October 29, 2018

Michael Robinson
Senior Planner
City of Winnipeg
Unit 15, 30 Fort Street
Winnipeg, Manitoba
R3C 4X7

Re: File No. DASZ 12/2018

Dear Sir,

On Friday, October 19 the City of Winnipeg's Water and Waste department provided our civil engineering consultants (Morrison Hershfield) with comments related to the Fulton Grove development. These City comments were related to the significantly reduced LDS release rates that the City has assigned to Fulton Grove and the engineering solution required to meet this atypical City requirement for the site.

The engineering solution put forward by Morrison Hershfield for this atypical LDS release rate was to have a dry pond and trap lows on the site which was agreed to by the Water and Waste department. Morrison Hershfield is incorporating the comments received from Water and Waste related to the dry pond and tarp low engineering specifications into the Fulton Grove site servicing report.

The necessity of a dry pond will consume developable lands within the site and has prompted the following minor changes to the conceptual plan of development:

- Private developable land identified for housing developments will need to be dedicated to the City as open green spaces for the dry pond to address land drainage.
- Part of an internal north/south road has been converted into an open greenspace for a trap low.
- Part of another internal north/south road was shortened by 220 feet.
- A 'Y' shaped intersection was eliminated to now be a 'T' intersection.

All of these minor changes caused by the imposition of the dry pond and trap lows to the conceptual development plan fit well within the notification printed in the Winnipeg Free Press and the Winnipeg Sun for the proposed Fulton Grove rezoning and subdivision application to be heard at the Public Hearing on November 13, 2018.

We went to the extra step of designing a dry pond and trap low system in detail (which is not a normal engineering design requirement to be doing at this stage of the development application) to provide the Public Hearing Body with the assurance that engineering solutions are available to address the Public Service comments related to the development's ability to tie into City services.

The LDS release rates imposed on the Fulton Grove development by the Water and Waste department are abnormally low in comparison to other developments' LDS release rates. A report will be presented

by an independent engineering firm which has studied the release rates of other lands in the area and the rationale for the release rate at Fulton Grove.

It should be noted that had we been provided the LDS release rate information at an earlier date, we would have incorporated it in previous design versions, well in advance of the Public Hearing. This was the type of feedback we were expecting on servicing issues to be addressed in the pre application letter comments issued on May 5, 2017 by your office.

Today we are using 1,918 units as the current design parameters as the maximum unit count for the Fulton Grove development based on all the current background engineering studies including taking into account the recently provided LDS release rates.

The independent engineering practitioners confirm that this number of dwelling units are able to be accommodated on the site and tie into the City's services. The densities generated by the 1,918 units on the site are:

- Within current Council Policy and By-laws (OurWinnipeg, Complete Communities, the TOD Handbook and the TOD zoning by-law)
- Considered part of best practices of TOD developments as confirmed by independent planning professionals, and
- Well within the current density policies proposed in the Parker Lands Secondary Plan.

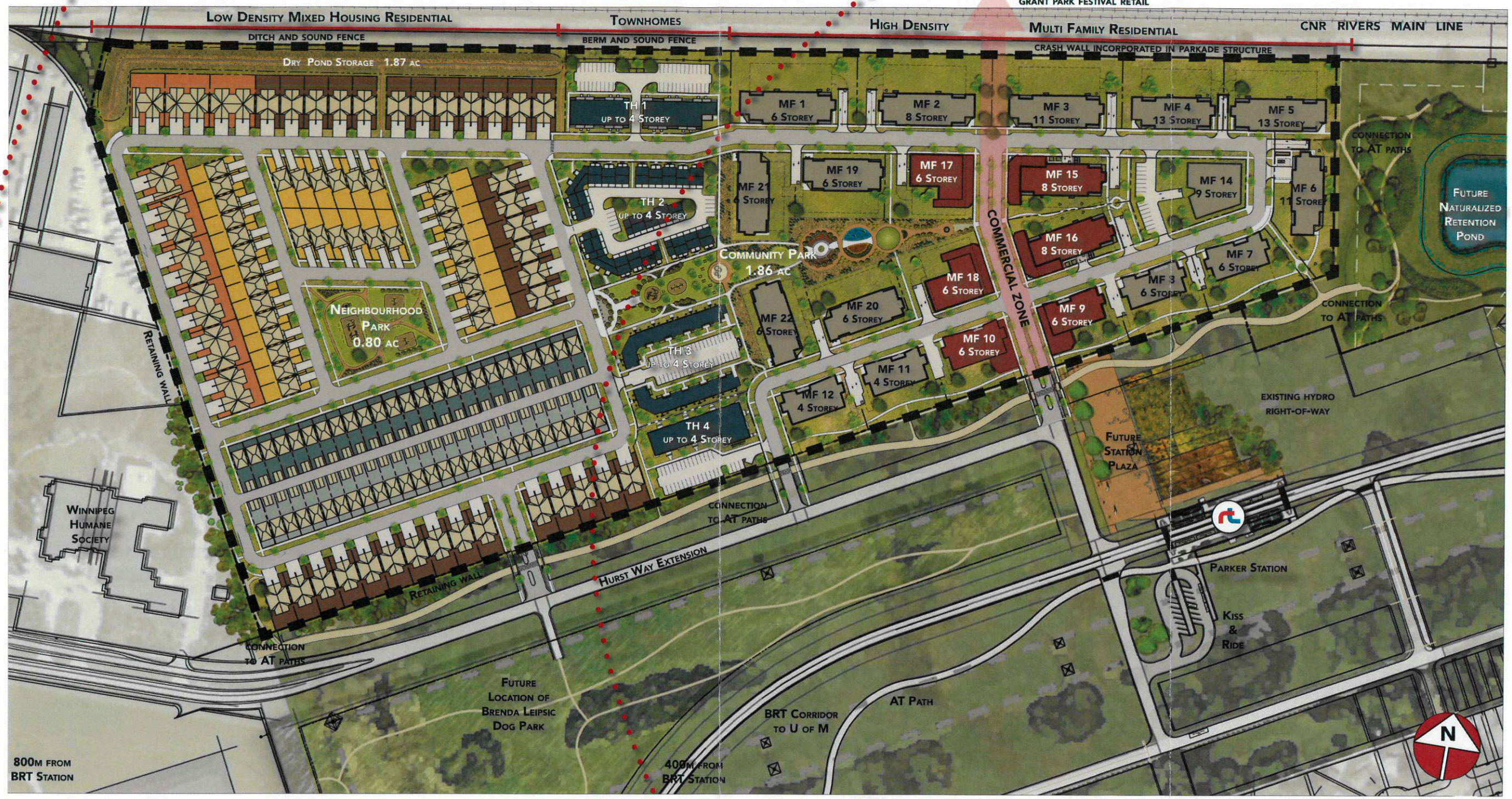
We are requesting minor changes to the PDO to regulate the minimum and maximum number of development units for the site to provide Council the assurance that the maximum number of dwelling units does not exceed the current engineering for the lands. Should subsequent engineering work indicate that additional units can be accommodated on the lands [and remain within the target densities of the TOD Handbook and TOD Zoning By-law] the corresponding number of dwelling units may be increased through a development application for the City to review, such as a variance as provided for in the City of Winnipeg Charter.

Again this proposed change to the PDO for Fulton Grove to regulate a specific number of dwelling units with a minimum and a maximum falls well within the notification printed in the Winnipeg Free Press and the Winnipeg Sun for the Fulton Grove rezoning and subdivision application to be heard at the Public Hearing on November 13th.

I am providing the updated conceptual development plans and a revised PDO..

