

**From:** Celeste Phillips <celeste@cplan.ca>  
**Sent:** Monday, March 30, 2015 8:07 PM  
**To:** Merwan Kalyaniwalla  
**Cc:** Lisa Pearson  
**Subject:** Intensification Corridors

Merwan:

As indicated in previous emails, my concerns with the proposed OPA and Zoning standards are as follows:

1. In my opinion, planning staff have not adequately studied the impact of development along intensification corridors vis a vis the heights that are being proposed. My request is that staff conduct a further examination of the intensification corridors and adjacent uses before finalizing the Official Plan Amendment and Zoning standards.
2. The only rationale I've heard with respect to 5 and 8 storey buildings is that staff heard from the development industry that such heights are economical. I attended the meeting that you have referenced and did not hear opposition to something less than 5 storeys.
3. As you know, the definition of intensification per the Province, is something greater than what currently exists, so I'd ask that you consider reducing the heights so that consideration can be given to existing stable residential neighbourhoods. As written, it would seem that 5 and 8 storeys are carte blanche entitlements. Buildings of 2 and 3 storeys would in most cases satisfy the definition of intensification and will be far more compatible in certain locations.
4. There needs to be more substance to the draft OPA that clearly indicates that not every property along intensification corridors is appropriate for intensification. My suggestion is that staff take the time to walk the corridors, look at the topography and adjacent uses and determine those properties where more than 2 storeys would create a negative impact. Part of this exercise can be done by way of assessing depths of properties from the City's parcel fabric mapping. As currently written the proposed policies and standards are so lax that virtually any application for redevelopment could be approved along intensification corridors without regard for existing land uses.
5. I have provided you with suggested revisions to the documents. In particular, I have suggested that the "Goals" section include a statement that references the fact that not all lands may be appropriate for intensification and that there is an underlying desire to protect existing stable residential neighbourhoods.
6. I have asked on what basis 8 storeys is a suitable entitlement when ground floor commercial is provided for a portion of the building. I have suggested that a commercial demand study ought to first be completed prior to allowing ground floor commercial along all corridors. I can see a situation where a portion of a proposed building is set aside for commercial only so an 8 storey building can be constructed. Does staff have an understanding of the demand, if any, for commercial space along corridors vs. commercial nodes? If not, why recommend approval of ground floor commercial along all intensification corridors?
7. I have suggested that a checklist for required studies needs to be included within the OPA itself, rather than as a reference back to the parent OP. I have provided you with an example where no studies were requested by staff for an application that proposed an increase in GFA and height. You might wish to review the Newmarket Zoning By-law where the criteria for a "complete application" is set out. As an example, wouldn't it be appropriate for building massing and solar shadowing studies to be included with *every* application along intensification corridors?
8. Uses that I feel are inappropriate along intensification corridors have previously been provided to you and include among others: bus terminals, building supply centres, nursery or garden supply centres, outdoor display and sales areas – use that often create outdoor noise by way of loud speakers. Gas stations, in my opinion, should not be permitted along intensification corridors and I have asked for the rationale for such uses. To date, all I have heard

is that most intensification corridors lead to the Highway, hence the need for the allowance. However, a quick inventory of existing gas station uses along the corridors leads me to believe that there is no need for additional permissions. Important to the discussion of gas stations, is that often there are accessory uses such as convenience stores, car washes, restaurants (Neighbours, Tim Hortons).

9. Setbacks: To date I have not heard the rationale for moving commercial buildings closer to existing residential uses (7 m. vs. 10 m.). How is it possible that moving commercial buildings closer to existing residential uses improves compatibility?
10. I have suggested that visitor parking is required, particularly since for the most part, on-street parking is not permitted along intensification corridors. With the proposed standards of no visitor parking, my expectation is that parking will spill over to adjacent local streets and existing residential neighbourhoods. A standard that you may wish to consider is 1.5 spaces per residential unit of which 25 percent of the spaces would be dedicated for visitor parking. I have also suggested that 2 barrier free parking spaces should be required, over and above the usual parking standard. I have asked that you consider the identification of snow storage areas – you may wish to review the Orillia Zoning By-law for the standards that are being used there.
11. I share the concerns expressed by members of Council and by the IIDS Committee – that intensification should not, and cannot be detrimental to existing stable residential neighbourhoods, that a ‘made in Barrie’ approach to intensification is needed, that this is an important planning issue that needs to be done carefully and well. In my opinion, the draft policies as currently written are lacking in substance and the proposed zoning standards are far too permissive. These documents must set the tests by which an application is assessed and to best understand the implications, staff need to look more closely at the existing land uses adjacent to the intensification corridors and only then, present the policies and standards to the Committee and Council.

I would be happy to review a revised draft of the documents or to meet with you to further discuss.

---

Celeste Phillips, MCIP RPP

**Celeste Phillips Planning Inc.**

85 Bayfield Street  
Suite 500  
Barrie, Ontario  
Canada  
L4M 3A7

Telephone: 705.797.8977  
iPhone: 705.730.8850  
Facsimile: 705.730.1059  
Email: [celeste@cplan.ca](mailto:celeste@cplan.ca)

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On 15-03-05 2:12 PM, "Merwan Kalyaniwalla" <[Merwan.Kalyaniwalla@barrie.ca](mailto:Merwan.Kalyaniwalla@barrie.ca)> wrote:

Celeste, I am preparing a report back to IIDSC probably for the May meeting on the issues staff were asked to address by the Committee. If you would like to provide me with any feedback on the revised OPA and standards that I provided to you, I would be pleased to receive them. Alternatively, or in addition to, I am happy to meet with you and the Racicots or whomever else might want to come and discuss this matter.

Please advise me if you would like to meet and when you are available.

**Merwan Kalyaniwalla**  
Manager of Policy Planning  
The City of Barrie  
Central Ontario's Premier Waterfront Community

Planning Services Department  
70 Collier Street, 9th Floor

Mailing Address:  
P.O. Box 400, Barrie ON, L4M 4T5  
Tel: 705-739-4220 ext. 4314  
Fax: 705-739-4270

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**From:** Celeste Phillips [<mailto:celeste@cplan.ca>]  
**Sent:** Monday, February 23, 2015 4:08 PM  
**To:** Merwan Kalyaniwalla  
**Subject:** Re:

Hi Merwan – Yes there are other uses that often use outdoor speakers – rental stores, garden supply centre, outdoor display and sales area. I still oppose the adoption of an Amendment and establishment of the MU zone as currently written.

On 15-02-18 12:17 PM, "Merwan Kalyaniwalla" <[Merwan.Kalyaniwalla@barrie.ca](mailto:Merwan.Kalyaniwalla@barrie.ca)> wrote:  
Good morning Celeste,

Thanks for coming in yesterday with the Racicots. As indicated yesterday I think Aslam has addressed most of your comments from your original letter in the Staff report but I have reviewed the proposed changes you sent him and have attached a copy with the ones that I think make sense and the ones which I think undermine the objective of encouraging mixed use intensification generally throughout the designated intensification areas.

Please call when you have had a chance to review them if you would like to discuss further.

