

HUMPHRIES PLANNING GROUP INC.

May 28, 2014
HPGI File: 07145

Ms. Dawn McAlpine, Clerk
City of Barrie
70 Collier Street
PO Box 400
Barrie, Ontario
L4M 4T5

Attn: Mayor and Members of Council

Re: Growth Management Update – Proposed OPA 38, 39 and 40
June 2, 2014 – Council Meeting
Growth Management Update Report - May 21st General Committee Meeting

Humphries Planning Group represents Osmington Inc., owners of lands located at 50 Wood Street and 110 Fairview Road. At our client's request, we have reviewed the three proposed City OPAs currently before Council - OPA 38 – Salem Secondary Plan, OPA 39- Hewitt's Secondary Plan and OPA 40 – General Growth Management Related Amendments which represents an implementation of the City of Barrie Comprehensive Review exercise which commenced in 2011, and which is also a requirement of the Provincial Growth Plan 2006 as amended.

We have further reviewed the background study and reports which the City has prepared as the foundation of these OPAs which include: the Employment Lands Municipal Comprehensive Review dated November 2011, Growth Allocation and Greenfield Land Needs Report dated May 2012, as well as the City of Barrie Growth Management Strategy Executive Summary dated July 2012. It is our position that the proposed amendments do not provide for the land use designations and land conversions as set out in those documents, nor as required by provincial policy. In particular it is our position that the Employment Lands Municipal Comprehensive Review (the "Watson Report") was not appropriately undertaken as it did not properly take into consideration the overall City needs going forward, including the needs (and opportunities) for employment lands in the annexed area. We also note that the Watson Report did recommend a standard framework for reviewing future land conversion applications. We do not see where this recommendation was incorporated into any of the OPAs under consideration. Accordingly, Osmington does not support these Official Plan Amendments and formally objects to their approval. The proposed amendments, in our opinion, do not meet the provisions of the Growth Plan, nor the Provincial Policy Statement.

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Osmington has communicated with the City of Barrie on numerous occasions regarding our concerns. We have provided formal correspondence dated February 22, 2011, March 14, 2011, December 6, 2013 and April 22, 2014. In addition meetings with the City have occurred by teleconference and in person on March 25, 2010, November 18, 2013 and March 5, 2014. Through these discussions and communications we have made City staff aware of our concerns about the process that has been involved, the policies that have been developed, as well as our specific position related to residential uses at Osmington's Fairview Road property and the provision of additional commercial uses at its Wood Street property.

Based on our involvement in the process and discussions with City staff, it was always our understanding that the conversion policies and recommendations would be part of one of the Secondary Plans associated with the Growth Management Update. As referenced above, a land use conversion study was provided in the Employment Lands Municipal Comprehensive Review Phase 3, City of Barrie Growth Management Report, dated November 3, 2011. None of the three OPAs now before Council reference this Report as one of the background studies or provide any specific conversion policies or recommendations other than a reference to the City's parent Official Plan. In our opinion, this is inappropriate and contrary to the provisions of the Places to Grow Act, and the Planning Act. It means that the City has not provided any proper opportunity for interested parties such as Osmington to provide input into the land use conversion review exercise as part of any public process. Accordingly, it appears that the City must be taking the position that the mechanism to provide a proper public airing of these important policies is to formally object to these documents, and if necessary, have the City's conversion policies dealt with on an appeal of these OPAs. Osmington has not been provided formal notice by the City respecting the proposed meetings of Council and its proceedings for the planned adoption of these documents despite the numerous discussions and written communications regarding our interest.

For your consideration we have enclosed a Memorandum regarding what we believe are the Salient Facts of both the Osmington sites, as well as planning justification outlining why each site should be considered for conversion. It is our opinion that the Osmington lands are appropriate for conversion. No opportunity was given to provide this input at the time that the City, through its consultant, was considering conversion policies. **We wish to make formal our position that appropriate conversion policies should be made part of one or all of these OPAs. This would be in conformity with the current provincial policy positions and with the terms of reference that the City itself issued for the Watson Report. We further request that Council consider our request for conversion of the Osmington lands based on the reasons set forth in this memorandum. It is our further position that both of these request should be dealt with prior to the adoption of OPAs 38, 39 and 40.**

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In addition to the above, we also request formal written notice of all matters, meetings and decisions respecting these specific documents and the City's overall Growth Management Strategy.

Yours truly,

HUMPHRIES PLANNING GROUP INC.



