

Site Specific Modifications to the Holding Residential Multiple “RM6-719” Zone, Modified

Regulation	Required	Modification	Analysis
<p>Interpretation – Lot Lines</p> <p>3.84, 3.85 and 3.86</p>	<p>“Lot Line, Front”</p> <p>(a) means the lot line that divides the lot from the street; or</p> <p>(b) in the case of a corner lot, the shorter street line; or</p> <p>(c) if a corner lot has a partially curved street line, the front lot line shall be the shortest street line determined by the bisection of the curve, and the remaining portion of the street line shall be a side lot line, however if a corner lot has a continuously curved street line, the street line shall be the front lot line; or</p> <p>(d) if a corner lot or through lot has two street lines of equal length, the owner of such lot may designate either street line as the front lot line, subject to reserve requirements.</p>	<p>Notwithstanding Sections 3.84, 3.85, and 3.86:</p> <p>i. The shortest lot line abutting Garner Road East measuring 5.25 metres shall be considered the front lot line;</p> <p>ii. The hypotenuse of the daylight triangle and the longest lot line abutting Garner Road East shall be considered side lot lines; and,</p> <p>iii. All remaining lot lines shall be considered rear lot lines.</p>	<p>The proposed modification has been included to ensure that the lot lines are identified for the purpose of administering the By-law. The modification is technical in nature and provides clarity due to the irregular lot lines created after the right-of-way widening and daylighting triangle dedications.</p> <p>Therefore, staff supports this modification.</p>

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	<p>“Lot Line, Side” means a lot line which meets the front lot line.</p> <p>“Lot Line, Rear” means the lot line opposite the front lot line, or in the case of an irregular lot, the lot line or lot lines remaining after the determination of the side lot lines and on a lot with only three boundaries, there will be no rear lot line.</p>		
<p>Building Height</p> <p>7.11 (a)</p>	<p>No person shall erect in any Zone:</p> <p>(a) a building, dwelling or structure that exceeds a height of 10.5 metres.</p>	<p>Notwithstanding Section 7.11 a), the maximum building height shall be 24.5 metres.</p>	<p>The intent of the provision is to ensure the scale of the development is compatible with existing and planned development in the area. The increase in height is supported as it allows for an alternative housing form to be introduced at an appropriate location on the periphery of the neighbourhood while also screening the parking, loading, and servicing facilities from the public realm.</p> <p>Therefore, staff supports this modification.</p>
<p>Yard Encroachment</p> <p>7.12 (c)</p>	<p>Subject to any other applicable provisions of this By-law, all minimum yards shall be open and unobstructed from the ground upwards, except that the following are permitted:</p>	<p>Notwithstanding Section 7.12 c), balconies shall be permitted to project into a required rear yard to a maximum distance of 2.0 metres.</p>	<p>The applicant is requesting a minor increase of 0.5 metres to allow for articulation and variation in the building design. The modification is considered minor in relation to the overall design of the site which includes a 19 metre setback from the residential dwellings to the north. The setback from the property line to the building reduces overlook and privacy concerns. The proposed modification can be supported as the request incorporates</p>

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	<p>(c) balconies or open stairways that project into any minimum front or minimum rear yard a distance of not more than 1.5 m, or into any minimum side yard a distance of not more than 45 centimetres.</p>		<p>articulation along the façade of the multiple dwelling.</p> <p>Therefore, staff support the modification.</p>
<p>Parking and Loading</p> <p>7.14 (a) (vii) and (viii)</p>	<p>Permanently maintained off-street parking and loading facilities shall be provided for every building or structure erected for, altered for, or converted to, any use permitted in any Zone, and the required facilities shall be provided at the time of construction, alteration or conversion.</p> <p>(vii) Any above-grade communal parking structure shall require the same setback regulations as the principal building.</p> <p>(viii) Any below-grade communal parking structure shall require a minimum side yard and minimum rear yard setback</p>	<p>Notwithstanding Section 7.14 a) (vii) and (viii), the minimum side yard and rear yard setback to a below grade communal parking structure shall be 0.5 metres, or 0.0 metres when abutting a daylight triangle.</p>	<p>The intent of the provision is to ensure that adequate landscape buffers and spacing between dwellings are provided between off-street parking and loading facilities and residential uses. In this case, the modification is requested due to the size and shape of the lot which would require an additional level of underground parking if the modification were not approved. Furthermore, due to the change in grade to the rear of the subject lands the underground parking area is considered above grade which creates a deficiency to the By-law.</p> <p>Staff note that the applicant is providing enhanced landscaping to buffer the parking and loading facilities from the easterly rear lot and fencing will be installed along the northerly rear lot line. The reduced setback to the daylighting triangle is a result of the multiple dwelling sited along the front lot line to activate the street edge.</p> <p>Therefore, staff support the modification.</p>

