

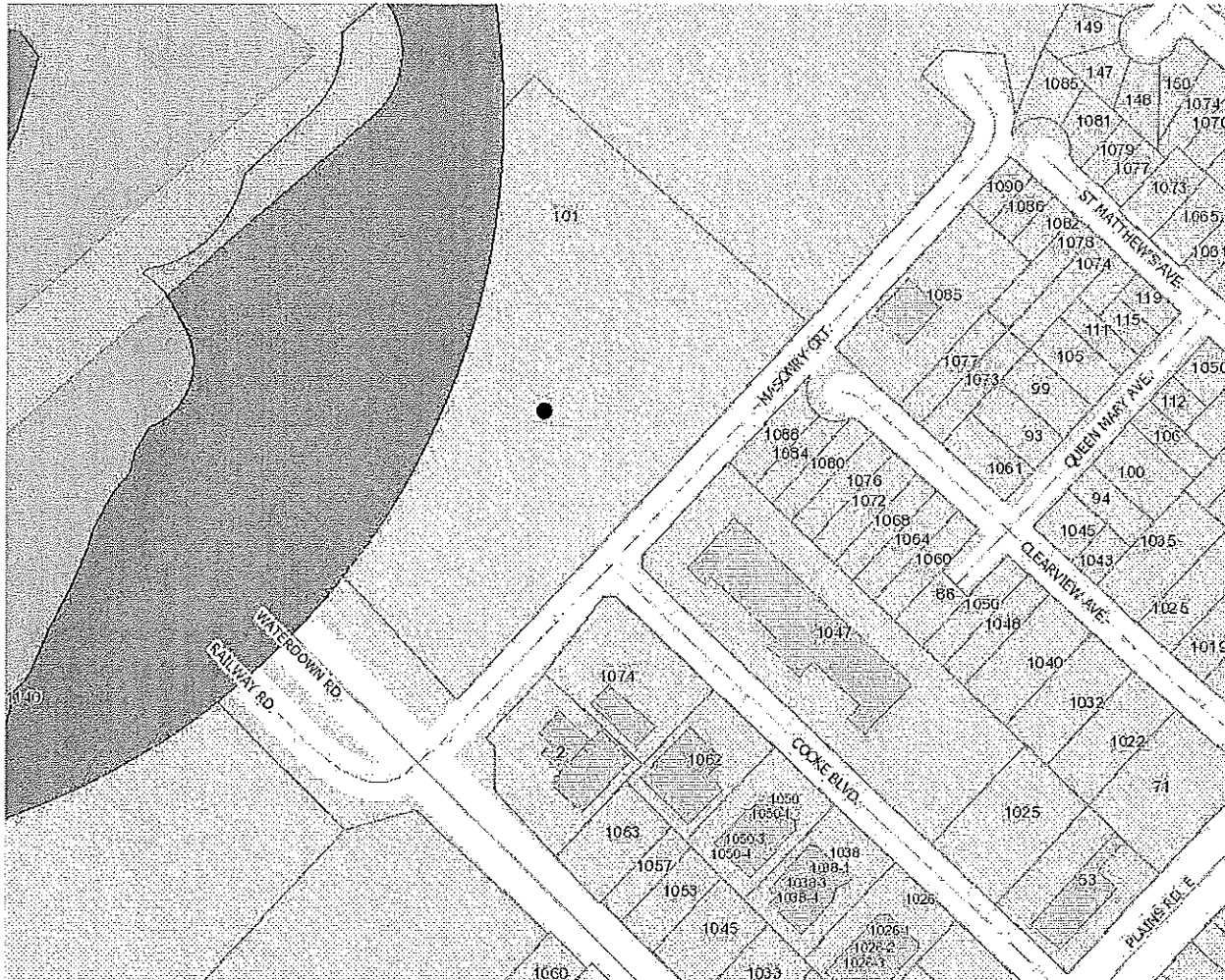
Addendum #1

**Committee of Adjustment Meeting #7
Tuesday April 18, 2017**

Re: 101 Masonry Court (A141/2016)

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Owner(s): ADI Developments (Masonry) Inc.
Address: 101Masonry COurt
File No. **A-141/16**
Ward: 1



