



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
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May 14, 2026

FILE: ZCR-26-049-02
ATTENTION OF: Ashley Hladish
TELEPHONE NO: (905) 546-2424
EXTENSION: 1056

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c/o Matt Johnston
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L8L 0C8

Attention:

Re: Zoning District: TOC1, H31, 703 (Transit Oriented Corridor Mixed Use Medium Density) Zone
P5, 703 (Conservation/Hazard Land) Zone
Zoning By-law: Hamilton Zoning By-law 05-200
File Number: ZCR-26-049-02
Address: 925 Main Street West & 150 Longwood Road South, Hamilton

A Zoning Compliance Review in Support of a Zoning By-law Amendment has been completed, and the following comments are provided:

COMMENTS:

1. The applicant is proposing to construct a Mixed-Use building which will consist of one (1) 26-storey tower and one (1) 29-storey tower connected by a 6-storey podium with four levels of underground parking. A total of 635 dwelling units and 319.5m² of Commercial space are proposed along with 631m² on indoor amenity space, 16,612m² outdoor amenity space, and 627m² rooftop amenity area. A total of 445 parking spaces, 25 accessible spaces, 66 short-term bicycle parking spaces and 446 long-term bicycle parking spaces are proposed to serve the development.
2. The subject property is currently zoned TOC1, H30, 703 pursuant to Hamilton Zoning By-law 05-200, which permits the proposed use of a Dwelling Unit, Mixed Use as well as a Multiple Dwelling.
3. Please be advised that Holding Provision 31 applies to this property:

Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone on Map No. 949 of Schedule "A" – Zoning Maps, and described as 925 Main Street West and 150 Longwood Road South, development shall not proceed until:

(a) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP) for 925 Main Street West. This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton's current RSC administration fee.

(b) The Owner acquires the lands at 150 Longwood Road South required to implement the proposed development and merges the lands on title with 925 Main Street West, to the satisfaction of the Director of Planning and Chief Planner.

4. Special Exception 703 applies to this property. In accordance with the applicable Special Exception, Main Street West is deemed to be the Front Lot Line for the proposed development.
5. The proposed development was initially reviewed against the standards of the former Section 5 – Parking Regulations prior to the passing of 24-052. Following discussions on April 13, 2026, the applicant has requested that the development be reviewed against the new Section 5 – Parking Regulations brought into effect by by-law 24-052. And the following comments are provided as such.
6. Please be advised that a portion of this property is within an area regulated by Hamilton Conservation Authority.
7. The P5 zone boundary was not indicated on the submitted materials, it is unclear whether the required setback has been provided. Additionally, the following items including the Underground Parking Facility itself, may be located partially within the P5 zone:
 - Exhaust Shaft
 - SwitchGear
 - Elec Transformer
 - Stair G access to the underground parking facility
 - Loading Facilities
 - Ramp providing access to the underground parking facilities
 - Waste Staging Area(s)
8. A Corridor Development Permit is required from Metrolinx to construct any buildings, structure, road, utility infrastructure, or to conduct any excavation, dewatering or other Prescribed Work pursuant to the Building Transit Faster Act and its Regulation
9. The following comments are provided for the proposed 'TOC1, H31, 703, XXX' zone and are for reference purposes only. Until such time that a successful application for a rezoning has been completed, the existing zoning shall be applicable.

10. The proposed development has been reviewed and compared to the standards of the proposed **TOC1, H31, 703, XXX** zone as indicated in the following chart:

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
Special Exception 703				
<i>Schedule "C" Special Exceptions pursuant to Hamilton Zoning By-law 05-200</i>				
Special Exception 703 <i>[Schedule "C" Special Exceptions pursuant to Hamilton Zoning By-law 05-200]</i>	a) Notwithstanding Section 3: Definitions, Main Street West shall be deemed the Front Lot Line.	<i>No Modification Required</i>	Main Street West is the front lot line for the proposed development	Conforming
	b) Notwithstanding Section 4.23 d), all building and structures located on a property shall be setback a minimum of 3.0 metres from a (P5) Zone boundary, except below grade which shall be setback a minimum of 0.0 metres from the (P5) Zone boundary.	<i>No Modification Required</i>	Setback provided to the abutting P5 zone boundary was not indicated on the submitted materials.	Insufficient Information has been provided
	c) Notwithstanding Section 5.2 b) iii), where a wall or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres; except for where a column is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.1 metres.	<i>No Modification Required</i>	It is unclear whether this provision has been applied	Insufficient Information has been provided

