

November 14, 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

RE: Draft Three of the Proposed Zoning By-Law and its application on Henry St between Eccles and Anne

Dear Mayor Nuttall and Members of Council:

I am writing this letter to you with regards to the Draft 3 proposed zoning By-Law currently under review and slated for discussion at the Public meeting on November 14th 2024. For context I am a lifelong resident of Barrie and am currently resident and homeowner [REDACTED]. Beyond this I am a licensed architect working on projects across the province and currently with a number of projects in the City of Barrie. While my professional experience means that I do have an inherent relationship with Zoning By-Laws and applying them on a range of project types and properties, I am writing this letter not in my professional capacity but rather as a concerned citizen.

While I believe there are larger concerns with the zoning by-law which others are writing similar letters on and delivering deputations at the Public Meeting, I am writing specifically with a concern with how the zoning is applied to Henry St. between Eccles and Anne St. (*the area in question*) and specifically the split between the North and South Sides of the street. My concerns are primarily with the mapping boundaries with branching concerns into Section 3 – General Standards and Provisions, Section 5 - Neighbourhood Zones, Section 10 – Strategic Employment Zones. I am not writing this from the perspective of resistance to change, rather I am writing this from the perspective of good planning, fairness, and transparency to residents of Barrie. Particularly my concerns are expressed in 4 primary areas; 1- Incongruent use with the surrounding context under the new zoning, 2- incongruent size of development with the surrounding context, 3- misalignment with the current direction of the neighborhood both existing and proposed, and 4 – the creation of a large number of existing non-conforming properties.

In the current zoning (figure 1) the two zones impacting the area in question is labelled as RM1 with the Dunlop facing side of the block indicated as RM2. In this case the split in zoning exists primarily in the rear yards of the properties on the South side of Henry and the North side of Dunlop. By placing the split in this location Henry Street and Dunlop Street are both permitted to maintain a consistent character on both sides of the street and in both cases this is a residential focus. Looking at the map circulated as part of Draft 3 (figure 2) you will see the two zones in the area are NL1 and SED. In this case you will note that the entire block on the South of Henry and North of Dunlop is indicated as one zone. While as an on paper exercise this split may appear to make sense by keeping the blocks consistent given how different these two zoning categories are this will contribute to a disjointed Henry St with incongruent scales, programs and development on either side of a local residential side street.

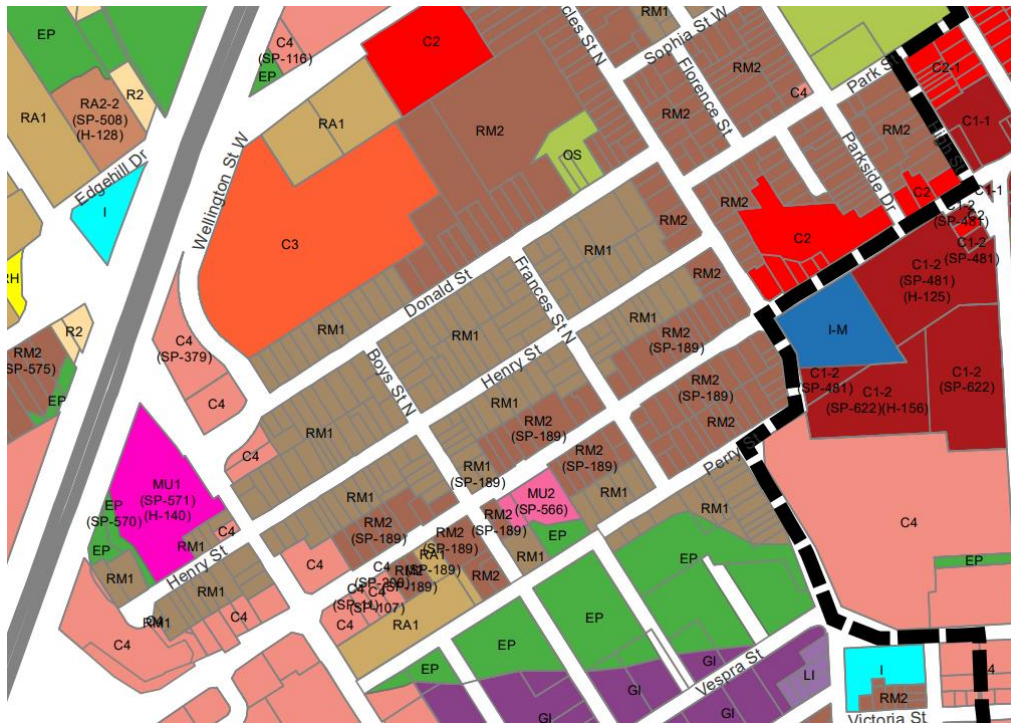


Figure 1- Current Zoning By-Law Map in the Subject Area

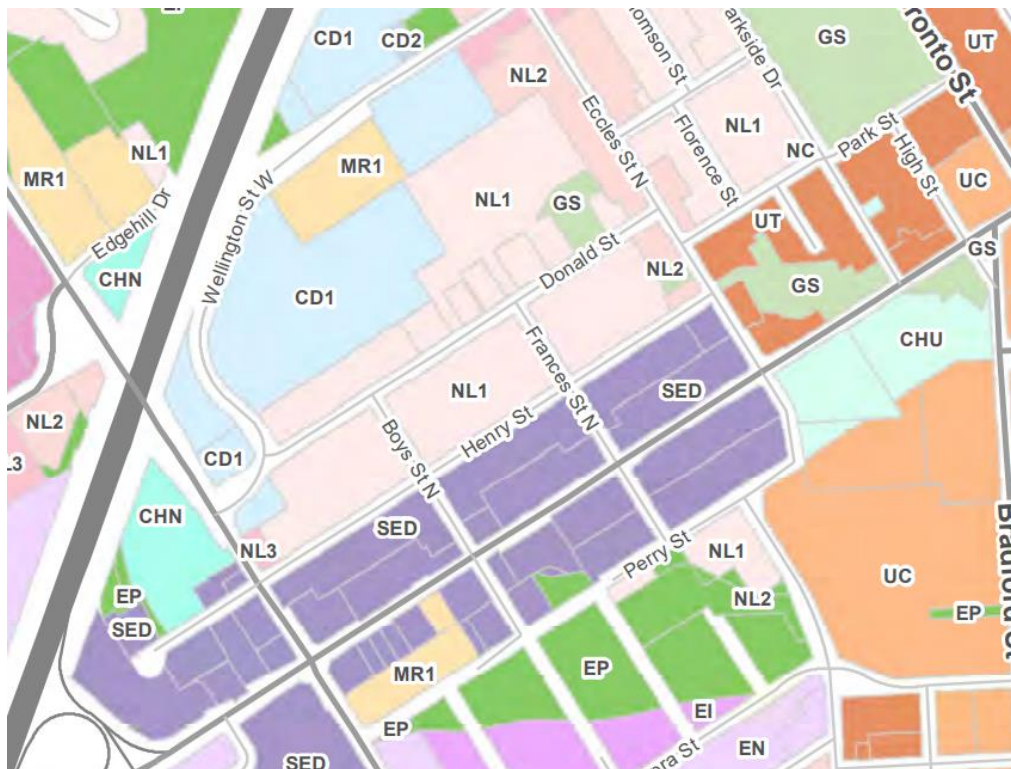


Figure 2- Proposed Draft 3 Zoning By-Law Map in the Subject Area



Incongruent Use:

While I have not copied the Permitted Use tables into this letter they can be found as *Table 22* (for NL1) and *Table 62 (for SED)* in the proposed Draft 3 By-Law. Reviewing these tables and the language in adjacent paragraphs of the By-Law (and their legends) it becomes clear that the NL1 and SED zones were not developed with the thinking they would front onto the same street directly across from one another. The NL1 zoning proposed on the North side of Henry has uses that are mostly residential or accommodation based (bed and breakfast, hospice etc), along with small commercial and neighbourhood occupations which would not be out of place in a primarily residential area. This zoning is not all that different than the RM1 zoning currently in place along Henry St.

In Contrast the SED zone is seeking to increase employment opportunities by allowing for retail stores, offices and larger scale commercial uses, automotive repair and service uses amongst a whole host of other uses not desirable on a residential side street. In the SED zone residential use is permitted only as an accessory use and exclusively on upper floors.

While the zoning of the NL1 allows some larger scale residential than the current primarily single detached and semi-detached character of the street the RM1 allowed for this as well and the neighbourhood still has not trended towards this direction.

Change in use will also have the potential to change the character of the traffic in the neighbourhood where the infrastructure of a local road (Henry) will not have the capacity to take on programming suited for a tertiary road (Dunlop). This is discussed in further detail below as too are the associated changes in scale (discussed later in this letter).

These incongruent switches of uses may make sense if they were in line with the growth of this neighbourhood however this is not currently the case.

Neighbourhood Trends and Context:

Beyond the issues with these differing uses fronting onto a small-scale local road there are other issues in how this relates to the current development in this part of the City. As previously identified Henry Street currently has only residential use, primarily in the form of single detached with some semi-detached homes. Some have second suites and/or multiple apartments but in all cases they are low rise residential. This is currently true on both sides of the street and no significant development or proposals appear to be in the works along Henry.

Looking at the properties in this area along Dunlop, these too are not trending in the direction that this zoning is pointing. There are some small businesses in this area (all that would seemingly be permitted under the NL1, but these primarily occupy buildings in the form of existing former single detached homes; new development in this area has also shown to be primarily residential. Currently, on the south side of Dunlop just east of Boys there is a new 8 storey residential building which under the SED zoning would not be permitted, as residential is not an accessory use but rather the primary use in this facility. The introduction of some of these activities this far up Dunlop and onto side streets and local roads seems at odds with the number of underutilized vacant commercial space there is available along Dunlop closer to the downtown core.

There are 2 new proposed developments both on the Dunlop side of the block in the subject area which do take on a mixed use with both commercial and residential programs, however it is important to note that



these are on the already busy Dunlop where they will not amplify traffic as Dunlop is identified as an arterial road, whereas Henry St is a local road with less capacity to facilitate this increase. It should also be considered that one of these is proposed at 4 storeys and the other at 5 storeys indicating that even along Dunlop the need for such significant increase in height and scale does not seem to be a priority.

Incongruent Scale:

Beyond the prospect of new large-scale development changing the use of the street and contributing to concerns on traffic, safety and security there are additional issues with the scale permitted. Currently the homes on Henry St are primarily 1 or 2 storeys under the single detached and/or semi-detached typology. Under the NL1 these are permitted to be as tall as 4 storeys but are also permitted to maintain their existing scale (this is identified in *Table 25: NL1 Building Standards*).

In contrast, the rules around scale in the SED zone are less straightforward. By referencing *Table 67: SED Building Standards* it is identified that the parameters surrounding the building size are dependant on the type of structure being built as it identifies flex buildings, low-rise and mid-rise as acceptable built forms. Considering the 2 extremes, the built form under the SED can range from 2 storeys (7m) (flex building) up to 12 storeys (42m) (mid-rise). In attempting to better understand the impacts of this a diagram highlighting the worst case scenario of what this could look like is included in Figure 3 below. Cross referencing with Section 3 – General Standards and Provisions it is unclear how the angular plane rule applies when the zone transition is across the street and there is no shared property line so it has been shown from the NL property line and centreline of road in an effort to most fairly represent this case. This diagram which highlights a realistic scenario under this zoning is clearly not congruent in scale.

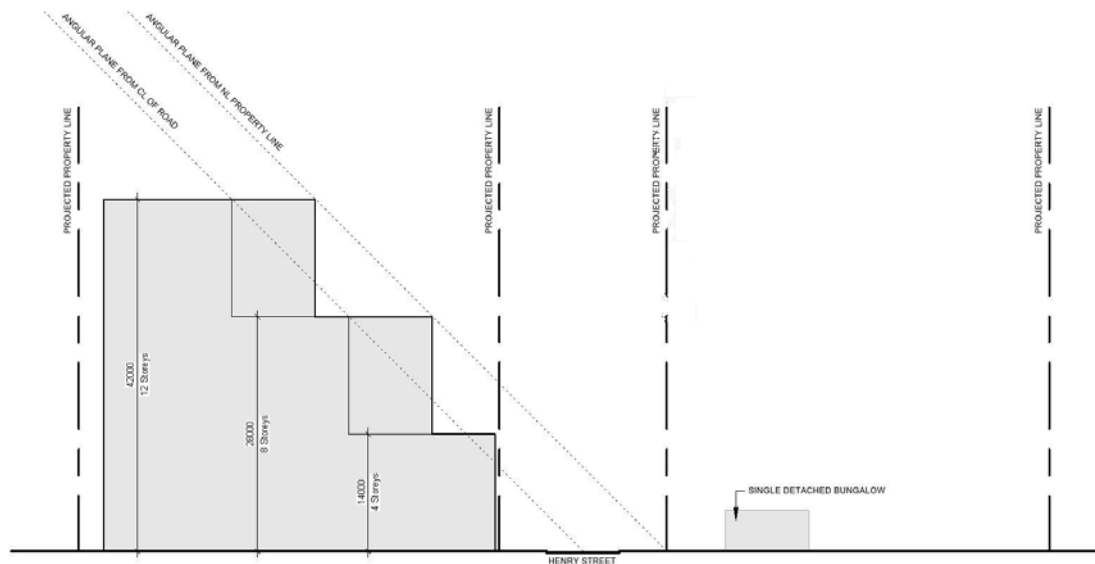


Figure 3 - Diagrammatic Section of Potential Scales along Henry St.

Of course, this is diagrammatic and without a particular property and project identified it is difficult to further refine these examples. It should be noted that while scale needs to speak to more than height it was not possible to better grasp scale in terms of overall building area and footprint as the language in Section 10 – Strategic Employment Zones and particularly *Table 66: SED Lot, Yrd and Amenity Standards* does not define minimum lot areas or frontages, nor does it identify maximum lot coverages all of which are concerning as it

[REDACTED]
[REDACTED]
[REDACTED]

means the identification of a total buildable area is very loose and open to a wide range of applications and interpretations so long as other requirements of the by-law can be met.

Existing, Non-Conforming:

As a homeowner and resident [REDACTED] my greatest concern is the new status of our properties as existing non-conforming which would be the case for the south side of Henry St. under this by-law. As a homeowner we received documentation letting us know about the new proposed Zoning By-Law, as did all residents of Barrie, but no effort was made by the City to inform us in particular that our homes would be considered non-conforming under the new By-Law. As outlined in the previous section the new zoning of SED does not match up with the scale, type of construction, or programming of the vast majority of properties within this corridor. Since the new zoning by-law does not currently have any language to allow residents homeowners, and property owners in this area to continue with their existing single detached home it would become not possible to make renovations and/or additions to existing properties without falling out of zoning compliance through the permitting process.

Under the current Zoning RM1 there is a provision that allows existing single detached homes to be renovated or expanded in line with the requirements of the residential zoning. At a minimum I believe similar language needs to be added to this by-law or else we face the prospect of getting stuck in the middle ground where homeowners are unable to expand or renovate but are also not in a position to redevelop under the new zoning.

Conclusion:

I want to thank you for taking the time to read my letter and review its contents. I hope you will be able to appreciate the magnitude of this new Zoning By-Law and the potential impact it has on both new investment and development into our city but also the residents who call Barrie home. I believe with the right By-Law Barrie can be encouraged into being the growth center that it has the potential to be without alienating those who already call the City home but this will require further review and revisions to the proposed By-Law as it currently sits.

Sincerely,



Brandon Bortoluzzi

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Copy to: Liam Munnoch, Planner

Celeste Kitsemetry, Supervisor of Growth Management

Jennifer Roberts, Manager of Strategic Initiatives, Policy and Analysis

Michelle Banfield, Executive Director of Development Services

Councillor Craig Nixon, Councillor Ward 2

From: Dianne Malinowski [REDACTED]

Sent: Thursday, November 14, 2024 10:36 AM

To: cityclerks <cityclerks@barrie.ca>; Garyharris@barrie.ca; New Zoning Bylaw <newzoningbylaw@barrie.ca>

Subject: Zoning Bylaw Change

I have been a resident of Barrie since 1965 and a taxpayer for this city.

I appalled at the possibility of Barrie residents having our rights stripped with the change to zoning N1 and N2. This is not right. Established neighbourhoods will have their privacy taken away, noise increased and a decrease in property values when you have units incredibly close to property lines. A good example of this is close to Little Avenue and Chieftain Crescent. Two buildings towering over others properties too close to the property line.

Please consider the rights of existing residents of Barrie instead of more building at all costs and at the expense of current taxpayers of Barrie.

Sincerely,

John & Dianne Mainowski

[REDACTED]

From: Patricia Roebuck [REDACTED]
Sent: Thursday, November 14, 2024 11:43 AM
To: cityclerks <cityclerks@barrie.ca>; New Zoning Bylaw <newzoningbylaw@barrie.ca>
Subject: Objection to City of Barrie Draft Zoning By-Law

We, Patricia J. Roebuck and Timothy James Roebuck have lived in our [REDACTED] Barrie home for 38 years.

Today, we are registering our complete disagreement with Draft 3 of the Zoning By-law which could allow 4-storey apartments in this relatively quiet neighbourhood. We are adjacent to an area that is already being targeted for complete redevelopment and have appreciated the fact that we were able to give public input to a developer's radical plan. It seems that no such input would be allowed or welcome if this new Zoning by-law were to pass.

This new by-law would allow developers to decide where these apartments would be built which would substantially erode the character of this and many other Barrie neighbourhoods. This is a proposal that does not seem to be happening anywhere else in this province and appears to contradict the the City's new Official Plan. It disregards the scale, height, building type, character, and function of the immediate area.

Please reconsider this Draft by-law and allow further input from knowledgeable professionals before any changes are made.

Thank you for your consideration,

Patricia J. Roebuck and Timothy James Roebuck

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]



October 4, 2024

M. Banfield, Director of Development Services
 City of Barrie
 70 Collier St., PO Box 400
 Barrie, ON L4M 4T5
 Address

e: newzoningbylaw@barrie.ca

Dear New Zoning By-law Team:

**RE: Draft 3 Zoning By-law (September 2024): City of Barrie
 Review, Comments and Recommendations – 303 Cundles Road East
 OUR FILE 10179S**

MacNaughton Hermesen Britton Clarkson (MHBC) represent PenEquity Inc. (on behalf of Penady (North Barrie) Limited) ('PenEquity') for land use planning matters related to their lands at 303 Cundles Road East, located between Provincial Highway 400 to the south and Cundles Road East to the north ('Subject Lands'). The Subject Lands have an approximate lot area of 1.94 ha (4.79 acres) and currently remain as vacant lands. These lands are within a 450 m radius of existing commercial uses.

SUBJECT LAND CONTEXT: Existing Developments

To provide context for the comments regarding the Draft 3 Zoning By-law ('ZB3'), it is important to provide the proposed and existing uses that abut the Subject Lands:

South: Provincial Highway 400;
 West: Community Hub – recently developed six (6) storey residential apartment buildings;
 North: Community Hub – Institutional Use – existing Barrie Free Methodist Church
 East: Commercial Area – North Barrie Crossing Mall

SUBJECT LANDS: OFFICIAL PLAN

The Subject Lands are within a Strategic Growth Area (SGA), based on the City of Barrie: Official Plan 51 ('OP'), Map 1: Community Structure. This SGA extends from just west of St. Vincent Street, north of Hwy 400 and south of Cundles Rd E eastward to where Cundles Rd E passes J.C. Massie Way and crosses Hwy 400 near Lakeside Trail. According to OP, s.2.3.3.c and s.2.3.3.h:

Strategic Growth Areas shall accommodate higher levels of intensification, tall buildings, higher densities, and will be planned to evolve as distinct places of major activity around planned transit facilities, primary gateways into the City, and existing regional shopping destinations.

