



URBAN SOLUTIONS
PLANNING & LAND DEVELOPMENT



PLANNING JUSTIFICATION ADDENDUM

Forest & Catherine Redevelopment

117 Forest Avenue & 175 Catherine Street South, Hamilton
Project No. 073-15

Prepared for: Representative Holdings Inc.
By: UrbanSolutions Planning & Land Development Consultants Inc.

DECEMBER 2022

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1. Introduction

UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions) has been retained by Representative Holdings Inc., the registered owner of the lands municipally known as 117 Forest Avenue & 175 Catherine Street South, in the City of Hamilton (subject lands) to assist in the coordination and preparation of the planning application necessary to facilitate a site-specific Zoning By-law Amendment.

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

This Planning Justification Addendum (Addendum) has been prepared in support of a previous Zoning By-law Amendment application for the subject lands, submitted on October 23, 2016. The previous Zoning By-law Amendment was passed by Council on October 14, 2020 (By-law No. 20-216). However, since the site specific Zoning was passed for the subject property, the proposed development was revised to an alternate Concept.

A Planning Justification Report was previously prepared by UrbanSolutions in support of the proposed Zoning By-law Amendment. This Addendum will complement and further expand on said Planning Justification Report to speak to the alterations made to the proposed development on site. The purpose of the Addendum is to support the previously submitted Zoning By-law Amendment application, provide justification for the proposed development and replace the previous draft Zoning By-law with an updated version which captures the site statistics of the new Concept. A detailed description of the updated development proposal can be found in Section 3 of this Addendum.

This Addendum provides confirmation of UrbanSolutions support for the planning opinions established in the previous Planning Justification Report and notes relevant changes to the initial submission.

1.1 Location

The subject lands comprise of an irregular-shaped parcel located on the north side of Forest Avenue and east side of Catherine Street South, as shown in Figure 1.



Figure 1 – Subject Lands

1.2 Site Description and Surrounding Context

The subject lands are situated within Ward 2 located in the Corktown Neighbourhood. The northwest portion of the subject lands are occupied by an existing 11-storey, 92-unit multiple dwelling known as the 'Brockton' at the address municipally known as 175 Catherine Street South, Hamilton that is proposed to remain on site in conjunction with the proposed development. Further, the abutting lands known as 117 Forest Avenue is an underutilized vacant parcel where the proposed multiple dwelling is to be located. The site has +/- 77.7 metres of frontage on Forest Avenue and +/- 80.5 metres on Catherine Street South and is approximately 0.45 hectares (1.12 acres) in size.

1.3 Application History

Formal Consultation (FC-16-055)

On March 18, 2016 a Request for Formal Consultation was submitted to the City of Hamilton for the lands municipally known as 117 Forest Avenue & 175 Catherine Street South, Hamilton. Following the City of Hamilton's review of the application, a Development Review Team meeting took place on May 18, 2016. Further, a Formal Consultation Document was issued by the City of Hamilton dated May 31, 2016.

Zoning By-law Amendment (ZAC-17-008)

On December 23, 2016, a Zoning By-law Amendment application was submitted to the City of Hamilton for the subject lands. The Zoning By-law Amendment was to facilitate the development of the subject property with one (1) 10-storey multiple dwelling containing 78 units as well as seven (7) 3-storey townhouse dwellings. The Zoning By-law Amendment was approved by the City of Hamilton on October 14, 2020.

Site Plan Control (DA-22-014)

Following the approval of the applicable Zoning By-law Amendment applicable to the site, a Site Plan Control application was submitted to the City on November 1, 2021. The development concept contemplated by the Site Plan application comprised of one (1) 10-storey multiple dwelling containing 73 units and six (6) 3-storey townhouse dwellings. This Site Plan application has ultimately been put on hold in favour of an alternate development concept for the property that is the subject of this Report.

Concept Development

As discussed above, 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) 10 storey mixed used building and seven (7) 3-storey townhouse dwellings. In total, the initial concept contained 85 residential dwelling units and maintained the existing multiple dwelling on site. The proposed concept has since been revised to recognize the recent changes in Provincial and municipal policy direction regarding residential intensification, specifically within the core of the City. Some of the notable changes to the concept design include an increase in height from 10-storeys to 14-storeys for the multiple dwelling and removal of the proposed townhouse dwellings from the site, increasing the total proposed unit count from 85 dwellings to 216 dwellings. The current concept consists of one (1) 14 storey multiple dwelling in addition to the existing 11-storey, 92-unit multiple dwelling on the property. Further, the new development concept is accommodated by 213 parking spaces contained in a surface lot and underground parking garage.

Formal Consultation Waiver (FC-21-002)

As the proposed development concept had been altered since the initial Formal Consultation took place for the subject lands, a Formal Consultation Waiver was required to facilitate a 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 117 Forest Avenue & 175 Catherine Street South, 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 May 9, 2022.

Urban Hamilton Official Plan Amendment No. 167

On November 4, 2022, the Ministry of Municipal Affairs and Housing adopted the updated Urban Hamilton Official Plan which contains amendments to a variety of existing policies. One of the notable changes made to the UHOP was the removal of density limits for the Neighbourhoods designation for which the subject lands reside. As a result of this policy change, the Formal Consultation Waiver obtained prior to UHOP Amendment No. 167 incorrectly identifies an Official Plan Amendment as a requirement to facilitate the proposed density of the subject development. As such, this report has been adjusted to solely contemplate the required Zoning By-law Amendment.

2.0 Neighbourhood Context

The subject site is located just south of the downtown core in the City of Hamilton and kiddie corner to the Downtown Hamilton Secondary Plan. Specifically, the subject property is located on the north side of Forest Avenue between Catherine Street South and Walnut Street South as shown in Figure 1.

The 0.45 ha (1.12 acre) site forms a corner lot, having +/- 77.7 m of frontage on Forest Avenue, and +/- 80.5 m on Catherine Street South.

An 11-storey multiple dwelling containing 92 residential units is currently located on the northwestern portion of the subject property, at 175 Catherine Street South. Located to the west of the site is a 1-storey commercial plaza. Abutting the parcel to the east is a 9-storey multiple dwelling and 4-storey multiple dwellings. North of the subject lands, across Young Street are 2-storey single and semi-detached dwellings. Further, south

of the subject lands across Forest Avenue, there is an existing 21-storey multiple dwelling. Additionally, there are several examples of high-rise multiple dwellings within 200 metres of the subject lands including; a 6-storey apartment at the north-west corner of Hunter St E and Ferguson Ave S, an 8-storey apartment at the north-east corner of Jackson St E and Ferguson Ave S, a 14-storey apartment building at the north east corner of Spring St and Jackson St E, and a 6-storey apartment on Jackson St E between Ferguson Ave S and Spring St.

3. Proposed Development

The newly revised development concept for the subject property consists of one (1) 14-storey multiple dwelling with step back at the 4th and 6th storey containing 216 residential units in addition to the existing 11-storey, 92-unit multiple dwelling on site. Of the 216 units proposed; 145 are over 50 m² in size and 71 are below 50 m² in size. Specifically, the proposal comprises of 197 one-bedroom units and 19 two-bedroom units. To accommodate the proposal, 213 residential parking spaces contained on a surface lot and three-level underground parking garage are included in the plan. The Concept Plan for the proposed development is contained within Appendix A of this Addendum.