PLANNING AND BUILDING DEPARTMENT COMMENTS

Committee of Adjustment

There is one active land division application on record for this property
File No. B-026/2015

- consent to sever an existing lot into 2 new lots for future development

There are two previous minor variance applications on record for this property.
File No. A127/2015 – Approved

- Multiple variances dealing with a 416 unit (townhouses and apartments) residential development.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

File No. A037/2016 – Approved

- To permit a temporary building or trailer for conducting sales of new dwelling units to be removed from the site within 2 years whereas Part 1, Section 2.21(q)(iii) requires that the temporary sales office be removed from the site within 6 months or within 60 days of completing all sales of dwelling units, whichever is less.

Date: November 8, 2016

Prepared By: Amanda D'Angelo

Zoning

The subject property is zoned MXC-26, Commercial Corridor, under Zoning By-Law 2020, as amended.

The applicant is proposing a 421 unit (townhouses and apartments) residential development. The Committee approved 58 variances for this proposed development on July 20, 2016 under file 540-02-A-127/15. The applicant has made revisions to the plans, including the addition of 4 units to the apartment buildings, so additional variances are required as identified below.

Part 16, Definitions

Lot Line, Front

The lot line that divides a lot from the street provided that in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line, and the longer lot line that abuts a street shall be deemed to be a side lot line abutting a street. In the case of a through lot, only one of the lot lines shall be deemed to be the front lot line. In the case of an irregular shaped lot in a detached residential zone, the straight line joining the two points where the side lot lines respectively intersect the street line shall be not less than 9.1 metres.

Part 1, Section 2.25 OFF-STREET PARKING AND LOADING REQUIREMENTS

2.25.3 At least one off-street loading space shall be provided in conjunction with every principal building, including mixed-use buildings, but excluding residential buildings less than 4 storeys high.

Table 1.2.6: Off-Street Parking Standards

USE	PARKING STANDARD
Townhouse Dwelling Fourplex Dwelling Cluster Homes	2 occupant spaces per unit, 0.50 visitor spaces per unit

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

USE	PARKING STANDARD
Stacked Townhouse Dwellings Back-to-Back Townhouse Dwellings	<p>Without exclusive-use garage: 1.25 occupant spaces per one-bedroom unit 1.50 occupant spaces per two-bedroom unit 1.75 occupant spaces per three- or more-bedroom unit 0.35 visitor spaces per unit</p> <p>With exclusive-use garage: 2.0 occupant spaces per unit 0.35 visitor spaces per unit</p>
Apartment Building	<p>1.25 occupant spaces per one-bedroom unit 1.50 occupant spaces per two-bedroom unit 1.75 occupant spaces per three- or more bedroom unit 0.35 visitor spaces per unit</p>

Part 1, Section 2.26 GENERAL PARKING PROVISIONS

(9) Designated Accessible Parking Spaces

Where parking facilities are required, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated accessible parking spaces shall be included in the calculation of required parking and shall be provided in accordance with Table 1.2.7, 9(a) and 9(b):

Table 1.2.7

Required Parking	Designated Accessible Parking Spaces
5 to 50 spaces	1 designated accessible parking space
51 to 90 spaces	2 designated accessible parking spaces
Over 90 spaces	3% of required parking

- (a) Medical office and institutional uses shall provide a minimum of one designated accessible parking space. Where out-patient services are provided, a minimum of 10% of the required parking shall be designated accessible parking spaces.
- (b) Each designated accessible parking space shall meet the minimum width and area requirements of subsection (1) (a) above and shall be located adjacent to a delineated "accessible parking pathway" with a minimum width of 2.0 metres.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Part 1, Section 2.27 DEEMED STREET WIDTH

2.27.1 For the purposes of establishing building setbacks or for the application of any other provisions of this By-law, the streets listed in Table 1.2.9 – “Deemed Street Widths” shall be deemed to be the width shown. Streets not included in Table 1.2.9 shall be deemed to be 20 m wide.

