

PLANNING JUSTIFICATION REPORT

1630 Main Street West & 69 Sanders Boulevard, Hamilton, ON

Mixed Use Development

Project No. 262-17

Prepared for: Sanders Garden Inc.

By: UrbanSolutions Planning & Land Development Consultants Inc.

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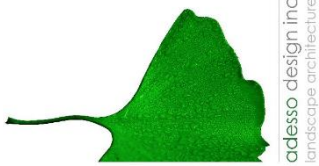
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1. Introduction

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by Sanders Garden Inc. (owner) to prepare planning applications necessary to permit the proposed development at the lands municipally known as 1630 Main Street West and 69 Sanders Boulevard, in Hamilton, Ontario. The subject lands are currently developed with a restaurant at 1630 Main Street West and student residence at 69 Sanders Boulevard. The proposal entails establishing a nine (9) storey mixed use building with 472.7m² of ground floor commercial space, one (1) three (3) storey stacked townhouse block, and one (1) three and a half (3.5) storey stacked townhouse block. The development is comprised of 154 residential suites in the mixed use building and 28 residential suites in the maisonette buildings. In addition, 9 surface parking spaces, 99 underground parking spaces, and 18 bicycle parking spaces are proposed. The development is to be marketed as a student residence, but this accommodation is not an exclusive use.

The purpose of this report is to provide an overview of the subject lands and a detailed description of the proposal, along with an outline of the supporting studies and a detailed review of the existing land use planning policy framework. This report will also provide the planning justification in support of the proposed development through evaluation of the planning merits of the Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) application.

1.1 Location

The subject lands are located in the Ainslie Wood North neighbourhood, within the City of Hamilton. More specifically, the subject site is located on the north side of Main Street West between West Park Avenue and Westbourne Road, as shown in Figure 1. The lands are legally described as All of Lots 1, 2 and 3, Registered Plan 904; and Lot 20, Registrar's Compiled Plan 1475, in the City of Hamilton.





Figure 1 – Subject Lands, 1630 Main Street West and 69 Sanders Boulevard, in Hamilton

1.2 Site Description

The subject property is of an irregular shape and is approximately 0.5ha in size. The subject lands are currently developed with a one (1) storey restaurant and one (1) storey student residence building known as Binkley Hall.

The subject lands are surrounded by a variety of uses (see Figure 2). To the north, east and west are single-detached and multiple dwellings. There are multi-unit residential buildings abutting the subject lands to the north and east, as well as a multiple dwelling on the west side of West Park Avenue. South of the subject lands is predominantly commercial uses.





Figure 2 – Aerial Photo, 1630 Main Street West and 69 Sanders Boulevard, in Hamilton

2. Proposed Development

As indicated in the introduction section of this report, it is the intent of the owner to establish a nine (9) storey mixed use building with ground floor commercial uses and dwelling units above fronting onto Main Street West, as well as one (1) three (3) storey masonette dwelling and one (1) three and a half (3.5) storey masonette. The development is comprised of 154 residential suites in the mixed use building and 28 residential suites in the masonette buildings. Indoor amenity space will be provided on the ground floor of the multiple dwelling. In addition, parking for 108 vehicles and 18 bicycles will be provided on site.

A concept plan illustrating how the development is intended to proceed is located in Appendix A.

2.1 Planning Applications

A Formal Consultation meeting was held on February 21, 2018. The Formal Consultation Document dated March 6, 2018 identifies the required



planning applications to facilitate the proposal, and the studies, plans and/or reports that are required to be submitted for a “complete” application. A copy of the signed Formal Consultation Document has been included with the submission package as required.

The purpose of the Official Plan Amendment is to permit a density of 361 units per hectare and a maximum height of nine (9) storeys or 30 metres for a multiple dwelling and three and a half (3.5) storeys or 13.5 metres for a maisonette dwelling to accommodate the proposed development within the Mixed Use – Medium Density designation of the Ainslie Wood Westdale Secondary Plan.

The purpose of the Zoning By-law Amendment is to change the zoning of the subject lands from “H” (Community Shopping and Commercial, Etc.) District and “I2, Exception: 17, 20” (Community Institutional) Zone, to a site specific “E-3/S-___” (High Density Multiple Dwellings) District.

In addition to this Planning Justification Report, the Formal Consultation document also confirmed the following studies/documentation are required with the subject applications:

- Survey Plan;
- Concept Plan;
- Urban Design Brief;
- Archaeological Assessment;
- Soils/Geotechnical Study;
- Functional Servicing Report;
- Noise Impact Study;
- Sun/Shadow Study;
- Transportation Impact Study;
- Parking Study;
- Transportation Demand Management Options Report;
- Public Consultation Strategy; and,
- Right of Way Impact Assessment.

3. Supporting Studies

In addition to this Planning Justification Report, the required studies have been completed in support of this proposal. The following is intended to provide a brief summary of the findings of each study.

3.1 Urban Design Brief

Architectural Design Inc. completed an Urban Design Brief for the subject proposal. The brief, dated June 2018, outlines the various applicable urban design policies and guidelines and demonstrates how the design of the



building will meet the intent of these policies and guidelines. The brief indicates that shadowing will not have significant adverse impacts on public spaces and/or private amenity spaces, the buildings are designed to human scale and are oriented to the street to allow for a comfortable and attractive pedestrian environment, and the development provides for the intensification of an underutilized site while blending in with the character of the surrounding neighbourhood. The brief concludes that the proposed development has been designed to be consistent with the direction provided in the City of Hamilton's Urban Design guidelines.

3.2 Archaeological Assessment

AMICK Consultants Limited Conducted a Stage 1-2 Archeological Assessment of the subject property. The report, dated May 22, 2018, indicates that artifacts associated with 19th century occupation of the area were recovered as a result of the Stage 1-2 Assessment. Given these findings, the report concludes that further archaeological assessment of the site is warranted thus a Stage 3 site-specific assessment of the subject is being completed.

3.3 Geotechnical Investigation

A preliminary Geotechnical Investigation was carried out by Candec Engineering Consultants Inc. The purpose of the investigation was to determine the subsoil conditions and to provide general recommendations pertaining to the geotechnical aspects of the proposed development. The report, dated May 14, 2018, concludes that the development can be designed to comply with the applicable codes and standards.

3.4 Functional Servicing & Stormwater Management Report

A Functional Servicing and Stormwater Management Report was prepared by The Odan/Detech Group Inc. The report, dated May 17, 2018, concludes that proposed development can be constructed to meet the engineering requirements of the City of Hamilton. The report specifies that the site is serviceable utilizing existing sanitary, storm and watermain infrastructure within and adjacent to the site, and that stormwater management can be accommodated with on-site storage.



3.5 Noise Impact Assessment

A Noise Impact Assessment, dated May 15, 2018, was prepared by Rubidium Environmental. The study concludes that the proposed townhouse development is feasible, while the noise impacts to the multiple dwelling units abutting Main Street West require mitigation measures to comply with provincial noise guidelines including central air conditioning, appropriate window construction, and warning clauses in lease agreements or Offers and Agreements of Purchase and Sale.

3.6 Sun/Shadow Study

Architectural Design Inc. prepared a Shadow Study, dated May 2018. In keeping with the guidelines contained in Section 4.3 of the City of Hamilton Site Plan Guidelines, the study evaluated shadows throughout the day on June 21st and December 21st. The study concludes that the proposed development will have minimal impact to the neighbourhood properties during the summer months as the shadows are contained on the subject lands. Properties directly adjacent to the east and west of the multiple dwelling will receive small amounts of shade for small periods of the day during the winter months.

3.7 Transportation Impact Study, Transportation Demand Management & Parking Justification

NexTrans Consulting Engineers prepared a combined Transportation Impact Study, Transportation Demand Management, and Parking Justification, dated May 17, 2018. The report indicates that the proposed parking ratio is satisfactory based on the proposed use, proximity of the subject site to McMaster University and existing bicycle infrastructure, and existing travel patterns and behaviours of the area. The report recommends optimized signal timings for the intersection of Rifle Range Road/Westbourne Road and Main Street West to accommodate future local traffic conditions and concludes that the development proposal can be adequately accommodated by the existing transportation network with manageable traffic impact to the adjacent roadways.

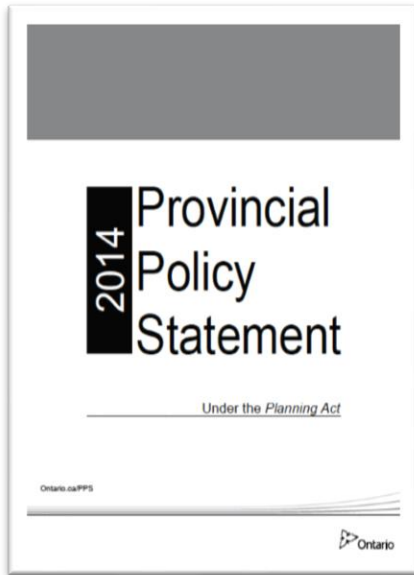
4. Planning Policy Framework

The following section and Appendix B to this report are intended to provide a review of the applicable planning policy framework of the subject lands. In this proposal, the applicable documents include the Provincial Policy Statement, Places to Grow – Growth Plan for the Greater



Golden Horseshoe, the Urban Hamilton Official Plan and the Ainslie Wood Westdale Secondary Plan, and City of Zoning By-laws Nos. 6593 and 05-200.

4.1 Provincial Policy Statement, 2014



The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land.

The PPS is issued under Section 3 of the *Planning Act*, with the most recent version coming into effect on April 30th, 2014. Section 3 of the *Planning Act* requires that land use planning decisions be consistent with the PPS, ensuring that matters of provincial interest, as identified in Section 2 of the *Planning Act*, are addressed.

The Provincial Policy Statement focuses growth within settlement areas and away from significant or sensitive resources and areas which may pose a risk to public health and safety. Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns.

To manage and direct land use to achieve efficient and resilient development and land use patterns, the PPS provides the following direction to approval authorities:

1.1.1 Healthy livable and safe communities are sustained by:

- b) Accommodating the appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.

1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlements areas shall be based on:

- a) Densities and a mix of land uses which:
 1. Efficiently use land and resources;
 2. Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and,
 5. Are transit-supportive.



- b) A range of uses and opportunities for intensification and redevelopment.

1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The development is consistent with these policies of the PPS. The residential component of the proposed mixed use development will contribute to an appropriate range and mix of residential units in the neighbourhood, while making efficient use of serviced land within the settlement area. The redevelopment represents an appropriate form of intensification as it will make use of the subject lands that are currently underutilized and will support the existing Hamilton Street Railway (HSR) bus service along Main Street West, as well as the proposed Light Rail Transit (LRT) line along Main Street West. Moreover, adequate development standards have been introduced into the proposed site specific zone to ensure it has been designed to be compatible with the surrounding neighbourhood.