3.1 Planning Applications

A version of this development concept was first presented via Formal Consultation FC-16-055. This concept plan evolved and was refined via the Development Review meeting and previous Zoning By-law Amendment (By-law No. 20-216). The concept plan as proposed in this submission reflects the comments provided by the City and alterations made to the Plan following the approval of the initial Zoning By-law Amendment.

A Formal Consultation Waiver Letter for the proposed development was obtained from the City of Hamilton on May 12, 2022. The Formal Consultation Waiver Letter confirmed the studies, plans and reports that are required to be submitted for a “complete” application as per the *Planning Act*. Since the issuance of the Formal Consultation Waiver Letter, Urban Hamilton Official Plan Amendment No. 167 has established that an Official Plan Amendment is no longer required to facilitate the proposed density of the development. Accordingly, the following materials are required to support the planning application in addition to this Planning Justification Report:

- Survey Plan
- Concept Plan
- Architectural Elevations
- Urban Design Report
- Tree Protection Plan
- Draft Zoning By-law
- Transportation Impact Study
- Transportation Demand Management Options Report
- Parking Study Addendum
- Noise Impact Study
- Functional Servicing Report
- Stormwater Management Report
- Watermain Hydraulic Analysis
- Preliminary Grading & Servicing Plans

3.2 Required Approvals

The Formal Consultation Document and recent UHOP Amendment No. 167 confirm that approval of the following applications would be required to facilitate the development:

- A Zoning By-law Amendment;
- a Site Plan application; and,
- a Draft Plan of Condominium (if required).

The purpose of the Zoning By-law Amendment is to rezone the subject lands from the High Density Multiple Dwellings “E-3/S-601a” District, Modified to a High Density Multiple Dwellings “E-3/S-___” District, Modified in the Former City of Hamilton Zoning By-law No. 6593 which recognizes the alterations to the proposed development. The Draft Zoning By-law Amendment is contained within Appendix B of this Report.

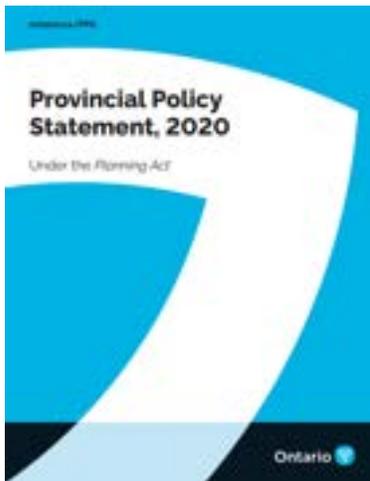
A future submission of a site plan application will be required to implement the detailed design of the Concept selected for development.

If required, a future Draft Plan of Condominium application will also be submitted to establish the tenure of the townhouse dwellings.

4. Planning Policy Framework

UrbanSolutions has evaluated the previous Planning Justification Report that was prepared in support of the initial Development Concept and agree with the selection of policy documents that are applicable to the subject application as outlined in Section 4. The applicable documents include the *Planning Act* (1990), Provincial Policy Statement (2020), Places to Grow – Growth Plan for the Greater Golden Horseshoe (2020), the Urban Hamilton Official Plan, the Corktown Neighbourhood Plan and the City of Hamilton Zoning By-law No. 6593.

4.1 Provincial Policy Statement, 2020



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

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

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

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

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

1.0 Building Strong Healthy Communities

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

Policy 1.1.1 identifies a range of criteria for the creation and sustainability of healthy communities that includes efficient development patterns, a mix of housing opportunities, environmental and public health protections, an emphasis on transit-supportive development, and climate change considerations. To manage and direct land use to achieve efficient and resilient development and land use patterns, the PPS provides the following direction to approval authorities:

“1.1.1 Healthy livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate, affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure*

planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;

- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary *infrastructure* and public service facilities are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.”

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

1.1.3 Settlement Areas

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

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

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

1.4 Housing

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

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

- a) planning establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 - a. 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
 - b. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) directing development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”

1.6 Infrastructure and Public Service Facilities

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

2.1 Natural Heritage

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

2.6 Cultural Heritage and Archaeology

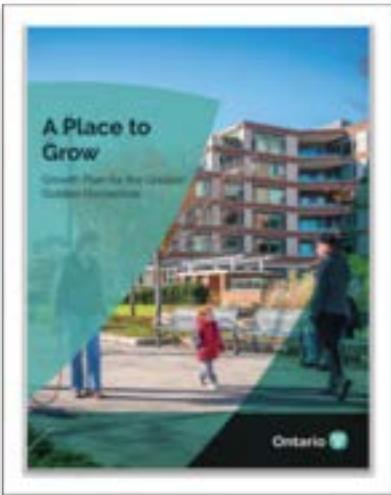
Similar to Section 2.1, Section 2.6 of the Provincial Policy Statement policy direction related to the management and conservation of Cultural Heritage and Archaeological resources. Specifically to ensure consideration for built heritage resources, cultural heritage landscapes and archaeological resources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

4.2 Places to Grow – Growth Plan for the Greater Golden Horseshoe, 2020

The Greater Golden Horseshoe (GGH) is one of the fastest growing regions in North America. In order to accommodate such growth, the Province of Ontario adopted the Places to Grow – Growth Plan for the Greater Golden Horseshoe (Growth Plan) under the *Places to Grow Act, 2005*. This Plan provides the framework for implementing the Government of Ontario's vision for building stronger, prosperous communities by better managing growth in the region to 2051. Section 5(b) of the *Planning Act* requires that decisions that affect planning matters shall conform to or shall not conflict with provincial plans, including the Growth Plan. Schedule 3 of the Growth Plan establishes population targets for the municipalities and regions of the Greater Golden Horseshoe. Specifically, Schedule 3 of the Growth Plan identifies a population target of 820,000 and 360,000 jobs for the City of Hamilton by the year 2051.

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

- Support the achievement of *complete communities* that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.



- Prioritize *intensification* and higher densities to make efficient use of land and *infrastructure* and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including second units and *affordable* housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in *infrastructure* and *public service facilities*, including integrated service delivery through community hubs, by all levels of government.
- Provide for different approaches to manage growth that recognize the diversity of communities in the *GGH*.
- Protect and enhance natural heritage, hydrologic, and landform systems, features and functions.
- Support and enhance the long-term viability and productivity of agriculture by protecting *prime agricultural areas* and the *agri-food network*.
- Conserve and promote *cultural heritage resources* to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and *infrastructure* – that are adaptive to the impacts of a changing climate – and moving towards low-carbon communities, with the long-term goal of net-zero communities, by incorporating approaches to reduce greenhouse gas emissions.

Section 2.2.1 Managing Growth

- “4. Applying the policies of this Plan will support the achievement of *complete communities* that:
- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
 - c) Provide a diverse range and mix of housing options...;
 - d) Expand convenient access to:
 - i) a range of transportation options...
 - ii) public service facilities...
 - iii) an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other...

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

Section 2.2.2 Delineated Built-up Areas

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

Section 2.2.6 Housing

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

- “2.2.6.1 Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:
 - a) support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
 - i. identifying a diverse range and mix of housing options and densities, including additional residential units and affordable housing to meet projected needs of current and future residents; and,
 - ii. establishing targets for affordable ownership housing and rental housing;
 - iii.”

