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**TO:** GENERAL COMMITTEE

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

**WARD:** WARD 2

**PREPARED BY AND KEY CONTACT:** J. FOSTER, SENIOR PLANNER, EXT. 4517

**SUBMITTED BY:** A. BOURRIE, RPP  
DIRECTOR OF PLANNING AND BUILDING SERVICES

W. COOKE,  
DIRECTOR OF LEGISLATIVE AND COURT SERVICES

D. FRIARY,  
DIRECTOR OF ROADS, PARKS AND FLEET

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

**CHIEF ADMINISTRATIVE OFFICER APPROVAL:** M. PROWSE, CHIEF ADMINISTRATIVE OFFICER

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**RECOMMENDED MOTION**

1. That the Zoning By-law Amendment application submitted by Advance Tech Developments for the rezoning of lands municipally known as 2-14 Dunlop Street, 40-43 Maple Avenue and 30-40 Bayfield Street from Central Area Commercial C1-1 to Central Area Commercial with Special Provisions C1-1 SP be approved.
2. That the following special zoning provisions be referenced in the implementing zoning by-law as attached in Appendix “A” to Staff Report PLN001-18:
  - a) An increased building height for the east half of the parcel from 30 metres to 68.25 metres;
  - b) An increase in building height within 5m of the front lot line and flankage from 10 metres to 15.6 metres;
  - c) A decrease in the minimum commercial coverage from 50% to 26%;
  - d) A decrease in the minimum landscape buffer from 3 metres to 0 metres; and
  - e) An increase of the minimum balcony setback from 1.5m into the required yard to 2.6m into the required yard;
3. That in accordance with Section 37 of *The Planning Act* the following community benefits shall apply to the subject lands and be included in the site specific zoning by-law:

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- a) The provision of 9 residential units to be available at affordable rental rates in accordance with Provincial Policy and Official Plan Affordable Housing Policy 3.3.2.2a) for a period of 20 years; and
  - b) The dedication of 1,000SF of land to the City of Barrie, located on the northwest corner of Bayfield and Dunlop Streets, to be utilized as a public square; and that \$10,000 be provided for public programming of the space.
4. That the Maple Lane access from Maple Avenue to Bayfield Street, through and under the proposed building, not be restricted by way of overhead vehicular garage doors.
  5. That the applicant's request for exemption from the Sign By-law 2005-093 section 11.1.1.0.0 to permit a flashing illuminated electronic/digital sign and section 11.1.11.0.0 which prohibits the advertising of good, products and services attached or erected on a wall of a building which is not available at that location (Third Party) be denied.
  6. That the site plan conditions provided for in Appendix "B" to Staff Report PLN001-18 be approved.
  7. That the Director of Planning and Building Services be delegated authority to approve any amendments to the conditions of site plan approval, attached as Appendix "B" to Staff Report PLN001-18.
  8. That pursuant to Section 34(17) of *The Planning Act*, no further public notification is required prior to the passing of the By-law.

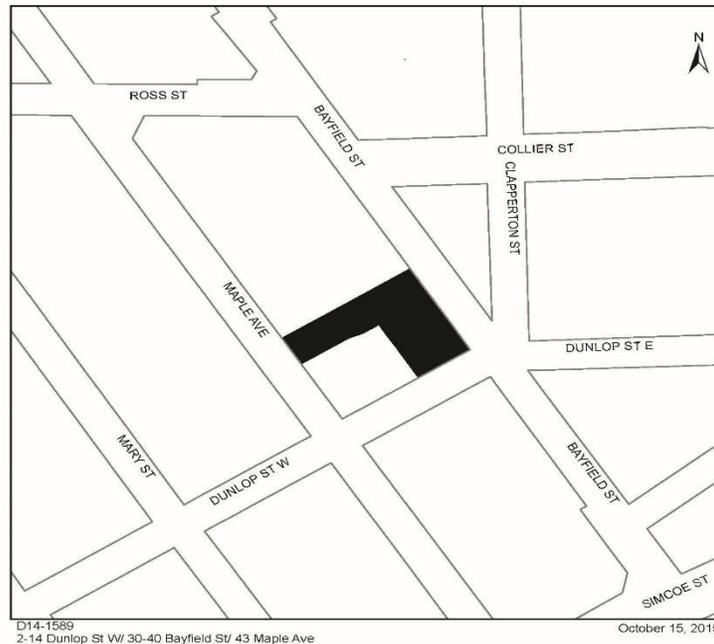
## **PURPOSE & BACKGROUND**

### Report Overview

9. The purpose of the Report is to report back to General Committee regarding the site specific special zoning provisions that would implement the proposed building and site design following the review of the site plan for the subject lands. See Appendix "C" of Staff Report PLN001-18 for the Architectural Renderings of the Proposed Building. The site plan approval associated with this redevelopment was "bumped up" for Council consideration and approval, and therefore this report seeks approval for the conditions of site plan approval.

### Location

10. The subject lands are located at the 5 Points, on the northwest corner of Bayfield Street and Dunlop Street West, extending to Maple Avenue. The municipal address of the lands include 2-14 Dunlop Street West, 40-43 Maple Avenue and 30-40 Bayfield Street.



### Background

11. Council on December 5, 2016, considered the recommendations made in staff report PLN024-16, **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)** and adopted Motion 16-G-277, attached as Appendix “D” to Staff Report PLN011-18. Council approved the Zoning By-law Amendment, but deferred the approval of the Zoning by-law until such time as the site and building design was approved and where the special zoning provisions were then finalized based on the approved design. The design was to be based on Building/Site Design Requirements and Provisions as identified in the previous staff report, PLN024-16 which are attached in Appendix “E” to Staff Report PLN001-18. Three zoning provisions that were acknowledged and recommended by staff and as contained in PLN024-16, included an increase in building height from 10 storeys to a maximum of 20 storeys, a decrease in the landscape buffer around the periphery of the site from 3m to 0m, and an increase in the allowable balcony protrusion into the required yard from 1.5m to 2.6m.
12. Motion 16-G-277 also provided for the “bump up” of the Site Plan Application for General Committee’s consideration and Council’s approval.
13. On November 23, 2015, Council adopted Motion 15-G-229, **SURPLUS OF 5 POINTS LANEWAY, 38 BAYFIELD STREET.**, which declared the east half of Maple Lane surplus to the City’s needs and directed Business Development staff to negotiate a conditional Purchase and Sale Agreement (P&SA) with the applicant. See Appendix “F” of Staff Report PLN001-18 for the portion of the laneway previously declared surplus. The P&SA was to be conditional upon the applicant receiving rezoning and site plan approval for its development proposal.