The PPS also provides the following direction on housing, public spaces and parks, infrastructure and public service facilities, and energy conservation:

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents by:

- b) permitting and facilitating:
 - 1. all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, including special needs requirements; and
 - 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

1.5.1 Healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces,



open space areas, trails and linkages, and, where practical, water-based resources;

1.6.6.2 Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

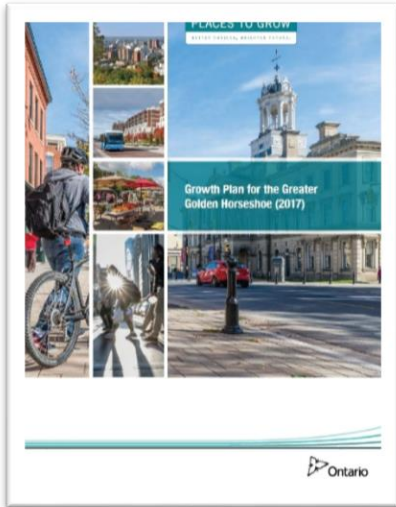
- b) promote the use of active transportation and transit in and between residential, employment, and institutional uses and other areas;

The proposed mixed use development represents appropriate intensification within the built boundary of the municipality where adequate municipal infrastructure and public service facilities are available. Given the proximity of the subject lands to nearby McMaster University, the proposed development facilitates a form of housing to meet the needs of current and future residents of Ainslie Wood neighbourhood. The site is also in close proximity to commercial uses, parks and recreation facilities and has access to public transit nearby with various HSR routes running along Main Street West and the proposed LRT also running along Main Street West. Given the mix of uses surrounding the subject lands and the development's design and density, the proposal will support the use of active transportation and the use of the existing and proposed transit service in the area. In addition, appropriate contributions to public spaces and parks in the city will be secured with the approval of the development.

In addition, the proposal will not impact the resources identified in Section 2.0 of the PPS. The Formal Consultation process did not identify any natural heritage, water, agricultural, mineral, or cultural heritage resources affecting the property. The Stage 1-2 Archaeological Assessment prepared by AMICK Consultants Limited found that there are archaeological resources on the site. As such, further assessment work is being carried out. In this regard, the proposed redevelopment is consistent with the PPS.



4.2 Places to Grow – Growth Plan for the Greater Golden Horseshoe, 2017



The Greater Golden Horseshoe (GGH) is one of the fastest growing regions in North America. In order to accommodate such growth, the Province of Ontario adopted the Places to Grow – Growth Plan for the Greater Golden Horseshoe (Growth Plan). This provincial plan provides the framework for implementing the Government of Ontario’s vision for building stronger, prosperous communities by better managing growth in the region to 2041. Section 5(b) of the *Planning Act* requires that decisions that affect planning matters shall conform to or shall not conflict with provincial plans, including the Growth Plan.

The vision for the GGH is found in the Guiding Principles of the Growth Plan contained in Section 1.2.1, and provides the basis for guiding decisions on how land is to develop. These principles include the following:

- Support the achievement of *complete communities* that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.
- Prioritize *intensification* and higher densities to make efficient use of land and *infrastructure* and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including second units and *affordable* housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in *infrastructure* and *public service facilities*, including integrated service delivery through community hubs, by all levels of government.
- Provide for different approaches to manage growth that recognize the diversity of communities in the *GGH*.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.
- Support and enhance the long-term viability and productivity of agriculture by protecting *prime agricultural areas* and the *agri-food network*.
- Conserve and promote *cultural heritage resources* to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and *infrastructure* – that are adaptive to the impacts of a changing climate – and moving towards low-carbon communities, with the



long-term goal of net-zero communities, by incorporating approaches to reduce greenhouse gas emissions.

Section 2.2.1 of the Growth Plan provides policy direction as to where and how the municipalities should grow. Specifically, for all of the City of Hamilton, the Growth Plan forecast provides for a population of 780,000 by 2041. The subject lands are located within the Ministry of Public Infrastructure Renewal (MPIR) built-up area, where this growth is to be focused.

Section 2.2.1 Managing Growth

2. Forecasted growth to the horizon of this Plan will be allocated based on the following:
 - a. the vast majority of growth will be directed to *settlement areas* that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;
 - c. within *settlement areas*, growth will be focused in:
 - i. *delineated built-up areas*;
 - ii. *strategic growth areas*;
 - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
 - iv. areas with existing or planned *public service facilities*;
4. Applying the policies of this Plan will support the achievement of *complete communities* that:
 - a. feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
 - b. improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
 - c. provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
 - d. expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;



- ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e. ensure the development of high quality *compact built form*, an attractive and vibrant *public realm*, including public open spaces, through site design and urban design standards;
 - f. mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
 - g. integrate *green infrastructure* and *low impact development*.

In keeping with the Managing Growth policies contained in Section 2.2.1, the proposed development conforms to the Growth Plan as it:

- Contributes to a diverse and compatible mix of land uses, including a full range of housing types, to support and enhance the Ainslie Wood neighbourhood;
- Has access to a range of transportation options and provides support for the provision of public transit along Main Street West;
- Is located within a reasonable walking distance of important public service facilities; and,
- Contributes to the development of a complete community utilizing existing infrastructure.

The proposal contributes to the implementation of Section 2.2.2 of the Plan that states that a minimum of 60 percent of residential development occurring within the built-up area where this property is located.

The proposed development conforms to and implements the Growth Plan.

4.3 Urban Hamilton Official Plan

The City of Hamilton's Urban Hamilton Official Plan (UHOP) was adopted by Council and received final approval from the Ontario Municipal Board on August 16th, 2013.

Schedule E – Urban Structure applies the Neighbourhoods and Secondary Corridor designations for the subject lands, as shown in Figure 3.

The Neighbourhoods designation embodies the concept of the complete community and primarily consists of residential uses and complementary facilities and services to serve residents. It is the intent of the Neighbourhoods designation to allow for the continued evolution of



neighbourhoods, including compatible residential intensification. A full range of housing forms, types, and tenure is permitted.

The Secondary Corridor designation is intended to maintain and enhance the mixed use nature of major streets linking communities, and create vibrant pedestrian and transit oriented places through investment in infrastructure, residential intensification, infill and redevelopment, and urban design. Intensification of planned Urban Corridors is supported in the UHOP.

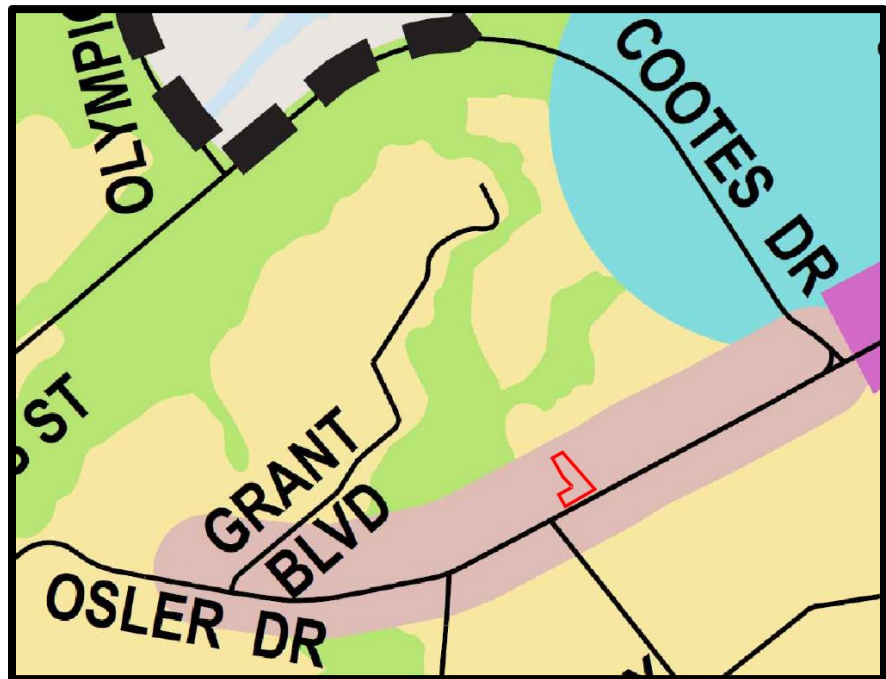


Figure 3 – Neighbourhoods and Secondary Corridor Designations, Schedule E – Urban Structure

Schedule E.1 – Urban Land Use Designations applies the Neighbourhoods designation and Mixed Use – Medium Density designations for the subject lands, shown in Figure 4.

The Neighbourhoods designation embodies the concept of the complete community and is planned to encompass a full range of residential dwelling types and densities, as well as supporting uses intended to serve the local residents. Residential intensification is supported in the Neighbourhoods designation, provided it enhances and is compatible with the scale and character of the existing residential neighbourhood.

The Mixed Use – Medium Density designation is intended to permit a full range of retail, service commercial, entertainment, and residential accommodation at a moderate scale. The designation recognizes mixed use main streets in the City which serve the surrounding community and which are intended to intensify into mixed use, pedestrian oriented areas. Lands designated Mixed Use – Medium Density are permitted a range of



building heights and densities to a maximum height of six (6) storeys. The specific height and density is established through the secondary plan.



Figure 4 – Neighbourhoods and Mixed Use – Medium Density Designations, Schedule E.1 – Urban Land Use Designations

Section E.3.3 of the Neighbourhoods Designation includes policies for three categories of residential land use: low, medium, and high density residential areas. High density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to arterial roads. The subject site is located outside of Central Hamilton, where high density residential areas should have a net residential density of greater than 100 units per hectare and not greater than 200 units per hectare.

4.4 Ainslie Wood Westdale Secondary Plan

The City of Hamilton's Urban Official Plan adopted the Ainslie Wood Westdale Secondary Plan, known as amendment No. 201, Schedule "1", on July 13, 2005.

The subject lands are designated Mixed Use – Medium Density on Map B.6.2-1 Ainslie Wood Westdale Secondary Plan Land Use Map, as shown in Figure 5 below.



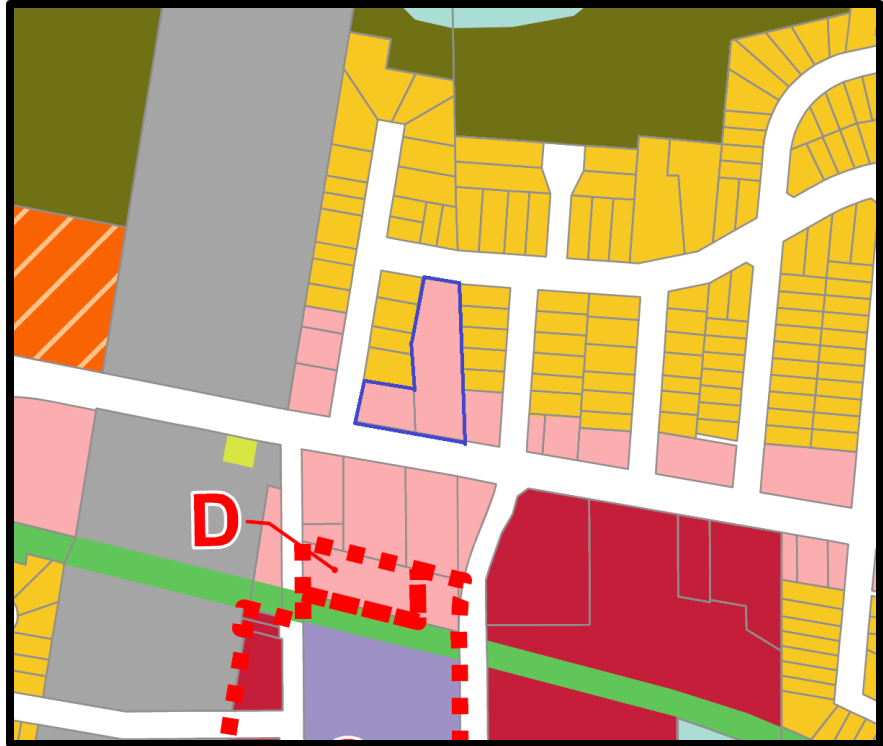


Figure 5 – Mixed Use – Medium Density, Ainslie Wood Westdale Secondary Plan

The Mixed Use – Medium Density designation permits residential and commercial uses either as standalone developments or in a mixed use building, to a maximum height of three (3) storeys. Residential densities of 30-49 units per gross hectare are permitted.