Part 2, Section 1 GENERAL PROVISIONS

No persons shall in any of the zones included in Part 2 of this By-law use any land or erect any building or structure except in accordance with the uses permitted and the regulations thereto and subject to the following:

(i) Parking Spaces and Driveways

- (i) For townhouses, back-to-back townhouses, stacked townhouses, cluster homes, and apartment buildings up to 3 storeys, driveways and parking lots shall be set back 3 m from a wall of a building containing windows of habitable rooms, except where a parking space and driveway is for the exclusive use of the unit occupant the setback shall not apply.
- (ii) For apartment buildings 4 storeys or more in height, driveways shall be set back 9 m and parking spaces 6 m from a window of a habitable room in a dwelling unit located on the ground floor or basement.

(j) Parking Structures

An enclosed parking structure that extends more than 1.6 m above finished grade shall be subject to the same yard requirements as a principal building.

An enclosed parking structure below grade and up to 1.6 m above grade shall be set back 3 m from a street line.

An enclosed parking structure below and above grade shall not encroach into a required landscape buffer abutting a residential zone.

Part 5, Section 4 MXG, MXC, MXE, MXT ZONE REGULATIONS

4.4 LANDSCAPE AREA AND BUFFER

Landscape Area:

Abutting a street:

3 m

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Landscape Area

An area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. A Landscape Area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area. A ground sign may be located within a Landscape Area. A Landscape Buffer may be included in the calculation of Landscape Area.

4.13 AMENITY AREA

- 15 m² per efficiency dwelling unit
- 20 m² per one-bedroom dwelling unit
- 35 m² per two or more bedroom dwelling unit

Part 5, Section 5 TOWNHOUSE, STACKED TOWNHOUSE, AND BACK-TO-BACK TOWNHOUSE REGULATIONS

5.1 LOT WIDTH, AREA, YARDS, FLOOR AREA RATIO, BUILDING HEIGHT

Table 5.5.1

Regulation	Townhouse, Stacked Townhouse, and Back-to-Back Townhouse
Rear Yard	6 m

5.5 PRIVACY AREA

Standard Townhouse: 20 m² per unit

Stacked Townhouse: 15 m² per unit

Back-to-Back Townhouse: Each unit in a back-to-back townhouse development shall contain an individual balcony with an area of 5.5 m², separated from adjoining units by a wall or privacy screen and with a maximum projection of 1.8 m from the front wall of the back-to-back townhouse building.

Privacy Area

An area reserved for the exclusive use of the occupants of a dwelling unit and which is separated from other privacy areas and communal areas by a privacy screen. A Privacy Area may include a patio, deck, balcony, solarium, or other such area.

Privacy Screen

A decorative wall or fence having a minimum height of 1.8 m and designed to provide privacy for a patio, deck, balcony, or part of a yard.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

The following additional variances are required to facilitate the proposed development:

- 1) Notwithstanding the definition of Lot Line, Front, to apply the zoning from the 79.8 m long frontage abutting the future municipal right-of-way instead of the requirement that it be the shorter lot line that abuts a street
- 2) To apply the zoning from the actual street width of the proposed municipal right-of-way of 7.0 m whereas Part 1, Section 2.27.1 requires that for the purposes of establishing building setbacks or for the application of any other provisions of this By-law, streets not included in Table 1.2.9 shall be deemed to be 20 m wide
- 3) To permit a 0 m landscape area for the accessible parking spaces adjacent to Block 9 which is abutting the future municipal right-of-way whereas Part 5, Section 5.2 requires a minimum 3 m landscape area abutting a street.
- 4) To permit 172 occupant parking spaces for the apartment units whereas Part 1, Section 2.25, Table 1.2.6 requires a minimum 230 parking spaces for the 172 apartment units.
- 5) To permit 56 visitor parking spaces for the apartment buildings and stacked townhouse buildings whereas Part 1, Section 2.25, Table 1.2.6 requires a minimum of 110 visitor parking spaces
- 6) To permit a 1.8 m driveway setback for Block 1 whereas Part 5, Section 5.3(b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 7) To permit a 1.5 m driveway setback for Block 4 whereas Part 5, Section 5.3(b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 8) To permit a 1.6 m driveway setback for Block 5 whereas Part 5, Section 5.3(b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 9) To permit a 2.1 m driveway setback for Block 8 whereas Part 5, Section 5.3(b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 10) To permit a 1.8 m driveway and parking lot setback for Block 1 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 11) To permit a 1.5 m driveway setback for Block 4 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 12) To permit a 1.6 m driveway setback for Block 5 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

