

Site Specific Modifications to the District Commercial (C6) Zone

| Regulation | Required | Modification | Analysis |
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| <p>Restricted Uses</p> <p>Staff Proposed Modification</p> | <ul style="list-style-type: none"> • Mixed Use Dwelling Units shall only be permitted above the ground floor except for access, accessory office and utility areas. • For buildings less than 4,650 m² gross floor area, Mixed Use Dwelling Units shall not occupy more than 50% of the total gross floor area of all the building(s) within the lot. • Office(s) and Medical Clinic(s) shall only be permitted above the ground floor. | <ul style="list-style-type: none"> • Existing restrictions shall not apply. • Dwelling Units shall not be permitted on the portion of the ground floor facing a street. | <p>The proposed Official Plan Amendment, attached as Appendix “B” to Report PED24108, is to add a Site Specific Policy to permit residential dwelling units, medical clinics, and offices on the ground floor within the “District Commercial” designation, and require that a commercial use be provided on the ground floor for the portion of the building facing the street.</p> <p>This property is part of a larger District Commercial area, and the proposed ground floor commercial uses are an important aspect of the proposal in that they help to maintain the commercial function and commercial character of the area. Further, the lot configuration would not support a wholly commercial ground floor. Maintaining the ground floor façade as commercial and allowing residential uses on the ground floor at the rear of the building will maintain the planned function as a commercial frontage.</p> <p>Therefore, staff support these modifications.</p> |
| <p>Minimum Interior Side Yard</p> <p>Staff Proposed Modification</p> | <p>4.5 metres abutting a Residential or Institutional Zone or lot containing residential use.</p> | <p>7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.</p> | <p>To maintain setbacks from the abutting residential zones to the northwest to accommodate the proposed development with increased building height, staff are proposing to incorporate an increased setback from the residential zone containing a residential use.</p> <p>Therefore, staff support this modification.</p> |

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| <p>Building Height</p> <p>Applicant and Staff Proposed Modifications</p> | <p>Maximum 14.0 metres.</p> | <ul style="list-style-type: none"> • Minimum 7.5 metre façade height for any portion of a building along a street line. • Maximum 28.5 metres. • Any building height above 11.0 metres may be equivalently increased as the rear yard increases beyond the minimum yard requirement when abutting a Residential Zone to a maximum of 28.5 metres. | <p>The initial application was to rezone the subject lands to a modified Mixed Use Medium Density (C5) Zone. However, staff have recommended that the lands be rezoned to a modified District Commercial (C6) Zone.</p> <p>The proposed 28.0 metre (nine storey) building includes setbacks and stepbacks to ensure a 45 degree angular plane is achieved and limits any shadowing and overlook concerns on the low density residential uses to the north. A Sun/Shadow Study, prepared by Office Architecture dated September 2023, demonstrated that there is minimal shadow impact on residential land uses to the northwest. The abutting lands to the east and west are zoned District Commercial (C6) Zone and does not conflict with the proposed development.</p> <p>Stepbacks at the sixth storey along the Highway No. 8 façade minimize the height appearance from the public realm and further reduce potential shadow or overlook concerns. To maintain the stepbacks requirements and mitigate overlook and privacy from the abutting residential zones to the northwest, staff are proposing to incorporate the equivalent increase and amenity area provisions into the building height regulations.</p> <p>Therefore, staff support these modifications.</p> |

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| <p>Minimum Amenity Area for Dwelling Units and Multiple Dwellings</p> <p>Staff Proposed Modification</p> | <p>N/A</p> | <ul style="list-style-type: none"> • 4.0 m² per dwelling unit less than or equal to 50 m² gross floor area. • 6.0 m² per dwelling unit greater than 50 m² gross floor area. • An Amenity Area located outdoors shall be unobstructed and shall be at or above the surface and exposed to light and air. | <p>To maintain amenity area requirements for the mixed use development with increased height and proportion of residential units, staff are proposing to incorporate amenity area requirements applicable to mixed use developments.</p> <p>Therefore, staff support this modification.</p> |
| <p>Minimum Gross Floor Area for Commercial Uses</p> <p>Staff Proposed Modification</p> | <p>N/A</p> | <p>270 square metres.</p> | <p>As discussed in Appendix “F” attached to Report PED24108, the proposed ground floor commercial uses are an important aspect of the proposal to maintain the commercial function and character of the area within cluster of District Commercial uses. To maintain this, staff have proposed a minimum gross floor area for commercial uses.</p> <p>Therefore, staff support this modification.</p> |

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| <p>Minimum Number of Required Parking Spaces</p> <p>Staff Proposed Modification</p> | <p>Residential:</p> <p>As per By-law No. 05-200 currently in effect:</p> <ul style="list-style-type: none"> • Dwelling Units less than 50.0 square metres in Gross Floor Area: 0.3 per unit; plus, • Dwelling Units greater than 50.0 square metres in Gross Floor Area: <ul style="list-style-type: none"> • For units 1 – 14 = 0.7 per unit; plus, • For units 15 – 50 = 0.85 per unit; plus, • For units 51+ = 1.0m per unit; • For a total 175 parking spaces. <p>As per By-law No. 24-052, not final and binding:</p> <ul style="list-style-type: none"> • 0.85 spaces per unit for residents (160), plus 0.25 visitor parking spaces per unit (47) (for a total 207 parking spaces). <p>Commercial (Retail):</p> <p>0 where a use is less than 450 square metres in gross floor area (for a total of 0 parking spaces).</p> | <p>Residential:</p> <p>0.93 parking spaces per Dwelling Unit (for a total of 175 parking spaces).</p> <p>Commercial:</p> <p>No modification proposed.</p> | <p>Council approved By-law No. 24-052 on April 10, 2024, to modify Zoning By-law No. 05-200 Section 5: Parking Regulations. The applications were submitted on April 15, 2024. By-law No. 24-052 is under appeal to the Ontario Land Tribunal and is not in force and effect. Whereas 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 submission of the applications relative to the new parking regulations, staff were open to some flexibility in applying the new regulations.</p> <p>The proposed development is in conformity with the currently in effect minimum parking requirements. A minimum of 175 and a maximum of 236 parking spaces are required for the multiple dwelling units and no commercial parking is required. 187 parking spaces are proposed, with 181 parking spaces dedicated to the multiple dwelling and six for the commercial units.</p> <p>Under the parking regulations approved under By-law No. 24-052, a minimum of 160 resident and 47 visitor parking spaces are required for the multiple dwelling for a total of 207 total parking spaces required.</p> <p>Staff are of the opinion that, given the circumstances, the current in-force parking regulations are appropriate and supportable.</p> |

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| <p>Minimum Number of Required Parking Spaces</p> <p>Staff Proposed Modification (Continued)</p> | | | <p>Accordingly, staff propose establishing the minimum number of required parking spaces in accordance with the minimum requirements based on the proposed design in line with the existing in-force zoning regulation.</p> <p>Therefore, staff support this modification.</p> |
| <p>Minimum Number of Required Bicycle Parking Spaces</p> <p>Staff Proposed Modification</p> | N/A | <p>Short-Term Spaces: 5 Long-Term Spaces: 0.5 per dwelling unit</p> | <p>Under the parking regulations currently in effect, there are no minimum short-term or long-term bicycle parking requirements for a Dwelling Unit, Mixed Use in the District Commercial (C6) Zone. The parking regulations approved under By-law No. 24-052 establishes minimum short-term or long-term bicycle parking requirements. The proposed development is in conformity with both requirements.</p> <p>Similar to the justification for the modified minimum number of required parking spaces above, staff are of the opinion that applying the regulations approved under By-law No. 24-052 is appropriate and supportable.</p> <p>Therefore, staff support this modification.</p> |

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| <p>Minimum Required Number of Electric Vehicle Parking Spaces</p> <p>Applicant Proposed Modification</p> | <p>As per By-law No. 24-052, not final and binding:</p> <ul style="list-style-type: none"> • 100% of all residential parking spaces, excluding visitor parking spaces; and, • 50% of parking spaces for any other use. | <p>50% of all provided parking spaces, excluding visitor parking spaces.</p> | <p>The parking regulations approved under By-law No. 24-052 included the requirement for Electric Vehicle Parking Spaces. The applicant has committed to providing 50% of all provided parking spaces to be Electric Vehicle Parking Spaces. This results in 93 Electric Vehicle Parking Spaces based on the current provision of parking. The applicant confirmed that this was the most that could be provided without redesigning the proposal and departing from the proposed development concept.</p> <p>Similar to the justification for the modified minimum number of required parking spaces above, staff are of the opinion that, given the circumstances, 50% Electric Vehicle Parking Spaces is appropriate and supportable, as the current in-force zoning regulations do not have an Electric Vehicle Parking Space requirement.</p> <p>Therefore, the proposed modification can be supported.</p> |

Proposed Site Specific Modifications to the District Commercial (C6) Zone Not Supported by Staff

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| <p>Building Setback from a Street Line</p> <p>Applicant Proposed Modification</p> | <ul style="list-style-type: none"> • Maximum 4.5 metres, except where a visibility triangle is required for a driveway access. • 6.0 metres for that portion of a building providing an access driveway to a garage. | <p>Maximum 8.0 metres.</p> | <p>The Concept Plan, prepared by Office Architecture, dated September 22, 2023, indicates a maximum setback of 7.29 m from the street line. However, staff note that an ±4.9 m right-of-way dedication is required along Highway No. 8, bringing the maximum building setback down to ±2.39 m, which conforms to the existing regulations. This modification is not required to accommodate the proposed development.</p> <p>Therefore, staff do not support this modification.</p> |