



DEVRY SMITH FRANK *LLP*  
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BY E-MAIL

Our File No.: STJOS850

May 31, 2021

City of Barrie  
City Hall, 1<sup>st</sup> Floor  
70 Collier Street  
Barrie, ON L4M 4T5

**Attention: Mr. Tomasz Wierzba, Policy Planner**

E-mail: Tomasz.Wierzba@barrie.ca

Dear Mr. Wierzba:

**Re: St. Joseph Developments Inc.  
City of Barrie New Official Plan  
North of Dunlop Street West, East of Miller Drive**

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We represent St. Joseph Developments Inc. ("St. Joseph") in connection with their 45 acre parcel of land north of Dunlop Street West and east of Miller Drive as shown on the attached air photo. I am writing to express our client's objection to the new proposed Official Plan.

Our objections are as follows:

**EMPLOYMENT NON-INDUSTRIAL DESIGNATION**

- 1) The Dunlop Street frontage is currently designated General Commercial in the existing Official Plan and zoned C4 by By-law 2009-141. This commercial designation is proposed to be eliminated for my client's lands and replaced by an Employment Non-Industrial designation. This proposed designation is effectively a down designation which removes a number of critical uses.
- 2) The existing General Commercial designation provides for a broad range of uses of which are appropriate for this site.
- 3) The proposed Employment Non-Industrial designation permits a number of uses that are not appropriate for the site.

- 4) The proposed Employment Non-Industrial designation has a strange assortment of permitted uses that would appear to be out of character for the site and surrounding area.
- 5) The proposed Employment Non-Industrial designation will not permit the appropriate development of the site with uses that are realistic and practical and which represent good planning for a “gateway” to the City.
- 6) We request that the existing Commercial designation continue on this site or in the alternative the site receive a special site specific designation that permits all of the existing commercial uses.

#### NATURAL HERITAGE SYSTEM DESIGNATION

- 1) The City has been provided with correspondence from the Ministry of Natural Resources and Forestry indicating that the Provincially Significant Wetland designation previously shown on part of the St. Joseph’s property has been removed. We are therefore requesting that the Natural Heritage System designation be replaced with an appropriate development designation.

Please ensure that this letter is put in the record as part of the public meeting.

Yours truly,

Devry Smith Frank LLP



David S. White, Q.C.  
DSW/jrg  
Encl.

c.c. Wendy Cooke, City Clerk  
E-mail: Wendy.Cooke@barrie.ca

**Subject: City of Barrie New Official Plan  
St. Joseph Developments Inc.  
North of Dunlop Street West, East of Miller Drive  
Legal Description: Concession 7, Lot 24**



## Tara McArthur

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**From:** Cecilia Lee <cylee.toronto@gmail.com>  
**Sent:** Tuesday, June 1, 2021 6:30 PM  
**To:** Tomasz Wierzba; cityclerks; NewBarrieOP; Tara McArthur  
**Cc:** C Lee  
**Subject:** Comments for the Public Meeting on June 2 2021 re: Barrie Official Plan 2051 Draft 2

Hi all,

My name is Cecilia Lee and I am in a group which owns a property in Barrie. The land we own is 599 Dunlop Street West, at the corner of Dunlop Street West and Tiffin Street. It is located at the entrance to Barrie on the west side. I have reviewed Draft 2 of the Barrie Official Plan 2051 and would like to submit my comments below.

My land is now grouped under **Employment Land - Non Industrial**, along Dunlop Street W and **Employment Land - Industrial** for the area next to it.. The net impact is that these new land use designations do not permit residential.

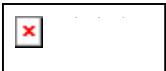
Currently, we have zoning approval of C4 which includes a residential component. It was acquired prior to the creation and subsequent approval of the new Official Plan 2051. Even though we can still sell our land as C4 before the zoning by-law is changed, we have to put our sale on hold with this uncertainty.

I am requesting that our land be recognized/honoured for our current privilege which includes a residential component and will be grandfathered in the new Official Plan 2051 and new zoning by-law.

Please advise.Thanks.

Cecilia Lee  
599 Dunlop Street W, Barrie

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# 3251586 Canada Inc.

June 2, 2021

Email Delivery > > [tomasz.wierzba@barrie.ca](mailto:tomasz.wierzba@barrie.ca)

City of Barrie, City Hall  
70 Collier Street, P.O. Box 400,  
Barrie, ON, L4M 4T5

**Attention:** Tomasz Wierzba, Policy Planner

Dear Mr. Wierzba:

**Re: Draft Two – Barrie OP Update – Heritage Square (624 Yonge Street)**

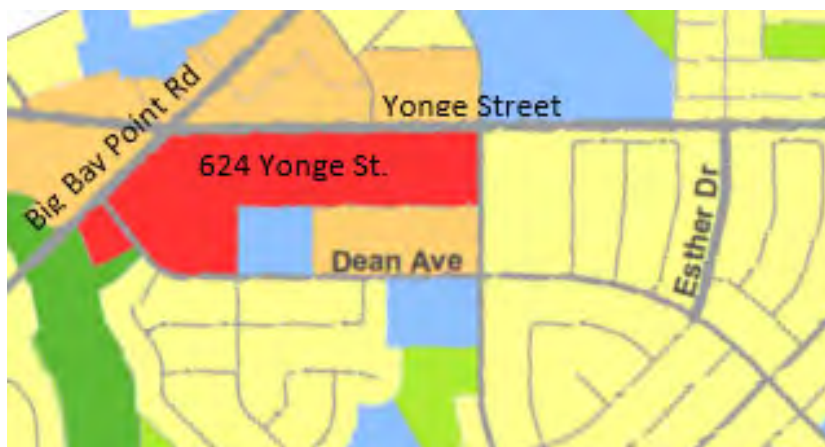
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We are writing with respect to our property located at the south-west corner of Yonge Street and Big Bay Point Road (the “Site”). The Site is municipally addressed as 624 Yonge Street, commonly referred to as Heritage Square and depicted in the graphic below (the “Site”).

We first wrote regarding the City’s proposed new Official Plan (the “New OP”) on December 21, 2020. A copy of that correspondence is enclosed for ease of reference.

The purpose of this letter is to provide our further comments based on the second draft of the New OP, which was released on May 6, 2021. Our comments focus on the intended designation of the Site but also include other items of general concern.

## The Proposed Designation of the Site



The New OP would designate the site “Commercial District”. The “Commercial District” designation is appropriate for the Site, which is presently developed as a commercial plaza. Importantly, the “Commercial District” permits residential development as part of a mixed-use development along with a variety of other uses.

We note that the Strategic Growth Area and Intensification Corridor policies of the New OP would also apply to the Site.

Additional flexibility is required in the New OP to allow for intensification of existing plazas such as the Site. The Site is fully serviced but is not yet fully built out. We are concerned that design policies of s. 2.3.6 and s. 3.3.6 use strong language intended to force development to occur closer to the street, which is incompatible with the existing servicing scheme for the Site. Rebuilding existing services would be inefficient and contradictory to provincial policy. Accordingly, we request that a policy be added to the New OP to permit intensification of existing sites, such as this one, based on designs that are compatible with existing servicing.

We are encouraged to see that “Commercial Districts” may be used for higher density residential uses, as part of a mixed-use development. This will enable sites, such as Heritage Square, to transition to include some future medium or high density residential development as a compliment to existing commercial uses. We endorse this policy approach.

### **Additional Comments**

In addition to the comments found in our December 2020 letter, we offer the following:

1. It is presently unclear when Council intends to consider the New OP, however, we believe that all parties would benefit from a good period of reflection on the New OP, as revised. Council should not rush to adopt the New OP, because getting it right takes time, and it is in the interest of all parties to ensure it is properly vetted prior to adoption. In our view, it is important that the proposed new urban design guidelines be reviewed in connection with the New OP. Since the new urban design guidelines are not expected until fall 2021, the New OP should not be adopted at least until then.

2. Instead of how it is currently written, s. 2.5.5 of the New OP should read:

*Any change in land use or introduction of a new land use not otherwise already permitted by the underlying land use designation or existing zoning will require an amendment to the Plan...*  
(additions underlined).

This change simply recognizes the Zoning By-law is best suited to regulate the use of land.

3. We note that the New OP generally requires 10% of new units to meet affordability criteria; 20% in Major Transit Station Areas (“**MTSAs**”). We caution the City against unintended consequences of such a policy. For example, it may mean that while one unit in a building becomes more affordable, every other unit becomes less affordable. Instead, we would like to see the City incentivise construction of affordable housing by using the other planning tools at its disposal. For example, units could be made more affordable by providing exemptions from development charges or property tax breaks for units meeting certain conditions.

Incidentally, though under the affordable housing policy heading, s. 6.4.2(e)(vi) of the New OP does not relate to affordable housing and should be deleted.

4. The obligation in s. 4.6.1(f) of the New OP, which requires a transportation demand management program for all site plan approval applications for office uses greater than 2000 square metres or buildings with greater than 50 residential units is unduly onerous. This requirement should be removed and transportation planning completed on a scale larger than the individual site.



5. Section 9.5.7.1(j) which pertains to site plan control is unclear. To improve clarity, we suggest the following wording:

... exterior design of buildings, sustainable design elements on any adjoining municipal boulevards/rights-of way (modification underlined)

The recommended wording makes it clear that this policy is referring to the municipal property, which we believe is its intent.

6. The New OP would be improved by language setting out how to resolve discrepancies between conflicting development parameters, for example the differing height and density provisions in the "Medium Density" designation and the overlay policy areas such as the MTSAs, Strategic Growth Areas ("**SGAs**") and Intensification Corridors.
7. It is requested that High-Rise Building policy 3.3.4(ii)(g) dealing with minimum setbacks of towers from "Neighbourhood Areas" be removed as this design parameter is not appropriate for an official plan. Rather, this type of language is best incorporated into urban design guidelines. We recommend that any required setback for towers in MTSA's, SGA's or Intensification Corridors be the same as apply to towers in the Urban Growth Centres, being suggested 30 metres or less dependent on other design parameters as may be specified in the urban design guidelines and in context with local site conditions.
8. We request that the 45 degree angular plane requirement of "Medium Density" transitional policies be removed from the New OP as it too is overly prescriptive for an official plan. There may be instances where a good design can be achieved, but slavish adherence to an abstract angular plane cannot. In such instances, amendment to the OP would be required to allow a design to proceed. As with tower setback provisions, angular plane provisions are better suited to urban design guideline documents which permit a reasonable degree of flexibility

Our initial letter requested an opportunity to meet with the City to discuss our comments, which to date has not occurred. We continue to believe that a meeting would be extremely beneficial and again request that the New OP project team advise of a meeting time that would be convenient.

Yours truly,  
**3251586 Canada Inc.**



Chris Corosky, Vice President

c.c. Kris Menzies  
new.barrieop@barrie.ca  
cityclerks@barrie.ca  
Mandy Scully  
Kim Beckman

att. As above

# 3251586 Canada Inc.

December 21, 2020

Delivered by Email > [kathy.suggitt@barrie.ca](mailto:kathy.suggitt@barrie.ca)

City of Barrie  
City Hall, 70 Collier Street  
P.O. Box 400, Barrie, ON, L4M 4T5

**Attention:** Ms. Kathy Suggitt, RPP, Manager of Strategic Initiatives, Policy and Analysis

Dear Ms. Suggitt:

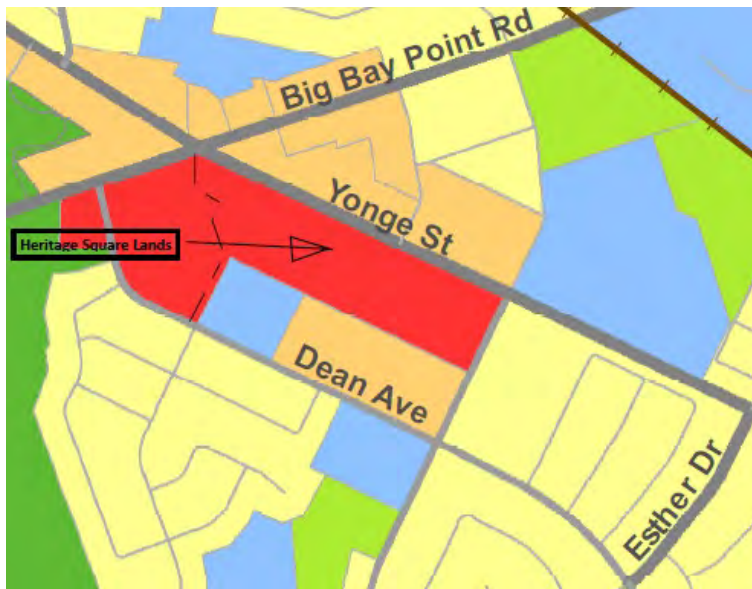
**Re: Draft Official Plan Preliminary Review  
624 Yonge Street – Heritage Square Plaza**

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We are writing with respect to our property located at the south-west corner of Yonge Street and Big Bay Point Road known as Heritage Square Plaza, municipally addressed as 624 Yonge Street (the “**Site**”).

This letter provides our comments based on our preliminary review the Draft Official Plan (the “**Draft OP**”), which are respectfully submitted.

## **The Effect of the Draft OP on the Site**



***Proposed Designation of Commercial District (Red)***

The Draft OP proposes to designate the Site “Commercial District”. The “Commercial District” designation identifies lands where large scale retail and commercial uses exist or are proposed. The designation permits these retail and commercial uses to be supplemented by residential, office, or institutional uses, allowing their evolution toward mixed use areas.

In keeping with the transitional aspirations toward mixed use, much of the development related policy applicable in the “Commercial District” applies to residential rather than commercial uses.



## Our Request

We generally agree that a “Commercial District” designation is appropriate for the Site, however we respectfully request:

1. In addition to the “Commercial District” policies, the Site is also subject to the policies for Intensification Corridors, Intensification Areas (“IA”), Strategic Growth Areas (“SGA”), Built Up Areas, Mobility Hubs, Low-Rise Buildings, and Mid-Rise Buildings. It is requested that, where possible, the policies for these areas, particularly those for the SGA, IA and IC areas, be consolidated and clarified, as there is overlap, repetition and internal conflicts among the policies for the various areas.
2. The Commercial District policies should be revised to make it clearer that that the envisioned mix of residential and commercial uses can occur in either a vertical or horizontal form.
3. Seniors housing should be listed as a permitted use within the “Commercial District” designation.
4. The “Commercial District” policies should enable partially developed sites to achieve maturity in a manner that flexibly integrates existing ‘on-the-ground’ built form with the newer urban design aspirations of the Draft OP.
5. The Site is partially developed, and a number of new buildings are planned in order to complete its development. The layout of future buildings is based on a City approved site plan. In some cases, design parameters of the site plan are different than those set out in the Draft OP. For example, the Draft OP (s. 3.4.3) does not permit surface parking between the front face of a building and the public sidewalk and requires that all buildings have a minimum height of two storeys or 7.5 metres. Neither of these parameters are consistent with actual built form of the Site that has occurred to date.
  - a. The Draft OP should be revised to include policies applicable to partially developed sites so that layout of new buildings appropriately meshes with existing built form.
  - b. There should be flexibility to permit single storey commercial buildings in a manner consistent with existing buildings on a partially developed site.
  - c. There should be flexibility, where second storeys on commercial buildings are required, to be designed as a façade, as opposed to leasable space.
6. Urban design policies should be revised to provide a set of flexible guidelines, rather than taking a prescriptive, regulatory approach.