Section 3.2 Policies for Infrastructure to Support Growth

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

Section 4.2.2 Natural Heritage System

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

Section 4.2.7 Cultural Heritage Resources

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

Section 4.2.10 Climate Change

“1.

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

4.3 Urban Hamilton Official Plan

The City of Hamilton’s Urban Hamilton Official Plan (UHOP) was adopted by Council and received final approval from the Ontario Municipal Board on August 16, 2013. Further, UHOP Amendment No. 167 was issued by the Ministry of Municipal Affairs and Housing on November 4, 2022, which contained map and policy changes that have varying impacts on all areas of the City. The UHOP is a guiding planning document which provides policies on community management, land use changes, and physical development in the City.

Urban Structure & Urban Land Use

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

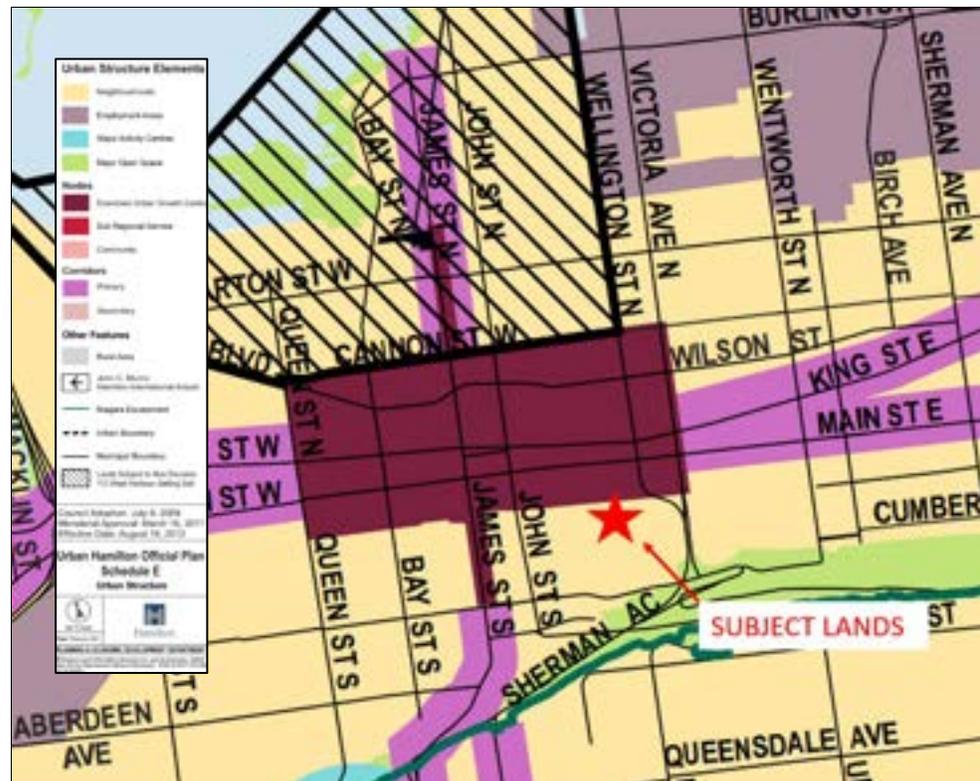


Figure 4 – Urban Hamilton Official Plan – Schedule E (Urban Structure)

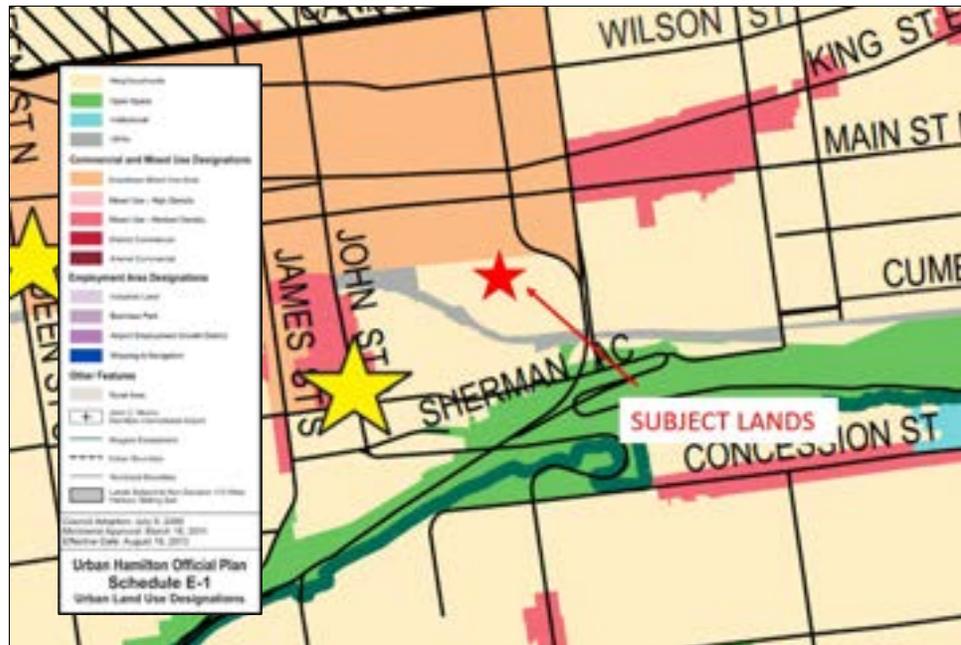


Figure 5 – Urban Hamilton Official Plan – Schedule E-1 (Urban Land Use)

Transportation

Schedule C – Functional Road Classification of the UHOP identifies both Forest Avenue and Catherine Street South as local roads. The site is located +/- 100.0 metres east of the HSR Route 22, 23, 24, 25, 26 and 27 HSR transit stop located on John Street South. Further, the subject lands are 450.0 metres southeast of the Hamilton GO Centre. The Forest Avenue frontage of the property is a signed on-street bicycle route which connects with the greater Hamilton bike lane and trail network as shown on Figure 6 below. Accordingly, the development proposal is well connected to a number of transportation options that can satisfy both short and long trips.



Figure 6 – City of Hamilton – Bike Routes, Trails and Parks Map - Urban

4.4 Corktown Neighbourhood Plan

Through the recent amendments initiated by the Ministry of Municipal Affairs and Housing, Section F.1.2.7 was added to the UHOP which notes that Neighbourhood Plans are no longer an applicable policy document under the *Planning Act*, and no longer reflect either municipal or provincial policy. The City of Hamilton Neighbourhood Plans provided detailed information about land uses and policies that were relevant to a specific area. The Corktown Neighbourhood Plan was applicable to the subject lands, the Plan identified the subject lands as ‘Medium Density Apartments’ on the Corktown Neighbourhood Land Use Plan as shown in Figure 7.

Policy 7(a)-(c) of the Plan states that higher densities of population are to be directed to the Downtown Area, intermediate densities to the Transition Area, and lower densities to the Neighbourhood Residential Area. The subject lands are identified as being located within the Neighbourhood Residential Area, as shown on Figure 8 below. Specifically, the subject property is located at the border between the Neighbourhood Residential Area and Transition Area, as the property which is immediately adjacent to

the site across Catherine Street South to the west is identified as Transition Area.