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## **ANALYSIS**

14. On August 29, 2017, the applicant submitted a site plan application. Since that time, the applicant and their consultants have worked collaboratively and cooperatively with City staff to achieve the recommended site and building urban design provisions to achieve a compatible and desirable built form that would form the basis of the site specific zoning by-law standards. The design provisions include, building stepping provisions which result in a podium and tower building design, ground floor commercial on the 3 street fronts and attractive building features which avoid blank walls.
15. The proposed redevelopment of the site is for a 20 storey mixed use development where the tower component is to occupy the east half of the site at Bayfield and Dunlop Streets, with the majority of the west half to be built with an above grade parking structure with a roof top patio. Commercial uses are proposed on the ground floor, fronting Bayfield and Dunlop Streets and Maple Avenue. There is one level of below grade parking, with 4 levels of above grade parking which occupies the west half of the site and internal to the tower portion of the building, behind the commercial and residential uses fronting onto the streets. Residential uses are proposed on floors 3 – 20 for a total of 208 residential units. A 1,000SF public square is proposed at the northwest corner of Dunlop and Bayfield Streets, to be dedicated to the City of Barrie. Above the public square and affixed to the building, the applicant is proposing public art displays and digital electronic advertising signage. See Appendix "C" to Staff Report PLN001-18 for architectural renderings.
16. Staff provide the following information as it relates to site and building design which addresses the "yet to be determined" zoning standards included in the 2016 approval, and Building/Site Design Requirements and Provisions as contained in Appendix "E" and forms the basis of site plan approval and conditions as set out in Appendix "B" to Staff Report PLN001-18. The draft site specific zoning by-law with special provisions is attached in Appendix "A" to Staff Report PLN001-18.

### Building Height and Design

17. Council approved motion 16-G-277 on December 5, 2016 that provided for the rezoning to allow for a 20 storey building on the east half of the site. At that time the building height was proposed at 61.55m. Through redesign of the building, the floor to floor height was increased in order to address a more desirable building façade such that it eliminated perimeter mechanical bulkheads. Also additional height was added in order to accommodate an additional parking deck which allowed for retail commercial space to be added to Maple Avenue. This has necessitated a final building height of 68.25m, however, the building remains at 20 storeys. The podium of the building includes structured parking.
18. The original building design considered by Council proposed a podium height of 17.4m within the first 5m of the property line where a podium height of 10m within the first 5 metres is required by Zoning By-law 2009-141. A portion of the building tower was also proposed within the first 5m. Through redesign, in efforts to facilitate ground floor commercial on all street fronts, and provide for the required parking for 208 residential units, the podium height is proposed higher than the required 10m by zoning by-law, however, was reduced to 15.6m from the original design with the addition of one level of underground parking. In addition, the tower component of the building is setback a minimum 5m from the property line in accordance with zoning standards.
19. The design criteria as contained in Appendix "E" to Staff Report PLN001-18 required commercial space on all street fronts, Dunlop (100%), Bayfield (50%) and Maple (36%). The design of the building has included commercial space on all street fronts and has achieved ground floor commercial coverage of 26%, where 50% is required by By-law. The initial design proposed 17% commercial on the ground floor with no commercial uses on Maple Avenue. The commercial

facades are proposed primarily with glass allowing exposure of the commercial uses onto the street fronts.

20. The lobby to the residential component of the development is located at grade and directly accessible to Bayfield Street. The lobby is proposed to be setback from the sidewalk so that it can be highlighted by under soffit lighting. It is also accentuated by an angular wall. The lobby is proposed to be transparent with signage for the residence to be clearly articulated at the pedestrian realm.
21. Blank building façade walls were to be avoided or addressed in an aesthetically pleasing manner. The initial design did propose a large blank wall along the full height of the west face of the tower component. This has now been addressed with the tower component being setback 1.5m from its initial location reducing the width of the concrete panel (blank wall). In addition, 1.5m of spandrel glass is proposed to wrap around the corner onto the west façade of the building further limiting the width of the concrete panel.
22. The development is proposing internal and external amenity space. An exterior roof top patio is proposed above the parking structure at Maple Avenue. The external landscape design includes planters and street trees in keeping with Dunlop and Bayfield streetscapes.

#### Parking

23. The proposal previously considered by Council had a shortfall of 9 parking spaces. Planning staff at that time identified that this shortfall was not supported. The revised proposal now satisfies the required parking of 1 parking space per residential unit for a total of 208 parking spaces.

#### Balcony Overhang

24. Balconies are proposed for the use of individual residential units. Floors 5-20 propose balconies that will overhang the dedicated public square at the northwest corner of Bayfield and Dunlop Streets. Efforts to minimize or eliminate the need for the overhanging balconies was explored, but the desire of the applicant and in achieving the overall urban design of the building, the balconies continue to be proposed. The balcony overhang was reviewed with staff from emergency and operations services and with Legal staff regarding liability and insurance purposes. There did not appear to be an impact on City operations. Legal staff consulted with the City's Insurance Company regarding risk. It was recommended that the applicant enter into an encroachment agreement with the City. The agreement would be transferred to the Condominium Corporation as well as to individual unit owners at a later date. Risk and liability would need to be assumed. This matter will be a condition of site plan approval.

#### Maple Lane

25. The remaining Building/Site Design Requirements and Provisions as identified in Appendix "E" to Staff Report PLN001-18, relate to Maple Lane and its ultimate function. Specifically to accommodate a turn-around to facilitate City maintenance vehicles without having to back up, access for local businesses and feasibility of providing a connection from Maple Avenue to Bayfield Street either internal or external to the building.
26. As stated earlier, the east half of Maple Lane was declared surplus, however development on the lane, is subject to site plan approval. Planning staff have worked with the applicant in an attempt to maintain through access from Maple Avenue to Bayfield Street for the general public given that the west half of Maple Lane continues to be a public right of way; also for local businesses utilizing the lane for delivery purposes without having to back up; and for City maintenance vehicles, ie. snow removal.

