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**TO:** GENERAL COMMITTEE

**SUBJECT:** APPLICATION FOR ZONING BY-LAW AMENDMENT – ADVANCE TECH DEVELOPMENTS – 5 POINTS SITE (2 – 14 DUNLOP STREET WEST, 40 – 43 MAPLE AVENUE AND 30 – 40 BAYFIELD STREET)

**WARD:** #2

**PREPARED BY:** S. NAYLOR, MES, M.C.I.P., R.P.P.,  
DIRECTOR OF PLANNING AND BUILDING SERVICES, EXT. #4485

**KEY CONTACT:** J. FOSTER, M.C.I.P., R.P.P.,  
SENIOR PLANNER, EXT. #4517

**SUBMITTED BY:** S. NAYLOR, MES, M.C.I.P., R.P.P.,  
DIRECTOR OF PLANNING AND BUILDING SERVICES

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

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

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**RECOMMENDED MOTION**

1. That the Zoning By-law Amendment application submitted by Innovative Planning Solutions, on behalf of Advance Tech Developments, to rezone the lands municipally known as 2 – 14 Dunlop Street West, 40 – 43 Maple Avenue and 30 – 40 Bayfield Street (Ward 2) from “Central Area Commercial (C1-1)” to “Central Area Commercial with Special Provisions (C1-1)(SP)”, be approved as per the requirements and provisions contained in Appendix “A” to Staff Report PLN024-16.
2. That the implementing Zoning By-law Amendment be prepared and presented to Council for consideration following the submission and approval of a Site Plan Application that incorporates the requirements and provisions contained in the City’s Comprehensive By-law 2009-141 and satisfactorily addressing the requirements and provisions as set out in Appendix “A” attached to Report PLN024-16.
3. That the required Site Plan Application, following its submission and review by Staff, be “bumped up” to Council with a report and recommendation from Staff for Council’s consideration.
4. That the Zoning By-law Amendment Application be subject to the requirements under Section 37 of *The Planning Act*, as amended, and that 9 one bedroom units be dedicated as affordable rental units for a minimum period of 20 years, and that the public realm space be considered as a community benefit, together meeting 25% of the uplift value of \$500,000.
5. That for the purposes of calculating the uplift value in order to assess appropriate community benefits under Section 37 of *The Planning Act*, and under the Height and Density Bonus provisions of the Official Plan, the increase in value for the Advance Tech Developments Application be calculated on the basis of only that specific portion of the subject lands for which the increase in height and density is being requested, and which will be the only area of the subject lands to which the height and density increase shall apply.

6. That the written and oral submissions received relating to this application, have been, on balance, taken into consideration as part of the deliberations and final decision related to approval of the Application, including the following matters raised in those submissions and identified within Staff Report PLN24-016: Maple Lane purchase; building massing; height and scale, setbacks and proximity to street; commercial space; design of building; shadowing; impact on neighbouring properties; parking structure interface with intersection; usability of public space; west elevation; site plan versus zoning amendment process; and conformity with Historical Neighborhood Strategy.
7. That pursuant to Section 34(17) of *The Planning Act*, no further public notification is required prior to the passing of this by-law.
8. That when assessing the uplift value for all future applications that are subject to Section 37 of *The Planning Act*, and for which increase in height and density is only being requested on a portion of the property, the uplift value shall be based only upon the portion of the lands subject to the proposed increase in height and/or density, and that the zoning of the property permit the height and density increase only for that portion of the lands.

## **PURPOSE & BACKGROUND**

### Report Overview

9. The purpose of the Report is to make recommendations with respect to the Zoning By-law Amendment Application submitted by Innovative Planning Solutions, on behalf of Advance Tech Developments, for lands municipally known as 2 – 14 Dunlop Street West, 40 – 43 Maple Avenue and 30 – 40 Bayfield Street (Ward 2) (Appendix “B”).
10. In addition, the Report is also recommending that the Applicant dedicate 9 one-bedroom affordable housing units for a period of not less than 20 (twenty) years, and dedicate public realm space to the City of Barrie, under Section 37 of *The Planning Act*, as amended, as the Application is subject to the Municipality’s bonusing policies due to the requested additional height and density being recommended by Planning staff. The details of the Bonusing will be discussed in more detail later in the Report.

### Proposal

11. The Application requests approval for a twenty (20) storey (61.55 metre), 203 unit condominium residential building, with at-grade commercial uses. The proposed building would have a density of approximately 700 units per hectare (282 units per acre) (Appendix “C”). A total of 196 parking spaces are proposed, included within a 5-storey podium associated with the residential tower, and within a 5-storey parking structure fronting onto Maple Avenue. Parking access is proposed to be from both Bayfield Street and Maple Avenue. The residential units would be between 46 square metres and 89 square metres in size, and occupy levels 5 to 20.
12. The proposal also includes an external plaza (public realm space) adjacent to the intersection of Bayfield and Dunlop Streets, approximately 83 square metres in size. Above the plaza, on the face of the building, interchangeable art panels are proposed. The building would include approximately 517 square metres of at-grade commercial/retail uses, representing approximately 17.6% of the total lot area. The commercial/retail uses front both Dunlop Street West and Bayfield Street. The condominium lobby is also located at-grade.
13. Amenity areas are proposed both inside and outside of the building. The indoor amenity area would be located on the 5<sup>th</sup> level and occupy approximately 341 square metres, while the outside amenity area is approximately 678 square metres in size and wraps around the 5<sup>th</sup> level of the building.

14. The proposal requests the stopping up and closing and conveyance to the Applicant of the eastern portion of Maple Lane, which currently offers a connection between Bayfield Street and Maple Avenue. The conveyance of this portion of Maple Lane would not prevent continued access to the rear of businesses fronting onto Dunlop Street West.
15. The proposal would require amendments to the City's Zoning By-law to permit: an increase to the maximum building (tower) height; an increase to maximum height of the podium; a reduction in step back requirements for the tower and podium; a reduction in minimum commercial coverage; a decrease in minimum setback for balconies; a reduction in minimum number of parking stalls; and removal of the required landscape buffer adjacent to the rear and side lot lines.

Location

16. The subject property is "L" shaped and is located on the northwest corner of the intersection of Bayfield Street and Dunlop Street West, known as the 5 Points, and extends to Maple Avenue (Appendix "B"). The property has a total lot area of 0.29 hectares (0.72 acres), with approximate frontages on Dunlop Street West of 32 metres, Bayfield Street of 61 metres and Maple Avenue of 23 metres. The site is largely vacant but is occupied by three buildings fronting onto both Bayfield Street and Maple Avenue. A portion of the site at the Bayfield and Dunlop intersection is presently used as a parkette.
17. The existing land uses in the vicinity of the subject property are largely a mix of commercial, office, and mixed use buildings. Notable uses include the Mady Centre for the Performing Arts and the Bus Terminal to the south, Memorial Square to the east and Heritage Park to the south-east.

Official Plan Designation and Zoning

18. The property is designated "City Centre" by the City of Barrie Official Plan (Appendix "D"), is within the "City Centre" Planning Area, and is zoned "Central Area Commercial (C1-1)" (Appendix "E") in accordance with the City's Comprehensive Zoning By-law #2009-141.

Supporting Information

19. Reports which were submitted in support of the subject applications included the following:
  - a) **Planning Justification Report – Innovative Planning Solutions** (August 2015, revised December 2015)
  - b) **Urban Design Brief and Shadow Review – Kirkor Architects and Planners (Undated)**
  - c) **Functional Servicing Report – Pinestone Engineering Ltd.** (July 2015, revised November 2015)
  - d) **Noise Feasibility Study – Howe Gastmeier Chapnik Limited** (July 2015, revised November 2015)
  - e) **Traffic Impact Study – C.C Tatham & Associates Ltd.** (August 2015, updated October 2015 and December 2015)
  - f) **Appraisal Report – CHS Realty Advisors Inc.** (June 2016, amended November 2016)

Neighbourhood Meeting

20. A Neighbourhood (Ward) Meeting was held on November 17, 2015 to present the development proposal to local residents (Appendix "F"). Approximately 40 residents were in attendance in addition to the Applicant, their consultant, Ward 2 Councillor Romita and Planning staff. The concerns raised at the neighbourhood meeting related to the closure of Maple Lane and the building being too close to the sidewalk. These concerns are discussed further later in the Report.

