



Planning Justification Report

71 Main Street, Dundas

**Submitted to Centurion (Dundas) Holdings Inc.
by IBI Group**

June, 2014



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1. Introduction

Centurion (Dundas) Holdings Limited is the owner of lands municipally known as 71 Main Street and 10 Baldwin Street in Dundas, Ontario. It is their intent to develop the 15.62 square metre property with a 9 storey apartment dwelling comprised of 73 residential units.

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.

1.1 Location

The subject lands are located in downtown Dundas. More specifically, it is located on the east side of Main Street between Dundas Street and York Street. A portion of the lands also has existing frontage on Baldwin Street, as illustrated in Figure 1 below. The lands are legally described as being P.I.N 17479-0095 (LT) and P.I.N. 17479-0066(LT).



Figure 1 – Subject Lands

1.2 Site Description

The rectangular site is approximately 1,562 square metres in size with a frontage on Pritchard Road of 30.8 metres (101feet) and a depth of approximately 52.4 (172 feet). While utilizing only the rear of 10 Baldwin, the extent of the lands proposed for development are vacant.

The site is located within downtown Dundas and there are a range of uses surrounding the lands. A 7 storey apartment building and municipal lane is located directly east of the property. The Dundas municipal offices are located directly across the street from the subject property while a three storey mixed use building abuts the lands to the north and residential uses are located to the east as illustrated in Figure 2 below.



Figure 2 – Aerial Photo

2. Proposed Development

As indicated in the introduction section of this report, it is the intent of the owner to develop a 9 storey apartment dwelling having 73 residential units. A conceptual plan of how the development could proceed is located in Appendix A.

2.1 Planning Applications

On August 28th, 2013, a Formal Consultation meeting was held to determine the required planning applications to facilitate the proposal and to identify the studies, plans and/or reports that are required to be submitted for a “complete” application. A copy of the signed Formal Consultation Document has been included with the submission package as required.

The Formal Consultation meeting confirmed approval of an Official Plan Amendment, Zoning By-law Amendment, and Site Plan applications are required in order to facilitate the development.

The purpose of the Official Plan Amendment is to amend the Mixed-Use Medium Density designation with the establishment of a Site Specific Policy No. UDC-___ wherein a 9 storey, 73 unit apartment dwelling would be permitted. A copy of the draft Official Plan amendment is located in Appendix B.

The purpose of the Zoning By-law Amendment application is to change the zoning from the Central Area Commercial (C.A.C./S-16) Zone and the Low Density Residential (R3) Zone to the Medium to High Density Multiple Dwelling (RM3-___) Zone. A copy of the draft Zoning By-law is contained in Appendix C.

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

- Concept Plan
- Survey Plan
- Urban Design Report
- Sun/Shadow Study
- Archaeological Assessment
- Parking Study

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 support study.

3.1 Urban Design Report

David Premi Architects Inc. prepared the Urban Design Report included in the application submission package. The Report was completed in accordance with the requirements of the City of Hamilton to provide a review of the urban design matters associated with the subject lands and the proposed development.

The report concludes the development proposal suits the urban context.

3.2 Sun/Shadow Study

David Premi Architects Inc. prepared the Sun/Shadow Study within the Urban Design Brief included with the application submission package. The Study was completed in accordance with the requirements of the City of Hamilton to illustrate the shadowing created by the proposed building during the Summer and Winter solstice.

The Study confirms shadowing will primarily be contained on site throughout the day; however, early morning shadowing will occur on the three storey commercial building and late afternoon shadowing will occur in the rear yards of the abutting residential uses to the east.

3.3 Archaeological Assessment

Archaeological Assessments Ltd. was retained to prepare the Stage 1 Archaeology Assessment included in the application submission package. The Assessment was completed in accordance with the requirements of the City of Hamilton to provide a review of the archaeological issues associated with the subject lands and the proposed development.

The report included a review of current land use, historic and modern maps, past settlement history for the area and a consideration of topographic and physiographic features, soils and drainage. The Stage 1 Archaeological Assessment concluded that there are portions of the subject property with archaeological potential. Therefore, the property warrants a Stage 2 property assessment.

3.4 Parking Study

W.B. O'Brien Services was retained to prepare the Parking Study submitted with this application. The study was completed in accordance with the City of Hamilton requirements.

The report concluded the proposed development would create a need for 59 parking spaces to accommodate peak parking demand and further that the proposed plan for 60 parking spaces on site will meet the expected parking demand.

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 Provincial Policy Statement, Places to Grow - Growth Plan for the Greater Golden Horseshoe, the Urban Hamilton Official Plan and the Dundas Zoning By-law are applicable.

4.1 Provincial Policy Statement

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.

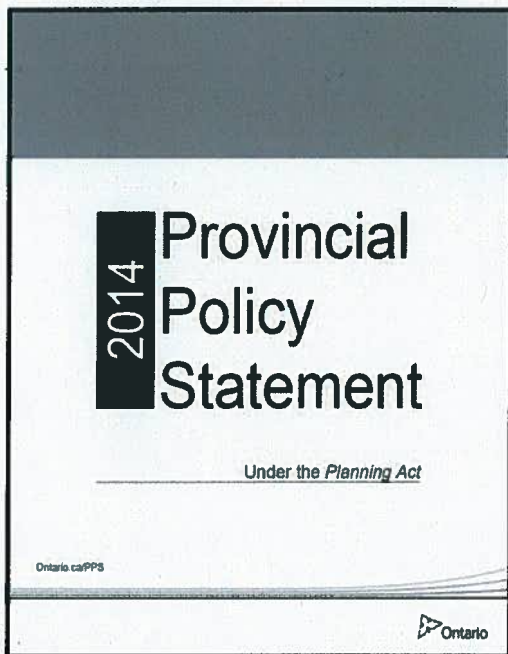
The PPS was issued under Section 3 of the *Planning Act* and came into effect on April 30th, 2014. In this regard, Section 3 of the *Planning Act* requires that land use planning decisions be consistent with the PPS.

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. It recognizes that the wise management of development may involve directing, promoting or sustaining growth. 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.

The Settlement Areas policies of Section 1.1.3 of the PPS provide policy direction with regards to land use patterns. In this regard, the development is consistent with the PPS as the 9 storey, 73 unit apartment dwelling is an efficient use of land and appropriately and efficiently uses infrastructure and public service facilities while being transit supportive.

The development represents an appropriate form of intensification as it has regard for the existing building stock, in an area identified as such by the municipality. The compact built form utilizes appropriate development standards, secured in the amending site specific zoning by-law. As such, the development is consistent with Section 1.1.3.3 and 1.1.3.4 of the PPS.