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	d) Notwithstanding Section 5.6 c) i. and 5.7 c) i. and e), the following shall apply: <u>Lodging House</u> A) 1 parking space for each 8.3 persons accommodated or designed for accommodation. B) A minimum of 5 short-term spaces shall be provided. C) A minimum of 0.5 long term bicycle parking spaces per unit shall be provided.	<i>No Modification Required</i>	A) Lodging House not proposed B) 66 short term spaces proposed C) 446 long term spaces proposed	NA
	e) In addition to Subsection 7.5.1, the following use shall also be permitted: Recreation	<i>No Modification Required</i>	Specific recreational use has not been indicated.	Insufficient Information has been provided
	f) Notwithstanding Subsection 11.1.3 a) i) and ii), c), d) ii) and iii), and g) iii) and v), the following special provisions shall apply:			
	i) Minimum Building Setback from Main Street West <i>21.45 metres 7th floor</i> A) 0.0 metres for any portion of a building up to 22.0 metres in height, including to the hypotenuse of the daylight triangle. B) 6.1 metres for any portion of a building greater than 22.0 metres in height.	<i>No Modification Required</i>	A) 6.1 metres to Building Façade 3.1 metres to balcony face B) greater than 6.1 metres provided for the portion of the building exceeding 22.0 metres in height	Conforming
	ii) Minimum Building Setback from Longwood	<i>No Modification Required</i>	A) 5.01 metres provided to the 5 th floor podium	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	Road <i>21.45 metres 7th floor</i> A) 0.0 metres for any portion of a building up to 22.0 metres in height, including to the hypotenuse of the daylight triangle. B) 15.0 metres for any portion of a building greater than 22.0 metres in height, except 8.8 metres to the hypotenuse of the daylight triangle.		B) 16.66 metres provided to Tower A façade abutting longwood, setback to the hypotenuse was not indicated. However, it appears that this setback exceeds the minimum 8.8 metres required.	
	iii) Minimum Interior Side Yard A) 0.9 metres for any portion of a building up to 22.0 metres in height when abutting a Residential Zone. B) 4.0 metres for any portion of a building greater than 22.0 metres in height when abutting a Residential Zone.	<i>Minimum Interior Side Yard: 3.0 metres for any portion of a building greater than 22.0 metres in height when abutting a Residential Zone.</i>	<i>Property abuts the E/S-1361 - Multiple Dwellings, Lodges, Clubs, Etc. Zone pursuant to Hamilton Zoning By-law 6593.</i> A) 3.12 metres provided. B) 3.12 metres provided.	Conforms as Amended
	iv) Building Height A) Maximum 22.0 metres for the podium; B) Maximum 56.0 metres for "Tower A" as shown on Figure 21 of Schedule F - Special Figures. C) Maximum 62.0 metres for "Tower B" as shown on Figure 21 of Schedule F - Special Figures is 62.0 metres.	<i>Building Height: Maximum 95 metres (29 storeys)</i>	A) 6 Storey (21.45 metres) podium B) 93.0 metres (29 Storeys) Tower A C) 83.4 metres (26 Storeys)	Conforms as Amended

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	v) Built Form for New Development A) Maximum of two 6.0 metre wide driveways shall be permitted for ingress and egress. B) For a corner lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 50% of the measurement of the front lot line abutting the street, and the minimum width of the ground floor façade facing the flankage lot line shall be greater than or equal to 25% of the measurement of the flankage lot line abutting the street. <u>Front Lot Line:</u> 111.1 metres (55.55m = 50%) <u>Façade:</u> 4.9+20.6+4.3+4.6+20.3+4.9+2.4+9.6 =71.6m <u>Flankage Lot Line:</u> 15.37 metres (3.8m = 25%) <u>Façade:</u> =25.1m	No Modification Required	A) One (1) 6.0 metre access driveway proposed. B) Façade abutting Main Street exceeds 50% (71.6m), Façade abutting Longwood exceeds 25% (25.1m).	Conforming
TOC1, 753, H31, XXX (Transit Oriented Corridor Mixed Use Medium Density) Zone Section 11.1 and Schedule "C" Special Exceptions pursuant to Hamilton Zoning By-law 05-200				
Restriction of Uses within a Building [as per section 11.1.1.1(i) of Hamilton Zoning By-law 05-200]	1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9m above grade; and	No Modification Required	No dwelling units proposed less than 0.9 metres above grade.	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	2. Notwithstanding Subsection 11.1.1.1(i)1. above, one dwelling unit(s) shall be permitted in a basement or cellar.			
Building Setback from a Street Line [as per section 11.1.3(a) of Hamilton Zoning By-law 05-200]	i) Minimum 3.0 metres for a building with residential units on the ground floor facing a street,	Not Applicable <i>As per Special Exception 703</i>		
	ii) Maximum 4.5 metres, except where a visibility triangle is required for a driveway access. iii) Notwithstanding Section i) above, a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage. iv) Section i) above, shall not apply for any portion of a building that exceeds the requirement established in Section 11.1.3 g) ii) and iii) below.			
Minimum Rear Yard [as per section 11.1.3(b) of Hamilton Zoning By-law 05-200]	7.5 metres;	<i>No Modification Required</i>	Significantly greater than 7.5 meters.	Conforming
Minimum Interior Side Yard [as per section 11.1.3(c) of Hamilton Zoning By-law 05-200]	i) 7.5 metres abutting a Single Detached Dwelling, Semi-Detached Dwelling and Street Townhouse.	Not Applicable <i>As per Special Exception 703</i>		
Building Height [as per section	i) Minimum 11.0 metres; and,	<i>No Modification Required</i>	greater than 11 meters proposed	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
11.1.3(d) of Hamilton Zoning By-law 05-200]	ii) Maximum 22.0 metres. iii) In addition to Subsection i) and notwithstanding Subsection ii), the minimum building height may be equivalently increased as the yard increases beyond the minimum yard requirement established in Subsection 11.1.3. b) and c), when abutting a Residential or Institutional Zone, to a maximum of 22.0 metres.	Not Applicable <i>As per Special Exception 703</i>		
	iv) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:			
	A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not exceed 10% of the floor area of the storey directly beneath;	<i>No Modification Required</i>	627.29 m² rooftop amenity area proposed at the 7th level. It appears that access is provided via access doorways connecting to Towers A and B.	NA
	B. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly	<i>No Modification Required</i>	The portion of the building designed to provide access to the rooftop amenity area is located greater than 3.0 metres from the exterior walls of the storey directly beneath.	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	beneath; and,			
	C. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.	No Modification Required	It appears that access is provided via access doorways connecting to Towers A and B. Does not appear to be proposed.	NA
Maximum Gross Floor Area for Microbrewery [as per section 11.1.3(e) of Hamilton Zoning By-law 05-200]	700.0 square metres;	Specific Commercial Uses proposed for the Commercial Units have not been indicated at this time. As such, these Uses have not been reviewed for Zoning Compliance.		
Maximum Gross Floor Area for an Office Building [as per section 11.1.3(f) of Hamilton Zoning By-law 05-200]	10,000 square metres;			
Built Form for New Development [as per section 11.1.3(g) of Hamilton Zoning By-law 05-200]	In the case of buildings constructed after the effective date of this By-law excluding any alterations to façade, windows or doors, after the effective date of this by-law:			
	i) Rooftop mechanical equipment shall be located and/or screened from view of any abutting street.	No Modification Required	Mechanical Equipment is located within a Mechanical Penthouse.	Conforming
	ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 75% of the measurement of the front lot line.	No Modification Required	Subject property is a Corner Lot.	NA