**Merwan Kalyaniwalla**  
Manager of Policy Planning  
The City of Barrie  
Central Ontario's Premier Waterfront Community

Planning Services Department  
70 Collier Street, 9th Floor

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P.O. Box 400, Barrie ON, L4M 4T5

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March 26, 2014

Ms. D. McAlpine  
City Clerk  
City of Barrie  
70 Collier Street  
Barrie, Ontario  
L4N 4T5

Dear Ms. McAlpine:

**Re: Public Meeting - March 31, 2014  
Proposed Zoning for Intensification Nodes and Corridors**

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I have had an opportunity to review the City's Staff Report on the above-noted matter and I attended the Zoning Forum held on February 28, 2014. I have also reviewed the proposed development standards for the intensification area zones and am writing to provide my comments.

In general, my concerns relate to reducing the impact of residential intensification on existing stable residential neighbourhoods. I feel that this can be best accomplished by reducing the height of buildings along intensification corridors, ensuring an appropriate rear yard setback, establishing a standard for visitor parking, increasing landscape buffering/fencing standards and modifying the list of permitted uses.

I believe that the proposed allowances for 5 to 8 storey buildings adjacent to existing low density residential areas should be reconsidered, with a view to reducing the heights to between 2 and 4 storeys.

**1. Maximum height of 2 storeys is required in certain locations due to variations in topography**

One of my main concerns is the impact that redevelopment will have in at least 3 particular locations in the City of Barrie (note attached maps). In the examples provided, there is a topographical variation between the intensification corridor lands and the established residential areas located immediately behind and adjacent to the intensification area. Put more simply: the lands that would be permitted more intense development and greater heights are already

85 Bayfield Street, Suite 500, Barrie, ON L4M 3A7  
T 705 797 8977 F 705 730 1059 C 705 730 8850  
[celeste@cplan.ca](mailto:celeste@cplan.ca)



topographically higher in elevation than the lands behind. The outcome would be a situation where existing established residential areas would be negatively impacted in terms of height, setbacks, massing and shadowing.

Area A is located on the east side of Yonge Street, from MacLaren Avenue, southerly and including the property known municipally as 481 Yonge Street. These lands are between 4 and 6 metres higher than lands to the east, hence development of these lands to a potential height of between 5 and 8 storeys results in a 7 to 10 storey impact to adjacent single detached dwellings. Although not along an intensification corridor, Area B, located on the north side of Penetang Street, shows a similar topographic variation. The Penetang Street lands are higher than the residential houses on the south side of Queen Street. Area C, located on the east side of Duckworth Street is also topographically higher than those homes built on the west side of Belcourt Avenue.

I question the appropriateness of the minimum and maximum building heights set out in the Proposed Development Standards chart. It is my request that at a minimum, Council consider a site specific Mixed Use Zoning for areas where there are such topographic variations so that the maximum height is limited to 2 storeys, regardless of whether or not ground floor commercial is provided.

While I have attached location maps illustrating three examples, it is my suggestion that there may be other areas in the City that have similar situations. I would ask therefore that City staff consider the topography of each of the intensification corridors and the potential impact on adjacent uses before finalizing any new development standards or recommending an as-of-right height permission. Similarly, it is my suggestion that for all redevelopment projects, a solar shadow study be required and peer reviewed.

**2. Rear yard setbacks adjoining residential zones should be 10 metres when ground floor commercial is provided.**

The City's current zoning by-law requires a 10 metre rear yard setback when General Commercial or Convenience Commercial uses are developed adjacent to a residential zone. Given that ground floor commercial is contemplated along intensification corridors, it is my position that the same 10 metre setback (not 7 metres as proposed) should be carried through in the new Mixed Use zoning. A 10 metre rear yard setback recognizes the need to adequately separate commercial uses from existing residential uses.

As buildings are moved closer to the street, the rear yards along intensification corridors, which are closest to existing established residential neighbourhoods, now become the active areas. I am not convinced that ground floor commercial



should be permitted as-of-right along all intensification corridors. However, in instances where ground floor commercial uses are proposed, careful consideration should be given to increasing the width of landscape buffers, providing acoustic fencing, and requiring garbage disposal areas to be within the main building, all in an effort reduce the impact on existing residential areas.

**3. New Visitor and Barrier Free Parking standards are required.**

The new development standards propose a parking standard of 1 space per dwelling unit. This is a generally accepted standard for intensification areas where there is an expectation that transit will be used. However, many municipalities have recognized the need to implement a standard for visitor parking. As on-street parking is unlikely to be permitted along intensification corridors such as Essa Road, Dunlop Street West, Yonge Street and the northern part of Duckworth Street, it is important that new developments have dedicated areas for visitor parking. It is my suggestion that for both the mixed use node and corridor areas, a parking standard of 1.5 spaces per residential unit be required of which 25 percent of the spaces would be dedicated for visitor parking. A minimum of 2 barrier free parking spaces should be required, over and above the usual parking standard. To avoid the use of parking spaces for snow storage, many municipalities are now requesting the identification of snow storage areas as part of Site Plan approval.

**4. Permitted uses within intensification areas.**

Staff are suggesting that automotive service stations be permitted within the intensification corridors though site specific rezoning approvals. In my opinion, further consideration needs to be given to this approach. Has an inventory been completed to identify all existing automobile service stations along intensification corridors? Is there a need for additional service stations? Would this use be more appropriate in a location away from existing established residential neighbourhoods?

Other uses that in my opinion are inappropriate in the intensification corridor areas (adjacent in many cases to low density residential uses) are uses that often create "outdoor" noise including: arcade or game establishment, building supply centre, bus terminal, entertainment establishment, nursery or garden supply centre, outdoor display and sales area, recreational establishment.

As a final point, I note that staff are suggesting (Staff Report PLN029-13, December 9, 2013) that they will be recommending that Council consider *pre-zoning* all lands within intensification nodes and corridors to the newly created zones. I wish to indicate my objection to this approach as I feel it is important for



each redevelopment application to be considered in terms of its impact on the immediately adjacent uses. Pre-zoning lands would deny this opportunity to the residents of numerous established neighbourhoods in Barrie.