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	<p>of 1.5 metres and shall require from any street line the same setback as the principal building.</p>		
<p>Parking and Loading 7.14 (a) (xv)</p>	<p>Permanently maintained off-street parking and loading facilities shall be provided for every building or structure erected for, altered for, or converted to, any use permitted in any Zone, and the required facilities shall be provided at the time of construction, alteration, or conversion.</p> <p>(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.</p>	<p>Notwithstanding Section 7.14 b) xv), a planting strip shall not be required abutting the northerly rear lot line.</p>	<p>The intent of the provision is to ensure that adequate landscaping and buffering is incorporated into the design as well as provide permeable surfaces to create and maintain a consistent streetscape, and for drainage purposes. The proposal includes a 3.0 metre wide landscaping and planting strip along the frontage of Garner Road East and Southcote Road with the exception of the portion of the building along the daylighting triangle. In addition, 3.0 metres of landscaping and planting along the easterly rear lot line are demonstrated on the concept plan. Only the portion of the site where the surface parking spaces are located along the northerly lot line will the proposed design not include a planting strip. Staff are of the opinion that the reduction is minor in nature and the proposal provides adequate landscaping and buffering to the anticipated residential uses to the north as well as provides permeable surfaces reducing the dependence on stormwater management infrastructure.</p> <p>Therefore, staff support the modification.</p>

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<p>Required Parking</p> <p>Section 7.14 (b) (i) (C)</p>	<p>(i) Residential Uses</p> <p>(C) Apartment Building - requires 2 parking spaces per dwelling unit plus 0.33 visitor parking spaces</p>	<p>Notwithstanding Section 7.14(b)(i)(C), 1.3 parking spaces per dwelling unit shall be provided and shall be inclusive of visitor parking.</p>	<p>The intent of the provision is to ensure that sufficient parking for residents and visitors is provided. The applicant has requested a minor modification to reduce the parking ratio from 2.33 to 1.45 parking spaces per dwelling unit inclusive of visitor parking. It is understood that the parking rates for multiple dwelling developments in Ancaster are among the highest of all the former municipalities that make up the City of Hamilton. The subject lands are located in front of a transit stop which is serviced by Hamilton Street Railway route 44 Rymal. A Transportation Assessment, prepared by R.J. Burnside and Associates Limited, dated March 8, 2024, was submitted, and the findings were accepted by Transportation Planning staff.</p> <p>The City of Hamilton recently completed a technical review and amendment to Hamilton Zoning By-law No. 05-200, and the subject lands are located within Parking Rate Area #3, which would align with the requirements of the By-law. The parking rate of 1.3 will provide adequate parking for residents and visitors and exceeds the overall rate of Parking Rate Area 3 in Zoning By-law No. 05-200 which is 0.85 spaces per unit for residents, plus 0.25 visitor parking spaces per unit. Given the location on the periphery of the neighbourhood 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>

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Minimum Lot Area 19.2 (a)	0.40 hectares.	0.37 hectares.	<p>The intent of the provision in the By-law is to ensure an adequate lot area is provided to accommodate dwelling units while providing required yards including elements such as outdoor amenity, access, maintenance, privacy, and drainage. Staff note that the reduction is minor and is a result of the required right-of-way widening and daylighting triangle dedications to be taken from the subject lands.</p> <p>Therefore, staff supports this modification.</p>
Maximum Density 19.2 (c)	60 dwelling units per hectare plus an additional 10 dwelling units per hectare where all required parking spaces (excluding required visitor parking) are provided under landscaped grounds or inside the building, to a maximum density of 70 dwelling units per hectare.	Shall not apply.	<p>Although the applicant has requested a modification to the provision, staff have elected to remove the density to provide flexibility as minimum and maximum density is captured in the proposed Official Plan Amendment to the Meadowlands Neighbourhood III Secondary Plan. The proposed development represents an increase in the number of permitted units on the subject lands. Staff support the increase in density as the development incorporates features such as landscaping and private amenity areas as well as development standards to ensure compatibility. The proposed “L” shaped building design is appropriate as the design mitigates shadowing and overlook of the low density residential dwellings to the north. The proposal utilizes enhanced landscaping features and plantings on site to buffer from the neighbouring dwellings.</p> <p>Therefore, staff supports this modification.</p>

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Minimum Lot Frontage 19.2 (d)	30 metres.	5.25 metres.	<p>The intent of the provision in the By-law is to ensure lot widths are consistent with the surrounding neighbourhood and to ensure that an adequate building envelope with appropriate setbacks can be provided. As a result of the required right-of-way widening and daylight triangle dedications it is noted that there are multiple lot lines along Garner Road East. Staff note that the reduction requested to the minimum lot frontage is a technical amendment as the 5.25 metres represents the shortest lot line along Garner Road East due to the irregularly shaped daylighting triangle lot line. The actual width of the lot along Garner Road East is approximately 50 metres wide.</p> <p>Therefore, staff supports this modification.</p>
Minimum Front Yard 19.2 (g)	7.5 metres, plus any applicable distance as specified in Schedule "C".	2.0 metres.	<p>The proposed modification will permit the building to be located closer to the street, which will contribute to a more defined and animated streetscape on a corner lot. The reduction is requested to accommodate a compact multiple dwelling that responds to urban design requirements to create an attractive, lively, and safe community. The proposed front yard setback has sufficient space to accommodate landscaping, private amenity areas as well as contributes to an improved pedestrian scaled streetscape and a multi-use path along Southcote Road and a sidewalk along Garner Road East.</p> <p>Therefore, staff support the modification.</p>

