PLANNING
JUSTIFICATION REPORT

PROPOSED DEVELOPMENT

1310 South Service Road

Hamilton, ON

PREPARED FOR

Forum Winona Inc.

3027 Harvester Road #202
Burlington, ON L7N 3G7

PREPARED BY

UrbanSolutions Planning & Land Development Consultants Inc.

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DATE

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FILE NO.

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1. Introduction

UrbanSolutions Planning & Land Development Consultants Inc. ("UrbanSolutions") has been retained by Forum Properties, the registered owner of the northerly portion of the lands municipally known as 1310 South Service Road in Hamilton (the "subject lands"), to assist in the coordination and preparation of the enclosed planning application necessary to facilitate the proposed development.

The enclosed application and supporting material constitute a complete application as described in Section 34 of the *Planning Act, R.S.O. 1990*.

This Planning Justification Report (the "Report") has been prepared in support of a Zoning By-law Amendment application to facilitate the development of two (2) 9-storey multiple dwellings on the subject lands. Separate Official Plan Amendment and Zoning By-law Amendment applications were submitted by UrbanSolutions on behalf of the owner on August 24, 2026 to facilitate the expansion of Costco Wholesale's adjacent (south) surface parking lot within the southerly portion of 1310 South Service Road. A future Consent to Sever application will be required to facilitate the above-noted lot configuration and consolidation, and to further divide the subject lands into two (2) separate parcels (east and west halves) to facilitate the proposed development in two (2) phases.

A detailed description of the proposed development is provided in Section 2 of this Report.

This Report provides an overview of the subject lands, information on the previous site approvals, a detailed description of the development proposal, a review of the supporting studies, and an analysis of the applicable planning policy framework.

1.1 Location

The subject lands are located directly south of the QEW Highway and South Service Road right-of-way between Fifty Road (east) and Winona Road (west), as shown in Figure 1.

Figure 1 – Subject Lands

1.2 Site Description and Surrounding Context

The subject lands are located in Ward 10 within the Fruitland-Winona Secondary Plan Area. The lands have a total area of 1.47 hectares (3.64 acres), with approximately 168.44 metres of combined frontage on South Service Road to the north and Vince Mazza Way to the west.

The subject lands are surrounded by a range of land uses and built forms, as described below:

North: The subject lands abut South Service Road and the QEW Highway to the north, beyond which is a residential subdivision comprised of block townhouse dwellings and single-detached dwellings.

East: Retail uses located within the Winona Crossing Commercial Plaza are located directly east of the subject lands, including a financial institution, a salon, an LCBO liquor store, and a restaurant.

South: The southerly portion of 1310 South Service Road is located directly to the south of the subject lands, beyond which is a large surface parking lot accommodating the existing Costco Wholesale warehouse located at 1330 South Service Road. As previously noted, a future Consent application will be required to sever the southerly portion of 1310 South Service Road from the subject lands, after which it will be merged with 1330 South Service Road

to facilitate the northerly expansion of Costco's existing surface parking lot within this area. This application will also establish the boundaries of the subject lands outlined in Figure 1 of this Report.

West: The parcel directly west of the subject lands opposite Vince Mazza Way (1290 South Service Road and 5 & 23 Vince Mazza Way) is currently vacant and received approvals for twelve (12) 2-storey stacked townhouse buildings, two (2) 3-storey mixed-use buildings, and a single-storey commercial building with 409 surface parking spaces, totalling 413 dwellings and 1,900 m^2 of commercial gross floor area.

Figure 2 – Surrounding Context

1.3 Previous Planning Approvals

Official Plan Amendment Application No. UHOPA-22-026 and Zoning By-law Amendment Application No. ZAC-22-063 were previously approved for the entirety of 1310 South Service Road by the City of Hamilton's Planning Committee on September 13, 2023, and subsequently ratified by Council on October 19, 2023 via implementing By-laws 23-167 and 23-168.

The approval of UHOPA-22-026 had the effect of redesignating 1310 South Service Road from the 'District Commercial' to 'Neighbourhoods' designation on Schedule E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan ("UHOP"), and from the 'District Commercial' to 'Medium Density

Residential 2' designation on Map B.7.4-1 of the Fruitland-Winona Secondary Plan. The Amendment also removed 1310 South Service Road from 'Site Specific Policy – Area G' and placed it into a newly created 'Site Specific Policy – Area O' within the Fruitland-Winona Secondary Plan. This site specific policy area established both density and building height allowances specific to the previously approved mixed-use development concept (described below).