The proposal for the subject lands has a residential density of 361 dwelling units per hectare and a maximum building height of nine (9) storeys or 30 metres for a multiple dwelling and three and a half (3.5) storeys or 13.5 metres for a maisonette dwelling. Given that the height and density of the proposed development will exceed the maximum height and density permitted in the Mixed Use – Medium Density designation of the Secondary Plan, the draft Official Plan Amendment in Appendix C include a new Site Specific Policy for the subject lands to permit the proposed development.

4.5 City of Hamilton Zoning By-Law Nos. 6593 and 05-200

The City of Hamilton Zoning By-Laws Nos. 6593 and 05-200 remain as the comprehensive Zoning By-Laws applicable to the subject lands. The subject lands are located within two zones, as indicated in Figure 5. These include the “H” (Community Shopping and Commercial, Etc.) District of By-law No. 6593 and “I2, Exception: 17, 20” (Community Institutional) Zone



of By-law No. 05-200. Moreover, 1630 Main Street West is proposed to be zoned Mixed Use Medium Density (C5) under the City of Hamilton Zoning By-law No. 05-200, which was approved by Council on November 7, 2017 and subsequently appealed to the LPAT.

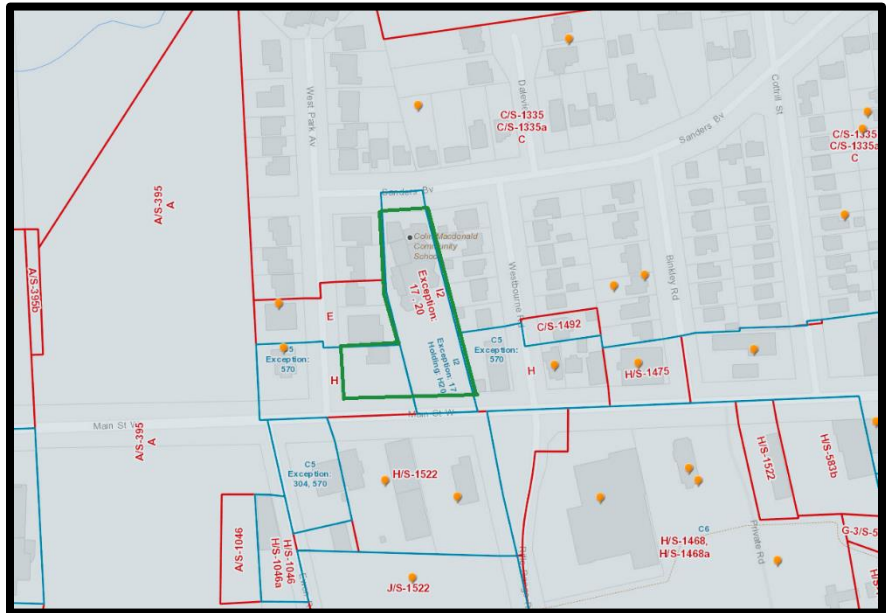


Figure 6 –Zoning By-Law Nos. 6593 and 05-200

A zoning by-law amendment is required to permit the proposal and implement the OPA. The ZBA will place the entirety of the subject lands under a site specific “E-3/S-___” (High Density Multiple Dwellings) District which will establish appropriate standards for the development including yard setbacks and encroachments, height and parking standards.

The draft Zoning By-Laws are contained in Appendix D.

5. Analysis

5.1 Land Use

Provincial Policy Framework

When evaluating the merits of the proposed land use, it is appropriate to review the use against the upper tier policy documents. In this instance, the upper tier documents include the PPS and the Growth Plan for the Greater Golden Horseshoe. The proposal exemplifies a development that supports vibrant communities and represents an efficient use of land and services, which is repeated throughout the PPS and the Growth Plan. As such, the Official Plan Amendment and Zoning By-law Amendment are consistent with the PPS and conform to the Growth Plan, and therefore



the proposal has regard for matters of provincial interest as identified in the *Planning Act*.

Urban Hamilton Official Plan

The Urban Hamilton Official Plan provides direction and guidance on the management of communities, land use change, and physical development over the next 30 years. As amendments to the Official Plan and Zoning By-law are required to permit the proposal, the UHOP provides the framework for evaluating these amendments.

Section B.2.4 of the UHOP recognizes that compatible residential intensification is a key component of Hamilton's growth strategy and is essential to meet the municipality's growth and employment targets. As confirmed by Sections B.2.4.1.3, the proposal will assist the municipality in achieving the residential intensification targets outlined in Section B.2.4.1.3, wherein 40 percent of residential growth is intended to be accommodated in the Urban Nodes and Urban Corridors designations (excluding the Downtown Urban Growth Centre), and 40 percent of the residential intensification target is to occur within the Neighbourhoods designation. Section B.2.1.4 of the UHOP provides evaluation criteria for evaluating residential intensification. This criteria is quoted below and followed by a Planning Comment.

- a) *a balanced evaluation of the criteria in b) through g) as follows;*
- b) *the relationship of the proposal to the existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built forms;*

Planning Comment – The proposed development has been designed to be compatible with the existing character and function of the neighbourhood. The development has been designed to respect the character, scale, and appearance of the surrounding area which is characterized by variation.

- c) *the development's contribution to maintaining a range of dwelling types and tenures;*

Planning Comment – The proposed development consisting of condominium studio, one- and two-bedroom residential units will contribute to a range of dwelling types and tenures within the neighbourhood.

- d) *the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard the City encourages the use of innovative and creative urban design techniques;*



Planning Comment – The scale and form of the proposal are regulated by the amending by-law to ensure an appropriate relationship is established between the proposed development and existing buildings nearby. The Urban Design Brief prepared by Architectural Design Inc. demonstrates that the design of the multi-residential building includes step backs on the second to sixth floors of the building along Main Street West with further terracing on the seventh to ninth floors on the north side to mitigate the impacts on the properties to the north. The building is also staggered with balconies to reduce the impact of the façade. The brief also indicates that the ground floor colonnade was kept to a human scale in order to respect the existing low rise buildings. Moreover, the maisonette dwellings are set in from the property lines to provide separation and minimize impact to the neighbouring properties.

- e) *the development's contribution to achieving the planning urban structure as described in Section E.2.0 – Urban Structure;*

Planning Comment – The Secondary Corridor designation is exemplified in the proposed development. This designation is intended to maintain and enhance the mixed use nature of major streets linking communities, and create vibrant pedestrian and transit oriented places through investment in infrastructure, residential intensification, infill and redevelopment, and urban design. The proposal fulfills the intent of this designation as it is mixed use, will provide for intensification along a major arterial road, and is located in close proximity to existing and future public transit routes.

- f) *infrastructure and transportation capacity and,*

Planning Comment – Infrastructure and transportation impacts have been reviewed and assessed via the Transportation Impact Study, Transportation Demand Management & Parking Justification and Functional Servicing Report submitted in support of these applications.

- g) *the ability of the development to comply with all applicable policies.*

As identified on Schedule E-1 – Urban Land Use Designations, the subject lands are located within the Neighbourhoods and Mixed Use – Medium Density designations. Section B.2.4.2.2 of the UHOP provides criteria for evaluating residential intensification developments within the Neighbourhoods designation. The proposal has been considered against this criteria which is quoted below and followed by a planning comment:

- a) *compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;*



Planning Comment – An Urban Design Brief, Noise Impact Study, Sun/Shadow Study, and Transportation Impact Study have all been submitted in support of the applications to demonstrate the proposal will not result in undue, adverse impacts, while site lighting will be reviewed and approved by the City at the site plan application stage.

- b) *the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;*

Planning Comment – The height, massing, and scale of the proposal are regulated by the proposed amending by-law to ensure an appropriate relationship is established between the proposed development and existing nearby single-detached and multiple dwellings. The amending by-law will establish appropriate regulations including building step backs for the nine (9) storey building to provide for a building design that is compatible with adjacent lands uses.

- c) *the consideration of transitions in height and density to adjacent residential buildings;*

Planning Comment – The multiple dwelling has been designed with step backs on the northwestern side of the building to allow for a transition in height to the existing low rise residential building on West Park Avenue. The southern façade of the multi-residential building features a cantilver/arcade to create a weather protected pedestrian walkway and enhance the streetscape while allowing for intensification of the subject site. Moreover, the proposed built form with the multiple dwelling along Main Street West and maisonettes on the interior and northern portions of the property exemplifies a transition in height and density to the adjacent single-detached dwellings.

- d) *the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;*

Planning Comment – The lot configuration proposed causes no adverse impacts to the existing lot pattern of the neighbourhood.

- e) *the provision of amenity space and the relationship to existing patterns of private and public amenity space;*

Planning Comment – The proposal includes ample amenity space for residents, including indoor amenity space on the ground floor of the multiple dwelling. Appropriate contributions to parks will be secured with the approval of the development to support the availability of appropriate public amenity space in the area. In addition, the proposal will have a small impact on private amenity spaces in the immediate



area during the summer months only, as confirmed by the Shadow Study prepared by Architectural Design Inc.

- f) *the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;*

Planning Comment – To ensure a comfortable pedestrian experience along Main Street West and Sanders Boulevard, the proposed development will maintain the established setbacks of the adjacent buildings. The ground floor colonnade along Main Street West will enhance the streetscape and promote a pedestrian friendly environment. Moreover, the maisonette dwellings are designed at three (3) to three and a half (3.5) storeys to reflect the existing low-rise buildings in the area. As discussed in the Urban Design Brief, the streetscape will be enhanced through variation in building materials and landscaping. Other details such as public art, signage, lighting, and urban furniture will be detailed at the Site Plan stage.

- g) *the ability to complement the existing functions of the neighbourhood;*

Planning Comment – As proposed, the development will support the function of Main Street West as a Secondary Corridor. The development will contribute to a range of dwelling types and tenure in the neighbourhood, includes commercial space to provide services that cater to the weekly and daily needs of residents within the surrounding neighbourhood, and will provide support to the existing and proposed higher order transit along Main Street West.

- h) *the conservation of cultural heritage resources; and,*

Planning Comment – The proposal does not impact any built cultural heritage resources. The Stage 1-2 Archaeological Assessment prepared by AMICK Consultants Limited found that there are archaeological resources on the site. As such, further assessment work is being carried out.

- i) *infrastructure and transportation capacity and impacts.*

Planning Comment – Infrastructure and transportation impacts have been reviewed and assessed via the Transportation Impact Study and Functional Servicing Report submitted in support of this application. The Transportation Impact Study indicates that development proposal can be adequately accommodated by the existing transportation network with manageable traffic impact to the adjacent roadways. The Functional Servicing Report concludes that development can be constructed to meet the engineering requirements of the City of Hamilton.



The proposal for the subject lands is in keeping with the Goals for Urban Housing, as outlined in Section B.3.2.1, and the General Policies for Urban Housing, as outlined in Section B.3.2.4. The proposal will contribute to a range of housing types and densities in the neighbourhood and the proposed built form exemplifies an adequate transition in height and density. In addition, the proposed purpose-built development will add to the City's housing stock for students, whose needs are currently inadequately met by the existing available housing in the Ainslie Wood Westdale neighbourhood, and therefore is in keeping with the Urban Housing Goals contained in Section 3.2.1.