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

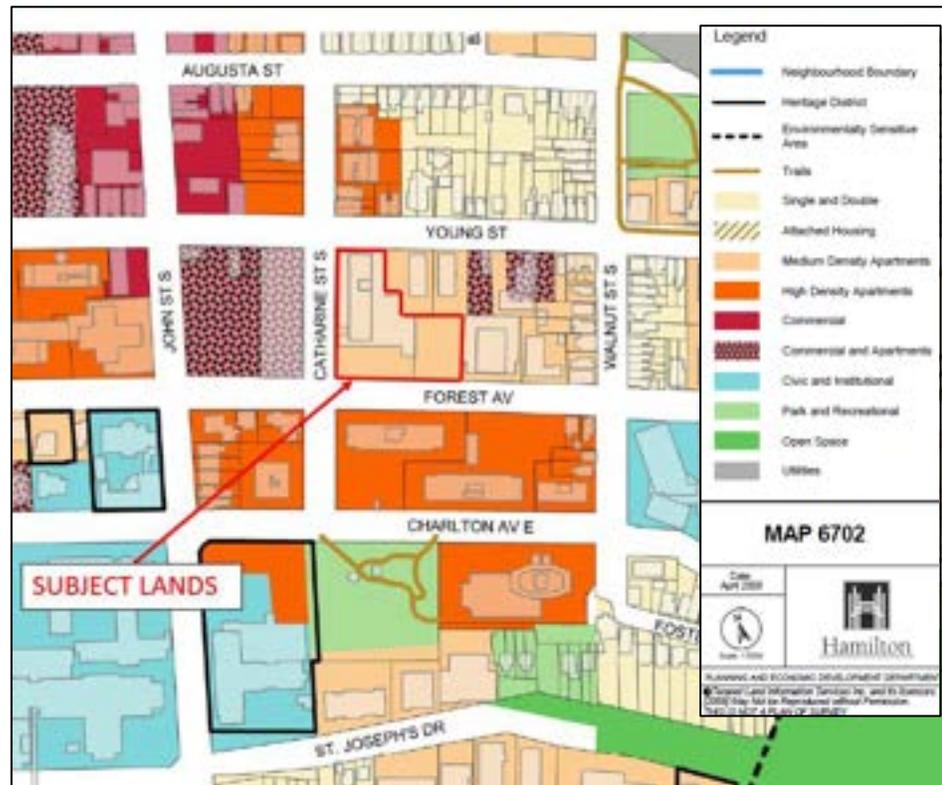


Figure 7 – Corktown Neighbourhood Land Use Plan



Figure 8 – Corktown Neighbourhood – Corktown Review

4.5 City of Hamilton Zoning By-law No. 6593

In recognition of the previous land use, the subject lands are located in the High Density Multiple Dwellings “E3/S-601a” District, Modified in the City of Hamilton Zoning By-law No. 6593, as shown in Figure 8 below.

Due to the nature of the proposed development and the applicable zoning noted above, a Zoning By-law Amendment is required to facilitate the proposal. The purpose of this amendment is to rezone the lands from the High Density Multiple Dwelling “E3/S-601a” District, Modified, to a site specific High Density Multiple Dwellings “E3/S-__” District, Modified in Zoning By-law 6593. Additionally, the proposed Zoning By-law Amendment will provide the necessary site specific zoning provisions to facilitate the proposed 14-storey multiple dwelling, containing 216 dwelling units. A copy of the draft Zoning By-law Amendment can be found within Appendix B of this report.

which are adequately considered in the Tree Protection Plan prepared by Whitehouse Urban Design.

- 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 proposed development will not adversely impact matters of cultural heritage or archaeological significance as no cultural heritage resources were identified on site by City staff.

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

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

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

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

- g) The minimization of waste;

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

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

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

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

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

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

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

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

Planning Comment: The proposed development provides a range of dwelling types including 216 multiple dwelling units ranging from 1-bedroom units to 2-bedroom units as illustrated in the Concept Plan contained in Appendix A. The proposed units will contribute to the overall housing stock in the City.

- k) The adequate provision of employment opportunities;

Planning Comment: N/A

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

Planning Comment: The proposed development supports long-term economic prosperity of the Province by adding to the overall housing supply to contribute to a diverse workforce. Conditions of approval

for parkland dedication, development charges and cost sharing also protect the financial and economic well being of the Province and City. Once developed, the lands will contribute significantly more to the municipal tax base than the current underutilized parcel.

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

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

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

Planning Comment: N/A

- o) The protection of public health and safety;

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

- p) The appropriate location of growth and development;

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

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

Planning Comment: The proposed development has frontage on the existing road network of the surrounding neighbourhood, which is on an HSR public transit route and provides routes which are walkable and support active transportation. The plan promotes connectivity within the design and supports active transportation modes through the provision of 18 bicycle parking spaces.

- r) The promotion of built form that,
 - i. is well-designed,
 - ii. encourages a sense of place, and
 - iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

Planning Comment: The proposed development offers a well-designed, attractive pedestrian environment with access to private terraces. The overall design of the massing and façade is aesthetically pleasing and will aid in enhancing the streetscape of the area.

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

Planning Comment: Multi-unit dwellings have been shown to require less energy and water per resident, making them an integral part of the solution to address climate change. This will help to mitigate greenhouse gas emissions that will be produced and reduce the overall carbon footprint of the proposed development. Further, this form of intensification maximizes municipal resources and assists in limiting the need for further expansion of the urban boundary; minimizing the need for greenfield 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). The proposed Zoning By-law utilizes appropriate development standards that will facilitate intensification and a compact built form (Policy 1.1.3.4). The proposed development additionally aids in providing housing stock to meet housing needs of the region through the provision of 216 additional dwelling units to the area (1.4.3). The proposed built form is aligned with the intent of the Council approved approach to the Growth Related Integrated

Development Strategy by providing a compact built form within the existing urban boundary. As no cultural heritage resources were identified on site during the Formal Consultation phase, the objectives of Section 2.6 are achieved. As shown on the Tree Protection Plan prepared by Whitehouse Urban Design, and the lack of natural heritage resources identified by City staff during Formal Consultation, Section 2.1 is satisfied by the proposed development. The Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates and Transportation Demand Management Options Report and Parking Study prepared by NexTrans confirm the proposed development can be adequately serviced and accommodated by the existing transportation network and municipal servicing infrastructure (Section 1.6).

This proposal is consistent with the Provincial Policy Statement.

Places to Grow – Growth Plan for the Greater Golden Horseshoe

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

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

This proposal supports the achievement of complete communities and higher densities to more efficiently utilize both land and infrastructure (2.2.1) while supporting public transit and active transportation, in line with the stated policies on climate change (4.2.10). The proposed development aids the municipality in achieving the intensification target of at least 50% of growth to be accommodated within the delineated built-up area (2.2.2). The proposed built form supports the creation of complete communities through the provision of a range of housing forms and a mix of residential densities (2.2.6). The proposed development can be adequately accommodated by municipal servicing infrastructure as confirmed by the Functional Servicing and Stormwater Management Report prepared by S. Llewellyn & Associates (3.2). As no natural heritage features or linkages were identified by the City of Hamilton during Formal Consultation, the proposal does not contain adverse impacts from a natural heritage perspective (4.2.2). Further, the development proposal does not present any adverse impacts to cultural heritage resources as no cultural heritage resources were identified on site by City of Hamilton staff during the Formal Consultation process (4.2.7).

