

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: John M. Fleming
Managing Director, Planning and City Planner

Subject: The Corporation of the City of London
Technical amendments to setback requirements for low-rise residential development in the Primary Transit Area

Public Participation Meeting on: May 14, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of The Corporation of the City of London relating to concerns regarding low density redevelopment and infill projects within mature neighbourhoods, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to amend Section 4.23 to modify regulations for the application of minimum and maximum front and exterior side yard setbacks for residential development on lands in the Residential R1, R2, and R3 Zone variations within the Primary Transit Area.

Executive Summary

Summary of Request

This recommended Zoning By-law Amendment is a City-initiated Zoning By-law review intended to modify Section 4.23 of the Zoning By-law to provide clarification on how the minimum and maximum front and exterior side yard setback provisions are applied to residential development on lands within the Residential R1, R2, and R3 Zone variations within the Primary Transit Area.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law Amendment is to provide additional clarification on the application of the minimum and maximum front yard and exterior side yard setback provisions for new residential development or building additions on properties in Residential R1, R2, and R3 Zone variations in the Primary Transit Area in the following instances:

- Where the existing building has a front and/or exterior side yard setback that is less than the minimum setback requirement.
- Where an addition is proposed to an existing building where the existing building does not meet the maximum front yard and/or exterior side yard setback.
- Where the minimum and maximum front yard and exterior side yard setback for buildings on lots that front onto new streets has not been established.

Rationale of Recommended Action

In May, 2017 City Council adopted Zoning By-law Amendment Z-1-172575 (Section 4.23 of the Zoning By-law) which addressed the compatibility of new development within existing low-rise residential areas (Residential R1, R2, R3 Zone variations) in the Primary Transit Area. In reviewing the application of these regulations over the past year, it has come to the attention of Staff that additional clarification is needed to implement the minimum and maximum front and exterior side yard setback standards in

certain situations. The recommended Zoning By-law Amendment is intended to provide this clarification.

