



URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT



PLANNING JUSTIFICATION REPORT

LiUNA Gardens Redevelopment

526 Winona Road, Hamilton

Project No. 229-17

Prepared for: Fengate Liuna Gardens Holdings LP
By: UrbanSolutions Planning & Land Development Consultants Inc.

December 24, 2021

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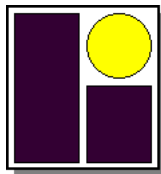
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1. Introduction

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by Fengate Liuna Gardens Holdings LP, the registered owner of the lands municipally known as 526 Winona Road in the City of Hamilton (subject lands) to assist in the coordination and preparation of planning applications necessary to facilitate a site-specific Official Plan & Zoning By-law Amendment.

The enclosed application and supporting materials constitute a complete application as described in Section Nos. 22, and 34 of the *Planning Act*.

This Planning Justification Report (Report) has been prepared in support of the enclosed Official Plan Amendment & Zoning By-law Amendment to permit the construction of the proposed development. The proposed development consists of two (2) 24-storey multiple dwellings and two (2) 15-storey multiple dwellings connected through a 2-storey podium as well as two (2) 4-storey stacked townhouse blocks and five (5) 2-storey townhouse blocks. To accommodate the proposed 1212-unit development, 1067 parking spaces and 727 bicycle parking spaces are provided. A detailed description of this proposal can be found in Section 2 of this report.

This Report provides an overview of the subject lands and a detailed description of the proposal, a description of the supporting studies and a detailed review of the applicable planning policy framework. This Report also provides the planning justification in support of the proposed residential development through the evaluation of the planning merits of the Official Plan and Zoning By-law amendment applications.

1.1 Location

The subject lands are located north of Liuna Court and between Winona Road to the West and East Street to the East. More specifically, the subject lands comprise of an irregularly shaped parcel located on Winona Road, as shown in Figure 1.



Figure 1 – Subject Lands

1.2 Site Description and Surrounding Context

The subject lands are situated within Ward 10 of the City of Hamilton. The subject lands are currently vacant at the address municipally known as 526 Winona Road, Hamilton. The 3.4ha (8.6 acre) site forms a through lot, having +/- 113.4 m of frontage on Winona Road, +/- 155.5 m on East Street, while also having +/- 32.7 m of frontage on Liuna Court. The Subject Lands were previously occupied by the LiUNA Gardens Banquet Hall and Local 837 E.H. Mancinelli Training Centre which have since been demolished following the provision of Demolition Permit Nos. 21 122472 00 DP & 20 199819 00 DP from the City of Hamilton on September 17th & 21st, 2021. As such, the subject lands are currently vacant. An on-site pumping station currently exists on the southern portion of the site and access from Winona Road is included in this proposal. As per the Functional Servicing Report, updates to the existing force main and pumping station will ensure adequate servicing is available for the proposed development.

Residential land uses surround the subject lands as outlined seen in Figure 2 and outlined below:



Figure 2 – Neighbourhood Context

North: Abutting the subject lands to the north is the shore of Lake Ontario.

East: East of the subject lands is East Street, where a predominant mix of 1 and 2-storey single detached dwellings. Across East Street to the east, is a collection of more 1 – 2-storey single detached dwellings.

South: Abutting the subject lands to the south is Liuna Court occupied by 1-2 storey single detached dwellings. Further south is John Wilson Park.

West: West of the subject lands, across Winona Road, there are more 1-2 storey single detached dwellings.

While the immediate surroundings are relatively stable, a number of property owners are reinvesting in infill and severances. More broadly, recent approvals for higher and denser developments in the Winona area have been granted including 454 unit within 9 storeys over 3.6ha of land located at 1400 Baseline Road (File No. CA-20-A). Additionally, at 1288 Baseline Road, an active Site Plan application is underway to construct 60 townhouse units (File No. ZAC-17-067, DA-18-151). The Winona Area is undergoing a period of transition from traditional low rise single detached dwellings, as such, the proposal implements a range of dwelling types and has been carefully designed to compliment the existing character of the neighbourhood.

1.3 Application History

Shoreline Alteration Permit

Baird Coastal Engineers conducted a Shoreline Hazard Assessment for the 225-metre stretch of shore contained within the subject lands on May 1st, 2020. From this assessment, Baird determined a need for shoreline rehabilitation work to be completed, as well as confirmation that the shoreline hazard limit for redevelopment of the subject lands would be setback 32-metres from the shoreline. The Hamilton Conservation Authority regulates any alteration works to the shoreline under Ontario Regulation 161/06, as such a Shoreline Alteration Permit was required from the Hamilton Conservation Authority to facilitate the necessary rehabilitation of the shore protection structure on site. An application to obtain a Shoreline Alteration Permit was made on October 6th, 2020. The shoreline alteration work permit was approved by the Hamilton Conservation Authority on November 25th, 2020 (HCA #2020-84). To assist in the design and approval of the shoreline rehabilitation work, W.F. Baird & Associates Coastal Engineers were retained for the project which has since been completed. A summary of the Shoreline Hazard Assessment and Slope Stability Study is contained in Section 3.

Demolition and Tree Removal Permit

Public and private trees were impacted by construction activities required for the shoreline protection works. An application to remove trees on public land was made by Whitehouse Urban Design, accompanied by a Tree

Removals Plan dated October 20th, 2020. The requisite permit was issued on November 24, 2021 (Permit No. 320-2020). Works approved through MNRF (Permit No. GL2020-1463-A001) and the Conservation Authority with respect to shoreline protection, impacted privately owned trees.

Demolition permit applications were submitted to the City of Hamilton and were subsequently approved on September 17th and 21st, 2021, to facilitate the demolishing of the existing LiUNA Gardens Banquet Hall building and LiUNA Local 837 E.H. Mancinelli Training Centre on site. Demolition is substantially complete. A summary of the Designated Substances Survey that was required prior to demolition is contained in Section 3 of this report.

Formal Consultation (FC-22-002)

On October 13, 2021 a Request for Formal Consultation was submitted to the City of Hamilton for the lands municipally known as 526 Winona Road, Hamilton. Following the City of Hamilton's review of the application, a Development Review Team meeting took place on December 8, 2021.

1.4 Transportation Context

Transportation

The subject lands have frontage on Winona Road, Liuna Court and East Street. Winona Road, Liuna Court and East Street are all classified as Local Roads in Schedule C – Functional Road Classification in the Urban Hamilton Official Plan (UHOP). Winona Road is a two-way, two-lane street with a sidewalk on the west side. Liuna Court is a two-way, two-lane street along the frontage of the subject lands with sidewalks and bike lanes on the east and west side. East Street is a two-way, two-lane street to the rear of the development with no sidewalks or bike lanes on either side. Furthermore, Liberty Street is a two-way, two-lane street with sidewalk running along the east and west side.

Currently, no HSR Routes service the immediate area. The closest routes as of right are the 1 (King), 44 (Rymal), and 2 (Barton) which service an area 1.9km west of the development with a stop at the intersection of McNeilly and South Service Road illustrated in figure 4.

In the Transportation Master Plan, the City has proposed an expansion on the B line route that would connect to the Fifty Road Plaza. This would better

connect residents to the downtown giving them ample access to amenities and more options for multi modal transit.



Figure 3 – HSR Route Map

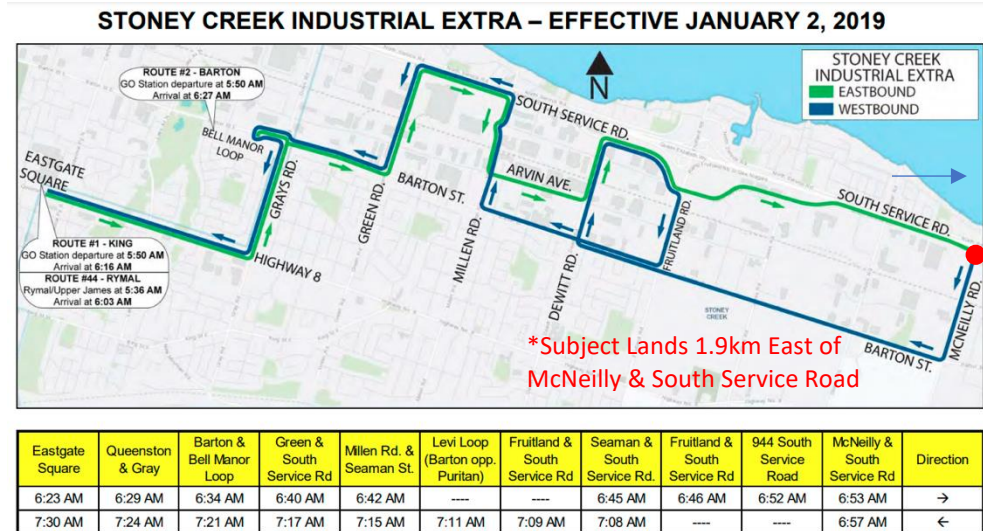


Figure 4 – HSR Route Map

2. Proposed Development

The proposed development consists of two (2) 24-storey multiple dwelling and two (2) 15-storey multiple dwellings connected through a 2-storey podium as well as two (2) 4-storey stacked townhouse blocks and five (5) 2-storey townhouse blocks. To accommodate the proposed 1212-unit development, 1067 parking spaces and 727 bicycle parking spaces are provided. Further, a shoreline public open space is proposed as part of the development. This public open space is proposed to be 30-metres in depth and run the complete length of the shoreline for the subject lands. The Concept Plan for the proposed development is contained within Appendix A of this Report.

2.1 Planning Applications

A version of this development concept was first presented via Formal Consultation No. FC-22-002. The Formal Consultation process confirmed the studies, plans and reports that are required to be submitted for a “complete” application as per the *Planning Act*. In addition to this Planning Justification Report, the following materials are required to support the planning application:

- Functional Servicing Report
- Stormwater Management Report
- Grading & Servicing Plan
- Erosion Sediment Control Plan
- Watermain Hydraulic Analysis
- Sanitary Flow Analysis
- Water Servicing Report
- Hydrogeological Brief
- Survey Plan
- Landscape Plan
- Tree Protection Plan
- Urban Design Brief
- Sun Shadow Study
- Wind Study
- Noise Study
- Phase I & Phase II Environmental Site Assessment (in lieu of Record of Site Condition)
- Concept Plan
- Transportation Impact Study
- Transportation Demand Management Report
- Stage I Archaeological Assessment

- Site Plan
- Public Consultation Strategy
- Draft Official Plan Amendment and Draft Zoning By-law

2.2 Required Approvals

The Formal Consultation Document confirms that approval of the following applications would be required to facilitate the development:

- an Official Plan Amendment;
- a Zoning By-law Amendment;
- a Site Plan application; and,
- Draft Plan of Condominium.

The purpose of the Official Plan Amendment (OPA) is to redesignate the subject lands from Local Commercial to Medium Density Residential 3 in the Urban Lakeshore Secondary Plan. Additionally, the proposed Amendment seeks to add a Site-Specific Area to the subject lands. Specifically, the purpose of the OPA is to permit a maximum residential density of 430 units per hectare, whereas the net residential density range permitted for lands designated Medium Density Residential 3 in Policy B.7.3.1.7 is between 50 units per hectare and 99 units per hectare. Further, the OPA is required to permit a maximum height of 24 storeys, whereas the maximum permitted height for lands designated Medium Density Residential 3 in Policy 7.3.1.7 is 9 storeys. Additionally, the amendment will also seek to change the lands to the North of the development abutting the shoreline to the General Open Space designation. The Draft Official Plan Amendment is contained within Appendix B of this Report.

The purpose of the Zoning By-law Amendment is to rezone the subject lands from the City of Hamilton Zoning By-law No. 05-200 Community Commercial (C3) Zone to site specific “RM5-S___” (Multiple Residential) in The Stoney Creek Zoning By-law 369-92. Additionally, the lands north of the development abutting Lake Ontario will be rezoned to “Open Space” (P4) in the City of Hamilton Zoning By-law 05-200 from the Community Commercial (C3) Zone in the Stoney Creek Zoning By-law 3692-92. The portion of the lands south of the easement will be rezoned from Community Commercial (C3) to Single Residential (R1) in the Stoney Creek Zoning By-law 3692-92. The Draft Zoning By-law Amendment is contained within Appendix C of this Report.

A future submission of a site plan application will be required to implement the detailed design of the Concept selected for development.

If required, a future Draft Plan of Standard Condominium application will also be submitted to establish the tenure of the stacked townhouses and multi-unit dwellings.