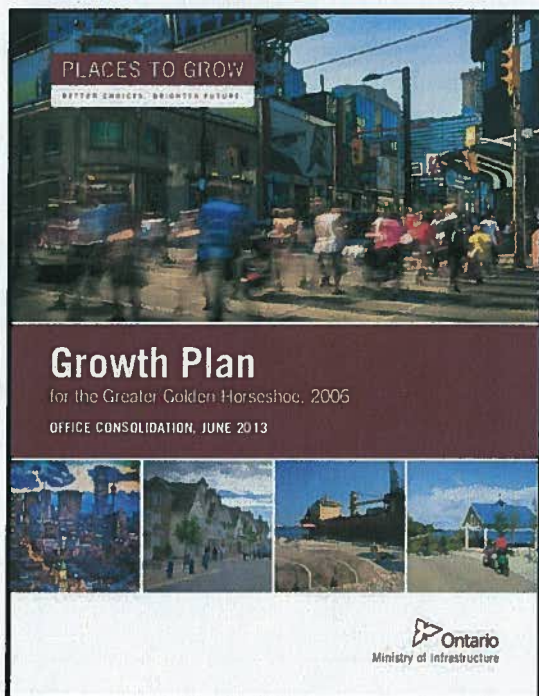
The development contributes to the Housing policies of 1.4 of the PPS while appropriate contributions to the public spaces and parks will be secured with the approval of the development as per 1.5 of the PPS. The subject lands are



well severed by the existing services which will be implanted at the site plan approval stage. The development will complement and enhance the vibrant downtown contributing to the long-term prosperity of the municipality in keeping with 1.7 of the PPS. The building permit stage will ensure the appropriate energy conservation and efficiency while the development is in keeping with the goals and objectives of the Dundas community node as per 1.8 of the PPS. To ensure consistency with Section 2.0 of the PPS, the only resources identified in relation to this proposal is the built heritage associated with the Town Hall and the potential for archaeological resources – both of which have been evaluated in submitted supporting studies. Matters regarding Natural or Human-made Hazards have not been identified via the formal consultation stage ensuring consistency with Section 3.0 of the PPS.

The proposed development is consistent with the Provincial Policy Statement, 2014.

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



The Places to Grow – Growth Plan for the Greater Golden Horseshoe (Growth 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 decisions that affect planning matters shall conform to provincial plans, including the Growth Plan, or shall not conflict with them, as the case may be.

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. For the purpose of the Places to Grow Concept contained in Schedule 2, the lands are located within the Built-up Area.

The Greater Golden Horseshoe (GGH) is one of the fastest growing Region's in North America and in order to accommodate such growth, the Province of Ontario adopted the Growth Plan for the Greater Golden Horseshoe. The purpose is to implement Ontario's vision of building stronger, more prosperous communities and for managing growth. The vision for the GGH is found in certain principles, and provides the basis for guiding decisions on how land is to develop.

These principles include:

- **Build compact, vibrant and complete communities;**
- **Plan and manage growth to support a strong and competitive economy;**
- **Complete communities are defined by the Growth Plan as meeting people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing, and community infrastructure, including affordable housing, schools, recreation and open space for their residents. The Growth Plan contains general policies promoting and encouraging intensification and establishing specific intensification areas and targets. The Growth Plan also supports building compact, transit supportive communities and directing all growth to settlement areas and prohibiting the establishment of new settlement areas.**

In keeping with the General Intensification policies contained in Section 2.2.3, the proposed development conforms to the Growth Plan as it:

- **contributes to ensuring 40 percent of all residential development occurs within the built-up area;**
- **assist the municipality in achieving the established density target for downtown Dundas;**
- **provides a range and mix of housing;**
- **contributes to a diverse and compatible mix of land uses to support and enhance the vibrant downtown neighbourhood; is transit supportive;**
- **achieves higher densities than the surrounding; and, achieves an appropriate transition of built form.**

4.3 Urban Hamilton Official Plan

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

Schedule E – Urban Structure applies a Community Node designation for the subject lands. This designation generally applies to the downtowns of the former municipalities, including downtown Dundas. They are to function as vibrant, mixed use areas containing a range of uses within a range of built forms. Community Nodes shall generally be planned to achieve a target density of 100 persons per

hectare and the built form shall largely be in the medium and low rise, mixed use buildings. The design of new development is to respect the existing built form to minimize the effects of shadowing and overview on adjacent neighbourhoods and reductions in parking shall be considered to encourage a broader range of uses and densities to support transit.



Figure 3 – Urban Hamilton Official Plan, Schedule E-1

Schedule E.1 – Urban Land Use Designation applies the Mixed-Use Medium Density designation for the subject lands, as illustrated in **Figure 3** above.

Section E.4.6.5 of the Plan outlines the permitted uses allow for a broad range of commercial uses, institutional uses, cultural uses and multiple dwellings in mixed or sing use buildings. The scale of new development shall contain a range of building heights and densities to a height of 8 storeys.

Based on the proposed height, and Official Plan Amendment is required.

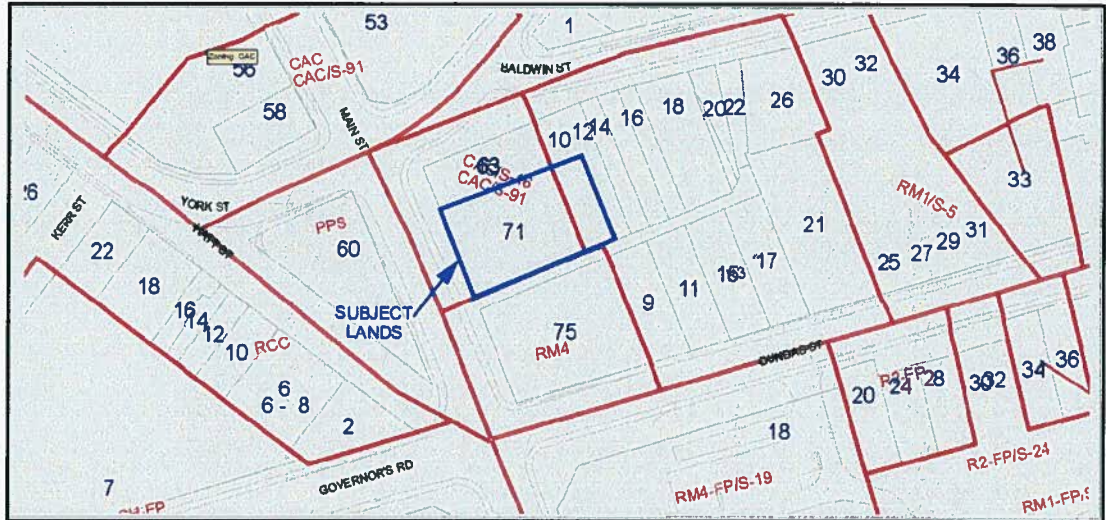
4.4 Town of Dundas Zoning By-law No. 3581-86

The Town of Dundas Zoning By-law No. 3581-86 remains as the comprehensive Zoning By-law applicable to the subject lands. The subject lands are located within the

Central Area Commercial “CAC/S-16” Zone and the Low Density Residential “R3”, as indicated in Figure 3 below.

Figure 3 – Zoning By-law No. 3581-86

A zoning by-law amendment is required to place the lands within one site specific medium density residential zone.



A draft Zoning By-Law is contained in Appendix C.

5. Analysis

When evaluating the merits of the proposed 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. Both documents support vibrant mixed use communities, compatible intensification and efficient uses of land and services. As such, the Official Plan and Zoning By-law Amendments are consistent with the PPS and conform to the Growth Plan.

The proposed development conforms to the planned function of the Community Node as it contributes to the vibrancy of the mixed use downtown. Further it assist the municipality achieve the density target of 100 persons per hectare across the Community Node area. As detailed in the Urban Design Brief, the built form has been designed to respect the existing built form via building materials, setbacks, massing, height and building stepbacks. Also, the proposed parking ratio is in keeping with the City's 05-200 Zoning By-law in order to encourage broader range of use and densities to support transit.

The proposed development is in keeping with the broader goals of the Mixed Use designations as outlined in Section 4.1 and the General Policies of Section 4.2 of the Plan.

