

Site Specific Modifications to the Mixed Use Medium Density (C5, 739, H118) Zone

Regulation	Required	Modification	Analysis
Definition of "Grade"	Shall mean the average level of the proposed or finished ground adjoining a building calculated along the perimeter of all exterior walls.	Shall be 102.97 metres above mean sea level as defined by the Geodetic Survey Datum.	<p>Due to grade variation on site and to provide greater clarity, the applicant has requested that the geodetic elevation established based on the definition of "Grade" in Zoning By-law 05-200 be specified in the amending By-law.</p> <p>Staff have no concerns with the proposed modification that implements the By-law requirement at a site specific level.</p>
5.6 c) Parking Rate	<p>For Multiple Dwellings:</p> <p>i) Dwelling Units less than 50.0 square metres in gross floor area – 0.3 per unit</p> <p>ii) Dwelling Units greater than 50.0 square metres in gross floor area</p> <ul style="list-style-type: none"> • 1-14 units – 0.7 parking spaces per unit • 15-50 units – 0.85 per unit • 51+ units – 1.0 per unit • Minus 10% for 	<p>A minimum 0.6 parking spaces per dwelling unit (462 parking spaces).</p> <p>No parking required for a permitted commercial use, except for a Commercial School, Financial Establishment, Hotel, Conference or Convention Centre, Medical Clinic, Office or Veterinary Service.</p>	<p>Staff are satisfied that the proposed parking rate of 0.6 parking spaces per unit is appropriate for the site based on its location adjacent to Downtown Hamilton with convenient access to transit and the provision of long term bicycle parking on site.</p> <p>Staff support the proposal to provide no vehicle parking for the proposed retail units. Customers would have access to temporary on-street parking and nearby commercial parking lots on Young Street. Staff recognize that the commercial uses may change based on the permitted uses in a C5 Zone and are satisfied that parking can be met off-site, except for a Commercial School, Financial Establishment, Hotel, Conference or Convention Centre, Medical Clinic, Office or Veterinary Service which may produce higher parking demands.</p> <p>Therefore, staff support the proposed modifications.</p>

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	<p>provision of long-term bicycle parking.</p> <p>Total for Multiple Dwelling – <u>493 parking spaces</u></p> <p>For retail: 1 parking space for each 17.0 sqm of retail gross floor area greater than 450 sq m – <u>3 parking spaces</u></p>		
5.7 g) Long Term Bicycle Parking	The required motor vehicle parking may be reduced by 1 motor vehicle space for every 5 long term bicycle parking spaces up to a maximum of 10% of the original vehicle parking requirement.	A minimum 0.5 long term bicycle parking spaces per dwelling unit shall be required.	<p>The C5 Zone does not require long term bicycle parking but provides an incentive allowing vehicle parking to be reduced by one space for every five long term bicycle parking spaces provided up to a maximum of 10% of the original bicycle parking requirement. Based on the concept plan submitted the total parking requirement is reduced from 548 parking spaces to 493 parking based on the provision of 275 long term bicycle parking spaces. The applicant has proposed a further reduction to 462 parking spaces. A total of 385 long term bicycle parking spaces are proposed on site as a Transportation Demand Management measure in support of the proposed parking reduction. Transportation Planning staff have reviewed and are satisfied with the proposed long term bicycle parking rate.</p> <p>Staff support the proposed modification.</p>

