



# URBAN SOLUTIONS

PLANNING & LAND DEVELOPMENT



## PLANNING JUSTIFICATION REPORT

### **186 Hunter**

186 Hunter Street East, Hamilton

Project No. 416-21

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Prepared for: Wellington Hamilton Non-Profit Housing Inc.  
By: UrbanSolutions Planning & Land Development Consultants Inc.

DECEMBER 2021

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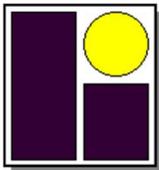
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## 1. Introduction

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by Wellington Hamilton Non-Profit Housing Inc., the registered owner of the lands municipally known as 186 Hunter Street East 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 constitutes a complete application as described in Section Nos. 22, and 34 of the *Planning Act*.

Wellington Hamilton Non-Profit Housing Inc. is a not-for-profit corporation whose mission is to construct, acquire, maintain, improve and/or otherwise provide affordable rental housing and related community services to families and individuals in the City of Hamilton.

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 one (1) 12-storey multiple dwelling containing 104 affordable housing residential units. In total, the proposed development consists of 50 residential parking spaces, 51 long term bicycle parking spaces and 5 short term bicycle parking spaces are proposed to accommodate the proposed development. 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 comprise of a rectangular shaped parcel located on the south side of Hunter Street East and between Liberty Street to the East and Ferguson Avenue South to the West, as shown in Figure 1.



Figure 1 – Subject Lands

## 1.2 Site Description and Surrounding Context

The subject lands are situated within Ward 2 located in the Corktown Neighbourhood. The subject lands are occupied by a one storey commercial building at the address municipally known as 186 Hunter Street East, Hamilton. The site has +/- 60.9 metres of frontage on Hunter Street East, +/- 28.8 metres on Liberty Street and +/- 28.8 metres on Ferguson Avenue South and is approximately 0.18 hectares (0.43 acres) in size.

A varied range of densities, built forms and 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, across Hunter Street East, is a mix of 2 – 3-storey single detached dwellings in addition to a 1 storey automobile repair use, and a 6-storey multiple dwelling which have frontage on Hunter Street East.

**East:** East of the subject lands is Liberty Street, where a predominant mix of 2 and 3-storey single and semi-detached dwellings are have frontage. Across Liberty Street to the east, is a collection of more 2 – 3-storey single detached dwellings.

**South:** Abutting the subject lands to the south are several single and semi-detached 1.5 to 3-storey single detached dwellings.

**West:** West of the subject lands, across Ferguson Avenue South, there is a 20-storey multiple dwelling and Shamrock Park. Further west, are several semi-detached dwellings ranging between 2.5 and 3-storeys.

### 1.3 Application History

#### **Formal Consultation (FC-21-144)**

On September 23, 2021 a Request for Formal Consultation was submitted to the City of Hamilton for the lands municipally known as 186 Hunter Street East, Hamilton. Following the City of Hamilton’s review of the application, a Development Review Team meeting took place on November 3, 2021. Further, a Formal Consultation Document was issued by the City of Hamilton dated December 14, 2021.

### 1.4 Transportation Context

#### **Transportation**

The subject lands have frontage on Hunter Street East, Liberty Street and Ferguson Avenue South. Hunter Street East is classified as a Minor Arterial Road in Schedule C – Functional Road Classification in the Urban Hamilton Official Plan (UHOP). While Liberty Street and Ferguson Avenue South are both identified as Local Roads in Schedule C – Functional Road Classification of the UHOP. Hunter Street East is a one-way, two lane street with a two-way bike lane on the south side and sidewalks on both the north and south side. Ferguson Avenue South 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. Furthermore, Liberty Street is a two-way, two lane street with sidewalk running along the east and west side.

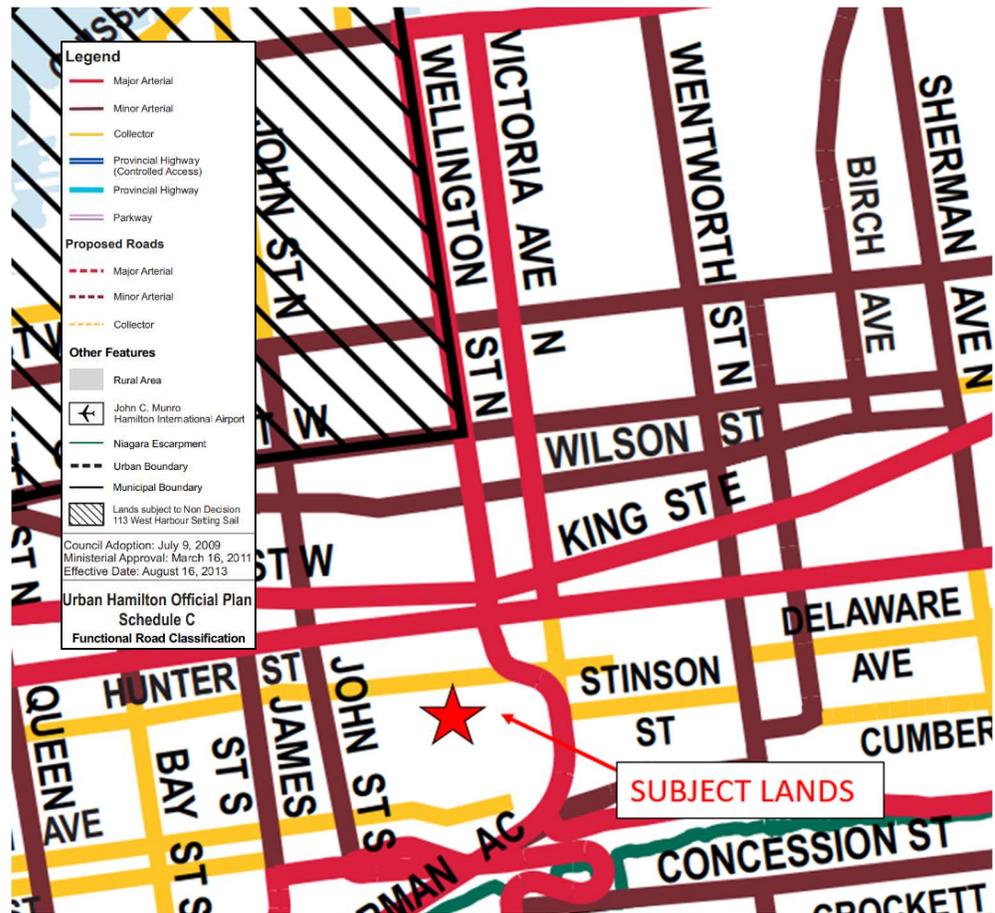


Figure 3 – Urban Hamilton Official Plan – Schedule C: Functional Road Classification

As seen in Figure 3, an existing Route 05 HSR transit stop is located at the north-east corner of Spring Street and Hunter Street East, approximately 80 metres east of the subject lands, in addition to an existing Route 05 HSR transit stop approximately 158 metres west of the subject lands on Hunter Street East. Further, the subject lands are +/- 400 metres from the Hamilton GO station, +/- 200 metres from the HSR B-Line on Main Street and +/- 300 metres from the future King Street LRT station. With these options, future residents will be well connected to existing transit infrastructure.