- 13) To permit a 2.1 m driveway setback for Block 8 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 14) To permit a 2.3 m driveway and parking lot setback for Block 9 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways shall be setback 3 m from a building containing windows of habitable rooms
- 15) To permit a 2.3 m driveway and parking lot setback for Block 9 whereas Part 5, Section 5.3 (b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveways and parking lots shall be setback 3 m from a building containing windows of habitable rooms
- 16) To permit a 1.2 m driveway and parking lot setback for Blocks 13 and 14 whereas Part 5, Section 5.3(b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveway and parking lots shall be setback 3 m from a building containing windows of habitable rooms
- 17) To permit a 1.2 m driveway and parking lot setback for Block 13 and 14 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveway and parking lots shall be setback 3 m from a building containing windows of habitable rooms
- 18) To permit a 0 m driveway setback (south side) for Block 13 whereas Part 5, Section 5.3(b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveway and parking lots shall be setback 3 m from a building containing windows of habitable rooms
- 19) To permit a 0 m driveway setback (south side) for Block 13 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveway and parking lots shall be setback 3 m from a building containing windows of habitable rooms
- 20) To permit a 0 m driveway setback (south side) for Block 14 whereas Part 5, Section 5.3(b) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveway and parking lots shall be setback 3 m from a building containing windows of habitable rooms
- 21) To permit a 0 m driveway setback (south side) for Block 14 whereas Part 2, Section 1(i)(i) requires that for townhouses, back-to-back townhouses and stacked townhouses, driveway and parking lots shall be setback 3 m from a building containing windows of habitable rooms
- 22) To permit a 3.0 m driveway setback for the apartment buildings (Buildings A and B) whereas Part 2, Section 1(i)(ii) requires a 9 m setback for driveways from a window of a habitable room located on the ground floor or basement
- 23) To permit a 2.6 m north side parking space setback for the western apartment building (Building A) whereas Part 2, Section 1(i)(ii) requires a 6 m setback for parking spaces from a window of a habitable room located on the ground floor or basement
- 24) To permit a 1.5 m north side parking space setback for the eastern apartment building (Building B) whereas Part 2, Section 1(i)(ii) requires a 6 m setback for

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

parking spaces from a window of a habitable room located on the ground floor or basement

- 25) To permit a 4.7 m east side driveway setback for the eastern apartment building whereas Part 2, Section 1(i)(ii) requires a 9 m setback from parking spaces for a window of a habitable room located on the ground floor or basement
- 26) To permit a minimum 6.7 m² privacy area for units 95, 100, 105, 110, 115, 120, 125, 130, 135, 140, 145, 150, 155, 160, 165, 170, 175, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230 whereas Part 5, Section 5.5 requires a minimum privacy area of 15 m² per unit for stacked townhouses
- 27) To permit a minimum 1.9 m² privacy areas for units 94, 99, 104, 109, 114, 119, 124, 129, 134, 139, 144, 149, 154, 159, 164, 169, 174, 179, 184, 189, 194, 199, 204, 209, 214, 219, 224, 229 whereas Part 5, Section 5.5 requires a minimum privacy area of 15 m² per unit for stacked townhouses
- 28) To permit a 3 m² privacy area whereas Part 5, Section 5.5 requires a privacy area of 20 m² per unit for the proposed rear lane townhouses
- 29) To permit privacy screens with a minimum height of 1.0 m whereas Part 16 – Definition, Privacy Screen, requires a minimum height of 1.8 m for the proposed rooftop terraces of the stacked townhouse buildings
- 30) To permit privacy screens with a minimum height of 1.0 m whereas Part 16 – Definition, Privacy Screen, requires a minimum height of 1.8 m for the proposed rooftop terraces of the back to back townhouse buildings
- 31) To permit privacy screens with a minimum height of 1.0 m whereas Part 16 – Definition, Privacy Screen, requires a minimum height of 1.8 m for the proposed rooftop terraces of the rear lane townhouses (Blocks 13 and 14)
- 32) To permit 6 accessible occupant parking spaces whereas Part 1, Section 2.26(9) requires a minimum of 13 accessible occupant parking spaces
- 33) To permit a 5 m rear yard balcony setback for the townhouses whereas Part 5, Section 5.1, Table 5.5.1 requires a 6 m rear yard setback for the proposed balconies
- 34) To permit a maximum height of 4 storeys for the rear lane townhouses (Blocks 13 and 14) whereas Part 5, Section 5.7(b) permits a maximum height of 3 storeys up to 14 m for stacked townhouses, back-to-back townhouses and townhouses.
- 35) To permit the enclosed parking structure for the apartment buildings to be setback 0 m from a street line whereas Part 2, Section 1(j) requires that an enclosed parking structure below grade and up to 1.6 m above grade shall be set back 3 m from a street line.
- 36) To permit 2505 m² amenity area for the apartment buildings whereas Part 5, Section 4.13 requires a minimum of 4820 m² amenity area for the apartment buildings.

