

ZONING BY-LAW AMENDMENT MODIFICATION CHART

Provision	Required	Requested Amendment	Analysis
Section 4.6 a) Yard Encroachments – eaves, troughs, etc.	May be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser.	The projection of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard.	<p>Yard encroachments are intended to permit certain architectural features to project beyond the required building setback.</p> <p>This requested modification required to address the pre-existing conditions associated with the existing building at 74 Queen Street South, where the roof and eaves will encroach within required setbacks.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 4.6 d) Yard Encroachments – porches, decks, canopies	May encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser.	A porch, deck or canopy may be permitted in any required yard.	<p>Yard encroachments are intended to permit certain architectural features to project beyond the required building setback.</p> <p>This is required to address the pre-existing conditions associated with the existing building at 74 Queen Street South, where the portico abuts the lot line. This is also required for the front patios and canopies on Jackson Street West and the canopy that sits over the principal entrance on Main Street West.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 5.2 b) iv) Small Car Parking Permissions	Notwithstanding Subsection i) herein, where 10 or more parking spaces are required on	The minimum parking space size of not more than 11% of the provided parking spaces shall be	Allowing a maximum number of small car spaces is intended to ensure that there are enough spaces for a variety of vehicle types

	<p>a lot, the minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.</p>	<p>a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.</p>	<p>and sizes.</p> <p>This application is proposing 11% (13 spaces) of the total 125 parking spaces to be reserved for small cars whereas the By-law permits 10% (12 spaces).</p> <p>Based on the small modification requested and the development location with proximity to services amenities and transit, the requested modification can be supported.</p>
<p>Section 5.6 c) Minimum Parking Requirements</p>	<p>5.6 c) Requirement for a Multiple Dwelling:</p> <p><u>Dwelling units less than 50.0m²</u> Minimum: 0.3 spaces per unit Maximum: 1.25 spaces per unit</p> <p><u>Dwelling units greater than 50.0m²</u> Minimum: 1-14 units 0.7 spaces per unit 15-50 units 0.85 per unit 51+ units require 1.0 per unit Maximum: 1.25 per unit</p> <p>Per site statistics: a total of 331 dwelling units are proposed: 236 units ≤ 50.0m² 95 units > 50.0m² Therefore, 236 dwelling units x 0.3 = 70.8 spaces Plus</p>	<p>Required parking spaces shall be calculated in accordance with the following:</p> <p>Requirement for a Multiple Dwelling:</p> <p><u>Dwelling units less than 50.0m²</u> Minimum: 1-12 units 0.0 spaces per unit 13+ units 0.3 spaces per unit Maximum: 1.25 spaces per unit</p> <p><u>Dwelling units greater than 50.0m²</u> Minimum: 1-12 units 0.0 spaces per unit 13-50 units 0.5 spaces per unit 51+ units 0.7 per unit Maximum: 1.25 per unit</p> <p><u>Dwelling units with 3+ bedrooms:</u> 1-12 units 0.0 spaces per unit 13+ units 0.3 spaces per unit</p>	<p>Minimum parking requirements are intended to ensure an adequate supply of parking is provided on site in order to minimize over spill into the surrounding neighbourhoods.</p> <p>The applicant is proposing to provide 125 parking spaces whereas 156 are required.</p> <p>The application is proposing 165 long term secure bicycle parking spaces, and the main bike storage room can be accessed directly from Main Street West via a separate building entrance. There are also 16 short term bicycle parking spaces being provided at grade near the main building entrance.</p> <p>The site is located along a higher order transit corridor and is close to existing services, amenities and a number of transit routes.</p> <p>Based on the above, the proposed modification can be supported.</p>