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 Stage 1 & 2 Archaeological Assessment

The subject lands are in an area that has been identified as having a high potential for indigenous and Euro-Canadian archeological significance as it abuts a major water source. A Stage 1 Archeological Assessment was undertaken by Parslow Heritage Consultancy Inc. was completed on November 10, 2021. The study found that most of the area had been disturbed by demolition and shoreline protection work that had been occurring on the site. After the Stage 1 was completed, it was determined that the archaeological potential indicators of the site warranted a Stage 2 Archaeological Assessment be carried out. The Stage 2 Archaeological Assessment was conducted on December 1, 2021 and found no artifacts of archeological significance and thus recommended no further action required.

3.2 Phase I & II Environmental Site Assessment

G2S has completed a Phase I Environmental Site Assessment for the subject lands in June 2021. The Phase I Environmental Site Assessment concluded that two on site and two off site Potentially Contaminating Activities (PCA'S) were present on the subject lands. As such, a Phase II Environmental Site Assessment was completed in December 2020 for the property to investigate the APECs prior to the submission of a Record of Site Condition. The Phase II Environmental Site Assessment was conducted and utilized the data gathered by Landteck's investigation in 2019. An investigation involving 23 boreholes of which eight were considered as ground water monitoring wells was undertaken. Of these 23 boreholes studied, seven were identified as containing Boron (HWS), electrical conductivity (EC), cadmium, lead

and/or zinc located on three areas of the site. The report determined that the soil samples collected on site indicate that these concentrations of contaminant material exceed the allowances permitted under Ontario Regulation 903/90. The site will be remediated based on the findings of this report.

3.4 Geotechnical Study

A Geotechnical Investigation was undertaken and completed by Landtek Ltd. for the subject lands. The purpose of the investigation was to determine the subsurface conditions at the site and provided construction and design recommendations with regards to building foundations, floor slabs, pavement structures and subsurface drainage. Boreholes were used to analyze the subsurface conditions. Based on the findings, temporary shoring is recommended for safe work conditions. Boreholes determined fillings that existed predated the uses on the site and came from work associated with the shoreline. Additionally, the study found that a slope of 2% should be maintained. The report, dated November 29, 2020, concluded that the development can be designed to comply with the applicable codes and standards given the conditions found.

3.6 Functional Servicing Report

A Functional Servicing Report was prepared by S. Llewellyn & Associates Limited dated October 2021. This report concludes that the subject lands can be developed in accordance with municipal standards. The development will include a new water and sanitary servicing system as indicated in the Preliminary Site Servicing Plan in order to support the development. This upgrade will also include an external the proposed development will not exceed the allowable discharge rates during storm events, sufficient stormwater storage is provided with oversized storm sewers, and six sections of existing sanitary sewer are to be removed and replaced with larger sewers to provide sufficient flow capacity. Furthermore, the water distribution system has adequate pressure and capacity to fully service the proposed development.

3.7 Tree Protection Plan & Landscape Plan

Whitehouse Urban Design prepared the Tree Protection Plan dated December 23, 2021. The Landscape Plan prepared by Whitehouse Urban Design provides a landscape design for the proposed development which

includes features that support the proposed buildings, including the design of outdoor amenity spaces, pedestrian circulation, surface materials for all areas not covered by buildings, fencing/visual barriers, streetscape, proposed plantings, planting chart including size and quantity, as well as appropriate details to express design intent. As mentioned previously, shoreline alteration work resulted in the removal of some preexisting trees on site. Whitehouse Urban Design concluded that a total of 175 on private land and 65 on public land.

3.8 Transportation Impact Study

A Transportation Impact Study was prepared by NexTrans dated September 2021. The study assesses the impact of traffic on the adjacent roadway related to the proposed development of the subject lands and provides recommendations to accommodate this traffic in a safe and efficient manner. NexTrans compared the historic trip generation data from the E.H Mancinelli Training Centre and Banquet Hall use for the purpose of this analysis. The report concluded that the development is proposed to generate an additional 439 two-way trips during the morning and afternoon peak hours. As of right, the intersections are operating at acceptable levels except for the intersection of Fifty Road and North Service Road and improvements for this intersection will be required by 2028. The proposed site access locations are expected to operate at acceptable levels. The proposed development should include the TDM measures outlined in the report including cycling, walking, transit, parking, information letters, and transit incentive strategies.

3.9 Sun/Shadow Study

R. Bouwmeester & Associates prepared a Sun/Shadow Study, dated October 7, 2021. In keeping with the Site Plan guidelines contained in Appendix F of the City of Hamilton Shadow Impact Study for Downtown Hamilton Terms of Reference, the study evaluated shadows throughout the day on December 21 and June 21. The Report concludes that the built form limits the amount of shadowing on adjacent residential areas and amenities and no public spaces were in the immediate vicinity and thus not impacted. Any shadowing effects onto public sidewalks only occurred in the morning and impacts on residential dwellings was limited to front facades including the garages of surrounding homes. The study illustrated that the development has been designed to be consistent with the direction provided in the City's design policies and guidelines and does not cause undue shadowing on the surrounding site.

3.10 Wind Study

RWDI Consulting Engineers completed a Pedestrian Wind Study, dated December 23, 2021. Overall, the proposed development meets all wind safety criterion. Wind conditions at pedestrian areas, amenity areas, sidewalks and all entrances to the proposed development are considered suitable for the intended usage throughout the summer months, and the development is expected to have minimal impact on the existing conditions of the surrounding public sidewalks. Design measures to mitigate wind impacts on outdoor amenity spaces and above grade terraces will be determined in later design phases. The most significant wind impacts will be felt off site along Winona Road and East Street however the impacts are minor and acceptable for pedestrians.

3.11 Noise Impact Study

A Noise Feasibility Study, dated December 2021, was prepared by HGC Engineering. The study identified the primary noise source as the QEW located just under 500m to the south of the site. The study concludes that sound levels will meet MECP guidelines at all lots in the proposed development. The report requires Standard Warning Clauses to be inserted into all Offers and Agreements of Purchase and Sale or Lease. Overall, the impacts of the environment can be adequately controlled with upgrades to the building construction, without the inclusion of mitigation measures for the surrounding stationary sources, and the inclusion of ventilation and warning clause requirements. In addition, impacts of the proposed development on its surroundings are expected to meet the applicable guideline limits and can be adequately controlled. The report recommends that the builder's plans be reviewed by an Acoustical Consultant prior to issuance of a building permit to ensure required noise control measures have been incorporated.

3.12 Urban Design Brief

The Urban Design Brief dated December 23, 2021 was prepared by Whitehouse Urban Design. The Brief concludes that the design complies with zoning in terms of permitted use, is consistent with the Provincial Policy Statement, conforms to the policies, and implements the general intent of both the Urban Hamilton Official Plan and City of Hamilton Zoning By-law Nos. 05-200 and The Stoney Creek By-law 3692-92. The Brief confirms that

the proposed design of the project enhances the public realm by creating a residential community that is highly pedestrian-oriented utilizing internal streets to form promenades leading to over 6000m² of waterfront open space. Additionally, the landscape design creates safe, attractive, inviting streetscapes, while providing seasonal interest and buffering when necessary. While site specific modifications to the By-law are required, the Brief confirms appropriate design considerations have been applied to ensure the intent of the provisions are maintained and the modifications do not result in any adverse impacts to the surrounding communities.

3.12 Hydrogeological Investigation

A Hydrogeological Report was conducted by Landtek and dated September 18, 2021. Landtek utilized six monitoring wells for the study. The report concluded that there were no significant hydrogeologic features present on the site. Additionally, the study reported no connection between Lake Ontario and the site thus, the Lake would not be impacted during construction of the development. The report stated that no impact to groundwater would occur, no potential for mobilization of contaminants exists, and other geotechnical impacts are not expected.

3.13 Visual Impact Assessment

UrbanSolutions was retained by the owner of the subject property to conduct a visual impact assessment for the proposed development. The Visual Impact Assessment looked at the potential impacts the proposal may have on surrounding properties views of Lake Ontario, the escarpment, and road widening impacts on the streetscape and existing built form. UrbanSolutions analysis confirms that no undue or adverse impacts to views and existing built form and streetscape elements will occur because of the development.

3.14 Hydraulic Assessment

A Hydraulic Assessment of The Sanitary Collection System and Pumping Station For the proposed development was completed by C3 Water and dated September 27, 2021. During initial consultation with the City, it was identified that there may a capacity issue with the existing pumping station. The station currently features a shortfall of 69.9 L/s and this is expected to grow to 84.6 L/s based on the development statistics. The capacity analysis

showed that the station is currently reaching its max capacity, as well as the force main located on the property and updates will be required. However, Sanitary sewers in the area can support the development and will be under the maximum allowable pipe utilization of 75%. A cost sharing agreement is recommended for the upgrades based on the proposed development. C3 Water utilized the findings from the functional servicing report and concluded that the system has an adequate amount of pressure with the proposed 200mm water services as well as the 150mm water service to provide domestic flow to the development.

3.15 Designated Substances Survey

G2S conducted a Designated Substances Survey (DSS) for the subject lands dated September 8, 2020. The DSS is intended to identify substances and materials that may be hazardous on site prior to the demolition of buildings. The study concluded that no substances of concerns as regulated under Ontario Regulation 490/09 were present on the site.

3.16 Linkage Assessment

GeoProcess Research and Associates completed a Linkage Assessment for the subject lands dated December 15, 2021. The study found that based on UHOP Schedule B – Natural Heritage Systems of the UHOP, a small linkage feature was identified in the northwest corner of the Subject Property, immediately south of the Lake Ontario Shoreline. The report notes that the feature appears to have been associated with a small cluster of trees in a manicured area of the site. Shoreline alteration resulted in the loss of the tree cluster. The study found that the linkage potential apparent throughout this proposal may introduce more opportunities for linkages throughout the site. GeoProcess found that the previous use of the linkage functions on the site provided mostly for migratory birds. The study concludes that although linkage functions have been removed and altered throughout the construction of the shoreline and the redevelopment of the site in general, the proposal provides optimum consideration for linkage throughout the site and along the shoreline which satisfies the intent of the UHOP policies for linkages.

3.16 Shoreline Hazard Assessment and Setback requirements

In a Shoreline Hazard Assessment conducted by Baird dated July 31, 2020, the study concluded that the 225m frontage of shoreline to the north of the development is considered a “cohesive shoreline” meaning that the shoreline contains a mixture of fillings pertaining to gravel, sand, and silts. Baird concluded that the hazard Limit for the subject lands is 32 metres. This limit would allow for a design life and erosion allowance of 50 years. This limit includes a 6m maintenance access way as well as a 6m access path to the adjacent municipal road. Since, HCA Permits have been issued and site works are substantially complete.

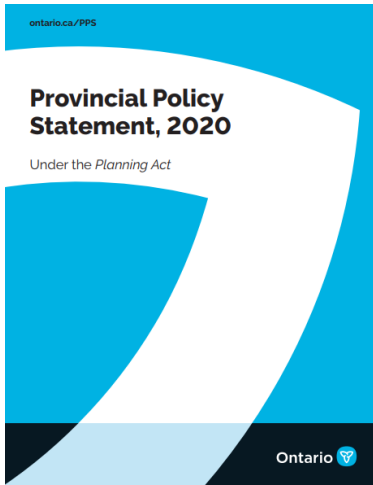
3.17 Slope Stability Study

Lantek was retained and completed a Slope Stability Study dated July 31, 2020. Fourteen borehole locations were used to determine how the shoreline protection system could be designed. The study concluded that a 25-degree angle would support the Shoreline Hazard Limit under future conditions pertaining to water level and soil depth. The study evaluated slope stability based on shallow and deep planes. Geotechnically, the 25-degree angle allowed for a 9.0m slope that would not result in adverse or undue impacts on the shoreline.

4. Planning Policy Framework

The following is intended to provide a review and highlight the planning policy framework applicable to the subject lands. The applicable documents include *The Planning Act R.S.O 1990*, Provincial Policy Statement (2020), Places to Grow – Growth Plan for the Greater Golden Horseshoe (2017), the Urban Hamilton Official Plan (2019), the Urban Lakeshore Secondary Plan and the City of Hamilton Zoning By-law No. 05-200 and The Stoney Creek Zoning By-law 3692-92.

4.1 Provincial Policy Statement, 2020



On February 28, 2020 notice was received from the Ministry of Municipal Affairs and Housing of an updated Provincial Policy Statement (PPS) which took effect as of May 1, 2020. The PPS supports the implementation of More Homes, More Choice: Ontario’s Housing Supply Action Plan and includes key changes to:

- Encourage an increase in the mix and supply of housing;
- Protect the environment and public safety;
- Reduce barriers and costs for development and provide greater certainty;
- Support rural, northern and Indigenous communities; and
- Support the economy and job creation.

The PPS, 2020 works together with other recent changes to the land use planning system which collectively support key government priorities of increasing housing supply, supporting job creation and reducing red tape.