Public Meeting

21. A Statutory Public Meeting was held on February 22, 2016 to present the proposed development to General Committee and the Public. A number of written and verbal comments were received, both in support and in opposition to the subject Application. Concerns expressed included: building massing, height and scale; building setbacks; reduction of commercial space; potential closing of Maple Lane; shadowing; impact on neighboring properties; parking structure facing the 5 Points corner; impact on Maple Avenue; public space "usability" at intersection; site plan approval versus zoning amendment; and conformity with Historical Neighborhoods Strategy.

These comments will be discussed in further detail later in this Report.

Department & Agency Comments

22. The subject application was circulated to staff in various departments and to external agencies for review and comment.
23. There was a cautionary note provided by the City's IT Department concerning a potential impact on data communications from City Hall to the Fire Hall and Mady Centre during construction due to possible interference by the cranes. If the Application is approved by Council, a resolution to this potential impact can be reviewed through Site Plan Review, and may necessitate re-routing the signal during the period of construction. The building itself is not anticipated to present an impact to communications.
24. The Lake Simcoe Region Conservation Authority (LSRCA) does not have any objections to the proposed By-law Amendment, but did advise that the lands are within an area of significant groundwater recharge and as such policies related to storm water management, water balance, phosphorus budget and groundwater recharge must be addressed during Site Plan Review.
25. The Simcoe Muskoka Catholic District School Board provided comments indicating that pupils generated by this development are within the current catchment area for St. John Vianney Catholic Elementary School and St. Peter's Catholic High School. St. Vianney has a Ministry rated capacity of 274 pupils and an enrolment of 217 pupils. The Board commented that they would provide their conditions of approval at the time of Draft Plan of Condominium Approval.
26. PowerStream and the City's Engineering Department and Traffic Services reviewed the proposed development and have not expressed any concerns to the approval of the subject application as the Agency and Department are satisfied that any technical revisions or outstanding matters can be addressed through a subsequent Site Plan Review process.
27. The Parks Planning and Development Branch provided comments relating to the streetscape, opportunity for street patio uses, use of outdoor planters to offset reduction/loss of landscape strips and street tree opportunities. These matters will be reviewed, in the event that Council approves the proposed Zoning Amendment, through Site Plan Review. Land for parks is not proposed as part of this development, which is typical for high density projects in a downtown

setting. In instances where land is not provided to the Municipality for parks, cash-in-lieu of park payment is received. This calculation and amount is discussed later in the Report.

## **ANALYSIS**

28. The following provides a review of the application in accordance with applicable Provincial and Municipal policy documents.

### Provincial Policy Statement (2014) (PPS) and Places to Grow (2012) (The Growth Plan)

29. Staff is satisfied that the subject lands are able to support a high density development as this type of development meets the intent and policies found in both the Provincial Policy Statement and the Growth Plan in terms of contributing to the range of housing and unit types available, creating employment opportunities, and making efficient use of land and existing infrastructure and services. The lands are located at the juncture of two arterial roads which are also intensification corridors, are within the Urban Growth Centre (“UGC”) of the City, and is supported by the availability of existing infrastructure and public transit. In accordance with the Growth Plan requirements to accommodate 40% of new growth within the existing “built boundary” of the City, the application represents intensification of an existing site envisioned for Urban Growth Centres.
30. The Growth Plan has a target of 23,400 jobs and people (150 jobs and people/hectare) for the Barrie Urban Growth Centre by 2031. At the beginning of 2016, staff estimated that there were 14,522 people and jobs (93 jobs/people per hectare). At an estimated population per household of 1.69 the proposed development, without considering the commercial component, would add 343 people, which would assist the City in realizing the Growth Plan targets, and address the estimated need for 8,878 people/jobs by approximately 3.9%.
31. The Growth Plan also stipulates that 40% of all residential growth within a Municipality shall be within the “built-up” boundary, and primarily within the intensification areas of the City. The Urban Growth Centre represents a significant component of the identified intensification areas and is anticipated to accept much of the growth within the built-up boundary.
32. While the development of the subject lands for high density development is considered to be consistent with Provincial Policy, this is but one test for proposals of this nature and is not intended to signify that the site is suitable for the proposed development solely on the basis of being able to meet Provincial Policy.

### Official Plan

33. As noted above, the subject lands are designated “City Centre” by the City’s Official Plan. This designation is consistent with the Barrie Urban Growth Centre and is planned to achieve a minimum density of 150 residents/jobs per hectare.
34. A broad range of retail, service, office, institutional, public and residential uses to serve the general needs of downtown residents are encouraged to occur within the City Centre. Residential uses including a variety of medium and high density housing types are encouraged for the City Centre in order to increase the resident population, provide live/work opportunities, ensure that the downtown is used after business hours and creates a local market for convenience and service goods.
35. The key policy themes of the Official Plan that relate to high density residential developments are: the Urban Growth Centre will be the focus for growth for the Simcoe area; compact, sustainable development maximizing efficient use of existing infrastructure and services; provision of a range of housing; good design; minimization of incompatible uses; and respect for the physical scale and characteristics of existing development.

36. The policies of the Official Plan restrict high density development in excess of 150 units per hectare to locations within the City Centre. High density development is to be directed to locations adjacent to arterial and collector roads, and areas where public transit, schools, parks, and commercial development are generally available. It is also intended that areas receiving high density developments have existing and planned services and facilities such as roads, sewers and water mains, as well as other municipal services, which are adequate and readily available to service this form of development. The City Centre has been identified as an area to receive higher densities due to the presence and availability of these services and facilities necessary to support increased population.
37. The 5 Points site would meet the City's locational criteria and policy objectives due to its location at the intersection of two arterial roads (Dunlop and Bayfield Streets) and availability of local and inter-regional public transit. Existing commercial facilities are located in close proximity to the subject lands, and the property is located close to public services and amenities, including recreational lands (waterfront park system, Memorial Square, local parks), and entertainment amenities including the Mady Centre and Memorial Square, all of which are existing and able to service the existing and future residents in the City Centre.
38. Sections 3.3.2.1 (a), (b) and (c) of the Official Plan encourage the maintenance of reasonable housing costs by encouraging a varied selection of housing with regard to size, density and tenure. The Plan policies encourage residential intensification in built-up areas in order to support the viability of neighbourhoods and provide opportunities for a variety of housing types. Residential intensification includes infill development, which refers to the development of vacant or under-used parcels within existing urban areas like that of the 5 Points site. Staff are satisfied the subject lands conform to these policies of the Official Plan given that the proposed development provides for a high density housing form anticipated to occur within this area and would provide a home ownership option within the City Centre at a density that not only addresses the locational objectives of the Official Plan, but also contributes toward addressing the density objectives assigned to the City Centre through the City's Official Plan and the Province's Growth Plan.
39. The Official Plan also contains policies that are intended to provide guidance to evaluate "tall buildings" (defined as buildings above 3 storeys in height). The principles communicated through these policies are generally intended to reduce the visual and physical impact of height on the adjacent public realm through the utilization of a menu of design treatments including: slimmer buildings to protect views of public vistas (especially along Bayfield Street); setbacks, stepping and angular planes; protecting views of parking areas, service area, loading spaces and building utilities; reduce the impacts of shadowing and provide adequate sunlight and views of sky; and incorporate building articulations, massing and materials that respect a pedestrian scale and create interest.
40. The proposed building incorporates design elements in order to address the above noted objectives. One example is that the building has been designed to be "slim" above the podium level. The purpose of this is to preserve the sight lines south along Bayfield Street, to reduce impact from shadowing, and to maintain sunlight and views of the sky. The building preserves the sight line southward along Bayfield Street. The building is positioned in a north-south orientation fashion so as to provide a "thin" edge when viewed from the north and south, avoiding interruption of the view of Kempenfelt Bay.
41. A second example is parking, service, loading and building utilities are proposed to be located within the building itself and therefore would be protected from the view of the public. Parking is proposed to be provided through above ground structures with access to the parking areas from both Bayfield Street and Maple Avenue.