27. The final proposal by the applicant is a design where the ground floor of the building would accommodate one way thru access from Maple Avenue to Bayfield Street which aligns with the west half of Maple Lane (no elbow turn). The ground floor has been raised 1.0m to accommodate thru access of large service vehicles. Overhead vehicle garage doors with glazing at eye level are proposed at the façade of the building on Maple Lane as well as Bayfield Street that would be key fob operated. The applicant is proposing to limit vehicle and pedestrian traffic from Maple Avenue to Bayfield Street with the proposed garage doors. There is a gate proposed at Maple Avenue with an emergency push button to automatically open the overhead vehicular door should pedestrians find themselves along Maple Lane and in distress. The key fob would be provided to owners having property on the west side of Maple Lane and to City maintenance employees.
28. The applicant discussed the proposal with Juliette Reynolds, Barrie Police Constable, which discussion was followed up in an email. Constable Reynolds acknowledged that the occupancy of the proposed building would provide natural surveillance. Lighting of the laneway at night would provide additional crime prevention and she felt that closing off half the lane may serve to reduce illegitimate users. In a follow up discussion between staff and Constable Reynolds, lighting of the laneway at night would need to be dark sky compliant to be sympathetic to adjoining and proposed residential uses. In addition she supported the proposal of thru traffic in the building, but did identify that a turnaround or thru traffic without the use of a key fob was preferred given a fob could fail or run out of batteries.
29. Planning staff are not supportive of the applicant's proposal of closing off the public lane primarily due to public safety and potential entrapment at a dead end laneway. In addition, the west half of the laneway remains public and should be open to the public and not gated at Maple Avenue. A key fob could be misplaced or lost and requires batteries that are subject to failure
30. Planning staff acknowledge that Council has declared the east half of the laneway surplus, however, development on the lane is subject to zoning and site plan review and approval. Council also endorsed the Building/Site Design Requirements and Provisions in Appendix "E" which identified the need for a turn around. Staff's proposal is to maintain the laneway in a linear fashion as proposed by the applicant from Maple Avenue to Bayfield Street and allow the building to be built over the access. The proposed internal design of the ground floor could facilitate openings, rather than garage doors, to allow pedestrian and vehicular access through the building without public access to private areas within the building. The applicant has already proposed the height of the internal access to accommodate large vehicles. Given that the garage doors will be opening and closing for public access, maintaining an opening would be a unique design feature that could be utilized by the commercial uses with the possibility of additional store fronts onto the laneway. In this manner, there is no need for key fob use, restricting public access to Maple Lane or further review with a condominium corporation after the building is built and occupied. Staff have discussed this matter with the applicant, who understands staff is not in agreement with the restricted access design approach.

#### Section 37 - Bonusing

31. The City approved Section 37 community benefit requirements for this development and has accepted the availability of 9 residential units, at affordable rental rates for a period of 20 years and the dedication of a public square at the northwest corner of Bayfield and Dunlop Streets.
32. As a condition of site plan approval, the applicant will be required to enter into an agreement with the City stipulating that 9 of the residential units must be owned by the applicant and that the 9 units will be made available at affordable rental rates for a period of 20 years. In order to monitor

this, the applicant will be required to provide proof of ownership and of rental rates on a yearly basis.

33. The public square is to be dedicated to the City, over and above parkland contributions. The square is approximately 1,000SF and will be furnished by contribution from the applicant in the amount of \$10,000. The applicant has proposed furnishings in the form of benches and planters for the space. Staff are proposing that the finalization of this item will be included as a condition of site plan approval to the satisfaction of the Parks Planning Department.

Electronic/Digital Signage

34. As part of the applicant's development proposal, public art display and electronic/digital advertising signage (digital signage) are proposed to be affixed to the building, above the public square. The art and signage are proposed on the south and west building face, to occupy 3 storeys in height, floors 2-5 at an approximate height of 10-11m from ground level. The digital signage is identified above the public art, the width of the area at a height of approximately 2m. See architectural renderings attached in Appendix "C" to Staff Report PLN001-18.
35. Staff are supportive of the display of public art that is coordinated with the Public Art Committee. However, staff have concerns with the electronic/digital signage, given the urban design aesthetics, public and traffic safety due to the sightlines of the digital signage at a signalized intersection, and conformity with the Sign By-law 2005-093 as amended. The applicant has submitted a request to Enforcement Services for an exemption to the Sign By-law to permit the placement of a wall sign containing electronic/digital advertising in addition to advertising goods, products and services (Third Party) not available at that location, as opposed to a ground/post sign. The applicant also noted in his request that only one direction of traffic (westbound on Dunlop Street) would be impacted. Information was submitted by the applicant, prepared by ABA Architects Inc., showing the traffic flow and sightlines related to the signalized intersection.
36. Enforcement Services staff have reviewed the exemption request in accordance with Sign By-law 2005-093 as amended which regulates signage throughout the municipality. It specifically regulates electronic advertising devices as follows:

No person shall erect or cause or allow to be erected on any lands or premises any of the following types of signs:

- a) signs which include flashing illumination which varies in intensity or in colour and signs which have any visible moving parts or visible mechanical movement of any description, with the exception of signs which indicate time or temperature, provided that such sign is not prohibited by any other provisions of this section; or
- b) signs which, by reason of size, location, or illumination, obstruct the vision of drivers or pedestrians, or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on public streets and roads or which are located in a sight triangle.

Amendments to the Sign By-law were recently approved by City Council on February 26, 2018 (By-law to be considered by City Council on March 26, 2018). However the amendments to the By-law would continue to prohibited signage of this nature.

37. In addition, the advertising of goods, products or services not found at the location for which the sign is placed is prohibited within Wall Signs. The request by the applicant would not be within keeping with the intent of the by-law. Enforcement Services staff are not recommending approval of the exemptions to the Sign By-law requested by the applicant.

38. Traffic Services staff have reviewed the information provided for the digital signage from an operational and safety perspective and conclude that they are unable to support the east facing digital signage as it is directly within the line of vision/sight of the traffic control signal head. Signage containing flashing / scrolling illuminated information could cause conflict with the colour of the traffic signal and could draw attention away from vehicle drivers. In addition Traffic Services staff could not comment or verify that the digital signage lighting would be dark sky compliant as light pollution is measured on the ground (parking lot areas) for light spillage impact at the pedestrian/vehicular level
39. Staff are in support of the proposed public art displays which are appropriate for the 5 Points intersection as it is representative of Barrie's past and culture and would contribute to the intersection's prominence in the City. In addition, stationary public art is considered to be "in keeping" with the City's Downtown Commercial Master Plan where the 5 Points is the joining and juncture of neighbourhood districts including Cultural, Arrival, Entertainment and Main Shopping. The proposed public square could become a gathering place and allow for public viewing of the public art display.
40. Planning Services staff appreciate the applicant's proposal to animate the 5 Points and the proposed public square with the display of digital advertising signage; however electronic advertising requires a level of oversight that the City is not currently equipped to manage.
41. Staff are not recommending the placement of a digital display/electronic message board advertising device at this intersection as it may create potential traffic hazards as it will be visible to all directions of vehicular and pedestrian traffic.
42. Planning staff agree with the concerns of other departments as it relates to public traffic safety, the lack of control on the content of advertising, the duration and timing, as well as the colouring and contrasting of the advertising.
43. For the reasons above staff support the display of public art but not the electronic digital advertising signage and therefore are not recommending the exemption to the Sign By-law to allow the signage.

