



PLANNING JUSTIFICATION REPORT

122 & 126 Augusta Street and 125 & 127 Young Street, Hamilton, ON

Residential Development

Project No. 157-16

Prepared for: 1955132 Ontario Ltd.

By: UrbanSolutions Planning & Land Development Consultants Inc.

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1. Introduction

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by 1955132 Ontario Ltd. (The Owner) to prepare a Zoning By-Law Amendment application necessary to permit the proposed development at the lands municipally known as 122 & 126 Augusta Street and 125 & 127 Young Street in Hamilton, Ontario. A four storey multiple dwelling building containing 27 residential dwelling units and 21 parking spaces at grade is proposed while the existing dwelling at 125 Young Street will remain.

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

1.1 Location

The subject lands are located in the Neighborhood of Corktown, within the City of Hamilton. More specifically, the subject site is located on the between Augusta Street and Young Street, west of Walnut Street South and east of Catharine Street South, as shown in Figure 1. The lands are legally described as Part of Lot 9, 11 & 17 and all of Lot 10, West Side of Walnut Street, Registered Plan 48 in the City of Hamilton.



Figure 1 – Subject Lands



1.2 Site Description

The subject property is irregular in shape and is approximately 2,213.3m² (0.55 acres) in size. Existing on the 122 & 126 Augusta Street and 127 Young Street portion of the site is a 1 storey single detached dwelling and a detached shed. Existing on the 125 Young Street portion is a 3 storey dwelling containing 3 units and a detached garage. The existing dwelling and shed on the 122 & 126 Augusta Street and 127 Young Street portion is proposed to be demolished in order to facilitate this development. The existing dwelling on 125 Young Street will be maintained while the garage will be demolished. A portion of the rear yard of 125 Young Street will form part of the redevelopment while the balance of this property will be severed wherein the existing dwelling will remain although the lot size will be reduced.

The subject lands are located within the Neighborhood of Corktown that is characterized by variation in built form. The property is surrounded by a variety of residential dwelling types (see Figure 2), including single detached dwellings, semi-detached dwellings, medium and high density apartment buildings. To the north are single detached dwellings, semi-detached dwellings and Community Institutional, to the south are single detached and high density apartments and to the West and East are single, semi-detached and medium dwellings.



Figure 2 – Aerial Photo



2. Proposed Development

As indicated in the Introduction section of this report, it is the intent of the owner to establish a multi-unit residential development on the subject lands for 27 dwelling units and 21 parking spaces. The building will be a 4 storey rental apartment building with indoor and outdoor amenity space consisting of a gym on the basement floor, a rooftop patio and a small green space area in the parking lot. A portion of the rear yard of 125 Young Street will form part of the redevelopment while the balance of this property will be severed wherein the existing dwelling will remain although the lot size will be reduced.

A Concept Plan illustrating how the development is intended to proceed can be found under Appendix A. As shown on the Concept Plan, Augusta Street will be the main entrance of the building and Young Street will be the rear entrance to the parking lot predominately for vehicles. The Young Street entrance will be the entrance to the surface parking lot and the rear of the building. There will be a pedestrian connection from Young Street to the rear entrance of the building via a 1.5m concrete sidewalk travelling through the parking lot.

2.1 Planning Applications

A Formal Consultation meeting was held on February 17, 2017 at the City of Hamilton. The Formal Consultation Document dated March 27, 2017 identifies a Zoning By-Law Amendment and Site Plan Control Application are required in order to facilitate the proposal. In the Formal Consultation document the studies, plans and/or reports that are required to be submitted for a “complete” application have been provided enclosed. A copy of the signed Formal Consultation Document has been included with the submission package as required.

The purpose of the Zoning By-Law Amendment Application is to allow for site specific provision to the subject property.

The 122 & 126 Augusta Street and 127 Young Street properties will be Rezoned from Section Ten “D” Districts – Urban Protected Residential – One and Two Family Dwellings, Etc. to a site specific Section Eleven C “E-3” District – High Density Multiple Dwellings /S-_____ Zone.

The 125 Young Street property will be Rezoned from Section Ten “D” Districts – Urban Protected Residential – One and Two Family Dwellings, Etc. to Section Nine “C” Districts – Urban Protected Residential, Etc. _____ Zone, Site Specific.

In addition to this Planning Justification Report, the Formal Consultation document also confirmed the following studies/documentation are required with the Zoning By-Law Amendment application:



- Survey Plan;
- Concept Plan;
- Draft Zoning By-Law Amendment;
- Site Plan and Building Elevations;
- Urban Design Report;
- Archaeological Assessment;
- Cultural Heritage Impact Assessment;
- Functional Servicing Report;
- Noise / Vibration Impact Study;
- Transportation Demand Management Options Report;
- Cost Acknowledgement;
- Public Consultation Strategy.



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 supporting study.

3.1 Urban Design Report

An Urban Design report was completed by RN Design dated September 10, 2017. The report indicates that the proposed development demonstrates conformity with the City of Hamilton's Urban Design Policies and Guidelines. The proposed design is in keeping with the local character of the neighbourhood and enhances the pedestrian experience. The design illustrates positive urban design principles and warrants the approval of staff.

3.2 Archaeological Assessment

A Stage 1 & 2 Archaeological Assessment, dated September 15, 2017 and the Supplementary Report, dated September 26, 2017 was prepared by Detritus Consulting Limited. The report indicates that the site exhibits artifacts which warrant a Stage 3 Archaeological. The Stage 3 is underway and will be submitted once complete.

3.3 Cultural Heritage Impact Study

A Cultural Heritage Impact Study was prepared by Megan Hobson, Built Heritage Consultants and dated August 30, 2017. The report recommends the demolition of the existing 122 August Street dwelling for the purpose of facilitating the development proposal. The report details the historical background of the existing dwelling as well as the surrounding neighbourhood. The report recommends that historical information associated with the neighbourhood be made available to the public.

