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**TO:** GENERAL COMMITTEE

**SUBJECT:** APPLICATION FOR ZONING BY-LAW AMENDMENT  
WATERSAND CONSTRUCTION LIMITED  
229 MCKAY ROAD WEST & 980 VETERAN'S DRIVE

**WARD:** WARD 7

**PREPARED BY AND KEY CONTACT:** BAILEY CHABOT, PLANNER  
EXTENSION 4434

**SUBMITTED BY:** S. FORFAR, MANAGER OF GROWTH PLANNING

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

**GENERAL MANAGER APPROVAL:** R. FORWARD, MBA, M.Sc., P. ENG.  
GENERAL MANAGER OF INFRASTRUCTURE AND GROWTH  
MANAGEMENT

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** C. LADD, CHIEF ADMINISTRATIVE OFFICER

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**RECOMMENDED MOTION**

1. That the following recommendation be approved:
  - a) That the application for a zoning by-law amendment (File Number D14-1616) submitted by KLM Planning Incorporated, on behalf of Watersand Construction Limited, for the property municipally known as 229 McKay Road West and 980 Veteran's Drive, be approved.
  - b) That By-Law Number 2009-141, entitled "City of Barrie Comprehensive Zoning By-Law", as amended be further amended as per Appendix "A": Draft Zoning By-law Amendment to Staff Report PLN020-17.
  - c) That the "Agreement" attached as Appendix "B" to Staff Report PLN020-17 be referred to the Legal Services Department for registration.
  - d) That Recreation Services, Corporate Facilities, and Legal Services staff be authorized to enter into discussions with the property owner with respect to future acquisition of the 20 acre site, described in the above noted "Agreement".
  - e) That in accordance with Section 34(17) of the Planning Act, no further notice is required prior to the passage of the by-law.
  - f) That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to approval of the application as amended, including the matters identified in Appendix "G" to Staff Report PLN020-17.

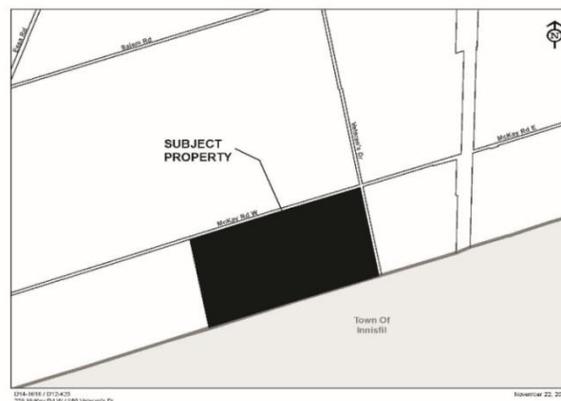
**PURPOSE & BACKGROUND**

**Report Overview**

2. The following is a comprehensive report recommending approval for a rezoning application that will provide the framework for the future approval and implementation of a 1,472 unit residential draft plan of subdivision on this site in the Salem Secondary Plan area (Appendix C: Proposed Development Concept).
3. The overall development plan spans an 88.1 hectare site and has been designed in a comprehensive manner to include the key attributes of a complete community. This new neighbourhood proposes a lot fabric and layout that accommodates and integrates a range of housing designed along a modified street grid to support greater neighbourhood connectivity and ease of access. Overall, this development proposes a 4.5 hectare block for everyday commercial convenience uses, 1,104 single detached lots, 368 townhouse units offering a broad range of product types, as well as a centralized elementary school.
4. In terms of supporting community infrastructure, this application will also facilitate the eventual transfer of the existing 6+ hectare natural heritage feature that bisects the subject lands into public ownership, as well as the 2.25 hectare neighbourhood park adjacent to the elementary school and two stormwater management blocks that are proposed to straddle the Barrie-Innisfil property boundary, a practice that has been utilized elsewhere within the community.
5. When it comes to new streets and sidewalks, approval of this rezoning application will also facilitate the eventual creation of approximately 11.9 km of new public streets, 0.8 km of new public laneway, and 17.3 km of new public sidewalks, as well as all required underground servicing infrastructure, along an inter-connected modified grid to facilitate more efficient service delivery and build stronger neighbourhood connectivity, a cornerstone of the vision in the Salem Secondary Plan (Appendix D: Proposed Draft Plan of Subdivision).
6. Overall, this rezoning application proposes a density of 20 units per net hectare in the Residential Area designation and 67 units per net hectare in the Neighbourhood Mixed Use Node designation, which are consistent with the density ranges required in the Salem Secondary Plan area. Given these density ranges, this subdivision will become home to approximately 3,974 Barrie residents, approximately 49.53 persons per developable hectare.
7. With the conclusion of the zoning-related technical review and community consultation processes, which included a formal Public Meeting on March 20, 2017, there are no outstanding zoning related matters such as the developable area, density, or permitted land uses to resolve. As such, this application is being recommended for approval which will facilitate the future approval of the implementing draft plan of subdivision application (D12-423) that is being processed concurrently.

**Subject Site Location**

8. The subject site is approximately 88.1 hectares (217.8 acres) in size and is located generally south-west of the intersection of McKay Road West and



Veteran's Drive in the Salem Secondary Plan area (Appendix E: Salem Secondary Plan – Land Use Schedule).

9. The subject lands are comprised of two adjacent parcels: the westerly parcel is known municipally as 229 McKay Road West and the easterly parcel is known municipally as 980 Veteran's Drive.

#### **Surrounding Land Uses**

North: There are existing agricultural uses and a few rural residential parcels.

East: There are existing agricultural uses on the 40 hectare parcel that is currently proposed to be rezoned to accommodate Employment Lands.

South: There are existing agricultural uses that are within the Town of Innisfil.

West: There are existing agricultural uses.

#### **Growth Management Program**

10. The subject site was included in the lands that were annexed as part of the Barrie-Innisfil Boundary Adjustment Act, 2009 (Bill 196) that was enacted on January 1, 2010. Since this time, an extensive growth management program has taken place that involved the integration of land use, infrastructure, and financial planning to ensure the 2,293 hectares (5,666 acres) of new greenfield lands in the Salem and Hewitt's Secondary Plan areas would be built-out in accordance with Provincial and local expectations for development in the community.
11. With the Secondary Plans approved and in place, applications for rezoning and draft plan of subdivision on Phase 1 lands, such as this one, are now moving ahead in tandem with infrastructure investments guided by the Infrastructure Implementation Plan (IIP). For additional information about the growth management program that has led to moving forward with active planning applications today, please see the [Growth Management website](#).