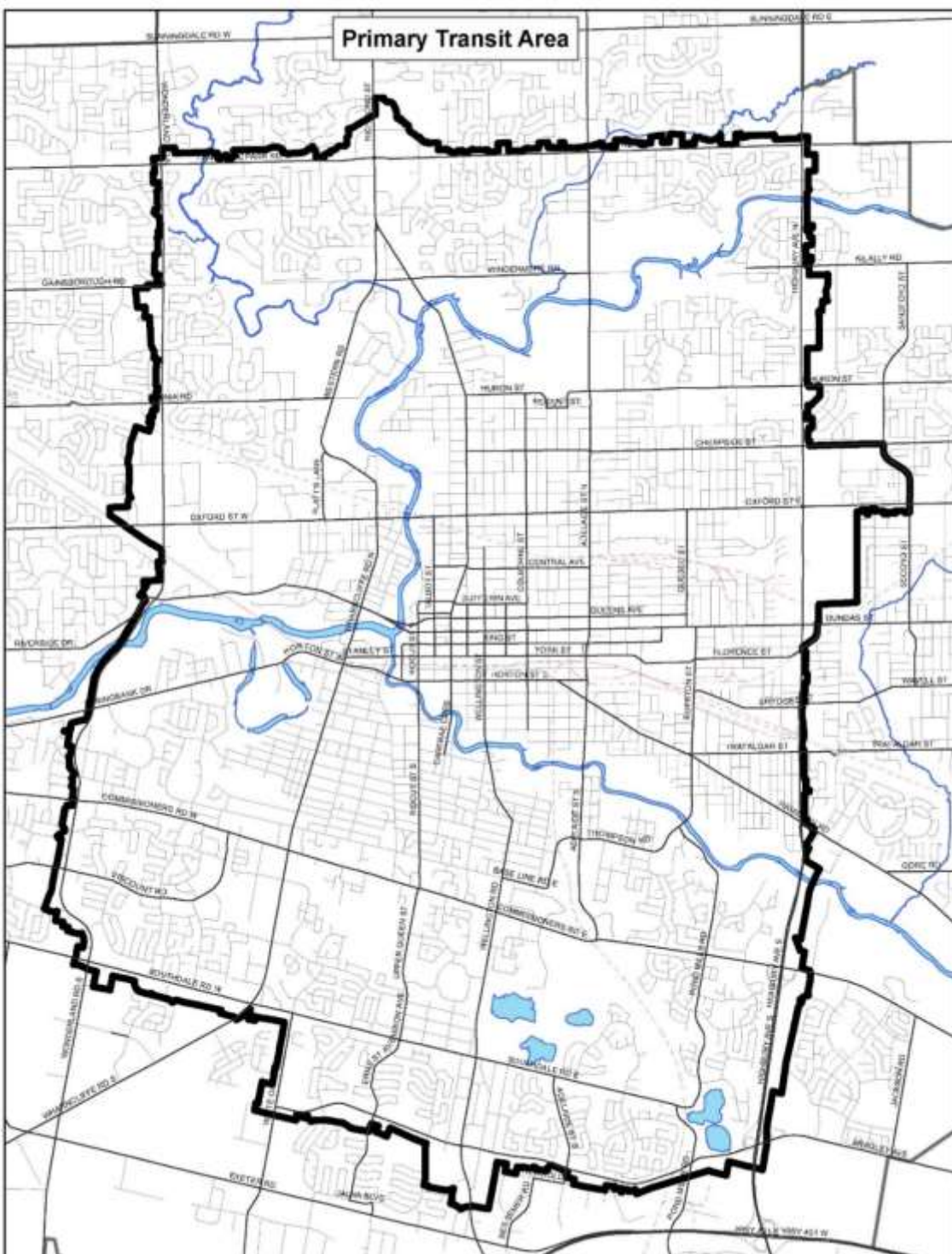
Analysis

1.0 Site at a Glance

1.1 Property Description

The recommended Zoning By-law Amendment applies to properties with Residential R1, R2, and R3 Zone variations the Primary Transit Area. The Primary Transit Area is shown in Section 1.2 (below) and is generally bounded by Fanshawe Park Road to the north, Highbury Avenue to the east, Bradley Avenue to the south, and Wonderland Road to the west. The Primary Transit Area includes the majority of the built-up area of the City of London and is identified as the focus for residential infill and intensification in The London Plan.

1.2 Map of the Primary Transit Area



2.0 Relevant Background

2.1 Planning History

At its meeting of May 2, 2017 City Council adopted Zoning By-law Amendment Z-1-172575 (Section 4.23) which addressed the compatibility of new development within existing low-rise residential areas (Residential R1, R2, and R3 Zone variations) in the Primary Transit Area. This Zoning By-law Amendment was intended to address the concern from existing residents that a number of new residential dwellings and new building additions had been constructed within existing mature neighbourhoods that were incompatible with the existing neighbourhood/streetscape character. Since that time, Staff have identified the need for an additional housekeeping Zoning By-law Amendment to clarify the application of the Zoning By-law regulations in certain instances.

2.2 Recommended Amendment

The recommended Zoning By-law Amendment provides clarification on the application of the regulations in Section 4.23 of the Zoning By-law that apply to additions and new development within existing low-rise residential areas (Residential R1, R2, and R3 Zone variations) in the Primary Transit Area. In Section 4.23 of the Zoning By-law, minimum and maximum front yard and exterior side yard setbacks are established based on the setbacks of nearby residential buildings. The recommended Zoning By-law Amendment provides clarification for instances where the existing front and/or exterior side yard setback is less than the minimum setback established by adjacent buildings, for instances where lots are created that front onto a new street for which adjacent buildings do not exist, and for instances where an addition is proposed to an existing building that has existing setbacks that exceed the maximum front and/or exterior side yard setback requirement.

The following is proposed:

- For instances where an existing building has a front yard setback and/or exterior side yard setback that is less than the adjacent buildings, this existing setback will be the minimum setback that applies to the building.
- Where a new street is proposed (such as in a new plan of subdivision), the minimum and maximum front yard setback and exterior side yard setback for buildings fronting onto this new street will be established based on the zone variation that applies to this site and will not be subject to the minimum and maximum front and exterior side yard setback standards in Section 4.23.1.
- Where an addition is proposed to an existing building and the existing building setback exceeds the maximum front yard and/or exterior side yard setback provisions, Section 4.23.1(a), which is used to establish the maximum front and exterior side yard setbacks, will not apply to the deficient setback.