ZAC-22-063 had the effect of rezoning 1310 South Service Road from the 'District Commercial (C6, 301, H112)' Zone to the 'Mixed Use Medium Density (C5, 851, H112)' Zone within Zoning By-law No. 05-200.

The aforementioned approvals established permissions for a mixed-use development concept consisting of three multiple dwellings ranging from 8- to 12-storeys in height and four (4) 3-storey townhouse blocks with a combination of both surface and underground parking (Figure 3).

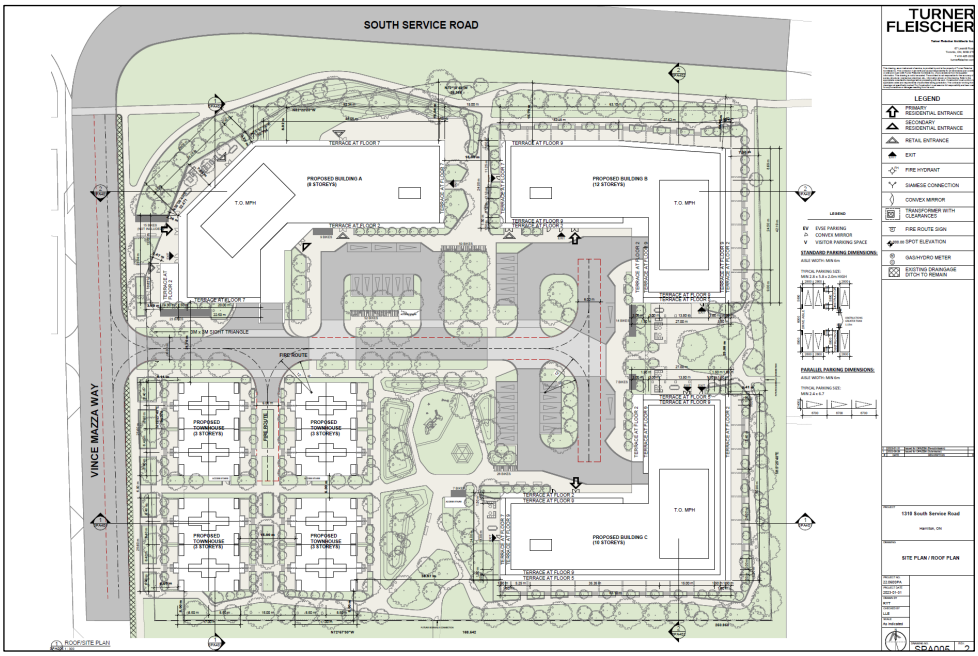


Figure 3 – Previously Approved Development Concept

The approved mixed-use development concept shown in Figure 3 has since been abandoned by the owner, and a subsequent Official Plan Amendment application was submitted on August 24, 2026 to facilitate the development proposal within the northerly portion of 1310 South Service Road (the subject lands), as described in Section 2 of this Report.

1.4 Transportation Context

As previously noted, the subject lands have frontage on Vince Mazza Way to the west and South Service Road to the north. Vince Mazza Way is identified as an undesignated Local Road on Schedule C – Functional Road Classification of the UHOP, while South Service Road is identified as a Minor Arterial Road.

2. Proposed Development

As outlined in Figure 4 below, the current development proposal entails two (2) 9-storey multiple dwellings containing a total of 249 residential units (124 units within Building A and 125 units within Building B). Both buildings are proposed to be accommodated by a total of 279 vehicle parking spaces contained within a surface lot located to the north and south of the proposed buildings.