3.4 Functional Servicing Report

A Functional Servicing Report was prepared by S.Llewellyn & Associates Limited, dated July 2017. The report concludes that the proposed redevelopment can be constructed to meet the Sanitary and Storm engineering requirements of the City of Hamilton.



3.5 Noise Impact and Vibration Study

An Environmental Noise Assessment, dated August 30, 2017 and an Environmental Vibration Assessment, dated August 30, 2017 was prepared by Novus Environmental. The Noise Assessment indicates that the proposed development can be adequately controlled through feasible mitigation measure, façade designs and warning clauses. The Vibration Assessment concludes that vibration levels are expected to be below the CPR vibration criterion and therefore vibration mitigation measures are not required.

3.6 Transportation Demand Management Options Report (TDM)

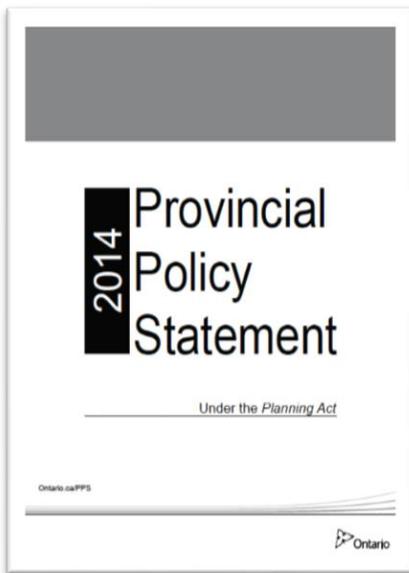
UrbanSolutions Planning and Land Development Consultants prepared a Transportation Demand Management (TDM) Report, dated December 2017. The report concludes that the proposed development is consistent with the City of Hamilton’s Transportation Demand Management Land Development Guidelines. The site has been designed to limit the reliance on vehicle use by reducing the supply of parking and facilitating opportunities for active transportation by providing prioritizing pedestrian connections to the municipal sidewalk, encouraging bike share programs and the use of the public transit locations.



4. Planning Policy Framework

The following is intended to provide a review of the applicable planning policy framework of the subject lands. In this proposal, the applicable documents include the Provincial Policy Statement, Places to Grow – Growth Plan for the Greater Golden Horseshoe, the Urban Hamilton Official Plan and the City of Hamilton Zoning By-law.

4.1 Provincial Policy Statement, 2014



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

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

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

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

- 1.1.1 Healthy livable and safe communities are sustained by:
 - b) Accommodating the appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs.
- 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.2 Land use patterns within settlements areas shall be based on:
 - a) Densities and a mix of land uses which:
 1. efficiently use land and resources;



2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. support active transportation; and
5. are transit-supportive, where transit is planned, exists or may be developed; and,
6. are freight-supportive; and,.

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

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for 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.

Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

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

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

1.4.1 To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) maintain at all times the ability to accommodate residential growth for a minimum of 10 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development;

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



- b) permitting and facilitating: 1. all forms of housing required to meet the social, health and wellbeing requirements of current and future residents, including special needs requirements; and 2. all forms of residential intensification, including second units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- e) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

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

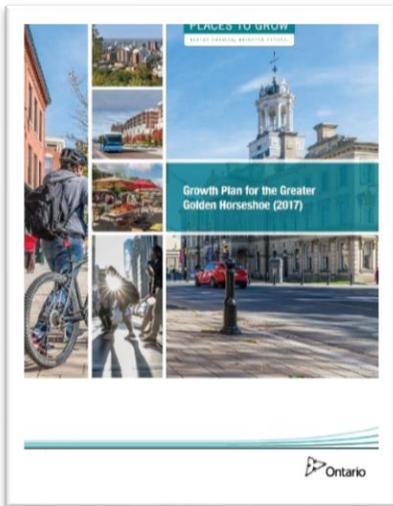
1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns.

The Formal Consultation process did not identify any natural heritage features in response to Section 2.1 of the PPS.

In keeping with Section 2.6, a Cultural Heritage Impact Study and Archaeological Assessment was completed in support of the proposal.



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



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

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

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

- Support the achievement of *complete communities* that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize *intensification* and higher densities to make efficient use of land and *infrastructure* and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including second units and *affordable* housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in *infrastructure* and *public service facilities*, including integrated service delivery through community hubs, by all levels of government.
- Provide for different approaches to manage growth that recognize the diversity of communities in the *GGH*.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.



- Support and enhance the long-term viability and productivity of agriculture by protecting *prime agricultural areas* and the *agri-food network*.
- Conserve and promote *cultural heritage resources* to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and *infrastructure* – that are adaptive to the impacts of a changing climate – and moving towards low-carbon communities, with the long-term goal of net-zero communities, by incorporating approaches to reduce greenhouse gas emissions.

Section 2.2 of the Growth Plan provides policy direction as to where and how the municipalities should grow. Specifically, for all of the City of Hamilton, the Growth Plan forecast provides for a population of 780,000 by 2041. The proposed development assists the municipality in achieving the population growth target established by the Growth Plan as it is a form of new growth within the Ministry of Public Infrastructure Renewal (MPIR) built-up area, where this projected growth is to be focused.

Section 2.2.1 Managing Growth

2. Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a. the vast majority of growth will be directed to *settlement areas* that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;
- b. growth will be limited in *settlement areas* that:
 - i. are *undelineated built-up areas*;
 - ii. are not serviced by existing or planned *municipal water and wastewater systems*; or
 - iii. are in the *Greenbelt Area*;
- 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*;
- d. development will be directed to *settlement areas*, except where the policies of this Plan permit otherwise;



- e. development will be generally directed away from *hazardous lands*; and
 - f. the establishment of new *settlement areas* is prohibited.
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*.

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

The proposed development conforms to and implements the Growth Plan.



