

Zoning By-law Site Specific Modifications – Transit Oriented Corridor Multiple Residential (TOC3, 887) Zone

Section 5: Parking Regulations			
Provision	Required	Requested Amendment	Analysis
<p>5.2 c) i) – Tandem Parking</p> <p>** Applicant Requested Modification</p> <p>** Staff Recommended Modification</p>	<p>All required parking spaces shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except that the accessibility to a maximum of one of the required parking spaces for a single detached dwelling may be obstructed by another motor vehicle.</p>	<p>To permit tandem parking for a multiple dwelling, limited to additional parking that is supplemental to the parking required in the Zoning By-law.</p>	<p>The proposed development includes two parking spaces for each dwelling unit, one within the proposed garage and the other within the driveway located in front of the garage. The parking space within the garage is the required parking space. The Zoning By-law requires that parking be unobstructed regardless of whether the parking space is required or additional parking. The proposed modification allows the tandem parking spaces for dwelling units to be provided for a multiple dwelling for the second parking space.</p> <p>The additional language proposed by staff to only allow non-required parking to be tandem parking will ensure that required parking spaces are not being obstructed, as that would not constitute an acceptable parking arrangement.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>5.6 c) i) – Maximum Parking</p> <p>** Applicant Requested Modification, modified by staff.</p>	<p>Maximum parking space of 1.25 per unit.</p>	<p>A parking ratio of 1.47 parking spaces per unit shall be permitted.</p>	<p>The submitted development concept proposed 69 parking spaces on-site, which included one parking space in the garage and one within the driveway. The final parking for the revised concept that includes retaining the existing building at 164 Rymal Road East needs to be confirmed through the future Site Plan Control application. Staff recommend that a parking ratio of 1.47 parking spaces per unit be provided for the proposed development.</p>

Provision	Required	Requested Amendment	Analysis
5.6 c) i) – Maximum Parking ** Applicant Requested Modification, modified by staff. (Continued)			<p>The modification provides flexibility for the development to provide on-site resident parking while allowing for some visitor parking.</p> <p>Therefore, the proposed modification can be supported.</p>
5.7 c) – Short Term Bicycle Parking ** Applicant Requested Modification	A minimum of five short term bicycle parking spaces are required	A minimum of 25 short term bicycle parking spaces shall be provided.	<p>The proposed modification constitutes an increase beyond the minimum required short term bicycle parking. The increase represents an improvement toward providing active transportation and complies with the policies of the Urban Hamilton Official Plan relating to providing active transportation and cycling infrastructure.</p> <p>Therefore, the proposed modification can be supported.</p>
5.7 e) – Long Term Bicycle Parking ** Applicant Requested Modification	A minimum of 0.5 bicycle parking spaces per dwelling unit.	To not require any required long term bicycle parking spaces.	<p>The applicant proposed to remove the requirement for long term bicycle parking spaces. However, as the development proposal consists of multiple dwellings, most having individual garages, it is Staff’s opinion that this requirement can be accommodated in the garages or within individual units. The Zoning By-law regulation is satisfied as long as the bicycle is located within a secure, enclosed area.</p> <p>Staff do not support the proposed modification to remove the long term bicycle parking requirement and it will remain as a required zoning provision.</p>

Section 11.3: Transit Oriented Corridor Multiple Residential (TOC3, 887) Zone			
Provision	Required	Requested Amendment	Analysis
<p>11.3.1.1 i) 1. – Finished Floor Elevation</p> <p>** Applicant Requested Modification</p>	<p>The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade.</p>	<p>Shall not apply for the lands included in Block 2 – Special Figure No. 38.</p>	<p>The intent of the finished floor elevation of 0.9 metres is to provide a separation between the public realm and the dwelling unit to protect the privacy and enjoyment of the residents of the unit.</p> <p>The multiple dwellings located interior to the site will contain one storey units catering to seniors or others with mobility issues, therefore a raised finished floor elevation has not been proposed by the applicant. These dwelling units will be separated from the public realm by other units located closer to Rymal Road East, therefore a 0.0 metre finished floor elevation height above grade is not needed to protect the privacy and enjoyment of the residents of the units and will allow for accessible units. The multiple dwellings fronting Rymal Road East require a raised finished floor elevation to ensure privacy based on the level of pedestrian activity along the arterial road.</p> <p>Therefore, the proposed modification can be supported for Block 2.</p>
<p>11.3.2 b) – Minimum Rear Yard Setback</p> <p>** Applicant Requested Modification</p>	<p>7.5 metres</p>	<p>1.5 metres</p>	<p>For the purposes of zoning, the rear yard is measured from the southerly property line, however this area will function as the side yard of two of the multiple dwellings. The proposed 1.5 metres represents an appropriate side yard to rear yard interface between the proposed development and the existing single detached dwellings to the rear as staff have introduced a maximum height requirement of 11 metres. The proposed dwellings are not anticipated to have a sun shadow impact on the adjacent lands.</p>