	<p>95 units require a total of 85.4 spaces (9.8 + 30.6+ 45)</p> <p>A minimum of 156 parking spaces required and a maximum of 453 parking spaces required.</p>	<p>Per site statistics: a total of 331 dwelling units are proposed: 236 units ≤ 50.0m² 89 units > 50.0m² 6 units with 3+ bedrooms</p> <p>A minimum of 113 parking spaces required and a maximum of 413 parking spaces required.</p> <p>Total provided parking is 125 parking spaces.</p>	
Section 10.5.1.1 i) Restricted Uses	<p>10.5.1.1 i) Restriction of Uses within a building:</p> <p>1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade.</p>	Section 10.5.1.1 i) 1 shall not apply.	<p>The purpose of this provision is to avoid rear lotting and to ensure buildings are designed with front porch conditions facing the street.</p> <p>The requested amendment is to recognize the existing condition at 74 Queen Street South and to recognize the grade change along Jackson Street.</p> <p>The townhouses along Jackson Street West and the existing building at 74 Queen Street South provide front porch conditions facing the street. There are no proposed amenity areas adjacent to the street that give the appearance of rear lotting.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 10.5.3 a) Building Setback from	10.5.3 a) Building Setback from a Street Line:	Setbacks to be provided in accordance with the following	The intent of the maximum building setbacks are to bring the building up to the streetline

<p>a Street Line</p>	<p>i) Minimum 3.0 metres for a building with residential units on the ground floor facing a street; ii) Maximum 4.5 metres, except where a visibility triangle is required for a driveway access; iii) Notwithstanding Section 10.5.3i), a maximum 6.0 metres for that portion of a building providing an access driveway to a garage and, iv) Section 10.5.3 ii) shall not apply for any portion of a building that exceeds the requirement of Section 10.5.3 g) ii) and iii).</p>	<p><u>Building Setback from the Main Street West Street Line:</u></p> <ul style="list-style-type: none"> • Maximum 4.5 metres; • Minimum 3.0 metres for any portion of a building with residential units on the ground floor facing main street west; and, • Minimum 1.0 metres from the Daylight Triangle. <p><u>Building Setback from the Queen Street South Street Line:</u></p> <ul style="list-style-type: none"> • Maximum 4.5 metres; • Minimum 0.0 metres; and, • Minimum 1.0 metres from the Daylight Triangle. <p><u>Building Setback from the Jackson Street West Street Line:</u></p> <ul style="list-style-type: none"> • Minimum 1.5 metres; and, • Minimum 1.0 metres from the Daylight Triangle. 	<p>to create an attractive streetscape in more urban areas.</p> <p>Minimum building setbacks are used to ensure adequate room for landscaping and parking in more residentially focused areas.</p> <p>This site is unique with three separate street frontage, all with different attributes and characteristics.</p> <p>Main Street West is a primary corridor and is intended to accommodate a variety of residential and commercial uses along the street edge. In this instance, the applicant proposed location of the building along Main Street West is appropriate to the context.</p> <p>Queen Street South is an arterial road and is which leads from the corridor to a more residential area of the neighbourhood. The location of the building along Queen Street is sufficient to allow for wide walkways, landscaping and street trees. Staff feel this is appropriate to this context.</p> <p>Jackson Street South is a low rise residential street. The proposed setbacks to the townhouse block on Jackson Street South is in keeping with the existing built form, and with no parking being proposed along the Jackson Street frontage, the proposed setback is appropriate.</p> <p>Based on the reasoning above, the proposed</p>
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			modifications can be supported.
Section 10.5.3 c) Building Setback from a Street Line	10.5.3 c) 7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use	0.0 metres	<p>Interior Side Yard setbacks are intended to allow for an appropriate amount of space between buildings.</p> <p>At this site, there are changes in grade along all property lines and as such there are existing retaining walls. This retaining wall is attached to the rear of both neighbouring properties. The proposed development will retain and repair this retaining wall to ensure adequate support.</p> <p>The building will not be permitted to be built right to the property line as there are existing easements registered on title that protect the existing driveways that are currently shared with the neighbours to the west.</p> <p>Based on the above, this modification can be supported.</p>
Section 10.5.3 d) Building Height	<p>Notwithstanding Subsection 10.5.3 d), the Maximum Building Height shall be 14.0 metres. (see Site Specific Exception 297)</p> <p>8 storeys/26.0 metres</p>	<p>Minimum building height of 7.5 metres;</p> <p>Maximum building height of 80.85 metres;</p> <p>Notwithstanding the maximum building height, maximum building height shall</p> <p>A maximum building height of 80.87 metres shall be permitted for the tower portion of the site</p>	<p>Maximum building heights are intended to create appropriate transitions and protect surrounding lands from negative impacts associated with shadow, privacy and overlook.</p> <p>The proposed regulation divides the site into four parts for the purposes of regulating maximum height: the northern portion (i.e. the building podium and tower); the southern portion (i.e. the six townhouse units; the existing heritage building at 74 Queen Street South); and, the remainder.</p>