42. Creation of a pedestrian friendly public realm is supported by the provision of an active street frontage that provides direct access to both the residential and commercial/retail components of the development. These components also provide a uniform street edge for the majority of the frontage along Bayfield and Dunlop Streets. In addition, the Applicant is proposing the introduction of a public square of approximately 84 square metres (900 square feet) located at the intersection of Bayfield and Dunlop Streets. While this area may not be sufficiently sized to be useable for programming for large events, it could be available for patios, retail activities or small events that would add to the pedestrian's experience.
43. Based on the policies of the Official Plan, staff considers the proposed 5 Points development to be consistent with the general objectives for high density development within the City Centre. More specifically, the proposed development meets the locational criteria for high density residential development and provides a density that would serve to efficiently utilize existing services and infrastructure in accordance with the intensification objectives of the City, and the policies of the Province. The proposed development is also considered to be consistent, from a locational point of view, with the Tall Building Policies of the Official Plan. Aesthetic and functional design elements are discussed later in the Report, and are recommended to be further reviewed and refined through a subsequent Site Plan Approval, if the Zoning By-law Amendment is approved by Council.

Historic Neighbourhoods Strategy (2010)

44. The Historic Neighbourhoods Strategy document was prepared in 2010 and provides a vision for each of the 6 neighbourhoods. The subject site is located within the Downtown Neighbourhood, and like many properties within the Downtown, was characterized as being on a "yellow" street (Appendix "G"). These areas were recognized as being in transition with a growing mix of housing forms and a range of services. The growth expectations were that some growth was anticipated, primarily along minor collector roads and at smaller intersections, on vacant lots and underutilized sites. Medium scale development is considered acceptable provided it adheres to good urban design standards and is complementary to the neighbourhood.
45. The Downtown Neighbourhood is within the Urban Growth Centre where, as was noted, the highest densities in the City are contemplated to be located. In addition, all of the five Intensification corridors radiate outward from the Urban Growth Centre. Given its status as the Urban Growth Centre, in conjunction to being home to a significant commercial base, transit facilities and government services, it is understandable why many of the higher density development proposals which have been received by the City have been within the Downtown area.
46. It is important to recognize the principles of the Downtown Neighbourhood Strategy, including that of good urban design, while also recognizing that the role of the Urban Growth Centre is to transition into an area with higher densities than are seen elsewhere in the City.

Built Boundary Community Improvement Plan

47. The City recently approved the Built Boundary Community Improvement Plan which replaces the previous one, "Next Wave CIP", prepared in 2004. The Built Boundary CIP recognizes the importance and role of the UGC in providing mixed use buildings through intensification by offering grants to projects which meet the goals and objectives of the CIP.

Comprehensive Zoning By-law 2009-141

48. The current zoning of the property is "Central Area Commercial (C1-1)". The Applicant has requested a number of site specific changes to the existing zoning for relief from standards related to: building height; podium height; minimum commercial coverage; yard setback for

balconies; parking spaces; and landscape buffer. Each of these requests is discussed in the Sections that follow.

#### Building Height

49. The proposed Zoning By-law Amendment requests that the height limit be extended from 30 metres to 61.55 metres. The Applicant has advised that the increased height and variances to the stepping requirements (see paragraph 50) are necessary to accommodate the parking for the 20 storey residential condominium tower. For many of the same reasons as was discussed previously related to the UGC being the area of the City for the highest densities, the Provincial growth target of 150 people/jobs per hectare, efficient utilization of existing infrastructure and services, the height increase requested can be supported subject to zoning approval and that the final building form is designed well and is in general conformity with the City's design guidelines.
50. While staff is recommending that the height limit be increased to approximately 62 metres, it is recommended that this height increase apply only to the same lot area on which the residential condominium tower is currently proposed. It was also on this basis in which the Negotiating Committee calculated the uplift value for bonusing purposes.

#### Stepping

51. The Zoning By-law currently permits building heights of 30 metres, provided that the first 10 metres of height is within 5 metres of the front lot line and lot flankage (side yard), and the tower is "stepped" back beyond 5 metres again, from the frontage and lot flankage. The purpose for this "stepping" is to create a pedestrian friendly environment at street level, while setting the majority of the height back from the street to prevent a "closed in" feel at the base of the building. The Application requests that the first 17.40 metres of height be within 1.5 metres of the front lot line, and lot flankage for the podium, and that the tower also be permitted to be within 1.5 metres from the lot line and lot flankage. The request for the increase to 17.4 metres is to accommodate a podium height sufficient to accommodate the necessary parking. The same 1.5 metre setback is requested for the tower, but this is in order to accommodate an architectural wall extending from the top of the podium to the top of the tower on the Dunlop Street frontage. This would be the only part of the building (above the tower) that would require this level of reduction. The other setbacks for the tower are proposed to be 2.5 metres (8 feet) from the podium (south), 4.3 metres (14 feet) from the podium (east) and 5.7 metres (19 feet) from the podium (north).

#### Minimum Commercial Coverage

52. The Zoning By-law currently has a minimum commercial lot coverage requirement of 50% in order to ensure that there is a commercial ground floor component and presence similar to the commercial buildings within the Central Area. The proposal requests that the 50% requirement be reduced to 17.6%. The Applicant notes that in order to provide an increased commercial coverage, significant reductions would have to occur involving eliminating the public realm space, reducing the number of parking spaces (for which the proposal already requests a variance from the minimum requirement) and reducing the size of the lobby and service areas. A fourth option would be to reduce the overall size of the project, which would reduce the need for parking, thereby potentially creating available space for commercial use at-grade. While the Applicant acknowledges that their request doesn't meet the 50% minimum, they feel that the reduction is supportable as the commercial locations provided are located in the key areas fronting onto Dunlop Street West, and portions of the Bayfield Street and Maple Avenue frontages. In addition, the Application notes that there are no other areas of the building on the ground floor that are available for the use for commercial purposes as they are used for supportive features for the building like parking areas and maintenance/service purposes.



53. The purpose for a minimum commercial coverage is to retain a commercial component and presence in mixed use buildings, along the street frontage, to maintain street activity and pedestrian presence in the commercial area. Removing this presence could potentially reduce the long term viability and vitality that commercial areas must have in order to sustain themselves. The applicant has advised that 50% minimum coverage is not possible due to the need for room to locate mechanical and other facilities to support the operation of the building. Even if the residential lobby were included in the commercial coverage (which is more of a support service rather than a commercial use, but would still generate a non-residential feel to the streetscape), the coverage amount would only amount to 26.5%, or roughly half of the requirement of the Zoning By-law.

#### Yard Setback for Balconies

54. The Application requests that balconies be permitted to extend a maximum of 2.6 metres (8.5 feet) into the required yard. The current requirements of the By-law permit balconies to encroach a maximum of 1.5 metres (5 feet). The reason for this request is twofold: to permit larger balconies; and to create angular balconies which are a design feature which the Applicant feels contributes to the aesthetics of the building. Planning staff do not object to this extension as the balconies would be above grade and pose no concern to street traffic and movement along the sidewalk.

#### Parking Spaces

55. The Zoning By-law requires a minimum of 1 parking stall per residential unit, which for the proposed building would require a total of 203 stalls. With the five parking levels proposed, the Applicant requests that the minimum of 203 stalls be reduced to 196. The parking ratio is requested to be reduced to 0.965/unit from 1.00/unit. The Applicant feels that with the introduction of 9 affordable housing units not every resident of these units would require a vehicle. They also note that there are multiple municipal parking lots within the general vicinity of the site.
56. A parking reduction of 7 stalls (from 203 required to 194) is proposed for the residential component of the building. The Zoning By-law does not require parking to be provided for commercial within the Central Area Commercial Zone. While the Applicant assumes that the inhabitants of the affordable units would not possess a car and utilize public transit, this assumption is not guaranteed. In addition, it would be anticipated that if and when the affordable units in the future reverted to market rate condominiums, the occupants at that time would likely require a parking stall. While it is acknowledged that there is public parking available in the vicinity of the building that could be utilized and offset the need for on-site parking, this may not be a viable solution for future purchasers.

#### Landscape Buffer

57. While the Applicant did not specifically apply for relief from the minimum required landscaped buffer strip related to the side and rear property lines, during the review of the proposed development staff have identified that this relief would be necessary if not addressed through a design revision.
58. The Zoning By-law requires that a continuous landscaped buffer area, with a minimum width of 3 metres, be provided along the side and rear lot lines. The purpose of this landscaped buffer is to provide some separation between apartment dwellings and neighbouring uses within the Central Area Commercial zone. The current plans of the proposed development do not identify this buffer. Staff believes that the inclusion of a buffer would likely be of minimal benefit to development and surrounding uses, and believe that other design treatments and opportunities can be utilized to offset the removal of the landscape buffer. To this end, staff are amenable to

recommending that the buffer requirement be removed, however during Site Plan Review process, mitigation measures of how this function might be addressed would be investigated.

