URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT

PLANNING JUSTIFICATION REPORT

570 Upper Ottawa

570 Upper Ottawa Street, Hamilton

Project No. 371-20

Prepared for: 2650494 Ontario Inc.

By: UrbanSolutions Planning & Land Development Consultants Inc.

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1. Introduction

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by 2650494 Ontario Inc., the registered owner of the lands municipally known as 570 Upper Ottawa Street 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. A detailed description of this proposal can be found in Section 2 of this report.

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

This Planning Justification Report (Report) has been prepared in support of the enclosed Official Plan Amendment & Zoning By-law Amendment to permit the construction of the proposed development. The proposed development consists of one (1) 12-storey mixed use building containing 358 residential units and 2,070m^2 of commercial space at the ground floor. Further, four (4) 3-storey stacked townhouses containing 21 units each are proposed. In total, the proposed development consists of 470 units and 538 parking spaces provided through an underground parking garage, structured parking and surface parking on site.

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

1.1 Location

The subject lands are located at the north-west corner of Fennell Avenue East and Upper Ottawa Street. More specifically, the subject lands comprise of a relatively square shaped parcel located on Upper Ottawa Street, as shown in Figure 1.

Figure 1 – Subject Lands

1.2 Site Description and Surrounding Context

The subject lands are situated within Ward 6 located in the Sunninghill Neighbourhood. The subject lands are occupied by one 1-storey commercial building containing 8 commercial units and one free-standing 1-storey restaurant with a drive-through at the address municipally known as 570 Upper Ottawa Street, Hamilton. The site has +/- 100.3 metres of frontage on Upper Ottawa Street and +/- 134.0 metres of frontage on Fennell Avenue East and is approximately 1.47 hectares (3.63 acres) in size.

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

Figure 2 – Neighbourhood Context

North: Abutting the subject lands to the north is a predominant mix of 1.5 and 2-storey single detached dwellings.

East: East of the subject lands, across Upper Ottawa Street, is a commercial plaza containing numerous retail and restaurant units, along with 1.5 and 2-storey single detach dwellings. Further east, there are several multi-dwelling-apartment buildings which front on Fennell Avenue East ranging between 5 and 8-storeys.

South: Abutting the subject lands to the south, across Fennell Ave E, are several commercial plazas consisting of 2-storey retail and restaurant units. in addition to several 1 to 1.5-storey single detached dwellings.

West: West of the subject lands consists of a mix of 1 and 1.5-storey single detached dwellings.

1.3 Application History

Formal Consultation (FC-21-002)

On December 8, 2020 a Request for Formal Consultation was submitted to the City of Hamilton for the lands municipally known as 570 Upper Ottawa Street, Hamilton. Following the City of Hamilton's review of the application, a Development Review Team meeting took place on February 3, 2021. Further, a Formal Consultation Document was issued by the City of Hamilton dated February 25, 2021.

Concept Development

An initial development concept for the subject property was proposed by the applicant during the Formal Consultation process. This initial concept comprised of one (1) 14 storey mixed used building and four (4) 4-storey maisonette townhouse dwellings. In total, the initial concept contained 470 dwelling units and 1,868 m^2 of commercial space on the ground floor of the mixed use building. The proposed concept has since been revised to address City comments received during the Formal Consultation process and concerns raised by members of the public during the Neighbourhood Information Meetings that were conducted. Some of the notable changes to the concept design include a reduction in height from 14-storeys to 12-storeys for the mixed use building, a reduction in height from 4-storeys to 3-storeys for the maisonette dwellings and an increase in commercial floor space from 1,868 m^2 to 2,070 m^2 to accommodate a potential bowling alley use, along with any other permitted commercial uses. The current concept consists of one (1) 14 storey mixed used building and four (4) 3-storey maisonette townhouse dwellings. In total, the initial concept contained 470 dwelling units and 2,070 m^2 of commercial space on the ground floor of the mixed use building.

Public Engagement

Neighbourhood Information meetings for the proposed development occurred on November 19, 2019 for a previous development concept and on more recently on May 26, 2022 for the current development concept. During these information meetings, community members were provided with the development statistics and visual representations of the proposed massing on site. Attendees at the meeting provided feedback on their comments and concerns with the proposed Official Plan and Zoning By-law Amendment

applications, and these comments have been carefully considered and incorporated into the current version of the development proposal.

Formal Consultation Waiver (FC-21-002)

As over 1-year had passed since the initial Formal Consultation took place for the proposed development, a Formal Consultation Waiver was required to facilitate the proposed Official Plan & Zoning By-law Amendment application. Accordingly, on June 14, 2022, a Request for Formal Consultation Waiver was submitted to the City of Hamilton for the lands municipally known as 570 Upper Ottawa Street, Hamilton. Following the City of Hamilton's review of the request and updated Concept Plan, a Formal Consultation Waiver Letter was issued by the City on June 20, 2022.

1.4 Transportation Context

Transportation

The subject lands have approximately 100.0 metres of frontage on Upper Ottawa Street and approximately 140.0 metres of frontage on Fennell Avenue East, which are identified as a Major Arterial Road and Minor Arterial Road respectively in Schedule C – Functional Road Classification of the Urban Hamilton Official Plan (UHOP). Upper Ottawa Street is a two-way, four lane street with a fifth centralized dedicated turning lane and a sidewalk on the east and west side. Furthermore, Fennell Avenue East is a two-way, four lane street with a fifth centralized dedicated turning lane and a sidewalk on the north and south side.

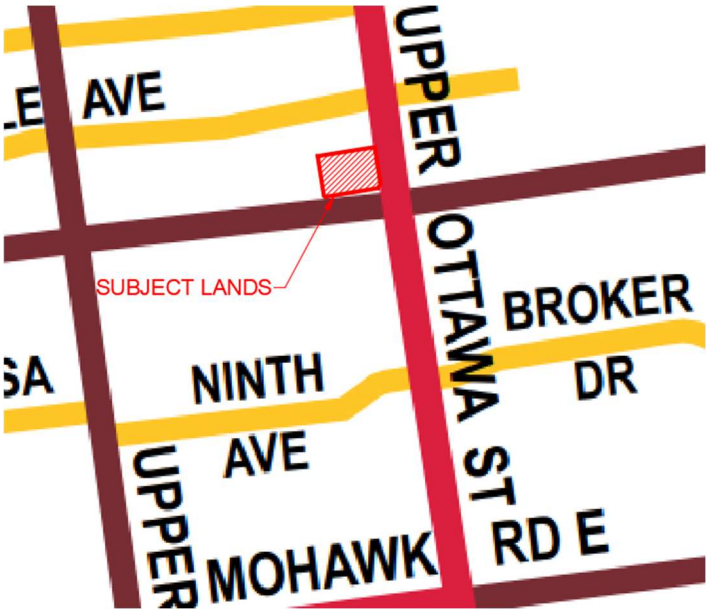


Figure 3 – Urban Hamilton Official Plan- Schedule C (Functional Road Classification)

As seen in Figure 4, an existing Route 21 HSR transit stop is located at the south-west corner of the subject lands on Fennell Avenue East, in addition to an existing Route 41 and Route 22 HSR transit stop at the north-east corner of Upper Ottawa Street and Fennell Avenue East. With these options, future residents will be well connected to existing transit infrastructure.

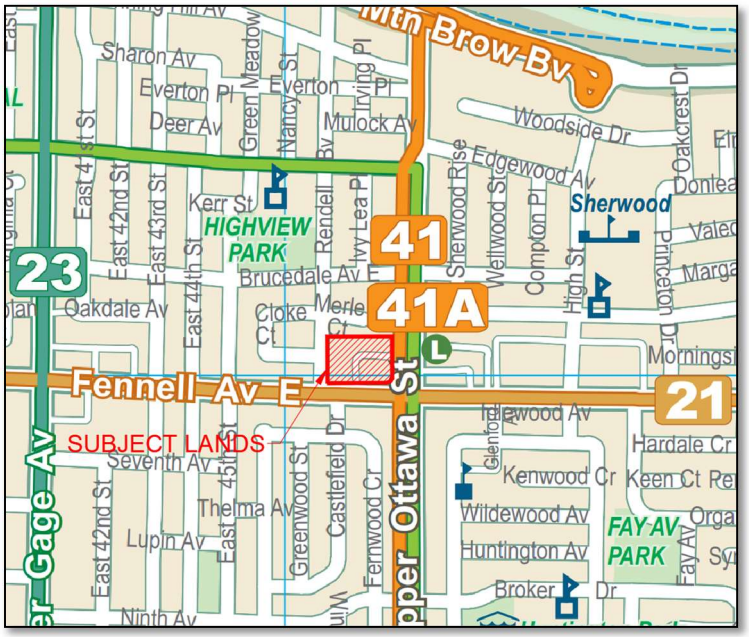


Figure 4 – HSR Route Map

2. Proposed Development

The proposed development consists of one (1) 12-storey mixed-use building containing 358 units and 2,070 m^2 of retail space on the ground floor. Additionally, four (4) 3-storey stacked townhouses containing 21 units each are proposed for a total of 470 units. The breakdown of the units provided is as follows: 162 one-bedroom units, 123 one-bedroom + den units, 145 two-bedroom units, and 40 three-bedroom units. Of the units listed, 158 are below 50.0 m^2 and 284 are above 50.0 m^2. In total, the development consists of 470 units, 538 parking spaces, 5 short-term bicycle parking spaces and 239 long-term bicycle parking spaces are provided in structured and underground parking. The Concept Plan for the proposed development is contained within Appendix A of this Report.

2.1 Planning Applications

This development concept was first presented via Formal Consultation No. FC-21-002. The Formal Consultation process confirmed the studies, plans and reports that are required to be submitted for a "complete" application as per the *Planning Act*. In addition to this Planning Justification Report, the following materials are required to support the planning applications:

- Functional Servicing Report
- Stormwater Management Report
- Grading & Servicing Plan
- Erosion Sediment Control Plan
- Water and Wastewater Servicing Study
- Hydrogeological Report
- Geotechnical Report
- Survey Plan
- Landscape Plan
- Tree Protection Plan
- Tree Management Plan
- Urban Design Report
- Sun Shadow Study
- Angular Plane Diagrams
- Noise Study
- Phase I & Phase II Environmental Site Assessment (in lieu of Record of Site Condition)
- Concept Plan
- Transportation Impact Study

- Site Plan
- Building Elevations
- 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 proposed development and have been included in the submission package provided in support of this proposal:

- 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, height and built form requirements for medium density development. As proposed, the development includes one (1) 12-storey mixed-use building and four (4) 3-storey stacked townhouses containing 21 units each for a total of 470 units. The proposed Official Plan amendment seeks to redesignate the lands from District Commercial to a site-specific Mixed Use – Medium Density designation in the UHOP. The residential density for this proposal would be 325 units per hectare at a proposed height of 12 storeys, which differs from the permitted density and maximum building height in the Mixed Use - Medium Density designation as per Policy E.4.6.7 & E.4.6.8 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 District Commercial (C6) Zone to a site specific Mixed Use Medium Density (C5,___) Zone, Modified. The Draft Zoning By-law Amendment is contained within Appendix C of this Report.

A future submission of a Site Plan Control application will be required to implement the detailed design of the development Concept.

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

3. Supporting Studies

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

3.1 Hydrogeological & Geotechnical Investigations

A Hydrogeological and Geotechnical Investigation was carried out by EXP Services. The purpose of the Geotechnical 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 July 9, 2021, concludes that the development can be designed to comply with the applicable codes and standards given the conditions found.