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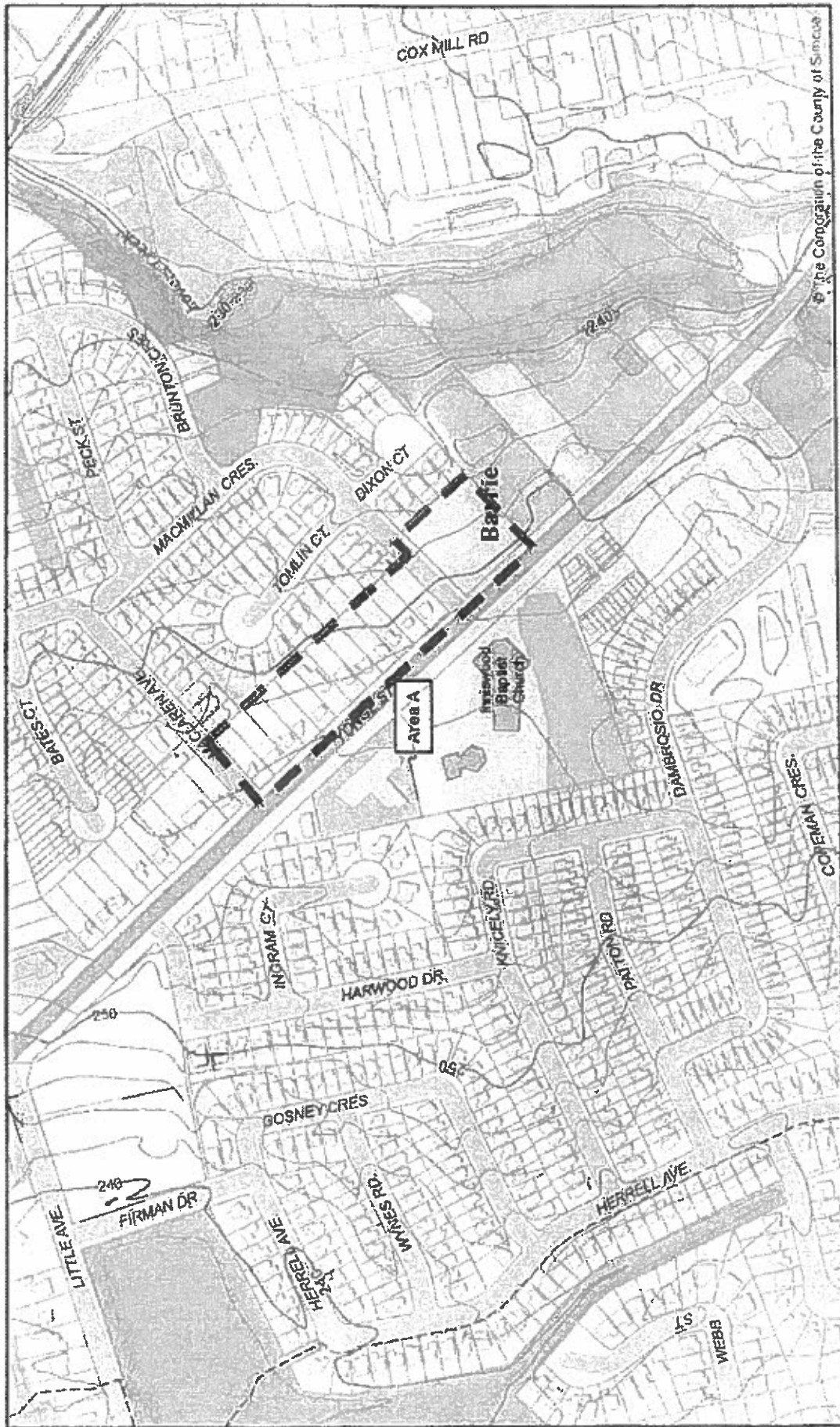
The removal of obstacles to redevelopment and the establishment of new zone permissions and standards for intensification nodes and corridors should not in turn result in a negative impact to the adjacent stable residential neighbourhoods. While I recognize the importance of encouraging residential intensification within the built boundary, I think we must be mindful of its impact on existing residential areas not only in terms of zoning standards but also with respect to the types of uses that will be permitted and how those uses could impact immediately surrounding residential areas.

Please add my name to the list of those requesting notification regarding this matter.

Sincerely,

Celeste Phillips, MCIP RPP





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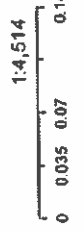
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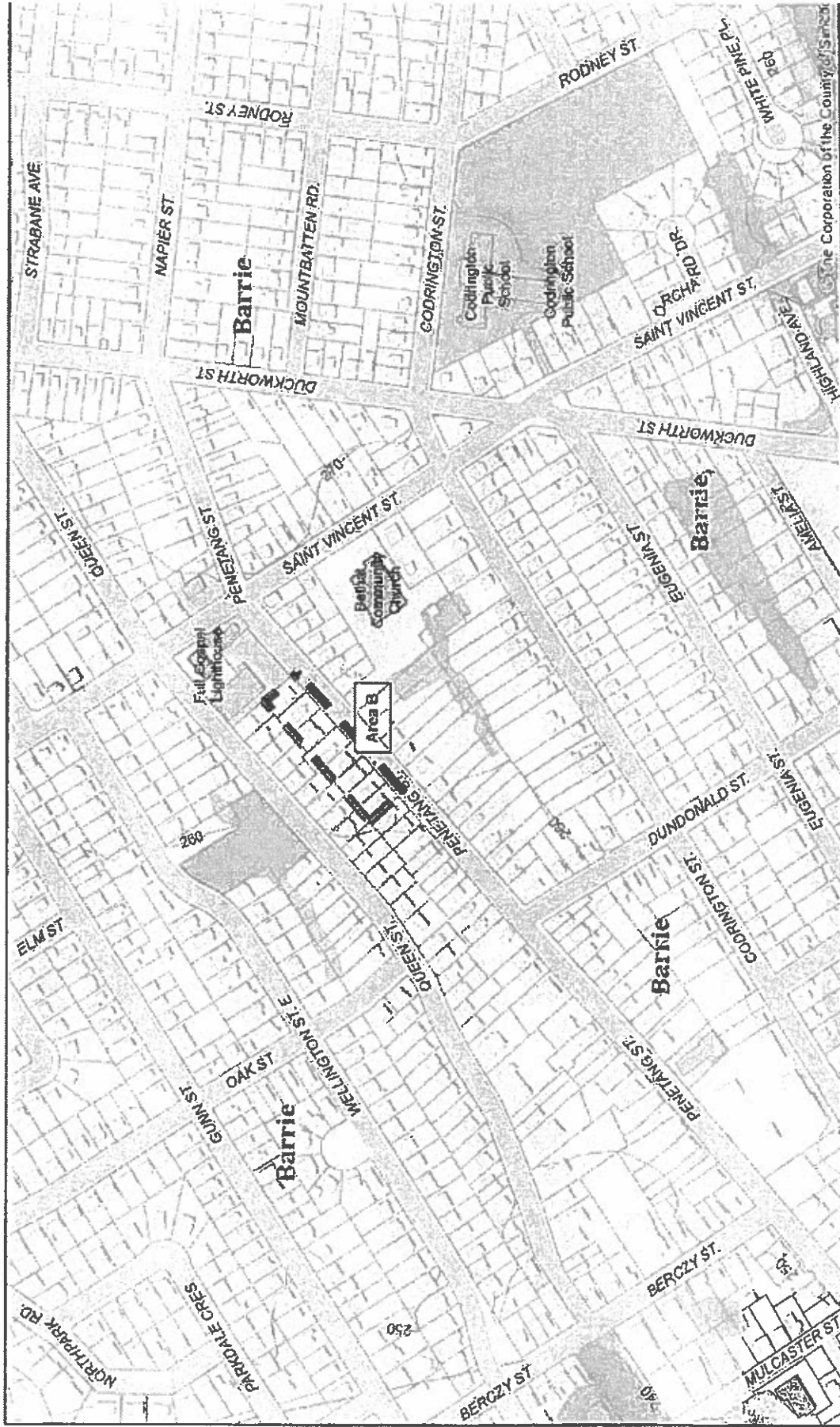