Maple Lane - Purchase and Sale Agreement

59. Advance Tech has submitted a Purchase and Sale Agreement for the easterly portion of Maple Lane, which they feel is an essential element for the redevelopment of the subject lands. The intended purchase would include approximately half of the laneway, with the westerly half retained by the City to allow the continuance of service access by the businesses fronting onto Dunlop Street West. Council reviewed Report BDD006-15 on November 23, 2015 and declared the east portion of the lane to be surplus and authorized the Business Development Department to negotiate a conditional Agreement of Purchase and Sale with Advance Tech Developments.
60. The terms of the Purchase and Sale Agreement are such that Advance Tech may include the City owned lands in their Application to illustrate how the development proposal would benefit from their inclusion in the land assembly, but in the event that the Zoning By-law Amendment Application is not approved, the property purchase would not be completed.
61. The laneway currently is occupied by numerous municipal services (i.e. storm sewer) which run between Maple Avenue and Bayfield Street. In the event that the laneway portion is sold to Advance Tech, these services would need to be re-located or accommodated through the design of the building so that they do not run under the proposed building. The re-location or accommodation would be wholly at the cost of Advance Tech. The details related to this would be addressed through Site Plan Review.
62. The Roads, Parks and Fleet Department currently remove snow from the laneway by pushing the snow to one of the abutting roads. The Department has requested that they be provided a "turn-around" in the proposed development so as to avoid current practice of having the trucks back into the laneway. This is a matter that would also be reviewed through the Site Plan Review.
63. Neither waste removal nor fire and emergency services utilize the lane as it is currently too narrow, so the potential sale of the lane would not impact upon these services.
64. Currently pedestrian traffic is able to use the lane as a connection between Maple Lane and Bayfield Street. The retention of this connection is desirable to continue in some form. While discussions with the Applicant have not determined if, or how, this connection could continue as a result of the proposed development, discussions to attempt to find a way to retain a pedestrian connection would continue to be sought through Site Plan Review.

Public Comments

65. Concerns expressed included: building massing, height and scale; building setbacks; reduction of commercial space; potential closing of Maple Lane; shadowing; the parking structure facing the 5 Points corner; impact on Maple Avenue; public space "usability" at intersection; site plan approval versus zoning amendment; and conformity with Historical Neighborhoods Strategy.

Maple Lane

66. The concern was expressed that if the laneway was closed it would impact businesses fronting onto Dunlop Street West which relied upon access to the laneway for deliveries. There is also a concern expressed that if the lane was not open from end-to-end then access to/from the area would be impeded when service deliveries occur. The Applicant has confirmed that the laneway would remain open for the portion of the laneway that currently services the businesses fronting onto Dunlop Street West. The laneway is also intended to remain being maintained by the City. While the present design does not contemplate a continuous connection between Maple Avenue

and Bayfield Street, as mentioned above it would be intended that this is discussed and reviewed through the Site Plan process should the Application be approved.

Proximity of Building to Street

67. The concern was if the building would be closer to the street than the previous one was, and if it was going to only be 1.5 metres away from the street. It was explained that the building can be built to the edge of the property but would not interfere with movement along the sidewalk.

Building Massing, Height and Scale

68. There was a concern expressed that the current height, mass and scale of the immediate surrounding buildings would be dwarfed by a 20 storey structure on the subject site. While it is recognized that the proposed height of approximately 62 metres is taller than any buildings in the immediate vicinity, the design of the building, including podium height and stepping distances are important and intended to assist in reducing the effect of the additional height.
69. It is also noted that the proposed 20 storey building occupies approximately 72% of lot area, and the remaining 28% accommodates the parking structure which is proposed to be 17m in height. The zoning by-law would restrict the 62m height approval to a specific area of the property so as not to enable the height increase to be applied across the entire site.
70. The site design specifically places the building in proximity to the intersection and Bayfield Street frontage so as to avoid to the extent possible the greatest height on-site being directly abutting lands to the west. While there would be properties abutting the tower building, by placing the building at its proposed location the Applicant has attempted to mitigate this impact.

Building Setbacks

71. At street level, the Application does not request any reduction in setbacks from the property line as the Zoning By-law currently permits the building to be built with a 0 metre setback. As was referred to above, "stepping" setbacks are required which will cause the tower portion of the building to be situated further back from the property lot lines.

Commercial Space

72. The comment was made that the City needs more commercial space along the main streets to create activity and interactions, not less, and that the development should have a better balance between commercial and residential uses. In support of their request to reduce the 50% ground floor commercial coverage to 17.6%, the Applicant has noted that all available ground floor area (excluding service and parking areas) are devoted to commercial and lobby use. In addition, the majority of the commercial and lobby portion of the ground floor directly front Dunlop Street West and Bayfield Street.

Shadowing

73. With a twenty storey building there is a concern that it will cause undue shadowing to several downtown properties in the immediate vicinity of the subject lands. Shadowing information has been submitted with the Application. While there are shadow impacts arising from a building which would be twenty storeys in height, there are no direct shadow implications on public open spaces, or private amenity spaces in keeping with the policies of the Tall Building Policies. Impacts are present on surrounding streets but these have attempted to be minimized by orienting the building in a northeast fashion and proposing a "slim" structure. The slim design also allows for increased sun penetration at the ground and allows for views of the sky to occur in

a greater fashion than what would be the case with a building that was wider and oriented in an east-west fashion.

#### Parking Structure Interface with 5 Points

74. The introduction of a raised parking structure adjacent to the 5 Points corner is a concern and would create a negative impact on the look of the street. The parking structure is above street level and is proposed to include architectural glazed glass panels to protect views of the parking area. In addition, blank walls can be addressed through the use of landscaping techniques, lighting, building articulation and murals, which would be considered through the Site Plan Review process should the current Application be approved.

#### Maple Avenue

75. The comment was made that it is important to have commercial operating along Maple Avenue, or else it will become a “service road” and accommodate all of the traffic to and from the new development. The main entrance is from Maple Avenue, which is typified as being a “local” road, and is intended to provide access to properties, as opposed to the “arterial” status of both Dunlop and Bayfield Streets which are intended to carry large amounts of traffic and have limited access to abutting properties by utilizing shared accesses, and access points onto collector and local roads.

#### Usability of Public Space

76. The concern is that the size of the public realm space proposed is too small to be of any significant use. It is recognized above that a public square of approximately 84 square metres (900 square feet) does not appear to be suitable for programming of large events, but it would be viable for a number of smaller uses or events such as patios or small scale retail events that would be of a commercial nature.

#### West Elevation

77. The concern is that this will be a large blank wall which will continue to exist well into the future. It is correct that the current design of the building provides blank walls. While it is anticipated that new buildings will be built in the future that would protect these walls from public view, there is no guarantee that will occur, nor when. In the interim there are various options available to address blank wall conditions. These options including the introduction of windows and other building articulation methods, use of different building materials, and the introduction of vegetation, murals, lighting, etc. that would have the effect of mitigating the impacts of a blank wall. If approved by Council, the proposed building would be subject to Site Plan Review and these and other options would be explored and implemented.

#### Site Plan Process vs. Zoning Amendment

78. Due to the Zoning Amendment process being open to the public, whereas Site Plan Review is not, the comment was made that the concerns identified should be addressed at the zoning stage where public scrutiny is available. There is also a desire to see that if the project is approved, the key elements of the approved design become “entrenched” within the zoning so that these elements cannot be easily altered in the future. It is intended, and in fact has occurred in the City of Barrie for past approvals, that the proposed By-law would include various requirements that would “tie” the design to zoning provisions and which would have to be met during Site Plan Review. In addition, the Report recommends that the Zoning By-law Amendment not be approved until such time as Site Plan Review has occurred. This would allow the applicable design elements to be included in the By-law Amendment. It is also recommended that Council

consider the site plans prior to being approved, which would add a public consultation element to the process.

Conformity with Historic Neighbourhoods Strategy

79. The Historic Neighbourhoods Strategy envisioned this area as medium density, with higher density along major corridors such as Bradford Street, Yonge Street and Essa Road. This Strategy was discussed in Sections 44 – 46 above.