2.3 Community Engagement (see more detail in Appendix B)

A Notice of Application was sent to a number of external community associations including, but not limited to, the Urban League of London, the London Development Institute, the London Area Planning Consultants, the London Homebuilders' Association, and various Neighbourhood Associations within the Primary Transit Area on March 7, 2018. A Notice of Application and was also published in *The Londoner* on March 8, 2018.

As of the date of this report, Planning Staff had received requests for clarification about what was being proposed from members of the Triangle Neighbourhood Association, the London Development Institute, and the London Homebuilders' Association. Staff provided this clarification. No concerns were expressed about the substance of the proposed amendments.

Planning Staff also provided a delegation to Local Advisory Committee on Heritage (LACH) at its meeting of April 11, 2018 to provide clarification about the proposed Zoning By-law Amendment.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, setting the policy foundation for regulating the development and use of land. The subject site is located within a settlement area as identified in the PPS. The PPS identifies that settlement areas shall be the focus of growth and development, however this intensification is not intended to be uniform (Policy 1.1.3.1, 1.1.3.2). Policy 1.1.3.4 indicates that appropriate development standards should be promoted that facilitate intensification, redevelopment, and a compact form, while avoiding or mitigating risks to public health and safety. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS.

All decisions of Council affecting land use planning matters are required to be consistent with the PPS.

Official Plan

The City of London 1989 Official Plan (“Official Plan”) implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with those land use designations provide for a general range of permitted uses.

The zone variations that are subject to this amendment are generally located within the “Low Density Residential” land use designation in the Official Plan. Development in the Low Density Residential land use designation is intended to enhance the character and amenity of residential areas by directing higher intensity uses to locations where existing land uses will not be adversely affected (Policy 3.1.2). Residential intensification is permitted, however these infill housing projects must recognize the scale of adjacent land uses and reflect the character of the area (Policy 3.2.3.2).

The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by City Council and approved by the Ministry with modification. A portion of The London Plan is in-force and effect, and the remainder of the plan continues to be under appeal to the Ontario Municipal Board.

The zone variations that are subject to this amendment are generally located in the Neighbourhoods Place Type. Neighbourhoods Place Types make up the majority of the City Structure’s land area. The London Plan identifies that Neighbourhoods will be planned for a diversity and mix (Policy 918). Development must be sensitive to, and compatible with, its context (Policy 1578).

Zoning By-law

At its meeting of May 2, 2017 City Council adopted Zoning By-law Amendment Z-1-172575, which became Section 4.23 in the Zoning By-law, to provide regulations to guide development in Residential R1, R2, and R3 Zones in the Primary Transit Area. Section 4.23 includes standards for building setbacks, garage widths, and building depth.

3.0 Key Issues and Considerations

3.1 Issue and Consideration # 1: Application of Maximum and Minimum Front and Exterior Side Yard Setback provisions to additions to existing buildings

Section 4.23.1 of the Zoning By-law utilizes the setback of nearby buildings for the purposes of establishing minimum and maximum front yard and exterior side yard setbacks. While this is appropriate in the vast majority of situations, its application poses challenges when the existing building does not meet the minimum front and/or exterior side yard setback or exceeds the maximum front and/or exterior side yard setbacks.

Based on the provisions in Section 4.23.1(a), the maximum front yard and exterior side yard setback is established using the average setback of the closest residential buildings. While this is an appropriate method for establishing maximum setbacks in most instances, in situations where an existing building exceeds the maximum setback requirements, a property owner who makes an application for an addition to their existing building which will continue to exceed the maximum setback requirements may also require a minor variance. This would apply even in instances where the proposed addition would bring the building closer to the street. The recommended Zoning By-law Amendment includes a provision which would exempt this regulation from applying in these circumstances.

Similarly, the same method applies for establishing minimum front yard and exterior setbacks in Section 4.23.1(b), where minimum setbacks are established based on the smallest setback of nearby buildings. While this method is appropriate in most instances, in situations where the existing building is already set closer to the street than other nearby residential buildings that building would exceed the minimum permitted front yard setback requiring a minor variance. This would also apply in instances where the addition is in the rear yard and does not impact the building setback. The recommended Zoning By-law Amendment includes a provision that in this circumstance the setback of the existing building would be recognized as the minimum setback.

