multi-tenant industrial buildings, totalling 47,844 square metres (514,989 sf) of industrial space.

Per Zoning By-law 2009-141, the Subject Property was previously zoned as Business Park (BP) with applicable Special Provision 407. The new draft by-law proposed to rezone the lands to Employment non-industrial (EN), while maintaining the existing Special Provision as outlined in "Appendix A - Special Provisions and Holding Provisions." This schedule also seems to incorrectly indicate that the lands have a Holding Provision applied. This should be corrected as there are no applicable hold provisions.

We request that the Special Provision for the Subject Property be carried forward with the modifications proposed herein, in addition to the provisions of the new Zoning-By-law. Alternatively, we are open to the deletion of the existing Special Provision, and incorporation of modifications as part of a new Special Provision for the Subject Property.

Our comments and requests are captured below and are further detailed in the appended comparison chart.

1) Section 9.5 – Permitted Uses

To ensure we do not lose any as of right permitted uses of the BP zone so that they are not lost in transition to the new Zoning By-Law, we request that the following uses in ZBL 2009-141 BP Zone and/or SP-407 be carried over in a new special provision:

- Warehousing in Wholly Enclosed Building excluding Self Storage (Now Industrial Use General)
- Office, Medical (Now Health Services Facility)
- Bank, Service Store, Printing and Publishing (now Personal Services)
- Data Processing Centre
- Child Care (Now Child Care Centre)
- Day Nurseries (along with the as of right definition)
- Accessory Employee Use (along with the as of right definition)

This approach will allow the preservation of use permissions, while proposing to adopt the new definitions proposed in the draft by-law, where applicable.

Additionally, we request that the following provision in SP-407 be removed to align with the standards of the EN zone:

- Per SP 407, restaurants shall only be permitted as part of a multi-tenant building and shall not exceed 25% of the total gross floor area of such a building to a maximum of 300m2, and Notwithstanding the Table of Permitted Uses (Table A) in SP407, one freestanding restaurant shall be permitted within the lands zoned Business Park EMI (SP-407).

2) Section 15 – Definitions

No definition has been provided for the following uses in the new draft by-law:

- Research and Development Facility (now Research and Development Centre)
- Accessory Employee Use
- Day Nursery
- Office

As such, we request the definitions for the aforementioned uses be carried over from Zoning By-law 2009-141, either into the new by-law or as part the revised Special Provision.

3) Table 58 and Table 59 – EN Lot and Yard Standards and Building Standards

a) Front Yard Setback

While the front yard setback requirement in both the existing SP-407 and the proposed draft by-law are 6m, this is listed as a minimum requirement in the existing SP while the new draft by-law does not identify this as a minimum or maximum requirement. We request clarification to understand if this is intended to be a maximum or minimum requirement.

b) We request the following standards to be deleted in the existing Special Provision, in favour of standards set in the EN zone as part of the new draft by law:
   - Lot Frontage (min): 30m (SP-407)
   - Side Yard (min.) – 4m (SP-407)
   - Side Yard (min.) – 10m, adjacent to a residential zone (SP-407)
   - Side Yard (min) – 6m, adjacent a to a street (SP-407)
   - Rear Yard (min) – 6m (SP-407)
   - Rear Yard (min) – 15m, adjoining a residential zone (SP-407)
   - Rear Yard (min) – 6m, adjoining a street (SP-407)

c) We request the following standards to be retained as part of SP-407, or a new replacement SP:
   - Lot Coverage (max): 50% (SP-407)
   - Building Height (max) – 45m(2) (SP-407)
     (2) Cranes, conveying equipment and incidental equipment required for manufacturing and processing shall also be exceptions to the maximum building height standard.

4) Section 4: Parking & Loading

SP-407 should be modified to permit the development of the site, as approved, including approved variances to parking as follows:

A reduced parking ratio of 1 parking space per 99.46 square metres of gross floor area (GFA), whereas the Comprehensive Zoning By-law, under subsection 4.6.2.3 (a), requires a minimum of 1 parking space per 40 square metres of gross floor area.

Additionally, Appendix D – Parking District Map of the new proposed by-law, identifies a portion of the subject lands to fall within Parking District 3 (Strategic Growth Areas/ Intensification Corridors) while most of the subject lands as Parking District 4 (Employment

Areas). Given the planned and approved industrial development on the site, we request that the appendix be revised so that the entirety of the subject lands are classified as Parking District 4.

5) Section 3.3.4 Planting Buffers

We request a reduced Minimum Landscape Buffer abutting a Greenspace zone of 1.5m be carried as part of the Special Provisions, consistent with the approved minor variances previously secured on the subject lands.

Additionally, we request that the following landscape buffer provisions from SP-407 be preserved:

- Minimum landscape buffer when Adjacent to Hwy 400: 9m
- A minimum landscape area 8m wide, after any widening required by MTO, shall be provided adjacent to Highway 400 frontage. No further landscaping area will be required if any additional road widenings are taken by the MTO following the first site plan approval.

6) Section 4.8 Bicycle Parking

For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term): 0.2 spaces per 100 sqm of gross floor area. We request the removal or reduction of a minimum bicycle parking provision for Employment Areas. The current proposed rate is synonymous with requirements for retail, personal services, office, and retail store, as required in the City of Toronto Zoning By-law 569-2013, Given the lack of existing bicycle infrastructure in the City of Barrie and context of Employment Areas specifically which tend to have larger building footprints, we believe this requirement is aggressive as currently proposed.

7) Additional Provisions

We request the following additional provisions established through SP-407 carry forward as part of the new by-law, amended to reflect the new zones established:

i. That notwithstanding any other provision of this by-law, on the lands zoned Employment Non-industrial (EN)(SP-407) the provisions of this by-law shall apply collectively to the lands notwithstanding their future severance, partition or division for any purpose.

ii. That within the lands zoned Employment Non-industrial (EN)(SP-407) the following special provisions shall apply: (a) the lot line and yard adjoining Bayview Drive shall be deemed to be the front lot line and yard.

We trust that you will find the above satisfactory. We will continue to review the draft by-law in detail and consider staff and stakeholder input, which may add to or alter our comments herein.

Should you have any questions or comments, please do not hesitate to contact the undersigned.

Respectfully submitted,

Innovative Planning Solutions





Ray Budiwarman, BES.	Nick Skerratt,	Darren Vella, RPP.
Planner	Senior Planner	Principal

APPENDIX

410 Bayview Drive – Draft Zoning By-law Comments and Requests			
#	Zoning By-law 2009-141 (Current)	Draft Version 3.0 Zoning By-law (09/2024)	Requested Site Specific Provisions
Permitted Uses			
1.	Permitted Uses, BP Zone: • Manufacturing and Processing in Wholly Enclosed Buildings • Printing and Publishing • Research/Development Facility • Warehousing in wholly enclosed buildings excluding self storage • Accessory Employee Use • Accessory Retail • Assembly Hall • Bank • Conference Centre • Data Processing Centre • Drive Through Facility • Fitness or Health Club • Hotel, motel • Office • Office, medical • Outdoor Display and sales area • Photography Studio • Restaurant • Service Store • Veterinary Clinic • Child Care • Commercial School Permitted Uses SP-407: • Accessory Employee Use • Accessory Retail • Assembly Hall • Bank • Conference Centre	Section 9.5, Permitted Uses, EN Zone: • Adult Entertainment Establishment • Animal-related services • Assembly and Processing • Automotive Rental and Sales Establishment • Body Rub Parlour • Cemetery • Commercial Entertainment • Commercial School • Commercial Uses • Conference Centre • Custom Workshop • Arena • Community Facilities • Drive Thru Facility (accessory use) • Fitness or Health Club • Food and Beverage Processing • Food/Refreshment Stands • Food/Refreshment Vehicle • Funeral Establishment • Taxi Establishment	To ensure we do not lose any as of right permitted uses of the BP zone so that they are not lost in transition to the new Zoning By-Law, we request that the following uses in ZBL 2009-141 BP Zone and/or SP-407 be carried over: • Bank, Service Store, Printing and Publishing (now Personal Services) • Office, Medical (Now Health Services Facility) • Data Processing Centre • Warehousing in Wholly Enclosed Building excluding Self Storage (Now Industrial Use General) • Child Care (Now Child Care Centre) • Day Nurseries (along with the as of right definition) • Accessory Employee Use

	• Data Processing Centre • Drive Through facility • Fitness or health club • Hotel, motel • Office • Photography studio • Restaurant (permitted as part of multi-tenant building to not exceed 25% of total GFA of building up to 300m2) • Service Store • Veterinary clinic • Manufacturing & Processing in wholly enclosed building • Printing and publishing • Research & development facility • Warehousing in wholly enclosed building excluding self-storage • Commercial School • Day Nurseries (By-law 86- • 265), • Office, Medical (By-law 2013-026). (H1-100) removed by-law 2014-093)	• Gaming Establishment • Government Services • Building Supply Centre • Hospice • Hospitality • Hotel • Industrial School • Laboratory • Manufacturing Facility • Major Office • Major Retail • Micro Brewery • Micro Distillery • Nursery or Garden Supply Centre • Office • Outdoor Display & Sales Area • Parks and Open Space • Repair Service • Research and Development Centre • Restaurant • Retail Store • School • Self Storage • Studio	
Definitions			
2.	The Defined Terms for the following as outlined in Zoning By-law 2009-141: Research and Development Facility: "shall mean a laboratory, mechanical design studio, or any other facility used for research, testing, design and development of a new product."	No definition has been provided for the following uses in the new draft by-law: • Research and Development Facility or Research and Development Centre • Accessory Employee Use • Day Nursery	The new Draft by-law has defined and provided new terms or nomenclature which causes some permitted uses in the as of right provisions in the SP-407 to be lost. We request the definitions for these uses be added to carry the defined terms into new by-law or as part

	Accessory Employee Use: "shall mean any accessory use which is used solely by the employees of the principal use of the building or lot as an amenity. The accessory use shall only be for the employees benefit and not open to the general public and may include, but not be limited to, an employee cafeteria, employee's daycare and an employee fitness centre." Day Nursery: We simply seek to have the keep the as of right definition and use from by-law 86-265 Office: "shall mean a building or part of a building in which one or more persons are employed in the management, direction, administration or conducting of a business, or where professionally qualified persons or their staff serve clients who seek advice or consultation but shall not be in the nature of a medical office as defined in this By-law".	• Office	the revised SP, for those uses which have not been defined as part of the new proposed draft by-law.
Lot and Yard Standards			
3.	Lot Area (min) per SP-407: 1300m2 Lot Area (min) per Zoning By-law 2009-141: 1300 m2	Table 58– EN Lot and Yard Standards Lot Area (min): N/A	Remove lot area minimum provisions from Site Specific or revise to align with proposed new draft.
4.	Lot Frontage (min): 30m (SP-407)	Table 58– EN Lot and Yard Standards	This standard is consistent, no change requested.

		Lot Frontage (min): 30m	
5.	Lot Coverage (max): 50% (SP-407)	Table 58– EN Lot and Yard Standards Lot Coverage (max): 40%	We simply request that the Special Provision 407 standard for the Maximum lot coverage be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL
6.	Front Yard (min.) – 6m (SP-407)	Table 58– EN Lot and Yard Standards Front Yard setback – 6m The current proposed draft does not identify this standard as a minimum or maximum requirement.	We request clarity on whether this is intended to be a minimum or maximum standard.
7.	Side Yard (min.) – 4m (SP-407)	Table 58– EN Lot and Yard Standards Interior and Exterior Side Yard (min.) – 3m	We simply request that the Special Provision be removed or amended to align with new proposed draft by-law.
8.	Side Yard (min.) – 10m, adjacent to a residential zone (SP-407)	9.7.2. Setbacks to Lots in the Neighbourhood Zones Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: iii. When the interior side yard of a lot in the Employment Non-Industrial (EN) zone is abutting, buildings	We simply request that the Special Provision 407 standard for Side Yard Setback would be removed or amended to align with the standards of the EN zone.

		and structures shall maintain a 6-metre interior side yard setback	
9.	Side Yard (min) – 6m, adjacent a to a street (SP-407)	N/A	We simply request that the Special Provision 407 standard for Side Yard Setback would be removed to align with the standards of the EN zone.
10	Rear Yard (min) – 6m (SP-407)	Table 58– EN Lot and Yard Standards Rear Yard (min) – 6m	This standard is consistent, no change requested or Special Provision to be removed.
11	Rear Yard (min) – 15m, adjoining a residential zone (SP-407)	9.7.2. Setbacks to Lots in the Neighbourhood Zones Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: i. When the rear yard of a lot in the Employment zones is abutting, buildings and structures shall maintain a 15-metre rear yard setback	This standard is consistent, no change requested or Special Provision to be removed.
12	Rear Yard (min) – 6m, adjoining a street (SP-407)	N/A	We simply request that the Special Provision 407 standard for Rear Yard Setback would be removed to align with the standards of the EN zone.
Building Standards			
13	Building Height (max) – 45m(2) (SP-407) (2) Cranes, conveying equipment and incidental equipment required for	Table 59– EN Building Standards Building Height (max) – 5 storeys (17.5m)	We simply request that the Special Provision 407 standard for the Maximum Building Height be carried over into the new ZBL to avoid losing

	manufacturing and processing shall also be exceptions to the maximum building height standard.		the as of right standard in the transition of the new ZBL
Planting Buffers			
14	Landscape Buffer Standards ZBL 2009-141: When abutting residential Zone a minimum landscape buffer of: 3m Industrial uses when abutting Commercial, Institutional, Open Space and Environmental Protection Zones minimum landscape buffer: 3m Minimum landscape buffer when Adjacent to Hwy 400: 9m SP 407: A minimum landscape area 8m wide, after any widening required by MTO, shall be provided adjacent to Highway 400 frontage. No further landscaping area will be required if any additional road widenings are taken by the MTO following the first site plan approval. Minor Variance (A30/23): A reduced landscape	Section 3.3.4. Continuous Minimum Planting Buffer: 3m	We request a reduced Minimum Landscape Buffer abutting a Greenspace zone of 1.5m to be consistent with the approved minor variances previously secured on the site. Landscape buffer areas to Hwy 400 shall carry over to ensure consistency.

	buffer area width of 1.5 metres along the southern boundary, whereas the Comprehensive Zoning By-law, under subsection 4.8.2.2, requires a continuous landscape buffer area width of 3.0 metres for any lot in an Industrial zone adjacent to an Open Space zone.		
Parking and Loading			
15	No Minimum parking for Bicycles	4.8 Bicycle Parking For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term): • 0.2 spaces per 100 sqm of gross floor area	We request removal or reduction of minimum bicycle parking standard.
16	Parking Standards ZBL 2009-141: <u>Minimum number of parking Spaces (use based approach):</u> Industrial uses otherwise not defined: 1 space per 70m2 of gross floor area min. 2 space Office, Medical: 1 space per 15m2 of gross floor area Multiple Uses in Industrial Zones: A minimum of 1 parking space per 40m2 of gross floor area shall be	Section 4: Parking and Loading Minimum number of Parking Spaces in Parking District 4 (Employment Areas): for any Commercial Entertainment, Community Facilities Uses, institutional uses, restaurants or schools: 1/50 sq m of GFA, but no less than 2 parking spaces for any industrial uses: 1/1000 sq m of GFA for any other non-residential use: 1/50 sq m. of GFA	SP-407 should be modified or deleted and replaced with new SP bylaw standards that will permit the development of the site, as proposed, including the approved variances to parking. Appendix D should be revised so that the entirety of the site falls within parking district 4.

	required except where the data processing centre is in combination with another use, in which case the data processing centre components shall be at the rate identified in Table 4.6 and the additional multiple uses shall be at a rate of 1 parking space per 40m2 Minor Variance (A30/23): A reduced parking ratio of 1 parking space per 99.46 square metres of gross floor area (GFA), whereas the Comprehensive Zoning By-law, under subsection 4.6.2.3 (a), requires a minimum of 1 parking space per 40 square metres of gross floor area.	Maximum number of Parking Spaces in Parking District 4 (Employment Areas) for any other non-residential use: 1/25 sq. m. of GFA A small portion of the planned industrial development also falls within Parking District 3.	
Additional SP-407 Provisions			
17	SP-407: That notwithstanding any other provision of this by-law, on the lands zoned Business Park (EM1) (SP-407) the provisions of this by-law shall apply collectively to the lands within each respective zone notwithstanding their future severance, partition or division for any purpose.	N/A	The notwithstanding clause presented in the existing special provision should continue to apply, adjusted to the new zones in the draft by-law: "That notwithstanding any other provision of this by-law, on the lands zoned Employment Non-industrial (EN)(SP-407) the provisions of this by-law shall apply collectively to the lands notwithstanding their future severance, partition or division for any purpose."
18	Permitted use of restaurants:	N/A	We request that the following provisions in SP-

	Shall only be permitted as part of a multi-tenant building and shall not exceed 25% of the total gross floor area of such a building to a maximum of 300m2 Notwithstanding the Table of Permitted Uses (Table A), one freestanding restaurant shall be permitted within the lands zoned Business Park EMI (SP-407).		407 be removed to align with the standards of the EN zone.
19	SP-407: That within the lands zoned Business Park EM1 (SP-407) the following special provisions shall apply: (a) the lot line and yard adjoining Bayview Drive shall be deemed to be the front lot line and yard.		The clause presented in the existing special provision should continue to apply, adjusted to the new zones in the draft by-law: That within the lands zoned Employment Non-industrial (EN) the following special provisions shall apply: (a) the lot line and yard adjoining Bayview Drive shall be deemed to be the front lot line and yard.

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C42.

12 February 2025

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Council, Ms. Cooke and Ms. Kitsemetry
Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

RE: Request for Modifications to the Third Draft of the New City of Barrie Zoning By-law
217 Dunlop Street, Barrie
PBM Realty Holdings Inc. Landholdings

On behalf of our Client, PBM Realty Holdings Inc. (hereinafter "PBMR" or "Client"), please find enclosed the requested modifications to the City of Barrie's third draft of the new Zoning By-law (the "new ZBL").

This follows comments, submitted in October 2024 by MHBC on behalf of PBMR, on the City of Barrie's Third Draft of the new Zoning By-law released in September 2024. The previous letter included comments for all our Client's landholdings, whereas this letter is specific to their landholding at 217 Dunlop Street East (the "Site"). The registered owner of this Site is '217 Dunlop St East Limited'.

Current versus Draft Zoning

The Site is currently zoned 'Transition Centre Commercial with Special Provision' (C2-1)(SP-608). The new ZBL proposes to rezone the site as 'Urban Core' (UC). The 3rd draft of the new ZBL is accompanied by a special provisions map (Appendix A) which confirms that the Special Provision SP-608 is to remain for the Site.

Through discussions with City staff, it is understood that should a site-specific special provision be more restrictive than the proposed provisions under the new ZBL, owners are invited to request these specials provisions to be updated to reflect the new ZBL.

Preferred Amendments
PBMR has utilised this opportunity to review the draft UC Zone against the current allowances and provisions under the C2-1 (SP-608) Zone to prepare their ideal scenario for the Site. This is attached at ***Appendix A*** to this letter. It was prepared with the hope that the new ZBL will include a section for exceptions, and as such would be zoned Urban Core Exception X (UC (SP-X)).

The approach to the requested site-specific zoning is to combine the existing zoning permissions on the Site with the City's proposed new ZBL. Where other adjustments have been made, they are based on site-specific knowledge and/or principles of good planning. The format follows that of the City's new ZBL for the applicable underlying zone (UC).

PBMR requests consideration is given to this ultimate scenario.

Special Provision Amendment
Alternatively, through discussions with City staff, it is understood that the preference is for owners to present amendments solely to the relevant special provision (in this case SP-608) alone. Where the City will consider amendments to the existing special provisions is where the corresponding provision in the new base zone is more flexible. This is attached at ***Appendix B*** to this letter.