Site Plan Review

80. Site Plan is a tool provided under Section 41 of *The Planning Act* and is applied in accordance with By-law 99-312. Generally, Site Plan is a tool under *The Planning Act* that is intended to address the development and design of buildings and lands with regard to such matters as: access; servicing; stormwater management; landscaping; lighting; setbacks; orientation, placement and massing of buildings; and parking. It also provides an opportunity for a review of exterior design elements including character, scale, appearance, massing, design features, screening of rooftop mechanical and electrical equipment and accessibility.
81. Should the Zoning By-law Amendment application be approved, the Applicant would be required to submit a formal Site Plan Application which would be reviewed in detail by City staff and applicable external agencies to ensure that the development complies with all municipal standards, including, but not limited to, the matters noted in the above paragraph.
82. The revisions to the Zoning By-law requested by the Applicant discussed in this Report would allow for the proposed building to be constructed. However, staff feel that there is an opportunity to review the proposed building through a detailed site plan process. Through review of the Application and discussions with the Applicant staff feel there is an opportunity to address such matters as podium height, commercial coverage, blank wall conditions and increasing the size of the outdoor amenity area. These opportunities were made evident through discussion with the Applicant who suggested different options on how the above noted matters could be addressed. For this reason staff is recommending that only the maximum building height for the tower component, maximum yard setback for balconies and the minimum landscape buffer be approved at this time.
83. The remaining proposed amendments related to stepping, minimum commercial coverage and minimum parking requirement are elements which staff feel are ones which are most susceptible to revisions during a detailed review of the building design. By not approving these at this time flexibility in the ultimate design will be maintained and allow for a greater variety of options and design elements to be considered.
84. The City currently has an Urban Design Manual (2007), Urban Design Guidelines in the Official Plan, and Intensification Area Urban Design Guidelines to assist staff in reviewing and determining the appropriateness of the building design. Design considerations in these documents include such matters as: compatibility with surrounding uses; outdoor spaces with programmed uses/views; mitigation of the influences of sun/wind; recognition of pedestrian scale; commercial street frontage; avoidance of blank wall conditions and introduction of relief and architectural elements to break up façade; use of glazing; and integration of ground level, street oriented uses within parking structures wherever possible.
85. The Applicant has incorporated most of these elements in their building design, and the Site Plan process is an opportunity to review these design elements in detail and investigate further ways in which the building can be designed incorporating these elements in the best possible manner and conducive to its surrounding environment.

86. Site Plan Approval has been delegated to staff, meaning that review and approval of proposed Site Plans are not typically reviewed (other than by the Ward Councillor) or approved by Council. Staff has been delegated this authority and responsibility and undertakes the detailed design review and evaluation, and ultimately approves or not approves the proposed site plan.
87. Site Plan is also a process that is not typically subject to public consultation, although the public is advised of proposed site plans and are invited to review the designs being considered.
88. Through the delegated authority granted to staff, there is a provision whereby Council, staff or the Applicant may request a “bump up”, whereby Council becomes the approval authority, in the event that there are matters or issues which are unable to be resolved at the staff level. This provision has been used infrequently in the past.
89. Due to the importance of this building and the prominence of the 5 Points site within the City, staff is recommending that the Site Plan Application be “bumped up” so that General Committee may review the details of the design before it is approved. This would also allow for the opportunity to receive public comment on the proposed design of the site and building.

#### Bonusing

90. The Bonusing Policies (Section 6.8) within the Official Plan permit City Council to negotiate community benefits when considering the approval of a development proposal that would have the effect of increasing the permitted height and/or density beyond what is currently permitted by the Zoning By-law. In this case, Advance Tech Developments is proposing to extend the height permission from 30 metres to 61.55 metres, or approximately 32 metres over and above what the current “Central Area Commercial (C1-1)” zoning permits for the subject lands. As such, the Bonusing Policies for the purpose of obtaining community benefits have been applied.
91. In accordance with these policies, the City’s Negotiating Committee consisting of senior staff outside of the Planning and Building Services Department met a number of times, including with Ward Councillor Romita and also with the Applicant, on separate occasions. The recommendation of the Committee is included in staffs’ recommendation in Sections 4 and 5 of this Report, and the Negotiating Committee’s Memorandum is included in Appendix “H”.
92. The appraisal submitted by the developer calculated the uplift value based upon maximum height and density under the existing zoning, across the entire property which resulted in a lower valuation. The legislation identifies that the requirement to provide community benefits are only considered when considering an application to amend a municipal zoning by-law under Section 34 of the Planning Act. Staff interprets that section to state that if a rezoning for an increase in height and/or density is only required for a portion of the subject land then that should be the only portion that is used to calculate the value of the uplift. In other words density cannot be transferred from one portion of the site to another. Staff has contacted several other Municipalities and this approach seems to be consistent with the approach taken. Consequently staff are recommending that this approach be adopted by Council for this, and for future, Applications where only a portion of the site is to be subjected to the height and/or density increase request.

#### Affordable Housing

93. The City’s Affordable Housing Strategy defines “affordable” in the case of home ownership, as the least expensive of:
  - a) Housing for which the purchase price results in annual accommodation costs which do not exceed 30% of gross annual household income for low and moderate income households; or

- b) Housing for which the purchase price is at least 10% below the average price of a resale unit in the regional market area.
- 94. Staff calculated that, based on the affordability threshold, the building does not meet the affordable definition other than for the 9 affordable units previously identified.
- 95. The units provided through Bonusing, for the length of time that they are anticipated to remain “affordable” (twenty years) would contribute to the affordable housing stock in the City of Barrie, and would assist in achieving the 10% per annum target for the creation of new affordable housing units.

Summary

- 96. Staff have reviewed the comments received and considered the proposed Zoning By-law Amendment application, having regard to conformity with relevant Provincial Policy and the City’s Official Plan. In staffs’ opinion, the provision for high density residential development on the subject lands as proposed, is considered appropriate and in keeping with the policy planning framework established for residential intensification within the Urban Growth Centre and City Centre designation, and with the policies and guidelines established for Tall Buildings. In that regard staff is recommending that the subject lands are appropriate to accommodate high density development. Staff also feel that amendments related to balcony setbacks and landscaping strip are also acceptable.
- 97. During the review of the Application, a number of discussions have occurred with the Applicant and revisions to the design of various building elements have been discussed. In addition staffs’ review have also identified various design aspects that are felt would be enhancements to a future building on this site. In particular, areas that would benefit from further analysis and design consideration relate to such matters as podium height, stepping provisions, commercial coverage, blank wall conditions and increasing the size of the outdoor amenity area. These elements are identified in Appendix “A” and are recommended to be addressed through the Site Plan Review process should the Zoning By-law Amendment be approved.
- 98. Following approval of the Site Plan, the Zoning By-law Amendment would be brought forward for Council’s consideration, and include provisions and regulations tying design elements to zoning. This would provide a level of assurance to the City and residents that the future development of the property would be reflective of the approved site plan.

**ALTERNATIVES**

- 99. There are three alternatives available for consideration by General Committee:

<b><u>Alternative #1</u></b>	<p>General Committee could refuse the proposed Zoning By-law Amendment Application and maintain the existing Central Area Commercial (C1-1) zoning.</p> <p>This alternative is not recommended as the subject property is well suited for this form of high density residential development given its location within the Urban Growth Centre. The proposed amendment is also in keeping with both the Provincial and Municipal policy framework established for intensification as noted in the analysis section of this report.</p>
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<p><b><u>Alternative #2</u></b></p>	<p>General Committee could approve the Zoning By-law Amendment application without requiring the specific aspects related to building design contained in Appendix "A".</p> <p>This alternative is not recommended as the design aspects that would become "entrenched" in the Zoning By-law are considered to be essential to the ultimate design of the building and provide assurance that the building would conform to the approved Site Plan.</p>
<p><b><u>Alternative #3</u></b></p>	<p>General Committee could approve the Zoning By-law Amendment application but revise the recommended Bonusing benefits.</p> <p>This alternative is available to General Committee but is not recommended as the Bonusing Committee has reviewed the appraisal, the proposal put forward by the Applicant, and have received the comments of the Ward Councillor in making the recommendation included in this Report.</p>