3.2 Issue and Consideration # 2: Application of Maximum and Minimum Front and Exterior Side Yard Setback provisions to lots that front on new roads

While much of the Primary Transit Area is built-up, there are instances where it is anticipated that certain areas will be subject to future plans of subdivision and the subsequent construction of a new public road. In most instances where a new public road is proposed with residential lots fronting onto this road, there will not be existing residential buildings nearby that would be appropriate to use to set the context for establishing setbacks, as in most cases there may be no existing residential buildings fronting onto the same road. This poses challenges for the application of Section 4.23.1 of the Zoning By-law, which uses the setbacks of the closest residential buildings to establish minimum and maximum setbacks for new development and additions to existing buildings. In this situation, it is recommended that the setback be established based on the zone variation that is applied to the lots fronting the new public road, which will allow for continuity and consistency of setbacks among these new buildings. These zone variations are often applied as a result of a public participation process.

4.0 Conclusion

The recommended Zoning By-law Amendment is a City-initiated technical amendment to a Zoning By-law Amendment adopted by City Council in May, 2017 that applies to new builds and additions to low density residential buildings in the Primary Transit Area (Section 4.23 of the Zoning By-law). The recommended Zoning By-law Amendment provides clarification for the application of the minimum and maximum front yard and exterior side yard setback regulations to buildings fronting onto new streets and to existing buildings that do not meet the minimum and maximum front and exterior side yard setback regulations. These revisions are intended to provide greater clarity to

applicants about the interpretation of the Zoning By-law, such that in certain instances applicants will no longer be required to seek variances at the Committee of Adjustment.

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Submitted by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	John M. Fleming, MCIP, RPP Managing Director, Planning and City Planner

May 7, 2018
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Appendix A

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to amend General Provisions related to low-rise residential development in the Primary Transit Area.

WHEREAS The Corporation of the City of London has applied to amend Section 4.23 of the Zoning By-law, pertaining to the area known as the Primary Transit Area, that is generally bounded by Fanshawe Park Road to the north, Highbury Avenue to the east, Bradley Avenue/Southdale Road to the south and Wonderland Road to the west, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Section 4.23, Regulations for Low-rise Residential Development in the Primary Transit Area, to By-law No. Z.-1 is amended adding the following:

"4.23.1(a)iv. Subsection 4.23.1(a) i, ii and iii shall not apply to additions to existing buildings."

"4.23.1 b) iii. Notwithstanding 4.23.1(b)i., where an existing building has a front yard setback and/or exterior side yard setback that is less than the adjacent buildings, the existing front and/or exterior side yard setback shall be regarded as the minimum setback that applies to the building."

"4.23.5. Notwithstanding 4.23.1, where buildings are constructed on lots fronting onto a new street, the minimum and maximum front yard setback and exterior side yard setback will be established by the underlying zone regulations."

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on May 22, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2018
Second Reading – May 22, 2018
Third Reading – May 22, 2018

Appendix B – Public Engagement

Community Engagement

Public liaison: On March 7, 2018, Notice of Application was sent to a number of external community associations including, but not limited to, the Urban League of London, the London Development Institute, the London Area Planning Consultants, the London Homebuilders' Association, and various Neighbourhood Associations within the Primary Transit Area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 8, 2018. A "Planning Application" sign was also posted on the site.

5 replies were received.

Planning Staff also provided a delegation to Local Advisory Committee on Heritage (LACH) at its meeting of April 11, 2018 to provide clarification about the proposed Zoning By-law Amendment.

Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to clarify regulations for R1, R2, and R3 zones within the Primary Transit Area relating to the provisions adopted as part of By-law Z.1-172575, a 2017 Zoning By-law amendment that addressed the compatibility of new development within existing low-density residential neighbourhoods in the Primary Transit Area. The requested amendment would provide clarification on how these regulations are applied to additions to existing buildings and greenfield sites.