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	iii) For a corner lot the minimum combined width of the ground floor façade facing the front lot line and flankage lot line shall be greater than or equal to 50% of the measurement of all lot lines abutting the street.	Not Applicable <i>As per Special Exception 703</i>		
	iv) In addition to Subsection 11.1.3 g) ii) and iii), the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street. <i>Façade abutting Main Street exceeds 50% (71.6m), Façade abutting Longwood exceeds 25% (25.1m).</i>	<i>No Modification Required</i>	Façade widths exclude access driveways and required yards.	Conforming
	v) Notwithstanding ii) and iii) above, a maximum of one driveway with a maximum width of 6.0 metres shall be permitted for ingress and egress.	Not Applicable <i>As per Special Exception 703</i>		
	vi) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line or flankage lot line.	<i>No Modification Required</i>	Not proposed.	NA

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	vii) All principal entrances shall face the street and be accessible from the building façade with direct access from the public sidewalk.	<i>No Modification Required</i>	Principal Entrance faces the streetline. Direct access is provided from the public sidewalk.	Conforming
	viii) Notwithstanding the definition of planting strip, a sidewalk shall be permitted where required by Section vi) above.	<i>No Modification Required</i>	A sidewalk traversing a Planting strip does not appear to be indicated.	Applicant to Note.
	ix) Notwithstanding Subsection 11.1.3, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a Heritage Permit shall be deemed to comply with this Subsection.	<i>No Modification Required</i>	Not a Designated Heritage Property.	NA
Minimum Amenity Area for Dwelling Units and Multiple Dwellings [as per section 11.1.3(h) of Hamilton Zoning By-law 05-200] <i>Indoor Amenity Space:</i> 171.16m ² 62.96m ² 176.31m ² 58.4m ² 50.96m ² 50.96m ² 58.41m ² =629.1m² <i>Rooftop Amenity Space:</i> 627.29m ²	On a lot containing more than 10 dwelling units, the following Minimum Amenity Area requirements shall be provided:			
	i) An area of 4.0 square metres for each dwelling unit less than 50 square metres; <i>115 units * 4.0m² = 460m²</i>	<i>No Modification Required</i>	629.1m ² indoor amenity space provided. Approx. 8,364m ² outdoor amenity space provided. 8,993m ² total provided.	Conforming
	ii) An area of 6.0 square metres for each dwelling unit more than 50 square metres; <i>520 units * 6.0 = 3,120m²</i>	<i>No Modification Required</i>	629.1m ² indoor amenity space provided. Approx 8,364m ² outdoor amenity space provided. 8,993m ² total provided.	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	iii) In addition to the definition of Amenity Area, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air and may include balconies and patios; and,	<i>No Modification Required</i>	Outdoor Amenity spaces are unobstructed, above grade/at surface.	Conforming
	iv) In addition to the definition of Amenity Area, the required Amenity Area shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with any commercial component.	<i>No Modification Required</i>	Indoor Amenity Areas appear to be provided exclusively to the residential component.	Conforming
Visual Barrier [as per section 11.1.3(i) of Hamilton Zoning By-law 05-200] <i>Property abuts the E/S-1361 - Multiple Dwellings, Lodges, Clubs, Etc. Zone pursuant to Hamilton Zoning By-law 6593.</i>	i) A visual barrier shall be required along any lot line abutting a Downtown D5 Zone, Institutional Zone or Residential Zone in accordance with the requirements of Section 4.19 of this Bylaw. ii) Notwithstanding i) above, no visual barrier(s) shall be permitted between the building façade and the street.	<i>No Modification Required</i>	Visual Barrier not indicated on the submitted materials.	Insufficient Information has been Provided
Outdoor Storage [as per section 11.1.3(j) of Hamilton Zoning By-law 05-200]	i) No outdoor storage of goods, materials, or equipment shall be permitted. ii) Notwithstanding Section i) above, the display of	<i>No Modification Required</i>	Not Proposed.	NA

