A. J. Clarke and Associates Ltd.
SURVEYORS • PLANNERS • ENGINEERS

City of Burlington
Community Planning Department
426 Brant Street
Burlington, ON
L7R 3Z6

November 5, 2021

Attn: Rebecca Lau, MCIP, RPP
Planner II

Delivered via e-mail: rebecca.lau@burlington.ca

Re: 2294 & 2300 Queensway Drive
Resubmission – 505-05/19, 520-10/19 & 510-02/19 (24T-19002/B)

A.J. Clarke and Associates Ltd. have been retained by Waggy Inc. to coordinate joint applications for Zoning By-law Amendment, Official Plan Amendment and Draft Plan of Subdivision for the subject lands, municipally known as 2294 & 2300 Queensway Drive, in the City of Burlington.

We are in receipt of comments from City Staff and external commenting agencies, delivered via e-mail on September 3rd, 2021, and recognize certain outside government agencies have not provided comments. We have taken time to review those comments received with our client and have prepared this resubmission package in accordance with your email dated October 5, 2021. Please be advised that all the resubmission materials outlined in your October 5, 2021, email are included save and except for the updated Phase 2 Environmental Site Assessment (ESA). The updated Phase 2 ESA is nearing completion within a few weeks and will be provided once it is ready. We kindly request that the recirculation of the other resubmission materials be provided to the relevant City Departments and outside agencies for their review and again once the updated Phase 2 ESA is completed, it will be resubmitted immediately. Furthermore, the Record of Site Condition (RSC) will be filed upon completion of the Phase 2 ESA.

The intent of this letter is to outline the details of the resubmission package, and to provide responses to each of the comments outlined in the Planning and Zoning comment package. Furthermore, we have included additional information to clarify the purpose of the 7.5m Block identified in City Comments dated April 30th, 2021. All other comments are addressed by the relevant technical consultants through the supporting materials listed below.

1) One (1) digital copy of the Architectural Drawing Package, prepared by Icon Architects, dated November 3rd, 2021;
2) One (1) digital copy of the Bell Canada Letter, dated October 20th, 2021;
3) One (1) digital copy of the Building Height Letter, prepared by A.J. Clarke & Associates Ltd., dated October 29th, 2021;
4) One (1) digital copy of the Draft Plan of Subdivision, prepared by A.J. Clarke & Associates Ltd., dated October 21st, 2021;

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5) One (1) digital copy of the Enbridge (Union Gas) Memo, dated October 12th, 2021;
6) One (1) digital copy of the Engineering Drawing Package, prepared by MTE, dated October 21st, 2021;
7) One (1) digital copy of the Engineering Response Letter, prepared by MTE, dated October 21st, 2021;
8) One (1) digital copy of the Functional Servicing & Stormwater Management Report, prepared by MTE, dated October 21st, 2021;
9) One (1) digital copy of Landscape Plan, prepared by Adesso Design Inc., dated November 2nd, 2021;
10) One (1) digital copy of the Landscape Response Letter, prepared by Adesso Design Inc., dated September 15th, 2021;
11) One (1) digital copy of the Noise Impact Study, prepared by dBA Acoustical Consultants Inc., dated October 21st, 2021;
12) One (1) digital copy of the Noise Response Letter, prepared by dBA Acoustical Consultants Inc., dated October 21st, 2021;
13) One (1) digital copy of the Phase I ESA, prepared by Hallex Environmental Ltd., dated September 28th, 2021;
14) One (1) digital copy of the POTL Plan, prepared by A.J. Clarke & Associates Ltd., dated November 2nd, 2021;
15) One (1) digital copy of the Tree Protection Plan, prepared by Adesso Design Inc., dated November 2nd, 2021;
16) One (1) digital copy of the Traffic Brief, prepared by Paradigm Transportation Solutions, dated July 29th, 2021;

7.5 Metre Block

The purpose of this section is to clarify the matter of the 7.5m block that is discussed in City comments dated April 30/21. There is reference to a 7.5m block to be created within the draft plan of subdivision and eventual final plan; however, this issue was previously resolved with the relevant stakeholders, including the city that required a 7.5m setback, not a land dedication. There is a section of Queensway Drive that is already at 30m in width, which is the deemed width in the Official Plan. An additional land dedication at that section of the property would exceed the 30m deemed width permitted within the Official Plan and would most likely require expropriation if needed in the future. This should be confirmed by the City's lawyer. Furthermore, if a block was provided and kept in private ownership with the developer after registration, the lots fronting Queensway Drive would need a right of way over that private block for access, otherwise, they are landlocked.

