

Mark-up of Proposed Text Amendment to Zoning Bylaw 12800

Black Font Existing Text in Zoning Bylaw 12800
~~Strikethrough:~~ Proposed deletion from Zoning Bylaw 12800
Underline: Proposed addition to Zoning Bylaw 12800

230 (RA9) High Rise Apartment Zone

230.1 General Purpose

To develop high rise residential buildings that contain active residential or non-residential ~~F~~frontages at ground level. This Zone is intended to allow supportive non-residential uses that complement the primary residential Uses, and improve the pedestrian experience at ground level. -Design regulations are included in the Zone to manage impacts that tall buildings can have in relation to shadow, wind, parking, context, massing and interface at ground level.

230.2 Permitted Uses

1. Child Care Services
2. Convenience Retail Stores
3. Group Homes~~s~~
4. Limited Group Homes~~s~~
5. Live-work Units~~s~~
6. Lodging Houses
7. Minor Home Based Business
8. Multi-unit Housing
9. Professional, Financial and Office Support Services
10. Specialty Food Services
11. Urban Gardens
12. Fascia On-premises Signs
13. Projecting On-premises Signs

230.3 Discretionary Uses

Rationale

1. Apartment Hotels
2. Business Support Services
3. Fraternity and Sorority Housing
4. General Retail Stores
5. Health Services
6. Liquor Stores
7. Major Home Based Business
8. Non-accessory Parking
9. Personal Service Shops
10. Residential Sales Centre
11. Restaurants
12. Urban Outdoor Farms
13. Freestanding On-premises Signs
14. Temporary On-premises Signs

230.4 Development Regulations for the Building Size and Orientation on the Site

1. The maximum building intensity based on Site size shall be in accordance with 230.4 Table 1.

Table 1				
Site Area	Maximum building intensity			
	Height	Floor Area Ratio	Density	Floor Plate size
a. Less than 1800 m ²	(i) 15.0 m for flat, mansard, and gambrel roofs; 17.5 m for a roof type with a pitch of 4/12 (18.4 degrees) or	(ii) 2.32	(iii) 250 Dwellings per hectare	(iv) No maximum

Floor Area Ratio increased from 2.2 to 2.3 for small sites to align with proposed changes

	greater.			
b. 1800m ² to 7500 m ²	(i) Building form: (A) Tower 6058.0 m (B) Podium 15.0 m (C) all other building forms 15.0 m for flat, mansard, and gambrel roofs; 17.5 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater.	(ii) 5.2	(iii) 650 Dwellings per hectare	(iv)The Floor Plate shall not exceed 850 m ² for all Storeys above the greater of either: (A) the Height of the third Storey podium ; or (B) the Height equal to the width of the abutting Public Roadway right of way <u>15.0 m</u> .
c. Greater than 7500 m ²	(i) Building form: (A) Tower 6058.0 m (B) Podium 15.0 m (C) all other building forms 15.0 m for flat, mansard, and gambrel roofs; 17.5 m for a roof type with a pitch of 4/12 (18.4 degrees) or greater.	(ii) 4.3	(iii) 550 Dwellings per hectare	
d.	<u>i.</u> Notwithstanding 230.4(1)(b)(iv), and 230.4(1)(c)(iv) where development of Multi-unit Housing, Lodging Houses or Group Homes meet all the criteria listed in subsection 94(1)(a), the Supportive Community Criteria, the Floor Plate may exceed 850 m ² to a maximum of 1650 m ² above the greater of either: (A) the Height of the third storey podium ; or (B) the Height equal to <u>15.0 m</u> the width of the abutting Public Roadway right of way .			

and modeling completed for missing middle review.

Change to the maximum height for the lower floors to reduce subjectivity, and to align the maximum height of the podium portion with the height where the floor plate cap starts.

Generally all high rise apartments will contain a 2.0m transfer beam, and as a result, the proposal is to increase the overall height 2.0 m in order to avoid references to slabs and transfer beams because Administration is unable to review structural drawings at the DP stage. The increase is to account for the engineering requirements while still maintaining a modest 20 storey high rise building; however Administration is not receptive to any further requests for adjustments to the height of this zone.