Responses: A summary of the various comments received include the following:

Concern for:

All responses requested additional clarification about what was being proposed by the Zoning By-law Amendment.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Councillor Maureen Cassidy
	Lois Langdon London Home Builders' Association 571 Wharncliffe Road South, Unit 5 London, ON N6J 2N6
	Cristine De Clercy The Triangle Neighbourhood Association
	Bill Veitch 562 Wellington Street, Suite 203 London, ON N6A 3R5
	Julian Novick 5-1895 Blue Heron Drive London, ON N6H 5L9

Agency/Departmental Comments

Upper Thames Region Conservation Authority

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*.

In the description of the POSSIBLE AMENDMENT, it is indicated that there may be possible changes to modify regulations in “Section 4.2.3 Regulations for Low-rise Residential Development in the Primary Transit Area” to provide clarity on how those regulations are applied to additions to existing buildings and greenfield sites. Additional housekeeping amendments may also be considered.

Conservation Authorities Act

The Primary Transit Area includes lands which are regulated by the UTRCA (i.e. riverine flooding and erosion hazards, wetlands) in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA has jurisdiction over these lands and landowners may be required to obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA Environmental Planning Policy Manual (2006)

The UTRCA’s Environmental Planning Policy Manual is available online at: <http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>
The following policies are applicable to the subject lands -

3.2.2 General Natural Hazard Policies

These policies:

- a) direct new development and site alteration away from hazard lands
- b) require that any development and site alteration which may be considered in hazard lands be appropriately floodproofed and safe or dry access must be provided during times of flooding, erosion and other emergencies.
- c) stipulate that no new hazards are to be created and existing hazards should not be aggravated.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach, and uses that may be allowed in the flood plain including the flood fringe subject to satisfying the UTRCA’s Section 28 permit requirements.

3.2.3.2 Flood Fringe Policies

Flood fringe policies are applied in those specific cases where a Two Zone Policy Approach is implemented. Development and site alteration may be permitted in flood fringe areas subject to satisfying the Authority’s flood proofing requirements which are implemented through the Section 28 Permit process. In the case of re-development, vehicular and pedestrian access (ingress/egress) must be such that vehicular and pedestrian movement is not prevented during times of flooding as determined using the *Technical Guide – River & Stream Systems: Flooding Hazard Limit (Ministry of Natural Resources 2002)*. Floodproofing requirements for safe access are further described in Appendix 6 of the above noted *Technical Guide (MNR, 2002)*.

3.2.3.3 Special Policy Areas

Policies for *Potential Special Policy Areas* include no intensification of use through the creation of lots or zoning. Furthermore, specific construction requirements including maximizing floodproofing are implemented through the Authority’s Section 28 Permit process.

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment

of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

Recommendation

As indicated, there are lands within the Primary Transit Area that are regulated by the UTRCA. We strongly encourage proponents to pre-consult to determine whether they may require written approval from the Conservation Authority prior to undertaking any site alteration or development within the regulated area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of existing service will be at the expense of the owner.

Environmental and Engineering Services

No comment on this application.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement

Policy 1.1.3.1: *Settlement Areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2: Land use patterns within *settlement areas* shall be based on:

a. densities and a mix of land uses which:

1. efficiently use land and resources;
2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion.
3. minimize negative impacts on air quality and climate change, and promote energy efficiently.
4. support *active transportation*;
5. transit-supportive, where transit is planned, exists or may be developed; and
6. are *freight-supportive*; and

b. a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

Policy 1.1.3.4: Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

Policy 4.7: The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

Official Plan

Policy 3.1.2: Low Density Residential Objectives

- i) Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are not adversely affected.
- ii) Encourage the development of subdivisions that provide for energy conservation, public transit, and the retention of desirable natural features.

Policy 3.2.3.2: Residential Intensification – Density and Form

Within the Low Density Residential designation, Residential Intensification, with the exception of dwelling conversions, will be considered in a range up to 75 units per hectare. Infill housing may be in the form of single detached dwellings, semidetached dwellings, attached dwellings, cluster housing and low rise apartments. Zoning By-law provisions will ensure that infill housing projects recognize the scale of adjacent land uses and reflect the character of the area.

Areas within the Low Density Residential designation may be zoned to permit the conversion of single detached dwellings to add one or more dwelling units. Site specific amendments to the Zoning By-law to allow dwelling conversions within primarily single detached residential neighbourhoods shall be discouraged. Accessory dwelling units may be permitted in accordance with Section 3.2.3.8. of this Plan.