In response to the abutting arterial road and Section B.6.3.1 of the UHOP, a Noise Feasibility Study was completed by Rubidium Environmental and confirms noise mitigation measures can be implemented to ensure the development of this sensitive land use will comply with all applicable provincial and municipal guidelines and standards regarding noise.

The subject lands are within the Secondary Corridor designation of the Urban Structure component of the UHOP. The proposal conforms to the intent of the Secondary Corridor designation by contributing to establishing Main Street West as a vibrant pedestrian and transit oriented place. As per the direction of Section E.2.4.3, the subject site is in an optimal location for higher density land uses and will support the proposed LRT service along Main Street West. Further, the amending zoning by-law proposes a reduced requirement for parking spaces to support existing HSR bus service and the planned LRT route in accordance with Section E.2.4.1.6. In addition, a comfortable and attractive pedestrian experience required by Section E.2.4.14 is ensured through the building design which incorporates a ground floor with a colonnade and an adequate setback from the street.

The Neighbourhoods land use designation of the UHOP is exemplified in the proposed development. This designation is intended to permit the full range of dwelling types and densities and foster complete communities that are transit-support and active transportation friendly. The proposed development entails residential intensification on an underutilized property and has been designed to respect the character, scale, and appearance of the surrounding area. The proposal will help develop a complete community by contributing to a range of housing types in the Ainslie Wood Westdale neighbourhood that are in close proximity to non-residential land uses including commercial, open space, and institutional land uses.

While Section E.3.6.6 of the UHOP permits a maximum net residential density of 200 dwelling units per hectare in the High Density Residential areas of the Neighbourhoods designation, the site is also located within the Ainslie Wood Westdale Secondary Plan where more restrictive policies regarding density apply.



Other than the permitted density in Section E.3.6.6, the proposal conforms to the High Density Residential policies of Section E.3.6. Multiple dwellings and commercial uses on the ground floor of buildings are permitted and the development has direct access to Main Street West, a collector road, via Carling Street, a local road. The development is located within safe and convenient walking distance of community facilities/services, including public transit along Main Street West, schools (e.g., McMaster University, St. Mary's Catholic School and Canadian Martyrs Catholic Elementary School), and recreational facilities (e.g., Alexander Park, Stroud Park, and the Hamilton-Brantford Rail Trail). To mitigate impacts of the development on adjacent low profile residential uses, the multiple dwelling has been designed with step backs on its northwesternmost side to reflect the height of the existing development. Indoor amenity space and sufficient parking is provided on site, and landscaping, building articulation and other design features will be detailed at the site plan stage to ensure an attractive public realm.

As demonstrated below, the Mixed Use – Medium Density designation of the UHOP is also exemplified in the proposed development.

Ainslie Wood Westdale Secondary Plan

The Ainslie Wood Westdale Secondary Plan aims to provide a wide variety of housing forms and densities for many types of households, encourage new infill housing to be compatible with surrounding residential development, and create opportunities for and direct higher densities to locate along major roads. The development will help meet many of the objectives of the Secondary Plan outlined in Section B.6.2.4 and the objectives specific to the commercial designations outlined in Section B.6.2.7. The high density compact development will help to relieve pressures for urban expansion and will contribute to a diversity of housing choices for students and others. The proposal will preserve the low density residential areas and cultural heritage resources, and the high quality urban design of the proposed building will enhance the identity of the area.

The development generally complies with the intent of the Mixed Use – Medium Density policies in Section B.6.7.2.1. The proposal will contribute to a mix of uses in the area, including providing commercial space on the ground floor and residential units on the upper floors of the multiple dwelling along Main Street West, a major arterial road with access to existing and proposed transit infrastructure. The development provides appropriate amenities for the commercial space including parking, and details such as signage and streetscaping will be reviewed at the site plan stage to enhance the appearance of the public realm.

Section 6.2.7.2 permits a maximum height of three (3) storeys and a maximum residential density of 30-49 units per gross hectare. Given that the proposed density of 361 dwelling units per hectare and height of the proposed buildings will exceed the permissions of the Secondary Plan, the



OPA proposes a site specific policy in the Secondary Plan to permit this height and density. The proposed height and density is considered appropriate as the site is located along a major road where higher order transit is planned. Wind and shadow impacts associated with the proposed development have been assessed through supporting studies which have confirmed that the new building will not result in substantial adverse impacts to surrounding development and amenity spaces. In addition, the multiple dwelling has been designed with step backs, and the proposed height of the maisonette dwellings provides for a transition in height and density to ensure compatibility with the massing of the existing development in the area.

5.2 Bill 139

Bill 139 received Royal Assent on December 12, 2017, coming into force as the *Building Better Communities and Conserving Watersheds Act*. As a result of the Bill, Official Plan Amendments and Zoning By-law Amendments are required to be evaluated in terms of their consistency and conformity with provincial policies, plans and directions. As demonstrated above and in the Policy Framework Matrix contained in Appendix B, the proposal is consistent with and conforms to the applicable provincial planning policy and the UHOP as it represents the goals and objectives repeated throughout these policies. UrbanSolutions also believes that the existing municipal instruments that are affected by the requested amendments are inconsistent and do not conform with provincial policies and plans and the official plan.

The subject lands are currently occupied by low-rise low-density buildings, a large vacant grassed area at the rear of the existing student residence, and underutilized parking areas. The Ainslie Wood Westdale Secondary Plan permits a maximum building height of three (3) storeys and a density range of 30-49 units per hectare for the subject lands. The existing “H” (Community Shopping and Commercial, Etc.) Zone permits a maximum building height of four (4) storeys and a density of one dwelling unit per 180.0 square metres of lot area. The existing Community Institutional (I2) Zone is more restrictive, permitting a maximum height of 10.5 metres. Neither zone permits multiple dwellings.

The existing buildings, land use designations and as-of right zoning permissions represent an underutilization of the subject lands and of existing infrastructure and public service facilities, which is inconsistent with the provincial planning policy framework and the UHOP. Moreover, given that the adoption of the Ainslie Wood Westdale Secondary Plan in 2005 significantly precedes the current PPS and Growth Plan, the secondary plan is no longer consistent and conflicts with provincial policies. As this report demonstrates, the proposed amendments to the Ainslie Wood Westdale Secondary Plan and Zoning By-law would result in their consistency and conformity with current provincial policies.



5.3 Regulations

The proposed development requires an amendment to the City of Hamilton Zoning By-law No. 6593. The zoning will be changed to a site specific “E-3” (High Density Multiple Dwellings) District. The “E-3” District permits multiple dwellings and therefore it more appropriately reflects the proposal than the existing site specific “H” District and “I2” Zone. A variety of site specific regulations have been included in the proposed zones to permit the proposed development. The following provides an analysis of the proposed zoning regulations.

Building Height

The E-3 District permits a maximum height of eight (8) storeys or 26.0 metres. The proposed multiple dwelling will exceed this requirement; therefore, the proposed amending by-law will permit a height of nine (9) storeys or 30 metres. This height is appropriate due to the location of the property along a Secondary Corridor and the supporting Shadow Study confirms that impacts arising from the increase in height are limited.

Yard Setbacks

The proposed yard setbacks vary from those existing in the E-3 District in order to accommodate the site specific characteristics of the proposed development and account for the irregular lot shape.

A 1.5 metre front yard setback ensures that the ground floor relates directly to the sidewalk and the immediate public realm. The massing of the multiple dwelling will provide a sense of continuity and articulation at the pedestrian scale, creating a comfortable pedestrian environment along Main Street West. Separate setbacks are proposed for the floors above the ground level for the multi-residential building to ensure that its massing is appropriate for the area. The proposed setbacks also influence the scale and orientation of the building to minimize additional shadow impacts.

The balance of the proposed setbacks will regulate the size of the buildings, provide an adequate distance between the development and adjacent existing buildings, ensure there is sufficient area for landscaping and parking to serve the development, and will promote an efficient use of the site.

Landscaped Area

The site specific zone for the proposed development includes a reduced requirement for landscaped area of 20 percent of the lot area. The proposed regulation is considered appropriate because it will ensure there is a desirable balance between area for development, parking, and landscaping. In addition, the provision of quality and sufficient landscaping will be ensured at the Site Plan stage.



Projections & Yard Encroachments

Modifications to permit balconies to project 3.0 metres into the flankage yard and 1.5 metres into the side yard, and to permit structural columns to encroach on required yards, are required to accommodate the balconies and ground floor colonnade that are central design features of the multiple dwelling.

Parking Spaces

The Parking Justification prepared by NexTrans Consulting Engineers confirms that the proposed reduced parking ratio of 0.59 parking spaces per dwelling unit for is appropriate for the development. The location of the site and intended use provides opportunities for residents and visitors to use active transportation and public transportation. Limiting the supply of parking will promote the use of alternative modes of travel.

Loading Spaces

The City of Hamilton Zoning By-law No. 6593 requires two (2) loading spaces for the proposed development, whereas the proposal includes one (1) loading space. This proposed amendment is appropriate as frequent deliveries are not required to the proposed buildings, and any deliveries are to be scheduled in advance.

Parking Space Dimensions

Reduced parking space dimensions of 3.0 metres by 5.8 metres for the surface parking spaces, and 2.8 metres by 5.8 metres for the underground parking spaces are proposed, whereas Zoning By-law No. 6593 requires minimum dimensions of 2.7 metres by 6.0 metres. Moreover, 10% of the parking spaces provided are at a width of 2.6 metres and a length of 5.5 metres for small cars. These modifications are appropriate as they are in keeping with the requirements of the City of Hamilton Zoning By-law No. 05-200.

For the reasons discussed above, the proposed development and implementing Official Plan Amendment and Zoning By-law Amendment conform to the general intent of the Urban Hamilton Official Plan.

6. Conclusion

Sanders Garden Inc. is the owner of lands at 1630 Main Street West and 69 Sanders Boulevard, in Hamilton, Ontario. The subject lands are currently developed with a restaurant and student residence. The proposal entails establishing a nine (9) storey multiple dwelling, and two (2) maisonette dwellings ranging in height from three (3) to three and a half (3.5) storeys. The development is comprised of 154 residential suites in the mixed use building and 28 residential suites in the maisonette



buildings. In addition, nine (9) surface parking spaces and 99 underground parking spaces are proposed. The proposal has been reviewed against the applicable Provincial and municipal policies, as well as the surrounding land use context. To permit the development, applications for an Official Plan Amendment and Zoning By-Law Amendment are required.

The purpose of the Official Plan Amendment is to permit a density of 361 units per hectare, a maximum height of nine (9) storeys or 30 metres for a multiple dwelling, and a maximum building height of three and a half (3.5) storeys or 13.5 metres for a maisonette dwelling, in a Mixed Use – Medium Density designation of the Ainslie Wood Westdale Secondary Plan. A copy of the draft Official Plan Amendment is contained in Appendix C.

The purpose of the Zoning By-law Amendment is to change the zoning from “H” (Community Shopping and Commercial, Etc.) District of By-law No. 6593 and “I2, Exception: 17, 20” (Community Institutional) Zone of By-law No. 05-200, to a site specific “E-3/S-___” (High Density Multiple Dwellings) District for the existing building and a site specific “E-3/S-___” (High Density Multiple Dwellings) District for the proposed building. A copy of the draft Zoning By-law Amendment is contained in Appendix D.