The Hydrogeological Investigation reviewed the subsurface soil and groundwater conditions of the site and provided comments and recommendations regarding the potential impact of the proposed development from a hydrogeological perspective. The Investigation concluded that the proposed development can be accommodated by the subject lands, while presenting no adverse impacts to the hydrogeological conditions of the site.

3.2 Phase I & Phase II Environmental Site Assessment

As it is acknowledged that a Record of Site Condition will be required prior to full permit issuance, EXP Services Inc. has completed a Phase I Environmental Site Assessment for the subject lands in October 2020. 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 in December 2020 for the property to investigate the APECs prior to the submission of a Record of Site Condition. The Phase II Environmental Site Assessment concluded that the groundwater quality on site is not impacted by contaminants and meet the applicable Site Condition Standards outlined in the MECP (2011) Table 3. Additionally, the report determined that the soil samples collected on site indicate concentrations of select metal parameters (zinc) which exceed the allowances permitted in the MECP (2011) Table 3 Site Condition Standards. As such, a delineation program will be required to be prepared prior to the submission of Record of Site Condition.

3.3 Functional Servicing Report

A Scoped Functional Servicing Report was prepared by Odan Detech dated March 4, 2022. 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 existing 1500mm storm sewer in Upper Ottawa Street which will be connected by a new stormwater service lateral. The discharge rate will be controlled via an inlet control device and stormwater will back-up into internal storage chambers as storage volume is required. Furthermore, the water distribution system has adequate pressure and capacity to fully service the proposed development. In addition to the Functional Servicing Report, Odan Detech are also preparing the Erosion & Sediment Control Plan for the proposed development to be submitted at the Site Plan Control phase to ensure erosion and sediment controls are implemented in the appropriate locations.

3.4 Tree Protection Plan & Preliminary Landscape Plan

OMC Landscape Architecture prepared the Preliminary Landscape Tree Protection Plan, June 2022. The Report summarizes the status of the existing trees and provides recommendations for tree management. The Preliminary Landscape Plan, March 2022 prepared by OMC Landscape Architecture provides a landscape design for the proposed development which includes features that support the proposed buildings, pedestrian circulation, surface materials for all areas not covered by buildings, fencing/visual barriers, streetscape, proposed plantings, as well as a planting chart including size and quantity.

3.5 Transportation Impact Study

A Transportation Impact Study was prepared by Paradigm Transportation Solutions dated March 2022. 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 will not cause any operational issues and will not add significant delay or congestion to the local roadway network should the existing Upper Ottawa Street centre median be modified to provided at least 20 metres of storage

for the southbound left-turn to Fennell Ave East and 15 metres of storage for the northbound left-turn at Driveway 'A'. Additionally, the report recommends the clear throat length of the site driveway 'A' and 'B' be increased to at least 15 metres to accommodate the forecasted queue length. A Transportation Demand Management Options Report was also included in the Transportation Impact Study. This report conducted a review of the transportation demand management options for the site which includes the addition of adequate onsite bike parking, enhanced on site pedestrian walkways and entrances, transit incentives, and wayfinding and travel planning kiosks 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.

3.6 Sun/Shadow Study

KNYMH prepared a Shadow Impact Analysis, dated March 18, 2022. 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 21st and September 21st. The study identified 14.0 metres on the north, south, east and west side of the subject lands as the as of right shadows. 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 any 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 Report concludes that the development has been designed to be consistent with the direction provided in the City's design policies and guidelines.

3.7 Noise Impact Study

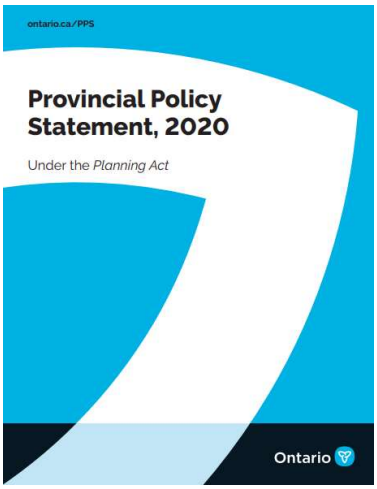
A Noise Impact Study, dated March 2022, was prepared by dBA Acoustical Consultants. The study concludes that sound levels will meet MECP guidelines at all lots in the proposed development. The report requires Standard Warning Clauses to be inserted into all Offers and Agreements of Purchase and Sale or Lease. In addition, the inclusion of ventilation and warning clause requirements will help mitigate noise on site. In addition, impacts of the proposed development on its surroundings are expected to meet the applicable guideline limits and can be adequately controlled.

3.8 Urban Design Brief

The Urban Design Brief dated June 2022 was prepared by GSP Group. The Brief concludes that the proposed design appropriately responds to the applicable urban design policies and guidelines contained within the Urban Hamilton Official Plan, the City-Wide Corridor Planning Principles and Design Guidelines and the City of Hamilton Site Plan Guidelines. The Brief confirms that the proposed design of the project enhances the pedestrian environment by creating a context-sensitive residential development in terms of scale, while providing continuity of the street wall along Upper Ottawa Street and Fennel Avenue East. The proposal contains thoughtful transition of building height and scale through the balance of the site and ensures pedestrian connectivity through the integration of a continuous internal sidewalk and courtyards. 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.

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 (2019), the Urban Hamilton Official Plan, and the City of Hamilton Zoning By-law No. 05-200.



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-supportiv*e 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."

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

1.3 Employment

"1.3.1 Planning authorities shall promote economic development and competitiveness by:

a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4"

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:
    i. 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
    ii. 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 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

"1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs. Planning for infrastructure and public service facilities shall be coordinated

and integrated with land use planning and growth management so that they are:

a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
b) available to meet current and projected needs.

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…
a) 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 Land Use

Schedule E – Urban Structure of the UHOP applies the "Neighbourhoods" designation to the subject lands, as shown in Figure 5. Further, Schedule E.1 – Urban Land Use of the UHOP applies the "District Commercial" designation to the subject lands as shown in Figure 6. The "District Commercial" designation is intended to provide retail and service commercial uses to the immediate neighbourhood that cater primarily to the weekly and daily shopping needs of residents in the surrounding neighbourhood. Residential uses are supported in the District Commercial designation, provided they are located above the first storey of a mixed-use building. The District Commercial designation shall be planned and designed to be integrated with, and be easily accessible from, the surrounding neighbourhood by a range of transportation modes. The maximum amount of retail and service commercial floor space permitted within this designation is a total of 25,000 m^2.

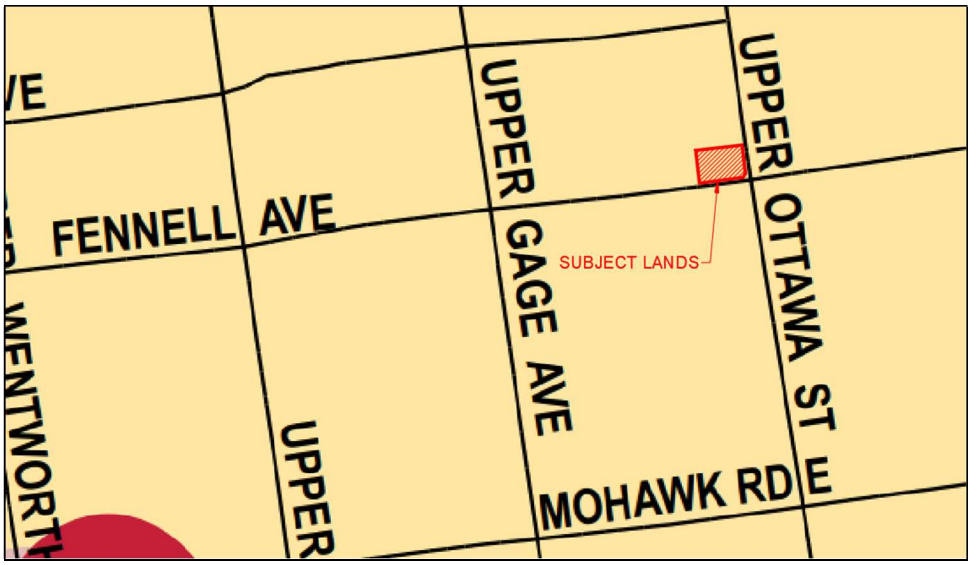


Figure 5 – Urban Hamilton Official Plan – Schedule E (Urban Structure)

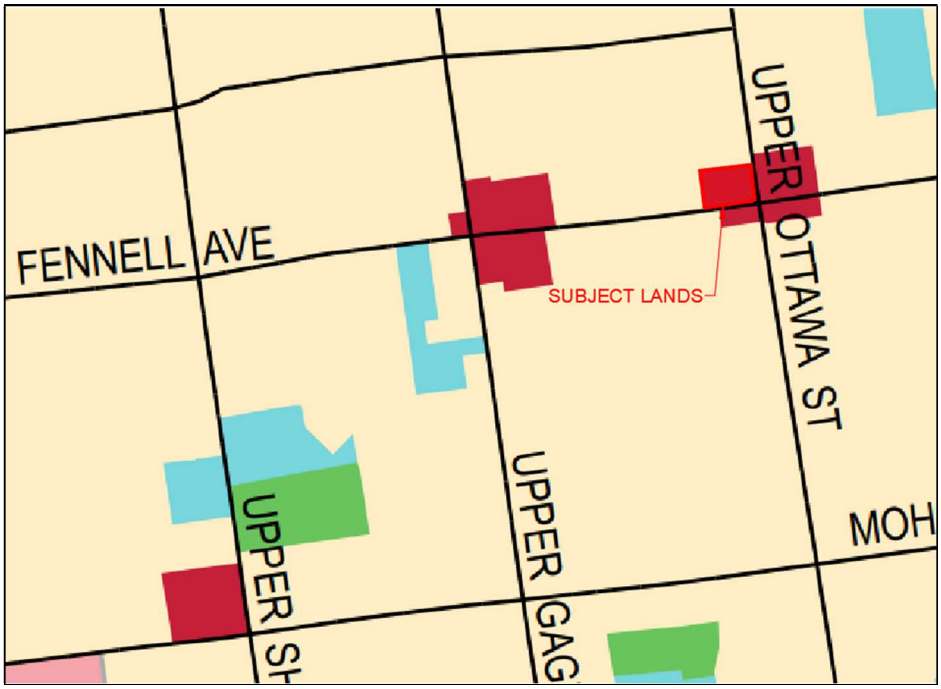


Figure 6 – Urban Hamilton Official Plan – Schedule E-1 (Urban Land Use)

Transportation

Schedule C – Functional Road Classification of the UHOP identifies Upper Ottawa Street and Fennell Avenue East as a Major Arterial road and Minor Arterial road respectively. Schedule C-2 – Future Road Widenings indicates that Upper Ottawa Street has a planned right-of-way width of 30.48 metres according to Schedule C-2 – Future Road Widenings. The current width of Upper Ottawa Street along the frontage of the subject lands is approximately 26.5 metres. Additionally, Fennell Avenue East has a planned right-of-way width of 26.213 metres according to Schedule C-2 – Future Road Widenings. The current width of Fennell Avenue East along the frontage of the subject lands is approximately 26.5 metres. A right-of-way dedication along Fennell Avenue East is therefore not required across this frontage.

4.4 Sunninghill 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 Sunninghill Neighbourhood Plan is applicable to the subject lands, however the Plan does not contain a land-use plan or specific policies to guide the future development of this area.

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

The subject lands are located in the District Commercial (C6) Zone in the City of Hamilton Zoning By-law No. 05-200, as shown in Figure 7 below.

