

Site Specific Modifications to the Residential Multiple “RM3-329” Zone, Modified

Regulation	Required	Modification	Analysis
<p>Definition: “Lot”</p>	<p>Means a parcel or tract or land having within the boundaries of a Zone sufficient lot frontage, lot depth and lot area to satisfy the applicable requirements of the Zone within which it is located, and:</p> <p>(a)(i) Is a whole lot as shown on a Registered Plan of Subdivision, except a Registered Plan of Subdivision which has been deemed not to be a Registered Plan of Subdivision in a By-law passed pursuant to Section 50 of the Planning Act, being Chapter P.13 of the Revised Statutes of Ontario, 1990, as amended from time to time; or</p>	<p>Individual dwelling unit lots may be created by registration of a condominium plan or created by Part Lot Control or Draft Plan of Subdivision and shall be permitted to front on a private condominium road other than a street.</p>	<p>The modification has been included by staff and represents a technical modification to permit townhouses on a condominium road. The modification is required to permit street townhouses prior to individual lots being created through approved Draft Plan of Subdivision and Part Lot Control applications.</p> <p>Therefore, staff supports this modification.</p>

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<p>Definition: Dwelling, Block Townhouse</p>	<p>"DWELLING, BLOCK TOWNHOUSE" means a dwelling divided vertically into a minimum of three (3) and a maximum of eight (8) dwelling units, with each unit separated by a common or party wall or walls and having two (2) or more private entrances at grade.</p>	<p>"DWELLING, BLOCK TOWNHOUSE" means a dwelling divided vertically into a minimum of three (3) and a maximum of eight (8) dwelling units, with each unit separated by a common or party wall or walls and having two (2) or more private entrances at grade in which dwelling units front onto a street, laneway, or common condominium driveway.</p>	<p>The modification has been included by staff and represents a technical modification to permit townhouses on a condominium road. The modification is required to permit townhouses prior to individual lots being created through approved Draft Plan of Subdivision and Part Lot Control applications.</p> <p>Therefore, staff supports this modification.</p>
<p>Defining Zoning Boundary Line</p>		<p>For the purpose of the regulations contained in Sections 4, 6, 7, 11 and 19 of Glanbrook Zoning By-law No. 464, as amended by this By-law, the boundary of the "RM3-329" Zone shall be deemed to be the lot lines for this purpose, and the regulations of the "RM3-329" Zone, including, but not limited to, lot area, lot frontage and depth, lot coverage, minimum yards, minimum landscaping and planting strips, parking accessory</p>	<p>The modification has been included by staff and represents a technical modification to review the zoning regulations for the entire subject lands and not individual lots which may be created approved Draft Plan of Subdivision and Part Lot Control applications.</p> <p>Therefore, staff supports this modification.</p>

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		buildings, 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.	
Maximum Lot Coverage 19.2 (c)	30 Percent	40 Percent	<p>The intent of the maximum lot coverage regulation is to provide sufficient area for building envelopes, 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 the applicant has addressed stormwater management control. The subject lands are irregular in shape, and the varying width of the subject lands constrains the variations of possible block townhouse dwelling designs. The proposal will maintain an overall lot coverage of 36.2% and the proposal includes rear yard private amenity area for residents, allowing for appropriate landscape amenity opportunities.</p> <p>Therefore, staff supports this modification.</p>
Maximum Density 19.2(d)	35 dwelling units per hectare (14 dwelling units per acre)	Shall not apply.	<p>Although the modification has been requested to be removed, density is still regulated within the Mount Hope Secondary Plan and the proposed Site Specific Policy Area permitting a maximum density range of 26 to 42 units per hectare. The proposed development represents a minor increase in the number of permitted units on the subject lands. The increase is supported as the development incorporates appropriate development</p>

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			<p>standards to ensure compatibility, and features such as landscaping and private amenity areas are provided. 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>
<p>Minimum Side and Rear Yard</p> <p>19.2.(f)</p>	<p>7.5 metres (25 feet), except 10.7 metres (35 feet) where the abutting lands are zoned Existing Residential "ER" or Residential "R1", "R2", "R3" "R4" or "RM1"</p>	<p>A minimum side yard of 4.5 metres and a minimum rear yard of 6.0 metres shall be provided.</p>	<p>The subject lands are irregular in shape and resemble an "L" shape. The irregularity of the subject lands establishes yard setbacks which do not necessarily represent the rear or side of the site design of the development. The reduction to 4.5 metres is for the exterior side yard adjacent to Hampton Brook Way. Through the Site Plan Control application staff will review the building design elevation to ensure façade articulation along Hampton Brook Way. The setback provides adequate space for landscaping, utilities, and infrastructure. In addition, the required road widening has been provided.</p> <p>Staff note that the intent of the Minimum Rear Yard is to provide for an appropriate private amenity outdoor living area and setback from adjacent land uses. Staff note that the request in reduction is due to the northerly lot line angle and that the reduction does not represent all the units, having varied rear yard depths of 6.10 metres to 10.37 metres. Staff support the reduced setback as there will be sufficient outdoor private amenity area.</p> <p>Therefore, staff supports this modification.</p>