Higher densities and taller built form will be encouraged within Strategic Growth Areas.

Under section 3.2.1.c Human Scale Design, MMAH modification 31 noted:

*Height and density are built form characteristics that are interrelated. Given this, proposed developments must seek a balance between height and density that is context sensitive, recognizing that areas including intensification corridors, **Strategic Growth Areas**, Major Transit Station Areas and the Urban Growth Centre are the focus for **increased heights and densities** and will experience built form changes to achieve the City's stated goals of evolving into a medium-sized City.*

ZONING CONTEXT: Existing vs Draft Revisions

Under Zoning By-law 2009-141, the Subject Lands are currently zoned Commercial (C4) with Special Provisions (SP-520; SP-530; and SP-638). This Commercial zoning aligns with the abutting property to the east that contains a commercial plaza. Lands to the north and west are currently zoned Institutional (I and I-E), with the Institutional (I-E) zone containing two six-storey residential buildings with surface parking situated along the Subject Lands' western lot line.

SUBJECT LANDS: CHANGING ZONE DISTRICTS and STANDARDS 2009 to 2025 CURRENT ZONE DISTRICT vs DRAFTS 1 to 3 NEW ZONING BY-LAW			
Date	Zoning By-law Version	Zone District	2023 Special Provisions (s.13.2.110) (SP-520; SP-530; SP-638) (By-law 2023-89)
2009 to 2025	Current ZB 2009-141	General Commercial (C4 (SP-520; SP-530))	<ul style="list-style-type: none"> • 12 storey building height maximum (s.13.2.110.a.a.ii) • Stand-alone residential building of 6 storeys with maximum of 196 dwelling units • 505 additional residential dwelling units (maximum) (s.13.2.110.a.a.iii) • 3.4 m minimum rear yard setback, outside of 14 m MTO ROW setback
Date	ZBR Versions	Zone District	Revised Provisions (excerpt of standards)
March, 2023	Draft 1	Commercial District 2 (CD2 (SP520; SP-530))	Permitted Built Forms: <ul style="list-style-type: none"> • Mid-Rise and High-Rise buildings • Low-Rise permitted as sub-component of Mid- and High-Rise Residential use permitted in conjunction with permitted commercial uses
June, 2023	Draft 2	Medium Density Residential MR1	Permitted Built Forms: <ul style="list-style-type: none"> • Mid-Rise: 5 to 8 storeys 75 m building length • Low-Rise: 2 to 4 storeys 60 m building length • 75 m building length Special Provisions: keep SP-520; SP-530 Parking District 2
Sept, 2024	Draft 3	Medium Density Residential MR1 (Appendix 1???)	Permitted Built Form: <ul style="list-style-type: none"> • Mid-Rise: 5 to 8 storeys 65 m building length

			Repeal of Special Provisions (s.1.5.a) – repeal ZB 2009-141
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After the release of the second Draft Zoning By-law, the Development Services department submitted Staff Report DEV059-23, “New Zoning By-law Update” to the City of Barrie General Committee on November 1, 2023, that recommended the following, regarding Existing Zoning Appro

5. Existing Zoning Approvals and Special Provisions

That, as appropriate, Zoning By-law amendment applications approved prior to the enactment of the draft new Zoning By-law, be carried forward as part of the body of the draft Zoning By-law under a new ‘special provisions’ section.

Given that the Subject Lands had recently received approval of Special Provisions, as noted in the above chart, it is unclear why the third draft Zoning By-law does not contain a new Special Provisions section as recommended. The concern is that development planning and investment in such plans is based on the approved Special Provisions granted for the Subject Lands.

It appears that City has now proposed to repeal in-effect special provisions such that the Subject Lands will no longer be subject to the current lot-specific zoning standards recently sought that provided for increased supply of residential units within a higher building height. The Draft ZB’s proposed zoning for the Subject Lands completely alters not only the zoning but the more permissive design standards and the list of permitted uses that have applied to the property to date.

GENERAL ASSESSMENT/COMMENTS and RECOMMENDATIONS:

1. Transition to Form-Based Code

The City of Barrie’s ‘Building Barrie’ web page outlines that the aim of a form-based approach to zoning is as follows:

to create greater flexibility in land use and make it easier for residents, businesses, and industry stakeholders to use the by-law.

With the removal of Special Provisions, and the regulatory design standards now introduced to the ZB, the regulations are now less flexible than in ZB 2009-141.

While the City claims that a form-based approach to zoning is to split uses from built form, it is adding more restrictions to this format by introducing excessive building design standards of all the built form features. This is not the actual intent of a form-based approach. The intent is to provide broad building envelope parameters within lot line setbacks to simplify and provide flexibility for architectural design and interpretation that is specific to a property’s context. The character of that built form should have been characterized within interpretable policies of the Official Plan.

2. Design Standards

In the proposed third draft ZB, the City has introduced building design regulations that are more appropriate within an Urban Design Guideline. Public comments that the City received in

early 2023 questioned the appropriateness of design regulations of window-to-wall ratio, step-backs, facing distances, angular planes and building length standards. The City has ignored these concerns yet they remain relevant and applicable to the third draft ZB and negatively impact the development of the Subject Lands.

The rationale for these building design regulations, specifically in regard to Window-to-Wall Ratio was contained in a November 1, 2023 Staff Report (item 34), wherein the authors incorrectly noted that the Planning Act, s.34.1(5) (which should have referenced s.34(1)5) supported having such ratios within the Zoning By-law. This is an incorrect application of the legislation, as the legislation speaks only to the 'elevation' of building openings:

34(1) Zoning By-laws

Minimum elevation of doors, etc.

5. *For regulating the minimum elevation of doors, windows or other openings in buildings or structures or in any class or classes of buildings or structures to be erected or located within the municipality or within any defined area or areas of the municipality.*

This regulation would only be applicable to buildings and structures within, or near Hazardous Lands, such as floodplains, and that are susceptible to flooding hazards. The elevation of building apertures to higher levels above a 1:100 flood event is the intent of the legislation. It is not applicable to design elements of buildings, such as window to wall ratios.

The approach of a municipality designing buildings through zoning regulations removes the opportunity for creative and vernacular architectural design. Such restrictive design regulations will serve to increase the cost of development. These costs, in the case of residential buildings, are borne by purchasers as the design elements are based on high quality standards. This negatively impacts the provision of affordable housing.

Step-backs, angular plans and building length maximums will also reduce the amount of units that could be achieved within every new building, as the floor areas will be greatly reduced by each separate design regulation (e.g. step-back + facing distance + angular plane + building length = multiple unit loss). Such loss is contrary to the Provincial Interest which is to intensify lands in compact form while increasing the quantity of residential units.

3. Permitted Uses and Site-Specific Provisions

Between the current ZB 2009-141 commercial C4 zone and Special Provision permitted uses of the Subject Lands and the third draft Zoning By-law, it is unclear what the rationale has been in terms of adding and/or deleting permitted uses between current and proposed. A chart has been added, (see attached Appendix 1), that highlights the change in permissible uses. It has not been established what the rationale has been for the multiple changes to the permissible uses of the Subject Lands. It is preferable that the current C4 permitted uses should be maintained for the Subject Lands along with the recently sought Special Provisions.

The City has noted in their Staff Reports that they received many comments requesting that site-specific uses and zone provisions be carried forward into the new Zoning By-law. The City did continue to propose site-specific uses within the second Draft ZB, but has now removed Special Provisions other than for active development applications currently under review by the City.

It is assumed that the rationale for removal of Special Provisions is to enforce a new built form and uses, specifically for the Subject Lands, irrespective of the increased residential unit count potential. While this repeal of existing Special Provisions may also be an attempt to create a 'clean' new Zoning By-law, it should be noted that the *Planning Act* permits applications to amend the Zoning By-law, and rather than prohibit or restrict such applications:

34(10) By-law may be amended

(10) Despite any other provision of this section, any by-law passed under this section or a predecessor of this section may be amended so as to permit the extension or enlargement of any land, building or structure used for any purpose prohibited by the by-law if such land, building or structure continues to be used in the same manner and for the same purpose as it was used on the day such by-law was passed. R.S.O. 1990, c. P.13, s. 34 (10).

Consultation

(10.0.1) The council shall permit applicants to consult with the municipality before submitting applications to amend by-laws passed under this section. 2024, c. 16, Sched. 12, s. 5 (3).

Prescribed information

(10.1) A person or public body that applies for an amendment to a by-law passed under this section or a predecessor of this section shall provide the prescribed information and material to the council. 1996, c. 4, s. 20 (5).

4. Section 4: Parking and Loading Requirements

In the proposed third draft ZB, there have been new proposed requirements regarding Electric Vehicle Ready Parking ("EVRP") and new Bicycle Parking requirements proposed for residential and commercial developments. Section 4.6b) states that Low-, Mid-, and High-Rise Buildings, including Flex-Buildings, shall provide all required parking spaces as EVRP. Section 4.6c) states that 20% of all required parking spaces associated with commercial and industrial uses, shall be EVRP spaces. Both of these requirements have considerable cost and hydro requirements that will impact a developer's ability to design and facilitate a development project.

Similarly, Section 4.8 speaks to the City's new proposed parking requirements that, for a building containing 10 or more Dwelling Units (within District 3 (Strategic Growth Areas and Intensification Corridors as the Subject Lands are proposed), such a development will be required to provide 1 space per dwelling unit via both a long-term and a short-term bicycle parking spot. This is considerable, in terms of the area required

(especially in the case of a mid-rise or higher development), as it is essentially requiring 2 spaces per dwelling unit. Given the location of this property, it is still considered a suburban area where the majority of travel is achieved via a motorized vehicle.

RECOMMENDATIONS

In context that there has been limited discussion regarding the most recent third draft ZB, the following represents revisions that would serve as more 'flexible' zoning regulations for a form-based ZB:

1) Special Provisions

Include a new section that retains the special provisions of those properties identified in Appendix A of the third draft ZB;

2) Design Guidelines

Remove all regulations pertaining to building design features and defer to the Official Plan design policies and the Design Guidelines document. Or, as an alternative, amend the Official Plan to identify the character that is sought within each land use designation.

3) Electric Vehicle (EV) and Bicycle Parking Requirements

Parking requirements regarding Electric Vehicle Ready Parking and Bicycle Parking should be reconsidered and significantly reduced. These requirements will have a significant cost implication to any developer, impacting the amounting of space required, the size, availability and capacity of hydro transformers which will generally hinder the ability to intensify lands. On the other hand, remove the EV regulatory requirements until such time as a feasibility study is undertaken by the City to ascertain whether Alectra Utilities has the electrical system capacity to service EV requirements within Strategic Growth Areas, such as throughout the Cundles Road East SGA.

CONCLUSION

We appreciate the opportunity to provide our comments regarding the third draft Zoning By-law and would welcome an opportunity to meet with City staff to discuss the revisions that may be undertaken to achieve both the City's vision and our vision for the Subject Lands.

Yours truly,

MHBC



Oz Kemal, BES, RPP, MCP
President

cc. *PenEquity*

APPENDIX 1

Comparison Chart: CB 2009-141 to Draft 3 Zoning By-law: Permitted Uses and Zoning Provisions				
		Permitted Use		Not permitted
Permitted Uses	ZB 2009-141: General Commercial (C4)	3 rd Draft ZB: Mid-Rise 1 (MR1)	3 rd Draft ZB: Commercial District (CD2)	Special Provision C4(SP-638)(SP- 520)(SP-530)
Accessory Retail				<p>a) That notwithstanding the provisions set out in site specific By-law 2010-130 as amended, for the 'General Commercial with Special Provisions' (C4)(SP520)(SP-530) zone, Special Provision (SP-638) be added as follows:</p> <p>a. Residential uses are permitted on the lands known municipally as 303 Cundles Road East, as part of a larger commercial/institutional and residential development, with the following special provisions:</p> <p>i. A minimum rear yard setback of 3.4 metres, outside of the 14 metre setback required by the Ministry of Transportation for Highway 400.</p> <p>ii. A maximum height of 45 metres (12 stories).</p> <p>iii. A maximum of 505 additional residential dwelling units.</p> <p>b) Be permitted a residential building(s) of 6 storeys and have a minimum of 65</p>
Adult Entertainment Parlour				
Animal-related Services				
Arcade or Game Establishment				
Arena				
Art Gallery				
Assembly Hall				
Assisted Living Facility				
Automotive Leasing Establishment				
Automotive Repair Establishment				
Automotive Sales Establishment				
Automotive Service Station				
Bake Shop				
Bank				
Bed and Breakfast Establishment(1)				
Bingo Hall				
Boarding, Lodging, Rooming House				
Body Rub Parlour				
Building Supply Centre				
Bus Terminal				
Bus Transfer Station				
Car Wash				
Cemetery				
Child Care Centre				
College				
Commercial Entertainment				
Community Facilities				

**Comparison Chart: CB 2009-141 to Draft 3 Zoning By-law:
Permitted Uses and Zoning Provisions**

		Permitted Use		Not permitted
Commercial School				residential units and a maximum of 196 residential units.
Commercial Uses				
Community Centre				
Conference Centre				
Custom Workshop				
Data Processing Centre				
Dormitories				
Drive-Through Facility				
Dwelling Unit(s) in conjunction with permitted commercial uses except defined automotive uses				
Entertainment Establishment				
Farmer's Market				
Fitness or Health Club				
Florist				
Food/Refreshment Stands				
Food/Refreshment Vehicle				
Funeral Establishment				
Golf Driving Range (indoor)				
Government Services				
Grocery Store				
Group Home				
Health Services Facility				
Home Occupation				
Hotel, Motel				
Hospice				
Hospitality				
Institutional Uses				
Kennel in wholly enclosed building				
Laundry or Dry Cleaning Depot				
Library				
Live-Work Space				
Local Convenience Retail				
Lodging Unit				

**Comparison Chart: CB 2009-141 to Draft 3 Zoning By-law:
Permitted Uses and Zoning Provisions**

		Permitted Use		Not permitted
Long-Term Care Facility				
Major Office				
Major Retail				
Marina				
Micro Brewery				
Micro Distillery				
Miniature Golf (outdoor)				
Mobility Hub(s)				
Nightclub				
Nursery or Garden Supply Centre				
Office				
Office, Medical				
Outdoor Display and Sales Area				
Outdoor Patio				
Outdoor Recreation				
Parking, Commercial				
Parking Lot				
Personal Service Store				
Photography Studio				
Place of Worship				
Private Club				
Recreational Establishment				
Rental Store				
Residential				
Restaurant				
Retail Store				
School				
Self Storage				
Service Store				
Shared Accommodation				
Shopping Centre				
Social Services Facility				
Studio				
Supportive Housing				
Taxi Establishment				
Theatre				
Training and Rehabilitation Centre				



INNOVATIVE PLANNING SOLUTIONS

planners • project managers • land development

November 14, 2024

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

Attention: Michelle Banfield, RPP
Executive Director of Development Services

Re: Barbay Holdings Inc.
550, 580 and 582 Bayfield Street and 49 Hanmer Street West, Barrie
Comments on 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law
City File: D30-016-2024

On behalf of Barbay Holdings Inc., Innovative Planning Solutions (hereinafter 'IPS') is pleased to submit the following comment letter regarding the 3rd Draft of the proposed new City-wide Zoning By-law (City File: D30-016-2024) with regards to the properties 550, 580 and 582 Bayfield Street and 49 Hanmer Street West in the City of Barrie (hereinafter "Subject Lands") as shown in Figure 1 below. The comments below also pertain to D28-079-2024 filed for 580 and 582 Bayfield Street and 49 Hanmer Street West, Barrie.

Figure 1. Subject Lands - 550, 580 and 582 Bayfield Street and 49 Hanmer Street West



Table 1. Reviews and provides comments regarding the 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law General Provisions.

Table 1. 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law General Provision Comments

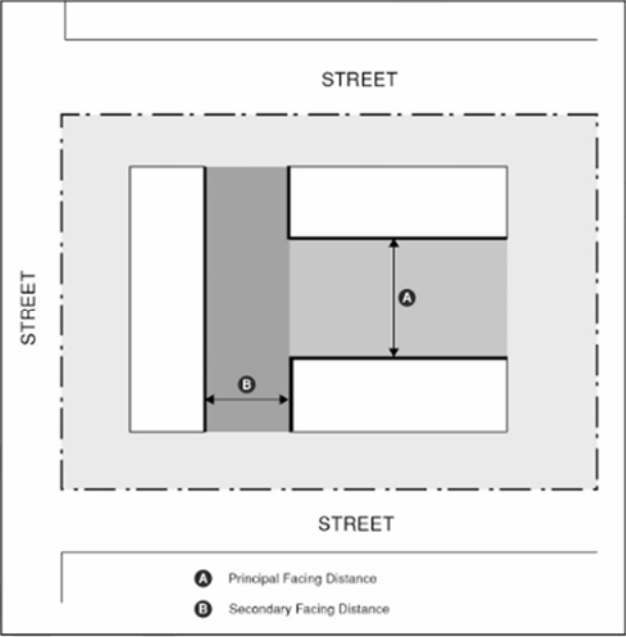
	Zoning Provision	3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law	Request	Planning Rationale
1.	3.2.1. a) Active Frontage Requirements	Low-rise, and mid-rise buildings fronting an intensification corridor, or arterial street, as identified in Appendix F, require a minimum of 25% of the gross floor area of the ground floor to consist of non-residential uses;	Remove the requirement of 25% of the gross floor area on the ground floor dedicated to non-residential uses or reduce the requirement to: "Low-rise, and mid-rise buildings fronting onto an intensification corridor, or arterial street, as identified in Appendix F, require a minimum of 15% of the gross floor area of the	The requirement for a low-rise and mid-rise building to have 25% of the gross floor area on the ground floor dedicated to non-residential uses as the ground floor is over-prescriptive as the ground floor must also accommodate for structured parking, ground floor amenity area, residential units at grade, lobby, mail room, garbage vestibule, ramp for underground parking and loading. Dictating that 25% of the ground floor area must be dedicated to commercial uses limits the building design. Another point of contention is that not all buildings can accommodate commercial uses at grade. Furthermore, this provision will give rise to zoning by-law applications that are forced to amend this provision as many low-rise buildings will not be able to accommodate commercial uses grade.

			ground floor to consist of non-residential uses".							
2.	3.2.1. b) Active Frontage Requirements	Where the ground floor of a mid-rise building facing a street includes residential uses, the ground floor of the building containing residential uses shall be setback an additional 1.5 metres from the façade of the non-residential uses;	Remove zoning provision or move provision into Urban Design Guidelines.	<div>The requirement that the ground floor of a mid-rise building facing a street an additional 1.5 metres from the façade of the non-residential uses goes against the urban design principles that buildings should frame a street with a continuous street wall. A 1.5 m setback from the façade creates a break within the continuous street wall. See justification from other Urban Design Guidelines below:</div> <table><tr><td>Town of Aurora Urban Design Guidelines 2020 pg.16</td><td>City of Brampton Urban Design Guidelines November 2023 Pg. 15</td><td>City of Cambridge Urban Desing Guidelines 2013 pg.23</td></tr><tr><td>The height, scale, massing and placement of buildings are important to creating the 'street wall' and framing the streetscape.</td><td>Ensure all faces of a building reflect a consistent and cohesive design/architectural style. a. Design front elevations to create/enhance a consistent, articulated and animated</td><td>3.4.2 Setbacks & Stepbacks • New buildings or changes to existing buildings should match the established setback of</td></tr></table>	Town of Aurora Urban Design Guidelines 2020 pg.16	City of Brampton Urban Design Guidelines November 2023 Pg. 15	City of Cambridge Urban Desing Guidelines 2013 pg.23	The height, scale, massing and placement of buildings are important to creating the 'street wall' and framing the streetscape.	Ensure all faces of a building reflect a consistent and cohesive design/architectural style. a. Design front elevations to create/enhance a consistent, articulated and animated	3.4.2 Setbacks & Stepbacks • New buildings or changes to existing buildings should match the established setback of
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				Design Guidelines Between Buildings Maintain a consistent 'street wall'.	street wall along the streetscape.	its adjacent buildings, providing that a continuous street wall results.	
3.	3.2.1. c) Active Frontage Requirements	If a mid-rise building is required to provide non-residential uses, a minimum of 50% of the frontage along a street, or common amenity area, shall be for non-residential uses, but shall not be used for commercial parking, an underground parking structure, or above-ground parking structure,	Remove zoning requirements.	The requirement for a mid-rise building to have 50% of the gross floor area on the ground floor dedicated to non-residential uses as the ground floor is over-prescriptive as the ground floor must also accommodate for structured parking, ground floor amenity area, residential units at grade, lobby, mail room, garbage vestibule, ramp for underground parking and loading. Dictating that 25% of the ground floor area must be dedicated to commercial uses limits the building design. Another point of contention is that not all buildings can accommodate commercial uses at grade. Furthermore, this provision will give rise to zoning by-law applications that are forced to amend this provision as many low-rise buildings will not be able to accommodate commercial uses grade.			