Further, the proposal provides a mix of housing options and densities including 216 dwelling units to meet the projected needs of current and future residents (2.2.6.a.i).

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

Further to the policy analysis captured in Section 4 of the Planning Justification Report, the following is an analysis of the policy framework related to the updated Concept Plan and necessity for an Zoning By-law Amendment submission.

Urban Hamilton Official Plan

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

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

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

"B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:

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

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

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

Planning Comment: The proposed development has been designed to be compatible with the existing character and function of the neighbourhood. The development has been designed to respect the character, scale, and appearance of the surrounding area which is characterized by a varied range of densities and built forms inclusive of ground related dwellings and high rise apartments. The proposal enhances the character of the area by further optimizing an under-utilized parcel to increase the housing stock in the City. It builds upon the established patterns and built forms by transitioning height from the proposed multiple dwelling along the south property line to the ground-related built form near the site to the west through implementation of appropriate step backs and setbacks. These setbacks and step backs are directly informed by the regulations within the Downtown Hamilton Tall Buildings Design Guidelines and the general provisions for Downtown zones in Zoning By-law 05-200. Further, the proposed site design ensures the multiple dwelling is appropriately positioned on site in relation to the existing ground-related dwellings to the south and east of the site. 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 and two-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 Whitehouse Urban Design demonstrates that the design of the proposed multiple dwelling on the southern portion of the site include step backs on the fourth, and sixth floors of the building along the western face of the structure which abuts low-rise dwellings, to mitigate the impacts on the properties to the west.

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

Planning Comment: The Neighbourhoods designation is exemplified in the proposed development. This designation is intended to consist primarily of residential areas and complementary facilities containing a range of housing opportunities. The designation shall allow for opportunity for a full range of housing forms, types and tenures. The proposal fulfills the intent of this designation as it will contribute to the provision of a range of housing forms while improving the affordable housing stock with 216 additional dwelling units and is located in close proximity to existing public transit routes.

- f) infrastructure and transportation capacity; and

Planning Comment: Infrastructure and transportation impacts have been reviewed and assessed via the Parking Study, Transportation Demand Management Options Report & 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 Zoning By-law amendment is consistent with the Provincial Policy Statement and conform to the Growth Plan as the development proposal represents an appropriate form of intensification in an existing built-up area. The proposed site-specific Zoning By-law supports the intent, goals and objectives of the Neighbourhoods designation of the UHOP. Finally, the proposed amending Zoning By-law includes appropriate regulations and implements

the general intent of the UHOP and City of Hamilton Zoning By-law No. 6593.

Section B.2.4.2 of the UHOP speaks to residential intensification in the Neighbourhoods Designation.

“B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

- a) the matters listed in Policy B.2.4.1.4;
- b) compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic and other nuisance effects;
- c) the relationship of the proposed building(s) with the height, massing and scale of nearby residential buildings;
- d) the consideration of transitions in height and density to adjacent residential buildings;
- e) the relationship of the proposed lot(s) with the lot pattern and configuration of the neighbourhood;
- f) the provision of amenity space and the relationship to existing patterns of private and public amenity space;
- g) the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;
- h) the ability to complement the existing functions of the neighbourhood;
- i) the conservation of cultural heritage resources; and,
- j) infrastructure and transportation capacity and impacts.

Planning Comment – The proposed development ensures the matters listed in Section B.2.4.2.2 are appropriately considered and addressed. The development proposal abuts 11-storey, 9-storey and 21-storey multiple dwellings and is located in an area characterized by high density dwelling forms, as such, the proposed massing is in keeping with the height and massing of the neighbourhood. Adequate transition has been implemented through setback and step back requirements built into the amending by-law to ensure matters of overlook and shadowing are minimized. Additionally, the proposed massing complements the existing streetscape patterns and functions of the neighbourhood. The Functional Servicing Report prepared by S. Llewellyn & Associates and the Transportation Impact Study prepared by NexTrans Consulting confirm that the infrastructure and transportation networks contain adequate capacity to accommodate the proposed development. Further, as no cultural heritage resources were identified on site by City staff, the development proposal contains no adverse impacts of that nature.

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 the municipal sidewalks along Forest Avenue and Catherine Street South. The subject property is approximately +/- 200.0 metres away east from John Street South, where HSR transit stops for Routes 20, 21, 22, 23, 24, 25, 26, 27, 33 & 35 are located at the southeast corner of the John Street South and Young Street. 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 18 bicycle parking spaces which will provide the residents with active transportation options to and from the development.

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

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 parking for the concept of the proposed development is sheltered from the street - located internal to the site and minimized through the inclusion of extensive underground parking to ensure the built form maintains an aesthetically pleasing and comfortable pedestrian environment throughout the site. Additionally, the dwellings to the east of the subject lands are buffered by an approximate 9.5 metre setback from the property line.

Similarly, the low-rise dwellings to the north of the site are buffered by an approximate 17.0 metre setback from the proposed multiple dwelling, 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, Forest Avenue and Catherine Street South are identified as a local roads.

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

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

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

- a) New development on large sites shall support a grid system of streets of pedestrian scale, short blocks, street oriented structures, and a safe and attractive public realm.
- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alleyway) shall be minimized;
- c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided;

- d) Development shall improve existing landscape features and overall landscape character of the surrounding area.
- e) Development shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.”

Section E.3.6 of the UHOP provides policies on High Density Residential areas noting that these are characterized by multiple dwelling built forms on the periphery of neighbourhoods in proximity to major or minor arterial roads. Section E.3.6.7 encourages development in areas dominated by high density residential uses to be designed to achieve height, massing, and arrangement of buildings that is compatible with existing and future uses in the surrounding area.

Planning Comment – The proposed development features pedestrian connections from the multiple dwelling to municipal sidewalks. Landscaping will be secured at the Site Plan stage and will serve to provide an attractive public realm enhancing the existing landscape character of the area, ensuring visual connectivity to the adjacent built form and natural features. Given the proximity of the site to the Hamilton GO Station, HSR transit routes on John Street South and Main Street, it is appropriate for the site to accommodate a density which exceeds the 200 units per hectare maximum prescribed by the UHOP.

A total of 213 parking spaces allocated to residents and visitors will be located within the underground parking structure as shown in the Concept Plan in Appendix A. Surface parking will be screened from view from Forest Avenue and Catherine Street South, with a majority of parking contained in an underground parking garage. The proposed parking locations allow convenient access to and from the dwelling units and does not dominate the streetscape.

As demonstrated in the Urban Design Brief submitted in support of this application, the 14-storey multiple dwelling will provide a mix of dwelling unit types, deemed to be context-sensitive to the existing neighbourhood streetscape. The proposed development provides cohesiveness with the surrounding community through the implementation of transitional heights and thoughtfully integrated pedestrian connections to public roads and sidewalks. The location of the proposed building along Forest Avenue

ensures the density of the development is appropriate and able to be accommodating by the existing context.

The scale and form of this proposal is regulated by the amending by-law to ensure an appropriate relationship is established between the proposed development and the existing 1 and 2-storey buildings nearby. The transition in height with the proposed 14-storey multiple dwelling abutting the existing 1 and 2-storey structures is enhanced through the use of step backs to the taller components of the structure. Further, the scale and massing of the development is comparable to the surrounding built form which is comprised of 1 to 2-storey structures along the western lot line, a 9-storey multiple dwelling to the east, 21-storey multiple dwelling to the south and 4-storey residential buildings to the north. The scale of the proposed multiple dwelling is compatible with the surroundings lands and existing lot fabric. The proposed development has been designed and situated in a visually compatible manner with the existing developed lands.