#### **Submitted Reports and Studies**

12. In support of this rezoning application and the draft plan of subdivision application being processed concurrently, the following list of reports and studies were submitted. For additional information with respect to each one, please see the descriptions in Appendix F: Technical Study Descriptions.
  - Subwatershed Impact Study (SIS) (September 2016)
  - Stage 1-2 Archeological Assessment (January 2015)
  - Functional Servicing Report (September 2016)
  - Environmental Noise Report (September 2016)
  - Pedestrian Circulation Plan (September 2016)
  - Species at Risk (October 2016)
  - Traffic Study (October 2016)

#### **Neighbourhood & Public Meetings:**

13. A Neighbourhood Meeting was not held for this proposal as the subject site is surrounded by property that is, for the most part, owned either by the applicant or other participating landowners.

The Neighbourhood Meeting is not a statutory requirement and all *Planning Act* requirements have been adhered to.

14. A formal Public Meeting was held on March 20, 2017 where three residents spoke to General Committee members with questions about the extension of services and the market price of affordable residential units. Please see Appendix G: Public Input and Staff Responses for all specific question and answers with respect to resident inquiries through the public engagement process.

**Rezoning Application:  
Department & Agency Comments**

15. This rezoning application has been circulated and reviewed concurrently with the implementing draft plan of subdivision application. The rezoning application defines the developable footprint and sets the development standards for private property. The draft plan of subdivision application that is still under review, will ultimately implement the framework for development that is defined through this rezoning application.
16. Given there are no outstanding issues with the developable area or the layout of this subdivision, the rezoning application can proceed ahead of the draft plan of subdivision application. To provide clarity with respect to the development related items that these two applications address, please see Appendix H: Rezoning and Draft Plan of Subdivision Applications. To provide clarity with respect to two key items that have been addressed through this development review process, the following offers the background and rationale for how the off-site stormwater management blocks and the proposed location for the Salem Recreation Centre were arrived at.

**Stormwater Management Ponds**

17. There are two stormwater management ponds that are proposed to straddle the Barrie-Innisfil property boundary on the south side of this development. Utilizing a shared boundary for storm water management ponds is not a new practice in Barrie and has been a successful approach, as the City currently has one stormwater management pond located in Oro-Medonte that has been in operation since early 2000.
18. In this case, the configuration is being finalized through the draft plan process and as this type of community infrastructure is permitted in any zone, there are no concerns as part of the rezoning application. Through the draft plan of subdivision process, the pond locations will be sized appropriately and then they will eventually be transferred into City of Barrie ownership at the time of municipal assumption, and maintained under our current area-wide Environmental Compliance Approval (ECA).
19. In the spirit of cooperation, and consistent with the recently signed Memorandum of Cooperation between the Town of Innisfil and the City of Barrie, staff from both Barrie and Innisfil, as well as the applicant, have engaged in open discussions with respect to this approach through the review process. At this time, there are no concerns expressed with the proposal just a shared interest in securing the mechanism for this through the draft plan of subdivision application process, which is underway.
20. Staff have also confirmed this approach with the regulating body which is the Ministry of the Environment and Climate Change (MOECC) and there are no concerns as long as the ponds are ultimately owned by the body responsible for their maintenance, in this case the City of Barrie. The approach continues to be an acceptable practice that is covered under the City's area-wide ECA.

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### **Salem Recreation Centre**

21. In addition to the Stormwater Management Ponds, it is important to highlight the recommendation contained within this report that speaks to securing Phase 2 lands for the future Salem Recreation Centre through a registered Agreement (Appendix B: Registered Agreement).
22. Through the Master Planning process for this Secondary Plan area, the future need for a Recreation Centre emerged and was identified on both the Land Use Schedule (Appendix E) and the Master Plan (Appendix I). The policy context within the Plan, which sets the framework for making this community decision, was purposefully structured to allow the ultimate location of this facility to be established through the development review process. This was done as the decision is multi-pronged in that it must consider a range of factors including population, appropriate physical location, timing of the facility relative to other community investments, and the availability of funding sources.
23. On June 13, 2016 Facilities Planning staff presented to General Committee alternative locations for the Salem Recreation Centre as part of an overview of planned new city facilities. Since this time, development applications, including this one, have been coming forward as permitted under the Memorandum of Understanding with the Salem and Hewitt's landowner groups. Through the review process for this application, an integrated working team of staff from across the organization undertook a preliminary evaluation of the location identified on these lands in Phase 1 through the master planning exercise. Together, it was determined that a more central location to the entire Salem Secondary Plan area would be preferred as it would maximize the walkability of the facility and it could also be co-located with a future secondary school and a future elementary school, creating a natural neighbourhood node for area residents.
24. The ideal site quickly presented itself on Phase 2 lands - lands adjacent to this application and also owned by this applicant. In discussions with the applicant, the proposal to move the potential location of this facility from Phase 1 to Phase 2 lands was agreed to by all parties, subject to an agreement being registered on title. This approach secures the City's ability to purchase an 8.1 hectare (20 acre) parcel, identified in the schedule attached to the agreement in Appendix B.
25. This approach will also provide the time necessary to complete the Conceptualization Studies that include the design and capital costing based on the 8.1 hectare (20 acre) parcel identified in Phase 2, as outlined in the agreement. The Agreement does not bind the corporation to purchase the lands, but rather secures the City's right to purchase the land in the future.

### **Draft Plan of Subdivision Application: Department & Agency Comments**

26. For information purposes, there are a number of technical items that are being worked through with staff, external agencies and the applicant to move forward with the draft plan of subdivision application. These include the detailed requirements to address stormwater management ponds located off-site, utilizing low impact development standards where possible, hydrogeology, phosphorus loading pre and post-development, as well as traffic calming requirements and traffic flow features. All of these issues and more will be addressed in detail through the conditions that will be issued as part of the draft plan of subdivision approval process (File Number D12-423).
27. In response to the technical nature of this process, City Council has delegated approval authority to the Director of Planning & Building Services and their department planning managers (Council Motion 10-G-346). In this regard, should Council approve the subject zoning by-law amendment

application, the technical details of the proposed development will continue to be evaluated and addressed through the review process for this application by staff and supporting agencies, until the conditions are ready to be issued; this is expected by the fall of 2017.

28. Draft plan of subdivision conditions are extensive and include the requirement to finalize the detailed designs for all site servicing and required infrastructure to support the proposed development, including municipal water, sanitary services, tree plantings, the design and extension of municipal sidewalks and trails, and the design and construction of municipal roadways, including the installation of traffic calming measures where needed.

## **ANALYSIS**

### **Provincial Policy**

29. The Provincial Policy Statement (PPS) contains policies that provide direction for communities to manage and direct land uses to achieve efficient development and land use patterns, while avoiding significant or sensitive resources. The Places to Grow Growth Plan for the Greater Golden Horseshoe (The Growth Plan) provides direction for municipalities in areas related to greenfield development with a focus on compact communities that reduce the rate at which land is consumed and to achieve densities that are transit supportive. This application is consistent with provincial growth requirements and a detailed planning analysis is available in Appendix J: Overview of the Provincial Policy Review.