Uses
As noted in previous letters of comment, the following uses are currently identified as being permitted in the existing C2-1 zone but are not proposed to be carried forward within the new UC zone:

- Automotive Service Station
  (*now an Automotive Repair and Service Station*)
- Bed & Breakfast Establishment
  (permitted in the UT zone but not the UC zone)
- Building Supply Centre
  (*now defined as Major Retail*)
- Child Care
  (*now defined as Child Care Centre*)
- Custom Workshop
- Entertainment Establishment
  (*confirmation is requested whether this is considered to be covered under the definition of Commercial Entertainment. If yes, then it is requested that the definition makes this clear*)
- Nursery or Garden Supply Centre
- Recreational Establishment
  (*some of the defined uses under the definition of Recreational Establishment (such as Fitness or Health Club) are permitted, however it is requested that all uses are permitted under this definition*)
- Rental Store
- Shopping Centre
- Training and Rehabilitation Centre

(*confirmation is requested whether this is considered to be covered under the definition of Institutional Uses. If yes, then it is requested that the definition makes this clear*)

- Trade Centre
- Veterinary Clinic
  (*now also defined as Animal-related Services*)

It is requested that these uses be carried forward with the site-specific zone.

We respectfully request the consideration of the comments made above. Should you have any queries regarding any of the above, please do not hesitate to contact us.

Yours truly,

MHBC





Kory Chisholm BES, M.Sc., MCIP, RPP
Partner

Opani Mudalige, Hon.BA, M.Sc., MRTPI
Intermediate Planner

cc. PBM Realty Holdings Inc. | Leanna Amaral

APPENDIX A

NOTE:

IN MOST INSTANCES, THE APPROACH TO THE REQUESTED SITE-SPECIFIC ZONING OUTLINED BELOW IS TO COMBINE THE EXISTING ZONING PERMISSIONS ON THE PROPERTY WITH THE CITY'S PROPOSED NEW ZONING BY-LAW. WHERE OTHER ADJUSTMENTS HAVE BEEN MADE THEY ARE BASED ON SITE-SPECIFIC KNOWLEDGE AND/OR PRINCIPLES OF GOOD PLANNING.

THE FORMAT FOLLOWS THAT OF THE CITY'S NEW ZONING BY-LAW FOR THE APPLICABLE UNDERLYING ZONE.

TRACKED CHANGES IN TABLES BELOW SHOW EDITS MADE TO IMPLEMENT EXISTING ZONE PROVISIONS THAT ARE MORE FLEXIBLE, REMOVE NEW ZONING RESTRICTIONS FROM THE NEW ZONING BY-LAW THAT CURRENTLY DO NOT EXIST ON THE PROPERTY, AND/OR CARRY FORWARD EXISTING SITE-SPECIFIC ZONING PROVISIONS THAT THE NEW ZONING BY-LAW DOES NOT RECOGNIZE.

FOR REFERENCE THE EXISTING SITE-SPECIFIC ZONES ARE AS FOLLOWS:

C2 (SP-608) (By-law 2022-007)

THESE EXISTING SITE-SPECIFC PROVISIONS AND THE PROPOSED UC ZONE PROVISIONS ARE ATTACHED FOR EASE OF REFERENCE

Highlighted in Yellow – is where the Site-Specific number is to be added.

Text in Blue – is to ensure that, should the section numbers of the draft by-law be revised, this text should be updated.

217 Dunlop Street East, Barrie - Proposed Site-Specific Zoning

Urban Core Exception __ (UC (SP-__)) Zone

Permitted Uses

a) In addition to the Primary Uses set out in the UC Zone at Section 7.5: Table 42, the following uses are permitted in the UC (SP-__) Zone:

- Automotive Repair and Service Station
- Bed & Breakfast Establishment
- Major Retail
- Child Care Centre
- Custom Workshop
- Entertainment Establishment
- Nursery or Garden Supply Centre
- Recreational Establishment
- Rental Store
- Shopping Centre
- Training and Rehabilitation Centre
- Trade Centre
- Veterinary Clinic (Animal-related Services)

Permited Buildings and Structures

b) With regard to the definitions of 'high-rise building' and 'tower' at Section 15, a high-rise building is permitted in the UC (SP-__) Zone without a podium.

Urban Zone Specific Standards

The entrance standards set out at Section 7.7.1 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

The provisions for exterior finishes set out at Section 7.7.2 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

The provisions for setback to a Lane set out at Section 7.7.3 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

The provisions for mixed-use development set out at Section 7.7.4 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

Urban Core Special Provision __ (UC (SP-__))

UC (SP-__) Lot, Yard and Amenity Standards

Commented [OM1]: Table 44 track changed below.

		Mid-Rise Building	High-Rise Building
Lot Standards	Lot Coverage (Maximum)	N/A	
	Lot Frontage (Minimum)	N/A	
	Exterior Side Yard Setback (Minimum)	0.5m	
Yard Standards	Front Yard Setback	~~0.5 m~~ N/A	
	Interior Side Yard Setback (Minimum)	N/A	
	Landscaped Area (Minimum)	N/A	
	Rear Yard Setback (Minimum)	N/A	
Amenity Area Requirements	Common Amenity (Minimum)	10 sq m per Dwelling Unit	N/A
	Private Amenity (Minimum)	5 sq m per Dwelling Unit	N/A

Commented [OM2]: There is no min or max set in the C2 zone, nor by SP-608

UC (SP-__) Building Standards

	Mid-Rise Building	High-Rise Building
Dwelling Unit Width (Minimum)	N/A	
Building Height	5 Storeys (17.5 m) Minimum 12 Storeys (42 m) Maximum	12 Storeys (42 m) Minimum 25 Storeys (87.5 m) Maximum
Building Length (Maximum)	N/A	
Non-Residential Gross Floor Area (Minimum)	~~250 sq m~~ N/A	
Ground Level Floor Height (Minimum)	4.5 m	

Commented [OM3]: Table 45 track changed below

Commented [OM4]: SP-608 notes "the minimum coverage for commercial uses of 0.0% of the lot area shall be permitted in the Transition Centre Commercial C2-1 (SP-608) Zone."

General Building Standards

The amenity area requirements within Section 3.2.6 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

The facing distance requirements within Section 3.2.7 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

The window to wall ratio requirements within Section 3.2.11 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

Parking

In addition to the Parking and Loading provisions set out in Section 4, residential tandem parking spaces shall be permitted in the UC (SP-__) Zone.

UC (SP-__) Required Number of Parking Spaces in District 2 (Urban Growth Centre)

Use	Minimum Number of Parking Spaces	Maximum Number of Parking Spaces
For any Dwelling Unit	0.6 Parking Spaces per Dwelling Unit	~~1~~ 2.05 Parking Spaces per Dwelling Unit
For any Commercial Entertainment, Community Facilities Uses, Institutional Uses, Restaurants or Schools	N/A	N/A
For any Grocery Store Use	N/A	N/A
For any Industrial Uses	N/A	N/A
For any other Non-Residential Use	N/A	1 Parking Space per 50 sq m of Gross Floor Area

Commented [OM5]: Tables 13 and 14 combined and track changed below

DRAFT ZBL – parking district map: PARKING DISTRICT 2 – URBAN GROWTH CENTRE

No maximums set when SP-608 was approved

UC (SP-__) Required Number of Visitor Parking Spaces in District 2 (Urban Growth Centre)

Use	Minimum Number of Visitor Parking Spaces	Maximum Number of Visitor Parking Spaces
For any building that contains dwelling units	~~0.1 Parking Spaces per Dwelling Unit~~ N/A	~~0.2 Parking Spaces per Dwelling Unit~~ N/A

Commented [OM6]: Tables 15 and 16 combined and track changed below

No min-max set when SP-608 was approved

Electric Vehicle Ready Parking ("EVRP")

The EVRP requirements within Section 4.6.4 of the City of Barrie's Comprehensive Zoning By-law shall not apply to lands in the UC (SP-__) Zone.

Minimum Bicycle Parking Requirements

Use	Minimum Long-Term Bicycle Parking	Minimum Short-Term Bicycle Parking
For a building containing 10 or more Dwelling Units	~~1 Space per Dwelling Unit~~ N/A	~~1 Space per Dwelling Unit~~ N/A
For all other Non-Residential Uses	~~0.3 Spaces per 100 sq m of Gross Floor Area~~ N/A	~~0.3 Spaces per 100 sq m of Gross Floor Area~~ N/A

APPENDIX B

NOTE: The site-specific zone text has been copied into this document from the current Zoning By-law. Any proposed changes are shown in track-change with a comment as to the justification for the proposed change.

Justification for all proposed changes is related to where the corresponding provision in the new zoning by-law is more flexible than that in the existing special provision.

~~C2-1~~UC (SP-608)

217 Dunlop Street East (By-law 2022-007)

~~a) That notwithstanding the provisions set out in Table 6.3.1 of By-law 2009-141, a minimum interior side yard setback of 6.0 metres adjoining a Residential Zone shall be permitted in the Transition Centre Commercial C2-1 (SP-608) Zone.~~

~~b) That notwithstanding the provisions set out in Table 6.3.1 of By-law 2009-141, a minimum interior side yard setback of 6.0 metres adjoining a Commercial Zone shall be permitted in the Transition Centre Commercial C2-1 (SP-608) Zone.~~

~~c) That notwithstanding the provisions set out in Table 6.3.1 of By-law 2009-141, a maximum permitted gross floor area of five hundred ninety five (595) times the lot area shall be permitted in the Transition Centre Commercial C2-1 (SP608) zone.~~

~~d) That notwithstanding the provisions set out in Tables 6.3.1 and 6.3.2 of By-law 2009-141, a maximum building height of 19.5 metres shall be permitted in the Transition Centre Commercial C2-1 (SP-608) Zone.~~

~~e~~a) That notwithstanding the provisions set out in Section 3.2.4 ~~Tables 6.3.1 and 6.3.2~~ of By-law ~~2009~~2025-~~141~~XXX, a maximum building height of 49.5 metres within 3~~5~~.0 metres of the front lot line and of 87~~49~~.5 metres beyond 5.0 metres of the front lot line shall be permitted in the ~~Transition Centre Commercial~~Urban Core ~~C2-1~~UC (SP-608) Zone.

~~f~~b) That notwithstanding the provisions set out in Table ~~6.3.2~~45 of By-law ~~2009~~2025-XXX~~141~~, the minimum coverage for commercial uses of 0.0% of the lot area shall be permitted in the ~~Transition Centre Commercial~~ Urban Core ~~C2-1~~UC (SP-608) Zone.

~~g~~c) That notwithstanding the provisions set out in Sections ~~4.8.2.1 and 6.3.7.1~~3.3.4 of By-law ~~2009~~2025-~~141~~XXX, the minimum landscaped buffer width along a public street, along the side yard abutting a Residential Zone, along the side yard abutting a Commercial Zone, and along the rear yard shall be variable and shall be 0.0 metres in some locations in the ~~Transition Centre Commercial~~ Urban Core ~~C2-1~~UC (SP-608) Zone.

~~h~~d) That notwithstanding the provisions set out in Section 4.~~6~~ 3b) of By-law ~~2009~~2025-~~141~~XXX, residential tandem parking spaces shall be permitted in the ~~Transition Centre Commercial~~Urban Core ~~C2-1~~UC (SP-608) Zone.

Commented [OM1]: Table 44 in the UC Zone of the draft new ZBL sets a minimum interior side yard setback of N/A

Commented [OM2]: Table 44 in the UC Zone of the draft new ZBL sets a minimum interior side yard setback of N/A

Commented [OM3]: Table 44 in the UC Zone of the draft new ZBL notes that maximum lot coverage is N/A and does not set a general maximum gross floor area.

Commented [OM4]: Table 45 in the UC Zone of the draft new ZBL sets a maximum height of 25 storeys or 87.5 metres

Commented [OM5]: The current site Specific zone does not require a step-back, however the new draft zone allows for greater height.

Feb 25, 2025

Celeste Kimestry
Celeste.kitsemetry@barrie.ca
Supervisor of Growth Management
Development Services
City of Barrie 70 Collier Street, Box 400
Barrie, Ontario L4M 4T5

Liam Munnoch
liam.munnoch@barrie.ca
Planner
Development Services
City of Barrie 70 Collier Street, Box 400
Barrie, Ontario L4M 4T5

Dear Celeste and Liam,

Request to Maintain Site Specific C4 Zoning
New City of Barrie Zoning By-Law Review
123/125 Ferndale Drive North, Barrie Ontario

I am a partner of Dunlop Ferndale Inc, the registered owner of the lands described as 123/125 Ferndale Drive North. See property outlined in light blue on the map below:



This property is currently zoned General Commercial (C4). Under the proposed New City Wide Zoning Bylaw, it is proposed to be zoned Employment Non-Industrial (EN) which is a reduction of currently permitted uses, and in our opinion, is devaluing our property and its potential. We are also in discussions with a group to perhaps purchase our property, and one of the uses they are considering may not be permitted in the new zoning but is permitted in the current C4 zoning.

We are therefore requesting to carry forward the existing C4 zoning by-law permissions, or obtain a site-specific zoning to carry forward existing zoning by-law permissions under the new zoning by-laws.

We are happy to discuss this matter further with you when you are able.

Regards,

Dunlop Ferndale Inc.



Bill Greenfield
President

Cc: Tom Ehrlich - Partner
Adam Ehrlich - Partner

HUMPHRIES PLANNING GROUP INC.

FOUNDED IN 2003

March 19, 2025
HPGI File: 22848

City of Barrie
Development Services
70 Collier Street
Barrie, ON
L4M 4T5

Attn: Celeste Kitsemetry, Supervisor of Growth Management
Liam Munnoch, Senior Planner

Re: City of Barrie Draft Zoning By-law
249 Bayview Drive, Barrie
Franline Investments Limited

Humphries Planning Group Inc. ("HPGI") represents Franline Investments Limited ("Owner"), the owner of the property located at 249 Bayview Drive, City of Barrie ("Subject Site"). In October 2024, a working draft of Barrie's new Zoning By-law was released to the public for review and comment. It is our understanding that the City of Barrie is in process of finalizing their new Zoning By-law and intended to be brought forward for approval in Q2 of 2025. Based on our review of the draft new Zoning By-law, we wish to provide the following comments as they relate to 249 Bayview Drive.

Given the site context and characteristics, industrial uses are not appropriate or feasible for this property.

Permitted Uses

In accordance with Zoning By-law 2009-141, the Subject Site is zoned General Commercial (C4). Section 6.2 and Table 6.2 of the By-law lists the following permitted use within the General Commercial (C4) Zone, but is not limited to:

- ***Dwelling Unit(s)*** *in conjunction with permitted commercial uses except defined automotive uses.*

In accordance with the Barrie Draft New Zoning By-law, the Subject Site is zoned Neighbourhood Commercial (NC). ***Residential use*** is permitted as an accessory use within the Neighbourhood Commercial (NC) Zone, per Section 5.5 and Table 22 of the Draft Zoning By-law.

The Draft Zoning By-law provides the following definition for "Accessory Use":

190 Pippin Road
Suite A
Vaughan ON
L4K 4X9

T: 905-264-7678
F: 905-264-8073

www.humphriesplanning.com

> *Means the secondary purpose for which a lot, building or structure is used, or intended to be used. Accessory uses are not permitted to be stand-alone and are only permitted once the primary use is established on a lot.*

As noted above, a mixed-use residential development is permitted on the Subject Site in accordance with the permitted uses within the General Commercial – C4 (By-law 2009-141) and Neighbourhood Commercial – NC (Draft By-law) zone.

Previous Approvals

A Site Plan (D11-025-2017) application was previously submitted for the Subject Site in 2017 and approved by the City for mixed-use development purposes. The site plan was approved but never constructed.

Request

Mixed-use development is supported by Zoning By-law 2009-141 and the Draft Zoning By-law. A mixed use development was previously approved by the City for this property. We request that such permissions be maintained for the subject site.

Further to above, on behalf of Franline Investments Limited, we request to be notified concerning the City's Zoning By-law review including any and all future Council/Committee meetings, community meetings and consultation as well as the release of any discussion papers or proposed amendments and decisions to the By-law.

Should you have any questions, feel free to contact the undersigned at extension 244.

Yours truly,
HUMPHRIES PLANNING GROUP INC.

R Humphries

Rosemarie Humphries BA, MCIP, RPP
President

cc. *Franline Investments Limited*
Mayor and Members of Council

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

April 16, 2025

City of Barrie
70 Collier Street,
P.O Box 400
Barrie, ON. L4M 4T5

Attention: Celeste Kitsemetry
Supervisor of Growth Management

Re: City of Barrie Zoning By-Law Review – Draft 3
Comment Letter on behalf of 1012 Yonge Street
City File D30-005-2021, D11-027-2024

INTRODUCTION

On behalf of Crown (Barrie) Developments Inc., Innovative Planning Solutions is writing to provide formal comments as input into the City of Barrie's new proposed City-Wide Zoning By-Law, third version, herein after known as the "Draft Zoning By-law", in relation to their property located at 1012 Yonge Street. The property is located in the Hewitt Secondary Plan area and a series of planning applications have been undertaken for the property, with a Site-Specific Zoning By-law Amendment approved in 2023.

The City has been working to develop the Draft Zoning By-law for the past several years. The Draft Zoning By-law was presented at the November 14, 2024, public consultation meeting and is currently available on the City's website for review and comment.

We have reviewed the Draft Zoning By-law and associated materials, in conjunction with the development approvals obtained for 1012 Yonge Street. We are extremely concerned that the Draft Zoning By-law, in its current iteration, does not accurately reflect the permissions secured through the Site-Specific Zoning By-law Amendment for the property approved in 2023. We request that a meeting

647 WELHAM ROAD, UNIT 9A, BARRIE ONTARIO L4N 0B7
200W-3800 STEELES AVE W, VAUGHAN, ON L4L 4G9
TEL: (705) 812-3281 FAX: (705) 812-3438
EMAIL: INFO@IPSCONSULTINGINC.COM

be convened in the coming weeks to better understand the implications of the Draft Zoning By-law on the development at 1012 Yonge Street, and to discuss solutions to ensure the development can proceed as approved without further delays.

PRIOR PLANNING APPLICATIONS AND CURRENT PERMISSIONS

The property located at 1012 Yonge Street represents a 12.2 acre (4.95 hectare) parcel within the Hewitt Secondary Plan area. The property has been through a series of planning applications listed below in chronological order:

- April 13, 2021– Applications for Official Plan and Zoning By-Law Amendment deemed complete
- June 21, 2023 – Site Specific Zoning By-Law Amendment No. 2023-068 passed
- May 2024 – City of Barrie Official Plan Approved as Modified (Bill 162)
- September 23, 2024 – Application for Draft Plan of Subdivision and Site Plan Control (for Block 2) deemed complete (application in process)
- March 20th, 2025 – Pre-Consultation for Site Plan Control for Block 3 (filed and in process)

The City of Barrie Official Plan (Bill 162) and Site-Specific Zoning By-Law Amendment have been approved. The approvals resulted in the lands being redesignated in the Official Plan from *Agriculture* to *Medium Density* and established permissions for a medium density, mixed-use development with a variety of built forms ranging in heights from 3 to 10 storeys. This development concept, herein referred to as the "Approved Development Concept", is further detailed below. The Site Plan for the Approved Development Concept is included within Appendix A.

DESCRIPTION OF APPROVED DEVELOPMENT CONCEPT

The property is bound by Yonge Street to the east, future municipal road Moberly Drive to the west and future municipal road Meeking Drive to the south. The property is approved to be developed as a mixed-use, medium density residential development with a variety of built forms ranging in heights from 3 to 10 storeys. An application for Draft Plan of Subdivision Approval has been filed and appended to this letter, refer to Appendix B, which envisions three development blocks. The development of each block will be further refined through individual Site Plan Control and Plan of Condominium Applications. A brief description of the development proposal for each block is provided below.

Block 1 – Located along Yonge Street, Block 1 is planned to accommodate the highest density of development on the site. It includes a single U-shaped building with heights ranging from 3 to 10 storeys, responding to the corridor's urban character.

Block 2 – Situated centrally within the site, Block 2 serves as a transitional area between the higher-density development fronting Yonge Street and the lower-scale residential uses to the west. This block includes U-shaped buildings with heights between 3 and 6 storeys, providing a moderated scale and massing.