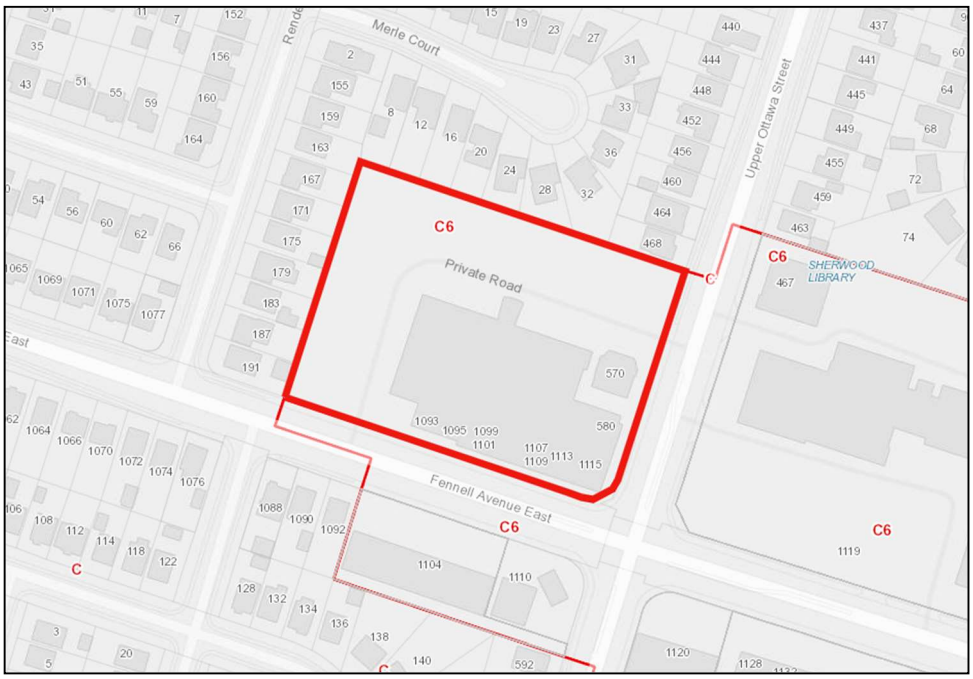


Figure 7 – City of Hamilton Zoning By-law No. 05-200

5. Analysis

5.1 Policy Framework

When evaluating the merits of this development proposal on the subject lands, it is appropriate to review the proposal against the upper tier policy documents. In this instance, the upper tier documents include the *Planning Act*, PPS 2020, the Growth Plan for the Greater Golden Horseshoe, the Urban Hamilton Official Plan and the Sunninghill 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: The subject lands do not contain any heritage buildings and did not trigger the need for an Archaeological Assessment to be completed during Formal Consultation. As such, 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 Odan-Detech 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 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 – Wentworth District School Board and the Hamilton – Wentworth 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 386 multiple dwelling units and 4 stacked townhouse dwellings containing 84 units as illustrated in the Concept Plans contained in Appendix A.

k) The adequate provision of employment opportunities;

Planning Comment: The proposed development contributes to the provision of employment opportunities through the inclusion of 2,070 m^2 of commercial uses located on the ground floor of the mixed-use building.

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

Planning Comment: The proposed development supports long-term economic prosperity of the Province by adding to the overall housing supply and offering a range of housing options including to contribute to a diverse workforce. Additionally, the commercial uses included in the proposal contribute to the overall economic well-being of the province and municipality. 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 will connect with the road network of the surrounding neighbourhood and provides routes which are walkable and support active transportation. The plan promotes connectivity within the design and supports a transit-oriented environment through the provision of pedestrian connections to nearby transit stations.

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 Upper Ottawa Street and Fennel Avenue East. The landscaped pedestrian path encourage a sense of place for residents that is both vibrant and accessible.

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

Planning Comment: Multi-unit dwellings have been shown to require less energy and water per resident, making them an integral part of the solution to address climate change. Thus, reducing the ongoing carbon emissions produced by this building. 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). Further, the proposal provides a range of employment uses, through a compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities (Policy 1.3.1). The proposed development and its location also promotes a density and mix of uses that minimizes the length and number of vehicle trips generated and supports current and future use of transit and active transportation (Policy 1.6.7.4). The Functional Servicing Report completed by Odan Detech concludes that the proposed development can be adequately serviced by the infrastructure of the surrounding area to meet current and projected needs (Policy 1.6.1). Further, no cultural heritage features were identified on the site during the Formal Consultation process with the City. Further, natural heritage features existing on site have been appropriately contemplated by the Tree Protection Plan prepared by OMC Landscape Architecture. As such, the proposal satisfies the objectives established in the policies of Section 2.1 and 2.6.

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 in ensuring a minimum of 50% of Hamilton's residential development is located within the Delineated Built-Up Area (2.2.2). The proposal also ensures retail uses are directed to a location that support active transportation and has existing transit (2.2.5). The proposed built form supports the creation of complete communities through the provision of 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 Odan Detech (3.2). No natural heritage features or linkages were identified by the City of Hamilton during Formal Consultation, and the existing trees on site have been appropriately accommodated by the Tree Protection Plan prepared by OMC Landscape Architecture. As such, 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 no cultural heritage resources were identified by City staff during Formal Consultation (4.2.7). Further, the proposal provides a mix of housing options and densities including 386 multiple dwelling units and 84 townhouse dwelling units to meet the projected needs of current and future residents (2.2.6.a.i).

Schedule 3 of the Growth Plan identifies a population target of 820,000 and an employment target of 360,000 for the City of Hamilton by the year 2051. This proposal assists in achieving the targets set for the City by facilitating growth in both sectors.

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 prescribes the "Neighbourhoods" Designation areas 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 in this Planning Justification Report, the Urban Design Brief prepared by GSP Group and the Functional Servicing Report prepared by Odan-Detech, 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 housing stock in the City. It builds upon the established patterns and built forms by transitioning height and density from the low rise dwellings along the northern and western property lines to the proposed townhouse dwellings and multiple dwellings which implement appropriate step backs and setbacks. These setbacks and step backs ensure the angular plane as required by the Hamilton City-Wide Corridor Planning Principles and Design Guidelines informs the angular plane provided by the proposed structures along Mohawk Road East. Further, the proposed site design ensures the low-rise townhouse units abut the existing ground-related dwellings to the north and west of the site. As a result, a 45-degree angular plane has been maintained from the northerly and westerly lot lines. 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 housing forms and densities in the surrounding neighbourhood. As the proposed development consists of one, two and three-bedroom residential dwelling units, it will contribute to the overall 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 GSP Group demonstrates that the design of the proposed mixed use building includes step backs on the second, and tenth floors of the building along the street and rear portion of the structure to mitigate the impacts on the properties to the east. The building also implements a 2-storey street wall podium to reduce the impact of the façade on the streetscape.

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

Planning Comment: The purposed of the Mixed Use Medium Density designation is implemented through the proposed development. This designation is intended to consist of a range of commercial uses to serve the surrounding community and shall also act as a focus for the community, creating a sense of place. The designation is to be applied to traditional 'main street' commercial areas such as Upper Ottawa Street and Fennel Avenue East to promote pedestrian oriented mixed use areas, ensuring the continued vibrancy of the public realm. The proposal fulfills the intent of this designation as it will establish a mixed use development which contributes to a sense of place for the community and provides a range of commercial uses and dwelling forms 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. 05-200.

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:

a) Connecting buildings and spaces through an efficient, intuitive, and safe network of streets, roads, alleys, lanes, sidewalks and pathways;

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

…

c) Ensuring building entrances are visible from the street and promoting shelter at entrance ways;
d) integrating conveniently located public transit and cycling infrastructure with existing and new development;
…
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:

a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;

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.3.3.3.2 New development shall be designed to minimize impact on neighbourhood buildings and public spaces by:

a) creating transitions in scale to neighbouring buildings;

b) ensuring adequate privacy and sunlight to neighbouring properties;
…
B.3.3.3.5 Built form shall create comfortable pedestrian environments by:

a) Locating principal facades and primary building entrances parallel to and as close to the street as possible;
…

c) Including a quality landscape edge along frontages where buildings are set back from the street;

d) locating surface parking to the sides or rear of sites or buildings, where appropriate;
…"

Planning Comment**:** The proposed development includes pedestrian connections from dwellings to internal sidewalks which connect to the municipal sidewalks along Fennel Avenue East and Upper Ottawa Street. An existing Route 21 HSR transit stop is located at the south-west corner of the subject lands on Fennell Avenue East, in addition to an existing Route 41 and Route 22 HSR transit stop at the north-east corner of Upper Ottawa Street and Fennell Avenue 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 sidewalks which will provide the surrounding residents safe municipal walkway connections from the existing HSR transit stops to the internal sidewalks of the development.

The above noted pedestrian amenities, commercial frontages, along with details such as landscaping, lighting, and signage (to be addressed via the Site Plan Control process), will yield increased animation of the streetscape along Upper Ottawa Street and Fennel Avenue East. 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 surface parking area will be located internal to the site in close proximity to all dwelling units ensuring convenient access. This location will enhance the existing streetscape and provide a comfortable pedestrian environment as it will be appropriately screened from view along Fennel Avenue East and Upper Ottawa Street.

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.

The surface parking for the proposed development is sheltered from the street - located internal to the site and is an improvement on the current intensity of surface parking on site, ensuring the built form maintains an aesthetically pleasing and comfortable pedestrian environment throughout the site. Additionally, the 12-storey mixed use building is proposed to front on the corner of Fennel Avenue East and Upper Ottawa Street, with

appropriate setbacks established to the existing low-rise dwellings abutting the northerly and westerly property lines. While the townhouse dwellings located along the above noted property lines have approximate rear yard setbacks to the property line ranging from 7.0 metres to 8.0 metres. Thus, 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, Fennel Avenue East is identified as a Minor Arterial Road, while Upper Ottawa Street is classified as a Major Arterial Road.

As indicated in Section 4.3 of the Planning Justification Report, the UHOP applies a District Commercial 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.4.7 notes that the District Commercial designations represent areas which provide retail and service commercial uses to the immediate neighbourhood. The function of this designation is to serve the daily and weekly shopping needs of residents in the surrounding community that serve as a focus for the adjacent neighbourhoods by creating a sense of place (4.7.1). The designation shall also permit residential uses provided they are located above the first storey of a mixed-use building (4.7.2).

Section E.4.6 of the UHOP provides general policies for the scale and design of areas designated as Mixed Use – Medium Density:

"E.4.6.16 New development shall be designed and oriented to create comfortable, vibrant and stimulating pedestrian oriented streets within each area designated Mixed Use - Medium Density.

E.4.6.17 Areas designated Mixed Use - Medium Density are intended to develop in a compact urban form with a streetscape design and building arrangement that supports pedestrian use and circulation and create vibrant people places.

…

E.4.6.22 Development applications shall be encouraged to provide a mix of uses on the site.

…

E.4.6.24 New development shall respect the existing built form of adjacent neighbourhoods by providing a gradation in building height and densities, and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods."

Section E.4.6 of the UHOP provides policies on Mixed Used - Medium Density areas noting that they are characterized by a range of commercial and residential uses, with an emphasis on multiple storey mixed use buildings that accommodate retail and service commercial uses at grade. Furthermore, the specific permitted heights and maximum *net residential density* shall be established through relevant Secondary Plans, where on exists, and the Zoning By-law. Section E.4.6.2 encourages development in Mixed Use – Medium Density areas to promote the continuation of pedestrian oriented mixed use uses to ensure the continued vibrancy of the pedestrian realm.