**FINANCIAL**

100. The proposed Zoning By-law Amendment, if approved, would permit the development of approximately 203 residential units in a twenty story mixed use building. The annual municipal property tax revenue based on an average selling price of approximately \$245,000.00 - \$351,000.00 per unit is estimated to be \$735,946. The current tax revenue is \$37,716. Therefore, the estimated municipal property tax increase would be \$698,230 based on 2016 tax rates.
101. Building permit application fees are estimated to be in the order of \$391,856 for the site.
102. Current development charges for the proposed units are estimated to be \$2,563,212 for bachelor and 1 bedroom units, and \$1,688,440 for 2+ bedroom units. Non-residential uses in the City Centre Panning Area are exempt from paying Development Charges. Therefore, the development charge revenue is estimated to be \$4,251,652 for the proposed development. This rate would be adjusted for inflation each year as of January 1<sup>st</sup>.
103. The Education levy is estimated to be currently \$360,602.
104. Cash-in-lieu of parkland for high density developments is calculated on the basis of the density formula of 1 hectare per 500 units. A property appraisal is used to determine the cash value of the land that would otherwise be dedicated. Based upon a recent appraisal that was prepared for the subject lands, the cash-in-lieu of parkland is currently estimated to be \$4,978,023. Cash-in-lieu policies are being reviewed at the time of the preparation of this Report, and may be changed prior to the implementation of the By-law for this development. As a result, the number quoted above may be subject to change.
105. All costs associated with the approval and development of the site, if the Application is approved, will be the owner's responsibility. The developer would be responsible for all capital costs for any new infrastructure required within the development limits and any of the frontage costs associated with upsizing of municipal water and sewer mains already installed. Costs associated with the ongoing maintenance and operational costs of the new internal infrastructure would be the responsibility of the owner(s). Further, all costs associated with snow removal, landscape maintenance and site lighting would be the responsibility of the developer/future condominium corporation. The City would not incur additional operating and maintenance costs associated with extending municipal services to the area such as fire protection, policing, boulevard landscaping maintenance and increased contributions to reserves to plan for the eventual replacement of the municipal assets, as these services are already in place. Through the



subsequent Site Plan Approval Process, the applicant will be required to make provision for on-site waste management and participation in the City's waste rebate/recycling program.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

106. The recommendations included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:

Inclusive Community

107. In accordance with Council's goals, the proposed development would provide for affordable housing, promote and facilitate community connections and would support diverse and safe neighbourhoods.

Attachments: Appendix "A" – Site Specific Zoning Requirements and Provisions  
Appendix "B" – Location of Subject Property  
Schedule A – Land Use Plan  
Appendix "C" – Architectural Rendering of Proposed Building  
Schedule 2 – Land Use  
Appendix "D" – Official Plan – Schedule A – Land Use  
Appendix "E" – Current Zoning of Subject Lands  
Appendix "F" – Neighbourhood (Ward) Meeting Minutes  
Appendix "G" – Historic Neighbourhoods Strategy – Downtown Map  
Appendix "H" – Memorandum – Negotiating Committee

APPENDIX "A"

**Site Specific Zoning By-Law Requirements and Provisions**

**APPLICATION FOR ZONING BY-LAW AMENDMENT – ADVANCE TECH DEVELOPMENTS – 5  
POINTS SITE (2 – 14 DUNLOP STREET WEST, 40 – 43 MAPLE AVENUE AND 30 – 40  
BAYFIELD STREET)**

**STANDARDS**

STANDARDS	COMPREHENSIVE BY-LAW	RECOMMENDED
Lot Area (min)	No Minimum	2,727m <sup>2</sup>
Lot Frontage (min)	No Minimum	32 m
Front Yard Setback (min/max)	No Minimum	No Minimum
Side Yard (min/max)	No Minimum	No Minimum
Side Yard Adjoining Residential Zone	6m	NA
Rear Yard (max/min)	No Minimum	No Minimum
Rear Yard Adjoining Residential Zone	7m	NA
Lot Coverage (max)	No Maximum	No Maximum
Gross Floor Area (max)	600%	600% Total (max)
Building Height	30m	<b>61.55 m (20 Storeys) Specific area of the property to be zoned to restrict height limit from applying to entire property</b>
Podium Height (Mixed Use Building) (min/max)	10m within 5m of the front lot line and the lot flankage	To Be Determined Through Site Plan Review
Mixed Use Building Height (max)	30m beyond 5m of the front lot line and lot flankage	To Be Determined Through Site Plan Review
Maple Avenue Parking Garage Height (max)	30m beyond 5m of the front lot line and lot flankage	To Be Determined Through Site Plan Review
Number of Residential Units (max)	No Maximum	No Maximum
Commercial GFA (min)	No Minimum	To Be Determined Through Site Plan Review
Commercial Coverage (min)	50%	To Be Determined Through Site Plan Review
Parking Requirement (min)	No requirement for Commercial Uses 1 Space per Residential Unit	0  To Be Determined Through Site Plan Review
Landscaped Buffer (min)	3m along the Side and Rear Lot Lines	<b>0m</b>
Dwelling Unit Floor Area (min)	35m <sup>2</sup> /dwelling unit + 10m <sup>2</sup> /bedroom	35m <sup>2</sup> /dwelling unit + 10m <sup>2</sup> /bedroom
Balcony Setback (min)	1.5m into Required Yard	<b>2.6m into Required Yard</b>

**BUILDING/SITE DESIGN REQUIREMENTS AND PROVISIONS:**

1. The property be zoned to allow for a maximum building tower height limit of 61.55 metres but confined to only that area of the property identified on approved Site Plan ....., and which shall incorporate an area of approximately 32 metres fronting on Dunlop Street West and fronting 61 metres along Bayfield Street.
2. Lobby to occupy at-grade space and be directly accessible to the street.
3. Total frontage and flankage of at-grade commercial units be a minimum of 60%, with individual minimums of 50% on Bayfield Street, 100% on Dunlop Street West, and 36% on Maple Avenue.
4. That the site accommodates a “turn-around” (either internal or external to the building) sufficiently sized and located so as to permit City maintenance vehicles to maintain Maple Lane without having to back up onto Maple Avenue.
5. The creation of blank walls shall be avoided to the extent possible, but where they are unavoidable treatments (articulation, vegetation, murals, etc.) shall be included that will creatively address the blank wall condition and make it aesthetically pleasing.
6. Internal and external amenity areas shall be provided.
7. Access to Maple Lane for local businesses shall be continued.
8. Provide commercial frontages that are “fine grained” and provide individual store fronts that are consistent with the existing streetscape.
9. The design of the building should consider the feasibility of providing a connection (either internal or external to the building) from Maple Avenue through to Bayfield Street.
10. Investigate opportunities relating to street patio uses, use of outdoor planters to offset reduction/loss of landscape strips and street tree opportunities.
11. For zoning purposes the subject lands shall be treated as if it were a single property

APPENDIX "B"

Location of Subject Property



D14-1589  
2-14 Dunlop St W/ 30-40 Bayfield St/43 Maple Ave

November 7, 2016

APPENDIX "C"

Architectural Rendering of Proposed Building

ZONING BY-LAW AMENDMENT APPLICATION  
ADVANCE TECH DEVELOPMENTS

Figure 10: View of Development (from South-east)

