

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

Regulation	Required	Modification	Analysis
Mechanical and Unitary Equipment	<p>Shall be located only...:</p> <ul style="list-style-type: none"> Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping. 	<p>Shall be located only...:</p> <ul style="list-style-type: none"> Within a required front yard, provided such equipment shall have a minimum setback of 0.5 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping. 	<p>The proposed amendment is to reduce the minimum setback from the street line for the proposed hydro transformer from 3.0 m to 0.5 m. In order to situate the proposed building close to the street line and west side lot line and to service the development, the transformer is required to be located closer to the street line. The transformer will still be required to be screened from street view.</p> <p>Therefore, staff supports this modification.</p>
Number of Parking Spaces for a Multiple Dwelling and Commercial or Institutional Uses	<p>Multiple Dwelling – current regulation:</p> <ul style="list-style-type: none"> Minimum 1 space per dwelling unit @ 60 units (60 spaces). <p>Multiple Dwelling – approved regulation, under appeal to LPAT:</p> <ul style="list-style-type: none"> Minimum: <ul style="list-style-type: none"> Per dwelling unit ≤50 m²: 0.3 spaces; and, Per dwelling unit >50 m²: <ul style="list-style-type: none"> 1 – 14 units: 0.7 / unit (@ 14 units = 9.8 spaces); 	<p>a) Multiple Dwelling:</p> <p>i) Minimum 1 parking space per dwelling unit; and,</p> <p>ii) Maximum 1.25 parking spaces per dwelling unit.</p> <p>(Total @ 60 units = minimum 60 and maximum 75.)</p>	<p>The parking space requirements for the Commercial Mixed Use Zones are not yet final and binding in By-law No. 05-200.</p> <p>The proposed modifications for Multiple Dwellings will result in an increase to the minimum required number of parking spaces from 50 to 60 spaces. Through the Transportation Demand Management Options Report, prepared by Paradigm Transportation Solutions Limited and dated May 2020, it notes that the area is predominantly vehicle oriented and the development will require a certain amount of parking to be successful, and that the proposed residential parking rates are appropriate. The approved maximum number of parking spaces for Multiple Dwellings are</p>

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	<ul style="list-style-type: none"> 15 – 50 units: 0.85 / unit (@ 36 units = 30.6 spaces); and, 51+ units: 1.0 / unit (@ 10 units = 10 spaces). Total: 50 spaces. Maximum 1.25 spaces/unit @ 60 units (75 spaces) 		<p>unchanged in this site specific by-law, to support transitions to alternative modes of transportation.</p> <p>Given the limited commercial floor area, the approved parking requirements for Retail within a Commercial and Mixed Use Zone have been carried forward in this site specific by-law as they are among the most restrictive to ensure adequate parking supply and to maintain flexibility to support the range of potential commercial or institutional uses.</p>
	<p>Commercial or Institutional Uses – current regulation:</p> <p>Minimum 1.0 space per 30 m² GFA (@526 m² = 17 spaces).</p> <p>Commercial or Institutional Uses – approved regulation, under appeal to LPAT:</p> <ul style="list-style-type: none"> See modification – no further modifications proposed. 	<p>b) Commercial or Institutional Uses – minimum:</p> <ul style="list-style-type: none"> i) 0 for less than 450.0 square metres of gross floor area; and, ii) 1 for each 17.0 square metres of gross floor area greater than 450.0 square metres. <p>Total: 4 spaces.</p>	<p>Therefore, staff supports this modification.</p>
Minimum Rear Yard	7.5 metres.	18 metres.	<p>The increased rear yard setback respects the transition in scale to neighbouring buildings, conforming to the 45° angular plane and minimizes the effects of overlook and privacy encroachment.</p> <p>Therefore, staff supports this modification.</p>

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Minimum Interior Side Yard	7.5 metres abutting a Residential or Institutional Zone or lot containing a residential use.	15 metres abutting a Residential or Institutional Zone or lot containing a residential use.	<p>The increased side yard setback respects the transition in scale to neighbouring buildings, conforming to the 45° angular plane and minimizing the effects of overlook and privacy encroachment.</p> <p>Therefore, staff supports this modification.</p>
Building Height	Refer to Appendix “C” to Report PED21XXX.	No modifications.	<p>The existing regulations are not yet final and binding. No modifications are proposed to the Council approved regulations.</p> <p>Therefore, staff supports these modifications.</p>
Built Form for New Development	<p>In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:</p> <ul style="list-style-type: none"> i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street. ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% of the measurement of the front lot line. iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot 	<p>In the case of new buildings constructed after the effective date of this by-law or additions to buildings existing as of the effective date of this by-law:</p> <ul style="list-style-type: none"> a) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street. b) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 40% 	<p>The existing regulations are not yet final and binding.</p> <p>With respect to required Subsections i), ii), iv), vi), and viii), these regulations have been carried forward in the site specific by-law.</p> <p>With respect to Required Subsection vii), this regulation has been modified as Subsection e). The principal residential entrance to the Multiple Dwelling is located within the building façade facing the interior side yard and not within the façade closest to a street. The intent of this regulation is to locate primary building entrances parallel to and as close to the street as possible to create comfortable pedestrian environments in accordance with the Urban Design policies of the Urban Hamilton Official Plan. The principal commercial entrances are within the ground floor façade that is set back closest to a street, which meets the intent of these</p>

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	<p>line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting a street.</p> <p>iv) In addition to Section i), ii) and iii) [above], the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.</p> <p>v) For commercial development existing at the time of the passing of the By-law, the Section 10.5.3g)ii) and iii) shall not apply to new commercial buildings subject to the following:</p> <ol style="list-style-type: none"> 1. The maximum Gross Floor Area of each building shall be 650 square metres; and, 2. Notwithstanding Section 10.5.3d)i), the minimum building height shall be 6.0 metres. <p>vi) No parking, stacking lanes, or aisles shall be located between the required building</p>	<p>of the measurement of the front lot line.</p> <p>c) In addition to Subsections a) and b) above, the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.</p> <p>d) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line.</p> <p>e) A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> 1. within the ground floor; and, 2. shall be accessible from the building with direct access 	<p>policies. The principal residential entrance is accessible from the building façade with direct access from the public sidewalk.</p> <p>Therefore, staff supports these modifications.</p>

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	<p>façade and the front lot line and flankage lot line.</p> <p>vii) A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> 1. within the ground floor façade that is set back closest to a street; and, 2. shall be accessible from the building façade with direct access from the public sidewalk. <p>viii) A walkway shall be permitted in a Planting Strip where required by the By-law.</p> <p>ix) Notwithstanding Section 10.5.3, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Section.</p>	<p>from the public sidewalk.</p> <p>f) A walkway shall be permitted in a Planting Strip where required by the By-law.</p>	