

Zoning By-law Site Specific Modifications – Neighbourhood Institutional (I1, 16) Zone and Commercial Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone

Provision	Required	Requested Amendment	Analysis
Section 3: Definition			
<p>Definition of Landscape Parking Island</p> <p>** Staff Requested Modification</p> <p>Neighbourhood Institutional (I1, 16) Zone</p>	<p>Shall mean a curbed portion of land for the growing of ornamental shrubs or trees, flowers, grass, and other vegetation, suitable to the soil and climatic conditions of the area of land for the purpose of landscaping within a parking lot, and shall include walkways, fire hydrants, decorative walls, or features, and light standards, and shall not form part of a Planting Strip or Landscaped Area.</p>	<p>For parking areas existing on the date of the passing of this By-law the following definition of a Landscape Parking Island shall apply:</p> <p>“Shall mean a portion of land for the growing of ornamental shrubs or trees, flowers, grass, and other vegetation, suitable to the soil and climatic conditions of the area of land for the purpose of landscaping within a parking lot, and shall include walkways, fire hydrants.</p>	<p>There is an existing landscaped area between two of the rows of parking which includes grass and existing trees that is over 500 square metres in area, however as there are no existing curbs separating the parking from this landscaped area it does not meet the definition of a Landscape Parking Island.</p> <p>The proposed modification to the definition of a Landscape Parking Island will allow the existing landscaped area to be recognized and ensure that the requirement for Landscape Parking Islands is provided and maintained.</p> <p>Therefore, the proposed modification can be supported.</p>

Provision	Required	Requested Amendment	Analysis
Definition of Landscape Parking Island ** Staff Requested Modification Neighbourhood Institutional (I1, 16) Zone (Continued)		Decorative walls, or features, and light standards, and shall not form part of a Planting Strip or Landscaped Area."	
Section 4: General Provisions			
4.6 a) – Yard Encroachments ** Applicant Requested Modification Neighbourhood Institutional (I1, 16) Zone	That usual projections of window sills, chimney breasts, belt courses, cornices, venting and other similar appurtenances 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 existing chimney may encroach 0.45 metres into the required side yard.	The proposed modification is to recognize the existing chimney of the place of worship which encroaches into the northerly side yard. The proposed modification recognizes the existing situation which is not affected by the proposed severance. Therefore, the proposed modification can be supported.

Provision	Required	Requested Amendment	Analysis
Section 5: Parking			
<p>5.1 a) v) b)– Minimum Planting Strip Width</p> <p>Section 5.3.1 a) ii) - Minimum Planting Strip Width (By-law No. 24-052)</p> <p>** Applicant Requested Modification</p> <p>Commercial Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone</p>	<p>3.0 metre wide planting strip between the street line and the parking spaces or aisle.</p>	<p>0 metres.</p>	<p>There is no existing planting strip between the existing parking area and street line along Wilson Street East. The proposed modification recognizes the existing situation. Furthermore, the existing parking spaces are setback from the street more than 30.0 metres and therefore adequate separation and buffering between the street and the parking spaces is maintained.</p> <p>Therefore, the proposed modification can be supported.</p>

Provision	Required	Requested Amendment	Analysis
<p>5.2.b) – Minimum Parking Space Size</p> <p>5.2.1 a) – Minimum Parking Space Size (By-law No. 24-052)</p> <p>** Applicant Requested Modification</p> <p>Neighbourhood Institutional (11, 16) Zone and Commercial Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone</p>	<p>Minimum 2.8 metres in width and 5.8 metres in length.</p>	<p>The parking spaces existing on the date of the passing of this By-law shall be a minimum width of 2.6 metres in width and 5.5 metres in length.</p>	<p>The modification recognizes the existing parking spaces that were established in accordance with the previous zoning requirement of 2.6 metres wide by 5.5 metres in depth. The existing parking spaces pre-date the increase in the minimum parking space size to 2.8 metres by 5.8 metres. Any new parking spaces established in the future will be required to comply with the minimum 2.8 metres by 5.8 metres.</p> <p>Therefore, the proposed modification allows the existing situation to be maintained and can be supported.</p>

Provision	Required	Requested Amendment	Analysis
<p>5.2 f) – Minimum Barrier Free Parking Space Size</p> <p>5.2.2 a), b), and c) – Minimum Accessible Parking Space Size (By-law No. 24-052)</p> <p>** Applicant Requested Modification</p> <p>Neighbourhood Institutional (I1, 16) Zone and Commercial Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone</p>	<p>Minimum 4.4 metres and a minimum length of 5.8 metres.</p>	<p>The parking spaces existing on the date of the passing of this By-law shall have a minimum width of 4.4 metres and a minimum length 5.5 metres.</p>	<p>The modification recognizes the existing barrier free parking spaces that were established in accordance with the previous zoning requirement of 4.4 metres in width by 5.5 metres in depth. The existing barrier free parking spaces pre-date the increase in minimum barrier free parking space size to 4.4 metres by 5.8 metres. Any new barrier free parking spaces established in the future will be required to comply with the minimum 4.4 metres by 5.8 metres.</p> <p>Therefore, the proposed modification allows the existing situation to be maintained and can be supported.</p>

Provision	Required	Requested Amendment	Analysis
<p>5.6 c) – Minimum Required Parking Spaces</p> <p>** Applicant Requested Modification</p> <p>Neighbourhood Institutional (I1, 16) Zone</p>	<p>1 for every 16 square metres of gross floor area, inclusive of a basement or cellar, to accommodate such use.</p>	<p>A minimum of 58 parking spaces shall be provided and maintained for a Place of Worship.</p> <p>For all other uses and for any new building or any addition to an existing building the requirements of Section 5.6 c) shall apply.</p>	<p>The proposal will maintain the existing number of parking spaces over two sites rather than the existing situation in which the parking is located on one property with shared parking secured by way of a long term lease. The applicant has advised that the 58 parking spaces will provide adequate parking for the demands of the place of worship.</p> <p>The proposed modification would only apply to the existing place of worship. Any new development or any other use would be required to provide parking as per the Zoning By-law.</p> <p>As the proposed 58 parking spaces will be able to accommodate the typical demand for parking for the place of worship, the proposed modification will not result in adverse impacts to the surrounding area based on the typical parking demands.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>5.7.4 a) – Minimum Electric Vehicle Parking Rates (By-law No. 24-052)</p> <p>Commercial Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone</p>	<p>50 percent of all parking spaces.</p>	<p>No minimum percentage of Electric Vehicles Parking Spaces shall be provided for the existing 39 parking spaces.</p>	<p>The proposed application was submitted on April 4, 2024, before Council approved the new parking regulations through By-law No. 24-052, which included the requirement for Electric Vehicle Parking Spaces. While the new regulations did include transitional clauses for other types of <i>Planning Act</i> applications, active Zoning By-law Amendment applications were not included. Accordingly, once the new regulations are final and binding, they would be applicable to the proposed development. Based on the timing of the applications submission relative to the new parking regulations, staff were open to some flexibility in applying the new regulations.</p>

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<p>5.7.4 a) – Minimum Electric Vehicle Parking Rates (By-law No. 24- 052)</p> <p>Commercial Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone (Continued)</p>			<p>The proposal is to facilitate the transfer of lands from 265 Wilson Street East to 259 Wilson Street East and to maintain the existing parking area that was established prior to the new parking regulations which required 50 percent of all parking spaces to be Electric Vehicle Parking Spaces.</p> <p>The proposed modification applies to the existing parking only and any redevelopment of the site and replacement of the existing parking spaces will require that the minimum required Electric Vehicle Parking Spaces be established.</p> <p>The existing 58 parking spaces that are to remain on the lands at 265 Wilson Street East represent existing parking spaces which were associated with the existing Place of Worship prior to the Electric Vehicle Parking requirements being established. Therefore, a modification to the By-law for these parking spaces is not required.</p> <p>Therefore, the proposed modification can be supported.</p>

Zoning By-law Site Specific Modifications – Neighbourhood Institutional (I1, 16) Zone

Provision	Required	Requested Amendment	Analysis
Section 8: Neighbourhood Institutional (I1) Zone			
8.1.3.1 d) – Minimum Front Yard Setback ** Applicant Requested Modification	6.0 metres	Minimum front yard of 0.0 metres shall be required for any portion of a building existing on the date of the passing of this By-law.	<p>The proposed modification recognizes the existing 0.0 metre setback from the street line for the building at 265 Wilson Street East. The proposed modification shall only apply to the building existing on the date of the passing of the By-law. Any new building or any addition to the existing building shall be required to comply with the existing minimum 6.0 metre front yard setback required.</p> <p>Therefore, the proposed modification will permit the existing situation to be maintained and can be supported.</p>
8.1.3.1 e) – Minimum Side Yard Setback ** Applicant Requested Modification	1.2 metres	A minimum side yard of 0.6 metres shall be required for any portion of a building existing on the date of the passing of this By-law.	<p>The proposed modification recognizes the existing 0.6 metre setback from the northerly side lot line of the building at 265 Wilson Street East. The proposed modification shall only apply to the building existing on the date of the passing of the By-law. Any new building or any addition to the existing building shall be required to comply with the existing minimum 1.2 metre side yard setback required.</p> <p>Therefore, the proposed modification permits the existing situation to be maintained and can be supported.</p>

Provision	Required	Requested Amendment	Analysis
Section 8: Neighbourhood Institutional (I1) Zone			
8.1.3.1 h) – Maximum Building Height ** Applicant Requested Modification	10.5 metres	The Building Height of the building existing on the date of the passing of this By-law.	The proposed modification recognizes the existing building height of the building at 265 Wilson Street East. The proposed modification shall only apply to the building existing on the date of the passing of the By-law. Any new building or any addition to the existing building shall be required to comply with the existing maximum height restriction of 9.0 metres. Therefore, the proposed modification permits the existing situation to be maintained and can be supported.

Zoning By-law Site Specific Modifications – Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone

Provision	Required	Requested Amendment	Analysis
Section 10.5a: Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone			
10.5a.3 a) i) – Maximum Building Setback from a Street Line ** Applicant Requested Modification	3.0 metres for the first storey.	9.34 metres shall be required for any portion of a building existing on the date of the passing of this By-law.	The proposed modification recognizes the existing 9.34 metre setback of the building at 259 Wilson Street East from the Wilson Street East street line. The proposed modification shall only apply to the building existing on the date of the passing of the By-law. Any new building or any addition to the existing building shall be required to comply with the required side yard setback maximum of 3.0 metres. The proposed modification permits the existing situation with respect to setback from the street line to continue but would require any future redevelopment to comply with the standard requirements. Therefore, the proposed modification can be supported.

Provision	Required	Requested Amendment	Analysis
Section 10.5a: Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone			
10.5a.3 c) – Minimum Side Yard ** Applicant Requested Modification	7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.	1.0 metre abutting a Residential or Institutional Zone or lot containing a residential use shall be required for any portion of a building.	<p>The proposed modification recognizes the existing 1.0 metre setback from the southerly side lot line of the building at 259 Wilson Street East. The proposed modification shall only apply to the building existing on the date of the passing of the By-law. Any new building or any addition to the existing building shall be required to comply with the existing minimum 7.5 metre side yard setback required. The proposed modification will permit the existing situation with respect to the side yard setback to continue but would require any future redevelopment to comply with the standard requirements.</p> <p>Therefore, the proposed modification can be supported.</p>
10.5a.3 d) ii) – Maximum Building Height ** Applicant Requested Modification	9.0 metres.	The Building Height of the building existing on the date of the passing of this By-law.	<p>The proposed modification recognizes the existing building height of the building at 259 Wilson Street East. The proposed modification shall only apply to the building existing on the date of the passing of the By-law. Any new building or any addition to the existing building shall be required to comply with the existing maximum height restriction of 9.0 metres.</p> <p>The proposed modification, will therefore, maintain the existing built form and will not give height permissions for any future development.</p> <p>Therefore, the proposed modification can be supported.</p>

Provision	Required	Requested Amendment	Analysis
Section 10.5a: Mixed Use Medium Density – Pedestrian Focus (C5a, 903) Zone			
10.5a.3 i) – Planting Strip ** Applicant Requested 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.	Shall not apply along the northerly lot line.	Based on the shared access arrangement between 259 Wilson Street East and 265 Wilson Street East a 1.5 metre planting strip cannot be established along the northerly lot line of 259 Wilson Street East. The required planting strip would block access and maneuvering for the parking at 265 Wilson Street East. The proposed modification will not impact any land that is not associated with the proposed applications, and therefore will not result in a loss of buffering, screening, or separation for any third party. Therefore, the proposed modification can be supported.
10.5a.3 j) – Visual Barrier Requirement ** Applicant Requested Modification	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.	Shall not apply along the northerly lot line.	Based on the shared access arrangement between 259 Wilson Street East and 265 Wilson Street East a visual barrier cannot be established along the northerly lot line of 259 Wilson Street East. The required visual barrier would block access and maneuvering for the parking at 265 Wilson Street East. The proposed modification will not impact any land that is not associated with the proposed applications, and therefore will not result in a loss of buffering or screening for any third party. Therefore, the proposed modification can be supported.