

Site Specific Modifications to the "D" (Urban Protected Residential – One and Two Family Dwellings, etc.) District			
Regulation	Required	Modification	Analysis
Section 10 (1) Requirements as to Use	Multiple dwellings not permitted use.	To permit a multiple dwelling with a maximum of six dwelling units within the building existing on the date of passing of the By-law.	<p>The proposed modification permits the proposed multiple dwelling but restricts the number of units to six. The modification will maintain the existing character of the neighbourhood and preserve a building of Cultural Heritage value, while limiting the overall density of the subject lands to a compatible scale.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 10 (3) (i) Front Yard Depth	6.0 metres.	To permit a front yard depth of 5.28 metres for the building existing on the date of passing of the By-law.	<p>The proposed modification permits the reduction in front yard depth to recognize the existing condition. The modification will maintain the existing character of the neighbourhood as the existing setback is consistent with what is found in the neighbourhood.</p> <p>Therefore, the proposal can be supported.</p>

Regulation	Required	Modification	Analysis
Section 10 (3)(ii) Side Yard Width	1.2 metres.	To permit a side yard of 0.44 metres (north) and 0.64 metres (south) for the building existing on the date of passing of the By-law.	The proposed modification recognizes the existing condition of the dwelling. There are no changes proposed to the building and as such the proposed building will maintain the established building setbacks and character of the immediate neighbourhood. Therefore, staff support this modification.
Section 10 (4) Lot Width and Lot Area	No requirement for multiple dwelling as the use is not permitted.	To permit a 9.75 metre lot width and 631.0 square metre lot area.	The proposed modification recognizes the existing lot width and area. As multiple dwellings are not a permitted use, there is not a specific regulation for the lot area. The proposed modification reflects the existing condition which is consistent with the neighbouring lands and also provides on-site parking and amenity space. Therefore, staff support this modification.
Section 18 (3) (vi) (a) Encroachment of Projections	A chimney, sill, belt course, leader, pilaster, lintel or ornamental projection may project not more than 0.5 metres (1.64 feet) into a required side yard, and not more than 1.0 metre (3.28 feet) into any other required yard.	To recognize the chimney, sill, and ornamental projections of the building existing on the date of the passing of the By-law.	The proposed modification recognizes the existing chimney, sill, and ornamental projections for the existing building. Therefore, staff support the modification.
Section 18 (3) (vi) (b)	Eaves and gutters may project into a required front	To recognize the eaves and gutters of	The proposed modification recognizes the existing eaves and gutters for the existing

Regulation	Required	Modification	Analysis
Encroachment of Eaves and Gutters	<p>yard not more than 1.5 metres provided that no such projection shall be closer to a street line than 1.5 metres.</p> <p>May project into a required rear yard not more than 1.5 metres.</p> <p>May project into a required side yard not more than one-half of its width, or 1.0m whichever is the lesser.</p>	the building existing on the date of the passing of the By-law.	<p>building.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 18A (1) (a) and (b) - Table 1 (g) Minimum Required Parking	Multiple dwelling requires 0.8 spaces per Class A dwelling unit (five parking spaces). The visitor parking requirement is 0.16 spaces per unit (one visitor parking space).	To permit a parking ration of 0.66 parking spaces per Class A dwelling unit (four parking spaces) and no visitor parking spaces.	The proposed modification permits the reduction of the amount of required parking spaces from six spaces to four spaces. The regulation seeks to ensure that there is sufficient parking for residents and visitors. The recognized use of six lodging units would have the same effect on parking as the proposed six unit multiple dwelling. There are opportunities in the neighbourhood for on-street parking for visitors, however street parking permits will not be available to residents. In addition, there are cycling routes in close proximity, with direct access to dedicated bike lanes as well as frequent and reliable public transit (bus and GO train) within walking distance of the property. The property is within walking and biking distance of downtown commercial services and employment opportunities which reduces the