Sincerely,

Andrew Marquess
Applicant for Fulton Grove DASZ application



DEVELOPMENT SUMMARY

Low Density Mixed Housing	187 units	12.73 acres
Townhomes Area	161 units	4.93 acres
High Density Multi-Family	1570 units	13.16 acres
Public Reserve Area		4.63 acres
City Right of Way		11.90 acres
Totals	**1918 units**	**47.35 acres**

Lot Types

- 28ft - Single-Family (Backlane)
- 30ft - Single-Family (Backlane)
- 36ft - Single-Family (Front Garage)
- Duplex
- Triplex / Quadplex
- Townhomes
- Multi-Family Residential
- Multi-Family Mixed Use
- Development Property Line

Fulton Grove

DEVELOPMENT PLAN CONCEPT

SEPTEMBER 2018
(REV)

BERM AND SOUND FENCE

CNR RIVERS MAIN LINE

SOUND WALL ON TOP OF PARKADE (WHEN NECESSARY)

CRASHWALL INCORPORATED IN PARKADE STRUCTURES ADJACENT TO RAIL LINE

TH 1
UP TO 4 STOREY

MF 1
6 STOREY

MF 2
8 STOREY

MF 3
11 STOREY

MF 4
13 STOREY

MF 5
13 STOREY

TH 2
UP TO 4 STOREY

MF 21
6 STOREY

MF 19
6 STOREY

MF 17
6 STOREY

MF 15
8 STOREY

MF 14
9 STOREY

MF 6
11 STOREY

PR-1
COMMUNITY PARK
1.86 AC

MF 16
8 STOREY

MF 7
6 STOREY

MF 18
6 STOREY

MF 8
6 STOREY

59'-0" TYP

MF 22
6 STOREY

MF 20
6 STOREY

MF 9
6 STOREY

MF 10
6 STOREY

TH 3
UP TO 4 STOREY

MF 11
4 STOREY

72'-0"

MF 12
4 STOREY

TH 4
UP TO 4 STOREY

AT PATHWAY

FUTURE STATION PLAZA

HISTORICAL CITY ROW

HURST WAY EXTENSION

PARKER STATION

HISTORICAL CITY ROW

N

Lot Types

- Townhomes
- Multi-Family Residential
- Multi-Family Mixed Use

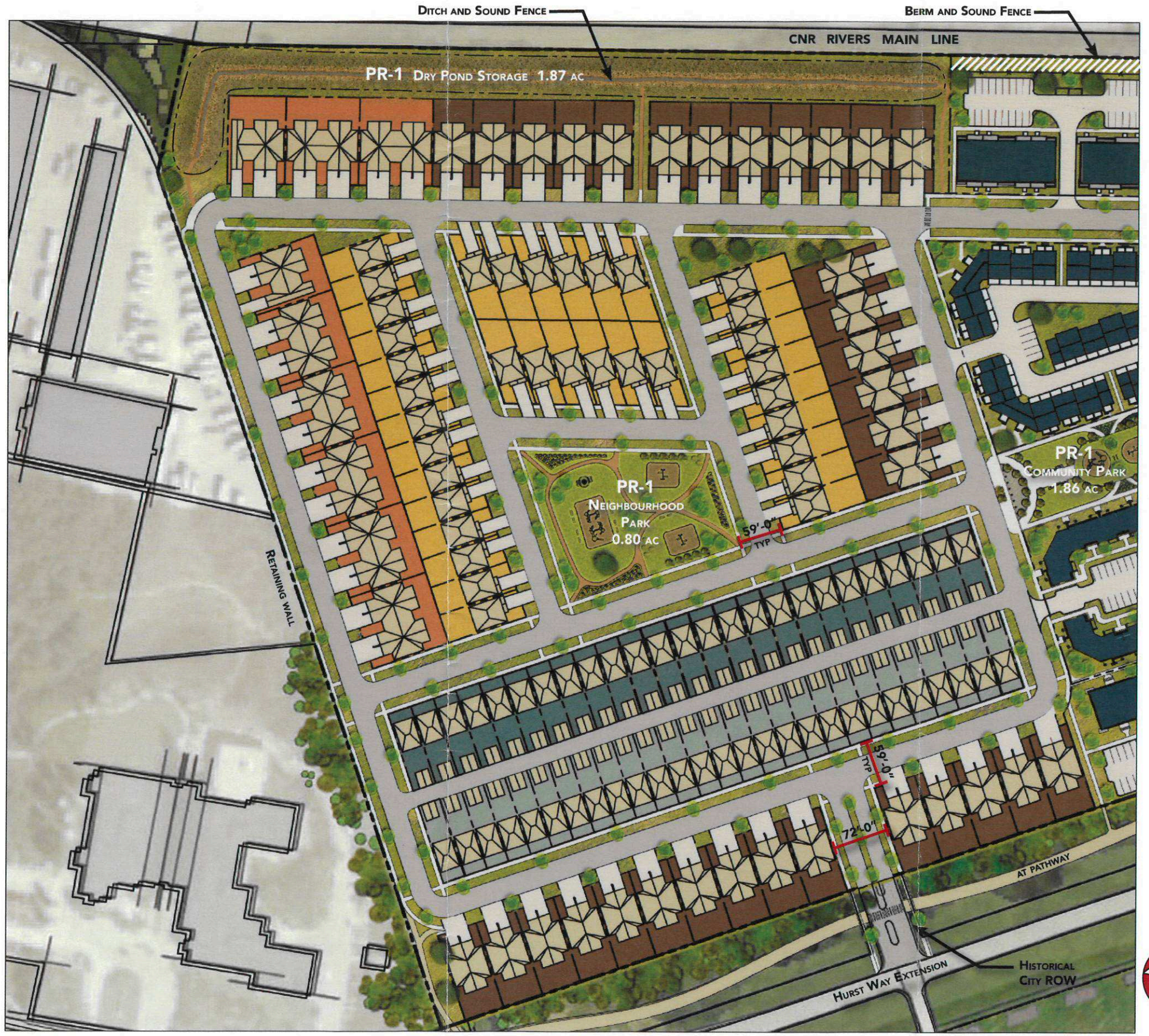
FULTON GROVE - MULTI-FAMILY NET DENSITY

UNITS	ACRES	UNITS/ACRE
1731	18.09	95.69

Fulton Grove

MULTI-FAMILY AREA

SEPTEMBER 2018
(REV)



UNIT TYPES

- 28ft - Single-Family (Backlane)
- 30ft - Single-Family (Backlane)
- 36ft - Single-Family (Front Garage)
- Duplex
- Triplex or Quadplex

FULTON GROVE - LOT INFORMATION

Type	# Lots	# Units
Back Lane (28ft)	27	27
Back Lane (30ft)	25	25
Front Load (36ft)	35	35
Duplexes	33	66
Triplexes	2	6
Quadplexes	7	28
Total		**187**

