

**Site Specific Modifications to the “RT-20” (Townhouse-Maisonette) District**

Regulation	Required	Modification	Analysis
Section 10E.(2)(a) – Permitted Uses	N/A	To permit a Multiple Dwelling	<p>The request to permit a multiple dwelling (stacked townhouse dwelling) is similar in scale to adjacent developments. The proposed development can be supported as the use provides appropriate setbacks from the Red Hill Valley Park and the existing residential and is compatible with the surrounding area.</p> <p>Therefore, staff support the modification.</p>
Section 10E.(3) - Maximum Building Height	Three storeys or 11 metres	Four storeys or 15.5 metres	<p>The request to increase the maximum height is required in order to permit the stacked townhouse dwellings. There are no concerns with privacy / overlook with the increase in height and appropriate setbacks have been provided.</p> <p>Therefore, staff support the modification.</p>
Section 10E.(4)(a) - Minimum Yard Where a Property abuts a Street	6.0 metres	3.1 metres	<p>The request to reduce the front yard setback along the street line can be supported as it meets the intent of animating the street by providing buildings closer to the public right-of way while still maintaining appropriate setbacks for landscaping within the front yard.</p> <p>Therefore, staff support the modification.</p>
Section 10E.(4)(b) - Minimum Eastern Side Yard Setback	3.0 metres	3.5 metres	<p>The applicant has requested the modification to increase the eastern side yard setback required which exceeds the minimum.</p> <p>Therefore, Staff are supportive of the modification.</p>

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<p>Section 10E.(5)(b) and 5(c) - Minimum Distance Between Buildings</p>	<ul style="list-style-type: none"> <li>- 9.0 metres between two buildings where one building contains at least one window to a habitable room, and;</li> <li>- 15.0 metres between two buildings where both buildings have at least one window to a habitable room.</li> </ul>	<p>8.0 metres</p>	<p>The applicant has requested a modification to decrease the building separation between habitable rooms. The purpose of the distance between habitable rooms is to provide sunlight and protect the privacy of the residential units. Staff are of the opinion that the proposed 8.0 metres achieves this purpose.</p> <p>Therefore, Staff support the modification.</p>
<p>Section 10E.(8) - Privacy Area</p>	<p>There shall be provided and maintained a privacy area for each single family dwelling unit that,</p> <ul style="list-style-type: none"> <li>- Is screened on two sides by means of a screen that is not less than 1.2 metres (3.94 feet) and not more than 2.0 metres (6.56 feet) in height, and</li> <li>- Is not less than 2.5 metres (8.20 feet) in depth.</li> </ul>	<p>There shall be a privacy area provided and maintained for each dwelling unit that includes a balcony with a minimum depth of 1.2 metres but shall not be required for lower level units.</p>	<p>The applicant has requested that a requirement for an amenity area be included as the current regulation only requires screening for a single family dwelling. Staff are supportive of the additional regulation in order to require balconies to be provided for each unit. The proposed private amenity areas would be in addition to the subject lands being adjacent to a neighbourhood park.</p> <p>Therefore, staff support the modification.</p>
<p>18(3)(vi)(d) - Front Steps and Unenclosed Entrances project into required Front Yard</p>	<p>A roofed-over or screened but otherwise un-enclosed one-storey porch at the first level, including eaves and gutters, may project into a required front yard or rear yard to a distance of not more than 3.0 metres (9.84 feet), and every such projecting porch shall be distant at least 1.5 metres (4.92 feet) from the front lot line, and the enclosure of such a porch to the following extent shall not be deemed</p>	<p>No closer than 0.5 metres from the Front Lot Line.</p>	<p>The request to permit an encroachment of a roofed-over or screened or unenclosed porch at the first level to be closer to the front yard can be supported because it provides an opportunity to animate the street while still maintaining appropriate setbacks The proposed reduction maintains separation between the public realm and private realm.</p> <p>Therefore, Staff support the modification.</p>

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	enclosure for the purpose of this section.		
Section 18A(1)(a) and 18A-Table 1 - Minimum number of Parking Spaces	1.5 spaces per unit for a townhouse  1.25 spaces per unit for a multiple dwelling	1 space per unit for a multiple dwelling and townhouse.	The request for a reduction to the minimum parking space requirement will align with the multiple dwelling requirements in Zoning By-law No. 05-200. In addition, the reduction can be supported since the subject lands are serviced by transit and active transportation. The transit connects to King Street, which is proposed as the City’s future LRT corridor which will offer connections throughout the City.  Therefore, Staff support the modification.
Section 18A(1)(b) and 18A-Table 2 - Minimum number of Visitor Parking Spaces	0.25 per unit for a multiple dwelling  0.30 unit for a Townhouse dwelling	0.16 spaces per unit for a multiple dwelling and townhouse.	The request for a reduction in the minimum number of visitor parking spaces can be supported because the subject land is serviced by transit and active transportation. The transit connects to King Street, which is proposed as the City’s future LRT corridor which will offer connections throughout the City.  Therefore, Staff support the modification.
Section 18A(1)(c) and 18A-Table 3 - Loading Spaces	Two Loading Spaces	No Loading Spaces Required for a Multiple Dwelling.	The request for no loading spaces for the residential development aligns with the regulations of Zoning By-law No. 05-200.  Therefore, Staff support the modification.
Section 18A.(7) - Parking Stall Size	2.7 metres x 6.0 metres	Minimum required parking space is 2.8 metres x 5.8 metres	The request for the modification to the required parking stall size aligns with the regulations of Zoning By-law No. 05-200.  Therefore, Staff are supportive of the modification.

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<p>Section 18A.(10) and 18A.(22) - Maneuvering Space For the required parking</p>	<p>Sufficient space additional to required parking space shall be provided and maintained on the same lot on which the parking space is located, in such a manner as to enable each and every parking space to be unobstructed and freely and readily accessible from within the lot, without moving any vehicle on the lot or encroaching on any designated parking or loading space.</p>	<p>The accessibility and manoeuvring space for the required parking space located within an attached garage of a townhouse dwelling may be obstructed by a required parking space located on an individual driveway.</p>	<p>The applicant has requested a modification to permit the maneuvering space to be obstructed by a required parking space whereas the by-law requires the maneuvering space to remain clear. The proposed modification can be supported because although a car is parked in the driveway, the parking spaces are tied to one dwelling unit. In addition, the modification aligns with regulations in Zoning By-law No. 05-200.</p> <p>Therefore, Staff support the modification.</p>
<p>Section 2.(2) H.(via) “Miscellaneous Use Definitions” - Definition of a Planting Strip</p>	<p>Means an area of land growing ornamental shrubs or trees or both, suitable to the soil and climactic conditions of the area of land for the sole purpose of providing a visual barrier or buffer.</p>	<p>In addition to the definition, a sidewalk is permitted within a Planting Strip.</p>	<p>The modification to the planting strip is to permit a sidewalk for the units along the easterly side yard in order to access the entrance to the rear of the building. The modification can be supported since vegetation would still be required where a sidewalk is not located.</p> <p>Therefore, Staff support the modification.</p>
<p>18A.(12)(c) - Visual Barrier Section Section</p>	<p>For every parking area and loading space referred to in Subsection 11, there shall be provided and maintained;</p> <p>(c) a visual barrier along the boundary of the lot abutting the residential district not less than 1.2 metres in height and not greater than 2.0 metres in height</p>	<p>For every parking area and loading space referenced, there shall be provided and maintained a visual barrier along the boundary of the residential district not less than 1.2 metres in height and not greater than 2.2 metres in height and may include a 1.5 metre wide sidewalk for pedestrian access without a visual barrier to the west property boundary.</p>	<p>The request for an increase to the visual barrier requirements for parking areas adjacent to residential districts from 2.0 metres to 2.2 metres can be supported since there are two small areas of parking where the condominium road ends and provides a hammerhead for the purposes of maneuvering from the surface parking spaces. The request is minor and does not impede the visibility of motorists.</p> <p>Therefore, Staff support the modification.</p>

Regulation	Required	Modification	Analysis
Section 18A.(24)(a) - Individual Access Driveway Minimum Width	Every parking area for a use where there are less than five or less parking spaces shall have not less than one access driveway or one mutual driveway, having a width of at least 2.8 metres	Each individual access driveway for the townhouse units shall have a minimum width of at least 2.5 metres.	<p>The request for a reduction in the minimum driveway width is only for the area immediately adjacent to the garage. As a result, it does not represent a reduction in driveway width.</p> <p>Therefore, Staff are supportive of the modification.</p>
Section 10E. - Minimum required Setback from a Conservation / Hazard Land (P5) Zone	N/A	That all development and structures are required to be a minimum 3.0 metres from the Conservation / Hazard Land (P5) Zone.	<p>There is a natural heritage feature on the north-west corner of the subject lands. An Environmental Impact Statement and associated memos were submitted in support of the proposed development. Natural Heritage Staff and the Hamilton Conservation Authority reviewed the proposal and are satisfied that the appropriate mitigation measures have been provided to protect the Natural Heritage Features. Staff are further protecting the Natural Heritage features by zoning the area as Conservation / Hazard Land (P5) Zone which limits the permitted uses in the area to conservation, flood and erosion control facilities, and passive recreation uses.</p> <p>Therefore, staff support the modification.</p>