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10.5.1.1 i) Finished floor elevation	The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade	The finished floor elevation of any dwelling unit shall be a minimum of 0.6 metres below grade	<p>The purpose of this provision is to avoid rear lotting and to ensure buildings are designed with front porch conditions facing the street.</p> <p>Due to grades on site that are lowest at the northwest corner of the site, a modification is required to permit a minimum finished floor elevation of 0.6 metres below grade for the site, instead of 0.9 metres above grade for the ground floor units facing Young Street and Catharine Street South at the base of the proposed eight storey multiple dwelling. This is a technical variance based on how grade is measured in the By-law. All the grade related units are designed with stairs leading to porches and unit entrances above sidewalk level. There are no proposed amenity areas adjacent to the street that give the appearance of rear lotting.</p> <p>Therefore, the proposed modification can be supported.</p>
10.5.3 a) Building Setback from a Street Line	A minimum 3.0 metre setback from a street line for a building with residential units on the ground floor facing a street.	<p>For a building with residential units on the ground floor facing a street:</p> <ul style="list-style-type: none"> • A minimum 1.5 metres from Young Street; • A minimum 0.5 metres from Catharine Street South; and, • A minimum 3.0 metres from John Street South and Forest Avenue. 	<p>The intent of the minimum setback from a street line for buildings with residential units on the ground floor is to provide for adequate room for landscaping. The proposed reduced setback for the grade related units on the Young Street and Catharine Street South façades, reflect the design of the existing townhouse development at the northeast of corner of Young Street and Catharine Street South that features units close to the street. There is room for landscaping and public realm improvements between the front of the dwelling units and the sidewalk. Should units facing John Street South or Forest Avenue be proposed, the existing minimum 3.0 metre setback would apply.</p> <p>The C5 Zone does not require a setback from the street where ground floor units are not provided to bring buildings towards the street and create an interesting pedestrian realm. Staff recommend a minimum 2.2 metre setback for the proposed 27 storey multiple dwelling be required from the Catharine Street South lot line to reflect the character</p>

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		Notwithstanding the regulations above a minimum 2.2 metres from the Catharine Street South street line shall be required for a building exceeding 28 metres in height.	of adjacent development that includes multiple dwellings with landscaped setbacks adjacent to the street. Therefore, staff support the proposed modifications.
10.5.3 d) i) and ii) Building Height	Minimum 7.5 metre façade height for any portion of a building along a street line; and, Maximum 22.0 m building height.	Minimum 5.5 metre building height; and, Maximum building heights shall be accordance with Figure 24 of Schedule F – Special Figures.	The intent of the minimum façade height and maximum building height requirements is to achieve the mid-rise built form contemplated for the Mixed Use – Medium Density designation in the UHOP. As discussed in the UHOP analysis in Report PED21032, staff are satisfied that the permitted building heights and step backs (shown on Figure 23 of Schedule F – Special Figures and attached as Appendix “C” of Report PED21032) provide for appropriate transition to adjacent streets and residential areas. The proposed minimum 5.5 metre building height is required to accommodate a one storey portion of the building abutting Young Street, which has a lower residential scale. Based on the forgoing, staff support the proposed modification.
10.5.3 d) iv) Floor Area of Amenity Area	A wholly enclosed or partially enclosed amenity area or any portion of a building designed to provide access to a rooftop	A wholly enclosed or partially enclosed amenity area or any portion of a building designed to provide access to a rooftop amenity	Modifications are requested to permit an increased total floor area of 20% instead of 10% of the area of the storey directly beneath for a wholly enclosed or partially enclosed amenity area or any portion of a building designed to provide access to a rooftop amenity area. In addition, a setback of 2.0 metres, instead of 3.0 metres from the exterior main walls of the storey directly beneath is requested. The intent of the By-law is to reduce the visual impact of a rooftop

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	<p>amenity area shall be permitted to project above the uppermost point of the building provided:</p> <ul style="list-style-type: none"> • The total floor area does not exceed 10% of the area of the storey directly beneath; • It is setback a minimum 3.0 metres from the exterior main walls of the storey directly beneath. 	<p>area shall be permitted to project above the uppermost point of the building provided:</p> <ul style="list-style-type: none"> • The total floor area does not exceed 20% of the area of the storey directly beneath; • It is setback a minimum 2.0 metres from the exterior main walls of the storey directly beneath. 	<p>amenity area and limit overlook. Rooftop amenity areas are proposed at the top floor of the 27 storey multiple dwelling and the rooftop of the eight storey multiple dwelling. Staff are satisfied that the proposed increased floor area and reduced setback will not significantly increase the visual impact of the building or result in overlook as the proposed building occupies an entire block and does not directly overlook adjacent properties.</p> <p>Therefore, staff support the proposed modifications.</p>