### **City of Barrie Official Plan & the Salem Secondary Plan (OPA 38)**

30. Development of the subject site is guided by the vision within the Salem Secondary Plan, specifically, the land use designations which include Residential Area, Neighbourhood Mixed Use Node, and Natural Heritage System. Together, these land use designations and the policy that describes the intended uses provide the framework for the implementing development standards found in the underlying zoning.
31. The subject site contains a range of land use designations that implement the vision set out in the Official Plan and the Salem Secondary Plan area for this site. The policy requires that development within the Residential Area designation should be developed with density targets between 20 to 40 units per net hectare for low density built form such as single and semi-detached units, and street townhouses. The proposed development achieves a density of 20 units per net hectare within the Residential Area using single detached and street townhouse residential units which is consistent with the Secondary Plan target.
32. The policy also requires that residential development within the Neighbourhood Mixed Use Node achieve a minimum density of 40 units per net hectare to a maximum of 70 units per net hectare. The proposed development achieves a density of 67 units per net hectare within the Neighbourhood Mixed Use Node areas using laneway townhouse residential units, which is consistent with the Secondary Plan target.
33. The range of housing opportunities, passive recreational opportunities, the commercial space creation, access to natural heritage features, and the overall neighbourhood design proposed in the implementing draft plan of subdivision achieve the required density targets in the Salem Secondary Plan. The proposal also achieves the design goals of the Plan, including the development of compact built-form across an integrated grid-street pattern to support greater efficiencies in service delivery, neighbourhood access, and overall connectivity and walkability. A detailed planning analysis of the Official Plan and Secondary Plan can be found in Appendix K: Overview of the Official Plan Review.

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### Zoning By-law

34. Given the subject site is currently zoned Agriculture (AG) and Environmental Protection (EP) under the Innisfil Zoning By-law 054-04, the site must be rezoned in accordance with the expectations for development in the Secondary Plan.
35. The applicant has applied to amend the current zoning of the property in accordance with the schedule found in Appendix A: Draft Zoning By-law Amendment, to a mix of the following zones that will implement the land use designations found in the Salem Secondary Plan area:
  - a) Environmental Protection (EP) zone;
  - b) Open Space (OS) zone;
  - c) Neighbourhood Residential (R5) zone;
  - d) Neighbourhood Mixed Use (NMU) zone; and
  - e) Educational Institution (I-E (SP-XX)).
36. The Environmental Protection (EP) zone will protect the Natural Heritage System that bisects the site into east and west halves. This area will remain naturalized and will be dedicated to the City of Barrie through the future subdivision process. In terms of access to these lands, the intent is to utilize the Village Square lands, identified as Open Space (OS) blocks on areas adjacent to the EP zoned lands, to use as entrance features and gathering places for passive recreational uses.
37. The Neighbourhood Residential (R5) zone will allow the development of the proposed single detached units and street townhouse dwellings and will accommodate the range of frontages for these lots, proposed from 10.0 metres to 15.3 metres for the single detached and 7.5, 6.0, and 4.5 metres respectively for the street and laneway townhouses.
38. The Neighbourhood Mixed Use (NMU) zone permits a number of commercial and residential uses and is proposed for the commercial block in the northeast of the subject site. The ultimate site design will be established through a future Site Plan Control application, at which time the built form will be required to comply with the standards in this zone.
39. The Educational Institution (I-E (SP-XX)) zone applies to the proposed elementary school block. Should the school site not be developed in the future, there is a special exemption written into Section 2 of the proposed zoning by-law amendment that will permit the site to be developed in accordance with the adjacent Neighbourhood Residential (R5) zone standards.
40. Planning staff are of the opinion that the proposed zoning and lot configuration is consistent and compatible with the Salem Secondary Plan and the implementing zoning by-law will realize the vision for this neighbourhood.

### Summary

41. Planning staff are satisfied that the proposed development is considered appropriate and in keeping with the policies established for development in the Salem Secondary Plan area. At this time, there are no further matters that impact the processing of the zoning amendment application and as such, this application is being recommended for approval.
42. Following this, staff will continue to process the draft plan of subdivision application and will provide notification of its approval through a memo to Council with the conditions attached; this is expected by the fall of 2017.

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## **ENVIRONMENTAL MATTERS**

43. There are no specific environmental matters related to this recommendation.

## **ALTERNATIVES**

44. The following alternative is available for consideration by General Committee:

**Alternative #1** General Committee could refuse the subject zoning by-law amendment application and maintain the existing Agricultural (AG) and Environmental Protection (EP) zoning over the subject lands.

This alternative is not recommended as this proposal is part of the lands that were annexed on January 1, 2010 with the intent to allow the City of Barrie to expand in a compact and sustainable manner. The proposed development is consistent with all Provincial and Municipal policies.

## **FINANCIAL**

45. The proposed zoning by-law amendment, if approved, will result in the ultimate development of the proposed draft plan of subdivision which includes 1,472 residential units as well as accompanying blocks for commercial development, Open Space and Natural Heritage System. Through the subdivision process, the applicant will eventually be required to enter into a Subdivision Agreement with the City which requires the payment of Development Charges and securities for site development works.
46. Through the subdivision registration process, the City will collect approximately \$61,090,576 in Development Charges, in accordance with the following:
- \$48,903,888 for the single detached units (at the rate of \$44,297 per unit, indexed annually).
  - \$12,186,688 for the townhouse units (at the rate of \$33,116 per unit, indexed annually).
47. Additionally, as per the Memorandum of Understanding, the developer has agreed to pay a capital contribution charge of \$4,500 per unit for all lots in Phase 1, which will add approximately \$6,624,000 in additional revenues (2017 dollars).
48. At this time, it is not possible to provide estimates of the market prices for the range of housing that will be available through this future subdivision as building permits are not expected until the end of 2018 at the earliest. As such, it is not possible to give an estimate of the increase in the assessment base, however, it will be greater than what is collected on the subject site today as it is zoned Agriculture (A) and Environmental Protection (EP).
49. In terms of the subdivision process, the developer will be responsible for the initial capital cost and maintenance for a two year period for all new infrastructure required to support this development. Following assumption of this subdivision at the end of the maintenance period, the infrastructure will then be transferred into City ownership. Costs associated with asset ownership include ongoing maintenance and operational costs, lifecycle intervention expenses to ensure that assets reach their maximum potential useful lives, as well as costs to ultimately replace (and possibly dispose) of the assets in the long-term will be carried by the City.
50. The City will also incur additional operating costs associated with extending municipal services to the area including fire protection, policing, snow clearing, boulevard landscaping maintenance, and increased contributions to reserves to plan for the eventual replacement of the assets. These are

all normal growth-related expenses that are being actively planned for through the Infrastructure Implementation Plan (IIP) and the City's Capital Plan and Forecasting Plan.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

51. The recommendations included in this Staff Report relate to the Inclusive Community, Responsible Spending, and Well Planned Transportation pillars of the 2014-2018 Strategic Plan. More specifically, the recommendations aid in achieving the goals under each respective pillar.