Please find attached email correspondence dated July 13/20 from Rebecca that was in response to our June 29/20 meeting with the Owners, MTO and City Staff along with a letter that summarized the agreement made within that meeting. Also attached are July 19/19 emails from both Roz Minaji and Steve Lucas confirming no dedication is required, just the 7.5m setback.

Trusting this clarifies this matter and the 7.5m setback that will be implemented through the amending zoning bylaw.

Staff comments have been listed below in **bold**, with responses listed below each. Please note that only those comments that require further responses or discussion have been outlined below.

Planning Comments (September 1st, 2021)

Summary of Planning Comments

a) **Positive steps have been taken in this resubmission to help improve transitions and mitigate impacts to existing buildings, e.g., elimination of the 2nd storey decks, stairs to the common amenity area and garbage room. However, further information is needed to ensure that the proposal is compatible with existing properties. Specifically, more information is needed regarding:**
   - **Feasibility and proposed width of landscape buffers to mitigate impacts of reduced setbacks and increased height and densities on neighbouring properties;**
   - **Impacts of proposed setbacks on neighbouring trees and public trees; and,**
   - **Transition to future Queensway Drive right-of-way;**

   Please refer to the revised Site Plan drawing package.

b) **A number of zoning deficiencies, beyond those covered in the submitted draft zoning by-law, have been identified by City Zoning staff (see City Zoning Comments, dated August 26, 2021). A revised draft Zoning By-law Amendment, well as a letter from a Registered Professional Planner (RPP) should be included in the next resubmission. The RPP's letter should explain why the proposed revised draft Zoning By-law is appropriate, including detailed discussion about any proposed regulations that were not identified in the original draft by-law and discussed in the Planning Justification Report.**

   Please refer to the enclosed revised Draft By-law attached as Appendix 'B' along with a Zoning Matrix as Appendix 'C'. The intent of this letter is to address Staff comments regarding the appropriateness of the proposed regulations.

c) **A revised Draft Plan of Subdivision was not included in this resubmission. To assist with the next resubmission, please note that the revised Draft Plan should include a separate 7.5m Block for future dedication to the city, for the deemed Right-of-Way of Queensway Drive. Additional Planning comments and subdivision conditions will be provided in the next resubmission.**

Please refer to the enclosed Draft Plan of Subdivision. A separate 7.5m Block along Queensway Drive has been identified for future dedication to the city. Please also refer to the section above on this 7.5m block matter.

d) The applicant has recently advised Planning staff that private waste collection is now planned. To help advance work on the next resubmission, Planning staff have reached out to Transportation staff for early feedback. Transportation staff have requested truck turning templates of garbage pick-up vehicles in the next resubmission, in order to confirm the functionality of any proposed private pickup plan.

Please refer to enclosed truck turning templates, overlayed on the site plan, which confirms the functionality of the proposed private pickup plan.

The following matters require further clarification and/or justification:

a) A number of zoning deficiencies, beyond those covered in the submitted draft zoning by-law, have been identified by City Zoning staff (see City Zoning Comments, dated August 26, 2021). A revised draft Zoning By-law Amendment, well as a letter from a Registered Professional Planner (RPP) should be included in the next resubmission. The RPP's letter should explain why the proposed revised draft Zoning By-law is appropriate, including detailed discussion about any proposed regulations that were not identified in the original draft by-law and discussed in the Planning Justification Report.

Please refer to the enclosed revised Draft By-law and Zoning Matrix, being Appendix 'B' and 'C' respectively. The intent of this letter is to address Staff comments regarding the appropriateness of the proposed regulations.

b) Regulations across entire site:

i. West Side Yard Setback & Rear Yard Setback from R3 Zone:

i. Please see City Landscaping comments. Further information is needed to confirm that impacts of the reduced setbacks on existing neighbouring trees will be mitigated.