Block 3 – Located at the rear of the site, adjacent to Moberly Drive and low-rise neighbourhoods, Block 3 introduces the lowest density of development within the overall concept. The 2023 Approved Development Concept envisioned a combination of three storey townhouse blocks with two walk-up apartment buildings with heights of 3 and 4 storeys, respectively. In response to shifting market conditions and updated project performance statistics, the current iteration replaces the walk-up apartments with three-storey traditional and back-to-back townhouses across the entire block. A pre-application consultation for the modified concept has been filed with the City. Refer to Appendix C.

ZONING BY-LAW No. 2009-141 and SITE-SPECIFIC ZONING BY-LAW No. 2023-068

The property is currently zoned *Neighbourhood Mixed Use (NMU)* with Special Provisions 636 and 637, in accordance with Zoning By-law No. 2023-068. Zoning By-law No. 2023-068 only amends provisions of Zoning By-law No. 2009-141 that had to be changed to allow the Approved Development Concept to proceed. Zoning By-law No. 2023-068 relies on various provisions of By-law No. 2009-141, including definitions, permitted uses, general development standards such as parking, heights, step backs and built form. The following outlines how the existing zoning and policy framework establishes key development permissions for the property:

Existing Use Permissions:

Under Section 14.6.2 of By-Law No. 2009-141, the *NMU* zone permits Back-to-Back Townhomes and Street Townhomes, in addition to Block/Cluster and Stacked Townhomes, as outlined in Table 5.4.1. Taken together, the property has permission for all townhouse typologies defined in By-law No. 2009-141 to be developed.

Existing Height Permissions:

The property is designated *Medium Density* in the Official Plan, which generally directs that buildings should be a minimum of 6 storeys and a maximum of 12 storeys in height. However, the policies provide flexibility for lower building heights

where certain conditions are met, including achieving the prescribed minimum residential density target across all Medium Density designated lands and where it is appropriate to implement height transitions to adjacent neighbourhoods.

The *NMU* zone under By-law No. 2009-141 establishes a minimum height of 3 storeys and a maximum height of 12 storeys in accordance with Section 14.6.3.2 and Table 14.6.2. There is an exception for a minimum building height of 2 storeys abutting a collector road internal to a residential area, and Meeking Road and Moberly Drive are classified as Minor Collector roads on Map 4b of the Official Plan.

Existing Parking Permissions:

Per By-Law No. 2009-141, the parking rate required for residential units in a Mixed-Use zone is a blended rate of 1.0 space per unit, with no parking requirement for visitors. We understand that this rate would apply regardless of built-form i.e. regardless of whether the units proposed are in a mid-rise building or ground-oriented townhomes.

DRAFT 3 COMPREHENSIVE ZONING BY-LAW

Per the Draft Zoning By-law, the property is zoned *Mid-Rise (MR2)* and is partially within parking District 5 and partially within parking District 3. The following tables associated with this zone are relevant:

- Table 36, which lists the permitted uses, includes *Residential* as being a permitted use. The table does not differentiate between types of residential dwelling forms.
- Table 37, which provides the permitted building types indicates that the only permitted building type is *Mid-Rise* buildings.
- Table 41, which provides the building standards indicates that the minimum permitted building height is 5 storeys and the maximum building height is 12 storeys.
- Table 13, which provides the minimum parking requirements indicates that the minimum parking rate for any dwelling unit in District 5 is 1 parking space per unit and within District 3 it is 0.7 parking space per unit.
- Table 14, which provides the minimum parking requirement for visitors indicates that visitor parking at a rate of 0.1 spaces per unit and 0.2 spaces per unit is required within District 3 and 5 respectively.

Per the definition of *Mid-Rise* buildings, a mid-rise building is one that is a minimum of six (6) storeys up to a maximum of twelve (12) storeys in height and includes

interior hallways with elevator(s). We note that the definition of *Mid-Rise* does not align with the height permissions as provided in Table 41.

Secondly, the definition appears to require elevators, whereas that may not be necessary for walk-up apartments, which are an approved form of development for this property.

ANALYSIS

Based on our review of the Draft Zoning By-law, we are concerned that the proposed provisions do not align with the Approved Development Concept for the property. Specifically, the Draft Zoning By-law does not permit three storey townhomes, whereas this built form is permitted by the Site-Specific Zoning By-law Amendment for the property approved in 2023. We recognize that Special Provisions 636 and 637 can be carried forward and incorporated into the Draft Zoning By-law, however, we remain concerned about how these provisions will be implemented once the new by-law is in-effect. Additionally, substantial changes introduced in the Draft Zoning By-law – relative to Zoning By-law No. 2009-141 – raise compliance issues for several elements of the Approved Development Concept. Furthermore, we are very concerned that given the dramatic shift on general zoning provisions between By-law No. 2009-141 and Draft 3, there exists a number of provisions that our Approved Development Concept would no longer comply.

As such, we provide below an itemized list of our issues associated with the Draft Zoning By-law. This is an inclusive list but may evolved as we continue to assess the implications of the Draft Zoning By-law in greater detail:

Issue 1: Minimum Height, as shown on Table 41 does not maintain the permissions of section 14.6.4 of By-Law No. 2009-141.

Section 14.6.4 of By-Law No. 2009-141 applies the RM3 standard to Back-to-Back townhomes. These standards permit developments that are less than three storeys in height. A such, By-law No. 2023-068, which builds upon the RM3 framework, maintains permissions for units up to and including three storeys.

However, Table 41 of the Draft Zoning By-law introduce a new minimum building height requirement of 5 m that is inconsistent with the permissions secured under the site-specific amendment. This discrepancy effectively undermines the development rights granted.

Issue 2: Permitted Building Types, as shown on Table 37 does not maintain the permissions of section 14.6.2 and 14.6.4 of By-Law 2009-141.

The Zoning By-Law Amendment for 1012 Yonge Street has always contemplated low-rise built-forms, including 3 storey townhouses. Permissions for this use and type of development are in place through section 14.6.2 of By-Law No. 2009-141 which refers to Table 5.4.1 wherein Block/Cluster and Stacked townhouses are permitted. Additionally, permission for Back-to-Back townhomes is provided through clause 14.6.4 of By-Law No. 2009-141.

Accordingly, the existing zoning framework provides permission for all townhouse typologies defined in By-law No. 2009-141. However, Table 37 of the Draft Zoning By-law identifies *Mid-Rise Buildings* as the only permitted building type, which by definition requires interior hallways and/or elevators. This restriction does not reflect the site-specific permissions or the Approved Development Concept. We therefore object to any provision that would prohibit the implementation of the Approved Development Concept.

Permissions to include townhomes is particularly relevant because many mid-rise buildings have a townhouse component attached to the primary building. This development trend serves to ensure provisions related to appropriate transition are met and allows for good design. This built-form, although incorporated in a mid-rise building complex, are effectively townhouses. In the absence of clear language permitting townhomes, these forms of attached townhouse units are vulnerable to being deemed as non-compliant on technical grounds. Therefore, we recommend modifications be made to provide added certainty and ensure good design principles can be met. On a large and complex site such as the subject property, it is both appropriate and necessary to utilize a range of built forms to achieve a context-sensitive and well-designed development. In this example, after years of multiple site plan iterations, the concept approved under By-law No. 2023-068, permits a range of heights and building typologies, which must be carried forward on the new Zoning By-Law.

Issue 3: Appendix D-Parking District Map and associated rates do not reflect current permissions.

Appendix D- Parking District map identifies a split parking district on the property. The front portion along Yonge Street is within District 3 whereas the remaining falls within District 5. As such, we are unclear on the defining limit between the two districts, or the rationale.

Additionally, we note that whereas previously there was no requirement for visitor parking, the Draft Zoning By-Law introduces this requirement which effectively increase the required parking rate from 1.0 spaces per unit to 1.2 spaces per unit, impacting the project performance of the overall development. The Approved Development Concept was granted a parking ratio of 1.0 spaces per unit. We object to any change resulting in an increase to this parking requirement. The 1.0

space per unit was justified through the completion, review and City Approval of detailed Traffic Impact Studies for this site.

Issue 4: Recognizing Special Provisions 636 and 637 does not provide adequate certainty.

We understand that the Draft Zoning By-law, through transition clause 1.10 (c) seeks to recognize lands that have gone through an approved Zoning By-Law Amendment process granting a Special Provision. We further understand that there is an intent to carry forward the "former By-Law Standards only as varied by the Special Provision". We are concerned with the use of the phrase "only as varied by the Special Provision". In this case, townhouses with 3 storey heights are not included within Site -Specific By-Law 2023-068 given they are permitted as-of-right within By-Law 2009-141. Therefore, we are concerned that these permissions may not carry forward on technical grounds since they are not varied by a Special Provision. A repeal of By-Law No. 2009-141 will strip away these permissions as they are not echoed in the Site-Specific By-Law No. 2023-068.

REQUEST

The subject site has undergone extensive planning approvals, culminating in Council's approval of a site-specific Zoning By-law Amendment, permitting a medium-density development with a range of built forms, including three-storey townhouses.

Based on our review of the Draft Zoning By-law, it fails to reflect these approved permissions. Specifically, the Draft Zoning By-law supersedes previously approved development rights by introducing new restrictions on built form, height, and parking that conflict with the permissions granted through the site-specific Zoning By-law No. 2023-068, among other matters.

In addition, the Draft Zoning's reliance on transition provisions tied to the soon-to-be-repealed parent Zoning By-law No. 2009-141 creates serious interpretation issues and a planning gap for this project. Once By-law No. 2009-141 is no longer in force, key provisions that currently govern the property's development will be left in question.

Given the current draft of the proposed Comprehensive Zoning Bylaw, we have significant objections and request a discussion with City staff to ensure the property's approved development rights are incorporated into the Draft Zoning By-law.

We further request that this letter be maintained on the public record and we be notified of public meetings, Council decisions and other updates to the Zoning Review process.

Should you have any further questions or comments, please do not hesitate to contact the undersigned.

Respectfully submitted,
Innovative Planning Solutions



Darren Vella , MCIP, RPP
President and Director of Planning

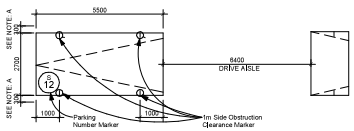
Cc: Adam Taverna – Crown (Barrie) Developments Inc.
Calvin Lantz – *Certified Specialist in Municipal Law - Stikeman Law*

- Appendix A: 2023 Approved Development Concept
- Appendix B: Proposed Draft Plan of Subdivision
- Appendix C: Proposed Development Concept for Block 3

APPENDIX A

TYPICAL PARKING SPACE:

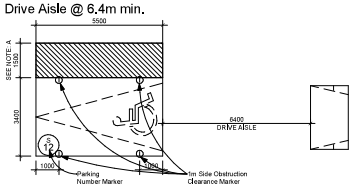
Drive Aisle @ 6.4m min.



NOTE: A- PROVIDE AN ADDITIONAL 300mm FOR PARKING SPACE WIDTH WHEN OBSTRUCTIONS OCCUR BETWEEN THE FRONT AND REAR 1000mm

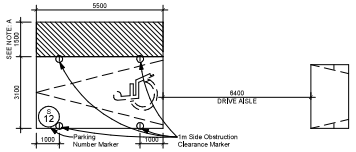
BARRIER-FREE PARKING SPACE TYPE A:

Drive Aisle @ 6.4m min.



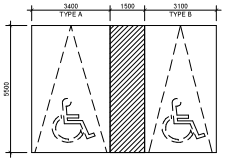
NOTE: A- PROVIDE AN ADDITIONAL 1500mm FOR PARKING SPACE WIDTH WHEN OBSTRUCTIONS OCCUR BETWEEN THE FRONT AND REAR 1000mm

BARRIER-FREE PARKING SPACE TYPE B:



NOTE: A- PROVIDE AN ADDITIONAL 1500mm FOR PARKING SPACE WIDTH WHEN OBSTRUCTIONS OCCUR BETWEEN THE FRONT AND REAR 1000mm

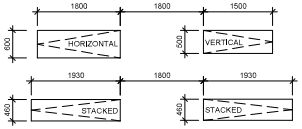
BARRIER-FREE PARKING SPACE TYPE A & B:

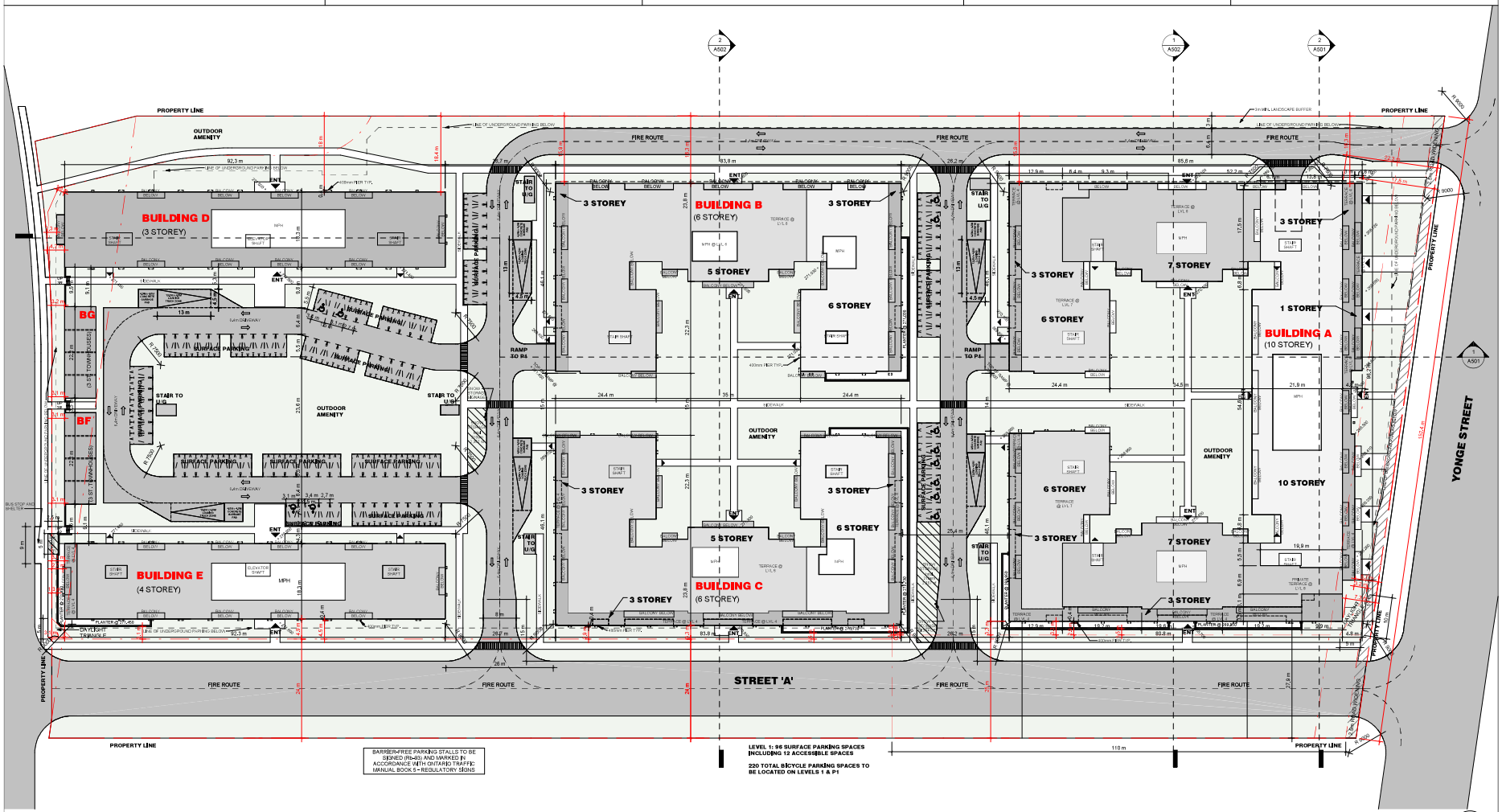


NOTE: WHERE THE REQUIRED 1500mm ACCESS AISLE IS PROVIDED BETWEEN TWO BARRIER-FREE PARKING SPACES, THE AISLE WIDTH CAN BE SHARED.

TYPICAL BICYCLE PARKING SPACE:

WALKWAY:	MINIMUM 1800mm
VERTICAL PARKING SPACE:	1500mm (L) x 500mm (W)
HORIZTONAL PARKING SPACE:	1800mm (L) x 600mm (W)
STACKED PARKING SPACE:	1930mm (L) x 460mm (W)





OVERALL SITE PLAN (1 / A110)

Scale: 1 : 450

THESE DRAWINGS ARE NOT TO BE SCALED:

ALL DIMENSIONS MUST BE VERIFIED BY CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK. ANY DISCREPANCIES MUST BE REPORTED DIRECTLY TO SRN ARCHITECTS INC.

ADDITIONAL NOTES:

THE DRAWING, AS AN INSTRUMENT OF SERVICE, IS PROVIDED BY AND IS THE PROPERTY OF SRN ARCHITECTS INC. THE CONTRACTOR MUST VERIFY AND ACCEPT RESPONSIBILITY FOR ALL DIMENSIONS AND CONDITIONS ON SITE AND MUST NOTIFY SRN ARCHITECTS INC. OF ANY VARIATIONS FROM THE SUPPLIED INFORMATION. SRN ARCHITECTS INC. IS NOT RESPONSIBLE FOR THE ACCURACY OF SURVEY, STRUCTURAL, MECHANICAL, ELECTRICAL, ETC. ENGINEERING INFORMATION SHOWN ON THIS DRAWING REFER TO APPROPRIATE ENGINEERS' DRAWINGS BEFORE PROCEEDING WITH ANY WORK. ALL CONSTRUCTION MUST CONFORM TO ALL APPLICABLE CODES AND REQUIREMENTS OF THE AUTHORITIES HAVING JURISDICTION UNDERTAKEN OTHERWISE NOTED, NO INVESTIGATION HAS BEEN OR REPORTED ON BY THIS OFFICE IN REGARDS TO THE ENVIRONMENTAL CONDITION OF THE SITE.

CONDITIONS FOR ELECTRONIC INFORMATION TRANSFER:

ELECTRONIC INFORMATION IS SUPPLIED TO THE OTHER ASSOCIATED FIRMS TO ASSIST THEM IN THE ERECTION OF THE WORK FOR THIS AGREEMENT. FIRMS MUST DETERMINE THE EXTENT TO WHICH INFORMATION IS RELEVANCE OF THE INFORMATION IN RESPECT TO THEIR PARTICULAR RESPONSIBILITY.

KEY PLAN

NO:	DATE:	ISSUED FOR:
1	2020-04-17	SITE PLAN REVIEW
10	2020-09-01	ISSUED FOR CBA

SRN ARCHITECTS INC SHALL NOT BE RESPONSIBLE FOR:

1. ERRORS, OMISSIONS, INCOMPLETENESS DUE TO LOSS OF INFORMATION IN WHOLE OR PART WHEN INFORMATION IS TRANSFERRED.

2. TRANSMISSIONS OF ANY VIRUS OR DAMAGE TO RECEIVING ELECTRONIC SYSTEM WHEN INFORMATION IS TRANSFERRED

SRN
ARCHITECTS
8395 JANE ST, SUITE 202
VAUGHAN, ONTARIO, L4K 5Y2
PHONE: 905.417.5515 FAX: 905.417.5517

STAMP:

© SRN ARCHITECTS INC. 2017

CLIENT: CROWN COMMUNITIES DEVELOPMENTS INC.