<b>Pillar</b>	<b>Goal</b>	<b>How It's Achieved</b>
Inclusive Community	Encourage affordable housing	The proposal includes a number of more compact, more affordable housing options such as laneway townhouses.
Inclusive Community	Support diverse and safe neighbourhoods	The proposal includes diverse housing types from large lot single detached housing to more compact townhouses, with street oriented massing to keep eyes on the streets.
Responsible Spending	Build a community that respects both current and future taxpayers	The proposal is built on the principle that growth pays for growth, to the greatest extent possible.
Well Planned Transportation	Improve options to get around	The proposal is built on a grid system with sidewalks allowing for active transportation and choice in routes.

**APPENDICES:**

- Appendix A – Draft Zoning By-law Amendment
- Appendix B – Agreement to be Registered
- Appendix C - Proposed Development Concept
- Appendix D – Proposed Draft Plan of Subdivision
- Appendix E – Salem Secondary Plan: Land Use Schedule
- Appendix F – Technical Study Descriptions
- Appendix G – Public Input and Staff Responses
- Appendix H – Rezoning & Draft Plan of Subdivision Applications
- Appendix I – Salem Secondary Plan: Master Plan
- Appendix J - Overview of the Provincial Policy Review
- Appendix K – Overview of the Official Plan Review

APPENDIX "A"

Draft Zoning By-law Amendment



Bill No. XXX

**BY-LAW NUMBER 2017-XX**

A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie.

**WHEREAS** the Council of the Corporation of the City of Barrie deems it expedient to amend By-Law 2009-141 to establish zones in the City of Barrie.

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 17-G-xxx.

**NOW THEREFORE** the Council of The Corporation of the City of Barrie enacts the following:

1. **THAT** the zoning map is amended to change the zoning from Agricultural (A) and Environmental Protection (EP) to Neighbourhood Residential (R5), Environmental Protection (EP), Open Space (OS), Educational Institution with special provisions (I-E(SP-XX)), and Neighbourhood Mixed Use Node (NMU) in accordance with Schedule "A" attached to this By-law.
2. **THAT** notwithstanding Section 8.3 Educational Institution zone, the Neighbourhood Residential (R5) zone permitted uses and development standards as established in Sections 14.5.2 and 14.5.6 shall be permitted in the Educational Institution (SP-XX) zone.
3. **THAT** the remaining provisions of By-law 2009-141, as amended, applicable to the above described lands as shown in Schedule "A" to this By-law shall continue to apply to the said lands except as varied by this By-law.
4. **THAT** this By-law shall come into force and effect immediately upon the final passing thereof.



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**READ** a first and second time this        day of        , 2017.

**READ** a third time and finally passed this        day of        , 2017.

**THE CORPORATION OF THE CITY OF BARRIE**

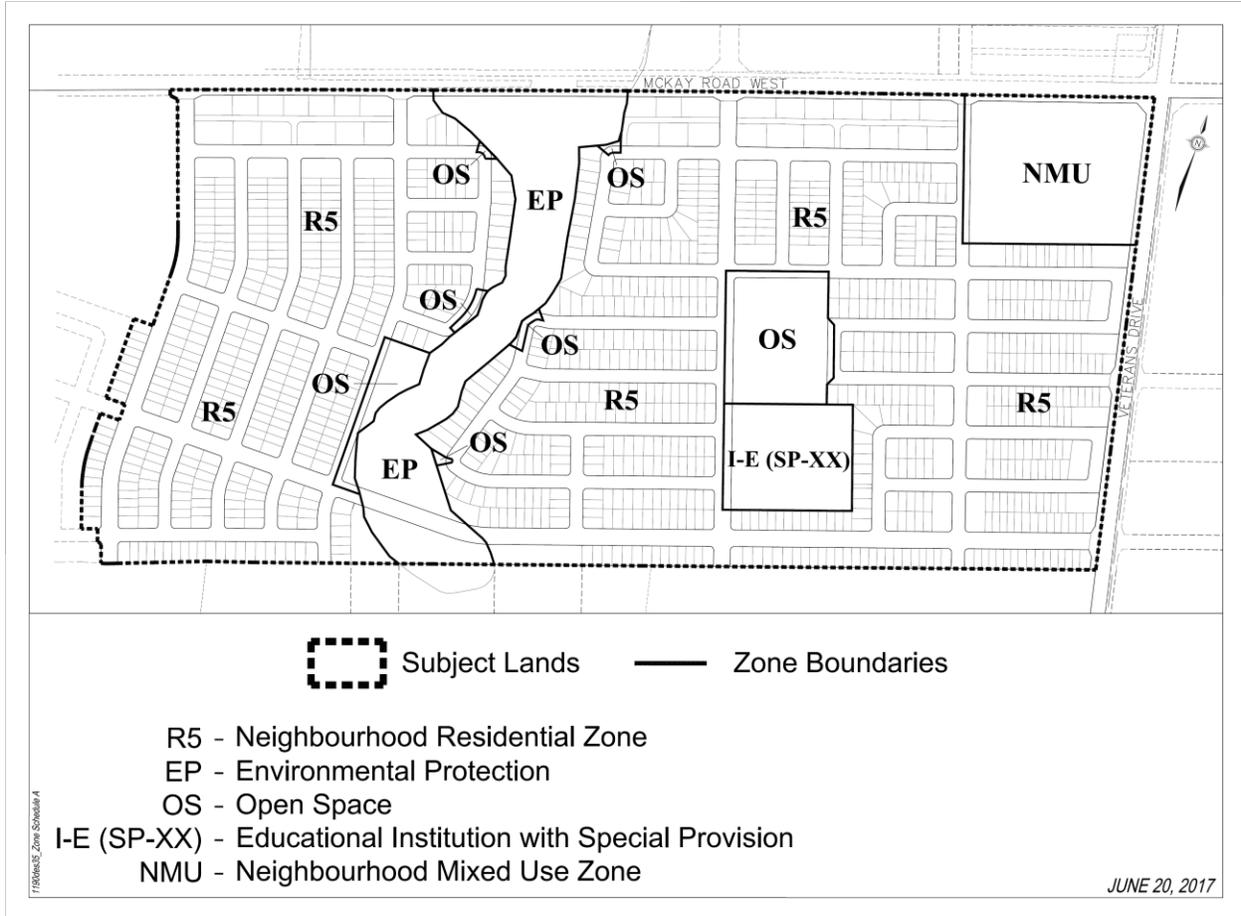
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**MAYOR – J.R. LEHMAN**