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<p>Minimum Side and Rear Yard</p> <p>19.2 (h)</p>	<p>9 metres, plus any applicable distance as specified in Schedule “C” except in no case shall an apartment building be closer than 18 metres to a dwelling on an adjacent lot.</p>	<ul style="list-style-type: none"> i. 3.0 metres to the side lot line abutting Garner Road East; ii. 0.0 metres to the hypotenuse of the daylight triangle; iii. 3.0 metres to the rear lot line abutting Southcote Road iv. 19.0 metres abutting the northerly lot line; v. 25.0 metres to the easterly rear lot line to the portion of the multiple dwelling as shown on Special Figure #4; and, vi. 3.0 metres to the easterly rear lot line to the portion of multiple dwelling as shown on Special Figure #4. 	<p>The proposed modification will permit the building to be located closer to the street, which will contribute to a more defined and animated streetscape. Staff note the proposed main entrance is on the side of the building facing Southcote Road and will bring activity to the street and contribute to defining the Southcote Road street edge. The development of the multiple dwelling along the street frontage will contribute to the enhancement of pedestrian oriented places that are safe, accessible, and connected through the completion of the remaining portion of the multi-use path along Southcote Road.</p> <p>Therefore, staff support the modification.</p>
<p>Children’s Outside Play Area</p> <p>19.2 (j)</p>	<p>A curbed or fenced children's outside play area that has a minimum area of 2.5 square metres per bedroom excluding master bedrooms, shall be provided and maintained.</p>	<p>Shall not apply.</p>	<p>The intent of the provision is to ensure that there is an amenity area for children within a multiple dwelling development. 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</p>

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			<p>eliminate the need to provide on site facilities. The proposed development includes private balconies, as well as 101 square metres of outdoor amenity area and 338 square metres of ground floor indoor amenity space. In addition, various public amenities are within walking distance (mix of sidewalks and pedestrian pathways) including Ancaster Arbour Parkette, approximately 335 metres from the subject lands, Immaculate Conception Catholic Elementary School, approximately 435 metres from the subject lands, Moorland Park, approximately 565 metres from the subject lands, and Bookjans Park approximately 770 metres from the subject lands. The parks provide amenity space for the future residents of the development.</p> <p>Therefore, staff supports this modification.</p>
<p>Maximum Height 19.2 (k)</p>	<p>10.5 metres.</p>	<p>14.0 metres and 24.5 metres and in accordance with Special Figure 4: 559 Garner Road East, Ancaster.</p>	<p>The intent of the provision is to ensure a scale of development that is compatible with the existing and planned development in the area. The proposal will introduce a new residential dwelling type to the periphery of the neighbourhood, which is primarily comprised of single detached and townhouse dwellings. To mitigate any compatibility concerns the building massing and built form are designed as street oriented and pedestrian friendly. The proposed design, with setbacks and stepbacks, is sensitive to the scale of the surrounding neighbourhood by mitigating shadow impacts to adjacent properties. The increase in height is supported as it allows for an alternative housing form to be introduced at an appropriate location on the periphery of the neighbourhood while also</p>

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			<p>screening the parking, loading, and servicing facilities from the public realm.</p> <p>Therefore, staff supports this modification.</p>
<p>Minimum Landscaping 19.2 (l)</p>	<p>40 percent of the lot area (excluding children's outside play areas.)</p>	<p>25 percent.</p>	<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 for amenity areas and for drainage purposes. The modification to reduce the minimum landscaping requirement can be supported as the proposal will allow for compatible design achieved through architectural massing, height, scale, and enhanced landscaping. In addition, the reduction in landscaped area was not considered to negatively impact the discharge rate for stormwater management. 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>
		<p>Percentage of Multiple Bedroom Units Within a Multiple Dwelling</p> <p>i. A minimum of 25 percent of the Dwelling Unit(s) shall be units with two or more bedrooms.</p>	<p>The provision has been added into the amending Zoning By-law by staff to ensure that the proposal implements a mix of unit sizes to accommodate a range of household sizes and income levels. Staff have secured that a minimum of 25 percent of the dwelling units are two bedroom units or larger, although as currently proposed the applicant has demonstrates a higher percentage of units sizes to accommodate a range of household sizes and income levels.</p>

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		ii. Where the application of subsection i. above results in a numeric fraction, the fraction shall be rounded up to the nearest whole number of dwelling units.	Therefore, staff supports this modification