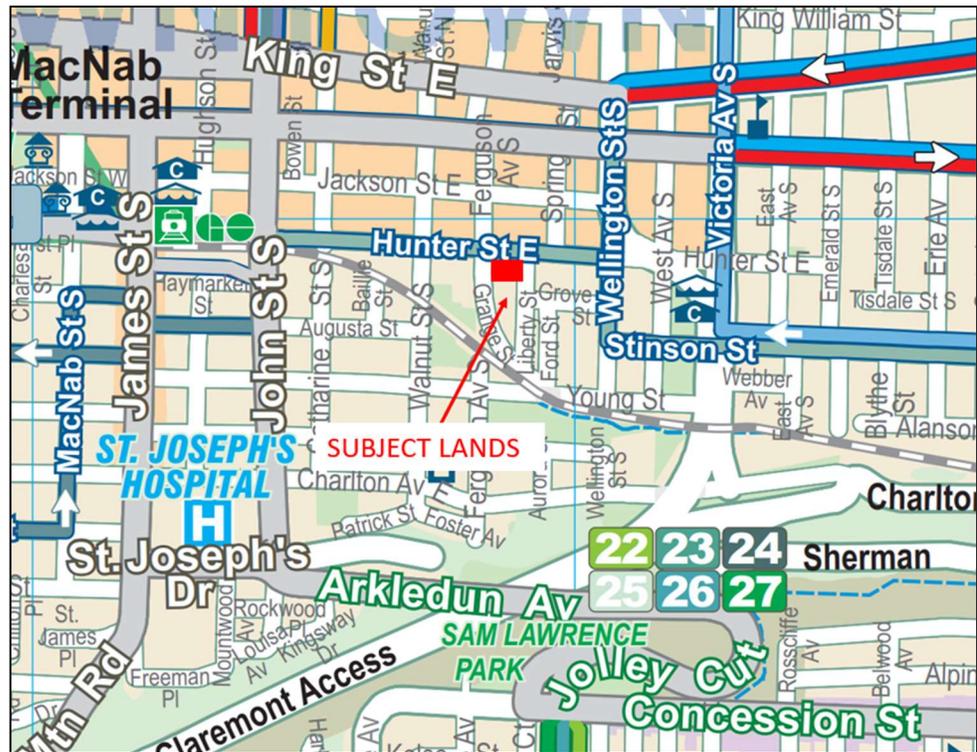


Figure 3 – HSR Route Map

## 2. Proposed Development

The proposed development consists of one (1) 12-storey multiple dwelling containing 104 affordable housing residential rental units and 522 m<sup>2</sup> of amenity area. Specifically, the proposal comprises of 63 one-bedroom units and 41 two-bedroom units. To accommodate the proposal, 50 residential parking spaces contained in an underground parking garage, 51 long term bicycle parking spaces and 5 short term bicycle parking spaces are included in the plan. 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-21-144. This concept plan evolved and was refined via the Development Review Team meeting and the concept plan as proposed in this submission reflects the comments provided by the City.

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
- Preliminary Storm Drainage Area Plans
- Preliminary Grading & Servicing Plan
- Watermain Hydraulic Analysis
- Water Servicing Report
- Survey Plan
- Tree Protection Plan
- Tree Management 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
- Parking Analysis (contained in Transportation Impact Study)
- Cultural Heritage Impact Assessment
- Visual Impact Assessment
- 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; and,
- a Site Plan application.

The purpose of the Urban Hamilton Official Plan Amendment is to facilitate the proposal with regards to units per hectare and built form requirements for high density development. As proposed, the development includes one (1) 12-storey multiple dwelling containing a total of 104 units. The net residential density for this proposal would be 595 units per hectare, which differs from the permitted density range of 100 – 200 units per hectare in

high density residential areas as per Policy E.3.6.6 of the UHOP. 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 “E3/S\_\_\_” (High Density Multiple Dwelling) District, Modified in City of Hamilton Zoning By-law No. 6593. 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 multi-unit dwellings while maintaining the affordable rental unit nature of each dwelling.

### 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 Cultural Heritage Impact Assessment

A Cultural Heritage Impact Assessment of the site was prepared by Parslow Heritage Consultancy Inc. dated December 16, 2021. The Report concludes that 186 Hunter Street East does not retain cultural heritage value or interest and the City of Hamilton can issue a demolition permit for the building located on site accordingly. The Assessment establishes a recommended diversion plan for the materials to be recycled or salvaged from the existing structure on site. Additionally, the Assessment determines that the proposed 12-storey building will have minimal impact on the documented heritage of the Corktown Neighbourhood.

#### 3.2 Phase I & II Environmental Site Assessment

As it is acknowledged that a Record of Site Condition will be required prior to full permit issuance, G2S Consulting has completed a Phase II Environmental Site Assessment for the subject lands based off the findings of a Phase I Environmental Site Assessment completed by Pinchin Ltd. for the subject lands on September 8, 2017. The Phase I Environmental Site

Assessment concluded that several Areas of Potential Environmental Concern (APECs) were present on the subject lands. As such, a Phase II Environmental Site Assessment was completed by G2S Consulting on June 18, 2021 for the property to investigate the APECs prior to the submission of a Record of Site Condition. The Phase II Environmental Site Assessment concluded that the groundwater quality on site is not impacted by contaminants and meet the applicable Ontario Regulation 153/04. Additionally, the report determined that the soil samples collected on site indicate concentrations of contaminant material exceed the allowances permitted under Ontario Regulation 153/04. As such, the proposed development provides an opportunity to facilitate the remediation of contaminated lands with the City's core.

### 3.3 Geotechnical Study

A preliminary Geotechnical Investigation was carried out by G2S Consulting. 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. The report, dated August 19, 2021, concludes that the development can be designed to comply with the applicable codes and standards given the conditions found.

### 3.4 Hydraulic Assessment

The Hydraulic Assessment dated December 17, 2021 was prepared by C3 Water Inc. The Assessment concludes that the service pressures under existing and future conditions are expected to fall within the operating standards established by the MECP and City of Hamilton Guidelines. The fire-flow analysis determined that the required fire flow can be achieved at all watermains surrounding the site. Furthermore, the Hydraulic Assessment confirmed that the proposed watermains can withstand the pressure necessary to service the development and surrounding built form.

### 3.5 Functional Servicing Report

A Scoped Functional Servicing Report was prepared by S. Llewellyn & Associates dated December, 2021. This report concludes that the subject lands can be developed in accordance with municipal standards. The proposed development will not exceed the allowable discharge rates during storm events, sufficient stormwater storage is provided through the

installation of a stormwater storage tank as per the Preliminary Site Servicing Plan and a sufficient sanitary and water servicing system is to be installed as per the Preliminary Site Servicing Plan. Furthermore, the water distribution system has adequate pressure and capacity to fully service the proposed development. In addition to the Functional Servicing Report, S. Llewellyn & Associates also prepared a preliminary Grading & Servicing Plan for the proposed development which demonstrates that stormwater flows are directed to the appropriate locations.

### 3.6 Tree Protection Plan & Preliminary Landscape Plan

Whitehouse Urban Design prepared the Tree Protection Plan, December 2021. The Report summarizes the status of the existing trees and provides recommendations for tree management in the public and private realm. The Preliminary 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 pedestrian circulation, surface materials for all areas not covered by buildings, fencing/visual barriers, streetscape, proposed plantings, planting chart including size and quantity.

### 3.7 Transportation Impact Study & Transportation Demand Management Report

A Transportation Impact Study was prepared by NexTrans Consulting Engineers dated December 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. The report concludes that the proposed development can be accommodated by the existing transit system and intersections surrounding the site, without the need for infrastructure improvements. All intersections are expected to operate at acceptable levels of service and will not add significant delay or congestion to the local roadway network. Further, the proposed arrangement of accesses on Ferguson Avenue South and Liberty Street comply to City standards and is consistent with the context of the area. A Transportation Demand Management Report was also included in the Transportation Impact Study. This report conducted a review of the Transportation Demand Management Plan for the site which includes the inclusion of adequate onsite bike parking, a shared pedestrian/cycling connection to Hunter Street East, consideration for the unbundling of parking stalls with unit purchase and wayfinding and travel planning

Welcome Packages for residents. Ultimately, it was determined that the Transportation Demand Management Plan is comprehensive and will aid in reducing automobile reliance on site and increase travel by sustainable modes of transportation.

### 3.8 Sun/Shadow Study

SRM Architects prepared a Sun/Shadow Study, dated December 15, 2021. In keeping with the 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 March 21<sup>st</sup> and September 21<sup>st</sup>. The study identified 14.0 metres as the maximum permitted height on the subject lands and used that height to inform the as-of-right shadows for the site. A comparison of as of right shadows and those cast by the proposed development demonstrates that shadows cast by the tower design do not result in significant adverse impacts as adjacent residential amenity areas, public open space, public sidewalks, and the face of residential buildings are not subject to prolonged shadows. The development has been designed to be consistent with the direction provided in the City's design policies and guidelines.

### 3.9 Wind Study

RWDI Consulting Engineers completed a Pedestrian Wind Study, dated December 10, 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 and winter months, and the development is expected to have minimal impact on the existing conditions of the surrounding public sidewalks. The wind conditions specifically around the existing tall building to the west of the project site may become uncomfortable in the winter months. However, the uncomfortable wind conditions present in the existing configuration of the subject lands are predicted to be eliminated by the proposed built form. Additionally in the summer, wind conditions on the proposed terraces are expected to be suitable for passive activities.

### 3.10 Noise Impact Study

A Noise Impact Study, dated November 2021, was prepared by dBA Acoustical Consultants. 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, the inclusion of ventilation and warning clause requirements and the installation of 0.91 metre safety glass barrier along the border of the 8<sup>th</sup> floor outdoor amenity area. 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.

### 3.11 Urban Design Brief

The Urban Design Brief dated December 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 6593. The Brief confirms that the proposed design of the project connects to the public realm, beautifies the streetscape, and fits seamlessly with the surrounding context of the neighbourhood. 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.

### 3.12 Visual Impact Assessment

A Visual Impact Assessment, dated December, 2021, was prepared by the MBTW Group for the proposed development. The study employed methodology prescribed by the Niagara Escarpment Commission to establish a baseline for the existing conditions, and evaluated the impacts of the proposed development on the scenic resources of the Escarpment and other visual, landscape and scenic resources. The report concludes that the proposed development will not have a negative impact on the local area, adjacent streetscapes, parks, or public spaces. Additionally, the skyline of the City of Hamilton and views of the Niagara Escarpment will not be negatively impacted as a result of the proposed massing, as the proposal fits cleanly into the established local urban landscape.