		<p>shown on Figure 22 of Schedule “F” – Special Figures;</p> <p>A maximum building height of 14.0 metres shall be permitted for the townhouse portion of the site as shown on Figure 22 of Schedule “F” – Special Figures; and,</p> <p>A maximum building height of 14.87 m will be permitted for 74 Queen Street South as shown on Figure 22 of Schedule “F” – Special Figures.</p> <p>A maximum building height of 14.87 m will be permitted for 74 Queen Street South as shown on Figure 22 of Schedule “F” – Special Figures.</p>	<p>This approach ensures that the intervening form of development which interfaces with the neighborhood is a maximum of 3 storeys (14.0 metres) to secure a medium density scale.</p> <p>A height of 80.85 metres for the tower is appropriate in the location it is shown on Figure 22 of Schedule “F” – Special Figures, as it is located at the corner of Main Street West and Queen Street South. Height at the corner can help to create an attractive street edge while allowing for transition to the surrounding lower rise neighbourhood.</p> <p>The proposed maximum building height of 14.0 metres for the townhouses is in keeping with the existing permitted heights on Jackson Street West and will create an appropriate transition from the tower and podium to the low rise development on Jackson Street West.</p> <p>The proposed maximum building height of 22.0 metres for the remainder of the site is in keeping with the existing C5 Mixed Use Medium Density Zoning applicable to the site and will allow for variation in the podium height that is in keeping with the permitted heights along Main Street West with a medium density scale.</p> <p><u>74 Queen Street South</u> A maximum building height of 14.87m has been requested in order to accommodate the</p>
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			<p>existing condition at 74 Queen Street South. The proposed height will allow the retained portions of this building to remain and to all the roof be rebuilt as it is today.</p> <p>A minimum building height of 7.5 storeys has been included to prevent any portion of this development from being a one storey as this is not in keeping with the C5 Mixed Use Medium Density Zone.</p> <p>This figure will ensure that the site is developed in a manner that is compatible with the surrounding neighbourhood by creating appropriate transitions were the site abuts lower rise development.</p> <p>Based on the above, the proposed modification can be supported.</p>
<p>Section 10.5.3 g) vii) Built Form of New Development – Principal Entrances</p>	<p>10.5.3 g) vii) A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> 1. within the ground floor façade that is set back is closest to a street; and, 2. shall be accessible from the building façade with direct access from the public sidewalk. 	<p>Notwithstanding Section 10.5.3 g) vii), a minimum of one principal entrance shall be provided in the façade along Main Street West.</p>	<p>The purpose of this requirement is to connect the building with the streetscape with pedestrian entrances that help to activate the building façade.</p> <p>Main Street West functions as the primary frontage and is where the main entrance to the tower is proposed. The existing access at 74 Queen Street South will remain and each of the additional 5 townhouse units will have their own access to Jackson Street West. Because of this, each of the façades will have active street facing units and will function in a similar manner to each of the respective streetscapes.</p>

			Therefore, the proposed modification can be supported.
Section 10.5.3 i) Planting Strip Requirements	10.5.3 i) Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a Laneway, a minimum 1.5 metre wide Planting Strip shall be provided and maintained.	Notwithstanding Section 10.5.3 i), no planting strip is required;	<p>The intent of a planting strip between a commercial property and a residential property is to provide a sufficient buffer between the two built forms.</p> <p>In this instance, the planting strip is required along the property line shared with 250 Jackson Street West. There is an existing driveway that spans the property lines and is protected by way of a registered easement and therefore no planting strip can be provided.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 10.5.3 j) Visual Barrier Requirements	10.5.3 j) A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone, Downtown (D5) Zone or Downtown (D6) Zone property line in accordance with the requirements of Section 4.19 of this By-law.	Notwithstanding Section 10.5.3 j), no visual barrier shall be required;	<p>The intent of a visual barrier is to provide additional privacy for a residential or institutional use when abutting a commercial property.</p> <p>Similar to the above, this requirement only applies to the shared property line with 250 Jackson Street West. In this case, the use proposed adjacent to 250 Jackson Street West is a townhouse block, which is consistent with the residential uses to the west.</p> <p>Considering the above, and in order to protect the easement, the proposed modification can be supported.</p>