

Site Specific Modifications to the Single Residential “R3” Zone

Regulation	Required	Modification	Analysis
Minimum Front Yard Setback	6.0 m	3.0 m to the face of the dwelling and 5.8 metres to the face of the garage	The proposed modification will ensure compatibility with the surrounding area in terms of built form / massing, setbacks from the street and building separation and will provide adequate area to accommodate landscaping, access and parking. The reduced front yard setback is consistent with surrounding development and maintains the character of the neighbourhood by aligning with the existing dwellings along Montreal Circle. Therefore, Staff support the proposed modification.
Minimum Side Yard	1.25 m	No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except 0.6 metres on the side of the dwelling containing an attached garage or attached carport provided that a maintenance easement is entered into between the owners of the abutting lands and properly registered on title of each of the abutting lots.	The proposed modification is a minor reduction that reflects standard development within the area. The lands to the south contain the same zoning provision and staff are of the opinion that the reduction will allow for the streetscape and character to be continuous. Therefore, the modification is reasonable and supported by staff.
Maximum Lot Coverage	40%	40%, except 45% for a one storey single detached dwelling unit.	The proposed modification is minor and comparable to the existing zoning abutting to the south. The 5.0% increase in lot coverage will not adversely impact the character of the neighbourhood and will still allow for appropriate drainage to

			occur. Therefore, Staff support the proposed modification.
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Site Specific Modifications to the Single Residential “R2” Zone

Regulation	Required	Modification	Analysis
Minimum Rear Yard Setback	7.5 m	Recognize the dwelling existing on the date of the passing of this By-law.	The proposed modification is required to recognize the location of the existing single detached dwelling. As the subject land has frontage on both Creanona Boulevard and Montreal Circle the lot is considered a through lot and the existing single detached dwelling abutting the easterly lot line (rear lot line) does not comply with the required 7.5 metre rear yard setback requirement. As this is an existing situation, Staff support the modification.
Regulations For Accessory Buildings	Accessory buildings are permitted in accordance with Section 4.5 and 6.1.4.	Recognize the accessory building existing on the date of the passing of the By-law.	The proposed modification is required to recognize the location of the existing accessory building. In addition, no further development is possible within Block 3 (as identified on Appendix “A” to Report PED19024) due to the size and location, as it is situated between a Servicing easement and Stoney Creek Watercourse No. 10.1. As this is an existing situation, staff support the modification.

Site Specific Modifications to the Conservation/Hazard Land “P5” Zone

Regulation	Required	Modification	Analysis
Setback from a Conservation / Hazard Land (P5) Zone	All buildings or structures located on a property shall be setback a minimum of 7.5 metres from a P5, P7 and P8 Zone boundary.	Section 4.23 Special Setbacks d) shall not apply to the existing single detached dwelling and accessory structure	The proposed modification is minor and is recognizing the setback established to the existing single detached dwelling and accessory building as a result of the Conservation / Hazard Lands (P5) Zone. The subject lands are regulated by the Hamilton Conservation Authority and will be subject to an Environmentally Significant Area Site Plan Control Application, therefore any further redevelopment or expansion will require further Planning and Conservation Authority approvals. As such, Staff support the modification.
Conservation / Hazard Land (P5) Zone	No person shall erect, or use any building in whole or in part, or use any land in whole or in part, within a Conservation/Hazard Land (P5) Zone for any purpose other than one or more of the following uses, or uses accessory thereto.	In addition to Section 7.5 Conservation / Hazard Land (P5) Zone, a private driveway access shall be permitted to access the existing single detached dwelling	The proposed modification is recognizing the existing driveway access to the existing single detached dwelling and accessory building. The subject lands are regulated by the Hamilton Conservation Authority and will be subject to an Environmentally Significant Area Site Plan Control Application, therefore any further redevelopment or expansion will require further Planning and Conservation Authority approvals. As such, staff support the modification.