As noted in Section 5.2, the proposed amendments make the Ainslie Wood Westdale Secondary Plan and Zoning By-law consistent with the PPS and also bring the Secondary Plan and Zoning By-law into conformity with the Growth Plan as required by Bill 139.

The proposed development is consistent with and conforms to the applicable planning policy framework as noted below:

- The application is consistent with the Provincial Policy Statement;
- The application conforms to the Growth Plan as it represents an appropriate form of intensification in an existing built-up area;
- The proposed site specific policies support the intent of the Neighbourhoods and Mixed Use – Medium Density designations in the Urban Hamilton Official Plan and the Mixed Use – Medium Density designation in the Ainslie Wood Westdale Secondary Plan; and,
- The proposed Zoning for the lands includes appropriate zoning regulations and implements the intent of the Official Plan and Provincial Plans.

Based on a review of the subject lands, surrounding uses, supporting studies, the applicable planning and policy framework and the expressed vision of City Council, the application facilitates an appropriate form of land development and represents good planning.



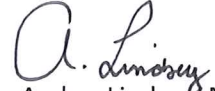
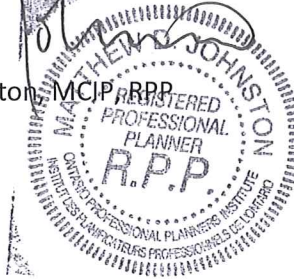
UrbanSolutions Planning & Land Development Consultants Inc.

Respectfully submitted this 12th day of June, 2018.

Regards,
UrbanSolutions Planning & Land Development Consultants Inc.



Matt Johnston, MCIP, RPP
Principal



Amber Lindsay, MES
Planner

I hereby certify that this Planning Justification Report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

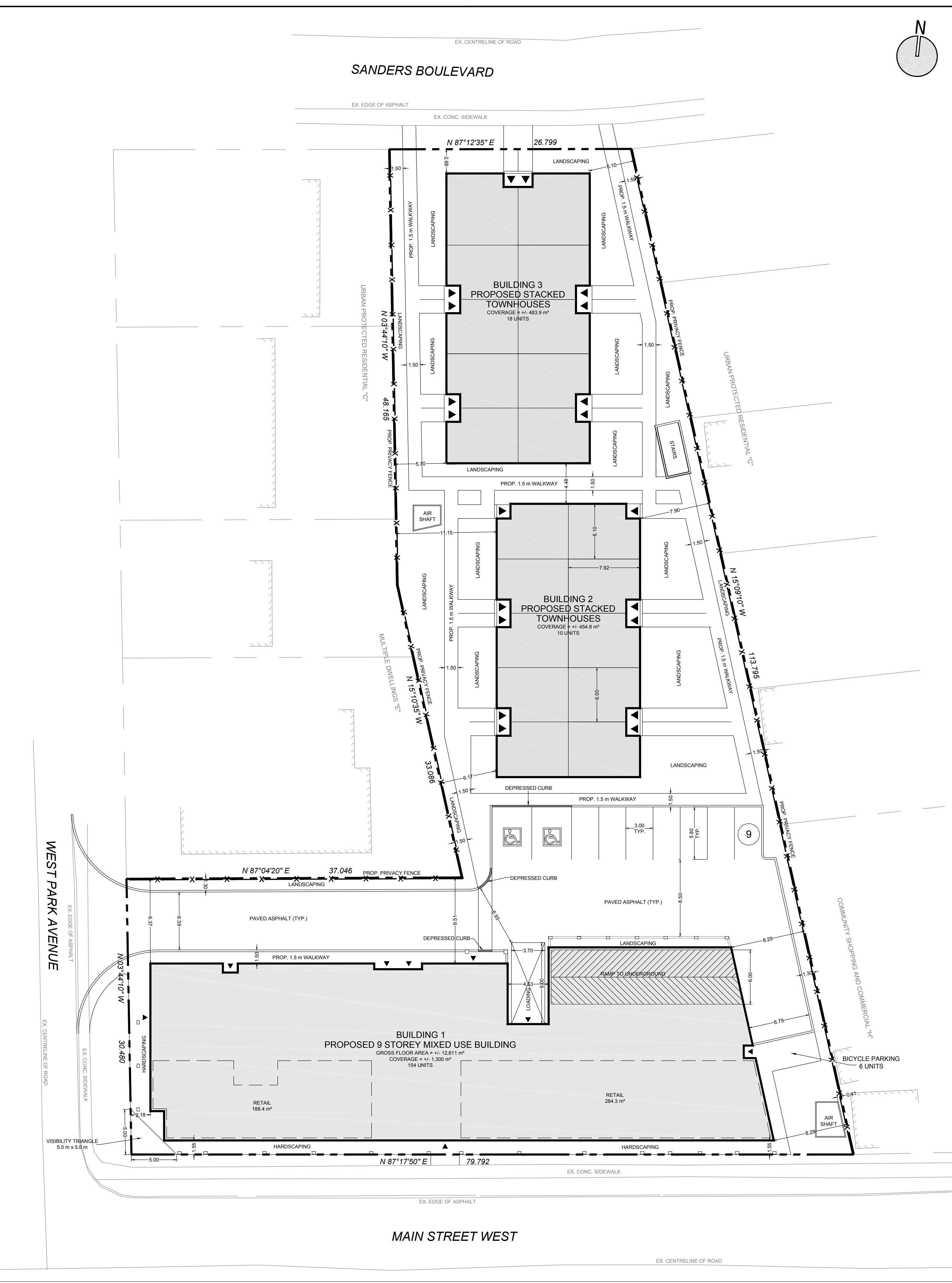
This report has been prepared based on a review of the subject application and cannot be used for any other purpose.



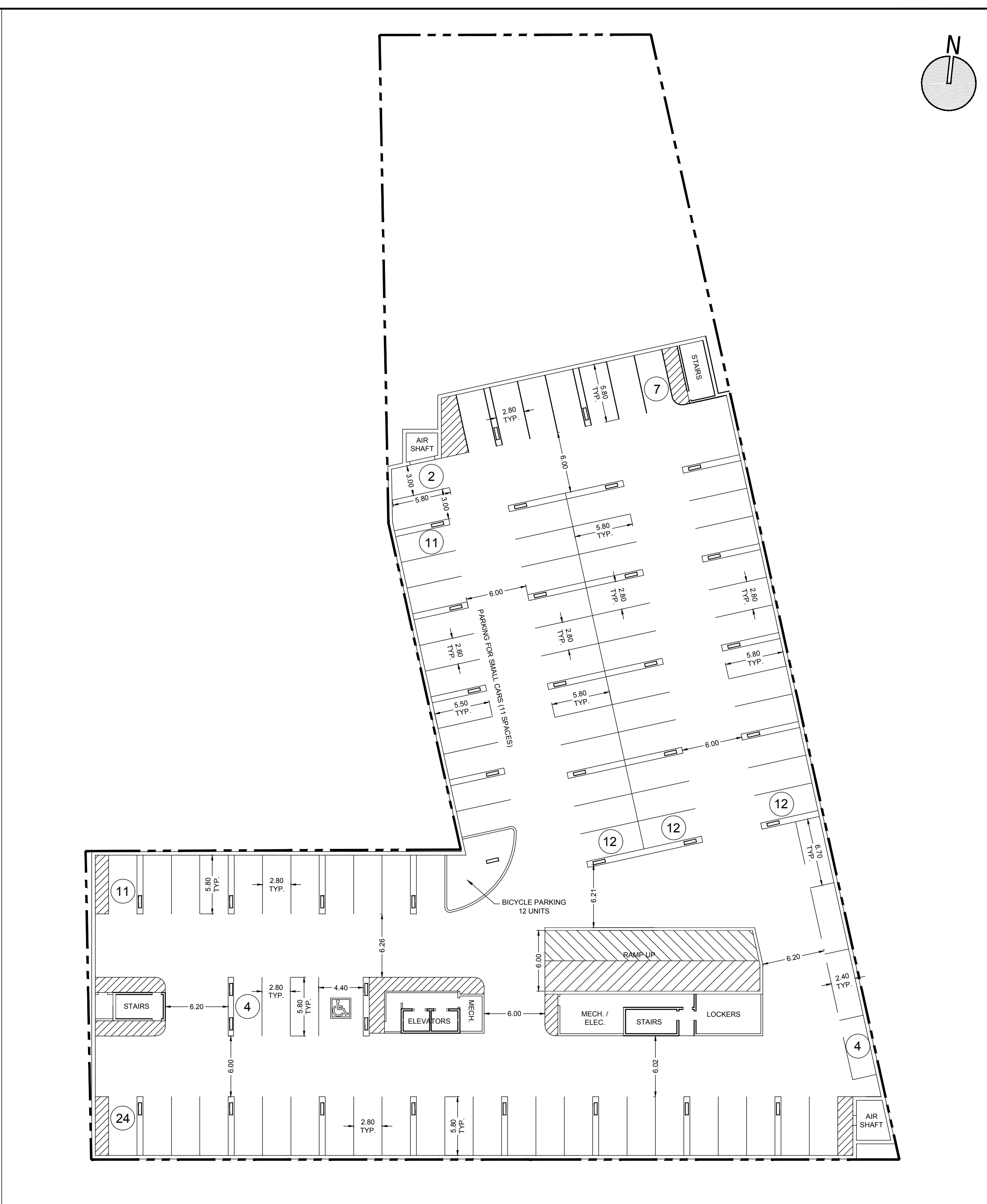
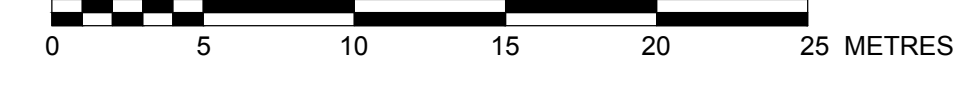
Appendix A

Concept Plan

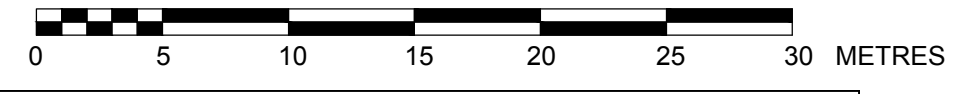




GROUND FLOOR - SCALE 1:250



UNDERGROUND PLAN - SCALE 1:300



DEVELOPMENT STATISTICS (BUILDING 1)
Proposed Zoning: High Density Multiple Dwelling "E-3/S-"

Item	Required	Proposed
Max. Height	8 storeys (26.0 m)	9 storeys (28.96 m)
Min. Front Yard		
Ground Floor	3.00 m	1.55 m
Floors 2-9	3.00 m	0.05 m
Min. Side Yard		
Ground Floor	4.50 m	2.18 m
Floors 2-6	4.50 m	0.60 m
Floor 7	4.50 m	0.67 m
Floors 8-9	4.50 m	3.68 m
Min. Rear Yard		
Ground Floor	6.00 m	>6.00 m
Floors 2-9	6.00 m	>6.00 m
Gross Floor Area	12,885 m ²	12,611 m ²
Commercial	N/A	472.7 m ²
No. of Units	N/A	154 units

DEVELOPMENT STATISTICS (BUILDING 2)
Proposed Zoning: High Density Multiple Dwelling "E-3/S-"