## Our General Comments on the Draft OP

Further to the foregoing, the following list highlights specific sections of the Draft OP that we have comments and questions on.

2. Section 2.5.1 relates to the provision of affordable housing by the private sector. As an implementation tool, will the City consider the use of incentive tools such as relief from Development Charges? If not, the resulting impact may be to drive up the price of 'market' units, which would be contrary to the underlying policy objective. The use of these incentive tools should be referenced in the policy.
3. Section 2.6.5.2(a) of the "Commercial District" permits Low-Rise and Mid-Rise buildings. Section 2.6.5.2 f) and g) respectively permits buildings of up to 10 storeys and a density range of 50 to 300 units per hectare ("**uph**").
  - a. Is the low end of the density range (50 uph) interpreted as the minimum permitted within a Commercial District?
  - b. Conversely, are buildings of 10 storeys tall enough to achieve the high end of the density range? We note that SGA policies of s. 2.3.3 encourage higher densities, higher levels of intensification, and taller buildings. We also note that the Intensification Area policies s. 3.4.3 generally limits height of buildings to 4 to 8 storeys within an SGA— seemingly inconsistent with higher end density targets of the Commercial District.
  - c. Mid-Rise buildings are described as having 7 to 12 storeys in s. 3.5.5 of the Draft OP, which conflicts with the maximum building height permitted in the Commercial District. Which section takes precedence?
4. Section 2.6.5.2(b) permits a combination of permitted uses, "within one building or in multiple buildings, on the same property or parcel". Please confirm that this means a single purpose residential building (with no ground floor retail) is permitted in the "Commercial District".
5. Will credit be given for the provision of 20% of lot area for 'semi-public open space' as is required pursuant to s. 3.3.5.2.2.c? This should be clearly acknowledged in the policy and if not, this policy should be removed.
6. The third paragraph of Section 5.9 (Parkland Dedication) states:

*In addition to parkland dedication, open space resources will continue to be required through the development process, but outside of the parkland dedication process. These resources complement Barrie's parkland, providing additional opportunities for passive recreation, establishing linkages between community resources, and contributing to a healthy natural environment.*

The contribution of such open space resources by the private sector should be assigned a parkland dedication credit and the policy should be amended to reflect this. If this is not the intention, this policy should be removed.

7. It is unclear what is meant by Ecological Offsetting, as referenced in Section 5.5. If it is a payment, a formula for determining the value should be specifically set out in the policy.
8. It is unclear what the legislative basis for Ecological Offsetting is. If the request for such payments is in fact legally valid, any payment requirements associated with ecological offsetting should be set out in the Official Plan policy so that they are established through a transparent public process and subject to consideration, amendment or appeal, as with any land use policy.
9. Section 3.3.5.2.1 h) encourages public art contributions from the private sector. Section 8.3.3 is much more prescriptive regarding public sector requirements, and refers to external documents such as “the City’s Public Art Policy” and a non-referenced section of the Draft OP. It is requested that the policy be amended so that obligations and requirements are clear, and not subject to change without a public approval process.
10. Regulating tenure of buildings within a land use planning document is not appropriate. Accordingly, any reference to tenure within the Draft OP should be removed.
11. Section 9.4.2.2 contains a listing of approximately 38 different types of background studies that may be required as part of a complete application. Additional clarity should be added to this policy to acknowledge that the actual studies which will be required for a particular application and the scope of those studies will be appropriate to the type and nature of the application.
12. In addition to the exhaustive urban design policies of the Draft OP (in sections 3, 4, and 5), the Draft OP relies on an external, 228 page, document entitled *City Wide Urban Design Guidelines*. The applicability of these Guidelines is described as follows on page 4:

*The guidelines are phrased in the passive tone recognizing that they are guidelines rather than regulation. However, the guidelines are enabled by the Official Plan, which makes provision for the guidelines to essentially be mandatory while offering flexibility for the guidelines to be adapted if a site is constrained (as long as the spirit and intent of the guidelines are maintained).*

External documents can be changed without legislative requirement for public input. Mandatory requirements should be subject to transparent, legislatively enabled approval processes, particularly if they are being enforced through the official plan. Moreover, guidelines should set parameters rather than rules to be strictly adhered to, and we ask that the policy be amended to reflect this.

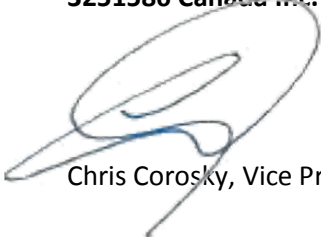
13. Appendix 2 – Designated Greenfield Area Phasing Plan – identifies the phasing in a portion of the Designated Greenfield Area. It shows that all of the “white space”, which would include the Site, is to be developed post the year 2041. We suggested that this is not the intent and the appendix should be revised.

## Conclusion

Our initial comments are respectfully submitted for your consideration. We look forward to further opportunities to provide input on the Draft OP.

We would be pleased to virtually meet with you to review our comments and look forward to your response to the questions and requested clarifications raised herein.

Yours truly,  
**3251586 Canada Inc.**

A handwritten signature in blue ink, appearing to be 'Chris Corosky', written over a faint circular stamp or watermark.

Chris Corosky, Vice President

c.c. Kris Menzies, MHBC  
[newbarrieop@barrie.ca](mailto:newbarrieop@barrie.ca)

# 2144176 Ontario Limited

June 1, 2021

Email Delivery > > [tomasz.wierzba@barrie.ca](mailto:tomasz.wierzba@barrie.ca)

City of Barrie, City Hall  
70 Collier Street, P.O. Box 400,  
Barrie, ON, L4M 4T5

**Attention: Tomasz Wierzba, Policy Planner**

Dear Mr. Wierzba:

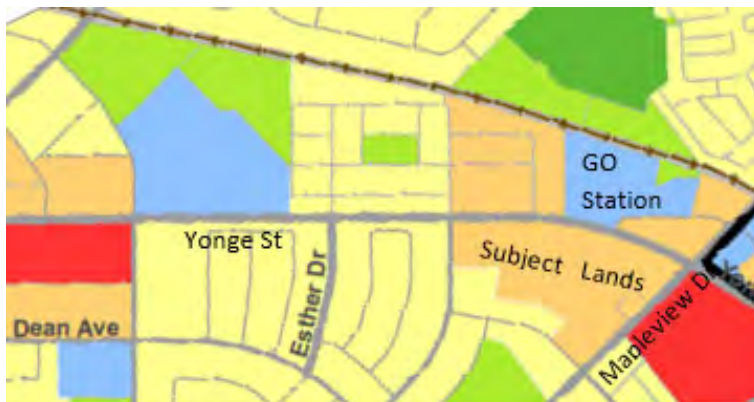
**Re: Draft Two – Barrie OP Update - 800 Yonge St., 658 & 662 Mapleview Dr. (Barrie West)**

We are writing with respect to our property located at 800 Yonge Street and 658 and 662 Mapleview Drive (the “**Site**”) which is depicted in the graphic below. Collectively, the three addresses constitute a contiguous ±22 acre parcel with frontage on both Yonge Street and Mapleview Drive. We believe this is a premier location and want to work with the City to make it the best it can be.

We first wrote regarding the City’s proposed new Official Plan (the “**New OP**”) on December 21, 2020. A copy of that correspondence is enclosed for ease of reference. The purpose of this letter is to provide our further comments based on the second draft of the New OP, which was released on May 6, 2021. Our comments focus on the intended designation of the Site but also include other items of general concern.

## The Proposed Designation of the Site

The Site is currently designated “General Commercial” and we have been working toward its development with City Staff on that basis. The New OP proposes to designate the lands “Medium Density”. The Site should not be designated “Medium Density”, but rather “Commercial District” which would maintain their commercial purpose but also allow flexibility for residential mixed use.



We emphasize that there has been a long-standing historical intention for commercial uses on the Site. The intention is based, in part, on the policies found in the Painswick South Secondary Plan. In addition, site specific approvals for commercial uses were obtained in 2007. We would be happy to further discuss the specific history and provide additional information which we believe will clearly demonstrate that the proper

designation for the Site is “Commercial District”.

As part of the ongoing development of the Site, we recently attended a site plan pre-consultation meeting with the City to discuss our intentions regarding commercial use on a portion of the Site. While we will be pursuing commercial development on parts of the Site, we acknowledge the 'overlay policy' objectives of the City to encourage significant medium and high density residential development near Yonge Street (Intensification Corridor) and near the GO Station (Major Transit Station Area / Strategic Growth Area). Given the size of the Site we believe objectives for intensive residential development can be achieved in conjunction with the planned commercial development and that this is best accomplished with a "Commercial District" designation.

Related to the foregoing we also note that Map 5 of the New OP shows a 41 metres right-of-way for Maplevue Drive across the frontage of our Site, whereas the Schedule E of the existing OP shows this as being a 34 metre right-of-way. The right-of-way width across our Site should be left at 34 metres.

### **Additional Comments**

In addition to the comments found in our December 2020 letter, we offer the following:

1. It is presently unclear when Council intends to consider the New OP, however, we believe that all parties would benefit from a good period of reflection on the New OP, as revised. Council should not rush to adopt the New OP, because getting it right takes time, and it is in the interest of all parties to ensure it is properly vetted prior to adoption. In our view, it is important that the proposed new urban design guidelines be reviewed in connection with the New OP. Since the new urban design guidelines are not expected until fall 2021, the New OP should not be adopted at least until then.
2. Instead of how it is currently written, s. 2.5.5 of the New OP should read:

*Any change in land use or introduction of a new land use not otherwise already permitted by the underlying land use designation or existing zoning will require an amendment to the Plan...*  
(additions underlined).

This change simply recognizes the Zoning By-law is best suited to regulate the use of land.

3. We note that the New OP generally requires 10% of new units to meet affordability criteria; 20% in Major Transit Station Areas ("MTSAs"). We caution the City against unintended consequences of such a policy. For example, it may mean that while one unit in a building becomes more affordable, every other unit becomes less affordable. Instead, we would like to see the City incentivise construction of affordable housing by using the other planning tools at its disposal. For example, units could be made more affordable by providing exemptions from development charges or property tax breaks for units meeting certain conditions.

Incidentally, though under the affordable housing policy heading, s. 6.4.2(e)(vi) of the New OP does not relate to affordable housing and should be deleted.

4. The obligation in s. 4.6.1(f) of the New OP, which requires a transportation demand management program for all site plan approval applications for office uses greater than 2000 square metres or buildings with greater than 50 residential units is unduly onerous. This requirement should be removed and transportation planning completed on a scale larger than the individual site.



5. Section 9.5.7.1(j) which pertains to site plan control is unclear. To improve clarity, we suggest the following wording:

... exterior design of buildings, sustainable design elements on any adjoining municipal boulevards/rights-of way (modification underlined)

The recommended wording makes it clear that this policy is referring to the municipal property, which we believe is its intent.

6. The New OP would be improved by language setting out how to resolve discrepancies between conflicting development parameters, for example the differing height and density provisions in the “Medium Density” designation and the overlay policy areas such as the MTSA’s, Strategic Growth Areas (“**SGAs**”) and Intensification Corridors.
7. It is requested that High-Rise Building policy 3.3.4(ii)(g) dealing with minimum setbacks of towers from “Neighbourhood Areas” be removed as this design parameter is not appropriate for an official plan. Rather, this type of language is best incorporated into urban design guidelines. We recommend that any required setback for towers in MTSA’s, SGA’s or Intensification Corridors be the same as apply to towers in the Urban Growth Centres, being suggested 30 metres or less dependent on other design parameters as may be specified in the urban design guidelines and in context with local site conditions.
8. We request that the 45 degree angular plane requirement of “Medium Density” transitional policies be removed from the New OP as it too is overly prescriptive for an official plan. There may be instances where a good design can be achieved, but slavish adherence to an abstract angular plane cannot. In such instances, amendment to the OP would be required to allow a design to proceed. As with tower setback provisions, angular plane provisions are better suited to urban design guideline documents which permit a reasonable degree of flexibility.

Our initial letter requested an opportunity to meet with the City to discuss our comments, which to date has not occurred. We continue to believe that a meeting would be extremely beneficial and again request that you advise of a meeting time that would be convenient.

Yours truly,

**2144176 Ontario Limited**



Chris Corosky, Vice President

c.c. Kris Menzies  
new.barrieop@barrie.ca  
cityclerks@barrie.ca  
Mandy Scully  
Kim Beckman

att. As above

# 2144176 Ontario Limited

December 21, 2020

Delivered by Email > [kathy.suggitt@barrie.ca](mailto:kathy.suggitt@barrie.ca)

City of Barrie  
City Hall, 70 Collier Street  
P.O. Box 400, Barrie, ON, L4M 4T5

**Attention:** Ms. Kathy Suggitt, RPP, Manager of Strategic Initiatives, Policy and Analysis

Dear Ms. Suggitt:

**Re: Draft Official Plan Preliminary Review  
658 & 662 Mapleview and 800 Yonge Street**

---

We are writing with respect to our property located at the north-west corner of Yonge Street and Mapleview Drive, municipally addressed as 800 Yonge Street, as well two smaller properties municipally addressed as 658 and 662 Mapleview Drive (under separate ownership for which I am also a signing officer) that we collectively refer to as Barrie West (the “Site”).

This letter provides our comments based on our preliminary review of the draft Official Plan (the “Draft OP”), which are respectfully submitted.

## The Effect of the Draft OP on the Site



**Proposed Designations of Medium Density (Orange) and Neighbourhood Area (Yellow)**

The Draft OP proposes to designate the Site as “Medium Density” and “Neighbourhood Area” as shown to the left.

The “Medium Density” designation would apply to 800 Yonge Street (shown in orange), which accounts for the majority of the Site area ( $\pm 21.5$  ac).

The “Neighbourhood Area” designation would apply to 658 and 662 Mapleview Drive (shown in yellow), forming a minority of the Site ( $\pm 0.5$  ac).

## **Current Site Condition and Planning Framework**

The Site is currently vacant and ready for development. It is anticipated that the entire 22 acres will be developed comprehensively for commercial and residential uses.

The Site has long been designated “General Commercial” in the City’s Official Plan. Prior to its current designation, the Painswick South Secondary Plan earmarked the Site for commercial use, surrounded by residential use. The commercial designation has already been implemented, as the majority of the Site is currently zoned General Commercial “C4”, permitting a full complement of commercial uses and some institutional uses.

## **Our Vision for the Site**

Informed by the current “Commercial General” designation, our concept for the Site has long incorporated commercial development as a cornerstone, complimented by adjacent residential uses at the key Yonge / Mapleview intersection.