The proposed development conforms to the intent of the planned function of the Mixed Use – Medium Density designation as it contributes to the vibrancy of the mixed use downtown as per 4.6.1 to 4.6.4. The application conforms to the permitted uses in Section 4.6.5; however, the proposed height exceeds what is permitted in Section 4.6.7 and 4.6.8. It is appropriate to consider 4.6.8 in more detail as it states:

Additional height up to a total of eight storeys may be permitted without an amendment to this Plan, provided the applicant demonstrates:

- a) there are no adverse shadow impacts created on existing residential uses within adjacent lands designated Neighbourhoods;
- b) buildings are progressively stepped back from adjacent areas designated Neighbourhoods. The Zoning by-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and,
- c) buildings are stepped back from the street to minimize the height appearance from the street, where necessary.

In this regard, the sun/shadow analysis demonstrates there is no adverse shadow impacts and the zoning by-law contains setback and step back provisions to ensure an appropriate transition and gradation of height. This too satisfies the requirements contained in 4.6.24 of the Plan.

In addressing 4.6.23 of the Plan, the development contributes to the creation of vibrant people places. The utilization of the existing lane will enhance the public and private realm.

The proposed parking ratio is supported by 4.6.27 that encourages reduced parking requirements in support of a broader range of uses and to take advantage of higher levels of transit service.

The proposed development has regard for the Urban Design Policies contained in Section 3.3 of the Plan while also respecting the built heritage associated with the former Dundas Town Hall and Archaeological Assessment was completed, both in keeping with Section 3.4.

The proposed development and implementing Official Plan Amendment and Zoning By-law Amendment conform to the general intent of the Urban Hamilton Official Plan.

6. Conclusion

Centurion (Dundas) Holdings Inc. is the owner of the property municipally known as 71 Main Street and the rear portion of 10 Baldwin Street in Dundas. It is their intent to develop the site with a 9 storey apartment dwelling having 73 residential units.

To facilitate the development, an Official Plan Amendment and a Zoning By-Law Amendment application is required.

The purpose of the Official Plan Amendment is to amend the Mixed-Use Medium Density designation with the establishment of a Site Specific Policy No. UDC-___ wherein a 9 storey, 73 unit apartment dwelling would be permitted. A copy of the draft Official Plan amendment is located in Appendix B.

The purpose of the Zoning By-law Amendment application is to change the zoning from the Central Area Commercial (C.A.C./S-16) Zone and the Low Density Residential (R3) Zone to the Medium to High Density Multiple Dwelling (RM3-___) Zone. A copy of the draft Zoning By-law is contained in Appendix C.


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

- The applications are consistent with the Provincial Policy Statement;
- The applications conform to the Growth Plan as it represents an appropriate form of intensification in an existing built-up area;
- The Official Plan Amendment conforms to the intent of the Mixed-Use Medium Density designation of the Plan, as well as the principles and objectives of the Community Node designation;
- The proposed Zoning for the lands includes the appropriate zoning regulations and implements the intent of the Official Plan and Provincial Plans.

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

Respectfully submitted this 2nd day of June, 2014.

Regards,
IBI Group



Matt Johnston, MCIP, RPP
Senior Planner



Sergio Manchia, MCIP, RPP
Associate

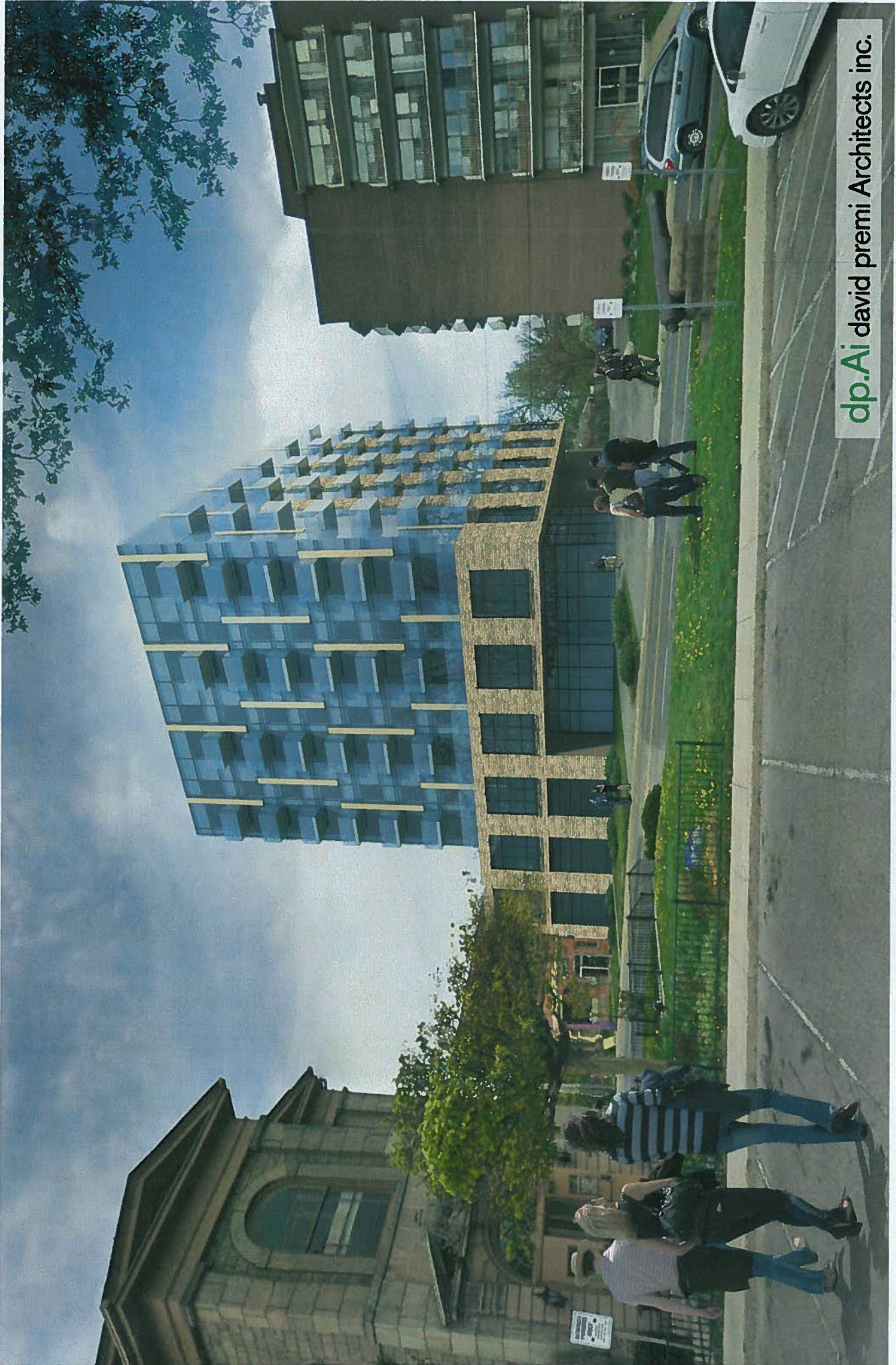
I hereby certify that this Planning Justification Report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.