Update to ensure alignment between the maximum height of the podium portion and the floor plate restrictions.

e.	<p><u>i. Notwithstanding 230.4(1)(b)(i)(A), and 230.4(1)(c)(i)(A), for Sites with a Site Area greater than 1800m²</u> <u>(A) rooftop indoor Common Amenity Area does not count towards maximum Height.</u> <u>(B) maximum Height shall be increased by 9.0 m when the Storey Height in at least 75 percent of individual Dwelling units is greater than 3.4 m.</u></p>
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2. Substitute regulations for specific scenarios:

~~a. Notwithstanding 230.4.1, for Sites with a Site Area greater than 1800 m² the maximum Height shall be increased by 9.0 m when the Storey Height in at least 75 percent of individual Dwelling units is greater than 3.4 m.~~

~~a.b.~~ Notwithstanding Table 1 in Subsection 230.4.1, the maximum Floor Area Ratio shall be increased by 0.9, and the maximum Density shall be increased by ~~200~~150 Dwellings per hectare where:

- (i) the Site has a Site Area greater than 1800 m²; and
- (ii) the greater of a minimum of seven percent of Dwellings or a minimum of eight Dwellings on the Site are developed larger than 115 m²; and
- (iii) the average number of bedrooms per Dwelling described in 230.4.2(b)(ii) shall not be less than 3.0; and
- (iv) all the Dwellings meeting the criteria in 230.4.2(b)(ii) shall be located in the Tower below the tenth Storey, or in the podium.

~~b.c.~~ the maximum Density shall be increased by an additional ~~25~~ 35 Dwellings per hectare where Common Amenity Area of at least 2.5 m² per Dwelling is provided in addition to Amenity Area required by the general regulations of Zoning Bylaw 12800, subsection 46(2) and is developed in accordance with Section 46.

3. The minimum Front, Flanking, Side, and Rear Setbacks shall be in accordance with

Allowing this additional height will help to achieve usable common amenity area, and allow more flexibility in the placement of load bearing columns to improve layout efficiency of units or parking spaces.

Relocated the allowable increase in height for buildings with tall ceilings to Table 1

Clarified reference to Table 1. Increased density from 150 du/ha to 200 du/ha. The 50 du/ha increase is the equivalent of 10 additional units allowed on a 2000 m² site.

Increasing from 25 to 35 du/ha is the equivalent of 2 additional dwelling units allowed on a 2000 m² site.

Reference to other sections of the bylaw are unnecessary.

230.4 Table 2.

Table 2			
Building Form Height	Minimum Required Setback		
	Front/ Flanking	Interior Side	Rear
a. Tower Above 15.0 m	i. 6.0 m	ii. 7.5 m	iii. 7.5 m, except 3.0 m if A abutting a L ane.
b. Podium 15.0 m or below with commercial ground floor	i. 1.0 m	ii. 3.0 m except 0.0 m if A abutting property is built to the property line.	iii. 7.5 m, except 1.0 m if A abutting a L ane. The corners on the first Storey of the building shall be chamfered at intersections and driveway entrances to provide adequate sight lines.
c. Podium 15.0 m or below with residential ground floor	i. 3.0 m	ii. 4.5 m except: A. 0.0 m if A abutting property is built to the property line; or B) 2.4 m if the Height is less than 10.0 m.	iii. 7.5 m, except 3.0 m if A abutting a L ane.
d. All other building forms.	i. 3.0 m	ii. 2.4 m	iii. 7.5 m

Updating the building form column to minimize ambiguity between building forms and uses, and tie setbacks to a building height.

Adding more flexibility to the Site design, where a row housing format of Apartment Housing in the podium has the same side yard setback as row housing, provided it does not extend deeper than 40 percent of site depth. This results similar massing as a low-density development.

4. The minimum Separation Space between Towers shall be 20.0 m. The Development Officer may vary the Separation Space between Towers after considering the following:

- a. The visual, sun/shadowing, and other microclimatic impacts on adjacent residential development;
- b. The recommendations, and mitigative measures specified in any relevant technical studies; and
- c. The orientation of the Tower(s) relative to other Towers within 30.0 m, to mitigate privacy impacts and reduce direct line of sight into adjacent Dwellings.

