

Site Specific Modifications to the Residential Multiple "RM4-717" Zone in Ancaster Zoning By-law No. 87-57

Regulation	Required	Modification	Analysis
Definition: "Lot"		For the purpose of the regulations contained in Sections 3, 5, 6, 7, 9 and 17, the boundary of the "RM4-717" Zone shall be deemed to be the lot lines for this purpose, and the regulations of the "RM4-717" Zone, including, but not limited to, lot area, density, lot frontage and depth, lot coverage, minimum yards, minimum landscaping and planting strips, parking, children's play areas, accessory buildings, building separation, etc., shall be from the boundaries of this zone, and not from individual property boundaries of dwelling units created by registration of a condominium plan, through Consent or created by Part Lot Control.	The modification has been included by staff and represents a technical modification to ensure zoning is reviewed from the external boundaries of the subject lands and not individual lots which may be created through approved Draft Plan of Subdivision, Consent and Part lot Control applications. Therefore, staff supports this modification.
Density 17.2 (b)	30 units per hectare.	36 units per hectare.	The modification represents a minor increase in the number of permitted units on the subject lands. The increase is supported as the development incorporates appropriate development standards to ensure compatibility, and features such as landscaping and private amenity areas are provided.

Regulation	Required	Modification	Analysis
Density 17.2 (b) (Continued)			<p>The proposal is appropriate as there is adequate room for landscaping and plantings on site and the proposed built form does not adversely impact privacy and overlook onto the neighbouring dwellings.</p> <p>Therefore, staff supports this modification.</p>
Maximum Lot Coverage 17.2 (e)	35 percent.	45 percent.	<p>The intent of the maximum lot coverage regulation is to provide sufficient area for stormwater infiltration, landscape, and amenity opportunities. Staff are of the opinion that the intention of the regulation is achieved as the increase is minor and will allow the proponent to address stormwater management control. The subject lands are rectangular in shape, however, the width of the subject lands limits the variations of possible block townhouse dwelling designs. Development Engineering have reviewed the Functional Servicing Report and Stormwater Management Report and are in support of the applications subject to Condition Nos. 1 to 21 attached as Appendix "I" to Report PED24027. Staff acknowledge that a variation in the form of development to a multiple dwelling may result in a compact form of development but given the size and location of the subject lands may result in further concerns of overlook, privacy and height. In addition, the proposal has been revised to incorporate movement for waste collection services to enter and exit the site in a forward motion.</p> <p>Therefore, staff supports this modification.</p>

Regulation	Required	Modification	Analysis
Minimum Front Yard 17.2 (f)	7.5 metres.	4.0 metres.	<p>The proposed development will be reviewed as one lot and is not intended to be freehold townhouses to be divided through Part Lot Control. The setback is taken from the frontage along Southcote Road. The townhouses adjacent to Southcote Road will be required to provide articulation to ensure compatibility with the existing streetscape. The reduced setback is consistent with the adjacent single detached dwellings to the north and south of the subject lands. Staff note the reduction is also due to the inward curvature of Southcote Road to the subject lands and the 4.5 metre right-of-way dedication. The municipal interest to ensure services and utilities has been considered and can be accommodated within the future right-of-way.</p> <p>Therefore, staff supports this modification.</p>
Minimum Rear Yard 17.2 (g)	7.5 metres.	4.6 metres.	<p>The proposed minimum rear yard is intended to accommodate an appropriate setback from the proposed rear lot line and the proposed single detached dwellings to the west of Block 5, as shown on Appendix “D” to Report PED24027. The proposed rear yard is intended to provide for an adequate buffer and transition between the townhouse units and future single detached dwellings. It is noted that the rear lot line will function as a side yard for the end unit of the townhouse. The proposed rear yard will not negatively impact the transition between the single detached dwellings to the west and the end townhouse dwelling.</p>

Regulation	Required	Modification	Analysis
Minimum Rear Yard 17.2 (g) (Continued)			<p>Amenity space for each block townhouse dwelling is available within the rear yard located along the northerly and southerly yards of the redevelopment and not within the required rear yard. The proposed setback is adequate for achieving a buffer between the proposed townhouse block and the future single detached dwellings and will not create compatibility concerns for overlook or loss of privacy between the two residential uses.</p> <p>Therefore, staff supports this modification.</p>
Minimum Landscape Area 17.2 (i)	45 percent	25 percent	<p>The intent of the minimum Landscape Area provision is to ensure that adequate landscaping and permeable surfaces are provided to create and maintain a consistent streetscape, provide amenity area and for drainage purposes. Two large drainage swales are provided on the north and south limits of the site which provide a 10.88 metre and 10.44 metre setback from the respective property lines. These large setbacks will contain each unit’s individual backyard and are oversized relative to the allowable backyard of a typical townhouse unit. No permanent structures will be permitted within the 6.0 metre or 9.0 metre servicing easements. The proposed modification is minor in nature and will permit the establishment of a compact housing form while still providing adequate private amenity areas, landscaped strips with appropriate plantings, and permeable areas for drainage to occur.</p>

Regulation	Required	Modification	Analysis
Minimum Landscape Area 17.2 (i) (Continued)			<p>The applicant will be encouraged to incorporate Low Impact Development (LID) measures within the hardscaped areas at the future Site Plan Control stage to further improve permeability on the site.</p> <p>Therefore, staff supports this modification.</p>
Children’s Play Area 17.2 (n)	<p>A curbed or fenced children’s outside play area that is a minimum of 7 square metres per dwelling unit shall be provided and maintained.</p>	<p>No children’s play area shall be provided.</p>	<p>The intent of the provision is to ensure that there is amenity area for children within a townhouse development. The proposed development is for 24 block townhouse units. As per the City of Hamilton Site Plan Guidelines, outside play areas for children should be provided for developments containing 20 units or more but is to be considered in the context of other publicly accessible facilities which may eliminate the need to provide on-site facilities. The proposed development does include rear yard amenity space for each unit within the development. In addition, various public amenities are in proximity including Pine Crest Park, approximately 400 metres from the subject lands, Mohawk Meadows Park, approximately 600 metres from the subject lands, Golf Links Park #1, approximately 750 metres from the subject lands and Kitty Murray Park, approximately 900 metres from the subject lands. The parks are within walking distance of the site to provide amenity space for the overall development and can be further accessed by a mix of sidewalks and pedestrian pathways.</p>