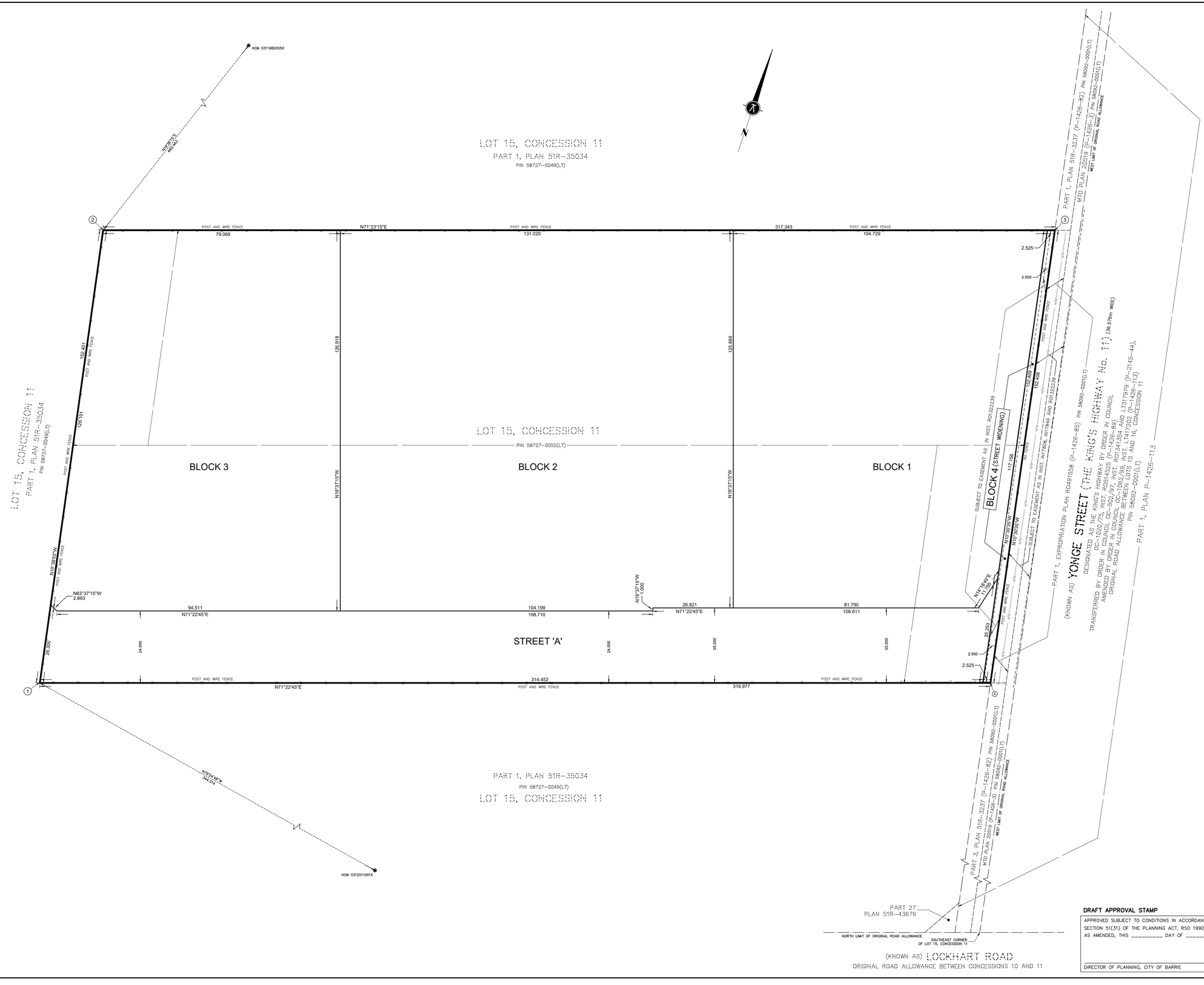
PROJECT: MIXED-USE DEVELOPMENT
1012 YONGE ST
BARRIE, ON

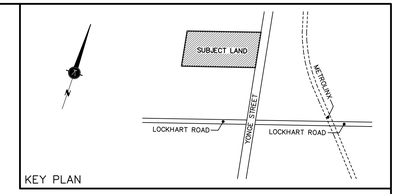
DRAWING TITLE: SITE PLAN

DATE:	10/25/21	SCALE:	As indicated
DRAWN BY:	AC/AG/AL	CHECKED BY:	EM/GR
PROJECT NUMBER:	S19013	DRAWING NUMBER:	A110

Autodesk Docs://S19013-Crown Community-Barrie/S19013-Crown Communities-Barrie-Concept-RVT2022.rvt

APPENDIX B





DRAFT PLAN OF SUBDIVISION

PART OF LOT 15
CONCESSION 11

(GEOGRAPHIC TOWNSHIP OF INNISFIL)

TOWN OF INNISFIL

COUNTY OF SIMCOE

SCALE 1:500

10 0 10 20 30 40 50m

KRCMAR SURVEYORS LTD. 2024

METRIC: DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

BEARING

BEARINGS SHOWN HEREON ARE GRID DERIVED FROM HORIZONTAL CONTROL MONUMENTS No. 03119820050 AND No. 03120110014 AND ARE REFERRED TO THE 6° UTM COORDINATE SYSTEM, ZONE 17, CENTRAL MERIDIAN 81°00' WEST LONGITUDE. (NAD 83 (CSRS)(2010)).

DISTANCES SHOWN HEREON ARE GROUND DISTANCES AND CAN BE CONVERTED TO GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 0.999711495.

INTEGRATION DATA

6° UTM ZONE 17 COORDINATES

NAD 83 (CSRS)(2010) (CENTRAL MERIDIAN 81°00' WEST LONGITUDE)

THE UTM COORDINATES LISTED BELOW ARE TO URBAN ACCURACY AND COMPLY WITH SUBSECTION 14(2) OF ONTARIO REGULATION 216/10 FILED UNDER THE SURVEYORS ACT.

SPECIFIED CONTROL POINTS

MONUMENT ID.	NORTHING	EASTING
HCM 03119820050	4 911 119.632	609 627.703
HCM 03120110014	4 910 284.662	609 772.678

REFERENCE POINTS

POINT	NORTHING	EASTING
1	4 910 347.90	609 434.32
2	4 910 497.64	609 406.17
3	4 910 598.89	609 706.83
4	4 910 449.08	609 734.62

COORDINATE VALUES SHOWN ARE FOR GEOGRAPHIC INFORMATION SYSTEM INTEGRATION ONLY. COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT.

A) AS SHOWN ON DRAFT PLAN
B) AS SHOWN ON KEY PLAN
C) AS SHOWN ON THE KEY PLAN
D) AS SHOWN IN LAND USE SCHEDULE
E) AS SHOWN ON DRAFT PLAN
F) AS SHOWN ON DRAFT PLAN
G) AS SHOWN ON DRAFT PLAN
H) MUNICIPAL SERVICES TO BE PROVIDED
I) CLAY LOAM
J) AS SHOWN ON DRAFT PLAN
K) MUNICIPAL SERVICES TO BE PROVIDED
L) AS SHOWN ON DRAFT PLAN

LAND USE		AREA (ha)
MIXED USE	BLOCK 1	1.2031
MIXED USE	BLOCK 2	1.6600
MIXED USE	BLOCK 3	1.1161
STREET WIDENING (2.5 Wide)	BLOCK 4	0.0381
ROAD (IRREGULAR WIDTH)	STREET 'A'	0.7688

NOTES

UNDERLYING TOPOGRAPHIC INFORMATION SHOWN HEREON IS DERIVED FROM SKETCH SHOWING TOPOGRAPHY BY GUIDO PAPA SURVEYING (A DIVISION OF J. D. BARNES LIMITED), O.L.S., DATED JANUARY 4, 2019.

ELEVATIONS SHOWN HEREON ARE GEODETIC AND ARE DERIVED FROM STATION 03120110014 (COSINE), HAVING AN ELEVATION OF 268.681m AND VERIFIED BY STATION 03120110013, HAVING AN ELEVATION OF 252.807M.

LEGEND

HCM DENOTES HORIZONTAL CONTROL MONUMENT
—O/H— DENOTES HYDRO SERVICE (OVERHEAD)

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS BEING SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

DATE August 27th, 2024

WALDEMAR GOLINSKI
Krcmar Surveyors Ltd.
Ontario Land Surveyors

OWNER'S CERTIFICATE

I HEREBY AUTHORIZE THE PREPARATION AND SUBMISSION OF THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

CROWN (BARRIE) DEVELOPMENTS INC.

DATE August 27th, 2024

ADAM TAVERNA – A.S.O.
"I HAVE AUTHORITY TO BIND THE CORPORATION"

DRAFT APPROVAL STAMP

APPROVED SUBJECT TO CONDITIONS IN ACCORDANCE WITH SECTION 51(31) OF THE PLANNING ACT, RSO 1990, CHAP. P. 13, AS AMENDED, THIS _____ DAY OF _____, 20__.

DIRECTOR OF PLANNING, CITY OF BARRIE

MUNICIPAL ADDRESS: No. 1012 YONGE STREET, INNISFIL

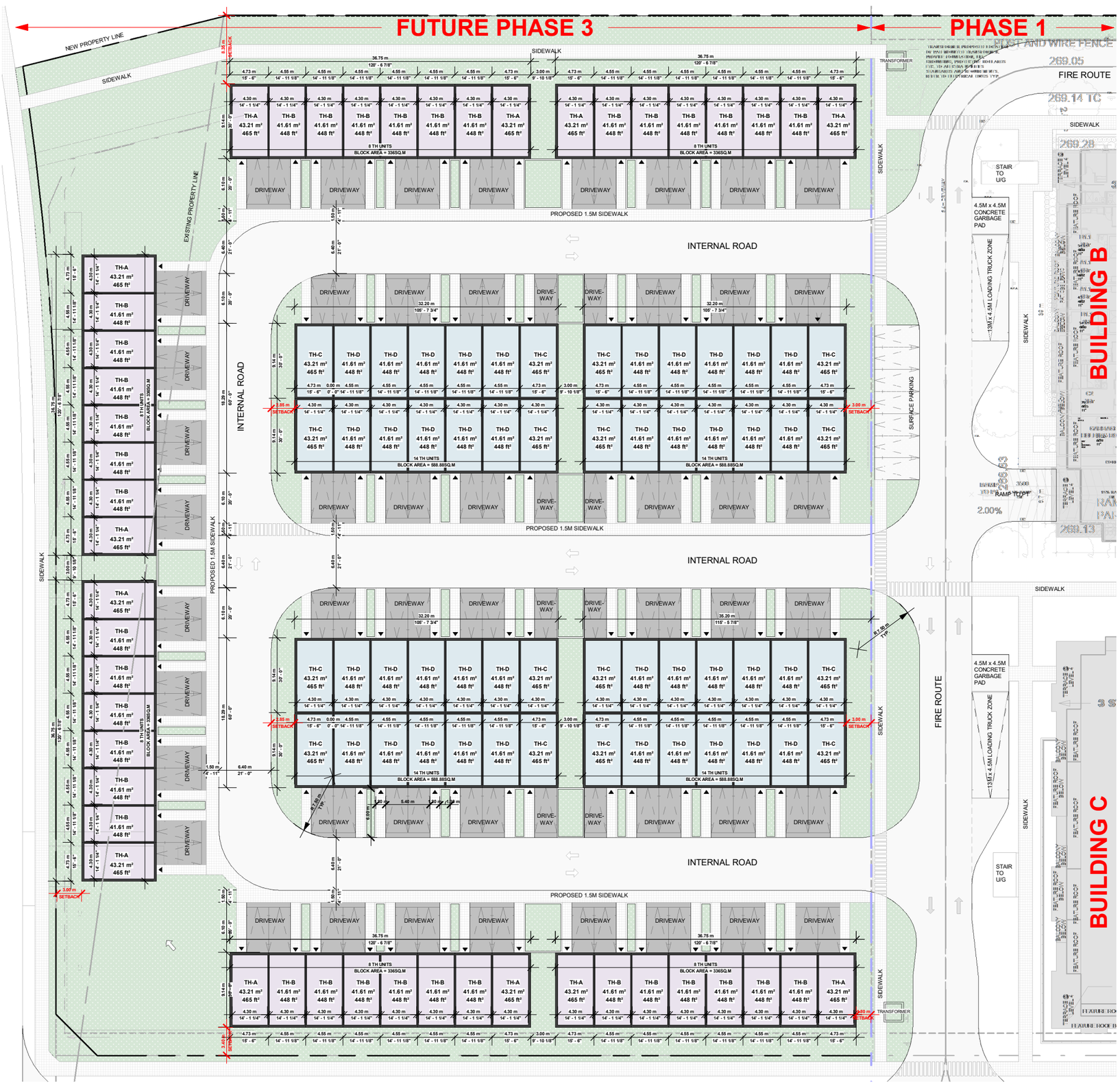
FIELD:	--	DRAWN:	C.L.	CHECKED:	W.G.	JOB NO:	24-048
DWG NAME:	24-048DM01	PLOT INFO:	11:29 27/Aug/2024			WORK ORDER NO:	39908

1137 Centre Street Thornhill ON L4J 3M6 905.738.0053 F 905.738.9221 www.krcmar.ca

PLAN AVAILABLE AT www.ProtectYourBoundaries.ca

KRCMAR

APPENDIX C



1 : 500

PHASE 3
TOWNHOUSE BLOCK

UNIT COUNT:

TH-A = 12 (11%)
TH-B = 36 (35%)
TH-C = 16 (15%)
TH-D = 40 (39%)

TOTAL UNITS = 104

Client Name
CROWN COMMUNITIES DEVELOPMENTS INC.
1012 YONGE ST, BARRIE, ON.

KIRKOR
ARCHITECTS AND PLANNERS

23-015

19 FEB. 2025

MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C46.

21 April 2025

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Michelle Banfield, RPP
Executive Director of Development Services

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Council, Ms. Cooke and Ms. Banfield

RE: Comments on Proposed Design Principles to Support Livability, Municipal Operations and Road Safety (DEV011-25)

8001 County Road 27, Barrie & 500 Salem Road, Barrie
Country Wide Homes at Berczy Inc. Landholdings

On behalf of our Client, Country Wide Homes At Berczy Inc. (hereinafter "Country Wide Homes", please accept this letter as comments on the City's proposed Design Principles to Support Livability, Municipal Operations and Road Safety ("the Proposed Design Principles") as outlined in City Staff Report DEV011-25.

The Proposed Design Principles will have significant negative impacts on the sites owned by Country Wide Homes in the south-west of Barrie, as well as on the wider secondary plan area. In many instances significant investments have been made and years of planning and engineering work completed in order to realize the planned vision of the secondary plans. The Proposed Design Principles conflict with the current planned function of the secondary plan areas and would result in significant additional cost to redesign plans and additional time delays to complete additional planning approvals triggered by these changes.

From a planning perspective the Proposed Design Principles reverse years of progress the City has made in introducing new planning and engineering standards which promote more compact and efficient development as well as smaller and more affordable unit types.

We request the City not move forward with the Proposed Design Principles and investigate alternative methods to deal with periods of significant snow accumulation considering the impact the Proposed Design Principles would have on housing and affordability within the City.

Country Wide Homes is the Owner of the lands located at 8001 County Road 27 and 500 Salem Road, both located to the south-west end of the City of Barrie.

As the City is aware, both sites are Draft Plan approved and are undergoing detailed design:

- **8001 County Road 27:** City reference D12-443; A scoped submission following comments on the third engineering submission was provided on 13 March 2025. The City is actively reviewing the submission and it is expected that the Subdivision Agreement will soon be able to be drafted.

- **500 Salem Road:** City reference D30-008-2023; The first engineering submission was presented to the City 24 February 2025. The City is actively reviewing the submission and it is expected that the first full set of comments will be provided towards the end of April 2025.

Comments on Proposed Design Principles

The following are comments on the Proposed Design Principles to be reflected in the Zoning By-law and City Engineering Standards:

1. **Collector Street Access** – Proposed is the restriction on access of residential uses on minor and major collector streets to cluster rowhouses (with a minimum 30 metre frontage), rear-access rowhouses, rear access semi-detached and detaching dwellings, and low-rise buildings (with a minimum 30 metre frontage).

   In other words, this Proposed Design Principle results in a prohibition of residential units with individual driveways fronting onto both minor and major collector roads. This restriction on built-form types fronting collector roads is rigid and does not provide consideration for sites where the ability to develop higher density built-forms is constrained.

   The collector road network throughout the secondary plan areas were pre-determined through the respective secondary plan processes and were laid out with the ability to have individual driveways fronting onto them.

   As it relates to 8001 County Road, the collector road through the site is Mabern Street, which has been partially constructed, and which will eventually connect to County Road 27. Additionally, several engineering submissions have been made based on the layout which is Draft Plan approved with the configuration of townhouse lots accessed directly onto the collector road. The area to the north and south of Mabern Street is such that it can only accommodate the lower density development. Should an extension to the draft plan approval be required, a significant revision to the currently approved plan will be required in order to comply with the new provision proposed and certain parts of the plan would likely be sterilized.

2. **Minimum Lot Frontage** – Proposed is an increase to the minimum lot frontage for townhouses to 6 metres, whereas currently the minimum permitted lot frontage for townhomes within the R5 Zone is 4.5 metres.

   This is a significant departure from the current standard and has implications for the proposed development at 500 Salem Road, which has been designed and Draft Plan approved based on lots with a frontage of approximately 4.7 metres. The proposed increase in minimum required lot frontage by 1.5 metres each will result in a reduction in the number of units that are possible within the site and will eliminate one of the most affordable forms of freehold home ownership. Should an extension to the draft plan approval be required, a significant revision to the currently approved plan will be required in order to comply with the new provisions proposed.

It is requested that the City maintain the minimum required front yard for the R5 and RM3 Zone currently established in the Zoning By-law.

Comments on Transition Provisions

It is our understanding the Proposed Design Principles are to be phased such that new applications will need to comply with the updated design principles, approved Zoning By-law Amendments working through draft plan approval will have 12 months to submit plans without needing to comply, and approved draft plans need not comply, unless a draft plan extension is required, where then it will need to comply.

From our review, the proposed transition provisions do not provide sufficient time for developments working through detailed design.

While Country Wide Homes have significant concerns with the Proposed Design Principles as outlined above, should these move forward, it is requested that the transition provisions be amended as follows:

1. Only apply the Proposed Design Principles to new applications following the Proposed Design Principles coming into effect.

2. Allow any approved developments to proceed to final approval and building permit under the standards in effect at the time the applications were approved, including any required draft plan extensions.

We respectfully request the consideration of the comments made above. Should you have any queries regarding any of the above, please do not hesitate to contact us.