#### **ENVIRONMENTAL MATTERS**

44. There are no environmental matters related to the recommendation.

#### **ALTERNATIVES**

45. There are four alternatives available for consideration by General Committee:

Alternative #1 General Committee could accept the proposal by the applicant for restricting public use of Maple Lane by way of gate and utilization of a key fob to open the gate and open and close garage doors leading one way through the building from Maple Lane to Bayfield Street.

This alternative is not recommended due to concern for public safety and potential entrapment at a dead end laneway. The west half of the laneway remains public and should be open to the public. Public access through the building requires fob operation which needs to be provided to those owners/tenants that will utilize the laneway through to Bayfield Street, City employees, where such fob requires batteries and can be subject to failure. In addition this development will be transferred to a condominium corporation who is not involved in this approval process and

owners/tenants are subject to change over time. The proposal by staff would maintain a unique connection from Maple Lane to Bayfield Street while being sensitive to the building design in protecting internal private areas from public use.

Alternative #2

General Committee could approve the Zoning By-law Amendment application without requiring the specific aspects related to building design contained in Appendix "B".

This alternative is not recommended as the building and site design aspects form the basis of the site specific zoning standards that would realize the ultimate design of the building and provide assurance that the building would conform to the approved Site Plan.

Alternative #3

General Committee could permit the permanent exemption from the Sign By-law to allow the digital electronic advertising device as requested by the Developer or partially requested by the Developer (south facing only).

This alternative is not recommended given the concerns regarding public traffic safety, lack of control over the nature, content, duration and colour of the advertising and from an aesthetic urban design perspective. Should General Committee recommend the exemption to the sign by-law to allow the digital signage, General Committee should consider the following restrictions associated with such approval and may require a separate report on the matter:

- a) Advertising shall be restricted to 1 static/motionless advertisement at a time;
- b) Advertisements will have a minimum dwell time (time on ad) of 8 seconds and an average transition time (time to change ad) of 1 second, which would not be considered "flashing illumination";
- c) The intensity of an illumination of the digital display/electronic message board shall be maintained at a constant level and depict only static images that do not contain any motion, animation, flashing or scrolling. As if the images are motionless, it means that the illumination will not vary in intensity or colour;
- d) The intensity of an illumination of the digital display/electronic message board shall not exceed 6,000 nits during the period between sunrise and sunset and further shall not exceed 500 nits during the period between sunset and sunrise, as provided by industry standards and may be amended from time to time;
- e) The digital display/electronic message board shall be equipped with functioning automatic dimming technology which will automatically adjust the intensity of the illumination in a direct correlation with the ambient light conditions;
- f) Third party advertising shall be restricted to business services or events located in the Downtown Business Improvement Area only.

**Alternative #4**

General Committee could require the removal of the overhang balconies over the public square given risk and liability issues over future public lands.

This alternative is available but not recommended as the balconies overhanging the future public square do not appear to pose City operational issues, are a building urban design feature and would be an enjoyable amenity feature for future occupants.

**FINANCIAL**

46. There are no financial implications for the Corporation resulting from the proposed recommendation.

**LINKAGE TO 2014-2018 STRATEGIC PLAN**

47. The recommendation(s) included in this Staff Report support the following goals identified in the 2014-2018 Strategic Plan:

Inclusive Community

48. 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" – Proposed Zoning By-law  
Appendix "B" – Conditions of Site Plan Approval  
Appendix "C" – Architectural Renderings of the Proposed Building  
Appendix "D" – Motion 16-G-277  
Appendix "E" – Site Specific Zoning By-law Standards and Site/Building Requirements and Provisions  
Appendix "F" – Portion of Maple Lane Declared Surplus

APPENDIX "A"

Proposed Zoning By-law



Bill No.XXX

BY-LAW NUMBER 2018-XXX

**A By-law of The Corporation of the City of Barrie to amend By-law 2009-141, a land use control by-law to regulate the use of land, and the erection, use, bulk, height, location and spacing of buildings and structures in the City of Barrie.**

**WHEREAS** the Council of The Corporation of the City of Barrie deems it expedient to amend By-law 2009-141 to permit a residential development on lands being Lots 7, 8 and 20, Plan 115, City of Barrie and municipally known as 2-14 Dunlop Street West, 30-40 Bayfield Street, 43-45 Maple Avenue, Barrie;

**AND WHEREAS** the Council of The Corporation of the City of Barrie adopted Motion 18-G-XXX.

**NOW THEREFORE** the Council of The Corporation of the City of Barrie enacts the following:

**THAT** the zoning map is amended to change the zoning of as 2-14 Dunlop Street West, 30-40 Bayfield Street, 43-45 Maple Avenue Central Area Commercial (C1-1) to Central Area Commercial with Special Provisions (C1-1) (SP) in accordance with Schedule "A" attached to this By-law being a portion of the zoning map.

**THAT** notwithstanding the provisions set out in Section 6.3.1 of By-law 2009-141, the Special Provisions shall include:

- a) An increased building height for the east half of the parcel from 30 metres to 68.25 metres;
- b) An increase in building height within 5m of the front lot line and flankage from 10 metres to 15.6 metres
- c) A decrease in the minimum commercial coverage from 50% to 26%;
- d) A decrease in the minimum landscape buffer from 3 metres to 0 metres;
- e) An increase of the minimum balcony setback from 1.5m into the required yard to 2.6m into the required yard;

**THAT** in accordance with Section 37 of the Planning Act the following bonusing provisions shall apply to the subject lands:



- 
- a) 9 residential units to be available at affordable rental rates for a period of 20 years;
  - b) The dedication of 1,000SF of land to the City of Barrie, located on the northwest corner of Bayfield and Dunlop Streets, to be utilized as a public square; and that \$10,000 be provided for public programming of the space.

**THAT** the remaining provisions of By-law 2009-141, applicable to the above described lands as shown in Schedule "A" to this By-law shall apply to the said lands.