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

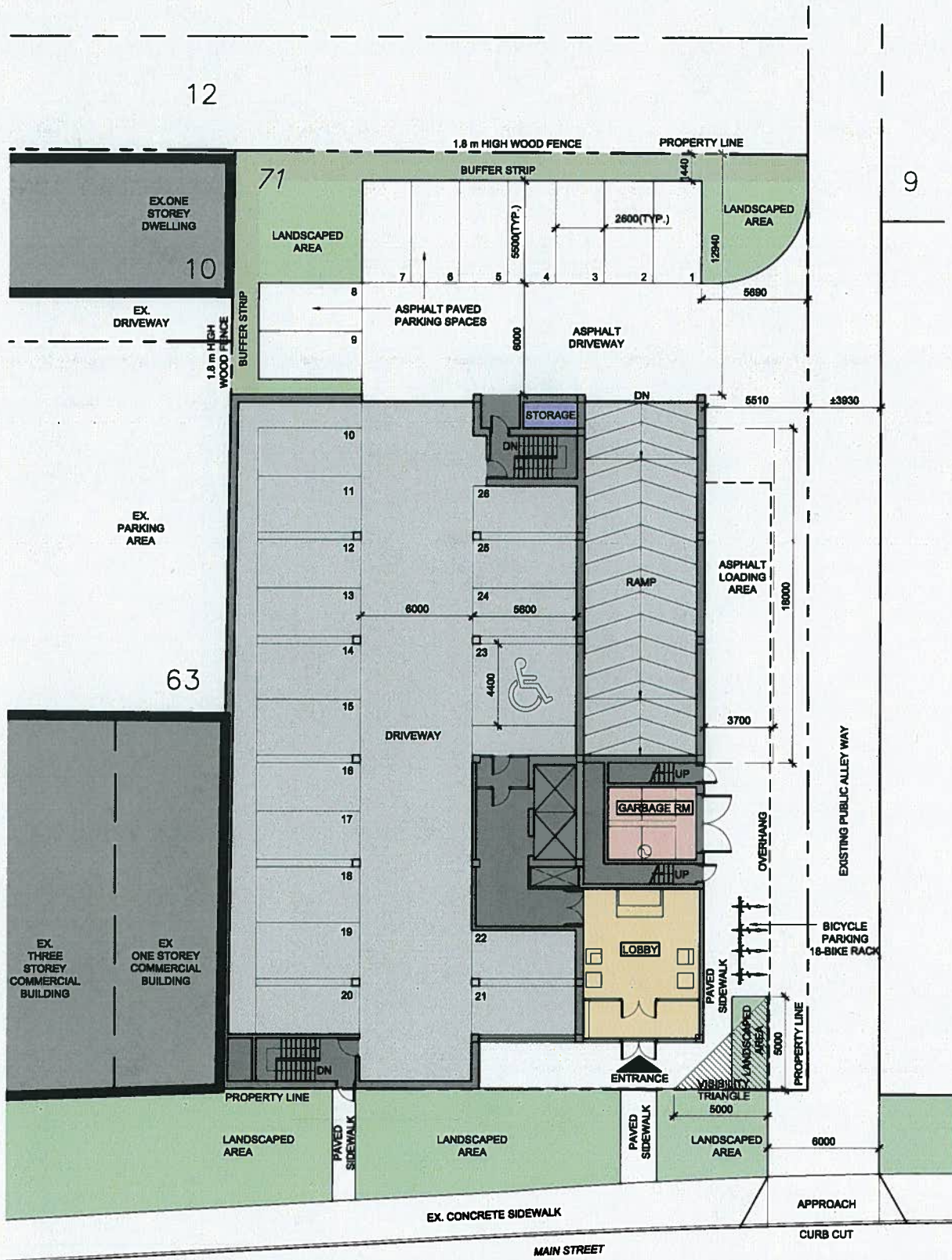


Appendix A

Concept Plan



dp.Ai david premi Architects inc.



A03
SCALE: 1:200

LEVEL 1 FLOOR PLAN

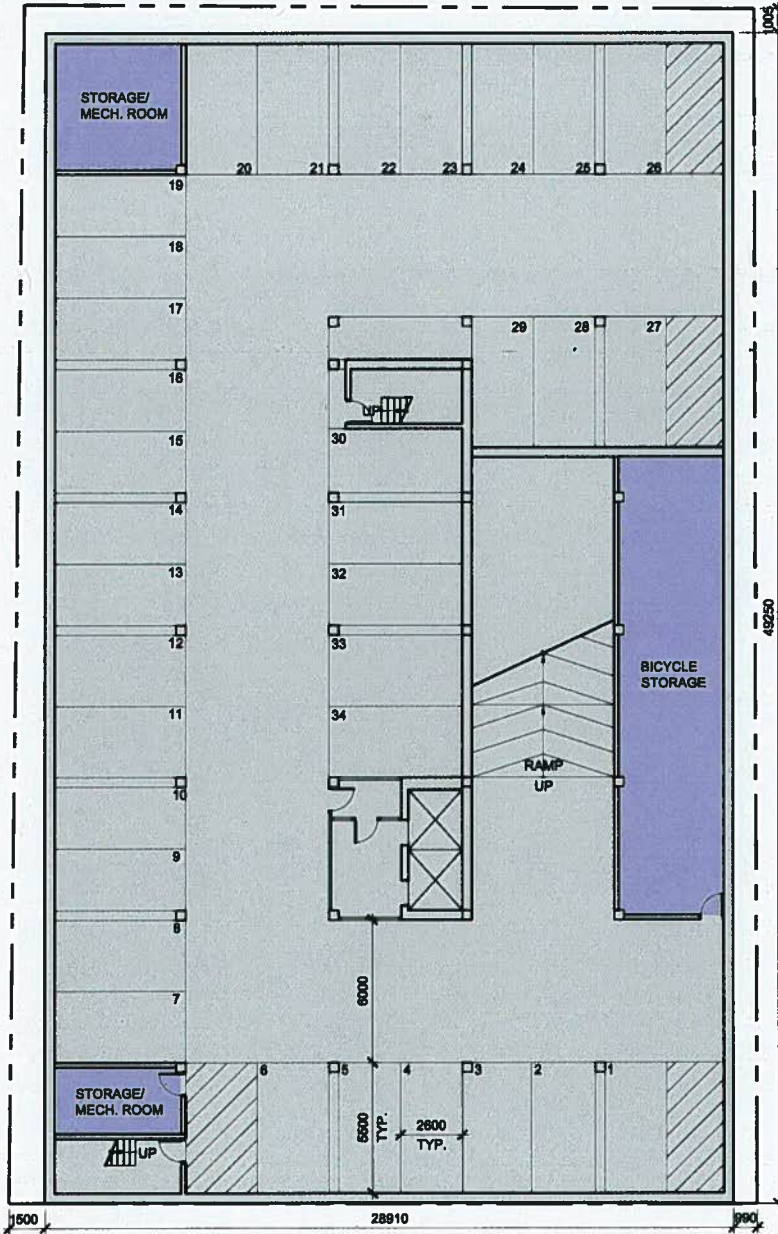


71 MAIN STREET, DUNDAS
MIXED USE DEVELOPMENT



dp.Ai david premi Architects inc.