Source: Kirkor Architects



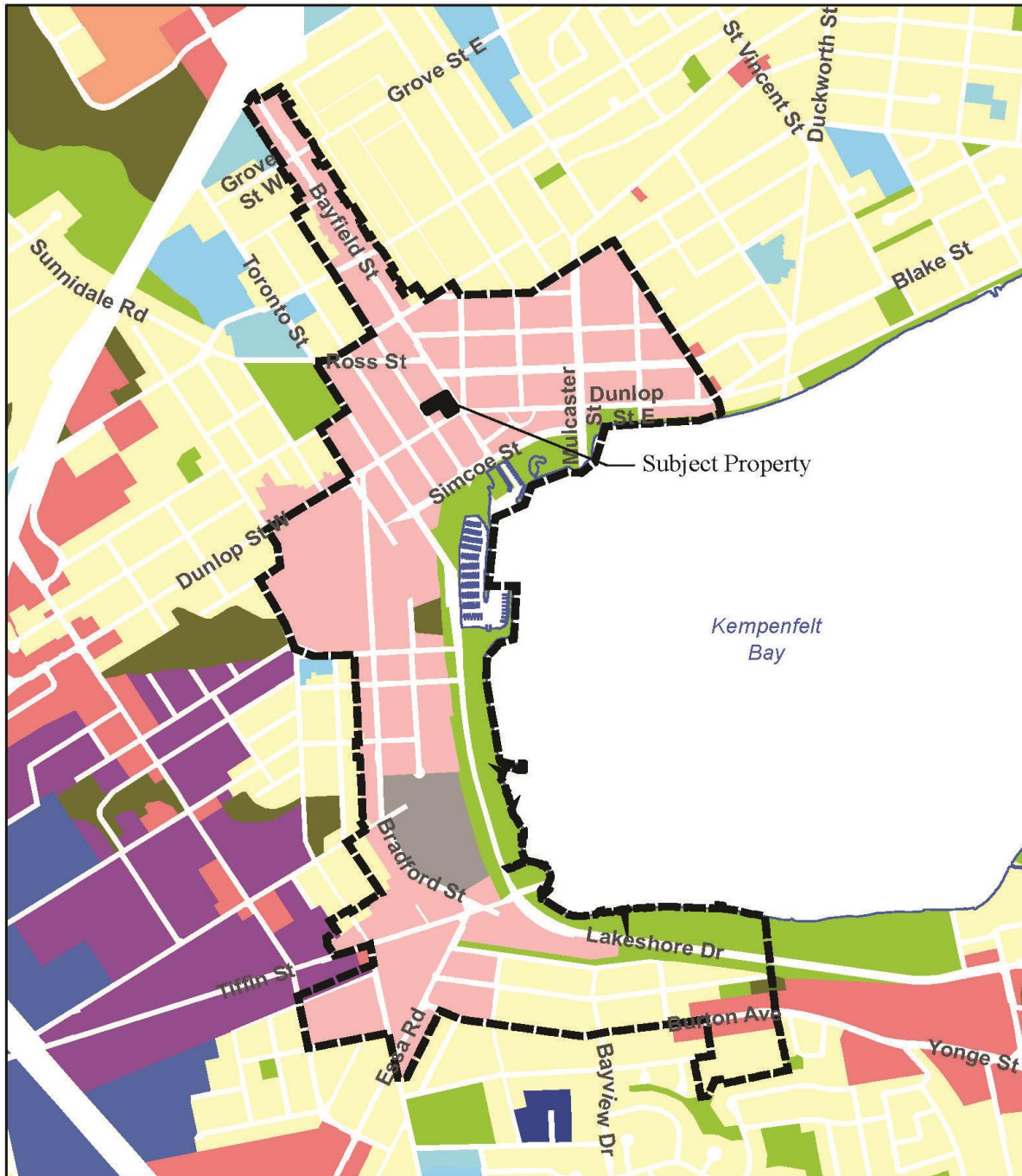
Figure 11: Views of development (Dunlop and Bayfield)

Source: Kirkor Architects



APPENDIX "D"

Official Plan - Schedule A - Land Use



The City of  
**BARRIE**  
OFFICIAL PLAN

Residential	General Industrial	Open Space
City Centre	Highway 400 Industrial	Environmental Protection Area
General Commercial	Restricted Industrial	Water Treatment Centre
Community Centre Commercial	Institutional	Waste Management Facility
Regional Centre Commercial	Educational Institutional	Future Urban
Business Park	Major Institutional	City Centre Revitalization Area

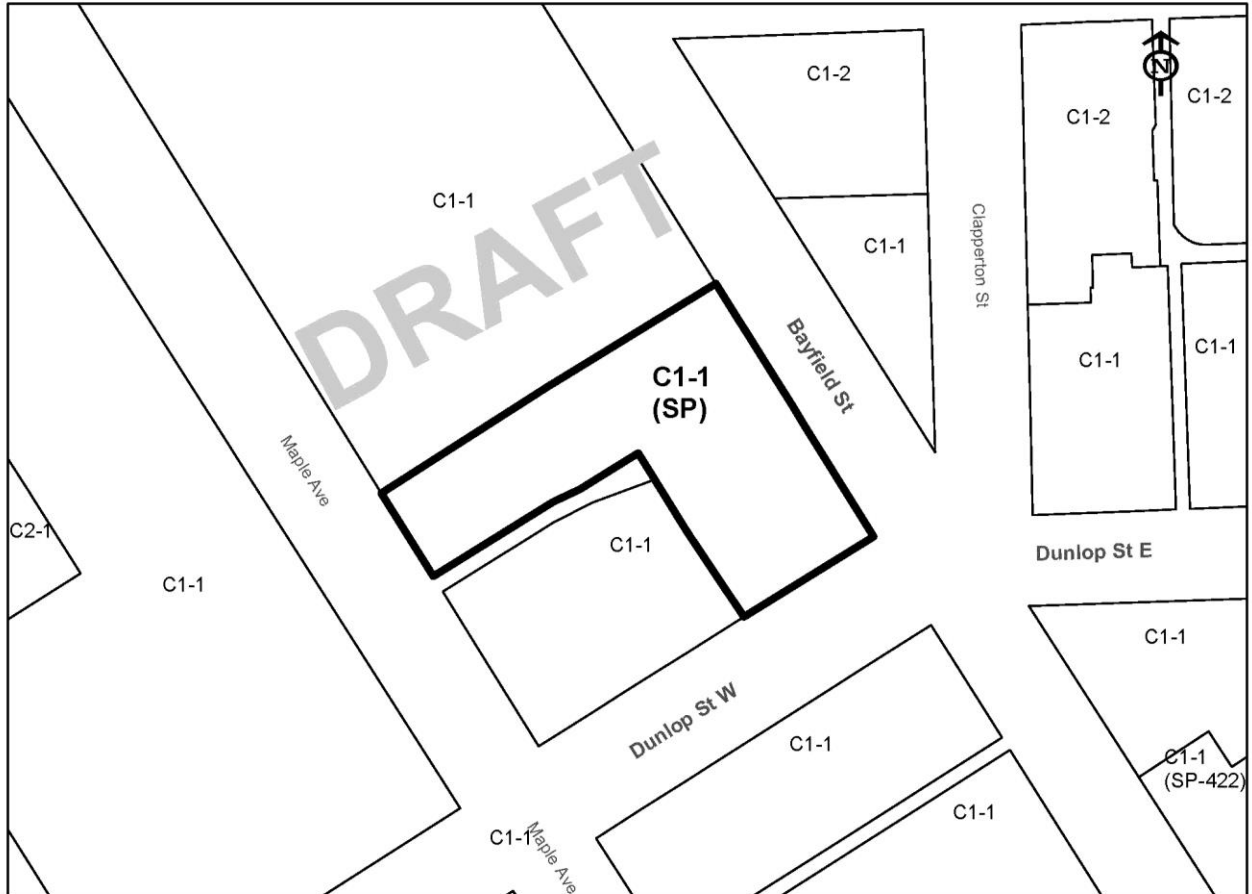
**SCHEDULE A  
LAND USE  
February 2014**

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Note: Office consolidation, please consult the Planning Services Department for an accurate reference. Not to be reproduced without permission from the City of Barrie Planning Services Department.

APPENDIX "E"

Current Zoning of Subject Lands



D14-1589  
2-14 Dunlop St W/ 30-40 Bayfield St/43 Maple Ave

November 7, 2016

APPENDIX "F"

Neighbourhood (Ward) Meeting Minutes

**NEIGHBOURHOOD (WARD 2) MEETING**

**TUESDAY, NOVEMBER 17, 2015**

**PROPOSED AMENDMENT TO THE ZONING BY-LAW**

**5 POINTS INTERSECTION**

File Manager: Janet Foster, Senior Development Planner

Councillor: Councillor Rose Romita

Recording Secretary: Janice Sadgrove

Applicant: Joe Santos, Advance Tech Developments

Consultants: Darren Vella, Innovative Planning Solutions

Attendance: 40 residents were in attendance.

The meeting commenced at 7:00 p.m.

Janet Foster welcomed everyone and provided a brief explanation of the purpose and intent of the neighbourhood meeting and the public meeting process and noted that the public meeting is anticipated to be held on February 22, 2015. A staff report making recommendation on the Rezoning application to General Committee is targeted for March 7, 2015.

Darren Vella of Innovative Planning Solutions advised that the purpose of the meeting was to review an application for an amendment to the Zoning By-law to permit a twenty (20) storey mixed use building on parcels of land located at the 5 Points intersection and that the property is municipally known as 2-14 Dunlop Street, 30-40 Bayfield Street and 43 Maple Avenue.

Mr. Vella provided a presentation and discussed slides concerning the following topics:

- The application context including the location, existing site use and surrounding uses;
- The current land use designation and zoning;
- The development proposal;
- The proposed Zoning By-law amendments;
- Architectural renderings illustrating views of the property from the south, as seen from Bayfield/Dunlop West and as seen from Bayfield Street.
- Shadow studies to illustrate the shading impacts on the surrounding properties/uses;
- Visually interesting skylines from other municipalities;
- The application in the context of the Growth Plan/Urban Growth Centre and Tall Buildings Study.