The PPS, 2020 policies took effect on May 1, 2020 and replaced the PPS, 2014. In accordance with Section 3 of the *Planning Act*, all decisions affecting land use planning matters made after this date shall be consistent with the PPS, 2020. Recognizing that, this proposal has been prepared in accordance with this new policy framework.

In line with the Provincial Policy Statement 2014, the PPS 2020 continues the mandate of building strong healthy communities. The vision of the PPS 2020 includes the long-term prosperity and social well-being of Ontario which depends on wisely managing change and promoting efficient land use and development patterns.

1.0 Building Strong Healthy Communities

This policy speaks to efficient land use and development patterns which intern support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

Policy 1.1.1 identifies a range of criteria for the creation and sustainability of healthy communities that includes efficient development patterns, a mix of housing opportunities, environmental and public health protections, an emphasis on transit-supportive development, and climate change considerations. 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:
- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b) accommodating an appropriate, affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, 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;
 - c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
 - d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
 - e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
 - f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
 - g) ensuring that necessary *infrastructure* and public service facilities are or will be available to meet current and projected needs;
 - h) promoting development and land use patterns that conserve biodiversity; and

- i) preparing for the regional and local impacts of a changing climate.”

Policy 1.1.2 mandates sufficient land be made available to accommodate an appropriate range and mix of land uses, noting that within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment*.

1.1.3 Settlement Areas

The PPS, 2020 has specific policies regarding settlement areas noting, among others, that:

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

“1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of housing options through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.”

1.4 Housing

Section 1.4 of the Provincial Policy Statement contains a range of Housing policies that must be considered by municipalities and implemented with regards to offering appropriate ranges and mixes of housing options and densities.

1.6 Infrastructure and Public Service Facilities

Section 1.6 of the Provincial Policy Statement contains a range of policies related to Infrastructure and Public Service Facilities, specifically to ensure consideration for appropriate sewage, water, stormwater, transportation and waste management infrastructure is contemplated for all land development.

2.1 Natural Heritage

Section 2.1 of the Provincial Policy Statement contains policy direction related to the management and conservation of Natural Heritage features including wood lots, wetlands, linkages, wildlife habitats and other natural heritage systems. The general intent of Section 2.1 is to have regard for the above noted features during land development and site alteration.

2.6 Cultural Heritage and Archaeology

Similar to Section 2.1, Section 2.6 of the Provincial Policy Statement policy direction related to the management and conservation of Cultural Heritage and Archaeological resources. Specifically, to ensure consideration for built heritage resources, cultural heritage landscapes and archaeological resources for all land development.

4.2 Places to Grow – Growth Plan for the Greater Golden Horseshoe, 2019

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) under the *Places to Grow Act, 2005*. This 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 2051. 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, 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.

Managing Growth

Section 2.2.1 of the Growth Plan provides policy direction as to where and how the municipalities should grow. Per Schedule 3 (Distribution of Population and Employment for the Greater Golden Horseshoe to 2051) the City of Hamilton, forecast a population of 820,000 by 2051.

2.2.1.2 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;

2.2.1.4 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.

Delineated Built-up Areas

The subject lands are identified as part of the City of Hamilton’s Delineated Built-up Area per Section 3. Built Boundary Maps. Delineated Built Boundary is defined as, “The limits of the developed urban area as defined by the Minister in consultation with affected municipalities for the purpose of measuring the minimum intensification target in this Plan”.

- a) A minimum of 50 percent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Region of Durham, Halton, Niagara, Peel, Waterloo and York will be within the *delineated built-up area*; and

2.2.2.2 Until the next *municipal comprehensive review* is approved and in effect, the annual minimum intensification target contained in the applicable upper- or single-tier official plan that is approved and in effect as of July 1, 2017.

2.2.2.3 All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:

- a) Identify *strategic growth areas* to support achievement of the intensification target and recognize them as a key focus for development;
- b) Identify the appropriate type and scale of development in *strategic growth areas* and transition of built form to adjacent areas;
- c) Encourage *intensification* generally throughout the *delineated built-up area*;
- d) Ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- e) Prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and
- f) Be implemented through official plan policies and designation, updated zoning and other supporting documents.

2.2.2.4 Councils of upper- and single-tier municipalities may request an alternative to the target established in policy 2.2.2.1 where it is demonstrated that this target cannot be achieved and that the alternative target cannot be achieved and that the alternative target will be appropriate given the size, location and capacity of the *delineated built-up area*.

2.2.2.5 The Minister may permit an alternative to the target established in policy 2.2.2.1. If council does not make a request or the Minister does not permit an alternative target, the target established in policy 2.2.2.1 will apply.

Housing

A key policy directive of the Growth Plan is to manage and provide a sufficient housing supply that reflects market demand and what is needed in local communities. The Growth Plan also encourages supporting a more diverse range and mix of housing options.

2.2.6.1 Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and appropriate stakeholders, will:

- a) Support housing choice through the achievement of the minimum intensification and density targets in this plan, as well as the other policies of this Plan by:

- i. Identifying a diverse range and mix of housing options and densities, including second units and *affordable* housing to meet projected needs of current and future residents; and
 - ii. Establishing targets for *affordable* ownership housing and rental housing;
- b) Identify mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);
 - c) Align land use planning with applicable housing and homelessness plans required under the Housing Services Act, 2011; and
 - d) Address housing needs in accordance with provincial policy statements such as the Policy Statement: “Service Manager Housing and Homelessness Plans”; and
 - e) Implement policy 2.2.6.1, a), b), c) and d) through official plan policies and designations and zoning by-laws.

2.2.6.2 Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of *complete communities* by:

- a) Planning to accommodate forecasted growth to the horizon of this Plan;
- b) Planning to achieve minimum intensification and density targets in this Plan;
- c) Considering the range and mix of housing options and densities of the existing housing stock; and
- d) Planning to diversify their overall housing stock across the municipality.

2.2.6.3 To support the achievement of *complete communities*, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

2.2.6.4 Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for *intensification* and *redevelopment*.

2.2.6.5 When a *settlement area* boundary has been expanded in accordance with the policies in subsection 2.2.8, the new *designated greenfield area* will be planned in accordance with policies 2.2.6.1 and 2.2.6.2.

The proposed development utilizes a vacant parcel of land to facilitate an employment district supporting the policies within the Growth Plan and the vision intended for the Built Boundary.

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 16, 2013. The UHOP is a guiding planning document which provides policies on community management, land use changes, and physical development in the City.

Urban Structure & Urban Land Use

Schedule E – Urban Structure and Schedule E.1 – Urban Land Use of the UHOP applies the “Neighbourhoods” designation to the subject lands, as shown in Figures 4 and 5. The “Neighbourhoods” designation is intended to create complete communities and is planned to encompass a full range of residential dwelling types and densities, as well as supporting uses intended to serve local residents. Residential intensification is supported in the Neighbourhoods designation, provided it enhances and is compatible with the scale and character of existing development. The Neighbourhoods designation consists of residential uses and complementary facilities and services intended to serve the residents.

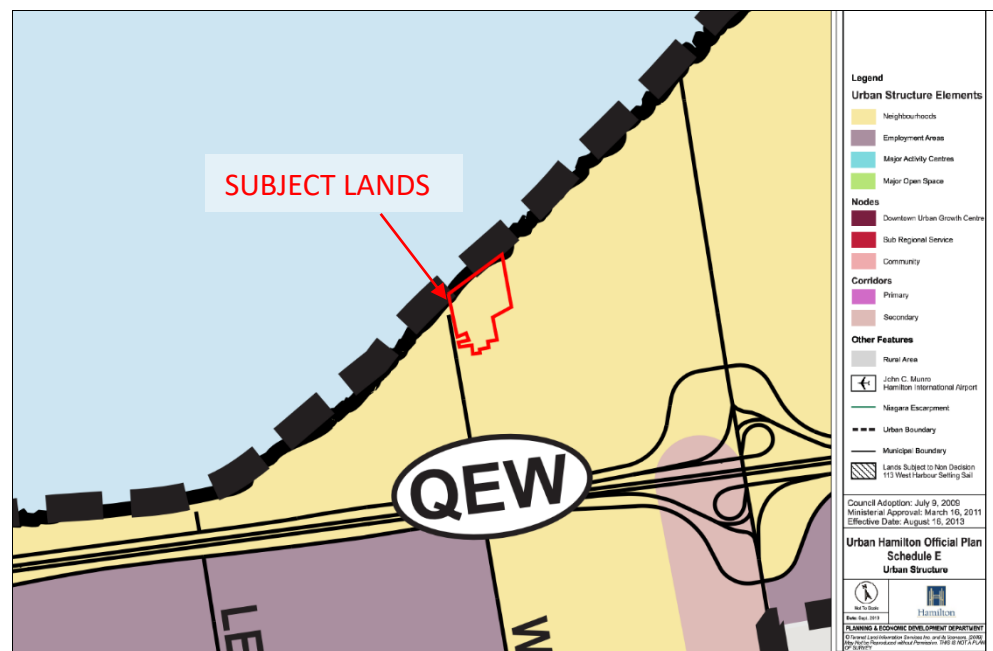


Figure 5 – Urban Hamilton Official Plan – Schedule E (Urban Structure)

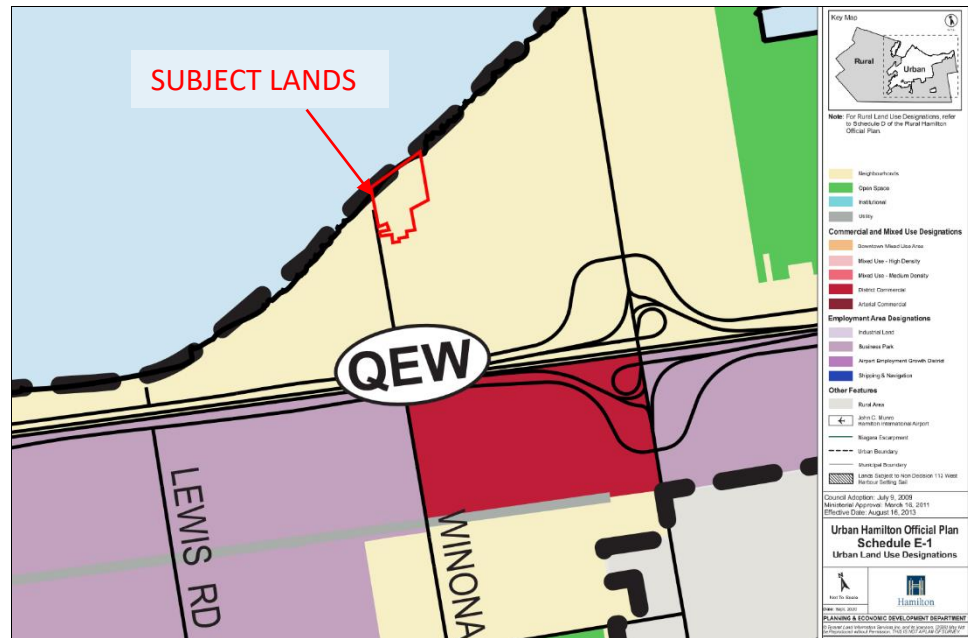


Figure 6 – Urban Hamilton Official Plan – Schedule E-1 (Urban Land Use)

Transportation

Schedule C – Functional Road Classification of the UHOP identifies Winona Road as a Collector Road. The subject lands are also located to the north of the QEW identified as a provincial highway with controlled access. The subject lands neighbor other collector roads and have access further south to two major arterial roads, Barton Street East and Highway 8. Schedule C-2 – Future Road Widening indicates that Baseline Road from Winona Road to North Service Road has a planned right-of-way width of 26.213 metres.

4.5 Urban Lakeshore Secondary Plan

The Urban Lakeshore Secondary Plan is applicable to the subject lands. This Secondary Plan was first established via OPA 40 approved in part on January 12, 1996, and November 18, 1999 as an amendment to the Official Plan for the former City of Stoney Creek. The current Urban Lakeshore Secondary Plan in the Urban Hamilton Official Plan was a carryover from the original Stoney Creek Official Plan and is now used to inform the lands bounded by Lake Ontario, The Winona North Neighbourhood, and the Fifty Point Neighbourhood. The Plan recognizes the subject lands as 'Local Commercial' on the Urban Lakeshore Secondary Plan Land Use Plan as shown in Figure 7.

Policy 7.3.2 of the Plan states that these areas should be designed to meet the weekly and daily needs of residents within the area. Permitted uses in

this area includes low – midrise commercial, retail, or mixed-use developments. The subject lands abut an area that is designated as ‘Low Rise Residential 2B’, as shown on Figure 7 below. Due to the nature of the proposed development and the applicable policy noted above, an Official Plan Amendment is required to facilitate the proposal.

