

**Site Specific Modifications to Residential R3-45
Zoning By-law No. 3692-92**

Regulation	Required	Modifications	Analysis
Site Specific Regulation regarding Vacant Land Condominium	No Existing Provision.	For the purpose of this By-law, a private common element condominium road shall be deemed to be a street, and parking, landscaping and amenity areas shall be permitted within the common element condominium road.	<p>The parent Stoney Creek Zoning By-law pre-dates the introduction of vacant land condominium and this modification is required to clarify the location of common amenities, visitor parking and that setbacks are measured from future property lines for each unit instead of the current overall property lines for the residential condominium.</p> <p>Therefore, staff support the modification.</p>
Site Specific Regulation regarding Vacant Lot Condominium	Definition of a Lot	For the purpose of this By-law the definition of a Lot in Part 2 of Zoning By-law No. 3692-92, that for the purposes of this Zone, a vacant land condominium unit within a draft approved or registered plan of condominium shall be considered a Lot.	<p>The parent Stoney Creek Zoning By-law pre-dates the introduction of vacant land condominium and this modification is required to deem a vacant lot condominium unit as a lot within a draft approved or registered plan of condominium.</p> <p>Therefore, staff support the modification</p>

Regulation	Required	Modifications	Analysis
Minimum Interior Lot Frontage (Section 6.4.3 (b))	Interior lot – 12.0 metres.	9.0 metres.	<p>Lots #4 and # 8 are located at the end of the private road way that do not front the full extent of the roadway as per the by-law. The reduction in frontage does not affect the function of the driveway or access to the roadway. The reduction in frontage for these two lots results in an increase to the landscape area by not having the private road way extend the full length of lots #4 and #8.</p> <p>Therefore, staff support the modification.</p>
Minimum Front Yard Section 6.4.3(c)	Minimum 6.0m to a garage and, Minimum 3.0 m to a dwelling unit.	6.0 metres to a Garage. 4.5 metres to a Dwelling.	<p>The reduced minimum Front Yard setback to the dwelling brings the habitable portion of the dwelling closer to the street to create a more pedestrian oriented streetscape while ensuring the driveway is long enough to accommodate a vehicle.</p> <p>Therefore, staff support the modification.</p>
Minimum Side Yard Section 6.4.3(d)	Interior Lot = 1.25 m. Corner Lot = 3.0 m.	1.25 metres on a corner lot abutting a private road.	<p>The corner lot setback regulation is intended to buffer a proposed lot from a municipal road where it is more likely there will be higher volumes of traffic that would require additional buffer space. In this case the lots abutting Fifty Road meet that minimum requirement.</p> <p>The internal “corner lot” configuration does not contain this same interface with vehicles or the public realm, and further the lots are buffered from the travelled portion of the private road by visitor parking spaces.</p> <p>The internal configuration of the corner lots more closely reflects the side yard condition of the other lots but can be adequately buffered from the adjacent parking with the use of a privacy fence or enhanced plantings.</p> <p>Therefore, staff support the modification.</p>

Regulation	Required	Modifications	Analysis
Maximum Building Height (g)	11.0 metres.	12.0 metres.	<p>The final building designs are not yet known and the preliminary drawings that have been prepared show a height of 11m without taking into consideration the additional distance required when measured from grade. Given this unknown the developer has requested additional height to provide flexibility in the final building design. There are adjacent developments to the north, east and west which permit a maximum height of at least 12.5m.</p> <p>Therefore, staff support the modification.</p>
Maximum Lot Coverage [Section 6.4.3(g)]	40%	56%	<p>The proposed maximum lot coverage is reflective of the proposed maximum building envelope, and the final building design is not known yet. Given this unknown the developer has requested additional lot coverage to provide flexibility in the final building design. The proposed lots comply with the required minimum rear and side yard setbacks.</p> <p>Staff are of the opinion that the proposed modification is minor in nature as there are opportunities for outdoor amenity area in the rear yard and front yard.</p> <p>Therefore, staff support the modification.</p>

Parking Regulations			
<p>Section 6.1.8(c)</p> <p>When the minimum number of parking spaces is four or more no parking space shall be provided closer than 3 metres to any lot line or closer than 5 metres to any dwelling.</p>	<p>3.0m 5.0m</p>	<p>1.5 metres to any lot 2.7 metres to any dwelling.</p>	<p>The proposed condition consists of two small parking areas containing five and six parking spaces, abutting the interior side yard of two lots. The parking areas are intended for visitor parking so the potential for conflict will be low.</p> <p>Staff are of the opinion that the proposed modification is minor in nature and will still permit sufficient space for landscaping and buffering.</p> <p>Therefore, staff support the modification.</p>
<p>Accessible parking spaces dimension. Section 6.1.8(d)</p>		<p>Width of 2.8 metres length of 5.8 metres and to have an additional painted aisle adjacent to the space of not less than 1.5 metres in width.</p>	<p>The proposed parking stall sizes are minimum acceptable Barrier Free Parking Stall sizes established as per AODA standards.</p> <p>Therefore, staff support the modification.</p>

Regulation	Required	Modifications	Analysis
<p>Dimension of Parking Spaces</p> <p>Section 4.10.3(b)</p>	<p>A single step, hose bibs, electrical devices and/or ductwork and closet enclosures may project not more than .3 metres into the required length or width of a parking space.</p>	<p>Parking spaces within private residential garages, two steps may project not more than 0.6 metres into the required length or width of a parking space.</p>	<p>The zoning regulation has been written to support a minimum garage size of 3 metres in width by 6 metres in depth and does not provide language to address a scenario where garages are larger than the indicated size.</p> <p>The two-stair encroachment is minor in nature since the projection of 0.6 metres will not affect the parking of vehicles in the garage. The two steps projecting into the garage will not be the full length of the interior of the garage. There will be a standard step width and the proposed dwellings will have sufficient space for two vehicles since a two car garage is being proposed for each dwelling.</p> <p>Therefore, staff support the modification.</p>
<p>Requirement for parking designated for Vehicles of Physically Challenged</p> <p>Section 4.10.4(a)</p>	<p>At least 1% of the required parking spaces, with a minimum of one parking space, on any lot having more than 10 parking spaces, shall: (a) have minimum rectangular dimensions of 4.4 metres by 5.8 metres.</p>	<p>2.8 metres x 5.8 metres plus 1.5 metres painted aisle.</p>	<p>The proposed parking stall sizes are minimum acceptable Barrier Free Parking Stall sizes established as per AODA standards.</p> <p>Therefore, staff support the modification.</p>

Regulation	Required	Modifications	Analysis
<p>Yard Encroachments Section 4.19 (d)</p>	<p>Balconies, canopies, unenclosed porches and decks, including a cold cellar underneath same, may project into any required front yard 1.5 metres. Balconies, canopies, unenclosed porches and decks may project into any required rear yard not more than 4 metres. Balconies and decks may project into a privacy area of a townhouse development not more than 4.5 metres. Notwithstanding the foregoing, any deck or patio which is less than .3 metres in height may be located in any required yard.</p>	<p>Balconies, canopies, unenclosed porches, including a cold cellar underneath same, may project into any required side yard abutting a flankage lot line 1.5 metres.</p>	<p>The current regulation does not permit any porch encroachments in a side yard; the proposed regulation would allow lots No.1 and No.11 flanking Fifty Road to have a wraparound porch that will help to provide articulation and allow for the animation of the public realm.</p> <p>Therefore, staff support the modification.</p>