Please refer to the concurrently submitted Tree Protection Plan and Landscape Response Letter.

ii. Furthermore, Zoning staff have requested more information about the proposed bay window projection widths to determine if they are eligible for an encroachment allowance.

Please refer to the enclosed Architectural Drawing Package for additional details pertaining to the width and depth of all bay window projections.

ii. Amenity Area (all townhouses) & Privacy Area (standard townhouses):

Further information is needed to confirm that the proposed amount of amenity and privacy area is calculated exclusive of the 7.5 m MTO setback as well as landscape buffers. Since the purpose of a landscape buffer is to provide a dense landscape screen, it is not considered amenity area and should not be included in the calculation.

Please refer to the enclosed Architectural Drawing Package for site details. The net site area is 3,561.5 m^2 (exclusive of the 7.5m block). No landscape buffers (as per the zoning definition) are proposed. Screening is provided through use of plantings and double-boarded wooden privacy fences, as per the concurrently submitted Landscape Plan.

iii. Privacy Area Projection (Back-to-Backs):

Projection of balcony exceeds maximum 1.8 m. If increased projection is proposed, please provide justification for why the increase is appropriate and would not result in adverse privacy impacts on proposed townhouses to the south, taking into consideration the reduced front POTL setback of the southerly townhouses.

Please refer to the enclosed Architectural Drawing Package. Balcony projections of 2m are proposed only for those units contained within the four (4) of the units within Block 4. All such balconies are located at the second and third floors. All other Blocks of townhouses feature Juliet balconies, which do not project beyond the face of the building.

The proposed increase of 0.2m beyond the maximum permitted 1.8m projection is appropriate as it will maximize available outdoor amenities for the back-to-back units within Block 4 – whereas all other proposed townhouse units feature private rear yard amenity areas. The increase of 0.2m is appropriate as there will still be ample separation of approximately ±11.9 metres to the townhouse units to the south (Block 3). There will be no overlook onto abutting properties as the balconies are either projecting within the site or toward Queensway Drive. Further, it should be noted that an increase of 0.2m will be an imperceptible difference upon construction.

iv. Landscape Area abutting a street:

A 6 m landscape area is typically required adjacent to a street having a deemed width greater than 26 m to provide an appropriate transition between public and private realms and to allow sufficient space for buildings to be maintained without encroaching into the public right of way. Block 1 is located at or near 0 m from the required 7.5 m block that reflects the deemed width of Queensway Drive, and Block 4 appears to be setback approximately 2.9 m. If a reduced Landscape Area abutting the deemed width of Queensway Drive is proposed, please specify the width in a revised draft Zoning By-law and provide justification for how the proposed landscape area maintains the intent of this regulation. A 0 m setback from the 7.5

m block will not be supported by staff, as it does not provide for appropriate transitions and space for the maintenance of private/common element property if/when the block is dedicated to the City.

Please refer to the enclosed Draft By-law. As per the attached Site Plan drawing package, a minimum 2.9 metre setback is proposed from the 7.5-metre Block to Block 4. However, a 0-metre setback is proposed adjacent to Block 1. There are multiple examples along Queensway Drive of existing structures which are closer to the current right-of-way than Block 4. As such, although the setback is 0 metres, it will in fact maintain the established streetscape better than it would with a further setback provided. Transition can appropriately be established within the 7.5 metre block.

It is our understanding that the City of Burlington sold a portion of their Right-of-Way to the lands to the west to accommodate parking for a commercial use. As such, it is not clear how Queensway Drive will ever be widened – despite the creation of the 7.5 metre block requested by Staff.

A similar context exists to the east of the subject lands, where houses are located closer to the existing ROW along Queensway Drive than the end unit of Block 1. From a streetscape perspective, the location of these units will be consistent with the existing dwellings along the Queensway Drive road allowance.

v. Landscape Buffer:

1) **A landscape buffer is defined in the City's Zoning By-law as "a dense landscape screen, consisting of evergreen trees or a combination of solid screen fencing with evergreen or deciduous trees, shrubs or berms". The intent of the buffer is to provide visual and physical separation between differing land uses and intensities of development to ensure compatibility (e.g., mitigate privacy and overlook onto adjacent buildings and amenity areas, light trespass). Structures are not permitted within the buffer.**

   Given the proposed increase to density and height, and reduction to setbacks, a landscape buffer (as defined in the City's Zoning By-law, without patios, decks, stairs etc.) is warranted to ensure that appropriate transitions and compatibility are maintained to the surrounding context to the east, west, and south.