The effect of the amendment will accommodate a maximum residential density of 425 units per hectare. Further, the OPA is required to permit a maximum height of 24 storeys. A copy of the draft Official Plan Amendment can be found within Appendix B of this report.

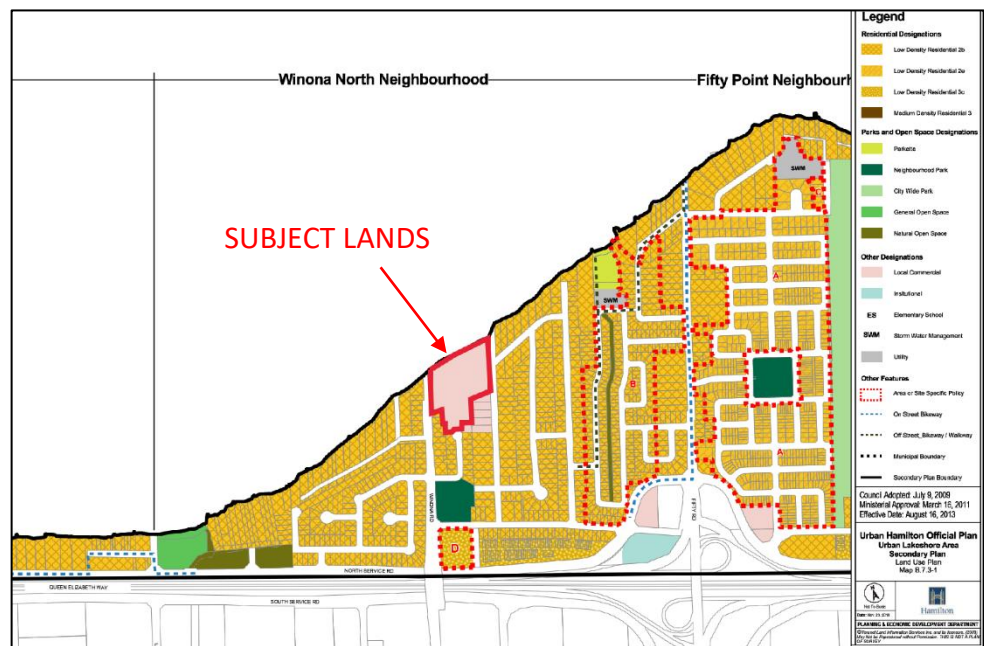


Figure 7 – UHOP Map B.7.3-1 – Urban Lakeshore Secondary Plan

4.5 City of Hamilton Zoning By-law No. 05-200

The subject lands are located in the Community Commercial (C3) Zone in the City of Hamilton Zoning By-law No. 05-200, as shown in Figure 8 below.

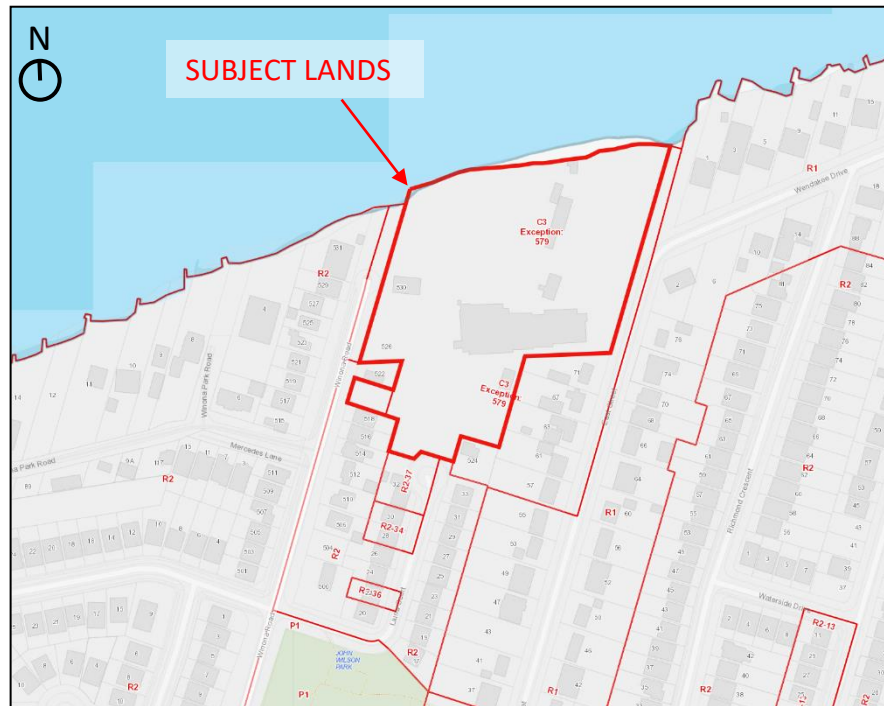


Figure 8 – City of Hamilton Zoning By-law No. 05-200

5. Analysis

5.1 Policy Framework

When evaluating the merits of this development proposal on the subject lands, it is appropriate to review the proposal against the upper tier policy documents. In this instance, the upper tier documents *include The Planning Act*, PPS 2020, the Growth Plan for the Greater Golden Horseshoe, the Urban Hamilton Official Plan and the Urban Lakeshore Secondary Plan.

Planning Act, 1990

Section 2 of *The Planning Act* identifies matters of provincial interest that approval authorities must have regard for when evaluating development proposals. They are as follows:

- a) The protection of ecological systems, including natural areas, features and functions;

Planning Comment: The subject lands do not contain any natural areas or features.

- b) The protection of the agricultural resources of the Province;

Planning Comment: The proposed development is located within the approved urban settlement boundary. Accordingly, the development protects the agricultural resources of the Province.

- c) The conservation and management of natural resources and the mineral resource base;

Planning Comment: The proposed development does not adversely impact natural resources or the mineral resource base, as such it has regard for these matters.

- d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

Planning Comment: As identified in the Archeological Assessment completed by Parslow Heritage Consultancy Inc., the proposed development will not adversely impact matters of cultural heritage or archaeological significance.

- e) The supply, efficient use and conservation of energy and water;

Planning Comment: As addressed in the S. Llewellyn & Associates Functional Servicing Report Review, the proposed development has regard for the efficient supply, use and conservation of energy and water.

- f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

Planning Comment: The proposed development ensures the adequate and efficient provision of communication, transportation and waste management systems. The Functional Servicing Report supports the development's provision of sewage and water services.

- g) The minimization of waste;

Planning Comment: Appropriateness of waste management systems provided will be secured through the Site Plan conditions of approval.

- h) The orderly development of safe and healthy communities;

Planning Comment: Collectively, the zoning by-law regulations and the subdivision application and conditions of approval ensure the proper and orderly development of the municipality.

h.1) The accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

Planning Comment: Conditions of approval will ensure pedestrian connections are AODA compliant and the Ontario Building Code will ensure best practices regarding accessibility are met for dwellings.

- i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;

Planning Comment: The Subject Lands are within the jurisdiction of the Hamilton District School Board and the Hamilton Catholic District School Board. These boards have been circulated on the Zoning By-law Amendment applications to evaluate school allocation.

- j) The adequate provision of a full range of housing, including affordable housing;

Planning Comment: The proposed development provides a range of dwelling types including 1212 units comprised of 800 one-bedroom units, 161 two-bedroom units, 183 three bedroom units and one four bedroom unit as illustrated in the Concept Plans contained in Appendix A.

- k) The adequate provision of employment opportunities;

Planning Comment: N/A

- l) The protection of the financial and economic well-being of the Province and its municipalities;

Planning Comment: The proposed development supports long-term economic prosperity of the Province by adding to the overall housing supply and offering a range of housing options including to contribute to a diverse workforce. Conditions of approval for parkland dedication, development charges and cost sharing also protect the

financial and economic well being of the Province and City. Once developed, the lands will contribute significantly more to the municipal tax base than the current underutilized parcel.

- m) The co-ordination of planning activities of public bodies;

Planning Comment: The comprehensive review of this application by the City of Hamilton ensures matters of provincial interest are accounted for and a coordinated approach of planning activities has been implemented.

- n) The resolution of planning conflicts involving public and private interests;

Planning Comment: N/A

- o) The protection of public health and safety;

Planning Comment: The proposed development does not present any negative impacts to public health and safety.

- p) The appropriate location of growth and development;

Planning Comment: Schedule 3 of the Growth Plan establishes a population target of 820,000 for the City of Hamilton by the year 2051. Based on the subject property being located within the Urban Settlement Boundary for the municipality, the proposed development aids the City of Hamilton in achieving their growth target and implements appropriate intensification adjacent to built-up areas.

- q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

Planning Comment: The plan promotes connectivity within the design and supports a pedestrian-oriented environment through the provision of 727 bicycle parking spaces.

- r) The promotion of built form that,
i. is well-designed,
ii. encourages a sense of place, and

- iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

Planning Comment: The proposed development offers a well-designed, attractive pedestrian environment with access to Winona Road and East Street as well as the waterfront. The centralized nature of the pedestrian path and internal courtyards encourage a sense of place for residents that is both vibrant and accessible.

- s) The mitigation of greenhouse gas emissions and adaptation to a changing climate.

Planning Comment: Multi-unit dwellings have been shown to require less energy and water per resident, making them an integral part of the solution to address climate change. This will help to mitigate greenhouse gas emissions that will be produced and reduce the overall carbon footprint of the proposed development.

This proposal has regard for matters of Provincial interest as identified in Part 2 of the *Planning Act*.

Provincial Policy Statement, 2020

Legislation states that *Planning Act* applications must be “consistent with” the Provincial Policy Statement.

This proposal contributes to the Province’s objective to accommodate an appropriate range and mix of land uses (Policy 1.1.1). The proposed residential development will assist with the objective of focusing growth and development in *settlement areas* (Policy 1.1.3) and is providing an appropriate mix of housing options and densities (Policy 1.4.1). Development of the subject lands will utilize site specific appropriate development standards to facilitate intensification and a compact built form (Policy 1.1.3.4). The proposed development additionally aids in providing housing stock to meet affordable housing needs of the region (1.4.3). The Stage 1 & 2 Archaeological Assessment completed by Parslow Heritage Consulting ensures the objectives of Section 2.6 are achieved. The Landscaped Plan, Tree Protection Plan and Tree Management Plan and Linkage Assessment pertaining to the natural heritage resources that were identified by City staff during Formal Consultation, ensure that Section 2.1 is satisfied by the proposed development. The Functional Servicing and Stormwater

Management Report prepared by S. Llewellyn & Associates and Transportation Impact Study prepared by NexTrans confirm the proposed development can be adequately serviced and accommodated by the existing transportation network and municipal servicing infrastructure (Section 1.6).

This proposal is consistent with the Provincial Policy Statement.

Places to Grow – Growth Plan for the Greater Golden Horseshoe

The *Planning Act* states that decisions in respect of planning matters shall conform with applicable provincial plans including the Places to Grow – Growth Plan for the Greater Golden Horseshoe.

This proposal supports the Plan’s aim to prioritize *intensification* and higher densities, to make efficient use of land and *infrastructure* and support transit viability.

This proposal supports the achievement of complete communities and higher densities to more efficiently utilize both land and infrastructure (2.2.1) while supporting public transit and active transportation, in line with the stated policies on climate change (4.2.10). Further, the proposal provides a mix of housing options and densities including affordable housing to meet the projected needs of current and future residents (2.2.6.a.i). The proposed development aids the municipality in achieving the intensification target of at least 50% of growth to be accommodated within the delineated built-up area (2.2.2). The proposed built form supports the creation of complete communities through the provision of a range of housing forms and densities (2.2.6). The proposed development can be adequately accommodated by municipal servicing infrastructure as confirmed by the Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates (3.2).

It is our (UrbanSolutions’) opinion that the proposed development is in conformity with the Growth Plan and therefore the proposed use has regard for matters of provincial interest as identified in the *Planning Act*.

Urban Hamilton Official Plan (UHOP)

The UHOP provides direction and guidance on the management of communities, land use change, and physical development over the next 30 years. As an amendment to the Zoning By-law is required to permit the proposal, the UHOP provides the framework for evaluating this amendment.

To achieve the City’s projected population growth, Section B.2.4.1 of the Plan contains policy direction for residential intensification. More specifically, Section B.2.4.1.3 contains prescribes the City’s Neighbourhoods to accommodate 40% of the residential intensification target and the proposed development assist in achieving this objective.

Further, Section B.2.4.1.4 provided criteria to evaluate residential intensification developments. As proposed, and as outlined this Planning Justification Report, the Urban Design Brief prepared by Whitehouse Urban Design and the Functional Servicing Report prepared by S. Llewellyn & Associates, the satisfies the criteria contained in Section B.2.4.1.4(a-g).

“B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:
a) a balanced evaluation of the criteria in b) through g) as follows;”

Planning Comment: The proposed development balances and addresses the evaluation of criteria contained in the policies below.