4.3 Urban Hamilton Official Plan

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

Schedule E – Urban Structure applies a Neighbourhoods designation for the subject lands, shown in Figure 3. As outlined in Section E.3.0, this designation embodies the concept of the complete community and primarily consists of residential uses, complementary facilities and services to serve residents. It is the intent of the Neighbourhoods designation to allow for the continued evolution of neighbourhoods, including the redevelopment of underutilized commercial areas and compatible residential intensification. A full range of housing forms, types, and tenure is permitted.

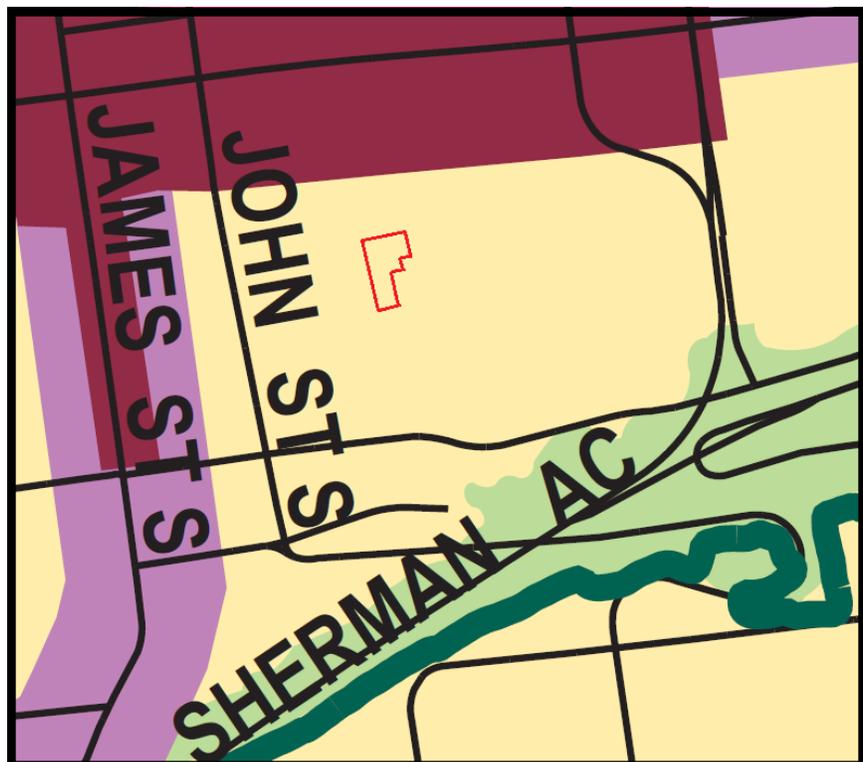


Figure 3 – Neighbourhoods Designation, Schedule E – Urban Structure

Schedule E.1 – Urban Land Use Designations applies the Neighbourhoods designation for the subject lands, shown in Figure 4. The full range of residential dwelling types and densities are permitted, as well as supporting uses intended to serve the local residents. Residential intensification is supported in the Neighbourhoods designation, provided it enhances and is compatible with the scale and character of the existing residential neighbourhood.



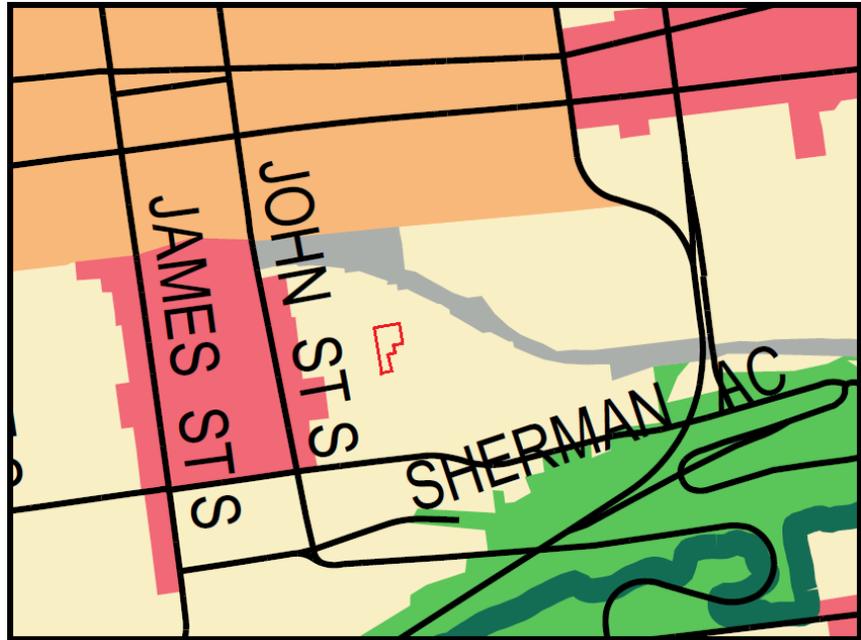


Figure 4 - Neighbourhoods Designation, Schedule E.1 - Urban Land Use Designations

The proposed multiple dwelling will have a density of 139 units per hectare. Section E.3.6 contains the following policies in this regard:

3.6.1 High density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads.

3.6.2 Uses permitted in high density residential areas include multiple dwellings, except street townhouses.

3.6.3 Local commercial uses may also be permitted on the ground floor of buildings containing multiple dwellings, provided the provisions of Section E.3.8 – Local Commercial are satisfied.

3.6.4 High density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities/services, including public transit, schools, and active or passive recreational facilities.

3.6.5 Proximity to the Downtown Urban Growth Centre, Sub-Regional Nodes or Community Nodes, and designated Employment Areas shall be considered desirable for high density residential uses.



4.4 City of Hamilton Zoning By-Law No. 6593

The City of Hamilton Zoning By-Law No. 6593 remains as the comprehensive Zoning By-Law applicable to the subject lands. The subject lands are located within the “D” District – Urban Protected Residential – One and Two Family Dwellings, etc., as indicated in Figure 5 below.