   If a reduced landscape buffer (as defined by the City's Zoning By-law), is proposed, please indicate the proposed width in a revised draft Zoning By-law and provide justification for why the reduction is appropriate and maintains the intent of landscape buffers.

   Please refer to the enclosed Draft By-law and Site Plan drawing package. It is proposed that the Landscape Buffer requirement adjacent to R1, R2, and R3 Zones be reduced to 0 metres. As per the Zoning By-law, the buffer is only required for the rear yard (south) where the subject lands abut an R3.1 Zone.

The buffer is not feasible for the efficient development of the lands, nor is it beneficial – as it would eliminate large amounts of amenity and landscape area, which will serve to create a healthy and safe environment for future residents. As will be discussed further below, the proposed screenings are sufficient to maintain privacy between the subject lands and the neighbouring lands to the south.

Although the landscape buffer is proposed to be eliminated – it should be noted that a mix of trees, cedar hedges, and 1.8 metre high fencing will provide more than sufficient screening between the subject lands and the units to the south. These will function similarly to a buffer in providing effective screening between properties, however they will also allow the subject lands to provide much more substantial functional private and common amenity areas and landscaping. In contrast, the City's landscape buffer requirement would ensure that the lands are not suitable for use by residents for active or passive recreational purposes.

Furthermore, we note that Staff have commented that the increased height and density warrant a landscape buffer in this context. Density in and of itself does not have bearing on impacts to adjacent lands. There are only six (6) units in Block 3 which have a rear-facing condition to the south. The end unit of Block 2 may also feature some windows to the south, resulting a maximum of seven (7) units with potential partial views to the south. This is reasonable in an urban context given that the subject lands are roughly ±60 metres in width along the rear lot line.

With regards to building height, it is our opinion that the proposed minimum 6-metre rear yard setback in combination with the extensive screening and plantings proposed appropriately mitigate potential compatibility concerns relating to loss of privacy, overlook, and light trespass. It should further be noted that the existing single-detached homes to the south are setback between ±25 to ±50 metres from the shared rear property line. As such, it is not anticipated there will be any significant adverse impacts due to the reduced landscape buffer.

2) **Furthermore, the feasibility of the landscape buffers has yet to be demonstrated. City Site Engineering has commented that confirmation is needed from the applicant's Civil Engineer that the proposed stormwater management concept does not conflict with the continuous cedar hedges that are proposed to be planted.**

Noted.

vi. Building Height

The proposed RM3 zone allows a maximum building height of 3 storeys for back to back townhouses. The proposed back-to-back towns are considered 4-storeys in height, as the mechanical penthouse is counted as a storey. If an increase in height is proposed to be included in the amending by-law, please provide justification for why this increase is appropriate.

Please refer to enclosed Architectural Drawing Package and Draft By-law. The proposed back-to-back townhouses are proposed to be four (4) storeys in height as per the definitions in the Zoning By-law. However, it is our opinion that a one-storey increase from the three-storey maximum is appropriate in this context. The increased building height is a technicality, with no liveable floor area on the fourth floor. The fourth floor will consist of a mechanical room, staircase overrun, and outdoor amenity area. Outdoor amenity areas on the fourth floor (roof) will be setback approximately ±3 metres from the edge of the roof, ensuring that there will be no adverse impacts on neighbouring units or properties because of overlook caused by the increased building height.

Furthermore, it is our understanding that the definition of "Height, Building" in the City's Zoning By-law 2020 excludes certain features and contains the following wording in part… *"height means the vertical distance measured in linear metres, between fixed grade and the highest point of a flat or peaked roof, exclusive of any ornamental dome, chimney, tower, cupola, steeple, spire, water storage tank, electric apparatus, sign, television antenna, structure for mechanical equipment required for the operation of the building."* It is important to have this confirmed by City Staff so the amending and implementing Zoning By-law is correct.

c) Regulations for each POTL:

i. A revised draft Zoning By-law Amendment and POTL Plan should be included in the next resubmission to reflect any requested changes to the POTL regulations of the Zoning By-law.