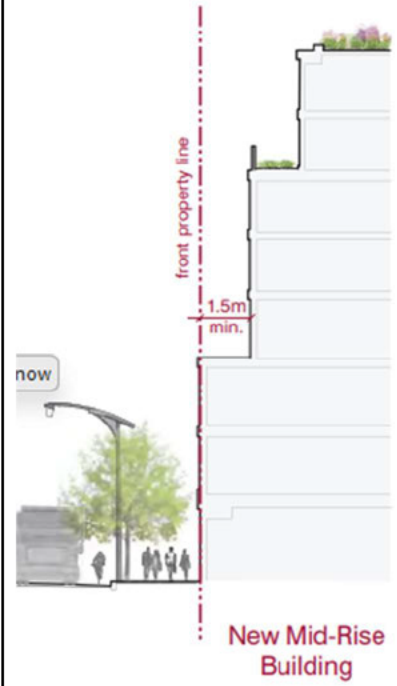
		or surface parking lot.		
4.	3.2.6. i. Common and Private Amenity Areas	The length does not exceed four (4) times its width;	Remove zoning requirements or move provisions into Urban Design Guidelines.	The requirement for the length of a common amenity area to be limited to 4 times the width prevents the design of rectilinear parks as common amenity spaces which is overly prescriptive. This provision should be moved to the urban design guidelines.
5.	3.2.6. ii. Common and Private Amenity Areas Common Amenity Area	Shall be in any yard other than a required minimum front yard or required minimum exterior side yard;	Remove zoning requirements.	A Common Amenity Area will often be located within the minimum front yard or required minimum exterior side yard. The zoning provisions are overly prescriptive. The location of a common amenity area in the front yard and exterior-side yard as opposed to a rear yard enhances the safety of the amenity area through passive surveillance from pedestrians (eyes on the street) and front-facing balconies. As such, there should not be a limitation to the location of the common amenity area within the front yard or exterior side yard. As such, Common Amenity Areas should be permitted in both the front and exterior side yards.
6.	3.2.6. i Common and Private Amenity Areas Private Amenity	Not form part of a required front yard or exterior side yard;	Remove zoning requirements.	A private amenity area will often form a part of the minimum front yard or required minimum exterior side yard (for example, walkout exterior side yard patio space for a townhouse screened by a fence). The zoning provision is overly prescriptive. As such, there should not be a limitation to the location of the private amenity area forming a part of the front yard or exterior side yard.
7.	3.2.6. iv. Common and Private	Provide a minimum distance of 3.0 metres	Remove zoning requirements or move provisions	Providing a separation distance of 3.0 metres between a private amenity area and a wall of another building with windows of habitable rooms

	Amenity Areas Private Amenity	between a private amenity area and a wall of another building containing windows of habitable rooms which face the private amenity area.	into Urban Design Guidelines.	facing the private amenity area is overly prescriptive. A private amenity area could be located within 3 meters of a wall of another building containing windows of habitable rooms and provide screening instead of a 3m separation between the private amenity area and windows of habitable rooms which face the amenity area. Furthermore, the windows of adjacent buildings are not particularly different from the habitable windows of the same building's privacy issues. Buildings facing each other at 90 degrees can also be closer than 3m to the window of the adjacent building facing a private amenity area. As well, building design to this level of detail will not be known during the zoning stage. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
8.	3.2.6. v. Common and Private Amenity Areas Private Amenity	Private amenity areas for dwelling units below finished grade shall have a maximum 50% first storey projection above the below grade patio.	Request removal of provision.	Private amenity areas for dwelling units below finished grade shall have a maximum 50% first storey projection above the below-grade patio is overly prescriptive. The provision can be revised to "Private amenity Areas of greater 6 square metres and have a maximum 50% first storey projection above the below grade patio." or "Private amenity areas for dwelling units below finished grade shall have a maximum 60% first storey projection above the below-grade patio". This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.

9.	3.2.7. d) Facing Distances	A facing distance a minimum of 50% of the standard noted in Table 7: Building Facing Distances is permitted between the principal face and the secondary face of any two (2) buildings; and	Remove zoning provision or move provision into Urban Design Guidelines.	<p>This provision will result in an additional amount of separation between the principal face and the secondary face of any two (2) buildings which is not necessary. For example, the secondary face of a 1-2 story building does not require a 12.5 m meter facing distance separation from the primary face of a 13-storey building. A 4.5-meter separation would be adequate. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.</p> <p><i>Figure 4: Facing Distances</i></p>  <p>Figure 4: Facing Distances</p> <p>The diagram shows a street layout with two buildings. Building A is a taller building on the left, and Building B is a shorter building on the right. The distance between the principal faces (the faces closest to the street) is labeled 'A' (Principal Facing Distance). The distance between the secondary faces (the faces furthest from the street) is labeled 'B' (Secondary Facing Distance). The diagram is enclosed in a dashed box labeled 'STREET' on all four sides. A legend at the bottom identifies 'A' as Principal Facing Distance and 'B' as Secondary Facing Distance.</p>
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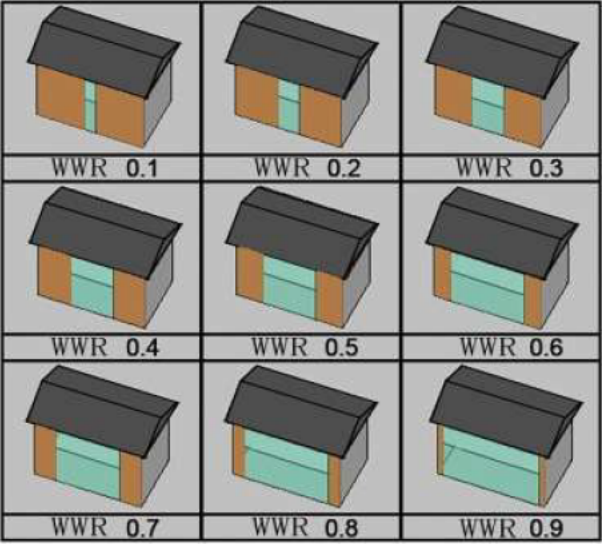
10.	3.2.6. d) Common and Private Amenity Areas Balcony Standards	A balcony must remain open on all sides except those along an exterior wall to which it is attached, or where a separation for balconies between adjacent dwelling units is required;	Remove zoning provision restrictions for recessed balconies.	Recessed balconies should be permitted. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.										
11.	3.2.7. b) Facing Distances	b) An additional one (1) metre of facing distance is required when below-grade entrances and/or below-grade private outdoor amenity area is provided;	Remove zoning provision for an additional one (1) metre of facing distance is required when below-grade entrances and/or below-grade private outdoor amenity area.	<p>An additional 1 m of facing distance being required when below-grade entrances and/or below-grade private outdoor amenity areas are provided as is not required at a sufficient facing distance has been provided as per Table 7 shown below:</p> <p><i>Table 7: Building Facing Distances</i></p> <table><tr><th>Building Facing Distances</th><th>Minimum Separation Distance</th></tr><tr><td>One (1) to Two (2) and a half (1/2) Storeys</td><td>9 m</td></tr><tr><td>Three (3) to Four (4) Storeys</td><td>11 m</td></tr><tr><td>Five (5) to 12 Storeys</td><td>15 m</td></tr><tr><td>13 or More Storeys</td><td>25 m</td></tr></table> <p>An additional facing distance of 1 m would not be required as the required minimum separation distance is 9m. As such, an additional 1 m for below grade entrances and below grade private</p>	Building Facing Distances	Minimum Separation Distance	One (1) to Two (2) and a half (1/2) Storeys	9 m	Three (3) to Four (4) Storeys	11 m	Five (5) to 12 Storeys	15 m	13 or More Storeys	25 m
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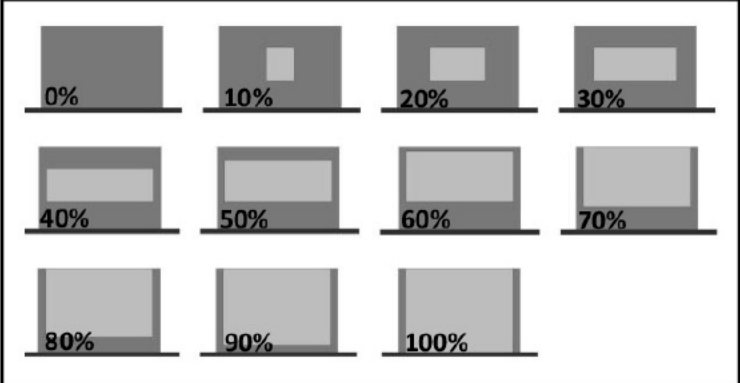
				outdoor amenity areas are not necessary for adequate separation between building faces of adjacent buildings. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.		
12.	Building Step-Backs and Setbacks 3.2.4. a)	a) A 3-metre step-back shall be provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street as shown in Figure 2;	Reduce the requirement to the zoning provision as follows: "A 1.5-metre step-back shall be provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street as shown in Figure 2." or move to Urban Design Guidelines.	<p>A 3-metre step-back being provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street is an overly prescriptive provision. Typically, a 1.5 m step back is required between the 2nd and 6th floors. See City of Toronto Mid-rise and High-rise Guidelines and City of Brampton Draft Urban Design Guidelines 2023 below for reference:</p> <table><tr><td>City of Toronto Mid-Rise Design Guidelines pg. 98</td><td>City of Brampton Draft Urban Design Guidelines 2023 pg.11</td></tr></table>	City of Toronto Mid-Rise Design Guidelines pg. 98	City of Brampton Draft Urban Design Guidelines 2023 pg.11
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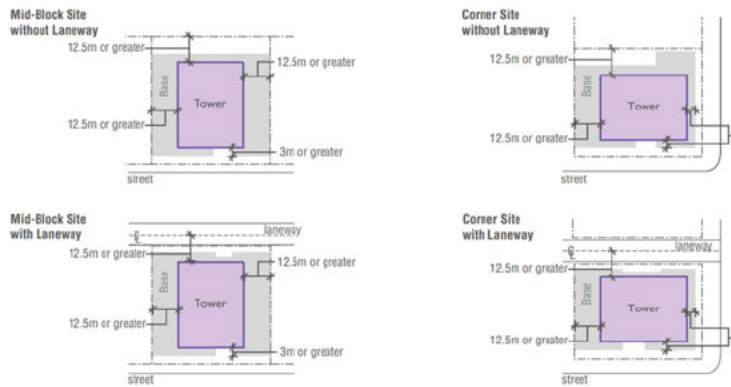
				 <p>front property line</p> <p>1.5m min.</p> <p>now</p> <p>New Mid-Rise Building</p>	<p>4.2.2 Built Form</p> <p>d. A physical and/or visual break between the 2nd and 3rd floors is incorporated (i.e., material change when on the same plane; cantilever podium; stepback of minimum 1.5m above the 2nd or 3rd level)</p>
13.	Building Step-Backs and Setbacks 3.2.4. e)	Notwithstanding the above, the minimum distance between any two	Remove zoning provision.	Regulating the minimum distance between any two buildings with no windows to habitable living spaces on the same lot to require a 3-metre separation is not necessary and is overly perspective to the building	

		(2) buildings with no windows to habitable living space on the same lot shall be three (3) metres.		design. The provision should be amended to state "the minimum distance between any two (2) buildings with windows to habitable living space on the same lot shall be three (3) metres" or "the minimum distance between any two (2) buildings with no windows to habitable living space on the same lot shall be two (2) metres". This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
14.	3.3 f) Snow Storage	Snow storage is not permitted to be located within the required amenity areas, or planting buffers;	Remove zoning provision.	Snow storage should be permitted within planting buffers. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications. We request that the policy be revised to: "Snow storage is not permitted to be located within the required amenity areas".
15.	3.2.6. vi. Common and Private Amenity Areas Private Amenity	Private amenity areas for above-grade dwelling units in back-to-back, rowhouses and stacked back-to-back, rowhouses shall consist of a balcony and be defined by a wall or railing between adjacent units to a height of 1.8	Remove zoning provision or move provision into Urban Design Guidelines.	There is a need to separate private amenity areas between adjacent units. However, the requirement for a 1.8-metre wall or railing between adjacent units and a minimum balcony depth of 1.8 metres is overly prescriptive. A 1.8 m wall or railing is an excessive performance standard to separate private amenity areas from adjacent units. A 1.8 m depth for all balconies is also excessive as typically balcony depth is 1.5m. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.

		metres and provide a minimum balcony depth of 1.8 metres;		
16.	3.4.9. a) Outdoor Patios	An outdoor patio may not exceed 50% of the gross floor area of the use to which it is an accessory; and	Remove zoning provisions limiting patio space size as a function of the gross floor area of the use to which it is an accessory.	An outdoor patio for a retail store or restaurant use may exceed 50% of the gross floor area of the gross floor area of retail or restaurant to which is accessory. This mainly occurs because of multi-tenant commercial uses at grade with small gross floor area footprints. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications about retail and restaurant uses at grade with accessory patios, especially for tenants with smaller gross floor area footprints within multi-tenanted plazas and/or ground floor podiums.
17.	3.2.6. e) Common and Private Amenity Areas Balcony Standards	A balcony must be fully supported by the building to which it is attached; and,	Remove zoning provision restrictions for balconies with support structures that are structurally sound from an engineering perspective.	A balcony with an appropriately engineered support structure attached to the side of a building that can support the weight of the balcony should be permitted. Further clarification is required in the definition of "fully supported by the building". This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
18.	3.2.11. a) Window-to-Wall Ratio	The façades of any low-rise building, mid-rise building, or high-	Remove zoning provision.	This provision requires a WRR of 0.5 as illustrated below:

		rise building, shall have a total maximum of 60% of the window-to-wall ratio, as measured across all building façades; and		 <p>The zoning provision requirement as shown above is overly prescriptive as not every façade will be able to meet the performance standard that 50% of the façade be windows or openings (or similar). This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.</p>
19.	3.2.11. b) Window-to-Wall Ratio	b) A minimum of 50% of the façade of any low-rise building, mid-rise building, or high-rise building, abutting a street, landscaped open	Remove zoning provision.	This provision requires that the façades of any low-rise building, mid-rise building, or high-rise building should have a window-to-wall ratio of 50% as illustrated below:

		space, or amenity area, shall be windows, openings, or similar.		<p style="text-align: center;">WINDOW – TO - WALL RATIOS</p>  <p>The zoning provision requirement as shown above is overly prescriptive as not every façade will be able to meet the performance standard of a window-to-wall ratio of 50% - especially for low-rise buildings.</p>
20.	3.2.4. c) Building Step-Backs and Setbacks	c) Any portion of a building above the 12th storey shall be setback a minimum of 12.5 metres from any interior lot line, or rear lot line.	Reduce the zoning requirement as follows: "Any portion of a building above the 12th storey shall be setback a minimum of 6	<p>Any portion of a building above the 12th storey being setback 12.5 metres from any interior lot line, or rear lot line is overly prescriptive. The 12.5-metre setback will prohibit the viability of smaller sites for high-rise development.</p> <p>See the reference below from the City of Toronto Mid-Rise Design Guidelines pg. 55.</p>

			metres from any interior lot line, or rear lot line." or move to Urban Design Guidelines.	 <p>Figure 6: Conceptual "small sites" showing recommended minimum tower setbacks from the base building and setbacks from side and rear property lines or centre line.</p>
21.	3.2.7. c) Facing Distances	c) Where buildings that face each other differ in height, the greater height shall be used to determine the required building facing distance;	Amend to "Where buildings that face each other differ in height, the lesser height shall be used to determine the required building facing distance;" and move provision into Urban Design Guidelines.	This provision will result in an additional amount of separation between buildings of differing heights which is not necessary. For example, a 1-2 story building does not require a 25 m meter facing distance separation from 13 storey building. A 9-meter separation would be adequate. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and Committee of Adjustment applications.
22.	Integration of Flex Buildings 3.2.9. a)	A flex building shall be treated as a podium when integrated with either a mid-rise,	Amend the zoning provision to read more clearly by adding an additional row of	This policy is confusing to interpret and read as buildings are presented as three separate standards – flex buildings, mid-rise buildings and high-rise buildings as shown below:

		<p>or high-rise building. When integrated with these forms, a flex building shall conform to the applicable standards for the zone either a mid-rise, or high-rise building is located in.</p>	<p>standards regarding the podiums within the mid-rise and high-rise buildings.</p>	<p>Table 53: CD2 Building Standards</p> <table> <tr> <th></th><th>Flex Building</th><th>Low-Rise Building</th><th>Mid-Rise Building</th><th>High-Rise Building</th></tr> <tr> <td>Building Height</td><td>4 Storeys (14 m) Maximum</td><td>2 Storeys (5.5 m) Minimum 4 Storeys (14 m) Maximum</td><td>5 Storeys (17.5 m) Minimum 12 Storeys (42 m) Maximum</td><td>12 Storeys (42 m) Minimum 20 Storeys (62 m) Maximum</td></tr> <tr> <td>Building Length (Maximum)</td><td colspan="3">65 m</td><td>75 m</td></tr> <tr> <td>Commercial Gross Floor Area (Minimum)</td><td colspan="4">50% of the Ground Floor Gross Floor Area</td></tr> <tr> <td>Ground Level Floor Height (Minimum)</td><td>3.7 m</td><td colspan="3">N/A</td></tr> </table> <p>Adding the provision that a flex building is also the podium of a mid-rise building is hard to follow. There is no reason for a flex building to be treated as a podium when integrated with either a mid-rise, or high-rise building as mid-rise and high-rise buildings already have their own standards. Instead, the zoning provision would read more clearly if an additional row of standards were added regarding the podiums within the mid-rise and high-rise buildings. For example, the following row below "Ground Level Floor Height (Minimum)" could address podium provisions as shown below for clarity:</p> <p><u>Example of podium provisions for all building types</u></p> <table> <tr> <th></th><th>Flex Building</th><th>Low-Rise building</th><th>Mid-rise building</th><th>High-rise Building</th></tr> <tr> <td>Podium Length Requirements</td><td>60m</td><td>75m</td><td>90m</td><td>90m</td></tr> </table>		Flex Building	Low-Rise Building	Mid-Rise Building	High-Rise Building	Building Height	4 Storeys (14 m) Maximum	2 Storeys (5.5 m) Minimum 4 Storeys (14 m) Maximum	5 Storeys (17.5 m) Minimum 12 Storeys (42 m) Maximum	12 Storeys (42 m) Minimum 20 Storeys (62 m) Maximum	Building Length (Maximum)	65 m			75 m	Commercial Gross Floor Area (Minimum)	50% of the Ground Floor Gross Floor Area				Ground Level Floor Height (Minimum)	3.7 m	N/A				Flex Building	Low-Rise building	Mid-rise building	High-rise Building	Podium Length Requirements	60m	75m	90m	90m
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23.	3.3.1. c) Landscaped Area	c) In all other zones a minimum of 50% of all landscaped areas on a lot shall be provided as soft landscaping, in the form of vegetation such as grass, flowers, trees and shrubbery;	Move this zoning provision to the urban design guidelines and amend the soft-landscaping requirement as: "In all other zones a minimum of 30% of all landscaped areas on a lot shall be provided as soft landscaping, in the form of vegetation such as grass, flowers, trees and shrubbery".	A minimum of 50% of all landscaped areas on a lot shall be provided as soft landscaping is an overly onerous performance standard. A reduction to 30% of soft-landscaping requirement is requested as follows: "In all other zones a minimum of 30% of all landscaped areas on a lot shall be provided as soft landscaping, in the form of vegetation such as grass, flowers, trees and shrubbery".
24.	3.3.4. a) Planting Buffers	a) A contiguous planting buffer of a minimum width of 3 metres shall be provided: i. Along lot lines of all zones adjacent to Neighbourhood Low zones. Planting buffers are not required	Amend zoning provision to: "A contiguous planting buffer of a minimum width of 1.5 metres shall be provided: i. Along lot lines of all zones adjacent to Neighbourhood Low zones.	Due to design constraints, it is not always possible to provide for a contiguous planting buffer of a minimum width of 3 metres, (i) along lot lines of all zones adjacent to Neighbourhood Low zones and (ii) along lot lines of Employment zones abutting a Neighbourhood, Mid-Rise, Commercial, Employment, Community Hub, Greenspace, or Environmental Protection zones. We request that the width of the contiguous planting buffer be reduced to a minimum width of 1.5 metres. This overly prescriptive provision will lead to unnecessary Zoning By-law Amendments

		between lots in Neighbourhood Low zones. ii. Along lot lines of Employment zones abutting a Neighbourhood, Mid-Rise, Commercial, Employment, Community Hub, Greenspace, or Environmental Protection zone.	Planting buffers are not required between lots in Neighbourhood Low zones. ii. Along lot lines of Employment zones abutting a Neighbourhood, Mid-Rise, Commercial, Employment, Community Hub, Greenspace, or Environmental Protection zone."	and Committee of Adjustment applications as many proposals will not be able to meet this performance standard.
25.	3.3.11. iii. Waste Management for Residential Buildings	iii. Any accessory building or structure accommodating waste receptacles shall not be permitted within 10 metres of the front face of the primary building;	Reduce the zoning requirement as follows: "Any accessory building or structure accommodating waste receptacles shall not be permitted within 3 metres of the front face of the primary building".	For smaller properties, it will be difficult to meet the performance standard where waste receptacles are not permitted within 10 metres of the front face of the primary building as will be located beside the building within 10 meters of the front face of the primary building. As such, we request that this zoning provision be revised to reduce the requirement to 3 metres as follows: "Any accessory building or structure accommodating waste receptacles shall not be permitted within 3 metres of the front face of the primary building". Furthermore, this requirement will be difficult to achieve as many buildings have loading located within the front face of the building – as such this overly prescriptive provision will lead to unnecessary Zoning By-law Amendments and

				Committee of Adjustment applications as many proposals will not be able to meet this performance standard. The location of the waste receptacles is also typically deferred to detailed site plan drawings which also complicates the implementation of this zoning provision.
26.	15. Definitions Facing Distances	Facing Distances Means the distance between two buildings on a lot. A principal face means the longest side of the structure or building face. The secondary face means the shorter side of the structure or building face. Secondary faces longer than 25.0 metres shall be considered primary faces to establish facing distances on a lot.	The definition of "Facing Distances" be revised to read as follows: "the minimum distance between the primary or secondary faces between two buildings" for clarity.	A facing distance is described as "The distance between two buildings on a lot.", however, that describes the separation distance between buildings – not the facing distance. The facing distance should be revised to indicate that the facing distance is to be measured from the primary or secondary face of the structure or building. The definition of "Facing Distances" should be revised to read as follows "the minimum distance between the primary or secondary faces between two buildings" for clarity.
27.	15. Definitions Electric Vehicle	Electric Vehicle Ready (Parking) This means a parking space	Move the electrical specifications within the	A charging station having a 208-to-240-volt power source with a dedicated circuit of up to 60 amps should be moved from the zoning standards into the City of Barrie Engineering for electric vehicle parking.

	Ready (Parking)	which has energized electrical outlets installed at the time of construction that can support Level 2 charging (208-to-240-volt power source with a dedicated circuit of up to 60 amps) of an electric vehicle when a charging station is installed in the future.	provision from Zoning By-law to City of Barrie Engineering Standards. The Zoning By-law definition should be amended to broadly read: "Electric Vehicle Ready (Parking) Means a parking space which has energized electrical outlets for an electric vehicle."	The electrical specifications for a charging station are more appropriately regulated through an Engineering standard rather than a zoning by-law provision. The specification "can support Level 2 charging (208-to-240-volt power source with a dedicated circuit up to 60 amps)" should be removed from the zoning by-law definition.
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Table 2. below reviews the 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law against the existing zoning permissions from Zoning By-law 2009-141 for the General Commercial (C4) zone and Commercial District 2 (CD2) zone and provides comments regarding zoning provisions.

Table 2. 3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law Comments Commercial District 2 (CD2) Provisions

	Zoning Provision	Zoning By-law 2009-141	3rd Draft of Barrie's New Comprehensive City-Wide Zoning By-law	Request	Planning Rationale
	Commercial District 2 (CD2) Provisions				

28.	Lot Coverage (minimum)	a) That portion of the building abutting the front yard or a side yard abutting a street shall be used for commercial uses on the ground floor; b) A minimum of 50% of the total gross floor area of a 1-storey building shall be used for commercial uses;	50% of the Ground Floor Gross Floor Area shall be Commercial	Reduce the zoning provision requirement to "A minimum of 20% of the total gross floor area of the ground floor of a building shall be used for commercial uses".	The requirement for a building to have 50% of the gross floor area on the ground floor dedicated to commercial uses as the ground floor is overly prescriptive as the ground floor must also accommodate for ground floor amenity area, residential units at grade, lobby, mail room, garbage vestibule and loading. Dictating that 50% of the ground floor area must be dedicated to commercial uses limits the building design. Another point of contention is that not all buildings can accommodate commercial uses at grade. Furthermore, this provision will give rise to zoning by-law applications that are forced to amend this provision as many low-rise buildings will not be able to accommodate commercial uses at grade. The economic feasibility of having 50% ground floor as commercial gross floor area for a low-rise building and the flexibility for commercial uses on the 2 nd floor instead of the ground floor must also be considered.
29.	Amenity Area Common Amenity (Minimum) for Mid-Rise and High-rise Building	e) Where a lot contains more than 4 residential dwelling units, a consolidated outdoor amenity area based on a	10 m ² per Dwelling Unit	Reduce to 6 m ² per Dwelling Unit for Amenity Area Common Amenity.	Given that both the combined amenity space area (Common Amenity and Private amenity) is greater than all the total required amenity areas in the comparable Zoning By-laws in Ontario (shown in the table below), it suggests that 10 m ² per Dwelling Unit for Common Amenity Area and 5 m ² per Dwelling Unit for Private Amenity Area represents an excessive requirement for the total required amenity area. As such a reduction to 6 m ² per Dwelling Unit for Amenity Area Common Amenity and 4m ² per Dwelling Unit for
30.	Amenity Area Private		5 m ² per Dwelling Unit	Reduce to 4m ² per Dwelling Unit for Amenity	

	Amenity (Minimum) for Mid-Rise and High-rise Building	minimum 12m ² per unit and which is not inclusive of the minimum required yard area adjacent to the building and exclusive of any on-site community centre building(s) shall be provided; and		Area Common Amenity.	<p>Amenity Area Common Amenity is justified. At a combined 12m² per dwelling for Amenity Space, the by-law will still provide for 2.0m² more total combined amenity space than any other comparable Zoning By-laws reviewed in Ontario.</p> <table><tr><th>Zoning By-law</th><th>Zoning Provision</th></tr><tr><td>City of Toronto Zoning By-law 569-2013 40.10.40.50(1)</td><td>Regulation 40.10.40.50(1), a minimum rate of 2.0 square metres of indoor amenity space and a minimum of 2.0 square metres for outdoor amenity spaces must be provided for each dwelling unit on the lot.</td></tr><tr><td>City of Vaughan Comprehensive Zoning By-law Number No. 001-2021 4.3 Amenity Area Requirements</td><td><u>Amenity Area Requirements</u> 8.0 m² per dwelling unit for the first eight dwelling units, and an additional 5.0 m² of amenity area per dwelling unit shall be required for each additional dwelling unit <u>Outdoor Amenity Area Requirements</u> For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one contiguous outdoor area of 55.0 m² located at grade.</td></tr><tr><td>City of Mississauga</td><td>Minimum contiguous amenity area</td></tr></table>	Zoning By-law	Zoning Provision	City of Toronto Zoning By-law 569-2013 40.10.40.50(1)	Regulation 40.10.40.50(1), a minimum rate of 2.0 square metres of indoor amenity space and a minimum of 2.0 square metres for outdoor amenity spaces must be provided for each dwelling unit on the lot.	City of Vaughan Comprehensive Zoning By-law Number No. 001-2021 4.3 Amenity Area Requirements	<u>Amenity Area Requirements</u> 8.0 m ² per dwelling unit for the first eight dwelling units, and an additional 5.0 m ² of amenity area per dwelling unit shall be required for each additional dwelling unit <u>Outdoor Amenity Area Requirements</u> For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one contiguous outdoor area of 55.0 m ² located at grade.	City of Mississauga	Minimum contiguous amenity area
Zoning By-law	Zoning Provision												
City of Toronto Zoning By-law 569-2013 40.10.40.50(1)	Regulation 40.10.40.50(1), a minimum rate of 2.0 square metres of indoor amenity space and a minimum of 2.0 square metres for outdoor amenity spaces must be provided for each dwelling unit on the lot.												
City of Vaughan Comprehensive Zoning By-law Number No. 001-2021 4.3 Amenity Area Requirements	<u>Amenity Area Requirements</u> 8.0 m ² per dwelling unit for the first eight dwelling units, and an additional 5.0 m ² of amenity area per dwelling unit shall be required for each additional dwelling unit <u>Outdoor Amenity Area Requirements</u> For an apartment dwelling, apartment dwelling units or podium townhouse dwelling units, the minimum outdoor amenity area requirement shall be the provision of at least one contiguous outdoor area of 55.0 m ² located at grade.												
City of Mississauga	Minimum contiguous amenity area												

					Zoning By-law 0225-2007 Table 6.2.1	The lesser of 2.8 m² per dwelling unit or 5% of the site area					
31.	District 3 (Strategic Growth Areas and Intensification Corridors) Bicycle Parking Long-term for a building containing 10 or more Dwelling Units	n/a	1 Spaces per Dwelling Unit	Revise the requirement for the zoning provision to "0.8 Spaces per Dwelling Unit".	Given that the long-term bicycle parking spaces for residential uses range between 0.9 and 0.8 spaces per unit a reduction in the required long-term parking spaces from 1 to 0.8 spaces per unit is justified (as shown in comparable zoning provisions in the table below). Given that the short-term bicycle parking requirements range between 0.3 and 0.07 parking spaces per unit, a reduction in the short-term bicycle parking space is justified.						
32.	District 3 (Strategic Growth Areas and Intensification Corridors) Bicycle Parking Short-term for a building containing 10 or	n/a	1 Spaces per Dwelling Unit	Revise the requirement for the zoning provision to "0.2 Spaces per Dwelling Unit".	City of Toronto Zoning By-law 569-2013 230.5.10 Bicycle Parking Rates All Zones	Use	Long-term Bicycle Parking Spaces	Short-term Bicycle Parking Spaces			
						Residential Dwelling Unit in Bicycle Zone 1 (High-density)	0.9 per dwelling unit	0.2 per dwelling unit			
						Residential Dwelling Unit in Bicycle Zone 2	0.68 per dwelling unit	0.07 per dwelling unit			

	more Dwelling Units					(Medium Density)		
33.	District 5 (All Other Lands) Bicycle Parking Long-term for a building containing 10 or more Dwelling Units	n/a	0.5 Spaces per Dwelling Unit	Revise the requirement for the zoning provision to "0.2 Spaces per Dwelling Unit".		Commercial Uses	3 plus 0.3 bicycle parking spaces for every 100 square metres of the interior floor area	0.2 for each 100 square metres of interior floor area
					City of Vaughan Comprehensive Zoning By-Law Number No. 001-2021 6.5 Bicycle Parking Space Requirements	Use	Long-term Bicycle Parking Spaces	Short-term Bicycle Parking Spaces
						Apartment Dwelling	0.8 per dwelling unit	0.2 per dwelling unit or 6 spaces – whichever is greater
						Commercial Use	0.1 per 100 m ² GFA - non-residential	0.2 per dwelling unit or 6 spaces – whichever is greater
					Mississauga Zoning By-law 0225-2007 3.1.6.5.1 Required Number of Bicycle	Use	Long-term Bicycle Parking Spaces	Short-term Bicycle Parking Spaces
						Apartment Building	0.8 spaces per unit	The greater of 0.1 spaces per unit

					Parking Spaces			or 6.0 spaces	
						Residential Dwelling Unit in Bicycle Zone 2 (Medium Density)	0.1-0.2 per 100 m2 GFA - non-residential	0.3 spaces per 100 m2 GFA - non-residential	

We kindly request that City Staff further review the zoning provisions above within the 3rd draft of the proposed new Comprehensive City-wide Zoning By-law. It is our professional planning opinion that the proposed modifications to the Comprehensive City of Barrie Zoning By-law represent good planning.

Respectfully submitted,

Innovative Planning Solutions

A handwritten signature in black ink, appearing to read 'D. Vella', with a large, sweeping horizontal stroke underneath.

Darren P. Vella, MCIP RPP
President / Director of Planning

A handwritten signature in black ink, appearing to read 'John Albert', with a stylized, angular design.

John Albert, BES
Intermediate Planner



INNOVATIVE PLANNING SOLUTIONS

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November 14th, 2024

Celeste Kitsemetry

Supervisor of Growth Management
City of Barrie
70 Collier Street
Barrie, ON
L4M 4T5

Sent via email: celeste.kitsemetry@barrie.ca

Re: 3rd Draft Zoning By-law Comments – Park Place North Lands, 410 Bayview Drive

On behalf of our clients North American (Park Place North) Corporation and 9613714 Canada Inc., Innovative Planning Solutions, acting as the agent of the owners, has reviewed the proposed Draft 3 Zoning By-Law as it pertains to their lands located at 410 Bayview Drive (the 'Subject Property').

The Subject Property forms part of the broader Park Place development and is subject to an approved Minor Variance application (A30/23) to address parking requirements and landscape buffers, as well as an approved Site Plan Application (D11-017-2022), which sets out permissions for four multi-tenant industrial buildings, totalling 47,844 square metres (514,989 sf) of industrial space.

Per Zoning By-law 2009-141, the Subject Property was previously zoned as Business Park (BP) with applicable Special Provision 407. The new draft by-law proposed to rezone the lands to Employment non-industrial (EN), while maintaining the existing Special Provision as outlined in "Appendix A - Special Provisions and Holding Provisions." This schedule also seems to incorrectly indicate that the lands have a Holding Provision applied. This should be corrected as there are no applicable hold provisions.

We request that the Special Provision for the Subject Property be carried forward with the modifications proposed herein, in addition to the provisions of the new Zoning-By-law. Alternatively, we are open to the deletion of the existing Special Provision, and incorporation of modifications as part of a new Special Provision for the Subject Property.

Our comments and requests are captured below and are further detailed in the appended comparison chart.

1) Section 9.5 – Permitted Uses

To ensure we do not lose any as of right permitted uses of the BP zone so that they are not lost in transition to the new Zoning By-Law, we request that the following uses in ZBL 2009-141 BP Zone and/or SP-407 be carried over in a new special provision:

- Warehousing in Wholly Enclosed Building excluding Self Storage (Now Industrial Use General)
- Office, Medical (Now Health Services Facility)
- Bank, Service Store, Printing and Publishing (now Personal Services)
- Data Processing Centre
- Child Care (Now Child Care Centre)
- Day Nurseries (along with the as of right definition)
- Accessory Employee Use (along with the as of right definition)

This approach will allow the preservation of use permissions, while proposing to adopt the new definitions proposed in the draft by-law, where applicable.

Additionally, we request that the following provision in SP-407 be removed to align with the standards of the EN zone:

- Per SP 407, restaurants shall only be permitted as part of a multi-tenant building and shall not exceed 25% of the total gross floor area of such a building to a maximum of 300m², and Notwithstanding the Table of Permitted Uses (Table A) in SP407, one freestanding restaurant shall be permitted within the lands zoned Business Park EMI (SP-407).

2) Section 15 – Definitions

No definition has been provided for the following uses in the new draft by-law:

- Research and Development Facility (now Research and Development Centre)
- Accessory Employee Use
- Day Nursery
- Office

As such, we request the definitions for the aforementioned uses be carried over from Zoning By-law 2009-141, either into the new by-law or as part the revised Special Provision.