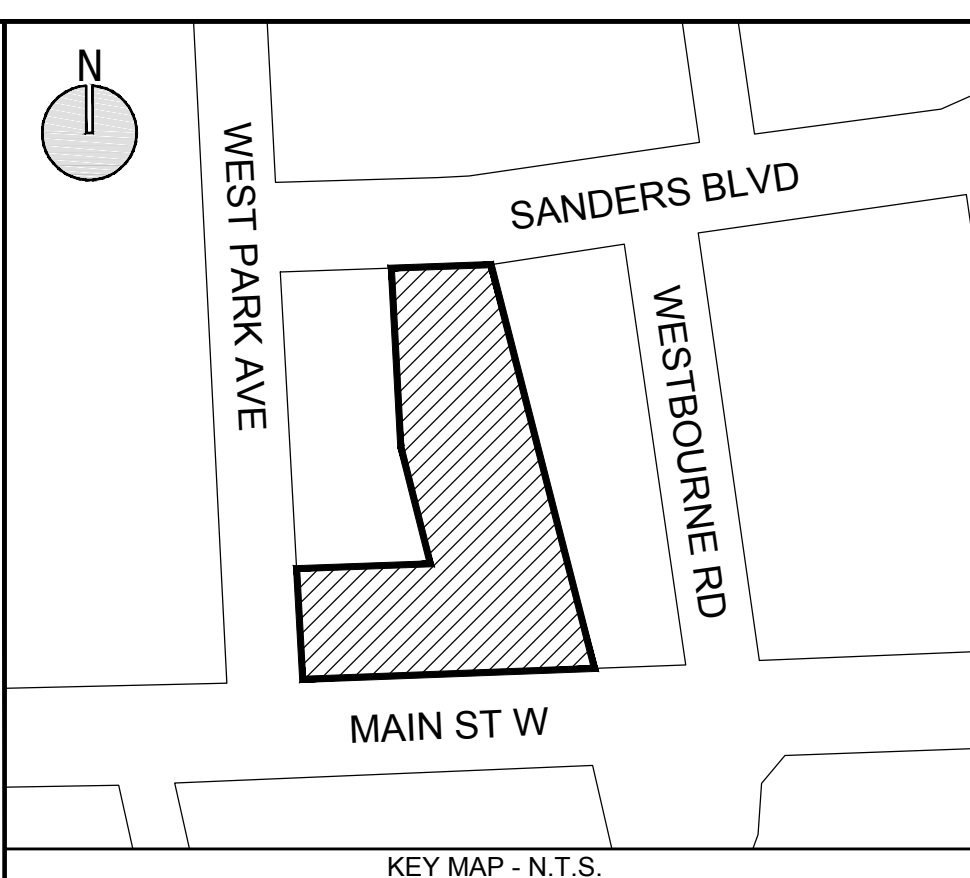
Item	Required	Proposed
Max. Height	8 storeys (26.0 m)	3 storeys (12.42 m)
Min. Front Yard	3.00 m	>3.00 m
Min. Side Yard	4.50 m	6.17 m
Min. Rear Yard	6.00 m	>6.00 m
No. of Units	N/A	10 units

DEVELOPMENT STATISTICS (BUILDING 3)
Proposed Zoning: High Density Multiple Dwelling "E-3/S-"

Item	Required	Proposed
Max. Height	8 storeys (26.0 m)	3.5 storeys (13.18 m)
Min. Front Yard	3.00 m	>3.00 m
Min. Side Yard	4.50 m	5.10 m
Min. Rear Yard	6.00 m	2.68 m
No. of Units	N/A	18 units

DEVELOPMENT STATISTICS (OVERALL)
Proposed Zoning: High Density Multiple Dwelling "E-3/S-"

Item	Required	Proposed
Lot Width	30.00 m	79.79 m
Lot Area	1,350.00 m ²	5,053.28 m ²
Landscaped Area	2,021.31 m ²	1,102 m ²
Total No. of Units	N/A	182 units
Parking Spaces	231	108



CONCEPT PLAN
LOTS 1, 2 AND 3
REGISTERED PLAN 904
AND OF LOT 20
REGISTRAR'S COMPILED PLAN 1475
IN THE CITY OF HAMILTON

- LEGEND:**
- SUBJECT LANDS
 - EXISTING PROPERTY LINES
 - PROPOSED BUILDING
 - EXISTING BUILDINGS
 - PROPOSED ENTRANCE
 - PROPOSED FENCE

DESIGN BY: Architectural Design Co Inc.	CHECKED BY: M. Johnston		
DRAWN BY: S. McKay	DATE: May 25, 2018		
NO.	DATE	BY	DESCRIPTION
DRAWING ISSUE RECORD			

NOT FOR CONSTRUCTION

PREPARED BY:

ARCHITECTURAL DESIGN CO. INC.
Architect

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UrbanSolutions
Planning & Land Development Consultants Inc.

105 Main Street East, Suite 501
Hamilton, ON L8N 1G6
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PROJECT:

MAIN AND SANDERS
1630 MAIN STREET WEST & 69 SANDERS BOULEVARD
CITY OF HAMILTON

CLIENT: SANDERS GARDEN INC.

UIS FILE NUMBER: 262-17 SHEET NUMBER: 1

Appendix B

Policy Framework Matrix



	Provincial Policy Statement	Growth Plan	Urban Hamilton Official Plan	Ainslie Wood Westdale Secondary Plan (Volume 2, Chapter B of the UHOP)	Planning Comment
Building Strong Communities					
Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns	1.1	2.2	A.2.3, A.2.4, B.2.4, B.3.1, C.3.2, E.2.4, E.3.1, E.3.2, E.3.3, E.3.6, E.4.1, E.4.2, E.4.6	6.2.3, 6.2.4, 6.2.7, 6.2.8	The subject lands are located within the built-up area, where growth is to be focused. The proposed development contributes to a range of compatible land uses, including a full range of housing types and commercial uses to support the neighbourhood. The high density compact built form represents an efficient use of underutilized serviced land, and an appropriate form of compatible intensification.
Coordination	1.2	2.2	B.3.1, B.3.6	6.2.4	The proposed mixed use development is compatible with the surrounding land uses. As demonstrated in the Noise Impact Assessment prepared by Rubidium Environmental, the development can be designed to mitigate noise given the proximity of Building 1 to a major arterial road. Environmental assessment of the site and future remediation measures will be implemented to ensure existing contamination does not result in any adverse impacts on the proposed sensitive land use.
Employment	1.3	2.2	A.2.3, B.2.4, B.3.1	6.2.4	The proposed mixed use development incorporates compatible land uses to support the achievement of complete communities.
Housing	1.4	2.2	B.2.4, B.3.1, B.3.2, E.3.2, E.4.6	6.2.4, 6.2.7	The high density mixed use development will contribute to a range and mix of housing types for current and future residents while making efficient use of serviced land within a settlement area. Given the proximity of the subject lands to nearby McMaster University, the proposed development facilitates an appropriate form of housing to meet the needs of current and future residents of the Ainslie Wood neighbourhood. The site is also in close proximity to commercial uses, parks and recreation facilities and has access to public transit including existing HSR routes and the proposed LRT route. The proposal therefore represents an appropriate form of residential intensification to accommodate future growth and alleviate pressures for urban expansion and will assist the municipality in achieving provincial growth targets.
Public Spaces, Recreation, Parks, Trails and Open Space	1.5	4.2	B.3.5, E.3.9	6.2.4, 6.2.13	<p>To ensure a comfortable pedestrian experience along both Main Street West and Sanders Boulevard, the proposed development will maintain a human scale with a built form that reflects the existing low-rise buildings in the area. The multiple dwelling includes step backs on the second to sixth floors of the building along Main Street West with further terracing on the seventh to ninth floors on the north side to mitigate shadowing impacts. The building also features a ground floor colonnade built to human scale to provide a pedestrian friendly environment along Main Street West. Moreover, as discussed in the Urban Design Brief, the streetscape will be enhanced through variation in building materials and landscaping. Other features such as public art, signage, lighting, and urban furniture will be detailed at the Site Plan stage.</p> <p>Appropriate contributions to public spaces and parks will be secured with the approval of the development. In addition, the proposal will have a small impact on private amenity spaces in the immediate area during the summer months only, as confirmed by the Shadow Study prepared by Architectural Design Inc.</p>
Infrastructure and Public Service Facilities	1.6	3.2	B.2.4, B.3.1, B.3.3, C.5.3, E.2.4, E.3.10, E.4.2, E.4.6	6.2.4, 6.2.14, 6.2.15, 6.2.16	The subject lands have access to a range of transportation options and is located within a reasonable distance of important public service facilities. The proposal provides support for the provision of transit along Main Street West, including existing HSR routes and future LRT.

					Infrastructure and transportation impacts have been reviewed and assessed via the Transportation Impact Study and Functional Servicing Report submitted in support of this application. The Transportation Impact Study indicates that development proposal can be adequately accommodated by the existing transportation network with manageable traffic impact to the adjacent roadways. The Functional Servicing Report concludes that development can be constructed to meet the municipal engineering requirements.
Long-Term Economic Prosperity	1.7	2.2	B.3.1, B.3.3	6.2.4	The proposed mixed-use, high density compact development optimizes the long-term availability and use of a serviced brownfield site. The proposal maintains the function of Main Street West as a corridor with access to existing and planned higher order transit.
Energy Conservation, Air Quality and Climate Change	1.8	4.2	B.3.6, B.3.7	-	The proposal represents a compact form of mixed use development along a Secondary Corridor and supports the achievement of complete communities. As confirmed by the Transportation Impact Study, Transportation Demand Management and Parking Justification prepared by NexTrans Consulting Engineers, the location of the site and its proposed use provide opportunities for residents and visitors to use active transportation and public transportation. The Functional Servicing Report prepared by The Odan/Detech Group Inc. demonstrates that stormwater management can be accommodated with on-site storage.
Wise Use and Management of Resources					
Natural Heritage	2.1	4.2	C.2.1, C.2.2, C.2.11	6.2.4	The Formal Consultation process did not identify any natural heritage resources affecting the property. Further, with regards to chimney swifts, it has been determined that the chimney on site is not a candidate for habitat location.
Water	2.2	4.2	C.2.1, C.2.2, C.2.13	-	The Formal Consultation process did not identify any water resources affecting the property.
Agriculture	2.3	4.2	C.3.2	-	The Formal Consultation process did not identify any agricultural resources affecting the property.
Minerals and Petroleum	2.4	4.2	-	-	The Formal Consultation process did not identify any mineral resources affecting the property.
Mineral Aggregate Resources	2.5	4.2	-	-	The Formal Consultation process did not identify any mineral resources affecting the property.
Cultural Heritage and Archaeology	2.6	4.2	B.3.4	6.2.14	The Formal Consultation process did not identify any cultural heritage resources affecting the property. The Stage 1-2 Archaeological Assessment prepared by AMICK Consultants Limited found that there are archaeological resources on the site. As such, further assessment work is being carried out.
Protecting Public Health and Safety					
Natural Hazards	3.1	2.2	B.3.6	-	The Formal Consultation process did not identify any natural hazards affecting the property.
Human-Made Hazards	3.2	2.2	B.3.6	-	Remediation to address and mitigate hazards will be undertaken to ensure there will be no adverse effects. The Phase 1 Environmental Site Assessment prepared by Candec Engineering Consultants Inc. demonstrates that ground water on one component of the parcel is impacted with PHCs, and that there is a possibility that there may be an underground storage tank and/or oil/water separator remaining on the property. As such, further assessment work is being carried out.

Appendix C

Draft Official Plan Amendment



Urban Hamilton Official Plan Amendment No. __

The following text constitutes Official Plan Amendment No. __ to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of the Official Plan Amendment (OPA) is to identify a Site Specific Policy area to permit a maximum gross residential density of 361 units per hectare, a maximum height of nine storeys for a multiple dwelling, and a maximum height of three and a half storeys for a maisonette dwelling, whereas the permitted gross residential density shall generally be about 30-49 units per hectare and the permitted maximum height is three storeys for “Mixed Use – Medium Density” areas in Policy B.6.2.7 in the Ainslie Wood Westdale Secondary Plan.

2.0 Location:

The lands affected by this Amendment are All of Lots 1, 2 and 3, Registered Plan 904; and Lot 20, Registrar’s Compiled Plan 1475, in the City of Hamilton, municipally known as 69 Sanders Boulevard and 1630 Main Street West.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The proposed Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe;
- The proposed Amendment will encourage residential intensification with a diverse housing mix, while supporting the existing and planned public transit in the area; and,
- The proposed built form is a permitted use in the Urban Hamilton Official Plan.

4.0 Actual Changes:

4.1 Map Changes

- 4.1.1 Volume 2 – Map B.6.2-1 Ainslie Wood Westdale Secondary Land Use Plan is further amended by identifying the subject lands as Site Specific Policy – Area H, as shown on Appendix A, attached.

4.2 Text Changes

- 4.2.1 Volume 2, Chapter B – Hamilton Secondary Plans, Section 6.2 Ainslie Wood Westdale Secondary Plan is amended by



adding a new Site Specific Policy – Area G to read as follows:

Site Specific Policy – Area ____

16.2.17.7 Notwithstanding Policy B.6.2.7.2 e) and h) ii) for the lands designated Mixed Use – Medium Density, located at 1630 Main Street West and 69 Sanders Boulevard, and identified as Site Specific Policy – Area H on Map B.6.2-1 – Ainslie Wood Westdale – Land Use Plan, the following policies shall apply:

- a) The maximum residential density shall be 361 units per gross hectare;
- b) The maximum height of any multiple dwelling shall be limited to nine storeys; and,
- c) The maximum height of any maisonette dwelling shall be limited to three and a half storeys.

5.0 Implementation:

An implementing Zoning By-Law and Site Plan Agreement will give effect to this Amendment.

This is Schedule “1” to By-Law No. 18-__, passed on the __ day of _____, 2018.

Mayor

Clerk



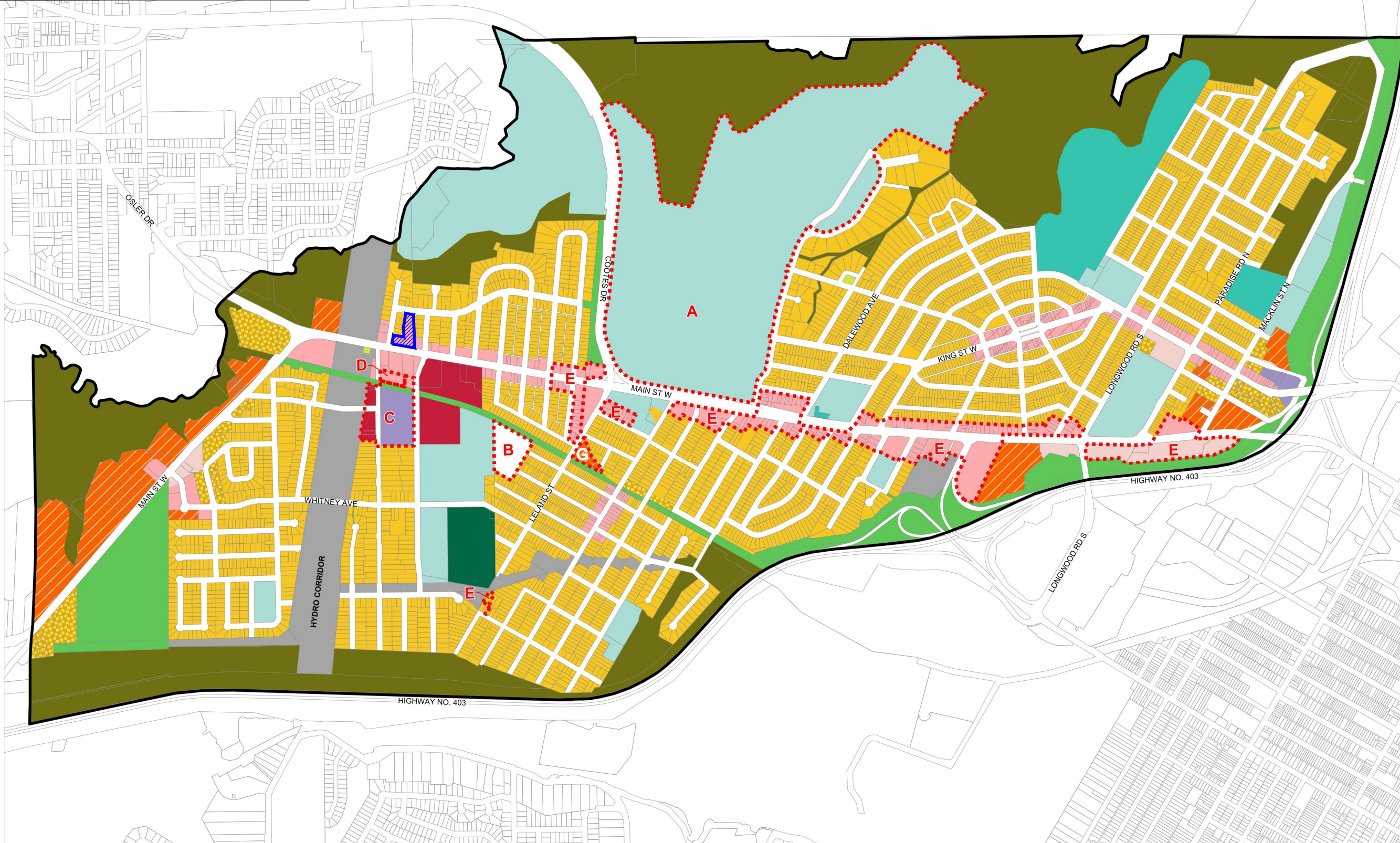
Appendix A
 Amendment No.
 to the Ainslie Wood Westdale Secondary Plan

 Site Specific Policy - Area H to be added







Date:
 June 2018

Revised By:
 UrbanSolutions

Reference File No:
 OPA- _____



Legend

- Residential Designations**
 -  Low Density Residential 2
 -  Low Density Residential 3c
 -  High Density Residential 1
- Commercial and Mixed Use Designations**
 -  Local Commercial
 -  Mixed Use - Medium Density
 -  Mixed Use - Medium Density - Pedestrian Predominant
 -  District Commercial
- Parks and Open Space Designations**
 -  Parkette
 -  Neighbourhood Park
 -  Community Park
 -  General Open Space
 -  Natural Open Space
- Other Designations**
 -  Institutional
 -  Employment Area - Industrial Lands
 -  Utility
- Other Features**
 -  Area or Site Specific Policy
 -  Secondary Plan Boundary

Council Adopted: July 9, 2009
 Ministerial Approval: March 16, 2011
 Effective Date: August 16, 2013

**Urban Hamilton Official Plan
 Ainslie Wood Westdale
 Secondary Plan
 Land Use Plan
 Map B.6.2-1**



Appendix D

Draft Zoning By-Laws



CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 6593, Respecting Lands Located at 1630 Main Street West and 69 Sanders Boulevard, in the City of Hamilton.

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as “The Corporation of the City of Hamilton” and is the successor of the former Regional Municipality, namely “The Regional Municipality of Hamilton-Wentworth”;

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-law and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 6593 (Hamilton) was enacted on the 25th day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7th date of December 1951, (File. No. O.F. C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 18-____ of the Planning Committee at its meeting held on the ____ day of _____, 2018, recommended that Zoning By-law No.6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, approved by the Minister under the Planning Act on March 16, 2011;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Sheet No. __ of the District Maps as amended to and forming part of By-law No. 6593 (Hamilton), is hereby further amended by:
 - a. Zoning the lands of which are comprised in Block 1 as “E-3/S-____” (High Density Multiple Dwellings) District, Modified; and,
 - b. Changing from the “H” (Community Shopping and Commercial, Etc.) District, to the “E-3/S-____” (High Density



Multiple Dwellings) District, Modified, the lands of which are comprised in Block 2.

The extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the Interpretation and Definitions, as contained in Section 2, are modified to include the following special requirement:
 - a. In addition to Section 2(2)(viic), Maisonette Dwellings shall mean a building not more than two single family dwelling units in height where one dwelling unit is below grade.
3. That the "E-3" (High Density Multiple Dwellings) District regulations, as contained in Section 11C, are modified to include the following special requirements:
 - a. In addition to the permitted uses in Section 11C(1)(i), Maisonette Dwellings and all commercial uses permitted in an "H" District shall be permitted.
 - b. Notwithstanding Section 11C(1a), the height of a Multiple Dwelling not exceed nine storeys or 30 metres.
 - c. Notwithstanding Section 11C(1a), the height of a Maisonette Dwelling shall not exceed three and a half storeys or 13.5 metres.
 - d. Notwithstanding Section 11C(2)(a), a front yard of 0.0 metres for the underground parking structure abutting Main Street West shall be provided and maintained.
 - e. Notwithstanding Section 11C(2)(a), a front yard of 1.5 metres for the ground floor abutting Main Street West shall be provided and maintained.
 - f. Notwithstanding Section 11C(2)(a), a front yard of 0.0 metres for floors two through nine abutting Main Street West shall be provided and maintained.
 - g. Notwithstanding Section 11C(2)(b), a flankage yard of 0.0 metres for an underground parking structure abutting West Park Avenue shall be provided and maintained.
 - h. Notwithstanding Section 11C(2)(b), a flankage yard of 2.0 metres for a ground floor abutting West Park Avenue shall be provided and maintained.



- i. Notwithstanding Section 11C(2)(b), a flankage yard of 0.5 metres for floors two through six abutting West Park Avenue shall be provided and maintained.
 - j. Notwithstanding Section 11C(2)(b), a flankage yard of 3.5 metres for floors seven through nine abutting West Park Avenue shall be provided and maintained.
 - k. Notwithstanding Section 11C(2)(b), a side yard of 0.0 metres to an underground parking structure for a portion of the north façade shall be provided and maintained.
 - l. Notwithstanding Section 11C(2)(b), a side yard of 9.0 metres to the ground floor of the north façade shall be provided and maintained.
 - m. Notwithstanding Section 11C(2)(b), a side yard of 6.3 metres to floors two through nine of the north façade shall be provided and maintained.
 - n. Notwithstanding Section 11C(2)(b), a side yard of 6.0 metres for a minimum distance of 33.0 metres for a portion of the west façade shall be provided and maintained.
 - o. Notwithstanding Section 11C(2)(b), a side yard of 5.5 metres for a minimum distance of 48.0 metres for a portion of the west façade shall be provided and maintained.
 - p. Notwithstanding Section 11C(2)(b), a side yard of 5.0 metres for the east façade shall be provided and maintained.
 - q. Notwithstanding Section 11C(2), a rear yard of 2.0 metres shall be provided and maintained.
 - r. Notwithstanding Section 11C(5), for every building or structure, there shall be provided and maintained on the lot at least 20% of the area of the lot on which it is situate, as landscaped area.
4. That the Parking and Loading Requirements, as contained in Section 18A, are modified to include the following special requirements:
- a. Notwithstanding Sections 18A(1)(a) and 18A(1)(b), a ratio of 0.5 parking spaces per dwelling unit shall be provided and maintained.
 - b. Notwithstanding Section 18A(1)(c) and 18A(1)(d), one loading space shall be provided and maintained.