Figure 5 –Zoning By-Law No. 6593

A Zoning By-law Amendment is required to permit the proposed 4 storey apartment building as well as allow for the existing single detached dwelling on 125 Young Street to come into conformity with the By-Law. The proposed Zoning By-Law Amendment for 122 & 126 Augusta Street and 127 Young Street will be a site specific “E-3” Districts – High Density Multiple Dwellings Zone. This will allow for the proposed apartment building to be developed on the subject lands with site specific provisions. The proposed Zoning By-Law Amendment for 125 Young Street will be a site specific “C” Districts – Urban Protected Residential, Etc. Zone.

A draft Zoning By-Law further detailing the site specific Zoning being proposed is contained in Appendix C.



5. Analysis

5.1 Land Use

Provincial Policy Framework

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

Urban Hamilton Official Plan

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

Section B.2.4 of the UHOP recognizes that compatible residential intensification is a key component of Hamilton's growth strategy and is essential to meet the municipality's growth and employment targets. As identified on Schedule E – Urban Structure, the subject property is located within the Neighbourhoods designation, Figure 3. The proposal will assist the municipality in achieving the residential intensification target outlined in Section B.2.4.1.3, wherein 40 percent of residential growth is intended to be accommodated in the Neighbourhoods designations.

Section B.2.4.1.4 of the UHOP provides evaluation criteria for evaluating residential intensification. This criteria is quoted below and followed by a Planning Comment:

a) a balanced evaluation of the criteria in b) through g) as follows;

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

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

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



Planning Comment – The proposed multiple unit development will contribute to a range of dwelling types within the neighbourhood.

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

Planning Comment – The scale and form of the proposal are regulated by the proposed amending by-law to ensure an appropriate relationship is established between the proposed development and existing buildings nearby.

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

Planning Comment – The “Neighbourhoods” designation is exemplified in the proposed development. This designation is intended to permit the full range of dwelling types and densities and foster complete communities. The proposal will help develop a complete community by contributing to a range of housing types in the neighbourhood that are in close proximity to non-residential land uses including commercial, open space, and institutional land uses.

f) infrastructure and transportation capacity; and,

Planning Comment – The development will be subject to Site Plan Control wherein the site servicing will be implemented to municipal standards. Further, no concerns regarding transportation capacity were identified by Corridor Management during the Formal Consultation process.

Section B.2.4.2.2 of the UHOP provides evaluation criteria for evaluating residential intensification in the Neighbourhoods designation. This criteria is quoted below and followed by a Planning Comment:

a) a balanced evaluation of the criteria in b) through g) as follows;

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

Planning Comment - The proposed building heights will be in keeping with the existing dwellings in the surrounding area and appropriate regulations for setbacks and lot coverage are included in the amending by-law to ensure shadowing and overlook do not result in undue, adverse impacts. A noise study has been submitted in support of the application to demonstrate the proposal will not result in undue, adverse impacts, while site lighting will be reviewed and approved by the City at the Site Plan application stage.

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



Planning Comment - The height, massing, and scale of the proposal are regulated by the proposed amending by-law to ensure an appropriate relationship is established between the existing and proposed built form.

d) the consideration of transitions in height and density to adjacent residential buildings;

Planning Comment – The proposed four storey development will allow for an appropriate transition in height to the existing low rise residential buildings in the vicinity. The orientation of the proposed dwellings and their building setbacks provide appropriate scaling of the proposed massing to further ensure compatibility.

e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

Planning Comment – The proposed lot pattern and configuration respects the existing lot pattern of the neighbourhood.

f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;

Planning Comment – The proposed development will incorporate on-site private amenity while also having access to area public amenities. Existing private amenity spaces are not adversely impacted by the proposal.

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

Planning Comment – The proposed development will enhance the streetscape that is currently characterized by its variation in built form. The proposed zone incorporates current best practices, while containing appropriate regulations to ensure appropriate massing and compatibility with the surrounding area.

h) the ability to complement the existing functions of the neighbourhood;

Planning Comment – The development will contribute to a range of dwelling types in the neighbourhood and will provide support to the existing commercial businesses and institutions in the area, and existing HSR routes along Governor's Road.

i) the conservation of cultural heritage resources; and,

Planning Comment – The required Archaeological Assessment and Cultural Heritage Impact Assessment have been submitted in response to this policy.

j) infrastructure and transportation capacity and impacts.

Planning Comment – The development will be subject to Site Plan Control wherein the site servicing will be implemented to municipal standards.



Further, no concerns regarding transportation capacity were identified by Corridor Management during the Formal Consultation process.

Section B.2.4.2.2 of the UHOP provides criteria for evaluating residential intensification developments within the Neighbourhoods designation. The proposal has been considered against this criteria which is quoted below and followed by planning comments:

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

- An Urban Design Study including a Sun/Shadow Analysis and a Noise Impact and Vibration Study have all been submitted in support of the application to demonstrate the proposal will not result in undue, adverse impacts, while site lighting will be reviewed and approved by the City at the site plan application stage.

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

- The height, massing, and scale are regulated by the proposed amending by-law to ensure an appropriate relationship is established between the proposed development and existing single detached multiple dwellings nearby. The height of the building will be 4 storeys (16.5m) which is slightly higher than the surrounding existing uses but will not over look backyards. Windows and balconies are facing north and south away from existing residential dwellings in order to avoid invading privacy. Further consideration regarding height, massing and scale can be found in the Urban Design Report.
- There is considerably an extensive amount of medium and high density dwelling to the south, east and west of the subject property, many of which range in densities between 9 and 30 storeys. This development, although considered high density is on the lower end of the spectrum and creates a smooth transition between the existing low, medium and high density dwellings surrounding the subject property. This development can be considered a middle ground point between higher densities to the south and lower/medium densities to the north east and west.

d) the consideration of transitions in height and density to adjacent residential buildings;

- The building has been designed to be a 4 storey apartment building slightly higher than the existing surrounding but will be within a reasonable transition when considering the streetscape as a whole. The building will not negatively impact the surrounding residential units or compromise privacy. The height and density increase will add character and enhance the



streetscape as a whole and provide for a more compact community that flows well with the surrounding adjacent units. See Urban Design Report for further details.

e) the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

- The proposed lot is an irregular shape and has been designed to form a rectangular building maximizing the parking area space while still providing adequate drainage and parking space to accommodate the proposed building. The proposed lot pattern and configuration respects the existing lot pattern of the neighbourhood as well as by aligning the building in the same location as the existing surrounding dwellings.

f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;

- The proposal includes ample amenity space for residents, including indoor amenity space on the basement floor which includes a gym space and outdoor amenity space on the roof of the podium. There will also be a small area of green space in the parking lot at the rear entrance of the building. Additionally, appropriate contributions to parks will be secured with the approval of the development to support the availability of appropriate public amenity space in the area. The property is a short walk to Shamrock Park to the East and Corktown Park to the South which also has a trail connection travelling East and the Wentworth stairs travelling up the Mountain.