Yours truly,

MHBC

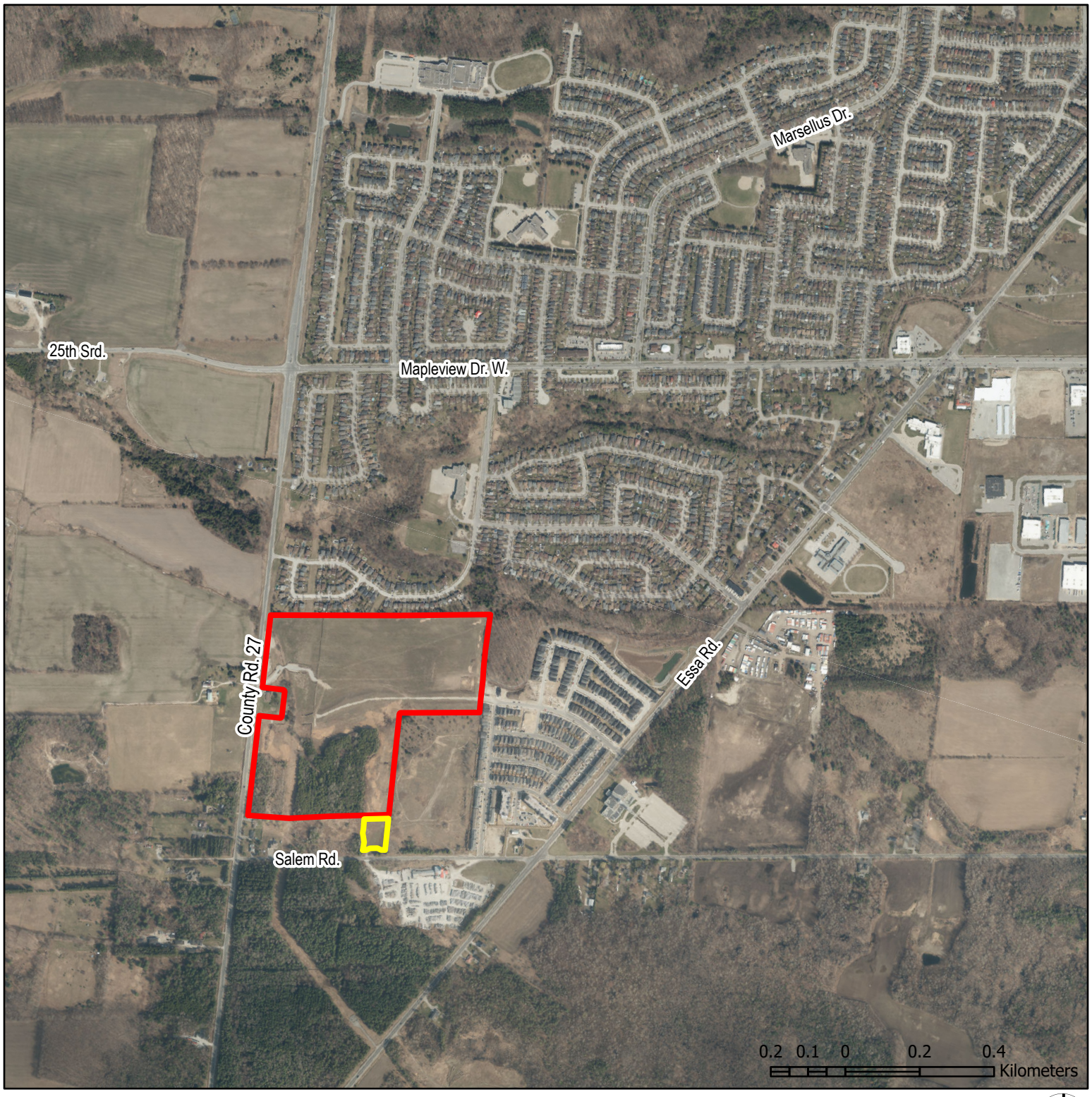




Kory Chisholm BES, M.Sc., MCIP, RPP
Partner

Opani Mudalige, Hon.BA, M.Sc., MRTPI
Intermediate Planner

cc. Alex Beduz | Country Wide Homes/ Condor Properties Ltd.
Ally Krstajic | Country Wide Homes/ Condor Properties Ltd.



COUNTRY WIDE HOMES PROPERTIES

- 8001 County Road 27
- 500 Salem Road

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C47.

21 April 2025

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Attention: Council, Ms. Cooke and Ms. Kitsemetry
Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

RE: Request for Modifications to the Third Draft of the New City of Barrie Zoning By-law
8001 County Road 27, Barrie - Country Wide Homes at Berczy Inc. Landholdings

On behalf of our Client, Country Wide Homes At Berczy Inc. (hereinafter "Country Wide Homes" or "Client"), please find enclosed their requested modifications to the City of Barrie's third draft of the new Zoning By-law (the "new ZBL").

This follows comments, submitted in October 2024 by MHBC on behalf of Country Wide Homes, on the City of Barrie's Third Draft of the new Zoning By-law released in September 2024. The previous letter included comments for all our Client's landholdings, whereas this letter is specific to their landholding at 8001 County Road 27 [Draft Plan Ref: D12-443] (the "Site").

Planning History
As the City is aware our Client has an approved Draft Plan of subdivision and site specific zoning by-law from October 2020 and February 2021 respectively. See attached the approved Draft Plan at ***Appendix A***.

Since acquiring the approved development in 2022 Country Wide Homes have been working at advancing detailed engineering design towards draft plan registration. They have made 3 detailed engineering submissions and are anticipating registration within the year.

Zoning – Special Provision
While the approved development had a site specific zoning by-law amendment approved, it only contained one special provision (SP), SP-584, which pertained to school block (block 43) on the Draft Plan.

Based on recent discussions with City staff we understand the City intends to carry forward existing SPs verbatim, and will accept adjustments to the existing SPs only where the new ZBL is more flexible.

We have attached a track changed version of the existing SP (see ***Appendix B***) which will appropriately transition it forward into the new ZBL.

Zoning – Other

However, from our Client's perspective, the key concern with the new zoning by-law is the loss of flexibility in the types of built form that could be realized within medium density blocks 39, 40 and 41 on the approved Draft Plan.

When approved these blocks were zoned 'Neighbourhood Multiple Residential' (RM3) which permitted a variety of residential built forms including, Back-to-Back Townhouse, Block/Cluster/Street Townhouse, Stacked Townhouse, Walk-up Apartment and Apartment Dwellings.

The new ZBL proposes to rezone these 3 medium density blocks to the new 'Mid Rise' MR1 zone. This zone exclusively permits mid-rise buildings 5-8 storeys in height, which greatly restricts what can occur on these blocks, and limits flexibility for Country Wide Homes to be able to adapt to changing market conditions.

In order to appropriately transition the current permitted uses forward we request that, in addition to the mid-rise that is permitted in the proposed MR1 zone, that the additional types of residential built form continue to be permitted through a new SP on these three blocks.

Country Wide Homes has utilised this opportunity to propose language for that new SP, which is included at ***Appendix C***. In order to simplify implementation we propose that for the additional permitted forms, the performance standards of the noted zone from the proposed new zoning by-law would apply.

We respectfully request the consideration of the comments made above. Should you have any queries regarding any of the above, please do not hesitate to contact us.

Yours truly,

MHBC





Kory Chisholm BES, M.Sc., MCIP, RPP
Partner

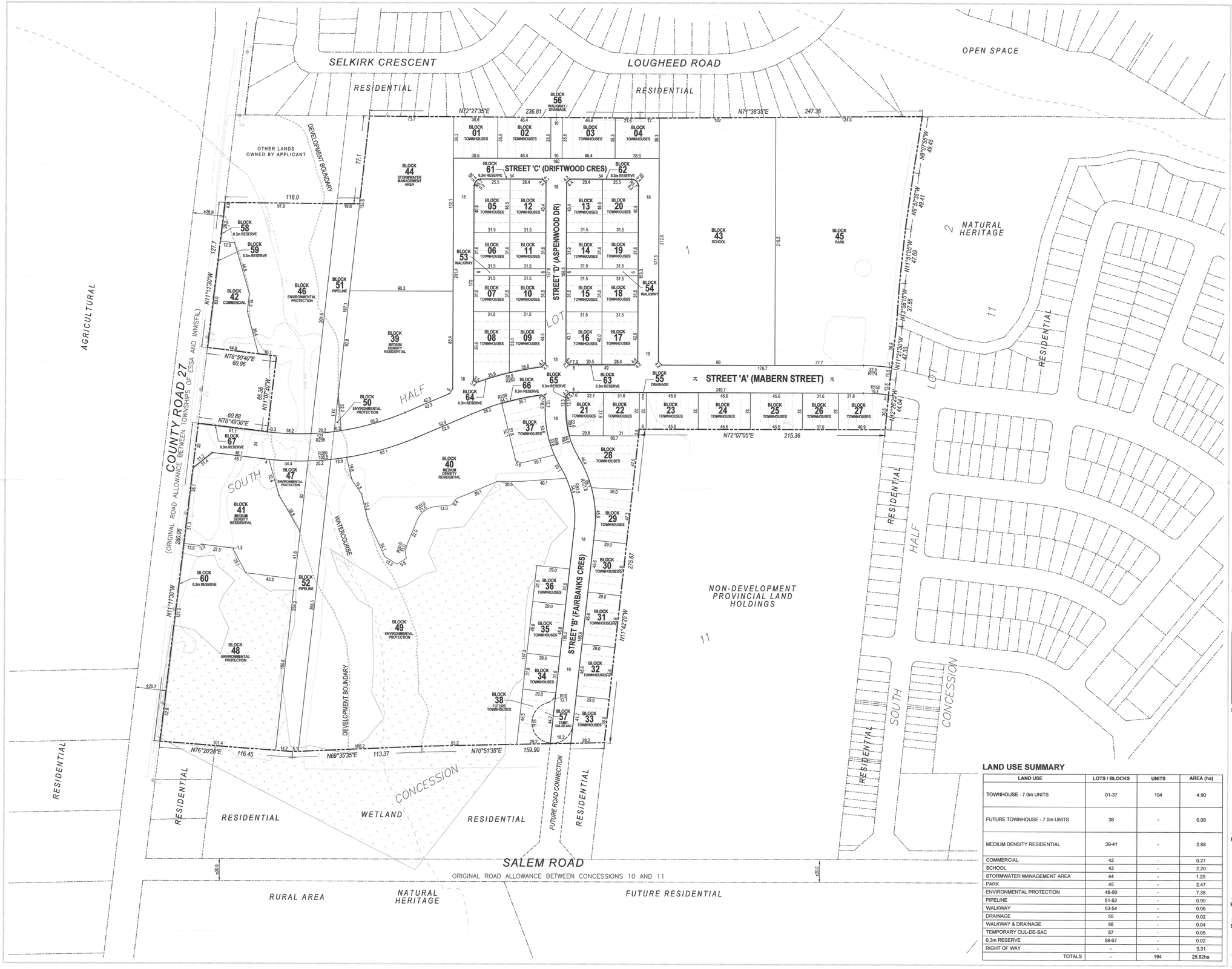
Opani Mudalige, Hon.BA, M.Sc., MRTPI
Intermediate Planner

cc. Alex Beduz | Country Wide Homes/ Condor Properties Ltd.
Ally Krstajic | Country Wide Homes/ Condor Properties Ltd.

Appendices

A

Appendix A



LEGAL DESCRIPTION

PART OF SOUTH HALF LOT 1
CONCESSION 11
GEOGRAPHIC TOWNSHIP OF INNISFIL
TOWN OF INNISFIL
COUNTY OF SIMCOE

OWNER'S CERTIFICATE

I HEREBY AUTHORIZE MACNAUGHTON HERMSEN BRITTON CLARKSON PLANNING LIMITED TO SUBMIT THIS PLAN FOR APPROVAL.

DATE: oct.16.2020

JOHN DIPOCE
DIPOCE (INNISFIL) INC.

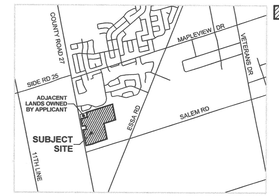
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: Oct. 20, 2020

RODNEY H. GEYER - O.L.S.
GEYER SURVEYS

KEY PLAN



LEGEND

- PROJECT BOUNDARY LINE
- RIGHT OF WAY LINE
- BLOCK LINE
- LOT LINE
- PARCEL FABRIC

LAND USE SUMMARY

LAND USE	LOTS / BLOCKS	UNITS	AREA (ha)
TOWNHOUSE - 7.0m UNITS	01-37	194	4.90
FUTURE TOWNHOUSE - 7.0m UNITS	38	-	0.08
MEDIUM DENSITY RESIDENTIAL	39-41	-	2.88
COMMERCIAL	42	-	0.27
SCHOOL	43	-	2.20
STORMWATER MANAGEMENT AREA	44	-	1.25
PARK	45	-	2.47
ENVIRONMENTAL PROTECTION	46-50	-	7.35
PIPELINE	51-52	-	0.90
WALKWAY	53-54	-	0.08
DRAINAGE	55	-	0.02
WALKWAY & DRAINAGE	56	-	0.04
TEMPORARY CUL-DE-SAC	57	-	0.05
0.3m RESERVE	58-67	-	0.02
RIGHT OF WAY	-	-	3.31
TOTALS	-	194	25.82ha

REVISION No.	DATE	ISSUED / REVISION	BY

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT R.S.O. 1990 C.P.13 AS AMENDED

- A. AS SHOWN
- B. AS SHOWN
- C. AS SHOWN
- D. AS SHOWN
- E. AS SHOWN
- F. AS SHOWN
- G. AS SHOWN
- H. MUNICIPAL WATER SUPPLY
- I. SILT LOAM
- J. AS SHOWN
- K. ALL SERVICES AS REQUIRED (WATER, SANITARY, STORMWATER, HYDRO)
- L. AS SHOWN

113 COLLIER STREET
BARRIE, ON. L4M 1H2
P: 705 728 0045 F: 705 728 2010
WWW.MHBCPLAN.COM
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
MHBC PLANNING

STAMP

DATE	JUNE 12, 2020
FILE No.	0853F
SCALE	1:1,500 (ARCH D)
DRAWN BY	M.M.
CHECKED BY	K.M
OTHER	

PROJECT

DIPOCE BARRIE
DIPOCE (INNISFIL) INC.

NORTH

OCT 2 0 2020

FILE NAME: **DRAFT PLAN OF SUBDIVISION**

DWG No.: **1 of 1**

SCALE BAR

0 7 14 21 28 35 70 105 140m

MEASUREMENTS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

N:\Barrie\DiPoce – Barrie Expansion Lands – 0853F\Drawings\Draft Plan\CAD\DraftPlan_2020-06-12.dwg

B

Appendix B

NOTE: The site-specific zone text has been copied into this document from the current Zoning By-law. Any proposed changes are shown in track-change with a comment as to the justification for the proposed change.

Justification for all proposed changes is related to where the corresponding provision in the new zoning by-law is more flexible than that in the existing special provision.

~~I-E~~CHN (SP-584)

8001 County Road 27 (By-law 2020-016)

a) That residential uses shall be permitted in the ~~Institutional Education~~ Community Hub Neighbourhood – Special Provision (SP-584) zone, in accordance with the ~~Neighbourhood Residential (R5)~~ Neighbourhood Area Low 2 (NL2) zone standards and permitted uses.

b) That a minimum 35 percent of landscaped open space shall be provided for elementary schools in the ~~Institutional Educational~~ Community Hub Neighbourhood ~~(I-E~~CHN)(SP-584) zone.

Commented [OM1]: The R5 zone is not a zone within the new by-law.

Other areas of the Site which are currently zoned R5 are proposed to be rezoned NL2 in the new ZBL. For this reason, the text of the SP is revised to NL2.

C

Appendix C

NOTE:

THE FORMAT FOLLOWS THAT OF THE CITY'S NEW ZONING BY-LAW FOR THE APPLICABLE UNDERLYING ZONE.

Highlighted in Yellow – is where the Site-Specific number is to be added.

Text in Blue – is to ensure that, should the section numbers of the draft by-law be revised, this text should be updated.

8001 County Road 27, Barrie - Proposed Site-Specific Zoning

Mid-Rise 1 Exception __ (MR1 (SP-__)) Zone

Permitted Buildings and Structures

a) Permitted building types in the MR1 (SP-__) zone as per Table 1, are marked by "•".

Table 1: Permitted Building Types in the MR1 (SP-__) Zone

Permitted Building Types	MR1 (SP-__)
Rowhouse, On-Street	•
Rowhouse, Back-to-Back	•
Rowhouse, Cluster	•
Low-Rise	•
Mid-Rise	•

Section 6.7 'Mid-Rise Zones Specific Standards' of the Zoning By-law applies.

MR1 (SP-__) Lot, Yard and Amenity Standards

Commented [OM1]: Section 6.8 / Table 38 - tracked changed using existing RM3 provisions for the Mid-Rise building type.

		Rowhouse, On-Street	Rowhouse, Back-to-Back	Rowhouse, Cluster	Low-Rise	Mid-Rise
Lot Standards	Lot Coverage (Maximum)	In accordance with provisions within the NL2 Zone	In accordance with provisions within the NL2 Zone	In accordance with provisions within the NL3 Zone	In accordance with provisions within the NL3 Zone	50%
	Lot Frontage (Minimum)					~~35~~ 24 m
	Exterior Side Yard Setback (Minimum)					~~3~~ 2 m

Yard Standards	Front Yard Setback (Minimum)					3 m ~~Minimum 7 m Maximum~~
	Interior Side Yard Setback (Minimum)					3 m
	Landscaped Area (Minimum)					20%
	Rear Yard Setback (Minimum)					3 m
Amenity Area Requirements	Common Amenity (Minimum)					12 sq m per Dwelling Unit
	Private Amenity (Minimum)					5 sq m per Dwelling Unit

MR1 (SP-__) Building Standards

	Rowhouse, On-Street	Rowhouse, Back-to-Back	Rowhouse, Cluster	Low-Rise	Mid-Rise
Dwelling Unit Width (Minimum)	In accordance with provisions within the NL2 Zone	In accordance with provisions within the NL2 Zone	In accordance with provisions within the NL3 Zone	In accordance with provisions within the NL3 Zone	N/A
Building Height					~~5 Storeys (17.5 m)~~ No Minimum ~~8~~ 12 Storeys (~~30~~ 42m) Maximum
Building Length (Maximum)					65 m

Commented [OM2]: Section 6.8 / Table 39 - tracked changed using existing RM3 provisions for the Mid-Rise building type.

BOUSFIELDS INC.

Project No. 2479

April 21, 2025

City of Barrie
City Hall
70 Colliers Street
P.O. Box 400
Barrie, ON L4M 4T5

Attention: Celeste Kitsemetry, Supervisor of Growth Management

Dear Ms. Kitsemetry:

Re: City of Barrie Zoning By-law Review
Crown (Bradford) Developments Inc., 126, 136, and 140 Bradford Street, Barrie

We are the planning consultants for Crown (Bradford) Developments Inc., who submitted Official Plan and Zoning By-law Amendment applications (collectively, the "**Applications**") to the City of Barrie (the "**City**") with respect to the properties municipally known as 126, 136 and 140 Bradford Street, Barrie (the "**Subject Site**"). The Applications seek to facilitate the development of the Subject Site with a mixed-use building, composed of two 45-storey residential towers, connected by a shared 6-storey podium with commercial uses at grade.

Our client appealed the Applications to the Ontario Land Tribunal (the "**OLT**") on January 20, 2025 (OLT Case No.: OLT-25-000075) for the City's failure to make a decision within the statutory time period under the *Planning Act*.

On behalf of our clients, we have been monitoring the City's ongoing Comprehensive Zoning By-law Update process. We have reviewed the latest draft Zoning By-law which was presented at the November 14, 2024 Affordability Committee meeting (the "**Draft By-law**"). Based on our review, we are concerned with the following provision in the Draft By-law regarding the transition of planning applications that have advanced to the OLT (the "**Transition Provision**"):

> **Section 1.10(c):** If owner/applicants have completed a formal planning process to rezone under Comprehensive Zoning By-law 2009-141 which granted a Special Provision (SP) that is carried over to the new By-law, the zoning review for new Building Permit applications will continue to apply the former By-law standards only as varied by the SP.

The Transition Provision does not account for planning applications submitted under the City's Comprehensive Zoning By-law 2009-141 that have advanced to the OLT but that are, or will be, in the process of adjudication at the time of passing of the Draft By-law. Based on the current wording of the Draft By-law, applications that are currently in the planning pipeline, but have not yet been approved by Council or the OLT, are not captured in the Transition Provision. This creates uncertainty in the planning process for applicants who have ongoing applications to amend the currently in-force Zoning By-law, and how those applications will be treated once the Draft Zoning By-law is approved by Council.

As currently proposed, the Transition Provision could be interpreted to require ongoing development applications, including those appealed to the OLT, to restart the planning process and respond to new requirements.

Well-drafted transition provisions are crucial to ensure a fair and orderly transition from the old regime to the new one, minimizing uncertainty and unnecessary delay. The Draft By-law is significantly different from the in-force Zoning By-law, so a proper transition provision is vital to provide certainty for how ongoing development applications will be treated in the transition period between the in-force Zoning By-law and Draft Zoning By-law, once approved, and further that existing development rights should be retained for ongoing development applications to preserve certainty and predictability.

We ask to be provided notice of Council's decision on the Draft By-law and to be provided with notice of any upcoming Council or Committee meetings where such matters will be considered. We would be happy to discuss the issues raised in this letter with the City in an effort to resolve any potential uncertainty and/or injustice posed by the Draft By-law, specifically in relation to our client's ongoing Applications.

Respectfully submitted,

Bousfields Inc.



