

**From:** Dorothy Mckeown <d[REDACTED]>  
**Sent:** Wednesday, October 2, 2024 11:04 AM  
**To:** cityclerks <[cityclerks@barrie.ca](mailto:cityclerks@barrie.ca)>; New Zoning Bylaw <[newzoningbylaw@barrie.ca](mailto:newzoningbylaw@barrie.ca)>  
**Subject:** New Zoning, 5.3.5 Landscape and Open Spaces

To: Wendy Cook, City Clerk, City of Barrie  
e: Comments on New Zoning By-Law Proposed Changes

### 5.3.5 Landscape and Open Spaces - City Wide Community & Design Guidelines

We would respectfully request that the City of Barrie makes it a REQUIREMENT, not a suggestion, that all new developments (residential or other) be required to plant NATIVE trees and plants, to build a local eco-system that supports native ecosystem restoration. It is great that new subdivision builds are required to plant and support boulevard trees, but we need to tell them what species of native trees to plant, to ensure our native pollinators and birds can still thrive as the city grows.

Our grandchildren should still be able to see the butterflies and birds that we enjoyed seeing in the past!!

Thank you for your consideration.

Dorothy McKeown  
[REDACTED]

Bird friendly city certification team



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](mailto:cityclerks@barrie.ca) and [NewZoningBylaw@barrie.ca](mailto:NewZoningBylaw@barrie.ca)

**RE: Request for Modifications to the 3rd Draft of New City of Barrie Zoning By-law and  
2<sup>nd</sup> Draft of New Design Guidelines  
375 Yonge Street Inc – 375 & 389 Yonge Street, Barrie**

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On behalf of our Client, 375 Yonge Street Inc (the "Client"), please find enclosed their requested modifications to the City of Barrie's 3<sup>rd</sup> draft of the new Zoning By-law (the "new ZBL") as well as to the City of Barrie's 2<sup>nd</sup> draft of the new City Wide Community & Sustainable Design Guideline (the "new Design Guidelines"). Our Client is submitting comments for their landholding at 375 and 389 Yonge Street in Barrie.

The purpose of this letter to request that the City make changes to the new ZBL and new Design Guidelines in advance of finalising the draft for approval by Council. Details are set out below, however 375 Yonge Street Inc. reserve their right to continue to review and provide additional comments through the process.

**PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2<sup>ND</sup> DRAFT)**

***A) Pending Applications and Site Specific Provisions***

As City staff are aware, the Client recently completed a pre-submission application (D28-055-2024 and D28-056-2024) for zoning by-law amendment and site plan applications. The Client's project

team have been working towards the 1<sup>st</sup> submission of the zoning by-law amendment application, and this is expected to be with the City shortly.

Section 1.10 sets out a specific timeline of transition to the new ZBL for existing approvals. As it relates to Section 1.10 c), 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) by-law standards. Special provisions are identified within a map appended to the new ZBL at Appendix A.

As noted above, the application is due to be formally submitted, and may be determined prior to the approval of the new ZBL. Clarification is requested as to whether Appendix A will be updated to reflect any new Site Specific zones which may have been approved between the date of this letter and immediately prior to the date Council will consider the approval of the new ZBL.

Careful consideration will be required as to how new zoning by-law amendments are structured that are considered between now and the approval of the proposed new Zoning By-law to ensure all required provisions are appropriately transitioned forward as to not cause or create any further delay or additional required planning processes as proposed developments continue through the approval process.

On the assumption that new site specific zones will be incorporated into the new ZBL, it is necessary that any future applications, not solely Building Permit applications, may rely on these Special Provisions. It is also noted that Section 1.5 a) of the new ZBL proposes to repeal the current by-law in its entirety. Therefore, for clarity it is requested that Section 1.10 and Section 1.10 c) is reworded to note the following:

#### 1.10 Transition

*Notwithstanding Section 1.5 a) as it relates to By-law 2009-141 alone, 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.

### ***B) Revised Zone - Uses***

The new ZBL proposes the Site is zoned Neighbourhood Intensification (NI). The current Zoning By-law is General Commercial (C4). The Client's draft Site Plan and Zoning By-law Amendment applications are to re-zone the site to support the development of 111 residential rental apartment units with ground floor commercial.

Commercial uses are proposed to be permitted in the NI zone but only as an accessory use, and only along an arterial or collector road. The definition of an 'Accessory Use' is that it is not permitted to be stand-alone, and are the secondary to the purpose for which a lot building. This would seem to restrict the commercial uses permitted. Instead, it is suggested that this be re-categorized as being a "Primary Use" instead of an "Accessory Use" however, 'only permitted if forming part of a mixed

use development on lots that front onto an arterial or collector road'. This achieves the intention of the draft ZBL while providing clarity to the type of commercial uses permitted.

### ***C) Revised Zone - Building Length***

The new ZBL proposes a maximum building length of 60 metres for low-rise to mid-rise buildings. It is understood that the intent of this provision is to prevent long stretches of building façade along a lot line. However, this may hinder a development site and may have the opposite impact of making rear parking areas more visible from the street. The length of buildings is better suited to be encouraged within the Urban Design Guidelines.

### ***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.



## **PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2<sup>ND</sup> 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.

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**

A handwritten signature in blue ink, appearing to read 'Kory Chisholm'.

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

A handwritten signature in blue ink, appearing to read 'Opani Mudalige'.

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

*cc. 375 Yonge Street Inc / Denis Gubert*



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

September 26<sup>th</sup>, 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 Maplevue Drive West, Barrie, ON. It is the intent of our clients to expand the commercial area to include 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 15<sup>th</sup>, 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,

A handwritten signature in black ink, appearing to read 'Zara Altakawee', written over a horizontal line.

Zara Altakawee | MCIP, RPP  
Planner III



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](mailto:Celeste.Kitsemetry@barrie.ca)  
&  
[newzoningbylaw@barrie.ca](mailto: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 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<sup>2</sup>. 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

- 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.

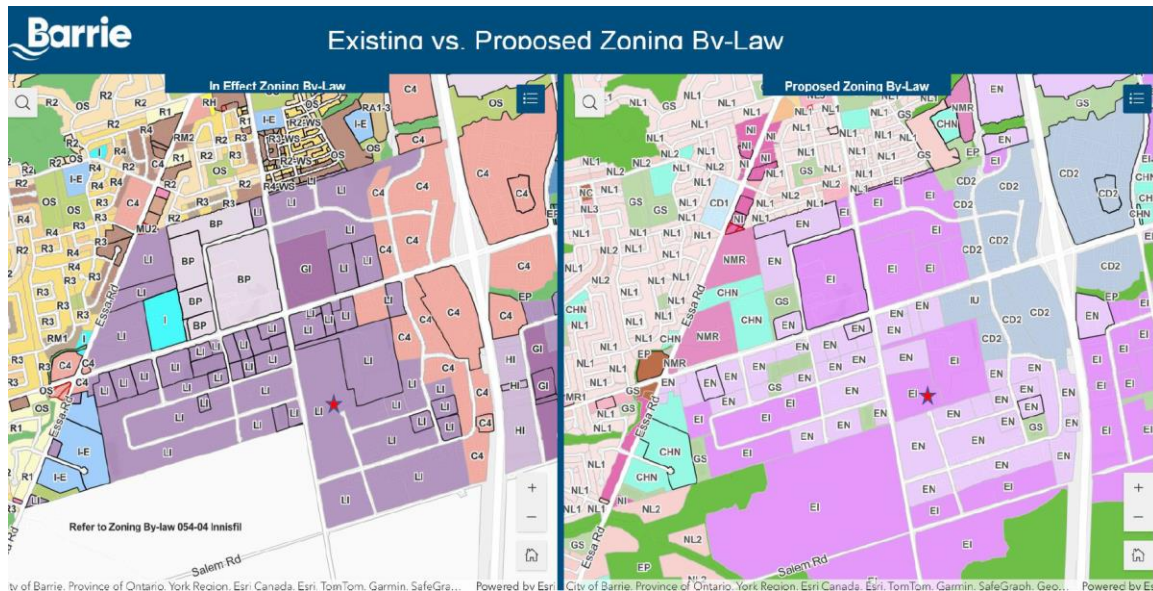
Furthermore, the “EI” standards are focused on larger industrial type uses such as large manufacturing and processing facilities, rail transfer facilities, nursery and garden supply centres, aggregate transfer station, cannabis production facility, food and beverage processing, truck terminal and industrial 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,