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	goods or materials for retail purposes accessory to a retail use shall only be permitted in a front yard or flankage yard.			
P5, 703, XXX (Conservation/Hazard Land) Zone <i>Section 7.5 and Schedule "C" Special Exceptions pursuant to Hamilton Zoning By-law 05-200</i>				
Permitted Uses [as per section 7.5.1 of Hamilton Zoning By-law 05-200]	Conservation Flood and Erosion Control Facilities Recreation, Passive Recreation	<i>No Modification Required</i>	Specific details regarding the recreational use has not been indicated.	Insufficient Information has been provided
General Provisions <i>Section 4 and Schedule "C" Special Exceptions pursuant to Hamilton Zoning By-law 05-200</i>				
Permitted Yard Encroachments [as per section 4.6 of Hamilton Zoning By-law 05-200]	No part of any required yard shall be obstructed except as follows:			
	a) The usual projections of window sills, chimney breasts, belt courses, cornices, eaves, troughs and other similar architectural features, ductwork, venting and other similar appurtenances may be permitted in any required yard, provided that no such feature shall project more than 0.6 metres into the required yard, or to a maximum of half the distance of the required yard, whichever is the lesser;	<i>No Modification Required</i>	No encroachments appear to be proposed	Conforming
	c) An unenclosed ramp for wheelchair access may encroach into any required yard to no maximum distance;	<i>No Modification Required</i>	No encroachments appear to be proposed	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	d) A porch, deck or canopy may encroach into any required yard to a maximum of 1.5 metres, or to a maximum of half the distance of the required yard, whichever is the lesser;	<i>No Modification Required</i>	No encroachments appear to be proposed	Conforming
	e) A balcony may encroach into any required yard to a maximum of 1.0 metres, except into a required side yard of not more than one-third of its width or 1.0 metres, whichever is the lesser;	<i>No Modification Required</i>	No encroachments appear to be proposed	Conforming
Mechanical and Unitary Equipment [as per section 4.9 of Hamilton Zoning By-law 05-200]	Hot boxes, air conditioners and pumps (including heat pumps and swimming pool pumps) and other similar mechanical equipment shall be located only in accordance with the following regulations:			
	a) Within a required front yard, provided such equipment shall have a minimum setback of 3.0 metres from the street line, a minimum setback of 0.6 metres from a side lot line and is screened from the street by an enclosure or landscaping; and,	<i>No Modification Required</i>	Exhaust Shaft projects into the front yard. Setback to the streetline has not been indicated. Setback to the side lot line is greater than 0.6 metres. Visual Barrier not indicated.	Insufficient Information has been provided
	b) Within a required side yard or required rear yard provided such equipment has a minimum setback of 0.6 metres from the side lot line or rear lot line.	<i>No Modification Required</i>	NA	NA
Visual Barrier [as per section 4.19 of Hamilton Zoning By-law 05-200]	Where this By-law requires a visual barrier to be provided and maintained, such	<i>No Modification Required</i>	Visual Barrier have not been indicated on the submitted materials.	Insufficient Information has been provided

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	barrier shall act as a screen between uses and be constructed to a minimum height of 1.8 metres, and to a maximum height of 2.5 metres where a visual barrier consists of a fence or wall and shall not be located within 3.0 metres of a street line. A visual barrier shall consist of the following: a) A wall, fence; b) A continuous planting of suitable trees or shrubs, together with a reserved width of planting area appropriate for healthy plant growth; c) Earth berms; or, d) Any combination of the above.			
Special Setbacks [as per section 4.23 of	Notwithstanding any other provisions in this By-law, the following Special Setbacks shall apply:			

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
Hamilton Zoning By-law 05-200]	d) Setback from a Conservation/Hazard Land (P5) Zone, Conservation/Hazard Land Rural (P7) Zone and Conservation/Hazard Land Rural (P8) Zone All buildings or structures located on a property shall have a minimum setback of 7.5 metres from a P5, P7 and P8 Zone boundary, which is determined by flood and fill line mapping as prepared by the Conservation Authority having jurisdiction and amended from time to time.	Not Applicable As per Special Exception 703		
Conservation Authority Regulation Area [as per section 4.24 of Hamilton Zoning By-law 05-200]	Lands shown on Schedule “A” – zoning Maps as “CA Regulation Area” are subject to additional regulation by the applicable Conservation Authority. Landowners are advised to contact the appropriate Conservation Authority prior to any development or site alteration within the area subject to the Conservation Authority Regulation in order to determine approval requirement(s). These boundaries are intended for information and reference purposes, and are subject to change from time to time without requiring amendment to this By-law. <i>A portion of this property is subject to Hamilton Conservation Authority</i>			
Section 5 – Parking Supply Requirements and Restrictions Section 5 and Schedule “C” Special Exceptions pursuant to Hamilton Zoning By-law 05-200				
Minimum Number of Required Parking Spaces [as per section 5.1.1 (a) of Hamilton Zoning By-law 05-200]	The minimum number of required parking spaces which must be provided shall be the result of applying: i) The minimum amount in accordance with the Minimum Required Parking Rate Schedule in Section 5.7.1; ii) Any eligible exception in this Section; and, iii) Any eligible deductions in this Section <u><i>Residential Component:</i></u> <u><i>Parking Rate Area 1:</i></u> <i>no parking spaces are required for residents, and,</i> <i>ii) within any other Zone, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit.</i>			

