

Zoning By-law Site Specific Modifications – Residential Multiple “RM4-217” Zone, Modified

Provision	Required	Requested Amendment	Analysis
SECTION 4: DEFINITIONS			
SECTION 4: DEFINITIONS <i>** Applicant Requested Modification</i>	No existing definition of the term “Stacked Townhouses.”	To define the term “Stacked Townhouses.”	<p>The Glanbrook Zoning By-law does not define the term stacked townhouses. To facilitate the proposal a definition is required. The applicant proposes a definition that deviates slightly from “Street Townhouse Dwelling” as defined in City of Hamilton Zoning By-law No. 05-200 by dividing the townhouse units horizontally. The divisions result in a building height and density permitted in the Glanbrook Zoning By-law No. 464.</p> <p>Therefore, the proposed modification can be supported.</p>
SECTION 4: DEFINITIONS <i>** Applicant Requested Modification</i>	<p>"LOT LINE, FRONT" means in the case of an interior lot, the lot line that divides the lot from the street. In the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line, and the longer lot line that abuts a street, shall be deemed to be a side lot line. In the case of a corner lot with equal frontage on two (2) streets, the lot line abutting the wider street, or the Regional or Provincial Highway, shall be deemed the front lot line.</p>	<p>Binhaven Boulevard shall be deemed the front lot line and the lot lines adjacent to Binbrook Road and Gowland Drive shall be deemed as the exterior side lot lines. The lot shall not be deemed a through lot.</p>	<p>The Applicant is proposing to deem Binhaven Boulevard as the front lot line (lot line, front) and the lot lines adjacent to Binbrook Road and Gowland Drive as the exterior side lot lines (lot line, exterior) as to ensure the subject lands are not considered a through lot.</p> <p>Therefore, the proposed modification can be supported.</p>

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SECTION 4: DEFINITIONS			
<p>SECTION 4: DEFINITIONS CONTINUED</p> <p><i>** Applicant Requested Modification</i></p>	<p>Or in the case of both streets being under the same jurisdiction, and in the case of the same width, the owner may designate the lot line abutting either street as the front lot line. In the case of a through lot, the lot line where the principal access to the lot is provided shall be deemed to be the front lot line.</p> <p>"LOT LINE, EXTERIOR SIDE" means a side lot line that abuts a street.</p> <p>"LOT, THROUGH" means a lot other than a corner lot, having separate frontages on two (2) streets, notwithstanding the existence of a reserve adjacent to the street. (See illustration page at end of this Section)</p>		

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SECTION 7: GENERAL PROVISIONS FOR ALL ZONES			
<p>7.10 MULTIPLE USES</p> <p><i>** Staff Requested Modification</i></p>	<p>No existing restriction to prevent an Apartment Building and Stacked Townhouses to be provided on the lot at the same time.</p>	<p>An Apartment Building and Stacked Townhouses shall not be provided on the lot at the same time.</p>	<p>Staff are recommending this modification be included as the site specific modifications requested by the applicant are to facilitate their Stacked Townhouse development proposal shown in Appendix “D” to Report PED22161 which does not include an Apartment Building.</p> <p>This regulation would prevent both an Apartment Building and Stacked Townhouses from being developed at the same time on the subject lands.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>7.26 ENCROACHMENT INTO YARDS</p> <p><i>** Applicant Requested Modification</i></p>	<p>No existing permission to allow stair encroachments into any yard.</p>	<p>Stairs provided for Stacked Townhouses may project into any required yard a distance of not more than 1.0 metre.</p>	<p>Stair encroachments of 1.0 metre into any yard are anticipated to be required to facilitate final grading and detailed design of the proposal during the Site Plan Control Stage. The request to permit stair encroachments into any required yard will not result in an intrusion of private space into public space nor will it impact the existing sidewalks along Binhaven Boulevard or Binbrook Road. Additionally, the requested stair encroachments will help to activate the streetscape along Binhaven Boulevard and Binbrook Road and further facilitate natural surveillance in the area.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>7.35 MINIMUM PARKING REQUIREMENTS</p> <p><i>** Applicant Requested Modification</i></p>	<p>No existing parking ratio established for visitor parking spaces.</p>	<p>Visitor parking spaces shall be provided at a rate of 0.5 space per residential unit.</p>	<p>No existing parking ratio is established for visitor parking spaces related to a “Stacked Townhouse” use. The proposed visitor parking space ratio is the same visitor parking space ratio as required in Glanbrook Zoning By-law No. 464 for Block Townhouse Dwellings and an Apartment Building.</p> <p>Therefore, the proposed modification can be supported.</p>

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SECTION 7: GENERAL PROVISIONS FOR ALL ZONES			
<p>7.35 MINIMUM PARKING REQUIREMENTS</p> <p><i>** Applicant and Staff Requested Modification</i></p>	<p>Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 3 metres (10 feet) and a minimum length of 6 metres (20 feet), exclusive of any land required for access or driveway, except where a minimum of 20 parking spaces are required to be provided on the subject lot, a maximum of thirty-five percent (35%) of the parking spaces may have a minimum width of 2.6 metres(8.5 feet) and a minimum length of 5.8 metres (19 feet), provided these parking spaces are clearly marked for small cars only. Each parking space for parallel parking shall have a minimum width of 2.75 metres (9 feet) and a minimum length of 6.5 metres (21.5 feet), exclusive of any land required for access or driveway.</p>	<p>Parking space sizes and a parking ratio for residential parking spaces shall be provided in accordance with permissions previously granted under modification “217”.</p>	<p>Parking space sizes and a parking ratio for residential parking spaces within the Residential Multiple “RM4-217” Zone, Modified, were established through modification “217”. Review of the amending by-law indicates Section 7.35 was not addressed at that time. To correct this error, a modification is required. Staff consider this an administrative exercise to recognize an existing permission.</p> <p>Therefore, the proposed modification can be supported.</p>

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SECTION 7: GENERAL PROVISIONS FOR ALL ZONES			
7.35 MINIMUM PARKING REQUIREMENTS CONTINUED <i>** Applicant and Staff Requested Modification</i>	Notwithstanding the above regulations, the size of the required parking spaces for the physically handicapped shall be subject to Clause 7.35(a) (xv) of this By-law.		
7.36: MINIMUM LOADING REQUIREMENTS <i>** Applicant Requested Modification</i>	One loading space shall be required and shared for the residential and commercial uses.	A loading space shall not be required for a Stacked Townhouse use	One shared loading space for the residential and commercial uses is required however no commercial use is proposed at this time. Glanbrook Zoning By-law No. 464 requires a loading space for residential uses such as Apartment Buildings which is also not proposed at this time. Therefore, the proposed modification can be supported.
SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES			
11.6: PARKING SPACES IN RESIDENTIAL ZONES <i>** Applicant Recommended Modification</i>	At grade parking areas shall not occupy more than 35% of the total lot area.	At grade parking areas for a stacked Townhouse use shall not occupy more than 45% of the total lot area.	The modification will not impact the size of the amenity area or the planting strip, landscaped strip and/or buffer strip and results in no negative impact to the usability of the subject lands. Opportunities to increase permeability of the subject lands will be explored further at the Site Plan Control stage. Therefore, the proposed modification can be supported.
SECTION 20: RESIDENTIAL MULTIPLE “RM4” ZONE			
20.1 PERMITTED USES <i>** Applicant Recommended Modification</i>	No existing permission to allow “Stacked Townhouses” as a permitted use.	To add stacked townhouses as a permitted use.	Stacked townhouses are a low density, ground floor-oriented housing typology compatible with the existing and surrounding neighborhood. Therefore, the proposed modification can be supported.

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SECTION 20: RESIDENTIAL MULTIPLE “RM4” ZONE			
<p>20.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) OF SUBSECTION 20.1 (APARTMENT BUILDING)</p> <p><i>** Applicant Requested Modification</i></p>	<p>Parking spaces in driveways shall be permitted within 6.0 metres of a street line.</p>	<p>Parking areas and parking spaces for a Stacked Townhouse use shall be located no closer than 3.0 metres from any lot line.</p>	<p>The majority of resident and visitor parking spaces provided on the subject lands are located a distance greater than 6.0 metres from a street line. A limited number of visitor and resident parking spaces are located a distance less than 6.0 metres from a street line but will be buffered and screened through an appropriate 3.0 metre planting strip, landscaped strip and/or buffer strip.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>20.2 REGULATIONS FOR USES PERMITTED IN PARAGRAPH (a) and (b) OF SUBSECTION 20.1 (APARTMENT BUILDING) of SECTION 20: RESIDENTIAL MULTIPLE “RM4” ZONE</p> <p><i>** Applicant Requested Modification</i></p>	<p>No existing permission to allow a transformer to be located within a planting strip, landscaped strip and/or buffer strip.</p>	<p>One transformer shall be permitted to be located within either the landscaped area, planting strip and/or buffer strip.</p>	<p>The Applicant is proposing to locate a transformer within the required planting strip, landscaped strip and/or buffer strip. The inclusion of a transformer in these areas will not have any significant impact on the effectiveness of the planting strip, landscaped strip and/or buffer strip to provide a buffer between the proposed development and the adjacent uses.</p> <p>Therefore, the proposed modification can be supported.</p>

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SECTION 20: RESIDENTIAL MULTIPLE “RM4” ZONE			
<p><i>** Applicant Requested Modification</i></p>	<p>No existing permission to carry forward regulations approved under modification “217”.</p>	<p>To carry over the regulations approved under modification “217” related to minimum lot area, maximum lot area, maximum lot coverage, maximum density, minimum front, side and rear yards, minimum floor area, maximum height, minimum landscaped area, planting strip/fencing and minimum parking requirements.</p>	<p>The regulations approved under modification “217” are existing regulations that can be utilized as of right. Carrying these regulations forward ensures existing land use permissions are not unnecessarily restricted and will further provide flexibility regarding future redevelopment potential of the subject lands.</p> <p>Therefore, the proposed modification can be supported.</p>
SCHEDULE “H” TO GLANBROOK ZONING BY-LAW NO. 464			
<p>Zoning Boundary</p> <p><i>**Staff Requested Modification</i></p>	<p>The Zoning By-law Amendment apply to the lands located at 3435 Binbrook Road, Glanbrook</p>	<p>To include the lands located at “0” Gowland Drive as part of the Zoning By-law Amendment</p>	<p>The 0.05 hectare parcel municipally known as 0 Gowland Drive was dedicated to the City to be used as a temporary turning circle until Gowland Drive is extended to the west as planned in Binbrook Village Secondary Plan.</p> <p>Once Gowland Drive is extended to the west, this parcel will become surplus and may be developed. Both 3435 Binbrook Road and 0 Gowland Drive are zoned currently “RM4-217” and staff recommend that both parcels be rezoned to “RM4-817” to allow for future development of 0 Gowland Drive. Staff note that any development of these additional lands would be subject to Site Plan Control.</p>

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SCHEDULE "H" TO GLANBROOK ZONING BY-LAW NO. 464			
Zoning Boundary Continued **Staff Requested Modification			The Applicant agrees with this proposed modification. Therefore, the proposed modification can be supported.