March 26, 2014

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|---|--|--|---|
| <ul style="list-style-type: none"> <li>--- Municipal Border</li> <li>--- Colour - 2 Meter</li> <li>--- Trail</li> <li>--- Rail Line</li> <li>--- Highway</li> <li>--- Major Road</li> <li>--- Ramp</li> <li>--- Local Roads</li> <li>--- Unassessed and Seasonal Roads</li> </ul> | <ul style="list-style-type: none"> <li>--- Water Line, Intermittent</li> <li>--- Water Line, Permanent</li> <li>--- Building Footprint</li> <li>--- Provisional Part</li> <li>--- Water Area, Permanent</li> <li>--- Wetland Area, Permanent</li> <li>--- Wetland Area</li> <li>--- Cartographic Urban Area</li> <li>--- Cemetery - Polygon</li> </ul> | <ul style="list-style-type: none"> <li>--- Post National Land</li> <li>--- Municipal Part</li> </ul> | <ul style="list-style-type: none"> <li>--- Land Use</li> <li>--- Amusement Park</li> <li>--- Commercial</li> <li>--- Educational</li> <li>--- Golf Course</li> <li>--- Government</li> <li>--- Industrial</li> <li>--- Medical</li> </ul> |
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# Area B



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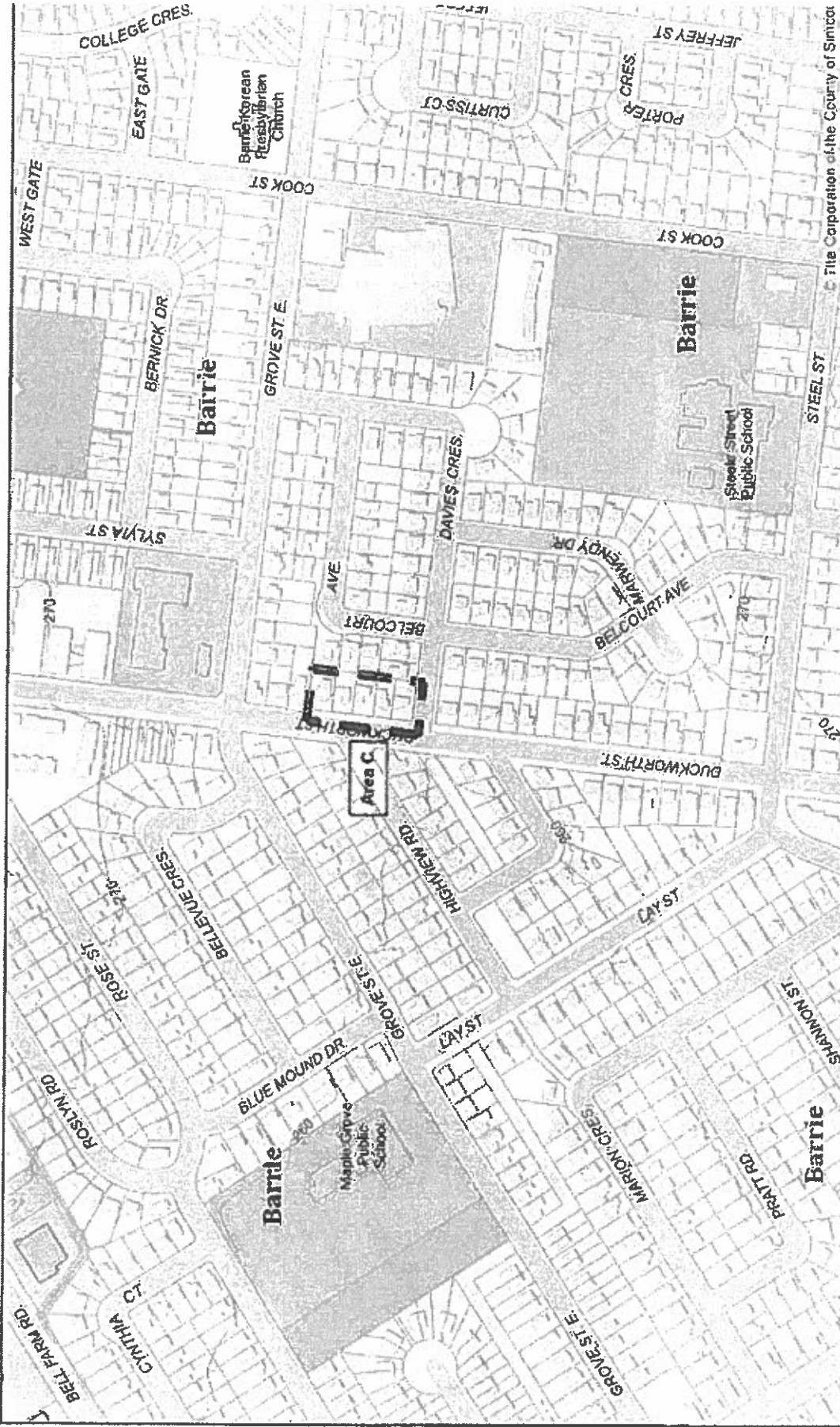
March 26, 2014

0 0.035 0.07 0.14 km

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- Water Line, Information
- Water Line, Permanent
- Building Footprint
- Provincial Park
- Water Area, Permanent
- Wooded Area
- Cartographic Urban Area
- Concealed - Polygon
- Municipal Border
- Constr. - 2 Meter
- Trail
- Rail Line
- Highway
- Major Road
- Ramp
- Local Roads
- Unseasoned and Seasonal Roads
- First Nations Land
- Municipal Park
- Land Use
  - Amusement Park
  - Commercial
  - Educational
  - Golf Course
  - Government
  - Industrial
  - Medical

Area C

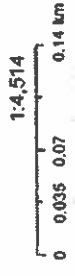


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March 26, 2014



- Municipal Border
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- Rail Line
- Highway
- Major Road
- Ramp
- Local Roads
- Unassumed and Seasonal Roads
- Water Line, Intermittent
- Water Line, Permanent
- Building Footprint
- Privetial Park
- Water Area, Permanent
- Wetland Area, Permanent
- Wooded Area
- Cartographic Urban Area
- Cemetery - Polygon
- Fruit/Berries Land
- Municipal Park
- Land Use
- Amusement Park
- Commercial
- Educational
- Golf Course
- Government
- Industrial
- Medical



June 9, 2014

**Stephen Naylor**

Director of Planning Services  
City of Barrie  
79 Collier Street, P.O. Box 400,  
Barrie, Ontario L4M 4T5

**Re: Comments re: Staff Report PLN018-14 (Zoning for Intensification and Mixed Use)  
Proposed Official Plan Amendment and Zoning By-law Amendment,  
On behalf of Mason Homes,  
Owner of lands at the southwest corner of Yonge Street and Little Avenue**

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On behalf of Mason Homes, we submit the following comments further to our correspondence dated March 31, 2014 and are submitted in response to City of Barrie Staff Report PLN018-14.

**INADEQUATE TIME TO REVIEW PROPOSED AMENDMENTS:**

Staff Report PLN018-14 attaches proposed wording for an Official Plan Amendment and Zoning By-law Amendment associated with the above noted matter and recommends approval of these Amendments to General Committee at its meeting on June 9, 2014.

We request confirmation on how and when public notice was given for the General Committee meeting to be held on June 9, 2014 and consideration of the proposed Amendments. Section 17(19.1) of the Planning Act requires a draft of the Official Plan Amendment to be made available at least 20 days in advance of the public meeting and for the public notice to say where a copy can be obtained.