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

- To ensure a comfortable pedestrian experience, 3 units on the first floor will have direct access to the sidewalk fronting on Augusta Street which will allow the apartment building to be connected to the Streetscape and enhance the open complete community. There will also be a pedestrian sidewalk connection from Young Street into the rear parking lot for residents and visitors to walk into the site. This will also promote the active community lifestyle by promoting walking / bicycling to work or daily activities.

h) the ability to complement the existing functions of the neighbourhood;

- As proposed, the development is within an area just South of the Downtown Core. The residential neighbourhood contains parking, trails, local commercial and amenities. The proposed development will be in an area that is convenient and will complement the surrounding uses. The development will contribute to a range of dwelling types and tenure in the



neighbourhood and will provide support to existing commercial businesses in the area, and to the existing and proposed higher order transit along Main Street East, King Street East and Hunter Street East.

i) the conservation of cultural heritage resources; and,

- A Cultural Heritage Impact Assessment was prepared and submitted. It was determined that no cultural significance is warranted on the existing buildings on the subject property.

j) infrastructure and transportation capacity and impacts.

- Infrastructure and transportation impacts have been reviewed and assessed via Transportation Demand Management Options report submitted in support of this application. The TDM report concludes that the property is consistent with the City of Hamilton's Transportation Demand Management Land Development Guidelines. The site has been designed to limit the reliance on vehicle use by reducing the supply of parking and facilitating opportunities for active transportation by providing prioritizing pedestrian connections to the municipal sidewalk, encouraging bike share programs and the use of the public transit locations.

The proposal for the subject lands is in keeping with the Goals for Urban Housing, as outlined in Section B.3.2.1, and the General Policies for Urban Housing, as outlined in Section B.3.2.4. The proposal will contribute to a range of housing types and densities in the neighbourhood. In addition, the new units will be rentals and will support the City in achieving the Housing Targets for rental units, as outlined in Section B. 3.2.2.

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

In response to the abutting CN Rail and Hamilton Go Train Station and Section B.6.3.1 of the UHOP, a Noise Impact and Vibration Study were completed and submitted with the Zoning By-Law Amendment application. The reports confirm noise mitigation measures can be implemented to ensure the development of this sensitive land use will comply with all applicable provincial and municipal guidelines and standards regarding noise and vibration.

Section E.3.6.7 provides the following evaluation criteria for Development within the high density residential category:

a) Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the



development may be permitted direct access to a collector or major or minor arterial roads via a local road upon which abut only a small number of low density residential category dwellings.

Planning Comment: Vehicle traffic for the development is from Young Street that has direct access to John Street South, a designated Minor Arterial Road on Schedule C – Functional Road Classification of the UHOP. Land uses along this 200 metre portion of Young Street are predominately multi-unit residential uses and commercial uses.

b) High profile multiple dwellings shall not generally be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and/or design features shall be incorporated into the design of the high density development to mitigate adverse impact on adjacent low profile residential uses.

Planning Comment: while the density of the development is in excess of 100 units per hectare, the built form at four storeys and regulated by appropriate site specific zone provisions, ensures compatibility without adverse impacts.

d) Development shall:

- i) provide adequate landscaping, amenity features, on-site parking, and buffering where required;*
- ii) be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures; and,*
- iii) provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.*

Planning Comment: the urban design report, site specific zoning by-law and future site plan application provided appropriate implementation tools demonstrating the above matters will be addressed.

As proposed and as confirmed via the Formal Consultation process, the proposed development conforms to and implements the Urban Hamilton Official Plan.

5.2 Regulations

The proposed development requires an amendment to the City of Hamilton Zoning By-law No. 6593. To accommodate the proposed four storey building, the zoning will be changed to a site specific “E-3” Districts – High Density Multiple Dwellings while the existing dwelling will remain



in a “D” District – Urban Protected Residential – One and Two Family Dwellings, Etc., albeit a site specific one.

A variety of site specific regulations have been included in the proposed zones to recognize characteristics of the existing building and to permit the proposed building. The following provides an analysis of the proposed zoning regulations.

Building Height

Proposed Building: While the “E-3” District zoning permits tall buildings, a site specific maximum building height of 13.5 metres ensures the four storey multiple unit building is compatible. Permissions for roof top patio, mechanical penthouse ect will remain below 16.5 metres. This height is appropriate due to the location of the property and the compatibility with the surrounding uses. It is important to note the existing “D” District permits a height of 14.0 metres for three storey structures.

Existing Building: The existing single detached dwelling and shed on the 122 & 125 Augusta Street and 127 Young Street property will be demolished to permit the proposed 4 storey apartment building. The existing single detached dwelling on 125 Young Street will remain on the property but will be subject to a consent application in order to take a portion of the rear yard and add it to the parking area of the apartment building. No change to building height is proposed at 125 Young Street.

