

Site Specific Modifications to the “E-2” (Multiple Dwellings) District and the “RT-20” (Townhouse – Maisonette) District

Regulation	Required	Modification	Analysis
Section 6(21) – Consolidated Lot Development	N/A	The external boundary of the lot shall be deemed to be the lot lines and the regulations of the “E-2/S-1839” (Multiple Dwellings) District, Modified and “RT-20/S-1840” (Townhouse - Maisonette) District, Modified, including but not limited to the lot area, lot frontage, lot depth, lot coverage and building setbacks, shall be from the external boundaries of these lots and not the individual property boundaries of any lots created by registration of a Condominium Plan, Part Lot Control, or Consent.	<p>The intent of this modification is to recognize the subject lands as one lot for the purposes of zoning, which simplifies the implementation of the provisions of the Zoning by-law and ensures consistent application should additional lots be created in the future.</p> <p>Staff support the modification.</p>
Section 10E (10) and Section 11B (6) – Landscaped Area Requirements	In an "RT-20" District, there shall be provided and maintained on the same lot and within the "RT-20" District, for one or more buildings or structures, an amount not less than 40% of the area of the lot on which the buildings or structures are situated, as landscaped area.	35% of the total lot area.	The proposed modification will reflect the existing landscape area with some modifications to accommodate on-site parking for both the retained townhouse dwellings and proposed multiple dwelling. The proposed 35% landscaping exceeds the requirements of the “E-2” District (25%) but is deficient with respect to the requirement of the “RT-20” District (40%). The proposed 35% represents a balance of the two districts being implemented on the site, recognizing that the “E-2” District has a lesser requirement (20%) and the “RT-20” District a greater one (40%). The landscaped area is appropriate to be considered across the entire site as the lands will function as a single comprehensive

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<p>Section 10E (10) and Section 11B (6) – Landscaped Area Requirements (continued)</p>	<p>In an “E-2” District, for every building or structure, there shall be provided and maintained on the same lot within the district an amount not less than 25% of the area of the lot on which the building or structure is situate, as landscaped area.</p>		<p>development site and all residents will have access to the centralized amenity area.</p> <p>The location of the proposed multiple dwelling will be similar to that of the townhouse dwelling block and accessory building it is replacing, with a minor increase in the building footprint proposed; therefore, the proposed provisions of landscaping will be similar to what is existing on site.</p> <p>The reduction in landscaped area will not adversely impact the ability to maintain high quality amenity area and to provide effective stormwater management, as confirmed within the Stormwater Management Report, dated September 2024.</p> <p>Staff support the modification.</p>
<p>Section 18A(1)(a), 18A(1)(b), 18A Table 1 and 18A Table 2 – Residential & Visitor Parking</p>	<p><u>Residential Parking:</u> For Townhouse Dwellings, 1.5 spaces per Class A dwelling unit.</p> <p>For Multiple Dwelling, 1.25 spaces per Class A dwelling unit.</p> <p><u>Visitors Parking:</u> For Townhouse Dwelling, Maisonette Dwelling, 0.30 of a</p>	<p>For Townhouse Dwellings, 1.0 spaces per dwelling unit.</p> <p>For Multiple Dwellings, 0.5 spaces per dwelling unit.</p> <p>For Visitor Parking across the parcel, 0.1 spaces per dwelling unit.</p>	<p>The City of Hamilton’s Council passed By-law No. 24-052, which approved the new parking regulations of Zoning By-law No. 05-200. While the subject lands will not be included in Zoning By-law No. 05-200, the subject site falls under the Parking Rate Area 2 and as per Section 5.7.1 of By-law No. 05-200, the proposed development would require 0.5 spaces per unit and 0.15 visitor spaces per unit. With the regulations of Section 5.7.2, the maximum of 1.25 space per unit, inclusive of resident and visitor parking spaces is to be provided. The proposed parking ratios result in a surplus of 18 parking spaces under the new parking regulations of Zoning By-law No. 05-200. Although the subject lands are proposed to remain within Zoning By-law No. 6593 at present, Council’s latest direction with regards to parking is appropriate.</p>