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**CITY CLERK – DAWN A. MCALPINE**

Schedule "A" to attached By-law 2017-XX



THE CORPORATION OF THE CITY OF BARRIE

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MAYOR – J.R. LEHMAN

\_\_\_\_\_  
CITY CLERK - DAWN A. MCALPINE

**APPENDIX "B"**

**AGREEMENT**

TO: THE CORPORATION OF THE CITY OF BARRIE

RE: WATERSAND CONSTRUCTION LTD. – Development of Lands within the approved Salem Secondary Plan described as Part of the North Half of Lot 3, Part of the North Half of Lot 4 and Part of Lot 5, Concession 5 (Geographic Township of Innisfil), City of Barrie, County of Simcoe;

WHEREAS Watersand is the registered owner of certain lands located within the approved Salem Secondary Plan described as Part of the North Half of Lot 3, Part of the North Half of Lot 4 and Part of Lot 5, Concession 5 (Geographic Township of Innisfil), City of Barrie, County of Simcoe, and which are included in a proposed draft plan of subdivision as illustrated on Schedule "A" annexed hereto (the "Proposed Phase 1 Draft Plan of Subdivision").

AND WHEREAS the approved Salem Secondary Plan (OPA 38) identifies the incorporation of a parcel of land comprising approximately twenty (20) acres for a recreation centre / community park (the "Rec Centre Parcel").

AND WHEREAS the City originally required that the Rec Centre Parcel be incorporated in the Proposed Phase 1 Draft Plan of Subdivision.

AND WHEREAS Watersand has requested that the City agree to the relocation of the Rec Centre Parcel from the Proposed Phase 1 Draft Plan of Subdivision to lands immediately adjacent to the westerly limit of the Proposed Phase 1 Draft Plan of Subdivision, as illustrated in red on Schedule "B" annexed hereto, being within Watersand's Proposed Phase 2 Draft Plan of Subdivision.

AND WHEREAS the City requires that notice of this Agreement be registered on title to the Rec Centre Parcel.

AND WHEREAS in the event the City does not approve the relocation of the Rec Centre Parcel to Watersand's Proposed Phase 2 Draft Plan of Subdivision, as above referenced, the City agrees to consent to the full release of the notice of this Agreement as registered on title.

NOW THEREFORE this Agreement witnesses that in consideration of the promises and the obligations herein expressed and for other good and valuable consideration (the receipt and sufficiency of which are hereby acknowledged), the undersigned hereby agrees as follows:

1. To relocate the Rec Centre Parcel from the Proposed Phase 1 Draft Plan of Subdivision to the Proposed Phase 2 Draft Plan of Subdivision in accordance with the recitals above stated.
2. This Agreement shall be binding upon the undersigned and its successors and assigns.

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**SIGNATURE(S) ON NEXT PAGE**

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IN WITNESS WHEREOF the undersigned has hereunto executed this Agreement under the hands of its duly authorized officers in that behalf, this 16<sup>th</sup> day of June, 2017.

**WATERSAND CONSTRUCTION LTD.**

Per: \_\_\_\_\_  
Name: Robert De Gasperis  
Title: President

Per: \_\_\_\_\_  
Name: Marc A. Muzzo  
Title: Secretary

I/We have the authority to bind the corporation.

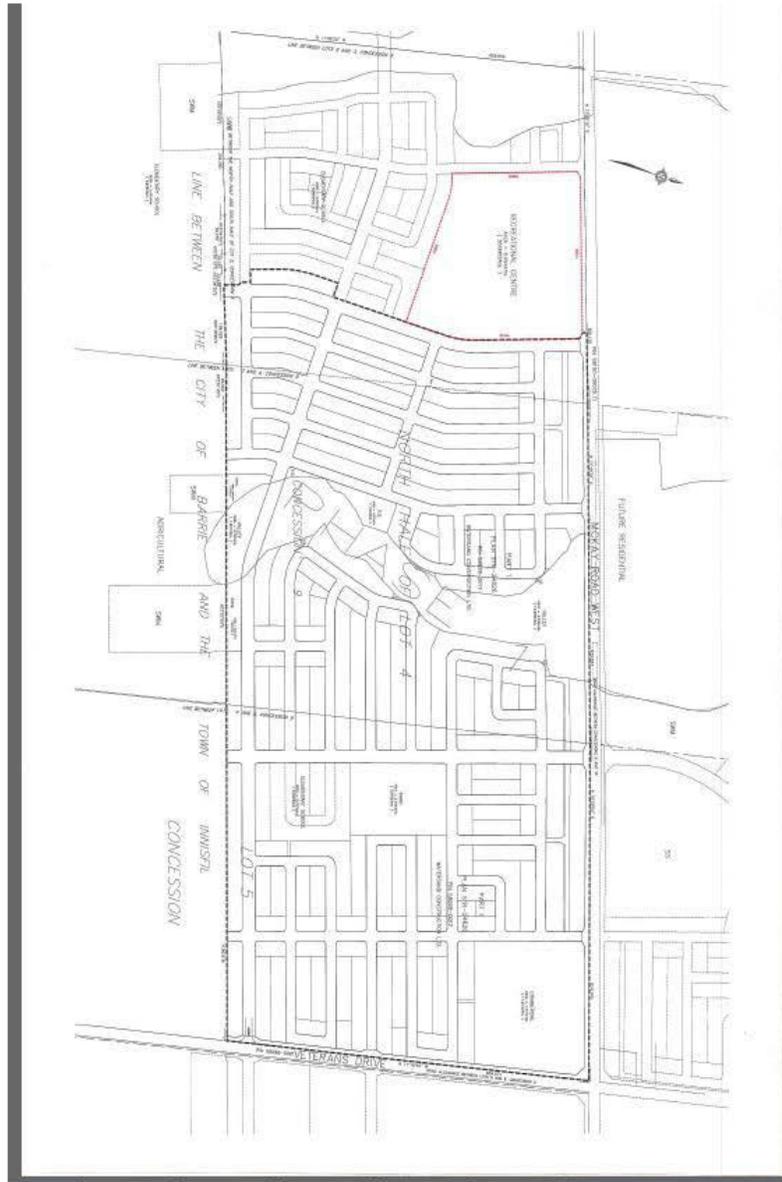
**SCHEDULE "A"**

(Drawing – Proposed Phase 1 Draft Plan of Subdivision – Sidewalk/Pedestrian Circulation Plan)



**SCHEDULE "B"**

(Drawing – illustrating the relocated Rec Centre Parcel Lands)