- c. Notwithstanding Section 18A(7), every required parking space, other than a parallel parking space, shall have dimensions not less than 3.0 metres wide and 5.8 metres long.
 - d. Notwithstanding Section 18A(7), every required parking space located in an underground parking structure, other than a parallel parking space, shall have dimensions not less than 2.8 metres wide and 5.8 metres long.
 - e. Notwithstanding Section 18A(8), every parallel parking space shall have dimensions not less than 2.4 metres wide and 6.7 metres long.
5. That the Supplementary Requirements and Modifications, as contained in Section 18, are modified to include the following special requirement:
- a. In addition to Section 18(3)(vi), structural columns shall be permitted to encroach on a required yard.
 - b. Notwithstanding Section 18(3)(cc), a balcony may project into a required flankage yard not more than 3.0 metres, and a required side yard not more than 1.5 metres, provided a 0.6 metre setback is maintained.
6. The By-law No. 6593 is amended by adding this by-law to Section__ as Schedule__;
7. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

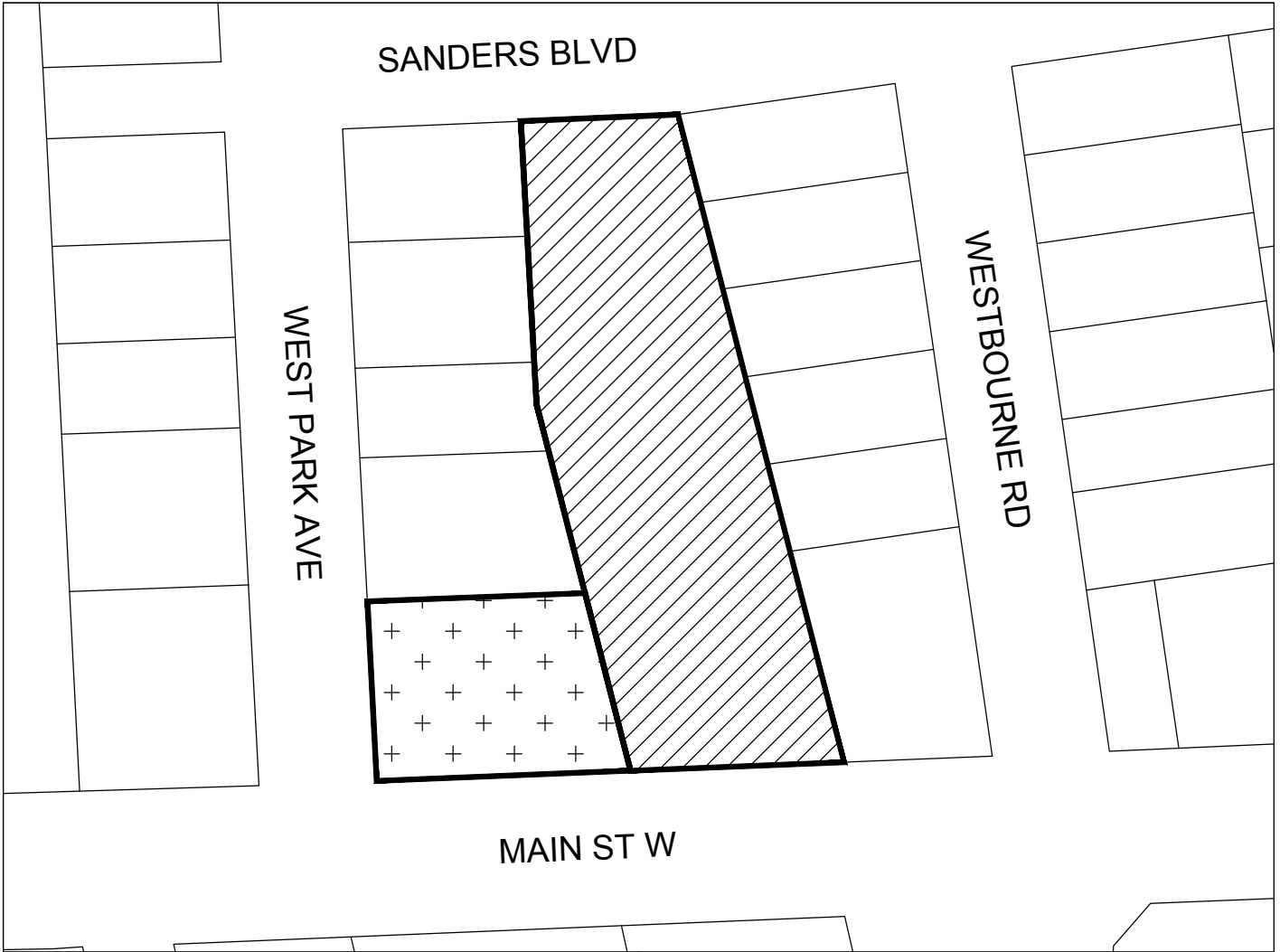
PASSED AND ENACTED this ____ day of _____, 2018.

Mayor

Clerk

ZAC-18-_____





This is Schedule "A" to By-law No.
18- _____

Passed the _____ day of _____, 2018

Clerk

Mayor

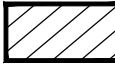
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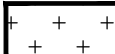
Schedule "A"

Map Forming part of
By-law No. 18-

to Amend By-law No. 6593

Subject Property
69 Sanders Boulevard & 1630 Main Street West

 Block 1 - Lands to be added to Zoning By-law No. 6593 and zoned as High Density Multiple Dwellings "E-3/S-____" District

 Block 2 - change in zoning from "H" to "E-3/S-____"

Scale: N.T.S	File Name/Number:
Date:	Planner/Technician:
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	

CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 69 Sanders Boulevard, in the City of Hamilton.

WHEREAS the City of Hamilton has in force several Zoning By-laws which apply to the different areas incorporated into the City by virtue of the City of Hamilton Act, 1999, S. O. 1999 Chap. 14;

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 10th day of November, 2009;

AND WHEREAS the Council of the City of Hamilton, in adopting Item __ of Report 18-__ of the Planning Committee at its meeting held on the __ day of __, 2018, which recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Urban Hamilton Official Plan, approved by the Minister under the Planning Act on March 16, 2011;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 947 of Schedule "A" – Zoning Maps, to Zoning By-law No. 05-200 is amended by deleting lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A";
2. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.
3. That this By-law No. 18-__ shall come into force, and be deemed to have come into force, in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this By-law or as provided by the said Subsection.

PASSED this __ day of _____, 2018.

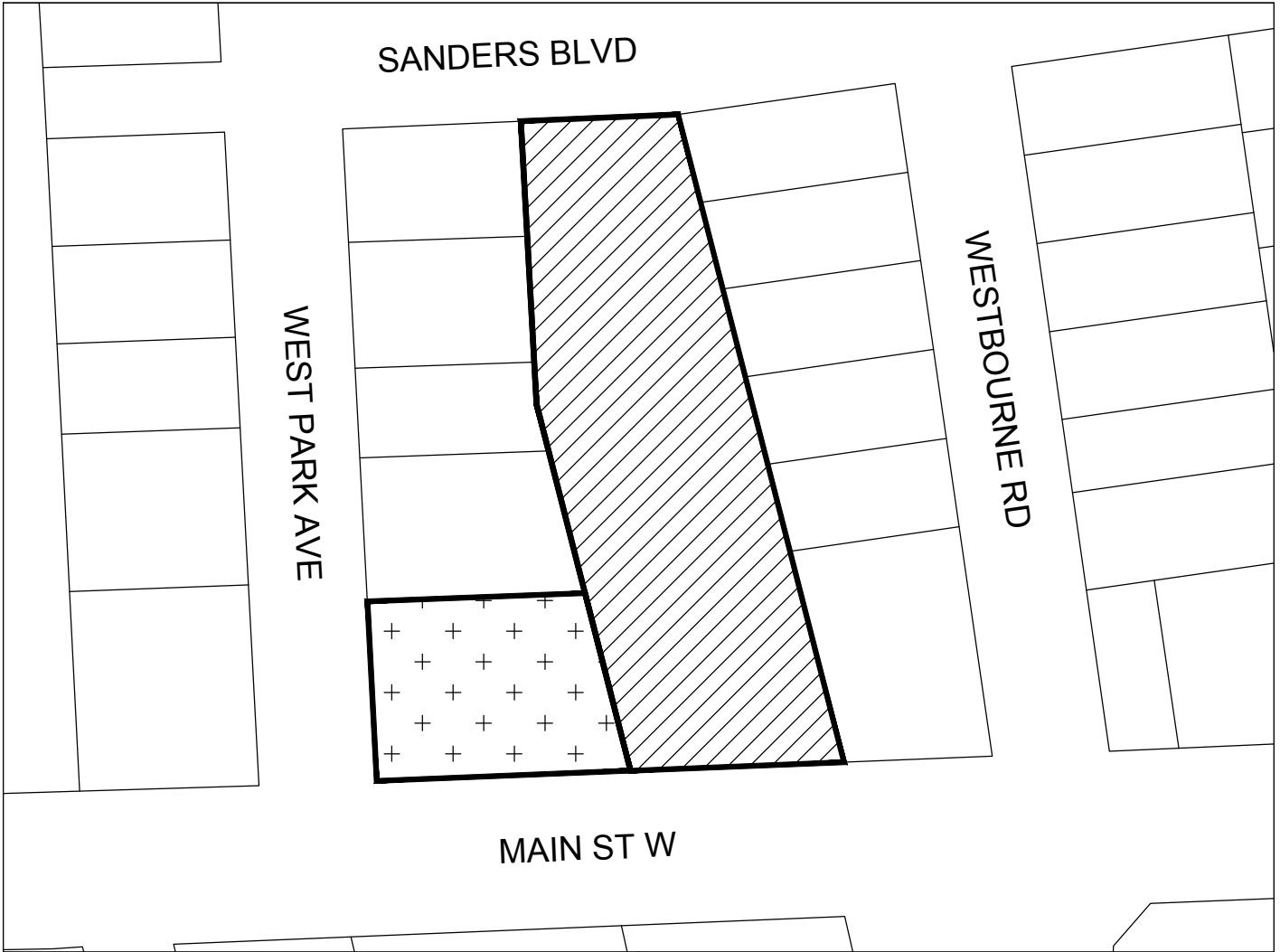
Mayor

Clerk



ZAC-18-_____





This is Schedule "A" to By-law No.
18- _____

Passed the _____ day of _____, 2018

_____ Clerk

_____ Mayor

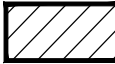
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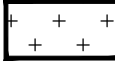
Schedule "A"

Map Forming part of
By-law No. 18-

to Amend By-law No. 05-200

Subject Property
69 Sanders Boulevard & 1630 Main Street West

 Block 1 - Lands to be removed from Zoning By-law No. 05-200

 Block 2 - Refer to By-law No. 6593

Scale: N.T.S	File Name/Number:
Date:	Planner/Technician:
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	