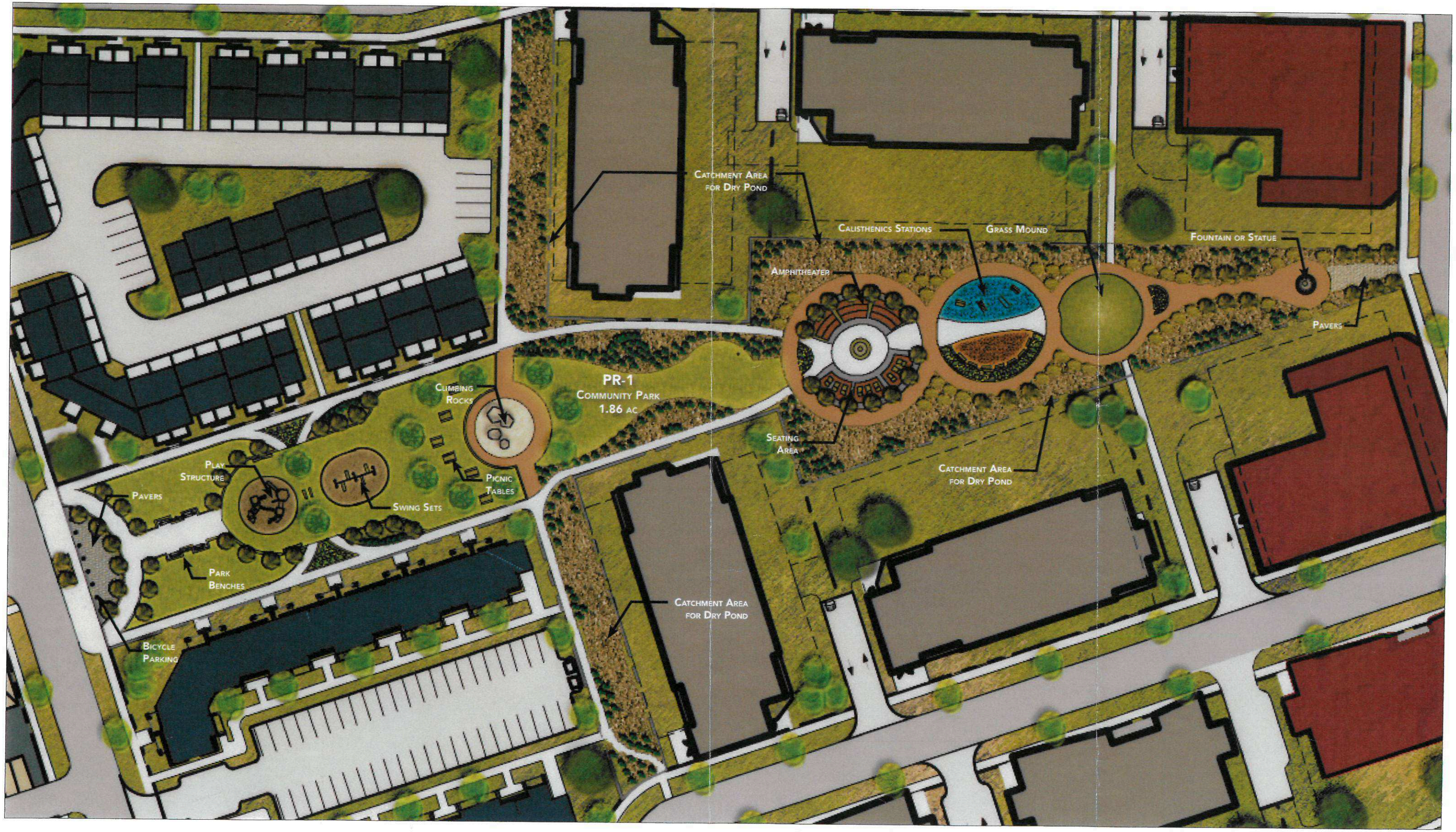
FULTON GROVE - MIXED HOUSING NET DENSITY

Units	Acres	Units/Acre
187	12.73	14.69

Fulton Grove

MIXED HOUSING AREA

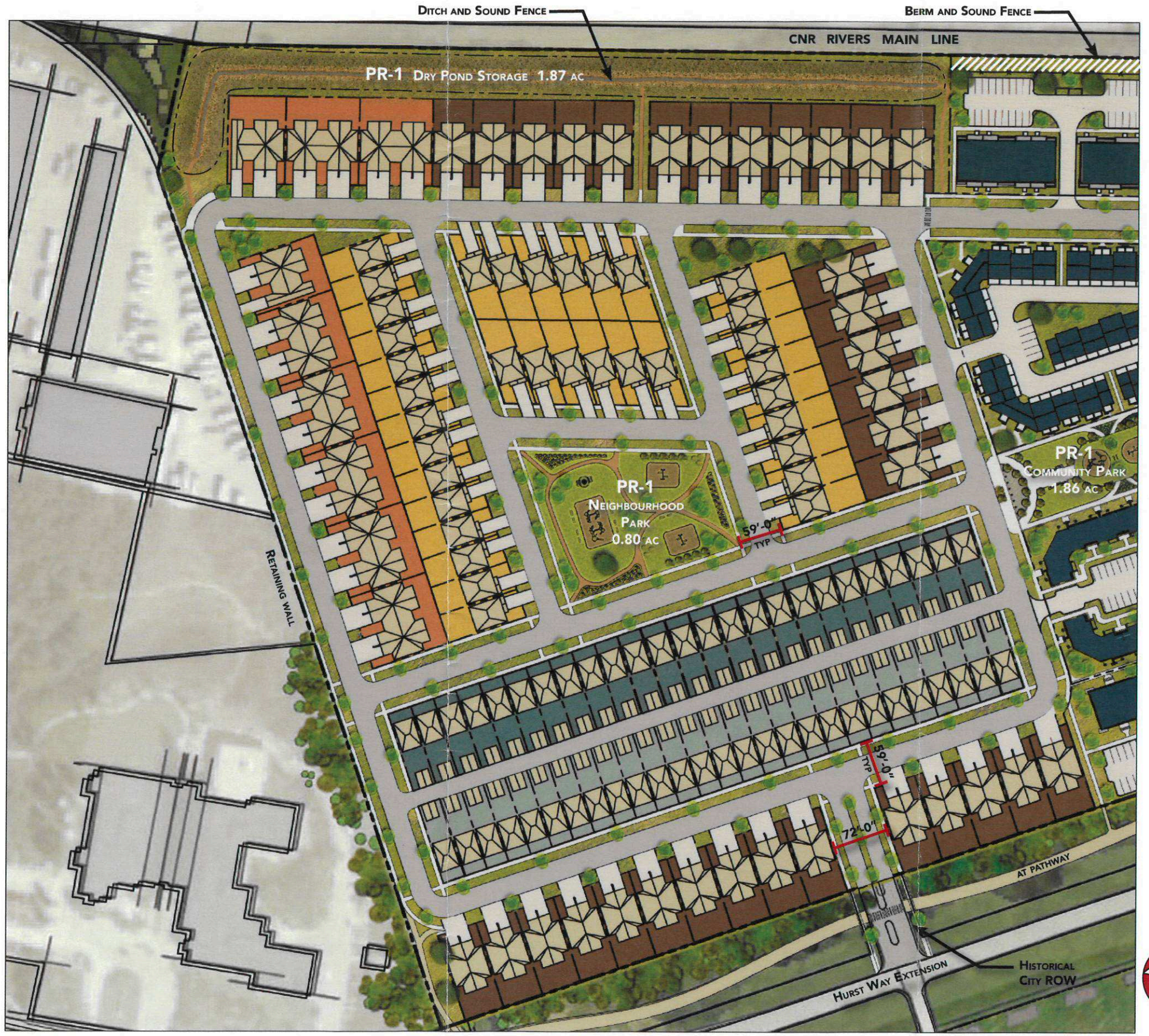
SEPTEMBER 2018
(REV)



Fulton Grove

COMMUNITY PARK CONCEPT

September 2018
(REV)



UNIT TYPES

- 28ft - Single-Family (Backlane)
- 30ft - Single-Family (Backlane)
- 36ft - Single-Family (Front Garage)
- Duplex
- Triplex or Quadplex