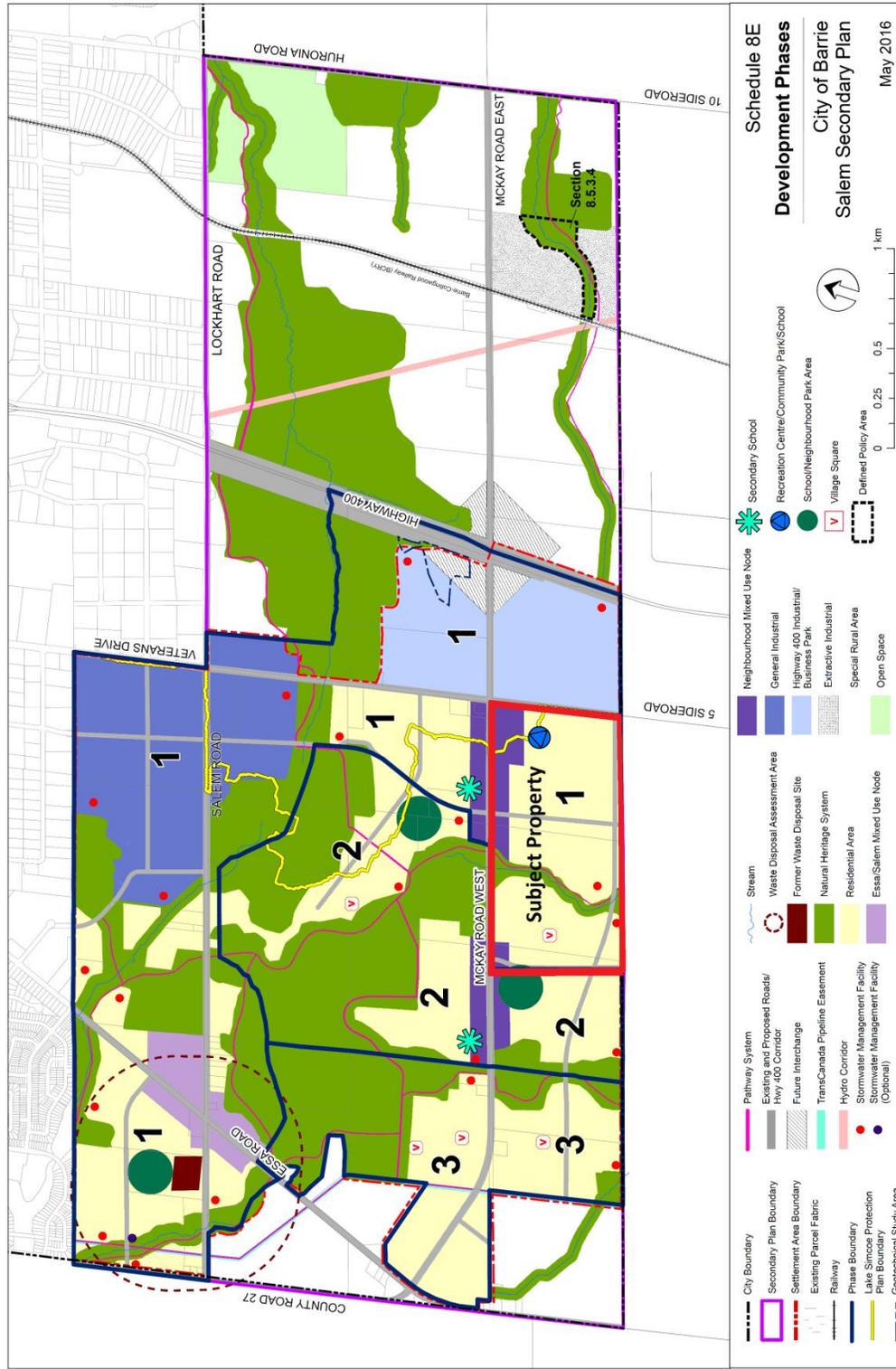






APPENDIX "E"

Salem Secondary Plan: Land Use Schedule



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**APPENDIX "F"**

**Technical Study Descriptions**

**Subwatershed Impact Study (SIS)** (September 2016): This study identifies site specific constraints and preferred servicing solutions within the limits of the Salem Secondary Plan area. It includes the limits of the proposed development in relation to general terrestrial resources, general aquatic resources, the Natural Heritage System, natural heritage constraints, hydrogeological and geological conditions, surface and groundwater conditions, and includes recommendations for stormwater management and low impact development (LID) measures, erosion and sediment control, grading and earth works, road design, and the storm, sanitary and water network.

**Stage 1-2 Archeological Assessment** (January 2015): This study provides an overview of the survey of the land, including where test pits were taken and where a visual survey was completed, and the report included a letter of acceptance from the approval authority, the Ministry of Tourism, Culture and Sport.

**Functional Servicing Report** (October 2016): This study provides a review of the proposed site servicing and stormwater management associated with the proposed Draft Plan of Subdivision consistent with the Subwatershed Impact Study. It reviews the existing conditions, proposed stormwater drainage, phosphorus budget loading, wastewater servicing, water distribution, site grading, and, erosion and sediment control during construction. The report concludes that the stormwater management measures can be implemented to meet all required runoff and surface water criteria.

**Preliminary Environmental Noise Report** (September 2016): This study provides a review of the expected noise levels for the proposed development. The report author, Jade Acoustics, concludes that the noise levels conform to acceptable limits of the Ministry of the Environment and Climate Change noise guideline NPC-300 with proposed mitigation measures.

**Pedestrian Circulation Plan** (September 2016): This plan provides an overview of where dual and single sidewalks are proposed to be located, based on the recommendation of KLM Planning. In general, all Arterial and Collector Streets are proposed to have sidewalks on each side, and all Local Streets are proposed to have sidewalks on at least one side of the street. The final placement of sidewalks will be addressed through the draft plan of subdivision process.

**Evaluation and Clearance of Species at Risk** (October 2016): This study serves to identify species at risk as per Ontario's *Endangered Species Act* through field investigations. The study identified two butternut trees on the subject site, both of which are within the Natural Heritage System and therefore will not be removed. Michalski Nielsen Associates Ltd., the consultant retained to complete this work, concluded that the proposed development will not contravene Sections 9 or 10 of the *2007 Endangered Species Act*.

**Traffic Study** (October 2016): This study provides an overview of the traffic impacts of the proposed development on the proposed infrastructure and the existing infrastructure near the subject property. The report author, the BA Group, concludes that the planned infrastructure in the Salem Secondary Plan area will provide an acceptable level of service for the proposed development.

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**APPENDIX "G"**

**Public Input and Staff Responses**

**Neighbourhood Meeting**

A Neighbourhood (Ward) Meeting was not held as the lands are surrounded mostly by land owned by the applicants themselves and large parcels of agricultural land. The Neighbourhood (Ward) Meeting is not a statutory requirement and all *Planning Act* requirements have been adhered to.