“b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;”

Planning Comment: The proposal enhances the character of the area and builds upon the established patterns and built forms by transitioning height and density from the low rise single detached dwellings on the lands abutting the site to the proposed massed and scaled buildings which implement appropriate step backs and setbacks. These setbacks and step backs ensure the angular plane as required by the Hamilton City-Wide Corridor Planning Principles and Design Guidelines informs the angular plane provided by the proposed structure.

“c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;”

Planning Comment: The neighbourhood is currently occupied by low rise

residential dwellings; predominantly single detached. The proposed development will contribute to the provision of a range of housing forms and densities in the surrounding 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 Whitehouse Urban Design demonstrates that the design of the building includes step backs. Moreover, the townhouse dwellings ensure an adequate transition in scale to minimize any impacts to the neighbouring properties.

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

Planning Comment: N/A

f) infrastructure and transportation capacity; and

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

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

Planning Comment: The proposed Official Plan and Zoning By-law amendments are consistent with the Provincial Policy Statement and conform to the Growth Plan as the development proposal represents an appropriate form of intensification in an existing built-up area. Finally, the proposed amending Zoning By-law includes appropriate regulations and implements the general intent of the UHOP, the Urban Lakeshore Secondary Plan, the City of Hamilton Zoning By-law No. 05-200, and the Stoney Creek Zoning By-law 3692-92.

Section B.3.2.4 of the UHOP provides general policies for urban housing. This proposal implements Policy B.3.2.4.2 which promotes the development of housing with a full range of support services throughout the City and encourages the City to give priority to development applications that meet documented unmet needs for housing tenure, affordability levels or support services. As discussed in Section 2 of this Report, this proposal will yield a form of housing representing higher residential densities. The proposed dwelling units will assist in the provision of a diverse range of housing, which in turn will support the creation of a diverse and healthy community.

The site is further evaluated against Section B.3.3 - Urban Design Policies of the UHOP to ensure compatible integration with the surrounding land uses. The following specific policies related to Urban Design are applicable to the subject proposal:

Section B.3.2.4 of the UHOP provides general policies for urban housing. This proposal implements Policy B.3.2.4.2 which promotes the development of housing with a full range of support services throughout the City and encourages the City to give priority to development applications that meet documented unmet needs for housing tenure, affordability levels or support services. As discussed in Section 2 of this Report, this proposal will yield a form of housing representing higher residential densities. The proposed dwelling units will assist in the provision of a diverse range of housing, which in turn will support the creation of a diverse and healthy community.

“B.3.3.2.5 Places that are safe, accessible, connected and easy to navigate shall be created by using the following design applications, where appropriate:

...

b) providing connections and access to all buildings and places for all users, regardless of age and physical ability;

...

g) designing streets and promoting development that provides real and perceived safety for all users of the road network.

B.3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding area is desirable, new development and redevelopment should enhance the character of the existing environment by:

...

- b) Respecting the existing cultural and natural heritage features of the existing environment by re-using, adapting, and incorporating existing characteristics;
 - d) Complementing the existing massing patterns, rhythm, character, colour and surrounding context;
 - e) Encouraging a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm
...
- B.3.3.2.7 Places that are adaptable in accommodating future change are desirable and should be created by:
- ...
- b) Encouraging design that accommodates the changing physical needs of people and their lifestyles through all stages of their lives;
 - c) Encouraging innovative design of built forms and public spaces.
- B.3.3.3.2 New development shall be designed to minimize impact on neighbourhood buildings and public spaces by:
- a) creating transitions in scale to neighbouring buildings;
 - b) ensuring adequate privacy and sunlight to neighbouring properties;
- ...
- B.3.3.3.5 Built form shall create comfortable pedestrian environments by:
- a) Locating principal facades and primary building entrances parallel to and as close to the street as possible;
- ...
- c) Including a quality landscape edge along frontages where buildings are set back from the street;
 - d) locating surface parking to the sides or rear of sites or buildings, where appropriate;
- ..."

Planning Comment - The proposed development includes pedestrian connections from dwellings to internal sidewalks which connect to the municipal sidewalk along Winona Road. Residents are well connected to through enhanced public space throughout the site and are encouraged in using forms of active transportation to access this mode of transportation. This proposal includes the provision of sidewalks which will provide the surrounding residents safe municipal walkway connections to the internal sidewalks of the development.

The proposed building materials, height and setbacks will result in compatible massing and character for this development within the context of the surrounding community. The inclusion of underground parking will maintain the streetscape and provide a comfortable pedestrian environment while ensuring ample access to parking for residents and visitors.

The scale and form of the proposal are regulated by the amending by-law to ensure that an appropriate relationship is established between the proposed development and the existing neighbouring dwellings and natural features.

As indicated in Section 4.3 of the Planning Justification Report, the UHOP applies a Neighbourhoods designation to the subject lands. The City of Hamilton strives to manage urban growth and development that is sustainable and recognizes a balance between the economy, the environment, and a community's social needs. Section E.2.6 notes that Neighbourhoods represent a key component of Hamilton's urban structure and occupies the greatest proportion of the City, representing a mix of low, medium and high-rise areas. The function of this designation is to primarily contain residential uses (2.6.3) and shall permit and provide the opportunity for a full range of housing forms, types and tenure (2.6.4).

Section E.3.2 of the UHOP provides general policies for the scale and design of areas designated as Neighbourhoods:

"E.3.2.7 The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

...

- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between

a building and a public street (excluding a public alleyway) shall be minimized;

- c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided;”

...

Section E.3.8 of the UHOP provides policies on Local Commercial areas noting that these are characterized by retail and commercial uses on the periphery of neighbourhoods in proximity to major or minor arterial roads. Furthermore, residential units may be permitted above the ground floor in mixed use developments. Section E.3.8.1 encourages development in areas dominated by high density residential uses to be designed to achieve height, massing, and arrangement of buildings that is compatible with existing and future uses in the surrounding area.

Planning Comment – The proposed development features a central pedestrian corridor design structure through the balance of the site with internal sidewalks and pedestrian connections from the multiple dwellings and townhouse dwellings to municipal sidewalks. Landscaping will be secured at the Site Plan stage and will serve to provide an attractive public realm enhancing the existing landscape character of the area, ensuring visual connectivity to the adjacent built form and natural features.

A total of 527 parking spaces allocated to residents and 540 parking spaces for visitors will all be located within the underground parking structure as shown in the Concept Plan in Appendix A. The proposed parking location underground allows convenient access to and from the dwelling units and does not dominate the streetscape or impact the overall flow of the site for pedestrian connectivity.

As demonstrated in the Urban Design Brief submitted in support of this application, the two 4-storey stacked townhouse and five two storey block townhouse units will provide a mix of dwelling unit types, lot widths and sizes deemed to be context-sensitive to the existing neighbourhood streetscape. The two 15 and two 24 storey towers will also provide to the mix of dwelling types in the area. The proposed development provides cohesiveness with the surrounding community through the implementation of thoughtfully integrated pedestrian connections. The location of the townhouse dwellings in relation to the towers and the buildings along the local roads framing the site ensure the density of the development is appropriate and able to be

accommodating by the existing context through thoughtful transition in scale. The proposed development has been designed and situated in a visually compatible manner with the existing developed lands.

“...E.3.7.5 New residential development in greenfield areas shall generally be designed and planned to:

- a) Minimize changes to existing topography;
- b) Preserve existing trees and natural features; and
- c) Be compatible with, and maintain public views and vistas to prominent City features and landmarks, including the Niagara Escarpment, the waterfronts and of Lake Ontario and Hamilton Harbour, Cootes Paradise, and Dundas Valley, or as identified through secondary plans, cultural heritage management plans, cultural heritage conservation plan statements, or other studies.”

Planning Comment – To facilitate this development proposal the Functional Servicing Report outlines how the grading plan intends to minimize negative effects to the existing topography. This proposed residential development will serve to frame the streetscape along Winona Road and East Street while maintaining views of the escarpment and of Lake Ontario thereby improving the street line and creating an attractive pedestrian environment through the implementation of a central pedestrian corridor design.

“...E.3.7.6 New development or redevelopment adjacent to open spaces shall

- a) Minimize the impacts on natural heritage features;
- b) Maintain or enhance public access to trails, bikeways, and parks within these features;
- c) Preserve or enhance public views to these features; and,
- d) Use native plant material adjacent to these features.”

Planning Comment: Impacts to existing natural features, including the existing stormwater catchment areas, have been addressed in the Functional Servicing and Stormwater Management Report.

Urban Lakeshore Area Secondary Plan

The Urban Lakeshore Area Secondary Plan establishes land uses, development standards and provisions regarding cultural heritage, urban design, and transportation, to guide the development and/or redevelopment of lands located in the located in the Secondary Plan area. The Plan, which originated in 1996, is not reflective of the current policy regime. This proposal represents an appropriate time to revisit these policies to accommodate developments suitable to the current context of the city and the area. Within the Urban Lakeshore Area Secondary Plan, the subject lands are designated as Local Commercial. An Official Plan Amendment is required to redesignate these lands to accommodate higher density, heights, and a range of dwelling types to serve a changing community.

GRIDS 2 and Municipal Comprehensive Review (MCR)

The City of Hamilton is projected to grow by 110,000 households in the next 30 years. As a result of the 2020 Growth Plan, the UHOP and Urban Lakeshore Secondary Plan must be revised to conform. As determined by the Council vote at the November 19th, 2021, General Issues Committee, Hamilton is in favor of the growth scenario where no Urban Boundary Expansion is implemented, and all intensification occurs within the existing Urban Boundary. In other words, this scenario implements an intensification target of 81% of new dwelling units being constructed within the defined Built-up Area over the next 30 years, with the remaining growth to be accommodated by Designated Greenfield Areas. To achieve this, infill developments which facilitate higher densities need to be realized, with an estimated shift of 59,300 'ground-related' units to apartment units required. To meet even the 'Ambitious Density' scenario outlined earlier in this report, Hamilton would need to have approximately 21 to 27 multiple residential buildings under construction at all times. As such, developments like this one proposed provide an opportunity to implement the current provincial policy framework while the balance of GRIDS2/MCR is completed.

Angular Plane Analysis

Angular Plane sketches were completed by UrbanSolutions to determine the transition in built form between the proposed development and the abutting residential properties, as shown in Appendix D. The design of the proposed massing was carefully informed by the City-Wide Corridor Planning Principles and Design Guidelines. The Angular Plane sketches show the 45-degree

angular plane prescribed by the Corridor Planning Principles and Design Guidelines in red and the proposed angular plane in blue. When analyzing Sketch 1 specifically, the proposed massing offers a 65-degree angular plane from the Winona Road right-of-way, with a marginal portion of the 10th to 15th storey encroaching into the 45-degree plane. For the 24 storey towers, a small part of the 23rd and the 24th storey are in breach of the 45-degree plane. Further, the massing interface shown at the rear lot line of East Street also breaches the 45-degree plane to a similar degree.

While the proposed built form breaches the angular plane, the overall design of the massing has been informed by the prescribed of the angular plane requirements in the Corridor Planning Principles and Design Guidelines. The proposed setbacks and step backs ensure transition in scale is maintained in relation to the surrounding residential dwellings without adverse impacts.

5.2 Regulations

The proposed development requires an amendment to the City of Hamilton By-law No. 05-200 and Stoney Creek Zoning By-law 3692-92. The subject lands will be rezoned in the Stoney Creek Zoning By-law 3692-92 from Local Commercial (C3) Zone and placed in a site specific “RM5-___” (Multiple Residential 5). Additionally, the lands south of the easement will be rezoned from the Single Residential (R3) Zone to the Single Residential (R1) zone in the Stoney Creek Zoning By-law 3692-92. Furthermore, the lands to the north of the site which encompass 6523m² of public open space be rezoned from (C3) as Open Space (P4) in the City of Hamilton Zoning Bylaw 05-200. A variety of site-specific regulations have been included in the draft amending by-law to permit the proposed development. The following provides an analysis of the proposed zoning regulations.

Density

The amending by-law seeks to permit a net residential density requirement of 430 units per hectare within the subject lands to accommodate this development. The modified net residential density range of 430 units per hectare maintains the intent of the UHOP in regard to high density residential area designation policies and implements broader policy objectives without adverse impacts.

Setbacks

The minimum setbacks proposed in the amending by-law have been set up to have regard for the various heights contained within the development and surrounding context. As such, the amending by-law establishes minimum side yard setbacks of 3.0 metres, rear yard setbacks as a minimum of 3.2 meters, and a minimum front yard setback of 2.5 meters. These setbacks are required to accommodate the layout and design of the proposed development whilst maximizing the provided visitor parking spaces and remaining accessible via emergency services. Setbacks control building orientation ensuring compatibility without adverse impacts.