2013-05-10



NUMBER OF PARKING SPACES 34
 FLOOR AREA 1421 m² - 15295 ft²

A02
 SCALE: 1:200

BASEMENT FLOOR PLAN

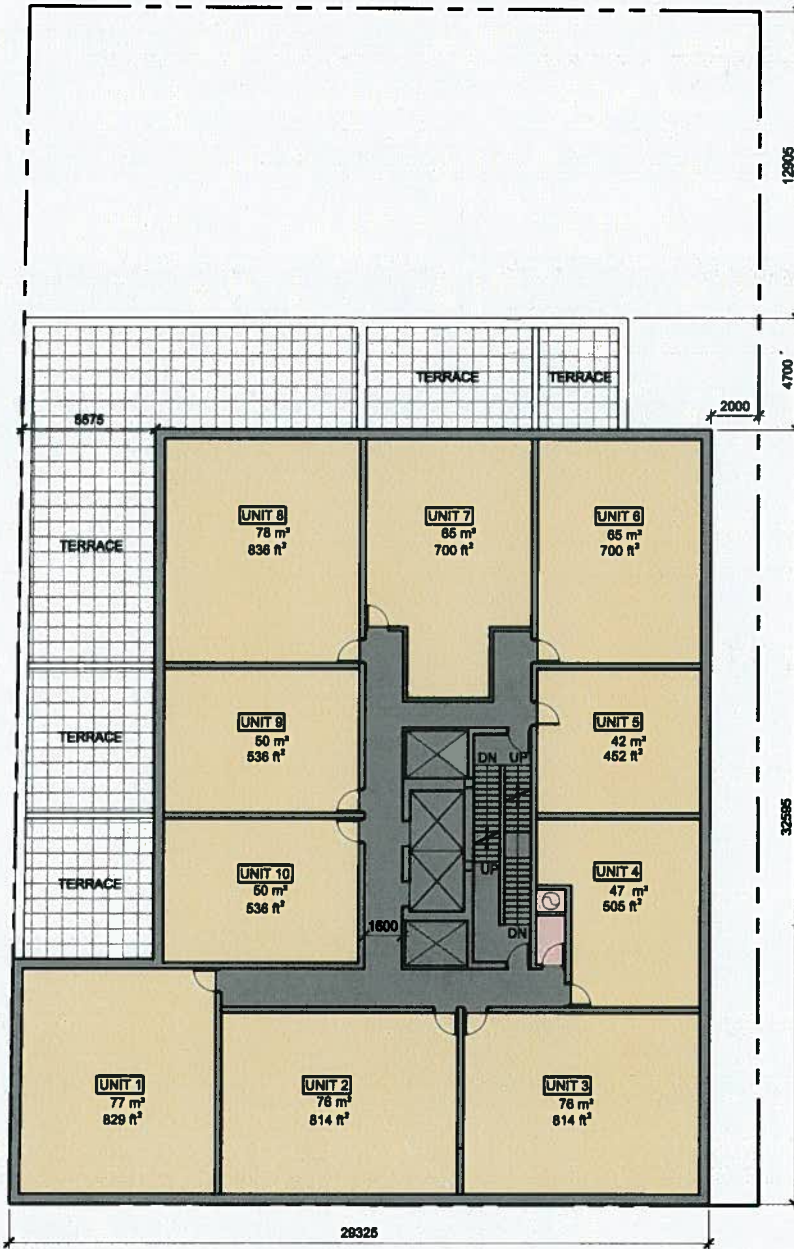


71 MAIN STREET, DUNDAS
 MIXED USE DEVELOPMENT



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2013-03-16



| NUMBER OF DWELLING UNITS | 10 |
|--------------------------|--|
| DWELLING UNIT 1 | 77m ² - 829 ft ² |
| DWELLING UNIT 2 | 78m ² - 814 ft ² |
| DWELLING UNIT 3 | 78m ² - 814 ft ² |
| DWELLING UNIT 4 | 47m ² - 505 ft ² |
| DWELLING UNIT 5 | 42m ² - 452 ft ² |
| DWELLING UNIT 6 | 85m ² - 700 ft ² |
| DWELLING UNIT 7 | 85m ² - 700 ft ² |
| DWELLING UNIT 8 | 78m ² - 836 ft ² |
| DWELLING UNIT 9 | 50m ² - 536 ft ² |
| DWELLING UNIT 10 | 50m ² - 536 ft ² |
| FLOOR AREA | 822m ² - 8848 ft ² |

A04
SCALE: 1:200

LEVEL 2 FLOOR PLAN



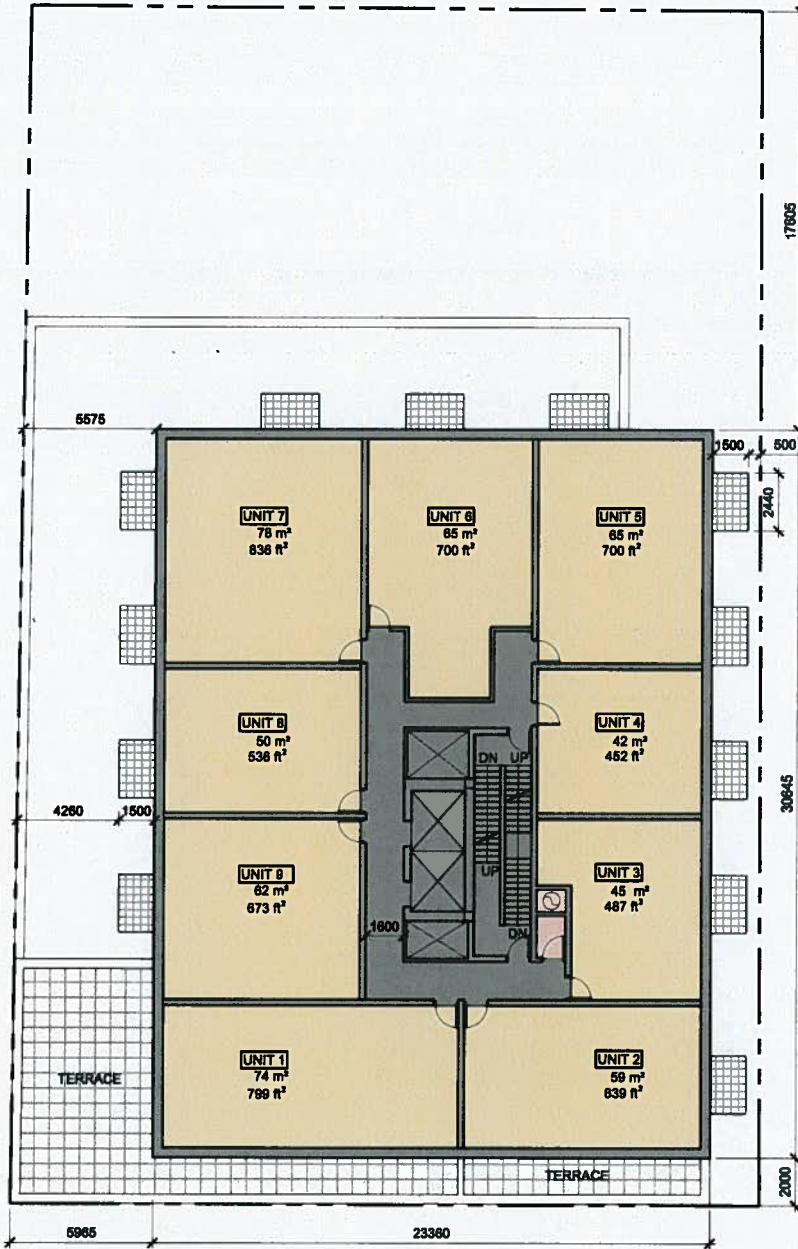
71 MAIN STREET, DUNDAS
MIXED USE DEVELOPMENT