**Public Meeting**

A Public Meeting was held on March 20, 2017 in accordance with the *Planning Act*. There were three residents who spoke to general committee with the questions expressed by these residents being identified and addressed below:

1. Price of Affordable Units

The laneway townhouse units that propose to front onto McKay Road West will be sold at market price, however, they are expected to be more affordable than single detached and street townhouse units as they are a more compact product. Construction of these more affordable units is not expected until 2019 at the earliest and as pricing is a market-driven decision by home builders, the applicant is not able to anticipate market prices at this time.

2. Servicing of Adjacent Parcels

Residents expressed concern that parcels further from the former City limits will be serviced prior to parcels adjacent to former City limits therefore creating 'leapfrog' style development. It is important to note that the subject site is within Phase 1 and as such, is permitted to develop subject to approval of a temporary servicing solution that is currently under review.

In this instance, servicing the employment lands that are proposed to the immediate east of this subdivision and adjacent to Highway 400 has been the key driver supporting the temporary servicing solution, as it is in the city's interest to see these lands come to market as soon as possible. The temporary servicing solution also then allows this residential subdivision to advance as well, ahead of the eventual permanent servicing solution.

**APPENDIX "H"**

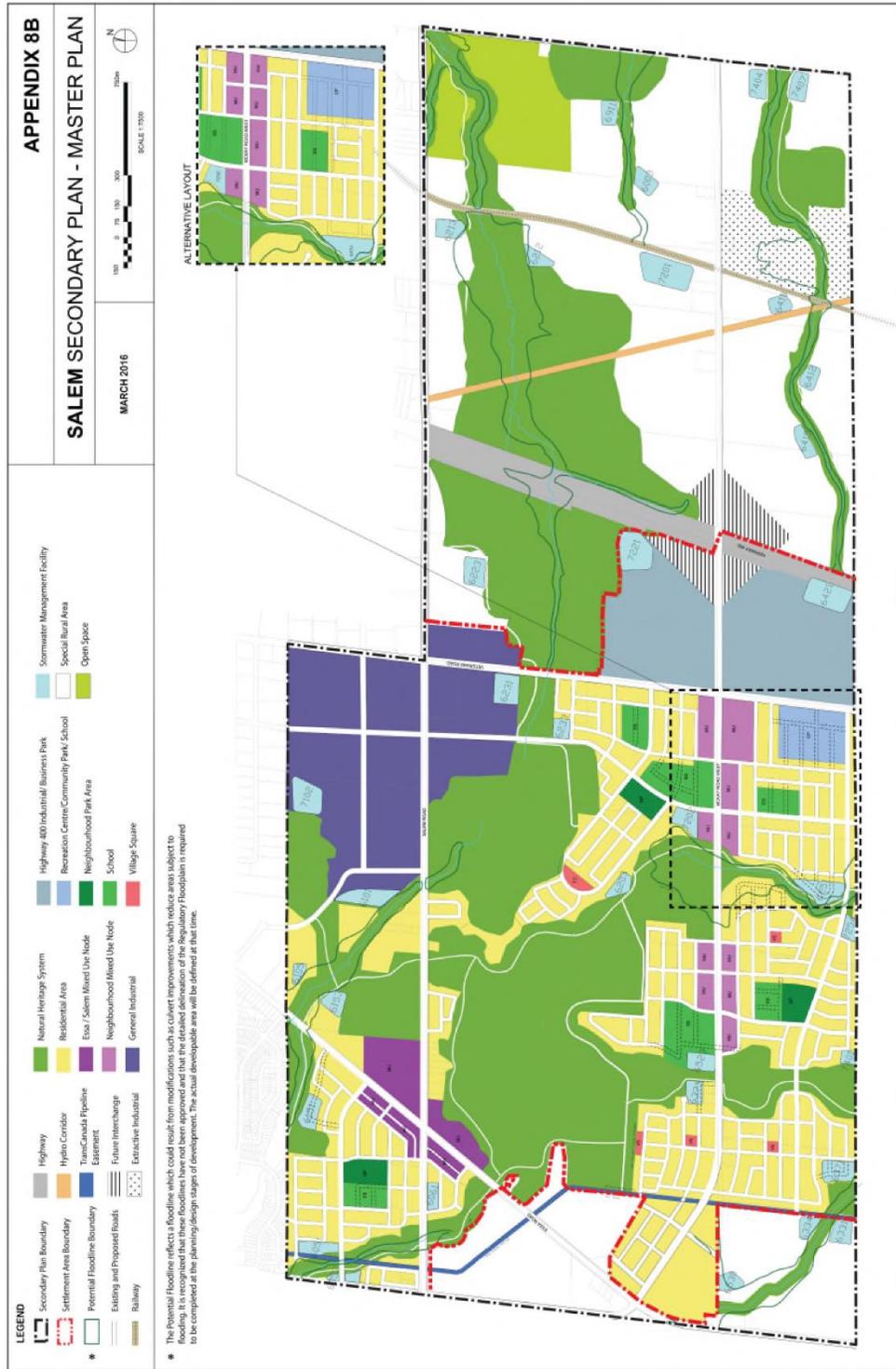
**Rezoning & Draft Plan of Subdivision Applications:**

**The Functional Issues that are Addressed**

Application Type and Explanation	Development Related Matters that are Addressed
<p><b>Zoning By-law Amendment</b></p> <p>This planning application is required when a proposal for development does not conform to the standards defined in a municipal zoning by-law for the use of land, the erecting, locating, or using of buildings or structures.</p>	<p><b>Limits of Development</b>  <b>Size and Massing of Buildings</b>  <b>Density of the Development</b>  <b>Permitted Uses</b>  <b>Standards for Development Including:</b>            Setbacks            Height            Frontage            Lot Area            Parking            Landscaping</p>
<p><b>Draft Plan of Subdivision</b></p> <p>This planning application creates new municipal infrastructure such as roads and parks through the subdivision of lands, and facilitates new private development such as homes, commercial centres, and places for employment.</p>	<p><b>New Block and Lot Creation:</b>            Housing            Streets and Parks            Infrastructure</p> <p><b>New Municipal Infrastructure Locations:</b>            Streets, Sidewalks and Trails            Parks, Natural Areas and Open Spaces            Street Plantings and Landscaping            Fencing            Servicing (Water / Sanitary / Stormwater)            Utilities (Hydro / Gas / Telecommunications)</p> <p><b>Details of the Development Build-Out:</b>            Traffic Management Planning for Streets            Environmental Matters            Detailed Design for Infrastructure            Conveyance of Land or Easements            Decommissioning of Existing Wells/Septic Systems            Edge Management Planning for NHS areas            Financial Contributions / Security Details            Street Naming / Final Layout / Design            Compliance with Provincial &amp; Federal Agencies            Signage / Utility Locations / Street Layout            Clauses for Purchase &amp; Sale Agreements            Municipal Roadway Improvements</p>

