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**TO:** MAYOR J. LEHMAN AND MEMBERS OF COUNCIL

**PREPARED BY:** BAILEY CHABOT, M.PL. PLANNER

**FROM:** A. BOURRIE, RPP, DIRECTOR OF PLANNING AND BUILDING SERVICES

**NOTED:** B. PARKIN, P. ENG. GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH  
MANAGEMENT

M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

**RE:** EXTENSION OF DECISION TIMELINE FOR PROPOSED DRAFT PLAN OF SUBDIVISION  
(FILE NO. D12-437) AND ZONING BY-LAW AMENDMENT (FILE NO. D14-1646)  
124, 180, AND 228 MCKAY ROAD WEST (WARD 7)  
H&H CAPITAL GROUP LTD.

**DATE:** FEBRUARY 25, 2019

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**Overview:**

The purpose of this Memorandum is to advise members of Council of the status of the applications for a Draft Plan of Subdivision and Zoning By-law Amendment submitted by Innovative Planning Solutions Inc. on behalf of H&H Capital Group Ltd. for lands known municipally as 124, 180, and 228 McKay Road West, Barrie. The intent of the proposed Draft Plan of Subdivision and Zoning By-law Amendment is to allow for the development of 337 single detached residential units, 334 townhouse units, a mixed use block with proposed commercial and 100 high density residential units, one neighbourhood park, and one elementary school. To accomplish this, the applicant has applied for a Draft Plan of Subdivision to create the proposed lots and blocks and a Zoning By-law Amendment to rezone the lands to:

- Neighbourhood Residential (R5);
- Neighbourhood Mixed Use (NMU);
- Educational-Institution (I-E); and,
- Open Space (OS).

The City has entered into a Memorandum of Understanding with the developers in the Salem Secondary Plan allowing for one year to review and process *Planning Act* applications. If a decision is not made within the one year timeframe, an applicant may appeal the application to the Local Planning Appeals Tribunal (LPAT) for non-decision. In this case, the review period associated with the subject application expires on March 7, 2019.

Given the complexity of the application, the applicant has not had sufficient time to address the comments provided by staff through the technical review of make any necessary revisions to the proposal to date. As such, staff are unable to provide a complete recommendation report to General Committee within the one year timeframe.

The applicant has submitted a letter to the City acknowledging that the application will not be considered by General Committee on or before March 7, 2019 and confirm that an appeal for a non-decision will not be filed with LPAT given the collaborative effort between staff and the applicant (Appendix 'A': Letter from the Applicant). The applicant has agreed to extend the timeline an additional 60 days to Monday, May 6, 2019.

Notwithstanding the voluntary letter agreeing to an extended review timeframe, the Planning Justification Report (PJR) submitted by the applicant's consultant is the only information that forms part of the official record associated with the subject application. If the applicant were to file an appeal on the subject application, the applicant's PJR and associated plans, reports, and studies are the only documents that would be heard as evidence by the LPAT. To protect the City's interests, this memorandum documents key planning issues with the subject application at this time. Identified items will be resolved by the time a recommendation report is presented to General Committee.

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**Background:**

The subject application was deemed complete by the City on March 7, 2018. The application was circulated to all applicable City departments and external agencies for review and comment on March 8, 2018. The City received and reviewed a second submission on September 18, 2018. This memorandum reflects the comments received for the second technical submission.

The subject site is comprised of three adjacent parcels known municipally as 124, 180, and 228 McKay Road West, Barrie and are approximately 61.1 hectares of land (151 acres). Of the total lands, approximately 34.7 hectares (85.7 acres) are within Phase 1 of the Salem Secondary Plan and are the subject of these applications. The balance of the lands are within Phase 2 of the Salem Secondary Plan and will be considered at a later date, through separate applications. The land is generally located at the northwest corner of the intersection of McKay Road West and Veteran's Drive (Appendix 'B' – Site Location Map). These lands are designated Residential Area and Neighbourhood Mixed Use Node in the Salem Secondary Plan. Schedule 8C of the Salem Secondary Plan identifies the location of an elementary school, a secondary school, and neighbourhood park within these lands. It is critical to note that the Simcoe Muskoka Catholic District School Board has identified that a secondary school is not required within the Salem Secondary Plan and as such, the proposed draft plan of subdivision does not include a secondary school.

The applicant is proposing to amend the zoning of the subject lands from Agricultural General (AG) pursuant to Zoning By-law 054-04 (Innisfil) to Neighbourhood Residential (R5), Neighbourhood Mixed Use (NMU), Institutional Education (I-E), and Open Space (OS) to facilitate the proposed draft plan of subdivision, which includes 771 residential units (low, medium, and high density built forms), one elementary school, and one neighbourhood park (Appendix "C" – Proposed Draft Plan of Subdivision).

A Public Meeting was held on June 11, 2018. No comments were received from the public.

A second submission was received September 18, 2018 to address a number of technical issues. Through the technical review process associated with the second submission, there are a few outstanding items that still require resolution including confirmation of servicing, sizing the elementary school block appropriately, and achieving desirable density and built form along McKay Road West. Additionally, matters were raised by external agencies with regulatory power regarding environmental matters, including limits of development. A summary of the key outstanding issues associated with the subject application have been provided below. While these matters are being identified as outstanding at the time of this memo, staff are working with the applicant to address them.

*Confirmation of Servicing*

The applicant has not yet demonstrated how servicing can be provided from proposed Street "E" to McKay Road West and from proposed Street "D" to Veteran's Drive. Servicing includes water and sanitary infrastructure.

*Sizing of the Elementary School Block*

Policy 8.5.12.3(b) within the Salem Secondary Plan identifies that the "size and configuration of publicly funded elementary school locations shall be determined in consultation with the Boards of Education, but shall generally be a maximum of 2.42 hectares for elementary schools adjacent to parks." The Simcoe Country District School Board has been consulted and has requested an elementary school block of 2.3 hectares. The current block (Block 52 on the proposed Draft Plan of Subdivision) is 2.0 hectares, 0.3 hectares under the school board's requirement.

*Desirable Built Form along McKay Road West*

The proposed Draft Plan of Subdivision (Appendix 'C' – Proposed Draft Plan of Subdivision) townhouse units at 4.5 metres and 6.0 metres respectively, along with a mixed use block at the western limit. The policies of the Neighbourhood Mixed Use Node allow for a maximum density of 120 units per hectare (Policy 8.5.7.3 (e)). The current proposal demonstrates a density of approximately 73 units per hectare for the townhouse units. The applicant is being encouraged to increase the density along McKay Road West, an arterial road.

*External Agencies*

The proposed development is within the regulatory limits of the Nottawasaga Valley Conservation Authority (NVCA). As such, it is standard practice to coordinate review with regulatory agencies to ensure their respective matters of interest can be sorted prior to the issuance of any municipal approvals. The NVCA has provided comments that may impact the parcel fabric of the proposed Draft Plan of Subdivision. The NVCA has identified that the limits of the stormwater management pond (Block 50) appears to encroach upon the floodline, clarification on which catchments are being controlled by which stormwater management pond, the provision of a site specific Corridor Management Study (CMS), and the determination of the appropriate limits to development through a constraints map.

**Next Steps:**

The applicant and their consulting team are currently in the process of addressing all comments that have been provided by Planning staff, the City's technical review team, and external agencies. In doing so, the applicant is making revisions to the proposed Draft Plan of Subdivision and preparing additional information in support of the subject application. This will result in changes to the development proposal, which will address the comments that were provided through the technical review process.

If you have any questions, please contact the Planning file manager, Bailey Chabot at 705-739-4220 extension 4434.

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Appendix 'A'

Letter from the Applicant



**INNOVATIVE PLANNING SOLUTIONS**

planners • project managers • land development

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

Thursday, January 31, 2019

Attention: Bailey Chabot, MCIP, RPP  
Planner

Re: Application for Zoning By-law Amendment and Draft Plan of Subdivision  
124 & 180 McKay Road W and Lot 4, Concession 10  
City of Barrie, County of Simcoe

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On behalf of H&H Capital Group Ltd., Innovative Planning Solutions is pleased to provide the following correspondence. It is noted that the subject applications were deemed complete by the City of Barrie on March 7, 2018. The City's timeline for rendering a decision on applications within the Secondary Plan Areas is one year after the application was deemed complete. Understanding this timeline and in consideration of a number of factors including ongoing discussions with the City to resolve issues identified through the planning process, we appreciate that this timeline cannot be accomplished.

As a result, we hereby advise and agree that H&H Capital Group Ltd. will not appeal a non-decision of the proposed applications for a period of 60 days from March 7<sup>th</sup>, 2019. We will continue to work cooperatively to a solution on this matter. Trusting this is satisfactory; please do not hesitate to contact the undersigned with any questions or concerns.

Respectfully submitted,

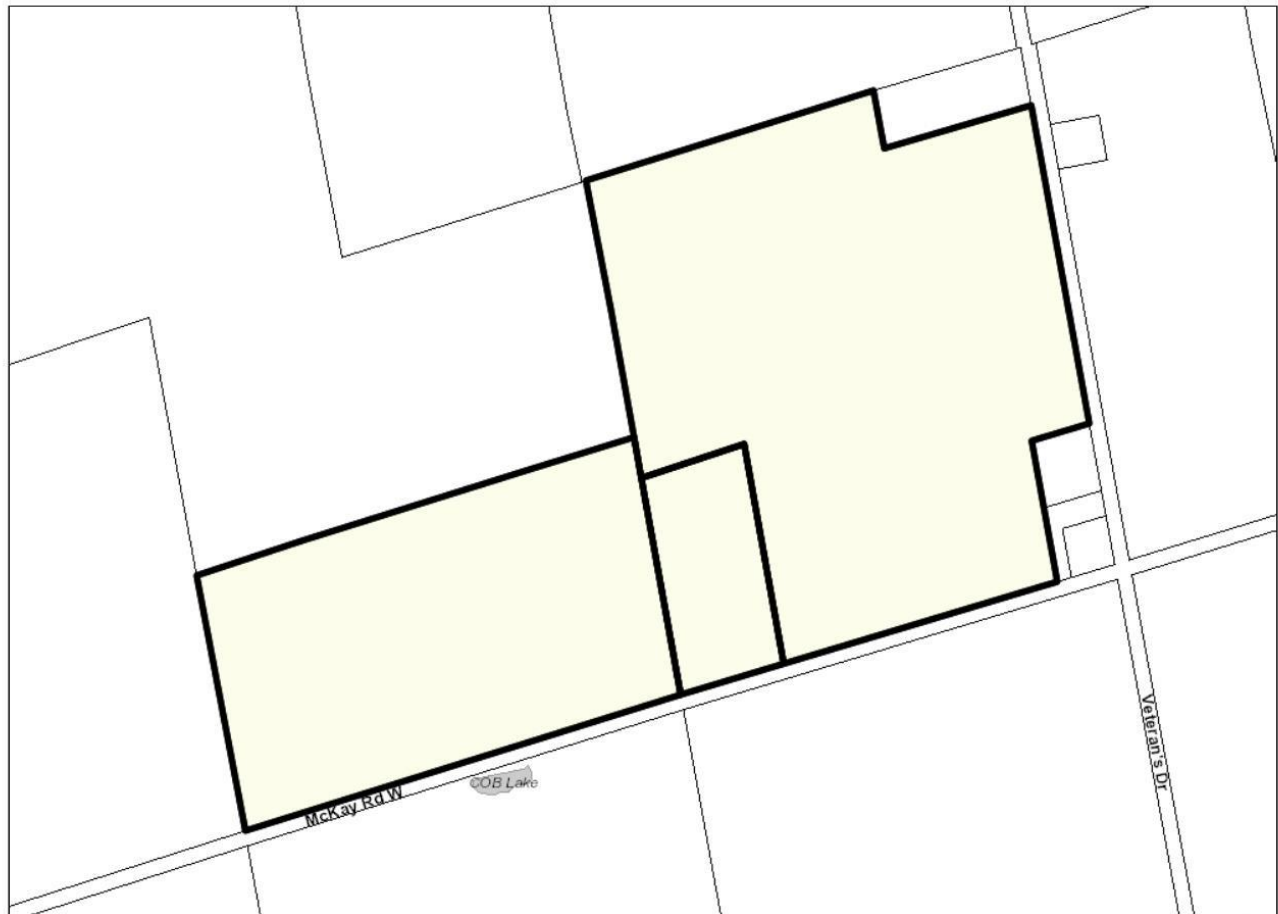
**Innovative Planning Solutions**



Darren Vella, MCIP, RPP  
President & Director of Planning

Appendix 'B'

Site Location Map



File #: D12-437/D14-1646

Address: 124, 180, 228 McKay Road West

■ SUBJECT PROPERTY





## Proposed Draft Plan of Subdivision