3) Table 58 and Table 59 – EN Lot and Yard Standards and Building Standards

a) Front Yard Setback

While the front yard setback requirement in both the existing SP-407 and the proposed draft by-law are 6m, this is listed as a minimum requirement in the existing SP while the new draft by-law does not identify this as a minimum or maximum requirement. We request clarification to understand if this is intended to be a maximum or minimum requirement.

b) We request the following standards to be deleted in the existing Special Provision, in favour of standards set in the EN zone as part of the new draft by law:

- Lot Frontage (min): 30m (SP-407)
- Side Yard (min.) – 4m (SP-407)
- Side Yard (min.) – 10m, adjacent to a residential zone (SP-407)
- Side Yard (min) – 6m, adjacent a to a street (SP-407)
- Rear Yard (min) – 6m (SP-407)
- Rear Yard (min) – 15m, adjoining a residential zone (SP-407)
- Rear Yard (min) – 6m, adjoining a street (SP-407)

c) We request the following standards to be retained as part of SP-407, or a new replacement SP:

- Lot Coverage (max): 50% (SP-407)
- Building Height (max) – 45m(2) (SP-407)
(2) Cranes, conveying equipment and incidental equipment required for manufacturing and processing shall also be exceptions to the maximum building height standard.

4) Section 4: Parking & Loading

SP-407 should be modified to permit the development of the site, as approved, including approved variances to parking as follows:

A reduced parking ratio of 1 parking space per 99.46 square metres of gross floor area (GFA), whereas the Comprehensive Zoning By-law, under subsection 4.6.2.3 (a), requires a minimum of 1 parking space per 40 square metres of gross floor area.

Additionally, Appendix D – Parking District Map of the new proposed by-law, identifies a portion of the subject lands to fall within Parking District 3 (Strategic Growth Areas/ Intensification Corridors) while most of the subject lands as Parking District 4 (Employment

Areas). Given the planned and approved industrial development on the site, we request that the appendix be revised so that the entirety of the subject lands are classified as Parking District 4.

5) Section 3.3.4 Planting Buffers

We request a reduced Minimum Landscape Buffer abutting a Greenspace zone of 1.5m be carried as part of the Special Provisions, consistent with the approved minor variances previously secured on the subject lands.

Additionally, we request that the following landscape buffer provisions from SP-407 be preserved:

- Minimum landscape buffer when Adjacent to Hwy 400: 9m
- A minimum landscape area 8m wide, after any widening required by MTO, shall be provided adjacent to Highway 400 frontage. No further landscaping area will be required if any additional road widenings are taken by the MTO following the first site plan approval.

6) Section 4.8 Bicycle Parking

For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term): 0.2 spaces per 100 sqm of gross floor area. We request the removal or reduction of a minimum bicycle parking provision for Employment Areas. The current proposed rate is synonymous with requirements for retail, personal services, office, and retail store, as required in the City of Toronto Zoning By-law 569-2013, Given the lack of existing bicycle infrastructure in the City of Barrie and context of Employment Areas specifically which tend to have larger building footprints, we believe this requirement is aggressive as currently proposed.

7) Additional Provisions

We request the following additional provisions established through SP-407 carry forward as part of the new by-law, amended to reflect the new zones established:

- i. That notwithstanding any other provision of this by-law, on the lands zoned Employment Non-industrial (EN)(SP-407) the provisions of this by-law shall apply collectively to the lands notwithstanding their future severance, partition or division for any purpose.
- ii. That within the lands zoned Employment Non-industrial (EN)(SP-407) the following special provisions shall apply: (a) the lot line and yard adjoining Bayview Drive shall be deemed to be the front lot line and yard.

We trust that you will find the above satisfactory. We will continue to review the draft by-law in detail and consider staff and stakeholder input, which may add to or alter our comments herein.

Should you have any questions or comments, please do not hesitate to contact the undersigned.

Respectfully submitted,

Innovative Planning Solutions



Ray Budiwarman, BES.
Planner



Nick Skerratt,
Senior Planner



Darren Vella, RPP.
Principal

APPENDIX

410 Bayview Drive – Draft Zoning By-law Comments and Requests			
#	Zoning By-law 2009-141 (Current)	Draft Version 3.0 Zoning By-law (09/2024)	Requested Site Specific Provisions
Permitted Uses			
1.	<p>Permitted Uses, BP Zone:</p> <ul style="list-style-type: none"> • Manufacturing and Processing in Wholly Enclosed Buildings • Printing and Publishing • Research/Development Facility • Warehousing in wholly enclosed buildings excluding self storage • Accessory Employee Use • Accessory Retail • Assembly Hall • Bank • Conference Centre • Data Processing Centre • Drive Through Facility • Fitness or Health Club • Hotel, motel • Office • Office, medical • Outdoor Display and sales area • Photography Studio • Restaurant • Service Store • Veterinary Clinic • Child Care • Commercial School <p>Permitted Uses SP-407:</p> <ul style="list-style-type: none"> • Accessory Employee Use • Accessory Retail • Assembly Hall • Bank • Conference Centre 	<p>Section 9.5, Permitted Uses, EN Zone:</p> <ul style="list-style-type: none"> • Adult Entertainment Establishment • Animal-related services • Assembly and Processing • Automotive Rental and Sales Establishment • Body Rub Parlour • Cemetery • Commercial Entertainment • Commercial School • Commercial Uses • Conference Centre • Custom Workshop • Arena • Community Facilities • Drive Thru Facility (accessory use) • Fitness or Health Club • Food and Beverage Processing • Food/Refreshment Stands • Food/Refreshment Vehicle • Funeral Establishment • Taxi Establishment 	<p>To ensure we do not lose any as of right permitted uses of the BP zone so that they are not lost in transition to the new Zoning By-Law, we request that the following uses in ZBL 2009-141 BP Zone and/or SP-407 be carried over:</p> <ul style="list-style-type: none"> • Bank, Service Store, Printing and Publishing (now Personal Services) • Office, Medical (Now Health Services Facility) • Data Processing Centre • Warehousing in Wholly Enclosed Building excluding Self Storage (Now Industrial Use General) • Child Care (Now Child Care Centre) • Day Nurseries (along with the as of right definition) • Accessory Employee Use

	<ul style="list-style-type: none"> • Data Processing Centre • Drive Through facility • Fitness or health club • Hotel, motel • Office • Photography studio • Restaurant (permitted as part of multi-tenant building to not exceed 25% of total GFA of building up to 300m2) • Service Store • Veterinary clinic • Manufacturing & Processing in wholly enclosed building • Printing and publishing • Research & development facility • Warehousing in wholly enclosed building excluding self-storage • Commercial School • Day Nurseries (By-law 86-265), • Office, Medical (By-law 2013-026). (H1-100) removed by-law 2014-093) 	<ul style="list-style-type: none"> • Gaming Establishment • Government Services • Building Supply Centre • Hospice • Hospitality • Hotel • Industrial School • Laboratory • Manufacturing Facility • Major Office • Major Retail • Micro Brewery • Micro Distillery • Nursery or Garden Supply Centre • Office • Outdoor Display & Sales Area • Parks and Open Space • Repair Service • Research and Development Centre • Restaurant • Retail Store • School • Self Storage • Studio 	
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Definitions

2.	<p>The Defined Terms for the following as outlined in Zoning By-law 2009-141:</p> <p>Research and Development Facility: "shall mean a laboratory, mechanical design studio, or any other facility used for research, testing, design and development of a new product."</p>	<p>No definition has been provided for the following uses in the new draft by-law:</p> <ul style="list-style-type: none"> • Research and Development Facility or Research and Development Centre • Accessory Employee Use • Day Nursery 	<p>The new Draft by-law has defined and provided new terms or nomenclature which causes some permitted uses in the as of right provisions in the SP-407 to be lost.</p> <p>We request the definitions for these uses be added to carry the defined terms into new by-law or as part</p>
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	<p>Accessory Employee Use: "shall mean any accessory use which is used solely by the employees of the principal use of the building or lot as an amenity. The accessory use shall only be for the employees benefit and not open to the general public and may include, but not be limited to, an employee cafeteria, employee's daycare and an employee fitness centre."</p> <p>Day Nursery: We simply seek to have the keep the as of right definition and use from by-law 86-265</p> <p>Office: "shall mean a building or part of a building in which one or more persons are employed in the management, direction, administration or conducting of a business, or where professionally qualified persons or their staff serve clients who seek advice or consultation but shall not be in the nature of a medical office as defined in this By-law".</p>	<ul style="list-style-type: none"> Office 	the revised SP, for those uses which have not been defined as part of the new proposed draft by-law.
Lot and Yard Standards			
3.	<p>Lot Area (min) per SP-407: 1300m²</p> <p>Lot Area (min) per Zoning By-law 2009-141: 1300 m²</p>	<p>Table 58– EN Lot and Yard Standards</p> <p>Lot Area (min): N/A</p>	Remove lot area minimum provisions from Site Specific or revise to align with proposed new draft.
4.	Lot Frontage (min): 30m (SP-407)	Table 58– EN Lot and Yard Standards	This standard is consistent, no change requested.

		Lot Frontage (min): 30m	
5.	Lot Coverage (max): 50% (SP-407)	Table 58– EN Lot and Yard Standards Lot Coverage (max): 40%	We simply request that the Special Provision 407 standard for the Maximum lot coverage be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL
6.	Front Yard (min.) – 6m (SP- 407)	Table 58– EN Lot and Yard Standards Front Yard setback – 6m The current proposed draft does not identify this standard as a minimum or maximum requirement.	We request clarity on whether this is intended to be a minimum or maximum standard.
7.	Side Yard (min.) – 4m (SP- 407)	Table 58– EN Lot and Yard Standards Interior and Exterior Side Yard (min.) – 3m	We simply request that the Special Provision be removed or amended to align with new proposed draft by-law.
8.	Side Yard (min.) – 10m, adjacent to a residential zone (SP-407)	9.7.2. Setbacks to Lots in the Neighbourhood Zones Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: iii. When the interior side yard of a lot in the Employment Non- Industrial (EN) zone is abutting, buildings	We simply request that the Special Provision 407 standard for Side Yard Setback would be removed or amended to align with the standards of the EN zone.

		and structures shall maintain a 6-metre interior side yard setback	
9.	Side Yard (min) – 6m, adjacent a to a street (SP-407)	N/A	We simply request that the Special Provision 407 standard for Side Yard Setback would be removed to align with the standards of the EN zone.
10	Rear Yard (min) – 6m (SP-407)	Table 58– EN Lot and Yard Standards Rear Yard (min) – 6m	This standard is consistent, no change requested or Special Provision to be removed.
11	Rear Yard (min) – 15m, adjoining a residential zone (SP-407)	9.7.2. Setbacks to Lots in the Neighbourhood Zones Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: i. When the rear yard of a lot in the Employment zones is abutting, buildings and structures shall maintain a 15-metre rear yard setback	This standard is consistent, no change requested or Special Provision to be removed.
12	Rear Yard (min) – 6m, adjoining a street (SP-407)	N/A	We simply request that the Special Provision 407 standard for Rear Yard Setback would be removed to align with the standards of the EN zone.
Building Standards			
13	Building Height (max) – 45m(2) (SP-407) (2) Cranes, conveying equipment and incidental equipment required for	Table 59– EN Building Standards Building Height (max) – 5 storeys (17.5m)	We simply request that the Special Provision 407 standard for the Maximum Building Height be carried over into the new ZBL to avoid losing

	manufacturing and processing shall also be exceptions to the maximum building height standard.		the as of right standard in the transition of the new ZBL
Planting Buffers			
14	<p>Landscape Buffer Standards ZBL 2009-141:</p> <p>When abutting residential Zone a minimum landscape buffer of:</p> <p>3m</p> <p>Industrial uses when abutting Commercial, Institutional, Open Space and Environmental Protection Zones minimum landscape buffer:</p> <p>3m</p> <p>Minimum landscape buffer when Adjacent to Hwy 400:</p> <p>9m</p> <p>SP 407: A minimum landscape area 8m wide, after any widening required by MTO, shall be provided adjacent to Highway 400 frontage. No further landscaping area will be required if any additional road widenings are taken by the MTO following the first site plan approval.</p> <p>Minor Variance (A30/23): A reduced landscape</p>	<p>Section 3.3.4. Continuous Minimum Planting Buffer:</p> <p>3m</p>	<p>We request a reduced Minimum Landscape Buffer abutting a Greenspace zone of 1.5m to be consistent with the approved minor variances previously secured on the site.</p> <p>Landscape buffer areas to Hwy 400 shall carry over to ensure consistency.</p>

	buffer area width of 1.5 metres along the southern boundary, whereas the Comprehensive Zoning By-law, under subsection 4.8.2.2, requires a continuous landscape buffer area width of 3.0 metres for any lot in an Industrial zone adjacent to an Open Space zone.		
Parking and Loading			
15	No Minimum parking for Bicycles	<p>4.8 Bicycle Parking</p> <p>For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term):</p> <ul style="list-style-type: none"> • 0.2 spaces per 100 sqm of gross floor area 	We request removal or reduction of minimum bicycle parking standard.
16	<p>Parking Standards ZBL 2009-141:</p> <p><u>Minimum number of parking Spaces (use based approach):</u></p> <p>Industrial uses otherwise not defined:</p> <p>1 space per 70m² of gross floor area min. 2 space</p> <p>Office, Medical:</p> <p>1 space per 15m² of gross floor area</p> <p>Multiple Uses in Industrial Zones: A minimum of 1 parking space per 40m² of gross floor area shall be</p>	<p>Section 4: Parking and Loading</p> <p>Minimum number of Parking Spaces in Parking District 4 (Employment Areas):</p> <p>for any Commercial Entertainment, Community Facilities Uses, institutional uses, restaurants or schools: 1/50 sq m of GFA, but no less than 2 parking spaces</p> <p>for any industrial uses: 1/1000 sq m of GFA</p> <p>for any other non-residential use: 1/50 sq m. of GFA</p>	<p>SP-407 should be modified or deleted and replaced with new SP bylaw standards that will permit the development of the site, as proposed, including the approved variances to parking.</p> <p>Appendix D should be revised so that the entirety of the site falls within parking district 4.</p>

	<p>required except where the data processing centre is in combination with another use, in which case the data processing centre components shall be at the rate identified in Table 4.6 and the additional multiple uses shall be at a rate of 1 parking space per 40m²</p> <p>Minor Variance (A30/23):</p> <p>A reduced parking ratio of 1 parking space per 99.46 square metres of gross floor area (GFA), whereas the Comprehensive Zoning By-law, under subsection 4.6.2.3 (a), requires a minimum of 1 parking space per 40 square metres of gross floor area.</p>	<p>Maximum number of Parking Spaces in Parking District 4 (Employment Areas) for any other non-residential use: 1/25 sq. m. of GFA</p> <p>A small portion of the planned industrial development also falls within Parking District 3.</p>	
Additional SP-407 Provisions			
17	<p>SP-407:</p> <p>That notwithstanding any other provision of this by-law, on the lands zoned Business Park (EM1) (SP-407) the provisions of this by-law shall apply collectively to the lands within each respective zone notwithstanding their future severance, partition or division for any purpose.</p>	N/A	<p>The notwithstanding clause presented in the existing special provision should continue to apply, adjusted to the new zones in the draft by-law:</p> <p>“That notwithstanding any other provision of this by-law, on the lands zoned Employment Non-industrial (EN)(SP-407) the provisions of this by-law shall apply collectively to the lands notwithstanding their future severance, partition or division for any purpose.”</p>
18	Permitted use of restaurants:	N/A	We request that the following provisions in SP-

	<p>Shall only be permitted as part of a multi-tenant building and shall not exceed 25% of the total gross floor area of such a building to a maximum of 300m²</p> <p>Notwithstanding the Table of Permitted Uses (Table A), one freestanding restaurant shall be permitted within the lands zoned Business Park EMI (SP-407).</p>		<p>407 be removed to align with the standards of the EN zone.</p>
19	<p>SP-407:</p> <p>That within the lands zoned Business Park EM1 (SP-407) the following special provisions shall apply:</p> <p>(a) the lot line and yard adjoining Bayview Drive shall be deemed to be the front lot line and yard.</p>		<p>The clause presented in the existing special provision should continue to apply, adjusted to the new zones in the draft by-law:</p> <p>That within the lands zoned Employment Non-industrial (EN) the following special provisions shall apply:</p> <p>(a) the lot line and yard adjoining Bayview Drive shall be deemed to be the front lot line and yard.</p>



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November 14th, 2024

Celeste Kitsemetry

Supervisor of Growth Management
City of Barrie
70 Collier Street
Barrie, ON
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Sent via email: celeste.kitsemetry@barrie.ca

Re: 3rd Draft Zoning By-law Comments – 61 Big Bay Point Road

On behalf of our clients North American (Park Place North) Corporation and 9613714 Canada Inc., Innovative Planning Solutions, acting as the agent of the registered owners, has reviewed the proposed Draft 3 Zoning By-Law as it pertains to their lands located at 61 Big Bay Point Road, generally at the southwest corner of Bayview Drive and Big Bay Point Road (the 'Subject Property').

The Subject Property is currently vacant, and forms part of the broader Park Place development. Per Zoning By-law 2009-141, the Subject Property was previously zoned as General Commercial (C4) with applicable Special Provision 454 (SP-454). The new draft by-law proposes to rezone the Subject Property to Employment non-industrial (EN), while maintaining the existing Special Provision as outlined in "Appendix A - Special Provisions and Holding Provisions." This schedule also seems to incorrectly indicate that the lands have a Holding Provision applied. This should be corrected as there are no applicable hold provisions.

We request that the Special Provision for the Subject Property be carried forward with the modifications proposed herein, in addition to the provisions of the new Zoning-By-law. Alternatively, we are open to the deletion of the existing Special Provision, and incorporation of modifications as part of a new Special Provision for the Subject Property.

Our comments and requests are captured below and are further detailed in the appended comparison chart:

1) Section 9.5 – Permitted Uses

To ensure any as of right permitted uses are not lost in transition to the new Zoning By-Law, we have created a list of current as-of right use permissions per ZBL 2009-141 C4 Zone and/or SP-454, to be carried over as modifications to the existing Special Provisions or as part of a new special provision. This approach will allow the preservation of use permissions, while proposing to adopt the new definitions proposed in the draft by-law, where applicable. The proposed language in the Special Provision is requested to be modified to allow for these additional uses in addition to the use permissions under the new zone designation.

Additionally, we request that the provision in SP-454, limiting retail uses on the subject lands to be convenience commercial retail not to exceed 25% or 300m² of the total gross floor area of the building, be removed to permit Retail Store without restriction.

2) Section 15 – Definitions

No definition has been provided for the following uses in the new draft by-law:

- i. Research and Development Facility or Centre
- ii. Art Gallery
- iii. Car Wash
- iv. Laboratory
- v. Hospitality
- vi. Taxi Establishment
- vii. Studio

We request the definitions for the aforementioned uses be carried over from Zoning By-law 2009-141 into the new by-law or as part of the revised Special Provision.

