

**To Amend Zoning By-law No. 87-57 and No. 05-200  
Respecting Lands Located at 305 & 311 Garner Road West (Ancaster)**

**By-law Modifications – Block 1**

By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Permitted Uses	Block townhouse dwellings and uses, buildings and structures accessory thereto	Street Townhouses and Multi-plex dwellings	The addition of street townhouses and multi-plex dwellings contributes to a complete community through a compact urban design with an additional housing type and form for the area, while located on an arterial road and existing transit route, as set out in the UHOP's "Neighbourhood" designation and further supported by the "Low Density Residential 3a" designation within the Shaver Neighbourhood Secondary Plan. For the purpose of the Zoning By-law, a maisonette dwelling is considered to be a multiplex dwelling. Therefore, staff can support the proposed modification.
Maximum Density	30 dwelling units per hectare plus an additional 5 dwelling units per hectare where all parking spaces (excluding required visitor parking) are provided under landscaped grounds or inside a building, plus 2 additional dwelling units per hectare where the lot abuts lands zoned Public Open Space "O2" which lands are not less than 2 hectares in area, to a maximum density of 37 dwelling units per hectare	44 dwelling units per hectare	A large portion of the subject property is currently designated Medium Density Residential 2a, which permits a density of not more than 62 dwelling units per gross / net residential hectare, whereas the Low Density Residential 3a permits a maximum of 50 dwelling units per gross / net residential hectare. In addition, the core feature will be protected and there is adequate servicing and transportation capacity. Therefore, staff support the subject modification.

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By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Minimum front, side and rear yards	<p>Front Yard: 7.5 metres where the façade with a primary entrance faces the street or 10.5 metres, plus any applicable distance as specified in Schedule "C"</p> <p>Side Yard: 7.5 metres</p>	<p>Minimum Front Yard: 3.9 metres to the front façade from Garner Road West</p> <p>Easterly Side Yard: 2.0 metres</p>	<p>The proposed front yard setback will provide a consistent streetscape and complies with the UHOP policies as it will contribute to a comfortable pedestrian environment.</p> <p>The proposed side yard will maintain adequate separation and buffers between the proposed use and existing residential developments and natural heritage features and will be landscaped to provide an appropriate interface.</p> <p>Therefore, staff support the proposed modifications.</p>
Maximum permitted height	10.5 metres	14 metres	<p>The additional 3.5 metres is due to the proposed peaked roofs of the subject development. The peaked roofs will not contain any habitable area or windows, and therefore, no overlook issues will arise. Therefore, staff support the proposed modification.</p>
Minimum landscaping	45 percent of the lot area (including required privacy areas)	20 percent	<p>The subject proposal will contain a landscaped SWM pond and natural vegetated areas. While these areas contribute to the open space character, they do not get included in the percentage as they will be zoned P5. Staff can support the overall reduction as the overall open space is being provided. In addition, a common amenity area in a children's play area is being provided.</p>

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By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Minimum Privacy Area	35.0 square metres per unit	9 square metres per unit	Private amenity areas will be provided by way of balconies (for street and multi-plex townhouses) and rear yards (for block townhouses). The reduction can be supported as a centralized privacy children's play area of 800 square metres is also being provided.
Parking	<p>Street Townhouse: 2 spaces per unit</p> <p>Block Townhouse: 2 spaces per unit plus 0.66 visitor parking spaces</p> <p>Minimum width for a parallel parking space is 2.6 metres and a minimum length of 5.5 metres</p>	<p>All Units: 2 spaces per unit plus 0.26 visitor parking spaces per unit</p> <p>Minimum dimensions of 2.5 metres by 6.5 metres</p>	<p>After further discussions with City staff, the applicants are now providing 31 visitor parking spaces. This provides a parking ratio of 0.26, which is more in keeping with a typical standard accepted rate of 0.25. Staff also note that the subject property is serviced by public transit. There are HSR bus routes immediately to the east at Garner Road West and Panabaker Drive. Individual driveways to the dwellings can also be utilized for visitors to the subject development. As such, staff are of the opinion that adequate visitor parking spaces are being provided for the subject proposal.</p> <p>A variance of only 0.1 metres is required for the minimum width of a parallel parking space. This impacts 4 parking spaces. Staff are opinion that this is minor in nature and can be supported.</p>

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By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Children's Play Area	A curbed or fenced children's outside play area that is a minimum of 7 square metres per dwelling unit shall be provided and maintained (117 x 7 = 819 square metres)	Minimum of 800 square metres curbed area without fencing	Due to the compact urban design, a minor reduction is proposed. In addition, staff required that the play area not be fenced to provide a more flexible area and for safety and accessibility. Therefore, the proposed modification can be supported.
Building Separation	<p>Front Façade to Front Façade – 18.0 metres</p> <p>Front Façade to Rear Wall – 19.5 metres</p> <p>Front Façade to End Wall – 15.0 metres</p> <p>Rear Wall to Rear Wall – 15.0 metres</p> <p>Rear Wall to End Wall – 10.5 metres</p> <p>End Wall to End Wall – 3.0 metres</p>	<p>Front Façade to Front Façade – 18.0 metres</p> <p>Front Façade to Rear Wall – 18.0 metres</p> <p>Front Façade to End Wall – 14.0 metres</p> <p>Rear Wall to Rear Wall – 0 metres (multi-plex dwelling units), 15.0 m (all other townhouse units)</p> <p>Rear Wall to End Wall – 7.0 metres</p> <p>End Wall to End Wall – 2.7 metres</p>	The subject lands are irregular in shape, therefore, minor reductions are required and can be supported as they will not impact the proposed development with respect to privacy or amenity areas.

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By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Lot Lines	<p><u>Lot Line, Front</u> - means the lot line that divides the lot from the street; or in the case of a corner lot, the shorter street line; or if a corner lot has a partially curved street line, the front lot line shall be the shortest street line determined by the bisection of the curve, and the remaining portion of the street line shall be a side lot line, however if a corner lot has a continuously curved street line, the street line shall be the front lot line; or if a corner lot or through lot has two street lines of equal length, the owner of such lot may designate either street line as the front lot line, subject to reserve requirements.</p>	<p>For the purpose of this By-law, the lot line abutting Garner Road West, shall be deemed to be the front lot line. The easterly side lot line shall be the lot line with the dimension of 252.90 metres in length and the westerly side lot line shall be the lot line with the dimension of 124.530 metres in length. All of the remaining lot lines are rear lot lines and have the following dimensions: 197.17 metres; 60.0 metres; 190.44 metres; 22.0 metres and 73.17 metres (northerly lot boundary).</p>	<p>Due to the irregular configuration of the subject property, staff can support the proposed modification.</p>
	<p><u>Lot Line, Side</u> - means a lot line which meets the front lot line.</p> <p><u>Lot Line, Rear</u> - means the lot line opposite the front lot line, or in the case of an irregular lot, the lot line or lot lines remaining after the determination of the side lot lines and on a lot with only three boundaries, there will be no rear lot line.</p>		

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By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Lot Lines	<p><u>Lot Line, Front</u> - means the lot line that divides the lot from the street; or in the case of a corner lot, the shorter street line; or if a corner lot has a partially curved street line, the front lot line shall be the shortest street line determined by the bisection of the curve, and the remaining portion of the street line shall be a side lot line, however if a corner lot has a continuously curved street line, the street line shall be the front lot line; or if a corner lot or through lot has two street lines of equal length, the owner of such lot may designate either street line as the front lot line, subject to reserve requirements.</p> <p><u>Lot Line, Side</u> - means a lot line which meets the front lot line.</p> <p><u>Lot Line, Rear</u> - means the lot line opposite the front lot line, or in the case of an irregular lot, the lot line or lot lines remaining after the determination of the side lot lines and on a lot with only three boundaries, there will be no rear lot line.</p>	<p>For the purpose of this By-law, the boundary of the Residential Multiple “RM4-700” Zone shall be deemed to be the lot lines and the regulations of the “RM4-700” Zone shall be from boundaries of this zone, and not from the individual property boundaries of the dwelling units created by registration of a draft plan of subdivision / condominium plan or created by Part Lot Control.</p>	<p>Due to the irregular shape of the subject property and the proposed condominium tenure of the development, staff can support the proposed modification.</p>