On December 12, 2013, a formal written request was submitted to the City requesting notice of any meetings or reports relating to this item. We appreciate receiving the link to the Staff Report on Friday, June 6, 2014. However, we were not previously made aware of the proposed wording of these Amendments and were surprised to see that recommendations for approval by Staff were to be considered by General Committee on June 9, 2014. This has afforded us little time to review the Report and, most importantly, complete a thorough review of the attached Amendments. However, we submit the following comments based on our cursory review.

**GENERAL COMMENTS**

The overall concerns of the proposed Amendments as described in our correspondence of March 31, 2014 continue to be relevant.

We are in agreement with the overall principle of intensification and establishing mixed use areas. We do not agree that all buildings should be required to be mixed use prior to the establishment of primary uses and the establishment of a `critical mass of people` needed to support them. Some of the areas identified as "Intensification Nodes" may need additional time to evolve and provide a market to support a mandatory ground floor commercial component.

To some degree, Staff Report PLN018-14 acknowledges this position as follows (emphasis added):

*"Staff recommend that the Intensification Nodes require the inclusion of commercial uses to be located at the ground floor level of new development. **However, recognizing the necessity for the intensification Nodes to gradually evolve into mixed use areas over time, exceptions to this requirement may be considered on a site-specific basis**"<sup>1</sup>.*

With respect to Pre-Zoning the Intensification Nodes and Corridors, we agree with the opinion of Staff that a further review is necessary on an area-by-area basis before zoning provisions are Pre-approved as follows:

*"55. Staff expect that the pre-zoning process would occur on an area-by-area basis. The intention would not be to recommend a blanket rezoning across all of the nodes and corridors, but instead to focus on select areas identified as possessing the most immediate potential for redevelopment"<sup>2</sup>.*

*"56. Staff recognize that each of the Intensification Nodes and Corridors are unique with their own set of neighbourhood features, challenges and needs. The process of pre-zoning would allow staff to identify these neighbourhood distinctions and fine-tune the zoning standards to better respond to the characteristics of each area"<sup>3</sup>.*

#### **COMMENTS ON PROPOSED AMENDMENTS:**

##### **Official Plan Amendment:**

The Official Plan Amendment would establish policy that will be required to be implemented through any future zoning provisions relating to lands subject to the proposed Mixed Use policies. As the Amendment states, "the (proposed) policies of Section 4.9 will take precedence over other Land Use Policies contained in Section 4.2 Residential and 4.3 Commercial"<sup>4</sup>.

Therefore, it is our interpretation that the proposed Mixed Use policies will apply to our client's lands located at the intersection of Yonge and Little (currently subject to "Commercial" policies).

Therefore, we object to the proposed wording in the proposed Official Plan Amendment as it does not implement the flexibility acknowledged and agreed to by Staff in their Report, as noted above. In particular, we recommend the following revisions to the proposed Official Plan Amendment attached as Appendix A in Staff Report PLN-18-14:

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<sup>1</sup> City of Barrie Staff Report PLN018-14, June 9, 2014, pg. 8.

<sup>2</sup> Ibid, pg. 15.

<sup>3</sup> Ibid, pg. 15.

<sup>4</sup> Ibid, pg. 21

Part A – Preamble:

1. Under "Purpose" heading (1<sup>st</sup> sentence): reference to Mixed Use "buildings" should be to Mixed Use "areas".
2. Under "Purpose" heading (2<sup>nd</sup> sentence): Delete the words "with active commercial uses located at the street level of new buildings".
3. Under "Location" heading (1<sup>st</sup> sentence): reference to Mixed Use "buildings" should be to Mixed Use "areas".
4. Under "Basis" heading (4<sup>th</sup> paragraph, last sentence): Replace word "development" with the word "areas".

Part B – The Amendment

5. Section 4.9.2.1(a): *This wording is not overly restrictive given "strongly encourage" language. However, we could work on/ask for better language.*
6. Section 4.9.2.1(b) *This wording is not overly restrictive given "should not" language. However, we could work on/ask for better language.*
7. Section 4.9.2.3(g): Delete last sentence that reads "No parking spaces will be located at the front of buildings in the Mixed Use Areas". (Note: This will cause problems where multiple buildings within Area. Buildings may be behind buildings fronting onto main road corridor on large sites like Mason's).

The above revisions represent our initial concerns and comments with the proposed Official Plan Amendment and we reserve the ability to make additional comments as our review continues.

**Zoning By-law Amendment**

In terms of the proposed Zoning By-law Amendment, some of the zoning provisions would not be appropriate for our client's lands. However, Staff acknowledge that the proposed Zoning Amendment is intended to establish 'blanket' provisions that will be further considered on an area-by-area basis prior to any pre-zoning. We are in agreement with that approach.

Should City Council decide to proceed with a "pre-zoning" exercise, we will work with staff to tailor these general zoning categories that more appropriately reflect the unique set of neighbourhood features, challenges and needs of our client's lands.

Kind regards

**MHBC**



Debra Kakaria, MBA, MCIP, RPP, LEED AP  
Partner

cc. Dawn McAlpine, City of Barrie Clerk  
Gord Mason, Mason Homes  
Mike Bell, P.Eng, Mason Homes  
Steven A. Zakem, Aird & Berlis LLP



## SMARTCENTRES®

September 10, 2014

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

Attn: Aslam Shaikh, Planner

Dear Mr. Shaikh:

**RE: Zoning for Intensification & Mixed Use**

---

We are Smartcentres Inc., and on behalf of ourselves and Calloway REIT, owners of various properties throughout the City of Barrie and active commercial developers within the municipality, this letter is submitted for consideration at the Development Services Committee Meeting scheduled for September 16, 2014 and to be held pursuant to the recommendation by General Committee at its meeting held June 9, 2014.

We have had an opportunity to review the City's Staff Reports dated December 9, 2013 and June 9, 2014 with respect to the above noted matter. We have also reviewed the proposed development standards with respect to the intensification nodes and corridors.

Generally, we are supportive of the recommendations made by staff with regard to the proposed development standards and recognize the importance of encouraging the development of mixed used areas within the city. We appreciate the opportunity to provide comments on this matter. Accordingly, we would like to caution that some of the proposed standards may not provide the necessary flexibility required for efficient, practical and viable commercial development.

More specifically, we have concern for the minimum height requirements found within the Mixed Use Node (MU1) development standards. Lands designated General Commercial in the City of Barrie Official Plan, are intended to provide a range of retail and service commercial uses. A development standard requiring a minimum height of 10.5 metres is impractical and does not consider the concept of providing a range of retail and service commercial uses. While the 10.5 metre minimum height standard can be met by the larger anchor retailer, it cannot be met by the smaller service oriented retailer that would make up a significant portion of a site designated General Commercial.

Secondly, in stating that, "such uses may require large sites and may have significant on-site storage and parking needs", the City of Barrie Official Plan recognizes the nature of this type of retail development. To require ground floor retail in each building within sites as large as those typical of the General Commercial designation is impractical and not viable. We appreciate that staff has addressed this issue with respect to Intensification Corridors but respectfully request that this same flexibility be applied to the Intensification Nodes.