Regulation	Required	Modification	Analysis
Children’s Play Area 17.2 (n) (Continued)			<p>It is also noted, that due to the shape of the subject lands, creating an adequately sized, useable play area with equipment would be difficult to design as the space would be linear in shape and limit the functionality.</p> <p>Therefore, staff supports this modification.</p>
Building Separation 17.2 (p)	Façade to Façade shall be a minimum of 18 metres.	Façade to Façade shall be a minimum of 17 metres.	<p>The intent of this provision is to ensure adequate separation between buildings to include and allow for the inclusion of internal roads, parking, sidewalks, and landscape buffering. The reduction of 1.0 metre is minor and staff are satisfied that adequate separation is provided and allows for the inclusion of internal roads, parking, sidewalks, and landscape buffering.</p> <p>Therefore, staff supports this modification.</p>
Parking and Loading – (7) General Provision 7.14(a)(ix)(4)	No parking space shall be located: 4. in a “RM3” and “RM4” Zone closer to any detached dwelling in a Residential Zone than 3 metres.	That notwithstanding Subsection 7.14(a)(ix)(4) of Zoning By-law No. 87-57, no parking space shall be located in a “RM4” Zone closer to any detached dwelling in a Residential Zone than 0.9 metres.	<p>The intent of the provision is to ensure that adequate buffer is provided between residential uses. The applicant is proposing a 0.9 metre separation to the property line for the hammerhead turning radius for visitor parking. The visitor parking spaces will be located approximately 3.0 metres from the property line which will accommodate sufficient area for landscaping. The applicant is proposing to mitigate impacts of the surface parking area by providing enhanced landscaping and fencing along the portion of the subject lands which will provide visitor parking for the townhouse development.</p>

Regulation	Required	Modification	Analysis
Parking and Loading – (7) General Provision 7.14(a)(ix)(4) (Continued)			Details of the landscaping will be addressed through the future Site Plan Control detailed review. Therefore, staff supports this modification.
Parking and Loading – (7) General Provision 7.14(a)(xv)	Where a parking area which is required to provide for more than four vehicles abuts a lot containing a dwelling comprising one or two dwelling units, a permanently maintained planting strip of a minimum width of 3 metres shall be provided, except that in a "C2" Zone such width shall be 6 metres and shall include fencing to provide a solid and effective screen.	That notwithstanding Subsection 7.14(a)(xv) of Zoning By-law No. 87-57, where a parking area which is required to provide for more than four vehicles abuts a lot containing a dwelling comprising one or two dwelling units, a permanently maintained planting strip of a minimum width of 0.9 metres shall be provided.	Similar to the above provision, the intent is to ensure adequate separation and buffer is provided between uses to alleviate concerns of overlook, loss of privacy and include amenity space. The provision is required to be modified as the applicant is proposing a 0.9 metre separation from the property line to the hammerhead turning radius for visitor parking. The remainder of the parking area as well as the subject lands provides for adequate setback, approximately 3.0 metres, to allow for landscaping and amenity area. Therefore, staff supports this modification.

Regulation	Required	Modification	Analysis
Parking and Loading - (b) Required Parking Minimum Required 7.14(b)(i)(B)	(B) Block townhouse 2 plus 0.66 visitor and multi-plex parking spaces per dwelling.	That notwithstanding Subsection 7.14(b)(i)(B) of Zoning By-law No. 87-57, Block townhouses shall provide 2.4 parking spaces per each dwelling unit inclusive of visitor parking spaces.	The intent of the provision is to ensure that sufficient parking for residents and visitors are provided. The applicant has requested a minor modification to reduce the parking ratio from 2.66 to 2.4 parking spaces per dwelling unit inclusive of visitor parking. It is understood that the visitor parking rates for townhouse developments in Ancaster are the highest of all the former municipalities that make up the City of Hamilton. The subject lands are 90 metres from public transportation which is serviced by three separate transportation routes including the 5A Delaware, 16 Ancaster and 16F Ancaster. A Transportation Impact Study (with Transportation Demand Management) was prepared by Trans-Plan Transportation Inc., dated October 19, 2018, and the findings were accepted by Transportation Planning staff. Therefore, staff supports this modification.

Site Specific Modifications to the Low Density Residential (R1, 885) Zone (Lot 4) in Hamilton Zoning By-law No. 05-200

Regulation	Required	Modification	Analysis
Side lot line Setback 15.1.2.1 d),	1. 2 metres	Notwithstanding Section 15.1.2.1 d), the minimum setback from a southerly side lot line shall be 6.0 metres.	The modification has been included by staff and represents a technical modification to recognize the servicing easement along the southerly side lot line. Therefore, staff supports this modification.

Site Specific Modifications to the Low Density Residential (R1, 886) Zone (Lot 1) in Hamilton Zoning By-law No. 05-200

Regulation	Required	Modification	Analysis
Side lot line Setback 15.1.2.1 d),	1. 2 metres	Notwithstanding Section 15.1.2.1 d), the minimum setback from a northerly side lot line shall be 9.0 metres.	The modification has been included by staff and represents a technical modification to recognize the servicing easement along the northerly side lot line. Therefore, staff supports this modification.