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**By-law Modifications – Block 2**

By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Minimum setback for a central air condition unit, window air conditioning unit or heat pump from the front lot line	5 metres	1.5 metres	The proposed set back will still maintain adequate separation from the front lot line with respect to an air condition unit and no adjacent residential uses are impacted. Therefore, staff support the proposed modification.
Minimum front, side and rear yards	Front Yard: 7.5 metres where the façade with a primary entrance faces the street or 10.5 metres, plus any applicable distance as specified in Schedule "C"  Side Yard: 7.5 metres	Westerly Side Yard: 12.0 metres  Easterly Side Yard: 2.0 metres	The proposed side yards will maintain adequate separation and buffers between the proposed use and existing residential developments and natural heritage features. Therefore, staff support the proposed modification.
Required Planting Strip	A planting strip of a minimum of 3.0 metres in width along the lot lines shall be provided	2.0 metres along the side lot lines where there is a driveway	The proposed development will have 2.0 metre planting strips where there is a driveway along the east and west lot lines. In addition to the 2.0 metre planning strips and fencing, the applicants are also proposing to include plantings at 21 Panabaker Drive along the common lot line which will provide further buffering and will be secured through an agreement between the two property owners. Therefore, staff support the proposed modification.

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**By-law Modifications – Block 3**

By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Minimum front, side and rear yards	<p>Front Yard: 7.5 metres where the façade with a primary entrance faces the street or 10.5 metres, plus any applicable distance as specified in Schedule “C”</p> <p>Side Yard: 7.5 metres</p> <p>Rear Yard: 7.5 metres</p>	Minimum Rear Yard: 4 metres	Due to the lots irregular configuration, site specific rear yards are required, however, adequate amenity areas will be maintained, as all block townhouses in the proposed development will have rear yard depth of approximately 6.5 metres and would only apply to Unit 81 as it relates to the P5 Zone boundary line. Therefore, staff support the proposed modification.

**By-law Modifications – Block 4**

By-law Provisions	Required 87-57 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Minimum front, side and rear yards	<p>Front Yard: 7.5 metres where the front façade with a primary entrance faces the street or 10.5 metres, plus any applicable distance as specified in Schedule “C”</p> <p>Side Yard: 7.5 metres</p> <p>Rear Yard: 7.5 metres</p>	Minimum Rear Yard: 1.5 metres	Due to the lots irregular configuration, site specific rear yards are required, however, adequate amenity areas will be maintained, as all block townhouses in the proposed development will have rear yard depth of approximately 6.5 metres and would only apply to Units 61 and 62 as the side yard is a rear yard. Therefore, staff can support the proposed modification.



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**By-law Modifications – Block 5**

By-law Provisions	Required 05-200 Zoning Requirements	Proposed (RM4) Zoning Requirements	
Minimum front, side and rear yards	<p>Front Yard: 7.5 metres where the façade with a primary entrance faces the street or 10.5 metres, plus any applicable distance as specified in Schedule “C”</p> <p>Side Yard: 7.5 metres</p> <p>Rear Yard: 7.5 metres</p>	Minimum Rear Yard: 1.3 metres	Due to the lots irregular configuration, site specific rear yards are required, however, adequate amenity areas will be maintained, as all block townhouses in the proposed development will have rear yard depth of approximately 6.5 metres and would only apply to Unit 87 as it relates to the P5 Zone boundary line. Therefore, staff can support the proposed modification.
By-law Provisions	Required 05-200 Zoning Requirements	Proposed P5 Zoning Requirements	
Special Setbacks	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	0 metres	Mitigation measures identified within the EIS and EIS Addendum will be taken into consideration as part of the Site Plan Approval process, including a Restoration Plan, Lighting Plan, Fencing, Stewardship Interpretative Signage and an Invasive Species Management Plan. In addition, no active recreation uses are proposed within the open space lands. Therefore, staff are supportive of this modification.