Lot Coverage

The amending by-law seeks to permit a maximum lot coverage of 41% of the total lot area of the standard condominium to accommodate the proposed development. The lot coverage is offset by the enhanced pedestrian realm generated by the enclosed internal design of the concept.

Distance Between Dwellings

The amending bylaw seeks to permit a minimum distance between townhouse dwellings on the same lot as 5.5 metres, and the minimum distance between multiple dwellings on the same lot as 20 metres.

Landscaping

The amending by-law seeks to reduce the required landscaped open space from 50% to 45% of the total lot area of the site to accommodate the proposed development. Within the definition of landscaped open space, the minimum width of a landscape strip abutting a street is proposed to be 3.0m as opposed to the required minimum 4.5m.

6. Conclusion

Fengate Liuna Gardens Holdings LP is the owner of 526 Winona Road in Hamilton, Ontario. It is proposed that the subject lands be permitted to be developed with the residential development as described. This proposal has been reviewed against the applicable provincial and municipal policies, as well as the surrounding land use context. To permit the proposed development an Official Plan and Zoning By-law Amendment is required in addition to a future Site Plan Control application.

This Report provides the planning analysis and justification in support of the proposed amendment, concluding that it is consistent with and conforms to the applicable policy framework noted below:

- The proposed Official Plan Amendment & Zoning By-law amendment is consistent with the Provincial Policy Statement 2020;
- The proposed Official Plan Amendment & Zoning By-law amendment conforms to the Growth Plan as this development proposal represents an appropriate form of development in a built up area;
- The proposed site-specific Zoning By-law supports the intent, goals and objectives of the Neighbourhoods - High Density Residential designation in the Urban Hamilton Official Plan; and
- The proposed amending Official Plan and Zoning By-law includes appropriate regulations and implements the general intent of the Urban Hamilton Official Plan.

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

Respectfully submitted this 24th day of December, 2021.

Regards,

UrbanSolutions Planning & Land Development Consultants Inc.


Matt Johnston, MCP, RPP
Principal




Lindsay Nooren MES, Pl. BA (hons)
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.

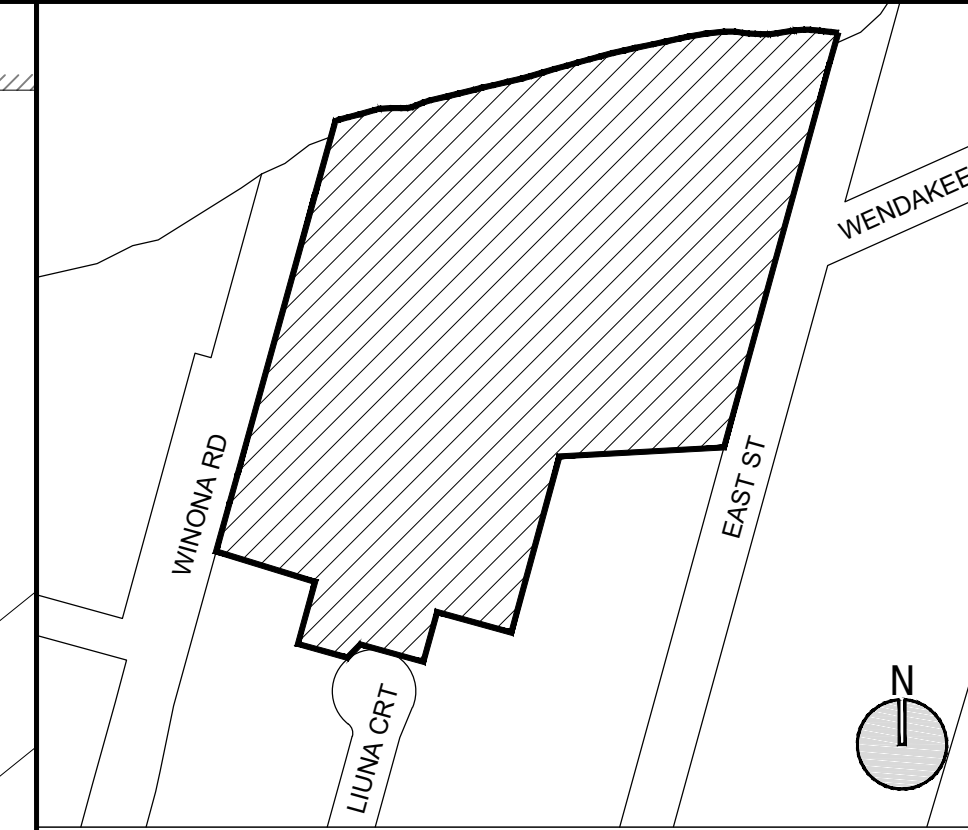
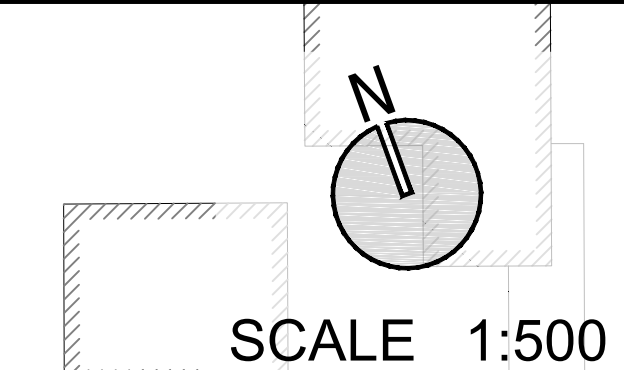
This report has been prepared based on a review of the subject application and cannot be used for any other purpose.

Appendix A

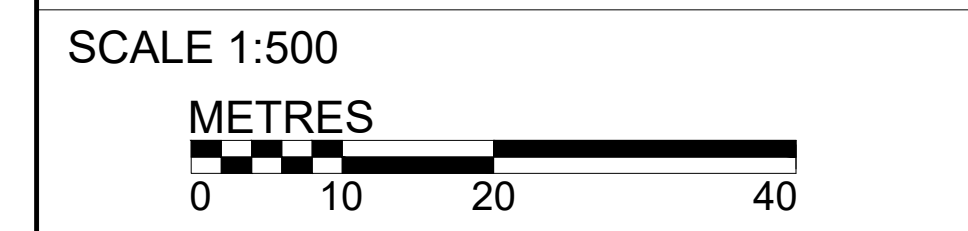
Concept Plan

Development Statistics		
Proposed Zoning "RM5- " (Multiple Residential 5) Zone		
Item	Zoning By-law 3692-92	Proposed
Minimum Lot Area	1 ha	2.80 ha
Minimum Residential Density	150 units/ha	432 units/ha
Total Units	N/A	1209
Low-Rise (30 Units)		
Minimum Front Yard*	7.5 m	3.00 m
Minimum Side Yard	7.5 m	5.32 m
Minimum Flankage Yard**	9 m	N/A
Minimum Rear Yard	7.5 m	2.88 m
Building Height to Main Roof	N/A	7.7m
Mid-Rise (64 Units)		
Minimum Front Yard*	7.5 m	3.00 m
Minimum Side Yard	7.5 m	18.40 m
Minimum Flankage Yard**	9 m	N/A
Minimum Rear Yard	7.5 m	15.58 m
Building Height to Main Roof	N/A	13.7 m
High-Rise (1115 Units)		
Minimum Front Yard*	7.5 m	3.00 m
Minimum Side Yard	7.5 m	20.56 m
Minimum Flankage Yard**	9 m	3.19 m
Minimum Rear Yard	7.5 m	41.01 m
Building Height to Main Roof	N/A	48.5 m (15 STY) & 75.5 m (24 STY)
Parking		
Bachelor / 1 Bedroom	1.25 per unit = 1000 spaces	1067 spaces
2 Bedroom	1.5 per unit = 242 spaces	
3+ Bedroom	1.75 per unit = 434 spaces	
Visitor	0.35 per unit = 423 spaces	
Total	2099 spaces	1067 spaces
Amenity		
1 Bedroom	2 m ² per unit = 1600 m ²	5446 m ²
2 Bedroom	3 m ² per unit = 483 m ²	
3 Bedroom	4 m ² per unit = 988 m ²	
4 Bedroom	4 m ² per unit = 4 m ²	
Total	3075 m²	5446 m²

*Front Yard = Winona Road
 **Flankage Yard = East Street



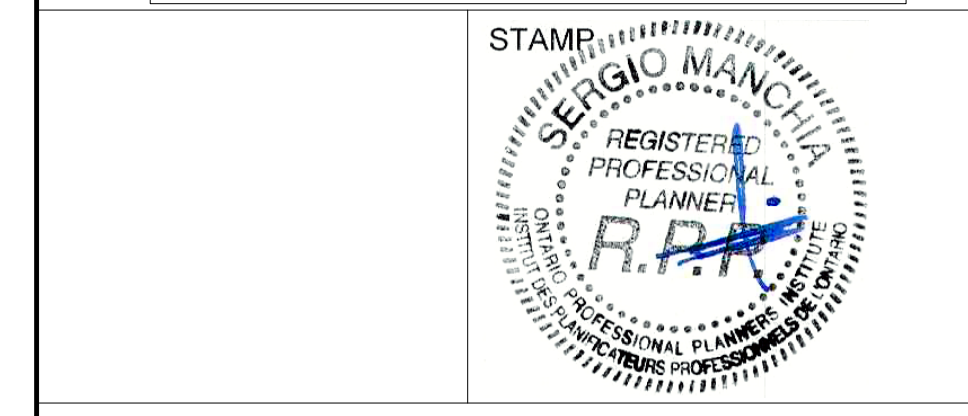
CONCEPT PLAN
 PLAN OF SURVEY OF LOTS 48 & 49, ESPLANADE UNNUMBERED LOT REGISTERED PLAN 310 OF PART OF LOT 4
 BROKEN FRONT CONCESSION
 GEOGRAPHIC TOWNSHIP OF SALT FLEET IN THE CITY OF HAMILTON



- LEGEND**
- SUBJECT LANDS
 - LOW-RISE
 - MID-RISE
 - HIGH-RISE
 - AMENITY
 - EXISTING DWELLING

DESIGN BY: G+C Architects
 DRAWN BY: S. Erickson
 CHECKED BY: M. Johnston
 DATE: December 22, 2021

NOT FOR CONSTRUCTION



APPROVALS

PREPARED BY:

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 Mississauga, ON L4W 1C3
 905-795-2601 - GCArchitects.com

URBAN SOLUTIONS
 PLANNING & LAND DEVELOPMENT
 3 Studebaker Place, Unit 1
 Hamilton, ON L8L 0C8
 905-546-1087 - UrbanSolutions.info

PROJECT:
LIUNA GARDENS
 526 WINONA ROAD,
 HAMILTON (STONE CREEK), ONTARIO

CLIENT:
FENGATE LIUNA GARDENS HOLDINGS LP

UIS FILE NUMBER: 229-17 SHEET NUMBER: 1

Appendix B

Draft Official Plan Amendment

Urban Hamilton Official Plan Amendment No. __

The following text, together with Appendix “A” – Volume 3 – Map 2 – Urban Site-Specific Key Map and Appendix “B” – Volume 2 – Map B.7.3-1 – Urban Lakeshore Area Secondary Plan – Land Use Plan attached hereto, 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 redesignate the subject lands from Local Commercial to Medium Density Residential 3 in the Urban Lakeshore Secondary Plan. Additionally, the proposed Amendment seeks to add a Site Specific Area Policy to the subject lands. Specifically, the purpose of the OPA is to permit a maximum residential density of 425 units per hectare, whereas the net residential density range permitted for lands designated Medium Density Residential 3 in Policy B.7.3.1.7 is between 50 units per hectare and 99 units per hectare. Further, the OPA is required to permit a maximum height of 24 storeys, whereas the maximum permitted height for lands designated Medium Density Residential 3 in Policy 7.3.1.7 is 9 storeys.

2.0 Location:

The portion of lands affected by this Amendment are Part of Lots 48 & 49, Esplanade Unnumbered Lot, Registered Plan 310, in the City of Hamilton, municipally known as 526 Winona Road.

3.0 Basis:

The basis for permitting this Amendment is as follows:

- The proposed development supports the residential intensification policies of the Urban Hamilton Official Plan through the creation of residential areas consisting of a range of housing types and densities to satisfy a range of housing needs;
- The proposed Amendment supports the future development of the lands that is respectful of the established function and scale of the residential designations of the Urban Lakeshore Area Secondary Plan and is compatible with the planned and existing development in the immediate area;
- The proposed Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe.

4.0 Actual Changes:

4.1 Map

- 4.1.1 That Volume 2 – Map B.7.3-1 – Urban Lakeshore Area Secondary Plan – Land Use Plan, be amended by redesignating the lands identified on Block x located at 526 Winona Road from Local Commercial to Medium Density Residential 3, as shown on Appendix “B”, attached.