Noted. Please refer to the enclosed Draft By-law and POTL Plan.

ii. Front Yard:

A revised Plan of Subdivision and a POTL plan has not yet been submitted, but based on the site plan, it appears that a reduced POTL front yard setback is proposed for the standard townhouse blocks. For each POTL, the Zoning By-law requires a minimum front yard setback of 3 m (measured from building to front POTL line). The purpose of a front yard setback is to provide a balance between landscaped open space and building massing to support a pedestrian-scaled environment, and to provide a transition between public and private realms.

If a reduction to front POTL setback is proposed, please explain how the reduced setback maintains an appropriate balance between landscaped open space and building massing and provides a sufficient transition between public and private realms.

A reduced front yard POTL limit of 1.94 metres is proposed (measured to back of curb), whereas a minimum of 3m is required. The proposed minimum 1.94 metre setback is sufficient to accommodate pedestrian activity and establish a transition between private units and the common private condo road. Given that this will be a private development, it is not anticipated that the general public will be utilizing the condo road, and as such a reduced setback is appropriate as there is less need to delineate public versus private realms when compared to a typical public ROW. The separation will be further enhanced through landscaping in the form of plantings and variation in paving materials (see Landscape Plan).

It should also be noted that the back-to-back block is situated 2.9m at its closest location to the southern limit of the 7.5m block and approximately 5.6m at the easterly portion of the block. The actual physical distance from the closest porch of the proposed back-to-back block and the actual paved road of Queensway Drive is approximately 33.4m.

iii. Side Yard Abutting a Public Street:

A 3 m side yard is required for Block 1. It appears that a 0 m setback is proposed from the required 7.5 m block that reflects the deemed width of Queensway Drive. Staff recommend maintaining a 3 m side yard to ensure that a transition between private and public realm is maintained when the 7.5 m block is dedicated to the city in the future.

Please refer to the response to item b(iv) above. Also, the physical distance between the north wall in Block 1 and the existing concrete sidewalk in Queenston Road is approximately 20.5m.

d) General zoning regulations:

i. Fencing:

Zoning has flagged that further information is needed about the proposed fencing and privacy screening to confirm compliance. Comments from Planning may be provided once this information is submitted and reviewed.

Please refer to the Landscape Plan for details regarding the proposed fencing and privacy screening.

Zoning Comments (August 26th, 2021)

Deemed Street

1) **The deemed Right of Way (ROW) of Queensway Avenue is 30m, it is a City of Burlington owned road, the actual ROW width is irregular fronting the subject property and is less than deemed width specified in the City of Burlington Official Plan. To bring the ROW to the deemed width a +/- 7.5m widening would be required. The widening can only be accurately verified by an Ontario Land Surveyor.**

   Please refer to the enclosed submission materials, including the Site Plan, the Draft Plan of Subdivision as well as this response letter's section above regarding the 7.5m setback.

2) **The Applicant was advised at the January 9, 2019 Preconsultation meeting that the City requires a 7.5m block be created and kept in private ownership along the property frontage and kept free and clear of any buildings or infrastructure (private laneway is allowed), and that the future development agreement is to contain language that if the block is ever needed/requested by the City to be dedicated in the future, it would be, free of charge. With this block and agreement in place the City Transportation Department agreed not to require the 7.5m dedication during a development application. The materials submitted with the application do not reflect this, and Site Engineering cannot support the development proposal without the 7.5m block being created and kept free and clear of buildings and infrastructure.**

   Please refer to the enclosed Site Plan drawing package, engineering design and the Draft Plan of Subdivision. Please also refer to the additional discussion at the beginning of this letter regarding the 7.5m Block.

3) **Furthermore, it is Site Engineering's understanding that the Ministry of Transportation (MTO) had previously provided confirmation that they were satisfied with the building/infrastructure setbacks based on the creation of the +/-7.5m block that is to remain free and clear of all buildings and infrastructure. We defer to the Ministry of Transportation to confirm their requirements. Please clearly label the MTO setback on the drawing.**

   Please refer to the enclosed Site Plan drawing package.

Residential Comment Sheet

Please refer to enclosed Draft By-law and Zoning Matrix.

I trust this is satisfactory and thank you for your cooperation in this matter. If you need additional information or clarification regarding the above, please do not hesitate to contact our office.

