Site Specific Modifications to "E/S-1812" (Multiple Dwellings, Lodges, Clubs etc.) District, Modified

Regulation	Required	Modification	Analysis
Section 11(3)(i)(b) Front Yard Setback.	3.0 metres.	0 metres.	The requested modification can be supported because the proposed building façade provides a continuous streetscape and the three storey (9.2 metre) multiple dwelling is proportionate with the existing right of way, being 20 metres. In addition, the proposal is compatible in height and setbacks from the street with the existing two storey dwellings located on East Avenue North and will have minimal impacts on shadowing and wind effects on the public realm. Based on the foregoing, the modification can be supported by staff.
Section 11(3)(ii)(b) Side Yard Setback.	3.0 metres.	0 metres.	The requested modification allows for the creation of a continuous streetscape with a building brought up to the street line. The building also incorporates primary entrances along the street line to further animate the streetscape. Additionally, the three storey (9.2 metre) building height is proportionate to the existing 20 metre right of way width and will not cause negative impacts on the public realm as it relates to shadow and wind. Based on the foregoing, the modification can be supported by staff.
Section 11(3)(iii)(b) Rear Yard Setback.	3.0 metres.	1.5 metres.	The intent of the regulation is to ensure that adequate amenity area and special separation are provided. The requested modification can be supported as the existing low density residential dwellings fronting on Victoria Avenue North are separated by the existing 3.5 metre public laneway in addition to the proposed 1.5 metre setback. The rear yard functions more as a side yard in this context and the total 5.0 metre separation is adequate to mitigate issues related to wind, shadow and overlook. Further, amenity area and parking is provided internal to the site. In addition, the applicant is proposing to add some landscaping to the rear of the subject lands which will be finalized at the site plan control stage. The landscaping would act as an additional natural buffer between the two developments. Based on the foregoing, the modification can be supported by staff.

Regulation	Required	Modification	Analysis
Section 18A(1)(a), 18A(1)(b), 18A Table 1, and 18A Table 2, Minimum Number of Parking Spaces.	1.25 spaces per unit.	0.3 spaces per unit.	The modification can be supported because a Transportation Impact Study was submitted through previous applications for earlier phases showing that the anticipated parking demand on the site is 0.22 spaces. As the proposed development forms part of a multi-phase development the parking area will be consolidated and will function together with Phase 1 and Phase 2. The additional eight parking spaces will contribute to the available parking for the whole site. In addition, Staff are satisfied that given the location of the subject site to Downtown Hamilton, the reduction in parking can be supplemented by utilizing public transit and active transportation. Based on the foregoing, the modification can be supported by staff.
Section 18A(6) Modification to Rounding for the number of Parking and Loading Spaces.	Requires that the next higher whole number is taken.	Requires the next lowest whole number is taken.	The modification can be supported as the request aligns with the regulations of Zoning By-law No. 05-200. Based on the foregoing, the modification can be supported by staff.
Section 18A(6) Parking Stall Size.	2.7 metres by 6.0 metres.	2.8 metres by 5.8 metres.	The modification can be supported as the request aligns with the regulations of Zoning By-law No. 05-200. Based on the foregoing, the modification can be supported by staff.
Section 18A(1)(c) Minimum number of Loading Spaces.	1 space.	0 spaces.	The proposed modification can be supported as loading for the comprehensive site was established through Site Plan application DA-20-001 which includes layby spaces in the municipal right-of-way on East Avenue North to accommodate loading activities for entire the site. Based on the foregoing, the modification can be supported by staff.