FULTON GROVE - LOT INFORMATION

Type	# Lots	# Units
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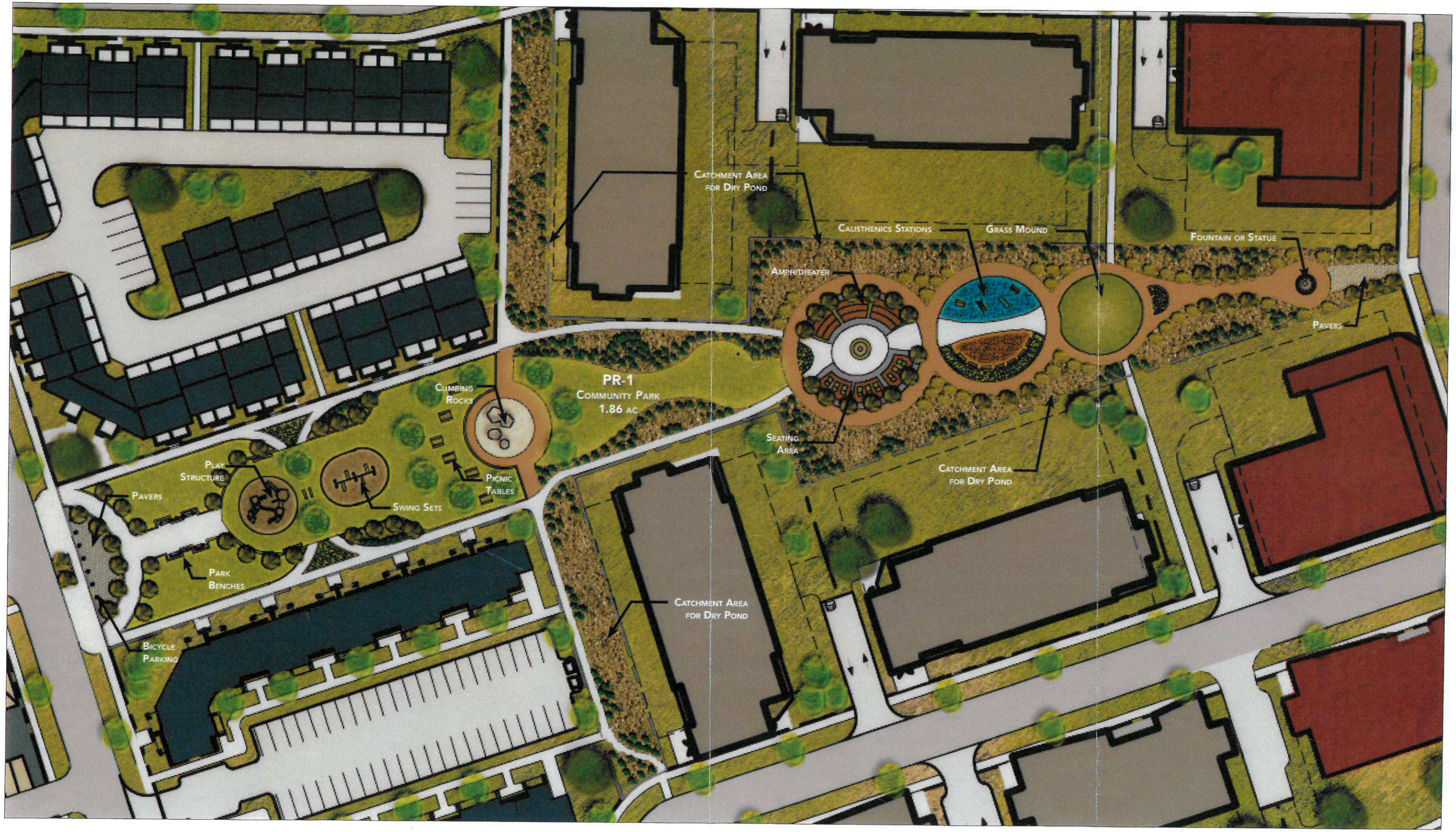
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Fulton Grove

MIXED HOUSING AREA

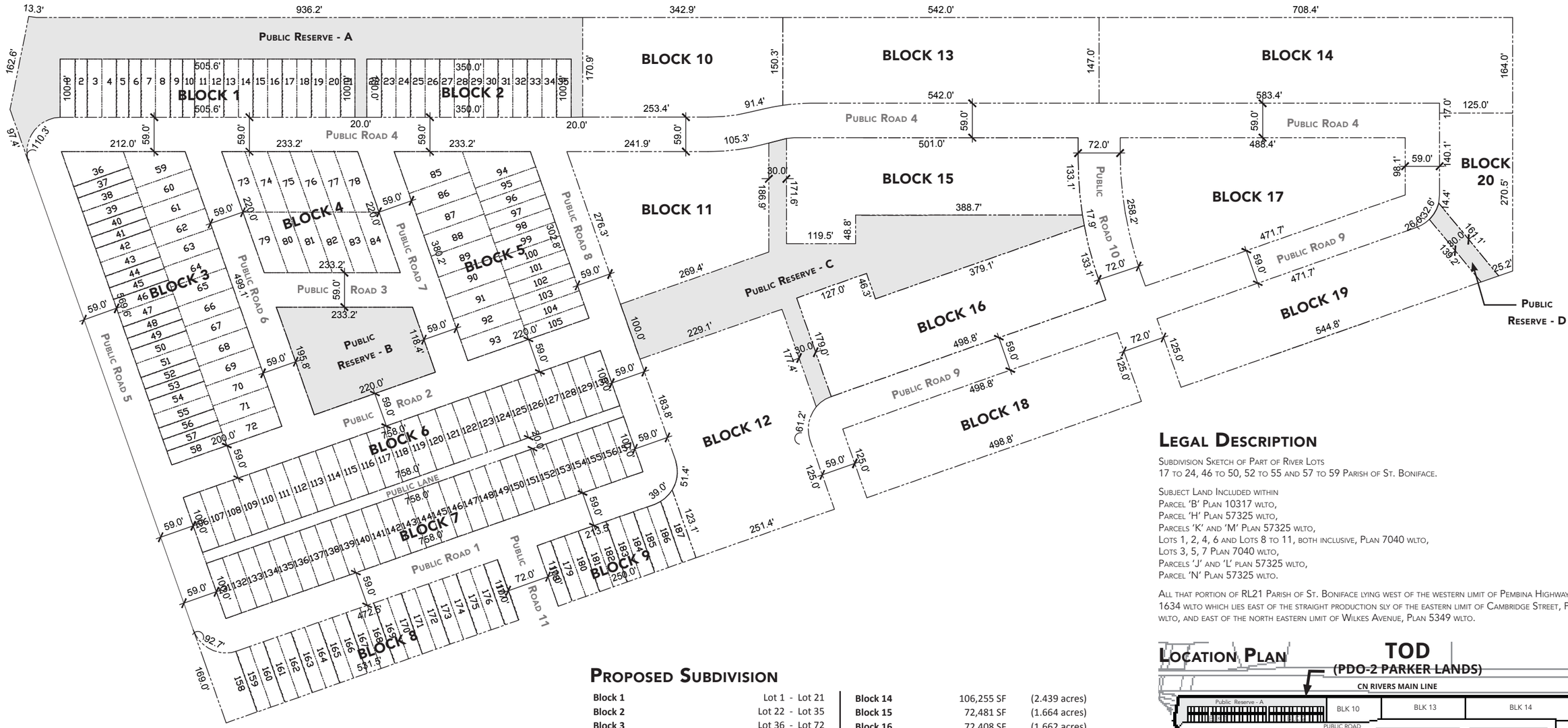
SEPTEMBER 2018
(REV)



Fulton Grove

COMMUNITY PARK CONCEPT

September 2018
(REV)



Proposed Subdivision

Block 1	Lot 1 - Lot 21	
Block 2	Lot 22 - Lot 35	
Block 3	Lot 36 - Lot 72	
Block 4	Lot 73 - Lot 84	
Block 5	Lot 85 - Lot 105	
Block 6	Lot 106 - Lot 130	
Block 7	Lot 131 - Lot 157	
Block 8	Lot 158 - Lot 177	
Block 9	Lot 178 - Lot 187	
Block 10	57,564 SF	(1.321 acres)
Block 11	67,666 SF	(1.553 acres)
Block 12	89,517 SF	(2.055 acres)
Block 13	79,728 SF	(1.830 acres)
Block 14	106,255 SF	(2.439 acres)
Block 15	72,481 SF	(1.664 acres)
Block 16	72,408 SF	(1.662 acres)
Block 17	86,207 SF	(1.979 acres)
Block 18	62,352 SF	(1.431 acres)
Block 19	65,292 SF	(1.499 acres)
Block 20	28,552 SF	(0.655 acres)
Public Reserve - A	81,306 SF	(1.867 acres)
Public Reserve - B	34,566 SF	(0.794 acres)
Public Reserve - C	81,136 SF	(1.863 acres)
Public Reserve - D	4,467 SF	(0.103 acres)
Total	1,543,920 SF	(35.443 acres)