## 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 Provincial Policy Statement (2020), Places to Grow – Growth Plan for the Greater Golden Horseshoe (2017), the Urban Hamilton Official Plan (2019), the Corktown Neighbourhood Plan and the City of Hamilton Zoning By-law No. 6593.

### 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:

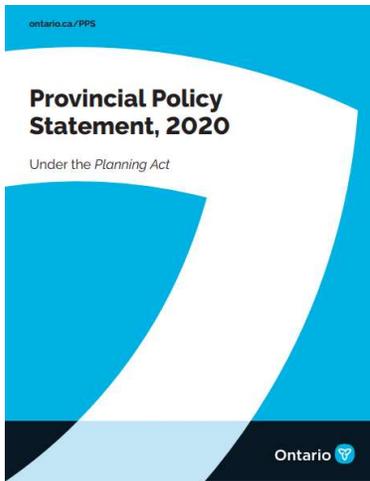
- Encourage an increase in the mix and supply of housing;
- Protect the environment and public safety;
- Reduce barriers and costs for development and provide greater certainty;
- Support rural, northern and Indigenous communities; and
- Support the economy and job creation.

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

“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-

based and affordable housing needs of current and future residents of the regional market area by:

- a) planning establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing 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) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) 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 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

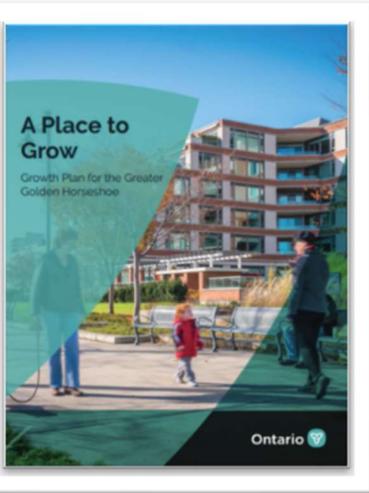
Similar to Section 2.1, Section 2.6 of the Provincial Policy Statement policy direction related to the management and conservation of Cultural Heritage and Archaeological resources. Specifically to ensure consideration for built heritage resources, cultural heritage landscapes and archaeological resources 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. Schedule 3 of the Growth Plan establishes population targets for the municipalities and regions of the Greater Golden Horseshoe. Specifically, Schedule 3 of the Growth Plan identifies a population target of 820,000 and 360,000 jobs for the City of Hamilton by the year 2051.

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.

#### Section 2.2.1 Managing Growth

- “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*;
  - c) Provide a diverse range and mix of housing options...;
  - d) Expand convenient access to:
    - i) a range of transportation options...
    - ii) public service facilities...
    - iii) an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other...

- e) Provide for a more compact built form and a vibrant public realm, including public open spaces;  
...”

#### Section 2.2.2 Delineated Built-up Areas

- “1. By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:
  - a) A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area”

#### Section 2.2.6 Housing

Section 2.2.6 of the Growth Plan provides policy to support housing choice through the achievement of minimum intensification and density targets. Additionally, Section 2.2.6 of the Growth Plan supports the achievement of complete communities through the provision of a diverse range and mix of housing options and densities.

- “2.2.6.1 Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other 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 additional residential units and affordable housing to meet projected needs of current and future residents; and,
    - ii. establishing targets for affordable ownership housing and rental housing;
    - iii. ....”

#### Section 3.2 Policies for Infrastructure to Support Growth

Section 3.2 of the Growth Plan speaks to infrastructure to support growth and contains policies related to transportation, infrastructure corridors, water and wastewater systems, stormwater management and public service facilities.

#### Section 4.2.2 Natural Heritage System

Section 4.2.2 of the Growth Plan sets out policy direction for protecting water resource systems, natural heritage systems, key hydrologic features, and the long-term ecological functions of those areas and features.

#### Section 4.2.7 Cultural Heritage Resources

Section 4.2.7 of the Growth plan contains policy regarding the conservation of cultural heritage features and wise use and management of cultural heritage resources.

#### Section 4.2.10 Climate Change

“1.

- a) supporting the achievement of *complete communities* as well as the minimum intensification and density targets in this Plan;
  - b) reducing dependence on the automobile and supporting existing and planned transit and *active transportation*;
- ...”

### 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.

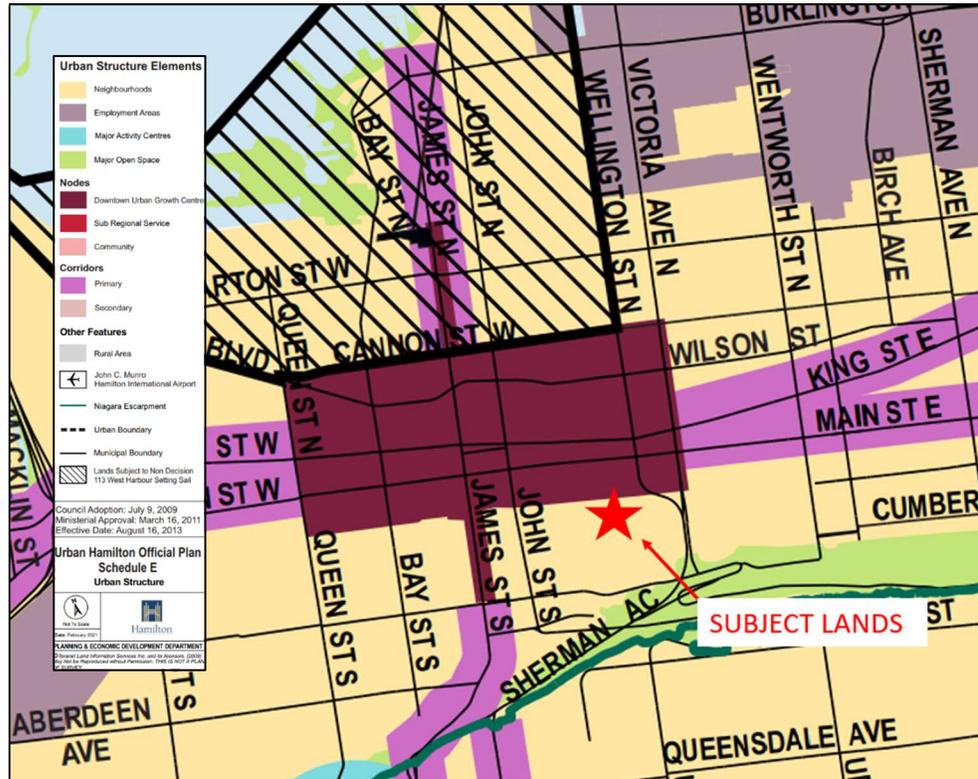


Figure 4 – Urban Hamilton Official Plan – Schedule E (Urban Structure)

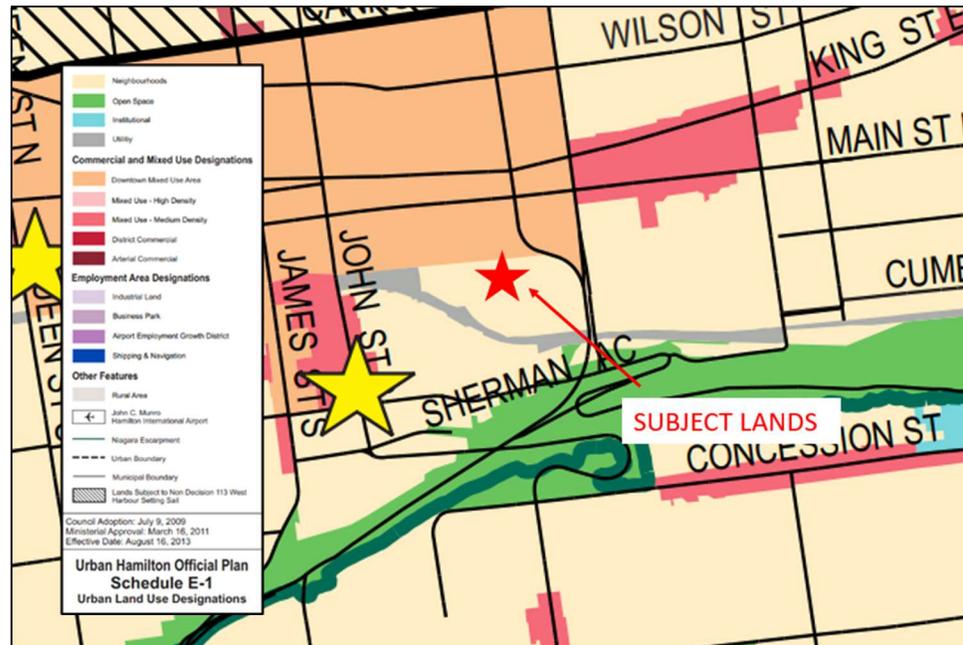


Figure 5 – Urban Hamilton Official Plan – Schedule E-1 (Urban Land Use)

## Transportation

Schedule C – Functional Road Classification of the UHOP identifies Hunter Street East as a Minor Arterial road. Schedule C-2 – Future Road Widening indicates that Hunter Street East has a planned right-of-way width of 20.117 metres according to Schedule C-2 – Future Road Widening. The Formal Consultation Document identified road widening dedications of 1.0 metres on Wilson Street East and 2.0 metres on Academy Street. A Right-of-Way Impact Assessment has been completed by UrbanSolutions to provide justification for the waiving of the above noted road widening dedications.