Any such variance shall be Class B discretionary development.

5. On Sites with a Site Area greater than 0.75 ha, the following additional development regulations apply:

- a. A Comprehensive Site Plan shall be submitted to the Development Officer as part of the development permit application.
- b. The location and orientation of Towers on the Site shall reduce direct line of sight between Dwellings in adjacent residential Towers.
- c. The shape, Floor Plate size, location and orientation of Towers on the Site shall reduce shadow impacts and mitigate impacts that affect sunlight penetration on nearby properties. In all cases, the length of any one Façade elevation above the sixth Storey shall not exceed 45.0 m.
- d. The Site design shall demonstrate internal circulation and connectivity to adjacent Sites and shall provide pedestrian and bicycle circulation and connectivity from the Site to any adjacent shared-use pathway(s) or bike lane(s).

230.5 Development Regulations for the Building Design and Features

1. Interface at ground level

- a. Except for Multi-unit Housing and Group Homes that meet the Supportive Community Provisions, all residential or residential-related building Façades fronting onto a Public Roadway, other than a Lane, or onto an internal circulation network, shall have individual Dwellings with direct access at ground level to provide a transition from public to private space. The units at ground level shall include the following design elements:
 - (i) hinged doorways;
 - (ii) built elements such as verandas, porches, patios, or building articulation, which feature or act as Privacy Screening between each unit; and
 - (iii) lighting scaled and directed towards pedestrian areas.
- b. Except for Multi-unit Housing and Group Homes that meet the Supportive Community Provisions, all ground level Dwellings shall have a Private Outdoor Amenity Area in front of each exterior entry that establishes a transition area between the Amenity Area and the ~~A~~abutting public roadway (including a Lane), or the ~~A~~abutting private roadway.
- c. For all non-residential, excluding residential-related Uses, building Façades at ground level that have building Façades fronting onto a Public Roadway, other than a Lane, the primary business entry shall face the Public Roadway.
- d. Parking shall be permitted within the lower 14.0 m of a building, only where the Parking Garage has active commercial or residential ~~E~~frontages ~~A~~abutting a public roadway, other than a ~~L~~ane. The active ~~E~~frontage shall have a minimum depth of 10.0 m.

- e. Overhead weather protection in the form of a canopy, awning or other architectural element shall be provided to shelter pedestrians above entrances, and where a public sidewalk is present, pedestrian overhead weather protection shall be constructed across the ~~E~~frontage of all non-residential Uses, excluding residential-related Uses.
 - f. Where a building has a Height greater than 20.0 m and no Stepback is provided, a design element sufficient to reduce the downwashing effect wind has on all pedestrian walkways and Amenity Areas at ground level shall be provided as established by any required Wind Impact Statement or Wind Impact Study ~~to the satisfaction of the Development Officer~~.
 - g. For non-residential Uses on ground level, a minimum of 60 percent of the linear building ~~E~~frontage of the ground Storey Façades shall be comprised of transparent, non-reflective, non-tinted, unobscured glazing, where fronting onto a Street. Linear ~~E~~frontage shall be measured at 1.5 m above the finished Grade of the ~~A~~abutting sidewalk.
 - h. For non-residential Uses, excluding residential-related Uses, on ground level, the ground Storey shall have a minimum Height of 4.0 m.
2. All mechanical equipment, including roof mechanical units, shall be concealed by screening in a manner compatible with the architectural character of the building or concealed by incorporating it within the building.
 3. Wherever podium roofs are visible from within the development or from existing adjacent developments, the development shall provide enhancements to improve rooftop aesthetics. These enhancements may include, but are not limited to, landscape features, Amenity Area, screening elements and improved aesthetic rooftop materials.
 4. The Development Officer shall determine whether the proposed design uses a cohesive architectural language, which demonstrates attention to the design of all building faces such as the following design and material choices:

Development regulations should stand on their own merit.