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	<u>Commercial Component (4 Units):</u> <i>Specific details were not provided to determine the number of parking spaces required for the commercial component.</i>			
Rounding Calculations [as per section 5.1.1 (c) of Hamilton Zoning By-law 05-200]	i) Where the application of the parking standards in Section 5.7.1, 5.7.2, 5.7.4, and 5.7.5 results in a numeric fraction, fractions shall be rounded down to the nearest whole number. ii) Where the application of the minimum accessible parking standards in Section 5.7.3 results in a numeric fraction, fractions shall be rounded up to the nearest whole number. iii) Where the calculations in Sections 5.7.1, 5.7.2, 5.7.3, 5.7.4 or 5.7.5 apply to multiple uses, rounding shall only be applied to the sum of the requirements for all uses on the lot.			
Required Parking to be Provided on Same Lot [as per section 5.1.1 (d) of Hamilton Zoning By-law 05-200]	All required parking spaces shall be located on the same lot as the use for which they are required, unless the parking spaces are provided on another lot in compliance with Section 5.6.1.	No Modification Required	Parking provided on the same lot as the Use.	Conforming
Provision of Parking on a Lot Subject to Multiple Zones [as per section 5.1.1 (e) of Hamilton Zoning By-law 05-200]	Where more than one zone applies to a lot, parking spaces provided for any use on the lot may be located within any zone within the boundaries of the lot, except: i) where a portion of a lot is within one of the Open Space and Park Zones, no parking spaces may be located within such portion of the lot except parking spaces required for a permitted use located within such portion.	No Modification Required	The property is subject to Multiple Zones. The P5 Zone Boundary was not provided on the submitted materials. It appears that a portion of the underground parking facilities may be located within the P5, 703 Zone.	Unable to Determine Compliance Applicant to Note: <i>Parking provided for the Mixed Use Building is not permitted to be located within the P5 Zone.</i>
Maximum Permitted Number of Parking [as per section 5.1.2 of Hamilton Zoning By-law 05-200]	<u>a) Maximum Permitted Number of Parking Spaces</u> Where Section 5.7.2 specifies a maximum permitted number of parking spaces, the number of parking spaces located on a lot shall not exceed that number. <u>In PRA 1:</u> <i>1 space per unit, inclusive of resident and visitor parking spaces.</i>			

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	<i>635 Dwelling Units = 635 Maximum permitted parking spaces</i>			
Minimum Required Number of Accessible Parking Spaces [as per section 5.1.3 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Number of Accessible Parking Spaces</u> Accessible parking shall be designated and provided in accordance with the requirements of the Minimum Accessible Parking Rate Schedule in Section 5.7.3.	<i>No Modification Required</i>	25 accessible spaces provided	Conforming
5.2 FUNCTIONAL DESIGN REQUIREMENTS				
Minimum Parking Space Dimensions [as per section 5.2.1 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Parking Space Dimensions</u> Unless permitted by another regulation in this By-law, parking space sizes shall be a minimum of 2.8 metres in width and 5.8 metres in length.	<i>No Modification Required</i>	2.8m x 5.8m typ.	Conforming
	<u>b) Required Increase in Width due to Obstruction</u> Where a wall, column, or any other obstruction is located abutting or within any parking space, the minimum width of a parking space shall be increased by 0.3 metres for each side which is obstructed by a wall, column, or other obstruction;	<i>No Modification Required</i>	Details have not been provided.	Applicant to Note.
	<u>c) Exceptions to Increase in Width due to Obstruction</u> Notwithstanding Subsection 5.2.1 b), an additional 0.3	<i>No Modification Required</i>	Details have not been provided.	Applicant to Note.

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	metres shall not be required provided all of the following conditions are met: i) the maximum length of the wall, column or other obstruction shall not exceed 1.15 metres, measured along the side of the parking space, from the front or rear of the space towards the side's midpoint; ii) the wall, column or other obstruction is located at the front, rear, or both ends of the parking space; and, iii) the wall, column or other obstruction does not project more than 0.15 metres into the width of the parking space.			
	<u>e) Light Standards Not Considered Obstructions</u> Notwithstanding Section 5.2.1 b), light standards, including the base, located at the intersection of four parking spaces shall not be considered as an obstruction.	<i>No Modification Required</i>	Details have not been provided regarding light standards.	Applicant to Note.
	<u>f) Optional Reduction in Minimum Dimensions for Small Car Parking</u> Notwithstanding Subsection 5.2.1 a), where 10 or more parking spaces are provided on a lot,	<i>No Modification Required</i>	24 small car spaces indicated on the site statistics.	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	the minimum parking space size of not more than 10% of such required parking spaces may 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.			
	<u>g) Minimum Parallel Parking Space Dimensions</u> Notwithstanding Subsection 5.2.1 a), each parallel parking space shall have a minimum width of 2.4 metres and a minimum length of 6.7 metres, except that end spaces which have a clear, unobstructed approach, may have a minimum length of 5.5 metres.	<i>No Modification Required</i>	Not proposed	NA
Minimum Accessible Parking Space Dimensions and Minimum Accessibility Aisle Requirements [as per section 5.2.2 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Accessible Parking Space Width and Accessibility Aisle Requirement</u> Each accessible parking space shall have: i) a minimum width of 3.4 metres, notwithstanding Section 5.2.1 a) above and subject to Section 5.2.2 b) below; ii) a minimum length of 5.8 metres; and, iii) a minimum of	<i>No Modification Required</i>	Type 'A' Barrier Free 5.8 metres in length and 4.4m in width inclusive of the accessibility aisle	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	one side must continuously abut an accessibility aisle, provided in accordance with Section 5.2.2 c) and d) below			
	<u>b) Permitted Reduction in Width for Accessible Parking Spaces</u> Where two or more accessible parking spaces are provided, a maximum of 50% of such spaces, rounded up to the nearest whole number in the case of a numeric fraction, may have a reduced minimum width of 2.4 metres.	<i>No Modification Required</i>	Type 'B' Barrier Free 5.8 metres in length and 2.4m in width indicated on the Site Statistics. There appears to be One (1) Type 'B' Barrier Free spaces proposed at grade.	Conforming
	<u>c) Accessibility Aisle Requirements</u> A minimum of one side of each accessible parking space shall continuously abut an unobstructed accessibility aisle which shall: i) have a minimum width of 1.5 metres; ii) have a minimum length which extends the full length of each abutting accessible parking space; and, iii) be clearly identified and marked.	<i>No Modification Required</i>	Accessibility aisles measure 1.5 metres in width, extend the length of the Accessibility parking spaces, are clearly marked and identified.	Conforming
	<u>d) Sharing of Accessibility Aisle</u> A maximum of two accessible parking spaces may abut one accessibility	<i>No Modification Required</i>	Sharing of Accessibility aisle does not appear to be proposed	NA