Our vision for the area is a “village concept” which integrates existing residential neighbourhoods west of Yonge Street, planned neighbourhoods east of Yonge Street and the Barrie South GO station, with supportive commercial floorspace to be developed on the Site. To put it simply, the Site is the final piece of the integrated village emerging at the Yonge / Mapleview intersection.

## **Our Request**

Our initial review of the Draft OP results in our respectful requests for the following:

1. That the “Commercial District” designation apply to the entire Site.
2. The consolidation of all key policies applicable to the “Commercial District” into one section.
3. We agree with the objective of integrating higher density residential development into existing or proposed Commercial Districts to achieve mixed-use built form, however the policies should be clear that the mix of residential and commercial uses envisioned in the “Commercial District” can occur in either a vertical or horizontal form.
4. That seniors housing be listed as a permitted use within the “Commercial District” designation.
5. That urban design policies provide a set of flexible guidelines, rather than taking a prescriptive, regulatory approach.
6. That the City simplify its policy context for overlapping areas including Major Transit Station Area (“**MTSA**”), Strategic Growth Area (“**SGA**”), Intensification Corridor, Intensification Area and Urban Growth Centre policies.
7. Reduce the minimum density target for the Barrie South MTSA and clarify that it is to be applied across the entirety of the MTSA.

## Reasons for Our Request

Given the proximity of the Site to the Barrie South GO Station, planned improvements for Mapleview Drive and anticipated growth of Barrie to the south, the Site will play a prominent role in the area. As mentioned, the missing element in the area is commercial uses, which would function well on the Site.

We have already made considerable investments in the Site based on our vision for it and its longstanding commercial designation and zoning. Business plans have been made. Preliminary site plan layouts have been formulated. Just this year, the City approved a zone change (Bylaw 2020-074) to harmonize the zoning of the smaller lots with the commercial zoning applicable to balance of the Site.

**We are therefore not in favour of the Site being re-designated to Medium Density and Neighbourhood Area.** We believe that the entire 22 acre parcel should retain its long standing permission for commercial use **with a “Commercial District” designation in the new Official Plan.**

Based on our preliminary review of the Draft OP, the policies of the “Commercial District” designation, in conjunction with other, underlying policies, provide flexibility to integrate commercial and medium density residential uses on the Site. Twenty two (22) acres provides a canvas large enough to create an attractive mixed-use development that contributes to the overall planned function for this area.

Given proximity to Yonge Street and the Barrie South GO Station the Site is also identified in the Draft OP to be within an Intensification Corridor (IC), Major Transit Station Area (MTSA), and Designated Greenfield Area (DGA) and would be subject to all of the policies for those areas. The policies for Intensification Areas, Low-Rise Buildings, Mid-Rise Buildings, and potentially Mobility Hubs would also apply. Although the uses contemplated in the Commercial District designation and all of the foregoing underlying policies are generally consistent with our intentions for the Site, it provides for a confusing and overlapping policy regime.

For example, per the definition in the *Growth Plan*, Strategic Growth Areas would include the Urban Growth Centre (UGC), MTSA's and ICs. The proposed “Intensification Area” policies in the Draft OP would similarly apply to UGC, SGAs, MTSA's and ICs. We therefore suggest that the City simplify the policy context for these areas in the Draft OP to consolidate policies between the various areas/identifications, where possible.

Policy 2.3.4(d) requires that development within the Barrie South MTSA shall help achieve an average minimum density of 150 units per hectare. The *Growth Plan* establishes the minimum density target for an MTSA on a priority transit corridor that is served by GO Transit as 150 residents and jobs combined per hectare and this density target is to be applied across the entirety of the MTSA. While the Barrie South MTSA is not on a priority transit corridor and therefore this target does not even apply, we note that the policy in the draft OP applies the 150 density target on a units per hectare basis, resulting in a much higher density target than that contemplated in the *Growth Plan* which would apply to residential units only and does not include employment uses. A density of 150 units per hectare would also be well in excess of what is planned in the UGC (Downtown) which is proposed to be the highest density area in the City. This policy should be revised to establish a more appropriate minimum density target and to provide clarity that the target applies across the entirety of the MTSA and not to any particular development therein.

The uses permitted by the “Commercial District” designation, in conjunction with applicable policies that would apply to the Site will best facilitate an appropriate mix of commercial and medium density residential uses that serve to support the overall planned function for this area.

### **Our General Comments on the Draft OP**

Our more general comments on the Draft OP follow.

1. The organizational approach of the Draft OP requires the reader to jump to multiple sections of the document to understand all of the policies that could apply to a property. Consolidating all policies that could apply to a site into one section would more concisely communicate intentions, remove conflicts, and provide the reader with a more direct and clearer understanding of policy direction.
2. There are inconsistent policies within the Draft OP. In some instances, this raises questions as to which policies should prevail, and in others, direct conflicts arise.
3. There is a heavy reliance on referencing external regulations or guidelines that are subject to change without public process, which tends to undermine the planning process.
4. Section 2.5.1 relates to the provision of affordable housing by the private sector. As an implementation tool, will the City consider the use of incentive tools such as relief from Development Charges? If not, the resulting impact may be to drive up the price of ‘market’ units, which would be contrary to the underlying policy objective.
5. Will parkland dedication credit be given for the provision of 20% of lot area for “semi-public open space” as is required pursuant to Section 3.3.5.2.2.c? This should be clearly acknowledged in the policy and if not, this policy should be removed.
6. The third paragraph of Section 5.9 (Parkland Dedication) states:

*In addition to parkland dedication, open space resources will continue to be required through the development process, but outside of the parkland dedication process. These resources complement Barrie’s parkland, providing additional opportunities for passive recreation, establishing linkages between community resources, and contributing to a healthy natural environment.*

The contribution of such open space resources by the private sector should be assigned a parkland dedication credit and the policy should be amended to reflect this. If this is not the intention, this policy should be removed.

7. It is unclear what is meant by Ecological Offsetting, as referenced in Section 5.5. If it is a payment, a formula for determining the value should be specifically set out in the policy.
8. It is unclear what the legislative basis for Ecological Offsetting is. If the request for such payments is in fact legally valid, any payment requirements associated with ecological offsetting should be set out in the Official Plan policy so that they are established through a transparent public process and subject to consideration, amendment or appeal, as with any land use policy.

9. Section 3.3.5.2.1 h) encourages public art contributions from the private sector. Section 8.3.3 is much more prescriptive regarding public sector requirements, and refers to external documents such as “the City’s Public Art Policy” and a non-referenced section of the Draft OP. It is requested that the policy be amended so that obligations and requirements are clear, and not subject to change without a public approval process.
10. Regulating tenure of buildings within a land use planning document is not appropriate. Accordingly, any reference to tenure within the Draft OP should be removed.
11. Section 9.4.2.2 contains a listing of approximately 38 different types of background studies that may be required as part of a complete application. Hypothetically, could a zone change application be submitted for a property to permit ‘medium density development’ without an accompanying site plan application to articulate what is being proposed, ie could approvals be staged in concert with the submission of various background studies? Can language be added to clarify that the studies to be required and the scope of those studies will be appropriate to the nature of the application to be submitted?
12. In addition to the exhaustive urban design policies of the Draft OP (in sections 3, 4, and 5), the Draft OP relies on an external, 228 page, document entitled *City Wide Urban Design Guidelines*. The applicability of these Guidelines is described as follows on page 4:

*The guidelines are phrased in the passive tone recognizing that they are guidelines rather than regulation. However, the guidelines are enabled by the Official Plan, which makes provision for the guidelines to essentially be mandatory while offering flexibility for the guidelines to be adapted if a site is constrained (as long as the spirit and intent of the guidelines are maintained).*

External documents can be changed without legislative requirement for public input. Mandatory requirements should be subject to transparent, legislatively enabled approval processes, particularly if they are being enforced through the official plan. Moreover, guidelines should set parameters rather than rules to be strictly adhered to, and we ask that the policy be amended to reflect this.

13. Appendix 2 – Designated Greenfield Area Phasing Plan – identifies the phasing in a portion of the Designated Greenfield Area. It shows that all of the “white space”, which would include the Site, is to be developed post the year 2041. We suggested that this is not the intent and the appendix should be revised.



## Conclusion

Our initial comments are respectfully submitted for your consideration. We look forward to further opportunities to provide input on the Draft OP.

We would be pleased to virtually meet with you to review our comments and look forward to your response to the questions and requested clarifications raised herein.

Yours truly,

**2144176 Ontario Limited**

A handwritten signature in blue ink, appearing to read 'Chris Corosky', is written over the company name.

Chris Corosky, Vice President

c.c. Kris Menzies, MHBC  
[newbarrieop@barrie.ca](mailto:newbarrieop@barrie.ca)

# 3251586 Canada Inc.

June 2, 2021

Email Delivery > > [tomasz.wierzba@barrie.ca](mailto:tomasz.wierzba@barrie.ca)

City of Barrie, City Hall  
70 Collier Street, P.O. Box 400,  
Barrie, ON, L4M 4T5

**Attention:** Tomasz Wierzba, Policy Planner

Dear Mr. Wierzba:

**Re: Draft Two – Barrie OP Update – Yonge GO Village (759 Yonge Street)**

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We are writing with respect to our property located at 759 Yonge Street (the “Site”) which is generally depicted in the graphic below. The Site is also referred to as the Yonge GO Subdivision.



We first wrote regarding the City’s proposed new Official Plan (the “New OP”) on December 21, 2020. A copy of that correspondence is enclosed for ease of reference.

The purpose of this letter is to provide our further comments based on the second draft of the New OP, which was released on May 6, 2021. Our comments focus on the relationship between the current development status of the Site and the proposed New OP.

As the City is aware, the Yonge GO Subdivision is zoned for a master planned community. Not only is zoning in place, but development is already underway. Currently, Phases 1, 2 and 3 of the Subdivision are serviced. The construction of new homes has started in Phases 1 and 2 and improvements are underway at two new parks.

We are of the opinion that the development of the Site must proceed based on the existing zoning, unimpacted by the New OP. Transition policies inserted into the New OP would make this understanding clear and avoid future confusion. Accordingly, we request that the New OP include policies that have the effect of recognizing established development entitlements in situations such as ours.

Our December 2020 letter requested an opportunity to meet with the City to discuss our comments, which to date has not occurred. We continue to believe that a meeting would be extremely beneficial and again request that you advise of a meeting time that would be convenient.

Yours truly,

**3251586 Canada Inc.**

A handwritten signature in blue ink, appearing to read 'Chris Corosky', is written over the printed name.

Chris Corosky, Vice President

c.c. Kris Menzies  
new.barrieop@barrie.ca  
cityclerks@barrie.ca  
Mandy Scully  
Kim Beckman

att. As above

# 3251586 Canada Inc.

December 21, 2020

Delivered by Email > [kathy.suggitt@barrie.ca](mailto:kathy.suggitt@barrie.ca)

City of Barrie  
City Hall, 70 Collier Street  
P.O. Box 400, Barrie, ON, L4M 4T5

**Attention: Ms. Kathy Suggitt, RPP, Manager of Strategic Initiatives, Policy and Analysis**

Dear Ms. Suggitt:

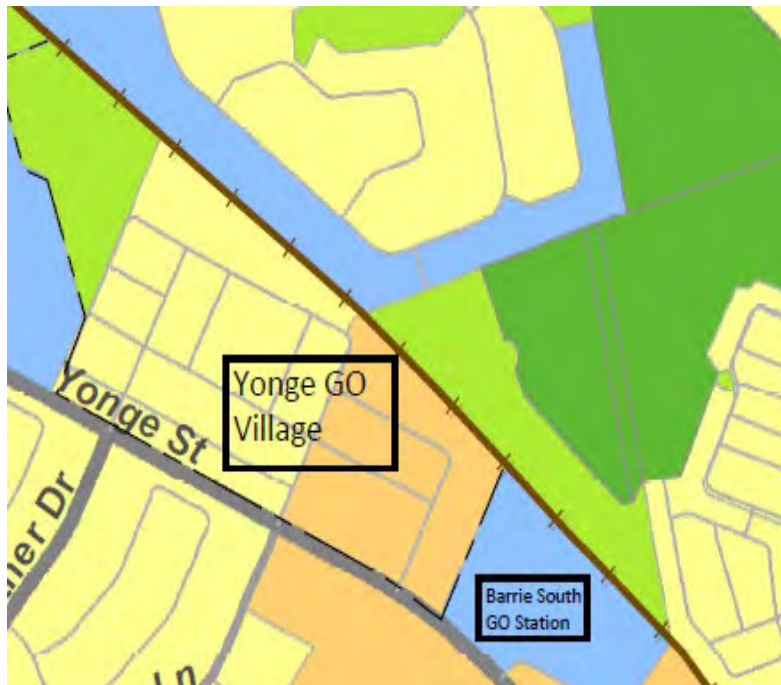
**Re: Draft Official Plan Preliminary Review  
Yonge GO Village**

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We are writing with regard to our Yonge GO Village property located immediately north of the Barrie South GO Station (the “Site”).

This letter provides our comments based on our initial review of the draft Official Plan (the “Draft OP”), which are respectfully submitted.

## **The Effect of the Draft OP on the Site**



***Proposed Designations of Medium Density (Orange), Neighbourhood Area (Yellow), Natural Heritage System (Dark Green), Greenspace (Light Green)***

As shown to the left, the Draft OP proposes to designate the northerly portion of the Site as “Neighbourhood Area” and the southerly portion (closest to the GO station) “Medium Density”.

The Draft OP also identifies parks, open space, and natural areas that correspond to the draft plan of subdivision approved by the City in 2017 for the Site.

Except as otherwise noted below, the Draft OP designations correspond to the Mixed Use Corridor and Mixed Use Node zones implemented through Zoning Bylaw 2017-66 and the approved draft plan of subdivision.

## Current Site Condition and Planning Framework

Following draft plan approval in 2017, we entered into a subdivision agreement with the City and ultimately registered Subdivision Plan 51M-1187 in July, 2020. The Subdivision Plan matches the proposed "Neighbourhood Area" designation. The registration of the Subdivision Plan, together with recent engineering approvals, effectively "locks in" the form of development for the "Neighbourhood Area" on the Site. Site servicing is currently underway and home construction will commence in 2021, all in compliance with Zoning Bylaw 2017-66.

We intend to proceed with development on the proposed "Medium Density" portion of the Site, also in accordance with Zoning By-law 2017-66. The uses permitted by Zoning Bylaw 2017-66 generally correspond to the intended townhouse and mid-rise apartment development contemplated by the Draft OP.

## Our Requests

Our initial review of the Draft OP results in our respectful requests for the following:

1. Given that development within the "Neighbourhood Area" designation is underway, please confirm that we can proceed with the development as approved in the draft plan, as well as any condo plans, site plans or any other form of *Planning Act* application complying with the zoning bylaw and official plan amendment approved for the Site, notwithstanding the provisions of the Draft OP.
2. Based on the recent approvals that have been granted for the Site, we anticipate that the area subject to the "Medium Density" designation will also be permitted to develop consistent with our recently approved Zoning By-law 2017-66 and related Official Plan Amendment #4, and again ask the City to confirm that this would be the case.
3. We request confirmation that all of our recently obtained planning approvals will continue to apply to the Site notwithstanding some of the altered policy nuances of the Draft OP, if adopted and approved in its current form.
4. We request confirmation that the ground floor commercial requirements of the Draft OP will not be used to modify regulations contained in Zoning Bylaw 2017-66.
5. Alternatively, due to incompatibility between the proposed policy and existing permissions for the Site, site-specific exemptions such as the following should be provided to exempt the Site from the application of:
  - a. subs. 2.6.1.3(f) and (g);
  - b. subs. 2.6.2.2(e);
  - c. subs. 3.5.2(b); and,
  - d. subs. 3.5.3(a).