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

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

Planning Comment – To facilitate this development proposal the Functional Servicing Report outlines how the grading plan intends to minimize negative effects to the existing topography. There are no significant trees on the subject lands and no identified views or vistas applicable to these lands or the surrounding area. As the portion of the site that is set to be developed is currently vacant and barren of significant vegetation, this proposed residential development will serve to frame the streetscape along Forest Avenue thereby improving the street line and creating an attractive pedestrian environment.

5.2 Regulations

The proposed development requires an amendment to the Former City of Hamilton Zoning By-law No. 6593. The subject lands will be removed from the site specific High Density Multiple Dwellings “E-3/S-601a” District, Modified, and placed in a new site-specific High Density Multiple Dwellings “E-3/S-___” District, Modified in Zoning By-law No. 6593. A variety of site-specific regulations have been included in the draft amending by-law to permit the alterations to the proposed development. The following provides an analysis of the proposed zoning regulations.

Height

The Former City of Hamilton Zoning By-law No. 6593 permits a maximum height of 39.0 metres for the “E3” District, when within 30.0 metres of a “DE”, “DE-2”, “DE-3”, “RT-10”, “RT-20”, or “RT-30” District. The amending Zoning By-law seeks to increase the permitted height for the proposed built form with a maximum height of 45.0 metre for a multiple dwelling in the “E3/S-__” District, Modified. These modifications maintain the intent of the UHOP and give consideration to the compatibility in built form with the surrounding neighbourhood context. The proposed height is appropriate given the downtown context of the site and is mitigated by prescribed step backs at the 4th and 6th storeys, as well as corresponding prescribed setbacks.

Density

The proposed development proposes a maximum density of 690 units per hectare which is now permitted as of right based on the recent removal of density caps for the City of Hamilton as per UHOP Amendment No. 167. Given the downtown location of the site and the lack of adverse impacts on adjacent properties generated by the proposed density, the proposal can be considered appropriate. Further, the proposed density can be adequately serviced and accommodated as determined by the Functional Servicing Report prepared by S. Llewellyn & Associates and the provision of parking as well as proximity to public transit.

Setbacks

The minimum setbacks proposed in the amending by-law have been set up to have regard for the surrounding context of the site and the proposed step

backs in the building façades. As such, the amending by-law establishes a minimum rear yard setback of 3.5 metres to a structure 11-storeys in height to recognize the existing multiple dwelling, and a 17.0 metre rear yard setback to a structure 14-storeys in height for the proposed multiple dwelling. Further, a minimum front yard setback of 1.0 metres has been established in the amending by-law. For the side yard interface along Catherine Street South, minimum side yard setbacks of 0.5 metres to the 4-storey portion of the building, 8.0 metre setback to the 6-storey portion of the building, and a 35.0 metre setback to the portion of the structure 14-storeys in height have been included in the amending by-law. A minimum internal side yard setback of 9.5 metres from the east property line to a multiple dwelling is contained in the By-law. These setbacks are required to facilitate the layout and design of the proposed development whilst maximizing the quantity of housing units that the site can accommodate. The proposed massing, inclusive of height and step backs are informed by the Downtown Hamilton Tall Buildings Guidelines. Further, the proposed multiple dwelling is informed by the Downtown Zone General Provisions contained in Zoning By-law 05-200 respecting step backs for structures under 44.0 metres in height through the implementation of step backs from Catherine Street South and the use of materiality to create a podium element along Forest Avenue.

Landscaped Open Space

The proposed by-law seeks to reduce the required landscaped open space from 40% to 15%. The urban infill context of the site warrants a reduction to the landscape open space proposed on the property in order to maximize the housing supply that can be offered to the community. The subject property is within approximately 600 metres or less of Shamrock Park, Carter Park, the Rail Trail Dog Park, the Central Memorial Recreation Centre, Corktown Park, St. Joseph's Park and Woolverton Park. Cumulatively, these parks account for +/- 4.90 hectares of publicly accessible landscape open space that future residents can utilize for active and passive recreation purposes. The reduction in landscaped open space is additionally offset through the outdoor and indoor amenity areas being provided totaling approximately 1,230.0 square metres, in addition to the rooftop terraces and balconies included as part of the proposed development. Further, when evaluating the proposed landscape open space provided on site against the amenity requirements established within Zoning By-law 05-200, the proposed landscape open space conforms to the requirements of both the Downtown Residential (D5) Zone and Mixed Use Medium Density (C5) Zone.

Parking & Loading Spaces

The proposed development conforms to the parking requirements established in the existing Zoning By-law. As the proposal is offering a total of 216 units in addition to the existing 92 units on the property, accommodated by 213 parking spaces, the proposed parking ratio is 0.6 spaces/unit, inclusive of visitor parking. This parking ratio can be considered appropriate for the site given its close proximity to the transit and cycling networks within the downtown core. The site is located +/- 100.0 metres east of the HSR Route 22, 23, 24, 25, 26 and 27 HSR transit stop located on John Street South. Further, the subject lands are 450.0 metres southeast of the Hamilton GO Centre. As such, the proposed quantity of parking stalls can be considered appropriate to accommodate the proposal.

Appendix B of the previously completed Planning Justification Report, containing the draft Zoning By-law, can be disregarded in its entirety and replaced with the draft Zoning By-law Amendment captured in Appendix B of the Addendum.

6. Conclusion

Representative Holdings Inc. is the owner of 117 Forest Avenue & 175 Catherine Street South 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 a Zoning By-law Amendment is required in addition to Site Plan Control and Draft Plan of Condominium applications that are to be submitted subsequent to the approval of the Zoning By-law Amendment.

This Addendum and corresponding Report provide 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 Zoning By-law amendment is consistent with the Provincial Policy Statement 2020;
- The proposed Zoning By-law amendment conforms to the Growth Plan as this development proposal represents an appropriate form of development in a built-up area; and,

- The proposed site-specific Zoning By-law supports the intent, goals and objectives of the Urban Hamilton Official Plan.

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

Respectfully submitted this 22nd day of December, 2022.

Regards,

UrbanSolutions Planning & Land Development Consultants Inc.



Matt Johnston, MCIP, RPP
Principal



Scott Beedie, MCIP, RPP
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.

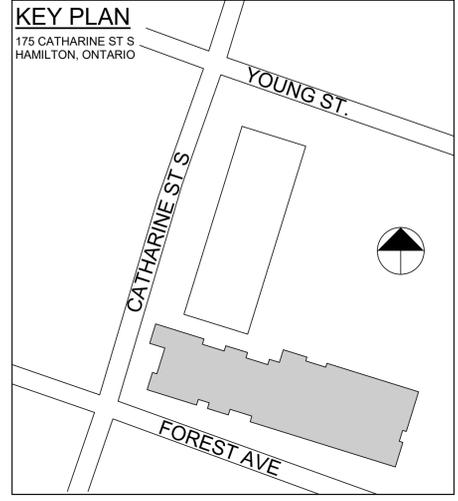
This report has been prepared based on a review of the subject application and cannot be used for any other purpose.