Mike Dror, MCIP, RPP

cc. Liam Munoch, Senior Planner, City of Barrie
Michelle Banfield, Executive Director of Development Services, City of Barrie
Calvin Lantz and Caroline Jordan, Stikeman Elliot LLP
Client

Architectural Program Delivery

Monica Contreras, Architect OAA
Sr. Specialist, Facilities Engineering
Bell Canada, Bell Real Estate Services
100 Wynford Drive, F1-BRES, Toronto ON M3C 4B4
T: 416-353-7415
M: 437-422-6416
E: monica.contreras@bell.ca

20250710

Dear M David, Policy Planner, Development Services

Subject: Impact to Bell Properties due to the Proposed Change in Zoning Designations in the City of Barrie

On behalf of the property owner, Bell Canada, I am forwarding to you a summary of the impacts to the 10 Bell properties in the City of Barrie, due to the proposed zoning changes. In order to ensure that each property is addressed in detail, we have included a summary presentation showing each site in Appendix A. (attached)

It is also beneficial to provide key definitions to ensure that each occupancy and consequential uses are comprehensively described for each type of facility, as follows:

A “Bell CO” is a Central Office with a major occupancy F2 industrial uses, consisting of a cable vault, network telecommunications hubs, transmission equipment and data centre equipment. A CO will also include accessory offices, interior storage of equipment and supplies used by technicians on the road, exterior storage of large equipment and supplies, and parking for Bell cars and trucks. CO’s may be very small structures. If the structure can host a repair staff access it is considered a “Hut”. If it is a very small CO’s that does not have any occupancy are labelled as a “WIC”. It may also be a utility space within a larger building with wall mounted panels. All of the CO’s in Ottawa, regardless of size, support essential government services for the capital.

A “Bell Work Centre” is a mixed-commercial/light industrial occupancy that includes offices, light industrial assembly of technical equipment, interior storage of equipment and supplies used by technicians on the road, exterior storage of large equipment and supplies, and parking for Bell cars and trucks. The building may also have a small network telecommunications hub and data centre equipment space.

A “Bell Work Centre with Automobile Services” is a mixed-commercial/light industrial occupancy that includes the above occupancies of a “Bell Work Centre” plus car repair bays for Bell vehicles (cars and trucks) and may include technical upgrades to these vehicles. The automobile services are not open to the public.

A “Bell Media Facility” is a media production facility that may include live and recording of tv, radio and online streaming services. It includes occupancies such as service shops, offices,

storage, archives, production studios, data centres and parking. These facilities may also have telecommunication towers.

Bell owns 7 buildings/structures within the City of Barrie that are being affected by the new zoning by-law changes. Each property has been evaluated as to its current uses, its current zoning category and the proposed zoning designations. Also, we have included for each property clearly what are Bell's needs. Bell must ensure that the new zoning categories allow as-of-right quick expansion and/or a change of technology without approval delays. We understand that section 3.3.3.h) Permitted uses on all zones for a public utility applies but, we need to confirm that there will not be any approval delays.

The Summary of the properties and Bell needs are as follows:

1. **114 John Street** is a Bell Work Centre with Automobile Services and a large exterior parking area. This property is adjacent to residential properties on the west, and other light industrial properties along the north.

   The existing zoning is GI General Industrial and permits the existing uses on the property.

   The proposed zoning is EN Employment non-industrial which does not permit the automobile services provided on the site for Bell vehicles, unless this is considered an accessory use.

   Bell requires that the new zoning designation allows for the existing uses to be maintained, renovated or expanded on the property.

2. **140 (150) Bayfield Street** is a Bell CO consisting of 3-storeys with a basement, with exterior parking on 2 levels.

   The existing zoning is C2-1 Transition Centre Commercial.

   The proposed zoning is MR2 Mid-Rise 2 which does not mention utility of telecommunication facilities as permitted use.

3. **591 Yonge Street** is a small Bell CO consisting of 1-storey with exterior parking.

   The existing zoning is C4 General Commercial.

   The proposed zoning is MR1 Mid-Rise which does not mention utility of telecommunication facilities as a permitted use.

4. **33 Beacon Road** is a Bell Media Facility, 1 storey with covered parking and a transmission tower.

   The existing zoning is LI Light Industrial and permits the uses on the property with the exception of the tower.

   The proposed zoning is EI Employment Industrial does not mention the existing uses on the property including the tower.

Bell requires that the new zoning designation allow for the existing transmission tower and supporting structures, exterior parking, all technology industries, including network and telecommunication hubs and data centres, as “as of right occupancies”.

5. **40 Beacon Road** is a Bell CO with 2 buildings, both 1 storey plus basements on the property and with extensive exterior parking.

   The existing zoning is LI Light Industrial.

   The proposed zoning is EI Employment Industrial which does not mention any of the existing uses permitted by LI.

   Bell requires that the new zoning designation allow for exterior parking, all technology industries, including network and telecommunication hubs and data centres, as “as of right occupancies”.

6. **4 Harvie Road** is large land parcel severed from the property at 33 Beacon. This land is empty.

   The existing zoning is LI Light Industrial.

   The proposed zoning is EI Employment Industrial does not mention any of the existing uses permitted by LI. And a portion of the lands will be CD2 Commercial District 1 which does mention data centre facilities as a permitted use but does not mention utility, or telecommunication facilities as a permitted use.

   Bell requires that the new zoning designation allow for Commercial uses for the entirety of the land parcel.

7. **128 Wellington Street** are Bell CO huts located in the parking lot of a campus of office buildings

   The existing zoning is C4 General Commercial

   The proposed zoning is CD1 Commercial District 1 which does mention data centre facilities but does not mention utility of telecommunication facilities as a permitted use.

   Bell requires to maintain these Bell CO huts as a permitted use.

I trust the above provides sufficient information to have you review the issues. If you need any additional information, please do not hesitate to contact me directly.

Regards,

Monica Contreras, Architect OAA

INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

August 1, 2025

City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Attention: Development Planning

Re: Request for Comments/Informal Pre-consultation Review
274 Georgian Drive, City of Barrie, County of Simcoe

On behalf of NestWealth Investments Inc., Innovative Planning Solutions is requesting comments regarding a proposed redevelopment of lands municipally known as 274 Georgian Drive in the City of Barrie (herein referred to as the "Subject Site"). We intend to bring this application forward once the new Draft Zoning By-law is adopted. The purpose of this letter is to present the proposed development in the context of Draft 3 of the City of Barrie's new Zoning By-law, outline the draft by-law's implications on the development, and request feedback from City staff. Specifically, we are seeking confirmation on whether the proposed development may proceed without the need for a Zoning By-law Amendment once the new by-law is in force, provided there are no substantial changes to the by-law before it is passed by Council.

Property Description

The Subject Site has an approximate area of 2,029.66 m² (0.2 ha) and is currently developed with a single detached dwelling. It is located directly west of Patterson Road, with approximately 27.06 metres of frontage along that street. The developable portion of the Subject Site has an approximate area of 0.17 ha with 80.13 metres of frontage along Georgian Drive. A 4.0-metre road widening along Georgian Drive, as required by the City, has been incorporated into the concept plan.

Background Conetxt

The subject site is bounded to the north and west by Highway 400, a provincial highway, and to the south by Georgian Drive, an arterial roadway that provides access to the property. To the east, the site is adjacent to low-rise residential dwellings. Further west are lands approved for high-rise development and existing mid-rise residential uses. The site is also located in close proximity to major community institutions, including the Royal Victoria Regional Health Centre,

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TEL: (705) 812-328 FAX: (705) 812-3438
EMAIL: INFO@IPSCONSULTINGINC.COM

Georgian College, and a variety of medical and office uses located south of Georgian Drive (Figure 1).

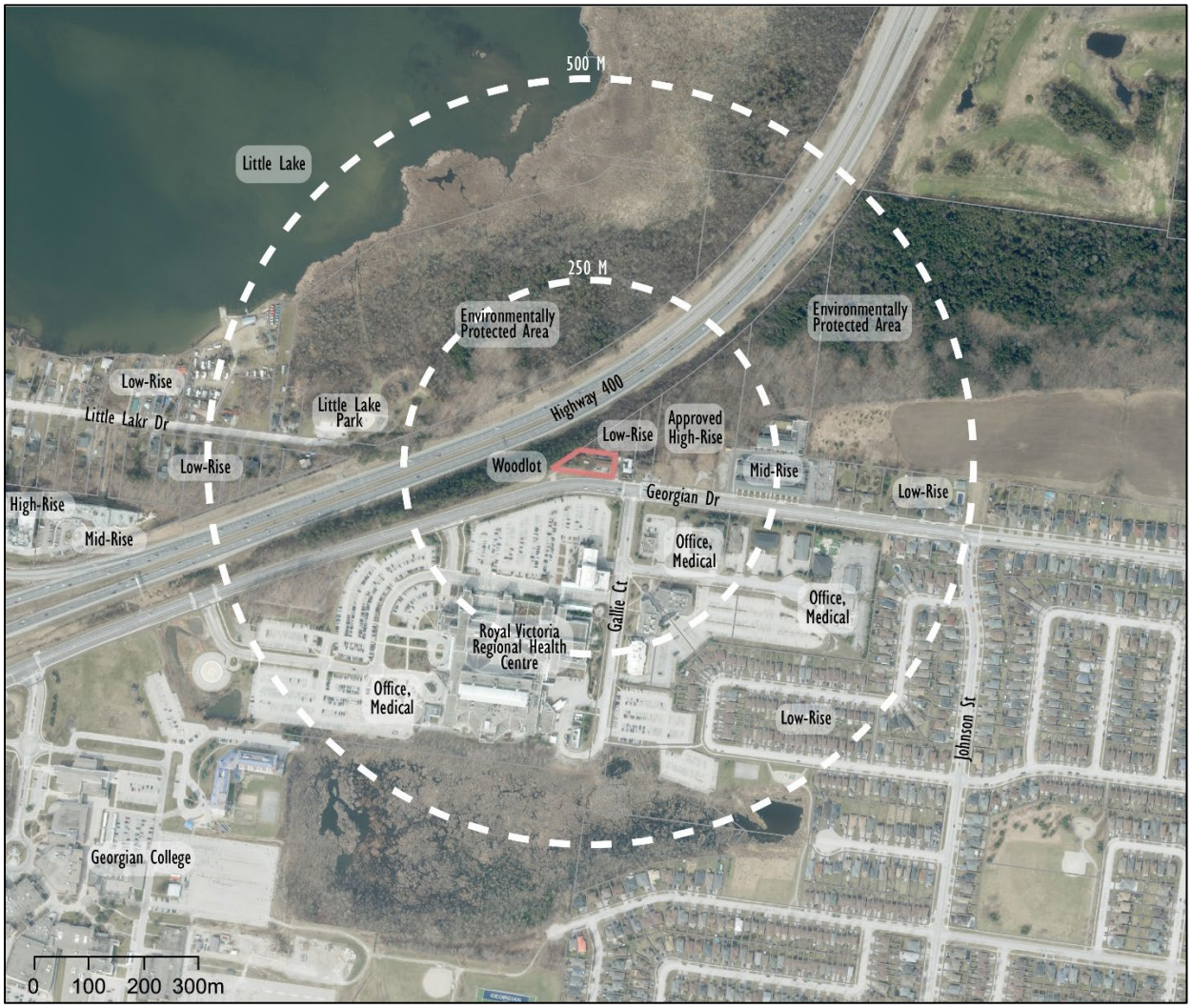


Figure 1 – Subject Site and Surrounding Context

The Proposal

The proposed development consists of a five-storey mixed-use building comprising 25 residential dwelling units, with 134.9 m² of ground floor commercial/retail space, common amenity areas, and a combination of covered and surface parking. The proposed building has a footprint of approximately 19.18 metres by 40.00 metres, with a total building area of 767.33 m² and an average unit size of approximately 104.00 m².

The ground floor includes the commercial/retail component, covered parking spaces, and internal common amenity areas. A total of 31 parking spaces will be provided on-site, including 17 covered spaces and 14 surface spaces. This includes 1 Type 'A' and 1 Type 'B' barrier-free parking space.

Vehicular access will be provided from the southeast corner of the site via Georgian Drive. A 4.0-metre road widening, as required by the City, has been incorporated into the proposed concept plan. Additionally, a 4.9-metre setback from Highway 400 is reflected in the design.

The Site Plan, prepared by Innovative Planning Consulting, is provided in Appendix A.

Official Plan Policies

As per Map 1 (Community Structure) of the City of Barrie Official Plan, the Subject Site is located within a Strategic Growth Area. The site is designated 'Medium Density' under Map 2 (Land Use Designations) (Figure 2).

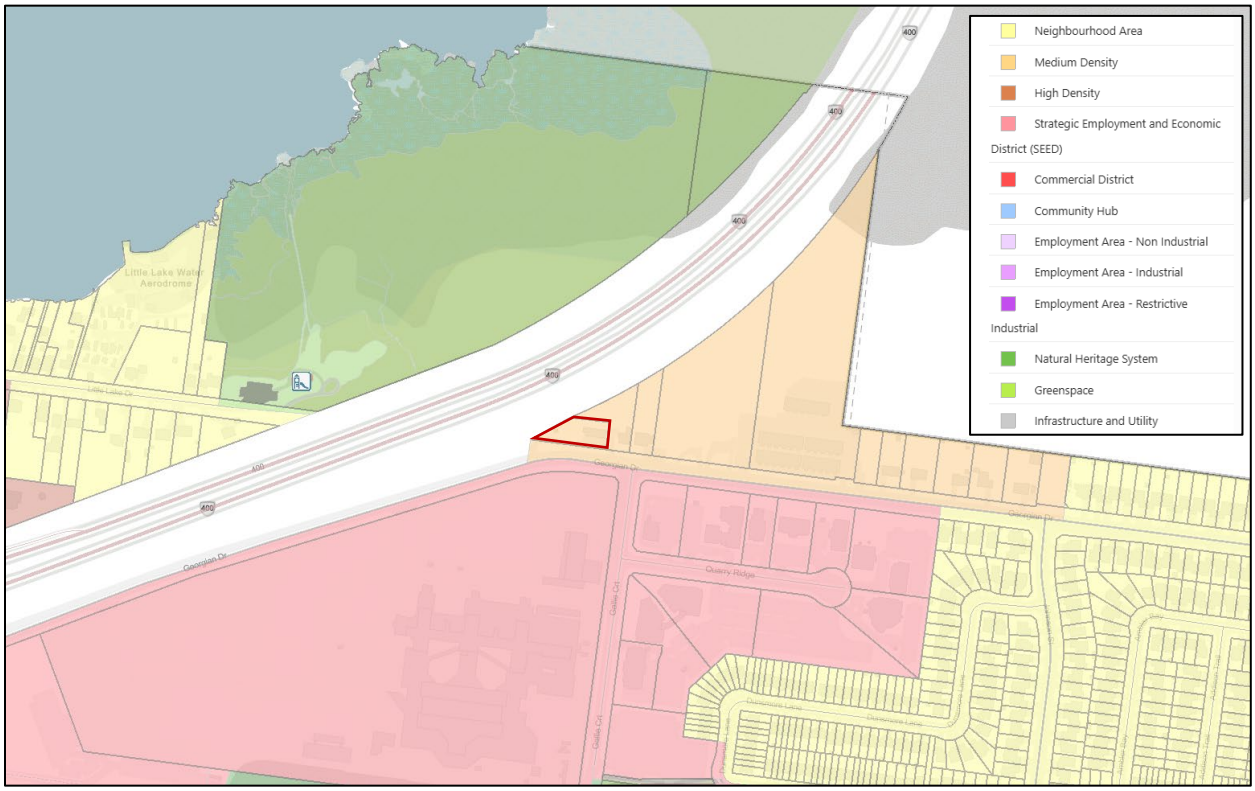


Figure 2 – City of Barrie Official Plan Land Use Designations

Section 2.3.3 of the Official Plan outlines that Strategic Growth Areas are intended as focal points for long-term residential intensification, employment growth, and mixed-use development. These

areas are intended to accommodate higher densities, taller buildings, and function as complete communities.

The Medium Density designation supports a mix of residential and commercial uses and encourages increased density and built form. This designation permits buildings between 6 and 12 storeys and/or a residential density of 125 to 300 units per hectare. While the proposed development is five storeys (17.5 m), less than the six-storey guideline, it complies with the minimum density requirement, proposing a density of approximately 174.05 units per hectare (25 units / 0.17 ha). This justifies the reduced height, as permitted under Section 2.6.2.3(e) of the Official Plan.

Furthermore, the OP supports mixed-use development in areas lacking commercial and retail amenities within a 450 m radius. Given the surrounding context, which is predominantly institutional and low-density residential uses with limited commercial activity, the introduction of ground-floor commercial space aligns with this policy intent.

City of Barrie Zoning By-law 2009-141 – in-force

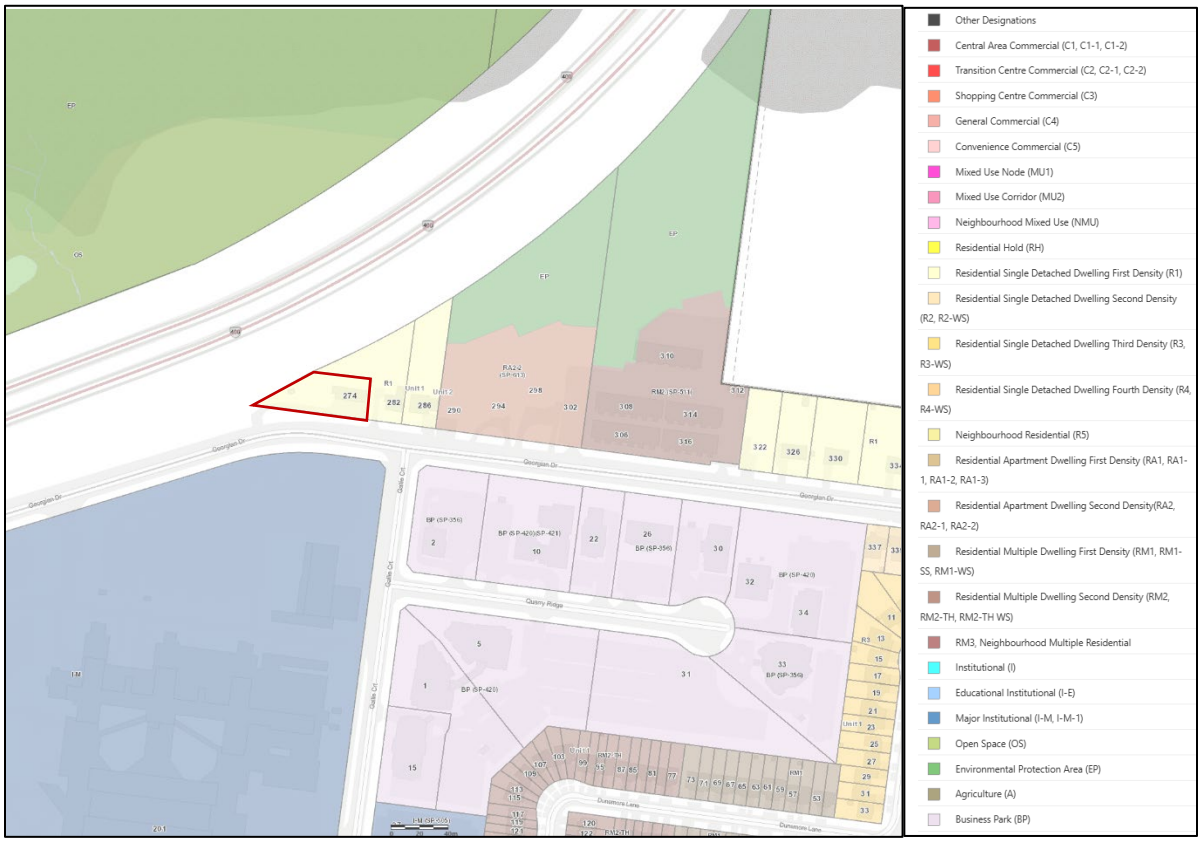


Figure 3 – City of Barrie Zoning By-law (2009-141)

Under the in-force Zoning By-law 2009-141, the Subject Site is zoned Residential Single Detached Dwelling First Density (R1), which does not permit the proposed built form (Figure 3). The R1 zone allows a maximum height of 10.0 metres and a lot coverage of 35%. The existing zoning is extensively restrictive and does not conform with the intent of the Official Plan's designation of Medium Density and subject sites placement within a Strategic Growth Area in the City's urban structure.