Sincerely,



Miles Weekes, MCIP, RPP
Planner
A. J. Clarke and Associates Ltd.



Stephen Fraser, MCIP, RPP
Principal, Planner
A.J. Clarke & Associates Ltd.

Encl.

Cc: Waggy Inc. (c/o Tasha Mazza & Maged Shireen)

Appendix A

Draft Official Plan Amendment

APPENDIX C

OFFICIAL PLAN AMENDMENT
TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA
File:

DETAILS OF THE AMENDMENT

Text Changes:

PART III – Land Use Policies – Urban Planning Area, Section 2.0, Residential Areas, Subsection 2.2.3, Site Specific Policies, is hereby amended by adding the following new clause p):

2294 and 2300 Queensway Drive	p) Notwithstanding the policies of Part III, Subsection 2.2.2 d) of this Plan, the lands designated "Residential Medium Density" on lands known as 2294 and 2300 Queensway Drive shall be permitted a maximum residential density of 68 units per hectare.

INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the "Interpretation" policies of Part VI, Implementation, Section 3.0, Interpretation, of the Official Plan of the Burlington Planning Area.

IMPLEMENTATION

This Official Plan Amendment will be implemented in accordance with the appropriate "Implementation" policies of Part VI of the Official Plan of the Burlington Planning Area.

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Appendix B

Draft Zoning By-law Amendment

City of Burlington By-law 2021.XXX

Description

A by-law to amend By-law 2020, as amended, to permit 24 townhouse residential units at 2294-2300 Queensway Drive, Burlington. File No.: XXX-XX-XX
(PB-XX-XX)

Preamble

Whereas Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

Whereas the Council of the Corporation of the City of Burlington approved Recommendation PB-XX-XX on XXXX, 2021, to amend the City's existing Zoning By-law 2021, to re-zone the lands at 2294 and 2300 Queensway Drive from "HRM2" to "RM3 – XXX" to permit a residential development consisting of 24 units.

The Council of the Corporation of the City of Burlington hereby enacts as follows:

Content

1. Zoning Map Number XX of Part XX of By-law 2021, as amended, is hereby amended as shown on Schedule "A" attached to the By-law.

2. The land designated as "A" on Schedule "A" attached hereto are hereby rezoned from H-RM2 to RM3-XXX.

3. Part 14 of By-law 2021, as amended, Exceptions to Zone Classifications, is amended by adding Exception XXX as follows:

   "Exception XXX"

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Exception XXX	Zone RM3	Map XX	Amendment 2021.XXX	Enacted

Regulations for Entire Site

a)	**Yard Requirements**	
i.	Front Yard	2.9 m
ii.	Rear Yard	6 m
iii.	Side Yard	1.2 m
iv.	Street Side Yard	0 m
v.	Yard Abutting R1, R2, R3 Zone	6 m
vi.	Density	68 Units per hectare maximum
vii.	Balcony Projection	Maximum 2 m from the front wall
b)	**Landscape Area and Buffer**	
i.	Landscape Area Abutting a Street	0 m
ii.	Landscape Buffer Abutting R1, R2, R3 Zones	0 m
c)	**Building Height**	
i.	Maximum Height for Back-to-Back Townhouse	4 storeys (13.7m)
ii.	Maximum Height for Standard Townhouse	3 storeys (10.5m)
d)	**Projections**	
i.	Deck encroachment into a rear yard, including stairs (maximum)	3.9 m
e)	**Parcel of Tied Land**	
i.	Front Yard	1.90 m
ii.	Driveway Length for Back-to-Back Townhouse	6.7 m
iii.	Driveway Length for Standard Townhouse	1.04 m
iv.	Yard Abutting a Public Street	0 m
v.	Rear Yard	5m, except back-to-back townhouses shall be 0m
f)	**Parking**	
i.	Parking Dimensions	2.75 x 5.5 m
ii.	Off-street loading space for residential buildings	None
iii.	Parking area setback from a street line	4 m
iv.	Access	Every parking space shall have adequate means of entrance and exit directly to an existing street or lane OR have legal direct access to an existing street provided by way of easement