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2013-09-18

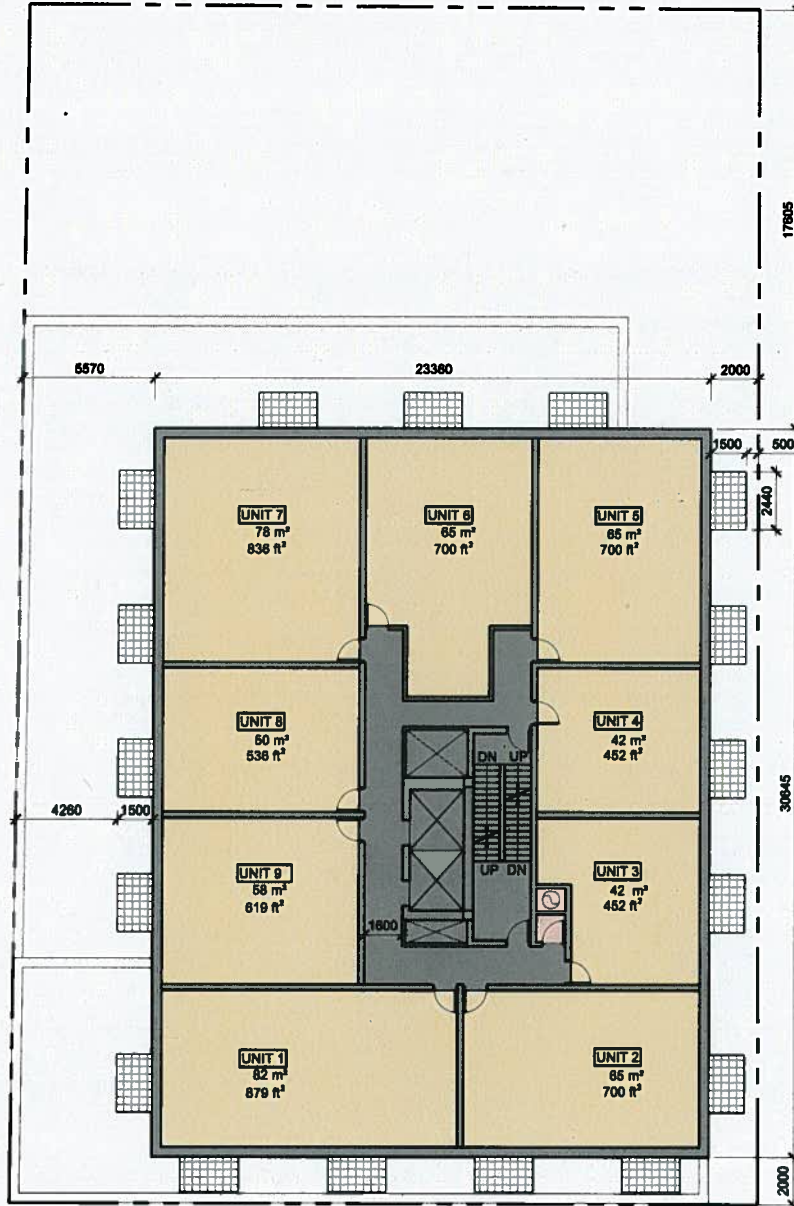


| | |
|--------------------------|------------------|
| NUMBER OF DWELLING UNITS | 9 |
| DWELLING UNIT 1 | 74m² - 799 ft² |
| DWELLING UNIT 2 | 59m² - 639 ft² |
| DWELLING UNIT 3 | 45m² - 487 ft² |
| DWELLING UNIT 4 | 42m² - 452 ft² |
| DWELLING UNIT 5 | 65m² - 700 ft² |
| DWELLING UNIT 6 | 65m² - 700 ft² |
| DWELLING UNIT 7 | 78m² - 838 ft² |
| DWELLING UNIT 8 | 50m² - 538 ft² |
| DWELLING UNIT 9 | 62m² - 673 ft² |
| FLOOR AREA | 718m² - 7707 ft² |

A05
SCALE: 1:200

LEVEL 3 FLOOR PLAN



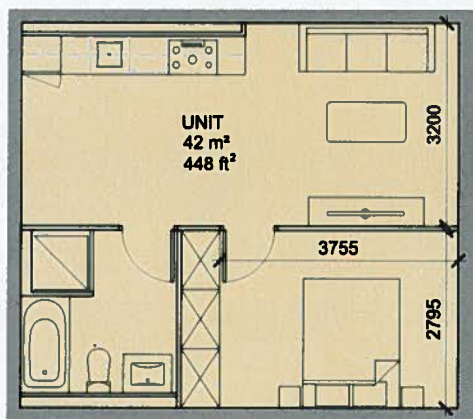
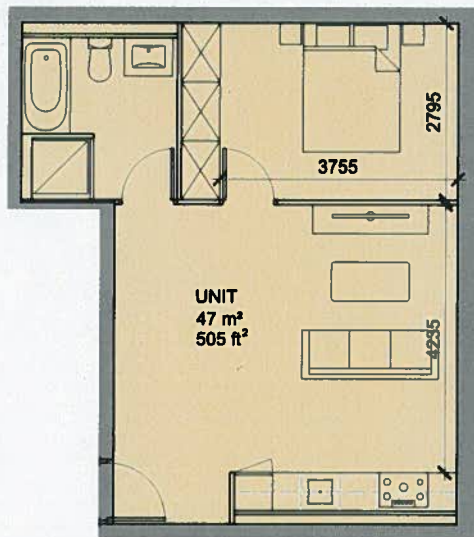
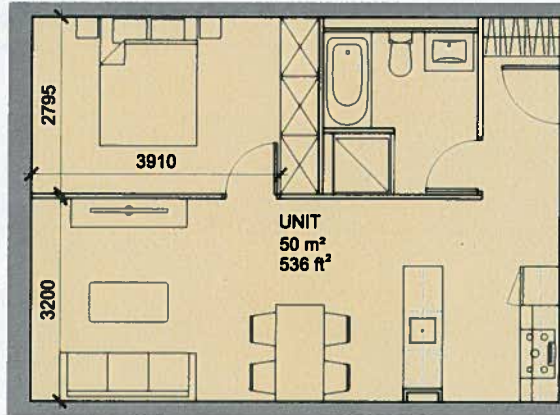


| | |
|--------------------------|--|
| NUMBER OF DWELLING UNITS | 9 |
| DWELLING UNIT 1 | 82m ² - 879 ft ² |
| DWELLING UNIT 2 | 85m ² - 700 ft ² |
| DWELLING UNIT 3 | 42m ² - 452 ft ² |
| DWELLING UNIT 4 | 42m ² - 452 ft ² |
| DWELLING UNIT 5 | 85m ² - 700 ft ² |
| DWELLING UNIT 6 | 85m ² - 700 ft ² |
| DWELLING UNIT 7 | 78m ² - 838 ft ² |
| DWELLING UNIT 8 | 50m ² - 538 ft ² |
| DWELLING UNIT 9 | 58m ² - 619 ft ² |
| FLOOR AREA | 718m ² - 7707 ft ² |

A06
SCALE: 1:200

LEVEL 4- 9 FLOOR PLAN





A07
SCALE: 1:75

TYPICAL APARTMENT LAYOUTS



71 MAIN STREET, DUNDAS
MIXED USE DEVELOPMENT



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2013-03-18



Appendix B

Draft Official Plan Amendment

Amendment No. ____
to the
Urban Hamilton Official Plan

The following text, together with Schedule "A", attached hereto, constitute Official Plan Amendment No. ____."

Purpose:

The purpose of this Amendment is to establish Site Specific Policy No. UD-____ on Map 2 of the Urban Hamilton Official Plan as shown on Schedule "A". In addition, the Amendment is to permit a 9 storey apartment dwelling having 73 units by introducing Site Specific Policy No. UD-____ to Chapter B – Urban Site Specific Policies of Volume 3 of the Urban Hamilton Official Plan.

Location:

The lands affected by this Amendment are known municipally as 71 Main Street and a portion of 10 Baldwin Street in Dundas.

