

Zoning Non-compliance Checklist

File No.

Applicant: Main Street Developments Inc.

Address: 227 and 229 Main Street South

Zoning: HMU1(H)-3667

By-law 270-2004, as amended

Category	Proposal	By-law Requirement	Section #
USE	To permit a back to back townhouse dwelling	Whereas the By-law does not permit the use	3667.1
	To provide no commercial uses within the first storey of any building with a wall adjacent to Hurontario/Main Street and Charolais Blvd.	Whereas the By-law requires any portion of the floor area within the first storey of any building with a wall adjacent to Hurontario/Main Street and Charolais Blvd shall be used for commercial purposes. Notwithstanding the above, entrances, lobbies and uses accessory to the apartment dwelling are permitted provided that no more than 30% of the wall facing the street is occupied by entrances or lobbies.	3667.3.y)
LOT DIMENSIONS AREA / DEPTH / WIDTH			
BUILDING SETBACKS FRONT / SIDE / REAR	To permit a rear yard depth of 6.0 metres to a proposed back to back townhouse dwelling	Whereas the By-law requires a minimum rear yard depth of 25 metres for any portion of the building less than or equal to a height of 7.5 metres, and 35 metres to any portion of the building taller than 7.5 metres	3667.3.j) i) and 3667.3.j) ii)
	To permit a front yard setback of 60 metres to a proposed back to back townhouse dwelling	Whereas the by-law does not permit a back to back townhouse dwelling	3667.3.
	To permit an interior side yard setback of 1.8 metres to a proposed back to back townhouse dwelling.	Whereas the by-law does not permit a back to back townhouse dwelling	3667.3.
	To permit an exterior side yard setback of 1.8 metres to a proposed back to back townhouse dwelling	Whereas the by-law does not permit a back to back townhouse dwelling	3667.3.
	To permit a 0.0m tower stepback from the edge of the podium at front yard.	Whereas the by-law requires a minimum tower stepback of 3.0 metres from the edge of podium at the front yard.	3667.3.p)
	To permit a 0.0m tower stepback from the edge of the podium at side yard.	Whereas the by-law requires a minimum tower stepback of 2.5 metres from the edge of podium at the side yard	3667.3.q)
BUILDING SIZE			
BUILDING HEIGHT	To permit all portions of the building with the exception of the elevator shaft and mechanical rooftop equipment to be located within the height limits set by a line that extends upward at a 45 degree angle from the rear property line, to a maximum height of 80 metres.	Whereas the by-law requires all portions of a building must be located within the height limits set by a line that extends upwards at a 45 degree angle, or lower, from the rear property line to a maximum height of 76 metres.	3667.3.l)

	To permit a maximum height of 11.8 metres for the back to back townhouse dwelling To permit a maximum podium Height of 41.0 metres.	Whereas the by-law does not permit a back to back townhouse dwelling Whereas the By-law permit a maximum podium height of 27.0 metres	3667.3. 3667.3.m)
GFA	To permit a maximum Gross Floor Area of 48,500square metres	whereas the By-law permits a maximum gross floor area of 39,000 square metres	3667.3.b)
TOWER SEPARATION	To permit a tower separation of 20 metres	Whereas the by-law requires a tower separation of 25 metres	3667.3.o)
FSI	To permit a maximum FSI of 7.62	Whereas the by-law permits a maximum FSI of 3.0	29.2.3.a)
ACCESSORY STRUCTURE SIZE / HEIGHT			
MULTIPLE ACCESSORY STRUCTURES			
DRIVEWAY WIDTH			
LANDSCAPED OPEN SPACE	To permit a minimum landscaped open space of 24.9% of the lot area, including landscaped hard surfaces.	Whereas the by-law requires a minimum landscaped open space of 35% of the lot area, including landscaped hard surfaces.	3667.3.w)
ENCROACHMENTS			
PARKING	To permit parking to be calculated at a rate of 0.2 spaces per unit for residents and 0.15 spaces per unit for visitors.	Whereas the by-law requires that parking be calculated at a rate of 0.38 spaces per unit for residents and 0.20 spaces per unit for visitors.	3667.3.s)
SCHEDULE "C"			
OTHER	To permit the first storey of any back to back townhouse wall adjacent to a street, to have a minimum 10% of the gross area of the portion of the wall above grade shall have windows and/or doors. To permit a continuous street wall at grade level must occupy at least 95% of the entire available frontage facing Main Street and 95% of the entire available frontage facing any other public street. For the purposes of this subsection, "available frontage" means the total frontage excluding any required side yard setbacks, approved pedestrian and vehicular access locations, privately-owned publicly accessible spaces, required rear yard setback to the back to back townhomes and the length of frontage occupied by the back to back townhomes along Charolais Blvd.	Whereas the by-law requires the first storey of any wall adjacent to a street, a minimum 70% of the gross area of the portion of the wall above grade shall have windows and/or doors. Whereas the by-law requires that a continuous street wall at grade level must occupy at least 95% of the entire available frontage facing Main Street and 95% of the entire available frontage facing any other public street. For the purposes of this subsection, "available frontage" means the total frontage excluding any required side yard setbacks, approved pedestrian and vehicular access locations, and privately-owned publicly accessible spaces.	3667.3.z) 3667.3.aa)

____ROSS CAMPBELL____
Reviewed by Zoning

____June 4, 2024____
Date