3) Table 58 and Table 59 – EN Lot and Yard Standards and Building Standards

- a) Front Yard Setback: While the front yard setback requirement in both the existing SP-454 and the proposed draft by-law are 6m, the SP identifies this as a minimum requirement while the new draft by-law does not identify this as a minimum or maximum requirement. We request clarification to understand if this is intended to be a maximum or minimum requirement. If the intent is for this to be carried as a minimum requirement, we would request reconsideration of the need for larger buffers where buildings are brought closer to the road, in order to create a more defined street edge.
- b) We request the following standards to be deleted in the existing Special Provision, in favour of standards set in the EN zone as part of the new draft by law:

- i. Lot Area (min): 450 m² (SP-454)
- ii. Front Yard (min.) – 6m (C4) (SP-454)
- iii. Side Yard (min.) – 3m (C4) (SP-454)
- iv. Side Yard (min.) – 6m, adjacent to a residential zone (SP-454)
- v. Side Yard (min) – 5m, adjacent a to a street (SP-454)
- vi. Rear Yard (min) – 7m (SP-454)
- vii. Rear Yard (min) – 10m, adjoining a residential zone (SP-454)
- viii. Rear Yard (min) – 6m, adjoining a street (SP-454)
- ix. Building Height (max.): 14m (SP-454)

c) We request the following standards to be retained as part of SP-454, or a new replacement SP:

- i. Lot Coverage (Max): 50% (SP-454)
- ii. Lot Frontage (Min.): 15 m (SP-454)

4) Section 4.8 Bicycle Parking

For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term): 0.2 spaces per 100 sqm of gross floor area. We request the removal or reduction of the minimum bicycle parking provision for Employment Areas. The current proposed rate is synonymous with requirements for retail, personal services, office, and retail store, as required in the City of Toronto Zoning By-law 569-2013, Given the lack of existing bicycle infrastructure in the City of Barrie and context of Employment Areas specifically, we believe this requirement is aggressive as currently proposed.

5) Additional Provisions

We request the following additional provisions established through SP-454 carry forward as part of the new by-law, amended to reflect the new zones established:

- i. That notwithstanding any other provision of this by-law, on the lands zoned Employment Non-industrial (EN)(SP-454) the provisions of this by-law shall apply collectively to the lands notwithstanding their future severance, partition or division for any purpose.

We trust that you will find the above satisfactory. We will continue to review the draft by-law in detail and consider staff and stakeholder input, which may add to or alter our comments herein. Should you have any questions or comments, please do not hesitate to contact the undersigned.

Respectfully submitted,


Innovative Planning Solutions



Ray Budiwarman, BES.
Planner



Nick Skerratt,
Senior Planner



Darren Vella, RPP.
Principal

APPENDIX

Park Place: 61 Big Bay Point Road – Draft Zoning By-law Comments and Requests			
#	Zoning By-law 2009-141 (Current)	Draft Version 3.0 Zoning By-law (09/2024)	Requested Site Specific Provisions
Permitted Uses			
1.	<p>Permitted Uses, C4 Zone:</p> <ul style="list-style-type: none">• Adult Entertainment Parlour• Automotive Leasing Establishment• Automotive Repair Establishment• Automotive Sales Establishment• Automotive Service Station• Bake Shop• Bank• Bed & Breakfast Establishment• Bingo Hall• Building Supply Centre• Bus Terminal• Bus Transfer Station• Car Wash• Conference Centre• Custom Workshop• Data Processing Centre• Drive-Through Facility• Entertainment Establishment	<p>Permitted Uses, EN Zone:</p> <ul style="list-style-type: none">• Adult Entertainment Establishment• Animal-related services• Assembly and Processing• Automotive Rental and Sales Establishment• Body Rub Parlour• Cemetery• Commercial Entertainment• Commercial School• Commercial Uses• Conference Centre• Custom Workshop• Arena• Community Facilities• Drive Thru Facility• Fitness or Health Club	<p>We request that the existing SP be amended by adding the following uses in ZBL 2009-141 C4 Zone and/or SP-454 be carried over to ensure we do not lose any as of right permitted uses so that they are not lost in transition to the new Zoning By-Law. We request the language in the SP be modified to permit the following uses, in addition to those identified in the new EN base zone:</p> <ul style="list-style-type: none">• Automotive Repair Establishment, Automotive Service Station (now Automotive Repair and Service Station)• Art Gallery• Bank, Laundry or Dry-Cleaning Depot, Personal Service Store, Photography Studio (Now Personal Services)• Bed & Breakfast Establishment (unless

<ul style="list-style-type: none"> • Fitness or Health Club • Florist • Funeral Establishment • Indoor Golf Driving Range • Hotel, Motel • Kennel in wholly Enclosed Building • Laundry or Dry-Cleaning Depot • Local Convenience Retail • Marina • Miniature Golf (outdoor) • Nightclub • Nursery or Garden Supply Centre • Office • Office, Medical • Outdoor Display and Sales Area • Parking Lot • Personal Service Store • Photography Studio • Private Club • Recreational Establishment • Restaurant • Retail Store • Rental Store • Service Store • Shopping Centre • Theatre • Trade Centre • Veterinary Clinic • Arena • Art Gallery • Assembly Hall • Commercial School • Community Centre • Child Care • Library • Place of Worship 	<ul style="list-style-type: none"> • Food and Beverage Processing • Food/Refreshment Stands • Food/Refreshment Vehicle • Funeral Establishment • Taxi Establishment • Gaming Establishment • Government Services • Building Supply Centre • Hospice • Hospitality • Hotel • Industrial School • Laboratory • Manufacturing Facility • Major Office • Major Retail (A major retail use permitted in the Employment Non-Industrial (EN) zone shall: i. Have a maximum permitted lot coverage of 40%; and ii. Have a maximum permitted building height of four (4) storeys (15 metres). • Micro Brewery • Micro Distillery • Nursery or Garden Supply Centre • Office • Outdoor Display & Sales Area 	<p>this falls into Hospitality)</p> <ul style="list-style-type: none"> • Bus Terminal (now Transit Terminal) • Bus Transfer Station (now Transit Transfer Station) • Car Wash (now Automotive Repair and Service Station) • Data Processing Centre • Office Medical (now Health Services Facility) • Parking Lot • Recreational Establishment • Rental Store • Service Store • Shopping Centre • Child Care (now Child Care Centre) • Library • Place of Worship • Social Services Facility (now Public Service Facility) <p>We also request the existing restriction on retail stores currently part of the SP, be deleted.</p>
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	<ul style="list-style-type: none"> • Social Services Facility • Dwelling Unit in conjunction with permitted uses except defined automotive uses <p>Permitted Uses SP-454:</p> <ul style="list-style-type: none"> • Automotive Service Station • Car Wash • Retail store (Shall only be convenience commercial retail not to exceed 25% or 300m² of the total gross floor area of the building.) 	<ul style="list-style-type: none"> • Parks and Open Space • Repair Service • Research and Development Centre • Restaurant • Retail Store • School • Self Storage • Studio 	
Definitions			
2.	<p>The Defined Terms for the following as outlined in Zoning By-law 2009-141:</p> <p>Research and Development Facility: "shall mean a laboratory, mechanical design studio, or any other facility used for research, testing, design and development of a new product."</p> <p>Art Gallery: "shall mean a building used for the preservation of collections of paintings or other works or art and devoted primarily to the recreation and/or education of</p>	<p>No definition has been provided for the following uses in the new draft by-law:</p> <ul style="list-style-type: none"> • Research and Development Facility or Centre • Hospitality • Car Wash • Art Gallery • Laboratory • Taxi Establishment • Studio 	<p>The new Draft by-law has defined and provided new terms or nomenclature which causes some permitted uses in the as of right provisions in the SP-454 to be lost.</p> <p>We request the definitions for these uses be added to carry the defined terms into new by-law or as part the revised SP, for those uses which have not been defined as part of the new proposed draft by-law.</p> <p>We also request definitions for those uses which are newly introduced as part of the draft by-law but have not yet been defined.</p>

	<p>the public, and may include the exhibition and sale of paintings and other works of art, whether by the proprietor or others."</p> <p>Car Wash: "shall mean a building and lot used for the washing or cleaning of vehicles by washing equipment and may include an auto detailing shop, but shall not include any other defined automotive use."</p>		
Lot and Yard Standards			
3.	Lot Area (min): 450 m ² (SP-454)	<p>Table 58: EN Lot and Yard Standards</p> <p>Lot Area (min): N/A</p>	We simply request that the Special Provision 454 standard for Side Yard Setback would be removed to align with the standard of the EN zone.
4.	Lot Coverage (max): 50% (C4) (SP-454)	<p>Table 58: EN Lot and Yard Standards</p> <p>Lot Coverage (max): 40%</p>	We simply request that the Special Provision 454 standard for the Maximum lot coverage be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.
5.	Lot Frontage (min): 15m (C4) (SP-454)	<p>Table 58: EN Lot and Yard Standards</p> <p>Lot Frontage (min): 30m</p>	We simply request that the Special Provision 454 standard for Lot Frontage would be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.
6.	Front Yard (min.) – 6m (C4) (SP-454)	<p>Table 58: EN Lot and Yard Standards</p> <p>Front Yard – 6m</p>	We request clarity on whether this is intended to be a minimum or maximum standard.

7.	Side Yard (min.) – 3m (C4) (SP-454)	Table 58: EN Lot and Yard Standards Exterior and Interior Side Yard (min.) – 3m	This standard is consistent, no change requested or removal from SP.
8.	Side Yard (min.) – 6m, adjacent to a residential zone (SP-454)	Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: iii. When the interior side yard of a lot in the Employment Non-Industrial (EN) zone is abutting, buildings and structures shall maintain a 6-metre interior side yard setback	This standard is consistent, no change requested or removal from SP.
9.	Side Yard (min) – 5m, adjacent a to a street (SP-454)	N/A	We simply request that the Special Provision 454 standard for Side Yard Setback would be removed to align with the standard of the EN zone.
10	Rear Yard (min) – 7m (SP-454)	Table 58: EN Lot and Yard Standards: Rear Yard (min) – 6m (EN)	We simply request that the Special Provision be removed or amended to align with the standard set out in the EN zone in the new ZBL.
11	Rear Yard (min) – 10m, adjoining a residential zone (SP-454)	Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: i. When the rear yard of a lot in the Employment zones is abutting, buildings and structures shall	We simply request that the Special Provision 454 standard for the Minimum Rear Yard Setback when adjacent to a Neighbourhood Zone would be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.

		maintain a 15-metre rear yard setback;	
12	Rear Yard (min) – 6m, adjoining a street (SP-454)	N/A	We simply request that the Special Provision 454 standard for Rear Yard Setback would be removed to align with the standard of the EN zone.
Building Standards			
13	Building Height (max.): 9m (C4) SP-454: 14m	Table 59: EN Building Standards: Building Height (max.): 5 Storeys (17.5 m) (EN)	We simply request that the Special Provision 454 standard would be removed or amended to align with the max. building height standard of the EN zone.
Parking and Loading			
14	No Minimum parking for Bicycles	Section 4.8: Bicycle Parking: For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term): <ul style="list-style-type: none"> • 0.2 spaces per 100 sqm of gross floor area 	We request an exemption from the minimum bicycle parking standard.
Additional SP-454 Provisions			
15	SP-454: That notwithstanding any other provision of this by-law, on the lands zoned General Commercial (C4)(SP-454) the provisions of this by-law shall apply collectively to the lands within each respective zone notwithstanding their future severance, partition or division for any purpose.	N/A	The notwithstanding clause presented in the existing special provision should continue to apply, adjusted to the new zones in the draft by-law: "That notwithstanding any other provision of this by-law, on the lands zoned Employment Non-industrial (EN)(SP-454) the provisions of this by-law shall apply collectively to the lands notwithstanding their future severance, partition or division for any purpose."



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November 14th, 2024

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Sent via email: celeste.kitsemetry@barrie.ca

Re: 3rd Draft Zoning By-law Comments – Park Place East Lands

On behalf of our clients North American (Park Place East) Corporation and 9613714 Canada Inc., Innovative Planning Solutions, acting as the agent of the registered owners, has reviewed the proposed Draft 3 Zoning By-Law as it pertains to their lands generally located east of Bayview Drive and south of Churchill Drive (the 'Subject Property').

The Subject Property is currently vacant, and forms part of the broader Park Place development. Per Zoning By-law 2009-141, the Subject Property was previously zoned as Light Industrial (LI) with applicable Special Provision 408 (SP-408). The new draft by-law proposes to rezone the Subject Property to Employment Industrial (EI), which removes significant as-of-right permissions, while maintaining the existing Special Provision as outlined in "Appendix A - Special Provisions and Holding Provisions". This schedule also seems to incorrectly indicate that the lands have a Holding Provision applied. This should be corrected as there are no applicable hold provisions.

We request that the Special Provision for the Subject Property be carried forward with the modifications proposed herein, in addition to the provisions of the new Zoning-By-law. Alternatively, we are open to the deletion of the existing Special Provision, and incorporation of modifications as part of a new Special Provision for the Subject Property.

Our comments and requests are captured below and are further detailed in the appended comparison chart.

1) Section 9.5 – Permitted Uses

To ensure any as of right permitted uses are not lost in transition to the new Zoning By-Law, we have created a list of current as-of right use permissions per ZBL 2009-141 LI Zone and/or SP-408, to be carried over in a new special provision. This approach will allow the preservation of use permissions, while proposing to adopt the new definitions proposed in the draft by-law, where applicable. The proposed language in the Special Provision is requested to be modified to allow for these additional uses in addition to the use permissions under the new zone designation.

Additionally, we request that the provision in SP-408 limiting restaurant uses on site be amended to permit restaurants without restriction notwithstanding section 9.7.3 b) of the new draft by-law.

2) Section 15 – Definitions

No definition has been provided for the following uses in the new draft by-law:

- i. Bakery
- ii. Research and Development Facility or Centre
- iii. Accessory Employee Use
- iv. Day Nursery

We request the definitions for the aforementioned uses be carried over from Zoning By-law 2009-141 to carry the defined terms into new by-law or as part the revised Special Provision.

3) Table 56 and Table 57 – El Lot and Yard Standards and Building Standards

a) Front Yard Setback: The new draft by-law does not identify the front yard setback as a minimum or maximum requirement. As such, we request further clarification.

b) We request the following standards to be deleted in the existing Special Provision, in favour of standards set in the EN zone as part of the new draft by law:

- i. Lot Area (min): 700m² (SP-408)
- ii. Front Yard (min.) – 7m (SP-408)
- iii. Side Yard (min.) – 3m (SP-408)
- iv. Side Yard (min.) – 10m, adjacent to a residential zone (SP-408)

- v. Side Yard (min) – 7m, adjacent a to a street (SP-408)
- vi. Rear Yard (min) – 7m
- vii. Rear Yard (min) – 15m, adjoining a residential zone (SP-408)
- viii. Rear Yard (min) – 7m, adjoining a street (SP-408)
- ix. Lot Coverage (max) – 60% (SP-408)

c) We request the following standards to be retained as part of SP-408, or a new replacement SP:

- i. Lot Frontage (min): 15m (SP-408)
- ii. Building Height (max) – 16m(2) (SP-408)
(2) Cranes, conveying equipment and incidental equipment required for manufacturing and processing shall also be exceptions to the maximum building height standard.

4) Section 4.8 Bicycle Parking

For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term): 0.2 spaces per 100 sqm of gross floor area. We request the removal of a minimum bicycle parking provision for Employment Areas or a requirement of 0 to be carried as part of the special provision. The current proposed rate is synonymous with requirements for retail, personal services, office, and retail store, as required in the City of Toronto Zoning By-law 569-2013, Given the lack of existing bicycle infrastructure in the City of Barrie and context of Employment Areas specifically, we believe this requirement is aggressive as currently proposed.

5) Previously Approved Minor Variances

We request that the approved Minor Variances (A35/22) pertaining to 447 Bayview Drive carry forward in the new zoning-by law, as follows:

- i. A building height of 19.6 metres.
- ii. To permit the location of loading spaces without being screened from view of any public street or highway.

6) Additional Provisions

We request the following additional provisions established through SP-408 carry forward as part of the new by-law, amended to reflect the new zones established:

- i. That notwithstanding any other provision of this by-law, on the lands zoned Employment Industrial (EI)(SP-408) the provisions of this by-law shall apply

collectively to the lands notwithstanding their future severance, partition or division for any purpose.

We trust that you will find the above satisfactory. We will continue to review the draft by-law in detail and consider staff and stakeholder input, which may add to or alter our comments herein.

Should you have any questions or comments, please do not hesitate to contact the undersigned.

Respectfully submitted,


Innovative Planning Solutions

A handwritten signature in black ink that reads "Ray Budiwarman".

Ray Budiwarman, BES.
Planner

A handwritten signature in blue ink that reads "Nick Skerratt".

Nick Skerratt,
Senior Planner

A handwritten signature in black ink that reads "Darren Vella".

Darren Vella, RPP.
Principal

APPENDIX

Park Place East Lands – Draft Zoning By-law Comments and Requests			
#	Zoning By-law 2009-141 (Current) and SP-408	Draft Version 3.0 Zoning By-law (09/2024)	Requested Site Specific Provisions
Permitted Uses			
1.	<p>Permitted Uses, LI Zone:</p> <ul style="list-style-type: none"> Animal Shelter Bakery Manufacturing and Processing in Wholly Enclosed Building Outdoor Storage Printing and publishing Rail Transfer Facility Rental Store Excl. Video and Electronic Rentals Research/Development Facility Self storage Warehousing in wholly enclosed buildings Wholesale establishment Accessory employee use Accessory retail Assembly hall Automotive repair establishment Bank Building Supply Centre (Restricted to multi-tenant building to max. 25% of total GFA or 1,000m²) (outdoor storage prohibited) Car wash Conference centre Custom workshop Data processing centre Drive thru facility Dry cleaning establishment Fitness or health club 	<p>Section 9.5, Permitted Uses, EI Zone:</p> <p>Permitted Uses, EI Zone:</p> <ul style="list-style-type: none"> Aggregate Transfer Station Assembly and Processing Automotive Rental and Sales Establishment Automotive repair and Service Station (includes car wash) Automotive Wrecking and Repair Establishment Cannabis Production Facility Commercial Uses (Accessory) Custom Workshop Drive Thru Facility (accessory) Food and Beverage Processing Truck Terminal Government Services Industrial Use (General) Industrial School (Accessory) Manufacturing Facility Manufacturing and Processing Material Recovery Facility Nursery or Garden Supply Centre Office (accessory) Parks and Open Space Rail Transfer Station 	<p>To ensure we do not lose any as of right permitted uses of the LI zone and/or SP-408 so that they are not lost in transition to the new Zoning By-Law, we request that the following Permitted uses in ZBL 2009-141 LI Zone, and SP-408 be carried over to the revised SP-408. We request the language in the SP be modified to permit the following uses, in addition to those identified in the new EI base zone:</p> <ul style="list-style-type: none"> Accessory Employee Use Animal Shelter, veterinary clinic, animal pound (now animal-related services) Bank, Printing and Publishing, Photography Studio, Dry Cleaning Establishment (now Personal Services) Bakery (now retail store) as permitted use vs permitted accessory Outdoor Storage Research and Development Facility (now Research and