4.1.2 That Volume 2 – Map B.7.3-1 – Urban Lakeshore Area Secondary Plan – Land Use Plan, be amended by redesignating the lands identified on Block x located at 526 Winona Road from Local Commercial to General Open Space, as shown on Appendix “B”, attached.

4.1.3 That Volume 2 – Map B.7.3-1 – Urban Lakeshore Area Secondary Plan – Land Use Plan, be amended by redesignating the lands identified on Block x located at 526 Winona Road from Local Commercial to Low Density Residential 2, as shown on Appendix “B”, attached.

4.2 Text

4.2.1 That Volume 2, Chapter B.7, Stoney Creek Secondary Plans, Section B.7.3 – Urban Lakeshore Area Secondary Plan be amended by adding a new Site Specific Policy to read as follows:

Site Specific Policy – Area ____

B.7.3.6.____ In addition to Policy B.7.3.1.7 of Volume 2, for lands designated “Medium Density Residential 3” and identified as Site Specific Policy – Area __ on Map 2 – Site Specific Policies Key Map, the following shall apply:

- a) Multiple dwellings shall be permitted;
- b) The maximum height shall be 24 storeys;
- c) The maximum permitted density shall be 425 units per hectare.

Implementation:

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

This is Schedule “1” to By-Law No. 21-____, passed on the ____ day of _____, 2021.

Mayor

Clerk

UHOPA-21-____

APPENDIX B
 AMENDMENT TO THE URBAN HAMILTON OFFICIAL PLAN
 URBAN LAKESHORE AREA SECONDARY PLAN

- Lands to be re-designated from "Local Commercial" to "Medium Density Residential 3"
- Lands to be re-designated from "Local Commercial" to "General Open Space"
- Lands to be re-designated from "Local Commercial" to "Low Density Residential 2"

DATE:
December 22, 2021

PREPARED BY:
Stephen Erickson

REFERENCE FILE NO.:
UHOPA - ____

Legend

Residential Designations

- Low Density Residential 2b
- Low Density Residential 2e
- Low Density Residential 3c
- Medium Density Residential 3

Parks and Open Space Designations

- Parkette
- Neighbourhood Park
- City Wide Park
- General Open Space
- Natural Open Space

Other Designations

- Local Commercial
- Institutional
- ES** Elementary School
- SWM** Storm Water Management
- Utility

Other Features

- Area or Site Specific Policy
- On Street Bikeway
- Off Street Bikeway / Walkway
- Municipal Boundary
- Secondary Plan Boundary

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

Urban Hamilton Official Plan
Urban Lakeshore Area
Secondary Plan
 Land Use Plan
 Map B.7.3-1



Not To Scale



Date: November 2021

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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 OF SURVEY



Appendix C

Draft Zoning By-law Amendments

CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 3692-92, Respecting Lands Located at 526 Winona Road, 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. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992 by the City of Stoney Creek Council;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 21- ____ of the Planning Committee at its meeting held on the ____ day of _____, 21, recommended that Zoning By-law No. 3692-92 (Stoney Creek), 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 Map No. __ to Schedule "A", - Zoning Maps of Zoning By-law No. 3692-92, be amended as follows:
 - a) By adding to the Stoney Creek Zoning By-law 3692-92 the lands and boundaries of which are shown on Block x on Schedule A and placing the lands into the Multiple Residential-Five "RM5-____" Zone in the Stoney Creek Zoning By-law No. 3692-92.
 - b) By adding to the Stoney Creek Zoning By-law 3692-92 the lands and boundaries of which are shown on Block x on Schedule A and placing them into the Single Residential "R1" Zone in the Stoney Creek Zoning By-law No. 3692-92.
2. That Part 3 Special Exceptions of By-law No. 3692-92 be amended by adding special exception as follows:

" ____ Within the lands zoned Multiple Residential-Five "RM5-____" identified on Map __of Schedule "A" Zoning Maps and described as 526 Winona Road the following special provisions shall apply:

- a) For the purpose of this by-law, Winona Road shall be considered the front lot line.

- b) Notwithstanding Section 6.12.3 c) the minimum front yard shall be 2.5 metres.
- c) Notwithstanding Section 6.12.3 d) the minimum side yard shall be 3.0 metres.
- d) Notwithstanding Section 6.12.3 e) the minimum rear yard shall be 3.2 metres.
- e) Notwithstanding Section 6.12.3 g) A maximum lot coverage of 41% shall be permitted.
- f) Notwithstanding Section 6.12.3 h) the maximum residential density shall be 430 dwelling units per hectare.
- g) Notwithstanding Section 6.12.3 j) 1 & 2 the minimum landscaped open space shall be 45%.
- h) That in addition to Section 6.12.3 k), Minimum distance between townhouse dwellings on the same lot shall be 5.5 metres and the minimum distance between multiple dwellings on the same lot shall be 20.0 metres.
- i) Notwithstanding Section 4.10.9, for multiple dwellings, a minimum parking ratio of 0.85 spaces per unit and shall be inclusive of visitor parking.

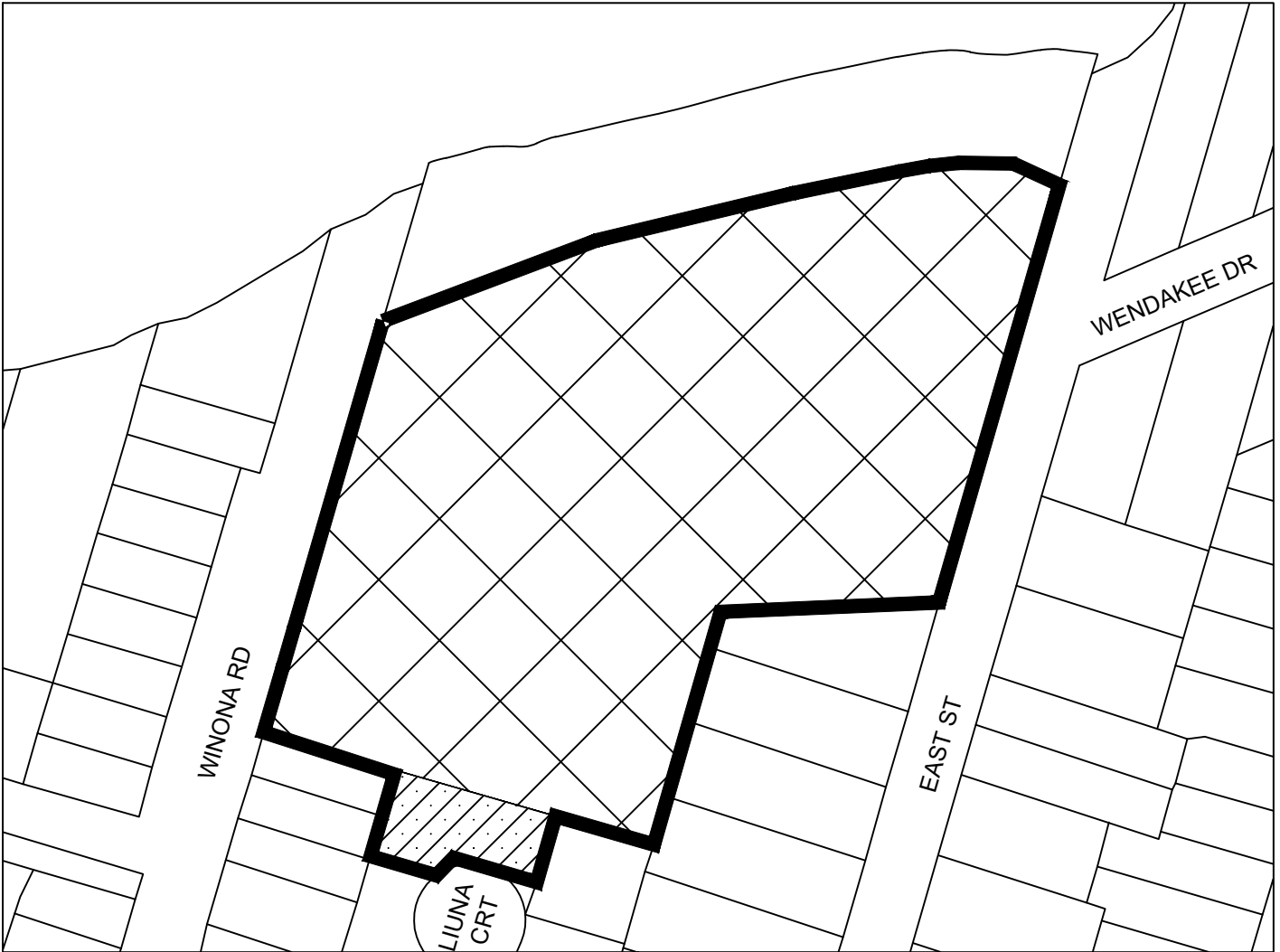
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED AND ENACTED this ____ day of _____, 2021.

Mayor

Clerk

ZAC-21-_____



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

Passed the _____ day of _____, 2021

Clerk

Mayor

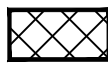
DRAFT Schedule "A"

Map Forming part of
By-law No. 3692-92

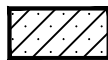
to Amend By-law No. 3692-92

Subject Property

526 Winona Road in the City of Hamilton.



Block 1 - Lands to be rezoned from Community Commercial (C3) Zone to the Multiple Residential (RM5,__) Zone, Modified.



Block 2 - Lands to be rezoned from Community Commercial (C3) Zone to the Single Residential (R1,__) Zone, Modified.

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 526 Winona Road, 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 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 21- ____ of the Planning Committee at its meeting held on the ____ day of _____ 2021, 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, upon finalization of Official Plan Amendment No. ____;

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

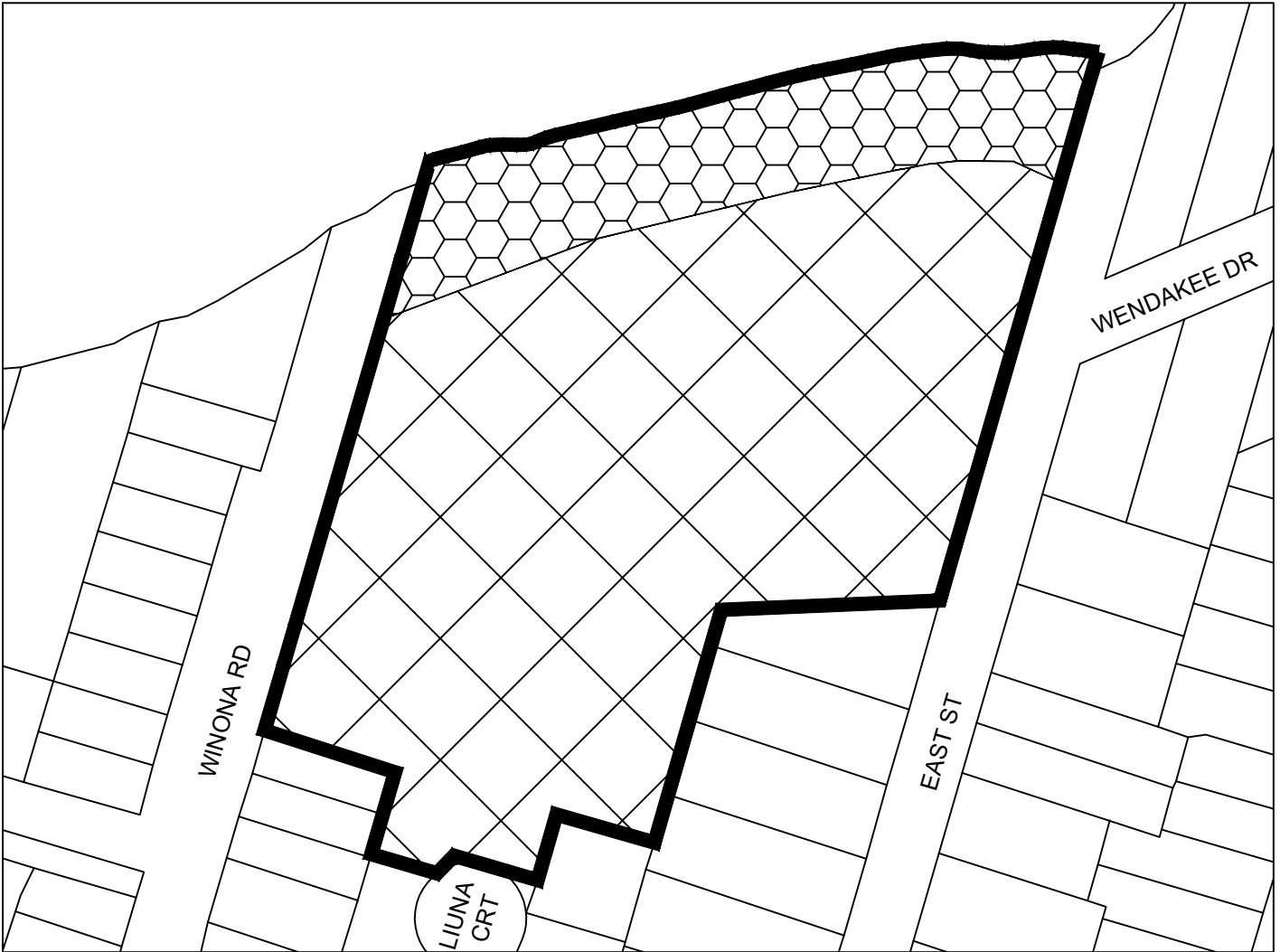
1. That Map No. ____ of Schedule "A" – Zoning Maps, to Zoning By-law No. 05-200 is hereby further amended as follows:
2. That Map No. 1 to Schedule "A", appended to and forming part of By-law 3692-92 (Stoney Creek) as amended, is hereby further amended by removing the lands and boundaries of which are shown on Block No. x and x of Schedule "A" from the Stoney Creek Zoning By-law 3692-92.
 - (a) By rezoning the lands shown as block x On Schedule "A" from the Stoney Creek Zoning by-law No. 3692-92 and rezoning the lands as Open Space (P4) Zone in the City of Hamilton Zoning By-law 05-200.
3. The By-law No. 05-200 is amended by adding this by-law to Section ____ as Schedule ____;
4. 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 _____, 2021.