Additional variances required to facilitate the Phasing of the site

Phase 1A:

- 37) To permit 0 off-street loading spaces whereas Part 1, Section 2.25.3 requires a minimum of one (4 total spaces) off-street loading space in conjunction with every principal building, but excluding residential buildings less than 4 storeys to facilitate Phase 1A of the development

Phase 1B

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

38) To permit 0 occupant accessible parking spaces whereas Part 1, Section 2.26(9) requires a minimum 6 occupant accessible parking spaces to facilitate Phase 1B of the development

Notes:

- Zoning Clearance Certificates are required for each townhouse block and apartment building
- Conservation Halton and MTO approvals are required
- Development is subject to City, Region, School Board Development Charges and Park Dedication fees.
- Comments based upon plans submitted for the minor variance application 540-02-A141/2016 (April 3, 2017 submissions).
- Variances for phasing based upon the plan submitted by the applicant.
- Any additional variances determined through further reviews will be the applicant's responsibility.

Revised: April 7, 2017

Prepared By: Silvina Kade

Site Planning

The subject property is located at the north east corner of Waterdown Road and Masonry Court. It is immediately adjacent to land owned by Metrolinx for the Aldershot GO Station. The grading of the property is such that it is almost entirely a flood storage area for the nearby creek and cannot be developed in its current condition. To make the property developable, the applicants must first create new flood storage capacity for the creek. The applicants are currently working on obtaining approvals from the City's Capital Works Department and Conservation Halton to construct new culverts under Waterdown Road. The proposed culverts along with a new defined flood storage area on site will allow the applicants to raise the grade of the property so that it is no longer considered a flood storage area for the creek and can thus be developed.

The subject development is an intensified residential community that is pedestrian oriented and transit supportive. It is a precursor to the mobility hub study that is currently underway with City Planning staff. The purpose of the mobility hub study is to develop a policy framework that will encourage intensified communities around the city's major transportation hubs (i.e. GO Stations and downtown) in an effort to strategically direct growth areas and efficiently utilize infrastructure. It is anticipated that when the mobility hub study is complete, other properties within the study area will develop at a similar or even greater intensity than is proposed with this application.

As part of the associated site plan application, the applicant will be making a public parkland dedication that will connect with the adjacent flood storage area on site. Together, this will provide an important public amenity area for the broader community, GO Transit users, and residents within this development. This park will be accessible to the general public by a new municipal right-of-way off Masonry Court. A public walkway

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

will be provided along the new municipal right of way and through the public park thus connecting Masonry Court (and the surrounding community) to the GO Station.

In July 2016, the proposed development received approval from the Committee of Adjustment for a number of minor variances. Through the ongoing review of the concurrent site plan application (file# 535-006/15), additional minor variances have recently been identified to deal with minor revisions to the site plan. The majority of these additional minor variances are simple variations on the previously approved minor variances.

1) Official Plan Designation:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Official Plan?