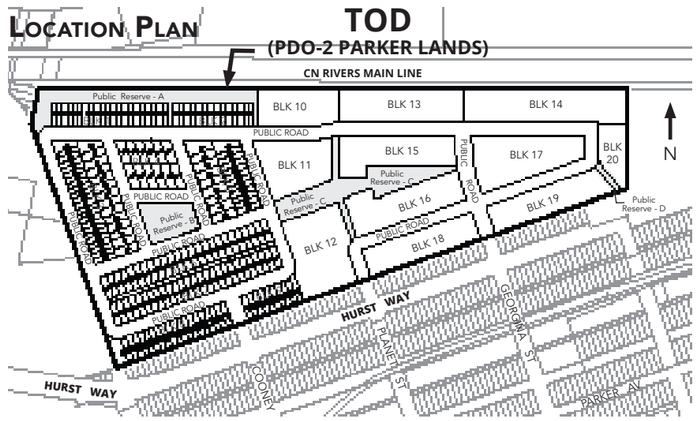
Legal Description

Subdivision Sketch of Part of River Lots
17 to 24, 46 to 50, 52 to 55 and 57 to 59 Parish of St. Boniface.

Subject Land Included within
Parcel 'B' Plan 10317 WLTO,
Parcel 'H' Plan 57325 WLTO,
Parcels 'K' and 'M' Plan 57325 WLTO,
Lots 1, 2, 4, 6 and Lots 8 to 11, both inclusive, Plan 7040 WLTO,
Lots 3, 5, 7 Plan 7040 WLTO,
Parcels 'J' and 'L' plan 57325 WLTO,
Parcel 'N' Plan 57325 WLTO.

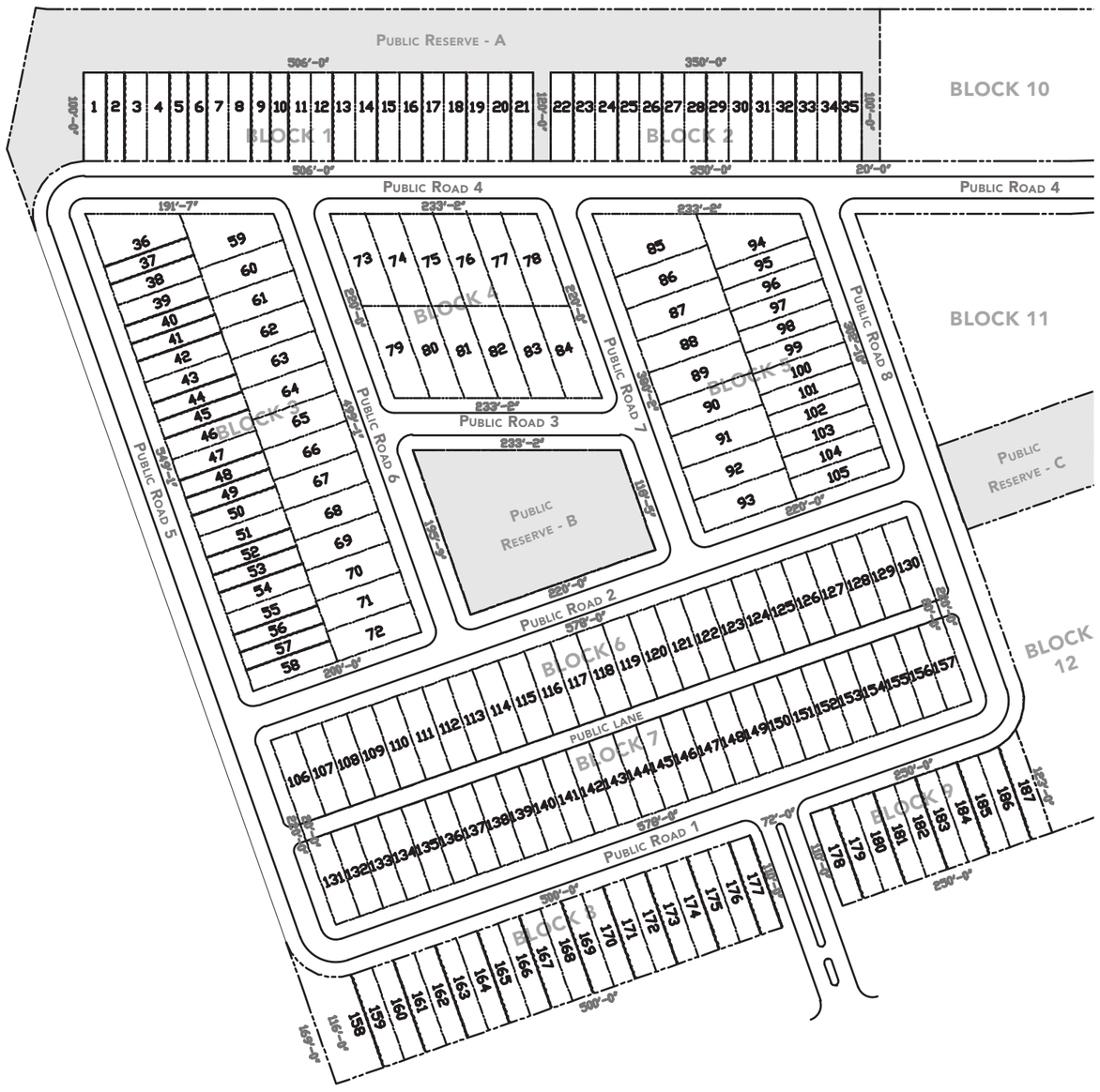
All that portion of RL21 Parish of St. Boniface lying west of the western limit of Pembina Highway, Plan 1634 WLTO which lies east of the straight production sly of the eastern limit of Cambridge Street, Plan 307 WLTO, and east of the north eastern limit of Wilkes Avenue, Plan 5349 WLTO.

Location Plan



Fulton Grove

PROPOSED PLAN OF SUBDIVISION



Lot Dimensions

	LENGTH (ft)	WIDTH (ft)	AREA (sq ft)	AREA (acres)
Block 1			**50,500**	1.16
Lot 1	100	25	2,500	
Lot 2	100	21	2,100	
Lot 3	100	25	2,500	
Lot 4	100	25	2,500	
Lot 5	100	21	2,100	
Lot 6	100	21	2,100	
Lot 7	100	25	2,500	
Lot 8	100	25	2,500	
Lot 9	100	21	2,100	
Lot 10	100	21	2,100	
Lot 11	100	25	2,500	
Lot 12	100	25	2,500	
Lot 13	100	25	2,500	
Lot 14	100	25	2,500	
Lot 15	100	25	2,500	
Lot 16	100	25	2,500	
Lot 17	100	25	2,500	
Lot 18	100	25	2,500	
Lot 19	100	25	2,500	
Lot 20	100	25	2,500	
Lot 21	100	25	2,500	
Block 2			**35,000**	0.80
Lot 22	100	25	2,500	
Lot 23	100	25	2,500	
Lot 24	100	25	2,500	
Lot 25	100	25	2,500	
Lot 26	100	25	2,500	
Lot 27	100	25	2,500	
Lot 28	100	25	2,500	
Lot 29	100	25	2,500	
Lot 30	100	25	2,500	
Lot 31	100	25	2,500	
Lot 32	100	25	2,500	
Lot 33	100	25	2,500	
Lot 34	100	25	2,500	
Lot 35	100	25	2,500	
Block 3			**106,773**	2.45
Lot 36	100	56.5	4,498	
Lot 37	100	21	2,100	
Lot 38	100	25	2,500	
Lot 39	100	25	2,500	
Lot 40	100	21	2,100	
Lot 41	100	21	2,100	
Lot 42	100	25	2,500	
Lot 43	100	25	2,500	
Lot 44	100	21	2,100	
Lot 45	100	21	2,100	
Lot 46	100	25	2,500	
Lot 47	100	25	2,500	
Lot 48	100	21	2,100	
Lot 49	100	21	2,100	
Lot 50	100	25	2,500	
Lot 51	100	25	2,500	
Lot 52	100	21	2,100	
Lot 53	100	21	2,100	
Lot 54	100	25	2,500	
Lot 55	100	25	2,500	
Lot 56	100	21	2,100	
Lot 57	100	21	2,100	
Lot 58	100	25	2,500	
Lot 59	100	31	4,875	
Lot 60	100	36	3,600	
Lot 61	100	36	3,600	
Lot 62	100	36	3,600	
Lot 63	100	36	3,600	
Lot 64	100	36	3,600	
Lot 65	100	36	3,600	
Lot 66	100	36	3,600	
Lot 67	100	36	3,600	
Lot 68	100	36	3,600	
Lot 69	100	36	3,600	
Lot 70	100	36	3,600	
Lot 71	100	36	3,600	
Lot 72	100	36	3,600	

