

Site Specific Modifications to the Mixed Use – Medium Density (C5, 732)

Regulation	Required	Modification	Analysis
Section 3: Definitions	Front lot line with reference to a corner lot, shall mean the shorter of the lot lines abutting a street.	King Street West shall be deemed the front lot line.	<p>While Paradise Road North is the technical front lot line, the proposed development is oriented towards King Street West, with main entrances facing the street and vehicle parking behind the building. Therefore, the lot line facing King Street West is deemed the front lot line for the purposes of this By-law.</p> <p>Therefore, staff support the proposed modification.</p>
10.5.3 b) Minimum Rear Yard	7.5 metres.	7.3 metres, except that a minimum 10.2 metre setback shall be provided above the fourth storey and a minimum 14.8 metre setback shall be provided above the fifth storey.	<p>The intent the rear yard regulation is to provide adequate space for vehicle circulation and maintenance, to limit shadow and overlook and to provide for transition to adjacent uses.</p> <p>The applicant has requested a 0.2 metre reduction to the required rear yard, with step backs above the fourth and fifth storeys to reduce shadow and overlook. Staff are satisfied that the proposed setbacks and step backs provide for transition and reduce overlook to the detached dwellings to the north and there is adequate space at grade for maintenance and to accommodate the proposed rear access driveway. The Sun / Shadow Study submitted with the application demonstrates that the proposal will provide for the recommended five hours of sun coverage on adjacent rear yard amenity areas as measured on March 21st.</p> <p>Therefore, staff support the proposed modification.</p>
10.5.3 c) Minimum Interior Side Yard	7.5 metres abutting a lot containing a residential use.	3.3 metres, except that a 4.2 metre setback shall be provided above the	<p>The intent of the interior side yard regulation is to provide adequate space for maintenance and to provide for transition to adjacent uses.</p> <p>Staff are satisfied that the proposed minimum 3.3 metre interior side</p>

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		fourth storey.	<p>yard setback is appropriate for the site as it will provide for a consistent street wall while providing sufficient room for maintenance access. The proposed step back above the fourth storey provides for transition to the existing three and a half storey multiple dwelling to the east.</p> <p>Therefore, staff support the proposed modification.</p>
10.5.3 d) Maximum building height	22.0 metres. Any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum rear and interior side yards.	19.5 metres.	<p>The applicant has proposed to remove the existing Exception 570 applicable to the site that limits building height to 11.0 metres, whereas 22.0 metres is permitted in the parent C5 Zone. Staff are satisfied that a higher building height and density are appropriate for the site given its location along a Primary Corridor with access to transit. The proposed 19.5 metre building height is less than 80% of the width of the adjacent King Street West right of way as recommended in the City-wide Corridor Planning Principles and Design Guidelines.</p> <p>The C5 Zone permits a maximum 22.0 metre building height provided the building is stepped back above 11.0 metres to achieve a 45 degree angular plane beginning at the required 7.5 metre rear and interior side yard setbacks. The proposed built form results in partial projections into the required rear angular plane at the fourth and fifth storeys. Staff are satisfied that these projections would not result in significant additional overlook impacts. Staff are satisfied that the proposed setbacks and step backs from the easterly interior lot line are appropriate as they provide for a consistent street wall while providing for transition to the adjacent three and a half storey multiple dwelling. The proposed setbacks and step backs are implemented in the interior side yard and rear yard regulations of the site specific By-law.</p> <p>Therefore, staff can support the proposed modification.</p>

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10.5.3 i) Planting Strip Requirements	Where a property lot line abuts a property line within a Residential Zone, a minimum 1.5 metre wide Planting Strip shall be provided and maintained.	Where a property line abuts a property line within a Residential Zone, a minimum 1.25 metre wide Planting Strip shall be provided and maintained.	<p>The intent of the planting strip regulation is to provide a green buffer between the parking area for the building and adjacent residential uses.</p> <p>The reduced planting strip is required to accommodate a retaining wall associated with the ramp to the underground parking. Staff are satisfied that the proposed 0.25 metre reduction is a minor modification that will allow a planting strip to be provided while accommodating the technical requirements of the parking design.</p> <p>Therefore, staff support the proposed modification.</p>
5.6 c) Parking Rate	<p>0.7 per unit for units 1 – 14 and 0.85 per unit for units 11-30, reduced by 10% for provision of bicycle parking.</p> <p>No parking spaces are required for a retail unit with a gross floor area less than 450 square metres.</p> <p>Total parking requirement – 21 parking spaces.</p>	<p>0.6 parking spaces per dwelling unit, or 18 parking spaces.</p> <p>A total of two parking spaces shall be provided for any permitted commercial use with a gross floor area less than 450 square metres.</p> <p>Total parking requirement – 20 parking spaces.</p>	<p>A total of 20 parking spaces are proposed for the site, of which 18 will be designated for the multiple dwelling. Staff are satisfied that the proposed parking reduction of three residential parking spaces is appropriate based on the availability of transit in the area and the provision of long term bicycle parking on site.</p> <p>Two parking spaces are proposed for the retail providing off street parking for the retail operator and / or customers. The Council approved parking rates for the site do not require parking for the proposed retail unit which has a gross floor area less than 450 square metres, however, the site specific By-law will require two parking spaces for any Commercial use permitted in a C5 Zone. Staff are satisfied that the proposed commercial parking will be adequate given the limited size of the commercial unit and the transit accessibility of the site.</p> <p>Therefore, staff support the proposed modification.</p>

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5.7 g) Bicycle Parking Rate	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.	1.25 long term bicycle parking spaces per unit.	<p>The C5 Zone does not require long term bicycle parking but provides an incentive allowing vehicle parking to be reduced by 1 motor vehicle for every 5 long term bicycle parking spaces up to a maximum of 10% of the original bicycle parking requirement. The current concept plan includes a total of 78 long term bicycle parking spaces.</p> <p>To ensure long term bicycle parking is provided, and to compensate for the proposed parking reduction, staff recommend a minimum 1.25 long term bicycle parking spaces per unit (37 total) be required for the site. This requirement aligns with the recommendations of the Hamilton Transportation Demand Management Guide for Development for Mixed Use buildings. The applicant is encouraged to provide additional bicycle parking beyond the minimum requirement as demonstrated on the concept plan.</p> <p>Therefore, staff support the proposed modification.</p>