The London Plan

Policy 918: We will realize our vision for the Neighbourhoods Place Type by implementing the following in all the planning we do and the public works we undertake:

1. Through the review of all planning and development applications, neighbourhoods will be designed to create and enhance a strong neighbourhood character, sense of place and identity.
2. Neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms.
3. Affordable housing will be planned for, and integrated into, all neighbourhoods.
4. Housing forms will be encouraged that support the development of residential facilities that meet the housing needs of persons requiring special care.
5. Mixed-use and commercial uses will be permitted at appropriate locations within neighbourhoods to meet the daily needs of neighbourhood residents.
6. Live-work opportunities will be planned for at appropriate locations within neighbourhoods.
7. Street networks within neighbourhoods will be designed to be pedestrian, cycling and transit-oriented, giving first priority to these forms of mobility.
8. Schools, places of worship and other small-scale community facilities to support all ages will be permitted in appropriate locations within neighbourhoods.

9. Facilities to support neighbourhood urban agricultural systems may be integrated into neighbourhoods.

10. Public parks and recreational facilities will be designed to support a strong sense of identity and place and to serve as a meeting place with appropriate infrastructure to attract and support neighbourhood residents of all ages and demographics.

11. Our public spaces and facilities within neighbourhoods will be designed to be accessible to all populations.

12. Neighbourhoods will be designed to protect the Natural Heritage System, adding to neighbourhood health, identity and sense of place.

13. Requirements for intensification will be established to respect existing community character and offer a level of certainty, while providing for strategic ways to accommodate development to improve our environment, support local businesses, enhance our physical and social health, and create dynamic, lively, and engaging places to live.

Policy 939: This Plan creates a variety of opportunities for intensification. The following list spans from a very “light” and discreet form of intensification to more visible and obvious forms. All are important to realize our goals of purposeful, sensitive, and compatible intensification within our neighbourhoods:

1. Secondary Dwelling Units – self-contained residential units with kitchen and bathroom facilities within dwellings or within accessory structures as defined in the Secondary Dwelling Unit section of this chapter.
2. Converted dwellings – the conversion of an existing residential dwelling to accommodate two or more dwelling units, without making substantive changes to the exterior of the building.
3. Adaptive re-use of non-residential buildings, to accommodate new residential dwelling units.
4. Lot creation – severing one lot into two or more lots.
5. Infill development – developing one or more new residential units on vacant lots.
6. Redevelopment – the removal of existing buildings in favour of one or more new buildings that house a greater number of dwelling units than what currently exists.

Policy 1578: All planning and development applications will be evaluated with consideration of the use, intensity, and form that is being proposed. The following criteria will be used to evaluate all planning and development applications:

1. Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies of this Plan.
3. Conformity with the policies of the place type in which they are located.
4. Consideration of applicable guideline documents that apply to the subject lands.
5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby

properties may include such things as:

- a. Traffic and access management.
- b. Noise.
- c. Parking on streets or adjacent properties.
- d. Emissions generated by the use such as odour, dust, or other airborne emissions.
- e. Lighting.
- f. Garbage generated by the use.
- g. Loss of privacy.
- h. Shadowing.
- i. Visual impact.
- j. Loss of views.
- k. Loss of trees and canopy cover.
- l. Impact on cultural heritage resources.
- m. Impact on natural heritage features and areas.
- n. Impact on natural resources.

The above list is not exhaustive.

7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the place type.
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.
- c. Neighbourhood character.
- d. Streetscape character.
- e. Street wall.
- f. Height.
- g. Density.
- h. Massing.
- i. Placement of building.
- j. Setback and step-back.
- k. Proposed architectural attributes such as windows, doors, and rooflines.
- l. Relationship to cultural heritage resources on the site and adjacent to it.
- m. Landscaping and trees.

n. Coordination of access points and connections.

The above list is not exhaustive.

Appendix D – Relevant Background

Additional Reports

New Low Rise Development in Existing Neighbourhoods (Z-8701)(Public Participation Meeting April 24, 2017): This report recommends amendments to the Zoning By-law which addressed the compatibility of new development within existing low-rise residential areas (Residential R1, R2, and R3s Zone variations) in the Primary Transit Area.