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<p>Section 18A(1)(a), 18A(1)(b), 18A Table 1 and 18A Table 2 – Residential & Visitor Parking (continued)</p>	<p>space per Class A dwelling unit.</p> <p>For Multiple Dwellings within area “A”, shown on Schedule “H”, 0.16 of a space per Class A dwelling unit.</p> <p>For Multiple Dwellings within area “B”, shown on Schedule “H”, 0.20 of a space per Class A dwelling unit.</p>		<p>proposed parking ratios as they align with the City of Hamilton Council’s direction on the new parking regulations through By-law No. 24-052.</p> <p>Staff support the modification.</p>
<p>Section 18A(1)(c), and 18A Table 3</p>	<p>A minimum of two (2) loading spaces required; one having a minimum size of 9.0m (l) x 3.7m (w) x 4.3 (h) and one having a minimum size of 18.0 m (l) x 3.7m (w) x 4.3m (h).</p>	<p>One loading space will be required with a minimum size of 12.0 metres in length and 3.4 metres in width.</p>	<p>The proposed modification is for the reduction of one loading space and the required minimum size. Staff are of the opinion that the reduction will meet the needs of the proposed development with respect to loading. The applicant has demonstrated that the loading space is of appropriate size to accommodate a typical moving or delivery truck.</p> <p>Staff support the modification.</p>
<p>Section 18A (7) – Parking Stall Size</p>	<p>Every required parking space, other than a parallel parking space, shall have dimensions not less than 2.7 metres wide and 6.0 metres long.</p>	<p>Parking spaces existing on the date of the passing of this By-law shall be a minimum of 2.7 metres in width and 4.95 metres in length.</p> <p>Parking spaces created after the date of the passing of this By-law shall be a</p>	<p>The proposed modification of 2.7 x 4.95 metres reflects the dimensions of the existing parking spaces on the lands. The proposed modification of 2.8 x 5.8 metres reflects the parking dimensions for the proposed new parking spaces. The dimensions proposed for the new parking spaces is consistent with the regulations provided of Zoning By-law No. 05-200.</p>

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Section 18A(1)(f) and 18A Table 6 – Driving Aisle Width	Manoeuvring space abutting upon and accessory to each required parking space, having an aisle width mentioned in column 2 of Table 6 for each parking space having a parking angle mentioned in column 1 – Required 6 metres for parking angled at 90 degrees.	<p>minimum of 2.8 metres in width and 5.8 metres in length.</p> <p>5.9 metres</p>	<p>The reduction in the drive aisle width of 0.10 metres is considered minor in nature which is not anticipated to impact the function of the drive aisle.</p> <p>Staff support the modifications.</p>
Section 18(3)(vi)(b)(iii) – Canopy Projection	A canopy may project into a required side yard not more than one-half of its width, or 1.0 metre, whichever is the lesser.	A canopy may project into a required side yard not more than 2.0 metres.	<p>The canopy will provide a sheltered principal entrance for the multiple dwelling and contribute to an animated street corner with a more predominant pedestrian scale, and it will also serve to identify the primary building entrance and provide shelter from weather (wind, rain, etc.). A large daylight triangle exists in the southeast corner of the subject lands and as such, the canopy projection will not impact visibility at the intersection of Redmond Drive and Stone Church Road East.</p> <p>Please note that this does not permit the proposed canopy to encroach onto the municipal right-of-way. Any encroachment will need to be approved by Corridor Management and subject to an Encroachment Agreement.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
Section 18(3)(vi)(cc)(i) – Balcony Projection	A balcony may project into a required front yard not more than 1.0 metre (3.28 feet), provided that no such projection shall be closer to a street line than 1.5 metres	A balcony may project into a required front yard not more than 1.5 metres.	The increased projection is considered minor and maintains the intent of the zoning provision to provide a sufficient setback from the street line. The increased projection would facilitate an increased balcony depth, which would provide a more usable and functional amenity area. Staff support the modification.