Mayor

Clerk

ZAC-21- ____



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

Passed the _____ day of _____, 2021

Clerk

Mayor

DRAFT Schedule "A"

Map Forming part of
By-law No. 05-200

to Amend By-law No. 05-200

Subject Property

526 Winona Road in the City of Hamilton.



Block 1 - Lands to be rezoned from Community Commercial (C3) Zone to Open Space (P4) Zone.



Block 2 - Lands to be removed from Zoning By-law No. 05-200

Scale:
N.T.S

File Name/Number:

Date:

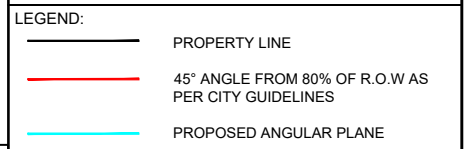
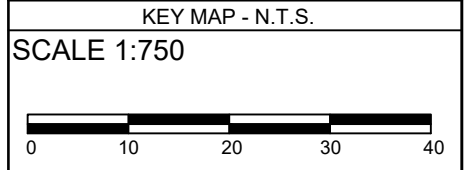
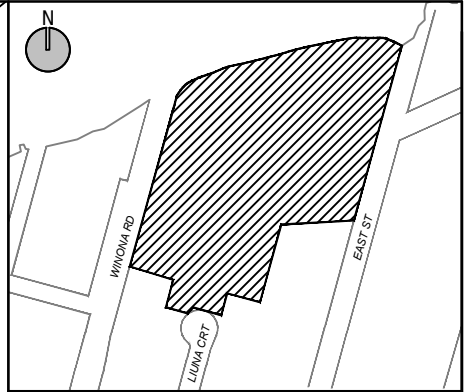
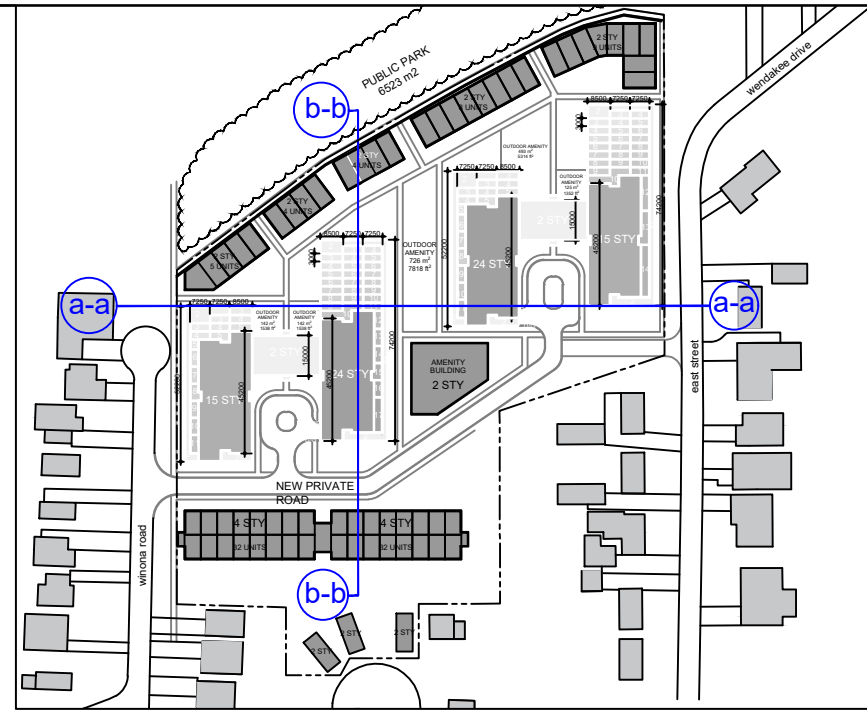
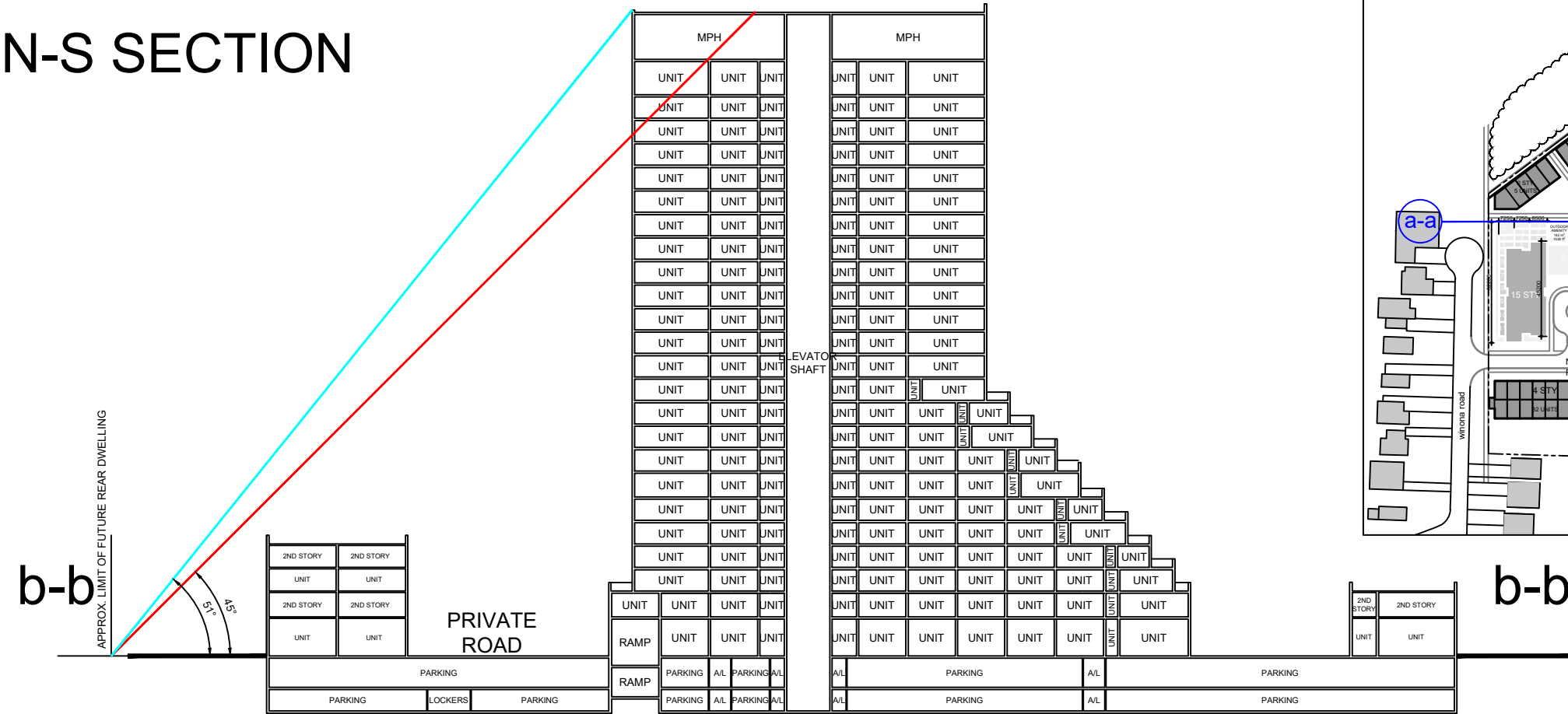
Planner/Technician:

PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT

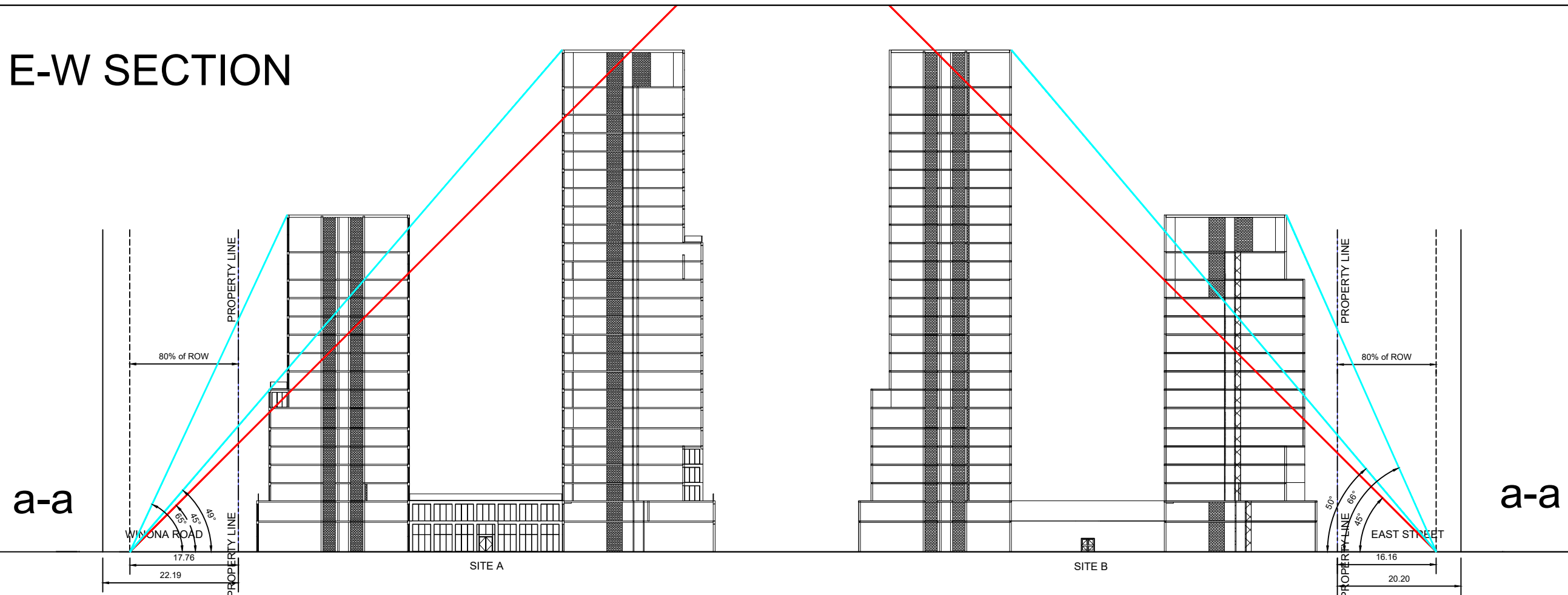
Appendix D

Angular Plane Sketch

N-S SECTION



E-W SECTION



NOT FOR CONSTRUCTION
ISSUED FOR REVIEW & COMMENTS ONLY

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DESIGN BY: L. DRENNAN CHECKED BY: M. JOHNSTON
DRAWN BY: L. DRENNAN DATE: DECEMBER 9, 2021

URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT
3 STUDEBAKER PLACE, UNIT 1
HAMILTON, ON L8L 0C8
905-546-1087 - urbansolutions.info

PROJECT:
LIUNA GARDENS
526 WINONA ROAD
CITY OF HAMILTON

CLIENT:
LIUNA GARDENS HOLDINGS LP
C/O ANDREW SALOMON

TITLE: ANGULAR PLANE SKETCH

U/S FILE NUMBER: 229-17 SHEET NUMBER: 1