City of Barrie - Draft Zoning By-Law

Under Draft 3 of the City's proposed Zoning By-law (September 2024), the Subject Site is designated Mid-Rise 1 (MR1) (Figure 4).

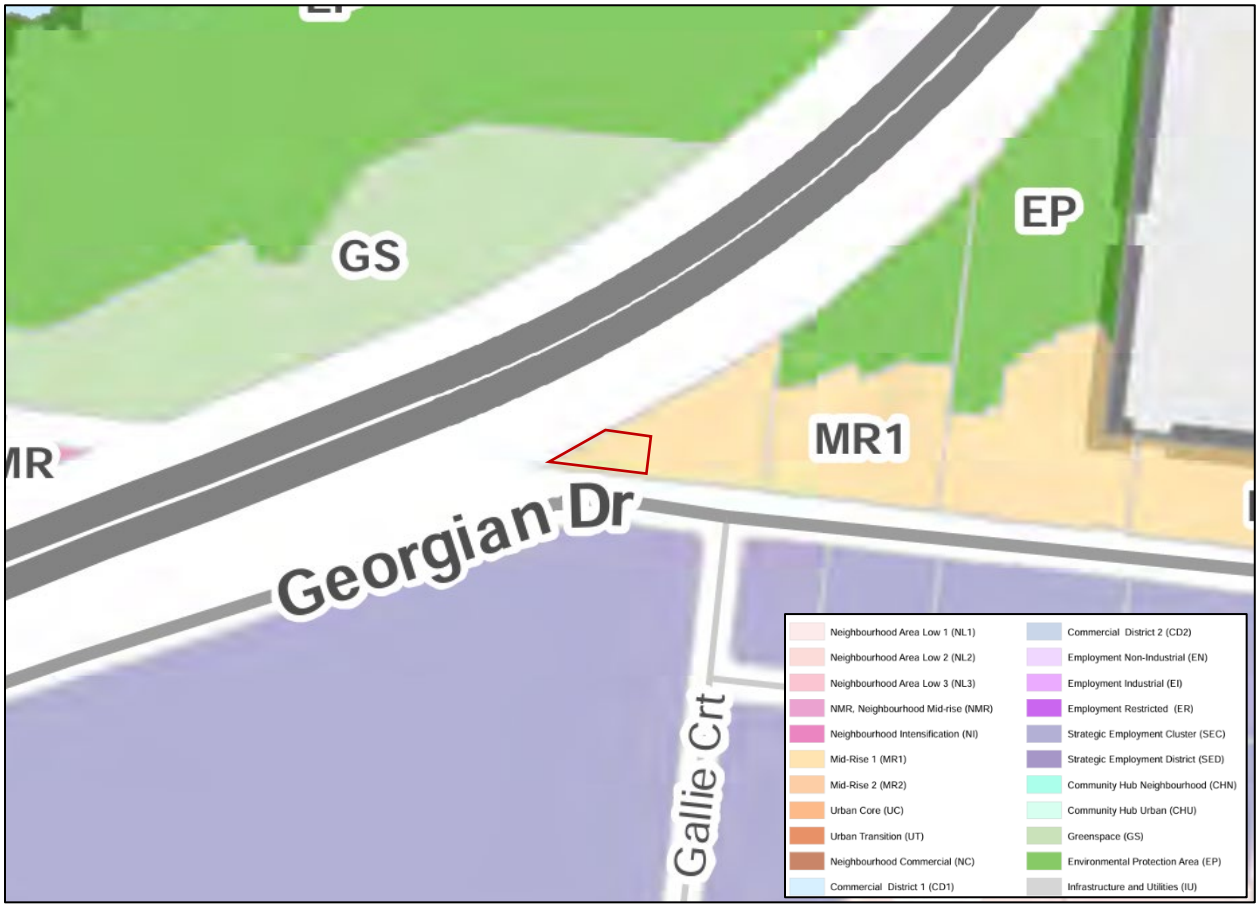


Figure 4 – City of Barrie Draft Zoning By-law

The proposed development is generally in compliance with the MR1 zone standards (as shown in the zoning matrix on the conceptual Site Plan, included in Appendix A), with a few exceptions and items that require further clarification, as outlined below:

1- Setback from Highway 400: Section 3.3.9 of the Draft Zoning By-law requires a minimum 14.0 metre setback from Highway 400 for buildings, structures, and land uses considered integral to site operations. The proposed building is located approximately 4.9 metres from the MTO-regulated property line abutting Highway 400. We would need to request a reduction of the MTO's 14-metre setback requirement to 4.9 metres from the MTO property line to the edge of the building. The rationale for this request is as follows:

   - Due to the curvature of the highway in this area, the centreline of the highway is located further from our property than in other sections, adding an additional 11 metres to the total separation distance from the centre of the highway (as shown in Appendix B).

   - There is a steep vegetated slope located between the proposed building and the highway, providing a natural safety buffer from the Highway 400.

   - From the edge of our proposed building to the centreline of the highway, there is approximately 61 metres of separation. This includes the 56-metre distance from the highway centreline to the MTO property line at this location, plus the proposed 4.9-metre setback from the property line to our building. In comparison, other developments to the east of the subject site are providing the full 14-metre setback where the distance from the highway centreline to the MTO property line is only 45 metres, resulting in a total distance of 59 metres between the building and the centreline of the highway.

   The abovementioned site-specific conditions support our request for a reduced setback, as we are still maintaining (and slightly exceeding) the overall distance that is typically achieved in similar developments. Given this, we are hoping to be able to request relief from this provision through the Minor Variance process.

2- Common Amenity Area: The proposed common amenity space does not comply with the current zoning provision requiring it to be located outside all minimum required yards and be accessory to recreational facilities such as pools, lounges, or sports courts. While this approach may be appropriate for larger high-rise developments, it is not practical or suitable for a modest five-storey mid-rise mixed-use building on a compact urban infill site. We would again request for this site-specific exception to be reviewed through the Minor Variance process.

Conclusion

In summary, the proposed development represents a context-sensitive and appropriate intensification of an underutilized urban site located within a Strategic Growth Area. The proposal

conforms to the overarching policies of the City of Barrie's Official Plan and is designed to be generally consistent with the provisions of Draft 3 of the new Zoning By-law.

While we appreciate that the new Zoning By-law has not yet been approved by Council and is not yet in effect, we are hoping that staff can provide some initial feedback on the proposed development concept and to confirm whether the proposed development may proceed without the need for a Zoning By-law Amendment under the new Zoning By-law, once adopted (provided there are no major changes from the third draft). To facilitate this discussion and ensure alignment moving forward, we would also appreciate the opportunity to meet with City staff for an informal pre-consultation meeting at your earliest convenience to review our submission and address any questions you may have.

Trusting the above is satisfactory, we look forward to further discussion with staff on this development. Should you have any further questions or comments please do not hesitate to contact the undersigned.

Respectfully Submitted,
Innovative Planning Solutions

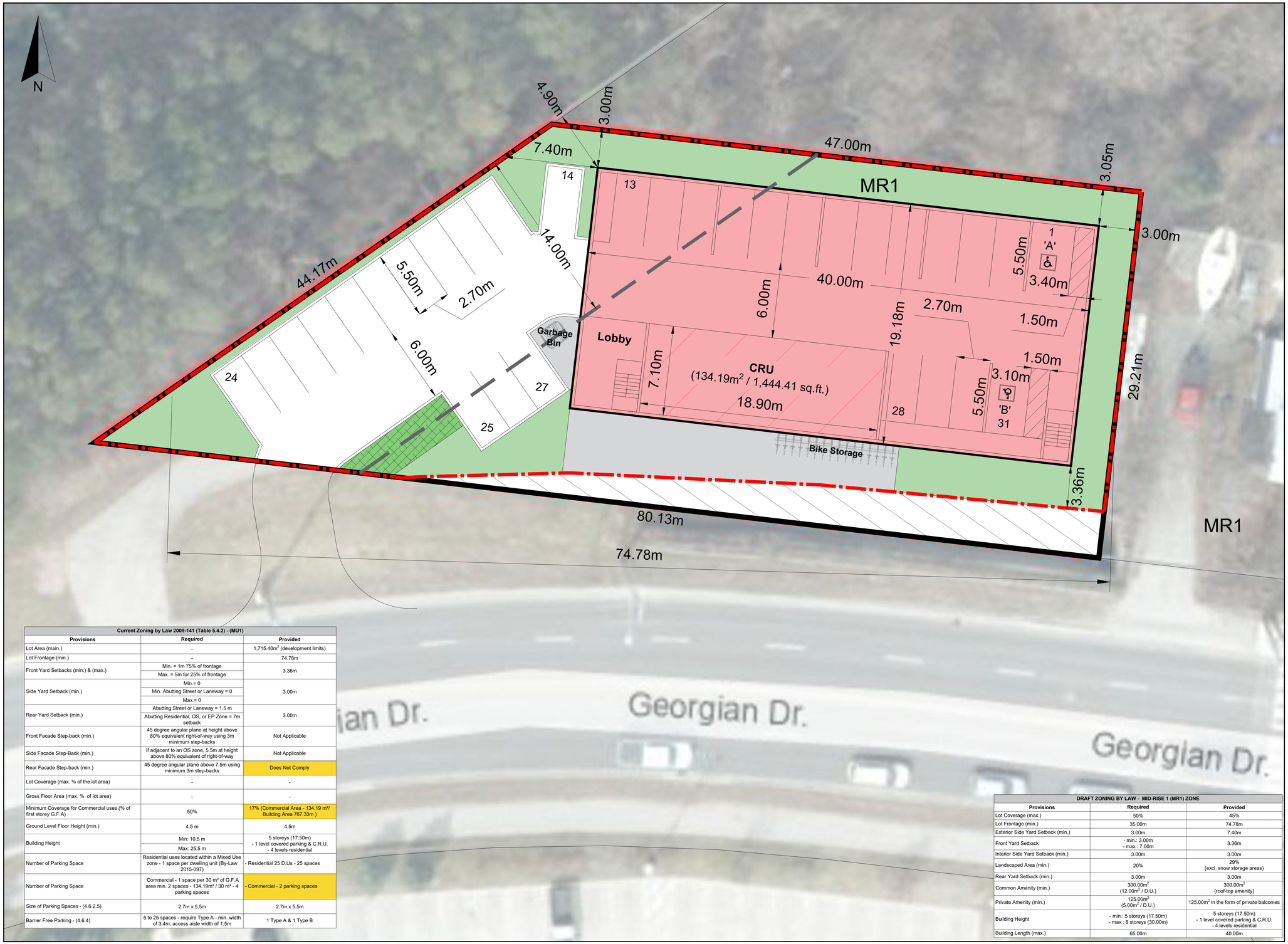
Dafne Gokcen

Dafne Gokcen, RPP, MCIP
Senior Planner

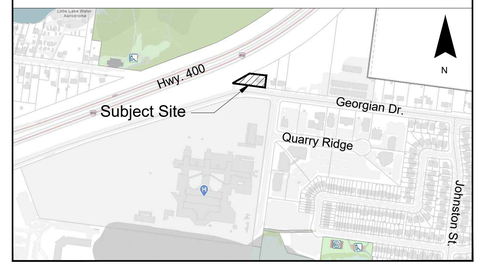
Tahmineh Feyzabi, B.Sc., M.Plan.
Intermediate Planner

cc. Clients

Encl. Appendix A - Conceptual Site Plan prepared by IPS Consulting Inc., dated June 10, 2025
Appendix B – Setback from Highway 400 Centreline and surrounding context



KEY MAP n.t.s.



Scale

0 2.5 5.0 7.5 10m

LEGEND

- Subject Lands (1,857.37m² / 0.19 ha)
- Development Limit (1,715.40m² / 0.17 ha)
- 4.00m Road Widening (t.b.d.)
- 14.00m M.T.O Setback
- Snow Storage (26.00m²)
- Sidewalk
- 5 Storey Mixed-Use Bldg. with 1 Level Covered Parking (25 D.U.s)
  - Bldg Size: 19.18m x 40.00m
  - Bldg. Area: 767.33m²
  - Average Unit Size: ± 104.00m²

Current Zoning by Law 2009-141 (Table 5.4.2) - (MU1)

Provisions	Required	Provided
Lot Area (main.)	-	1,715.40m² (development limits)
Lot Frontage (min.)	-	74.78m
Front Yard Setbacks (min.) & (max.)	Min. = 1m 75% of frontage	3.36m
	Max. = 5m for 25% of frontage	
Side Yard Setback (min.)	Min.= 0	3.00m
	Min. Abutting Street or Laneway = 0	
	Max.= 0	
Rear Yard Setback (min.)	Abutting Street or Laneway = 1.5 m	3.00m
	Abutting Residential, OS, or EP Zone = 7m setback	
Front Facade Step-back (min.)	45 degree angular plane at height above 80% equivalent right-of-way using 3m minimum step-backs	Not Applicable
Side Facade Step-Back (min.)	If adjacent to an OS zone, 5.5m at height above 80% equivalent of right-of-way	Not Applicable
Rear Facade Step-back (min.)	45 degree angular plane above 7.5m using minimum 3m step-backs	Does Not Comply
Lot Coverage (max. % of the lot area)	-	-
Gross Floor Area (max. % of lot area)	-	-
Minimum Coverage for Commercial uses (% of first storey G.F.A)	50%	17% (Commercial Area - 134.19 m²/ Building Area 767.33m)
Ground Level Floor Height (min.)	4.5 m	4.5m
Building Height	Min: 10.5 m	5 storeys (17.50m) - 1 level covered parking & C.R.U. - 4 levels residential
	Max: 25.5 m	
Number of Parking Space	Residential uses located within a Mixed Use zone - 1 space per dwelling unit (By-Law 2015-097)	- Residential 25 D.Us - 25 spaces
Number of Parking Space	Commercial - 1 space per 30 m² of G.F.A area min. 2 spaces - 134.19m² / 30 m² - 4 parking spaces	- Commercial - 2 parking spaces
Size of Parking Spaces - (4.6.2.5)	2.7m x 5.5m	2.7m x 5.5m
Barrier Free Parking - (4.6.4)	5 to 25 spaces - require Type A - min. width of 3.4m, access aisle width of 1.5m	1 Type A & 1 Type B

DRAFT ZONING BY LAW - MID-RISE 1 (MR1) ZONE

Provisions	Required	Provided
Lot Coverage (max.)	50%	45%
Lot Frontage (min.)	35.00m	74.78m
Exterior Side Yard Setback (min.)	3.00m	7.40m
Front Yard Setback	- min.: 3.00m - max.: 7.00m	3.36m
Interior Side Yard Setback (min.)	3.00m	3.00m
Landscaped Area (min.)	20%	29% (excl. snow storage areas)
Rear Yard Setback (min.)	3.00m	3.00m
Common Amenity (min.)	300.00m² (12.00m² / D.U.)	300.00m² (roof-top amenity)
Private Amenity (min.)	125.00m² (5.00m² / D.U.)	125.00m² in the form of private balconies
Building Height	- min.: 5 storeys (17.50m) - max.: 8 storeys (30.00m)	5 storeys (17.50m) - 1 level covered parking & C.R.U. - 4 levels residential
Building Length (max.)	65.00m	40.00m

DRAFT ZONING BY LAW - GENERAL PROVISIONS

Provisions	Required	Provided
Common Amenity Areas	The length does not exceed four (4) times its width	Complies
	Shall be in any yard other than a required minimum front yard or required minimum exterior side yard	Complies
	Building rooftops, patios and above ground decks may be included as part of the common amenity area if they are accessory to recreational facilities, such as swimming pools, tennis courts, lounges, etc	Does not Comply
Snow Storage	Snow storage is not permitted to be located within the required amenity areas, or planting buffers;	Complies
	Snow storage is not permitted within the required landscaped area(s)	Complies
Standards for Lands Abutting Highway 400	All buildings, structures, and land uses considered integral to site operations (e.g., drive-through, drainage features/ponds, loading docks, essential drive aisle, fire routes) must be setback a minimum of 14 metres.	Does not Comply
	Non-essential parking, as identified by MTO, may encroach into the required 14.00m setback	Does not Comply
Required Parking: District 5 - For any D.U.	20 spaces for 25 D.Us (4.7.1.a)	21 spaces for 25 D.Us
Required Visitor Parking: District 5 - For any low, mid or high-rise bldg.	4 spaces for 25 D.Us (4.7.1.a)	5 spaces
For any other non-residential uses	4 spaces (4.7.1.a)	5 spaces
Shared Parking on a Lot (4.7.1.a)	If the required number of parking spaces serves both residential and non-residential land uses on the same lot, then the number of required parking spaces may be reduced by one (1) parking space for every five (5) dwelling units	Complies
Required B.F. Parking	1 Type 'A' and 1 Type 'B' (26 to 50 spaces)	1 Type 'A' and 1 Type 'B' spaces
Long-Term Bicycle Parking Requirements: District 5	10 spaces (0.5 spaces / D.U.)	12 spaces
Short-Term Bicycles Parking Requirements: District 5	2 spaces (0.1 space / D.U.)	2 spaces
Long Term Bicycle Parking for all other Non-Residential Uses	1 space (0.1 spaces / 100.00m² of G.F.A.)	1 space
Short Term Bicycle Parking for all other Non-Residential Uses	1 space (0.1 spaces / 100.00m² of G.F.A.)	1 space

Source: City of Barrie Draft Zoning By-Law, Sept. 2024

Note: Information shown is approximate and subject to change.

SCHEDULE OF REVISIONS

No.	Date	Description	By
1	June 10, 2025	Add current zoning table	A.G.

IPS INNOVATIVE PLANNING SOLUTIONS
PLANNERS • PROJECT MANAGERS • LAND DEVELOPMENT
647 WELHAM ROAD, UNIT 9, BARRIE, ON, L4N 0B7 Tel: 705-812-3281
3800 STEELS AVE. W, SUITE 200W, VAUGHAN, ON, L4L 4G9 Tel: 905-291-7525
info@ipsconsultinginc.com / www.ipsconsultinginc.com

Date:	June 6, 2025	Drawn By:	A.S.
File:	25 - 1495	Checked:	D.V. / T.F.


45.00m
56.58m
290, 294, 298 and 302
Georgian Drive
(City File #: D14-1673)
0 20 40 60m

REQUEST FOR ZONING BYLAW CONSIDERATON

September 1, 2025

The City of Barrie
Planning Department
70 Collier Street,
Barrie,
ON L4M 4T5

Attention: Planning Department Staff

RE: Request for Zoning Bylaw Consideration / Amendment
Property Address: 0 Huronia Road, Barrie, ON
Legal Description: PT S1/2 LT 10 CON 12 INNISFIL PT 1, 51R14542; INNISFIL
Property Identification Number (PIN): 58736-0051

HAB Creative Housing is an engineering/architectural firm and has been retained by the owners of the Property, Bashar Moamerbashi and Zina Baraz, to formally request consideration regarding the zoning of the above-referenced subject lands in relation to Barrie's new comprehensive Zoning Bylaw.

The owners, who are both dentists, acquired this property with the intention of developing a medical centre. This new facility would serve as a new, expanded location for their existing medical services and would be an owner-operated business. The planned medical centre is intended to house dental services, a pharmacy, and walk-in medical doctors along with other medical professional services.

Under the existing Zoning Bylaw, the subject land is zoned "Light Industrial" (LI), which permits medical uses. The owners' development plan is consistent with the current permissions. However, we understand that under the new proposed Zoning Bylaw, the property is designated as "Employment Industrial" (EI), a zoning category that does not permit medical facilities.

This change presents a significant challenge to the viable development of the property as intended. The establishment of a medical centre on this land would provide essential, high-demand medical services to this growing area of Barrie, fulfilling a clear community need.