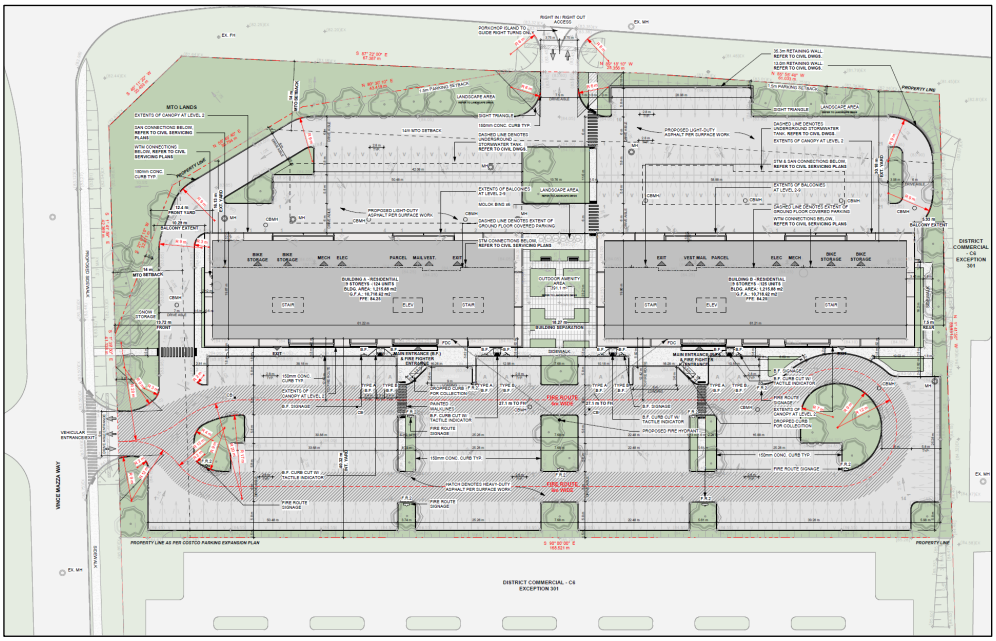


Figure 4 – Concept Plan

2.1 Planning Applications

In addition to this Report, City Planning staff confirmed that the following materials are required in support of the enclosed Zoning By-law Amendment application:

- Survey Plan
- Concept Plan
- Draft Zoning By-law Amendment
- Urban Design Brief / Addendum
- Noise Feasibility Study / Addendum
- Pedestrian Wind Study / Addendum
- Sun/Shadow Study / Addendum
- Building Elevations (Conceptual)
- Landscape Plan (Conceptual)
- Environmental Site Assessment / Record of Site Condition
- Functional Servicing and Stormwater Management Report
- Preliminary Grading Plan
- Preliminary Servicing Plan
- Watermain Hydraulic Analysis
- Sanitary Sewer Capacity Assessment
- Hydrogeological Report
- Transportation Assessment / Addendum
- Public Consultation Strategy
- Zoning Compliance Review

2.2 Required Approvals

Following discussions with City Planning staff, it was confirmed that approval of the following *Planning Act* applications would be required to facilitate the proposed development:

- a Zoning By-law Amendment application;
- a Consent to Sever application; and
- a Site Plan application.

The purpose of the Zoning By-law Amendment is to rezone the subject lands from the 'Mixed Use Medium Density (C5, 851, H112)' Zone to a new site-specific 'Mid Rise Residential – Large Scale (R4a, ___, H112)' Zone to facilitate the proposed residential development. As previously noted, a future Consent application will also be required to sever the southerly portion of 1310 South Service Road from the subject lands to facilitate the northerly expansion of Costco's existing surface parking lot within this area (Figure 5). A future Site Plan Control application will also be required to facilitate the proposal.

Figure 5 – Concept Plan (Aerial)

3. Supporting Studies

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

3.1 Urban Design Brief

The enclosed Urban Design Brief was prepared by UrbanSolutions in support of the proposed development. This Brief evaluates the proposed built-form and overall site design in accordance with applicable urban policies contained within the Urban Hamilton Official Plan. The Brief demonstrates that the proposed development is well-designed and respects the existing character; development patterns; and built form of the surrounding area in accordance with Section B.3.3 of the Plan.

3.2 Noise Feasibility Study

The enclosed Noise Impact Study was prepared by JJ Acoustic Engineering in support of the proposed development. The Study contains an assessment of the anticipated noise impacts on the proposed multiple dwellings resulting from the QEW Highway to the north, the CN Rail corridor to the south, and

other stationary noise sources associated with surrounding commercial uses. The Study concludes that stationary noise levels at all building facades are anticipated to be below the applicable site-specific limits, and recommends mitigation measures to address instances where road and rail traffic noise are anticipated to exceed the applicable NPC-300 criteria. These mitigation measures include central air conditioning for all units, upgraded exterior wall and glazing materials, and warning clauses within all purchase and sale agreements, all of which will be secured and implemented through future conditions of Site Plan approval.

3.3 Pedestrian Wind Study

A Pedestrian Wind Study has been prepared by RWDI in support of the proposed development and is included within the enclosed submission package. This Study contains an assessment of the expected pedestrian wind conditions surrounding the proposed buildings based on a variety of factors including building geometry, orientation, height, upstream terrain, and local wind climate. The Study concludes that wind conditions on and around the proposed buildings are expected to meet the recommended criterion for pedestrian safety through the implementation of the wind control measures detailed in Section 5.6.2 of the Study.