Yard Setbacks

Proposed Building: To recognize the orientation and importance of the Augusta entrance as the principle entrance of the building and for the purpose of this amending by-law, Augusta Street shall be deemed the Front Lot Line. A 0.1 metre setback to this north property line will ensure that the front of the building relates directly to the sidewalk and the immediate public realm. The front of the building will provide a sense of continuity at the pedestrian scale, creating a comfortable pedestrian environment. The 1.0 metre setback from the east and west property line will allow for a maximum and efficient use of space while not compromising the privacy of the adjacent properties. There will be no windows along the side yards as well, in order to ensure privacy and compliance with the building code. To control the building envelope, for a side yard that does not intersect the front lot line, the setback shall be 10.5 metres. To the south, the rear lot line is the frontage on Young Street, this setback is 60.70 metres.

Existing Building: The existing single detached dwelling and shed on the 122 & 125 Augusta Street and 127 Young Street property will be demolished to permit the proposed 4 storey apartment building. The existing single detached dwelling on 125 Young Street will remain on the property but will be subject to a consent application in order to take a portion of the rear yard and add it to the parking area of the apartment



building. The site specific zone will permit the building, as existing on the day of passing.

Floor Area Ratio

The proposed development has approximate floor area ratio of 1.7 to accommodate the 2,450 square metres of floor area where the “E-3” District would permit up to 4,413 square metres at 2.006 for 2,213 square metre lot.

Landscaped Area

The proposed development for the multiple unit building has a landscaped area of 17.23 percent. This required modification is appropriate as the individual dwelling units have private balconies and common fitness facilities to satisfy amenity needs while the building height and setback regulations ensure compatibility from a built form and massing perspective.

Parking Spaces

21 parking spaces are intended to serve the 27 residential units in the proposed building resulting in a parking ratio of 0.77 spaces per unit. 2 spaces will serve the three unit residential dwelling 125 Young Street. This ratio was considered as part of the Formal Consultation process and deemed appropriate without the need for a parking study.

Loading Spaces

Frequent deliveries or move in’s will not be a reoccurring concern for the subject site and therefore a loading space will not be provided for this development.

Parking Space Dimensions

The parking space dimensions will follow the current 5.5m by 2.6m standard required in By-Law No. 05-200.

For the reasons discussed above, the proposed Zoning By-law includes appropriate regulations to ensure the height and massing of the development area is compatible with the area land uses.



6. Conclusion

1955132 Ontario Ltd. is the owner of lands at 122 & 126 Augusta Street and 125 & 127 Young Street in Hamilton, Ontario. The subject lands are proposed to be developed with a 4 storey residential apartment building with 27 units and 21 surface parking spaces. The 125 Young Street property will continue to service the existing dwelling and 2 parking spaces will be provided through a future severance application at the rear. The proposal has been reviewed against the applicable Provincial and Municipal policies as well as the surrounding land use context. To permit the development, an application for Zoning By-Law Amendment is required.

The purpose of the Zoning By-law Amendment is to change the zoning from “D” District – Urban Protected Residential – One and Two Family Dwellings, etc. to a site specific “E-3” Districts – High Density Multiple Dwellings while the existing dwelling will be placed in a site specific “D” District – Urban Protected Residential – One and Two Family Dwellings, Etc., Zone.

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

- The application is consistent with the Provincial Policy Statement;
- The application conforms to the Growth Plan as it represents an appropriate form of intensification in an existing built-up area;
- The proposed site specific policies support the intent of the Neighbourhoods designation in the Urban Hamilton Official Plan;
- The proposed Zoning for the lands includes appropriate Zoning regulations and implements the intent of the City of Hamilton’s Zoning By-Law.

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



UrbanSolutions Planning & Land Development Consultants Inc.

Respectfully submitted this 20th day of December, 2017.

Regards,

UrbanSolutions Planning & Land Development Consultants Inc.