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<p>Minimum Separation Distance:</p> <p>19.2. (g) (i), (ii) and (iii)</p>	<p>(i) Between two (2) exterior walls which contain no windows to habitable rooms, a minimum of 3 metres (10 feet); and</p> <p>(ii) Between two (2) exterior walls one (1) of which contains windows to a habitable room, a minimum of 9 metres (30 feet); and</p> <p>(iii) Between two (2) exterior walls both of which contain windows to a habitable rooms, a minimum of 15 metres (50 feet).</p>	<p>(i) Between two (2) exterior walls, a minimum of 3 metres;</p> <p>(ii) Between exterior end walls and a rear or front wall, a minimum of 3 metres; and,</p> <p>(iii) Between rear or front walls, a minimum of 11 metres.</p>	<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 to consider privacy and overlook into the site design and layout. The reduction 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>
<p>Minimum Floor Area per Dwelling Unit</p> <p>19.2 (h)</p>	<p>95 square metres (1,025 square feet)</p>	<p>Shall not apply.</p>	<p>The proposed development consists of nine blocks of townhouse dwellings. The townhouse blocks have varying depths ranging from 13.5 metres to 16.5 metres. The removal of the provision allows for flexibility in providing varying townhouse unit sizes which will contribute to complete communities with efficient use of land that provides intensification in an area that is compatible with the surrounding area. Staff note that the removal of the provision would not result in a further increase in density as the number of units for the subject lands must comply with Official Plan Amendment and site</p>

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			<p>specific policies permitting a density range of 26 to 42 units per hectare.</p> <p>Therefore, staff supports this modification.</p>
<p>Maximum Building Height</p> <p>19.2 (i)</p>	<p>10.7 metres.</p>	<p>11 metres.</p>	<p>The proposed increase in height is to accommodate three storey townhouses. The modification is minor and will allow for compatible design achieved through architectural massing, height, scale, and landscaping.</p> <p>The increase in height will not result in any potential shadowing or overlook issues onto abutting properties. Staff note that the adjacent properties to the north are separated by a ±18 metre wide stormwater management drainage channel and the White Church Cemetery to the southwest.</p> <p>Therefore, staff supports this modification.</p>
<p>Minimum Landscaped Area</p> <p>19.2 (j)</p>	<p>50 percent of the lot area, which may include the required privacy area</p>	<p>35 percent of the lot area, which may include the required privacy area.</p>	<p>The intent of the minimum landscaped 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.</p> <p>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> <p>The applicant will be encouraged to incorporate Low Impact Development (LID) measures within the</p>

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			<p>hardscaped areas at the future Site Plan Control stage to further improve permeability on the site.</p> <p>Therefore, staff supports this modification.</p>
<p>Minimum Privacy Area 19.2 (l)</p>	<p>A minimum area of 35 square metres (375 square feet), per dwelling unit, shall be provided adjacent to the unit and screened on two (2) sides by means of a privacy screen.</p>	<p>Shall not apply.</p>	<p>The intent of the provision is to ensure that there is adequate private amenity area for use and enjoyment of residents. Staff note that although the applicant has requested removal of the provision, the proposed development does include rear yard amenity space for each unit within the development ranging from ± 36 square metres to 45 square metres meeting the minimum area requirement. However, staff note that within the Glanbrook Zoning By-law, the requirement for privacy area includes privacy screening around the entire privacy area. The determination for the type of condominium application being standard or common element has not been finalized and the minimum privacy area has therefore been requested to be removed due to the technical nature. Staff are of the opinion adequate amenity area is provided.</p> <p>Therefore, staff supports this modification.</p>
<p>Minimum Amenity Area 19.2 (m)</p>	<p>A minimum area of 5 square metres (55 square feet) per dwelling unit shall be provided and thereafter maintained.</p>	<p>Shall not apply.</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 56 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, public amenities such as</p>

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			<p>Southampton Estates Park are within approximately 180 metres of the site and includes a dedicated play area and equipment. 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> <p>Therefore, staff supports this modification.</p>
<p>Minimum Parking Requirements</p> <p>19.2 (n) (i) and (ii)</p>	<p>The following requirements are in addition to the provisions of Subsections 7.35, 11.5 and 11.6 of this By-law:</p> <p>(i) Each dwelling unit shall have one (1) of the two (2) required parking spaces located within an attached private garage and the second parking space shall be provided contiguous to the unit; however, both parking spaces may be located underground or in a parking structure.</p> <p>(ii) No parking space or area shall be located</p>	<p>The following requirements are in addition to the provisions of Subsection 7.35, 11.5 and 11.6:</p> <p>(i) No parking space or area shall be located closer to a street line than 3.0 metres and not be closer than 3.0 metres to any Residential Zone, unless such parking space is located within a below-grade communal parking structure.</p>	<p>The intent of the provision is to ensure that an adequate buffer is provided between residential uses and a buffer is provided between uses to alleviate concerns of overlook, loss of privacy and include amenity space. The requested modification is a result of surface parking being provided along White Church Road West as vehicle ingress and egress is permitted.</p> <p>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 mature vegetation to grow.</p> <p>Therefore, staff supports this modification.</p>