Regulation	Required	Modification	Analysis
			<p>need for each resident to have access to on site parking spaces.</p> <p>Therefore, staff support this modification.</p>
Section 18A (1) (c) Minimum Required Loading Space for Multiple Dwellings	One loading space for multiple dwellings between five and thirty units.	Shall not apply.	<p>The proposed modification permits the elimination of a loading space requirement. The regulation seeks to ensure that there is an area to load and unload items such as furniture. The requirement for a loading space is one space for multiple dwellings between five and 30 units (zero below five units). The proposal contains six units (and is only marginally above the threshold requirement for a loading space), and there are opportunities in the rear parking area and street to load and unload.</p> <p>Therefore, staff support the proposed modification.</p>
Section 18A (9) Location of Parking, Loading and Maneuvering Spaces	The required parking, loading and maneuvering spaces shall be provided and maintained only on the lot on which the principle building is located.	Shall not apply.	<p>The proposed modification eliminates the requirement for parking, loading and maneuvering spaces to be provided on the lot. The regulation exists to ensure that the lot can contain all uses so that there is not spillover to adjacent lots. The parking will be located on the lot and the maneuvering space will permit forward exit of vehicles. However, there is no loading space on the lot.</p> <p>Given the small number of units and the ability for delivery vehicles to park in the rear parking</p>

Regulation	Required	Modification	Analysis
			area or street, staff are of the opinion that this proposed modification can be supported.
Section 18A (23) Access Driveway	Every access driveway shall provide easy access from a highway to the parking area to which the access driveway is accessory.	To permit the passage over the existing right-of-way through to the alleyway to the street from the parking area.	<p>The proposed modification clarifies that the existing right-of-way can be used to access the rear parking area. The regulation exists to ensure that there is easy access for vehicles from the parking areas to the street. The property owner has removed a tree which was a barrier to accessing the parking area from the right-of-way. Given the minor scale of the proposed parking area, staff are supportive of the proposed vehicular access route using the right-of-way and alleyway to reach the street.</p> <p>Therefore staff support this modification.</p>
Section 18A (25) Access driveway abutting residential	Access driveway shall be located not less than 3.0 metres from the common boundary between the district in which the multiple dwelling is located and the district which does not permit such uses (D District).	Shall not apply.	<p>The proposed modification recognizes the existing condition of the driveway which runs along the neighbouring property line. The intent of the regulation is to ensure that there is a buffer between multiple dwelling uses and low-rise residential uses. Although the proposal seeks to establish six dwelling units, there are only four parking spaces proposed, and as such, there will be nominal traffic impacts which would require additional buffering.</p> <p>Therefore, staff support this modification.</p>

Regulation	Required	Modification	Analysis
Section 18A. (28) Vehicular access to and from any land used for a multiple dwelling	No land in a residential district in which a multiple dwelling is not permitted shall be used for the purpose of vehicular access to or egress from any land used for a multiple dwelling.	The lands in the adjacent “D” District shall be used for the purpose of vehicular access to the existing multiple dwelling on the lands shown on ‘Schedule A’ by way of the right-of-way currently providing access to the rear yard of these lands from the alleyway and roadway.	The proposed modification will permit the passage of vehicles from the subject property, through the rear of adjacent properties in the “D” District by way of the existing right-of-way access. The purpose of the regulation is to ensure that adjacent areas of higher density forms do not produce conflict with lower-density land uses. The proposal is of a minor scale and can safely utilize the existing right-of-way or alleyway. Therefore, staff support this modification.
Section 18A (30) Surface Parking	A permanent durable and dustless surface that is graded, drained and paved with concrete or asphalt or a combination of concrete and asphalt shall be provided and maintained for every parking area, maneuvering space, loading space and access driveway.	To ensure that a graded and drained gravel or concrete or asphalt surface be maintained for each parking space.	The exiting gravel surface is to remain as the existing parking area is appropriate for the proposed use and will help to avoid potential drainage issues on adjacent properties. The property owner will need to maintain the gravel and ensure it covers the parking area. Given the small size of the parking area, staff are of the opinion that the modification can be supported.
Section 18A (32) Sufficient space additional to required loading	Sufficient space additional to the required loading space shall be provided and maintained on the same lot on which the loading space is located, in such a manner as to enable each and every	Shall not apply.	The proposed modification removes the requirement to provide sufficient space additional to the required loading space. The regulation is in place to ensure that loading activities won’t interfere with parking or vehicle movement. As the proposal seeks to eliminate loading areas this provision is not required.

Regulation	Required	Modification	Analysis
	loading space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on a designated parking or loading space.		Therefore, staff support this modification.
Section 18A (33) Loading Space and access driveway	Every loading space shall be provided and maintained to permit commercial motor vehicles to move readily and without hindrance between the loading spaces and an access driveway.	Shall not apply.	The proposal will not provide a loading space, so the regulation is not required. The regulation exists to ensure free movement of commercial vehicles between the roadway and loading areas. Staff support this modification.