Matt Johnston, MCIP, RPP
Principal



Carmela Agro, C.P.T.
Planning Technician

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

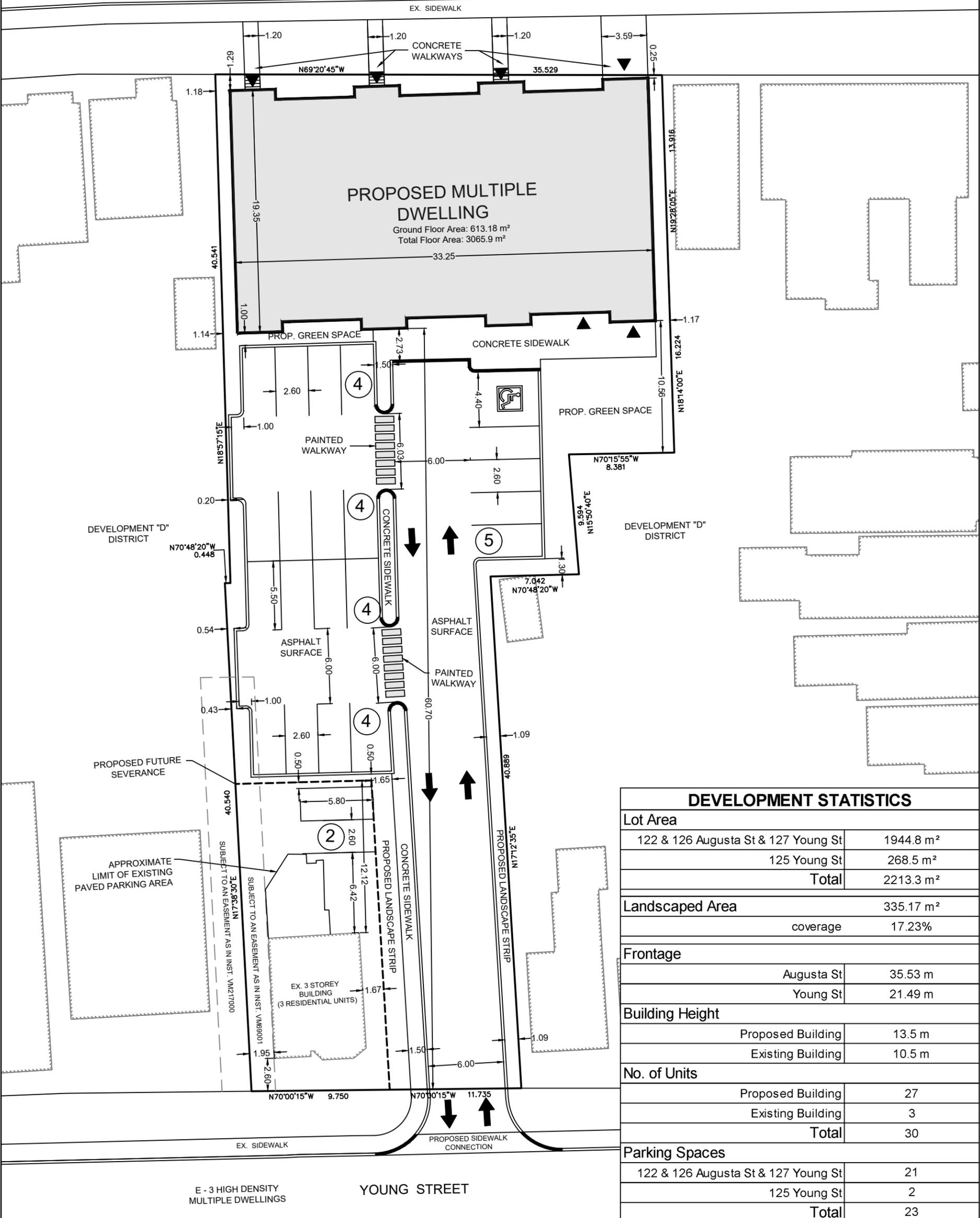


Appendix A

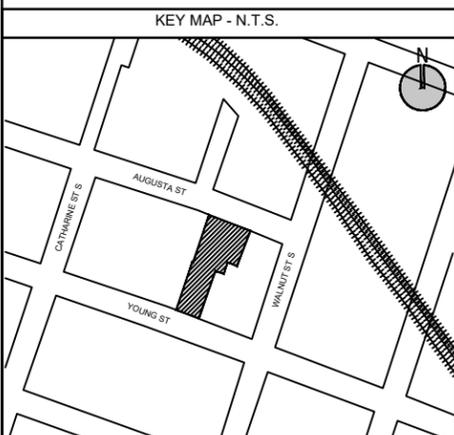
Concept Plan



AUGUSTA STREET



DEVELOPMENT STATISTICS		
Lot Area		
122 & 126 Augusta St & 127 Young St		1944.8 m ²
125 Young St		268.5 m ²
Total		2213.3 m²
Landscaped Area		
		335.17 m ²
	coverage	17.23%
Frontage		
	Augusta St	35.53 m
	Young St	21.49 m
Building Height		
	Proposed Building	13.5 m
	Existing Building	10.5 m
No. of Units		
	Proposed Building	27
	Existing Building	3
	Total	30
Parking Spaces		
	122 & 126 Augusta St & 127 Young St	21
	125 Young St	2
	Total	23



NOTES:

- All dimensions shown on this plan are in metres and can be converted to feet by dividing by 0.3048

LEGEND:

- Property Line
- Existing Buildings
- Proposed Building Footprint
- Proposed Future Severance
- Easement
- Proposed Entrances
- Proposed Curb Depression

SCALE 1:300

CHECKED BY: M. JOHNSTON DATE: 19/12/201

PREPARED BY:

LINTACK ARCHITECTS INCORPORATED

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 Planning & Land Development Consultants Inc.

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 HAMILTON, ONTARIO
 L8N 1G6
 URBANSOLUTIONS.INFO

PROJECT:

122 & 126 AUGUSTA STREET & 125 & 127 YOUNG STREET
 CITY OF HAMILTON

CLIENT:

1955132 ONTARIO LTD.

TITLE:

CONCEPT PLAN

U/S FILE NUMBER: 157-16 SHEET NUMBER: 1

Appendix B

Draft Zoning By-Law



CITY OF HAMILTON

BY-LAW NO. - ____

**To Amend Zoning By-law No. 6593 (Hamilton), Respecting Lands
Located at 122 & 126 Augusta Street and 125 & 127 Young Street, in
the City of Hamilton**

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

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

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

AND WHEREAS Zoning By-law No. 6593 (Hamilton) was enacted on the 5th day of November 1990, and approved by the Ontario Municipal Board on the 21st day of December, 1992;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ____ of Report 17-____ of the Planning Committee at its meeting held on the ____ day of _____, 2017, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

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

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

1. Schedule __ of Zoning By-law No. 6593 (Hamilton), as amended, is hereby further amended:
 - a. By changing the zoning from the “D” Districts – Urban Protected Residential – One and Two Family Dwellings, Etc., to a site specific “E-3” District – Multiple Dwellings, Lodges, Clubs, Etc./S-__ Zone site specific; and,
 - b. By changing the zoning from the “D” Districts – Urban Protected Residential – One and Two Family Dwellings, Etc.,



to “D” Districts – One and Two Family Dwellings/S-___ Zone, site specific;

The extent and boundaries of which are more particularly shown on Schedule “A” annexed hereto and forming part of this By-law.

2. That Section 19B(1)– Special Requirements of Zoning By-law No. 6593 (Hamilton), as amended, is hereby further amended by adding the following sub-section:

E-3/S-___

In addition to the zoning regulations contained in Zoning By-law No. 6593, the following shall apply to lands shown as “E-3/S-___ on Schedule “A”

Notwithstanding Section 11C(1a), the height of a building or structure shall not exceed 13.5 metres wherein a roof top patio shall be permitted together with a mechanical penthouse not exceeding 16.5 metres.

Notwithstanding Section 11C(2), the following yards shall apply:

Minimum Front Yard	0.1 metres
Minimum Side Yard	1.0 metres,
Except 10.5 metres shall be provided for a side yard not intersecting a front yard	
Minimum Rear Yard	60.5 metres

Notwithstanding Section 11C(4), the minimum lot area shall be 2,200 square metre and the lot frontage (Young Street) shall be 11 metres.

