

**Site Specific Modifications to the Mixed Use Medium Density (C5, 929) Zone in Zoning By-law No. 05-200**

Regulation	Required	Modification		Analysis
<p>Required Increase in Width due to Obstruction 5.2.1 b)</p>	<p>Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;</p>	<p>Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction. In a situation where a wall, column, or any other obstruction is abutting a surface parking space on both sides, the minimum width of a parking space shall be increased by 0.3 metres.</p>		<p>The requested modification is to permit two surface parking spaces at the rear of the property to be increased by 0.3 metres on one side instead of on both sides for a total increase of 0.6 metres. Given that the development is proposing to provide more parking than required some of these spaces are considered surplus spaces based on the Zoning By-law. The proposed modification would represent a minor change since it only applies to surface parking spaces and not underground spaces.</p> <p>Therefore, staff are supportive of the proposed modification.</p>
<p>Minimum Drive Aisle Width 5.2.3</p>	<p>The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements for a One-Way and Two-Way Aisle:  0° - 3.7 metres</p>	<p>Parking Angle Degree</p>	<p>One-Way and Two-Way Aisle Width</p>	<p>The intent of the proposed regulation is to allow an appropriate width for a two-way drive aisle for vehicles to properly access adjacent parking spaces. The applicant is requesting a reduction in drive aisle width, a total of 6.0 metres is provided for the proposed development. The applicant is proposing to use the 3.0 metre alleyway, in addition to providing 3.0 metres on the subject lands requiring the modification to establish a two-way drive aisle where a portion of the driveway is on public property.</p>
		0°	3.7 m	
		15°	3.7 m	
		30°	3.7 m	
		45°	4.5 m	
		60°	5.5 m	
		75°	6.0 m	
		90°	3.0 metres subject to the approval of a	

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Minimum Drive Aisle Width 5.2.3 <b>(continued)</b>	15° - 3.7 metres 30° - 3.7 metres 45° - 4.5 metres 60° - 5.5 metres 75° - 6.0 metres 90° - 6.0 metres		maintenance agreement registered on title with the City of Hamilton. If no agreement is registered, then a minimum driveway width of 6.0 metres shall be required.	<p>Transportation staff are supportive of the use of the alleyway and will require the owner to enter into a maintenance agreement as part of the use of the alleyway.</p> <p>Therefore, staff are supportive of the proposed modification.</p>
Minimum Rear Yard Setback 10.5.3 b)	7.5 metres.	4.3 metres.		<p>The intent of the minimum rear yard setback is to allow for appropriate separation between uses for the purposes of privacy and drainage. As identified in the Concept Plan in Appendix C attached to Report PED25081, there is a 3.0 metre alleyway adjacent to the rear lot line of the proposed development which maintains the existing separation between properties. As a result, staff do not have concerns with the proposed rear yard setback reduction in terms of negative impacts relating to privacy for the proposed single detached dwellings adjacent to the rear of the subject lands.</p> <p>Therefore, staff are supportive of the proposed modification.</p>

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<p>Location of Principal Entrance for New Development 10.5.3 g) vii)</p>	<p>A minimum of one principal entrance shall be provided:</p> <ol style="list-style-type: none"> <li>1. within the ground floor façade that is set back is closest to a street; and,</li> <li>2. shall be accessible from the building façade with direct access from the public sidewalk.</li> </ol>	<p>A principal entrance shall be located within 11.3 metres from the front lot line and be accessible from the street.</p>	<p>The intent of the mixed use medium density zone is to provide activity on the street and the regulation is in place to prohibit blank walls along the public corridor. The proposed development consists of a multiple dwelling with no commercial uses on the main floor. The location of the entrance is in a prominent location and would allow for pedestrian access from the public sidewalk. The applicant confirmed at the time of the proposal that the principal entrance would meet the requirements of the fire route as identified in the Ontario Building Code.</p> <p>Therefore, staff support the proposed modification.</p>