Thirdly, the exclusion of Drive Through facilities in the proposed development standards disregards the fact that lands designated General Commercial are intended to provide a range of retail and service commercial uses. Further, the proposed Mixed Use designation is intended to permit a variety of residential, commercial and institutional uses and as such, where the size of the site accommodates, Drive Through facilities should be permitted.



Ultimately, it is essential that staff consult with landowners during the process of implementing these standards and that staff consider each site as distinctive and requiring site specific development standards that offer flexibility. We welcome the opportunity to discuss these comments with staff through this process in the future.

Yours truly,

A handwritten signature in black ink, appearing to read 'Todd Pierce', with a stylized flourish at the end.

Todd Pierce  
Director, Land Development

# AIRD & BERLIS LLP

Barristers and Solicitors

Patrick J. Harrington  
Direct: 416.865.3424  
E-mail: pharrington@airdberlis.com

March 19, 2015

Our File No.: 84682

Dawn McAlpine, City Clerk  
City of Barrie  
P.O. Box 400  
Barrie, ON L4M 4T5

Dear Ms. McAlpine :

**Re: Written Submission on Report to General Committee  
Zoning for Mixed Uses  
North American Park Place Corporation**

---

We are counsel to North American Park Place Corporation ("North American"), the owner and developer of the Park Place mixed-employment project located in the northeast quadrant of Highway 400 and Mapleview Drive East.

North American has previously sent correspondence to the City indicating its support for the City's initiative to provide for greater intensification and to accommodate mixed use. An e-mail to this effect was sent to the City on September 29, 2014 by North American's planning consultant, R.G. Richards & Associates. A copy of that e-mail is attached for your convenience.

However, as noted in the R.G. Richards e-mail, North American remains concerned that the pace of the City's transportation infrastructure is lagging well behind the pace of the City's growth. For example, the City's Multi-Modal Transportation Master Plan "strongly" recommends that the City proceed with new east-west connections across Highway 400 to better facilitate the transportation network and relieve strain on the existing arterials that provide access to or over Highway 400, particularly in South Barrie. In fact, one of the new crossing projects (Harvie Road and Big Bay Point Road) was recommended to be brought forward for 2016. To date, this needed crossing/intersection has not been designed and there is no Council-approved commitment to its construction or completion.

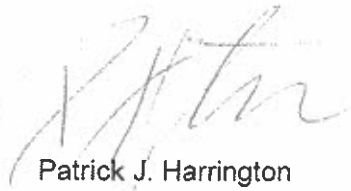
North American remains concerned that traffic levels on arterials that intersect or cross Highway 400 (in particular, Mapleview Drive) will continue to experience high levels of congestion until the transportation network is improved. While commendable, the City's proposal to intensify and add mixed use designations and zoning in areas around east-west arterials like Mapleview Drive East, without a simultaneous commitment to build the transportation infrastructure needed to service the desired intensification and growth, does not constitute good planning. This is particularly true for owners of lands near Highway 400 and its ramps, whose projects are dependent upon traffic functioning to a level that satisfies MTO. Projects like Park Place are prevented from growing in accordance with their existing approvals if the transportation network remains congested.

North American has taken its concerns about the City's transportation network to the Ontario Municipal Board as part of the current appeals affecting the Secondary Plans for the Annexed Lands (OPAs 38 and 39) as well as the appeals of the City's growth management amendment (OPA 40). To be consistent in its position on the public record, North American is raising this same concern in the context of the City's proposed OPA and ZBA for new intensification and mixed use. As has been communicated in other contexts, North American and its consultants remain open to meeting with the City to address its concerns.

Please ensure this written submission is placed before the Mayor and Members of Council in advance of any decision being rendered on the February 23, 2015 recommendations of Development Services Committee concerning the intensification and mixed use official plan and zoning amendments. Should you have any questions or require clarifications, please feel free to contact either the undersigned or North American's planning consultant, Mr. Ron Richards of R.G. Richards and Associates.

Yours very truly,

AIRD & BERLIS LLP



Patrick J. Harrington

PJH/

cc. S. Bishop  
R. Richards

22126771.1

C7.3

**Patrick Harrington**

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**From:** Patrick Harrington  
**Sent:** March-19-15 3:19 PM  
**To:** Patrick Harrington  
**Subject:** FW: DCS Meeting - Monday, February 23, 2015

**Importance:** High

From: City Info [<mailto:City.Information@barrie.ca>]  
Sent: September-29-14 3:51 PM  
To: Ron Richards; City Info  
Cc: 'Terry Coughlin'; 'Steve Bishop'; Dawn McAlpine; Wendy Cooke  
Subject: RE: Staff report PLN018-14

Thank you for visiting the City of Barrie website.  
Your message has been forwarded to Dawn McAlpine as requested for distribution.

Cityinfo  
City of Barrie  
Central Ontario's Premier Waterfront Community  
70 Collier Street  
Barrie ON L4M 4T5  
Tel: 705-726-4242

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ü Please consider the environment before printing this email.

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From: Ron Richards [<mailto:ron@rgrichards.com>]  
Sent: Monday, September 29, 2014 3:29 PM  
To: City Info  
Cc: 'Terry Coughlin'; 'Steve Bishop'  
Subject: Staff report PLN018-14  
Importance: High  
Mr. Mayor and Members of Council,  
c/o The Clerk

Re: PLN018-14

We act for North American (Park Place) Corporation.  
It has come to our attention that during its meeting tonight Council will be considering an Official Plan Amendment and Zoning by-law Amendment in response to the Province's Growth Plan. These

C7.4

amendments are found in staff Report PLN018-14.

While Park Place is very supportive of intensification we wish to point out that road infrastructure construction continues to lag growth and significant congestion is already a fact of life in many locations throughout the City.

Significantly, congestion at Mapleview and Highway 400 will only be exacerbated by the proposed new development on the Annex lands and the likely intensification around the GO Station. Until such time as the Harvie Road/Hwy 400 overpass is built no relief is in sight and construction and investment within the 800 metre Highway 400 Corridor controlled by the MTO will become impossible. This situation also significantly affects the current taxpaying businesses and residents in the area.

Park Place is concerned that the traffic implications of intensification have not been fully considered and ask Council to do so in conjunction with a review of the city's overall road improvement plans and capital budgets prior to approval of the recommended amendments.

Yours very truly,

Ron Richards  
R.G. Richards & Associates  
tel: 905.823.7897, ext 1  
fax: 905.606.2546  
4181 Sladeview Crescent, Unit 23  
Mississauga, ON, L5L 5R2  
[www.rgrichards.com](http://www.rgrichards.com)



## Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

VIA MAIL AND E-MAIL (snaylor@barrie.ca)

**Our File: P-375-09 FFF**

April 8, 2014

Mr. Steve Naylor, MES, MCIP, RPP  
Director of Planning Services  
City of Barrie  
70 Collier Street  
Barrie, ON  
L4M 4T5

Dear Mr. Naylor:

**Re: Proposed Intensification Node and Corridor Zones  
City of Barrie**

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We represent A&W Food Services of Canada Inc., McDonald's Restaurants of Canada Ltd., the TDL Group Corp. (operators and licensors of Tim Hortons Restaurants), and Wendy's Restaurants of Canada Inc. as well as their industry association, the Ontario Restaurant Hotel and Motel Association (ORHMA). We are providing this written submission to you on behalf of our clients after having reviewed the proposed intensification Node and Corridor Zones report to determine if the document would apply to our clients' current and future operating interests. Please accept this as our written submission on the subject matter.