Notwithstanding Section 11C(5), at least 17.23 % of the lot area shall be landscaped.

Notwithstanding Section 18A(1)(a)(b), 0.75 spaces shall be provided per unit.

Notwithstanding Section 18A(1)(c), no loading space shall be required.

Notwithstanding Section 18A(7), every parking spaces shall be 2.6 metres wide by 5.5 metres long.

Notwithstanding Section 18A(12), the boundary of every parking area a lot adjoining a residential district shall be fixed not less than 0.2 metres from the adjoining residential district.



3. That Section 19B(1)– Special Requirements of Zoning By-law No. 6593 (Hamilton), as amended, is hereby further amended by adding the following sub-section:

“D/S-_____

Notwithstanding the permitted uses contained in Section 10(1), a 3 unit dwelling shall be permitted.

Notwithstanding Section 10(3), 1.6 metres shall be the minimum side yard setback.

Notwithstanding Section 10(4), the minimum lot area shall be 265 square metres and the minimum lot frontage shall be 9.5 metres.

Notwithstanding Section 18A(1)(a)(b), 2 parking spaces shall be required.

Notwithstanding Section 18A(1)(c), no loading space shall be required.

Notwithstanding Section 18A(7), every parking spaces shall be 2.6 metres wide by 5.5 metres long.

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
5. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule E-3 _____ and C-_____.

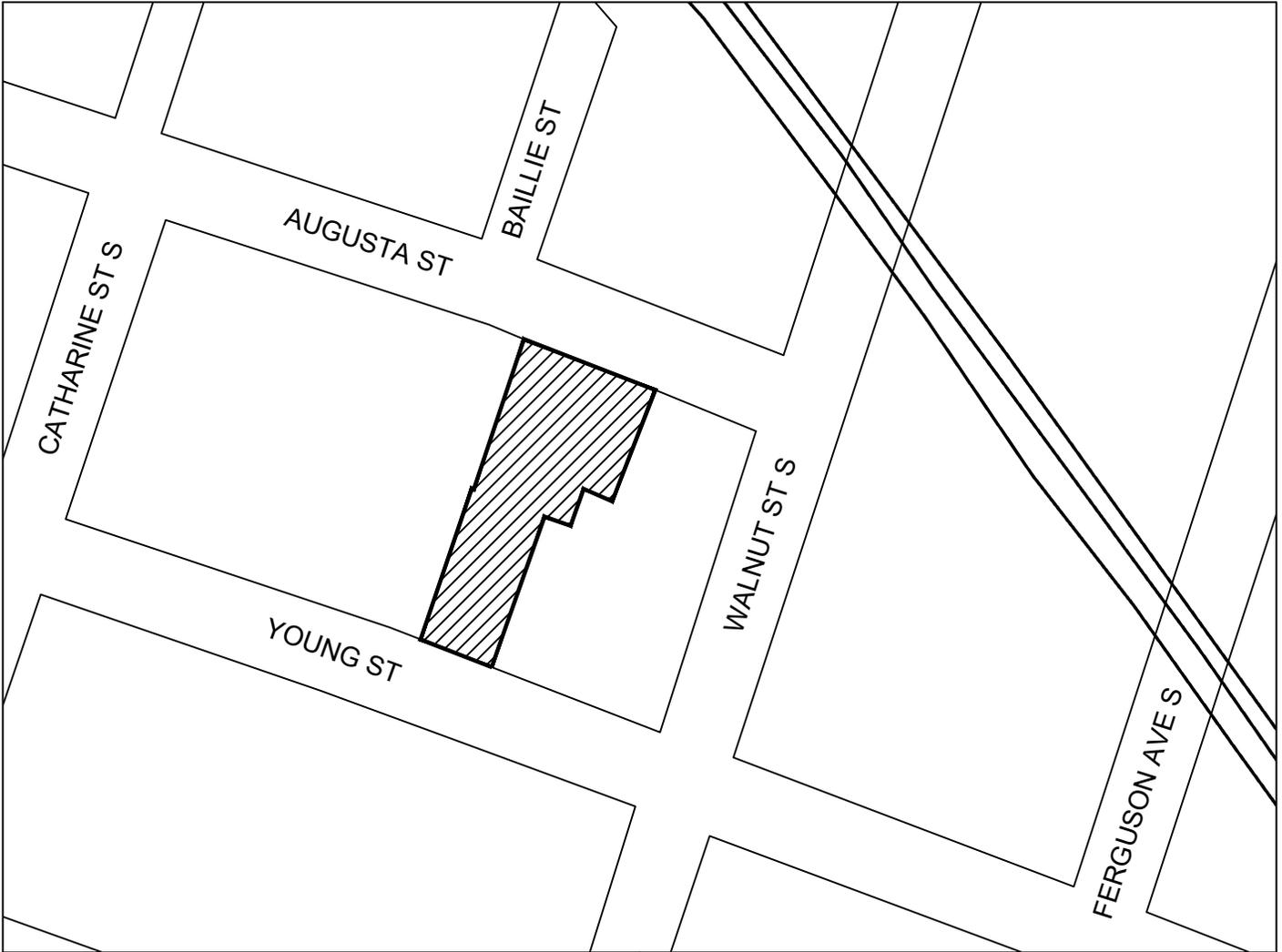
PASSED AND ENACTED this _____ day of _____, 2017.

Mayor

Clerk

ZAC-17-_____





This is Schedule "A" to By-law No.
17- _____
Passed the _____ day of _____, 2017

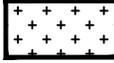
Clerk

Mayor

DRAFT
Schedule "A"
Map Forming part of
By-law No. 6593-
to Amend By-law No. 6593

Subject Property
122 & 126 Augusta Street and 125 & 127 Young Street in the City of Hamilton.

 Block 1 - change in zoning from "D" to "E-3-____"

 Block 2 - change in zoning from "D" to "C-____"

Scale: N.T.S	File Name/Number: 157-16
Date: 19-12-2017	Planner/Technician: C.AGRO
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT	