

Site Specific Modifications to the “E-3” (High Density Multiple Dwellings) District

| Regulation | Required | Modification | Analysis |
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| Maximum Height | <p>(a) except as provided in clause (c), where a building or structure is distant not greater than 30.0 metres (98.43 feet) from an "AA, "B", "B-1", "B-2", "C", "D" or "L-r" District, the height of a building or structure shall not exceed eight storeys or 26.0 metres (85.30 feet) in height;</p> <p>(b) except as provided in clause (c), where a building or structure is distant not greater than 30.0 metres (98.43 feet) from a "DE", "DE-2", "DE-3", RT-10", "RT-20" or "RT-30" District, the height of a building or structure shall not exceed twelve storeys or 39.0 metres (127.95 feet) in height;</p> <p>(c) where a building or structure is distant not less than 30.0 metres (98.43 feet) from an,</p> <p>(i) "AA", "B", "B-1", "B-2", "C", "D" and "L-r" District, and</p> <p>(ii) "DE", "DE-2", "DE-3", "RT-10", "RT-20" and "RT-30" District, the height of a building or structure shall not exceed eighteen storeys or 57.0 metres (187.01 feet) in height.</p> | 35.0 metres or 10 storeys. | <p>The proposed height of 35.0 metres will result in a maximum 10 storey building. This modification meets the criteria set out in the Urban Hamilton Official Plan for additional height in the “Neighbourhoods” designation (see Appendix “E” to Report PED23179). The development will provide a mix of unit types. Shadowing will not impact adjacent residential properties through site design and building massing. The appearance of height from the street will be minimized through a stepback of 1.8 metres at the seventh storey.</p> <p>Therefore, staff supports this modification.</p> |

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| Minimum Front Yard | A front yard having a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, but no such front yard shall have a depth of less than 3.0 metres (9.84 feet) and need not have a depth of more than 7.5 metres (24.61 feet), Provided that where a front yard abuts upon a street of a width of less than 20.0 metres (65.62 feet), the required depth shall be increased by half of the difference between the actual width of the street and 20.0 metres (65.62 feet). | 2.5 metres, except that any portion of a building exceeding 19.0 metres shall be set back not less than 4.3 metres. | <p>The proposed setbacks support the creation of a pedestrian oriented environment by permitting buildings to be located nearer to the property line and providing a landscaped area adjacent to the street.</p> <p>Therefore, staff supports this modification.</p> |
| Minimum Side Yard | Along each side lot line a side yard having a width of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building by its length, less 1.5 metres (4.92 feet) where no balcony, sunroom or any window of a habitable room overlooks the side yard, but no such side yard shall have a width of less than 1.5 metres (4.92 feet) and need not have a width of more than 9.0 metres (29.53 feet); but plus 3.0 metres (9.84 feet) where any balcony, sunroom or window of a habitable room does overlook such side yard, but no such side | <p>5.4 metres from the southerly lot line.</p> <p>20.0 metres, except that any portion of a building exceeding 23.5 metres in height shall be set back not less than 25.0 metres and that any portion of a building exceeding 30.0 metres in height shall be set back not less than 30.0 metres, from the northerly lot line.</p> | <p>The proposed setbacks and stepbacks provide sufficient separation from the adjacent residential dwellings to the north to avoid negative impacts such as shadowing and overlook and providing an appropriate transition.</p> <p>Therefore, staff supports this modification.</p> |

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| | <p>yard shall have a width of less than 4.5 metres (14.76 feet), and need not have a width of more than 13.5 metres (44.29 feet);</p> <p>Provided that where a side lot line is a street line, the side yard on that side shall have a width of at least 3.0 metres (9.84 feet), and need not have a width of more than 7.5 metres (24.61 feet);</p> <p>And provided further, that where a side lot line is the street line of a street less than 20.0 metres (65.62 feet) wide, the required width of the side yard on that side shall be increased by half of the difference between the actual width of the street and 20.0 metres (65.62 feet).</p> | | |
| Minimum Rear Yard | <p>A rear yard having a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, less 1.5 metres (4.92 feet) where no balcony, sunroom or any window of a habitable room overlooks the rear yard, but no such rear yard shall have a depth of less than 3.0 metres (9.84 feet) and need not have a depth of more than 13.5 metres (44.29 feet); but plus 3.0 metres (9.84</p> | 6.5 metres. | <p>The proposed setback provides sufficient separation from adjacent commercial uses and appropriate landscaped area while meeting the intensification policies set out in the Urban Hamilton Official Plan.</p> <p>Therefore, staff supports this modification.</p> |

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| | feet) where any balcony, sunroom or any window of a habitable room does overlook such rear yard, but no such rear yard need have a depth of more than 13.5 metres (44.29 feet). | | |
| Minimum Landscaped Area | 40%. | 25%. | <p>The proposed reduction in landscaped area will allow for more efficient use of the land without negative impacts to stormwater management, tree compensation planting area, or amenity space. The proposed development includes a shared outdoor amenity area and the site is near public parks.</p> <p>Therefore, staff supports this modification.</p> |
| Minimum Planting Strip | No requirement | 3.0 metres wide and 50.0 metres long along the northerly property line. | <p>The proposed minimum planting strip will provide additional screening for the existing residential dwellings.</p> <p>Therefore, staff supports this modification.</p> |
| Floor Area Ratio | <p>No building or structure in an "E-3" District shall have a gross floor area greater than the area within the district of the lot on which it is situate, multiplied by the floor area ratio factor as shown in Table "E-3" appended to this Section, (10259/63)</p> <p>Provided that the said gross floor area may be increased by 0.2 square metres (2.15 square feet) for every 0.1 square metres (1.08 square foot) of landscaped area</p> | No requirement. | <p>The proposed height and density is consistent with the Medium Density Residential policies in the Urban Hamilton Official Plan (see Appendix "E" to Report PED23179).</p> <p>Therefore, staff supports this modification.</p> |

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| | that is provided and maintained in excess of the requirements of this Section, but in no case shall the gross floor area increase be applied to excess landscaped area of more than 30 per cent of the area of the lot on which the building or structure is situate. | | |
| Canopy Projection | 1.5 metres into a front yard. 1.5 metres into a rear yard. Not more than one-half of its width or 1.0 metre, whichever is lesser, into a side yard. | 1.6 metres into any yard. | These modifications allow for more efficient use of land and are not anticipated to cause any negative impacts. Therefore, staff supports this modification. |
| Stairway Projection | 1.0 metre into a rear yard. Not more than one-third of its width or 1.0 metre, whichever is lesser, into a side yard. | 2.9 metres into a side or rear yard. | |
| Balcony Projection | 1.0 metre into a front yard provided that no such projection shall be closer than 1.5 metres to a street line. 1.0 metre into a rear yard. Not more than one-third of its width or 1.0 metre, whichever is lesser, into a side yard. | 1.8 metres into any yard. | |

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| Parking Structure Projection | A building or structure used for parking purposes in conjunction with a multiple dwelling may project into a required front, side or rear yard, providing such building or structure is not above curb level when such yard adjoins a street, or not above the ground elevation of any adjoining land of any required yard where it does not abut a street. | No requirement. | These modifications allow for more efficient use of land and are not anticipated to cause any negative impacts. Therefore, staff supports this modification. |
| Parking Space Requirement | 1.25 spaces per unit. | 1.0 spaces per unit. | The proposed number of parking spaces is not expected to cause negative impacts such as overspill onto adjacent properties. Opportunities for alternative forms of transportation are available to residents. The subject lands are located in close proximity to a mix of land uses, services, and public transit routes. |
| Visitor Parking Space Requirement | 0.25 spaces per unit. | 0.07 spaces per unit. | |
| Parking Space Dimensions | 2.7 metres wide and 6.0 metres long. | 2.8 metres wide and 5.8 metres long. | The parking space size regulation is consistent with the standards set out in Zoning By-law No. 05-200. Therefore, staff supports this modification. |
| Loading Space Requirement | One space 3.7 metres wide, 18.0 metres long, and 4.3 metres high and one space 3.7 metres wide, 9.0 metres long, and 4.3 metres high. | One space 3.7 metres wide, 9.0 metres long, and 4.3 metres high. | This reduction in the number of loading spaces is not anticipated to cause negative impacts Therefore, staff supports this modification. |