	LENGTH (ft)	WIDTH (ft)	AREA (sq ft)	AREA (acres)
Block 4			**48,400**	1.11
Lot 73	110	38	4,180	
Lot 74	110	36	3,960	
Lot 75	110	36	3,960	
Lot 76	110	36	3,960	
Lot 77	110	36	3,960	
Lot 78	110	38	4,180	
Lot 79	110	38	4,180	
Lot 80	110	36	3,960	
Lot 81	110	36	3,960	
Lot 82	110	36	3,960	
Lot 83	110	36	3,960	
Lot 84	110	38	4,180	
Block 5			**75,123**	1.72
Lot 85	110	69	6,250	
Lot 86	110	38	4,180	
Lot 87	110	38	4,180	
Lot 88	110	38	4,180	
Lot 89	110	38	4,180	
Lot 90	110	38	4,180	
Lot 91	110	38	4,180	
Lot 92	110	38	4,180	
Lot 93	110	38	4,180	
Lot 94	110	28	5,183	
Lot 95	110	25	2,750	
Lot 96	110	25	2,750	
Lot 97	110	25	2,750	
Lot 98	110	25	2,750	
Lot 99	110	25	2,750	
Lot100	110	25	2,750	
Lot 101	110	25	2,750	
Lot 102	110	25	2,750	
Lot 103	110	25	2,750	
Lot 104	110	25	2,750	
Lot 105	110	25	2,750	
Block 6			**75,800**	1.74
Lot 106	100	30	3,000	
Lot 107	100	30	3,000	
Lot 108	100	30	3,000	
Lot 109	100	30	3,000	
Lot 110	100	30	3,000	
Lot 111	100	30	3,000	
Lot 112	100	30	3,000	
Lot 113	100	30	3,000	
Lot 114	100	31	3,100	
Lot 115	100	31	3,100	
Lot 116	100	31	3,100	
Lot 117	100	31	3,100	
Lot 118	100	31	3,100	
Lot 119	100	31	3,100	
Lot 120	100	31	3,100	
Lot 121	100	31	3,100	
Lot 122	100	30	3,000	
Lot 123	100	30	3,000	
Lot 124	100	30	3,000	
Lot 125	100	30	3,000	
Lot 126	100	30	3,000	
Lot 127	100	30	3,000	
Lot 128	100	30	3,000	
Lot 129	100	30	3,000	
Lot 130	100	30	3,000	

	LENGTH (ft)	WIDTH (ft)	AREA (sq ft)	AREA (acres)
Block 7			**75,800**	1.74
Lot 131	100	29	2,900	
Lot 132	100	28	2,800	
Lot 133	100	28	2,800	
Lot 134	100	28	2,800	
Lot 135	100	28	2,800	
Lot 136	100	28	2,800	
Lot 137	100	28	2,800	
Lot 138	100	28	2,800	
Lot 139	100	28	2,800	
Lot 140	100	28	2,800	
Lot 141	100	28	2,800	
Lot 142	100	28	2,800	
Lot 143	100	28	2,800	
Lot 144	100	28	2,800	
Lot 145	100	28	2,800	
Lot 146	100	28	2,800	
Lot 147	100	28	2,800	
Lot 148	100	28	2,800	
Lot 149	100	28	2,800	
Lot 150	100	28	2,800	
Lot 151	100	28	2,800	
Lot 152	100	28	2,800	
Lot 153	100	28	2,800	
Lot 154	100	28	2,800	
Lot 155	100	28	2,800	
Lot 156	100	28	2,800	
Lot 157	100	29	2,900	
Block 8			**59,210**	1.36
Lot 158	169	56	6,960	
Lot 159	110	25	2,750	
Lot 160	110	25	2,750	
Lot 161	110	25	2,750	
Lot 162	110	25	2,750	
Lot 163	110	25	2,750	
Lot 164	110	25	2,750	
Lot 165	110	25	2,750	
Lot 166	110	25	2,750	
Lot 167	110	25	2,750	
Lot 168	110	25	2,750	
Lot 169	110	25	2,750	
Lot 170	110	25	2,750	
Lot 171	110	25	2,750	
Lot 172	110	25	2,750	
Lot 173	110	25	2,750	
Lot 174	110	25	2,750	
Lot 175	110	25	2,750	
Lot 176	110	25	2,750	
Lot 177	110	25	2,750	
Block 9			**27,662**	0.64
Lot 178	110	25	2,750	
Lot 179	110	25	2,750	
Lot 180	110	25	2,750	
Lot 181	110	25	2,750	
Lot 182	110	25	2,750	
Lot 183	110	25	2,750	
Lot 184	110	25	2,750	
Lot 185	110	25	2,750	
Lot 186	110	25	2,752	
Lot 187	110	25	2,910	

Fulton Grove

PROPOSED PLAN OF SUBDIVISION - DETAIL

SCHEDULE Y

added TBD

PARKER LANDS PLANNED DEVELOPMENT OVERLAY 2 (PDO-2 – PARKER LANDS)

Purpose

1. The purpose of this overlay is to support the redevelopment of the planned area as a 'Major Redevelopment Site' in a manner consistent with Parker Lands Secondary Plan and Transit-Orientated Development (TOD) Principles as an 'Urban Neighbourhood' with an underlying TOD Zone.

Applicability

2. The PDO-2 PARKER LANDS Overlay District is shown as the Planned Area in attached Map 1 Principal Overlay Map.

Development Standards

3. Except to the extent modified by the standards in this overlay, all standards of the Zoning By-law 200/2006 apply within the boundaries shown on the Principal Overlay Map (Map 1).

4. The regulations provided in the PDO-2 district shall be substituted for the specified regulations of the underlying Zoning By-law 200/2006. Where there is a conflict between the provisions of the PDO-2 district and those of the underlying Zoning By-law 200/2006, the provisions of the PDO-2 govern.

Net Density Minimum and Maximums

5. Notwithstanding other provisions of this By-law, residential density shall be calculated for the entire Planned Area of PDO-2 PARKER LANDS rather than building by building, block by block, or lot by lot.

6. Residential densities for the entire Planned Area of PDO-2 PARKER LANDS shall be calculated on net density, which is the area of development after the public rights-of-ways and public open spaces have been subtracted.