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	<p>closer to a street line than 6 metres (20 feet) and not be closer than 3 metres (10 feet) to any Residential Zone, unless such parking space is located within a below-grade communal parking structure.</p>		
<p>Special Setback Requirement from Streets 7.23</p>	<p>White Church Road West: Minimum distance from centre line of street – 15 metres</p>	<p>Notwithstanding the provisions of SECTION 7: GENERAL PROVISIONS FOR ALL ZONES, Subsection 7.23 – SPECIAL SETBACK REQUIREMENTS FROM STREETS shall not apply.</p>	<p>The applicant has requested removal of this requirement. Staff note that the requirement can be removed as it is understood that the required road widening of approximately 5.18 metres along White Church Road West has been provided in accordance with the Urban Hamilton Official Plan which will allow for the adequate space for infrastructure and utilities. The by-law requires a setback of 9 metres from White Church Road West front lot line and the proposal provide 17 metres, no further modification is required.</p> <p>Therefore, staff supports this modification.</p>
<p>Minimum Parking Requirement 7.35(a) (vii) (a)</p>	<p>Each parking space for ninety (90) degree perpendicular parking shall have a minimum width of 3 metres (10 feet) and a minimum length of 6 metres (20 feet), exclusive of any land required for access or driveway, except where a minimum of 20</p>	<p>(a) Every surface parking space shall have a minimum width of 2.8 metres and length of 5.8 metres. Parking spaces located on the driveways at each individual unit and within an attached garage shall have a minimum width of 3</p>	<p>The intent of the provision is to ensure that the appropriate space is provided for every parking space to allow individuals to enter and exit a vehicle without obstruction. The requested provisions are in accordance with the size requirements within Hamilton Zoning By-law No.05-200 and the current standards. Staff are of the opinion that the reduction can be supported as sufficient spaces is provided to enter and exit the vehicle. Further the 0.3 metre encroachment will accommodate a step for access to the dwelling unit from the garage for approximately 0.9 metres.</p>

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	<p>parking spaces are required to be provided on the subject lot, a maximum of thirty-five percent (35%) of the parking spaces may have a minimum width of 2.6 metres (8.5 feet) and a minimum length of 5.8 metres (19 feet), provided these parking spaces are clearly marked for small cars only. Each parking space for parallel parking shall have a minimum width of 2.75 metres (9 feet) and a minimum length of 6.5 metres (21.5 feet), exclusive of any land required for access or driveway.</p> <p>Notwithstanding the above regulations, the size of the required parking spaces for the physically handicapped shall be subject to Clause 7.35(a) (xv) of this By-law.</p>	<p>metres and length of 6 metres.</p> <p>(b) Stairs are permitted to encroach a maximum of 0.3 metres into a required parking space which is located within an attached garage.</p>	<p>Therefore, staff supports this modification.</p>
<p>Minimum Parking Requirements</p>	<p>Block Townhouse and Apartment Building Dwelling:</p>	<p>(i) Block Townhouse Dwellings and Street Townhouse Dwellings</p>	<p>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</p>

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7.35(b)	2 spaces for each dwelling unit and plus 0.5 visitor parking spaces for each	shall provide a minimum of 2 spaces for each dwelling unit, plus 0.25 visitor parking spaces per dwelling unit. Each dwelling unit shall have one (1) of the two (2) required parking spaces located within an attached private garage and the second parking space shall be provided contiguous to the unit.	<p>the visitor parking ratio from 0.5 to 0.25 parking spaces per dwelling unit. The proposed development will be a cohesive block development and as the surrounding area is not conducive to transit or on-street parking options, it is important to ensure sufficient onsite parking for visitors is available. The Township of Glanbrook visitor parking rates for townhouse developments are among the highest of all the former zoning by-laws. The visitor parking rate of 0.25 will provide adequate parking for visitors and exceeds the overall rate of PRA 3 in Zoning By-law No. 05-200. Given the location on the end of the urban and rural boundary and the transit options available, staff are of the opinion that the parking rate is acceptable and support the modification.</p> <p>Therefore, staff supports this modification.</p>
Garage 11.8	The floor elevation of a garage shall be a minimum of 30 centimetres (12 inches) above the centre line of the street adjacent to the garage, unless other provisions are made for adequate drainage to the satisfaction of the Township Engineer.	Notwithstanding SECTION 11: GENERAL PROVISIONS FOR ALL RESIDENTIAL ZONES, Subsection 11.8 – GARAGE shall not apply.	<p>The intent of this provision is to ensure grading and drainage maintains flows to the appropriate direction for stormwater management. Staff note that the proposal will require a Site Plan Control application and detailed design of the development will require approval of Grading and Servicing Plans as well as detailed design of stormwater management control. Furthermore, prior to the issuance of a Building Permit compliance with the Ontario Building Code will need to be demonstrated.</p> <p>Therefore, staff supports this modification.</p>