Basis:

The intent of the amendment is to accommodate a development comprised of 73 units in a 9 storey apartment dwelling on the lands known municipally as 71 Main Street and a portion of 10 Baldwin Street in Dundas. The basis for the amendment is as follows:

- The proposed amendment is consistent with the Provincial Policy Statement.
- The proposed amendment further implements the intent of and conforms to the Places to Grow Growth Plan.
- The proposed amendment implements the general intent of the Urban Hamilton Official Plan.

Actual Changes:

1. Map 2, Urban Site Specific Key Map is amended by establishing the UD-___ designation for the subject lands, as shown on the attached Schedule "B" to this Amendment.
2. Volume 3, Chapter B, is amended by introducing the following Site Specific Policy:

UD-__ Lands located at 71 Main Street and portion of 10 Baldwin Street

1.0 In addition to the uses permitted in Policy E.4.6 – Mixed Use – Medium Density Designation of Volume 1, on the lands designated Mixed Use – Medium Density, UD-___, located at 71 Main Street and portion of 10 Baldwin Street, a 9 storey apartment dwelling having 73 units shall also be permitted.

Implementation:

This subject Official Plan Amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. ____, passed on the ____ day of ____ 2014.

**The
City of Hamilton**

R. Bratina
Mayor

Rose Caterini
Clerk



Map of Hamilton showing the location of the Urban Site Specific Areas (SSA) within the city's boundaries.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Maid Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park, the Mount Hope area, and the Airport Business Park, and following Twenty Road and Garner Road to Fiddlers Green Road in the west remains under appeal - see illustration on Schedules E and E-1, Volume 1

Legend

- Site Specific Areas (SSA)
- Rural Area
- Other Features
- Municipal Boundary
- Urban Boundary

Refer to Urban Site Specific Area A, Volume 1, Chapter B

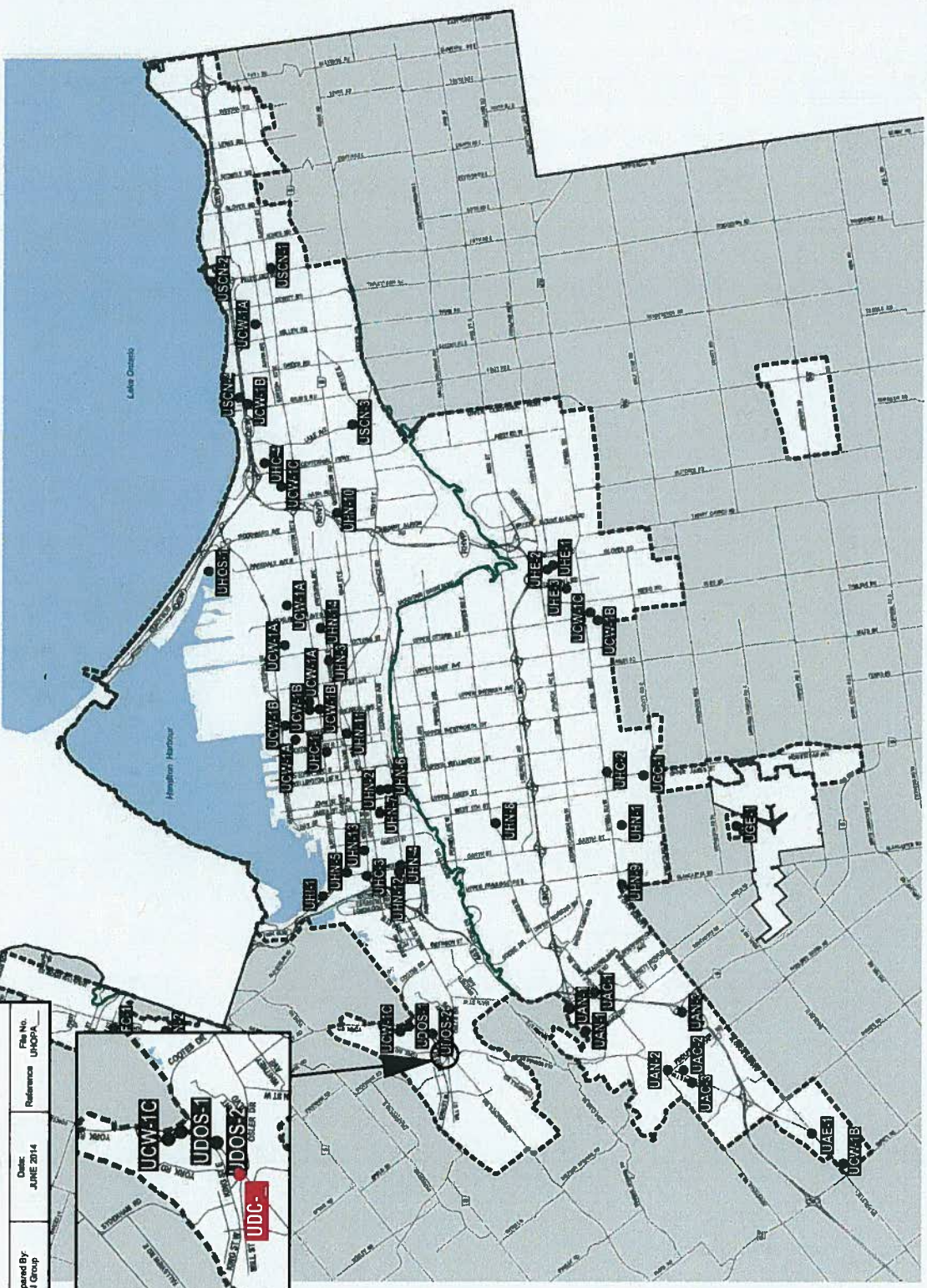
John C. Munc
Hamilton International Airport

Negative Excavation

Council Adoption: July 9, 2009
Municipal Approval: March 16, 2011
Effective Date: August 16, 2013

Urban Hamilton Official Plan
Volume 3: Map 2
Urban Site Specific: Key Map

Hamilton
PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT



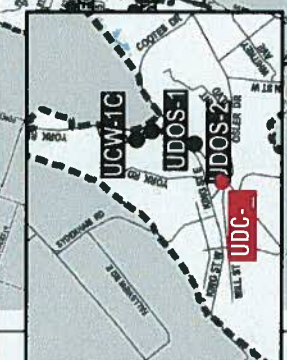
Schedule "E"
Draft
to the Urban Hamilton Official Plan

Prepared By:
IBI Group

Date:
JUNE 2014

Reference:
UOOPA

File No.:





Appendix C

Draft Zoning By-law

Authority: Item _____
Planning Committee
Report: 12- _____
CM: _____

Bill No. _____

CITY OF HAMILTON

BY-LAW NO. _____

To Amend Zoning By-law No. 3581-86 (Dundas) as Amended

Respecting Lands Located at 71 Main Street and 10 Baldwin Street

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 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 Town of Dundas" and is the successor to the former Regional Municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws 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. 3581-86 (Dundas) was enacted on the 22nd day of May 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item ___ of Report 14-____ of the Planning Committee, at its meeting held on the ___ day of ___, 2014, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Dundas Official Plan, in accordance with the provisions of the Planning Act.

