

Site Specific Modifications to the Single Residential “R4” Zone

Regulation	Required	Modification	Analysis
Definition of Corner Lot	Lot situated at the intersection or curve of a street whether or not such streets have 0.3 m reserves.	Lot situated at the intersection or curve of a street but does not include streets which have 0.3 metre reserves.	<p>Proposed Lot 1, as shown on the Draft Plan of Subdivision in Appendix “D” to Report PED20055, is located at the intersection of Street ‘A’ and the temporary access road to Barton Street. As Lot 1 is intended to be an interior lot (future Lot 5 as shown on the Ultimate Development Concept in Appendix “F” to Report PED20055) and the temporary road will ultimately be removed, a 0.3 m reserve is applied to ensure no access to the temporary road. Accordingly, the site specific amendment recognizes Lot 1 as an interior lot as it abuts a 0.3 m reserve which is not part of a street. This site specific amendment will have no impact on the other corner lots (Lots 48 and Block 56) in the “R4-35” Zone.</p> <p>Therefore, staff supports this modification.</p>
Definition and Regulation of Swales	n/a	<p>Swale - Means a graded or engineered landscape feature, appearing as a linear, shallow, open channel for the purpose of conveying surface stormwater drainage, and includes an emergency overland flow route.</p> <p>Notwithstanding any other provision of this By-law, no building or structure shall be located within a swale.</p>	<p>Swales are not defined in the zoning by-law. To match the grading of the proposed development with existing grades of adjacent properties and ensure adequate stormwater drainage, increased side yards and drainage swales, including the emergency overland flow route through Lots 3 to 25 and 50, are required for stormwater management. To ensure positive drainage, the swales are not to be obstructed within the side or rear yards of the subject properties. Refer to Minimum Side Yard for additional application of the proposed definition.</p> <p>Therefore, staff supports this modification.</p>

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Minimum Lot Area	Interior Lot - 310 square metres Corner Lot - 400 square metres	Interior Lot - no changes Corner Lot - 370 square metres	The smallest corner lot (Lot 49) is 371.8 m ² (as shown on the Draft Plan of Subdivision in Appendix "D" to Report PED20055) which is larger than the adjacent interior lots. The proposed modification permits this reduced size, which is a result of a narrower frontage, as discussed in Minimum Lot Frontage below. Therefore, staff supports this modification.
Minimum Lot Frontage	Interior Lot - 10 metres Corner Lot - 13 metres	Interior Lot - 11.0 metres Corner Lot - 12.7 metres	In keeping with existing character of the neighbourhood to the east, the applicant has proposed an interior lot width of 11.0 m, which is 1.0 m greater than the Single Residential "R4" Zone requires. A minor reduction to the corner lot width of 0.3 m is in keeping with the increased side yard width. The proposed frontages comply with the Fruitland-Winona Secondary Plan, are appropriate for the subject property as they accommodate adequate building envelopes, driveway widths for a parking space, and side yard setbacks, and are considered a sufficient width to maintain good engineering practices. Therefore, staff supports these modifications.
Minimum Front Yard	6 metres	For Lots Fronting onto Barton Street and Highway No. 8 – 9.5 metres to the dwelling, except 10.0 metres to an attached garage. For All Other Lots – 4.5 metres to the dwelling, except 6.0 metres to an attached garage.	The Fruitland-Winona Secondary Plan and the Fruitland-Winona Urban Design Principles and Guidelines speak to ensuring that new development provides an attractive, safe and pedestrian oriented environment. Design variety within streetscapes is to be promoted. The proposed modification allows for active frontages along the street line with recessed garages, decreasing the prominence of the garage adjacent to the public realm to achieve these development principles, while maintaining sufficient area for a parking space. For lots fronting onto arterial roads (Barton Street and Highway No. 8), additional setbacks are required to accommodate a hammerhead style driveway turnaround. Therefore, staff supports this modification.

