

Filing Date: October 14, 2020
Hearing Date: November 10, 2020

File: A-2020-0115

**Owner/
Applicant:** Daniels Choice Mount Pleasant Corporation

Address: 10 Lagerfeld Drive

Ward: 6

Contact: Shelby Swinfield, Planner I, Development

Recommendations:

That application A-2020-0115 is supportable, subject to the following conditions being imposed:

1. That the extent of the variances be limited to that shown on the sketch attached to the Public Notice;
 2. That the owner finalize site plan approval under City File SP18-002.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services;
 3. That failure to comply with and maintain the conditions of the Committee shall render the approval null and void.
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Background:

Existing Zoning:

The property is zoned "Residential Apartment A – Special Section 3527 (R4A-3527)" according to By-law 270-2004, as amended.

Requested Variances:

The applicant is requesting the following variances:

1. To permit a building height of 26 storeys whereas the by-law permits a maximum

building height of 25 storeys;

2. To permit 100% of the required bicycle parking to be vertical spaces whereas the by-law permits a maximum of 50% of the required bicycle parking to be vertical spaces and the rest must be horizontal spaces.

Current Situation:

1. Conforms to the Intent of the Official Plan

The subject property is designated 'Residential' in the Official Plan and designated 'Mixed Use Node' in the Fletcher's Meadow Secondary Plan (Area 44). The "Mixed Use Node" designation permits cluster and high density residential uses as part of the overall node. The requested increase in height is consistent with a high density residential form. Variance 2 is not considered to have significant impacts within the context of the Official Plan. The requested variances are considered to maintain the general intent of the Official Plan.

2. Conforms to the Intent of the Zoning By-law

The property is zoned "Residential Apartment A – Special Section 3527 (R4A-3527)" according to By-law 270-2004, as amended.

Variance 1 is to permit a building height of 26 storeys whereas the by-law permits a maximum of 25 storeys. The intent of the by-law in regulating the maximum building height is to ensure that the construction of the apartment building is appropriate for the surrounding neighbourhood. The requested single storey increase is not anticipated to significantly impact the character of the proposed apartment building and will contribute positively to providing high density housing within the mixed use node. Subject to the recommended conditions of approval, Variance 1 is considered to maintain the general intent of the Zoning By-law.

Variance 2 is requested to permit 100% of the required bicycle parking to be vertical spaces whereas the by-law permits a maximum of 50% of the required bicycle parking to be vertical spaces and the rest must be horizontal spaces. The intent of the by-law in regulating the maximum permitted bicycle parking that can be vertical spaces is to ensure that the spaces are provided in an efficient and accessible manner. The property is currently subject to a site plan application, through which the provision of these spaces will be reviewed to ensure that they are provided in an accessible manner. As such, a condition of approval is recommended that the owner finalize site plan approval under City File SP18-002.000, execute a site plan agreement, and post any required financial securities and insurance to the satisfaction of the Director of Development Services. Subject to the recommended conditions of approval, Variance 2 is considered to maintain the general intent of the Zoning By-law.

3. Desirable for the Appropriate Development of the Land

Variances 1 is to permit an additional storey to be added to the proposed apartment building. This increase from 25 to 26 storeys is not considered to have a significant impact on the style of the apartment dwelling and will contribute positively to the

provision of high density housing for the City. Further, the property is subject to a site plan application, through the review of which any possible design impacts of the additional storey can be addressed. Subject to the recommended conditions of approval, Variance 1 is considered to be desirable for the appropriate development of the land.

Variance 2 is requested to permit all of the bicycle parking for the property to be provided in a vertical storage manner. This means of storage will help maximize and make more efficient the provision of bicycle parking while minimizing the draw on developable land for the property. Subject to the recommended conditions of approval, Variance 2 is considered to be desirable for the appropriate development of the property.

4. Minor in Nature

Variance 1 to permit 26 storeys whereas the by-law permits a maximum of 25 storeys represents a nominal increase that will not significantly impact the overall design of the building while allowing the provision of additional residential units. Subject to the recommended conditions of approval, Variance 1 is considered to be minor in nature.

Variance 2 to permit 100% of bicycle parking to be provided vertically will facilitate the most efficient method of arranging bicycle parking for the property and is not anticipated to negatively impact the provision of bicycle parking. Subject to the recommended conditions of approval, Variance 2 is considered to be minor in nature.

Respectfully Submitted,

Shelby Swinfield

Shelby Swinfield, Planner I, Development