### 4.4 Corktown Neighbourhood Plan

While not an applicable policy document under the *Planning Act*, the City of Hamilton Neighbourhood Plans have been approved by Council and provide detailed information about land uses and policies that are relevant to a specific area. The Corktown Neighbourhood Plan is applicable to the subject lands, the Plan identifies the subject lands as ‘Medium Density Apartments’ on the Corktown Neighbourhood Land Use Plan as shown in Figure 6.

Policy 7(a)-(c) of the Plan states that higher densities of population are to be directed to the Downtown Area, intermediate densities to the Transition Area, and lower densities to the Neighbourhood Residential Area. The

subject lands are identified as being located within the Neighbourhood Residential Area, as shown on Figure 7 below. Specifically, the subject property is located right on the border between the Neighbourhood Residential Area and Transition Area, as the property which is kiddie corner to the site at the intersection of Hunter Street East and Ferguson Avenue South is identified as Transition Area.

Policy 8(a) of the Neighbourhood Plan provides direction on the distribution of height within the boundaries of the Plan. Specifically, heights of new buildings are to be limited to a maximum of 3 storeys in the south and east, up to 6-storeys on a line from the GO centre to Main and Wellington and up to 12-storeys at Main and James.

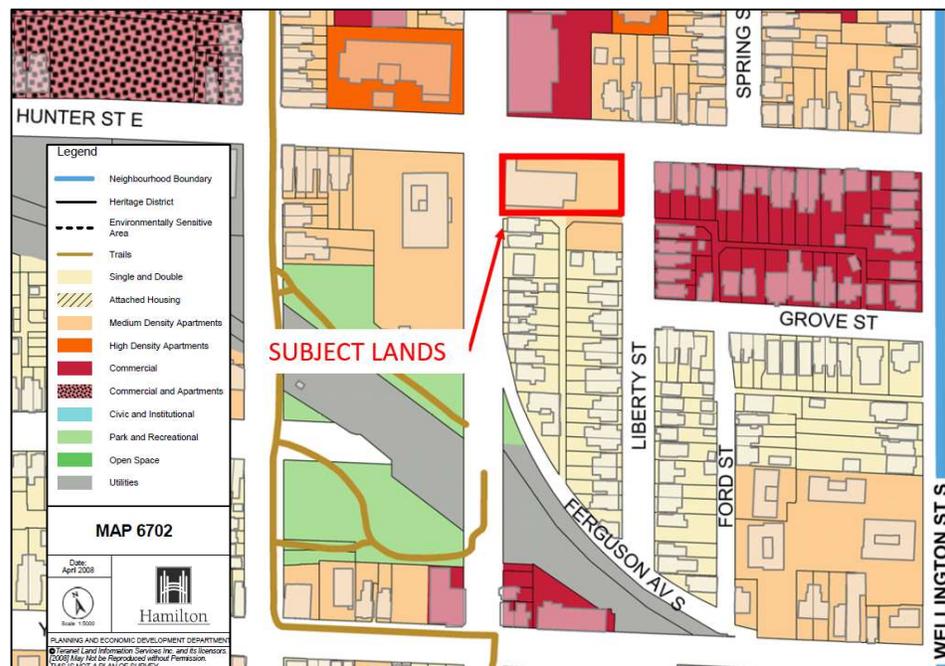


Figure 6 – Corktown Neighbourhood Land Use Plan

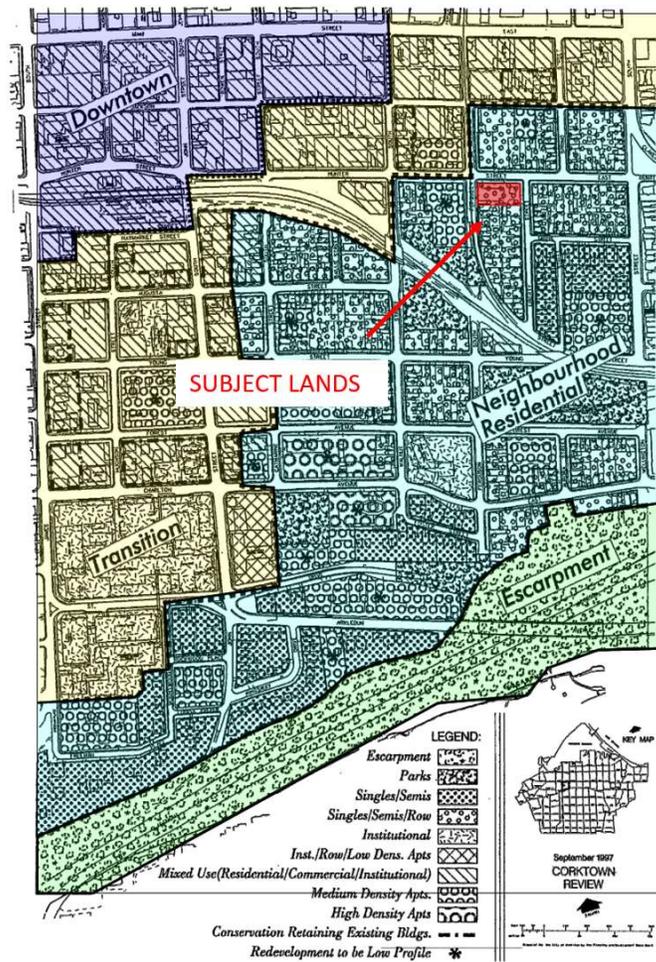


Figure 7 – Corktown Neighbourhood – Corktown Review

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

In recognition of the previous land use, 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.

Due to the nature of the proposed development and the applicable zoning noted above, a Zoning By-law Amendment is required to facilitate the proposal. The purpose of this amendment is to rezone the lands from the Community Commercial (C3) Zone in Zoning By-law No. 05-200, to a site specific High Density Multiple Dwellings District, Modified in Zoning By-law 6593. Additionally, the proposed Zoning By-law Amendment will provide the necessary site specific zoning provisions to facilitate the proposed 12-storey multiple dwelling, containing 104 dwelling units. A copy of the draft Zoning By-law Amendment can be found within Appendix C of this report



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

#### 4.6 Growth Related Integrated Development Strategy (GRIDS 2)

In recognition of the current Urban Hamilton Official Plan’s lack of alignment with the current Provincial Policy Statement and Growth Plan, the City of Hamilton is currently undertaking a municipal comprehensive review via the Growth Related Integrated Development Strategy. The purpose of the Growth Related Integrated Development Strategy or GRIDS 2 is to evaluate how best to accommodate the growth and intensification targets set out by the Growth Plan for the Greater Golden Horseshoe through to 2051. Part of this evaluation is the consideration of an Urban Boundary Expansion and the feasibility of alternate growth options that could be pursued in the City. The City of Hamilton’s currently sets out an intensification target of 40% of all growth to be accommodated within the Urban Boundary.

In July of 2021, the City distributed a mail-out survey to households in Hamilton to obtain their responses to three potential options to accommodate growth through to 2051. The three options presented on the mail-out survey were; an ‘Ambitious Density’ scenario, a No Urban Expansion scenario, and other suggestions. The Ambitious Density scenario would see the City increase its intensification target to 50% through to 2031, 60% to 2041 and 70% to 2051, while the No Urban Boundary Expansion scenario

would see all intensification occurring within the existing urban boundary. The results of the survey saw 90% of respondents favouring the No Urban Boundary Expansion scenario. Despite the staff recommendation to approve the Ambitious Density scenario as contained in Staff Report No. PED17010(i), during the November 19th, 2021 General Issues Committee, City Council voted 13-3 in support of a No Urban Boundary Expansion scenario, directing 81% of residential intensification to be accommodated within the existing Urban Boundary and the balance to be distributed to Designated Greenfield Areas.

