

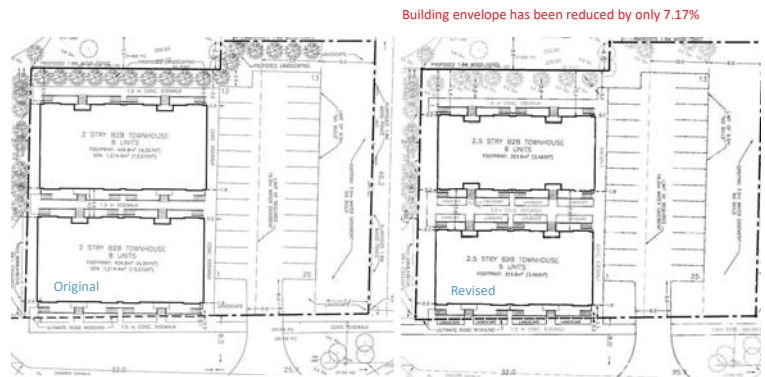
# Buffer Zones Z-8945

## Directives from January PEC Meeting

- Tree preservation plan
- Side yard setback of 0.5m per 1m of building height
- Minimum front yard setback 2.1m
- Minimum rear yard setback of 6m
- Perimeter barrier fencing

Not much has changed on the Revised Site Plan

- Reduction to 12 units
- Expect a 20% - 25% reduction in footprint and massing



Revised Site Plan cont'd

Enlargement of site plan showing amenity spaces adjacent to the parking lot



Note the measurements between the amenity spaces and the parking lot

## Site Plan Control Bylaw

### - Section 2.6.3 -- Private Outdoor Space (Amenity Space)

Private Outdoor spaces require 7.5m of separation from a parking lot with screening and 15m without screening

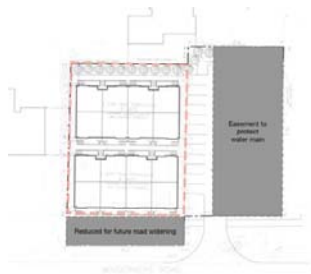
- (d) **Parking Separation** (See Figure 2.1)
  - (i) Common parking lots should not be closer than 3 m (9.8 feet) to a private outdoor space.
- (e) Private outdoor spaces which are more than 1 m (3 feet) lower than a common parking lot should be separated by not less than 7.5 m (25 feet) with appropriate screening and by not less than 15 m (50 feet) without appropriate screening.
- (f) Parking spaces should be oriented so that headlights and fumes are not directed towards the private outdoor space by using a parallel parking arrangement or by screening with planting or fencing.
- (4) **Orientation**
  - (i) The private outdoor space should be designed and oriented to take advantage of interesting views.

## Section 2.6.3 -- Private Outdoor Space cont'd

40% of the site unable to be used for building

There is no way to fix the parking lot/amenity space separation issue

Similar to the January version, this project should not pass site control



## Logic for 3m West Side Lot Setback

- Section 4.1.1 of the planning report suggests that R1 set back specifications be applied to these R5 buildings based on similar heights
- The logic used is known as a “false equivalency”
- Taking one criteria from two scenarios and saying that other aspects are equal
- This is comparing apples to bulldozers; where 123 Orkney is the apple and the townhouses are the bulldozer
- The staff report does not refer to any specific policy or bylaw that support the mixing of one zoning bylaw with another

## Logic for 3m West Side Lot Setback cont'd

11	REAR AND INTERIOR SIDE YARD DEPTH	STANDARD REGULATION	<p>0.5 metres (1.6 feet) per 1.0 metres (3.28 feet) of main building height, or fraction thereof, but in no case less than 3.0 metres (9.8 feet) when the end wall of a unit contains no windows to habitable rooms, or 6.0 metres (19.7 feet) when the wall of a unit contains windows to habitable rooms.</p> <p>3.0 metres (9.8 feet) where the end wall of an end unit facing the rear yard and/or interior side yard may contain a window(s) to habitable rooms on the group floor only and no access points to the dwelling unit along the end wall facing the rear yard and/or the interior sideyard.(Z-1-00761)(Z-1-021025)</p>
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- Part 4 of the staff report refers to Section 9, Table 9.3, Line 11 – that defines setback as a factor of height
- Clearly this 3m minimum is used where a building is less than 6m in height; it does not mean a 3m minimum regardless of height
- The highlighted phrase does not disqualify the preceding calculation and has no foundation as a stand alone minimum
- The 0.5m/1m height is to be used

## Logic for 3m West Side Lot Setback cont'd

- 4.1.1 of the on page 12 (near bottom) suggests that a sewer easement on 123 Orkney somehow justifies the 3m set back on the adjacent property
- 4.1.1 on page 13 (near top) states the 3m set back is needed so that plantings can be used to discourage pedestrian traffic in the side lot
- A fence would discourage pedestrian traffic even better
- The staff report does not refer to any specific policy or bylaw that support these suggestions

## R5 Zone Regulations cont'd

- Considering that the builder will have to dig up to 2m into the setback to build the foundation, the 3m setback is not adequate protect the trees

## January PEC Directives

- Near the end of Part 4.1.1 the report suggests that the 3m setback “will fulfill the bylaws that may be proposed in the next few years”
- (or may not)
- We cannot base current decisions on what future bylaws might be

## Summary

- The proposed buildings are too big for this small site evident by the requests for variances on every side
- I said that I would support R5-5 and the 2.1m setback at the front
- I supported the directives mandated by PEC councillors in January
- I ask that all other R5 bylaws be enforced and that the Tree Preservation Plan is improved to maximize the survival of the trees

## In closing.....

- Some images created by a 3D Modeller

Alley looking into kitchen window of 123 Orkney



Sidewalk at the front – Massing like this is nowhere else in this “Neighbourhood Place Type”



Public sidewalk at the front and its proximity to the building



Public sidewalk at front – Showing Overview – Residents will have to keep their curtains closed – this is not good infill



## Human Aspect

- The setbacks in the 1989 Official Plan will never be “antiquated”. They were designed to meet the basic needs of humans and humans have not changed.
- Humans flourish in an environment where there is space and privacy embedded in their living conditions.
- Please provide a livable condition for both the residents of these buildings and the neighbors thereby fulfilling this fundamental human requirement.

## January PEC Directives

- The PEC clearly directed the Planning Dept to use the 0.5m set back per 1m of height (or fraction thereof) criteria in their referral back to the Planning Dept
- As we can see, the planning report is trying everything it can to change the setback to 3m (what is the justification to suggest that the PEC directive was not what the PEC desired).
- The concluding statement of section 5.0 suggests the PEC did not have enough information to request the 0.5m/1m height bylaw standard be used. I propose that PEC did have enough information which was presented at the January PEC meeting.
- That said, my previous slides show the information that supposedly the PEC did not have.
- The planning report logic for a 3m side lot set back are not based on the existing policies or bylaws.

## R5 Zone Regulations cont'd

- 4.1.1 on page 13 (near top) states the 3m set back is needed so that plantings can be used to discourage pedestrian traffic in the side lot
- An extension of the proposed fence would discourage pedestrian traffic even better
- The staff report does not refer to any specific policy or bylaw that supports this suggestion.