

Site Specific Modifications to the Single Residential “R2” Zone (By-law No. 3692-92)

Regulation	Required	Modification	Analysis
<p>Interpretation and General Access Provisions</p>	<p>No person shall erect any building or structure on a lot or use any lot in any zone unless such lot has frontage on a street as defined...</p> <p>Street (Highway) means a public highway, street, etc., designed and intended for, or used by, the general public for the passage of motor vehicles and which has been assumed for public use as a public highway.</p> <p>Lot - Line means any boundary of a Lot. Lot means a parcel of land pursuant to the <i>Planning Act</i> (i.e. a vacant land condominium unit).</p>	<p>For the purpose of this By-law, a common element condominium road shall be deemed to be a street, a condominium unit shall mean a vacant land condominium unit within a draft approved or registered plan of vacant land condominium, and the rear lot line shall be the northern boundary of the Single Residential “R2-66” Zone, Modified.</p> <p>No direct access shall be provided to individual dwelling units from Watershore Drive, with the exception of a common element condominium road.</p>	<p>The private road functions as and fulfills the intent of a public road for the intent of this development and is required to be deemed a street for the purposes of the proposed development as each condominium unit fronts onto the private condominium road. Access to each condominium unit shall be via the private condominium road.</p> <p>Establishing the vacant land condominium units for the purposes on this by-law enables certain setbacks to refer to the boundaries of the proposed units.</p> <p>A 6.0 metre wide maintenance access easement is proposed through the lots abutting Lake Ontario (Units 17-23 as shown on the Building Envelope Sketch attached as Appendix “E” to Report PED20082). This easement is proposed to be in the Conservation / Hazard Land (P5, 645) Zone; however, it will form part of the vacant land condominium units. To ensure sufficient setback and suitable rear yard amenity space, the boundary of the residential zone is proposed to be the rear lot line. This ensures protection of the shoreline while providing private amenity area for the units abutting Lake Ontario.</p> <p>Therefore, staff supports these modifications.</p>

Regulation	Required	Modification	Analysis
Maximum Number of Single Detached Dwellings	One dwelling unit per lot.	The total number of dwelling units permitted on lands zoned "R2-66" shall be 28 single detached dwellings.	As the by-law deems the full extent of the vacant land condominium a single lot, which would only permit one single detached dwelling unit on the lands, this modification will permit multiple single detached dwelling units on the lands. Therefore, staff supports this modification.
Minimum Lot Area	Interior Lot - 460 square metres Corner Lot - 505 square metres	2.4 hectares	The proposed area reflects the full extent of the vacant land condominium for the purposes of this by-law. Therefore, staff supports this modification.
Minimum Lot Frontage	Interior Lot – 15 metres Corner Lot – 16.5 metres	152.0 metres	The proposed frontage reflects the frontage of the vacant land condominium on Watershore Drive for the purposes of this by-law. Therefore, staff supports this modification.
Minimum Front Yard	6 metres	3.0 metres	The proposed reduction applies to the lands fronting along Watershore Drive, which function as flanking side yards of the condominium units fronting the private condominium road. 3.0 metres is the flanking side yard setback of the parent by-law. Therefore, staff supports this modification.

Regulation	Required	Modification	Analysis
Minimum Side Yard	<p>1.25 metres, except:</p> <ul style="list-style-type: none"> • Attached garage or attached carport – 1 m from an interior side lot line. • On an interior lot with no attached garage or attached carport – 3 m on one side. • corner lot – 3 m flankage, except 5.5 m for an attached garage or attached carport which fronts on the flankage lot line. 	<p>7.5 metres, except for a condominium unit which has a rear lot line abutting Lake Ontario, the minimum side yard shall be 1.5 metres.</p>	<p>The side yards apply to the east and west lot lines of the vacant land condominium, which function as the rear yards of the condominium units, with the exception of the pie-shaped units (Units 17 and 23 as shown on the Building Envelope Sketch attached as Appendix “E” to Report PED20082) in the northeast and northwest corners which back onto Lake Ontario.</p> <p>The proposed setbacks are consistent with the respective rear and side yard setbacks of the parent by-law and proposed side wall separation distance between buildings (as discussed below).</p> <p>Therefore, staff supports these modifications.</p>

Regulation	Required	Modification	Analysis
<p>Minimum Setback from a Common Element Condominium Road</p>	<p>N/A</p>	<p>6.0 metres, except:</p> <ol style="list-style-type: none"> 1. On a corner unit, the minimum side yard abutting the flankage lot line shall be 3.0 metres, except that an attached garage or attached carport which fronts on the flankage lot line shall not be located within 6.0 metres of the flankage lot line. For the purpose of this subsection only, corner unit shall have the same meaning as a corner lot except that the meaning of street shall only be the common element condominium road. 	<p>The proposed setback from the condominium road, which all the units front onto, is consistent with the front yard setback of the principal by-law. An exception is made to reflect the flankage side yard of Unit 5 (see the Building Envelope Sketch attached as Appendix "E" to Report PED20082), which increases the flankage side yard with a parking space of the parent by-law from 5.5 m to 6.0 m, to provide adequate area for the parking of a vehicle.</p> <p>Therefore, staff supports these modifications.</p>

Regulation	Required	Modification	Analysis
Minimum Distance between Buildings on the Same Lot	N/A	<p>3.0 metres, except:</p> <ol style="list-style-type: none"> 1. 15.0 metres between end walls. 2. 9.0 metres between a side wall and an end wall, except where a dwelling has two façades fronting a common element condominium road but is not a corner unit as defined in (h) above, the other two façades shall be considered to be side walls with a minimum distance between buildings of 3.0 metres. 3. 2.7 metres from dwellings in existence prior to the adoption of this by-law. <p>Notwithstanding the foregoing, features may project into the minimum distance between buildings in accordance with the provisions of Section 4.19 of this By-law.</p>	<p>The proposed separation distances reflect a 7.5 metre rear yard and a 1.5 metre side yard setback for each unit. The side yard separation is an increase from the parent by-law's 1.25 m. This modification is minor, provides additional building separation for an enhanced streetscape and further maintains the character of the existing dwellings in the neighbourhood.</p> <p>The exception in 2. applies to Unit 7 (see the Building Envelope Sketch attached as Appendix "E" to Report PED20082) which provides adequate amenity space along the dual frontages of the unit, the remaining setbacks can be equivalent to side yard setbacks to ensure an adequate building envelope is provided for this unit.</p> <p>The exception in 3. proposed is a 1.2 metre interior side yard setback for Unit 23 (see the Building Envelope Sketch attached as Appendix "E" to Report PED20082) to accommodate the existing side yard conditions of the existing dwelling which is compatible with the remainder of the development and surrounding neighbourhood.</p> <p>Despite the minimum separation distances, projections into yards shall be permitted in accordance with the provisions of the parent by-law.</p> <p>Therefore, staff supports these modifications.</p>

Regulation	Required	Modification	Analysis
Condominium Unit Area	N/A	Minimum - 410 square metres Maximum - 2,200 square metres	The proposed condominium unit areas are consistent with the smallest and largest proposed units on the Draft Plan of Condominium (see Appendix "F" to Report PED20082). The areas of the proposed condominium units are sufficient to accommodate the development of single detached dwellings and compatible with the lot areas of surrounding properties. Therefore, staff supports this modification.
Condominium Unit Frontage	N/A	Minimum - 9.8 metres Maximum - 23.2 metres	The proposed condominium unit frontages are consistent with the shortest and longest proposed unit frontages on the Draft Plan of Condominium (see Appendix "F" to Report PED20082). The frontages of the proposed condominium units are sufficient to accommodate the development of single detached dwellings and compatible with the lot frontages of surrounding properties. Therefore, staff supports this modification.
Site Plan Approval	N/A	The location of a dwelling on each condominium unit shall be within the minimum setbacks and distance between buildings as delineated on the approved Site Plan, pursuant to Section 41 of the <u>Planning Act</u> .	Single detached dwellings on a private condominium road are deemed to be an innovative housing form which is subject to site plan approval in accordance with the Site Plan Control By-law. To ensure the vacant land condominium is developed with the intent of these zoning modifications, this provision ensures that the future single detached dwellings are located within the building envelope approved through the future site plan control application. Therefore, staff supports this modification.

Site Specific Modifications to the Conservation / Hazard Land (P5) Zone (By-law No. 05-200)

Regulation	Required	Modification	Analysis
Special Setback from a Conservation/ Hazard Land (P5) Zone	All buildings or structures located on a property shall be setback a minimum of 7.5 metres from a P5 Zone boundary.	Shall not apply.	<p>The lands identified as “proposed 6.0 m wide maintenance access easement” on the Building Envelope Sketch (attached as Appendix “E” to Report PED20082) and Draft Plan of Condominium (attached as Appendix “F” to Report PED20082) are proposed to be added to the Conservation/Hazard Land (P5) Zone. Given that this easement establishes a buffer from the hazard lands, staff are satisfied that the maintenance access easement maintains the intent and function of the 7.5 metre setback.</p> <p>Therefore, staff supports this modification.</p>