## 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 Corktown Neighbourhood 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 Cultural Heritage Impact Assessment completed by Parslow Heritage Consultants, 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 will be circulated on the Official Plan & 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 104 multiple dwelling units ranging from 1-bedroom units to 2-bedroom units as illustrated in the Concept Plans contained in Appendix A. The proposed units will be affordable rental housing units, contributing to the overall affordable housing stock in the City.

- 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 affordable housing units 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 proposed development has frontage on the existing road network of the surrounding neighbourhood, which is on an HSR public transit route and provides routes which are walkable and support active transportation. The plan promotes connectivity within the design and supports a pedestrian-oriented environment through the provision of 56 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 private terraces and outdoor amenity spaces. The overall design of the massing and façade is aesthetically pleasing and will aid in enhancing the streetscape of the area.

- 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 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 through the provision of 104 affordable rental dwelling units (1.4.3). The proposed built form is aligned with the intent of the Council approved approach to the Growth Related Integrated Development Strategy by providing a compact built form within the existing urban boundary. The Cultural Heritage Impact Assessment prepared by Parslow Heritage Consultancy ensure the objectives of Section 2.6 are achieved. As shown on the Tree Protection Plan prepared by Whitehouse Urban Design, and the lack of natural heritage resources identified by City staff during Formal Consultation, 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). 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 affordable housing forms and a range of residential 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). As no natural heritage features or linkages were identified by the City of Hamilton during Formal Consultation, the proposal does not contain adverse impacts from a natural heritage perspective (4.2.2). Further, the development proposal does not present any adverse impacts to cultural heritage resources on- or off-site as confirmed by the Cultural Heritage Impact Assessment prepared by Parslow Heritage Consultancy (4.2.7). Further, the proposal provides a mix of housing options and densities including 104 affordable housing rental units to meet the projected needs of current and future residents (2.2.6.a.i).

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 proposed development has been designed to be compatible with the existing character and function of the neighbourhood. The development has been designed to respect the character, scale, and appearance of the surrounding area which is characterized by a varied range of densities and built forms inclusive of ground related dwellings and high rise apartments. The proposal enhances the character of the area by further optimizing an under-utilized parcel to increase the affordable housing stock in the City's core. It builds upon the established patterns and built forms by transitioning height and density from the low rise dwellings along Hunter Street East to the east and the high-rise multiple dwellings to the west along Hunter Street East to the proposed twelve storey

multiple dwelling which implements 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. As noted in the Urban Hamilton Official Plan, the Neighbourhoods are intended to accommodate a mix of low, medium and high rise residential buildings, like the development proposed in the subject application.

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

Planning Comment: The neighbourhood is currently occupied by a varied mix of densities and built forms; predominantly single detached dwellings and high-rise multiple dwellings. The proposed development will contribute to the provision of a range of affordable housing forms and densities in the surrounding neighbourhood. As the proposed development consists of one and two-bedroom affordable rental residential units, it will contribute to the overall affordable housing stock and a range of dwelling types tenures within the neighbourhood.

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

Planning Comment: The scale and form of the proposal are regulated by the amending by-law to ensure an appropriate relationship is established between the proposed development and existing buildings nearby. The Urban Design Brief prepared by Whitehouse Urban Design demonstrates that the design of the proposed building includes step backs on the third, and eighth floors of the building along the eastern face of the structure which abuts low-rise dwellings, to mitigate the impacts on the properties to the east. The building also implements a 3-storey street wall podium to reduce the impact of the façade.

- 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 consist primarily of residential areas and complementary facilities containing a range of

housing opportunities. The designation shall allow for opportunity for a full range of housing forms, types and tenure, including affordable housing. The proposal fulfills the intent of this designation as it will contribute to the provision of a range of housing forms while improving the affordable housing stock with 104 additional affordable rental dwelling units and is located in close proximity to existing public transit routes.

f) infrastructure and transportation capacity; and

Planning Comment: Infrastructure and transportation impacts have been reviewed and assessed via the Transportation Impact Study, Transportation Demand Management & 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. The proposed site-specific Zoning By-law supports the intent, goals and objectives of the Neighbourhoods designation of the UHOP. Finally, the proposed amending Zoning By-law includes appropriate regulations and implements the general intent of the UHOP and City of Hamilton Zoning By-law No. 6593.

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:

“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 the municipal sidewalks along Hunter Street East and Ferguson Avenue South. Two existing Route 05 HSR transit stops are located +/- 80 metres east and +/- 158 metres west of the frontage of the subject lands on Hunter Street East. Thereby residents are well connected to existing transit opportunities and are encouraged in using forms of active transportation to access this mode of transportation. This proposal includes the provision of 56 bicycle parking spaces which will provide the residents with active transportation options to and from the development.

The above noted pedestrian amenities along with details such as landscaping, lighting, signage and street furniture (to be addressed via the Site Plan Control process), will yield increased animation of the streetscape along Hunter Street East and Ferguson Avenue South. The proposed building materials, height and setbacks will result in compatible massing and character for this development within the context of the surrounding community. Moreover, the parking area will be located internal to the site in an underground parking garage with direct access to all dwelling units ensuring convenient access. This location will maintain the streetscape and provide a comfortable pedestrian environment as it will be appropriately screened from view along Hunter Street East.

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.

The parking for the concept of the proposed development is sheltered from the street - located internal to the site, and is minimized through the inclusion of extensive underground parking to ensure the built form maintains an aesthetically pleasing and comfortable pedestrian environment throughout the site. Additionally, the low-rise dwellings to the east of the subject lands are buffered by an approximate 9.6 metre side yard setback from the property line and a further 16.5 metre Right-of-Way width, ensuring there are no adverse impacts on the units in terms of overlook or privacy and maintains a compatible relationship between the neighbouring existing low-rise built forms.

The subject lands comprise of a property with frontage along two roadways. As per Schedule C – Functional Road Classification, King Street East is identified as a minor arterial road as well as Lawrence Road.

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.3.6 of the UHOP provides policies on High Density Residential areas noting that these are characterized by multiple dwelling built forms on the periphery of neighbourhoods in proximity to major or minor arterial roads. Furthermore, the maximum *net residential density* shall be 500 units per hectare in Central Hamilton and 200 units per hectare in High Density Residential areas outside of Central Hamilton. Section E.3.6.7 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 pedestrian connections from the multiple dwelling to municipal sidewalks and municipal bike lanes. 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. Given the proximity of the site to the Hamilton GO Station, HSR B-Line on Main Street and the future King Street LRT Station, it is appropriate for the site to accommodate a density which exceeds the 200 units per hectare maximum prescribed by the UHOP.

A total of 50 parking spaces allocated to residents and visitors will be located within the underground parking structure as shown in the Concept Plan in Appendix A. Surface parking will be screened from view from Hunter Street East, with a majority of parking contained in an underground parking garage. The proposed parking locations allow convenient access to and from the dwelling units and does not dominate the streetscape.

As demonstrated in the Urban Design Brief submitted in support of this application, the 12-storey multiple dwelling will provide a mix of affordable housing dwelling unit types, deemed to be context-sensitive to the existing neighbourhood streetscape. The proposed development provides cohesiveness with the surrounding community through the implementation of transitional heights and thoughtfully integrated pedestrian connections to public roads and sidewalks. The location of the proposed building along the collector road ensures the density of the development is appropriate and able to be accommodating by the existing context.

The scale and form of this proposal is regulated by the amending by-law to ensure an appropriate relationship is established between the proposed development and the existing 1.5 and 2-storey detached dwellings nearby. The transition in height with the proposed 12-storey multiple dwelling abutting the existing 1.5 and 2-storey detached dwellings is enhanced through the use of step backs to the taller components of the structure. Further, the scale and massing of the development is comparable to the surrounding built form which is comprised of predominately 2 to 3-storey detached dwellings along the eastern lot line, a 6 & 20-storey multiple dwelling to the west and 2-storey commercial and residential buildings to the north. The scale of the proposed multiple dwelling is compatible with the surroundings lands and existing lot fabric. 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. There are no significant trees on the subject lands and no identified views or vistas applicable to these lands or the surrounding area. As this site is currently occupied by a building and parking lot which is proposed to be demolished and barren of significant vegetation, this proposed residential development will serve to frame the streetscape along Hunter Street East thereby improving the street line and creating an attractive pedestrian environment.

“...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.

### **Corktown Neighbourhood Plan**

The purpose of Neighbourhood Plans is to guide the growth of areas to achieve a desirable environment in the neighbourhood. The Corktown Neighbourhood Plan contains a land-use plan with specific policies to guide the future development of this area and identifies the subject lands as Medium Density Apartments. As the proposal provides a built form which is in keeping with the land use designation attributed by the Neighbourhood Plan, the proposed development can be considered to conform with the Plan. While the proposed massing is taller than what is prescribed in the Neighbourhood Plan, it is expected that there is some discrepancy in what was considered appropriate height and density for the subject lands because the Corktown Neighbourhood Plan was created prior to the growth and intensification targets for Hamilton were established by the Growth Plan.