The above clauses are provided by way of example. Additional policy exemptions may be required to align new OP policy with the approved zoning bylaw (2017-66) applying to our site.

## Our General Comments on the Draft OP

Beyond the foregoing key requests, the following list of items highlight sections of the Draft OP where clarification is required or amendments requested to certain policies as they apply to the Site:

1. The Site has a split designation of “Medium Density” and “Neighbourhood Area”. The Site is also on an Intensification Corridor (“IC”), is part of the Major Transit Station Area (“MTSA”), and, by extension is a Strategic Growth Area (“SGA”), subject to the Mobility Hub policies. It is also in the Designated Greenfield Area. It is requested that, where possible, the policies for these areas, particularly those for the MTSA, SGA and IC areas, be consolidated and clarified, as there is overlap, repetition and internal conflicts among the policies for the various areas. For example, the South Barrie MTSA (area wide) requires an average minimum density of 150 uph while other MTSA policies, found in of subs. 3.4.3(m), generally limit development to 4-8 storey buildings. The proposed level of density cannot be achieved with this built form.
2. The density target for the Barrie South MTSA should be amended to reflect the direction of the highest density being located downtown. Notwithstanding the direction found in s. 1.3 of the Draft OP for the downtown to have the highest density, the MTSA policies related to the Barrie South MTSA provide for an average minimum density of 150 units *per* hectare (2.3.4 d). This is considerably higher than the minimum density target in the Urban Growth Centre (“UGC”), which is a minimum of 150 persons and jobs *per* hectare (2.3.2 i) over the entire UGC. Furthermore, the density requirement is considerably higher than the minimum density targets for MTSA on priority transit corridors in the *Growth Plan*, and we note that the South Barrie GO Station is not on a “priority transit corridor”.
3. Intensification Area design policies (s. 3.4.3) are applicable to the Site as it is on an Intensification Corridor, within a SGA and within the MTSA. Within this area, the requirements in 3.4.3 i) to provide appropriate indoor amenity space for occupants and providing for underground parking, where appropriate (3.4.3 k iv)) are inappropriate as they control element internal to the building design.
4. Intensification areas and parking – the policies requiring underground parking in 3.4.3 k iv) should be revised to be more flexible and instead suggest that underground parking “should” be provided as used in s. 3.6 a) of the Plan.
5. It is requested that the policy requiring development in the Intensification Areas (including the MTSA) to provide parks and open spaces be removed (see s. 3.4.3 f) as park requirements are set out in other sections of the Draft OP. This policy also makes reference to s. 3.3.5.1.2 which does not appear to exist. We note, appropriate parks have been provided on the Site, as approved in previous development applications.
6. There is confusion in the Draft OP regarding medium density built form. For example, the built form policies of subs. 3.5.5(a) identify that mid-rise buildings are over 6 storeys up to a maximum of 12 storeys. However, the “Medium Density” policies (which only permit mid-rise buildings) in subs. 2.6.2.2 j) and k) provide for a minimum height of 4 stories and a maximum of 12 stories. We note that Zoning Bylaw 2017-66 permits a maximum of 8 storeys.



7. Regulating tenure of buildings within a land use planning document is not appropriate. Accordingly, any reference to tenure within the Draft OP should be removed.
8. In addition to the exhaustive urban design policies of the Draft OP (in sections 3, 4, and 5), the Draft OP relies on an external, 228 page, document entitled *City Wide Urban Design Guidelines*. The applicability of these Guidelines is described as follows on page 4:

*The guidelines are phrased in the passive tone recognizing that they are guidelines rather than regulation. However, the guidelines are enabled by the Official Plan, which makes provision for the guidelines to essentially be mandatory while offering flexibility for the guidelines to be adapted if a site is constrained (as long as the spirit and intent of the guidelines are maintained).*

External documents can be changed without legislative requirement for public input. Mandatory requirements should be subject to transparent, legislatively enabled approval processes, particularly if they are being enforced through the official plan. Moreover, guidelines should set parameters rather than rules to be strictly adhered to, and we ask that the policy be amended to reflect this.

9. Appendix 2 – Designated Greenfield Area Phasing Plan – identifies the phasing in a portion of the Designated Greenfield Area. It shows that all of the “white space”, which would include the Site, is to be developed post the year 2041. We suggest that this is not the intent and the appendix should be revised.
10. Phasing policies – the Site is within the Designated Greenfield Area (DGA). It is not understood how s. 9.5.2(e) affects development outside of the Hewitt and Salem secondary plan areas. Similarly, subsections g – j also seem to apply to Hewitt and Salem secondary plan areas.

## Conclusion

Our initial comments are respectfully submitted for your consideration. We look forward to further opportunities to provide input on the Draft OP.

We would be pleased to virtually meet with you to review our comments and look forward to your response to the questions and requested clarifications raised herein.

Yours truly,  
**3251586 Canada Inc.**



Chris Corosky, Vice President

c.c. Kris Menzies, MHBC  
[newbarrieop@barrie.ca](mailto:newbarrieop@barrie.ca)

**VIA EMAIL**

June 2, 2021

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

Attention: Tomasz Wierzba, Planner, Development Services

Dear Mr, Wierzba:

**Re: Draft New Official Plan – Second Draft  
Preliminary Comments on Behalf of Choice Properties REIT and Loblaw  
Companies Limited  
Various Properties  
Barrie, Ontario  
Our File: CHO/LRE/BAR/19-01**

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We are the planning consultants for Choice Properties REIT (“Choice”) and Loblaw Companies Limited (“Loblaw”) for the City of Barrie Official Plan Review. Choice and Loblaw collectively are the landowner and/or leaseholder of a number of sites within the City of Barrie, including the following:

- 319 Blake Street;
- 620 Yonge Street;
- 472 Bayfield Street;
- 201-211 Cundles Road East;
- 547 Cundles Road East;
- 289 Yonge Street; and
- 380 Mapleview Drive West.

On behalf of Choice and Loblaw, we have been monitoring the City of Barrie Official Plan Review process, and provided preliminary comments on December 16, 2020, and met with Staff March 23, 2021 to discuss the same. We have reviewed the second draft of the Official Plan dated May 6, 2021 and the associated Schedules/Maps as well as the Urban Design Guidelines in the context of the Choice and Loblaw Lands and we have preliminary comments as outlined below.

We are pleased that a number of Choice and Loblaw’s concerns have been addressed in the second Draft Official Plan. However, we do continue to have outstanding comments and concerns, and our preliminary comments are outlined below. We will continue to review the draft Official Plan in more detail and may provide further comments as required.

**Preliminary Comments on Draft City of Barrie Official Plan**

As noted in our December 16, 2020 letter, at this time Choice and Loblaw do not have specific plans for the redevelopment of their sites, and are seeking to maintain existing operations while allowing for short and medium term modest infill or expansion to respond

to the market demand. Further, it is also our intent to consider and protect for potential redevelopment scenarios, should this be contemplated in the future.

Accordingly, we have the following preliminary comments:

- Policy 2.3.3 relates to Strategic Growth Areas, which includes numerous properties throughout the municipality and provides direction for future growth and redevelopment. Draft subsection c) acknowledges that redevelopment of the Strategic Growth Areas will be planned over the long term, and the evolution of the area will not be immediate, however Policy 2.3.3 is silent with respect to interim development permissions that would allow moderate infill or expansion to existing functions that would not otherwise conform with the intensification policies of the draft Official Plan, prior to comprehensive redevelopment. We continue to suggest that interim development policies be incorporated into the draft Official Plan in order to ensure the continued viability of existing land uses is maintained in advance of redevelopment;
- 2.3.3e) states “The City will establish a minimum density target for the Strategic Growth Areas to support intensification and the development of complete communities”, however it is unclear what the density target is, and through what means that density target will be established (i.e. Secondary Plan or future OPA). We suggest revised language to clarify the minimum density targets applicable;
- 2.3.6a)ii) related to intensification corridors, states “development or redevelopment must be oriented towards those street segments”. In our submission, flexibility should be incorporated and we suggest “must” be replaced with “should”;
- Policy 2.4.2.1 states that “all new development shall be planned to contribute to a housing mix ...”. In our submission, this policy does not appropriately contemplate non-residential development, and would suggest that all new development incorporate a form of housing. We suggest revised language be considered to clarify that the housing mix target is applicable to new development that includes residential uses;
- Policy 2.6.1.3f) applies to Neighbourhood Areas and states that “Commercial, retail, and office (excluding Major Office) uses shall be located on and oriented towards Intensification Corridors, Arterial or Collector streets, and shall be limited to a maximum of 2,000.0 square metres on the ground floor...” In our submission, flexibility should be introduced, and we suggest “shall” be replaced with “should”, in particular so that there is clarity that not every site along a Corridor, Arterial, or Collector street is required to provide commercial, retail and office uses, and to account for site specific circumstances;
- Policy 2.6.1.3g) states that “If a low-rise commercial plaza is being redeveloped as mixed use, then the new mixed use building shall have at least 75% of the original plaza’s commercial gross floor area on the ground floor.” As outlined in our December 16, 2020 letter, in our submission, revised wording should be considered that would require redevelopment to “strive to achieve, where possible, at least 75% of the original plaza’s gross floor area...” so as to allow for consideration of site-specific context and to provide flexibility and avoid the need for an Official Plan Amendment if the policy cannot be met. In particular, as in redevelopment scenarios of large commercial plazas, the existing GFA can be quite substantial to reproduce in consideration of modern built form objectives;
- Policy 2.6.5.1 permits a range of uses in the Commercial District land use designation, however does not permit “Major Retail”, which is a defined term under

the Official Plan. In our submission, the intended function of the Commercial District designation would suggest that it is appropriate for large scale commercial/retail uses to be permitted, including Major Retail, and we suggest Major Retail be added as a permitted use. Policy 2.6.5.2b) does permit “large format retail (i.e. big box) as well as shopping malls”. Understanding that Major Retail is a defined term, we suggest consistency with this defined term throughout the Official Plan for clarity;

- Policy 2.6.8.1m) indicates that “Convenience Retail as part of a mixed-use development” is permitted. “Convenience Retail” uses are not referenced under any other land use designation, whereby Convenience Retail is only permitted on lands designated Strategic Employment and Economic District. We suggest removing the word “convenience” so that the use permitted is “Retail”, and also that “as part of a mixed-use development” be removed;
- Policy 2.6.8.3b) notes that “the height of buildings should generally be limited to 6 storeys”, whereas the corresponding policy in the September 2020 draft OP indicated a maximum of 16 storeys would be permitted. The proposed building heights are a significant reduction from what was previously contemplated, and we seek clarity as to the appropriateness of such a substantial reduction. In particular, considering the SEED designation is part of a Strategic Growth Area, where significant redevelopment and growth is to be directed. Development beyond a 6 storey maximum may be appropriate to facilitate appropriate levels of growth within this node, and we suggest that revised policy be considered that would be reflective of the intent of the Strategic Growth Areas, such as directed by draft Policy 2.3.3c), which states: “Strategic Growth Areas shall accommodate higher levels of intensification, tall buildings, higher densities...” The policy does not currently permit tall buildings within the SEED designation;
- Policy 2.6.8.3c) requires that at least 25% of ground floor uses for buildings with frontage along an arterial or collector street contain retail, commercial or other active uses. As outlined in our December 16, 2020 letter, flexibility should be afforded to this policy to account for site specific circumstances, and we suggest revised wording be considered as follows: “The ground floor of buildings with street frontage onto arterial or collector streets should consist of...”;
- Policy 3.1.3.1 provides direction for application of the Urban Design Standards, stating “The Urban Design Standards are phrased with the terms “will” or “shall”, or phrased in the active voice (rather than the passive voice), which means that every new development approved by the City must be in full conformity with the relevant policies.” Elsewhere, the draft Official Plan recognizes the importance of flexibility in design standards for successful and appropriate implementation, including Policy 2.5a), which states: “Slight variations from the development standards, with the exception of variations to height and density, may be permitted without an amendment to this Plan if such variations are in response to unique conditions or site context, to the satisfaction of the City.” We suggest Policy 3.1.3.1 be revised to incorporate an appropriate level of flexibility;
- Policy 3.2.1 provides general urban design standards to evaluate development applications, and will require development applications demonstrate a number of aspects, including (but not limited to) improving the City’s legibility, navigability and sense of place, improving the existing urban fabric, and increasing overall connectivity. In our submission, it is not appropriate for all development applications to demonstrate the provision of certain city building elements, which

may not be feasible to implement in a number of potential instances. We suggest revised wording as follows: “development applications, where appropriate, should demonstrate the following...”

- Policy 3.2.1b) specifies that the City will not support “over development”, which further goes on to define what may be considered as over-development, including “development that exceeds the maximum permitted height or density”, or “unwarranted variances” where an alternative built form is appropriate. We continue to have significant concern regarding the implications of such a policy, for the reasons outlined in our December 2020 letter;
- Policy 3.2.2 provides standards to evaluate development applications, including that “all development applications shall demonstrate how the proposal contributes to...”, and goes on to outline a number of criteria that includes how an application “contributes to the diversity of housing types and tenures in the neighbourhood”, amongst several other aspects. In our submission, not all development applications would be appropriate to contribute towards a housing mix, or other specific criteria that this policy would require contribution towards. Flexibility should be incorporated, and we suggest revised language as follows: “Development applications, where appropriate, should demonstrate how the proposal contributes...”;
- Policy 3.2.3a) states that “All development applications received by the City shall demonstrate how the City’s sustainable design priorities are achieved” and provides a range of priorities. In our submission flexibility should be provided, since demonstrating the achievement of the priorities may not be applicable or appropriate for all development applications;
- Policy 3.2.4.5c) states that “Internal private streets will be used to divide large sites into a grid of blocks and roadways to facilitate safe pedestrian and vehicular movement and that frame appropriately sized development parcels. Internal private streets will be designed to interconnect with adjacent properties to create an overall cohesive and integrated circulation network wherever possible.” In our submission it is not clear as to the applicability of this policy, if the intention is for comprehensive redevelopment, and what may be considered large sites;
- Policy 3.2.4.6a) states that “Amenity areas shall be consolidated and centrally located”. In our submission, flexibility should be afforded to the policy, such that it may be more appropriate for unconsolidated amenity space, or in a less centralized location due to specific circumstances. We suggest “shall” be replaced with “should”;
- Policy 3.3.1c) states “Blank facades facing a street, open space or park shall not be permitted”. In our submission, flexibility should be afforded to this policy to consider site specific circumstances, and we suggest revised language as follows: “Blank facades facing a street, open space or park shall be discouraged”;
- Policy 3.3.4a)ii) states that “where multiple towers are proposed on the same site, tower heights shall be staggered by a minimum of five storeys...” In our submission, this policy is overly prescriptive and may result in limitations to appropriate levels of intensification, or not permit good design. We suggest revised language as follows: “Development should be designed in a manner so as to provide variation in building mass, including but not limited to staggering of building heights where appropriate”;
- Policy 3.3.6b) would require retail uses to provide a variety of building heights as part of the same building. In our submission, this policy provides an inappropriate

- standard for building design that would promote inefficient standards for development. We suggest that this draft policy be better suited as an urban design guidelines, or that revised wording be considered which allows for flexibility;
- Policy 5.6.2.5c) identifies that “Urban Squares shall be between 0.2 hectares and 1.0 hectares...”. In our submission, it is unclear as to the need for such a rigid policy in the Official Plan for the size of Urban Squares. We suggest flexibility be incorporated to be able to respond to the needs of the community, and suggest the following revised language: “Urban Squares should be planned to be approximately 0.2 ha to 1.0 ha in size”
  - Policy 6.4.2e) would require that all development applications be supported by an Affordable Housing Report. In our submission, the list of materials that would be considered appropriate to facilitate development should be refined through pre-consultation, as there are numerous types of development that would not warrant an Affordable Housing Report, such as those applications proposing strictly non-residential uses. We suggest revised policy be considered;
  - Policy 6.4.2e)iii) would require that development applications that propose 40 dwelling units or more demonstrate the provision of affordable housing units. In our submission, the policy should introduce flexibility, and we suggest that the text “will be required to demonstrate” be replaced with “are encouraged to provide”;
  - Policy 8.4d) would require a Heritage Impact Assessment prior to development of lands identified on Map 8. Based on our review, the Historic Neighbourhoods do not appear to align with designated Heritage Conservation Districts or other Heritage assets as established by the Heritage Act. In our submission, it is inappropriate to require a heritage impact assessment for a broad area of lands that are not identified as having heritage value under the Heritage Act. We suggest that draft policy be revised to clarify that a heritage impact assessment will only be required for lands that are within or adjacent to properties designated under the Heritage Act, or that the draft policy be removed;
  - Policy 8.4.3 relates to Historic Neighbourhoods, which we understand are identified on Map 8 of the draft OP. Prior to development, Policy 8.4.3 would require a Historic Neighbourhood Character Impact Evaluation, in addition to the Heritage Impact Assessment according to draft Policy 8.4d). Based on our review, the Historic Neighbourhoods do not appear to align with designated Heritage Conservation Districts or other Heritage assets as established by the Heritage Act. We request clarification, and are unclear as to the need of such heritage evaluation for lands that are not recognized by the Heritage Act. We suggest revised policy be considered to clarify that heritage assessments would only be required for lands that are within or adjacent to properties or areas designated under the Heritage Act;
  - Policy 9.4.2.2 outlines a list of studies that may be required to be submitted in support of an application, including subsection s), which states: “Urban design brief, including site context and block plan, in accordance with the demonstration plans (see the Appendix for example demonstration plans).” The meaning of the requirement for a submission to be “in accordance with” the demonstration plans is unclear. We suggest revised wording be considered. Further, in our submission it is not appropriate for demonstration plans to form a part of the Official Plan, and the demonstration plans may be better suited for inclusion in the Urban Design Guidelines;



- Policy 9.4.2.2.1 identifies a list of submission materials that are requirements for mid-rise buildings, including a site context/block plan and pedestrian wind study. In our submission the submissions materials required for a mid-rise building submission is overly extensive for this type of built form. We note that as identified by Policy 9.4.2.2.2, the specific submission materials required for mid-rise buildings are the same as what would be required for a tall building. We suggest that revised wording be considered as follows: “development applications for Mid-Rise Buildings may require the following”, and that subsections a) and d) be removed;
- Policy 9.5.6b) states that “The distance between the existing lot lines in an infill situation shall be approximately 150.0 metres or less”. It is not clear as to the meaning or intent of such a policy, and would request clarification as to applicability and interpretation;
- Policy 9.5.9 states that “When reviewing an application for Minor Variance, the Committee of Adjustment will also consider the relevant policies of this Plan and all of the following criteria: a) That the variance would not cause substantial detriment, hazard, or annoyance that would detract from the character or amenity of nearby properties, and the resultant development would not adversely affect the traffic and parking conditions in the area”. In our submission, the policy should be revised to “all of the following relevant criteria”, since traffic and parking conditions may not be relevant for the particular variance (e.g., minimum setbacks); and
- Map 4A of the Official Plan labels two features as “Commuter Cycling Network (On – Road)”. We seek clarification if the intent is for the separate features are to be labelled differently.

We would welcome the opportunity to meet with Staff to discuss our comments further.

Please kindly ensure that the undersigned is notified of any further meetings with respect to this matters as well as Notice of the approval of the Official Plan.

Yours very truly,

**ZELINKA PRIAMO LTD.**



Rob MacFarlane, MPL, MCIP, RPP  
Planner

cc. Choice Properties REIT (via email)  
Loblaw Companies Limited (via email)

**VIA EMAIL**

June 2, 2021

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

Attention: Mr. Tomasz Wierzba, Planner, Development Services

Dear Mr. Wierzba:

**Re: Draft New Official Plan – Second Draft  
Preliminary Comments on Behalf of Maverick Development Corporation  
Various Properties (Generally Located at Bryne Drive & Caplan Avenue)  
Barrie, Ontario  
Our File: MAV/BAR/21-01**

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We are the planning consultants for Maverick Development Corporation (“Maverick”) for the City of Barrie Official Plan Review. Maverick is the prospective purchaser of the following commercial properties in the City of Barrie:

- 406 and 436 Bryne Drive (Dollarama, Bank and former Home Outfitters);
- 42 Caplan Avenue (Commercial Plaza anchored by Sears Home and Bad Boy);
- 52 Caplan Avenue (The Brick);
- 60-70 Maplevue Drive (Wendy’s and Jack Astors restaurants, and TD Bank); and
- 36 Barrie View Drive (Staples).

The in-effect Official Plan currently designates all of the above Maverick Lands as “General Commercial” as shown on Schedule A., which permits large scale retail uses, supermarkets, and a range of other uses, generally consisting of retail commercial and service uses, office use, and allows for mixed-use development. In addition, the lands are all zoned General Commercial (C4) by By-law 2009-141.

Preliminary written comments for the First Draft Official Plan were provided on behalf of Maverick on April 12, 2021, and we met virtually with planning staff on April 29, 2021 to discuss the same. We have had the opportunity to review the Second Draft Official Plan dated May 6, 2021 and we wish to provide the following comments:

1. A fundamental aspect in the Second Draft Official Plan that Maverick does not support is the proposed “Employment Area – Non-Industrial” designation applied to the Maverick lands at 406 and 436 Bryne Drive, 52 Caplan Avenue, and 60-70 Maplevue Drive. The proposed designation is not consistent with the current or intended commercial function of these lands or general area, and reduces the range of land use permissions currently afforded to the lands under the in-effect

“General Commercial” land use designation. It is unclear to us why staff have determined that the lands located on the westerly side of Bryne Drive should be redesignated “Employment Area – Non-Industrial”. It appears to us that a more natural division between the existing commercial uses and the existing industrial area/uses (to the west) would be the westerly limits of the Maverick Lands, as per the in-effect OP and Zoning By-law mapping. It is our position that the Maverick Lands should be considered the same as the lands directly to the east (across Bryne Drive), which are proposed in the Second Draft to be designated as “Commercial District”, and within a “Strategic Growth Area”. The Maverick land have comparable characteristics to these lands, including similar built form and range of existing commercial uses. It is our professional opinion that the Maverick Lands represent a logical expansion of the Strategic Growth Area, which would appropriately encompass, reflect and be compatible with the existing commercial node in the area. As such, we request the entirety of the Maverick lands be designated “Commercial District” and included within the “Strategic Growth Area”;

Further to this, it is our understanding that the City of Barrie Land Needs Assessment prepared by Watson dated May 21, 2019 is to inform decisions on the City Structure, including the Official Plan Review and policy structure. Importantly, the methodology used by the Land Needs Assessment does not consider any of the Maverick lands as Employment for the purpose of evaluating the City’s existing employment land base, noting “that the employment land supply has been carried out in accordance to the guidelines in the Growth Plan, 2019 and the L.N.A. Methodology.” There is also no justification provided for the reallocation of existing Commercial Lands to Employment lands within the Land Needs Assessment.

2. Draft Policy 2.3.3 relates to Strategic Growth Areas, and provides direction for future growth and redevelopment. Draft subsection c) acknowledges that redevelopment of the Strategic Growth Areas will be planned over the long term, and the evolution of the area will not be immediate. However, Draft Policy 2.3.3 is silent with respect to interim development permissions that would allow moderate infill or expansion to existing functions that would not otherwise conform with the intensification policies of the draft Official Plan, prior to comprehensive redevelopment. We request that interim development policies be incorporated into the draft Official Plan in order to ensure the continued viability of existing land uses is maintained in advance of comprehensive redevelopment;
3. Draft Policy 2.3.3e) states “The City will establish a minimum density target for the Strategic Growth Areas to support intensification and the development of complete communities”, however it is unclear what the density target is, and through what means that density target will be established (i.e. Secondary Plan or future OPA). We request clarification on the minimum density targets applicable;
4. Draft Policy 2.3.5h) relates to Employment Areas, and notes that “a limited range of small-scale retail and commercial uses may be permitted”. Large scale commercial/retail uses, including Major Retail are permitted by certain Employment Areas designation and should therefore be identified under Section 2.3.5;
5. Draft Policy 2.3.6a) ii) relates to Intensification Corridors, and states “development or redevelopment must be oriented towards those street segments”. In our

- submission greater flexibility could be afforded based on the context of the site, and that the word “must” could be replaced with “should”;
6. Draft Policy 2.4.2.1 states that “all new development shall be planned to contribute to a housing mix ...”. It is our submission that this Draft Policy does not appropriately contemplate non-residential development, and could be interpreted to mean that all new development needs to incorporate a form of housing. We suggest revised language be considered to clarify that the housing mix target is applicable to new development that includes residential uses;
  7. Draft Policy 2.6.5.1 permits a range of uses in the Commercial District land use designation, however does not permit “Major Retail”, which is a defined term under the Official Plan. In our submission, the intended function of the Commercial District designation would suggest that it is appropriate for large scale commercial/retail uses to be permitted, including Major Retail. Major Retail should therefore be added as a permitted use.
  8. Draft Policy 2.6.5.2b) permits “large format retail (i.e. big box) as well as shopping malls”. Understanding that Major Retail is a defined term, we suggest consistency with this defined term throughout the Official Plan for clarity, including updating Policy 2.6.5.2b) to reference Major Retail;
  9. Draft Policy 2.6.9.2 indicates that Major Retail uses are to be “subject to the policies in Sections 2.6.10.2, 2.6.10.3, and 2.6.9.3”. Based on a review of those sections, it is unclear the applicability of the “Employment Area – Industrial” standards to the Major Retail permitted use, as sections 2.6.10.2 and 2.6.10.3 relate mainly to industrial employment type uses;
  10. Draft Policy 2.6.9.2d) would restrict any new retail uses as standalone, and new retail would be required to be in association with another use in the same building. In our submission, the requirements for new retail to be associated with another use is an inappropriate standard. We suggest revised Draft Policy be considered to allow for small scale standalone retail uses, including infill type development, within the Employment Area – Non Industrial designation;
  11. Policy 2.6.9.2e)i) provides criteria for the development of Major Retail uses in the Employment Area – Non Industrial designation, and proposes a cap to ‘contiguous clusters’ of Major Retail Uses. In addition to our concerns with the appropriateness of the proposed “Employment Area – Non Industrial” designation for 75 Mapleview Drive West as noted above and notwithstanding that ‘contiguous cluster’ is unclear, we are concerned with the implications for implementation including under the Zoning By-law. In our experience, a combined cap that is applicable to multiple developments under separate ownership is difficult to track. We suggest that Policy 2.6.9.2e)i) be removed.
  12. Draft Policy 2.6.9.2e) provides criteria for the development of Major Retail uses in the Employment Area – Non Industrial designation, and proposes to cap individual major retail uses at 5,000 sq. m. It is our submission that this cap is too small and should be increased to be more reflective of a Major Retail type use. Flexibility should also be included into the wording of this policy to ensure that expansions to existing a Major Retail use that result in a total GFA beyond the maximum cap, does not trigger the need for an Official Plan Amendment application;

13. Draft Policy 2.6.9.2h) provides direction for the provision of sensitive land uses within the Employment Area – Non Industrial designation. Clarification is requested as to what (if any) sensitive land uses are permitted within this designation that this policy is intended to guide;
14. Draft Policy 3.1.3.1 provides direction for application of the Urban Design Standards, stating “The Urban Design Standards are phrased with the terms “will” or “shall”, or phrased in the active voice (rather than the passive voice), which means that every new development approved by the City must be in full conformity with the relevant policies.” Elsewhere, the draft Official Plan recognizes the importance of flexibility in design standards for successful and appropriate implementation, including Draft Policy 2.5 a), which states: “Slight variations from the development standards, with the exception of variations to height and density, may be permitted without an amendment to this Plan if such variations are in response to unique conditions or site context, to the satisfaction of the City.” Draft Policy 3.1.3.1 should be revised to incorporate more flexibility;
15. Draft Policy 3.2.1 provides general urban design standards to evaluate development applications, and will require development applications demonstrate a number of aspects, including (but not limited to): improving the city’s legibility, navigability and sense of place; improving the existing urban fabric; and increasing overall connectivity. In our submission, it is not appropriate for all development applications to demonstrate the provision of certain city building elements, which may not be feasible to implement in a number of potential instances. To provide greater flexibility we suggest revised wording as follows: “development applications, where appropriate, should demonstrate the following...”
16. Draft Policy 3.2.1b) specifies that the City will not support “over development”, which further goes on to define what may be considered as over-development. Over-development includes a number of criteria, including “development that exceeds the maximum permitted height or density”, or “unwarranted variances” where an alternative built form is appropriate. We continue to have significant concern regarding the implications of such a Draft Policy, as there may be instances where it is appropriate to consider additional height or density beyond what is currently contemplated by Policy and which may not otherwise be considered as ‘over development’ and align with key objectives of the Official Plan, effectively restricting otherwise potential good planning practices;
17. Draft Policy 3.2.2 provides standards to evaluate applications, including that “all development applications shall demonstrate how the proposal contributes to...”, and goes on to outline a number of criteria that includes how an application “contributes to the diversity of housing types and tenures in the neighbourhood”, amongst a number of other aspects. In our submission, not all development applications would be appropriate to contribute towards a housing mix, or other specific criteria that this Draft Policy would require contribution towards. Therefore, we request flexibility be incorporated, and suggest revised language as follows: “Development applications, where appropriate, should demonstrate how the proposal contributes...”;
18. Draft Policy 3.2.3a) states that “All development applications received by the City shall demonstrate how the City’s sustainable design priorities are achieved” and provides a range of priorities. In our submission flexibility should be provided, since

- demonstrating the achievement of the priorities may not be applicable or appropriate for all development applications;
19. Draft Policy 3.2.4.5c) states that “Internal private streets will be used to divide large sites into a grid of blocks and roadways to facilitate safe pedestrian and vehicular movement and that frame appropriately sized development parcels. Internal private streets will be designed to interconnect with adjacent properties to create an overall cohesive and integrated circulation network wherever possible.” Please clarify the applicability of the Draft Policy, and if the intention is for comprehensive redevelopment and what are considered large sites;
  20. Draft Policy 3.3.4.6a) states that “Amenity areas shall be consolidated and centrally located”. In our submission, flexibility should be afforded to the Draft Policy, such that it may be more appropriate for unconsolidated amenity space, or in a less centralized location due to specific circumstances. We suggest the word “shall” be replaced with “should”;
  21. Draft Policy 3.3.1c) states “Blank facades facing a street, open space or park shall not be permitted”. In our submission, flexibility should be afforded based on the context of the site, and we suggest revised wording as follows: “Blank facades facing a street, open space or park are discouraged”;
  22. Draft Policy 3.3.4a)ii) states that “where multiple towers are proposed on the same site, tower heights shall be staggered by a minimum of five storeys...” In our submission, this Draft Policy is overly prescriptive and may result in limitations to appropriate levels of intensification or good design. We suggest revised language as follows: “Development should be designed in a manner so as to provide variation in building mass, including but not limited to staggering of building heights where appropriate”;
  23. Draft Policy 3.3.5 states “The following urban design standards apply to Single Storey Employment Buildings: a) Single Storey Employment Buildings are those buildings exclusively located within Employment Areas and are generally low-rise in form, including but not limited to warehouses, distribution centres, and manufacturing or assembly facilities.” Given the permissions for major retail in the Employment Area – Non Industrial designation, please clarify that this policy is not applicable to Major Retail uses;
  24. Draft Policy 3.3.6b) would require retail uses to provide a variety of building heights as part of the same building. We suggest that this draft Policy be better suited as an urban design guideline, or that revised wording be considered which allows for flexibility given the size and nature of the proposed development;
  25. Draft Policy 5.6.2.5c) identifies that “Urban Squares shall be between 0.2 hectares and 1.0 hectares...”. It is unclear to us why there is a need for such a rigid Draft Policy in the Official Plan for the size of Urban Squares. We suggest flexibility be incorporated to be able to respond to the nature of the proposed development and the needs of the community, and suggest the following revised language: “Urban Squares should be planned to be approximately 0.2 ha to 1.0 ha in size”;
  26. Draft Policy 6.4.2e) would require that all development applications be supported by an Affordable Housing Report. In our submission, the list of materials that would be considered appropriate to facilitate development should be refined through pre-

- consultation, as there are numerous types of development that would not warrant an Affordable Housing Report, such as those applications proposing strictly non-residential uses. We suggest revised Draft Policy wording to reflect the nature of the proposed development;
27. Draft Policy 6.4.2e)iii) would require that development applications that propose 40 dwelling units or more demonstrate the provision of affordable housing units. In our submission, the Draft Policy should introduce flexibility, and we suggest that the text “will be required to demonstrate” be replaced with “are encouraged to provide”;
  28. Draft Policy 9.4.2.2 outlines a list of studies that may be required to be submitted in support of an application, including subsection s), which states: “Urban design brief, including site context and block plan, in accordance with the demonstration plans (see the Appendix for example demonstration plans).” Clarification is requested on what is meant by the submittal being “in accordance with” the demonstration plans. It is our submission that it is not appropriate for demonstration plans to form a part of the Official Plan, and are better suited for inclusion in the Urban Design Guidelines;
  29. Draft Policy 9.4.2.2.1 identifies a list of submission materials that are requirements for mid-rise buildings, including a site context/block plan and pedestrian wind study. In our submission the submissions materials required for a mid-rise building submission is overly extensive for this type of built form. We note that as identified by Draft Policy 9.4.2.2.2, the specific submission materials required for mid-rise buildings are the same as what would be required for a tall building. We suggest that revised wording be considered as follows: “development applications for Mid-Rise Buildings may require the following”, and that subsections a) and d) be removed;
  30. Draft Policy 9.5.6b) states that “The distance between the existing lot lines in an infill situation shall be approximately 150.0 metres or less”. Please clarify the intent for such a policy, and its applicability and interpretation; and
  31. Draft Policy 9.5.9 states that “When reviewing an application for Minor Variance, the Committee of Adjustment will also consider the relevant policies of this Plan and all of the following criteria: a) That the variance would not cause substantial detriment, hazard, or annoyance that would detract from the character or amenity of nearby properties, and the resultant development would not adversely affect the traffic and parking conditions in the area”. In our submission, that this policy is overreaching and unnecessary, given that the assessment of Minor Variance Application the governed by the prescribed tests in the Planning Act.

We appreciate your consideration of our comments, and we will continue to participate in the Official Plan review process. In light of the matters/concerns set out above, our client and ourselves would appreciate the opportunity to meet with City Staff at the earliest opportunity.

Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

**ZELINKA PRIAMO LTD.**



Rob MacFarlane, MPL, MCIP, RPP  
Planner

cc. The Client (via email)



**From:** [Michelle Lackey](#)  
**To:** [cityclerks](#)  
**Subject:** Draft OP Meeting questions  
**Date:** Wednesday, June 2, 2021 2:14:27 PM

---

Hello, I have some questions and comments I'd like submitted for tonight's OP public meeting;

1) Why are the vacant lands south of Loon Ave/East of Huronia Road (ie Lovers Creek Ravine) being considered for residential zoning, when they have been identified as EP Level 1 and are adjacent to a Provincially Significant Wetland and sit upon a significant woodland? Parts of these lands are currently zoned for light industrial and agricultural uses which would likely be more appropriate for the environmental impact of these lands than residential. I think their designations should remain as they are now OR, the city should consider re-zoning them to Environmental Protection or Greenspace.

2) In regards to the built form of new development - I think greater landscape buffers and set backs need to be provided when developing or re-developing land that has existing residential properties adjacent to them. The current minimum setbacks and buffers described in the OP are not sufficient in my opinion. I also think densities need to be adhered to more strictly and stop allowing special provisions for density and height increases with new development. The community is noticing more and more development of townhomes, back to back stacks and low rise buildings being shoehorned into existing mature neighbourhoods. Allowances for increased height and density and reduced setbacks is becoming too common and accepted. The allowances are completely disrespectful to the existing homeowners as well, they will soon degrade the quality of our neighbourhoods and our city as a whole.

Michelle Lackey



June 2, 2021

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

C/O [new.barrieop@barrie.ca](mailto:new.barrieop@barrie.ca) and [cityclerks@barrie.ca](mailto:cityclerks@barrie.ca)

Dear Mayor Lehman and Members of Council,

**RE: City of Barrie | Draft II of the City's new Official Plan.**

---

*BILD is the voice of the home building, land development and professional renovation industry in the Greater Toronto Area and Simcoe County. The building and renovation industry provides \$536 million in investment value and employs around 5,000 people in the City. BILD is proudly affiliated with the Ontario and Canadian Home Builders' Associations.*

The Building Industry and Land Development Association ('BILD') is in receipt of *Draft Two of the City's new Official Plan* that is to be brought forward to today's June 2<sup>nd</sup> Statutory Public Meeting. Since its official release on May 6<sup>th</sup>, we have undertaken a review of this draft in preparation for today's meeting, and on behalf of our BILD Simcoe Chapter would like to request a few items of clarification from staff at today's meeting.

To begin, and prior to getting to the principle sentiments of this letter, we want take the time to thank City staff from the Official Plan project team for responding to some of our concerns outlined within our initial letter that was submitted in December 2020, regarding the first draft of the City's Official Plan. Since this submission, the City has made some positive improvements to the Official Plan, such as:

- Changing the planning horizon from 2041 to 2051.
- Making the document more concise in order to have clearer distinction between policies of intent vs. land use direction.
- Re-organized, clarified policies, and have made development policies more consistent within the land use designation section.

We appreciate these refinements as it will ensure that the City is preparing an Official Plan that is on its way to support the fostering of complete communities where people can live, work and play.

As your community building partner, we acknowledge the collaborative approach the City has taken throughout this review, and thank you for the opportunity to provide an additional set of comments, as BILD is kindly requesting clarification on the following items prior to the adoption of this Official Plan.

Affordable Housing

Regarding the Affordable Housing provisions within this Draft Official Plan, BILD remains concerned that by embedding the requirement for affordable housing (10% city average and 20% in the Urban Growth Centre and Major Transit Station Areas) without understanding the specific policies, structure or framework on how this is to be achieved, can become very problematic and can lead to many appeals. In particular, we believe that the definition of

*Affordable* is wide open to interpretation as it relates to low and moderate household incomes. As such, we are kindly requesting clarification on the following:

- Kindly confirm how a developer is going to be able to fulfill the requirement or be able to assess the financial burden at the front end of the planning approval?
- Has the City contemplated any tools that would be able to provide for more affordable housing such as a Community Benefits Charge, City incentives of zoning and infrastructure, as well as partnerships with all levels of government? If not, when and how will this be considered?
- How is the stewardship of these affordable units going to be maintained into the future? How will the City ensure these units remain in neighbourhoods for their intended purpose rather than being flipped in short order at market prices?

Specifically, we are also seeking clarification on how the 10% City-wide affordable housing requirement as set out in Section 2.5 (j) relates to the minimum 20% requirement for Urban Growth Centres (UGCs) and Major Transit Station Areas (MTSAs) set out in Section 2.3.2 (e) (ii) and Section 2.3.4 (iii) respectively.

- When building in MTSAs or UGCs, will the development industry have to include the 10% city-wide requirement on top of the 20% area-specific requirement?

We are seeking additional clarification specifically regarding the 20% affordability requirement within Urban Growth Centres. This policy as written reads as an inclusionary zoning policy, and in order to carry-out this requirement as per the Provincial Regulation - a Development Permit System (DPS) or Protected Major Transit Station Area (PMTSA) has to be in place. We are of the understanding that inclusionary zoning is currently not being considered within this OP or within the Affordable Housing Strategy Update that the City is currently undertaking.

- As such, we are recommending that this policy be modified to include language acknowledging that a DPS or PMTSA must be in place prior to the requirement being enforced or revise the proposed policy as voluntary.

Overall, we recommend that this Official Plan should focus on the goal of having a broad range of housing types and tenures for various income levels, rather than unachievable policies that can hinder and dissuade the industry from participating.

#### Parking Solutions - Cash In-Lieu (CIL) Parking

As currently written, Section 4.7 (e) and (f) requires cash-in-lieu in all circumstances where reduced parking is requested. This could translate as a disincentive to reduce parking, especially where the reduction is appropriate or minor.

- As such, when a development proposal and a request for a parking reduction is supported by a parking justification study, will the City consider removing the CIL requirement? If not, we do recommend that the City reconsider the language in this policy in order to allow for the review of these reductions on a case-by-case basis, and when findings of technical studies support the request for a parking reduction, that the City move forward without the CIL requirement.
- We are also requesting clarification on if Policy 5.9.1 (d) aligns with the CIL Bylaw? If not, does the City have plans to revisit the CIL Bylaw?
- In addition, will CIL be applied to requests for parking reduction on affordable housing projects or municipal projects?

### Human Design Scale

We are of the opinion that the language set out in this policy will lead to a magnitude of appeals.

- Specifically, we kindly recommend that Section 3.2.1 (b) (iii) be revised as the current language suggests that there should never be Official Plan Amendments (OPAs) for height or density.

### Designated Greenfields

As specified in Section 2.4.2.3 (c), City is proposing that 52% of housing is to be high/medium density.

- Being that this is a very intense built form, is this percentage realistic in a Greenfields setting, particularly since significant sections of the Greenfield areas have already been planned and finalized?

As noted in Section 2.4.2.3 (f), the City is proposing that the minimum density with be 79 persons/jobs/hectare.

- Can the City kindly elaborate on how this is this number was finalized as a minimum requirement for Greenfield development?

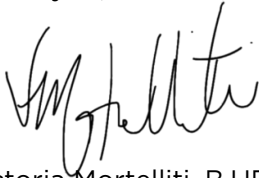
### Additional Comments

In Section 2.6.1.3 (d) Development Standards - mentions that the minimum requirement is 50% non-residential use for the ground floor of a low and mid-rise unit fronting a collector and or arterial road, if there is no other commercial use within 450 metres. We kindly ask that the City review this policy as this rigid provision could be problematic and hinder the development of affordable housing units.

Furthermore, in Section 6.6.4 (b) Stormwater Management - the Plan mentions that Stormwater is to be controlled on site. BILD recommends that this policy be revised to allow for centralized facilities that service a larger tributary planning area, as is normal practice.

As your community building partner, we trust you will find our comments helpful. We very much value our cooperative working relationship with the City, and look forward to your response on these items. Should you have any questions, please feel free to contact me at [vmortelliti@bildgta.ca](mailto:vmortelliti@bildgta.ca).

Thank you,

A handwritten signature in black ink, appearing to read "Victoria Mortelliti".

Victoria Mortelliti, B.URPI  
Planner | Policy & Advocacy  
BILD

CC: Kim Taylor, Simcoe Chapter Chair, BILD  
Michelle Banfield, Director of Development Services, City of Barrie  
Tomasz Wierzba, Policy Planner, City of Barrie  
BILD Simcoe Chapter Members

June 2, 2021

By email to:

[tomasz.wierzba@barrie.ca](mailto:tomasz.wierzba@barrie.ca)

[new.barrieop@barrie.ca](mailto:new.barrieop@barrie.ca)

[cityclerks@barrie.ca](mailto:cityclerks@barrie.ca)

Tomasz Wierzba

Policy Planner

City of Barrie

**Re: 2<sup>nd</sup> Draft City of Barrie Official Plan Review  
Comments for Consideration for Properties owned by Melchior Management  
299 Lakeshore Drive, 99/110 Anne Street, 35 Blake Street &  
7 and 15 Vancouver Street**

Dear Tomasz:

I have been retained by Melchior Management to provide planning advice on their land holdings regarding how the City of Barrie 2nd Draft Official Plan policies would affect these lands.

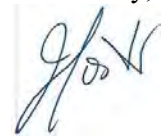
I attended the Public Open House that was hosted by Barrie on May 19<sup>th</sup>, at which time there were a number of questions that remained unanswered given the time constraints. Barrie planning staff proposed a meeting to discuss and answer questions. A meeting date has not yet been scheduled and I look forward to our meeting in the near future.

Comments and suggested land use and policy revisions have been provided for properties listed above. In addition, the questions for which additional information has been requested have been included for your information.

Please accept these comments for consideration of our requested revisions for each of the properties listed above and questions regarding the proposed Official Plan policies in finalizing the Official Plan Community Structure, Land Use Designations and planning policies.

Thank you for your consideration and continued discussion further to the Public Meeting on June 2, 2021

Yours truly,



Janet Foster, RPP  
Planner

Attachment

Cc. Dino Melchior  
[dmelchior@mmcorp.ca](mailto:dmelchior@mmcorp.ca)

## **Specific Property Locations**

1. The property at **299 Lakeshore Drive** forms part of a commercial/office intersection at Lakeshore Drive and Minet's Point Road, which extends to the Yonge Street corridor. Both Lakeshore and Minet's Point are classed as Arterial Roads, having the highest order of traffic volume capacity and recognition of a Strategic Growth Area. The lands are in close proximity, across Lakeshore Drive, of the Strategic Growth Area. In addition, the lands are in close proximity to the Rail corridor and the Allandale GO station.

The proposed land use designation for the lands is Neighbourhood Area which would diminish redevelopment potential and does not recognize the existing office uses and potential for future expansion of mixed uses on the site.

From the Official Plan, a Strategic Growth Area is to depict long term growth centres that include residential growth, commerce, jobs and social interactions. They are areas of major activity planned around transit facilities. They are areas of primary gateways into the City; mixed use areas with wide ranges of uses, higher densities and taller buildings.

The Strategic Growth Centre (SGA), on Map 1, is recognized in this immediate area but only includes the south half of the intersection of Minet's Point and Lakeshore, but not the north half. The south half includes a major office building on the southwest side and vacant lands on the southeast side. The north half of the intersection includes the subject lands which are occupied by a major office use. The northeast side includes a real estate office. Both of these office uses would be considered Major Office Uses.

From Map 2, Land Use, the north side of the intersection is identified as Neighbourhood Area. The south side of the intersection is recognized as Medium Density on the southwest side, and Medium Density and Open Space on the southeast side; however, both are within the SGA. The intersection could be considered a Gateway into the City Centre, Waterfront Area and the Urban Growth Centre. It is located in close proximity to the Major Transit Area (GO Station). A Major Office use (which the subject lands are currently built for) is not permitted in a Neighbourhood Area Land Use Designation.

The intersection should be consistent and all 4 corners should be recognized as a SGA and the land use should reflect Medium Density as per the south half of the intersection which permits a Major Office use, as reflected by the current use of the subject lands.

**Seeking City's consideration of expanding the Strategic Growth Area boundary to include the lands located at 299 Lakeshore Drive and to designate them Commercial District or Medium Density consistent with the lands on the south side of the intersection of Minet's Point and Lakeshore Drive, therefore recognizing their potential for creating future strategic growth in this area.**





2. The property at **99/110 Anne Street South** functions as a commercial plaza. The current land use designation is General Commercial and the existing zoning is General Commercial Special Provision C4-SP9 (no residential uses permitted).

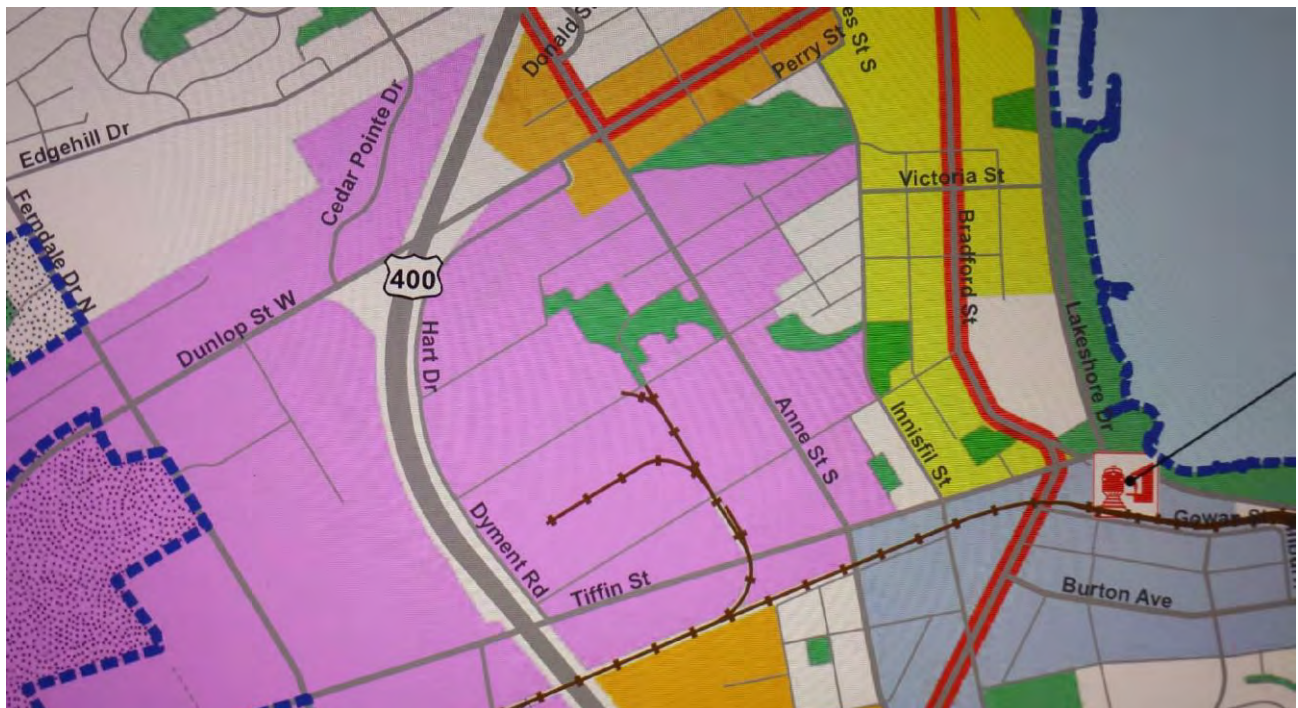
The subject lands are proposed to be recognized as Employment Area on Map 1, Community Structure, and designated Non-Industrial Employment Area on Map 2, Land Use.

The proposed land use designation is Non-Industrial Employment, where retail uses require a primary use, ie. office. However, the existing zoning of C4 allows a wide range of commercial uses not limited by requiring a primary use. Tenant turnover is frequent which makes it difficult to monitor primary users when negotiating leases.

Non-Industrial Employment Area (NIEA) uses shall accommodate employment uses that support the industrial uses and act as a buffer to more sensitive land uses. NIEAs facilitate a wide range of non-industrial employment uses that support industrial uses, serve the general public or create new economic development opportunities. Uses include office, commercial and major retail uses and other uses. Major Retail is defined as “Large scale or large format standalone retail stores or large scale retail centres that have the primary purpose of retail commercial activity.”

The subject lands are currently designated and zoned for Commercial Uses. The policies of the new OP are difficult to understand how to facilitate new uses given that non industrial/commercial uses change over time and make it difficult to track whether a primary use exists in order to allow a secondary use. Further explanation is required regarding how the current permissions under the OP and Zoning Bylaw would continue to be implemented.

**Because this property is already zoned for commercial uses, the owner is seeking assurances that the range of commercial uses currently permitted will be taken into consideration when the new zoning bylaw is reviewed. Further discussion and clarification on allowing commercial permissions without primary uses is requested, or broadening the range of primary uses.**

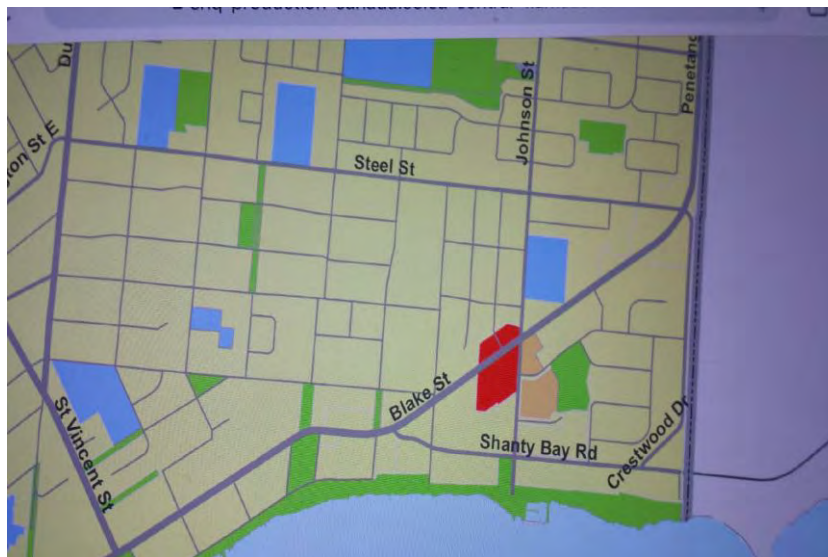






3. The sites at **35 Blake Street and 7 & 15 Vancouver Street** are currently occupied by 3 and 4 storey buildings designated Residential and zoned Residential Apartment Dwelling RA1-2 and RA1. However, the proposal is to redesignate the lands to Neighbourhood Area, diminishing/limiting their existing zoning permissions for higher density and future accommodation for more affordable units, which would have a desirable recreational waterfront location and easy access to commercial services at the intersection of Blake and Johnson Streets as well as easy public transit access on Blake Street.

**Seeking consideration for a Medium Density designation to recognize existing apartment uses and the potential for future intensification on sites that are already built at higher densities than that envisioned by the Neighbourhood Area designation.**



## **Proposed Questions for Further Discussion**

1. It is noted that boundary revisions to the Urban Growth Centre established by the Growth Plan are proposed. Please identify the rationale for such revisions.
2. The policies identify that minor revisions to the Plan may be considered without an Official Plan amendment; however, increases to height and density will not be considered. Will an Official Plan amendment be required in instances where increases are contemplated? Also, will an Official Plan amendment be required if minimum requirements cannot be satisfied, for example minimum densities or building heights?
3. Please explain the rationale for the Boundary expansion of the Historic Neighbourhoods from those recognized in the Historic Neighbourhoods Strategy that introduce the Kempenfelt and East End Neighbourhoods where there is no overlap with the Urban Growth Centre. Please consider development objectives to be discussed at the presubmission stage in order that the applicant understands what is expected in the built form, or exemption from the requirements.
4. It is recommended that the City consider implementing pockets of Medium or High density designations to be scattered throughout the City in the Neighbourhood Areas and other areas, where intensified uses, taller buildings/higher densities, already exist and are considered compatible with adjacent uses. By including the existing medium and high density residential uses in the Neighbourhood Area designation appears to downgrade their land use intensification ability and renders their existing uses non-conforming (given Neighbourhood Area maximum building heights of 3 and 4 storeys.) Designating these sites/pockets of Medium or High density land uses would recognize their current existing higher density uses, allow for greater intensification potential, possibility to introduce non-residential uses, and recognize their underlying permitted zoning of apartment dwellings, zoned, RA1 and RA2. The Neighbourhood Area land use designation does not allow for the recognition of existing higher density uses and does not distinguish future high and low density residential uses.
5. Has the City envisioned what the implementing zoning bylaw will look like when recognizing and permitting mixed uses? How will the existing zoning permissions currently afforded to properties be maintained? Will the City pre-zone lands or is rezoning to be applied on an individual site basis.
6. The Parking solutions identified in Section 4.7 identify that as a minimum, request for a reduction in parking spaces will be in accordance with the City's Cash-in-lieu of Parking Bylaw. The policies regarding parking should explain the Cash-in-Lieu of Parking Bylaw.
7. Condo Conversion policies identified in Section 9.5.4.1 are not consistent with Section 2.5 c) where conversion of rental units to ownership require replacement at a ratio of 1:1. If there is a healthy rental market and has been healthy for preceding years, replacement of rental units may be considered onerous.

I thought that I had been registered a week ago, so I am now submitting comments on the Official Plan and I am hoping that it is not too late for me to be included in the Virtual Meeting this evening at 6:00 p.m. I am in Ward 1.

See my comments below.

Submission on Barrie Official Plan: June 2, 2021.

By Karen Buck,

1. Getting Building Height Right for the Climate – A study by two UK Architectural Firms show results that height is a significant predictor of energy use, even accounting for other variables. According to their current analysis of 9 different building types – the four-storey courtyard had the lowest overall emissions after 40 years of operation. I would caution Barrie to explore this further and I am recommending that, at this time, buildings higher than 10 – 12 stories might not be the right choice for the future.
2. All New buildings should have to be Net Zero buildings. This is where the Province and Municipalities may have to work together to require this. BC requires high performance windows in new buildings and I think Barrie should, too.
3. Roofs, on all buildings should be utilized for renewable solar electricity used, first, by the building and any excess energy going to the electricity grid as a new metering contract.
4. I enjoy living in my neighbourhood in Barrie because past initiatives have given the neighbourhood good access to park areas and there are also natural areas that have been kept to ensure that the natural environment is a living functioning part of the City. The upcoming Official Plan should be strong on land conservation and protect the natural functioning of the environment. Save natural area, protect water quality and Lake Simcoe.
5. The management of “runoff” is very important for mitigation during “climate disruptive events” and the City must prepare for resiliency in the face of Climate Change. Protecting the sewer system is important and resiliency might also mean that downspouts should be disconnected and connected to rain gardens. Maybe we should be also looking at Green Roof solutions.

6. I am very supportive of “Complete Streets” that would be accomplished by new and complete networks for active transportation. The new networks would have to be built with an emphasis on “safety” through separation from car traffic to really engage the public to leave their cars at home and ride or walk to work year round. Oulu, Finland is an example of an incredible built network separated from cars that allows active transportation year round. Children ride their bicycles to school and adults of all ages are enthusiasts of the networks available to them to ride bicycles to work.

7. Kudos to Staff and Council for setting aside “affordable housing” in many of the residentially zoned areas. I would also like to see an opportunity for “new” housing types..like tiny houses and new allowances for use of shipping containers for housing construction. Tiny houses are being built so that those with limited resources can live affordably in their neighbourhoods.

The Official Plan could also promote Council working with Habitat for Humanity to provide Net Zero housing as another alternative to “affordable housing options. I think there is also an opportunity to have price adjusted units for sale and rent so that there is a mix of different individuals and families living together in “affordable housing options” being offered by the City.

Sincerely,  
Karen Buck

**VIA EMAIL**

June 2, 2021

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

Attention: Tomasz Wierzba, Planner, Development Services

Dear Mr. Wierzba:

**Re: Draft New Official Plan – Second Draft  
Preliminary Comments on Behalf of Canadian Tire Real Estate Limited  
Various Properties  
Barrie, Ontario  
Our File: CAT/BAR/19-01**

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We are the planning consultants for Canadian Tire Real Estate Limited (“Canadian Tire”) for the City of Barrie Official Plan Review. Canadian Tire owns the lands known municipally as 75 Mapleview Drive West, and is the tenant at 320 Bayfield Street in the City of Barrie.

On behalf of Canadian Tire, we have been monitoring the City of Barrie Official Plan Review process, and provided preliminary comments on December 16, 2020, and met with Staff March 18, 2021 to discuss the same. We have reviewed the second draft of the Official Plan dated May 6, 2021 and the associated Schedules/Maps in the context of the Canadian Tire Lands.

We are pleased that a number of Canadian Tire’s concerns have been addressed in the second Draft Official Plan. However, we do continue to have outstanding comments and concerns, and our preliminary comments are outlined below. We will continue to review the draft Official Plan in more detail and may provide further comments as required.

**Proposed Redesignation of 75 Mapleview Drive West**

Based upon our review of the second draft of the new Official Plan:

- According to Map 1 Community Structure, the Canadian Tire lands are identified as follows:
  - 75 Mapleview Drive West – Within the “Settlement Area Boundary” and “Employment Area”; and
  - 320 Bayfield Street – Within the “Settlement Area Boundary”, “Strategic Growth Area” and “Intensification Corridor”
- According to Map 2 Land Use Designations, the Canadian Tire lands are to be designated as follows:
  - 75 Mapleview Drive West – “Employment Area – Non Industrial”; and
  - 320 Bayfield Street – “Commercial District”.

As noted above, the Draft Official Plan proposes to designate 75 Mapleview Drive West as “Employment Area – Non Industrial”. This differs from the September 2020 draft Official

Plan which proposed to designate these lands as “Commercial District”. Canadian Tire does not support the general intent of the revised Draft Official Plan policies to facilitate the transition of 75 Mapleview Drive West into an Employment Area Designation, whereas the lands are currently designated “General Commercial” under the in-effect Official Plan, which is reflective of their existing commercial function. Accordingly, it is our position that the land use designation proposed by the September 2020 Draft Official Plan, being the “Commercial District” designation, is more appropriate for 75 Mapleview Drive West and is more consistent with the existing land use, which is for entirely commercial purposes including a Canadian Tire store, gas bar, and Beer Store.

It is our understanding that the City of Barrie Land Needs Assessment prepared by Watson dated May 21, 2019 is to inform decisions on the City Structure, including the Official Plan Review and policy structure. Importantly, the methodology used by the Land Needs Assessment does not consider 75 Mapleview Drive West as Employment for the purpose of evaluating the City’s existing employment land base, noting “that the employment land supply has been carried out in accordance to the guidelines in the Growth Plan, 2019 and the L.N.A. Methodology.” There is also no justification provided for the reallocation of existing Commercial lands to Employment lands within the Land Needs Assessment.

Our understanding of the “Employment Area – Non Industrial” designation is, in part, to buffer existing employment lands from encroachment of more sensitive land uses in the surrounding lands. Our submission is that this can be adequately achieved in the “Commercial District” designation, as the types of uses permitted by the “Commercial District” designation can continue to provide a transition to surrounding employment areas.

The City is proposing the redesignation of 75 Mapleview Drive West to an Employment Area, without any justification/rationale for the same. The proposed Employment Areas land use designation does not align with the current function of these lands, and would limit and restrict the uses that are existing on site, being Retail and Major Retail. Therefore, without justification for the need of this significant change in direction, and without any prior consultation of the landowner, we request that the City continue to identify 75 Mapleview Drive West as “Commercial District” and outside of the “Employment Areas.”

#### **Additional Preliminary Comments on Draft City of Barrie Official Plan**

As noted in our December 16, 2020 letter, at this time Canadian Tire does not have plans for the redevelopment of their sites, and is seeking to maintain existing operations while allowing for short and medium term modest infill or expansion to respond to the market demand. Further, it is also our intent to consider and protect for potential redevelopment scenarios, should this be contemplated in the future. Accordingly, our preliminary comments are outlined below. We note that we are particularly concerned with the policies that propose to restrict Major Retail and new retail uses within the Employment Area – Non Industrial designation, which are in addition to our concern about the appropriateness of the proposed designation for 75 Mapleview Drive West:

- Policy 2.3.3 relates to Strategic Growth Areas, which includes numerous properties throughout the municipality and provides direction for future growth and redevelopment. Draft subsection c) acknowledges that redevelopment of the Strategic Growth Areas will be planned over the long term, and the evolution of the area will not be immediate, however Policy 2.3.3 is silent with respect to interim development permissions that would allow moderate infill or expansion to existing functions that would not otherwise conform with the intensification policies of the draft Official Plan, prior to comprehensive redevelopment. We continue to suggest



- that interim development policies be incorporated into the draft Official Plan in order to ensure the continued viability of existing land uses is maintained in advance of redevelopment;
- 2.3.3e) states “The City will establish a minimum density target for the Strategic Growth Areas to support intensification and the development of complete communities”, however it is unclear what the density target is, and through what means that density target will be established (i.e. Secondary Plan or future OPA). We suggest revised language to clarify the minimum density targets applicable;
  - 2.3.5h) related to Employment Areas, noting that “a limited range of small-scale retail and commercial uses may be permitted”. Large scale commercial/retail uses, including Major Retail are permitted by certain Employment Areas designations, and therefore it would be appropriate to identify these as permitted under Section 2.3.5;
  - 2.3.6a)ii) related to intensification corridors, states “development or redevelopment must be oriented towards those street segments”. In our submission, flexibility should be incorporated and we suggest “must” be replaced with “should”;
  - Policy 2.4.2.1 states that “all new development shall be planned to contribute to a housing mix ...”. In our submission, this policy does not appropriately contemplate non-residential development, and would suggest that all new development incorporate a form of housing. We suggest revised language be considered to clarify that the housing mix target is applicable to new development that includes residential uses;
  - Policy 2.6.5.1 permits a range of uses in the Commercial District land use designation, however does not permit “Major Retail”, which is a defined term under the Official Plan. In our submission, the intended function of the Commercial District designation would suggest that it is appropriate for large scale commercial/retail uses to be permitted, including Major Retail, and we suggest Major Retail be added as a permitted use. Policy 2.6.5.2b) does permit “large format retail (i.e. big box) as well as shopping malls”. Understanding that Major Retail is a defined term, we suggest consistency with this defined term throughout the Official Plan for clarity;
  - Policy 2.6.9.2 indicates that Major Retail uses are to be “subject to the policies in Sections 2.6.10.2, 2.6.10.3, and 2.6.9.3”. Based on a review of those sections, it is unclear the applicability of the “Employment Area – Industrial” standards to the Major Retail permitted use, as sections 2.6.10.2 and 2.6.10.3 relate mainly to industrial employment type uses;
  - Policy 2.6.9.2d) would restrict any new retail uses as standalone, and new retail would be required to be in association with another use in the same building. In our submission, the requirements for new retail to be associated with another use is an inappropriate standard. We suggest revised policy be considered to allow for small scale retail uses, including infill type development, within the Employment Area – Non Industrial designation;
  - Policy 2.6.9.2e)i) provides criteria for the development of Major Retail uses in the Employment Area – Non Industrial designation, and proposes a cap to ‘contiguous clusters’ of Major Retail Uses. As the term ‘contiguous cluster’ is undefined and unclear, we are concerned of how this policy will be applied, interpreted and implemented, including under the Zoning By-law. In our experience, a combined cap that is applicable to multiple developments under separate ownership is difficult to track and implement consistently. We suggest that Policy 2.6.9.2e)i) be removed;



- Policy 2.6.9.2e)ii) provides criteria for the development of Major Retail uses in the Employment Area – Non Industrial designation, and proposes to cap individual major retail uses at 5,000 sq.m. In addition to our concerns with the appropriateness of the proposed “Employment Area – Non Industrial” designation for 75 Mapleview Drive West as noted above, the existing Canadian Tire store at 75 Mapleview Drive West has approximately 7,258 sq.m of retail space within the existing building, which exceeds the proposed maximum. In our submission, it would be appropriate to contemplate a revised maximum that is reflective of the needs of a Major Retail type use, or that policy be introduced to recognize existing Major Retail uses regardless of existing GFA, and which would permit expansion to such a Major Retail use, without need for amendment to the Official Plan;
- Policy 2.6.9.2h) provides direction for the provision of sensitive land uses within the Employment Area – Non Industrial designation, however it is unclear what (if any) sensitive land uses are permitted within this designation. Clarification regarding the applicability of this policy would be welcomed;
- Policy 3.1.3.1 provides direction for application of the Urban Design Standards, stating “The Urban Design Standards are phrased with the terms “will” or “shall”, or phrased in the active voice (rather than the passive voice), which means that every new development approved by the City must be in full conformity with the relevant policies.” Elsewhere, the draft Official Plan recognizes the importance of flexibility in design standards for successful and appropriate implementation, including Policy 2.5a), which states: “Slight variations from the development standards, with the exception of variations to height and density, may be permitted without an amendment to this Plan if such variations are in response to unique conditions or site context, to the satisfaction of the City.” We suggest Policy 3.1.3.1 be revised to incorporate an appropriate level of flexibility;
- Policy 3.2.1 provides general urban design standards to evaluate development applications, and will require development applications demonstrate a number of aspects, including (but not limited to): improving the City’s legibility, navigability and sense of place; improving the existing urban fabric; and increasing overall connectivity. In our submission, it is not appropriate for all development applications to demonstrate the provision of certain city building elements, which may not be feasible to implement in a number of potential instances. We suggest revised wording as follows: “development applications, where appropriate, should demonstrate the following...”
- Policy 3.2.1b) specifies that the City will not support “over development”, which further goes on to define what may be considered as over-development including “development that exceeds the maximum permitted height or density”, or “unwarranted variances” where an alternative built form is appropriate. We continue to have significant concern regarding the implications of such a policy, for the reasons outlined in our December 2020 letter;
- Policy 3.2.2 provides standards to evaluate development applications, including that “all development applications shall demonstrate how the proposal contributes to...”, and goes on to outline a number of criteria that includes how an application “contributes to the diversity of housing types and tenures in the neighbourhood”, amongst several other aspects. In our submission, not all development applications would be appropriate to contribute towards a housing mix, or other specific criteria that this policy would require contribution towards. Flexibility should be incorporated, and we suggest revised language as follows:

- “Development applications, where appropriate, should demonstrate how the proposal contributes...”;
- Policy 3.2.3a) states that “All development applications received by the City shall demonstrate how the City’s sustainable design priorities are achieved” and provides a range of priorities. In our submission flexibility should be provided, since demonstrating the achievement of the priorities may not be applicable or appropriate for all development applications;
  - Policy 3.2.4.5c) states that “Internal private streets will be used to divide large sites into a grid of blocks and roadways to facilitate safe pedestrian and vehicular movement and that frame appropriately sized development parcels. Internal private streets will be designed to interconnect with adjacent properties to create an overall cohesive and integrated circulation network wherever possible.” In our submission it is not clear as to the applicability of this policy, if the intention is for comprehensive redevelopment, and what may be considered “large sites”;
  - Policy 3.3.4.6a) states that “Amenity areas shall be consolidated and centrally located”. In our submission, flexibility should be afforded to the policy, such that it may be more appropriate for unconsolidated amenity space, or in a less centralized location due to specific circumstances. We suggest “shall” be replaced with “should”;
  - Policy 3.3.1c) states “Blank facades facing a street, open space or park shall not be permitted”. In our submission, flexibility should be afforded to this policy to consider site specific circumstances, and we suggest revised language as follows: “Blank facades facing a street, open space or park shall be discouraged”;
  - Policy 3.3.4a)ii) states that “where multiple towers are proposed on the same site, tower heights shall be staggered by a minimum of five storeys...” In our submission, this policy is overly prescriptive and may result in limitations to appropriate levels of intensification, or not permit good design. We suggest revised language as follows: “Development should be designed in a manner so as to provide variation in building mass, including but not limited to staggering of building heights where appropriate”;
  - Policy 3.3.5 states “The following urban design standards apply to Single Storey Employment Buildings: a) Single Storey Employment Buildings are those buildings exclusively located within Employment Areas and are generally low-rise in form, including but not limited to warehouses, distribution centres, and manufacturing or assembly facilities.” With the permissions for major retail in the Employment Area – Non Industrial designation, clarity should be provided that the Policies are not applicable to Major Retail uses;
  - Policy 3.3.6b) would require retail uses to provide a variety of building heights as part of the same building. In our submission, this policy provides an inappropriate standard for building design that would promote inefficient standards for development. We suggest that this draft policy be better suited as an urban design guidelines, or that revised wording be considered which allows for flexibility;
  - Policy 5.6.2.5c) identifies that “Urban Squares shall be between 0.2 hectares and 1.0 hectares...”. In our submission, it is unclear as to the need for such a rigid policy in the Official Plan for the size of Urban Squares. We suggest flexibility be incorporated to be able to respond to the needs of the community, and suggest the following revised language: “Urban Squares should be planned to be approximately 0.2 ha to 1.0 ha in size”;
  - Policy 6.4.2e) would require that all development applications be supported by an Affordable Housing Report. In our submission, the list of materials that would be

considered appropriate to facilitate development should be refined through pre-consultation, as there are numerous types of development that would not warrant an Affordable Housing Report, such as those applications proposing strictly non-residential uses. We suggest revised policy be considered;

- Policy 6.4.2e)iii) would require that development applications that propose 40 dwelling units or more demonstrate the provision of affordable housing units. In our submission, the policy should introduce flexibility, and we suggest that the text “will be required to demonstrate” be replaced with “are encouraged to provide”;
- Policy 9.4.2.2 outlines a list of studies that may be required to be submitted in support of an application, including subsection s), which states: “Urban design brief, including site context and block plan, in accordance with the demonstration plans (see the Appendix for example demonstration plans).” The meaning of the requirement for a submission to be “in accordance with” the demonstration plans is unclear. We suggest revised wording be considered. Further, in our submission it is not appropriate for demonstration plans to form a part of the Official Plan, and the demonstration plans may be better suited for inclusion in the Urban Design Guidelines;
- Policy 9.4.2.2.1 identifies a list of submission materials that are requirements for mid-rise buildings, including a site context/block plan and pedestrian wind study. In our submission the submissions materials required for a mid-rise building submission is overly extensive for this type of built form. We note that as identified by Policy 9.4.2.2.2, the specific submission materials required for mid-rise buildings are the same as what would be required for a tall building. We suggest that revised wording be considered as follows: “development applications for Mid-Rise Buildings may require the following”, and that subsections a) and d) be removed;
- Policy 9.5.6b) states that “The distance between the existing lot lines in an infill situation shall be approximately 150.0 metres or less”. It is not clear as to the meaning or intent of such a policy, and would request clarification as to applicability and interpretation;
- Policy 9.5.9 states that “When reviewing an application for Minor Variance, the Committee of Adjustment will also consider the relevant policies of this Plan and all of the following criteria: a) That the variance would not cause substantial detriment, hazard, or annoyance that would detract from the character or amenity of nearby properties, and the resultant development would not adversely affect the traffic and parking conditions in the area”. In our submission, the policy should be revised to “all of the following relevant criteria”, since traffic and parking conditions may not be relevant for the particular variance (e.g., minimum setbacks); and
- Map 4A of the Official Plan labels two features as “Commuter Cycling Network (On – Road)”. We seek clarification if the intent is for the separate features are to be labelled differently.

We would welcome the opportunity to meet with Staff to discuss our comments further.

In addition, please kindly ensure that the undersigned is notified of any further meetings with respect to this matters as well as Notice of the approval of the Official Plan.

Yours very truly,

**ZELINKA PRIAMO LTD.**



Rob MacFarlane, MPL, MCIP, RPP  
Planner

cc. Canadian Tire Real Estate Limited (via email)  
Cassels Brock & Blackwell LLP (via email)