Yes

The property is designated Mixed Use Corridor – Commercial Corridor in the Official Plan. The mixed use commercial corridor designation anticipates intensive, pedestrian oriented, and transit supportive development. Permitted uses include medium and high density residential. The site is surrounded by employment lands and railway corridor. There is a small interface with low density residential on the south side of Masonry Court along the east side of the subject property.

The Official Plan does not speak specifically to the minor variances as applied for. Instead, it relies on more broad based design policies relating to things such as compatibility, landscaping, and scale. Given the site's proximity to the Aldershot GO Station, the proposed development intensity and scale is appropriate and meets the Official Plan's design policies.

As such, the proposed minor variances meet the general purpose and intent of the Official Plan.

2) Zoning By-law Designation:

Does the proposed minor variance from the Zoning By-law maintain the general intent and purpose of the Zoning By-law?

Yes

The subject property is zoned Mixed Use Commercial – Exception 26 (MXC-26) under Zoning By-law 2020. This zone permits a range of uses including the proposed residential uses. Generally speaking, the majority of the proposed variances can be grouped into the following themes: proximity to municipal streets; proximity to windows of a habitable room; amenity and privacy areas; parking; and building height.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Variations #32 and 38 request a reduction in accessible parking spaces for the stacked townhome and apartment units. It is understood that the interior design of a stacked townhome is not universally accessible whereas the apartment units are. As such, the applicant proposes to not provide the required accessible occupant parking for the stacked townhomes, only for the apartment units. While this may have some functional logic from a zoning perspective, planning staff are concerned that variations #32 and 38 may not align with the AODA requirements for accessible parking (See O. Reg 191/11, AODA Integrated Accessibility Standards). Staff will request a condition of approval requiring the applicant to work with the city's Accessibility Coordinator to confirm AODA compliance for the requested reduction in accessible occupant parking.

Variance #35 requests a 0m setback from a streetline for the enclosed underground parking structure instead of the required 3m setback. Such reductions in setback can be supported when it can be demonstrated that adequate soil volumes can be provided above the structure to support landscaping and street trees. It will also have to be demonstrated that future maintenance of the underground parking structure will not negatively impact the city street trees. Staff will request a condition of approval requiring the applicant to confirm adequate soil volumes and a street tree protection strategy to the satisfaction of the City Arborist and Director of Roads and Parks Maintenance.

The variations meet the general intent and purpose of the Zoning By-law and do not deviate dramatically from what the by-law anticipates.

3) Desirability:

Is the proposed minor variance from the Zoning By-law desirable for the appropriate development or use of the land, building or structure?

Yes

The proposed minor variations are desirable as they facilitate a compact and dense residential development that is pedestrian oriented, transit supportive, and is immediately adjacent to the Aldershot GO Station.

4) Minor in Nature:

Is the proposed minor variance from the Zoning By-law considered minor in nature?

Yes

The proposed minor variations are minor in nature and primarily deal with technical matters to facilitate a compact and dense built form.

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Cumulative Effects of Multiple Variances and Other Planning Matters:

Despite the exceptionally long list of proposed minor variances for such a complex development, there is no negative cumulative effect as the majority of proposed variances are technical in nature and do not alter the overall development potential of the site.

Recommendation:

Staff has reviewed the proposed variances in accordance with the Planning Act, the policies of the Official Plan and the requirements of the Zoning By-law and has no objection subject to the following conditions:

1. The applicant to provide confirmation of AODA compliance for accessible occupant parking requirements to the satisfaction of the City of Burlington Accessibility Coordinator.
2. The applicant to confirm, to the satisfaction of the City Arborist and Director of Roads and Parks Maintenance Department, that adequate soil volumes for the proposed street trees along Masonry Court can be provided above and adjacent to the enclosed underground parking structure for the apartment buildings.
3. The applicant to provide, to the satisfaction of the City Arborist and Director of Roads and Parks Maintenance Department, a street tree protection strategy demonstrating how future maintenance of the underground parking structure will not negatively impact the city street trees.

Note: The Applicant is advised that the appropriate form of site plan approval is required to facilitate the proposed development.