### **Growth Related Integrated Development Strategy (GRIDS 2)**

As determined by the Council vote at the November 19<sup>th</sup>, 2021 General Issues Committee, Hamilton is in favour 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. Given this shift in ground-related units and density distribution, it can be determined that the proposal conforms to the

Corktown Neighbourhood Plan while respecting the intensification needs of the City.

## 5.2 Regulations

The proposed development requires an amendment to the City of Hamilton By-law No. 05-200. The subject lands will be removed from the City of Hamilton Zoning By-law No. 05-200 Community Commercial (C3) Zone and placed in a site specific “E3/S\_\_\_” (High Density Multiple Dwelling) District, Modified in the City of Hamilton Zoning By-law No. 6593. 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.

### **Height**

The Former City of Hamilton Zoning By-law No. 6593 permits a maximum height of 26.0 metres for the “E3” District, when within 30.0 metres of a “AA”, “B”, “B-1”, “B-2”, “C”, “D” or “L-r” District. The proposed Zoning By-law seeks to increase the permitted height for the proposed built form with a maximum height of 40.0 metres for a multiple dwelling in the “E3/S\_\_\_” District, Modified. These modifications maintain the intent of the UHOP and give consideration to the compatibility in built form with the surrounding neighbourhood context. The height is mitigated by prescribed step backs at the 2nd, 3rd & 8th storeys, as well as corresponding prescribed setbacks.

### **Density**

The amending by-law seeks to permit a net residential density requirement of 100 units per hectare to 595 units per hectare within the subject lands to accommodate this development. The modified net residential density range of 100 units per hectare – 595 units per hectare 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 surrounding context of the site and the proposed step backs in the building’s façade. As such, the amending by-law establishes a minimum rear yard setback of 0.75 metres to a structure 2-storeys in height, a minimum rear yard setback of 7.5 metres to a structure 3-storeys in height and a 9.5 metre rear yard setback to a structure 12-storeys in height. Further,

a minimum front yard setback of 0.5 metres to a 2-storey structure and 1.25 metre minimum front yard setback to a 12-storey structure has been established in the amending by-law. For the side yard interface along Liberty Street, minimum side yard setbacks of 1.25 metres to the 2-storey portion of the building, 7.5 metre setback to the 3-storey portion of the building, 10.5 metre setback to the 8-storey portion of the building and an 18.5 metre setback to the portion of the structure 9-storeys have been included in the amending by-law. A minimum side yard setback of 1.25 metres from Ferguson Avenue to any portion of the building 2-storeys or taller is contained in the By-law. These setbacks are required to facilitate the layout and design of the proposed development whilst maximizing the quantity of affordable housing units that the site can accommodate.

### **Parking**

The proposed by-law seeks to reduce the minimum parking ratio for multiple dwellings to 0.45 spaces per unit from 1.25 spaces per unit in the “E3/S\_\_” District, Modified. This minimum parking ratio would be inclusive of both resident and visitor parking spaces. This is in keeping with the required parking ratios attributed to the downtown core of Hamilton as the site is located directly across the street from the Downtown Hamilton Secondary Plan boundary. The site is located directly on a HSR transit line with cycling infrastructure available. Further, the subject property is +/- 400 metres from the Hamilton GO Station, +/- 200 metres from the HSR B-Line on Main Street and +/- 300 metres from the future King Street LRT Station. Given that the proposal is intended to serve as affordable housing, it is also expected that demand for parking by residents would be reduced. Further, the Parking Assessment contained within the Transportation Impact Study confirms that anticipated parking demand will be met on-site.

### **Gross Floor Area**

The amending by-law seeks to permit a maximum gross floor area of the lot area multiplied by a floor area ratio factor of 5.1 to accommodate the proposed development. The proposed gross floor area can be considered appropriate given the downtown context of the subject site. Further, the increase to permitted gross floor area aids in providing additional affordable housing units to the neighbourhood without resulting in adverse impacts.

### **Landscaping**

The amending by-law seeks to waive the required 40% landscaped open space of the total lot area of the site to accommodate the proposed development. This provision is necessary to reconcile the small size of the site with the proposed built form to ensure the most efficient use of the lot from an affordable housing and intensification perspective. Given the subject lands close proximity to the downtown core, a site with reduced landscaped open space is not out of character with the area.

## **6. Conclusion**

Wellington Hamilton Non-Profit Housing Inc. is the owner of 186 Hunter Street East 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 20<sup>th</sup> day of December, 2021.

Regards,

**UrbanSolutions Planning & Land Development Consultants Inc.**

  
Matt Johnston, MCIP, RPP  
Principal



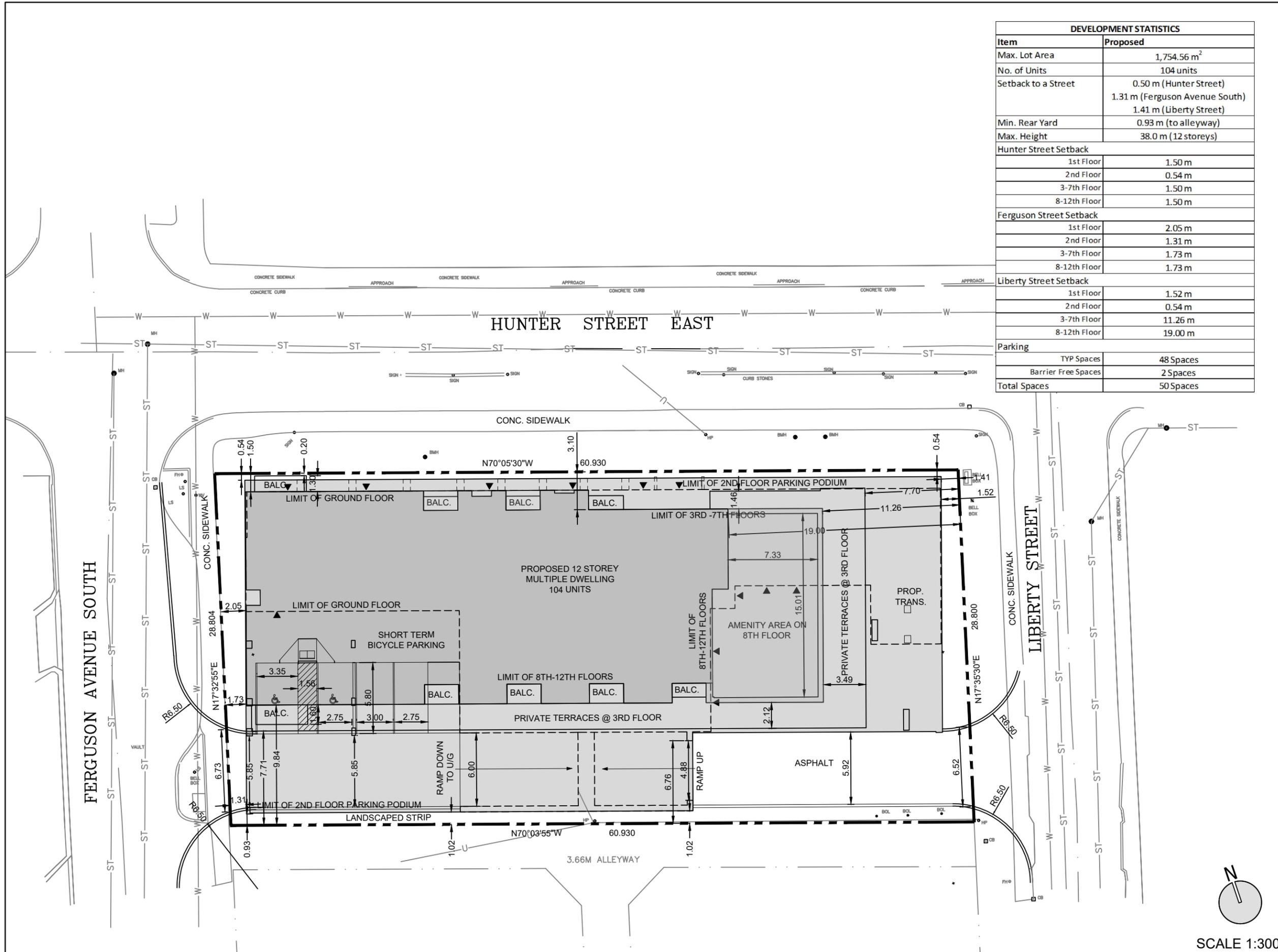
  
Scott Beedie, BURPI  
Planner

*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.*

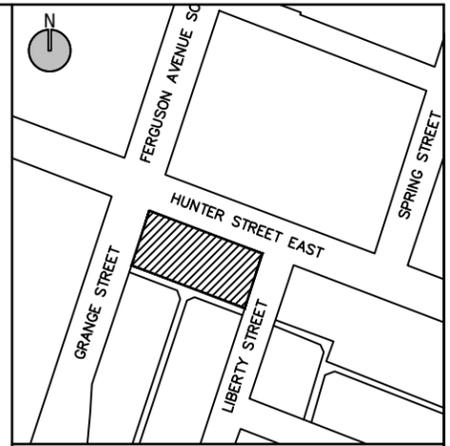
*This report has been prepared based on a review of the subject application and cannot be used for any other purpose.*