Appendix A

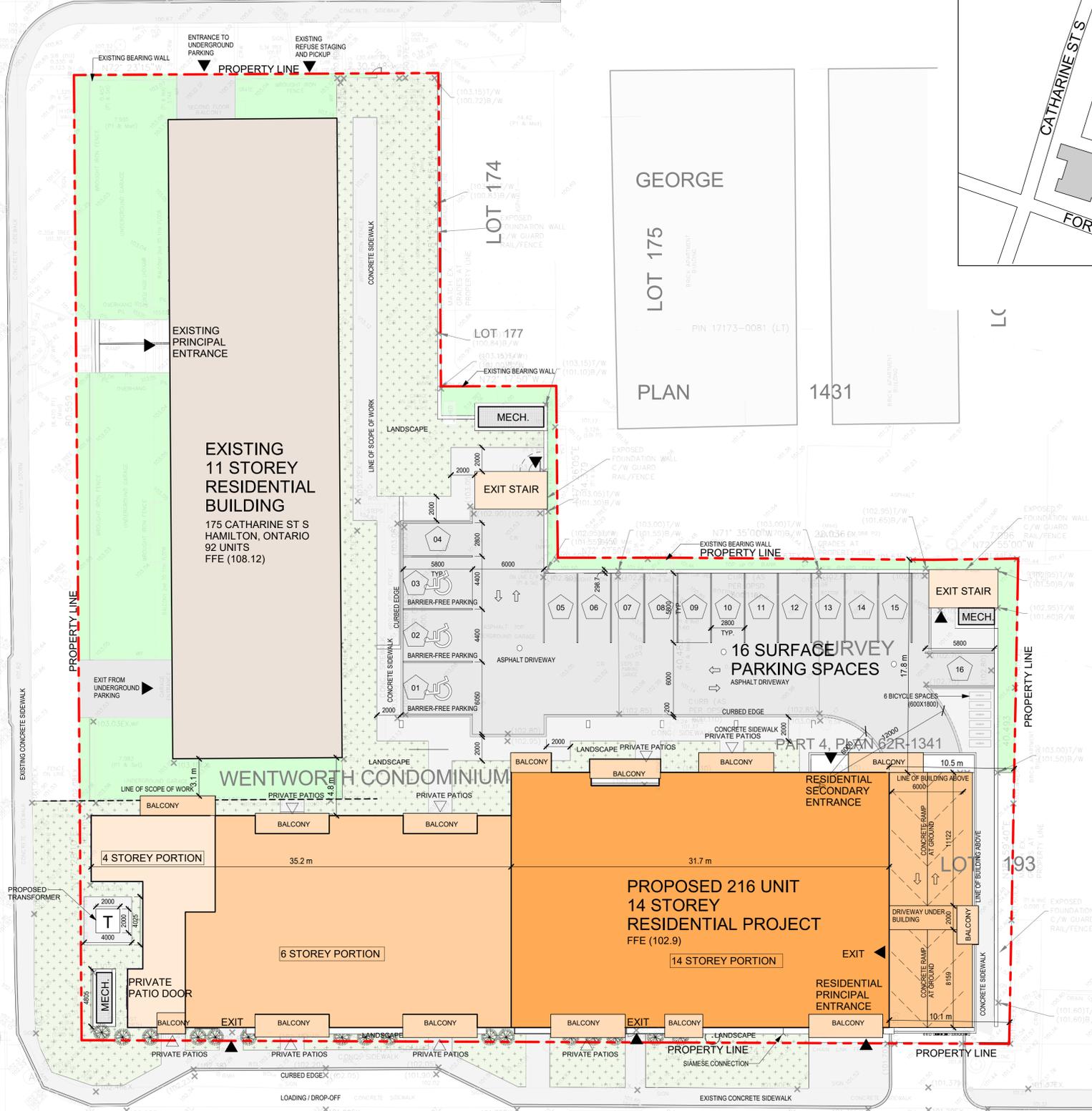
Revised Concept Plan

YOUNG STREET

SURVEY INFORMATION
TAKEN FROM DRAWINGS
PREPARED BY A.T.
MCLAREN LIMITED ON
AUGUST 10TH, 2021



CATHARINE STREET SOUTH



PARKING SUMMARY		
PARKING REQUIRED	RATIO	SPACES
RESIDENTIAL		
NEW BUILDING - 216 UNIT	0.62	130
EXISTING BUILDING - 92 UNIT	0.62	58
BARRIER-FREE		3
VISITOR	INCLUDED	
TOTAL REQUIRED		191
PARKING PROVIDED		
RESIDENTIAL		
NEW BUILDING - 216 UNIT		157
EXISTING BUILDING - 92 UNIT		29
BARRIER-FREE		3
VISITOR	INCLUDED	
TOTAL PROVIDED		189
SMALL PARKING		20
GRAND TOTAL PROVIDED		209

UNITS BREAKDOWN			
Level	1 BED UNITS	2 BED UNITS	TOTAL UNITS
1st FLOOR	11	3	14
2nd FLOOR	20	2	22
3rd FLOOR	20	2	22
4th FLOOR	20	2	22
5th FLOOR	19	1	20
6th FLOOR	19	1	20
7th FLOOR	11	1	12
8th FLOOR	11	1	12
9th FLOOR	11	1	12
10th FLOOR	11	1	12
11th FLOOR	11	1	12
12th FLOOR	11	1	12
13th FLOOR	11	1	12
14th FLOOR	11	1	12
TOTAL UNITS	197	19	216

2 SITE PLAN
SP1.01 1:200

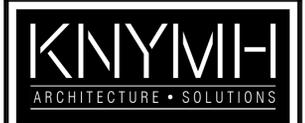
CONTRACTOR MUST CHECK AND VERIFY ALL DIMENSIONS AND JOB CONDITIONS BEFORE PROCEEDING WITH WORK.
ALL DRAWINGS MAY BE SUBJECT TO CHANGE DUE TO COMMENTS FROM MUNICIPAL DEPARTMENTS AND OTHER AGENCIES WITH AUTHORITY.
ALL DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECTS AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.
THE CONTRACTOR WORKING FROM DRAWINGS NOT SPECIFICALLY MARKED FOR CONSTRUCTION MUST ASSUME FULL RESPONSIBILITY AND BEAR COSTS FOR ANY CORRECTIONS OR DAMAGES RESULTING FROM HIS OR HER WORK.

