

Zoning By-law Site Specific Modifications – “C” (Urban Protected Residential, Etc.) – District

Provision	Required	Requested Amendment	Analysis
<b>Section 4 Prohibited Uses and 9: (Urban Protected Residential, Etc.) - Uses</b>			
<p>(4)(3) a) and (9)(1) Use of the Lands</p> <p><i>**Applicant Requested Modification, Modified by Staff</i></p>	<p>One Single Family Dwelling is Permitted</p>	<p>To permit a second dwelling unit on the same lot as a Single Family Dwelling with a maximum gross floor area of 89.0 square metres.</p>	<p>As outlined in the Policy Implications and Legislated Requirements section of Report PED21039, a second dwelling unit is permitted by both Provincial policy and the UHOP.</p> <p>The proposed second dwelling unit and storage is to be established to the rear of the existing dwelling within the existing detached garage with an addition and therefore the proposal would not alter the existing streetscape character along Westbourne Road. Furthermore, adequate parking will be provided to meet the parking needs of the subject lands of the existing single detached dwelling and the proposed second dwelling unit.</p> <p>Restricting the maximum gross floor area for a second dwelling unit and storage to 89.0 square metres is to ensure that second dwelling unit remains accessory to the principal single detached dwelling and does not negatively impact adjacent properties.</p> <p>Therefore, the proposed modification can be supported.</p>
<b>Section 9: (Urban Protected Residential, Etc.) - Requirements</b>			
<p>(3) (ii) Side Yard</p> <p><i>** Applicant Requested</i></p>	<p>A side yard of a width of 1.2 metres shall be required.</p>	<p>To permit a northerly side yard width of 0.7 metres for the second</p>	<p>The side yard setback of the existing detached garage is 0.7 metres and therefore the proposed modification is to recognize the existing side yard setback of the existing building and to require a 0.7 metre setback for the</p>

<i>Modification</i>		<p>dwelling unit located at the rear of the property.</p> <p>All other buildings shall comply with the minimum 1.2 metre requirement.</p>	<p>addition.</p> <p>The proposed 0.7 metre northerly side yard setback is for the second dwelling unit at the rear of the property and therefore the reduction in the side yard setback requirement will not change the existing streetscape character along Westbourne Road.</p> <p>The proposed second dwelling unit is one storey and there is an existing window on the north façade and a window is being proposed as part of the addition. There is an existing solid board fence along the north lot line and therefore the existing and proposed windows for the one storey dwelling unit will not create privacy and overlook impacts on the adjacent property.</p> <p>The site specific modification only allows for a reduction to the northerly side yard for the proposed second dwelling unit. The minimum side yard setback of 1.2 metres will be maintained for the southerly side yard for the second dwelling unit and for both the northerly and southerly side yard setbacks for the existing single detached dwelling.</p> <p>Therefore, the proposed modification can be supported.</p>
(3) (iii) Rear Yard <i>** Applicant Requested Modification</i>	A rear yard of a depth of 7.5 metres shall be required.	To permit a rear yard of a depth of 0.8 metres for the second dwelling unit located at the rear of the property.	<p>The rear yard setback of the existing detached garage is 0.8 metres and therefore the proposed modification is to recognize the existing rear yard setback. The reduced setback will also facilitate the proposed addition to the detached garage.</p> <p>The existing detached garage has a window facing the</p>

		<p>The rear yard for the easterly (front) single detached dwelling shall comply with the 7.5 metre requirement.</p>	<p>rear lot line. No additional windows along the rear lot line are proposed. While the lands to the rear are zoned Institutional, residential uses are permitted on these lands therefore, privacy impacts need to be considered. As the proposed second dwelling unit is to be one storey in height a visual barrier along the rear lot line will protect the adjacent lands from any privacy and overlook impacts created by the proposal.</p> <p>The site specific modification only allows a reduction in the rear yard setback of the second dwelling unit at the rear. The minimum 7.5 metre rear yard setback will be maintained for the existing single detached dwelling.</p> <p>Therefore, the proposed modification can be supported.</p>
<b>Section 18A: Parking and Loading Requirements</b>			
<p>(1) (a) Minimum Parking Spaces</p> <p><i>** Staff Recommended Modification</i></p>	<p>A minimum of two parking spaces per single detached dwelling unit is required.</p>	<p>To require only one parking space for a secondary dwelling unit.</p>	<p>The provisions of the <i>Planning Act</i> respecting additional residential units require that each additional residential unit have one parking space for the use of the occupant of the additional residential unit. It is further noted that the current requirement for parking for an additional dwelling unit within the principal dwelling is one parking space.</p> <p>The proposed modification implements the direction set forth in the <i>Planning Act</i> and establishes a parking requirement that is consistent with other forms of secondary dwelling units.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>(1) (f)</p>	<p>A minimum</p>	<p>To not require any</p>	<p>The existing dwelling is setback 6.0 metres from the</p>

<p>Manoeuvring Space</p> <p><b>** Staff Recommended Modification</b></p>	<p>manoeuvring area of 6.0 metres shall be required.</p>	<p>manoeuvring space for a parking space within the front yard.</p>	<p>front lot line and there is insufficient space on-site in which to provide 6.0 metres of manoeuvring space. Approximately 4.0 metres of manoeuvring space is available within the City boulevard to allow for vehicles to access a parking space located in front of the existing dwelling.</p> <p>It is further noted that Westbourne Road is a local road with a total of 12 dwellings having access to the road and therefore significant traffic volumes are not anticipated and a reduction in on-site manoeuvring space will not create traffic conflicts.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>Separation between dwellings.</p> <p><b>** Staff Recommended Modification</b></p>	<p>No existing provision.</p>	<p>To require a secondary dwelling unit be setback a minimum distance of 2.9 metres from the rear face of the principal dwelling.</p>	<p>The proposed development will maintain approximately 71 square metres of amenity area to the south of the proposed secondary dwelling unit. Maintaining a 2.9 metre separation distance between the existing dwelling and the secondary dwelling unit will provide approximately 25.5 square metres of additional amenity area for a total of approximately 96.5 square metres of amenity space. In the “C” District a dwelling that complies to the minimum requirements with respect to rear yard setback and lot width would maintain approximately 90 square metres of rear amenity space. Therefore the proposed 96.5 square metres represents an appropriate amount of amenity area.</p> <p>In order to ensure that adequate amenity space is provided staff are recommending that a modification establishing a minimum separation distance is provided.</p>

			Therefore, the proposed modification can be supported.
Restriction on the number of Driveways	No existing provision	To permit a maximum of one driveway access for a lot containing a second dwelling unit.	<p>Limiting the number of driveway access for the subject property will maximize the amount of landscaping available both within the front yard but also within the side and rear yards. Additionally limiting the number of driveway access reduces the number of potential points of traffic conflict as well as maximizing the potential for on-street parking.</p> <p>In order to ensure that the number of driveway access is limited to one driveway staff are recommending a modification to limit the maximum number of driveways to one.</p> <p>Therefore, the proposed modification can be supported.</p>