Rosemarie L. Humphries BA, MCIP, RPP
President

cc. Osmington Inc.
Eric Hodgins, Growth Management Coordinator
Stephen Naylor, Director of Planning
City Clerk

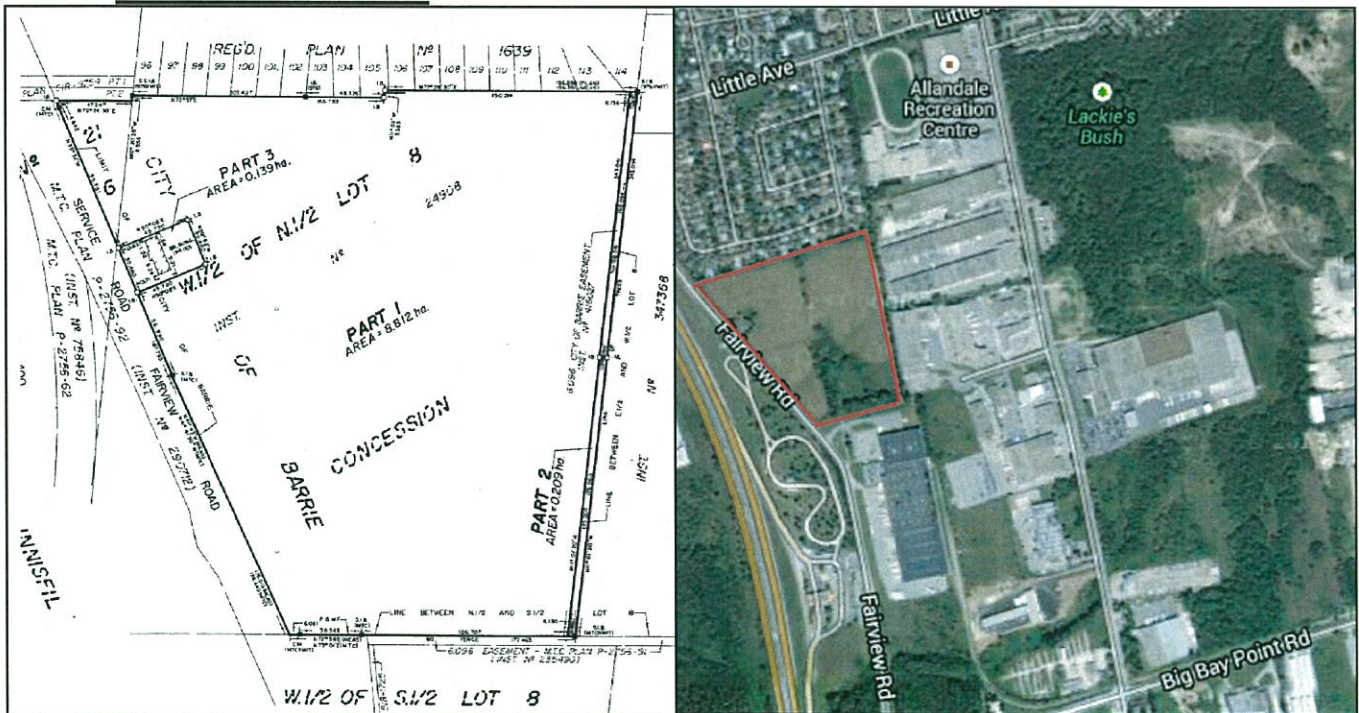
Encl. Memorandum - Salient Facts and Planning Justification for Conversion of 50
Wood St. & 110 Fairview Rd., May 27, 2014

Memorandum

To: City of Barrie
Subject: Salient Fact and Planning Justification
for Conversion of 50 Wood St. & 110 Fairview Rd.
Prepared by: Humphries Planning Group Inc.
Date: May 27, 2014

Based on our review of the Planning Act, Places to Grow Act, Places to Grow: Growth Plan and the Provincial Policy Statement, the City must complete either an comprehensive Official Plan update or an Official Plan Amendment at the conclusion of City of Barrie's Growth Management Study, per the requirements of the Province. By definition a Municipal Comprehensive Review requires either a comprehensive Official Plan review or Official Plan Amendment. The Provincial definitions of a Municipal Comprehensive Review clearly states that it is either Official Plan review or Official Plan Amendment and therefore by the very nature of the definition it requires an Official Plan update or Official Plan Amendment. The above noted lands have been reviewed in relation to the conversion criteria established by Section 2.2.6.5 of the Places to Grow: Growth Plan for the Greater Golden Horseshoe, 2006.

110 Fairview Road



110 Fairview Road is on the east side of Fairview Road and is approximately 9.3 hectares in size. It is legally described as Part of Part Lot 8, Concession 13, Innisfil, Part of Parklot 6 on Lot 7, Concession 13, Plan 21, Innisfil, Parts 1, 2 and 3 on Plan 51R10748, S/T RO416027, Barrie/Innisfil, being part of PIN 58734-0195 (LT).