# Appendix A

## Concept Plan



DEVELOPMENT STATISTICS	
Item	Proposed
Max. Lot Area	1,754.56 m <sup>2</sup>
No. of Units	104 units
Setback to a Street	0.50 m (Hunter Street) 1.31 m (Fergusson Avenue South) 1.41 m (Liberty Street)
Min. Rear Yard	0.93 m (to alleyway)
Max. Height	38.0 m (12 storeys)
Hunter Street Setback	
1st Floor	1.50 m
2nd Floor	0.54 m
3-7th Floor	1.50 m
8-12th Floor	1.50 m
Fergusson Street Setback	
1st Floor	2.05 m
2nd Floor	1.31 m
3-7th Floor	1.73 m
8-12th Floor	1.73 m
Liberty Street Setback	
1st Floor	1.52 m
2nd Floor	0.54 m
3-7th Floor	11.26 m
8-12th Floor	19.00 m
Parking	
TYP Spaces	48 Spaces
Barrier Free Spaces	2 Spaces
Total Spaces	50 Spaces



KEY MAP - N.T.S.  
SCALE 1:300 METRES  
0 5 10 15m

- LEGEND:
- SUBJECT LANDS
  - PROPOSED BUILDINGS
  - PROPOSED DOOR
  - LIMIT OF BUILDING ABOVE
  - STRUCTURAL COLUMN

**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: SRM ARCHITECTS      CHECKED BY: M. JOHNSTON  
DRAWN BY: L. DRENNAN      DATE: NOVEMBER 22, 2021

**URBAN SOLUTIONS**  
PLANNING & LAND DEVELOPMENT

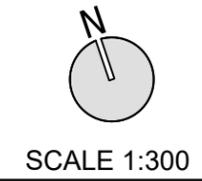
3 STUDEBAKER PLACE, UNIT 1  
HAMILTON, ON L8L 0C8  
905-546-1087 - urbansolutions.info

PROJECT:  
**186 HUNTER STREET**  
CITY OF HAMILTON

CLIENT:  
**WELLINGTON HAMILTON**  
NON-PROFIT HOUSING INC.

TITLE:  
**CONCEPT PLAN**

U/S FILE NUMBER: 416-21      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 2a – Urban Site Specific Policies Key Map (Lower City), 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 add a Site Specific Area to the subject lands currently designated as Neighbourhoods. Additionally, the purpose of the OPA is to permit a net residential density of 595 units per hectare for the permitted uses contained in Section E.3.6.2, whereas the net residential density range permitted for lands outside of Central Hamilton designated Neighbourhoods - high density residential in Section E.3.6.6 is between 100 units per hectare and 200 units per hectare.

### 2.0 Location:

The portion of lands affected by this Amendment are Lots 1, 2, 3 & 4, Registered Plan 31, in the City of Hamilton, municipally known as 186 Hunter Street East.

### 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 development 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 3 – Map 2a – Urban Site Specific Policies Key Map (Lower City) is amended by identifying the lands located at 186 Hunter Street East as UHN-\_\_, as shown on Appendix "A", attached.

#### 4.2 Text

- 4.2.1 That Volume 3, Chapter C, Urban Systems and Designations is amended by adding a new Site Specific Policy – UHN-\_\_ to read as follows:

Site Specific Policy – Area \_\_

1.0 Notwithstanding Sections E.3.6.6, for high density residential uses outside Central Hamilton, the maximum net residential density shall be 595 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

UHOPA-21-\_\_\_\_

\_\_\_\_\_

Clerk

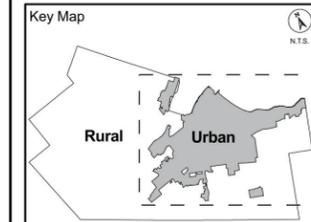
APPENDIX A  
AMENDMENT TO THE URBAN HAMILTON OFFICIAL PLAN

 Lands to be identified as UHN-\_\_\_

DATE:  
December 6, 2021

PREPARED BY:  
Laura Drennan

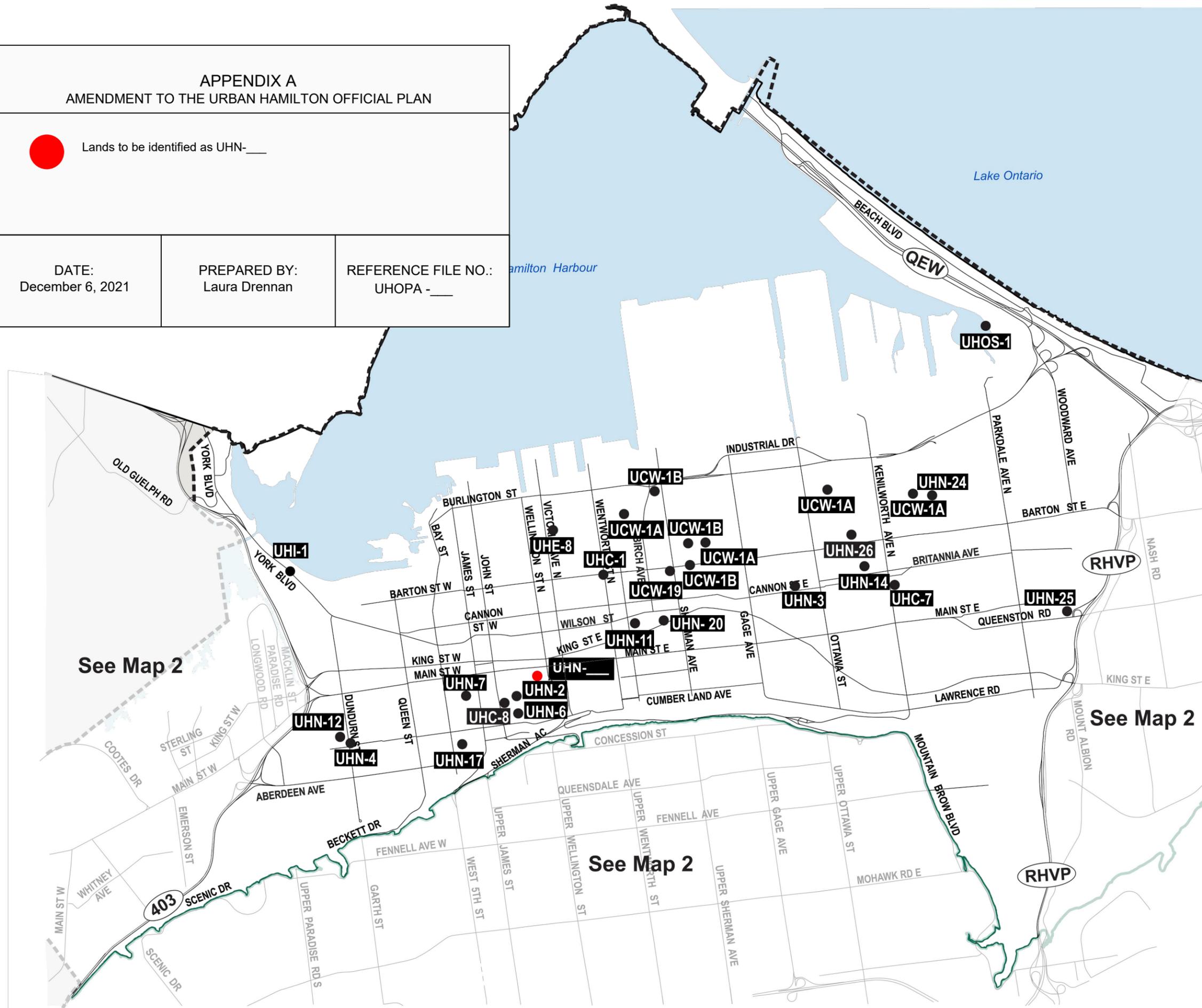
REFERENCE FILE NO.:  
UHOPA - \_\_\_



**Note:** For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

**APPEAL**

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1



**Legend**

-  Site Specific Areas (SSA)
-  Refers to Urban Site Specific Area #, Volume 3, Chapter B

**Other Features**

-  Rural Area
-  Niagara Escarpment
-  Urban Boundary
-  Municipal Boundary

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

**Urban Hamilton Official Plan  
Volume 3: Map 2a**

Urban Site Specific Key Map (Lower City)



Date: May 2021

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT  
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# Appendix C