APPENDIX "I"

Salem Secondary Plan: Master Plan



**APPENDIX "J"**

**Overview of the Provincial Policy Review**

**Provincial Policy**

1. The Provincial Policy Statement (PPS) contains policies that provide direction for communities to manage and direct land uses to achieve efficient development and land use patterns, while avoiding significant or sensitive resources. The PPS further promotes efficient development and land use patterns by accommodating an appropriate range and mix of residential, employment, recreational and open space. In addition, the policies promote cost effective development standards to minimize land consumption and facilitate a compact built-form.
2. The Places to Grow Growth Plan for the Greater Golden Horseshoe (The Growth Plan) is intended to provide direction for municipalities in areas related to greenfield development with a focus on compact communities that reduce the rate at which land is consumed and densities that are transit supportive. The primary focus of The Growth Plan is on building complete communities that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a good range of jobs and easy access to services to meet daily needs. In addition, The Growth Plan promotes the wise management of resources through the utilization of existing services and transportation infrastructure.
3. In staffs' opinion, the proposed development is consistent with the Provincial Policy Statement and The Growth Plan. The application will result in the creation of compact, urban development with a range of residential unit types, as well as provide opportunities for everyday convenience uses. The density is higher than previously permitted within the City while being consistent with the density established for the area and future residents will have access to transit, parks and convenient shopping.

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**APPENDIX "K"**

**Overview of the Official Plan Review**

**Salem Secondary Plan (OPA 38)**

1. The subject site contains a range of land use designations that implement the vision set out in the Salem Secondary Plan area. These include Natural Heritage System, Residential Area, and Neighbourhood Mixed Use Node. In accordance with these designations, the applicant is proposing 1,472 residential units that are a mix of singles and townhouses, and a 4.53 ha (11.2 acres) commercial block. To support this development socially and functionally the applicant is proposing 6.77 ha (16.7 acres) of Natural Heritage System, a 2.25 ha (5.6 acres) neighbourhood park, a 0.47 ha (1.2 acres) village square, a 2.44 ha (6.0 acres) elementary school, and two stormwater management blocks that are sized at 0.27 ha (0.67 acres) and 0.34 ha (0.85 acres).
  2. Policy 8.5.10.3 (a) states that low density development be a minimum of 20 units per net hectare to a maximum of 40 units per net hectare, while medium density development be a minimum of 30 units per net hectare to a maximum of 70 units per net hectare. The Secondary Plan does not identify any specific type of built form to obtain these densities, and as such, the applicant has proposed a number of built forms to achieve the required density, which includes a range of single detached lots (varying in frontage from 15.3 metres to 10.0 metres), and street townhouses with 7.5 metres frontages. The density is proposed at 20 units per net hectare in the low density Residential Area designation which is in accordance with Policy 8.5.10.1 (a).
  3. Policy 8.5.7 of the Secondary Plan provides that the Neighbourhood Mixed Use Node should create mixed use nodes and corridors with medium and high density residential, special needs housing and institutional and commercial facilities that focus on the community and neighbourhoods they serve.
  4. Policy 8.5.7.2 (a) identifies achieving density targets with built forms such as stacked townhouses, back-to-back townhouses, street townhouses, and apartments. Policy 8.5.7.3 outlines specific built form requirements for the Mixed Use Corridors and includes:
    - Minimum height of 5 metres for commercial buildings and three storeys for other development;
    - Buildings located on or close to the street line and massed at intersections; and,
    - That surface parking be minimized and located away from the street frontage and shall generally not be permitted in front of buildings.
- Policy 8.5.9(c) further details that a minimum residential density of 40 units per net hectare shall be permitted. To achieve the policy expectations, the applicant has proposed single purpose buildings within the Neighbourhood Mixed Use Node in the form of three storey laneway townhouse units along McKay Road West at a density of 67 units per net hectare.
5. Additionally within the Neighbourhood Mixed Use Node there is a proposed 4.53 ha (11.2 acres) commercial block at the intersection of McKay Road West and Veteran's Drive to provide convenience uses for residents. The actual development details of this commercial block will be established during a future site plan control process and will be required to be consistent with the zone standards for commercial development.
  6. Stormwater management blocks are allowed in any designation within the Secondary Plan (save and except within the Natural Heritage System). The stormwater management blocks proposed at the southern portion of the subject property are subject to the policies 8.6.5 which require that they

comply with the recommendations of the Drainage and Stormwater Management Master Plan. These details are being confirmed through the draft plan of subdivision application and at this time, there are no technical challenges that would preclude the rezoning application from proceeding.

7. The Natural Heritage System, as established through the Salem Secondary Plan, is based on the protection of important natural heritage, hydrological and hydrogeological features along with protective buffers. The intent is to maintain ecological diversity in a system that is appropriately sized and is continuous and connected with overall watershed functionality. The Natural Heritage System is meant to be a naturalized park for passive recreation, where appropriate, and will be dedicated to the City of Barrie to be protected as such through the future subdivision process.
8. Elementary Schools and Neighbourhood Parks have been identified as co-located throughout the Salem Secondary Plan. This is intended to create a symbiotic relationship between schools and neighbourhood parks to best serve the local residents. Although policy 8.5.12.3(b) suggests a maximum elementary school site size of 2.42 ha, it is ultimately up to the respective school boards to determine the appropriate size and design of their respective school sites. To this end, a considerable amount of engagement has been undertaken with the Simcoe Muskoka Catholic District School Board to determine the appropriate size and location of the elementary school site for the subject application and at this time, there are no outstanding matters to address.
9. Village Squares, which are small parkettes, have been included in the Salem Secondary Plan to act as recreation facilities and to serve as meeting points which are not within a five minute walk of a Neighbourhood Park. Policy 8.5.13.3(c)ii targets Village Squares to be approximately 0.3 ha in size, but can be larger or smaller. The proposed Village Square is 0.470 ha in size and serves the neighbourhood to the west of the Natural Heritage System. This Village Square has the added benefit of acting as an entrance to the Natural Heritage System, creating opportunities for active transportation and passive recreation for local residents.
10. Policy 8.5.10.1 of the Secondary Plan provides that residential communities should provide a diverse range of housing options as well as opportunities for live-work, and create transit-supportive development patterns and densities. The proposal is consistent with this policy in that single detached houses and a variety of townhouse built forms are proposed, providing a diversity of housing options, in which home occupations are permitted. Additionally, the compact built form with a focus on increased density toward McKay Road West supports transit use.
11. Staff are satisfied that the proposed development is consistent with the Salem Secondary Plan (OPA 38) and therefore an amendment to the Secondary Plan is not required.