ORHMA is Canada's largest provincial hospitality industry association. Representing over 11,000 business establishments throughout Ontario, its members cover the full spectrum of food service and accommodation establishments and they work closely with its members in the quick service restaurant industry on matters related to drive-through review, regulations and guidelines.

With the assistance of Labreche Patterson & Associates Inc., ORHMA has a strong record of working collaboratively with municipalities throughout the Province to develop mutually satisfactory regulations and guidelines that are fair and balanced in both approach and implementation for existing and new drive-through facilities ("DTF"). These planning-based solutions are most often specific urban design guidelines for drive-through facilities and may include specific zoning by-law regulations that typically relate to minimum justified stacking/queuing requirements and setback relative to the actual DTF/queuing lane of the restaurant.

The ORHMA and the noted member brands have requested that we review the Proposed Intensification Node and Corridor Zones (Staff Report PLN029-13) to determine if the proposed new zones would apply to their operating interests.

Based on our review, we note that drive-through facilities will not be permitted within the proposed new MU-NODE (Mixed Use Node) zone or the MU-CORRIDORS (Mixed Use Corridors) zone though many other uses including restaurants, shopping centres, and parking lots will be permitted in both zones. The rationale for this prohibition is not discussed or explained in the staff report (PLN029-13). We understand

Yours truly,  
**Labreche Patterson & Associates Inc.**



**Victor Labreche, MCIP, RPP**  
**Senior Principal**

VL/jv

Copy:

*Leslie Smejkal, ORHMA*  
*(via e-mail: [lsmejkal@orhma.com](mailto:lsmejkal@orhma.com))*

*Paul Barron, The TDL Group Corp.*  
*(via e-mail: [barron\\_paul@timhortons.com](mailto:barron_paul@timhortons.com))*

*Sean O'Meara, The TDL Group Corp.*  
*(via e-mail: [OMeara\\_Sean@timhortons.com](mailto:OMeara_Sean@timhortons.com))*

*Sherry MacLauchlan, McDonald's Restaurants of Canada Ltd.*  
*(via e-mail: [Sherry.maclauchlan@ca.mcd.com](mailto:Sherry.maclauchlan@ca.mcd.com))*

*Susan Towle, Wendy's Restaurants of Canada*  
*(via e-mail: [susan.towle@wendys.com](mailto:susan.towle@wendys.com))*

*Darren Sim, A&W Food Services of Canada Inc.*  
*(via e-mail: [dsim@aw.ca](mailto:dsim@aw.ca))*

# **3251586 Canada Inc.**

March 31, 2014

By Email

City of Barrie  
70 Collier Street  
Barrie, Ontario  
Clerk's Department  
L4M 4T5

**Attention: Ms. Dawn McAlpine**

**Re: Intensification Node & Corridor Zones - File: D14:1571**  
Per 658 and 662 Mapleview Dr, Blk 19, 51M-832, & Con 12, Part Lots 14 and 15, Barrie

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I have reviewed the December 9, 2013 staff report discussing proposed new zones for *corridors* and *nodes*, and attended a presentation on March 7 2014 by planning staff on this topic. Staff have advised that the purpose of this amendment is to introduce new development standards to facilitate achievement of provincial growth targets.

The staff report discusses the logic of removing barriers in existing zoning standards, and encouraging new forms of development through the establishment of new zones with new zoning standards for corridors and nodes. We agree there is benefit in establishing a more flexible and streamlined regulatory framework to encourage development, and we recognize that some of the changes proposed by staff do this (reduced parking, setbacks etc).

We have very serious concern that other proposed changes would have the reverse effect, and act to discourage development. Specifically, the requirement of ground floor commercial in all buildings located within a node is a disincentive to development. The staff report acknowledges that nodes are typically located near major intersections that already contain commercial uses. If the driving objective is encouraging higher density housing forms, it is counterproductive to prescribe that all residential buildings within a node must contain ground floor commercial when the market does not exist to support this.

We have further concern that there is no direction in the staff report as to whether 'corridor' or 'node' regulations would apply to lands which fall into both categories. Lands we control, or have interest in just north of Mapleview on both sides of Yonge Street fall into this category – they meet both the definition of a node, and a corridor. Further, our lands on the west side of Yonge were recently re-designated to commercial, and we are unsure how the proposed amendment(s) by the City would apply, or if they would apply to these lands.

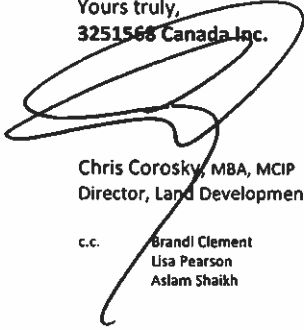
... 1 of 2



If the City is seeking to encourage intensification through development and/or redevelopment, a truly flexible and streamlined process is essential – more reliance on site plan approvals and agreements and less reliance on zoning regulation is a tool available to the City in this regard. General density targets for residential can be set, but there should be flexibility in how this density can be achieved. The City should be open to approving various forms of multi-residential housing forms in intensification areas, and not prescribing certain uses in certain locations. Rather than prescribing ground floor commercial in nodes, the City should encourage this through bonus density or other such incentives. This approach permits a rational response to market conditions.

We have serious concerns with the amendments in their current form as they would affect our above noted lands. We respectfully request an opportunity to discuss our concerns and work toward mutually acceptable solutions with staff prior to the proposed amendments moving forward.

Yours truly,  
~~3251566~~ Canada Inc.



Chris Corosky, MBA, MCIP  
Director, Land Development

c.c. Brandl Clement  
Lisa Pearson  
Aslam Shaikh

**From:** Chris Corosky  
**Sent:** February-23-15 11:55 AM  
**To:** [LPearson@barrie.ca](mailto:LPearson@barrie.ca)  
**Cc:** Merwan Kalyaniwalla; 'Aslam Shaikh'  
**Subject:** FW: Intensification Node and Corridor Proposed Zoning-City of Barrie

Hi Lisa.

Thank you for informing me that the above noted matter will be considered at tonight's IIDSC meeting.

We have interest in lands adjacent to or near the GO Station at Yonge and Mapleview, and have attended past meetings and submitted previous comment regarding our concerns with the proposed amendments. Comments contained in this email string, and in our attached previous letter summarize some of our concerns.

As noted in the staff report, each site within an Intensification Node and Corridor is unique. Accordingly, the ultimate design of built form that occurs on each site will also be unique. As such, the implementation of generic, prescriptive control over such matters as requiring ground floor commercial in all residential buildings, setbacks, minimum and maximum building heights, façade treatment, and the application of angular plane can act to hinder as opposed to encourage higher density development.

If the City is truly acting to encourage higher density and mixed use development, we believe flexibility is the key. The Planning Act provides a multitude of tools enabling municipalities to 'shape' the form of development. Official plan policy (guidelines), and site plan control in our view should be the tools relied upon in this regard, leaving both the city and the land owner with flexible options that both encourage and control the form of development.