- 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

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,



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Claudio Balbinot BES(Hons), MCIP, RPP  
Agora Research Group Inc.  
416-460-3383  
[claudio@agoraresearch.com](mailto:claudio@agoraresearch.com)

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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)
<b>Industrial Uses</b>					
<i>Abattoir</i>					X
<i>Animal Shelter</i>		<del>X</del>		X	
<i>Bakery</i>		<del>X</del>	X	X	
<i>Concrete Product Manufacturing</i>				X	
<i>Concrete Ready Mix Plant</i>					X
<i>Excavation and Processing of Mineral Aggregate Resources</i>					X
<i>Foundry</i>				X	X
<i>Manufacturing and Processing in Wholly Enclosed Buildings</i>	X	X	X	X	X
<i>Manufacturing, Refining, or Rendering of Noxious Products</i>					X
<i>Material Recovery Facility</i>				X <sup>(1)</sup>	X <sup>(1)</sup>
<i>Cannabis Production Facility (By-law 2019-086)</i>				X	
<i>Outdoor Storage</i>		<del>X</del>	X	X	X
<i>Outdoor Storage of Sand, Gravel, Stone, Soil or Salt</i>					X
<i>Printing and Publishing</i>	X	<del>X</del>	X	X	
<i>Rail Transfer Facility</i>		X	X	X	
<i>Recyclable Materials Transfer Station</i>				X <sup>(1)</sup>	X <sup>(1)</sup>

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	
Research/Development Facility	X		X	X	
Self Storage				X	
Truck Terminal				X	
Warehousing in wholly enclosed buildings excluding self storage	X		X	X	
Wholesale Establishment			X	X	
<b>Commercial Uses</b>					
Accessory Employee Use	X		X	X	X
Accessory Retail	X	X	X	X	
Adult Entertainment Parlour				X	
Assembly Hall	X		X		
Automotive Repair Establishment		X		X	
Bank (By-law 2019-115)	X		X <sup>(3)</sup>		
Building Supply Centre (By-law 2019-115)			X <sup>(2) (3)</sup>	X <sup>(2)</sup>	
Car Wash				X	
Conference Centre	X		X		
Custom Workshop		X		X	
Data Processing Centre	X		X	X	
Drive Through Facility	X	X	Accessory Use Only		X
Dry Cleaning Establishment				X	
Fitness or Health Club	X				
Golf Driving Range (outdoor)				X	
Hotel, Motel	X		X		
Miniature Golf (outdoor)					
Nursery or Garden Supply Centre		X		X	
Office	X	X	Accessory Use Only		X
Office, Medical	X		X		
Outdoor Display and Sales Area				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	<del>X</del>			
Private Club		<del>X</del>			
Recreational Establishment		<del>X</del>			
Restaurant (By-law 2019-115)	X <sup>(3)</sup>	X <sup>(3)</sup> 1 per lot	X <sup>(3)</sup>	X <sup>(3)</sup>	
Service Store	X	<del>X</del>		X	
Trade Centre		<del>X</del>	X		
Transmission Establishment, Cellular and Electronic				X	X
Veterinary Clinic	X	<del>X</del>	X	X	
<b>Agricultural Uses</b>					
Heavy Equipment Dealer				X	
Kennel				X	
Kennel in wholly enclosed buildings		<del>X</del>			
<b>Institutional Uses</b>					
Child Care	X	<del>X</del>			
Commercial School	X	<del>X</del>	X		
Industrial School		X Accessory Use Only	X	X	
Place of Worship		<del>X</del>			
Funeral Service Provider		<del>X</del>			

- (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<sup>2</sup>, 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<sup>2</sup>. The lands that are zoned Business Park (BP) and Light Industrial (LI) shall not exceed

## APPENDIX “II”

# BARRIE – ZONING STANDARDS COMPARISON

## Light Industrial (LI) vs Employment Non-Industrial (EN) **Draft 3**

	Light Industrial (LI)	Employment Non- Industrial (EN) – <b>DRAFT 3</b>
<i>Abattoir</i>		
<i>Animal Shelter</i>	<b>X</b>	<p>Permitted in the EN Zone as a “Animal Related Services” Use.</p> <p><b>Animal Related Services Including</b></p> <ul style="list-style-type: none"> <li>I. <b>Animal Boarding Establishment;</b></li> <li>II. <b>Animal Shelter;</b> and</li> <li>III. <b>Veterinary Clinic</b></li> </ul>
<i>Bakery</i>	<b>X</b>	<p>Permitted in the EN Zone as “Commercial Uses” Use.</p> <p><b>COMMERCIAL USES</b>  <i>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.</i></p>
<i>Concrete Product Manufacturing</i>		
<i>Concrete Ready Mix Plant</i>		
<i>Excavation and Processing of Mineral Aggregate Resources</i>		
<i>Foundry</i>		
<i>Manufacturing and Processing in Wholly Enclosed Buildings</i>	<b>X</b>	Permitted in the EN Zone as a “Manufacturing Facility” use.
<i>Manufacturing, Refining, or Rendering of Noxious Products</i>		
<i>Material Recovery Facility</i>		
<i>Cannabis Production Facility (By-law 2019-086)</i>		
<i>Outdoor Storage</i>	<b>X</b>	<b>Not permitted in the EN Zone.</b>
<i>Outdoor Storage of Sand, Gravel, Stone, Soil or Salt</i>		
<i>Printing and Publishing</i>	<b>X</b>	Permitted in the EN Zone as “Commercial Uses”.
<i>Rail Transfer Facility</i>	<b>X</b>	Permitted in the EN Zone as a “Rail Transfer Station.
<i>Recyclable Materials Transfer Station</i>		

# BARRIE – ZONING STANDARDS COMPARISON

## Light Industrial (LI) vs Employment Non-Industrial (EN) **Draft 3**

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

# BARRIE – ZONING STANDARDS COMPARISON

## Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – <span style="color: red;">DRAFT 3</span>
<i>Warehousing in wholly enclosed buildings excluding self storage</i>	X	<p><b>Permitted in the EN Zone as “Industrial Use (General)”.</b></p> <p>INDUSTRIAL USE (GENERAL)</p> <p>Means a <b>building</b> or <b>structure</b> 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 <b>accessory uses</b>.</p> <p><b>Industrial uses</b> include uses such as:</p> <p>i. <b>MANUFACTURING FACILITIES</b> means the <b>use</b> of land, <b>buildings</b> or <b>structures</b> for the purpose of manufacturing, assembly, making, preparing, inspecting, finishing, treating, <b>altering</b>, 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.</p> <p>ii. <b>WAREHOUSING AND DISTRIBUTION CENTRES</b> means a <b>building</b> 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.</p>



# BARRIE – ZONING STANDARDS COMPARISON

## Light Industrial (LI) vs Employment Non-Industrial (EN) Draft 3

	Light Industrial (LI)	Employment Non- Industrial (EN) – <span style="color: red;">DRAFT 3</span>
<i>Wholesale Establishment</i>	X	<p>Permitted in the EN Zone as “Major Retail” Use.</p> <p><b>MAJOR RETAIL</b>  <i>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.</i></p>
<b>Commercial Uses</b>		
<i>Accessory Employee Use</i>	X	<span style="color: red;">Not permitted in the EN Zone.</span>
<i>Accessory Retail</i>	X	Permitted in the EN Zone as “Retail” Use.
<i>Adult Entertainment Parlour</i>		
<i>Assembly Hall</i>	X	<p>Permitted in the EN Zone as “Community Facilities” Use.</p> <p><b>COMMUNITY FACILITIES</b>  <i>Means the use of any lot, building, or structure, relating to a community facility, or other use generally accessible to the public.</i></p> <p><b>Community Facilities</b>  <i>include:</i></p> <ul style="list-style-type: none"> <li><i>i. Arena;</i></li> <li><i>ii. Assembly Hall;</i></li> <li><i>iii. Community Centre;</i></li> <li><i>iv. Museum;</i></li> <li><i>v. Private Club; and</i></li> <li><i>vi. Theatre.</i></li> </ul>
<i>Automotive Repair Establishment</i>	X	<span style="color: red;">Not permitted in the EN Zone.</span>

