

**Site Specific Modifications to the "RT-20/S-1823" (Townhouse - Maisonette) District, Modified (Block 1)**

Regulation	Required	Modification	Analysis
Consolidated Lot Development		The external boundary of the lot shall be deemed to be the lot lines and the regulations of the “RT-20/S-1823” (Townhouse - Maisonette) District (Block 1) and “E-2/S-1823-H” (Multiple Dwellings) District, Modified, Holding including but not limited to the lot area, lot frontage, lot depth, lot coverage and building setbacks, shall be from the external boundaries of these lots and not the individual property boundaries of any lots created by registration of a Condominium Plan, Part Lot Control, or Consent.	The intent of the modification is to recognize the subject lands as one lot for the purposes of zoning.  Staff support the modification.

**Site Specific Modifications to the “E-2/S-1823-H” (Multiple Dwellings) District, Modified, Holding (Block 2)**

Regulation	Required	Modification	Analysis
“Lot-Line, Front”, “Lot-Line, Exterior Side” and “Lot-Line, Interior Side”	"Lot-Line Front" with reference to an interior lot shall mean the boundary line along the street; with reference to a corner lot shall mean either of the boundary lines along a street at the option of the owner, provided that where one of such boundary lines along a street is chosen as the front lot line, the other shall be considered as a	“Lot-Line, Front” shall mean the boundary lot line along Upper Wentworth Street.  “Lot-Line, Exterior Side” shall mean the boundary lot line along Emperor Avenue.	The intent of the modification is to identify each lot line. The definition “Lot Line, Front” (for a corner lot) allows the owner the option to choose and the Applicant has requested that Upper Wentworth Street be identified as the front lot line and Emperor Avenue as the exterior side lot line.  Staff support the modification.

Regulation	Required	Modification	Analysis
<p>“Lot-Line, Front”, “Lot-Line, Exterior Side” and “Lot-Line, Interior Side” <b>(Continued)</b></p>	<p>side lot line; and with reference to a through lot shall mean and include each of the two shorter boundary lines along streets.</p>	<p>“Lot-Line, Interior Side” shall mean any lot line except a front lot line, rear lot line or exterior side lot line.</p>	
<p>Maximum Building Height</p>	<p>No building or structure for any other use shall exceed eight storeys or 26.0 metres (85.30 feet) in height.</p>	<p>Eight storeys or 27.0 metres in height.</p>	<p>The proposed modification is requested due to a minor change in elevation on the subject lands. The increase in height will not result in additional storeys being permitted but does allow for articulation at the top of the building to occur. In addition, the building design does provide stepbacks at the 5<sup>th</sup> and 6<sup>th</sup> storey.</p> <p>Staff support the modification.</p>
<p>Minimum front yard</p>	<p>For all other buildings or structures a front yard of a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, but no such front yard shall have a depth of less than 3.0 metres and need not have a depth of more than 7.5 metres, provided that with respect to said other buildings and structures, where a front yard abuts upon a street of a width of less than 20.0 metres, the required depth shall be increased by half of the difference between the actual width of the street and 20.0 metres.</p>	<p>5.0 metres</p>	<p>The proposed reduction allows the multiple dwelling to address the street to contribute to a more defined and animated streetscape. The setback is compatible with the adjacent townhouses which back onto Upper Wentworth Street. The proposed front yard setback has sufficient space to accommodate landscaping, private amenity area for ground-related units and will contribute to an improved pedestrian-scaled streetscape.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
Minimum exterior side yard	For every other building or structure, along each side lot line a side yard of a width of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building by its length, less 1.5 metres where no balcony, sunroom or any window of a habitable room overlooks the side yard, but no such side yard shall have a width of less than 1.5 metres, and need not have a width of more than 9.0 metres, but plus 3.0 metres where any balcony, sunroom or window of a habitable room does overlook such side yard, but no such side yard shall have a width of less than 4.5 metres and need not have a width of more than 13.5 metres.	3.0 metres	<p>The proposed modification will bring the building closer to the street to contribute to a more defined and animated streetscape. Staff note the proposed main entrance is on the side of the building facing Emperor Avenue and will contribute to defining the Emperor Avenue street edge.</p> <p>Staff support the modification.</p>
Floor Area Ratio	No building or structure in an "E-2" District shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor of 1.19.	A maximum floor area ratio shall not apply.	<p>The proposed modification allows for flexibility as the calculation of the floor area ratio is within the area of development for the multiple dwelling and not the entire site which restricts the gross floor area. As well, the building envelope is limited by the maximum height and minimum setbacks therefore the floor area ratio is not required.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
Parking Stall Size	2.7 metres x 6.0 metres	2.8 metres x 5.8 metres	<p>The Applicant has requested this modification to be consistent with the City of Hamilton of Zoning By-law No. 05-200. Staff are of the opinion that the reduction in parking stall size will maintain a safe and functional parking lot design without vehicle overhang into the drive aisles.</p> <p>Staff support the modification.</p>
Parking Stall Size for small cars	2.7 metres x 6.0 metres	8.5% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres.	<p>The proposed modification is aligned with the required parking space size for small car parking in Hamilton Zoning By-law No. 05-200. The requirement is necessary due to the location of columns in the underground parking.</p> <p>Staff support the proposed modification.</p>
Minimum Number of Parking Spaces	158 parking spaces (inclusive of 32 visitor parking spaces)	<ul style="list-style-type: none"> <li>i. 0.59 parking spaces per Class A dwelling unit greater than 50.0 square metres in gross floor area, except;</li> <li>ii. 0.29 parking spaces per Class A dwelling unit less than 50.0 square metres in gross floor area; and,</li> <li>iii. 8.5% of total required parking shall be dedicated visitor parking.</li> </ul>	<p>The Applicant has requested this modification to be consistent with the City of Hamilton of Zoning By-law No. 05-200.</p> <p>A total of 63 parking spaces will be provided of which five will be visitor parking spaces. The Applicant is providing 13 surface parking spaces inclusive of five visitor parking spaces and two barrier free parking spaces. 50 parking spaces and 68 bike lockers will be provided within the underground parking.</p> <p>The modification can be supported as the Transportation Impact Study submitted supported the reduction as surveyed data for similar sites owned by the owner identified a peak ratio of 0.3 parking spaces per unit.</p>

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			<p>As well, a variety of alternative transportation options including public transit and bicycle parking, are available or will be provided.</p> <p>Staff support the modification.</p>
Loading Space	<p>A minimum of two (2) loading spaces required; one having a minimum size of 9.0m (l) x 3.7m (w) x 4.3 (h) and one having a minimum size of 18.0 m (l) x 3.7m (w) x 4.3m (h).</p>	<p>One loading space be required with a minimum size of that is 9.0 metres in length, 3.7 metres in width, and 4.3 metres in height.</p>	<p>The proposed modification is for the reduction of one loading space and the required minimum size. Staff are of the opinion the reduction will meet the needs of the proposed development. The Applicant has demonstrated appropriate turning radius through the vehicle maneuvering demonstration included on the Concept Plan. In addition, the modification is consistent with the City of Hamilton of Zoning By-law No. 05-200.</p> <p>Staff support the modification.</p>
Uncovered Porch	<p>A terrace, uncovered porch, platform or ornamental feature which does not extend more than 1.0 metre above the floor level of the first storey, may project into a required yard, if distant at least 0.5 metres from the nearest side lot line and at least 1.5 metres from the nearest street line.</p>	<p>To project a distance distant at least 1.0 metre from the nearest side lot line and at least 1.0 metre from the nearest street line.</p>	<p>The proposed modification allows for private amenity area on the ground floor for residents while providing adequate separation from the street edge.</p> <p>Staff support the modification.</p>
A Canopy Projection	<p>May project into a required front yard not more than 1.5 metres provided that no such projection shall be closer to a street line than 1.5 metres.</p>	<p>A canopy may project into a required side yard not more than 2.0 metres.</p>	<p>The proposed modification can be supported as the request incorporates articulation along the façade of the multiple dwelling.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
A Canopy Projection <b>(Continued)</b>	(iii) into a required side yard not more than one-half of its width, or 1.0 metre whichever is the lesser.		
Regulations for groups of multiple dwellings	For multiple dwellings, the entire lot or tract of land shall be shown on a plan under By-Law No. 79-275 which shall indicate which street line is to be considered the front lot line in the case of a corner lot and which shall the location of all buildings and that the yards as required by the district provisions are provided around all boundaries of the lot or tract of land and that each building is distant from every other building by at least by at least ½ of the height of the taller of the two buildings provided that the same encroachments into the distance separating buildings shall be permitted as are permitted into a required side yard and provided further that the same provisions with regard to parking spaces, manoeuvring spaces and access driveways shall be observed in the distance separating buildings as if that distance was a rear yard.	Each multiple dwelling shall be distant from every other building as follows: i. by at least 6.0 metres; except, ii. by at least 4.5 metres where the exterior wall of the multiple dwelling.	The proposed modification addresses separation distances from the proposed multiple dwelling to the existing townhouse dwellings located to the west and south of proposed multiple dwelling. The reduction in separation can be supported as the proposed design and site organization addresses the contextual fit and site functionality providing adequate setbacks, amenity areas and pedestrian connectivity. Landscape buffers are also proposed internal to the site to screen surface parking from the existing adjacent residential.  Staff support the modification.