

Site Specific Modifications to the RM1 (Low to Medium Density Multiple Residential Zone)			
Regulation	Required	Modification	Analysis
6.6.2 Encroachments into Yards - Canopies	A canopy, cornice, eave, or gutter may project: i) into a required front yard not more than 1.5 metres provided that no such projection shall be closer to a street line than 1.5 metres; ii) into a required rear yard not more than 1.5 metres; or iii) into a required side yard not more than one-half of its width, or 1.0 metres, whichever is lesser.	A canopy may project: (i) into a front yard not more than 1.0 metres provided that no such projection be closer to a street line than 0.3 metres; and, (ii) into the required easterly side yard not more than 0.85 metres provided that no such projection shall be closer to a street line than 0.05 metres.	These townhouse dwellings have been designed and oriented to have a strong presence along the street edge by being located close to both the King Street West and Brock Street South street lines. The development is proposed to have open canopies over the doors along the Brock Street South façade. The canopy design is open and unenclosed and each canopy will provide weather protection and architectural interest along the Brock Street South façade. The addition of the modification along the King Street West lot line is to allow for flexibility at the Site Plan Application stage in the event that increased articulation along that elevation is contemplated. Staff support this modification.
6.6.8 Encroachments into Yards - Uncovered Porched	A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metres above the floor level of the first storey may project into a required yard if distant at least 0.5 metres from the nearest side lot line, at least 1.5 metres from the flankage side lot line and at least 4.0	A terrace, unenclosed porch, platform or ornamental feature which does not extend more than 2.0 metres above the floor level of the second storey may project 3.0 metres into a required side	The proposed townhouse dwellings have rear lane access to private garages. The private amenity space for each unit is proposed to be located above the garage (terrace). To accommodate an appropriate amount of amenity space, the applicant is proposing to allow a terrace to encroach further into the side yard. The side yard in this instance is the western side of the lot. Functionally, this is the rear of the units.

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	metres from the nearest street line.	yard.	This is a typical condition in this rear lane style dwelling unit and as such staff support this modification.
6.6.9 Encroachments into Yards - Unenclosed Porches	A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres, and every such projecting porch shall be distant at least 4.0 metres from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed enclosure for the purposes of this section: i) the porch may have a solid guard around the perimeter of the porch not more than 1.0 metres in height measured from the floor of the porch; ii) the roof may be supported on columns or piers having a maximum width of 0.5 metres; iii) the beam, lintel or crown or an arch shall be no more than 0.3 metres in depth; and iv) the minimum distance between piers or columns	A roofed-over or screened but otherwise unenclosed one-storey porch at the first storey level including eaves and gutters may project into a required yard to a distance of not more than 3.0 metres, and shall be permitted to be 0.0 metres from the easterly side lot line.	This proposed modification is to allow for the roof of the upper terraces to encroach into the required front yard. In order to accommodate the rear lane, and create an attractive and pedestrian oriented street edge, the building is proposed to be close to the Brock Street South street line. The front doors to each unit are located in this frontage and there are roofs proposed over the doors. These roofs will help to protect from weather and also help to articulate this elevation. Given the above, staff find that this encroachment is acceptable given the design of the rear elevations. Staff support this modification.

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	shall be 1.0 metres and, in the case of arches, the arches shall have a minimum clear width of 1.0 metres.		
6.11.3 Landscaping in Residential Front Yards	Front yards of residential buildings shall have a minimum of 50% landscaped area.	Shall not apply.	<p>The front yard is located between the building and King Street West which functions as a side yard for the proposed townhouse dwellings. Therefore the applicant is requesting that this section not apply to this development.</p> <p>In this proposal, the King Street West façade is located close to the street line, in keeping with other dwellings in the area.</p> <p>As the front yard functions as the side yard and the side yard functions as the front yard, landscaping is proposed along Brock Street South (functional front yard) and in the rear yard (functional side yard) which is located between the building and the lot to the south.</p> <p>Due to the positioning of this building and the fact that landscape is proposed elsewhere on the site, staff are supportive of the modification.</p>
7.3 Off-Street Parking and Loading - Access		In addition to Subsection 7.3, no vehicular access or parking space shall be permitted in the side yard abutting the Brock Street South street line.	The configuration of this lot is such that the individual vehicular access is intended to be provided through a rear laneway with a single access to King Street West. This configuration allows for the Brock Street Frontage to maintain and enhance a pedestrian focus and as such it is the intent of this modification to ensure that no parking of vehicles be permitted on the

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			<p>subject lands along the Brock Street South street line.</p> <p>Staff support this modification.</p>
7.12.1.3 Off Street Parking Space Requirement	For Townhouse and Maisonette Dwelling units - 1.5 spaces per dwelling unit, of Maisonette Dwellings which 0.30 spaces per dwelling unit shall be provided for Visitor Parking.	1.0 space per dwelling unit	<p>This development proposal, although similar in that the units will share a rear laneway, does have frontage onto a public road. The proposed townhouse dwellings essentially functions the same as a street townhouse dwelling as there is on-street parking options along Brock Street South. "Street Townhouses" under the by-law require one parking space per dwelling unit.</p> <p>As each unit will have a dedicated garage and on-street parking is available on Brock Street South, staff consider the proposed one parking space per unit to be acceptable and support the modification.</p>
12.3.1.1 Area Requirements - Lot Frontage	Minimum 30.0 metres.	Minimum 20.0 metres.	<p>This application is not proposing to alter the existing lot frontage and therefore the proposed amendment to allow a minimum frontage of 20.0 metres is required in order to recognize an existing condition.</p> <p>Staff are in support of the proposed modification.</p>
12.3.2.1 Yard Requirements - Front Yard	Minimum 7.5 metres.	Minimum 1.4 metres, except that a minimum front yard	Although King Street West is technically the front yard, it functions as the side yard for the end unit. As such the typical 7.5 metres

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		setback of 0.87 metres may be provided to a daylight radius.	<p>required to park a car is not required as the parking for each unit is being provided in a private garage at the rear of the dwelling unit accessed by a common lane.</p> <p>Transportation requires a 2.5 metre daylight radius at the south west corner of King Street West and Brock Street South. This land will be dedicated to the City and as such, the property line will change. The proposed front yard setback to this daylight triangle is only needed at the north-eastern corner of the building and will not have a significant impact on the surrounding lands.</p> <p>This setback is also in keeping with the property to the west (340 King Street West).</p> <p>Staff are of the opinion that this is appropriate and support the modification.</p>
12.3.2.2 Yard Requirements - Side Yard	Minimum 7.5 metres, except that a minimum side yard of 3.0 metres may be provided where no window of a habitable room overlooks such yard and the yard does not abut a public thoroughfare.	<p>Minimum 0.9 metres for an easterly side yard, except that a minimum side yard setback of 0.87 metres may be provided to a daylight radius.</p> <p>Minimum 6.0 metres for a westerly side yard.</p>	<p>Due to the positioning of the building, the front of the units are close to Brock Street South, which is the easterly side yard. The westerly side yard is the rear of the buildings and this is where the rear lane is proposed.</p> <p>With regard to the setback to the daylight radius, the same rationale as above will apply.</p> <p>The front yard setback requirement is typically to allow a car to park in the front, but parking for the proposed development is in the rear and</p>

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			<p>therefore the requested 0.9 metres is appropriate for the easterly side yard and the 6.0 metres along the westerly side yard is sufficient to accommodate the proposed rear-lane.</p> <p>Therefore, staff support the proposed modification.</p>
12.3.2.3 Yard Requirements - Rear Yard	Minimum 7.5 metres.	Minimum 1.5 metres.	<p>In this case, the rear yard is the southerly property line however, due to the positioning of the building, this yard functions as the side yard.</p> <p>As such, staff consider 1.5 metres to be appropriate for a side yard adjacent to a townhouse and as such support the modification.</p>
12.3.3 Height	Maximum 10.5 metres.	Maximum 15.7 metres.	<p>The maximum height is standard for low rise single and semi-detached dwelling units. The proposed townhouse dwellings are four storeys in height. The laneway and buffer strip provided along the westerly lot line provide sufficient distance to address privacy and overlook concerns. The proposed height is a reduction from the 16.5 metres that was approved through the LPAT for a multiple dwelling.</p> <p>Staff support the proposed modification.</p>

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12.3.4.2 Density	TOWNHOUSE DWELLINGS Maximum - 37 dwelling units per hectare.	TOWNHOUSE DWELLINGS Maximum - 81 dwelling units per hectare.	<p>The six proposed townhouses on a 0.0748 hectare site represents a density of 80.12 units per hectare. Staff are of the opinion that the proposed built form is compatible with the surrounding neighbourhood and makes efficient use of an underutilized property. The UHOP permits townhouses (Block Townhouses) in the "Neighbourhoods" designation and the proposed density is in keeping with those policies.</p> <p>Staff are in support of the proposed modification.</p>
12.3.6.1 Landscaping Requirements - Landscape Area	Minimum 50 per cent of the site area shall be landscaped.	Minimum 12 per cent of the site area shall be landscaped.	<p>The reduction in landscaped area is largely due to the rear-lane and the units being brought close to the street line. The applicant has included the provision of additional amenity area on top of the attached garage. Landscaping will be provided within the buffer strip and the landscaped areas along the street line. There may be opportunity to include additional low impact design at the Site Plan Control stage to encourage additional sustainable design measures.</p> <p>Therefore, staff are of the opinion that 12 per cent landscaped area is appropriate and support the modification.</p>

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12.3.6.2 Landscaping Requirements - Buffer Strip	The landscaped area requirements contained in subclause 12.3.6.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that butts any R1, R2, R3, R3A, R4 or R6 Zone.	The landscaped area requirements contained in subclause 12.3.6.1 shall include a buffer strip of not less than 0.4 metres in width which shall be provided and maintained adjacent to every portion of any lot line that butts any R1, R2, R3, R3A, R4 or R6 Zone.	<p>The buffer strip is augmented by the proposed rear lane which provides additional distance separation between the proposed townhouse dwellings and the existing residential dwelling to the west. Although this strip is not sufficient for planting, its location between the laneway and the lot to the west will add to the visual separation of this proposed development and the existing lot to the west.</p> <p>Based on the above, staff support this modification.</p>