3.3 Sun/Shadow Study

A Sun/Shadow Study has been prepared by BIM Studio in support of the proposed development. This Study was prepared in accordance with the City of Hamilton's shadow study criteria and illustrates anticipated shadowing impacts resulting from the proposed buildings measured at specific date and time intervals throughout the year. The Study concludes that the proposed buildings result in minimal disturbance of net shadows during the spring/fall and summer timeframes, and that the surrounding public realm achieves a minimum of 5 hours of continuous sunlight and more than 50% of sun coverage in the post-development scenario.

3.4 Functional Servicing and Stormwater Management Report

The enclosed Functional Servicing and Stormwater Management Report was prepared by MTE Consultants in support of the proposed development. The Report concludes that the proposed grading design will respect the natural topography of the site, that the existing municipal water; sanitary; and storm infrastructure along South Service Road and Vince Mazza Way is sufficient

to accommodate the proposed development, and that the applicable stormwater management criteria can be satisfied through the implementation of the recommended on-site water quality and quantity controls.

3.5 Watermain Hydraulic Analysis

Section 3.2.1 of the enclosed Functional Servicing and Stormwater Management Report prepared by MTE Consultants contains a review of the proposed municipal watermain connections and configuration using hydrant flow testing data obtained for the subject lands in 2022. The analysis concludes that the proposed buildings can be accommodated by the existing watermain with a residual pressure which exceeds the minimum allowable limit. Appendix “B” of the enclosed Report contains detailed calculations supporting this analysis.

3.6 Sanitary Sewer Capacity Assessment

Section 3.2.2 of the enclosed Functional Servicing and Stormwater Management Report prepared by MTE Consultants contain an assessment of the proposed sanitary servicing configuration, supported by detailed sanitary flow calculations contained within Appendix “C” of the Report. The Report notes that the previous downstream analysis completed by Lithos in support of the former mixed-use development concept identified a maximum sewer capacity of 22.5%, and concludes that further downstream assessment is not warranted due to the current proposal’s significant reduction in anticipated sanitary demand (from the previously approved mixed-use development proposal). Detailed downstream capacity calculations included within Lithos’ 2023 Report are included within Appendix “C” of MTE’s enclosed Functional Servicing and Stormwater Management Report.

3.7 Hydrogeological Report

The enclosed Hydrogeological Report was prepared by BlueFrog Environmental Consulting in support of the previously approved mixed-use development for the subject lands, which proposed multiple levels of underground parking. The Report indicates that the anticipated dewatering associated with the previous proposal posed a negligible risk to nearby wells, surface water bodies, ground settlement, and the broader environment and concluded that no long-term groundwater controls were required. Given that

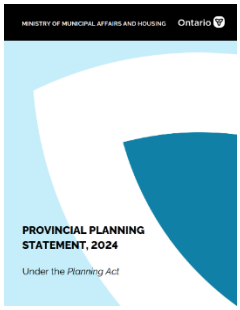
the current development proposal does not contain basements or an underground parking garage, no further groundwater impacts are anticipated.

3.8 Traffic Impact Brief

A Traffic Impact Brief has been prepared by GHD in support of the proposed residential development and is included within the enclosed submission package. The Brief indicates that the significant reduction in site-generated traffic is expected to result in lower traffic volumes, reduced delays and queuing, and increased reserve capacity at the surrounding intersections compared to the previously approved mixed-use development concept. Based on the analyses conducted, the Brief concludes that the proposed development is not expected to adversely affect the operation of the surrounding transportation network and is considered to be appropriate from a transportation planning perspective.

4. Planning Policy Framework

The following is intended to provide a review and highlight the planning policy framework applicable to the subject lands. The applicable documents include the Provincial Planning Statement (2024), the Urban Hamilton Official Plan, the Fruitland-Winona Secondary Plan, and the City of Hamilton Zoning By-law No. 05-200.



4.1 Provincial Planning Statement, 2024

On August 20, 2024 notice was received from the Ministry of Municipal Affairs and Housing on the creation of a new Provincial Planning Statement (PPS) which would consolidate the former A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019 and the Provincial Policy Statement, 2020. The new Provincial Planning Statement took effect as of October 20, 2024. The PPS supports the implementation of More Homes, More Choice: Ontario's Housing Supply Action Plan and includes key changes to:

- Plan for and support development, and increase the housing supply across the province;
- Align development with infrastructure to build a strong and competitive economy that is investment-ready;
- Foster the long-term viability of rural areas; and
- Protect agricultural lands, the environment, public health and safety.

The PPS, 2024 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, 2024 policies took effect on October 20, 2024 and replaced the PPS, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019. 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, 2024. Accordingly, this proposal has been prepared in accordance with this new policy framework.