<p>Minimum Side Yard</p>	<p>1.25 metres, except:</p> <ol style="list-style-type: none"> 1. An attached garage or attached carport may be erected at a distance of not less than 1 metre from a side lot line which does not abut a flankage street; 2. On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 3 metres; and 3. 3.0 metres to the flankage lot line of a corner lot, except that an attached garage or 	<p>1.2 metres, except:</p> <ol style="list-style-type: none"> 1. On an interior lot where a swale is provided in the side yard, the minimum side yard shall be 0.6 metres measured from the uppermost interior edge of the swale's slope to the nearest wall of any building or structure on the lot, provided that the distance between the side lot line and the nearest wall of the principal building on the lot shall not be less than 1.2 metres. 2. On a corner lot, the minimum side yard abutting the flankage lot line shall be 3 metres, except that an attached garage or attached carport which fronts on the flankage lot line 	<p>The proposed reduced minimum side yard is minor (a reduction of 5 cm per side), and allows smaller lots as envisioned in the Fruitland-Winona Secondary Plan and provides for the construction of dwellings with similarly sized footprints as the existing dwellings to the east, while providing sufficient separation space between dwellings and adequate access for maintenance. It also provides for construction tolerance if needed.</p> <p>On lots where a swale is provided, the width of swales required for stormwater drainage is yet to be determined; therefore, the setback is proposed from the inside edge of the swale to ensure the necessary swale width is provided while maintaining a 0.6 m setback from the top edge to allow for ancillary structures such as air conditioning units to be located within the side yard and not block the swale.</p> <p>The setback from the flankage lot line to an attached garage is increased from 5.5 m to 6.0 m to be consistent with parking space sizes.</p> <p>Therefore, staff supports these modifications.</p>
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	attached carport fronting the flankage lot line shall not be located within 5.5 metres of the flankage lot line.	shall not be located within 6.0 metres of the flankage lot line.	
Maximum Lot Coverage	40%	48%	<p>Because of the smaller minimum lot area and larger building envelope (per modifications to the minimum lot frontage and front and side yards), the proportion of buildable area to lot area is greater, and thus requires a modest increase to maximum lot coverage.</p> <p>Therefore, staff supports this modification.</p>
Minimum Dwelling Width	n/a	The minimum width of the front elevation of a dwelling, not including the attached garage, shall be 2.4 m measured along the foundation of the porch.	<p>Where additional side yards may be required to accommodate a swale, this reduces the developable lot width of the site. Establishing a minimum width for the front elevation ensures front elevations would still prominently feature a pedestrian front entrance and appropriate unit size as the dwelling width narrows, without the risk of becoming dominated by the attached garage.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
<p>Dimensions of Parking Spaces and Parking Restrictions</p>	<p>Exterior: 2.75 by 5.8 metres</p> <p>Garage: 3 by 6 metres</p> <p>No permitted encroachments</p>	<p>Exterior and Garage: 3.0 by 6.0 metres</p> <p>Stairs, to a maximum height of 0.54 m, up to 0.6 metres, shall be permitted to encroach into an interior garage parking space.</p>	<p>The applicant requested a decrease in the size of parking stall sizes to 2.6 m x 5.5 m; however, staff amended the application to require all spaces to be 3 m x 6 m. This modification is technical in nature and staff consider the modification to be minor since it will still allow adequate parking space within the garage.</p> <p>The modification to permit stairs leading from the dwelling into the garage to encroach into a garage parking space are considered to be minor and will allow for a useable parking space within the garage while permitting direct access to the garage and parked vehicles from the dwelling.</p> <p>Therefore, staff supports these modifications.</p>
<p>Special Setbacks – Daylight Triangles</p>	<p>Minimum yard of 3 metres from the hypotenuse of the daylight triangle</p>	<p>Minimum yard of 2 metres for a building; 0.5 metres for a porch, including porch foundations walls; and, 0.0 metres for eaves or gutters.</p> <p>(also see Yard Encroachments, below)</p>	<p>The modifications to the front and side yard setbacks and yard encroachments require modifications to the setbacks to the daylight triangles, which apply to Lot 1, Lot 48, and Block 56. The proposed amendment has been consistently applied to the special exceptions of Residential Zones in the Stoney Creek Zoning By-law.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
Yard Encroachments	<p>Unenclosed porches:</p> <ul style="list-style-type: none"> - Front Yard: 1.5 m - Flankage Yard: N/A <p>Bay windows: 0.5 m</p> <p>Balconies: Front Yard - 1.5 m</p> <p>Stairs: N/A</p>	<p>Unenclosed porches:</p> <ul style="list-style-type: none"> - Front Yard: 3.0 m - Flankage Yard: 1.8 m <p>Bay windows: 0.9 m</p> <p>Balconies: Front Yard - 2.0 metres</p> <p>Stairs: Front Yard - 4.5 metres</p>	<p>An increase in the projection into the front and flankage yards for unenclosed porches, bay windows, balconies, and stairs is considered to be appropriate given the size of the rear yard amenity area and is in keeping with the focus of creating a pedestrian friendly environment, which will result in more architectural variability and useable porch space for amenity areas for future residents. Steps may be permitted to encroach as close as the front lot line on all lots except those fronting Barton Street and Highway No. 8; but given these would be features built close to grade and setback from the public sidewalk, they would not cause any adverse impacts. As a result of the notwithstanding clause, other encroachments (i.e. architectural features, chimney breasts, decks, and canopies) have been carried forward from the parent zoning by-law into the proposed modifications but they have not been altered.</p> <p>Therefore, staff supports these modifications.</p>
Driveway and Interior Garage Width	n/a	The maximum width of a driveway and the maximum interior width of an attached garage or an attached carport shall not be more than 4.5 metres.	<p>The purpose of this modification is to reflect the limited width of driveway aprons to provide the necessary number of on-street parking spaces per the proposed on-street parking plan. As the width of driveway aprons are restricted on these lots, the driveway and garage is being restricted to a width of one and a half parking spaces.</p> <p>Therefore, staff supports this modification.</p>
Permitted Uses	<p>Single detached dwelling</p> <p>Accessory uses and buildings</p> <p>Public uses</p>	Lands zoned "R4-37" may also be used for a storm water management pond.	<p>A temporary storm water management pond (SWMP) is proposed on Residential Reserve Blocks 62 to 64. As the subject lands are intended for future residential development when the lands to the west are developed, the subject application proposes to rezone the lands for residential uses. As SWMPs are not a permitted use in the "R4" Zone, a special exception is required to permit the temporary SWMP.</p> <p>Therefore, staff supports this modification.</p>