

Zoning By-law Site Specific Modifications – Mixed Use Medium Density (C5, 893, H170) Zone

Provision	Required	Requested Amendment	Analysis
Section 5.2: Design Standards			
5.2 a) – Minimum Landscape Strip for a Parking Lot Adjacent to a Residential Zone ** Applicant Requested Modification	Minimum 1.5 metre wide landscape strip which shall contain a Visual Barrier in accordance with Section 4.19	A minimum 1.0 metre landscaping strip shall be provided with no Visual Barrier and maintained along the westerly lot line and a minimum 1.5 metre landscape strip and a Visual Barrier in accordance with Section 4.19 shall be provided and maintained along the northerly lot line.	<p>Staff are satisfied that the reduced planting strip is only for a limited area adjacent to the underground parking ramp. The proposed underground parking ramp is adjacent to an existing driveway on the property directly west of the subject site. As a result, there would be no impact to the adjacent use due to the small reduction on the subject site. In all other areas of the proposal, the applicant is providing the minimum 1.5 metre planting strip with a visual barrier. Furthermore, the removal of the visual barrier requirement along the westerly lot line is appropriate as a fence already exists along this lot line, and a continuous row of coniferous trees is proposed along the westerly lot line to enhance this existing condition.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 10.5: Mixed Use Medium Density (C5) Zone			
10.5.3 (a) ii) - Building Setback from a Street Line ** Applicant Requested Modification	Maximum 4.5 metres, except where a visibility triangle is required for driveway access.	Maximum 5.3 metres, except where a visibility triangle is required for driveway access.	<p>The proposed increase in the maximum building setback is considered minor and will allow for additional space for landscaping and street furniture to help animate the streetscape.</p> <p>The proposed modification can be supported.</p>

Provision	Required	Requested Amendment	Analysis
Section 10.5: Mixed Use Medium Density (C5) Zone			
<p>10.5.3(c) – Side Yard Setback</p> <p>** Applicant Requested Modification</p>	<p>7.5 metres when abutting a Residential or Institutional Zone or lot containing a residential use.</p>	<p>Minimum westerly side yard setback of 6 metres to the building and 4.5 metres to a support column.</p>	<p>The proposed reduced westerly side yard setback is adjacent to an existing driveway for the residential use west of the subject lands, which results in a separation between the proposed building and the existing buildings to the west. Furthermore, the residential uses existing to the west include a six storey multiple dwelling, and a two storey mixed-use building, which are considered less sensitive than a low density residential use and a reduced setback is therefore appropriate.</p> <p>The proposed modification can be supported.</p>
<p>10.5.3(d)ii) and iii) – Maximum Building Height and Additional Setback Above 11.0 Metres in Building Height</p> <p>** Applicant Requested Modification</p>	<p>22 metres.</p> <p>In addition to Section 10.5.3d) i) and notwithstanding Section 10.5.3d) ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5.3 b) and c) when abutting a Residential or Institutional Zone to a maximum of 22.0 metres.</p>	<p>37.5 metres.</p> <p>In addition to Section 10.5.3d) i) and notwithstanding Section 10.5.3d) ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.5.3 b) when abutting a Residential or Institutional Zone to a maximum of 37.5 metres.</p>	<p>To evaluate the proposed increase in building height, staff reviewed the proposal for compatibility with the adjacent land uses. The applicants provided a Sun/Shadow Study and staff are satisfied that the proposed increase in height would not adversely impact the low density residential uses to the north or the public sidewalk. In addition, the applicants are proposing stepbacks as part of the proposed development, including a stepback on the fourth floor adjacent to King Street West in order to reduce the perceived mass of the building from the street and to be more compatible with existing low rise development along King Street West. Finally, the applicant is proposing a 31.6 metre setback from the low density residential at the rear of the property, in addition to stepbacks at the 9th and 11th storeys to help mitigate any overlook or privacy concerns.</p> <p>The applicant also requested the removal of additional setbacks above 11.0 metres in height (angular plane) adjacent to the westerly lot line.</p>

Provision	Required	Requested Amendment	Analysis
Section 10.5: Mixed Use Medium Density (C5) Zone			
<p>10.5.3(d)ii) and iii) – Maximum Building Height and Additional Setback Above 11.0 Metres in Building Height</p> <p>** Applicant Requested Modification (Continued)</p>			<p>Staff are satisfied that this modification can be supported as the proposed building is adjacent to a driveway for a multiple dwelling use to the west. In addition, the Sun/Shadow Study did not identify any negative impact to the neighbouring property as a result of the increased height. Further, as the proposed building is not adjacent to any private amenity space to the west, there is no significant concern with overlook and privacy. Finally, the proposal meets the requirement for the additional stepbacks (angular plane) adjacent to the rear property line, where more sensitive low density uses are located.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>10.5.3(i), 10.5.3(j) and 4.19 – Minimum Planting Strip and Visual Barrier</p> <p>** Applicant Requested Modification</p>	<p>1.5 metre planting strip shall be provided and maintained when abutting a property lot line with a Residential Zone with a visual barrier on a lot line abutting a Residential Zone.</p>	<p>A minimum 1.5 metre wide planting strip shall be provided and maintained along the northerly lot line and a 1.0 metre wide planting strip shall be provided and maintained along the westerly lot line. A visual barrier shall be required along the northerly lot line only.</p>	<p>Staff are satisfied that the reduced planting strip is only for a limited area adjacent to the underground parking ramp. The proposed underground parking ramp is adjacent to an existing driveway on the property directly west of the subject site. As a result, there would be no impact to the adjacent use due to the small reduction on the subject site. In all other areas of the proposal, the applicant is providing the minimum 1.5 metre planting strip with a visual barrier. Furthermore, the removal of the visual barrier requirement along the westerly lot line is appropriate as a fence already exists along this lot line, and a continuous row of coniferous trees is proposed along the westerly lot line to enhance this existing condition.</p> <p>Therefore, the proposed modification can be supported.</p>