- a) Windows on all sides of the Façade;
- b) The Façade uses materials with multiple colours;
- c) The Façade uses materials with multiple textures;
- d) The Façade has changes in plane, or articulation;
- e) There are horizontal and vertical elements to relate the building to the context, and highlight important parts of the building; and
- f) matching the proportion, scale, and articulation of the Façade to the location, contextual fit, and building use.

5. The ~~portion of the~~ building ~~above 45.0 m~~ shall add distinction to the skyline through a combination of: ~~be sufficiently~~ sculpt~~ured~~, ~~include~~ a Stepback, ~~be visually interesting~~, reduced ~~the size of the~~ floorplate ~~size~~, or ~~other means that improve the visual interest of the uppermost floors of the building add distinction to the skyline to the satisfaction of the Development Officer~~.

~~6. Amenity Area shall be provided in accordance with Section 46 of this Bylaw.~~

230.6 Development Regulations for the Landscaping, Lighting, Parking, and Site Design

1. Landscaping

- a. On-Site landscaping shall use plant materials that provide colour throughout the year to enhance the appearance of the development during the cold weather months.
- b. Upgrad~~ing of to the~~ public pedestrian Walkway system~~s, roads, or lanes adjacent to the Site may be required to the satisfaction of the Development Officer and Transportation Services. Such upgrading~~ shall be incorporated into the Landscape Plan where the public pedestrian Walkway system includes a sidewalk and a landscaped boulevard. ~~The Landscape Plan submitted with each~~

Restructuring the sentence to read as a list of options and improve flexibility of design for the top portion of the building, and having development regulations stand on their own merit.

Improvements to Roads and Lanes follow a separate process and are not typically shown on landscape plans.

Development regulations should stand on their own merit.

Landscape plans typically show only what is planned for the private property. Requiring showing the landscaping in the public right of way will improve

Development Permit stage must show proposed off-site landscaping on public property adjacent to the Site. The streetscape improvements may include, but are not limited to, new sidewalks, streetlights, boulevard landscaping, boulevard trees, street furniture, and the relocation of underground utilities.

- c. Landscaping shall be provided in accordance with Section 55. Soil depth for landscaping in Outdoor Amenity Areas shall be of a sufficient depth to contribute to healthy root development for the tree or shrub species specified in the landscape plan.

2. Lighting

- a. As part of the Development Permit application, a detailed exterior lighting plan shall be provided, which shows the location, orientation, and style of

the integration with the streetscape, as well as show what upgrades will be required, such as to a lane or to a sidewalk. See Section 15.5 "conditions attached to development permit"

References to other sections of the bylaw are unnecessary, as all general regulations apply even though they are not mentioned specifically.

A 1.2 m minimum soil depth was required for the whole site; however this requirement requires a lot of engineering to accomplish and may not be necessary to ensure healthy landscaping on site.

Development regulations should stand on their own merit.

References to other sections of the bylaw are unnecessary, as all general regulations apply even though they are not mentioned specifically.

~~decorative and security lighting. to the satisfaction of the Development Officer.~~

~~b. Decorative and security lighting shall be in accordance with Section 51 and Section 58, to the satisfaction of the Development Officer.~~

~~bd. Notwithstanding 230.6.2(c),~~ Light pathways may be oriented in a direction other than downwards if the purpose is to highlight architectural features or building elements, and does not illuminate beyond the Site boundary.

3. Parking

a. Parking Garages located underground shall be permitted to be built to the property line.

~~b. To contribute to healthy root development of required landscaping, a minimum soil depth of 1.2 m shall be provided. The 1.2 m shall be provided below the original finished ground level of the Site.~~

~~b. to avoid a monolithic slab from Parking Garages that are not wholly underground, massing shall be modulated using a variety of design techniques including elevation changes, terraces, stepbacks, and architectural features and a variety of plantings or other landscape features.~~

c. Vehicular access to parking shall be from the ~~A~~abutting Lane. Where there is no Lane, parking access shall be designed to minimize disruption to the Yard, sidewalk, existing trees, and existing streetscape and where possible, should be provided from the street which has the lowest vehicle volume.