# BARRIE – ZONING STANDARDS COMPARISON

## Light Industrial (LI) vs Employment Non-Industrial (EN) **Draft 3**

	Light Industrial (LI)	Employment Non- Industrial (EN) – <b>DRAFT 3</b>
<i>Bank</i> (By-law 2019-115)	<b>X</b>	<b>Not permitted in the EN Zone. Falls under “Personal Services” Use.</b>
<i>Building Supply Centre</i> (By-law 2019-115)	<b>X<sup>(2)</sup></b>	<b>Permitted in the EN Zone as “Major Retail” Use.</b>  <b>MAJOR RETAIL</b> <i>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, <b>Building Supply Centre</b> and Wholesale Establishment.</i>
<i>Car Wash</i>	<b>X</b>	<b>Not permitted in the EN Zone.</b>
<i>Conference Centre</i>	<b>X</b>	<b>Permitted in the EN Zone as “Conference Centre” Use.</b>
<i>Custom Workshop</i>	<b>X</b>	<b>Permitted in the EN Zone as “Custom Workshop” Use.</b>
<i>Data Processing Centre</i>	<b>X</b>	<b>Not permitted in the EN Zone.</b>
<i>Drive Through Facility</i>	<b>X</b>	<b>Permitted as Accessory Use only.</b>
<i>Dry Cleaning Establishment</i>	<b>X</b>	<b>Permitted in the EN Zone as “Commercial Uses” Use.</b>  <b>COMMERCIAL USES</b> <i>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.</i>
<i>Fitness or Health Club</i>	<b>X</b>	<b>Permitted in the EN Zone as “Fitness and Health Club” Use.</b>
<i>Golf Driving Range</i> (outdoor)		

# BARRIE – ZONING STANDARDS COMPARISON

## Light Industrial (LI) vs Employment Non-Industrial (EN) **Draft 3**

	Light Industrial (LI)	Employment Non- Industrial (EN) – <b>DRAFT 3</b>
<i>Hotel, Motel</i>	X	Permitted in the EN Zone as “Hotel” Use. Also permits a Motel.
<i>Miniature Golf (outdoor)</i>	X	<b>Not permitted in the EN Zone.</b>
<i>Nursery or Garden Supply Centre</i>	X	Permitted in the EN Zone as “Nursery or Garden Supply Centre” Use.
<i>Office</i>	X	Permitted in the EN Zone as “Office” Use.
<i>Office, Medical</i>	X	<b>Not permitted in the EN Zone.</b>
<i>Outdoor Display and Sales Area</i>	X	Permitted in the EN Zone as “Outdoor Display and Sales Area” Use.
<i>Photography Studio</i>	X	Permitted in the EN Zone as “Commercial Uses” Use.
<i>Private Club</i>	X	<p>Permitted in the EN Zone as “Community Facilities” Use.</p> <p><b>COMMUNITY FACILITIES</b></p> <p><i>Means the use of any lot, building, or structure, relating to a community facility, or other use generally accessible to the public.</i></p> <p><i>Community Facilities include:</i></p> <ul style="list-style-type: none"> <li><i>i. Arena;</i></li> <li><i>ii. Assembly Hall;</i></li> <li><i>iii. Community Centre;</i></li> <li><i>iv. Museum;</i></li> <li><i>v. <b>Private Club</b>; and</i></li> <li><i>vi. Theatre.</i></li> </ul>

# BARRIE – ZONING STANDARDS COMPARISON

## Light Industrial (LI) vs Employment Non-Industrial (EN) **Draft 3**

	Light Industrial (LI)	Employment Non- Industrial (EN) – <b>DRAFT 3</b>
<i>Recreational Establishment</i>	X	<b>Not permitted in the EN Zone.</b>
<i>Restaurant (By-law 2019-115)</i>	X(3)	Permitted in the EN Zone as “Restaurant” Use.
<i>Service Store</i>	X	Permitted in the EN Zone as “Repair Service” Use.
<i>Trade Centre</i>	X	<b>Not permitted in the EN Zone.</b>
<i>Transmission Establishment, Cellular and Electronic Veterinary Clinic</i>	X	Permitted in the EN Zone as a “Animal Related Services” Use.  <b>Animal Related Services</b> <i>Including</i> <ul style="list-style-type: none"> <li><i>I. Animal Boarding Establishment;</i></li> <li><i>II. Animal Shelter; and</i></li> <li><b>III. Veterinary Clinic</b></li> </ul>
<b>Agricultural Uses</b>		
<i>Heavy Equipment Dealer</i>		
<i>Kennel</i>		
<i>Kennel in wholly enclosed buildings</i>	X	Permitted in the EN Zone as a “Animal Related Services” Use.  <b>Animal Related Services</b> <i>Including</i> <ul style="list-style-type: none"> <li><b>I. Animal Boarding Establishment;</b></li> <li><i>II. Animal Shelter; and</i></li> <li><i>III. Veterinary Clinic</i></li> </ul>
<b>Institutional Uses</b>		
<i>Child Care</i>	X	<b>Not permitted in the EN Zone.</b>
<i>Commercial School</i>	X	Permitted in the EN Zone as a “Commercial School” Use.
<i>Industrial School</i>	X	Permitted in the EN Zone as a “Industrial School” Use.
<i>Place of Worship</i>	X	<b>Not permitted in the EN Zone.</b>
<i>Funeral Service Provider</i>	X	Permitted in the EN Zone as a “Funeral Establishment” Use.



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 Developments 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 Commercial Centre Inc. (645 Veteran's Drive)**

**City File: D30-016-2024**

**Jones Consulting File: Has-08374**

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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 Developments Inc., Coppercreek Estates Inc., Fernbrook Developments Inc., Garden Village Commercial Trustee, Fernbrook Commerical Centre Inc. (645 Veteran's Drive)



**James W. Wiegand**

**Barrister & Solicitor**

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109 Toronto Street, Barrie, Ontario L4N 1V1

Phone (705) 733-1995 Fax (705) 733-1729

James W. Wiegand

Caitlyn E. McCann

October 4, 2024

*Via Email – newzoningbylaw@barrie.ca*

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

Dear Sirs/Mmes.:

**Re: Proposed Amendments to Greenspace Zoning By-Law  
North Shore Trail Water Lots**

---

We have been consulted by Darick Battaglia, a [REDACTED] and owner of property impacted by the proposed amendments to the Greenspace Zoning By-Laws. Please be advised that Mr. Battaglia, and likely many other owners of the waterfront lots along the [REDACTED] is strongly opposed to the proposed amendments. It is Mr. Battaglia's position that the re-zoning of the lots under the City's new Official Plan will have a detrimental impact on the community and homeowners of property near the trail.

At the time of purchase and throughout his ownership of the lot, the properties were zoned as "Open Space". The "Open Space" zoning permits many uses for the lots and provided value to the lots. The current zoning provides opportunities for local business and tourism. Upon review of the proposed amendments, it appears that the City plans to rezone the waterfront lots along the [REDACTED] as "Green Space". The "Green Space" designation removes most of the permitted uses for the space, which will significantly devalue the lots and prohibit business and tourism along the entire North Shore Trail. Many key uses for these property types and this specific location have been inexplicably removed, including yacht club, boat house and accessory restaurant. This will have a lasting impact on the lot owners and the City of Barrie as a whole, potentially leading to conflicting usage with existing property owners and a devaluing of lots in the area with there being almost no permitted uses for the properties effected.

In the event that the City's intention is to purposefully devalue the lots through the proposed drastic change of land use designation and re-zoning of the lots as "Green Space", it is Mr. Battaglia's position that this has the effect of expropriating the property. We attach hereto a copy of the current zoning by law, a copy of the proposed amendments and copies of the subject lot location and surveys.

