

Site Specific Modifications to the Mixed Use Medium Density (C5) Zone in Zoning By-law No. 05-200

Regulation	Required	Modification	Analysis
<p>Permitted Uses [Sections 10.5.1 and 10.5.3]</p>	<p>Permitted Uses:</p> <ul style="list-style-type: none"> 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, Mixed Use Educational Establishment Emergency Shelter Financial Establishment Funeral Home Hotel Laboratory Lodging House Medical Clinic Microbrewery Motor Vehicle Gas Bar 	<p>Limiting non-residential uses to a maximum of 225 square metres.</p> <p>Prohibiting the following uses:</p> <ul style="list-style-type: none"> Commercial Entertainment Commercial Recreation Conference or Convention Centre Financial Establishment Funeral Home Hotel Microbrewery Motor Vehicle Gas Bar Motor Vehicle Service Station Motor Vehicle Washing Establishment Transportation Depot <p>Permit Multiple Dwelling Townhouse.</p>	<p>The proposed cap of 225 square metres for non-residential uses is intended to balance the goals of providing local-serving amenities with the need to maintain compatibility with the surrounding low-rise residential context.</p> <p>While the subject land's proximity to the nearby mixed-use main street supports the inclusion of some commercial or community-oriented uses, the location at the transition between a higher-intensity corridor and a stable residential neighbourhood warrants a more modest scale of non-residential activity.</p> <p>Limiting the commercial area and prohibiting certain uses ensures that any commercial, office, or service use functions primarily as a neighbourhood-serving use (i.e. a small café, convenience shop, or professional office) rather than a destination that generates</p>

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	<p>Motor Vehicle Service Station</p> <p>Motor Vehicle Washing Establishment</p> <p>Multiple Dwelling</p> <p>Office</p> <p>Personal Service</p> <p>Performing Arts Theatre</p> <p>Place of Assembly</p> <p>Place of Worship</p> <p>Repair Service</p> <p>Residential Care Facility</p> <p>Restaurant</p> <p>Retail</p> <p>Retirement Home</p> <p>Social Services Establishment</p> <p>Tradesperson's Shop</p> <p>Transportation Depot</p> <p>Urban Farmers Market</p> <p>Veterinary Service</p>		<p>significant traffic, noise, or parking demand. This modification supports the intent of the Mixed Use – Medium Density designation, which encourages a mix of residential and small-scale non-residential uses at a moderate intensity, while also ensuring the predominant use of the subject land remains residential. It reinforces a gradual transition in built form and function from the main street corridor to the lower-density residential area to the east, minimizing potential land use conflicts related to loading, hours of operation, and customer activity.</p> <p>The addition of a Multiple Dwelling Townhouse as a permitted use within the C5 Zone provides a context-appropriate built form and land use transition between the commercial activities along Kenilworth Avenue North and the established low-rise residential neighbourhood to the east. These residential forms introduce a moderate scale of development that complement</p>

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			the Mixed Use – Medium Density designation by supporting residential intensification, while maintaining a built form and height consistent with surrounding dwellings. Providing a broader range of residential built form types supports flexibility for future affordable housing providers.
Regulations for Multiple Dwelling Townhouse use	N/A	<p>Dwelling Unit Arrangement</p> <ul style="list-style-type: none"> • Not more than eight (8) Dwelling Units shall be attached in a continuous row. <p>Minimum Unit Width for each Dwelling Unit</p> <ul style="list-style-type: none"> • 6.0 metres where the Dwelling Unit contains a garage; and, • 5.0 metres where the Dwelling Unit does not contain a garage. <p>Minimum Setback from Hope Avenue</p> <ul style="list-style-type: none"> • 3.0 metres 	The recommended standards establishes appropriate standards consistent with the City's new Medium Density Low Rise Residential (R3) Zone regulations for multiple dwelling townhouses.

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		<p>Minimum Distance Between Buildings on a Lot</p> <ul style="list-style-type: none"> • Between two exterior walls which contain no windows to a Habitable Room: 3.0 metres; • Between two exterior walls, at least one of which contains windows to a Habitable Room: 6.0 metres; and, • Between two exterior walls, both of which contain windows to a Habitable Room: 12.0 metres. <p>Pedestrian Accesses</p> <ul style="list-style-type: none"> • Any ground floor Dwelling Unit adjacent to a yard abutting a street must have a minimum of one pedestrian entrance which is located in a façade facing a street. <p>Maximum Height of a Principal Pedestrian Entrance</p> <ul style="list-style-type: none"> • The height of the floor level of any principal 	

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		<p>pedestrian entrance shall be a maximum of 1.2 metres above grade.</p> <p>Waste Storage</p> <ul style="list-style-type: none"> Outdoor waste storage shall be fully enclosed and shall not be located in the front yard. 	
<p>Maximum Building Setback from a Street Line [Section 10.5.3 a. i) and ii)]</p>	<p>Building Setback from a Street Line</p> <p>Maximum 4.5 metres, except where a visibility triangle is required for a driveway access.</p>	<p>Building Setback from a Street Line</p> <p>Maximum 8 metres.</p>	<p>The proposed increase in the building setback to the street line is intended to provide flexibility for siting of a stormwater tank and sewer outlet on site. The underground tank may need to be located within the front yard.</p>
<p>Minimum Interior Side Yard [Section 10.5.3c)]</p>	<p>Minimum Interior Side Yard:</p> <p>7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.</p>	<p>Minimum Interior Side Yard:</p> <p>5.0 metres to the east lot line and 1.5 metres to the west lot line.</p>	<p>The proposed reduction of the minimum interior side yard from 7.5 metres to 5.0 metres on the east side and 1.5 metres on the west side represents an appropriate response to the subject land's physical context, functional requirements, and surrounding land uses.</p> <p>The proposed 5.0 metre setback to the east lot line maintains an appropriate level of separation and privacy between the subject</p>

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			<p>lands and the adjacent residential properties. The relationship along this edge is residential-to-residential. The proposed 5.0 metre setback exceeds what is typically required for low-density residential interfaces and provides sufficient space for landscaping and buffering.</p> <p>Moreover, the building largely abuts the rear yards of properties along Archibald Street, where the depth of those lots further contributes to separation between dwellings. At the point where the building abuts 82 Hope Avenue, further separation is provided by the presence of the driveway.</p> <p>On the west side, the proposed 1.5 metre setback is appropriate given that the subject land abuts a public lane approximately 7 metres wide, which provides separation between the proposed building and the mixed-use corridor along Kenilworth Avenue North. The lane serves as a buffer,</p>

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			mitigating potential land use conflicts and maintaining appropriate transition between the mixed-use main street and the subject land.
Building Height [Section 10.5.3 d. ii)]	Building Height Maximum 22.0 metres	Building Height Maximum 14.0 metres	The intent of the reduced maximum building height is to respond to the narrow context of the lot and ensure an appropriate transition in scale to the adjacent low rise residential uses that can address shadow, privacy and overlook considerations. Although the concept plans submitted with the application illustrate a three storey building height, it was determined through the review of the application that the building footprint may need to be reduced at the site plan stage to accommodate an underground stormwater tank. As such, the maximum building height was adjusted to provide flexibility to permit a four storey building.
Access Design Requirements [Section 5.2.4(a)]	Access to all parking shall: i) be arranged so as to not interfere with normal public use of the street or laneway;	i) Access to all parking may be provided via the municipal laneway	Parking is proposed to be accessed from the public lane rather than a driveway from Hope Avenue or Britannia Avenue. This approach supports a pedestrian-friendly streetscape by eliminating the need for

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	<p>ii) be provided by means of an access driveway:</p> <ol style="list-style-type: none"> 1. located on the lot; or, 2. located partly on the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, <p>iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.</p>	<p>opened by By-law No. 9746.</p> <p>ii) The adjacent laneway opened by By-law No. 9746 may be used as an access driveway for parking.</p> <p>iii) Ingress and egress of vehicles from a Parking Lot to the municipal laneway opened by By-law No. 9746 is not required to be provided in a forward motion only.</p>	<p>additional curb cuts and maintaining a continuous sidewalk edge. It also allows the building to maximize its street frontage for landscaping and active residential uses, enhancing compatibility with adjacent dwellings.</p> <p>Using the existing lane minimizes traffic and operational impacts on Hope Avenue, consolidates vehicle access, and aligns with the City's urban design and transportation policies, which encourage lane-based access where available.</p>
<p>Locational and Landscaping Requirements for All Uses [Section 5.3.1(a)(i) and (ii)]</p>	<p>Parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall not be located within 3.0 metres of a street line.</p>	<p>Parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be permitted 0.0 metres from the municipal laneway opened by By-law No. 9746, and no planting strip is required between the municipal laneway</p>	<p>The proposed reduction of the required 3.0 metre setback for parking spaces from a street to 0.0 metres from the public laneway is appropriate given the subject land's through lot configuration and context along a public lane. Locating parking adjacent to the laneway and using the laneway for maneuvering allows for a more</p>

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		opened by By-law No. 9746 and the said parking spaces or aisle.	efficient site layout, enabling the building to front Hope Avenue with active residential uses and enhanced landscaping. This configuration minimizes the visual and functional impact of parking on both street frontages and supports a pedestrian-oriented design consistent with the Mixed Use – Medium Density designation.