

Site Specific Modifications to the Zone

Regulation	Required	Modification	Analysis
11C (b) Maximum Building Height	50 m or 15 stories when the structure is not greater than 30 m from a “DE”, “DE-2”, “DE-3”, “RT-10”, “RT-20” or “RT-30” (as per minor variance HM/A-19:462).	52.7 m or 17 storeys when the structure is not greater than 30 m from a “DE”, “DE-2”, “DE-3”, “RT-10”, “RT-20” or “RT-30”.	<p>The requested increase in height is minor and meets the intent of the Urban Hamilton Official Plan. In terms of the proposal Staff are supportive of the height of the building because it meets the intent of the Urban Hamilton Official Plan by:</p> <ul style="list-style-type: none"> • Confirming no unsafe wind conditions for pedestrians; • No loss in privacy for the adjacent low density residential to the south and east; • No additional shadow impacts and is in accordance with City standards; and, • The existing infrastructure and transportation network can support the increase. <p>Therefore, Staff are supportive of the modification.</p>
11C(2)(b) Side Yard Depth	Easterly side yard of a depth of not less than 2.0 metres except 1.5 metres to the hypotenuse of the daylight triangle, and a westerly side yard having a depth not less than 2.6 metres.	Easterly side yard of a depth of not less than 2.1 metres except 0.19 metres to the hypotenuse of the daylight triangle, and a westerly side yard having a depth not less than 2.7 metres.	<p>The requested amendment is to increase the required side yards and decrease the setback from the daylight triangle. As this reflects an increase for the side yards to represent the as built conditions the increase can be supported.</p> <p>A request is being made to reduce the minimum setback from the hypotenuse of the daylight triangle to 0.16 m. The requested setback only applies to the underground parking area and two units located on the ground floor, not the entire building. The proposed reduction still maintains appropriate separation distance between the ground floor units and the intersection. In addition, Development Engineering and Transportation Planning Staff have reviewed the supporting documentation and are satisfied the proposal can be supported while still providing opportunities for landscaping to buffer the ground floor units.</p> <p>Therefore, Staff can support this modification.</p>

Regulation	Required	Modification	Analysis
Section 18A (Table 3) Minimum Loading Space Size	One loading space shall be provided for a multiple dwelling with greater than 100 dwelling units, with a minimum size of 13.0 metres by 4.0 metres (as per minor variance HM/A-19:462).	One loading space shall be provided for a multiple dwelling with greater than 100 dwelling units, with a minimum size of 9.0 metres in length, 3.7 metres in width and 4.3 metres in height.	<p>The purpose of the modification is to allow for a reduction in the size of the required loading space. The concept submitted showed that the reduced loading space can function within the proposed parking layout.</p> <p>Therefore, Staff are supportive of the modification.</p>
Section 11(5) Maximum Floor Area Ratio	3.3 (as per minor variance HM/A-19:462).	4.1	<p>The purpose of the modification is to increase the maximum floor area ratio. The proposed modification can be supported because it meets the intent of the Urban Hamilton Official Plan by:</p> <ul style="list-style-type: none"> • Confirming no unsafe wind conditions for pedestrians; • No loss in privacy for the adjacent low density residential to the south and east; and, • No additional shadow impacts and is in accordance with City standards. <p>Therefore, Staff are supportive of the modification.</p>
Section (3) (vi) (cc) Encroachments into Yards	A balcony may encroach into the required side yard not more than 1.0 metres.	A balcony may encroach into the required side yard not more than 1.8 metres.	<p>The purpose of the amendment is to increase the depth of the balconies to 1.8 metres. This results in the balconies facing the side yard to encroach an additional 0.8 metres than what is currently permitted. The intent of the balcony encroachments is to ensure that matters such as overlook, and adequate privacy are addressed while still providing opportunity for amenity space to residents. In this case, the proposed development abuts surface parking for a residential building to the west and Bell Manor Road the east. Therefore, the proposed balcony encroachments would not negatively impact the surrounding properties.</p> <p>Therefore, Staff approve the modification.</p>