Planning Comment: The proposed development is designed to support pedestrian circulation through internal sidewalks and pedestrian connections from the mixed-use building and townhouse dwellings to municipal sidewalks. Landscaping will be secured at the Site Plan stage and will serve to provide an attractive and comfortable public realm enhancing the existing landscape character of the area, ensuring visual connectivity to the adjacent built form and streetscape design.

The proposal facilitates the development of a compact built form which appropriately frames the streetscape with a mid-rise mixed-use building providing adequate massing for a corner lot having frontage on a Minor and Major Arterial Road. The proposed lower density residential uses and surface parking are largely sheltered from the street, improving upon the existing streetscape on site. This building formation on site enhances the pedestrian experience and overall aesthetic of the streetscape along both the Upper Ottawa Street and Fennel Avenue East frontages.

As demonstrated in the Urban Design Brief submitted in support of this application, the 3-storey stacked townhouse units will provide a mix of dwelling unit types, lot widths and sizes deemed to be context-sensitive to the existing neighbourhood streetscape. The proposed development provides cohesiveness with the surrounding community through the implementation of transitional heights and thoughtfully integrated pedestrian connections. The location of the mid-rise building along the

arterial roads ensure 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 dwellings nearby. The proposal additionally provides a mix of uses on site. The scale of the proposed mixed-use building and townhouse dwellings 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.4.6.9 The predominant built form shall be mid rise and low rise mixed use buildings that have retail and service commercial stores at grade. Single use commercial buildings and medium density ground related housing forms shall be permitted."

Planning Comment**:** The proposed built form of the development consists of a mid-rise mixed-use building, offering retail and service commercial stores at grade. In addition, the proposed residential component includes medium density ground related housing in the form of 3-storey stacked townhouse dwellings.

"…E.4.6.13 Some commercial areas within the Mixed Use - Medium Density designation and identified as the "Neighbourhoods" element of the Urban Structure may contain less than 25,000 square metres of retail and service commercial floor area. It is not the intent to substantially increase the commercial floor area in these areas. Increasing the size of the retail and service commercial space within these designations substantially beyond 25,000 square metres shall require an amendment to the Urban Structure."

Planning Comment**:** The development is designated as "Neighbourhoods" in the Urban Structure Plan and is proposed to be placed in the Mixed Use – Medium Density designation in the Urban Land Use Schedule of the UHOP. The proposal consists of 2,070 m^2 of commercial floor area which does not exceed the maximum of 25,000 m^2 prescribed for lands under these designations.

Sunninghill Neighbourhood Plan

The purpose of Neighbourhood Plans is to guide the growth of areas to achieve a desirable environment in the neighbourhood. As the Sunninghill Neighbourhood Plan does not contain a land-use plan or specific policies to guide the future development of this area, the proposed development conforms with the Plan.

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 District Commercial (C6) Zone and placed in a site specific Mixed Use – Medium Density (C5,__) Zone, Modified. 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.

Permitted Uses

The amending by-law seeks to add maisonette dwellings as a permitted use within the site specific Mixed Use – Medium Denisty (C5,__) Zone. This is necessary to allow for the proposed 3-storey maisonette dwellings which ensure an appropriate transition in height and massing scale from the southeast corner of the site to the ground-related dwellings which border the north and west property lines.

Height

The City of Hamilton Zoning By-law No. 05-200 permits a maximum building height of 22.0 metres for the C5 Zone. The proposed Zoning By-law seeks to increase the permitted height for the proposed built form to a maximum height of 40.0 metres for a multiple dwelling in the C5 Zone, Modified. These modifications maintain the intent of the UHOP and give consideration to the compatibility in built form with the surrounding neighbourhood context.

Density

The amending by-law seeks to increase the permitted maximum net residential density requirement of 325 units per hectare from 200 units per hectare within the subject lands to accommodate this development. The modified net residential density range of 325 units per hectare maintains the

intent of the UHOP in regards to medium density residential area designation policies.

Setbacks

The minimum setbacks proposed in the amending by-law have been set up to have regard for the various heights contained within the development and surrounding context as outlined in the Urban Design Brief prepared by GSP Group. As such, the amending by-law establishes minimum rear yard setbacks of 4.0 metres, 45.0 metres, and 50.0 metres to a 3-storey, 10-storey, and 12-storey multiple dwelling respectively. Additionally, the by-law established minimum interior side yard setbacks of 6.5 metres and 50.0 metres to a 3-storey and 12-storey multiple dwelling respectively. The minimum setbacks to a street line are proposed as a minimum of 3.5 metres to a 3-storey dwelling, and 3.5 metres to a 3+-storey dwelling in the C5 Zone, Modified as contained in the proposed Zoning By-law. Additionally, the minimum internal setback between multiple dwellings shall be 11.5 metres. It is important to note that the above setbacks are required except when abutting a daylight triangle. These setbacks are required to accommodate the layout and design of the proposed development whilst maximizing the provided visitor parking spaces and remaining accessible via emergency services.

Parking

The proposed development conforms to the parking requirements established in the existing Zoning By-law. As the proposal is offering a total of 470 units, accommodated by 538 parking spaces, the proposed parking ratio is 1.14 spaces/unit. This parking ratio falls between the 0.3 space/unit minimum and 1.25 space/unit maximum established for the C5 Zone, while also satisfying the required parking ratio of 1 space/17.0 m^2 of commercial gross floor area. Further, as the proposed development provides 7 barrier free parking spaces, it conforms to the barrier free parking space requirements set out in the parent Zoning By-law.

Planting Strip

The amending by-law seeks to reduce the required planting strip where a property line abuts a residential zone from 1.5 metres to a minimum of 1.35 metre wide planting strip.

6. Conclusion

2650494 Ontario Inc. is the owner of 570 Upper Ottawa Street 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 District Commercial 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 facilities an appropriate form of development and represents good planning.

Respectfully submitted this 22nd day of June, 2022.

Regards,

UrbanSolutions Planning & Land Development Consultants Inc.

Matt Johnston, MCIP, RPP
Principal

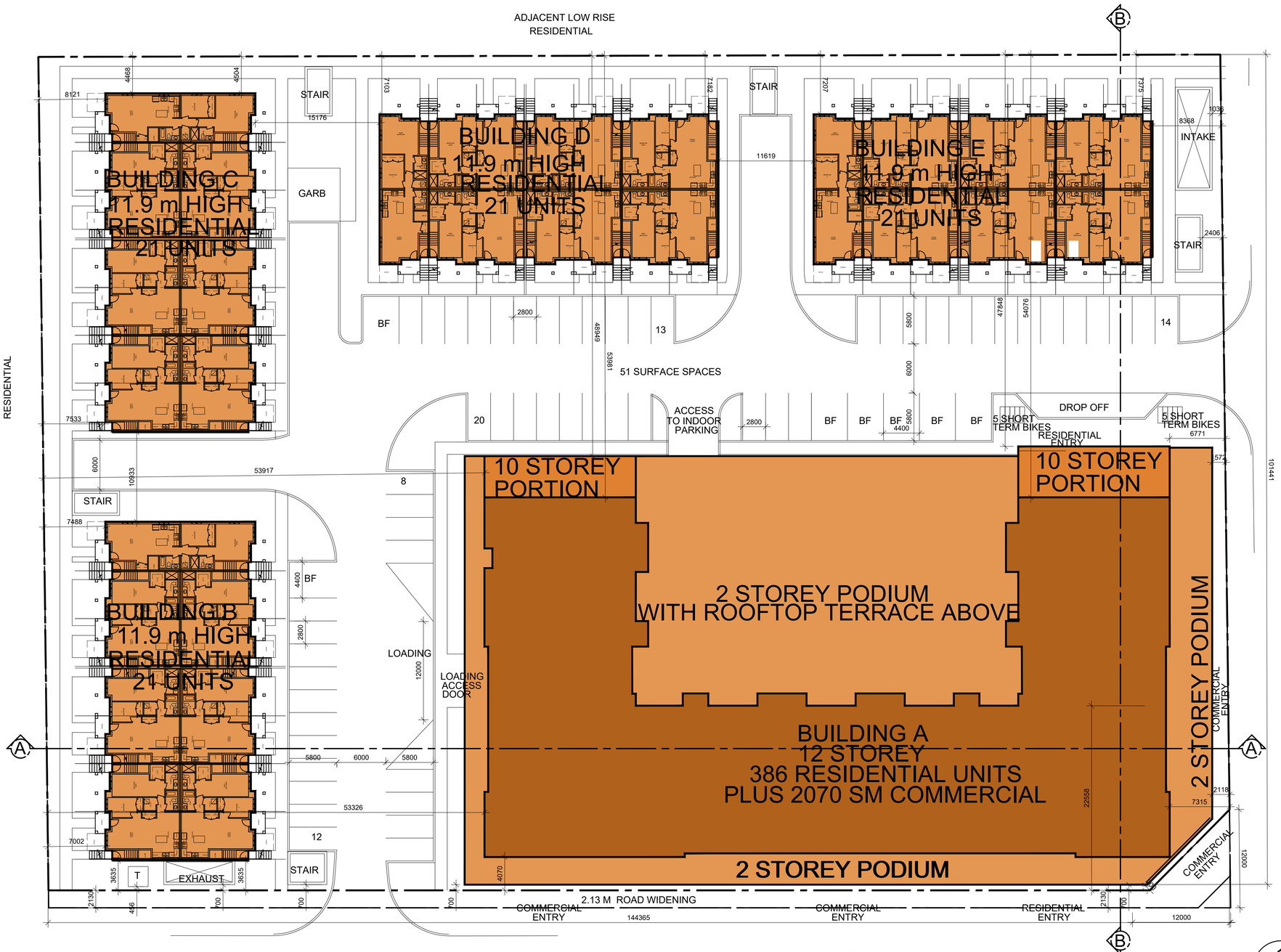
Scott Beedie, BURPl
Planner

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



PARKING PROVIDED

LEVEL 2 ENCLOSED	64 SPACES
LEVEL 1 SURFACE	51 SPACES
LEVEL 1 ENCLOSED	44 SPACES
LEVEL A UNDERGROUND	379 SPACES
TOTAL	538 SPACES

PARKING PROVIDED 1.144 SPACES PER UNIT = 538 SPACES

BIKES PROVIDED

LEVEL 1 SURFACE	10 SHORT TERM BIKE SPACES
LEVEL 1 ENCLOSED	28 SHORT TERM BIKE SPACES
LEVEL A UNDERGROUND	471 BIKE SPACES
TOTAL	509 TOTAL BIKE SPACES

LOT AREA = 14687SM = 1.4687 HA

FRONTAGE	101.4 M
SIDE LENGTH	144.3 M
GFA	31,500 SM CONDO PLUS 8421 SM TOWNHOUSES = 39,921 SM TOTAL
NET SELLABLE AREA	23,662 SM CONDO PLUS 2070 COMMERCIAL PLUS 8421 SM TOWNHOUSES = 34,153 SM TOTAL

1 / SP1 SITE PLAN

SCALE: 1:250

470 UNIT RESIDENTIAL PLUS 2070 SM COMMERCIAL PROJECT

CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK

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No. / No. DETAIL NUMBER / DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD,MM,YY)	BY
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CONCEPT C WITH STATISTICS	4	04.11.2020	WH
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3-12 STOREY PLAN	7	31.10.2021	WH
BOWLING ALLEY	8	15.11.2021	WH
REZONING SUBMISSION	9	07.02.2022	WH
UDB - BIKES, AMENITIES	9	02.06.2022	WH