In line with the Provincial Policy Statement 2020, the PPS 2024 continues the mandate of building strong, healthy communities. The vision of the PPS 2024 includes the long-term prosperity and economic competitiveness of Ontario which depends on wisely managing change and promoting efficient land use and development patterns.

2.0 Building Homes, Sustaining Strong and Competitive Communities

2.1 Planning for People and Homes

2.1.6 Planning authorities should support the achievement of complete communities by:

a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;

b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and

c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.

2.2 Housing

2.2.1 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the *regional market area* by:

a) establishing and implementing minimum targets for the provision of housing that is *affordable* to *low and moderate income households*, and coordinating land use planning and planning for housing with Service Managers to address the full range of housing options including *affordable* housing needs;

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and

2. all types of residential *intensification*, including the *development* and *redevelopment* of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and *redevelopment*, which results in a net increase in residential units in accordance with policy 2.3.1.3;

c) promoting densities for new housing which efficiently use land, resources, infrastructure and *public service facilities*, and support the use of *active transportation*; and

d) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations.

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

2.3.1.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.

2.3.1.3 Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities

3.0 Infrastructure and Facilities

Chapter 3 of the PPS contains a range of policies related to Infrastructure and Public Service Facilities which promote their effective coordination and integration with land use planning. This includes an emphasis on the optimization of existing infrastructure and public service facilities as well as the efficient delivery of new infrastructure and facilities.

3.6 Sewage, Water and Stormwater

Chapter 3.6 of the PPS contains a range of policies relating to the efficient use and optimization of existing municipal sewage and water services. This chapter also requires planning for stormwater management to be integrated with that for sewage and water services to ensure that such systems are optimized, feasible, and financially viable over their life cycle.

4.1 Natural Heritage

Chapter 4.1 of the PPS contains policy direction related to the management and conservation of Natural Heritage features, including significant wetlands, woodlands, and wildlife habitat. Further, this Chapter requires that any development proposed within or adjacent to any of the aforementioned features successfully demonstrate that there will be no negative impacts on their ecological function(s).

4.6 Cultural Heritage and Archaeology

Similar to Chapter 4.1, Chapter 4.6 of the PPS contains policy direction related to the management and conservation of Cultural Heritage and Archaeological resources.

4.2 Urban Hamilton Official Plan (UHOP)

Hamilton

The City of Hamilton's Urban Hamilton Official Plan was adopted by Council on July 9, 2009 and received final approval from the Ontario Municipal Board on August 16, 2013. UHOP Amendment No. 167 ("OPA 167") was approved

by the Minister of Municipal Affairs and Housing on November 4, 2022 (with modifications). The version of the UHOP currently in force and effect reflects these legislative changes and provides policies on community management, land use changes, and physical development in the City.

Urban Land Use

The subject lands are currently designated 'Neighbourhoods' on Schedules E – Urban Structure and E-1 – Urban Land Use Designations of the Urban Hamilton Official Plan, shown in Figures 6 and 7 respectively.

The Neighbourhoods designation permits and provides the opportunity for a full range of housing forms, types, and tenure; and supports residential intensification at a range of scales and densities provided that such is compatible with and respects the built form and character of the surrounding neighbourhood. In accordance with Section 2.4.1.3 c), 30% of the City's residential intensification target is anticipated to occur within the 'Neighbourhoods' designation.