## Draft Zoning By-law Amendments

**CITY OF HAMILTON**

**BY-LAW NO. - \_\_\_\_**

**To Amend Zoning By-law No. 05-200, Respecting Lands Located at 186 Hunter Street East, 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:

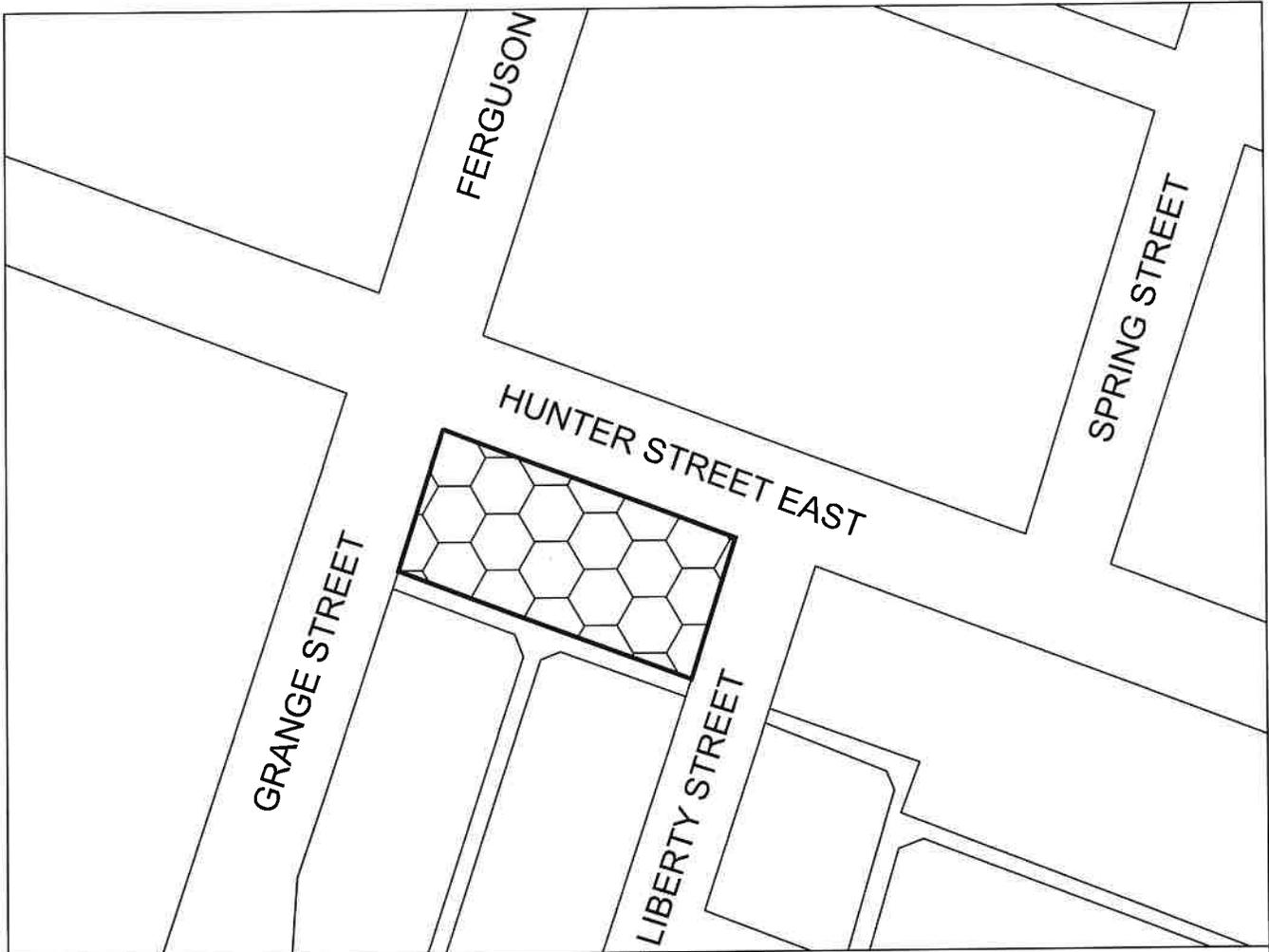
1. That Map No. \_\_\_\_ of Schedule "A" – Zoning Maps, to Zoning By-law No. 05-200 is hereby further amended as follows:
  - (a) By removing the lands and boundaries of which are shown on Block No. 1 on Schedule "A" from the City of Hamilton Zoning By-law No. 05-200.
2. The By-law No. 05-200 is amended by adding this by-law to Section \_\_\_\_ as Schedule \_\_\_\_;
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

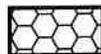
# DRAFT Schedule "A"

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

to Amend By-law No. 05-200

### Subject Property

186 Hunter Street East in the City of Hamilton.



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

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. 6593, Respecting Lands Located at 186 Hunter Street East, in the City of Hamilton**

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

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

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

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

**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, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

**AND WHEREAS** this By-law is in conformity with the Urban Hamilton Official Plan upon final approval of Official Plan Amendment No. \_\_\_\_\_, 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. \_\_\_\_ of Schedule “A” – Zoning Maps, to Zoning By-law No. 6593 is hereby further amended as follows:
  - (a) By adding to the City of Hamilton Zoning By-law No. 6593, the lands and boundaries of which are shown Block No. 1 on Schedule “A” to this By-law and placed into the “E3/S-\_\_\_\_” (High Density Multiple Dwellings) District, Modified.
2. That Section 19B – Special Requirements of Zoning By-law No. 6593 is hereby amended by introducing the following within the lands described as 186 Hunter Street East, as follows:
  - 2.1 That the “E3” (High Density Multiple Dwellings) District regulations, as contained in Section 11C of Zoning By-law No. 6593, are modified to include the following special requirements for the lands zoned “E3/S-\_\_\_\_” (High Density Multiple Dwellings) District, Modified:
    - (a) Notwithstanding Section 11C of Zoning By-law No. 6593, the following provisions shall apply to multiple dwellings:

- i. For the purposes of this By-law, Hunter Street East shall be considered the front lot line
- ii. Notwithstanding Section 11C.(1a), the maximum permitted building height shall be 40.0 metres
- iii. Notwithstanding Section 11C.(2)(a), the minimum permitted front yard setback to a structure 2-storeys in height shall be 0.5 metres
- iv. Notwithstanding Section 11C.(2)(a), the minimum permitted front yard setback to a structure 12-storeys in height shall be 1.25 metres
- v. Notwithstanding Section 11C.(2)(b), the minimum permitted side yard setback from Liberty Street to a structure 2-storeys in height shall be 1.25 metres
- vi. Notwithstanding Section 11C.(2)(b), the minimum permitted side yard setback from Liberty Street to a structure 3-storeys in height shall be 7.5 metres
- vii. Notwithstanding Section 11C.(2)(b), the minimum permitted side yard setback from Liberty Street to a structure 8-storeys in height shall be 10.5 metres
- viii. Notwithstanding Section 11C.(2)(b), the minimum permitted side yard setback from Liberty Street to a structure 12-storeys in height shall be 18.5 metres
- ix. Notwithstanding Section 11C.(2)(b), the minimum permitted side yard setback from Ferguson Avenue South to a structure 2-storeys in height or greater shall be 1.25 metres
- x. Notwithstanding Section 11C.(2)(c), the minimum permitted rear yard setback to a structure 2-storeys in height shall be 0.75 metres
- xi. Notwithstanding Section 11C.(2)(c), the minimum permitted rear yard setback to a structure 3-storeys in height shall be 7.5 metres
- xii. Notwithstanding Section 11C.(2)(c), the minimum permitted rear yard setback to a structure 12-storeys in height shall be 9.5 metres
- xiii. Notwithstanding Section 11C.(4), the permitted gross floor area shall not be greater than the lot area multiplied by a floor area ratio factor of 5.1
- xiv. Notwithstanding Section 11C.(5), there shall be no minimum landscaped area

(b) Notwithstanding Subsections 18(A) Table 1 and 2 of Zoning By-law No. 6593, the following provisions shall apply to the lands zone "E3/S-\_\_\_":

- i. The minimum parking ratio required for multiple dwellings shall be 0.45 spaces per unit and shall be inclusive of visitor parking

(a) The By-law No. 6593 is amended by adding this by-law to Section\_\_ as Schedule "A";

(b) 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. 6593-

to Amend By-law No. 6593

**Subject Property**

186 Hunter Street East in the City of Hamilton.



Block 1 - Lands to be added to the Former City of Hamilton Zoning By-law No. 6593 and placed into the "E3/S-\_\_\_\_" (High Density Multiple Dwellings) District, Modified.

Scale: N.T.S	File Name/Number:
Date:	Planner/Technician:

PLANNING AND ECONOMIC  
DEVELOPMENT DEPARTMENT