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ELITE M D DEVELOPMENTS

MIXED USE DEVELOPMENT

570 UPPER OTTAWA
HAMLITON, ONTARIO

DRAWING SHEET TITLE: SITE PLAN

DRAWING SCALE:

PROJECT NUMBER: 20056

DRAWN BY: CHECKED BY:

DRAWING VERSION:

PLOT DATE: June 2, 2022

DRAWING SHEET NUMBER: SP1

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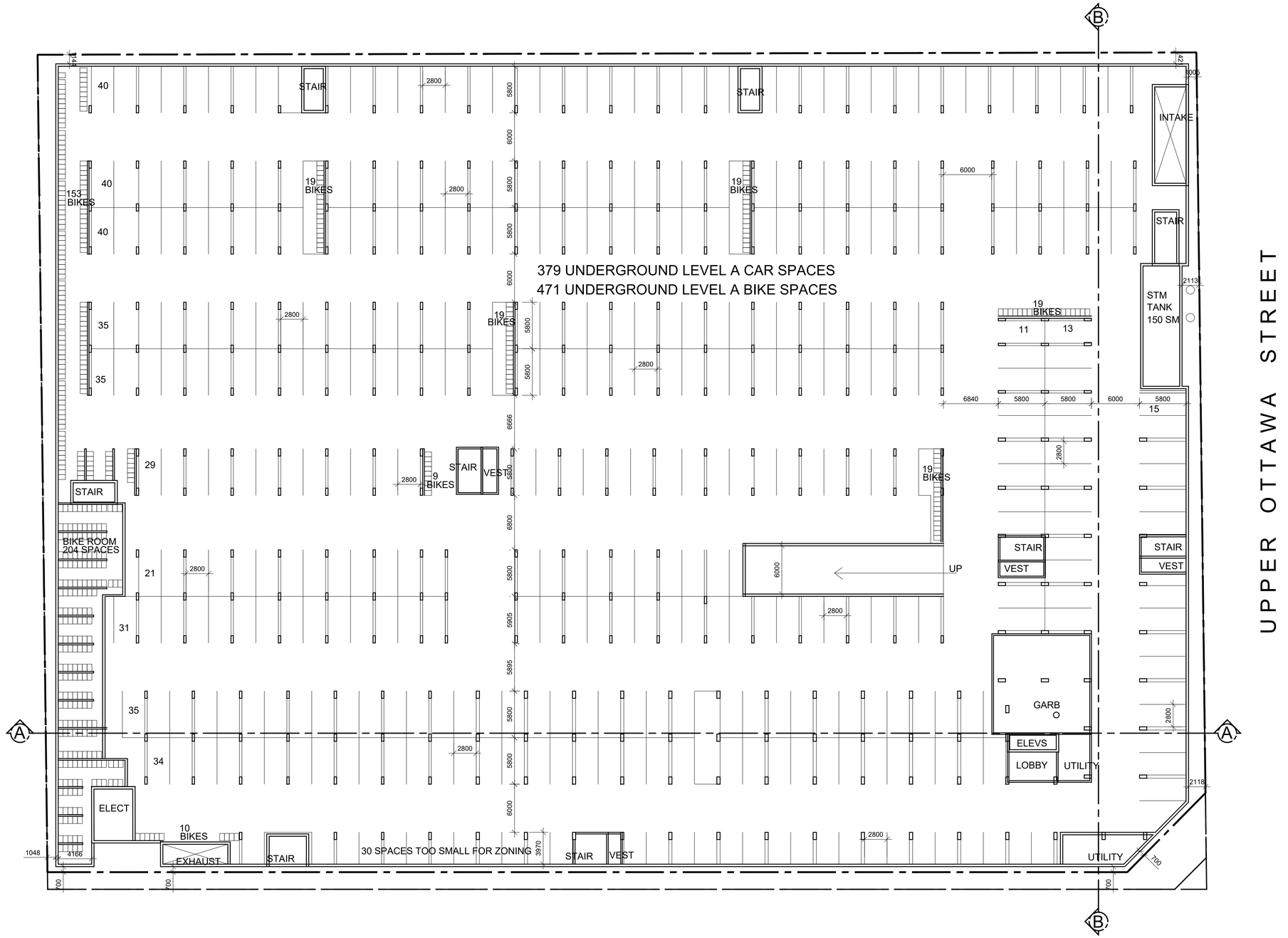

1 UGA UNDERGROUND

SCALE: 1:250

470 UNIT RESIDENTIAL PLUS 2070 SM COMMERCIAL PROJECT

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CONCEPT C WITH STATISTICS	4.	04.11.2020	WH
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3-12 STOREY PLAN	7.	31.10.2021	WH
BOWLING ALLEY	8.	15.11.2021	WH
REZONING SUBMISSION	9.	07.02.2022	WH
UDB - BIKES, AMENITIES	9.	02.06.2022	WH

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MIXED USE DEVELOPMENT

570 UPPER OTTAWA
HAMLITON, ONTARIO

DRAWING SHEET TITLE:

UNDERGROUND PLAN

DRAWING SCALE:

PROJECT NUMBER: 20056

DRAWN BY: CHECKED BY:

DRAWING VERSION:

PLOT DATE: June 2, 2022

DRAWING SHEET NUMBER: UGA

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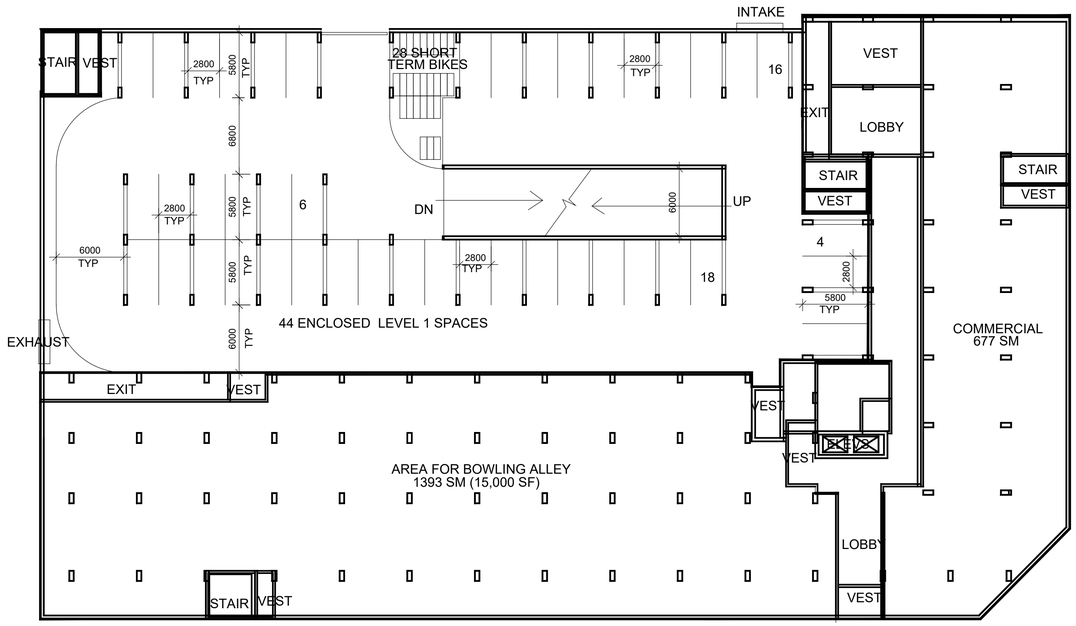
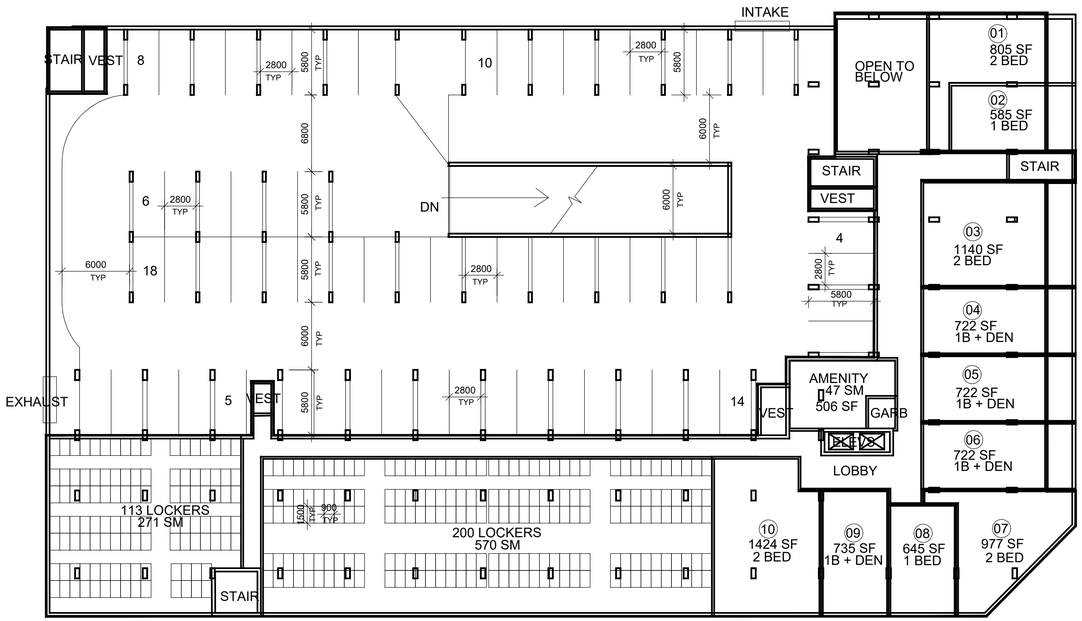


1 / A1 FIRST FLOOR PLAN

SCALE: 1:250



2 / A1 SECOND FLOOR PLAN

SCALE: 1:250

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BOWLING ALLEY	8	15,11,2021	WH
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UDB - BIKES, AMENITIES	9	02,06,2022	WH

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ELITE M D DEVELOPMENTS

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570 UPPER OTTAWA
HAMLITON, ONTARIO

DRAWING SHEET TITLE:

FIRST AND SECOND FLOOR PLANS

DRAWING SCALE:

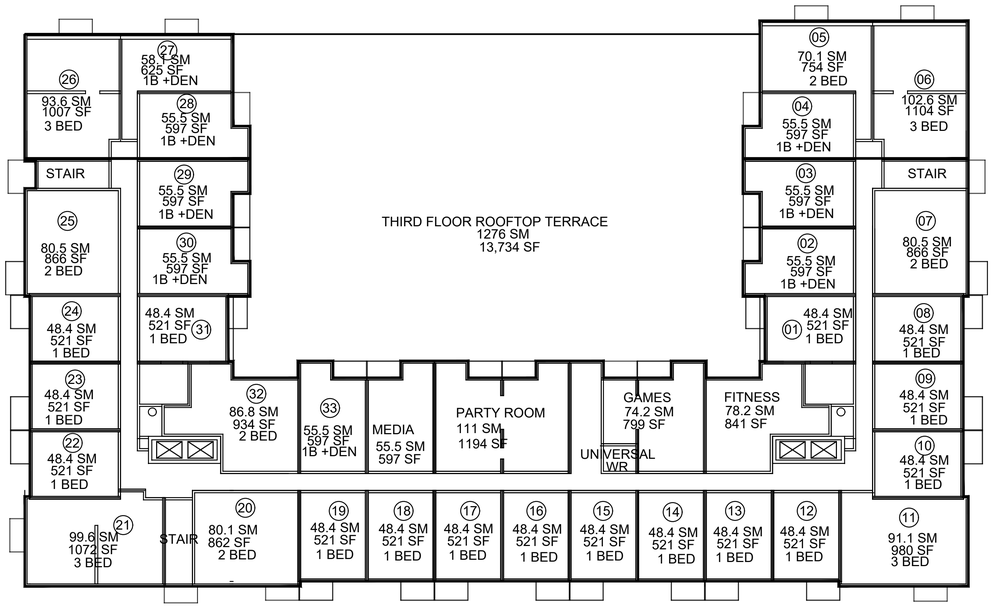
PROJECT NUMBER: 20056

DRAWN BY: CHECKED BY:

DRAWING VERSION:

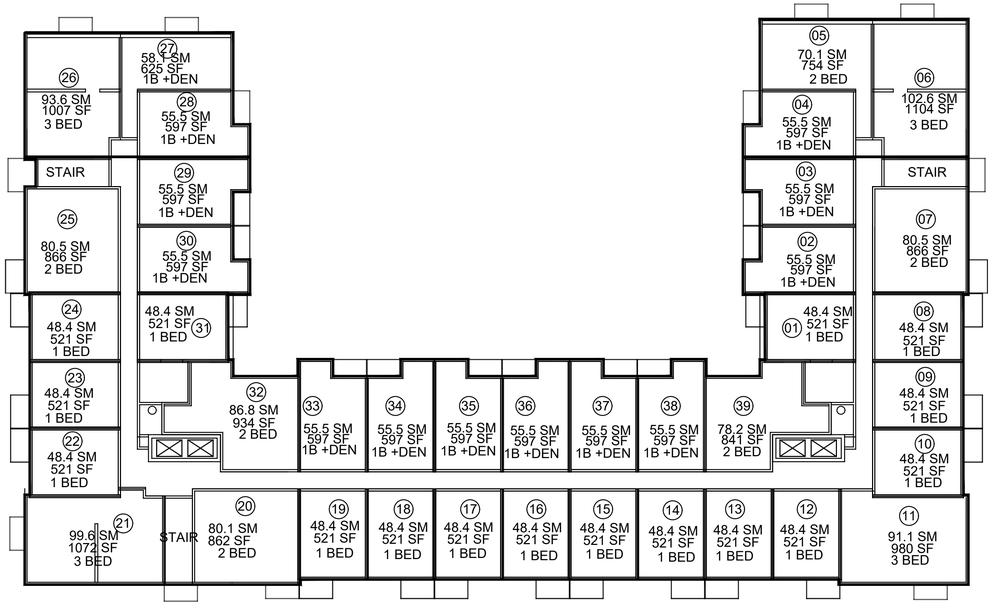
PLOT DATE: June 2, 2022

DRAWING SHEET NUMBER: A1



1 / A2 THIRD FLOOR PLAN

SCALE: 1:250



2 / A2 FOURTH - TENTH FLOOR PLAN

SCALE: 1:250

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UDB - BIKES, AMENITIES	9	02.06.2022	WH

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DRAWING SHEET TITLE:

THIRD TO TENTH FLOOR PLANS

DRAWING SCALE:	PROJECT NUMBER:
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DRAWN BY:	CHECKED BY:	DRAWING SHEET NUMBER:
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PLOT DATE: June 2, 2022		

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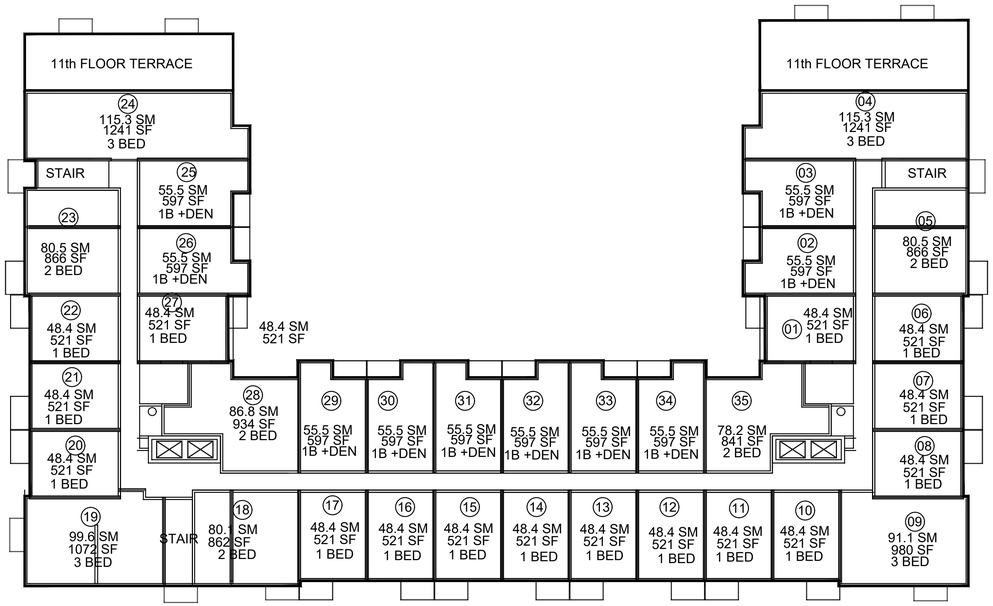

1
A3

11th-12th FLOOR PLAN

SCALE: 1:250

AREAS (NOT INCLUDING UNDERGROUND/ ABOVE GROUND PARKING AREAS)

LEVEL	TOTAL NO OF UNITS	NO OF 1 BED	NO OF 1 B+DEN	NO OF 2 BED	NO OF 3 BED	TOTAL FLOOR AREA	AMENITY/ COMMON FLOOR AREA	COMMERCIAL FLOOR AREA		SUITE FLOOR AREA		
12TH FLOOR	35 UNITS	16 UNITS	10 UNITS	5 UNITS	4 UNITS	2501 SM	338 SM	0 SM		2163 SM	(23282 SF)	86%
11TH FLOOR	35 UNITS	16 UNITS	10 UNITS	5 UNITS	4 UNITS	2501 SM	338 SM	0 SM		2163 SM	(23282 SF)	86%
10TH FLOOR	39 UNITS	16 UNITS	13 UNITS	6 UNITS	4 UNITS	2709 SM	346 SM	0 SM		2363 SM	(25453 SF)	87%
9TH FLOOR	39 UNITS	16 UNITS	13 UNITS	6 UNITS	4 UNITS	2709 SM	346 SM	0 SM		2363 SM	(25453 SF)	87%
8TH FLOOR	39 UNITS	16 UNITS	13 UNITS	6 UNITS	4 UNITS	2709 SM	346 SM	0 SM		2363 SM	(25453 SF)	87%
7TH FLOOR	39 UNITS	16 UNITS	13 UNITS	6 UNITS	4 UNITS	2709 SM	346 SM	0 SM		2363 SM	(25453 SF)	87%
6TH FLOOR	39 UNITS	16 UNITS	13 UNITS	6 UNITS	4 UNITS	2709 SM	346 SM	0 SM		2363 SM	(25453 SF)	87%
5TH FLOOR	39 UNITS	16 UNITS	13 UNITS	6 UNITS	4 UNITS	2709 SM	346 SM	0 SM		2363 SM	(25453 SF)	87%
4TH FLOOR	39 UNITS	16 UNITS	13 UNITS	6 UNITS	4 UNITS	2709 SM	346 SM	0 SM		2363 SM	(25453 SF)	87%
3RD FLOOR	33 UNITS	16 UNITS	8 UNITS	5 UNITS	4 UNITS	2709 SM	701 SM	0 SM		2008 SM	(21614 SF)	74%
2ND FLOOR	10 UNITS	2 UNITS	4 UNITS	4 UNITS	0 UNITS	2185 SM	1398 SM	0 SM		787 SM	(8472 SF)	36%
1ST FLOOR	0 UNITS	0 UNITS	0 UNITS	0 UNITS	0 UNITS	2641 SM	571 SM	2070 SM		0 SM		
TOTAL APARTMENT CONDO	386 UNITS	162 UNITS	123 UNITS	61 UNITS	40 UNITS	31500 SM	5768 SM	2070 SM (22,281 SF)	5.2%	23,662 SM	(254,696 SF)	75.1%
TOTAL STACKED TOWNHOUSE	84 UNITS			84 UNITS		8421 SM				8,421 SM	(90,643 SF)	100%
TOTAL UNITS	470 UNITS					39,921 SM	5768 SM	2070 SM (22,281 SF)	5.2%	32,083 SM	(345,338 SF)	80.4%
										34,153 SM	(367,620 SF)	85.5%

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ELITE M D DEVELOPMENTS

MIXED USE DEVELOPMENT

570 UPPER OTTAWA
HAMLITON, ONTARIO

DRAWING SHEET TITLE:

11th TO 12th FLOOR PLANS

DRAWING SCALE:

PROJECT NUMBER: 20056

DRAWN BY: CHECKED BY:

DRAWING VERSION:

PLOT DATE: June 2, 2022

DRAWING SHEET NUMBER: A3

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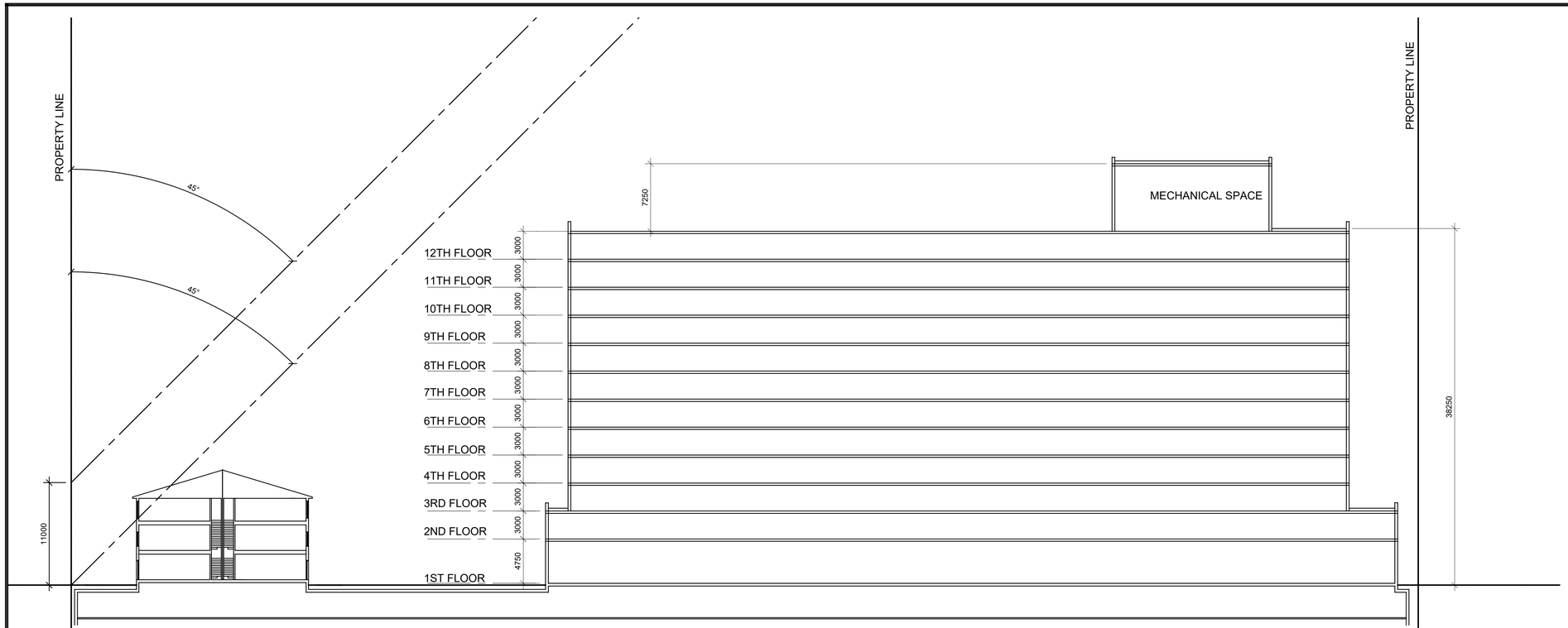
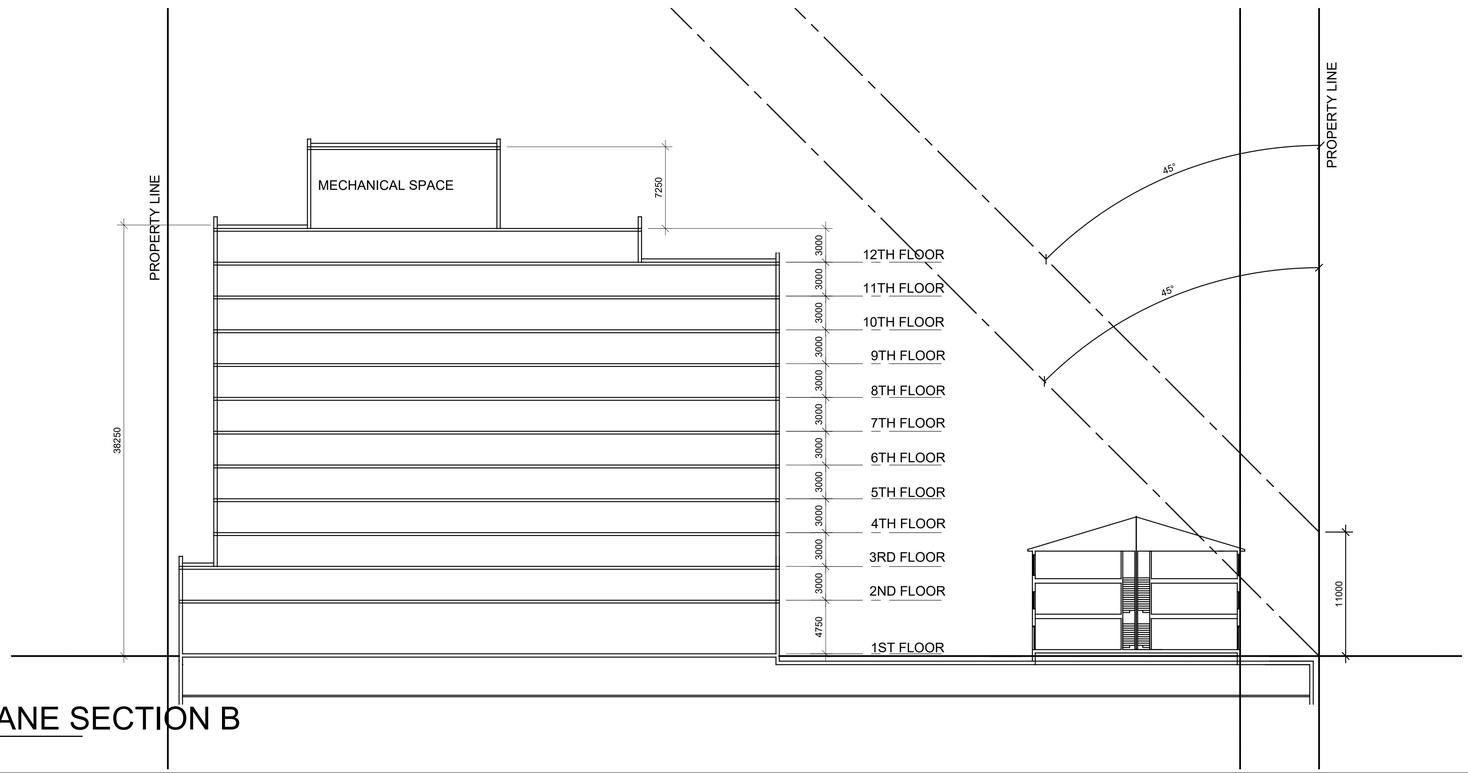


1 A4 ANGULAR PLANE SECTION A

SCALE: 1:250



2 A4 ANGULAR PLANE SECTION B

SCALE: 1:250

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UDB - BIKES, AMENITIES	9.	02.06.2022	WH

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MIXED USE DEVELOPMENT

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HAMLITON, ONTARIO

DRAWING SHEET TITLE:

ANGULAR PLANE

DRAWING SCALE:

PROJECT NUMBER: 20056

DRAWN BY: CHECKED BY:

DRAWING VERSION:

PLOT DATE: June 2, 2022

DRAWING SHEET NUMBER: A4

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Appendix B

Draft Official Plan Amendment

Urban Hamilton Official Plan Amendment No. __

The following text, together with Appendix "A" – Volume 3 – Map 2 – Urban Site Specific Policies Key Map, 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 place the subject lands into a site specific Mixed Use Medium Density Designation. Additionally, the purpose of the OPA is to permit a net residential density of 325 units per hectare for the permitted uses contained in Section E.4.6.5. Further, the purpose is to permit a maximum height of 12-storeys whereas the maximum permitted height for lands designated as Mixed Use - Medium Density is 8-storeys in Section E.4.6.8.

2.0 Location:

The portion of lands affected by this Amendment are Block 'B', Registered Plan 1210, in the City of Hamilton, municipally known as 570 Upper Ottawa Street.

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 2 – Urban Site Specific Policies Key Map is amended by identifying the lands located at 570 Upper Ottawa Street as UHC-___, as shown on Appendix "A", attached.

4.1.2 That Volume 1 – Schedule E-1 – Urban Land Use Designations Map is amended by redesignating the lands located at 570 Upper Ottawa Street from District Commercial to Mixed Use – Medium Density, as shown on Appendix "B", 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 – UHC-___ to read as follows:

Site Specific Policy – Area ___

1.0 That in addition to Sections E.3.6.6, for the Mixed Use - Medium Density Designation, the maximum permitted net residential density shall be 325 units per hectare.

2.0 In addition, the lands shall have a maximum permitted building height of 12 storeys for the Mixed Use – Medium Density Designation.

Implementation:

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

This is Schedule "1" to By-Law No. 22-____, passed on the ____ day of _____, 2022.

_____ _____

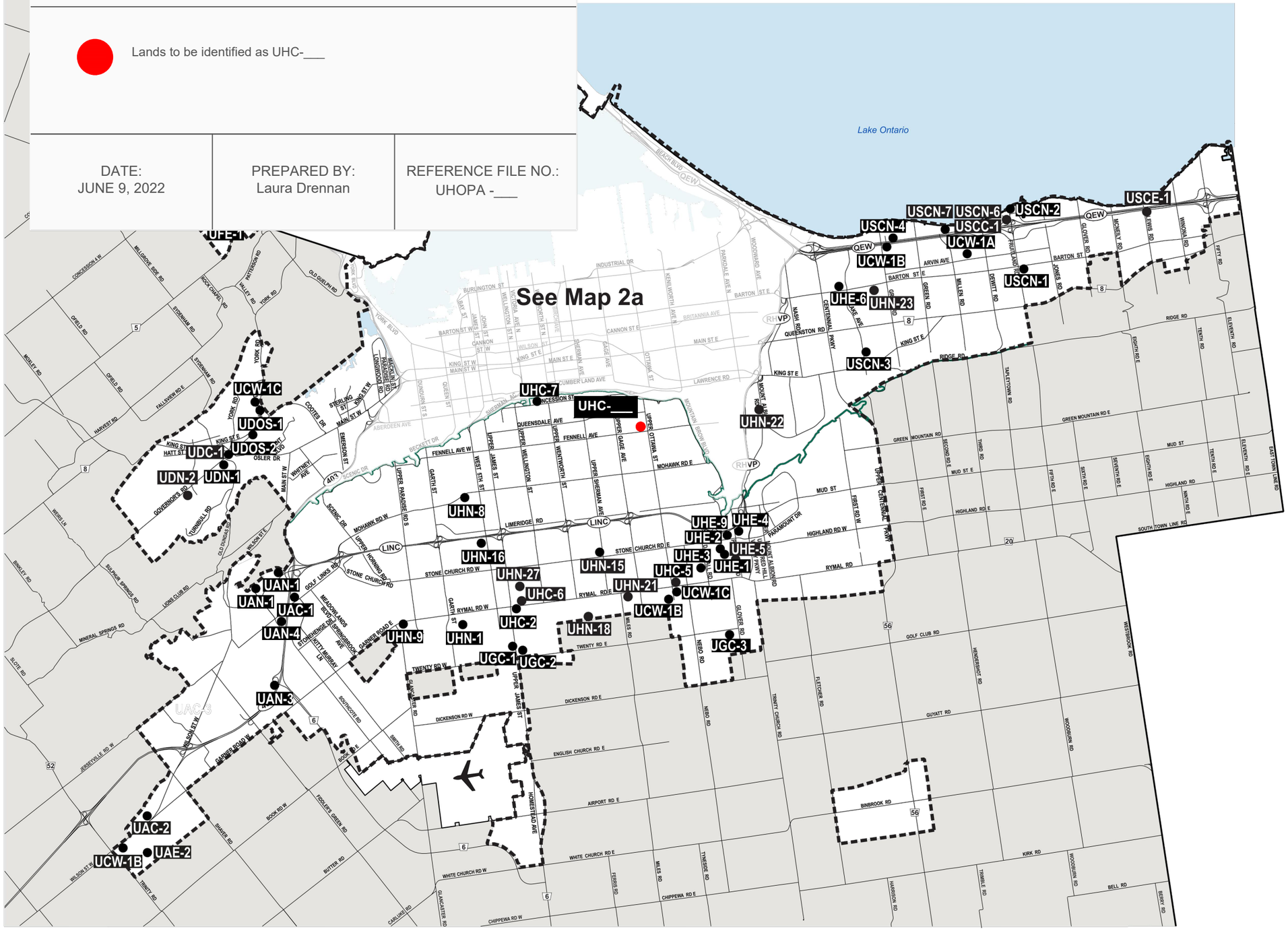
Mayor Clerk

UHOPA-22-___

APPENDIX A
AMENDMENT TO THE URBAN HAMILTON OFFICIAL PLAN

Lands to be identified as UHC-___

DATE:	PREPARED BY:	REFERENCE FILE NO.:
JUNE 9, 2022	Laura Drennan	UHOPA -___



Key Map

N.T.S.

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)
- U- Refers to Urban Site Specific Area #, Volume 3, Chapter B

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- 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 2
Urban Site Specific Key Map

Not To Scale

Date: February 2021

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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APPENDIX B
AMENDMENT TO THE URBAN HAMILTON OFFICIAL PLAN

Lands to be designated as "Mixed Use - Medium Density".