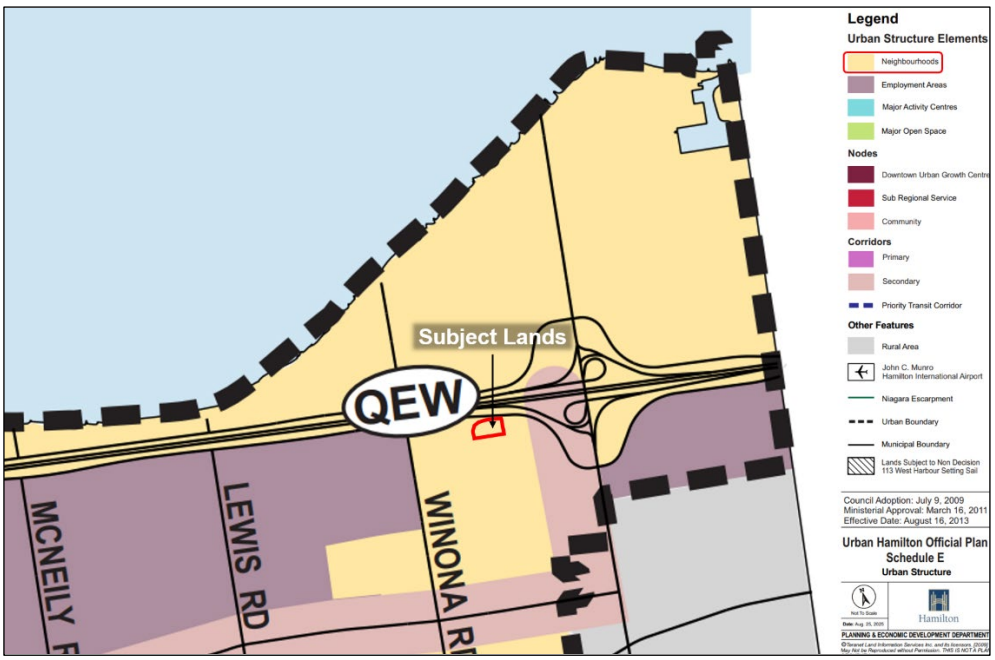


Figure 6 – Urban Hamilton Official Plan – Schedule E (Urban Structure)

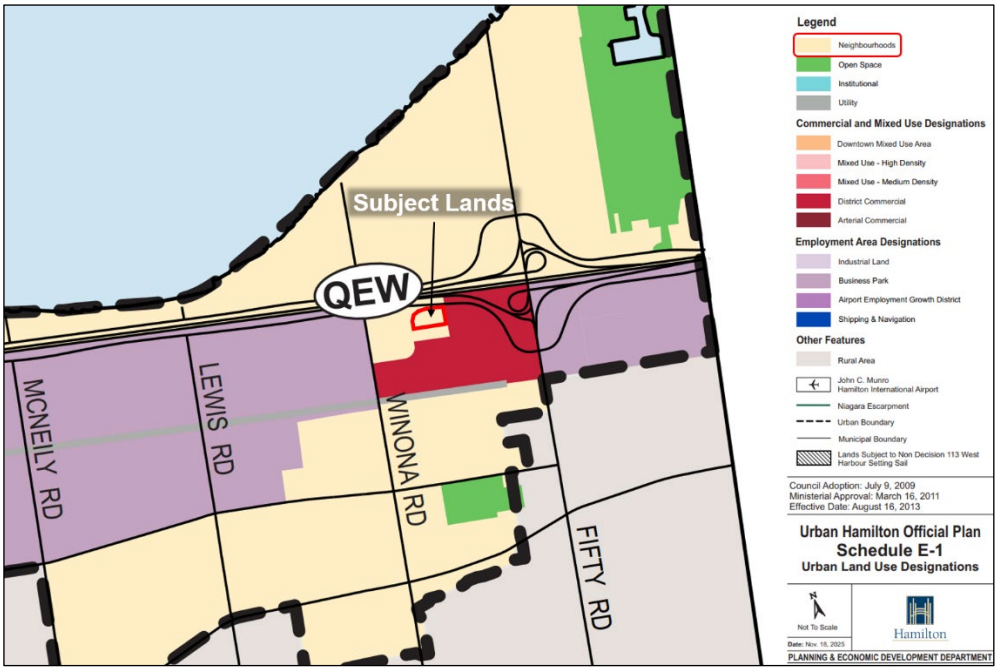


Figure 7 – Urban Hamilton Official Plan – Schedule E-1 (Urban Land Use)

Transportation

Schedule C – Functional Road Classification of the UHOP identifies South Service Road as a Minor Arterial Road and Vince Mazza Way as a local road. South Service Road is currently +/- 33.0 metres wide, while Vince Mazza Way is approximately 24.0 metres wide.

4.3 Fruitland-Winona Secondary Plan

The Fruitland-Winona Secondary Plan area is located at the eastern edge of the City of Hamilton (formerly known as lower Stoney Creek) and consists of the lands east of Fruitland Road, north of Highway No. 8, south of Barton Street (including Winona); and the lands east of Winona, north of Highway No. 8, south of the QEW, and west of the City limits. The Plan establishes land uses and development standards to guide the development of lands within the Secondary Plan area and plans to accommodate an estimated population of 15,400 people at a density of 70 persons/jobs per hectare.

The subject lands are currently designated ‘Medium Density Residential 2’ and are identified as being located within ‘Site Specific Policy – Area O’ on Map B.7.4-1 – Land Use Plan Map of the Fruitland-Winona Secondary Plan (Figure 8).

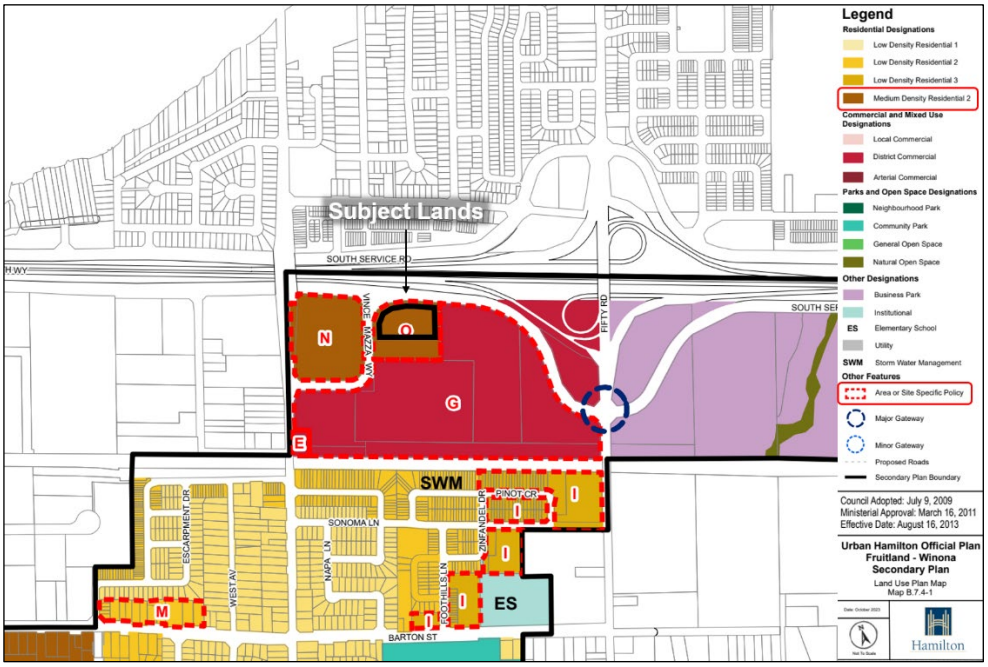


Figure 8 – Fruitland-Winona Secondary Plan – Land Use Plan Map B.7.4-1

It should be noted that the Official Plan Amendment application submitted by UrbanSolutions on behalf of the owner on August 24, 2026 proposed a modification to the maximum building height permissions established within 'Site Specific Policy – Area O' through the approval of UHOPA-22-026, to facilitate the built-form contemplated through the subject application.

Beyond the above-noted maximum height permissions, 'Site Specific Policy – Area O' requires a minimum residential density of 60 dwelling units per hectare and a maximum density of 310 dwelling units per hectare (Section B.7.4.18.15 a)) and requires that the implementing Zoning By-law set out appropriate building height transitions and stepbacks from adjacent streets and existing residential uses within the adjacent lands designated 'Neighbourhoods'. The proposed residential density of 169 units per hectare conforms to the above-noted policy, while the enclosed Draft Zoning By-law Amendment ensures that the proposed buildings achieve an appropriate transition to adjacent uses.

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

As previously noted, Zoning By-law Amendment Application No. ZAC-22-063 was approved on October 19, 2023 which had the effect of rezoning the

entirety of 1310 South Service Road from the 'District Commercial (C6, 301, H112)' Zone to the 'Mixed Use Medium Density (C5, 851, H112)' Zone (in Zoning By-law No. 05-200) to facilitate the previously approved mixed-use development concept. The subject Zoning By-law Amendment application seeks to rezone the subject lands to a new site-specific 'Mid Rise Residential – Large Scale (R4a, ___, H112)' Zone to permit the proposed residential development. A copy of the Draft Zoning By-law Amendment can be found in Appendix "B" of this Report.

Figure 9 – City of Hamilton Zoning By-law No. 05-200

5.0 Policy Analysis

When evaluating the merits of this proposal, it is appropriate to consider the applicable upper tier and municipal policy documents. In this instance, the upper tier policy documents include the *Planning Act, R.S.O. 1990* and the Provincial Planning Statement, 2024, while the applicable municipal policy documents include the Urban Hamilton Official Plan and the Fruitland-Winona Secondary Plan.

Planning Act, 1990

Section 2 of the Planning Act identifies matters of provincial interest that approval authorities must have regard for when evaluating development proposals. They are as follows:

a) The protection of ecological systems, including natural areas, features and functions;

Planning Comment: There are currently no ecological systems, including natural areas, features and functions present on the subject lands.

b) The protection of the agricultural resources of the Province;

Planning Comment: The subject lands are located within the approved urban settlement boundary. Accordingly, the development protects the agricultural resources of the Province.

c) The conservation and management of natural resources and the mineral resource base;

Planning Comment: The proposed development does not adversely impact natural resources or the mineral resource base, as such it has regard for these matters.

d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;

Planning Comment: The subject lands do not contain any features of significant architectural, cultural, historical, archaeological, or scientific interest requiring conservation.

