

Site Specific Modifications to the C5 Zone
Hamilton Zoning By-law No. 05-200

Regulation	Required	Modification	Analysis
Section 10.5.3			
a) Building Setback from a Street Line Sub-Section (i)	Minimum 3.0 metres for a building with residential units on the ground floor facing a street.	Minimum setback from a street line shall be 0.0 metres for a building with residential units on the ground floor facing a street.	<p>The intent of the regulation is to have a buffer from the right-of-way and the units on the ground floor so that units have a separation from the street and still provide activation at the street level. There is 5.1 metres in the right-of-way between the existing curb and the property line which is sufficient to accommodate a sidewalk and landscaping to buffer the ground floor units.</p> <p>The building façade will be setback minimum 2.4 metres from the front yard and the terrace walls on the ground floor will be setback 0 metres from the property line.</p> <p>The requested front yard reduction will maintain the intent and purpose of the Zoning By-law as it will facilitate an active, transit-supportive, pedestrian environment by proposing a generous “pedestrian zone”.</p> <p>Therefore, the proposed modification can be supported.</p>
c) Minimum Interior Side yard.	7.5 metres	2.5 metres	<p>The subject site is located next to a public trail which is where a side yard relief is being requested. The reduction is considered minor as the trail is 9.0 metres wide and the reduction in the side yard to 2.5 metres will not have an impact on adjacent properties since the overall distance inclusive of the trail to the adjacent property is 11.5 metres. The requested setback will result in an appropriate distance between the proposed building and any future building south of the trail.</p> <p>Therefore, the proposed modification can be supported.</p>
d) Building Height Sub-section (ii)	Maximum building height shall be 22.0 metres	Maximum 24.0 metres	<p>The proposed height is compatible with the abutting residential townhouses and provides appropriate transition in massing through stepbacks and is in compliance with the angular plane to minimize impacts on abutting properties.</p> <p>Therefore, the proposed modification can be supported.</p>
g) Building setback from a Street Line		The principal entrance to the ground floor	<p>The main lobby is located at the north west corner of the site and is set back 2.4 metres from the front lot line. The residential lobby entrance façade is set back into the building than the closest façade to the street to allow for a wider</p>

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<p>Sub-section (vii)</p> <p>Sub-section 1.</p>	<p>A minimum of one principal entrance shall be provided.</p> <p>within the ground floor façade that is set back is closest to a street;</p>	<p>lobby of the multiple building is permitted to be located on the portion of the façade that is not setback closet to the street.</p>	<p>public realm. The location of the main residential lobby is 7.5 metres between the residential lobby and the roadway. Providing this distance allows additional space for landscaping, pedestrian activity, door swings, and the municipal sidewalk.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>i) Planting Strip Requirements</p>	<p>Where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone and not a laneway, a minimum 1.5 metre wide Planting Strip shall be provided and maintained.</p>	<p>A planting strip is not required between at grade parking and the street line.</p>	<p>The intent of the regulation is to provide a buffer between a residential and institutional zone. The buffer may include grassed area/landscaping. The subject site is adjacent to a 9.0 metre wide public trail which is paved and landscaped. Adjacent to the public trail is an institutional zone. The proposed residential unit entrances along the southerly side yard are connected to an internal walkway so residents will use the internal walkway to exit the unit. The existing trail can be considered a buffer between the residential and institutional zone since the trail is wide and has landscaping and the trail would act as a planting strip between the subject lands and the adjacent lands.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>j)</p>	<p>A visual barrier shall be required along any lot line abutting a Residential Zone, Institutional Zone.</p>	<p>A visual barrier shall not be required along the southerly lot line adjacent to a public trail.</p>	<p>The existing trail has a fence that separates the development from the trail and there is a proposed walkway along the southerly yard which will run parallel to the existing fence separating the development to the existing trail. As there is an existing fence for the trail, a visual barrier for this development is not required.</p> <p>Therefore, the proposed modification can be supported.</p>

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Section 4.6 Permitted Yard Encroachments			
d)	A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser.	An exterior staircase or deck may be located 1.2 metres from an interior lot line.	Adjacent to the southern interior lot line, there is a proposed internal walkway located between the terraces/decks/staircases to allow for appropriate ingress/egress and room for repair and maintenance. The walkway is for ingress and egress and needed for repair and maintenance to the building. Therefore, the proposed modification can be supported.
Section 5.1 Location			
a) All Uses Sub section (v)	Unless otherwise regulated in this By-law, parking spaces and aisles, giving direct access to abutting parking spaces, excluding driveways extending directly from the street, shall be subject to the following.	A planting strip is not required between the at-grade surface parking spaces and the street line.	The intent of the by-law is to minimize visual impacts of surface parking and to screen surface parking from public view. Ground floor parking spaces are proposed to be located behind the front façade and will be screened by the building and will not be visible from the public sidewalk. Therefore, the proposed modification can be supported.