<ul style="list-style-type: none"> • Hotel, motel • Miniature golf (outdoor) • Nursery or Garden Supply Centre • Office • Office medical • Outdoor display and sales area • Photography studio • Private club • Recreational establishment • Restaurant (1 restaurant per lot, permitted as part of multi-tenant building or separate building on one lot, does not exceed 25% of total ground floor gross floor area of lot, max GFA 300 sq. m) • Service store • Trade centre • Veterinary clinic • Kennel in wholly enclosed buildings • Child Care • Commercial school • Industrial School • Place of Worship • Funeral service provider <p>Permitted Uses SP-408:</p> <ul style="list-style-type: none"> • Accessory Employee Use • Accessory Retail • Assembly Hall • Auto Leasing Establishment • Auto Repair Establishment • Auto sales Establishment • Bank • Building Supply Centre • Car wash • Conference Centre • Custom Workshop 	<ul style="list-style-type: none"> • Repair Service (accessory) • Restaurant (A restaurant use permitted in the Employment Industrial [EI] zone, if: <ul style="list-style-type: none"> i. There is only one (1) restaurant on the lot; ii. It is part of a multi-unit commercial building, or it is a separate building among a group of buildings on the same lot, and; iii. It does not exceed 25% of the total ground floor gross floor area of the lot to a maximum of 300.0 square metres in gross leasable area.) • Retail Store (accessory) 	<ul style="list-style-type: none"> • Development Centre) • Rental Store • Self-Storage • Assembly Hall • Conference Centre • Data Processing Centre • Hotel, motel (now Hospitality) • Fitness or Health Club • Office • Office Medical (now Health Services Facility) • Outdoor Display and Sales Area • Private Club • Recreational Establishment • Service Store • Trade Centre (now Conference Centre) • Child Care Centre • Commercial School • Place of Worship • Funeral service provider (now funeral establishment) • Wholesale Establishment, Building Supply Centre (now Major Retail) • Commercial School • Day Nurseries (along with the as of right definition) • Rental store excluding video/electronics
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	<ul style="list-style-type: none"> • Data Processing Centre • Drive-through facility • Dry cleaning establishment • Fitness or health club • Hotel, motel • miniature golf (indoor and outdoor) • Nursery or garden supply centre • Office • Photography studio • Recreational establishment • Restaurant (permitted as part of multi-tenant building to not exceed 25% of total GFA of building up to 300m2) • Service store • Trade centre • Veterinary clinic • Wholesale establishment • Animal pound • Bakery • Manufacturing & processing in wholly enclosed building • Printing and publishing • Rail transfer facility • Rental store excluding video/electronics • Research and development facility • Self-storage • Warehousing in wholly enclosed building • Kennel in wholly closed building • Commercial school • Day nurseries • Industrial school 		
Definitions			
2.	The Defined Terms for the following as outlined in Zoning By-law 2009-141:	<p>No definition has been provided for the following uses in the new draft by-law:</p> <ul style="list-style-type: none"> • Bakery 	The new draft by-law has defined and provided new terms or nomenclature which

<p>Bakery: "shall mean a building or part of a building used for producing, mixing, compounding or baking bread, biscuits, ice cream cones, cakes, pies, buns or any other bakery products of which flour or meal is the principal ingredient but does not include a restaurant or other premises where such products are made only for consumption on the premises."</p> <p>Research and Development Facility: "shall mean a laboratory, mechanical design studio, or any other facility used for research, testing, design and development of a new product."</p> <p>Accessory Employee Use: "shall mean any accessory use which is used solely by the employees of the principal use of the building or lot as an amenity. The accessory use shall only be for the employees benefit and not open to the general public and may include, but not be limited to, an employee cafeteria, employee's daycare and an employee fitness centre."</p> <p>Day Nursery: We simply seek to have the keep the as of right definition and use from by-law 86-265</p>	<ul style="list-style-type: none"> • Research and Development Facility or Centre • Accessory Employee Use • Day Nursery 	<p>causes some permitted uses in the as of right provisions in the SP-408 to be lost.</p> <p>We request the definitions for these uses be added to carry the defined terms into new by-law or as part the revised SP, for those uses which have not been defined as part of the new proposed draft by-law.</p>
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Lot and Yard Standards			
3.	Lot Area (min): 700m ² (SP-408)	Table 56: EI Lot, and Yard Standards Lot Area (min): N/A	We simply request that the Special Provision be removed or amended to align with new proposed draft by-law.
4.	Lot Frontage (min): 15m (SP-408)	Table 56: EI Lot, and Yard Standards Lot Frontage (min): 30m	We simply request that the Special Provision 408 standard for Lot Frontage would be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.
5.	Front Yard (min.) – 7m (SP-408)	Table 56: EI Lot, and Yard Standards Front Yard – 6m	We request clarity on whether this is intended to be a minimum or maximum standard.
6.	Side Yard (min.) – 3m (SP-408)	Table 56: EI Lot, and Yard Standards Side Yard (min.) – 3m	This standard is consistent, no change requested or removal from SP.
7.	Side Yard (min.) – 10m, adjacent to a residential zone (SP-408)	Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: ii. When the interior side yard of a lot in the Employment Industrial (EI) zone is abutting, buildings and structures shall maintain a 10-metre interior side yard setback;	This standard is consistent, no change requested or removal from SP.
8.	Side Yard (min) – 7m, adjacent a to a street (SP-408)	N/A	We simply request that the Special Provision 408 standard for side yard would be removed to align with the goals of the EI zone.
9.	Rear Yard (min) – 7m	Table 56: EI Lot, and Yard Standards Rear Yard (min) – 6m	We simply request that the Special Provision be removed or amended to align with new proposed draft by-law.

10.	Rear Yard (min) – 15m, adjoining a residential zone (SP-408)	Any buildings or structures on a lot within the Employment zones shall setback from an abutting lot in the Neighbourhood zones: i. When the rear yard of a lot in the Employment zones is abutting, buildings and structures shall maintain a 15-metre rear yard setback;	This standard is consistent, no change requested or removal from SP.
11.	Rear Yard (min) – 7m, adjoining a street (SP-408)	N/A	We simply request that the Special Provision 408 standard for Rear Yard Setback would be to align with the goals of the EI zone.
12.	Lot Coverage (max) – 60% (SP-408)	Table 56: EI Lot, and Yard Standards Lot Coverage (max) – 60%	This standard is consistent, no change requested or removal from SP.
Building Standards			
13.	SP-408: Building Height (max.): 16m (2) (2) Cranes, conveying equipment and incidental equipment required for manufacturing and processing shall also be exceptions to the maximum building height standard.	Table 57: EI Building Standards Building Height (max.): 15m	We simply request that the Special Provision 408 standard for max. building height would be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.
14.	Approved Minor Variance A35/22: A building height of 19.6 metres, whereas the Comprehensive Zoning By-law 2009-141, under subsection 13.3.33(k), permits a maximum building height of 16 metres.	Table 57: EI Building Standards Building Height (max.): 15m	For 447 Bayview Drive, we request that the approved variances under A35/22 be carried into the new ZBL.
Parking and Loading			
15.	No Minimum parking for Bicycles	4.8 Bicycle Parking	We request removal of minimum bicycle parking

		<p>For District 4 Employment Areas for non-residential uses the provisions are (minimum long and short term):</p> <ul style="list-style-type: none"> • 0.2 spaces per 100 sqm of gross floor area 	<p>standard or exemption from the standard through the modified SP.</p>
16.	<p>Zoning By-law 2009-141, under Section 4.7.1.1:</p> <p>loading spaces are not permitted to be located in an area which can be viewed from a public street or highway.</p> <p>Approved Minor Variance A35/22:</p> <p>To permit the location of loading spaces without being screened from view of any public street or highway, whereas the Comprehensive Zoning By-law 2009-141, under Section 4.7.1.1, loading spaces are not permitted to be located in an area which can be viewed from a public street or highway.</p>	<p>Section 4.9.2</p> <p>The minimum dimensions of a loading space are 3.5 metres in width and 10.0 metres in length, with a minimum vertical clearance of 4.2 metres and shall:</p> <p>i. Not be located in the front yard or exterior side yard of any lot;</p> <p>ii. Be located adjacent to the structure for which they serve and shall be screened from view of any public street or highway;</p> <p>iii. Not be located within 6.0 metres of any street line; and,</p> <p>iv. Not be located within 7.5 metres of a Neighbourhood zone.</p>	<p>For 447 Bayview Drive, we request that the approved variances under A35/22 be carried into the new ZBL.</p>
Additional SP-408 Provisions			
17.	<p>Permitted use of restaurants: Shall only be permitted as part of a multi-tenant building and shall not exceed 25% of the total gross floor area of such a building to a maximum of 300m²</p> <p>Notwithstanding the Table of Permitted Uses (Table A), two freestanding restaurants shall be</p>	<p>A restaurant use permitted in the Employment Industrial (EI) zone, if:</p> <p>i. There is only one (1) restaurant on the lot;</p> <p>ii. It is part of a multi-unit commercial building, or it is a separate building among a group of buildings on the same lot, and;</p> <p>iii. It does not exceed 25% of the total ground floor gross floor area of the lot to a</p>	<p>This request simply seeks to remove the restriction that limits restaurant uses on site. The SP should be amended to permit Restaurants without restriction notwithstanding the provisions in the new draft by-law.</p>

	permitted within the lands zoned Service Industrial EM3 (SP-408).	maximum of 300.0 square metres in gross leasable area.	
18.	<p>SP-408:</p> <p>That notwithstanding any other provision of this by-law, on the lands zoned Service Industrial (EM3) (SP-408) the provisions of this by-law shall apply collectively to the lands within each respective zone notwithstanding their future severance, partition or division for any purpose.</p>	N/A	The notwithstanding clause presented in the existing special provision should continue to apply.



INNOVATIVE PLANNING SOLUTIONS

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November 14th, 2024

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Sent via email: celeste.kitsemetry@barrie.ca

Re: 3rd Draft Zoning By-law Comments – 100 Mapleview Drive East

On behalf of our clients, North American (Park Place) Corporation, North American (Park Place South D Commercial) Corporation, North American (Park Place South E) Corporation, North American (Park Place South C) Corporation, Park Place Acquisition Corporation, and 9613714 Canada Inc., Innovative Planning Solutions, acting as the agent of the registered owners, has reviewed the proposed Draft 3 Zoning By-Law as it pertains to their lands located at 100 Mapleview Drive East, commonly known as Park Place Shopping Centre (the 'Subject Property').

Per Zoning By-law 2009-141, the Subject Property was previously zoned as General Commercial (C4) with applicable Special Provision 304 (SP-304) across the site, and Special Provision 629 (SP-629) across 109, 119, 125 and 129 Park Place Boulevard. The new draft by-law proposes to rezone the lands to Commercial District 2 (CD2), while maintaining the existing Special Provision as outlined in Appendix A - Special Provisions and Holding Provisions. This schedule also seems to incorrectly indicate that the lands have a Holding Provision applied. This should be corrected as there are no applicable hold provisions.

We request that the Special Provision text for the Subject Property be carried forward with the modifications proposed herein, in addition to the provisions of the new Zoning-By-law. Alternatively, we are open to the deletion of the existing Special Provisions, and incorporation of modifications as part of a new Special Provision for the Subject Property.

Our detailed comments and requests are captured in the chart further below, and can be categorized under the following key themes:

- I. The changes in zones put forward new permitted uses and definitions that creates gaps in the as of right permissions for the Subject Property. We request that any gaps in permitted uses be addressed by adding the use permissions and associated definitions into the Special Provision for the site.
- II. The new draft by-law introduces a series of residential design standards that inhibit design flexibility and are more appropriate as design guidelines.
- III. The proposed new by-law introduces new standards that are aggressive for the City of Barrie, in comparison to other (and more densely populated) municipalities, including maximum parking rates, bicycle parking requirements and amenity space requirements.
- IV. The new by-law requires that 50% of the ground floor gross floor area of the lot be occupied by non-residential uses. Residential uses are defined to include indoor amenities such as "gyms, pools and any areas for the exclusive use of the residents of the building." However, there are several instances where retail may not be commercially feasible, or that the amount of retail may need to be reduced for viability. Amenity areas have been commonly used in the past to create animation at the ground floor where retail may not be viable.

Additionally, the new by-law stipulates that new development shall not result in a reduction to the gross floor area of non-residential uses, which have existed on a lot prior to the date of passing of this By-law. Given the scale of the Subject Property, its current development, and its redevelopment potential from a primarily open-air shopping centre, inclusive of larger format retail uses, into a mixed-use community, we believe that the requirement of retaining the gross floor area of all existing non-residential uses is not practical given the complexities of mixed-use buildings including building core, structural components, parking ramps, etc. For these reasons mixed use buildings are less efficient for retail, making foot for foot replacement unreasonable.

- V. As a result of Clause 15 of Bylaw 210-130 (OMB Decision June 28, 2010, PL050527) the proposed definition of a "Lot" and provisions that rely on the proposed definition of "Lot" cannot be fully implemented with respect to the Park Place lands. As an example, there is a need to define "Street" in relationship to a "Lot", given that the term is no longer defined in the new draft by-law, but notes added onto the recently uploaded October 2024 version stipulate that a definition will be added. We request that Street be defined as: "an internal private road or public highway, which affords the principle means of access to buildings and uses within or adjacent to the Lot."

Park Place Shopping Centre – Draft Zoning By-law Comments and Requests			
#	Zoning By-law 2009-141 (Current)	Draft Version 3.0 Zoning By-law (09/2024)	Requested Site Specific Provisions
Permitted Uses			
1.	<p>Permitted Uses, C4 Zone:</p> <ul style="list-style-type: none"> • Adult Entertainment Parlour • Automotive Leasing Establishment • Automotive Repair Establishment • Automotive Sales Establishment • Automotive Service Station • Bake Shop • Bank • Bed & Breakfast Establishment • Bingo Hall • Building Supply Centre • Bus Terminal • Bus Transfer Station • Car Wash • Conference Centre • Custom Workshop • Data Processing Centre • Drive-Through Facility • Entertainment Establishment • Fitness or Health Club • Florist • Funeral Establishment • Indoor Golf Driving Range • Hotel, Motel • Kennel in wholly Enclosed Building • Laundry or Dry Cleaning Depot • Local Convenience Retail • Marina • Miniature Golf (outdoor) • Nightclub 	<p>Permitted Uses, CD2 Zone:</p> <ul style="list-style-type: none"> • Adult Entertainment Establishment • Arcade or Game Establishment • Arena • Art Gallery • Assembly Hall • Assisted Living • Bed and Breakfast Establishment • Bingo Hall • Body Rub Parlour • Building Supply Centre • Bus Terminal • Bus Transfer Station • Child Care Centre • College • Conference Centre • Custom Workshop • Accessory Retail • Animal-related Services • Automotive Rental and Sales Establishment • Automotive Repair and Service Station (includes car wash) • Body Rub Parlour • Cemetery • Commercial Entertainment • Parking, Commercial • Commercial School • Commercial Uses • Community Facilities • Data Processing Centre • Drive Through Facility • Taxi Establishment 	<p>To ensure we do not lose any as of right permitted uses of the C4 zone so that they are not lost in transition to the new Zoning By-Law, we request that the following uses in ZBL 2009-141 C4 Zone and/or SP-304 be carried over:</p> <ul style="list-style-type: none"> • Private Club • Library • Place of Worship • Bed and breakfast Establishment (may fall into hospitality) • Car Wash • Parking lot • Clinic (By-law 86-265) • Social Services Facility (now public service facility) • Day Nurseries

<ul style="list-style-type: none"> • Nursery or Garden Supply Centre • Office • Office, Medical • Outdoor Display and Sales Area • Parking Lot • Personal Service Store • Photography studio • Private Club • Recreational establishment • Restaurant • Retail Store • Rental Store • Service Store • Shopping Centre • Theatre • Trade Centre • Veterinary Clinic • Arena • Art Gallery • Assembly Hall • Commercial School • Community Centre • Child Care • Library • Place of Worship • Social Services Facility • Dwelling Unit in conjunction with permitted uses except defined automotive uses <p>Permitted Uses SP-304:</p> <ul style="list-style-type: none"> • Animal Hospital • Auto Leasing Establishment • Auto Repair Establishment • Auto Sales Establishment • Automotive Service Station • Bake Shop • Bank • Bingo Hall 	<ul style="list-style-type: none"> • Farmers Market • Fitness or Health Club • Food/Refreshment Stands • Food/Refreshment Vehicle • Funeral Establishment • Government Services • Grocery Store • Health Services Facility • Building Supply Centre • Home Occupation • Hospice • Hospitality • Hotel • Institutional Uses • Local Convenience Retail • Long-Term Care Facility • Major Office • Major Retail • Micro Brewery • Micro Distillery • Mobility Hub(s) • Nursery or Garden Supply Centre • Office • Outdoor Display & Sales Area • Outdoor Patio • Outdoor Recreation • Personal Services • Recreational Establishment • Rental Store • Repair Service • Residential • Restaurant • Retail Store • School • Self Storage • Shared Accommodation • Shopping Centre • Studio 	
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	<ul style="list-style-type: none"> • Building Supply centre • Bus terminal • Bus transfer station • Car wash • Clinic (By-law 86-265) • Conference centre • Custom workshop • Data processing centre • Drive-through facility • Entertainment establishment • Fair grounds • Farm implement dealer • Fitness or health club • Florist • Funeral establishment • Golf driving range (indoor) • Hotel, motel, • kennel in wholly enclosed building • Laundry or dry cleaning depot • Local convenience retail • Marina • Miniature golf (indoor & outdoor) • Nursery of garden supply centre • Office • Office, medical • Outdoor display & sales area • Parking lot • Personal service store • Photography studio • Private club • Private/public art gallery • Recreational establishment • Rental store • Restaurant • Retail store • Service store • Shopping centre • Theater 	<ul style="list-style-type: none"> • Training and Rehabilitation Centre 	
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	<ul style="list-style-type: none"> • Trade centre • Wholesale establishment • Arena • Art Gallery • Assembly Hall • Library • Commercial school • Community centre • Court house, Gaol (By-law 93-46) • Day nurseries (By-law 86-265) • Places of worship • Police station 		
Definitions			
2.	<p>The Defined Terms for the following as outlined in Zoning By-law 2009-141:</p> <p>Art Gallery: "shall mean a building used for the preservation of collections of paintings or other works or art and devoted primarily to the recreation and/or education of the public, and may include the exhibition and sale of paintings and other works of art, whether by the proprietor or others."</p> <p>Car Wash: "shall mean a building and lot used for the washing or cleaning of vehicles by washing equipment and may include an auto detailing shop, but shall not include any other defined automotive use."</p> <p>Day Nursery: We simply seek to have the keep the as of right definition and use from by-law 86-265</p>	<p>No definition has been provided for the following uses in the new draft by-law:</p> <ul style="list-style-type: none"> • Art Gallery • Car Wash • Day Nurseries 	<p>The new Draft by-law has defined and provided new terms or nomenclature which causes some permitted uses in the as of right provisions in the SP-304 to be lost.</p> <p>We request the definitions for these uses be added to carry the defined terms into new by-law or as part the revised SP, for those uses which have not been defined as part of the new proposed draft by-law.</p> <p>Additionally, we request the definition of Kiosk be retained from SP-304, and the definition of Retail Village to be removed.</p>

	<p>The Defined Terms for the following as outlined in SP-304:</p> <p>Kiosk: Shall mean a free-standing permanent or temporary building or structure, located within the Retail Village, not exceeding 50 sq. m., used for the selling of wares and/or services and/or for promotional purposes and/or the preparation and selling of food and beverages and/or administrative and maintenance, including public washroom, purposes. (By-law 2010-130) (2013-023)</p> <p>Retail Village: Shall mean a grouping of buildings, designed and developed with a high quality of urban design, with a main street type of urban design, at a pedestrian scale and with pedestrian amenities. This mixed use employment area consists of retail, restaurant, entertainment and service commercial uses and may contain office, medical office and/or accommodation uses. (2010-130 Park Place OMB Decision June 28, 2010 PL050527).</p>		
Lot, Yard, and Amenity Standards			
3.	<p>Lot Coverage (max): 50% (SP-304)</p>	<p>Lot Coverage Low-rise and Flex Building (max): 55% (CD2)</p> <p>Lot Coverage Mid-rise (max): 60% (CD2)</p>	<p>We simply request that the SP-304 standard for Lot Coverage would be removed or amended to align and comply with the</p>