**THAT** this By-law shall come into force and effect immediately upon the final passing thereof.

**READ** a first and second time this day of March , 2018

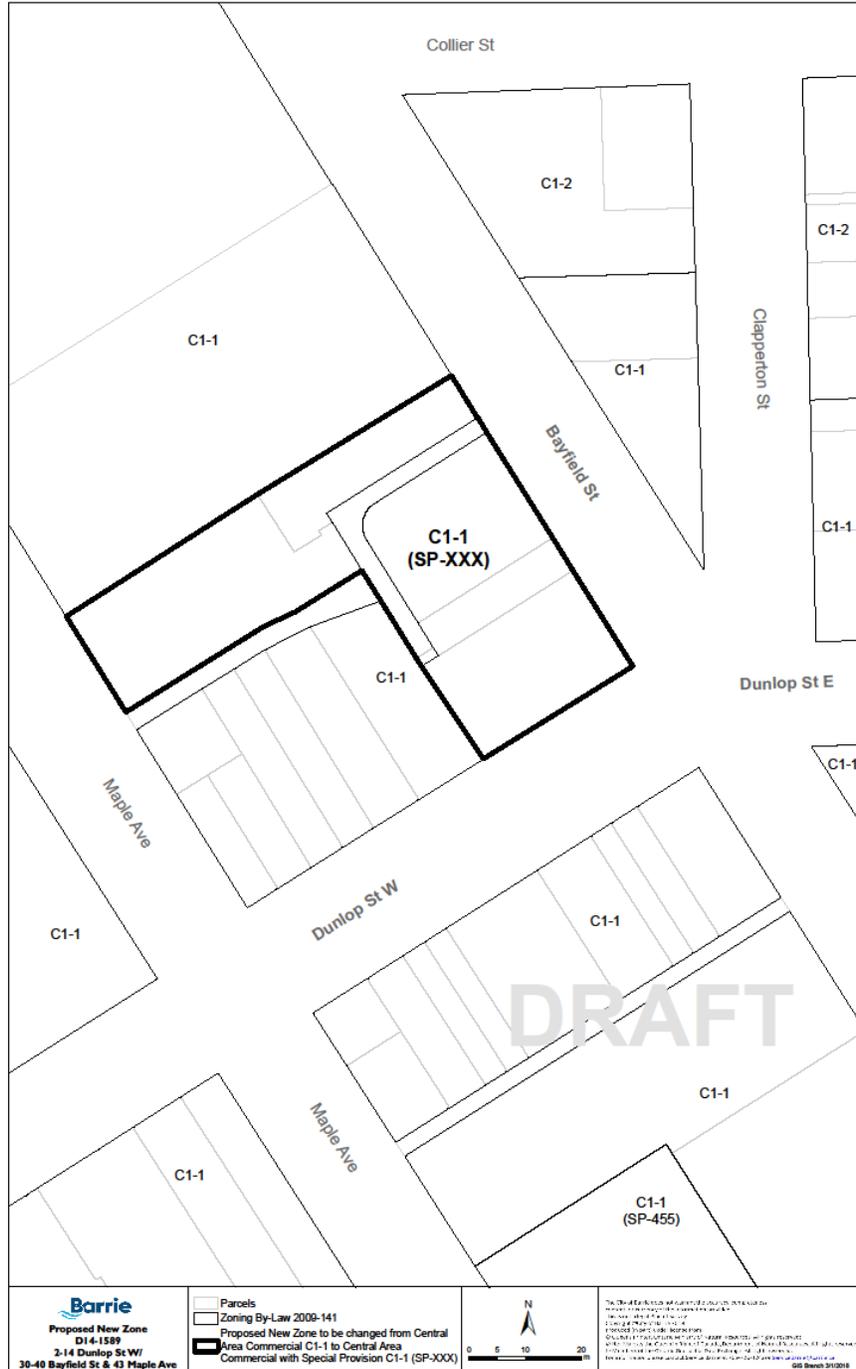
**READ** a third time and finally passed this day of March , 2018.

**THE CORPORATION OF THE CITY OF BARRIE**

\_\_\_\_\_  
**MAYOR – J. R. LEHMAN**

\_\_\_\_\_  
**CITY CLERK – WENDY COOKE**

Schedule A – Zoning Map



APPENDIX "B"

Conditions of Site Plan Approval

**SITE PLAN CONTROL REQUIREMENTS FOR PROCESSING**

Section 41(13) b of *The Planning Act* allows Council to delegate by By-law Council's authority to approve site plans to an appointed officer of the Municipality.

Council By-law 99-312, as amended, has delegated Site Plan Approval authority to the Director of Planning Services, Manager of Development Control and Manager of Policy Planning. This authority permits the appointed officer(s) to recommend that the City Clerk prepare site plan agreements for execution and registration on title.

The appointed officer hereby grants Preliminary Approval to Site Plan Application File **D11-022-2017** located at *2-14 Dunlop Street West, 40-43 Maple Avenue, 30-40 Bayfield Street* on lands owned by Advance Tech Developments upon registration of the development agreement for the above noted property to be prepared and completed in accordance with the following requirements:

This approval shall relate to the following plans as amended, if necessary:

	<u>Designer/Architect</u>	<u>Plan No.</u>	<u>Date/Rev.</u>
a) Site Plan	Aba Architects Inc.	SPA.01, APS.02, SPA.03, SPA.04	Aug. 25, 2017, Rev 1
b) Building Elevations	Aba Architects Inc.	SPA.05 & SPA.06	Aug. 25, 2017 Rev. 1
c) Landscape Plans/Details	Seferia Design Group	L2, L3, L4 L5	Dec. 22, 2017, Rev. 2
d) Site Servicing	Pinestone Engineering Ltd.	SERV-1	August 2017
e) Site Grading	Pinestone Engineering Ltd.	GP-1	August 2017
f) Existing Conditions Plan and Site Alteration Plan	Pinestone Engineering Ltd.	EX-1 & SA-1	August 2017
g) Construction Notes	Pinestone Engineering Ltd.	DET-1	August 2017
h) Erosion Control Plan	Pinestone Engineering Ltd.	ESC-1 & ESC-2	Aug. 8, 2017, Rev. 1
i) Electrical Plans	DEI & Assoc. Inc.	ESL1, ESL2, ESL3, ESL4, ESL5	Dec. 15, 2017, Rev. 2

A conditional permit under Subsection 8(3) of the *Building Code Act* may be considered on its individual merits prior to the registration of a development agreement provided that in addition to the requirements under the Ontario Building Code the owner shall:

- agree in writing to satisfactorily address all conditions listed below;
- provide all required securities;
- provide all required administration fees, payment of costs associated with the preparation of a development agreement;
- provide a clearance letter or permit from the applicable conservation authority if required;
- comply with zoning by-law requirements;
- pay all applicable fees (i.e. building permit, cash in lieu of parkland, City of Barrie Act, development charges).

### Revisions

- A. That the site plan be revised:
- i) To remove the gate at Maple Avenue.
  - ii) That appropriate signage be included for one way traffic from Maple Avenue to Bayfield Street.
  - iii) That the vehicular overhead garage doors at Maple Lane and Bayfield Street be removed.
  - iv) That the Construction Staging Plan include a legend and the proposed lane reconfiguration.
  - v) That the digital electronic signage be removed and the building design revised.
  - vi) Pavement markings for parking stalls shall be painted white and conform to OPSS 1712.
  - vii) Label all curb cuts.
  - viii) A painted radius must be identified for the first parking stall as vehicles maneuver from the ramp into each parking level.
  - ix) Hatch out all “dead space” adjacent to parking stalls to notify drivers this is not a parking space. Hatching should be provided adjacent to all doorways to notify drivers, pedestrians may be present.
  - x) A hammerhead is recommended on Drawings SPA 02 and SPA 03, adjacent to parking stalls 38 and 36, respectively.

### Engineering

- B. The Owner/Applicant (Owner) shall coordinate with the Infrastructure Planning and Design and Construction divisions of the City's Engineering Department to ensure that the proposed streetscape design is in keeping with the City's proposed design for the Dunlop Street East corridor between Toronto Street and Mulcaster Street which is currently in the Design stage for overall corridor Improvements.
- C. The Owner will be required to provide a detailed Stormwater Management (SWM) Report (signed and stamped by a licensed Professional Engineer, complete with electronic files) that effectively

addresses stormwater management and the impact this development may have on the receiving system with respect to quality and quantity control. The report shall address the following stormwater management requirements including, but not limited to, accommodation and conveyance of external stormwater drainage, controlling the post development stormwater flow to pre-development levels for all storm events, and providing quality control(s). The report shall also address emergency overland flow and demonstrate that there will be no flooding and negative impacts to properties adjacent and immediately downstream of the development due to the land use change. The consultant will also be required to obtain, if necessary, MOE approvals for the implementation of any stormwater management works on-site, all to the satisfaction of the Engineering Department.

- D. The Owner will be required to provide a geotechnical/hydrogeological investigation letter/report in support of this development. The report must address groundwater levels and any impact those levels may have on the proposed building foundation and recommendations for pavement structures (i.e. light, medium and heavy duty).
- E. The Owner will be fully responsible for locating all existing services (water and sanitary) and permanently capping/cutting off at the main for those laterals that are not utilized for the proposed development, all to the satisfaction of the Water Operations and the Engineering Department.
- F. The Owner will be required to provide an up-to-date topographic survey of the existing site conditions. The survey shall include features and grading information for a minimum of 10 m within adjoining properties, to the centerline (and/or to the opposite side where entrances exist) of municipal roadway(s) and the construction limit. Engineering surveys must be tied into the Ontario Horizontal Control Survey Network (Cosine) in accordance with Ontario specifications, guidelines and regulations under The Surveys Act (OS 79). In that regard, all plans shall be provided in an AutoCAD compatible digital form and refer to the Horizontal Control Survey UTM (Zone 17) NAD 83.
- G. The Owner will be required to ensure that any existing on site wells, boreholes equipped with piezometers and septic systems, if there are any, are decommissioned in accordance with current Ministry of the Environment guidelines (O. Reg. 903). Specific notes regarding this shall be identified on the design drawings.
- H. The Owner will be required to provide the following drawings as applicable, in accordance with the City of Barrie's Site Plan Application Manual and Urban Design Manual:
  - i) Separate site servicing drawing;
  - ii) Separate site grading drawing. The drawing should demonstrate how the proposed grading works at the municipal boulevard meet the current City of Barrie Standards;
  - iii) Separate sediment and erosion control drawing in accordance with the current Site Alteration By-law;
  - iv) Separate storm drainage catchment drawing (identify/accommodate any external drainage) and associated sewer design sheets;
  - v) Separate signage and pavement marking drawing in accordance with the Ontario Traffic Manuals. This drawing shall be detailed for use by the paint marking and signage contractor and shall include a legend, details, dimensions and material specifications;
  - vi) Separate standard detail drawing identifying all the current provincial and municipal standards applicable to the design;

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- vii) Separate general notes drawing identifying all the applicable notes relating to the proposed servicing and grading works;
  - viii) Separate removal plan clearly identifying the existing surface and/or underground infrastructures to be removed; and
  - ix) All existing driveway entrances to the subject property as well as existing access and driveway entrances of adjacent properties, including those of the properties on the opposite side of the road to the subject site, to be shown on drawings.
- I. The Owner will be required to retain an experienced civil consulting engineer to provide the design, inspection, and certification of the installation of water and sanitary servicing for the proposed development all to an appropriate connection/outlet. Detailed water servicing requirements are available through the Engineering Department.
  - J. The Owner will be required to retain an experienced civil consulting engineer to provide the design, inspection, and certification of the installation of the storm servicing works including parking lot construction and grading, all to the satisfaction of the Engineering Department.
  - K. The water distribution system within the limits of this site plan is privately owned and shall be maintained by the owner, and any hydrant installed on-site shall be deemed privately owned. All hydrants have to be maintained as per fire code/insurance requirements.
  - L. The Owner will be responsible for obtaining a Right-of-Way Activity Permit prior to the commencement of work on the municipal right-of-way.
  - M. That the drawings be revised as necessary to reflect the Digital Data Control Requirements. That the drawings be processed in digital format using UTM (Zone 17) NAD83 datum (76 adjustments).
  - N. That the site servicing drawing identify all existing water services that front the development (Bayfield St, Dunlop St, and Maple Ave) and these services will need to be abandoned by developer by cutting off at w/m location.
  - O. That the proposed 150mm domestic service will require a 150mm water meter, supplied & installed by the developer, c/w bypass assembly as per BSD-533. The domestic and fire service risers entering the building are to be built as per BSD-505.
  - P. That the water meter be the same size as the domestic service size, and backflow prevention will be required on both domestic and fire services as per City of Barrie by-law 2010-102.
  - Q. That the Owner agree and understand that all site lighting shall be arranged to deflect light away from adjoining properties and adjoining streets, and which will require full cut-off fixtures for exterior parking lot lighting and fully shielded fixtures for wall mounted exterior lighting. Shielded shall mean that 100% of the lumens emitted from the light fixture are projected below an imaginary horizontal plane passing through the highest point on the fixture from which light is emitted; all to the satisfaction of the Engineering Department.
  - R. The Owner will be required to receive a Right of Way Activity permit for sanitary sewer, storm sewer and entrance and boulevard works. Water service connection fees are to be collected at time of Right of Way Activity Permit issuance. The Site Plan Applicant will be responsible for all asphalt degradation charges as result of any asphalt removals within the municipal right of way.

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Environmental Operations

*Environmental Compliance*

- S. Appropriate Erosion and Sediment Control devices are to be implemented and inspected on a regular basis, as well as, after every rain event and must be repaired as necessary to prevent any off-site environmental impacts (*City of Barrie Site Alteration By-law 2014-100*);
- T. A property line maintenance hole and/or sampling port is required on the property, if institutional or commercial facilities are present, for the purpose of collecting discreet sanitary sewer samples from the facility (*City of Barrie Sewer Use By-law 2012-172*).
- U. Fill received at the Site must be managed in accordance with *City of Barrie Site Alteration By-law 2014-100*, notwithstanding all other applicable regulations;
- V. In the event excess fill is to be removed and taken to a receiving site, written documentation is required confirming that the fill quantity and quality is acceptable for the receiving site. Confirmatory sample results are required demonstrating that the fill quality meets the standards set out in the Soil, Groundwater and Sediment Standards referenced in O. Reg 153/04, with respect to all contaminants in the fill.
- W. When disinfecting new water lines, the discharge of super chlorinated water must be treated to completely eliminate any sources of chlorine prior to discharging to the natural environment. Sampling verification must be completed and recorded to ensure no residual chlorine is detected. Record must be retained for one year and provided to the City upon request;
- X. A spill clean-up plan must be in place and all spills shall be reported to the Ministry of Environment and Climate Change Spills Action Centre at 1-800-268-6060.
- Y. If construction dewatering is required a Discharge Agreement must be approved by Environmental Services prior to any discharge to the storm OR sanitary sewer (as per Sewer Use By-law 2012-172). Please provide details pertaining to the Dewatering Sampling Program as well as a complete Dewatering Plan including but not limited to:
  - i. Daily volumes;
  - ii. Discharge locations (storm/sanitary);
  - iii. Duration;
  - iv. Water quality analysis and treatment methods to ensure compliance with Sewer Use By-law 2012-172 and Provincial Water Quality Objectives (PWQO); and
  - v. Copy of a valid Ministry of Environment and Climate Change Approvals, as applicable (ex. EASR or PTTW).

*Waste Reduction*

- Z. This property has made provisions for an internal waste enclosure and could be eligible for municipal waste collection services provided the enclosure is designed to store waste according to each collection type (Council Motion 15-G-233):
  - i. a front end garbage bin with a capacity of one cubic yard per ten (10) residential units (1 compacted yard is equal to three (3) loose yards);
  - ii. rollout recycling carts, one 95 gallon cart for every seven (7) units; and
  - iii. rollout organics carts, one 120 litre cart for every twenty (20) residential units.

- AA. Internal garbage rooms require that the recycling and organics carts as well as any front end bin(s) used for garbage are rolled out and placed in an area suitable for collection that has been approved by the City of Barrie and the Collection Contractor on a designated collection day;
- BB. The internal roadway must be designed to permit continuous collection without reversing.
- CC. The internal roadway must be designed to have the required widths, turning radius, means of access and means of egress required for the waste collection vehicles, and appropriate overhead clearance. Waste collection vehicles require approximately 18 feet of clearance in order for a front end bin to be lifted and emptied;
- DD. The site demonstrates that residential and commercial waste (mixed use) will not be combined in the same containers, which helps ensure eligibility for the multi-residential front end bin garbage service;
- EE. The proposed location for an internal and/or external waste enclosure must be accessible to all residents/occupants and cannot hinder residents/occupants from participating in Recycling and Organics diversion programs;
- FF. It appears that the development is designed with a tri-sorter system for separating garbage, recycling, and organic material. The City of Barrie utilizes a two-stream recycling program where plastics and paper fibre material must be kept separate.
- GG. Residents of the building would require access to the garbage room (or somewhere similar) to dispose of paper/fibre materials using 95 gal collection carts (1 cart per 7 residential units) as this cannot be combined with the containers stream using the tri-sorter.

#### Parks

- HH. That the Owner agree and coordinate with the City the removal and transplanting of all City owned existing vegetation and site furnishings either in the spring (April) or fall (October) to ensure its survival, as per the current Lease Agreement.
- II. That all existing and proposed Light Standards and Hydro Poles be clearly shown on all drawings. That all streetscape utilities and signs be checked to ensure no conflict occurs with proposed streetscape elements.
- JJ. That the property line shown on the drawing be adjusted to show the future municipal ownership of the Public Square.
- KK. That a minimum of 1.5 metres of sidewalk be located fully on municipal property on Bayfield Street and be a minimum total of 2.2 metres wide continuous concrete route be provided to the 5-points intersection. That dimensions be provided for paver band widths. That the sidewalk design meet and match existing outer paverstone banding widths on Bayfield Street.
- LL. That all proposed streetscape furniture and sidewalk standards meet existing Dunlop Street streetscape standards.
- MM. That the Owner coordinate to the satisfaction of the Parks Planning staff, the final programming and/or furnishing for the public square and that the cost of such programming will be in the amount of \$10,000 in accordance with approved Section 37 of the Planning Act, community benefit contributions.

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- NN. That Street Trees be provided in existing tree vault locations occurring on the Dunlop Street boulevard in front of the property as per the existing streetscape standard at the time of construction. That consideration be given to adding building foundation tree planters against the superhuman scale of the front façade of the building against Bayfield Street in order to bring a more human scale to the streetscape and to add a vertical element to the streetscape.
- OO. The owner will be required to retain a qualified Landscape Architect (and Arborist as applicable) to provide the design, inspection and certification of all landscape works, all to the satisfaction of the Parks Planning Section.
- PP. That the landscape plans be amended, as required, to reflect recommended revisions concerning landscape areas, treatments, planting densities, screening/fencing, outdoor amenity spaces, site furnishings and pedestrian linkages, in accordance with the City of Barrie Urban Design Manual, all to the satisfaction of the Parks Planning Section.

#### Traffic Services

- QQ. The Traffic Impact Study (TIS) previously submitted requires updating to include/re-assess the following intersections:
- i) Dunlop Street and Maple;
  - ii) Dunlop Street and Bayfield Street;
- RR. The Owner be responsible for the removal and salvage of City infrastructure including but not limited to roadway and parking lot illumination, pay & display machine, parking metres, parking lot signage, etc. The Owner/Applicant shall coordinate the removal with the appropriate City Staff.
- SS. The Owner be responsible for maintaining the existing roadway lighting levels adjacent to the proposed site. In the event that the existing roadway illumination is to be removed or altered in any way due to construction, the owner/applicant is responsible to provide temporary illumination to meet pre-existing conditions.
- TT. That the Owner be responsible to provide correspondence to adjacent land owners regarding the temporary closure of the laneway as it may disrupt their delivery services. Traffic Operations has concerns regarding Dunlop Street being used to facilitate deliveries, as it could negatively impact the operation of the roadway.
- UU. The closure of on-street paid parking stalls would require the payment of \$5.50 per stall per day for the duration of the work.
- VV. That the Owner clearly identify on the site plan that adequate stopping sight distance has been provided using the applicable design speed for all proposed access connections and verify that all sight lines are free of potential obstructions such as buildings, parking, signs or vegetation.
- WW. That the Owner provide a drawing that clearly identify on the site plan all proposed pavement markings and traffic signs. All pavement markings and traffic signs shall conform to the Ontario Traffic Manuals.
- XX. That a turning template be provided for the waste collection.
- YY. The photometric plan must be extended to show the lighting levels on the roadway to ensure the levels are in compliance with IES RP-8 and City of Barre standards.
- ZZ. Clarification is required for the 5<sup>th</sup> floor outdoor terrace to ensure it will be shielded by an exterior wall which will prevent light spillage.

