

Proposed Site Specific Modifications to the Mixed Use Medium Density (C5) Zone Supported by Staff

Regulation	Required	Modification	Analysis
Permitted Uses Staff Proposed Modification	Artist Studio, Beverage Making Establishment, Catering Service, Commercial Entertainment, Commercial Parking Facility, Commercial Recreation, Commercial School, Communications Establishment, Conference or Convention Centre, Craftsperson Shop, Day Nursery, Dwelling Unit(s), Educational Establishment, Emergency Shelter, Financial Establishment, Funeral Home, Hotel, Laboratory, Lodging House, Medical Clinic, Microbrewery, Motor Vehicle Gas Bar, Motor Vehicle Service Station, Motor Vehicle Washing Establishment, Multiple Dwelling, Office, Personal Services, Performing Arts Theatre, Place of	Artist Studio, Catering Service, Commercial School, Craftsperson Shop, Day Nursery, Dwelling Units(s), Emergency Shelter, Financial Establishment, Laboratory, Lodging House, Medical Clinic, Microbrewery, Multiple Dwelling, Office, Personal Services, Place of Worship, Repair Service, Residential Care Facility, Restaurant, Retail, Retirement Home, Social Services Establishment, Tradesperson’s Shop, Urban Farmers Market, and Veterinary Service.	<p>The intent of the “Neighbourhoods” designation is to provide a full range of residential dwelling types along with supporting uses intended to serve local residents. The designation permits local commercial uses on the ground floor of buildings containing residential units above, in this case retirement units. The permitted uses would be limited to local commercial uses that could be established on the ground floor of the proposed building and removes motor vehicle related uses.</p> <p>Therefore, staff support the proposed modification.</p>

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	<p>Assembly, Place of Worship, Repair Service, Residential Care Facility, Restaurant, Retail, Retirement Home, Social Services Establishment, Tradesperson’s Shop, Transportation Depot, Urban Farmers Market, and Veterinary Service.</p>		
<p>Restricted Uses</p> <p>Staff Proposed Modification</p>	<p>NA</p>	<p>The following uses shall only be permitted on the ground floor of a mixed use building: Artist Studio, Catering Service, Commercial School, Craftsperson Shop, Day Nursery, Financial Establishment, Laboratory, Medical Clinic, Microbrewery, Office, Personal Services, Place of Worship, Repair Service, Restaurant, Retail, Social Services Establishment, Tradesperson’s Shop, Urban Farmers Market, and Veterinary Service.</p>	

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Retirement Home Regulations Staff Proposed Modification	Section 10.5.4	Permit Retirement Home in accordance with Section 10.5.3 including amendments proposed in Special Exception 895.	The proposed development is for a retirement home containing ground floor commercial uses. The Zoning By-law regulates the heights and setbacks of these two uses under separate sections (10.5.3 and 10.5.4). The proposed modification will apply regulations associated with mixed use buildings as opposed to regulations established for standalone Retirement Homes. Therefore, staff support the proposed modification.
Minimum Rear Yard Staff Proposed Modification	7.5 metres.	14.0 metres.	The introduction of the stepback, increase of side and rear setbacks, and increase in the width of the planting strip have been proposed by staff in order to address the concern with overlook from the proposed height. Therefore, these modifications have been evaluated together.
Minimum Interior Side Yard Staff Proposed Modification	7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.	14.0 metres, except 24.0 metres for a portion of any building greater than 15.5 metres in height.	An Urban Design Brief prepared by Masri O Architects Inc. dated October 2023, was submitted in support of the proposed development. The brief found that the southern wing of the building encroaches into the 45 degree angular plane. This creates potential for overlook into the adjacent residential properties located to the south. The Urban Design Brief also found that the planting strip mitigates overlook from the southern wing of the building into the adjacent residential properties located to the south.
Planting Strip Staff Proposed Modification	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.	A minimum 3.0 metre wide Planting Strip shall be provided and maintained along a side lot line; and, A minimum 1.5 metre wide Planting Strip shall be provided and maintained along a rear lot line.	The applicant proposed a maximum height of 29.0 metres without any stepback requirements. To address privacy concerns, staff propose a minimum 10.0 metre stepback from the south property line. This

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<p>Maximum Building Height</p> <p>Applicant Proposed Modification</p>	<p>22.0 metres; and,</p> <p>Any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement to a maximum of 22.0 metres.</p>	<p>29.0 metres.</p>	<p>is reflected in the regulations by increasing the interior side yard requirement for a portion of a building greater than 15.5 metres in height.</p> <p>The proposed height of 29.0 metres (eight storeys) can be supported, with the modifications proposed by staff, as the development meets the criteria for height above six storeys. The proposed development provides a mix of unit sizes, incorporates sustainable building and design principles, does not cause adverse shadow impacts, provides stepbacks from existing residential uses, and an appropriate stepback from the street. As the stepback and planting strip regulations are proposed by staff, the proposed development will need to be modified to meet the regulations.</p> <p>Therefore, staff supports these modifications.</p>
<p>Minimum Density</p> <p>Staff Proposed Modification</p>	<p>NA</p>	<p>60 units per net residential hectare.</p>	<p>Policy B.5.2.2.4 b) iii) of the Rymal Road Secondary Plan requires a minimum density of 60 units per net residential hectare and to establish a maximum density in an implementing Zoning By-law. The maximum density of 360 units per net residential hectare can be supported as the proposed development represents a compatible form of infill within the neighbourhood.</p> <p>Therefore, staff supports this modification.</p>
<p>Maximum Density</p> <p>Staff Proposed Modification</p>	<p>NA</p>	<p>360 units per net residential hectare.</p>	

Proposed Site Specific Modifications to the Mixed Use Medium Density (C5) Zone Not Supported by Staff

Regulation	Required	Modification	Analysis
<p>Built Form for New Development</p> <p>Applicant Proposed Modification</p>	<p>A minimum of one principal entrance shall be provided:</p> <p>1. within the ground floor façade that is set back is closest to a street.</p>	<p>A minimum of one principal entrance shall be provided along the Rymal Road East façade.</p>	<p>As the subject lands are located at an intersection of a local road and an arterial road, the proposed modification clarifies that the principal entrance shall be located to address Rymal Road East, the street planned as a vibrant pedestrian and transit oriented urban corridor.</p> <p>Therefore, staff supports this modification.</p>
<p>Parking Spaces for a Retirement Home</p> <p>Applicant Proposed Modification</p>	<p>1 space for each 3 persons accommodated or designed for accommodation.</p>	<p>1 space for each 4 persons accommodated or designed for accommodation.</p>	<p>The proposed reduction in parking spaces for a Retirement Home and Day Nursery is not supported by staff as insufficient justification was provided to support the modification.</p> <p>The analysis required by staff should utilize Institute of Transportation Engineers parking generation data to assess the parking generated by the proposal, proxy sites to assess parking generated by similar developments, and Transportation Tomorrow Survey Vehicle Ownership to assess ownership rates of the proposed development area. The materials submitted in support of these applications did not include this analysis.</p>
<p>Parking Spaces for a Day Nursery</p> <p>Applicant Proposed Modification</p>	<p>1 for each 125.0 square metres of gross floor area which accommodates such use; and,</p> <p>Notwithstanding clause the above, no parking shall be required where a Day Nursery is located within an Education</p>	<p>1 space for each 250.0 square metres of gross floor area which accommodates such use.</p>	<p>On April 10, 2024, City Council approved By-law No. 24-052, which modifies Zoning By-law No. 05-200 Section 5: Parking Regulations. Under the parking regulations approved under By-law No. 24-052, 0.85 spaces for each 3 persons accommodated, plus 0.25 visitor parking spaces for each 3 persons accommodated is required for a Retirement Home</p>

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	Establishment or Place of Worship.		<p>and 0.80 spaces for each 100.0 square metres of gross floor area is required. A total of 69 parking spaces are required under the new regulations. The Site Plan currently shows only 55 parking spaces, therefore, the development will need to be revised to incorporate 69 parking spaces.</p> <p>Therefore, staff do not support these modifications.</p>
<p>Building Setback from a Street Line</p> <p>Applicant Proposed Modification</p>	<p>Minimum 3.0 metres for a building with residential units on the ground floor facing a street.</p>	<p>Minimum 1.4 metre setback from Dakota Boulevard and 1.5 metres from a Flankage Lot Line.</p>	<p>The minimum setback only applies to residential units on the ground floor facing the street. A Planning Justification Report, prepared by Dryden, Smith & Head Planning Consultants Ltd, dated February 2024 and revised March 2024, was submitted in support of the proposed development. The report indicates that the retirement home units are located on floors two through eight. Commercial uses and amenity area is proposed to be located on the ground floor. Otherwise, there is no minimum setback requirement from the street line. This modification is not required to accommodate the proposed development.</p> <p>Therefore, staff do not support this modification.</p>
<p>Building Setback from a Street Line</p> <p>Applicant Proposed Modification</p>	<p>Maximum 4.5 metres, except where a visibility triangle is required for a driveway access.</p>	<p>No Maximum Setback from a Street Line.</p>	<p>A Site Plan, prepared by Masri O Inc. Architects, dated November 16, 2023, was submitted in support of the proposed development. The Site Plan indicates building setbacks of 3.5 metres and 1.52 metres from Rymal Road East and Dakota Boulevard, respectively. This modification is not required to accommodate the proposed development.</p> <p>Therefore, staff do not support these modifications.</p>