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November 3, 2017

Our File No.: PBMRE850

Mayor Lehman and Members of Council
Corporation of the City of Barrie
70 Collier Street, P.O. Box 400
Barrie, ON L4M 4T5

Dear Mayor Lehman and Members of Council,

**Re: 364 St. Vincent Street, Barrie
Sophia Creek Watershed and Mulcaster Drainage Area Municipal Class
Environmental Assessment Phases 1 and 2
Agenda Item 8, City Staff Report: ENG014-171030**

I represent PBM Realty Holdings Inc. ("PBM") regarding the Sophia Creek Watershed and Mulcaster Drainage Area Municipal Class Environmental Assessment Phases 1 and 2 ("Sophia EA"). The Sophia EA was considered by General Committee at its 30 October meeting and will be before Barrie City Council ("Council") on Monday night for approval.

The purpose of this letter is to request, for the reasons set out below, that Council defer consideration of the Sophia EA until City staff have done a full cost accounting of the preferred option and have provided a more detailed version of that option.

Background

PBM owns the property municipally known as 364 St. Vincent Street. The Sophia EA identifies this site as the preferred location for an expanded stormwater facility (Pond SP03). In conjunction with the proposed MacMorrison facility (Pond SP01) Pond SP03 will service the entire 470 ha+ drainage area. The City previously expropriated land from PBM for the existing pond, which is now proposed to double in size as part of the Sophia EA recommendations. This will mean our client will face a further taking of its land.

PBM and its representatives have been in discussion with City Engineering staff on this matter. In this regard please find attached a copy of Gerrits Engineering Limited 12 October 2017 letter to City Engineering staff. That letter expresses significant concern with the proposed model in terms of its detailed design, efficacy and its cost.

In addition to the evaluative and functional design concerns expressed in the that letter, Council should be aware that the land acquisition costs identified in the 30 October 2017 City Engineering staff Report (the “Staff Report”) significantly underrepresent the true cost of property acquisition as they are based on MPAC assessed values and not on current market value appraisals. As such, the City has not allocated sufficient funds to acquire the portion of the PBM property affected by the Sofia EA preferred option.

Request

The cost, design and efficacy of the Sophia EA should be fully understood by Council before it can properly consider all of the alternatives for the Sophia EA. If Council is not prepared to undertake this diligence then the Ministry of the Environment and Climate Change will be required to do this work.

Accordingly we respectfully request that Council defer consideration of the Staff Report until that Report can provide Council with an updated costing and further details on the preferred option and other alternatives.

Thank you in advance for your consideration of our request. Should you have any questions regarding our concerns please do not hesitate to contact me.

Yours truly,

DEVRY SMITH FRANK *LLP*



Marc P. Kemerer
MPK/jrg

Attach.

- c.c. Clerk, City of Barrie
- L. Cooney, City of Barrie
- PBM Realty Holdings Inc.
- N. Mitchinson
- J. McCuaig



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470-001-12

October 12, 2017

THE CITY OF BARRIE
70 Collier Street, P.O. Box 400
Barrie, ON, L4M 4T5

Attn: Mr. Lorrان Cooney
Sr. Infrastructure Planning Technologist

Re: Sophia Creek Watershed & Mulcaster
Drainage Area Environmental Assessment Update
CCTA File 115172

Dear Mr. Cooney,

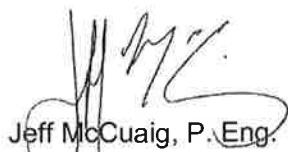
We are writing on behalf of Mr. Peter Moore, owner of the property located at 364 St. Vincent Street, and further to our meetings regarding the Sophia Creek Watershed & Mulcaster Drainage Area Environmental Assessment Update (Sophia Creek EA) and in particular, Stormwater Management Pond SP03 proposed for the St. Vincent Street site. The existing Stormwater Management Pond at this location is approximately 0.40 ha in size. The Sophia Creek EA recommends a doubling of the pond size to about 0.80 ha.

During the Sophia Creek EA process several pond scenarios were evaluated including pond SP01 (MacMorrison) alone, pond SP03 (St. Vincent) alone, and ponds SP01 and SP03 working in conjunction. The EA Summary notes that a combination of the alternatives are required as a single alternative does not address all of the drainage issues. The model results indicate that by using SP01 alone the flow reduction downstream of SP01 is 13-27%, but when combined with SP03 the flow reduction is 16-34%. This additional 3-7% does not appear to be a large reduction.

Has a review been completed that evaluates the costs of the required infrastructure upgrades, such as conveyance upgrades, when only SP01 is online compared against upgrades required when both ponds SP01 and SP03 are online? What are the capital costs of the conveyance upgrades for the additional 3-7% flow reduction downstream of MacMorrison Park and how do they compare to the construction and acquisition cost of SP03, which is listed as about \$1.1M in the EA document. In other words, has a full cost accounting been undertaken and if so please provide for our review.

If we assume that SP03 is functionally required and is also part of the cost effective solution, we would like to affirm our position that the pond be more rectangular shaped running the length of the western property line, extending east as required for the volume. This will provide for a more effective and efficient pond design, as well as allow the landowner more space for on-site uses.

Sincerely,
GERRITS ENGINEERING LIMITED



Jeff McCuaig, P. Eng.

c.c. Mrs. D. McAlpine, City Clerk, City of Barrie
Mr. P. Moore
Mrs. N. Mitchinson