Therefore, we respectfully request that the City of Barrie consider one of the following two solutions to facilitate this important development:

1. **Grant a zoning to the northern portion that permits medical use for the property (NEIGHBOURHOOD COMMERCIAL OR COMMERCIAL DISTRICT ZONING)**, as conceptually illustrated in the attached **Drawing 1**.

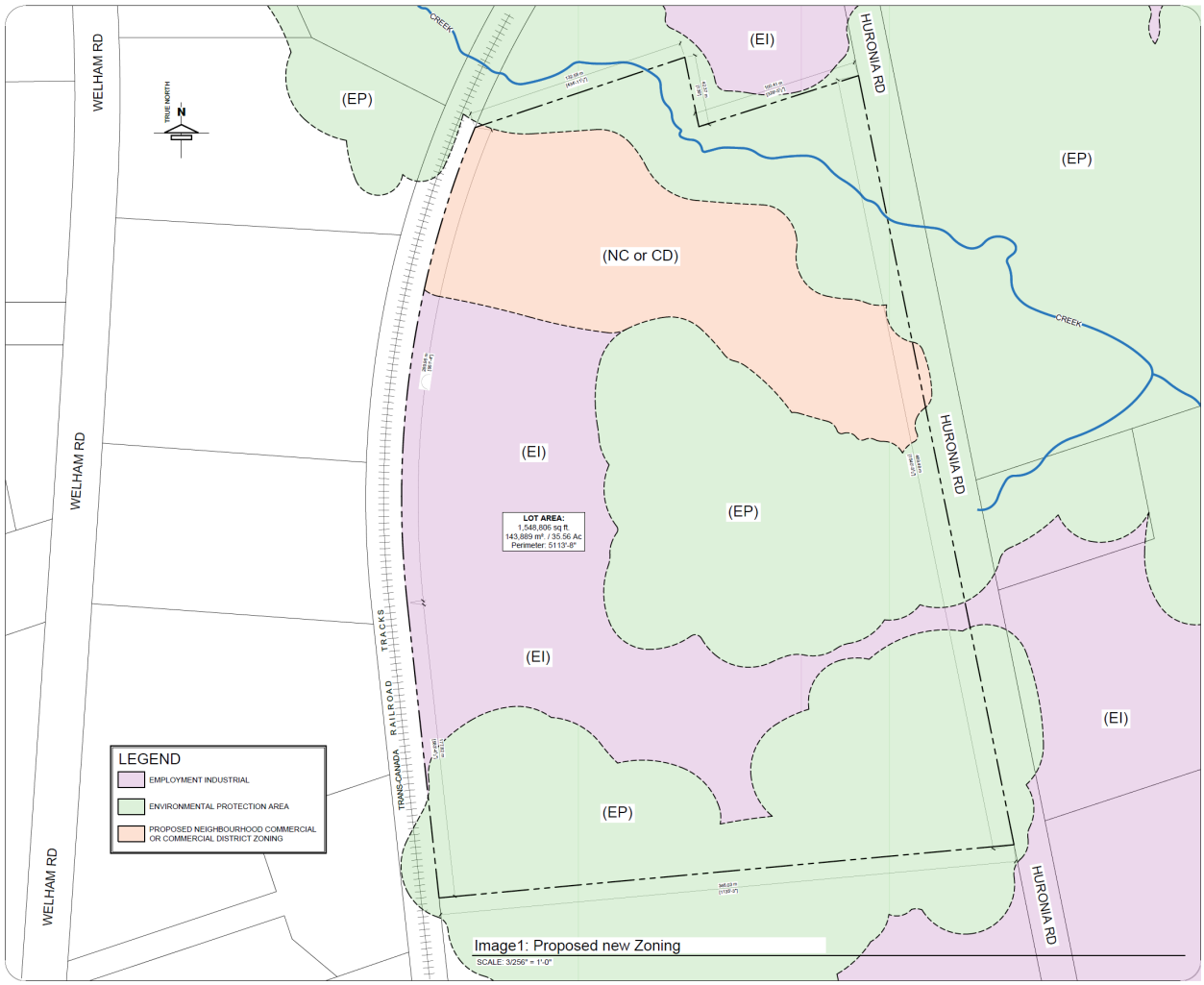


Image 1: Proposed new Zoning (NEIGHBOURHOOD COMMERCIAL OR COMMERCIAL DISTRICT) to the northern portion

2. **Permit a site-specific exception to the proposed "Employment Industrial" (EI) zoning to the northern section**, which would allow for medical use on the northern portion of the property, as conceptually illustrated in the attached **Drawing 2**.

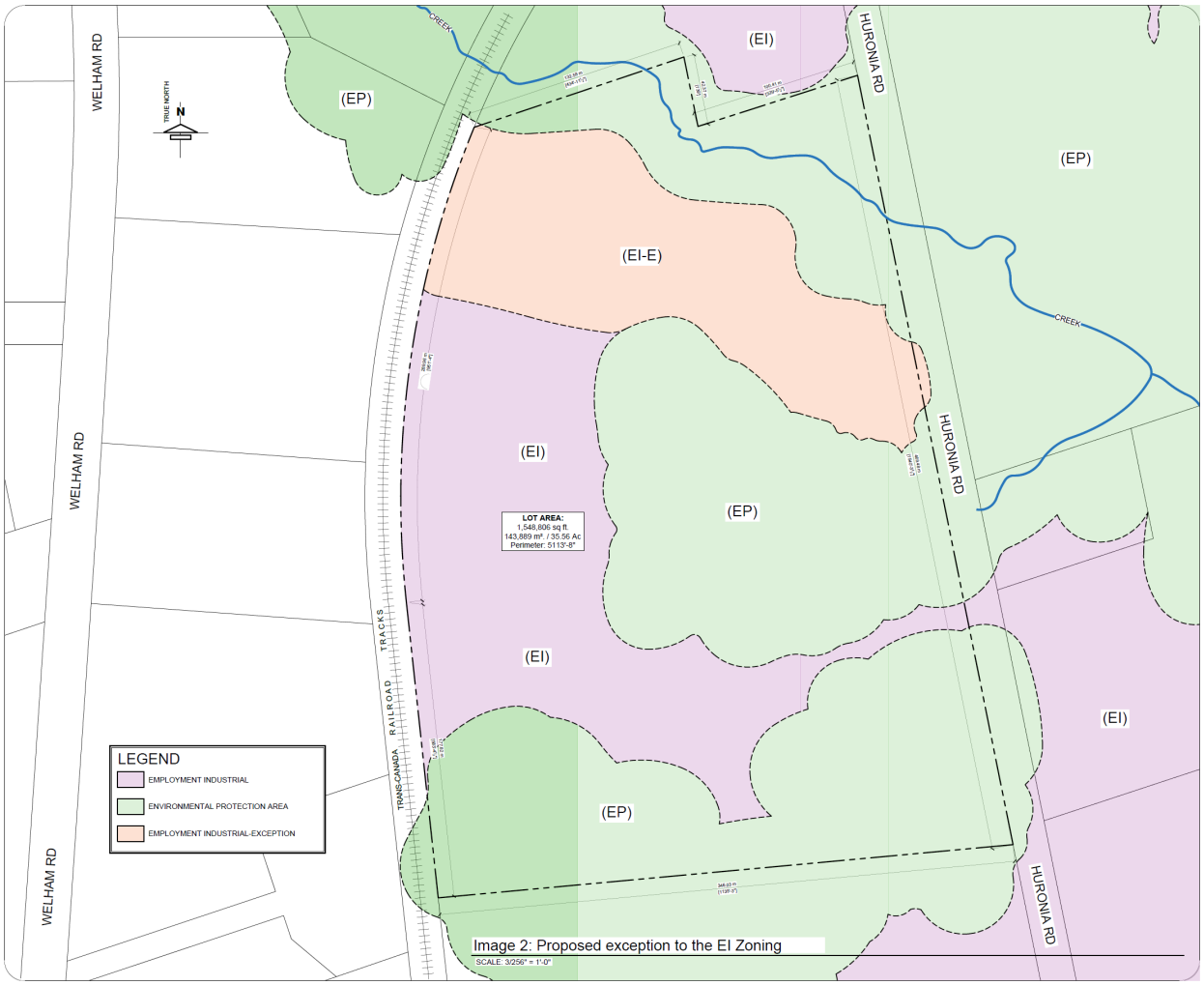


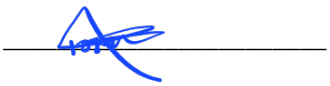
Image 2: Proposed Zoning amendment (EMPLOYMENT INDUSTRIAL – EXCEPTION) to the northern portion

We want to assure the City that this development proposal is being planned with the utmost respect for the natural features of the site. The development will not circumvent or negatively impact any portion of the Environmentally Protected (EP) zoned land. The owners are currently in the process of conducting a comprehensive Environmental Impact Study (EIS) to accurately delineate the protected areas. This study will be submitted as a key component of a future Site Plan Application to ensure all environmental policies and procedures are strictly followed.

Approving this request will enable the development of a vacant parcel of land, provide valuable medical services to the local community, and support the growth of a local, owner-operated business. We believe this proposal represents sound land use planning that benefits the City of Barrie and its residents.

We would welcome the opportunity to discuss this matter further with you at your convenience. Thank you for your time and consideration.

Sincerely,



Mustafa Al-Haboobi
HAB Creative Housing, P.Eng.
11 Amity Rd, Mississauga
ON L5M 1P1
902-999-1957
Mhaboubi@gmail.com

Architectural Program Delivery

Monica Contreras, Architect OAA
Sr. Specialist, Facilities Engineering
Bell Canada, Bell Real Estate Services
100 Wynford Drive, F1-BRES, Toronto ON M3C 4B4
T: 416-353-7415
M: 437-422-6416
E: monica.contreras@bell.ca

Sent to : cityclerks@barrie.ca

20250903

Mayor and Members of Council,

Subject: Impact to Bell Properties due to the Proposed Change in Zoning Designations in the City of Barrie

Please find attached correspondence originally submitted to the Planning Department on July 10, 2025, from Bell Canada regarding the City's New Comprehensive Zoning By-law. We are now requesting that this same letter be accepted as a written submission and included in the circulation list for Council's consideration under the Planning Act with respect to the New Comprehensive Zoning By-law Review.

Please also accept this email as Bell Canada's written request to be notified of all decisions arising from the New Zoning By-law Review, as considered by the City of Barrie's Affordability Committee, General Committee, and ultimately City Council.

We appreciate the City's work in undertaking this comprehensive review and look forward to ongoing dialogue as the continued progress on the New Zoning By-law advances towards Council adoption.

If you need any additional information, please do not hesitate to contact me directly.

Regards,

Monica Contreras, Architect OAA

Architectural Program Delivery

Monica Contreras, Architect OAA
Sr. Specialist, Facilities Engineering
Bell Canada, Bell Real Estate Services
100 Wynford Drive, F1-BRES, Toronto ON M3C 4B4
T: 416-353-7415
M: 437-422-6416
E: monica.contreras@bell.ca

20250710

Dear M David, Policy Planner, Development Services

Subject: Impact to Bell Properties due to the Proposed Change in Zoning Designations in the City of Barrie

On behalf of the property owner, Bell Canada, I am forwarding to you a summary of the impacts to the 7 Bell properties in the City of Barrie, due to the proposed zoning changes. In order to ensure that each property is addressed in detail, we have included a summary presentation showing each site in Appendix A. (attached)

It is also beneficial to provide key definitions to ensure that each occupancy and consequential uses are comprehensively described for each type of facility, as follows:

A “Bell CO” is a Central Office with a major occupancy F2 industrial uses, consisting of a cable vault, network telecommunications hubs, transmission equipment and data centre equipment. A CO will also include accessory offices, interior storage of equipment and supplies used by technicians on the road, exterior storage of large equipment and supplies, and parking for Bell cars and trucks. CO’s may be very small structures. If the structure can host a repair staff access it is considered a “Hut”.

A “Bell Work Centre” is a mixed-commercial/light industrial occupancy that includes offices, light industrial assembly of technical equipment, interior storage of equipment and supplies used by technicians on the road, exterior storage of large equipment and supplies, and parking for Bell cars and trucks. The building may also have a small network telecommunications hub and data centre equipment space.

A “Bell Work Centre with Automobile Services” is a mixed-commercial/light industrial occupancy that includes the above occupancies of a “Bell Work Centre” plus car repair bays for Bell vehicles (cars and trucks) and may include technical upgrades to these vehicles. The automobile services are not open to the public.

A “Bell Media Facility” is a media production facility that may include live and recording of tv, radio and online streaming services. It includes occupancies such as service shops, offices, storage, archives, production studios, data centres and parking. These facilities may also have telecommunication towers.

Bell owns 7 buildings/structures within the City of Barrie that are being affected by the new zoning by-law changes. Each property has been evaluated as to its current uses, its current zoning category and the proposed zoning designations. Also, we have included for each property clearly what are Bell's needs. Bell must ensure that the new zoning categories allow as-of-right quick expansion and/or a change of technology without approval delays. We understand that section 3.3.3.h) Permitted uses on all zones for a public utility applies but, we need to confirm that there will not be any approval delays.

The Summary of the properties and Bell needs are as follows:

1. **114 John Street** is a Bell Work Centre with Automobile Services and a large exterior parking area. This property is adjacent to residential properties on the west, and other light industrial properties along the north.

   The existing zoning is GI General Industrial and permits the existing uses on the property.

   The proposed zoning is EN Employment non-industrial which does not permit the automobile services provided on the site for Bell vehicles, unless this is considered an accessory use.

   Bell requires that the new zoning designation allows for the existing uses to be maintained, renovated or expanded on the property.

2. **140 (150) Bayfield Street** is a Bell CO consisting of 3-storeys with a basement, with exterior parking on 2 levels.

   The existing zoning is C2-1 Transition Centre Commercial.

   The proposed zoning is MR2 Mid-Rise 2 which does not mention utility of telecommunication facilities as permitted use.

3. **591 Yonge Street** is a small Bell CO consisting of 1-storey with exterior parking.

   The existing zoning is C4 General Commercial.

   The proposed zoning is MR1 Mid-Rise which does not mention utility of telecommunication facilities as a permitted use.

4. **33 Beacon Road** is a Bell Media Facility, 1 storey with covered parking and a transmission tower.

   The existing zoning is LI Light Industrial and permits the uses on the property with the exception of the tower.

   The proposed zoning is EI Employment Industrial does not mention the existing uses on the property including the tower.

Bell requires that the new zoning designation allow for the existing transmission tower and supporting structures, exterior parking, all technology industries, including network and telecommunication hubs and data centres, as “as of right occupancies”.

5. **40 Beacon Road** is a Bell CO with 2 buildings, both 1 storey plus basements on the property and with extensive exterior parking.

   The existing zoning is LI Light Industrial.

   The proposed zoning is EI Employment Industrial which does not mention any of the existing uses permitted by LI.

   Bell requires that the new zoning designation allow for exterior parking, all technology industries, including network and telecommunication hubs and data centres, as “as of right occupancies”.

6. **40 Harvie Road** is large land parcel severed from the property at 33 Beacon. This land is empty.

   The existing zoning is LI Light Industrial.

   The proposed zoning is EI Employment Industrial does not mention any of the existing uses permitted by LI. And a portion of the lands will be CD2 Commercial District 1 which does mention data centre facilities as a permitted use but does not mention utility, or telecommunication facilities as a permitted use.

   Bell requires that the new zoning designation allow for Commercial uses for the entirety of the land parcel.

7. **128 Wellington Street** are Bell CO huts located in the parking lot of a campus of office buildings

   The existing zoning is C4 General Commercial

   The proposed zoning is CD1 Commercial District 1 which does mention data centre facilities but does not mention utility of telecommunication facilities as a permitted use.

   Bell requires to maintain these Bell CO huts as a permitted use.

I trust the above provides sufficient information to have you review the issues. If you need any additional information, please do not hesitate to contact me directly.

Regards,

Monica Contreras, Architect OAA

Bell Property Locations - Montreal



1 114 John Street
2 140 (150) Bayfield Street
3 591 Yonge Street
4 33 Beacon Road
5 40 Beacon Road
6 40 Harvie Road
7 128 Wellington Road West

MHBC PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

C53.

2 October 2025

City of Barrie Council
By way of Wendy Cooke, City Clerk

and

Celeste Kitsemetry, RPP
Supervisor of Growth Management

City of Barrie
City Hall, 70 Collier Street
Barrie, ON, L4M 4T5

Via email: cityclerks@barrie.ca and NewZoningBylaw@barrie.ca

Attention: Council, Ms. Cooke and Ms. Kitsemetry

RE: Request for Modifications to Third Draft of the New City of Barrie Zoning By-law
284 Dunlop Street West, Barrie – Arten Development Group

On behalf of our Client, Arten Development Group (hereinafter the "Owner"), please find enclosed their requested modifications to the City of Barrie's third draft of the new Zoning By-law (the "new ZBL") as it relates to their landholding at 284 Dunlop Street West, Barrie (the "Site").

Planning History

A site-specific zoning by-law was approved for the Site in 2024 (ref: 2024-027) via application ref: D30-009-2021. The site-specific zoning is in support of a mixed-use residential development with associated access, parking, amenity and landscaping.

Zoning – Special Provision (SP)

The Site is currently zoned Mixed-Use Node with Special Provisions, Hold' (MU1)(SP-656)(H-161). The new ZBL proposes to eliminate the base zone MU1. Instead, the Site will be rezoned under the new ZBL as 'Strategic Employment District' (SED).

Based on discussions with City staff we understand the City intends to carry forward existing SPs verbatim, with adjustments to the existing SPs only accepted where the new ZBL is more flexible.

Therefore, it is our understanding that the Site would be rezoned SED (SP-656)(H-161).

The purpose of this letter is to confirm that the Owner would like for the SP to be carried forward in the new ZBL. However, there is one provision included in the original SP, as it relates to parking, where the new ZBL allows for increased flexibility.

The site-specific provision allows for a commercial uses parking-rate of 1 space per 50 sqm of commercial gross floor area. Whereas the new ZBL places the site within Parking District 3 where there is no set minimum or maximum parking for commercial uses.

We have attached a track changed version of the existing SP text (see Attachment A) which will appropriately transition it forward into the new ZBL.

We respectfully request the consideration of the comments made above. Should you have any queries, please do not hesitate to contact us.

Yours truly,

MHBC



Kory Chisholm, BES, M.Sc. MCIP, RPP
Partner



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Attachment A – Proposed Revised Site Specific Zoning Provisions

NOTE – Proposed changes are shown in track changes, yellow highlgiths are references that would need to be revised based on final version of the new City Zoning By-law

~~MU1~~ SED (SP-656)(H-161)
284 and 286 Dunlop Street West, 119 and 121 Henry Street (2024-027)

a) That notwithstanding the provisions set out in Section 5.4.4.0 of By-law 2009141, a continuous landscaped buffer area of a minimum width of 1.2 metres and a continuous tight board fence with a minimum height of 2 metres shall be provided abutting lots.

b) That notwithstanding the provisions set out in Section 5.4.3.1, Table 5.4.2, of By-law 2009-141, a maximum building height of 51 metres shall be permitted.

~~c) That notwithstanding the provisions set out in Section 4.6, Table 4.6, of By-law 2009-141, commercial parking may be provided at a ratio of 1 space per 50 square metres of commercial ground floor area.~~

~~d~~c) That notwithstanding the provisions set out in Section 5.4.2.2 of By-law 2009141, an outdoor amenity area may be provided as unconsolidated at a ratio of 6.2 square metres per residential unit.

~~e~~d) That the Holding provision (H-161) be removed from site specific zoning on the subject lands, municipally known as 284 and 286 Dunlop Street West and 119 and 121 Henry Street, when the following has been completed to the satisfaction of the Executive Director of Development Services:

a. That the owner/applicant undertake and agree to satisfy the requirements of a Certificate of Property Use and/or Record of Site Condition accepted by the Ministry of the Environment, Conservation and Parks under the Environmental Protection Act prior to any site works or issuance of a Building Permit.