KEY TO DETAIL LOCATION
No. DETAIL NUMBER
No. DRAWING SHEET NUMBER

DRAWING SETS ISSUED	No.	DATE (DD.MM.YY)	BY
ISSUED FOR SPA	1.	23.04.19	KNYMH
ISSUED FOR SPA	2.	10.05.21	KNYMH
SPA COMMENTS	3.	10.08.21	KNYMH
ISSUED FOR BP APPROVAL	4.	29.07.22	KNYMH

ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED.
REVISIONS TO THIS DRAWING
NOT FOR CONSTRUCTION

BUILDING PERMIT NUMBER:



KNYMH INC.
1006 SKYVIEW DRIVE • SUITE 101
BURLINGTON, ONTARIO • L7P 0V1
T 905.639.6595
F 905.639.0394
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BROCKTON APARTMENTS
175 Catharine St S
Hamilton, Ontario

DRAWING SHEET TITLE:
SITE PLAN

DRAWING SCALE:
As indicated

PROJECT NUMBER:
21039

DRAWN BY: MR
CHECKED BY: PM
DRAWING SHEET NUMBER:
SP1.01

PLOT DATE:
2021-08-05

Appendix B

Draft Zoning By-law

CITY OF HAMILTON

BY-LAW NO. - ____

To Amend Zoning By-law No. 6593, Respecting Lands Located at 117 Forest Avenue and 175 Catherine Street South, in the City of Hamilton

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

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

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

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

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

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon final approval of Official Plan Amendment No. _____, approved by the Minister under the Planning Act on March 16, 2011;

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

1. That Map No. ____ of Schedule “A” – Zoning Maps, to Zoning By-law No. 6593 is hereby further amended as follows:
 - (a) By rezoning the lands and boundaries of which are shown on Block No. 1 on Schedule “A” from “E-3/S-601a” (High Density Multiple Dwellings) District, Modified to the “E-3/S-____” (High Density Multiple Dwellings) District, Modified.
2. That Section 19B – Special Requirements of Zoning By-law No. 6593 is hereby further amended as follows:
 - 2.1 That the “E3” regulations as contained in Section 11C of Zoning By-law No. 6593, applicable to the lands known municipally as 117 Forest Avenue and 175 Catharine Street are further modified to include the following special requirements for the lands zoned “E-3/S-____” (High Density Multiple Dwellings) District, Modified:

(a) Notwithstanding Subsections 11C(1a), (2), (4) and (5) of Zoning By-law No. 6593, the following provisions shall apply to multiple dwellings:

- i. For the purposes of this By-law, Forest Avenue shall be considered the front lot line;
- ii. The maximum permitted height of a structure shall be 45.0 metres;
- iii. The minimum permitted front yard depth shall be 1.0 metres;
- iv. The minimum permitted flankage side yard depth to a building 4-storeys in height shall be 0.5 metres;
- v. The minimum permitted flankage side yard depth to a building 6-storeys in height shall be 8.0 metres;
- vi. The minimum permitted flankage side yard depth to a building 14-storeys in height shall be 35.0 metres;
- vii. The minimum permitted internal side yard depth shall be 3.0 metres;
- viii. The minimum permitted rear yard depth to a building 11-storeys in height shall be 3.5 metres;
- ix. The minimum permitted rear yard depth to a building 14-storeys in height shall be 17.0 metres;
- x. The permitted gross floor area shall not be greater than the lot area multiplied by a floor area ratio factor of 3.10
- xi. The minimum permitted landscaped area shall be 15% of the total lot area

(b) Notwithstanding Subsections 18(A) (1)(a) & (b) of Zoning By-law No. 6593, the following provisions shall apply to the lands zoned E-3/S-___:

- i. Parking spaces shall be a minimum of 2.8 metres in width and 5.8 metres in length;
- ii. The minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only;
- iii. The minimum parking ratio required for multiple dwellings shall be 0.65 spaces per unit and shall be inclusive of visitor parking.

3. The By-law No. 6593 is amended by adding this by-law to Section__ as Schedule "A";

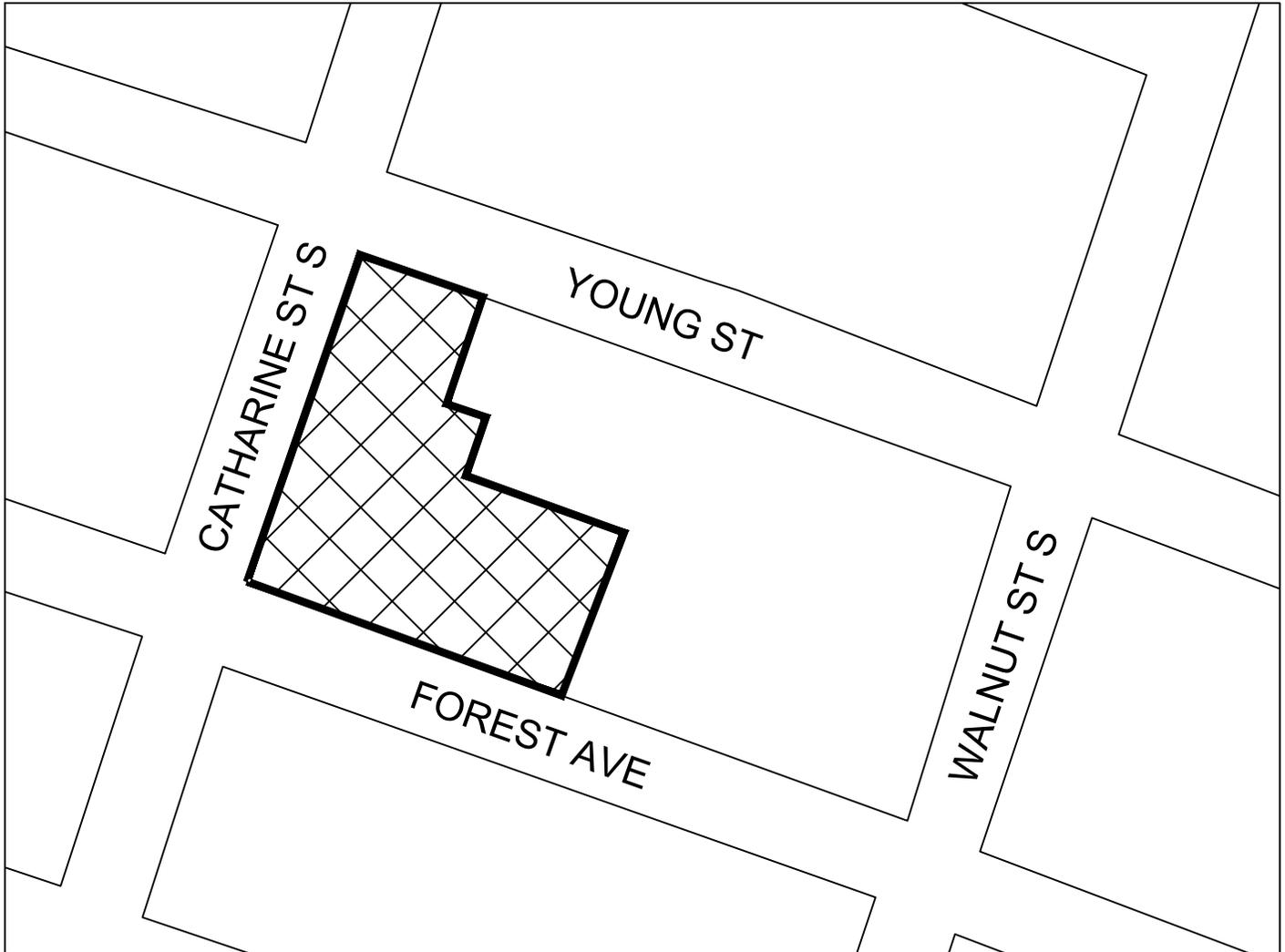
4. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

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. 22_____

to Amend By-law No. 6593

Subject Property

117 Forest Avenue and 175 Catharine Street South, Hamilton



Block 1 - Change in zoning from "E-3/S-601a" (High Density Multiple Dwellings) District, Modified to "E-3/S-____" (High Density Multiple Dwellings) District, Modified.

Scale:
N.T.S

File Name/Number:

Date:

Planner/Technician:

PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT