

Prepared – October 10, 2018

Reduced Corner Yard Setback

Section of By-law 2008-250	Required	Provided
Table 189 c)	Building setback is to be 3 m from corner property line.	0.2 m

Permitted Projection Related Variances

Section of By-law 2008-250	Required	Provided
Section 65, Provision 3	Permitted projections (Planter) cannot project more than 0.6 m, nor be closer than 0.6 m to a lot line.	Planter projects more than 0.6 m and is on the property line (0 m setback)
Section 65, 5 b) i, 2	Front staircase can be no closer than 0.6m to a lot line	Staircase ends at property line (0 m setback)

We feel that the minor variances related to permitted projections should be approved because;

1. They are **minor**. The ground floor of the building does meet the corner yard setback requirements of the LC zone, however due to grading, portions of the underground parking garage are visible above grade. The area atop the garage has been designed to be terraces for the ground floor units. Terraces, and their foundations are permitted projections, so the reduced corner yard request is similar to requesting terraces be allowed closer to the corner lot line. To achieve these permitted projections a reduction of less than 1 meter is being requested. These projections do not impede passage, nor would someone passing-by notice the difference in setback.
2. They are **appropriate**. None of these projections are in a yard that abuts any building, they are all along the corner side yard. There remains 3.5 meters from the closest projections to sidewalk.
3. They **follow the intent and purpose of the Official Plan**. The Official Plan encourages developments to focus on design and create exteriors which “mask” unsightly, required aspects of the building, such as above grade portions of the underground garage. This proposal has turned these areas into terraces and a welcoming, accessible front entrance. These projections help to create a defined edge along Bedale Drive.
4. They **follow the intent and purpose of the Zoning By-law**. The “Permitted Projection into Required Yards” section of the By-law permits features (including foundations) to project from a principal building into a required yard to the extent that they do not interfere with adjacent properties. If these requested variance are approved there still remains adequate separation to neighbouring uses.

Parking Related Variances

Section of By-law 2008-250	Required	Provided
Table 101, R11	1.2 parking spaces per unit	1 per unit

We feel that the minor variances related to parking should be approved because;

1. It is **minor**. The proposed reduction to the parking space rate, results in the loss of 2 parking spaces. Section 101(6)(c), allows for a reduction in required parking, if all parking is located below grade. This provision reduces the required non-visitor parking from 18 to 16.2. There still remains one per unit, plus 3 visitor parking spaces.
2. It is **appropriate**. Purchasers will be aware that only one parking spaces is available per unit and parking on City streets, unless posted differently is up to a maximum of 3 hours. It is unlikely that residents of this project will have more than 1 car.
3. It **follows the intent and purpose of the Official Plan**. The Official Plan focuses on reducing the dependence on cars and developing sites to maximize their yield (where appropriate). This variance is consistent with these goals.
5. It **follows the intent and purpose of the Zoning By-law**. The “Parking, Queuing and Loading Provisions” section of the By-law clarifies provisions for motor vehicle parking rates. It ensures that the amount of parking provided accommodates the use being proposed. If this requested variance is approved each unit will have their own exclusive parking space.

Rear Yard Setback Variance

Section of By-law 2008-250	Required	Provided
Table 189 e) iii	Building setback is to be 7.5 m from rear property line	4.4 m

We feel that this minor variance related to the rear yard setback should be approved because;

1. It is **minor**. The proposed reduction to the rear year setback is slightly less than half the current required distance. They variance is required to accommodate the garbage room. If this garbage room was a separate building it would be permitted to be as close as 0.6 meters to the rear property line (considered an accessory building). Connecting the garbage room to the underground parking garage allows for better construction and the ability to provide a terrace on the roof of the garbage room.
2. It is **appropriate**. Placing a refuse collection area within the parking garage, would result in a loss of parking spaces, so this activity must happen outside of the parking garage. A reduced rear yard setback will permit the garbage room to be continuous to the building, allowing for a better shared amenity space configuration.
3. It **follows the intent and purpose of the Official Plan**. As mentioned above, the Official Plan encourages developments to focus on design and create exteriors which “mask” unsightly, required aspects of the building. The garbage room is one such element and by attaching it to the building it provides the opportunity to place a terrace atop, almost hiding this less desirable part of the development.

4. It **follows the intent and purpose of the Zoning By-law**. The purpose of a rear yard setback is to ensure that appropriate distances exist between buildings and neighbouring property lines so to minimizing conflicts of adjacent uses. If erected as an accessory building, this garbage room as located with a 1 mm separation from the main building would be permitted. The setbacks to neighbouring properties is still maintained.

Landscape Strip Variance

Section of By-law 2008-250	Required	Provided
Table 189 h) ii	Landscape strip is to be 3 m when abutting a residential zone	1.5 m

1. It is **minor**. The proposed reduction to 1.5 meters applies to only a third of the rear property line (15 m back from Bedale Drive). Along the remaining sections over 3 meters of landscaped area is provided.
2. It is **appropriate**. This landscape strip needed to be narrowed to accommodate vehicular movements into and out of the parking garage.
3. It **follows the intent and purpose of the Official Plan**. The Official Plan encourages new developments to have regard for the existing neighbour context. The reduction of this landscape strip does not jeopardize this as a fence will separate these two uses.
4. It **follows the intent and purpose of the Zoning By-law**. The purpose of this landscape strip is to provide an appropriate transition to a residential zone. The proposed building while in a commercial zone, will be residential. The proposal would meet the buffering requirements if the underlying zone was residential.

Driveway Width Variance

Section of By-law 2008-250	Required	Provided
Section 107, 1 aa) i)	Maximum of 3.6 metres for a double traffic lane	6 m

1. It is **minor**. The proposed increase is not for the whole driveway, nor does it double the required width.
2. It is **appropriate**. In order to fascinate turning movements and avoid conflicts when two vehicles use the driveway concurrently, traffic engineers determined the minimum width of the bottom part of the driveway needs to be 6 m.
3. It **follows the intent and purpose of the Official Plan**. The Official Plan places citizen safety and ease of moving through the City as key elements of the document. The increased driveway width will ensure these goals can be achieved.
4. It **follows the intent and purpose of the Zoning By-law**. The purpose of the maximum driveway width is to ensure that street frontages are not dominated by hard, impermeable surfaces. At the property line the proposed driveway conforms to the by-law, it widens as it goes down the ramp and approaches the garage door.

Access Aisle to Bicycle parking Space

Section of By-law 2008-250	Required	Provided
Section 111, 1	Access aisle to a bicycle parking space must be a minimum of 1.5 metres	0 m (remove this requirement)

1. It is **minor**. Bicycle parking is provided within the individual storage cage for each resident. As you can see from the attached Basement Floor plan, these storage cages are accessed via the parking space. Technically the parking space is not considered an aisle, however this 2.6 metre wide area will act as access to the bicycle parking space.
2. It is **appropriate**. There is no need for an “access aisle” to the bicycle storage space, when the adjacent parking space performs the same function.
3. It **follows the intent and purpose of the Official Plan**. The Official Plan encourages alternative modes of transportation and providing appropriate/convenient storage will make it more likely that residents will own bicycles.
4. It **follows the intent and purpose of the Zoning By-law**. The purpose of this section of the by-law is to ensure that people can access the required bicycle parking spaces. This is still achieved.