We strongly urge the City of Barrie to reconsider the proposed re-zoning of the North Shore Trail. We hereby request a Zoning By-Law Amendment and Official Plan Amendment that will exempt certain lots along the North Shore Trail from the change in designated land use and re-zoning as "Green Space" permitting the lot owners to retain their lots in their current state and encouraging business and tourism-focused activities along the beautiful North Shore Trail. In the alternative, we request a comprehensive review of the socio-economic impact of the proposed amendments and changes to the land use designations of the properties along the North Shore Trail and an analysis of the projected devaluation of the lots.

We thank you for your attention to this matter.

Yours very truly,

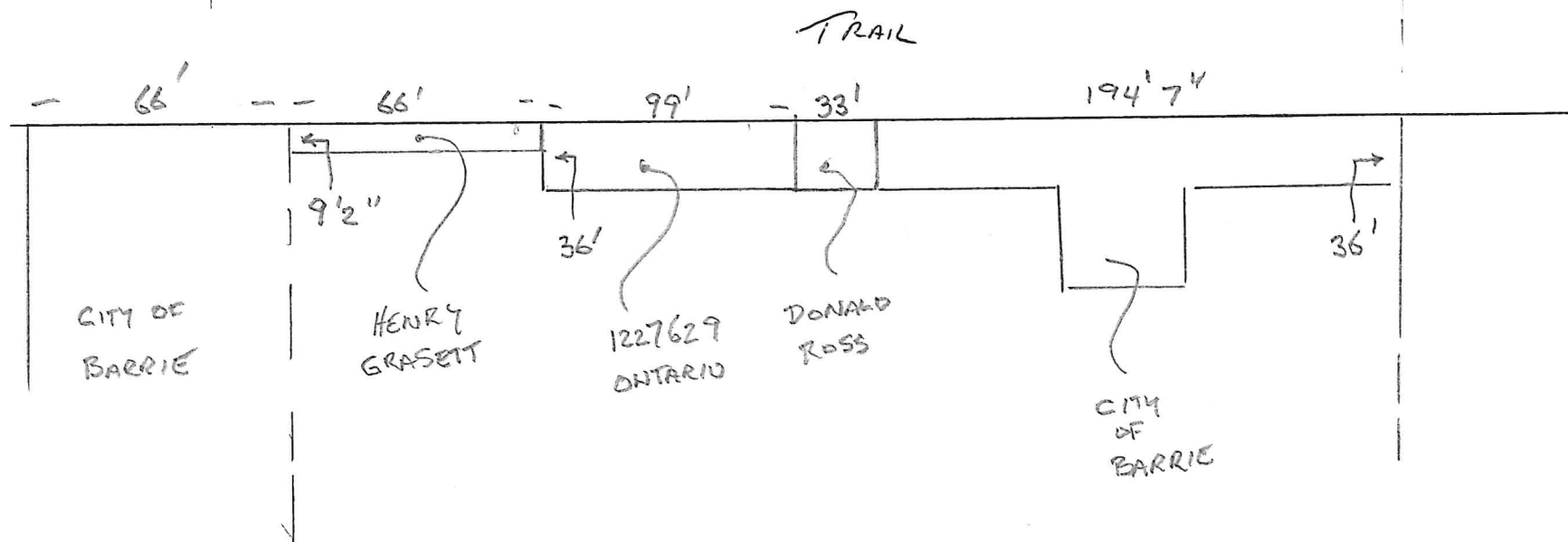
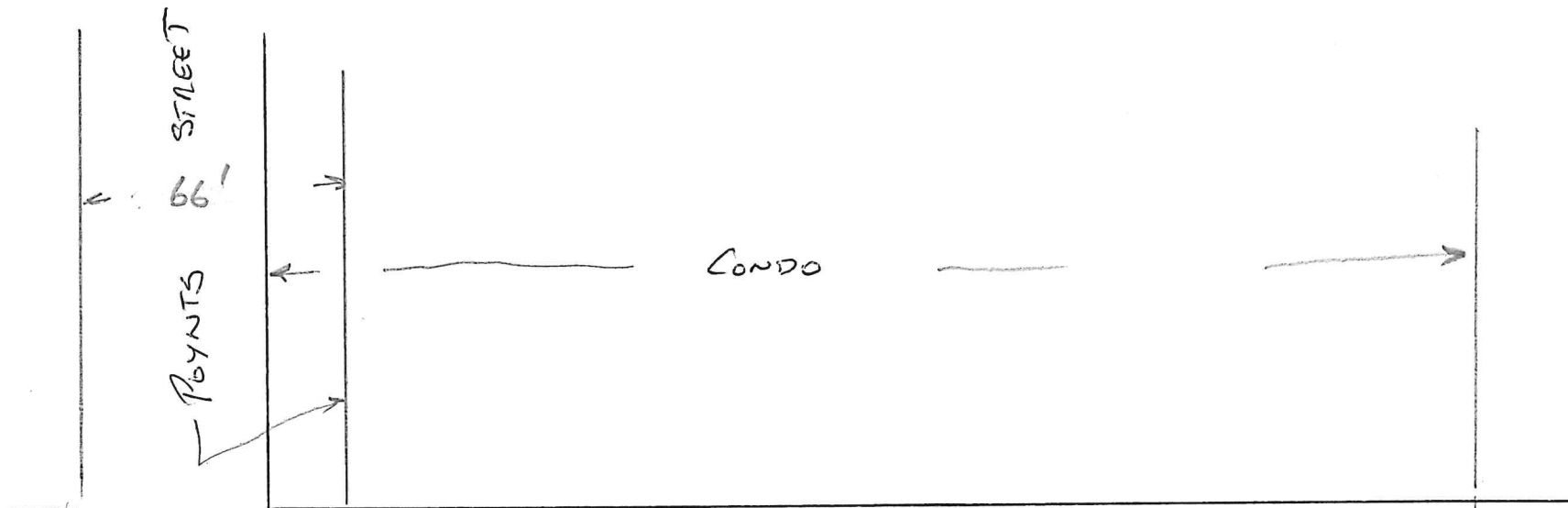


James W. Wiegand

APPENDIX "A"

Site Plan







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## 12. Greenspace Zone

### 12.1. Permitted Uses

- a) **Primary Uses** are permitted in the Greenspace **zone** as per Table 74 and are marked by “●”.
- b) **Accessory Uses** are permitted in the Greenspace **zone** as per Table 74 and are marked by “◊”.

*Table 74: Permitted Uses in the Greenspace Zone*

Permitted Uses	Greenspace (GS)
Boat Launch	●
Cemetery	●
Environmental Interpretative Facility	●
Farmers Market	●
Food/Refreshment Stands	●
Government Services	●
Marina	●
Golf Course	●
Golf Driving Range	●
Outdoor Recreation	●
Office	◊
Stormwater Management Facility	●

## 12.2. Permitted Buildings and Structures

- a) No **buildings** or **structures** are permitted in the Greenspace (GS) **zone**, except for those associated with the uses identified in Table 74.

## 12.3. Greenspace Zone-Specific Standards

### 12.3.1. North Shore Trail Zone

- a) Despite anything in this By-Law to the contrary, the only uses permitted in the Greenspace – North Shore Trail Overlay Zone as defined in Appendix B are:
  - i. Passive recreation;
  - ii. Erosion and sediment control;
  - iii. Trails;
  - iv. Lookouts;
  - v. Stairs;
  - vi. Open air **structures**; and,
  - vii. Public swim and/or fishing platforms.

### 12.3.2. Impervious Surface Coverage

- a) The maximum impervious surface coverage shall not exceed 35% of a **lot** within the Greenspace (GS) **zone**.



## 12.4. Greenspace Zone

*Table 75: GS Lot, Yard and Amenity Standards*

		<b>Buildings and Structures Permitted, as per Section 12.2.a)</b>
<b>Lot Standards</b>	<b>Lot Area (Minimum)</b>	N/A
	<b>Lot Coverage (Maximum)</b>	30%
	<b>Lot Frontage (Minimum)</b>	N/A
	<b>Exterior Side Yard Setback (Minimum)</b>	15 m
<b>Yard Standards</b>	<b>Front Yard Setback</b>	15 m
	<b>Interior Side Yard Setback (Minimum)</b>	5 m
	<b>Rear Yard Setback (Minimum)</b>	5 m

*Table 76: GS Building Standards*

	<b>Buildings and Structures Permitted, as per Section 12.2.a)</b>
<b>Building Height (Maximum)</b>	9 m

## 9.0 OPEN SPACE

CURRENT - 1

## 9.1 GENERAL

- 9.1.1 No person shall use any land, nor erect, *alter*, enlarge or use any *buildings or structures* within any *Open Space (OS) Zone* except in accordance with the provisions of this section, and of Section 4.0 of this By-law.