Please ensure that Council is aware of our comments and concerns.

Chris Corosky, MBA, MCIP  
Vice President, Barrie Heritage Developments Ltd.

[Chris@Armel.ca](mailto:Chris@Armel.ca)

Commerce Court West • 199 Bay Street • Suite 2900  
P.O. Box 459 • Toronto • Ontario • M5L 1G4

voice • 905 206 8809  
fax • 905 206 8801

**From:** Chris Corosky  
**Sent:** June-09-14 11:36 AM  
**To:** Aslam Shaikh  
**Cc:** Merwan Kalyaniwalla; Stephen Naylor; Brandi Clement; [DMcAlpine@barrie.ca](mailto:DMcAlpine@barrie.ca); [LPearson@barrie.ca](mailto:LPearson@barrie.ca); Joe Wolfond  
**Subject:** RE: Intensification Node and Corridor Proposed Zoning-City of Barrie

Aslam.

I have reviewed your June 9 report and continue to have concerns (as discussed at the March 7, 2014 'developers meeting' and noted in my March 31, 2014 letter) with the notion of making ground floor commercial use compulsory within all buildings located within intensification nodes (through zoning regulation). With respect, if the City is truly trying to stimulate mixed use development in select locations, flexibility as opposed to regulation is the key.

Your report refers to the concepts of market forces and critical mass - - we agree that over the long term these factors shape the way places are developed. As was stated by a number of participants at the March 2014 'developers meeting' without the market to support ground floor commercial uses being in place, making such uses a compulsory requirement without there being market demand will actually prevent development from occurring, ie contra to the stated objective of trying to stimulate and encourage more intensive development.

We note that this compulsory requirement is not being recommended within 'corridors', but is recommended within 'nodes'. In locations such as ours near the northerly corners of Yonge and Mapleview, the land is identified as both a corridor and a node.

The Planning Act provides a multitude of tools enabling municipalities to 'shape' the form of development. Official plan policy, and site plan control in our view should be the tools relied upon in this regard, leaving both the city and the land owner with flexible options that both encourage and control the form of development.

I trust comments and concerns expressed in this email will be shared with Council.

Chris Corosky, MBA, MCIP  
Director, Land Development  
Armel Corporation

[Chris@Armel.ca](mailto:Chris@Armel.ca)

5060 Spectrum Way • Suite 505  
Mississauga • Ontario • L4W 5N5

voice • 905 206 8809  
fax • 905 206 8801

**From:** Aslam Shaikh [<mailto:Aslam.Shaikh@barrie.ca>]  
**Sent:** June-06-14 11:50 AM  
**To:** Chris Corosky; Brandi Clement  
**Cc:** Merwan Kalyaniwalla; Stephen Naylor  
**Subject:** RE: Intensification Node and Corridor Proposed Zoning-City of Barrie

Good morning Mr. Corosky,

Thank you for your email and letter, and I wanted to again apologize for not getting in touch with you sooner. The concerns outlined in your letter discuss the need for flexibility with respect to the ground floor commercial component, the need to encourage a variety of multi-residential formats, and for the City to avoid prescriptive zoning. Each of these concerns were discussed and addressed in the forthcoming Staff Report, along with amendments made to the proposed policies accordingly.

I also wanted to clarify that no actual properties are being rezoned at this time, including any lands under your ownership. The purpose of the amendment is to introduce new policies and provisions into the Official Plan and Zoning By-law for future development. Any property owner looking to redevelop lands

throughout the Intensification Areas will still require a site-specific rezoning in order to apply the new zoning standards that have been proposed. As part of that rezoning process, any site-specific concerns could be identified and addressed through special provisions.

I have attached a copy of the forthcoming Staff Report to this email. We would be happy to meet with you if that is still your request. I will proceed with booking space for the proposed meeting date on June 24 at 11am to discuss concerns regarding your properties.

Please let me know if you have any other questions that I may answer for you in the interim.

Sincerely,

Aslam.

I have reviewed your June 9 report and continue to have concerns (as discussed at the March 7, 2014 'developers meeting' and noted in my March 31, 2014 letter) with the notion of making ground floor commercial use compulsory within all buildings located within intensification nodes (through zoning regulation). With respect, if the City is truly trying to stimulate mixed use development in select locations, flexibility as opposed to regulation is the key.

Your report refers to the concepts of market forces and critical mass - - we agree that over the long term these factors shape the way places are developed. As was stated by a number of participants at the March 2014 'developers meeting' without the market to support ground floor commercial uses being in place, making such uses a compulsory requirement without there being market demand will actually prevent development from occurring, ie contra to the stated objective of trying to stimulate and encourage more intensive development.

We note that this compulsory requirement is not being recommended within 'corridors', but is recommended within 'nodes'. In locations such as ours near the northerly corners of Yonge and Mapleview, the land is identified as both a corridor and a node.

The Planning Act provides a multitude of tools enabling municipalities to 'shape' the form of development. Official plan policy, and site plan control in our view should be the tools relied upon in this regard, leaving both the city and the land owner with flexible options that both encourage and control the form of development.

I trust comments and concerns expressed in this email will be shared with Council.

Chris Corosky, MBA, MCIP  
Director, Land Development  
Armel Corporation

[Chris@Armel.ca](mailto:Chris@Armel.ca)

5060 Spectrum Way • Suite 505  
Mississauga • Ontario • L4W 5N5

voice • 905 206 8809  
fax • 905 206 8801

# AIRD & BERLIS LLP

Barristers and Solicitors

Patrick J. Harrington  
Direct: 416.865.3424  
E-mail: pharrington@airdberlis.com

June 9, 2015

Our File No.: 84682

Dawn McAlpine, City Clerk  
City of Barrie  
P.O. Box 400  
Barrie, ON L4M 4T5

Dear Ms. McAlpine :

**Re: Zoning for Intensification and Mixed-Use  
D09-OPA044  
North American Park Place Corporation**

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As you are aware, we are counsel to North American Park Place Corporation ("North American"), the owner and developer of the Park Place mixed-employment project located in the northeast quadrant of Highway 400 and Mapleview Drive East.

We previously filed correspondence with the City dated March 19, 2015. Our prior letter forms part of the public record of correspondence received on the City's intensification and mixed-use initiative. Our letter focused on the state of the City's transportation infrastructure and the lack of a Council-approved commitment to the timely completion of needed east-west connections over and onto Highway 400, particularly in South Barrie. On this point, the recommendation report dated June 9, 2015, indicates as follows (at paragraph 31):

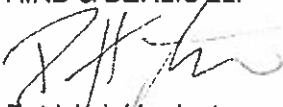
*Staff acknowledges that infrastructure upgrades involving capital expenditure may be necessary in order to match the increased service levels (for water, sewers, roads, storm water ponds, community facilities) that would result from intensification.*

Unfortunately, the balance of the report is silent on how the City proposes to keep pace with "infrastructure upgrades" required from increased intensification and mixed-use.

We reiterate our client's concerns as expressed in our March 19 letter and ask that our office be provided with notice of any decisions of Committee or Council in respect of this matter.

Yours very truly,

AIRD & BERLIS LLP

  
Patrick J. Harrington

cc. S. Bishop  
R. Richards

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