

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

Regulation	Required	Modification	Analysis
Permitted Uses	Permits a range of retail, service, commercial, entertainment, and residential uses including but not limited to: Artist Studio, Catering Service, Day Nursery, Funeral Home, Hotel, Multiple Dwelling, Office, Personal Services, Restaurant, Tradesperson’s Shop.	Limit the uses permitted to only: <ul style="list-style-type: none"> • Home Business, • Multiple Dwelling, • Financial Establishment, • Office, • Personal Service, Establishment, • Restaurant, • Retail, and • Veterinary Service 	<p>The lands are currently zoned Mixed Use Medium Density (C5, 319) Zone. The proposed Zoning By-law Amendment is to remove the subject lands from Special Exception 319, which limited permitted uses on the subject lands to Home Business, Multiple Dwelling, and a Stormwater Management Facility. The modifications proposed by the applicant maintain limited permitted uses while expanding to include several additional ground floor commercial uses appropriate for mixed use development and appropriate to the location and scale as permitted within the West Mountain Core Area, “Area Specific Policy – Area A” of the West Mountain Area (Heritage Green) Secondary Plan.</p> <p>The proposed modification will permit uses that are compatible and supportive to residential use on the subject lands and nearby.</p> <p>Therefore, staff support the proposed modification.</p>

Regulation	Required	Modification	Analysis
Maximum Density	N/A	460 units per net hectare.	<p>The introduction of a density requirement has been proposed by the applicant to implement the site specific maximum residential density that would be allowed upon approval of the Official Plan Amendment.</p> <p>A Holding Provision is included in the Zoning By-law Amendment attached as Appendix “C” to Report PED24041 to ensure adequate sanitary servicing is provided in the future and will ensure the additional density can be accommodated.</p> <p>The introduction of a maximum density will allow for an appropriate intensification by providing a mix of housing types and add to the range of housing in the immediate area.</p> <p>Therefore, staff supports this modification.</p>
Minimum Landscaped Area	N/A	35%	<p>The introduction of a landscaped area provision is required to implement the West Mountain (Heritage Green) Secondary Plan policy requiring that the zoning by-law regulation identify a minimum landscaped area.</p> <p>The Mixed Use Medium Density (C5) Zone does not have a minimum landscaped open space requirement for multiple dwellings. The 35% landscaped area will permit a compact form of development while balancing landscaped area with driveways, sidewalks, and other paved areas.</p> <p>Therefore, staff support this modification.</p>

Regulation	Required	Modification	Analysis
Building Height	<p>i) Minimum 7.5 metre façade height for any portion of a building along a street line;</p> <p>ii) Maximum 22 metres; and,</p> <p>iv) B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath.</p>	<p>Minimum 6.0 metre façade height for any portion of a building along a street line.</p> <p>Maximum 31.0 metres.</p> <p>The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the north, south and west exterior walls of the storey directly beneath. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 31 metres from the eastern property line.</p>	<p>The intent of the minimum 7.5 metre façade height is to ensure a positive relationship between the pedestrian public realm and to ensure that the building base heights are in keeping with the scale of adjacent buildings and uses and provide an animated street edge.</p> <p>The proponents are requesting relief of 1.5 metres and propose a 6 metre façade height with a stepped back 2 metre terrace on the third floor. Staff do not have concerns with the reduced façade height as the 6 metre height is provided at a human scale and provides an animated street edge.</p> <p>The applicants have requested a 31 metre maximum building height. This complies with the West Mountain Area (Heritage Green) Secondary Plan which permits building heights of three to nine storeys. A Sun Shadow Study, prepared by Jonathan Weizel Architect and dated October 13, 2022, concluded that the development maintains a minimum of three hours of sunlight between 10 am and 4 pm on the surrounding public sidewalks, and public and private outdoor amenity spaces.</p> <p>The intent of setting back an enclosed or partially enclosed amenity structure on the roof 3 metres from the storey beneath is to screen the structure from public view at street level. The building proposed is a horseshoe design rather than a typical rectangular design. There is an 11.3 metre section at the bottom of the horseshoe shape that does not technically meet the requirement for a 3 metre setback from the storey directly beneath.</p>

Regulation	Required	Modification	Analysis
Building Height (Continued)			<p>The amendment maintains the requirement of the setback from all other sides of the building.</p> <p>Therefore, staff support these modifications.</p>
Built Form for New Development	<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 for residential uses shall be provided at grade and be accessible from a pedestrian walkway connected to the public sidewalk.</p> <p>A minimum of one principal entrance for each commercial unit shall be provided within the ground floor façade that is setback closest to the street and shall be accessible from the building façade with direct access from the public sidewalk.</p>	<p>The modification includes the entrance requirements for buildings within the Mixed Use Medium Density (C5) Zone to ensure the proposed commercial units are easily accessible from the public sidewalk.</p> <p>Therefore, staff supports this modification.</p>
Permitted Yard Encroachments	<p>A balcony may encroach into any required yard to a maximum of 1.0 metre, except into a required side yard of not more than one-third of its width or 1.0 metre, whichever is the lesser.</p>	<p>Balconies shall be permitted to encroach into the required rear yard to a maximum of 1.6 metres and into any other required yard a maximum of 1.0 metre.</p>	<p>The intent of the regulation is to prevent overlook onto neighbouring properties. The proposal provides wider balconies at its rear, however this proposal does not back onto any private amenity area.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
Minimum Number of Electric Vehicle Parking	100% of all parking spaces, excluding any visitor parking space.	A minimum of 25% of all provided parking spaces, excluding visitor parking spaces, or the requirement of Section 5.7.4 a), whichever is lesser.	The applications were submitted in December of 2022, before Council approved the new parking regulations through By-law No. 24-052, which included the requirement for Electric Vehicle Parking Spaces. 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. The applicant has committed to providing 25% of all provided parking spaces to be Electric Vehicle Parking Spaces. This results in approximately 125 Electric Vehicle Parking Spaces based on the current provision of parking.