

Zoning By-law Site Specific Modifications – Street – Townhouse “RT-30” District

Provision	Required	Requested Amendment	Analysis
Section 10F: Street – Townhouse			
<p>(3) – Maximum Building Height</p> <p><i>** Applicant Requested Modification</i></p>	<p>A maximum building height of three storeys and 11.0 metres.</p>	<p>To permit a maximum building height of three storeys and 12.4 metres.</p>	<p>The proposed street townhouse dwellings include a roof top patio, part of which is roofed over and enclosed except for the easterly façade. The roofing and partial enclosure of the patio is required to mitigate noise levels on the patio generated from the QEW. If the roofing and enclosed wall were not provided, the proposed street townhouse dwellings would comply with the maximum height provision of the By-law.</p> <p>The proposed 12.4 metre height is generally consistent with other street townhouse dwellings in the area, with the existing and proposed street townhouses located to the south having a height of approximately 12.0 metres.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>(4) (c) (iii) – Minimum side yard setback</p> <p><i>** Applicant Requested Modification</i></p> <p><i>Staff Recommended Modification</i></p>	<p>A minimum side yard setback of 2.5 metres is required for a three storey street townhouse dwelling.</p>	<p>To require a minimum northerly side yard setback of 1.7 metres and a minimum southerly side yard setback of 2.3 metres.</p> <p>To require a minimum side yard setback of 1.5 metres, where a common swale has been provided.</p>	<p>The subject lands abut City owned lands to the north and south and the proposed development is not located adjacent to existing residential uses.</p> <p>The 1.7 metre northerly side yard setback is sufficient to provide adequate drainage for the subject lands. The lands to the north contain an existing environmental sensitive area and are therefore unlikely to develop in the future.</p> <p>The proposed 2.3 metre southerly side yard setback will provide space for drainage for the subject lands and will provide a buffer from any future use established on the adjacent City owned lands.</p>

Provision	Required	Requested Amendment	Analysis
Section 10F: Street – Townhouse			
<p>(4) (c) (iii) – Minimum side yard setback (continued)</p> <p><i>** Applicant Requested Modification</i></p> <p><i>Staff Recommended Modification</i></p>			<p>The proposed 1.7 metre northerly side yard setback and 2.3 metre southerly side yard setback will be compatible with the area and will not create adverse impacts.</p> <p>The proposed 1.5 metre side yard setback, where a common swale has been provided, will facilitate a future severance to establish a lot line between the two proposed buildings. Development Engineering Approvals is satisfied that a 1.5 metre side yard setback is acceptable in the context of providing a shared swale.</p> <p>Therefore, the proposed modifications can be supported.</p>
<p>(5) (c) – Distance Between Buildings</p> <p><i>** Applicant Requested Modification</i></p>	<p>A minimum separation distance of 5.0 metres is required between buildings that are three storeys in height.</p>	<p>To require a minimum separation distance of 3.0 metres between buildings that are three storeys in height.</p>	<p>A 3.0 metre building separation will be sufficient to provide grading and drainage for the subject lands based on the provision of a common swale. The proposed 3.0 metre separation between buildings allows for a 1.5 metre side yard setback for each of the internal end units. A 1.5 metre side yard setback represents a typical side yard setback for low rise residential dwellings.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>Required Fencing</p> <p><i>** Staff Recommended Modification</i></p>	<p>No fencing is required along either the rear or northerly side lot lines.</p>	<p>To require a fence with a minimum height of 1.2 metres along the rear lot line and northerly side lot line.</p>	<p>The proposed modification to require fencing along the rear lot line and northerly side lot line is to protect the existing natural heritage features located to the rear and north of the subject lands from encroachment of the activities on site.</p> <p>The prohibition on gates within the required fencing is to assist with minimizing disturbances from the subject lands on the adjacent natural heritage areas.</p>

Provision	Required	Requested Amendment	Analysis
Section 10F: Street – Townhouse			
Required Fencing (continued) <i>** Staff Recommended Modification</i>		To prohibit any gate(s) from being established within the required fencing.	Therefore, the proposed modification can be supported.
Minimum Ground Floor Elevation and Restriction on Basements, Cellars and Crawlspace <i>** Staff Recommended Modification</i>	No Minimum Ground Floor Elevation is Required No restriction on the establishment of Basements, Cellars or Crawlspace.	To require a minimum ground floor elevation of any building to be 76.5 metres above sea level. To not permit the establishment of any Basement, Cellar or Crawlspace.	The proposed modifications to require the ground floor elevation to be 76.5 metres above sea level and to prohibit the establishment of basements, cellars or crawlspace, are required due to the high water table and the challenges with respect to drainage along the beach strip, and ensure that habitable areas of a dwelling unit are not at risk of flooding impacts due to the challenges that exist for the beach strip. The proposed modifications reflect existing By-law requirements that apply for other areas along the Hamilton Beach Strip and are apply those requirements to the amending By-law. Therefore, the proposed modifications can be supported.
Section 18: Supplementary Requirements and Modifications			
(3) (vi) (cc) (ii) - Balcony Encroachment <i>** Applicant Request Modification</i>	A balcony may project a maximum of 1.0 metre into a required rear yard.	To permit a balcony to encroach a maximum of 2.1 metres into a required rear yard.	The proposed increase in the maximum encroachment is to accommodate the landing and stairs for a proposed elevated deck, the balance of the proposed deck will not exceed the existing 1.0 metre encroachment into the required rear yard.

Provision	Required	Requested Amendment	Analysis
Section 18: Supplementary Requirements and Modifications			
<p>(3) (vi) (cc) (ii) - Balcony Encroachment (continued)</p> <p><i>** Applicant Request Modification</i></p>			<p>The subject property backs onto the Waterfront Trail and does not back onto existing or future dwelling units and therefore the proposed encroachment for the elevated deck will not create privacy or overlook impacts onto the private amenity area of any existing or future dwelling units.</p> <p>Therefore, the proposed modification can be supported.</p>
Section 18A Parking and Loading Requirements			
<p>(1) (f), (10) and (22) – Manoeuvring and Obstruction of a Parking Space</p> <p><i>** Staff Recommended Modification</i></p>	<p>A minimum of 6.0 metres of on-site manoeuvring space that is unobstructed is required for a parking space.</p>	<p>To permit the manoeuvring space of the parking space in the garage to be obstructed by the parking space in the driveway.</p> <p>To permit the manoeuvring space for the parking space in the driveway to be located off site.</p>	<p>The parking space within the driveway represents a second parking space for the dwelling unit.</p> <p>The dwelling units front onto an existing cul-de-sac to which only a limited number of units have access, allowing for off-site maneuvering which will not result in traffic conflicts.</p> <p>Therefore, the proposed modifications can be supported.</p>