		Lot Coverage High-rise (max): N/A (CD2)	provisions of the CD2 zone.
4.	Lot Area (min): 450m ² (SP-304)	Lot Area Coverage Low-rise and Flex Building (min): 1200m ² (CD2) Lot Area Coverage Mid-High rise (min): N/a (CD2)	We simply request that the SP-304 standard for Lot Area would be carried over into the new ZBL for low-rise and flex buildings to avoid losing the as of right standard in the transition of the new ZBL, and lot area coverage for mid to high rise buildings to be consistent with the proposed new draft by-law.
5.	Lot Frontage (min): 15m (SP-304)	Lot Frontage Low-rise and Flex Building (min): 30m (CD2) Lot Frontage Mid-rise (min): 45m (CD2) Lot Frontage Mid-rise (min): 60m (CD2)	We simply request that the SP-304 standard for Lot Frontage would be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.
6.	Front Yard (min.) – 6m (SP-304)	Front Yard (min.) – 0.5m (CD2) Front Yard (max.) – 7m (CD2)	We simply request that the SP-304 standard for the Front Yard Setback would be removed to align and comply with the provisions of the CD2 zone.
7.	Side Yard (min.) – 3m (SP-304)	Exterior Side Yard (min.) – 1.2m (CD2) Interior Side Yard (Min.) – 3 m	We simply request that the SP-304 standard for the Minimum Side Yard Setback would be removed to align and comply with the provisions of the CD2 zone.
8.	Side Yard (min.) – 6m, adjacent to a residential zone (SP-304)	No Provision in CD2 zone	We simply request that the SP-304 standard for the Minimum Side Yard Setback when adjacent to a residential zone would be removed.
9.	Side Yard (min) – 5m, adjacent a to a street (SP-304)	No Provision in CD2 zone	We simply request that the SP-304 standard for the Minimum Side Yard

			Setback when adjacent to a Street would be removed.
10	Rear Yard (min) – 7m (SP-304)	Rear Yard (min) – 7.5m (CD2)	We simply request that the SP-304 standard for the Minimum Rear Yard Setback would be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.
11	Rear Yard (min) – 10m, adjoining a residential zone (SP-304)	No Provision in CD2 zone	We simply request that the SP-304 standard for the Minimum Rear Yard Setback when adjacent to a residential zone would be removed.
12	Rear Yard (min) – 6m, adjoining a street (SP-304)	No Provision in CD2 zone	We simply request that the SP-304 standard for the Minimum Rear Yard Setback when adjacent to a Street would be removed.
13	<p>No provisions outlining the amount of both Common and private amenity area found in SP-304 and SP-629</p> <p>ZBL 2009-141:</p> <p>s. 5.4.2.2 b) residential uses: Where a lot contains more than 4 residential dwelling units, an outdoor amenity area based on a minimum of 12m' per unit shall be provided. Outdoor amenity area may be inclusive of landscape open space, rooftop amenities (greenroofs, solariums, gardens, and patios), private balconies, or other outdoor amenity feature. Outdoor amenity area shall or shall not be in a consolidated form.</p>	<p>Section 8.9 CD2 Amenity Area Requirements</p> <p>Common Amenity Area (min.) 10m² / dwelling unit</p> <p>Private Amenity Area (min.): 5m² / dwelling unit</p>	We request that a site-specific exemption be introduced as part of the revised Special Provision that states, notwithstanding the bylaw, the minimum amenity area required shall be 4 sq. m. per dwelling unit.

	<p>S. 6.3.4.3 commercial: e) Where a lot contains more than 4 residential dwelling units, a consolidated outdoor amenity area based on a minimum 12m² per unit and which is not inclusive of the minimum required yard area adjacent to the building and exclusive of any on site community centre building(s) shall be provided;</p> <p>s. 6.3.4.3 e) Every dwelling unit shall be provided a consolidated outdoor landscaped amenity area of 12m² per unit (max. ratio of 2:1 length) or shall provide a consolidated minimum area of 1000m² of the site area as an amenity area for the residential component, whichever is less. The length of the consolidated outdoor area shall be no more than twice the width. Such area shall be exclusive of service areas, parking or maintenance areas, and shall be separated from the commercial component, accessed directly from a common entrance to the residential component and shall be exclusively for the use of the residential occupants. Such outdoor amenity need not be at ground level and may constitute landscaped rooftops or common</p>		
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	element connected terraced areas		
14	<p>(SP-304):</p> <p>A minimum landscape area 8 metres wide, after any road widening required by MTO, shall be provided adjacent to the Highway 400 frontage. No further landscaping area will be required if any additional road widenings are taken by the MTO following the first Site Plan approval.</p> <p>A minimum landscape area of 6 metres wide, after any road widenings required by the City of Barrie, shall be provided adjacent to Maplevue Drive East and Bayview Drive. Notwithstanding the aforementioned, the following landscaping provisions apply:</p> <ul style="list-style-type: none"> a. From the main entrance to the Retail Village on Maplevue Drive East to the entrance to the gas bar from Maplevue Drive East, the landscape strip shall be a minimum of 4.5 metres. b. From the Maplevue Drive East entrance to the gas bar to the daylight triangle at the intersection of Maplevue Drive East and Bayview Drive the landscape strip shall be a minimum of 4.2 metres. 	<p>CD2 Zone:</p> <p>Landscaped Area (Minimum) 20%</p>	<p>We simply request to carry over the landscape provision from existing special provision to prevent the loss of the aforementioned requirement during transition.</p>

	c. From the daylight triangle at Mapleview Drive East and Bayview Drive to the entrance to the gas bar from Bayview Drive the landscape strip shall be a minimum of 3.5 metres.		
15	(SP-304): The lot line and yard adjoining Mapleview Drive shall be deemed to be the front lot line and yard and the provisions of the aforementioned.	No Provision found in the CD2 zone	We simply request to carry over the landscape provision from existing special provision to prevent the loss of the aforementioned requirement during transition.
16	(SP304): Where the lot of the General Commercial (C4)(SP-304) zone abuts the Open Space (OS) the yard requirements do not apply.	No Provision found in the CD2 zone	<p>We simply request to carry over the landscape provision from existing special provision to prevent the loss of the aforementioned requirement during transition.</p> <p>This should be amended as follows: Where the lot abuts a Green Space (GS) zone, the yard requirements do not apply.</p>
17	(SP-304): Where a lot is adjacent an Open Space (OS) or Environmental Protection (EP) zone storm water management facilities and related outfalls as well as private roads or lanes are permitted in the OS and EP lands.	No Provision found in the CD2 zone	We simply to carry over the provision to prevent the loss of the following requirement during transition. Updated to reflect the new zone categories.
Building Standards			

18	<p>Residential Building Height (max.): 67m (16 stories) (SP-629)</p> <p>That within the lands zoned General Commercial (C4) (SP-304) not comprising the Retail Village the following special provisions shall apply: a) No Height limit shall apply (SP 304)</p> <p>Within the Retail Village, a height limit of 16 metres shall apply for all buildings or structures used for retail stores, restaurants, entertainment and personal service uses but not for hotels, buildings used predominantly for office commercial purposes or architectural features which may include a recreational component. (SP-304)</p>	<p>CD2 zone</p> <p>Flex Building Height (Max):</p> <p>Low-Rise Building Height (Min): 2-storeys (5.5m) Low-Rise Building Height (Max): 4 storeys (14m)</p> <p>Mid-rise Building Height (min.): 5 storeys (17.5 m) Mid-rise Building Height (Max.): 12 storeys (42 m)</p> <p>High-rise Building Height (min.): 12 storeys (42 m) High-rise Building Height (max.): 20 storeys (62m)</p>	<p>We simply request that the SP-629 standard for the Maximum Building Height would be carried over into the new ZBL and integrated into a revised SP-304 to avoid losing the as of right standard in the transition of the new ZBL.</p> <p>However, the provisions relating to heights within the retail village should be removed.</p>
19	<p>Residential maximum dwelling units: 475 (SP-629) limited to 109 and 119 Park Place Boulevard (Parts 1 and 2 Plan 51R44679)</p>	N/A	<p>We simply request that the SP-629 standard for the Maximum Residential dwelling units would be carried over into the new ZBL to avoid losing the as of right standard in the transition of the new ZBL.</p>
20	<p>No Provision for building length in C4 and SP-304 and SP-629</p>	<p>Current Provision in the CD2 zone, Draft ZBL for maximum building length:</p> <p>Flex, Low, Mid-rise buildings= 65m</p> <p>High Rise Building = 75m</p>	<p>We request that a site-specific exemption be introduced as part of the revised Special Provision that notwithstanding the bylaw, states no maximum building length standards shall apply.</p>
Commercial District Zones Specific Standards			

21	N/A	<p>8.7.1. Residential Uses & Non-Residential Uses</p> <p>a) 50% of the ground floor gross floor area of a lot shall be used for non-residential uses;</p> <p>b) Common entrances to a residential use shall be separated from entrances to a non-residential use; and</p> <p>c) New development shall not result in a reduction to the gross floor area of non-residential uses, which have existed on a lot prior to the date of passing of this By-law.</p>	<p>Given the scale of the site, its current development, and its redevelopment potential from a primarily open-air shopping centre, inclusive of larger format retail uses, into a mixed-use community, we believe that the requirement of retaining the gross floor area of all existing non-residential uses may be difficult in its entirety to preserve as residential uses potentially layer onto the site over time. We request that a site-specific exemption be introduced as part of the revised Special Provisions that allows standalone residential uses notwithstanding section 8.7.1 of the draft bylaw.</p>
22	No Commercial Gross Floor Area (min) Provisions apply	Commercial Gross Floor Area (Min) – 50%	<p>We request that a site-specific exemption be introduced as part of the revised Special Provision that allows standalone residential uses notwithstanding the bylaw.</p>
Parking and Loading			
23	<p>Table 4.6 of the ZBL 2009-141 outlines minimum parking standard based on use, no parking maximums set.</p> <p>SP-304:</p> <p>For the lands zoned General Commercial (C4) (SP-304), parking spaces shall be supplied based on the following parking rates:</p>	<p>No minimum parking standard applies for non-residential units. Table 13</p> <p>Maximum parking standards in District 3 SGA:</p> <ul style="list-style-type: none"> For any Dwelling Unit: 1.25/unit For any Grocery Use: N/A <p>For any other Non-Residential Use: 1/40 sq. m. of Gross Floor Area</p>	<p>There shall be no applicable maximum parking requirement for non-residential uses.</p> <p>We also request that the minimum parking standards in SP-304 and SP-629 be removed.</p>

	<ul style="list-style-type: none"> • Retail Stores, Personal Service Stores, Service Stores, Banks, Hotel, Amenity Areas, Entertainment Uses, Restaurants and Cinemas: 1 space for every 20.65 sq. m • Restaurants occupying in excess of 14% of the gross leasable floor area of the overall development within the General Commercial (C4) (SP-304) zone, excluding Hotels and any Restaurant space within a Hotel: 1 space for every 9.29 sq. m. • Hotel: 1 space for every hotel suite <p>SP-629:</p> <p>Residential uses as part of a mixed use commercial/institutional and residential development, generally located east of Park Place Boulevard, north and south of South Village Way are permitted with the following special provisions: A minimum of 1 parking space per residential dwelling unit. (By-law 2023-029 for 109 Park Place Boulevard).</p>		
24	No Bicycle parking standard applied in ZBL 2009-141 or SP-304 and SP-629	Section 4.8 Bicycle Parking	Given that this is an introduction of bicycle parking requirements to the City of Barrie, and that

		<p>For District 3 SGA the minimum provisions are (long and short term):</p> <ul style="list-style-type: none"> • For a building containing 10 or more Dwelling Units: 1 bicycle parking space per dwelling unit • For all other non-residential uses: 0.3 spaces per 100 sqm of gross floor area 	<p>more densely populated and urban contexts carry half the rate of that being proposed, we recommend the City reduce the required amount of bicycle parking to be more fitting for the suburban context and consider a combined rate that encompasses both indoor and outdoor bicycle parking requirements.</p> <p>We request that a site-specific exemption be introduced as part of the revised Special Provision that states, notwithstanding the bylaw, Bicycle parking spaces shall be supplied based on the following rates:</p> <ul style="list-style-type: none"> • For a building containing 10 or more Dwelling Units: 0.5 space / dwelling unit • For all other non-residential uses: 0.1 space/ 100m2 gross floor area <p>The minimum requirement may be provided as a combination of indoor and outdoor bicycle parking spaces.</p>
25	<p>ZBL 2009-141 Section 4.6.2.6</p> <p>All required non-residential parking spaces, driveways, aisles and loading spaces shall be constructed and maintained with a stable surface such as portland</p>	<p>Section 4.2 a)</p> <p>Non-residential parking spaces, driveways, and aisles shall be constructed and maintained with</p>	<p>We request that the existing site-specific exemption in SP-304 be carried.</p>

	<p>cement, asphaltic binder or paving stones and curbed with a continuous poured concrete curb, except as provided for in Sections 7.3.3.1, 9.3.2.1 and 10.3.1.1. Parking spaces, parking areas, driveways, and aisles in Residential Zones shall comply with Section 5.3.6.</p> <p>SP-304:</p> <p>Where an area has been set aside for future development a continuous poured concrete curb shall not be required.</p>	<p>concrete, asphalt or pavers, and curbed with a continuous poured concrete curb</p>															
26	<p>Section 4.7.1 of ZBL 2009-141</p> <p>For any industrial or commercial use, permanent loading spaces shall be provided and maintained on the same lot in accordance with the following provisions:</p> <table><tr><th>Gross Floor Area</th><th>Number of Spaces</th></tr><tr><td>0m² – 999m²</td><td>0 spaces</td></tr><tr><td>1,000m² – 2,999m²</td><td>1 spaces</td></tr><tr><td>3,000m² – 7,499m²</td><td>2 spaces</td></tr><tr><td>7,500m² – 13,999m²</td><td>3 spaces</td></tr><tr><td>14,000m² – 19,999m²</td><td>4 spaces</td></tr><tr><td>20,000m² +</td><td>1 space each per additional 10,000m²</td></tr></table>	Gross Floor Area	Number of Spaces	0m ² – 999m ²	0 spaces	1,000m ² – 2,999m ²	1 spaces	3,000m ² – 7,499m ²	2 spaces	7,500m ² – 13,999m ²	3 spaces	14,000m ² – 19,999m ²	4 spaces	20,000m ² +	1 space each per additional 10,000m ²	<p>Section 4.9</p> <p>The required minimum number of loading space for buildings between 3,000 square metres and 5,000 square metres of gross floor area shall be 2.</p>	<p>The loading provisions outlined in include the minimum number of loading spaces required based on GFA of commercial uses provided and maintained on the same lot. We would like to note that some larger commercial uses such as fitness facilities take up a larger footprint, however, do not require many loading bays as they sell services as opposed to goods. We would suggest consideration towards exemptions for such uses.</p> <p>We request that a site-specific exemption be introduced as part of the revised Special Provision that states, notwithstanding the bylaw, the required minimum number of loading space for</p>
Gross Floor Area	Number of Spaces																
0m ² – 999m ²	0 spaces																
1,000m ² – 2,999m ²	1 spaces																
3,000m ² – 7,499m ²	2 spaces																
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14,000m ² – 19,999m ²	4 spaces																
20,000m ² +	1 space each per additional 10,000m ²																

			buildings between 3,000 square metres and 5,000 square metres of gross floor area shall be 1.
General Standards and Provisions			
27	No provision for private amenity space facing a public right of way	Section 3.2.6 f) A balcony may not encroach into a street or public right-of-way, unless otherwise permitted in this By-Law.	We request that a site-specific exemption be introduced as part of the revised Special Provision that states, notwithstanding the bylaw, Private amenity space can face onto a street or public right of way.
28	No provision for balcony design standards	Section 3.2.6 d) A balcony must remain open on all sides except those along an exterior wall to which it is attached, or where a separation for balconies between adjacent dwelling units is required;	We request that a site-specific exemption be introduced as part of the revised Special Provision that states, notwithstanding the bylaw, a balcony does not need to remain open on all sides except those along an exterior wall to which it is attached.
29	No provision for building step-back for height in the C4	Section 3.2.4 Building Step-Backs A 3-metre step-back shall be provided on any floor, between the second (2nd) and sixth (6th) storey, on mid-rise, and high-rise building face(s) adjacent to a street.	We request that a site-specific exemption be introduced as part of the revised Special Provision that states, notwithstanding the bylaw, a 2-metre minimum step-back shall be provided on any floor, between the 2nd storey and the 6th storey, on building face(s) adjacent to a street.
30	No provision for building face distances	Section 3.2.7 Facing distances prescribed in Table 7 apply when any combination, or greater, of low-rise buildings, mid-rise buildings, high-rise buildings, and rowhouse	We request that a site-specific exemption be introduced as part of the revised Special Provision that notwithstanding the draft bylaw, states no minimum building face

		buildings are located on the same lot: 13 or more storeys: 25 metres	distance requirements shall apply.
31	No provision for window to wall ratio.	Section 3.2.11 a) The façades of any low-rise building, mid-rise building, or high-rise building, shall have a total maximum of 60% of window to wall ratio, as measured across all building façades; and b) A minimum of 50% of the façade of any low-rise building, mid-rise building, or high-rise building, abutting a street, landscaped open space, or amenity area, shall be windows, openings, or similar.	We request that a site-specific exemption be introduced as part of the revised Special Provision that notwithstanding the bylaw, states no minimum or maximum window to wall percentage shall apply.
Additional Provisions			
32	SP-304: At least one public transit facility shall be provided in the area zoned General Commercial (C4) (SP-304), which may include a bus layby lane(s) and a public transit shelter.	Provision not included; however Transit Terminal and Transit Transfer Station are included as permitted uses, captured under definition of Government Services.	We request that the existing site-specific exemption be carried forward.
33	SP-304: Retail Village provisions outlined in sections 4 to 6 of Bylaw 210-130 associated with OMB file PL050527	N/A	We request that all retail village provisions be deleted from SP-304.
34	SP-304: Staging provisions outlined in section 14 of Bylaw 210-130 associated with OMB file PL050527	N/A	We request that all staging provisions be deleted from SP-304.

35	<p>SP-304:</p> <p>That notwithstanding any other provision of this by-law, on the lands zoned General Commercial (C4) (SP-304) the provisions of this by-law shall apply collectively to the lands within each respective zone notwithstanding their future severance, partition or division for any purpose.</p>	N/A	<p>The notwithstanding clause presented in the existing special provision should continue to apply, amended with the new zone.</p>
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We trust that you will find the above satisfactory. We will continue to review the draft by-law in detail and consider staff and stakeholder input, which may add to or alter our comments herein.

Should you have any questions or comments, please do not hesitate to contact the undersigned.

Respectfully submitted,

Innovative Planning Solutions



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