Site Specific Modifications to the “E-2” (Multiple Dwellings) District

Regulation	Required	Modification	Analysis
Section 11B(2)(ii) – Maximum Height Requirements	No building or structure for any other use shall exceed eight storeys or 26.0 metres (85.30 feet) in height.	No building or structure for any other use shall exceed eight storeys or 27.0 metres in height.	The proposed modification is requested to accommodate increased floor to ceiling heights, to promote a more spacious living area for the one bedroom and two bedroom units, and to accommodate the floor to ceiling heights required for mechanical equipment necessary for passive house functions. The increase in height is minor in nature and will not cause additional impacts regarding shadows, wind, or privacy. Staff support the modification.
Section 11B(3)(i)(b) – Minimum Front Yard Setback	For all other buildings or structures a front yard of 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	A front yard shall have a depth of not less than 3.0 metres.	The proposed reduction allows the multiple dwelling to address the existing rear-lotted condition to achieve a more defined and animated streetscape. There is approximately 1.0 metre between the property line and sidewalk, therefore there will be approximately 4 metres between the proposed building and the existing sidewalk, which will be sufficient to accommodate landscaping to screen the ground floor parking and create a pedestrian scaled environment. As there are no dwelling units proposed on the ground floor, the reduced setback will not impact privacy and overlook issues.

Regulation	Required	Modification	Analysis
<p>Section 11B(3)(i)(b) – Minimum Front Yard Setback (continued)</p>	<p>metres and need not have a depth of more than 7.5 metres, provided that with respect to said other buildings and structures, where a front yard abuts upon a street of a width of less than 20.0 metres, the required depth shall be increased by half of the difference between the actual width of the street and 20.0 metres.</p>		<p>Staff support the modification.</p>
<p>Section 11B(3)(ii)(b) – Minimum Exterior Side Yard</p>	<p>For every other building or structure, along each side lot line a side yard of 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 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, and need not have a width of more than 9.0 metres, but plus 3.0</p>	<p>An exterior side yard shall have a depth of not less than 7.0 metres, except for 1.7 metres to the hypotenuse of a daylight triangle.</p>	<p>The proposed reduction in the required front yard allows the building to better address the corner of Stone Church Road East and Redmond Drive and orients the building towards the intersection to create a more animated pedestrian streetscape. The reduction in the front yard setback also allows the proposed building to be located further away from the existing townhouse dwellings to the north of the proposed building along Redmond Drive and allows for the existing vehicular access and surface parking to the north of the building to be maintained.</p> <p>Staff support the modification.</p>

Regulation	Required	Modification	Analysis
Section 11B(3)(ii)(b) – Minimum Exterior Side Yard (continued)	metres where any balcony, sunroom or window of a habitable room does overlook such side yard, but no such side yard shall have a width of less than 4.5 metres and need not have a width of more than 13.5 metres.		

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

Regulation	Required	Modification	Analysis
Section 10E(4)(b) – Area Requirements	Where a yard abuts any other lot, a width or depth of not less than 3.0 metres (9.84 feet), except where there are windows to a habitable room facing the yard, the width or depth of such yard shall not be less than 6.0 metres.	5.9 metres	The townhouse block in the northwest corner of the subject lands has an existing setback of 5.95 metres. The existing setback is considered a minor reduction from the required 6.0 metres and does not cause adverse impacts regarding the privacy, provision of amenity area, or the use and enjoyment of neighbouring rear yards. Staff support the modification.
Section 10E(5)(b) – Distance Between Buildings	A distance not less than 9.0 metres between two exterior walls, one of which contains at least one window to a habitable room.	3.5 metres	The two southern most townhouse dwelling blocks on the west side of the subject lands have an existing separation distance of 3.5 metres. The existing separation distance does not currently create adverse impacts regarding privacy or access. Staff support the modification.