DATE:	PREPARED BY:	REFERENCE FILE NO.:
June 9, 2022	Laura Drennan	UHOPA -___

APPEALS

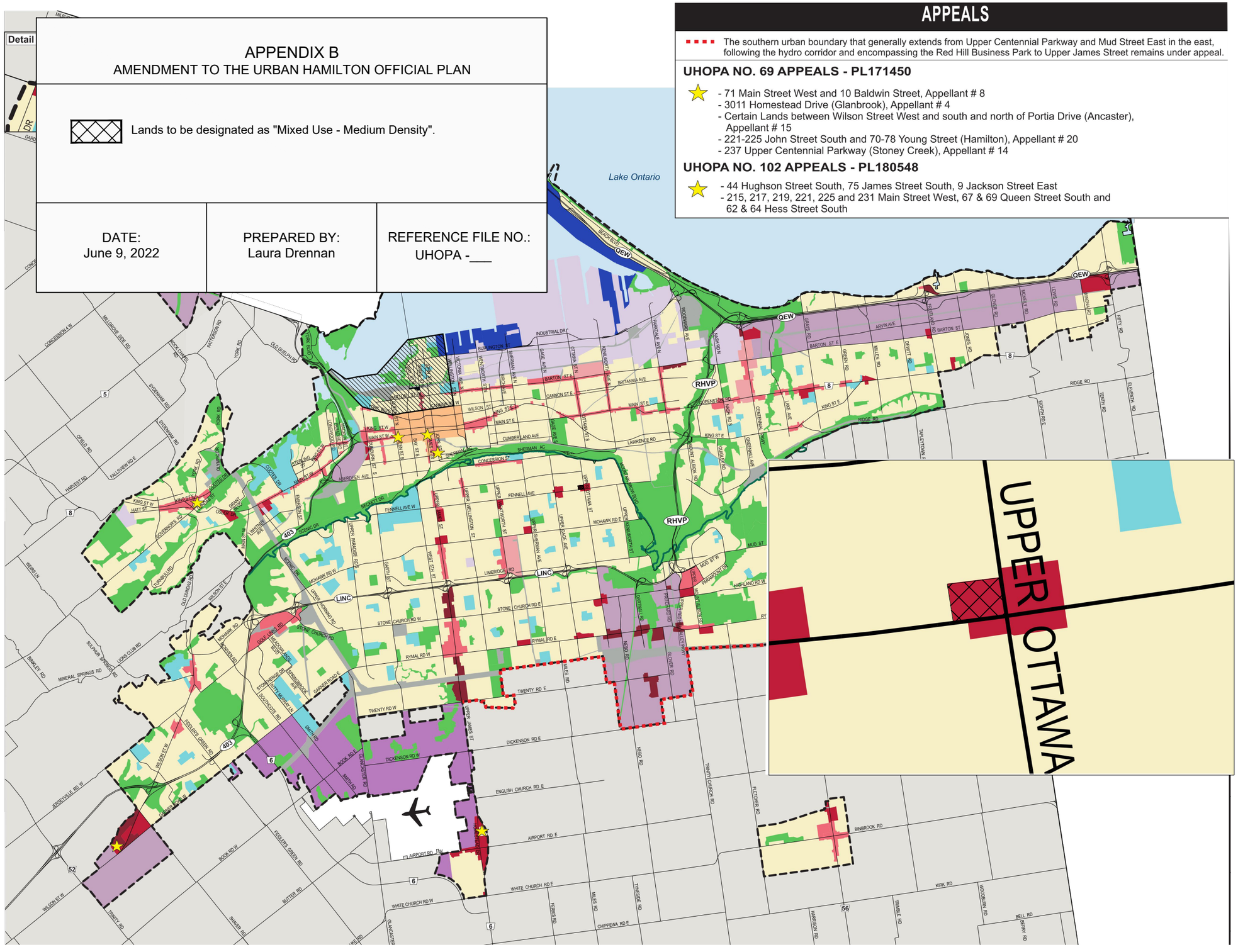
The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

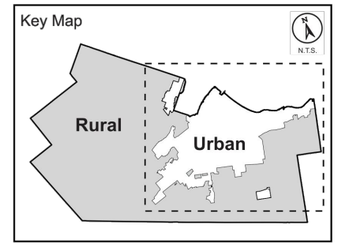
UHOPA NO. 69 APPEALS - PL171450

- 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- Certain Lands between Wilson Street West and south and north of Portia Drive (Ancaster), Appellant # 15
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14

UHOPA NO. 102 APPEALS - PL180548

- 44 Hughson Street South, 75 James Street South, 9 Jackson Street East
- 215, 217, 219, 221, 225 and 231 Main Street West, 67 & 69 Queen Street South and 62 & 64 Hess Street South





Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Neighbourhoods
- Open Space
- Institutional
- Utilitiy

Commercial and Mixed Use Designations

- Downtown Mixed Use Area
- Mixed Use - High Density
- Mixed Use - Medium Density
- District Commercial
- Arterial Commercial

Employment Area Designations

- Industrial Land
- Business Park
- Airport Employment Growth District
- Shipping & Navigation

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Lands Subject to Non Decision 113 West Harbour Setting Sail

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

Urban Hamilton Official Plan
Schedule E-1
Urban Land Use Designations

Not To Scale

Date: Oct. 18, 2019

Hamilton

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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Appendix C

Draft Zoning By-law Amendment

CITY OF HAMILTON

BY-LAW NO. -____

To Amend Zoning By-law No. 05-200, Respecting Lands Located at 570 Upper Ottawa Street, 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 22- ___ of the Planning Committee at its meeting held on the ___ day of _____ 2022, 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 rezoning the lands and boundaries of which are shown on Block No. 1 on Schedule "A" from the District Commercial (C6) Zone to Mixed Use Medium Density (C5, ___) Zone, Modified.

2. That Schedule C – Special Exceptions to Zoning By-law 05-200 is hereby amended by introducing the following:

   2.1 Notwithstanding Section 10.5.3 the following regulations shall apply to the lands municipally known as 570 Upper Ottawa Street:

   a. A maisonette dwelling shall be a permitted use.
   b. The minimum setback of a building up to 2-storeys in height to a street line shall be 0.5 metres.
   c. The minimum setback of a 3-storey building in height to a street line shall be 3.5 metres.
   d. The minimum setback of a building 12-storeys or more in height to a street line shall be 0.5 metres, except when abutting a daylight triangle.
   e. The minimum rear yard setback to a 3-storey building shall be 4.0 metres.
   f. The minimum rear yard setback to a 10-storey building shall be 45.0 metres.
   g. The minimum rear yard setback to a 12-storey building shall be 50.0 metres.
   h. The minimum interior side yard setback to a 3-storey building shall be 6.5 metres.
   i. The minimum interior side yard setback to a 12-storey building shall be 50.0 metres.
   j. The minimum flankage yard setback to a 2-storey building shall be 0.5 metres.

k. The minimum flankage yard setback to a building 10-storeys or more shall be 6.5 metres, except when abutting a daylight triangle.
l. The minimum separation distance between multiple dwellings shall be 11.5 metres.
m. A maximum building height of 12 storeys shall be permitted.
n. A minimum amenity area of 10.0 square metres per dwelling unit shall be required.
o. A minimum planting strip of 1.35 metres shall be provided where a property lot line abuts a property lot line within a Residential Zone or an Institutional Zone.

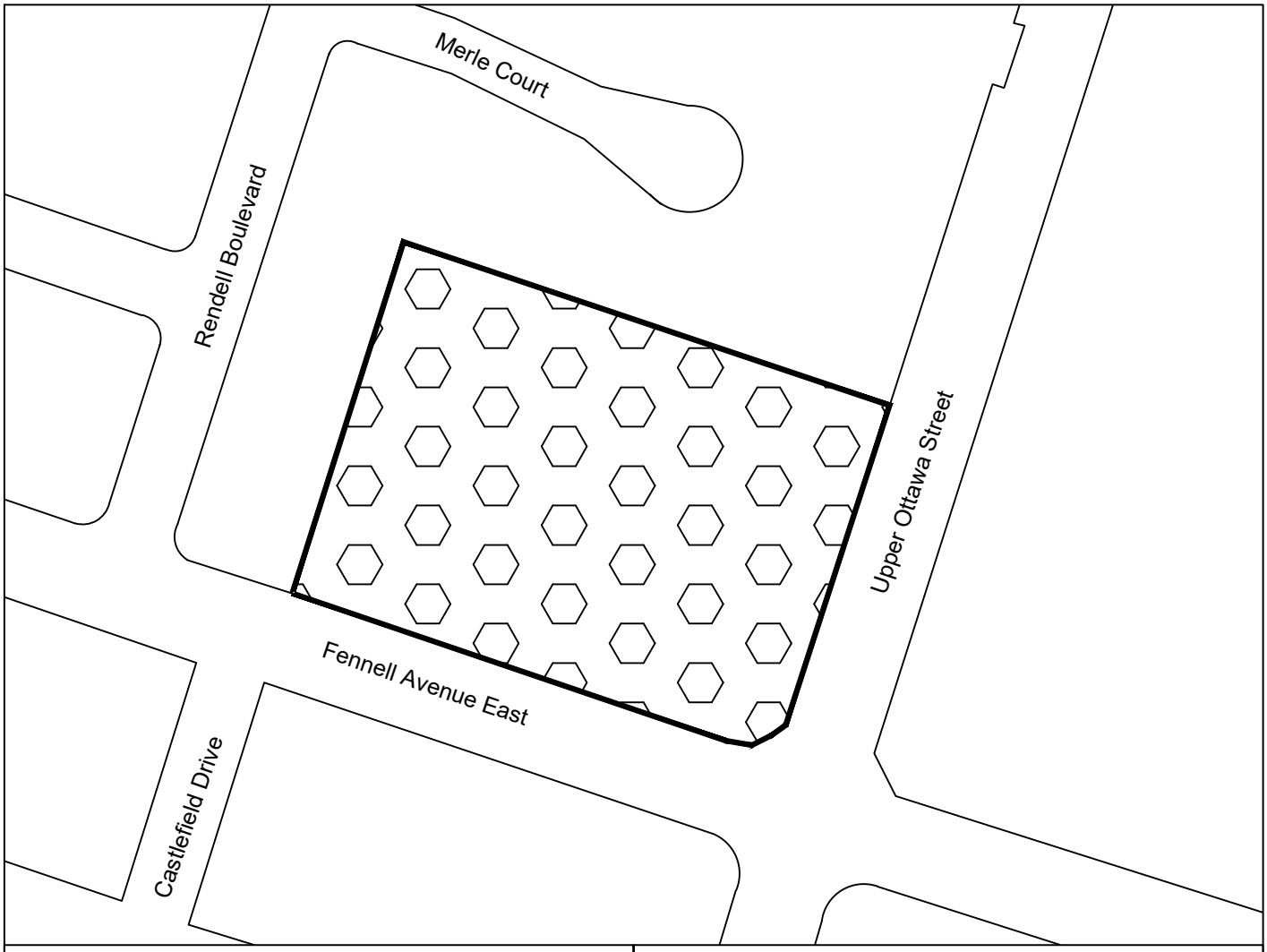
3. The By-law No. 05-200 is amended by adding this by-law to Section____ as Schedule____;

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

PASSED AND ENACTED this _____ day of _____, 2022.

_____ _____
Mayor Clerk

ZAC-22- ____



This is Schedule "A" to By-law No. 22-_____

Passed the _____ day of _____, 2022

_____
Clerk

_____
Mayor

DRAFT
Schedule "A"

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

to Amend By-law No. 05-200

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

Subject Property

570 Upper Ottawa Street in the City of Hamilton.

Block 1 - Lands to be rezoned from District Commercial (C6) to Mixed Use Medium Density (C5, ____) Zone, Modified.