## 9.2 PERMITTED USES

- 9.2.1 The permitted *uses* in the *Open Space Zone* are listed in Table 9.2.

Table 9.2	
Uses	Open Space (OS)
<b>Active Uses</b>	
Art Gallery	X
Bandstand	X
Boat House	X
Bowling Green	X
Golf Course	X
Golf Driving Range	X
Marina	X
Interpretive Centre	X
Miniature Golf	X
Park	X
Picnic Area	X
Playground	X
Playing Field/Court	X
Community Centre	X
Swimming Pool	X
Skating Rink	X
Wading pool	X
Yacht Club	X
<b>Passive Uses</b>	
Ecological management measures, environmental monitoring	X
Environmental Conservation	X
Lookout points	X
Naturalized Buffer	X
Natural Restoration and enhancement activities	X
Nature Trails, bicycle trails, cross- country skiing	X

## 9.2.2 Accessory Uses to Active Recreational Uses

An *accessory use, building or structure* may be permitted in conjunction with any of the *active uses* permitted in the *Open Space (OS) Zone* and may include *bleachers, a club house, concession stand, refreshment pavilion or booth or restaurant, and an outdoor theatre.*

## 9.2.3 Accessory Uses to Passive Recreational Uses

*Accessory uses or structures* may only be permitted in association with any of the *passive uses* listed in Table 9.2 and may include lookout points, interpretive signage, information kiosks, stairways, trails, parking or pathways.

### 9.3 OPEN SPACE STANDARDS

- 9.3.1 The permitted *uses* in the *Open Space Zone* are subject to the development standards referenced in Table 9.3.

Table 9.3	
Use	Open Space (OS)
Lot Area (min.)	-
Lot Frontage (min.)	-
Front yard (min.) <sup>(1)(2)</sup>	10m
Side Yard (min.) <sup>(1)(2)</sup>	10m
Rear Yard (min.) <sup>(1)(2)</sup>	10m
Lot Coverage (max. % of lot) <sup>(2)</sup>	40%
Building Height (max.) <sup>(1)(2)</sup>	10m

(1) *Boat houses* may be set back a minimum of 1m from the applicable front side or rear yards and shall be a maximum height of 5m, 9m in length and 7m in width.

(2) *Community Centres* shall be permitted in accordance with the provisions and standards of the Major Institutional Zones except that the maximum permitted height shall be 15m.

### 9.3.2 Parking Standards

#### 9.3.2.1 Surface Treatment

Notwithstanding the provisions of Section 4.6.2.6 granular and permeable parking surfaces may be permitted where required to protect or preserve natural heritage resources or environmental features or functions identified on lands zoned *Open Space*.

## 12. Greenspace Zone

New - 1

### 12.1. Permitted Uses

- a) **Primary Uses** are permitted in the Greenspace **zone** as per Table 74 and are marked by "•".
- b) **Accessory Uses** are permitted in the Greenspace **zone** as per Table 74 and are marked by "◊".

Table 74: Permitted Uses in the Greenspace Zone

Permitted Uses	Greenspace (GS)
Boat Launch	•
Cemetery	•
Environmental Interpretative Facility	•
Farmers Market	•
Food/Refreshment Stands	•
Government Services	•
Marina	•
Golf Course	•
Golf Driving Range	•
Outdoor Recreation	•
Office	◊
Stormwater Management Facility	•



NEW - Z

## 12.2. Permitted Buildings and Structures

- a) No **buildings** or **structures** are permitted in the Greenspace (GS) **zone**, except for those associated with the uses identified in Table 74.

## 12.3. Greenspace Zone-Specific Standards

### 12.3.1. North Shore Trail Zone

- a) Despite anything in this By-Law to the contrary, the only uses permitted in the Greenspace – North Shore Trail Overlay Zone as defined in Appendix B are:

- i. Passive recreation;
- ii. Erosion and sediment control;
- iii. Trails;
- iv. Lookouts;
- v. Stairs;
- vi. Open air **structures**; and,
- vii. Public swim and/or fishing platforms.

### 12.3.2. Impervious Surface Coverage

- a) The maximum impervious surface coverage shall not exceed 35% of a **lot** within the Greenspace (GS) **zone**.

#### 12.4. Greenspace Zone

Table 75: GS Lot, Yard and Amenity Standards

Lot Standards	Lot Area (Minimum)	Buildings and Structures Permitted, as per Section 12.2.a)
	Lot Coverage (Maximum)	N/A
	Lot Frontage (Minimum)	30%
	Exterior Side Yard Setback (Minimum)	N/A
	Exterior Side Yard Setback (Minimum)	15 m
Yard Standards	Front Yard Setback	15 m
	Interior Side Yard Setback (Minimum)	5 m
	Rear Yard Setback (Minimum)	5 m

Table 76: GS Building Standards

Buildings and Structures Permitted, as per Section 12.2.a)	
Building Height (Maximum)	9 m



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 1<sup>st</sup> 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 1<sup>st</sup> 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 1<sup>st</sup> 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 is 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 be 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 been 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 yard 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 (12m<sup>2</sup> common & 5m<sup>2</sup> 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 Block 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,

A handwritten signature in dark ink, appearing to be 'RD', written in a cursive style.

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



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

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](mailto:cityclerks@barrie.ca) and [NewZoningBylaw@barrie.ca](mailto: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**

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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 1<sup>st</sup>, 2024, but was postponed to a future date that is yet to be determined. Comments were requested by October 4<sup>th</sup>, 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 (3<sup>RD</sup> 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 31<sup>st</sup>, 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 (2<sup>ND</sup> 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**





PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

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](mailto:cityclerks@barrie.ca) and [NewZoningBylaw@barrie.ca](mailto: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. – Heritage Square Plaza – 624-644 Yonge Street**

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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 1<sup>st</sup>, 2024, but was postponed to a future date that is yet to be determined. Comments were requested by October 4<sup>th</sup>, 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 (3<sup>RD</sup> 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 planned development to proceed without issue, while assisting the City in achieving its objective of updating zoning provisions. It will also ensure a smooth transition when new leases are established and allow for seamless zoning review of building permits associated with renovations of existing units. 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 Heritage Square Plaza, municipally addressed as 624-644 Yonge Street (the "Lands") as shown in **Appendix A**. These comments follow comments previously submitted on July 31<sup>st</sup>, 2023, in response to the second draft of the New ZBL.

The Lands currently have development approvals for a commercial plaza, with the final phase serviced but still to be constructed. The Lands are subject to existing site-specific Shopping Centre Commercial (C3)(SP-160) zoning which was implemented with the passing of By-laws 1999-80 and 2002-53.

Should our Client proceed with 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 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 planned development to proceed without issue, while assisting the City in achieving its objective of updating zoning provisions. It will also ensure a smooth transition when new leases are established and allow for seamless zoning review of building permits associated with renovations of existing units. 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 (2<sup>ND</sup> 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**

A handwritten signature in blue ink, appearing to read 'Kory Chisholm'.

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

A handwritten signature in black ink, appearing to read 'Tyler Kawall'.

Tyler Kawall, BES  
Intermediate Planner

cc     *Alex Lusty / Davies Howe LLP*



Appendix A – Subject Lands





PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

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](mailto:cityclerks@barrie.ca) and [NewZoningBylaw@barrie.ca](mailto: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 1<sup>st</sup>, 2024, but was postponed to a future date that is yet to be determined. Comments were requested by October 4<sup>th</sup>, 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 (3<sup>RD</sup> 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 31<sup>st</sup>, 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 (2<sup>ND</sup> 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





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](mailto:cityclerks@barrie.ca) and [NewZoningBylaw@barrie.ca](mailto: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**

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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 (3<sup>RD</sup> 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.

#### **217 Dunlop Street East**

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 3<sup>rd</sup> 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 (2<sup>ND</sup> 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*



PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

October 4<sup>th</sup>, 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](mailto:cityclerks@barrie.ca) and [NewZoningBylaw@barrie.ca](mailto: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**

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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 1<sup>st</sup>, 2024, but was postponed to a future date that is yet to be determined. Comments were requested by October 4<sup>th</sup>, 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

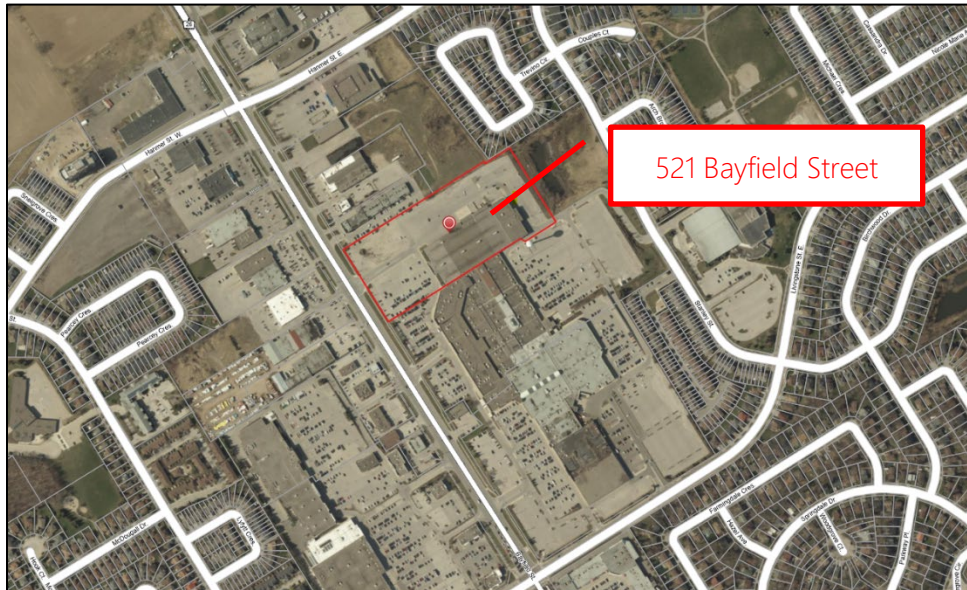


**Figure 2:** Location of 400 Bayfield Street Lands





**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. Parking Standards**

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 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.

#### 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.

- 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<sup>2</sup> per unit, the new ZBL would also require a minimum common amenity area of 10m<sup>2</sup> per unit for Mid-Rise and High-Rise buildings in the CD2 zone. This results in a significant 15m<sup>2</sup> of amenity area combined for each unit.

Incorporating 10m<sup>2</sup> 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 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 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*

<b>Number</b>	<b>3<sup>rd</sup> Draft New ZBL Section #</b>	<b>Comment/Request</b>
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 – Building 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.

<b>Number</b>	<b>3<sup>rd</sup> Draft New ZBL Section #</b>	<b>Comment/Request</b>
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.
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## **PROPOSED NEW CITY-WIDE COMMUNITY & SUSTAINABLE DESIGN GUIDELINES (2<sup>ND</sup> 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."*

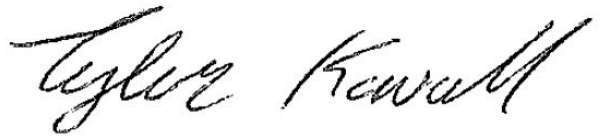
We may provide further comments on the proposed Community & Sustainable Design Guidelines in the future.

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**

A handwritten signature in blue ink, appearing to read 'Kory Chisholm'.

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

A handwritten signature in blue ink, appearing to read 'Tyler Kawall'.

Tyler Kawall, BES  
Intermediate Planner

*cc Ron McCowan / McCowan & Associates Ltd.*

**From:** Donna King [REDACTED] >

**Sent:** Friday, November 1, 2024 12:57 PM

**To:** Office of the Mayor <OfficeoftheMayor@barrie.ca>; Clare Riepma <Clare.Riepma@barrie.ca>; cityclerks <cityclerks@barrie.ca>

**Subject:** NEW ZONING BY-LAW

Good day - I would like to make the following comments re the new proposed zoning by-law.

I'm against the proposal to permit four storey apartment buildings in all of the residential areas of Barrie without any public meetings. I understand that Barrie needs more housing but allowing four storey apartment buildings in all residential areas of Barrie is not the way to go. I do not believe that four storey apartment buildings will fit in with the current residential buildings in every neighborhood. I think they should be reviewed on a case by case basis. I also think that public opinion is a very important part of the process.

Thank you,

Donna King

[REDACTED]

November 6, 2024  
Wendy Cooke  
City Clerk  
City of Barrie

**SENT ONLY BY EMAIL**

Dear Ms. Cooke:

Re: Draft #3 Zoning Additional Comments Regarding Large-Scale Prezoning

My comments are with regard to the proposed by-law's use of prezoning. That is, granting approval for significant development with no public or Council process. There are areas of the City where 4, 8, 12, 20 and 25 storey apartment buildings are proposed to be permitted as-of-right. There would be no further Planning Act requirement for Council approval or public input to permit development in these areas. The proposed by-law would be the effective approval.

The lands proposed for prezoning include all of the NL1, NL2 and NL3 zones which cover about 40,000 homes in the City. All of these lands would permit a four storey apartment building as-of-right. Examples of what this might look like on Blake Street, Royal Oak Drive, Columbia Road and Gaskin Court are provided in Appendix A to this letter. Each of the four examples would meet the proposed zoning requirements and only need site plan approval to be granted a building permit. There would be no public meeting and no Council consideration of the development.

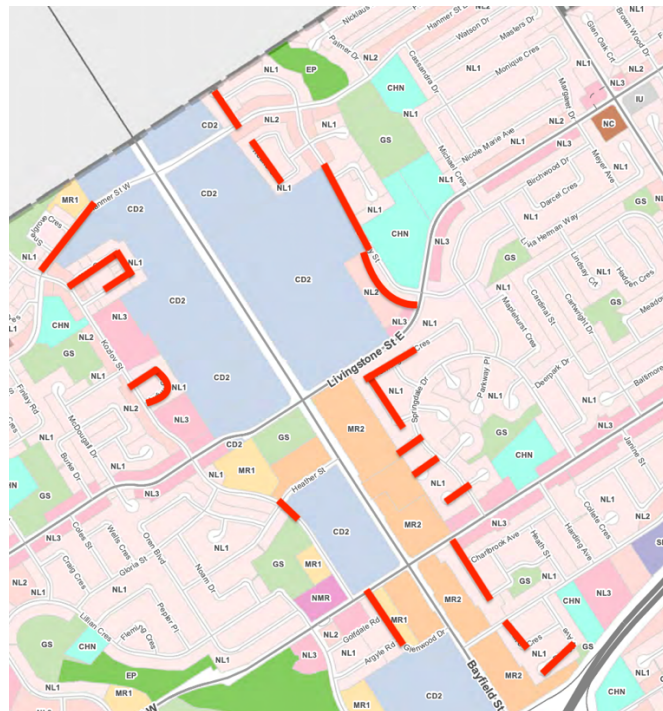
In addition there are major areas of land along Bayfield Street, Dunlop Street West, Allandale, Bell Farm Road, Huronia/Yonge, Big Bay Point/Yonge, Bell Farm Road and several plaza sites which would all allow/approve the construction of medium and high rise apartment buildings. I have calculated the potential population of these areas and using extremely conservative assumptions, including retaining the existing commercial space as required by the by-law, the yield would be about 73,000 people.

Maps of each of these areas where prezoning is proposed are shown in Appendix B to this letter.

The current outstanding approvals that remain unbuilt in Barrie total approximately 16,000 units which would yield a minimum of 40,000 people. It is my understanding that the rated capacity of the wastewater treatment plant is already exceeded by the existing approvals, much less by another 73,000 people. Put another way, if this by-law is approved the City will have committed to an additional growth of 73,000 people with no further public meetings or Council consideration.

Some of the potential development on these sites may be appropriate and can be dealt with through the normal rezoning process. However prezoning does not truly inform or involve the neighborhoods impacted. An example of the interface between the prezoned high rise

permissions and the adjacent low density streets is shown below. Each of the red lines indicates a street with homes backing or fronting onto the areas proposed to be rezoned.



### Interface Between Low Density Dwellings and 12-20 Storey Buildings

Some of the streets of detached and semi-detached homes that abut the areas proposed for 8, 12, 20 and 25 storey buildings are listed below. All of the people living on these streets should be notified of the proposed changes should Council determine that pre-zoning is a reasonable concept.

#### Bayfield from Highway 400 to North city limit

Rosedale Place  
Chestnut Court  
Aspen Drive  
Farmingdale Crescent  
Stanley Street  
Trevino Court,  
Duval Drive  
Piercy Crescent  
Lyfyt Crescent  
Livingston St.,  
Kozlov Street  
Glenwood Drive  
Gulfdale Road  
Argyle Road

Patricia Avenue  
Baker Crescent  
Ferris Lane  
Carlton Road

#### Bayfield St., South of Highway 400

Lount Street  
Drury Lane  
Maple Avenue

#### Adjacent to the Blake St., Plaza

Shanty Bay Road  
Varden Crescent  
Downsview Drive  
Napier Street

Johnson Street

**Adjacent to Wellington Plaza**

Donald Street  
Henry Street he  
Sent from my iPhone

**Adjacent to Essa Plaza**

Strongly Street  
Mapleton Avenue  
Coughlin Road  
Leslie Avenue

**Allandale**

Holgate Avenue  
William Street  
Granville Street  
Innisfil Street  
Adelaide Street  
Centre Street  
Caroline Street  
Anne Street  
Short Street  
Sandford Street  
Brock Street  
John Street  
Victoria Street

As a final comment, it is my experience that pre-zoning as planning tool is impossible to revoke. It is forever. Permissions are granted that people rely on in making decisions to purchase properties or to locate businesses. Taking away those permissions is a political nightmare. For these reasons I would ask Council not to take the prezoning approach in the new by-law.

A handwritten signature in dark ink, appearing to be 'R. Lehman', with a stylized flourish above the 'L'.

Robert Lehman



# **Appendix A**

## **Renderings of Four Storey Apartment Buildings**

**Blake Street  
Royal Oak Drive  
Gaskin Court  
Columbia Road**

**54 Blake Street**









54 Blake Street

Blake St.





# 30 - 32 Columbia





**8-10 Gaskin Court**





**8-10 Gaskin Court**



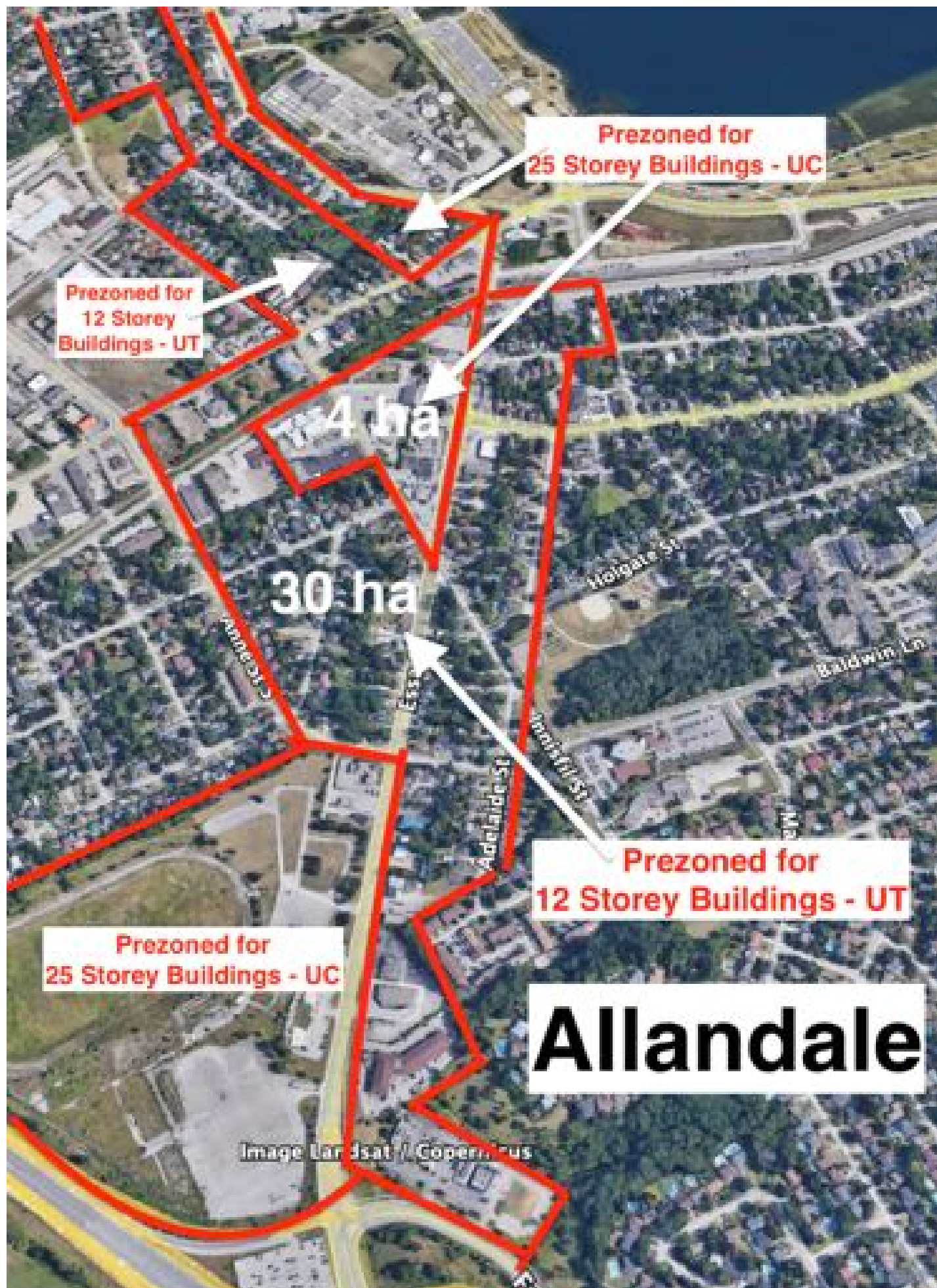


**8-10 Gaskin Court**

# **Appendix B**

## **Areas Proposed for Prezoning for 8,12,20 and 25 Storey Apartment Buildings**

Bayfield Street  
Dunlop Street West  
Allandale  
Bell Farm Road  
Huron/Yonge  
Big Bay Point/Yonge  
Bell Farm Road  
College and Hospital  
Wellington Plaza  
Blake Street Plaza  
Essa/Mapleview Plaza



Prezoned for  
25 Storey Buildings - UC

Prezoned for  
12 Storey  
Buildings - UT

4 ha

30 ha

Prezoned for  
12 Storey Buildings - UT

Prezoned for  
25 Storey Buildings - UC

**Allandale**

Image Landsat / Copernicus

# Bayfield - 400 to Cundlies

CD2 - Prezoned for  
20 Storey Buildings

12 ha

CD1 - Prezoned for  
12 Storey Buildings

2 ha

CD1 - Prezoned for  
12 Storey Buildings

7 ha

Image courtesy: Copernicus

Carlton Rd

17th Avenue

# Bayfield- Cundles to Livingstone



# Bayfield Livingstone to Hanmer

CD2 - Prezoned for  
20 Storey Buildings

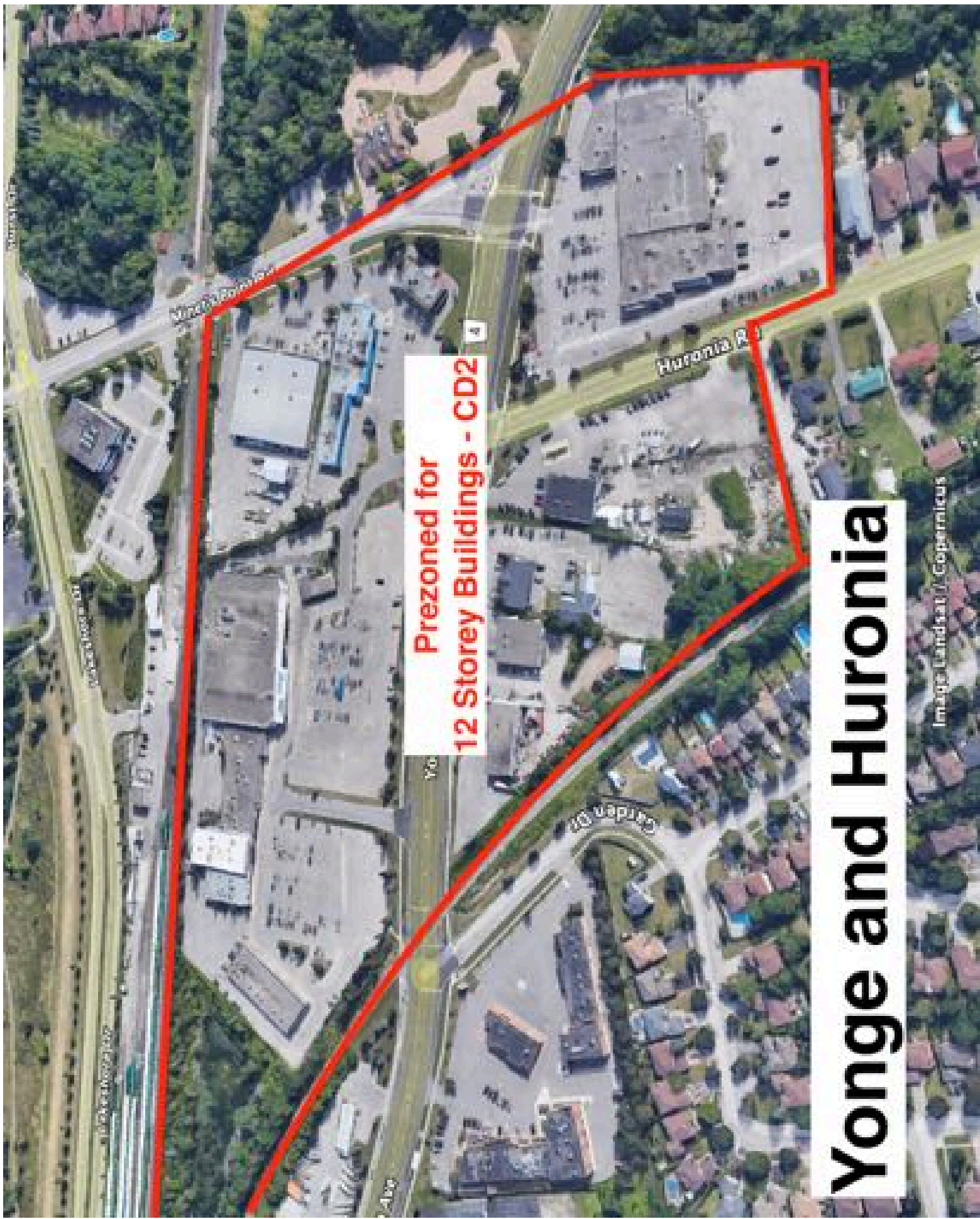
25 ha

CD2 - Prezoned for  
20 Storey Buildings

30 ha

Image Landsat / Copernicus





**Prezoned for  
12 Storey Buildings - CD2**

**Yonge and Huronia**

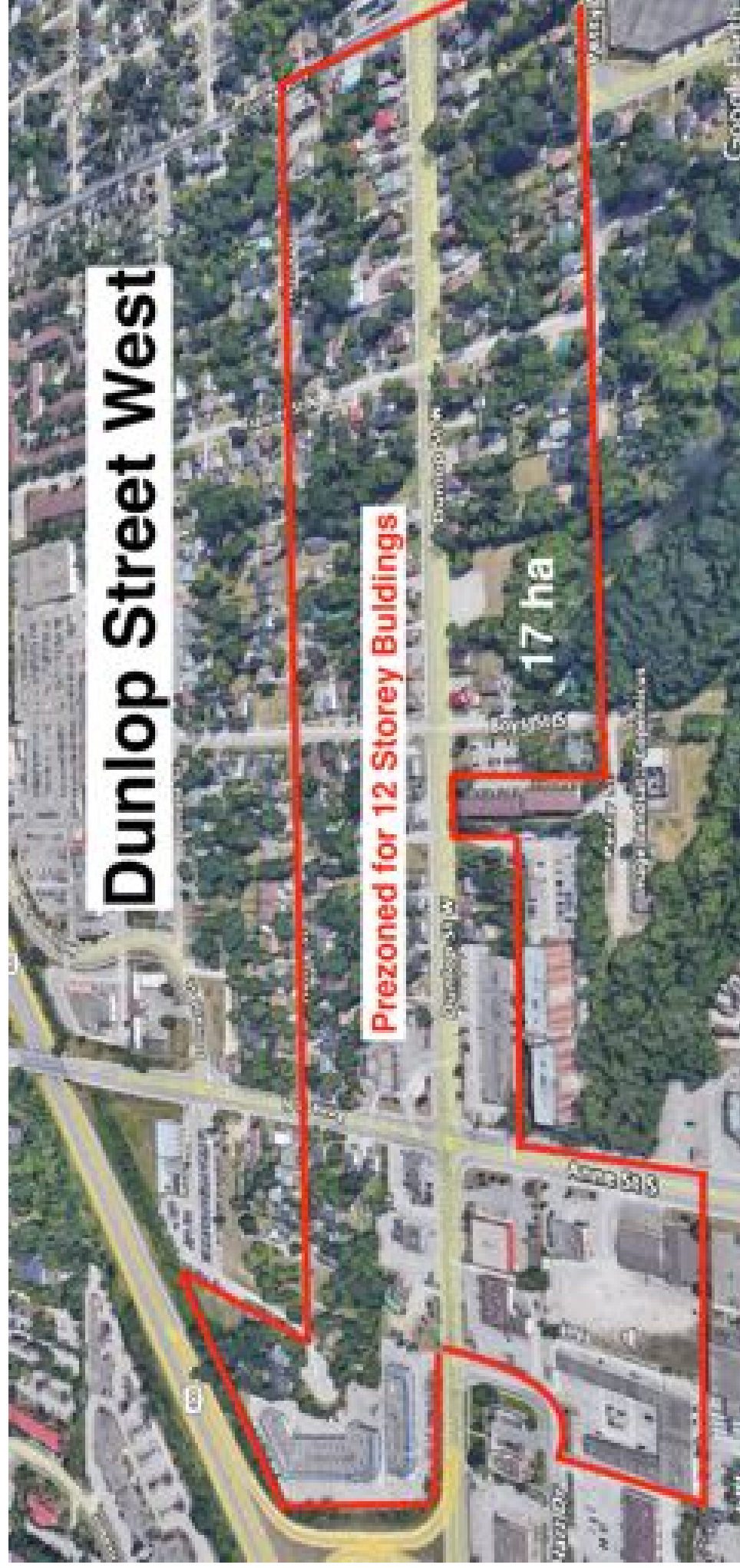
Image Landsat / Copernicus



# Dunlop Street West

Prezoned for 12 Storey Buildings

17 ha



# Big Bay Point and Younge

MR1 - Prezoned for  
12 Storey Buildings

MR1 - Prezoned for  
8 Storey Buildings

CD2 - Prezoned for  
20 Storey Buildings

12 ha

12 ha

MR1 - Prezoned for  
8 Storey Buildings



[Click to look](#)

# Blake Plaza

Prezoned for  
12 Storey Buildings





# Wellington Plaza

Prezoned for  
12 Storey Buildings

Wellington St W

Donald St





Prezoned for 8 Storey Buildings

13 ha

Bell Farm Road

# College and Hospital

Prezoned for 8 Storey Buildings - SEC