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	aisle, provided such spaces continuously abut opposite sides of the shared accessibility aisle.			
Drive Aisle Requirements [as per section 5.2.3 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Drive Aisle Width</u> The drive aisle abutting any parking space shall be designed and provided in accordance with the following minimum width requirements		90° @ 6.0m aisle widths appear to be typical within the underground parking structure. Two (2) surface parking spaces have been indicated adjacent to the Loading Area. The drive aisle width abutting these spaces has not been indicated.	Insufficient Information has been provided
	Parking Angle Degree	One-Way and Two-Way Aisle Width		
	0°	3.7m		
	15°	3.7m		
	30°	3.7m		
	45°	4.5m		
	60°	5.5m		
	75°	6.0m		
	90°	6.0m		
	Access Requirements [as per section 5.2.4 of Hamilton Zoning By-law 05-200]	<u>a) Access Design Requirements</u> Access to all parking shall: i) be arranged so as to not interfere with normal public use of the street or laneway; ii) be provided by means of an access driveway: 1. located on the lot; or, 2. located partly on		

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	the lot in the case of a mutual driveway; or, 3. by means of a Right-of-Way; and, iii) in the case of a Parking Lot, provide ingress and egress of vehicles to and from a street in a forward motion only.		egress provided in forward motion only	
	<u>b) Minimum Access Driveway Width</u> The width of any driveway providing access to a parking space shall be a minimum of 2.7 metres	<i>No Modification Required</i>	One (1) 6.0 metre access driveway proposed.	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	c) Tandem and Stacked Parking Restriction and Exceptions All parking spaces shall have adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, except: i) the accessibility to a maximum of one of the parking spaces for a Single Detached Dwelling may be obstructed by another motor vehicle; and, ii) where a parking attendant is on site or a valet service is provided in association with a Commercial Parking Facility or Hotel, parking spaces may	<i>No Modification Required</i>	Tandem not proposed	NA
5.3 LOCATIONAL, LANDSCAPING AND SURFACE MATERIAL REQUIRMENTS				
Locational and Landscaping Requirements for All Uses [as per section 5.3.1 of Hamilton Zoning By-law 05-200]	<u>a) Streetline Setback and Planting Strip Requirement</u> Unless identified as exempt in Section 5.3.1 b), parking spaces and associated drive aisles, excluding driveways extending directly from the street, shall be subject to all of the following:			
	i) Shall not be located within 3.0 metres of a street line;	<i>No Modification Required</i>	Parking is not located within 3.0 metres of the streetline	Conforming
	ii) Shall provide a 3.0 metre wide Planting Strip being required and permanently maintained between the street line and the parking spaces or aisle, except for that portion of a lot line;	<i>No Modification Required</i>	Parking is located within an underground parking structure.	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	iii) Where a Planting Strip is provided, as per 5.3.1 a) ii) above, any architectural wall or feature within the Planting Strip shall be limited to a maximum height of 0.6 metres.	<i>No Modification Required</i>	Not proposed	Applicant to Note.
	<u>c) Multiple Dwelling Front and Flankage Yard Parking Restriction</u> In addition to Section 5.3.1 a), on a lot containing a Multiple Dwelling:			
	i) With the exception of any visitor parking required by Section 5.7.1, required parking for Multiple Dwellings shall not be located between the façade and the front lot line or between the façade and flankage lot line. In no case shall any parking be located within the required front yard or required flankage yard or within 3.0 metres of a street line.	<i>No Modification Required</i>	Not proposed within the required front yard or required flankage yard or within 3.0 metres of a street line.	Conforming
	ii) Visitor parking may be permitted between the façade and a street provided that no more than 50% of the front or flankage yard shall be used for visitor parking and access to such parking	<i>No Modification Required</i>	Not proposed	Applicant to Note.
	<u>d) Landscape Strip and Visual Barrier Requirement for Parking Lots</u> Where a Parking Lot is situated on a lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5), or Downtown (D6) Zone, the following shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown (D5) Zone, or Downtown (D6) Zone:			

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	i) A minimum 1.5 metre wide landscape strip which shall contain a Visual Barrier in accordance with Section 4.19 of this By-law.	<i>No Modification Required</i>	Parking is located within an underground parking structure.	Conforming
	e) <u>Landscaped Area and Landscaped Parking Island Requirements for Surface Parking Lots Containing 50 or More Parking Spaces in All Zones</u>	<i>No Modification Required</i>	five (5) surface parking spaces proposed.	NA
Parking Facility Surface Material Requirements [as per section 5.3.4 of Hamilton Zoning By-law 05-200]	a) <u>Parking Spaces, Driveways and Widening(s) in All Zones</u> Parking spaces, driveways and widening(s) in all zones shall be provided and maintained with stable surfaces such as asphalt, concrete or other hardsurfaced material, crushed stone, permeable pavers or gravel, and shall be maintained in a dust free condition. i) Notwithstanding Section 5.3.4 a), on a lot containing a residential use in a Residential Zone, any parking provided beyond that which is required by Section 5.7.1 of this By-law shall be maintained with permeable material and shall not be deemed landscaped area in the calculation of total landscaped	<i>No Modification Required</i>	Combination of Asphalt and permeable pavers appears to be proposed	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	area on a lot.			
	<u>b) Parking Lots in All Zones, except the Rural Zones</u> Parking Lots in all zones, except the Rural Zones, shall be designed and maintained with stable surfaces such as asphalt, concrete, or other hardsurfaced material, or permeable pavers.	No Modification Required	Stable surfaces proposed	Conforming
5.4 BICYCLE PARKING REQUIREMENTS				
Minimum Bicycle Parking Requirements [as per section 5.4.1 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Number of Required Bicycle Parking Spaces</u> The minimum required number of short-term and long-term bicycle parking spaces which must be provided for each building on a lot in accordance with Section 5.4.2 shall be the result of applying: i) The minimum amount in accordance with the Minimum Bicycle Parking Schedule in Section 5.7.5; and, ii) Any eligible exception in this Section. <i>PRA1 - Multiple Dwelling, and Dwelling Unit, Mixed Use, where the total number of such units exceeds 4:</i> <u>Short-term Bicycle Parking: 0.1 per unit</u> <i>= 635 dwelling units require 63 Short-term Bicycle Parking</i> <u>Long-term Bicycle Parking: 0.7 per unit</u> <i>= 635 dwelling units require 444 Long-term Bicycle Parking</i>			
Bicycle Parking Regulations [as per section 5.4.2 of Hamilton Zoning By-law 05-200]	<u>a) Bicycle Parking Locational Requirements</u> i) Short-term Bicycle Parking Spaces shall be publicly accessible and located within a bicycle parking area at grade, which includes the first floor of a building or an exterior surface area. ii) Long-term Bicycle Parking Spaces shall be	No Modification Required	i) 64 short term bicycle parking spaces provided in multiple locations at grade. ii) 446 long term bicycle parking spaces provided in secured areas within the underground parking levels.	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	located in a secure enclosed bicycle parking area.			
5.5 LOADING FACILITIES				
Loading Facility Regulations [as per section 5.5.1 of Hamilton Zoning By-law 05-200]	a) The location of loading doors and associated loading facilities shall be subject to the following: i) Shall not be permitted within a Front Yard; ii) Shall not be permitted in any yard abutting a street, except where screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law; and, iii) Shall not be permitted in a required yard abutting a Residential Zone or an Institutional Zone and shall be screened from view by a Visual Barrier in accordance with Section 4.19 of this By-law.	<i>No Modification Required</i>	i) loading facilities are not located within the front yard. ii) not proposed within any yard abutting the street. iii) not located within the required yard abutting the Residential Zone.	Conforming
5.6 GENERAL PARKING REGULATIONS				
Requirements for Locating Required Parking on Another Lot [as per section 5.6.1 of Hamilton Zoning By-law 05-200]	a) Notwithstanding Subsection 5.1.1 d), where the provision of parking on the same lot as the use requiring the parking is not possible, such off-site parking may be located on another lot within 300.0 metres of the lot containing the use requiring the parking	<i>No Modification Required</i>	Off-Site Parking not proposed.	NA

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
Visitor Parking Space Requirements [as per section 5.6.6 of Hamilton Zoning By-law 05-200]	a) A required visitor parking space provided on a lot shall be clearly identified and marked as being reserved for such purpose.	<i>No Modification Required</i>	Two (2) required visitor parking spaces are not clearly marked and identified.	Non-Conforming
5.7 PARKING SCHEDULES				
Parking Schedules [as per section 5.7 of Hamilton Zoning By-law 05-200]	<u>a) Parking Rate Areas</u> Where this By-law indicates that a Parking Rate Area (PRA) applies for the purpose of calculating a parking requirement or permission, such Parking Rate Area shall apply to lands and shall be indicated as Parking Rate Area (PRA1), (PRA2) and (PRA3) on Schedule "A" – Zoning Maps. <u>Residential Component:</u> <i>Parking Rate Area 1:</i> <i>no parking spaces are required for residents, and,</i> <i>ii) within any other Zone, 2 visitor parking spaces, plus 0.05 visitor parking spaces are required per unit.</i> <i>$2 + (635 * 0.05) = 33.75 = 33 \text{ parking spaces required}$</i> <u>Commercial Component (4 Units):</u> <i>Specific details were not provided to determine the number of parking spaces required for the commercial component.</i> <u>b) Application of Parking Rate Areas</u> Where a parking rate or requirement contained in this By-law does not contain reference to a Parking Rate Area (PRA), such parking rate shall apply to all lands throughout the City. Only where a parking rate refers to a specific Parking Rate Area, and where such use is located within that specified Parking Rate Area, shall there be any modification to the parking rate, and only in the manner prescribed.			
Minimum Required Parking Rate Schedule [as per section 5.7.1 of Hamilton Zoning By-law 05-200]	<u>a) Minimum Required Parking Rate Schedule</u> Parking spaces shall be provided in the minimum quantity specified in Column 2 hereunder for each use listed in Column 1: Refer to table in By-law 5.7.1	<i>No Modification Required</i>	445 parking spaces provided Specific details were not provided to determine the number of parking spaces required for the commercial component.	Insufficient Information has been provided