The subject parcel is situated along Fairview Road, south of Chieftain Cres., just east of Highway 400 in the northwest corner of the 400 East Employment Area. The site covers an area of approximately 9.3 ha (23.0 acres), is currently designated General Industrial, and is bordered to the south and east by existing industrial uses, residential to the north and Highway 400 to the west. Zoning By-law 2005-275 zones the northerly portion of the site as Service Industrial (EM3) and the remainder of the land as General Industrial (EM4). There is interest in converting the lands to non-employment uses in order to accommodate residential uses on the property.

Section 2.2.6.5 of the Growth Plan

a) There is a need for the conversion.

Response:

- The Retail commercial Lands Needs Study (Phase 2 of the Barrie GMS) has established that the City has sufficient commercial land inventory to accommodate growth to 2031.
- The re-designation of the site for residential uses will help to meet this shortfall of residential land to meet growth to 2031, as well as the 40 percent intensification requirement.
- The location of the subject land is immediately adjacent to existing residential area and can be easily serviced.
- The site offers potential future expansion of the existing residential neighbourhood north of the site.
- The subject land is on the periphery of an employment area.

b) The Municipality will meet the employment forecasts allocated to the Municipality; and,

Response:

- Phase 1 of this GMS study established an employment forecast that is consistent with Schedule 3 of Places to Grow (Growth Plan). As summarized in Chapter 8 of the Phase 3 Report and the findings of the Retail Commercial Land Needs Study, this forecast can be accommodated within the existing land inventory and the Annexed Area and not relying on the subject site to meet forecast numbers.

c) Conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets and other policies of the plan

Response:

- This potential conversion site is for the most part an isolated and/or fragmented parcel which is independent of the main employment areas of the City and, thus, will have little to no impact on main employment areas.
- Until there is an interchange at Big Bay Point Road, the access to the site for industrial uses is inadequate. Due to poor access and the poor visibility from Highway 400, the site has relatively poor marketability for employment uses and will likely remain underutilized over the long term, which is inconsistent with Provincial and local policies. The site has been for sale for an extended period of time with no interest or successful purchase occurring.
- The site is on the fringe of a designated Employment Area, as there are residential uses directly abutting the site to the north. The site interfaces with the residential rear yards.
- The noise generated from an employment use on the subject site would be in conflict with the residential uses in the area, as well as the hotel.
- The site does not offer any practical potential for future expansion by neighbouring employment lands due existing natural areas and existing surrounding built employment lands.

d) There is existing or planned infrastructure to accommodate the proposed conversion

Response:

- The site is within the built area of the City and have existing planned infrastructure to allow for future residential development.

e) **The lands are not required over the long term for the employment purposes for which they are designated**

Response:

- As highlighted in Chapter 8 of the GMS Phase 3 Report, the City has sufficient supply of vacant employment lands within the existing inventory and the Annexed Area to meet the forecast demand over the 2010-2031 period.

f) **Cross-jurisdictional issues have been considered**

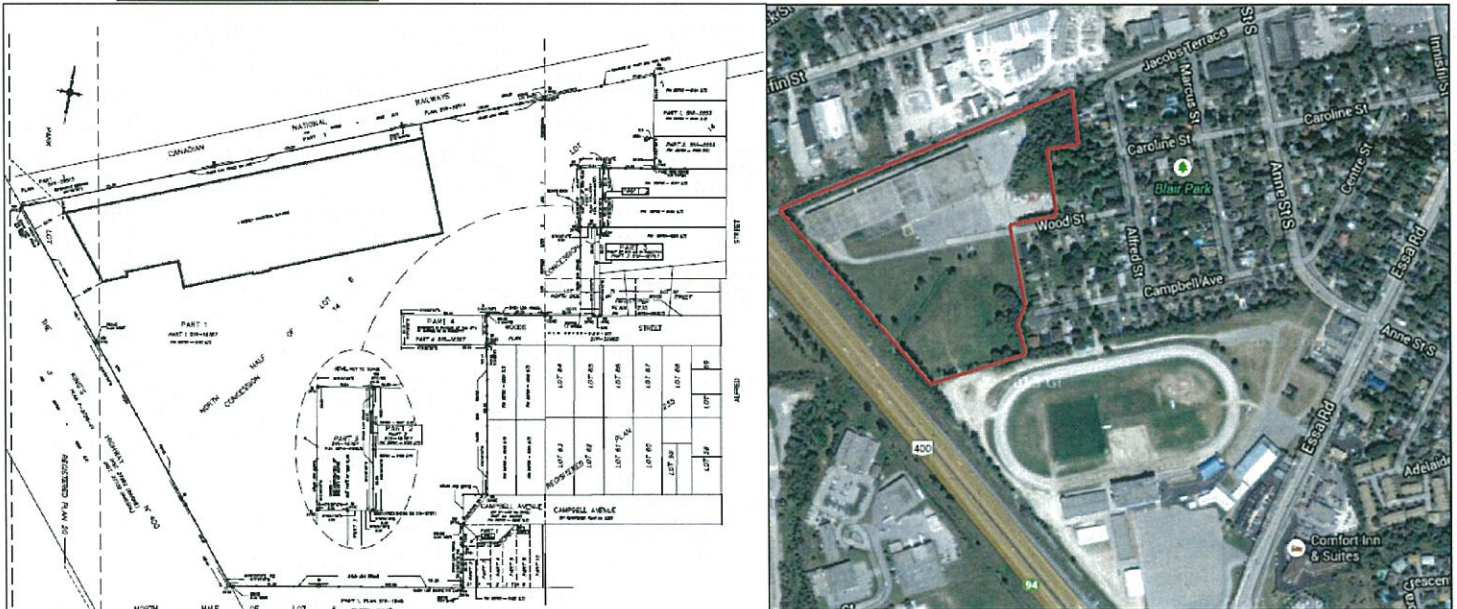
Response:

- The site is not adjacent to a municipal boundary and therefore this is not an issue that requires consideration in this case.

Other practical considerations for conversion of the site include:

- Due to the natural features on site, specifically the small forested area at the southern portion of the site, fitting employment uses on certain areas of the site is not practical. These areas of the site are better situated for residential uses.
- The natural features on the southern portion of the site help to provide a natural buffer to the employment lands to the south.

50 Wood Street



50 Wood Street is on the east side of Highway 400 and west of Wood Street and is approximately 8.83 hectares in size. It is legally described as Lot 6 and 7, Concession 14, Innisfil, Part of Lot 71, Registered Plan 20, City of Barrie, County of Simcoe, being part of PIN 58760-0193 (LT).

The City of Barrie Official Plan designates the subject parcel for General Industrial Land Uses, which provide for commercial uses on the General Industrial land. By-law 2005-275 applies to the Wood Street property and zones the property "Highway 400 Industrial zone" which further reduces permitted commercial uses.

The City of Barrie has not assessed the site in the Watson and Associated Economists Ltd. Growth Management Strategy (GMS) Phase 3 Report dated November 3, 2011. Osmington is seeking land use permissions/conversions to facilitate additional (C4 Zone) commercial uses at 50 Wood Street.

Section 2.2.6.5 of the Growth Plan

a) There is a need for the conversion.

Response:

- The site already has limited commercial land-use permissions and is located next to a designated General Commercial area to the south.

b) The Municipality will meet the employment forecasts allocated to the Municipality; and,

Response:

- Phase 1 of this study established an employment forecast that is consistent with Schedule 3 of Places to Grow (Growth Plan). As summarized in Chapter 8 of the Phase 3 Report and the findings of the Retail Commercial Land Needs Study, this forecast can be accommodated within the existing land inventory and the Annexed Area.

c) Conversion will not adversely affect the overall viability of the employment area, and achievement of the intensification target, density targets and other policies of the plan

Response:

- This potential conversion site is for the most part an isolated and/or fragmented parcel which is independent of the main employment areas of the City and, thus, will have little to no impact on main employment areas.
- Aside from the Highway 400 exposure the site is reliant on access from residential area or commercial designated land, which is controlled by the applicant, which makes the site poor from a marketability perspective for employment uses, which will likely cause the site to remain underutilized over the long term, which is inconsistent with Provincial and local policies.
- The site is on the fringe of a designated Employment Area, as there are residential uses directly abutting the site to the east and General Commercial lands to the south. The site is surrounded by non-employment land designations on at least three sides (highway 400 to the west), which makes it favourable for conversion according to the GMS Phase 3 Report.
- The site is isolated and does not offer potential for future expansion by neighbouring employment lands due to the existing rail line, residential access and commercial designated lands.
- Development of the site for employment uses may be difficult given existing natural features

d) There is existing or planned infrastructure to accommodate the proposed conversion

Response:

- The site is within the built area of the City and have existing planned infrastructure to allow for commercial development.

e) The lands are not required over the long term for the employment purposes for which they are designated

Response:

- As highlighted in Chapter 8 of the GMS Phase 3 Report, the City has sufficient supply of vacant employment lands within the existing inventory and the Annexed Area to meet the forecast demand over the 2010-2031 period.

f) Cross-jurisdictional issues have been considered

Response:

- The site is not adjacent to a municipal boundary and therefore is not a relevant consideration as part of this exercise.

Other practical considerations for conversion of the site include:

- Given the owner of the subject lands also controls the commercial designated lands to the south, these lands if designated for commercial uses can function as one large commercial site, which will deal with the isolation of the site and the current access issues.
- The value of these lands due to their visibility from the highway makes them largely out of the price range that would be viable for most industrial type users.

In light of the above information, it is our opinion that the requested conversion of these lands conforms to the Provincial Growth Plan and as part of the City of Barrie's Growth Management Study these lands should be considered for conversion.