~~d. Parking shall be provided in accordance with Section 54.~~

230.7 Development Regulations for Permitted and Discretionary Uses

1. Non-residential Uses, excluding Residential-Related Uses

a. shall only be developed in conjunction with Multi-unit Housing or Group Homes.

Underground development regulations are covered by Section 42 and root and soil regulations by 230.6(1)(c)

Eliminating the 1.2m minimum soil depth will improve flexibility for the way that the roots can be accommodated. The purpose of this addition is to manage the form of underground parking garages that are not totally below ground.

References to other sections of the bylaw are unnecessary, as all general regulations apply even though they are not mentioned specifically.

- b. the combined Floor Area shall not exceed 32 percent of the overall Floor Area for the Site, and shall not exceed 47 percent of the Floor Area that is developed as Multi-unit Housing, Lodging Houses or Group Homes.
- c. Notwithstanding Section 11 of this Bylaw, the Development Officer shall not grant a variance to subsection 230.7(1)(a) or 230.7(1)(b).

2. Apartment Hotels shall:

- a. not be provided on the same Storey as Multi-unit Housing or Group Homes.
- b. be limited to 20 percent of the total Floor Area for the Site.
- c. notwithstanding Section 11 of this Bylaw, the Development Officer shall not grant a variance to subsection 230.7(2)(a) or 230.7(2)(b).

3. Business Support Services, Convenience Retail Stores, General Retail Stores, Liquor Stores, Non-accessory Parking, Personal Service Shops, Restaurants, and Specialty Food Services shall:

- a. not be in any freestanding structure separate from a structure containing a Residential Use or Residential-Related Use, and shall not be developed above the second Storey;
- b. only be allowed when the development contains a Tower taller than 35.0 m in Height; and
- c. incorporate one or more of the following design techniques as required, in the opinion of the Development Officer, to mitigate the effects of Nuisance: ~~to the satisfaction of the Development Officer.~~

i. Proximity and containment of trash collection areas relative to residential Dwellings and Amenity Area;

ii. Noise mitigation and soundproofing between non-residential and residential Uses.

Development regulations should stand on their own merit.

Providing guidance to the Development officer in what kinds of nuisance is to be mitigated.

iii. Orientation of lighting and illuminated Signs relative to residential Uses.

iv. Proximity and containment of location of ventilation and exhaust relative to residential Dwellings, Amenity Area, and the areas where vehicles may idle.

4. Child Care Services shall not be developed above the fourth Storey.
5. Fraternity and Sorority Housing shall be subject to the policies or provisions of a Statutory Plan and shall only be allowed where the Statutory Plan specifically contemplates the subject Site for this Use.
6. Individual General Retail Stores shall be limited to 240 m² of Floor Area.
7. Health Services shall only be developed in conjunction with a Group Home or Multi-unit Housing developed under ~~Section 94~~ Supportive Community Provisions. Notwithstanding Section 11 of this Bylaw, a Development Officer shall not grant a variance to subsection 230.7(7).
8. Non-accessory Parking
 - a. Non-Accessory Parking shall only be developed as a part of a building that contains a Tower.
 - ~~b. Non-accessory Parking shall only be developed where the total proposed parking supply for the Site exceeds the maximum parking requirement as specified in Section 54 Schedule 1.~~

Clarifying that this is a cap for an individual commercial retail unit, not for the whole site. Reference to general bylaw regulations are not required.

Maximum parking requirement is very narrow in scope; since maximum parking only applies in main street and transit areas, non-accessory parking would only be allowed to be provided in those areas. The purpose of allowing non-accessory parking is to give option to convert surplus parking spaces that are already built but unutilized to be productive.

9. Personal Service Shops shall be limited to 240 m² of Floor Area for each individual business.
10. Professional, Financial and Office Support Services shall be limited to 15 percent of total Floor Area for the Site.
11. Individual Restaurants shall be limited to 120 m² of Public Space.
12. Signs shall comply with the regulations found in Schedule 59B.

Clarifying that this is a cap for an individual commercial retail unit, not for the whole site.