7. The minimum residential density for the entire Planned Area of PDO-2 PARKER LANDS shall be 1300 dwelling units.

8. The maximum residential density for the entire Planned Area of PDO-2 PARKER LANDS shall be 1920 dwelling units.

Land Locked Parcels Permitted

9. Notwithstanding other provisions in the Winnipeg Zoning By-law 200/2006, a use permitted under this By-law in the PDO-2 PARKER LANDS within the Overlay District may be established, erected, or constructed if the parcel of land on which it is located, in addition to complying with all other requirements of this By-law:

    (1) does not abut a public street; or

    (2) does not abut an unimproved street which, under an Agreement with the City, is to be improved to serve that lot; or

    (3) is not deemed to abut a public street pursuant to the non-conformity provisions of this By-law.

10. Subject to the following conditions:

    (1) The Developer and all successors in title to the lots in the subdivision shall enter into, and register and maintain in perpetuity by way of caveat or master or declaratory easement against the titles to the lots, private cross-access agreements with the owners of the other lots so as to ensure access to every lot at all times, via streets or internal roads, by vehicles, including but not limited to City emergency service vehicles.

Plan Approval, Exterior Site and Building Designs

11. Within the boundaries shown on the Principal Overlay Map, the Owner must submit plans showing the location and design of any and all proposed

    (1) buildings,
    (2) parking areas,
    (3) garbage enclosures,
    (4) fencing,
    (5) landscaping,
    (6) signage; and
    (7) exterior lighting

    on the Owner's Land ("Works") to the City's Director of Planning, Property and Development ("Director") and the City Centre Community Committee for approval prior to the issuance of any building or development permit (except a permit related to lot grading), and thereafter must construct the Works in substantial conformance with the approved plans and maintain the Works to the satisfaction of the Director.

12. Notwithstanding the above, the following land-uses do not require the Plan Approval review and approval:

    (1) Temporary construction trailer or building;
    (2) Temporary structures (for events not exceeding 14 days);
    (3) Transit station;
    (4) Construction sign;
    (5) Real estate sales offices and model sales homes;
    (6) Single-family detached dwellings;
    (7) Semi-detached dwellings;
    (8) Two-Family dwellings;
    (9) Secondary Suites; Attached;
    (10) Home Occupations;
    (11) Structures accessory to Single-family detached dwellings; Semi-detached dwellings; and Two-Family dwellings.

13. The City Centre Community Committee or Director may not deny approval of a Plan Approval application without first giving the applicant in writing notice of the date, time, and location of a meeting to hear representation from the applicant concerning the application. If the applicant has not been so notified within 45 days of the Plan Approval application being submitted in full, the applicant may submit a letter requesting such notification to the Standing Policy Committee on Property and Development Heritage and Downtown Development. Upon receiving such letter, the Standing Policy Committee on Property and Development, Heritage and Downtown Development shall instruct the City Centre Community Committee or the Director to approve or deny the Plan Approval application within a specified period of time.

14. An applicant may, in accordance with The City of Winnipeg Charter, appeal a decision to deny plan approval, to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

Plan Approval Considerations

15. In making decisions on Plan Approval applications, the City Centre Community Committee and Director shall consider any requirements in this section and any urban design guidelines, standards or criteria approved by Council.

Plan Approval Design Standards

16. Notwithstanding other provisions of this By-law, in the PDO-2 PARKER LANDS, development must comply with the design standards listed below.

Shadows and Wind

    (1) For a proposed building exceeding 100 feet in height, the applicant shall submit, at the time of Plan Approval, a study on the impact of the proposed

building on shadow and wind, prepared by a qualified architect or design professional.

Building Facades

(2) The address number of every building within the Overlay District (and the name of the building, if applicable) shall be physically attached to the building or otherwise posted on the subject property lot on which the building is located, so as to be clearly visible from the street or internal road on which the building is located.

Parking, Bicycle Parking and Loading

17. Parking, Bicycle Parking and Loading Management Plan

(1) If a property does not comply with the required amount of parking or bicycle parking, or loading the property owner may propose to the Director a Parking, Bicycle Parking and Loading Management Plan prepared by a professional traffic engineer or parking consultant documenting that the amount of off-street parking and/or bicycle parking, and/or loading is adequate to meet the needs of the proposed use or combination of uses and to prevent traffic and parking congestion on surrounding streets or public lanes.

(2) If the Director concludes that the proposed Parking, Bicycle Parking and Loading Management Plan will provide off-street parking and/or bicycle parking and/or loading adequate to meet the needs of the proposed use or combination of uses and to prevent traffic congestion on surrounding streets and public lanes, the Director may approve the Parking, Bicycle Parking and Loading Management Plan and may reduce or increase the amount of parking and/or bicycle parking and/or loading to conform with the approved plan.

(3) Once a Parking, Bicycle Parking and Loading Management Plan is approved, that owner shall provide parking spaces, bicycle parking spaces, and loading spaces in accordance with the Parking, Bicycle Parking and Loading management plan which has been approved by the Director.

(4) Any owner of land in the PDO-2 PARKER LANDS may, in accordance with this overlay and this By-law, submit to the Director for approval:

(a) a Parking, Bicycle Parking and Loading Management Plan for the overlay district; or,

(b) an amended Parking, Bicycle Parking and Loading Management Plan for the overlay district.

18. An applicant may, in accordance with The City of Winnipeg Charter, appeal a decision by the Director to deny approval of Parking, Bicycle Parking and Loading Management

Plan, to the Standing Policy Committee on Property and Development, Heritage and Downtown Development.

Parking Minimum and Maximums

19. The minimum total number of parking spaces for residential uses including un-assigned guest parking and handicap parking required within the Planned Area of PDO-2 PARKER LANDS shall be 50 percent of 1.5 parking stalls per unit.

20. The maximum number of parking spaces for residential uses including un-assigned guest parking required within the entire Planned Area of PDO-2 PARKER LANDS shall not exceed 75 percent of 1.5 parking stalls per unit.

21. The minimum number of required off-street parking spaces for Public and Institutional, Cultural and Entertainment, Commercial Sales and Service, and Private Motor Vehicle Related land-uses designated in Table 4-1 shall be reduced to 75 percent of the minimum number shown in Table 5-9.

22. The maximum number of required off-street parking spaces for Public and Institutional, Cultural and Entertainment, Commercial Sales and Service Private Motor Vehicle Related, designated in Table 4-1 shall not exceed 80 percent of the minimum number shown in Table 5-9.

Signage

23. The underlying TOD Zone allows for signage with the following:

    (1) The Director may approve a master signage plan for the overlay district in accordance with this overlay and this By-law;

    (2) The Director must not approve any master signage plan for the overlay district which allows or provides for more than one freestanding sign to be erected in the overlay district;

    (3) An owner of land in the overlay district must not erect signage on his land unless the signage is in accordance with a master signage plan for the overlay district which has been approved by the Director;

    (4) An owner of land in the overlay district with signage erected on his land must maintain and repair the signage in accordance with the master signage plan for the overlay district which has been approved by the Director;

    (5) Any owner of land in the overlay district may, in accordance with this overlay and this By-law, submit to the Director for approval

        (a) a master signage plan for the overlay district; or

(b) an amended master signage plan for the overlay district.

(6) No mobile or billboard signs are permitted within the overlay district;

(7) Signage is not permitted on single, two, three and four family dwellings nor on townhome types of structures except in association with a home business as provided in this Zoning By-law.

Fencing

24. A fence located within a required front or corner side yard must not exceed 4 feet in height.

Use Tables

25. Notwithstanding other provisions of this By-law, in the PDO-2 PARKER LANDS, the following principal uses shall be permitted in addition to the permitted and conditional uses of the underlying TOD zoning district:

    (1) Dwelling, Single Family detached
    (2) Dwelling, Two-Family
    (3) Community Gardens

26. Notwithstanding other provisions of this By-law, in the PDO-2 PARKER LANDS, the following accessory uses shall be permitted in addition to the permitted and conditional uses of the underlying TOD zoning district:

    (1) Apiary
    (2) Parking, Shared
    (3) Secondary Suite, Attached.
    (4) Secondary Suite, Detached

Dimensional Standards

27. Single-family detached dwelling residential structures must meet the requirements of the R1-Small zoning district.

28. Live-work dwellings; and Group Living residential structures must meet the requirements of the R1-Medium zoning district.