Date: April 11, 2017

Prepared By: Jamie Tellier

Site Engineering

Actual road width is equal to or greater than deemed road width (20m) No road widening required.

Staff has reviewed the proposed variances and as per Site Planning comments 2 and 3 above namely (2. The applicant to confirm, to the satisfaction of the City Arborist and Director of Roads and Parks Maintenance Department, that adequate soil volumes for the proposed street trees along Masonry Court can be provided above and adjacent to the enclosed underground parking structure for the apartment buildings and 3. The applicant to provide, to the satisfaction of the City Arborist and Director of Roads and Parks Maintenance Department, a street tree protection strategy demonstrating how future maintenance of the underground parking structure will not negatively impact the city street trees.) Staff has no objection.

Date: April 11, 2017 Prepared By: A. Capone

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

Building

- 1) A Building Permit is required for all building construction and compliance to OBC 2012.
- 2) Permit application drawings are to be prepared by a qualified designer as per Div. C., Section 3.2 - Qualifications of Designers as per OBC 2012.

Date: April 12, 2017Prepared By: Kathy Pavlou**Transportation Planning**

Transportation Planning has reviewed the Minor Variance Application and has concerns with the following four variances:

Variance 4 – Transportation Planning would need to see the implementation of Transportation Demand Management (TDM) measures in order to support the 172 proposed occupant parking spaces (a proposed parking rate of 1 occupant parking space/unit). Examples of TDM measures that the City would like to see include unbundling occupant parking, providing car-share vehicles on the site, and providing secure bicycle parking spaces, among other measures. The proposed variance request is meant to address a parking deficiency of 58 occupant parking spaces from the 230 parking spaces required under the Zoning By-law.

Variance 5 – Transportation Planning is not supportive of the 56 visitor parking spaces proposed, as it is deficient of the visitor parking rate that the City is comfortable supporting (0.2 visitor parking spaces/unit). Transportation Planning will support a visitor parking rate of 0.2 parking spaces/unit, for a total of 64 visitor parking spaces for the apartment buildings and stacked townhouse buildings, whereas Part 1, Section 2.25, Table 1.2.6 requires a minimum of 110 visitor parking spaces. As currently proposed, a deficiency of 10 visitor parking spaces currently exists for the apartment buildings and stacked townhouse, based on what the City is willing to accept as a visitor parking rate and what is being proposed by the applicant.

Variance 32 – Transportation Planning does not support the proposed variance to permit 6 accessible occupant parking spaces whereas Part 1, Section 2.26(9) requires a minimum of 13 accessible occupant parking spaces.

Variance 38 – Transportation Planning does not support the request for 0 occupant accessible parking spaces whereas Part 1, Section 2.26(9) requires a minimum 6 occupant accessible parking spaces to facilitate Phase 1B of the development.

In addition to Transportation Planning's review of the Minor Variance Application, a number of Site Plan deficiencies became apparent. The Visitor parking space dimensions for Phases 1A, 1B, and 1C are all deficient of the City's standards, as set out in the Site Plan Design Guidelines. The underground parking garages for Phases 1B and 1C are deficient in terms of parking space dimensions and maximum ramp

**COMMITTEE OF ADJUSTMENT
MINOR VARIANCE
STAFF REPORTS**

grades, as set out in the Site Plan Design Guidelines. The lay-by parking spaces proposed as part of Phase 1B are deficient, as set out in the Site Plan Design Guidelines, with missing hatched corners on both ends of the lay-by parking spaces to facilitate access to the end parking spaces.

Date: April 13, 2017

Prepared By: John Zaloznik

Finance

Notice regarding Development Charges:

The owner, its successors and assigns, are hereby notified that City Development Charges may be payable in accordance with the applicable By-law 72-2004, as may be amended, upon issuance of a building permit, at the rate in effect on the date issued. For further information, the owner is advised to contact the City Building Department (905) 335-7731.

Tax

Pay all property taxes owing. The taxes owing includes any outstanding balances plus current year taxes that have been billed to the satisfaction of the Director of Finance. Local improvement must be commuted.

Date: April 10, 2017

Prepared By: L. Bray