Janet opened up the meeting to questions and answers.



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**Questions & Comments From Public**

1. Resident expressed her support for the development. She said that a higher density building will bring more people to shop downtown.
2. Resident asked if the number of units quoted to satisfy the Growth Plan Intensification targets just for the downtown area or are they required in all intensification areas.  
Darren – that is just in the downtown area (UGC).
3. Resident wanted clarification on the commercial space. Darren noted that the 5,571 sq. ft of commercial space will probably occupy 2 separate retail uses.
4. Resident asked if the required parking was for the residential units or for the commercial space (shoppers). Darren advised it was for residential units. The Zoning By-law does not require parking for commercial uses within the C1 zone.
5. Resident asked if there was a view for the west elevation. Darren answered no but will have architect produce one.
6. The 9 affordable housing units mandated by the province, are they not mandated by the City of Barrie? Darren explained the City encourages affordable housing in developments but affordable housing is not mandated by the province or the City in all applications.
7. Resident asked where other tall buildings that have been mentioned were located. Darren advised that the tallest building proposed is in the Harmony Village project on Bradford Street which was approved for 25 storeys, but not yet built.
8. Will this proposal have any impact on the laneway? Janet advised that the owner has requested to purchase the east half of the laneway to be included in the design of the proposed development.
9. Resident expressed concern that if the laneway was sold, it would stop delivery vehicles from utilizing the lane. The resident identified that he used to make deliveries through the lane. Janet advised that the proposed building would eliminate through access.
10. Another resident expressed concern over the closure and sale of Maple Lane. He is the owner of neighbouring property to the west and relies on this lane for his business.
11. Resident expressed concern that the building would be built too close to the sidewalk. Would the building be closer to the sidewalk than the previous building was? She was curious what the 1.5 metres would look like instead of the 5 metres. Darren advised that it is not going to interfere with the sidewalk. Janet explained that the zoning provisions allow the building to be built to the front and side lot line, flanking a street. Building stepping provisions require only 10m building heights within the first 5m from the lot line. The applicant is requesting to encroach within the stepping provision area with balconies to 1.5m of the lot line.
12. Where you have glass on the side of the building, will you have billboards on the building?  
Darren answered no.

Janet thanked everyone for coming out this evening and encouraged all to leave their name, number, address and email address to be kept apprised of the application. She also requested everyone to fill out a survey about their experience here tonight.

The meeting ended at 8:00 PM.

Appendix "G"

**Historic Neighbourhoods Strategy – Downtown Map**

**Where residents envision future development...**

The Downtown continues to support commercial opportunities and is host to a growing arts and cultural community. Interspersed throughout this bustling area of entertainment and services exists the most diverse residential neighbourhood found anywhere in the City. As the Downtown continues to evolve from its historic role as a shopping district into a destination, the neighbourhood will continue to evolve and accommodate growing numbers of future residents.

Downtown residents envision residential streets remaining primarily low-rise residential that is complementary to the existing inventory of homes and housing opportunities. Future growth can and should be accommodated along busy stretches of road and key intersections including Bayfield Street, Bradford Street and Dunlop Street West, where appropriate. Downtown residents are looking for good design standards to be adhered to for all new development and for proposals to be appropriate to the surrounding community in scale and height.

Most of this area of the City is subject to the Downtown Community Improvement Plan (CIP), offering financial incentives for redevelopment, renovations and upgrades to buildings. With a number of vacant or underutilized sites throughout the Downtown, residents are looking for the City to champion those incentives and support land owners to redevelop and invest in the community.

As part of the discussion around future growth opportunities, residents identified where differing scales of future development seemed to be most appropriate. Using neighbourhood maps with red, yellow and green streets, the following map was created to depict the type and location of future development residents expect in Downtown.



**Red Streets**

**Character:** A primarily residential area that is expected to stay primarily residential in nature.

**Growth Expectations:** Significant change in the residential character of the area is not anticipated. Growth is expected to occur primarily through small-scale residential infill (e.g., new single-detached homes) and renovations/additions to the existing housing stock.

**Yellow Streets**

**Character:** An area that is in transition with a growing mix of housing forms and a range of services.

**Growth Expectations:** Some growth in the area is anticipated, primarily along minor collector roads and at smaller intersections, on vacant lots and underutilized sites. Medium-scale infill is considered acceptable provided it adheres to good urban design standards and is complementary to the neighbourhood, particularly development that is directly adjacent to stable residential areas.

**Green Streets**

**Character:** An area experiencing significant transition and in many parts is in need of significant investment to offset decline.

**Growth Expectations:** Growth in the areas is anticipated, primarily along major arterial roads and intersections, on vacant lots and underutilized sites. Medium-to-higher-scale development is considered acceptable provided it adheres to good urban design standards and is complementary to the neighbourhood, particularly development that is directly adjacent to stable residential areas.

APPENDIX "H"

Memorandum – Negotiating Committee



General Manager of  
Infrastructure & Growth Management  
**MEMORANDUM**

**TO:** File

**FROM:** P. Elliot-Spencer – General Manager of Community & Corporate Services  
Z. Lifshiz – Executive Director of Invest Barrie  
R. Forward – General Manager of Infrastructure & Growth Management

**RE:** Bonusing Proposal – AdvancedTech Developments, 2-14 Dunlop St. E, 30-40 Bayfield Street, 43 Maple Avenue

**DATE:** November 10, 2016

Council Motion, per Motion 15-G-026, approved an Implementation Guideline for negotiating Community Benefits under Section 37 of the Planning Act and Section 6.8 of the City of Barrie Act. As outlined in a Memo to Council, dated June 8, 2015, negotiations for community benefits would be by a staff committee comprised of the General Manager of Community & Corporate Services, the Executive Director of Invest Barrie, and the General Manager of Infrastructure & Growth Management (**Negotiating Committee**).

The Negotiating Committee received a Memo dated September 8, 2016 from the Manager of Policy Planning regarding a Bonusing Proposal from Advancetech Developments, 2-14 Dunlop St. E, 30-40 Bayfield Street, 43 Maple Avenue. The Memo outlined the development proposal, highlighted the uplift of the proposed height and density, listed the community benefits proposed by the developer, and summarized aspects of the proposal that could be secured through other legislation or provisions of the Planning Act.

The Negotiating Committee, including Zvi Lifshiz, Richard Forward, Dawn McAlpine (acting GM Community & Corporate Services) met with staff on September 26, 2016 to review the proposal. Concerns were expressed with respect to the value of the uplift as determined by CHS Realty Advisors. CHS Realty Advisors appraised the uplift at \$1 Million based on the full development of the lands. Staff's opinion is that the uplift should be \$2 Million based on the section of the development triggering Section 34. In other words, the appraisal should be based on split zoning.

The Negotiating Committee met with Councillor Rose Romita (Ward 2) on October 3, 2016 prior to Council to review the proposal.

The Negotiating Committee, including Patti Elliot-Spencer, met on October 24, 2016 to review the proposal; and, in particular, the assumptions used by the Appraiser. Additional research was requested - what method(s) did other municipalities use to assess uplift (i.e. split zoning, etc.); and, did other municipalities assign value to affordable rental units.

On November 7, 2016 the Negotiating Committee met to review the findings of the research – in general there was no information regarding the value of affordable housing units; and, only two examples of a municipality using split-zoning.

The Negotiating Committee recommended that for those proposals that include affordable rental units, up to the 10% goal of the OP, that the market rental rate be used to assess value (difference between the proposed rental and the average rental as determined by CHMC) over



*General Manager of  
Infrastructure & Growth Management*  
**MEMORANDUM**

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the 10/20 year period. For proposals that exceed the 10% goal - the value of the additional units be assessed at the average Simcoe County capital grant per unit (\$120,000).

The Negotiating Committee also recommended that staff include a recommendation to Council to require spilt zoning for future appraisals in support of a bonusing proposal. In addition, future research should be conducted to assess how value can be assigned for proposals that meet the City's objective of not having an overly massive development.

The Negotiating Committee met with Joe Santos, the Developer on November 9, 2016 to seek clarification regarding his proposal and to complete the negotiations.

The Negotiating Committee recommends the following:

That the 9 one bedroom housing units, dedicated as affordable rental for 20 years, and the public realm space be considered as a community benefit meeting 25% of the uplift value (\$500,000). Although the other aspects of the proposal have value, principally to the owner(s), no community benefits are derived from them.