29. Semi-detached dwelling and Row dwelling residential structures must meet the requirements of the R2 zoning district except the following:

(1) Minimum Lot Area shall be 2,100 square feet per dwelling unit;
(2) Minimum Lot Width shall be 21 feet;
(3) Minimum reverse corner street side yard shall be 4.0 ft.

30. Notwithstanding other provisions of this By-Law, buildings with multiple family dwellings; and buildings with mixed uses that include dwellings shall meet the following:

    (1) Rear yard shall be a minimum of 5 feet;

    (2) Interior side yards shall be a maximum of 10 feet for 1 storey to 4 storey; and 20 feet for 5 storey and above; as no interior side yard is required when no doors, windows, or other openings are provided in the wall of the adjacent property except up to 50% of the length of the ground floor façade of any building, to a maximum continuous length of 50 feet, may have a maximum yard of 15 feet for the purpose of accommodating an otherwise approved public space, plaza, outdoor dining/drinking area or other pedestrian amenity;

    (3) Maximum corner side yard shall be 5 feet except up to 50% of the length of the ground floor façade of any building, to a maximum continuous length of 50 feet, may have a maximum yard of 15 feet for the purpose of accommodating an otherwise approved public space, plaza, outdoor dining/drinking area or other pedestrian amenity;

    (4) Maximum front yard shall be 10 feet except up to 50% of the length of the ground floor façade of any building, to a maximum continuous length of 50 feet, may have a maximum yard of 15 feet for the purpose of accommodating an otherwise approved public space, plaza, outdoor dining/drinking area or other pedestrian amenity.

31. If a structure with dwelling units does not provide a driveway from the fronting public street to the vehicle parking area, and has access to a rear public or private lane, then the minimum front yard is 10 feet.

32. No portion of a habitable room or space shall be within 80 feet of the CNR Rivers rail line as measured from the property line of the railway operations.

33. Notwithstanding the above, non-habitable room or spaces within principal structures, non-habitable principal structures, non-habitable room or spaces in detached accessory structures; and non-residential land-uses may be allowed within 80 feet of the setback to the CNR Rivers rail line, if other zoning standards for setbacks provide for such.

Splitting Semi-Detached and Row Dwelling Lots

34. Notwithstanding other provisions of this By-Law, the owner of a lot that has a semi-detached dwelling, or a row dwelling type located on it may split the lot with each dwelling unit located on a separate lot with property lines aligned with the common party walls (see **Illustration 1**) provided that:

    (1) The new lot line must be a straight line between the front and rear lot lines, located in such a manner that the party wall of the dwelling units and any applicable accessory structure must form part of the new lot line, and where the new lot line is unable to form a straight line due to the irregular shape of the lot or the structure, the location of that new lot line must be determined by the conditions of any subdivision approval issued;

    (2) Each of the lots created must have frontage on a street;

    (3) The permitted use of each lot created is a dwelling unit within the Semi-Detached and Row Dwelling, and permitted accessory uses only;

    (4) Each lot created must provide one parking space with access to this required parking space being directly from either a street, public lane or a private lane; and not in front of the principal building entrance;

    (5) Minimum side yards along party walls established by the lot split may be 0 feet in width;

    (6) Each end unit in a grouping of semi-detached and row dwelling residential structures must meet the minimum corner side yard or side yard requirement, as applicable in this PDO, for semi-detached dwelling and row dwelling residential structures.

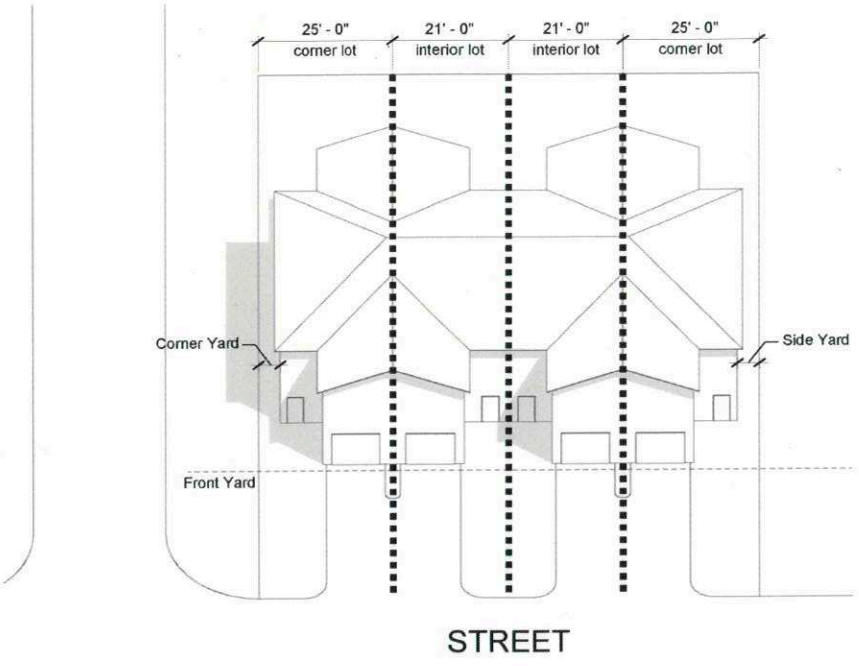


Illustration 1: Splitting Semi-Detached and Row Dwelling Lots

Use Specific Standards

35. Notwithstanding other provisions of this By-Law, a secondary suite may be created accessory to a single family detached dwelling, semi-detached dwelling; or row dwelling subject to the Use Specific Standards of the Zoning By-law as well as the following standards:

    (1) The maximum size of a secondary suite that is contained wholly within a residential dwelling's designated basement area shall not have a restriction on floor area size.

36. Notwithstanding other provisions of this By-law, parking, loading and garbage enclosures shall be permitted in side yards of principal buildings to a maximum of one side yard per lot with the following standards:

    (1) Landscaping and fencing treatments no higher than 4 feet in height (deciduous and coniferous trees may be taller than 4 feet) shall be implemented to screen the parking, loading and/or garbage enclosure but shall not apply across a driveway or pathway used to access the parking, loading and/or garbage enclosure.

    (2) The total maximum width of a parking, loading and/or garbage enclosure in a side yard shall not exceed 60 feet of the total lot frontage.

37. Notwithstanding other provisions of this By-law, parking, loading and garbage enclosures shall be permitted in rear yards of buildings with the following standards:

    (1) Landscaping and fencing treatments no higher than 6 feet in height (deciduous and coniferous trees may be taller than 6 feet) shall be implemented to screen the parking, loading and/or garbage enclosure but shall not apply across a driveway or pathway used to access the parking, loading and/or garbage enclosure.

38. Notwithstanding other provisions of this By-law, indoor parking shall not be permitted below the second storey of a principal building and above grade of a principal building except with the following standards:

    (1) Any indoor parking facility located below the second storey of a principal building and above grade must be screened in its entirety from all adjacent public rights-of-way by a use such as:

        (a) Residential and Residential Related;
        (b) Public and Institutional;
        (c) Cultural and Entertainment; and
        (d) Commercial Sales and Service, except the Billboard Signs use sub-category.

39. Notwithstanding other provisions of this By-law, Public and Institutional (excluding Park/Plaza/square/playground); Cultural and Entertainment; Commercial Sales and Services; Private Motor Vehicle Related; and Transportation, Utility and Communication land-uses that are 'conditional' or 'permitted' in the TOD Zone shall only be allowed as 'conditional' or 'permitted' on lands abutting public rights-of-ways with widths of 70 feet or greater.

Map 1 PDO-2 PARKER LANDS Principal Overlay Map

MAP 1

