

ZONING BY-LAW AMENDMENT MODIFICATION CHART (Zoning By-law 05-200)			
Provision	Required	Requested Amendment	Analysis
Section 3: Definitions Front Lot Line	Shall mean any lot line abutting a street, and: With reference to a corner lot, shall mean the shorter of the lot lines abutting the streets.	Governor's Road shall be deemed the Front Lot Line.	In accordance with the existing definition in this By-law, Pirie Drive frontage is considered to be the front lot line, as it is the shorter of the two property lines. Governor's Road is proposed as the main site entrance and building façade interfaces with Governor's Road. Therefore, staff support the modification.
Section 8.2.1 Permitted Uses	Multiple Dwellings not permitted	Multiple Dwellings in conjunction with the development of a Retirement Home..	The proposal contains senior's apartments and retirement home units that are intended to be of self contained and/or with shared facilities to serve the daily needs of residents, thereby contributing to a full range of housing types with support within the Retirement Home. Therefore, staff support this modification.
8.2.3.1 e) Maximum Height	10.5 metres	21.5 metres	The proposed four storey development may be categorized as a Medium Density Residential built from in the Urban Hamilton Official Plan that permits a maximum height of six storeys. Staff find the proposed height increase is appropriate as multiple dwelling forms are preferably located on the neighbourhood periphery in proximity to a major arterial road (Governor's Road). The proposed bungalow townhouse dwellings provide an suitable land use and density transition between the proposed four storey Retirement Home and the surrounding existing low density residential uses. Therefore, staff support this modification.

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Section 8.2.3.1 g) Maximum Capacity for Retirement Home	Shall not exceed 50 residents.	Shall not exceed 100 residents.	Staff are satisfied the proposed Retirement Home is appropriately sized in a built form that is compatible with the surrounding neighbourhood. The intent of the maximum capacity requirement is restrict the impacts of the scale and size of a Retirement Home on a neighbourhood.
Section 5.2 b) i)	Unless permitted by another regulation in this By-law, parking space sizes shall be: Minimum 2.8 metres in width and 5.8 metres in length.	2.6 in width and 5.5 in length.	The proposed parking stall size has been found to be inadequate. The standard parking stall size required in the Zoning By-law ensures spaces are accessible and manoeuvrable to allow ease of access to vehicles by passengers (i.e. adequate space for door swings). Staff do not support this modification.

ZONING BY-LAW AMENDMENT MODIFICATION CHART (Dundas Zoning By-law 3581-86)			
Provision	Required	Requested Amendment	Analysis
Section 3: Definitions Front Lot Line	Shall mean any lot line abutting a street, and: With reference to a corner lot, shall mean the shorter of the lot lines abutting the streets.	Front Lot Line shall mean the portion of Pirie Drive extending 118 metres from the easterly property line of the subject lands shall be considered the front lot line.	Based on strict interpretation of the Front Line Line definition, the westerly flankage along Pirie Drive would be considered the frontage of the subject property. The townhouse block proposed front driveways along the northerly property boundary, therefore it is practical define the longer segment of Pirie Drive as the Front Lot Line. Therefore, staff support this modification.
12.5.2.1 Minimum Front Yard	6.0 metres	2.8 metres	The intent of this regulation is to ensure a consistent streetscape is maintained and to allow for sufficient building setbacks. The proposed townhouse development achieves a consistent front setback along the majority of the Pirie Drive frontage.

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12.5.2.1 Minimum Front Yard Continued			<p>The proposed 2.8 metre front setback is recognizes the curve and narrowing of property boundary at the respective west and east portion of the subject lands, where standard setbacks are unable to be achieved for the corners of the townhouse dwellings.</p> <p>Therefore, staff support this modification.</p>
12.5.6.1 Minimum Landscaped Area	50% of the site area shall be landscaped.	35% of the site area shall be landscaped.	<p>The bungalow townhouse development proposes a compact street-oriented layout where it is not practical to provide 50% landscape area of the site.</p> <p>Therefore, staff support this modification.</p>
12.5.6.2 Buffer Strip	The landscaped area requirements contained in subclause 12.5.6.1 shall include a buffer strip of not less than 3.0 metres in width which shall be provided and maintained adjacent to every portion of any lot line that abuts any R1, R2, R3 or R4 Zone.	Exempted	<p>The Applicant’s submitted Conceptual Landscape Plan proposes a retaining wall within the 3.0 metre easterly side yard abutting the existing residential lots. Staff find the proposed retaining wall acceptable as it provides a visual barrier or buffer and the bungalow townhouses propose a built form that is compatible with the existing single detached dwellings.</p> <p>Therefore, staff support this modification.</p>
7.2.1	All required parking spaces and loading spaces shall be designed and located such that all vehicles using such spaces can be parked and manoeuvred entirely within the bounds of the parking areas within which such spaces are located, and without moving any other vehicle within such parking area.	The garage parking space and front yard driveway shall be permitted with a 0.0 metre manoeuvring space for the front yard driveway parking space.	<p>The townhouse dwellings propose two parking spaces for each unit with one located in garage and other in the front driveway. The applicable sections of the Zoning By-law requires that all parking space must be unobstructed and provide sufficient vehicle manoeuvring space. Staff support the proposed modifications as the proposed driveway spaces is proposed in excess of the zoning requirements, therefore staff recommend this modified provision to maintain the intent of the manoeuvring space requirements under the By-law.</p>

7.2.2	All manoeuvring space shall be maintained free and clear of all obstructions to permit unobstructed access to and egress from required parking spaces.		
7.14.1	6.0 metre Manoeuvring Space Aisle Width for 90 degree angle parking.		
7.12.1.3 Minimum Parking	1.5 spaces per dwelling unit, of which 0.30 spaces per dwelling unit shall be provided for Visitor Parking.	Exemption of visitor parking requirement.	The bungalow townhouse development proposes a compact street-oriented layout where it is not practical to provide visitor parking on-site.