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

1. That Schedule "A" of Zoning By-law No. 3581-86 (Dundas) is hereby further amended by changing the zoning from the Central Area Commercial (C.A.C./S-16) Zone to the Medium to High Density Multiple Dwelling (RM3-___) Zone, Modified on the lands the extent and boundaries of which are shown as Block "1" on a plan hereto annexed as Schedule 'A'.
2. That Schedule "A" of Zoning By-law No. 3581-86 (Dundas) is hereby further amended by changing the zoning from the Low Density Residential (R3) Zone to the Medium to High Density Multiple Dwelling (RM3-___) Zone, Modified on the lands the extent and boundaries of which are shown as Block "2" on a plan hereto annexed as Schedule 'A'.
3. That Section 32 – "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby further amended by adding the following Sub-section:

RM3-___ That Notwithstanding the provisions of Section 14: Medium to High Density Multiple Dwelling Zone (RM3), the following Special Provisions shall apply to lands shown as "RM3-___" on Schedule "A".

(a) Notwithstanding Section 14.2 Regulations for Apartment Buildings, the following special requirements shall apply:

14.2 REGULATIONS FOR APARTMENT BUILDINGS

14.2.1.1 LOT AREA

Minimum: 1,500.0m²

14.2.1.1 LOT FRONTAGE

Minimum: 30.0m

14.2.2.1 FRONT YARD

Minimum: 0.0m for the first and second storey, 2.0 metres storeys three through nine.

14.2.2.2 SIDE YARD (Easterly)

Minimum: 5.5m shall be provided for the first storey.
2.0m shall be provided for storeys two through nine.

14.2.2.2 SIDE YARD (Westerly)

Minimum: 0.0m shall be provided for the first storey.
5.5m shall be provided for the second storey, except for 10.0m portion of the façade, 0.0m.

14.2.2.3 REAR YARD

Minimum: 12.5m shall be provided for the first storey.
17.5m shall be provided for storeys two through nine.

14.2.3 HEIGHT

Maximum: 32.0m

14.2.4 DENSITY

Maximum: 73 one bedroom units - 470uph

14.2.5 FLOOR AREA

Maximum: 25 one bedroom units below 50 square metres

Maximum: 48 one bedroom units above 50 square metres

14.2.7.1 LANDSCAPED AREA

Minimum: Zero minimum

14.2.7.2 BUFFER STRIP

Minimum: 0m

(b) Notwithstanding 4.2.2.1, 4.2.2.2 and 4.2.2.3 balconies may project 1.5 metres into any required yard.

(c) Notwithstanding Section 7.12 Off-Street Parking and Section 7.13 Off-Street Loading Space, the following shall apply:

7.12 OFF-STREET PARKING SPACE REQUIREMENTS

A total number of 60 parking spaces shall be maintained.

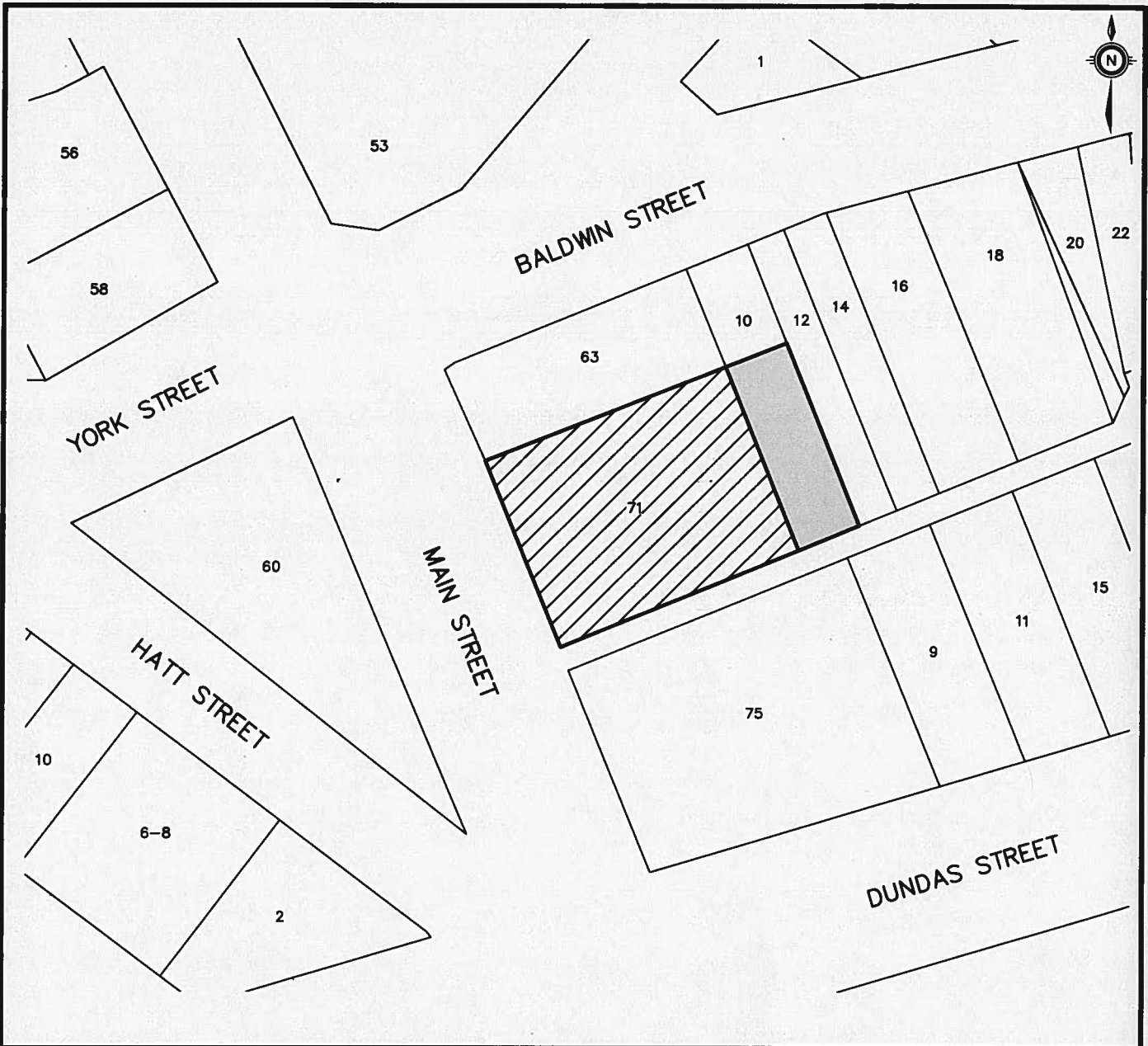
4. That By-law No. 3581-86 (Dundas) is amended by adding this By-law to Section 32 as Schedule S-_____.
5. That Schedule "A" of Zoning Schedule Key Map is amended by marking the lands referred to in Section 1 of this By-law as S-_____.
6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this _____ day of _____, 2012.

R. Bratina
Mayor

Rose Caterini
Clerk

ZAC-14-____



This is Schedule "A" to By-Law No.14-
 Passed the.....day of, 2014


.....
 Clerk


Schedule "A"

 Map Forming Part of
 By-Law No. 14-_____

 to Amend By-Law No. 3581-86

Subject Property
 71 Main Street & 10 Baldwin Street, Dundas

 **Block 1 - Change in Zoning from "CAC/S-16" (Central Area Commercial Zone Modified to "RM3/S-___" Medium To High Density Multiple Dwelling Zone Modified**

 **Block 2 - Change in Zoning from "R3" (Low Density Residential) to "RM3/S-___" Medium To High Density Multiple Dwelling Zone Modified**

| | |
|-------------------------|---|
| Scale: N.T.S | File Name/Number: ZAC-14-xxx |
| Date: 2014-05-30 | 71 MAIN STREET & 10 BALDWIN STREET, DUNDAS CITY OF HAMILTON |
| Zoning By-law Amendment | |

