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October 7th, 2022

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto ON M7A 2J3

Attention: Maya Harris MCIP, RPP - Maya.Harris@ontario.ca
Manager Community Planning and Development

Re: City of Barrie Official Plan Comments
ERO number: 019-5530
Ministry reference number: 43-OP-20296

Since 2004, Innovative Planning Solutions (“IPS”) has, and continues to be, an active planning consulting firm in the City of Barrie (the “City”). Throughout this period, IPS has worked with City planning officials and the City’s Council on a significant number of development applications and has participated in a number of amendments to the City of Barrie Official Plan.

The new Official Plan was adopted at the February 14, 2022 City Council meeting. The overarching goal of this Official Plan is to convert the City into a medium-sized city. For the past several years, the City has experienced transformation as it matures into a rapidly growing urban area. High quality design of streets, public spaces, and buildings will help reinforce the modern, energetic, and prosperous image of the City as envisaged by Council. As important, it is essential for the Official Plan to contain strong policies that address the acknowledged housing shortage within the City and provide clarity to stakeholders seeking to address those needs.

The following letter provides IPS’s suggestions and comments for improvement to the City’s new Official Plan 2051, “One City, One Vision, One Plan” (the “New Official Plan”). It is recommended that the Ministry giving strong consideration to the suggested minor policy revisions which are intended to strengthen and reinforce planned growth in the City, which is critical given its position as the *only Urban Growth Centre within Simcoe County*. The suggestions and comments contained in this letter are intended to provide added clarity to policy so that the New Official Plan provides greater transparency

to the planning process while removing ambiguities which we fear may frustrate the City's *and the Province's* intensification objectives, thereby exacerbating the Province's ongoing housing crisis as acknowledged by the Province's Task Force and, more recently, by the Canada Mortgage and Housing Corporation ("CMHC").

Acknowledging the aforementioned goals and objectives this submission identifies issues within the New Official Plan that could frustrate these objectives. To productively assist the Minister, following the identification of issues, we have provided our recommend policy refinements to avert the forementioned issues.

1. SECTION 2.6.1.2 NEIGHBORHOOD AREA

The policy provides as follows:

2.6.1.2 c) Be considered established neighbourhoods that are not intended to experience significant physical change that would alter their general character, except for lands designated Neighbourhood Area within the Designated Greenfield Area, or located on an Intensification Corridor (Map 1), or lands fronting onto arterial or collector streets (Map 4a and Map 4b).

2.6.1.2 d) Permit new development in built-out neighbourhoods that appropriately respects the scale, height, massing, lot pattern, building type, orientation, character, form, and planned function of the immediate local area, as set out in Section 3 of this Plan.

Comment

Section 2.6.1.2 c) recognizes that the neighborhood area will remain stable, save and except for portions of the neighborhood area located within identified *Intensification Corridors* or fronting arterial or collector roads.

Section 2.6.1.2 d) states that new development much respect the scale, height, massing, lot pattern and building type within the neighborhood. To avoid confusion as to what increases in the overall scale, height, massing and building type shall be permitted for lands on *Intensification Corridors* that are *also* within neighbourhood areas, A reference to 2.6.1.2 (c) should also be included in this. This will provide necessary clarity that changes along/within *Intensification Corridors* are anticipated and encouraged. Further, refinement is required to provide essential direction that *Intensification Corridors* are the appropriate locations for growth and intensification, notwithstanding their typical location abutting within a neighbourhood area.

Suggested Policy Refinement:

2.6.1.2 d) Permit new development in built-out neighbourhoods that appropriately respects the scale, height, massing, lot pattern, building type, orientation, character, form, and planned function of the immediate local area as set out in Section 3 of this Plan, except for lands located on a Intensification Corridor (Map 1) or lands fronting onto arterial or collector streets (Map 4a and 4B) where higher-density and mixed use forms of development is planned in accordance with Section 2.3.6 of this Plan.

2. SECTION 2.6.1.3 a)

This Section provides as follows:

Unless otherwise specified in this Plan, development on lands designated Neighbourhood Area which front onto a local street or collector street, as identified on Map 4b, shall be kept to three storeys or less, unless otherwise specified in the Zoning By-law and in which case shall be no more than four storeys.

Comment

This policy is too restrictive as it unnecessarily restricts development on collector streets that could accommodate buildings taller than three storeys. This policy will lead to unnecessary amendments to the Official Plan in order to increase heights that would otherwise comply with the Urban Design and Transition policies of the New Official Plan. The objectives of the New Official Plan can be achieved without the introduction of prescriptive prohibitions.

Suggested Policy Refinement

2.6.1.3 a) Unless otherwise specified in this Plan, development on lands designated Neighbourhood Area which front onto a local street or collector street, as identified on Map 4b, should generally shall be kept to three storeys or less, unless otherwise specified in the Zoning By-law or permitted by this Official Plan.

3. SECTION 2.6.1.3 b)

Policy 2.6.1.3 b) provides:

Outside of historic neighbourhoods, which are identified on Map 8, development may be permitted up to four storeys in the Neighbourhood Area designation where:

- i) The transition policies in Section 3 of this Plan can be satisfied;*
- ii) The proposed development fronts onto an arterial street, as identified on Map 4b, with the exception of Mapleview Drive between County Road 27 and Essa Road unless otherwise specified in the Zoning By-law;*
- iii) The proposed development is oriented towards the street; and,*
- iv) Servicing availability can be confirmed by the City.*

Comment

Over the last ten years, the City has permitted development outside of historic areas to exceed four storeys in height. There are several examples throughout the City with buildings greater than four storeys. This policy would further unnecessarily limit development potential in suitable locations.

The circumstances by which height is to be limited to 3 stories under subsection (ii) of this policy is not warranted and lacks planning merit. Critically, development fronting any arterial road in the City of Barrie should follow the same policies in order to ensure consistent and responsible intensification (and decision making) in line with Provincial goals and objectives of increasing the amount of housing.

The area between Mapleview Drive and County Road 27 and Essa Road is located immediately adjacent to an intensification corridor (Essa Road) where heights up to 8 stories are permitted by the New Official Plan. Furthermore, lands at the intersection of Mapleview and Essa Road are designated as medium density which even greater heights of 12 stories.

Capping heights of immediately abutting lands to 3 storeys does not represent good land use planning or urban design principles as it results in a jarring transition that fails to address an appropriate stepping-down of height to better ensure compatibility.

In our opinion, developing these lands, including the determination of the appropriate height and scale, should be considered through a review of Section 3 of the Official Plan which contains Urban Design policies.

Suggested Policy Refinement

This entire policy should be deleted as policy 2.6.1.3(d) already addresses these circumstances.

4. SECTION 2.6.1.3 d)

Policy 2.6.1.3 d) provides:

d) Outside of historic neighbourhoods, new development of up to six storeys may be permitted on vacant lands designated Neighbourhood Area where:

- i) The lands are comprehensively planned through an Official Plan amendment, a draft plan of subdivision, a draft plan of condominium or a secondary plan to accommodate buildings of up to six storeys;*
- ii) The lands front onto and are oriented towards an arterial or collector street, as identified on Map 4b, or are accessed by a private road that is connected to an arterial or collector street;*
- iii) Appropriate transitions from lands planned for and occupied by ground-related built forms can be achieved, as per the Section 3 policies of this Plan; and,*
- vi) Servicing availability can be confirmed by the City.*

Comment

Policy 2.6.1.3 (b) contradicts policy 2.6.1.3 (d). The former policy permits heights up to 4 stories while the latter policy permits heights up to 6 stories. This policy should remain and policy 2.6.1.3 (b) should be deleted. The only difference between the policies is the nature of the land that is being developed: infill or greenfield. The fact that the lands have not previously been developed should not be a factor if the lands bear the identical designation under the New Official Plan.

5. SECTION 2.6.1.3 g)

This section provides:

g) If the policies of 2.6.1.3(e)(i) and 2.6.1.3(e)(ii) cannot be satisfied, then development along an Intensification Corridor may be permitted up to six storeys where:

- i) The proposed development fronts onto and is oriented toward the Intensification Corridor;*
- ii) The transition policies in Section 3 of this Plan can be satisfied; and,*
- iii) Servicing availability can be confirmed by the City.*

Comment

The following policy requires an additional reference to policies 2.6.1.3(f)(i)- (ii) to articulate the circumstances in which it would be applicable.

Suggested Policy Refinement

g) If the policies of 2.6.1.3(e)(i) ~~and~~ 2.6.1.3(e)(ii) or 2.6.1.3(f)(i) – 2.6.1.3(f)(ii) cannot be satisfied, then development along an Intensification Corridor may be permitted up to six storeys where:

- i) The proposed development fronts onto and is oriented toward the Intensification Corridor;*
- ii) The transition policies in Section 3 of this Plan can be satisfied; and,*
- iii) Servicing availability can be confirmed by the City.*

6. SECTION 3.2.1 B)

The Section provides as follows:

3.2.1 b) Attention must be paid to appropriate transition between existing and planned land uses and built form. While still conforming with the development standards of the appropriate land use designation, this may result in lower heights and densities than proposed based on or responding to site characteristics, building and site performance, and neighbourhood context.

Comment

This policy is vague. It provides no clarity as to what may – or may not – qualify as appropriate transition and will leave stakeholders guessing as to how such transition is to be achieved. While an encyclopedic host of prescriptive policies is not necessary, some objective policies incorporating qualitative (e.g. undue shadow impacts) and/or quantitative (e.g. angular planes) that will be the benchmarks for evaluating appropriate transitions. Our suggested policy modification incorporates references to such qualitative/quantitative metrics including those related to angular planes, setbacks, stepbacks and landscape buffers. These metrics will assist in providing both clarity and transparency in the determination of appropriate transition.

Suggested Policy Refinement

b) Attention must be paid to appropriate transition between existing and planned land uses and built form. While still conforming with the development standards of the appropriate land use designation, ~~this may result in lower heights and densities than proposed~~ angular plane provisions, setbacks, stepbacks and landscape buffers within the Zoning Bylaw should be based on or responding to site characteristics, building and site performance, and neighbourhood context.

7. SECTION 3.2.1 c)

This section provides:

3.2.1 c) Height and density are built form characteristics that are interrelated. Given this, proposed developments must seek a balance between height and density that is context sensitive.

Comment

This policy is incredibly vague except in respect of extremes (e.g. a high-rise in the middle of a neighbourhood). It fails to provide any indication as to how the aforementioned “balance” is to be achieved and/or what is expected. Particularly when assessing developments within/along *Intensification Corridors* which typically abut Neighbourhood areas, this policy provides no clarity on how such “context sensitive” heights and densities are to be assessed.

Instead, it should reinforce other Sections in the Official Plan that speak directly to, *and acknowledge*, the contemplated heights and densities within such areas as Intensification Corridors, Strategic Growth Areas, MTSA and Urban Growth Areas.

Suggested Policy Refinement

c) Height and density are built form characteristics that are interrelated. Given this, proposed developments must seek a balance between height and density that is context sensitive recognizing that areas including Intensification Corridors, Strategic Growth Areas, MTSA and the Urban Growth Centre are the focus for increased heights and densities and will experience built form changes to achieve the City’s stated goals of evolving into a medium-sized City.

8. SECTION 3.2.1 d)

This section provides:

3.2.1 d) The City will not support over-development. Over-development does not necessarily result from one incompatible form, but often from a cumulation of unbalanced characteristics. The policies of this Plan and the City-Wide Urban Design Guidelines provide direction to ensure high-quality urban design is achieved without overdevelopment occurring on any given property. At the same time, over-development may sometimes occur even when permissions have been followed. Therefore, the determination of over-development must be weighed across a variety of characteristics that include, but are not limited to: Development that is excessive in its demands on city infrastructure and services;

- i) Development that negatively impacts the public realm and local character;*
- ii) Development that proposes excessive height or density;*
- iii) Variances to the City’s development standards resulting in inappropriate built form, especially where an alternative built form solution is more appropriate;*
- iv) Undesirable building separation distances resulting in shadow impacts, inappropriate over-look conditions, or which significantly negatively impacts access to daylight; and,*
- v) Development that results in other impacts to a site’s functionality or that limits the redevelopment potential of the remaining block or adjacent sites, such as site access or circulation issues.*

Comment

There are several issues with this policy. Critically, the portion of the policy underlined above suggests that *even if you are in conformity with the Official Plan* and Zoning By-law, projects could *still* be viewed as over development and not approved. For example, a proposal may be designed to conform with the height and density policies specifically prescribed in the New Official Plan – but could still result in a non-conforming building because it is (arbitrarily) deemed to have “excessive height or density”.

The purpose of the New Official Plan is to provide clarity and transparency in the planning policy guiding development and intensification. This policy directly undermines that process by stating that even when “permissions are followed” there may still be an issue of non-conformity.

If a development application conforms with the Official Plan, there should be no circumstance in which an application should be denied on that basis. In my professional opinion, this policy will cause considerable confusion through the development application process.

Respectfully, this imports an opaque discretion within the New Official Plan that results in an individual not being able to discern if a particular development proposal would – or would not – conform with the New Official Plan even when all permissions are being followed.

This is not an appropriate policy for an Official Plan and it is recommended that the underlined sentence be deleted in its entirety.

If the New Official Plan wishes to acknowledge additional factors to be considered when assessing a proposal – or in preparing a new comprehensive zoning by-law amendment – then those criteria should be identified, for example:

- metrics for assessing permitted or undue shadows on the public realm, parks, etc.;
- the separation distances for tower and/or other building elements;
- a requirement that development can be accommodated by the applicable City infrastructure;

Suggested Policy Refinement

3.2.1 d) *The City will not support over-development. Over-development does not necessarily result from one incompatible form, but often from a cumulation of unbalanced characteristics. The policies of this Plan ~~and the City Wide Urban Design Guidelines~~ provide direction to ensure high-quality urban design is achieved without overdevelopment occurring on any given property. To that end, regard should also be had to the City Wide Urban Design Guidelines. At the same time, ~~over-development may sometimes occur even when permissions have been followed. Therefore, the determination of over-~~Furthermore, development ~~must~~ shall be weighed across a variety of characteristics that include: ~~but are not limited to:~~*

- i) ~~Development that is excessive in its demands on city infrastructure and services;~~*
- ii) ~~Development that negatively impacts the public realm and local character as contemplated by this Plan;~~*
- ii) ~~Development that proposes excessive height or density;~~*
- iii) ~~Variiances to the City's development standards resulting in inappropriate built form, especially where an alternative built form solution is more appropriate;~~*
- iv) ~~Undesirable building separation distances resulting in shadow impacts, inappropriate over-look conditions, or which significantly negatively impacts access to daylight; and,~~*
- v) ~~Development that results in other impacts to a site's functionality or that unduly and/or inequitably limits the redevelopment potential of the remaining block or adjacent sites, such as site access or circulation issues.~~*

9. SECTION 3.3.2 e)

This section provides:

3.3.2. e) *Stacked townhouses shall be a maximum of four storeys in height and shall be designed to generally resemble a traditional street townhouse.*

Comment

Stacked townhouses are considered low-rise development which is most commonly found within the Neighborhood Area; however, in the majority of areas within the Neighborhood Area the maximum height permission is only 3 storeys. As a result, Stacked Townhouses would be restricted to only higher order roads. Revisions to Section 2.6.1.3 (a) is required to permit this type of built form in all Neighbourhood Areas subject to the other polices of the New Official Plan

Recommendation

Stacked Townhouses should be identified as a permitted use within the Neighbourhood Area designation. The following comment reinforces the need for the revisions suggested in 2.6.1.3(a).

10. SECTION 3.3 d)

The Section provides:

3.3.2 d) Where a Townhouse end unit does not front a public street but flanks a public street, the flanking unit(s) shall provide a front-yard and front-door pedestrian entrance facing the public street.

Comment

In our professional opinion, while there are reasonable grounds to incorporate such urban design criteria into the New Official Plan, the imperative nature of the policy is unnecessarily restrictive. There may be circumstances where the site configuration will not be able to accommodate such requirement. For example, front door entrances for townhouse units that are 4.5 metres in width (or less) may have an inefficient layout should the door be located along the exterior side yard. The consequence is the potential need for a cumbersome amendment to the New Official Plan. On the other hand, enhanced architectural elements can be recommended along flanking units.

Suggested Policy Refinement

d) Where a Townhouse end unit does not front a public street but flanks a public street, the flanking unit(s) ~~shall~~ should generally provide a front-yard and front-door pedestrian entrance facing the public street. Where such elements cannot be included, enhanced architectural elements will be required to address the street-facing nature of the flanking elevation

11. SECTION 3.3 d)

The Section provides:

3.3.3 d) In order to provide appropriate transitions between buildings of varying heights, and to provide appropriate privacy and daylight for any adjacent lower-scale buildings, mid-rise buildings on a lot that abuts a low-rise building shall be contained within an angular plane as further directed by the City-Wide Urban Design Guidelines.

Comment

According to the Official Plan, Mid-rise buildings range from 6 to 12 storeys in heights. The Official Plan only permits buildings this tall outside of the Neighborhood Area designation when you are located on an Intensification Corridor, or on a property designated Medium Density or Strategic Growth Areas. In these locations, particularly along an Intensification Corridor, planning must not only consider the existing built form context but also future development. Angular plane provisions through block planning exercises should take into consideration the extent of

intensification corridors as they relate to stable Neighborhood Areas. The focus of this analysis should be on angular planes between these designations and front and rear conditions. Mid-rise buildings are an important component to future growth in Barrie and its transformation into a mid-sized City.

Recommendation

3.3.3 d) In order to provide appropriate transitions between buildings of varying heights, and to provide appropriate privacy and daylight for any adjacent lower-scale buildings outside Intensification Areas, mid-rise buildings on a lot that abuts a low-rise building shall be contained within an angular plane as further directed by the City-Wide Urban Design Guidelines.

CONCLUSION

We would like to thank the Ministry of Municipal Affairs and Housing for the opportunity to provide comments on the City’s new Official Plan. This is an extremely important document not only for the City of Barrie, but also for the Province as it, with the revisions proposed, will assist in implementing the Province’s stated goal of increasing the housing supply in Ontario by 1.5 million homes by 2031.

We would be pleased to meet and discuss these comments and proposed revisions at the Ministry’s convenience.

We thank the Ministry for their consideration.

Respectfully submitted,

Innovative Planning Solutions

A handwritten signature in black ink, appearing to read 'D. Vella', written over a horizontal line.

Darren Vella, MCIP, RPP

President and Director of Planning