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
Maximum Permitted Parking Rate Schedule [as per section 5.7.2 of Hamilton Zoning By-law 05-200]	<u>a) Maximum Permitted Parking Rate Schedule</u> For any use listed in Column 1, the number of parking spaces provided shall not exceed the number in Column 2: Refer to table in By-law 5.7.2 <u>In PRA 1:</u> <i>635 Maximum permitted parking spaces</i>	No Modification Required	445 parking spaces provided	Conforming
Minimum Accessible Parking Rate Schedule [as per section 5.7.3 a) of Hamilton Zoning By-law 05-200]	<u>a) Minimum Accessible Parking Rate Schedules</u> The minimum number of accessible parking spaces which must be provided shall be the greater minimum number resulting from the calculations in Sections 5.7.3 b) and 5.7.3 c) below, with numeric fractions rounded up in accordance with Section 5.1.1 c) ii) and iii).	No Modification Required	25 barrier free spaces proposed	Conforming
Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision [as per section 5.7.3 b) of Hamilton Zoning By-law 05-200]	<u>b) Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision</u> On a lot containing 5 or more parking spaces, a minimum number of the parking spaces provided shall meet the requirements of the Minimum Accessible Parking Rate Schedule below:			
	<u>Column 1</u> Total Number of Parking Spaces Provided	<u>Column 2</u> Minimum Number of Accessible Parking Spaces	See Accessible Parking Rate Calculation 1 Below: <i>Section 5.7.1.b) Minimum Accessible Parking Calculation 1 - Proportionate to Parking Provision</i> <i>10 Accessible Parking Spaces</i>	
	201 - 1000	Minimum 2 spaces		

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	spaces + 2% of the total number of parking spaces provided; <i>445 total parking spaces proposed</i> $2 + (0.02 * 445) = 10.9$ Accessible spaces			
Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone [as per section 5.7.3 c) of Hamilton Zoning By-law 05-200]	c) <u>Minimum Accessible Parking Calculation 2 - Where Total Parking Provision is Reduced Pursuant to a Parking Rate Area or Downtown Zone</u> The minimum number of accessible parking spaces which must be provided shall be: i) In any Zone, except a Downtown Zone, the result of: a) applying the requirements of Section 5.7.1 to all uses, excluding the existing gross floor area within any existing building, and excluding the application of any Parking Rate Area or Downtown Zone, to produce a total number of parking spaces; and, b) applying the corresponding requirement listed in Column 2 of Schedule 5.7.3 <i>In all other areas, 1 space per unit for residents, plus 0.3 visitor parking spaces per unit.</i> $(635 * 1) + (635 * 0.3) = 825$ b) to the total number of parking spaces resulting from the calculation in Section 5.7.3 c) i) a) immediately			
			See Accessible Parking Rate Calculation 2 Below: <i>Section 5.7.1.c) Minimum Accessible Parking Calculation 2 - Where total parking provision is reduced pursuant to a Parking Rate Area or Downtown zone.</i> <i>18 Accessible Parking Spaces</i>	

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	above to produce the minimum required number of accessible parking spaces. <i>201 - 1000 spaces Minimum 2 spaces + 2% of the total number of parking spaces provided;</i> $(825 * 0.02) + 2 = 18.5$ Refer to table in By-law 5.7.3 c)			
Minimum Bicycle Parking Rate Schedule [as per section 5.7.5 a) of Hamilton Zoning By-law 05-200]	a) Minimum Required Bicycle Parking Rate Schedule For each building containing one or more of the uses listed in Column 1 in the following schedule:			
	i) Short-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 2 and subject to the regulations in Section 5.4.2; and <i>Multiple Dwelling, and Dwelling Unit, Mixed Use, where the total number of such units exceeds 4:</i> <i>In Parking Rate Area (PRA) 1 and PRA 2, 0.1 per unit.</i> $635 * 0.1 = 63.5$ ii) Long-term Bicycle Parking Spaces shall be provided in the minimum quantity specified in Column 3 and subject to the regulations in Section 5.4.2. <i>Multiple Dwelling, and Dwelling Unit, Mixed Use, where the total number of such units exceeds 4:</i>	<i>No Modification Required</i>	66 short-term bicycle parking spaces and 446 long-term bicycle parking spaces	Conforming

	Required By By-Law	Amended	Provided	Conforming/ Non-Conforming
	<i>In Parking Rate Area (PRA) 1 and PRA 2, 0.7 per unit.</i> $635 * 0.7 = 444.5$ Refer to table in By-law 5.7.5			

11. A building permit may be required in the normal manner for the proposed construction.
12. All new signs proposed for this development must comply with the regulations contained within the Sign By-law 10-197.
13. All new fences proposed for this development must comply with the regulation contained within the Fence By-law 10-142.
14. The designer shall ensure that the fire access route conforms to the Ontario Building Code.

Yours truly

Ashley Hladish

for the Manager of Zoning and Committee of Adjustment

ACKNOWLEDGEMENT CLAUSE (FOR ZONING COMPLIANCE REVIEW APPLICATIONS IN SUPPORT OF A ZONING BY-LAW AMENDMENT, SITE PLAN, OR MINOR VARIANCE APPLICATION)

I/We hereby acknowledge and understand the above noted comments and further acknowledge that the supporting documentation submitted with this Zoning Compliance Review application has not been changed or modified between the date of this letter and the date of application for the subsequent Zoning By-law Amendment, Site Plan, or Minor Variance application.

If the supporting documentation has been changed or modified, a new application for Zoning Compliance Review may be required prior to acceptance of a formal application for Zoning By-law Amendment, Site Plan, or Minor Variance application.

Owner	Owner Signature	Date
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Applicant (I have the authority to bind the Owner)	Applicant Signature	Date
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Agent (I have the authority to bind the Owner)	Agent Signature	Date
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