Provision	Required	Requested Amendment	Analysis
<p>11.3.2 b) – Minimum Rear Yard Setback (Continued)</p> <p>** Applicant Requested Modification</p>			<p>Therefore, the reduced rear yard setback will not cause shadow impacts.</p> <p>The southern façade of the units will have limited window openings, and the proposed development will include a visual barrier that is 1.8 to 2.5 metres in height. These elements along with the two storey building height will limit privacy overlook from the townhouse building into the rear yard of the lands to the south.</p> <p>Therefore, the proposed modification can be supported.</p>
<p>11.3.2 c) – Minimum Interior Side Yard</p> <p>** Applicant Requested Modification</p>	<p>A minimum 7.5 metre interior side yard for lots abutting a Single Detached Dwelling, Semi Detached Dwelling and Street Townhouse.</p>	<p>A minimum 3.0 metre interior side yard for lots abutting a Single Detached Dwelling, Semi Detached Dwelling and Street Townhouse, for the lands included in Block 1 of Figure No. 38 of Schedule “F” – Special Figures.</p>	<p>The requirement for a 7.5 metre interior side yard for lots abutting a Single Detached, Semi Detached Dwelling and Street Townhouse is intended to provide separation and buffering between low density residential uses and a 22.0 metre mid-rise development that is permitted in the TOC3 Zone. The site specific amending Zoning By-law will include a modification to reduce the maximum building height from 22.0 metres to 11.0 metres.</p> <p>The proposed 3.0 metre side yard setback is with respect to the proposed multiple dwellings fronting Rymal Road East. The two storey multiple dwellings at the rear of the development will be required to maintain a setback of 6.0 metres from the easterly and westerly lot lines.</p> <p>The easterly and westerly facades of the multiple dwellings fronting Rymal Road East will include no window openings.</p>

Provision	Required	Requested Amendment	Analysis
<p>11.3.2 c) – Minimum Interior Side Yard (Continued)</p> <p>** Applicant Requested Modification</p>		<p>A minimum 6.0 metre interior side yard for lots abutting a Single Detached Dwelling, Semi Detached Dwelling and Street, for the lands included in Block 2 of Figure No. 38 of Schedule “F” – Special Figures.</p>	<p>A 1.8 to 2.5 metre visual barrier will also be provided along the easterly and westerly lot lines.</p> <p>The above noted elements as well as the limitations in building height will limit privacy overlook impacts and shadow impacts of the proposed development on the adjacent lands to the east and west. Therefore, the proposed 3.0 metre side yard setback will provide adequate separation and buffering between the proposed development and the existing low density residential dwellings to the east and the west.</p> <p>The proposed modification can be supported.</p>
<p>11.3.2 e) i) – Minimum Building Height</p> <p>** Applicant Requested Modification</p>	<p>11.0 metres.</p>	<p>6.5 metres.</p>	<p>The intent of requiring a minimum 11.0 metre building height is to provide an appropriate scale of development. The proposed development consists of two storey multiple dwellings that will have a height of approximately 6.6 metres and the proposed three storey multiple dwellings will have a height of approximately 9.6 metres. Therefore, the proposed building heights will meet the minimum 11.0 metre height.</p> <p>The proposed building heights are consistent with the existing scale and character of the low rise built form with heights of one to two storeys of the area.</p> <p>Therefore, the proposed modification can be supported.</p>

Provision	Required	Requested Amendment	Analysis
<p>11.3.2 e) ii) – Maximum Building Height</p> <p>** Staff Recommended Modification</p>	<p>22.0 metres.</p>	<p>11.0 metres.</p>	<p>The proposed TOC3 Zone would permit a maximum building height of 22.0 metres. The development was reviewed based on a lower building scale and several of the proposed modifications, including the reduction in rear yard setback and side yard setback, are premised upon a lower building height and would not be appropriate in the context of a 22.0 metre building height.</p> <p>Additionally, a building height of 22.0 metres would require the submission and evaluation of a Sun Shadow Study, Wind Study and possible Visual Impact Assessment. Based on the height of the proposed development these documents were not required. Therefore, as shadowing, wind and visual impacts were not reviewed it would not be appropriate to establish zoning permissions for a 22.0 metre building height.</p> <p>Therefore, a modification to reduce the maximum building height to 11.0 metres is required to ensure that a compatible scale of development is established based upon the building heights proposed.</p> <p>Therefore, the proposed modification can be supported.</p>