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

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Appendix C

Zoning Matrix

* N/A = no amendment to existing requirement of RM3 Zone proposed

Provision	Requirement (RM3)	Proposed Amendment (RM3-XXX)	Rationale
Yard Requirements			
Lot Width	45 m	N/A	N/A
Lot Area	4 ha	N/A	N/A
Front Yard	7.5 m	2.9 m	As per the Site Plan Drawing Package, a minimum 2.9 metre setback is proposed from the 7.5-metre Block to Block 4. There are multiple examples along Queensway Drive of existing structures which are closer to the current right-of-way than Block 4. As such, although the setback is 2.9 metres, it will in fact maintain the established streetscape better than it would with a further setback provided. Transition can appropriately be established within the 7.5 metre block. A similar context exists to the east of the subject lands, where houses are located closer to the existing ROW along Queensway Drive than the end unit of Block 1. From a streetscape perspective, the location of these units will be consistent with the existing dwellings along the Queensway Drive road allowance.
Front Yard abutting a street having a deemed width of 30m or greater	9 m		
Rear Yard	9 m	6 m, except back-to-back townhouse units shall be 0 m	It is our opinion that the proposed minimum 6-metre rear yard setback is appropriate in a typical urban context. The extensive screening and plantings proposed appropriately mitigate potential compatibility

* N/A = no amendment to existing requirement of RM3 Zone proposed

Provision	Requirement (RM3)	Proposed Amendment (RM3-XXX)	Rationale
			concerns relating to loss of privacy, overlook, and light trespass. It should further be noted that the existing single-detached homes to the south are setback between ±25 to ±50 metres from the shared rear property line. As such, it is not anticipated there will be any significant adverse impacts due to the reduced rear yard setback.
Side Yard	4.5 m	1.2 m	The proposed side yard setback of 1.2m is appropriate given the adjacent land use to the west is commercial in nature. It is also consistent with the 1.2 metre separation required between buildings, providing sufficient space for separation and access for future maintenance purposes.
Street Side Yard	6 m	0 m	A 0-metre setback is proposed adjacent to Block 1. There are multiple examples along Queensway Drive of existing structures which are closer to the current right-of-way than Block 4. As such, although the setback is 0 metres, it will in fact maintain the established streetscape better than it would with a further setback provided. Transition can appropriately be established within the 7.5 metre block.

* N/A = no amendment to existing requirement of RM3 Zone proposed

Provision	Requirement (RM3)	Proposed Amendment (RM3-XXX)	Rationale
Yard Abutting R1, R2, R3 Zone	12 m	6 m	Please refer to the rationale noted above for the reduced 6 m rear yard setback.
Density	50 units per ha	68 units per hectare	The proposed density increase is appropriate within an urban context and is consistent with provincial policy direction for intensification within existing residential areas. Supporting technical studies have demonstrated that the additional density may be accommodated through existing and proposed servicing infrastructure without adverse impacts to surrounding lands.
Amenity Area	25 m^2 / unit	N/A	N/A
Common Amenity Area	One common amenity area with a minimum area of 100 m^2 OR a total common amenity area of 6 m^2 per unit, whichever is greater.	N/A	N/A
Privacy Area - back	Each unit shall contain an individual balcony with an area of 5.5 m^2	N/A	N/A
Balcony Projection	Maximum 1.8 m from the front wall.	Maximum 2 m from the front wall	Please refer to page 4 (sub. iii) of this letter for a detailed discussion.
Landscape Area and Buffer			
Landscape Area Abutting a Street	6 m abutting a street having a deemed width greater than 26 m	0 m	Please refer to page 4 (sub. iv) of this letter for a detailed discussion.
Landscape Buffer Abutting R1, R2, R3 Zones	6 m	0 m	Please refer to page 5 (sub. v) of this letter for a detailed discussion.
Building Height			
Maximum Building Height	3 storeys	4 storey (13.61 m) for back-to-back townhouses 3 storeys (10.41 m) for standard townhouses	Please refer to Page 7 (sub. vi) of this letter for a detailed discussion.

* N/A = no amendment to existing requirement of RM3 Zone proposed

Provision	Requirement (RM3)	Proposed Amendment (RM3-XXX)	Rationale
Deck Projections			
Deck encroachment into a front yard	Not Permitted	N/A	N/A
Deck encroachment into a rear yard	3 m	3.9 m (incl. stairs)	The proposed 3.9 m encroachment into a rear yard is appropriate to accommodate a functional deck size and the associated stairs required for access to the private rear yards. There will be no significant impacts from this moderately increased encroachment as there will be adequate privacy screening implemented to mitigate concerns related to potential loss of privacy and light trespass.
Deck encroachment into a side yard	3 m	N/A	N/A
Encroachment into yards			
A bay window may project 50 cm maximum into a required side yard and 1.6 m maximum into any other required yard, provided that:	i. The sum of the length of these projections does not exceed one third of the permitted length of a building wall.	N/A	N/A
	ii. The length of any one projection does not exceed 3 m.	N/A	N/A
	iii. A bay window that projects into a required yard may not have a foundation and must have at least 30% of the surface area of the projection as window.	N/A	N/A
Parcels of Tied Land			
Front Yard	3 m	1.94 m	Please refer to Page 7 & 8 (sub. ii) of this letter for a detailed discussion.
Driveway Length	6.7 m	1.94 m for standard townhouses	A reduced driveway is appropriate for the subject lands given that both required parking spaces may be accommodated within the attached

* N/A = no amendment to existing requirement of RM3 Zone proposed

Provision	Requirement (RM3)	Proposed Amendment (RM3-XXX)	Rationale
			garages of the proposed units. As such, a full driveway depth of 6.7 m is not necessary as there are no cars which need to be accommodated within this space.
		6.7 m for back-to-back townhouses	N/A
Side Yard Adjacent to Exterior Wall of a Building	1.2 m	N/A	N/A
Yard Abutting a Public Street	3 m	0 m	Please refer to Page 8 (sub. iii) of this letter for a detailed discussion.
Rear Yard	6m, except that back to back townhouses shall be 0m	5 m, except back-to-back townhouses shall be 0 m	A minimum rear yard setback of 5 metres is sufficient to provide adequate private amenity areas for the benefit of future residents. Access to light and fresh air will be enhanced through upper level Juliet Balconies for every unit in Blocks 1-3.
Parking			
Driveway Length	6 m	N/A	N/A
Parking Ratio	2 spaces per unit, plus 0.25 visitor spaces per unit	N/A	N/A
Parking Dimensions	2.75 x 6 m	3 x 5.5 m	The proposed parking spaces are wider than the minimum requirement of 2.75 m, but are shorter than the standard 6 m requirement. A 5.5 m deep parking space is sufficient to accommodate a standard personal vehicle. The additional width of each space will provide additional manoeuvring

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Provision	Requirement (RM3)	Proposed Amendment (RM3-XXX)	Rationale
			space to ensure that the spaces can be safely accessed by visitors.
Private Garage Dimensions	6 x 3 x 2m	N/A	N/A
Off-street loading space for residential buildings (4 storeys)	1 loading space	None	It is our opinion that the loading space requirement is a technicality which assumes a higher density built form. It is not necessary nor common practice to require loading spaces for a townhouse style development of this nature. Such a space would ultimately be an underutilized space which would result in a loss of potential landscaping and amenity area.
Parking lots shall be setback from a street line	4.5 m	4 m	The proposed reduction is minor and will have no perceptible impact on the streetscape. The setback is 4 m at the nearest point, and increases from there due to the angle of the site and orientation of the parking relative to the future 7.5 Block.
Access	Every parking space shall have adequate means of entrance and exit directly to an existing street or lane.	Every parking space shall have adequate means of entrance and exit directly to an existing street or lane OR have legal access to a street.	N/A
Fencing & Privacy Screens			
Maximum Fence Height	2 m	N/A	N/A
Maximum Height from Grade	2.5 m	N/A	N/A
Maximum Height from Platform	1.8 m	N/A	N/A
Enclosed on Two Sides Only	Enclosed on Two Sides Only	N/A	N/A
Setback from Streetline	9 m	N/A	N/A
Setback form a side lot line	1 m	N/A	N/A

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Provision	Requirement (RM3)	Proposed Amendment (RM3-XXX)	Rationale
Setback form a side lot line that extends from a common wall dividing dwelling units	0 m	N/A	N/A
Setback from a rear lot line	1.5 m	N/A	N/A
Combined length of privacy screens (per unit)	12 m	N/A	N/A