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Transit

AAA. That a fully accessible boarding and alighting zone be provided for specialized transit services, adjacent to the main entrance or an alternate accessible entrance.

Alectra Utilities Corporation

BBB. That the owner complies with all requirements of Alectra Utilities Corporation as related to electrical servicing for the development, as stated in their "Conditions of Service" document.

Bell Canada

CCC. The owner shall agree to grant Bell Canada, any easements that may be required, which may include a blanket easement, for communication/telecommunication infrastructure. In the event of any conflict with existing Bell Canada facilities or easements, the owner shall be responsible for the relocation of such facilities or easements.

Financial

DDD. That the owner pay the required cash deposits, securities and administration fees associated with site plan development for the following:

- i) Letters of credit in the approved format and in accordance with Council Policy 07-G-016 for appropriate works (such as drainage, servicing, grading and landscaping) within the boundaries of the site plan, equal to 50% of the value of those works (to a maximum of \$500,000 and a minimum of \$10,000) to the satisfaction of the Engineering Department;
- ii) Letters of credit in the approved format and in accordance with Council Policy 07-G-016 for municipal works (such as roads and servicing) outside of the site plan boundary, equal to 100% of the value of works to the satisfaction of the Engineering Department;
- iii) Proof of the owner's general comprehensive liability insurance policy in the amount of \$5,000,000 naming the City of Barrie as an additional insured;
- iv) Administration fees for the review and inspection of site servicing and landscaping works equal to 5% of the estimated cost of site servicing (minimum \$1,000) and 5% for landscaping (minimum \$500) plus applicable taxes;
- v) Any water service charges arising out of, or attributable to the development of the site plan including tapping fee and water meter payment;
- vi) Cash deposit for road cleanup associated with the site construction (\$2,000 refundable deposit made payable to the City of Barrie);
- vii) A retainer in the amount of \$4,000 payable to Legal Services Department, City of Barrie, for legal and administration fees associated with the preparation and registration of the site plan agreement (additional fees may be required);
- viii) Administration fees of \$1,875 associated with the City of Barrie Planning and Building Services Department.
- ix) That the Owner pay cash-in-lieu of Parkland Dedication.

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Planning and Building

- EEE. That the Owner enter into an agreement to secure community benefits in accordance with Section 37 Bonus provisions. The agreement will include:
- i) Dedication of approximately 1,000 SF of land at the northwest corner of Bayfield Street and Dunlop Street to the City, free and clear of all encumbrances, to be utilized as a public square, together with the provision of \$10,000 for public square programming/furnishings.
  - ii) The availability of 9 residential rental units, at affordable rental rates as identified in Official Plan policy 3.3.2.2 a), Affordable Housing, for a period of 20 years.
- FFF. That the Owner enter into an encroachment agreement with the City to allow balcony overhang over City property to the satisfaction of the Legal Services Department.
- GGG. That the Owner acknowledge City By-law 2008-212, Snow Clearing, and the owner's obligation for winter maintenance.
- HHH. That the Owner agree and will be responsible, and at their costs, for the burying of the overhead hydro lines located on Bayfield Street.
- III. That the Owner acknowledge that the proposed height of the building will interrupt the communication connectivity from City Hall to the City's Operation Centre, and as such the owner will be responsible for costs associated with the remediation of re-establishing the communication.
- JJJ. That the Owner agree that all displays of public art shall receive prior approval from the City's Public Art Committee.
- KKK. That the owner be exempt from subsection 9(2) of the Condominium Act and the provisions of Section 51, 51.1 and 51.2 of the Planning Act and that the conditions of Site Plan Approval shall serve as conditions for the proposed condominium development subject to:
- i) All associated costs for processing the condominium review and agreement preparation and registration shall be borne by the owner/applicant;
  - ii) That the Director of Legal Services be satisfied with the Condominium Disclosure Package (declaration and description) prior to condominium registration with all legal and associated fees to be borne by the owner/applicant.
- LLL. That the Owner agree that the construction of the building(s) shall be in conformance with the approved, registered site plans as it relates to the building design, construction materials and quality.
- MMM. That all sign locations be identified on the plans and details be provided and be in compliance with the City of Barrie Sign By-law 2005-093.
- NNN. That the Owner and/or his agent ensure that all plans are consistent throughout.
- OOO. That the plans conform to all provisions of the City's Comprehensive Zoning By-law or approval by the Committee of Adjustment for any variances be granted.
- PPP. That the Owner be responsible for obtaining the necessary approvals from any other applicable agency, if and as may be required.

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- QQQ. That the fire access route conforms to the Ontario Building Code and that the owner enters into a fire route agreement, if required.
- RRR. That the Owner agree and understand that all garbage and recycling containers are to be kept inside the building(s) in an appropriate garbage room or externally within an enclosure (fully enclosed with roof and roll up door) constructed of materials similar to that of the main building and screened from public view, otherwise the City shall act as the owner's agent and will have the containers removed at the owner's expense.
- SSS. That all roof top mechanical devices be identified on the plans and shall be screened from public view by way of roof top location or by way of a parapet building extension to the satisfaction of the Planning and Building Services Department.
- TTT. That prior to the registration of the Site Plan Agreement, the applicant shall provide written confirmation that all conditions of Alectra Utilities Corporation, the Parks Planning & Development Section, Engineering, Fire Services, and the Planning and Building Services Department have been completed to their satisfaction.
- UUU. That the final plans (4 complete plan sets and 3 engineering plan sets) be approved by the appointed officer and attached as schedules to the Site Plan Agreement. All final plans are to be stamped and signed by the associated professional consultant and a digital copy (high quality PDF without security settings) is to be provided prior to registration of the Site Plan Agreement.
- VVV. The Site Plan Control Requirements shall remain in effect for a period of two (2) years from the date referenced below following which a subsequent application may be required.
- WWW. That if a building permit is not issued within three (3) years of this approval, this Certificate of Preliminary Approval shall become null and void.





APPENDIX "D"

Motion 16-G-277



City of Barrie

70 Collier Street (Box 400)  
Barrie, ON L4M 4T5

Direction Memos

City Council

December 5, 2016

16-G-277 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)

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 Staff 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 PLN024-16: 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 Historic 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.

APPENDIX "E"

Site Specific Zoning By-Law Standards and Site/Building 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)

ZONING BY-LAW STANDARDS

STANDARDS	COMPREHENSIVE BY-LAW REQUIREMENTS (AS PER 2009-141)	RECOMMENDED AS PER INITIAL STAFF REPORT PLN024-16
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)</b> <b>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.