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

Planning Comment: As addressed in the Functional Servicing Brief prepared by MTE, the proposed development has regard for the efficient supply, use, and conservation of energy and water. Specifically, the Report concludes that the existing municipal water; sanitary; and storm infrastructure along South Service Road and Vince Mazza Way is sufficient to accommodate the proposed development, and that the applicable stormwater management criteria can be satisfied through the implementation of the recommended on-site water quality and quantity controls.

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

Planning Comment: The proposed residential development ensures the adequate and efficient provision of communication, transportation

and waste management systems. Further, the Functional Servicing Brief prepared by MTE 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: The future conditions of Site Plan approval will 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: Future conditions of Site Plan approval will ensure pedestrian connections for the proposed development are AODA compliant and the Ontario Building Code will ensure that best practices are implemented with regards to accessibility for dwelling units.

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

Planning Comment: The Subject Lands are within the jurisdiction of the Hamilton-Wentworth District School Board and the Hamilton-Wentworth Catholic District School Board. These boards will be circulated on the enclosed Zoning By-law Amendment application for the purpose of evaluating school allocation with respect to the proposed residential development.

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

Planning Comment: The proposed development contributes to a full range and mix of dwelling types and sizes in the area to support a range of household income levels.

k) The adequate provision of employment opportunities;

Planning Comment: N/A

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

Planning Comment: The proposed development supports long-term economic prosperity of the Province by adding to the overall housing supply and offering a range of housing options including 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 the subject 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: As the subject lands are located within the municipality's Urban Settlement Boundary, the proposed residential development will aid the City in achieving its growth targets and implement an appropriate level of 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 connects with the road network of the surrounding neighbourhood and provides routes which are walkable and support active transportation. The subject lands are placed in close proximity to several public transit stops, encouraging the use of public transit by future residents.

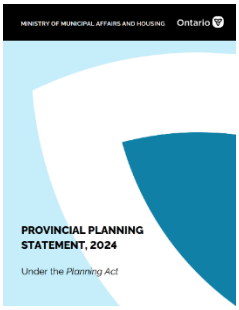
r) The promotion of built form that,
   i. is well-designed,
   ii. encourages a sense of place, and
   iii. provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

Planning Comment: The proposed development offers a well-designed, attractive pedestrian environment with access to Vince Mazza Way and South Service Road. The proposed built-form is compatible with both existing and proposed developments within the surrounding area and will contribute to a more attractive and vibrant pedestrian environmental than the existing vacant, underutilized parcel.

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. The proposed built-form will help to mitigate greenhouse gas emissions that will be produced and reduce the overall carbon footprint of the proposed development.

Based on the above, this proposal has regard for matters of Provincial interest as identified in Section 2 of the *Planning Act*.



Provincial Planning Statement, 2024

Section 3(5) of the *Planning Act* requires that decisions affecting planning matters be consistent with the Provincial Planning Statement, 2024.

The proposed development supports the Province's objective of providing for a range and mix of housing options and densities to meet the needs of both current and future residents (Policy 2.2.1), thus contributing to the achievement of a complete community in accordance with Policy 2.1.6. Additionally, the proposed level of density will support the efficient use of

land, resources, infrastructure, and public service facilities, and will promote active modes of transportation (Policy 2.3.1.2). Further, the Functional Servicing and Stormwater Management Report prepared by MTE Consultants and the Traffic Impact Brief prepared by GHD confirm that the proposal can be adequately serviced by existing municipal infrastructure and accommodated by the existing transportation network (Policies 3.2 and 3.6).

With regard to the Natural Heritage policies contained in Section 4.1 of the PPS, comments received from City Natural Heritage staff on the previously approved Official Plan and Zoning By-law Amendment applications for the subject lands (Files UHOPA-22-026 and ZAC-22-063) confirm that no Core Areas or Linkages have been identified within or adjacent to the subject lands. As such, the proposed development is not anticipated to negatively impact the features and functions of the City's Natural Heritage System. Similarly, with regard to the Cultural Heritage and Archaeology policies contained in Section 4.6 of the PPS, comments received from Cultural Heritage staff on the same applications confirm that Stage 1 and Stage 2 Archaeological Assessments (Report Nos. P449-0636-2022 and P449-0650-2022, respectively) were completed for the subject lands and entered into the Ontario Public Register of Archaeological Reports by the Ministry of Citizenship and Multiculturalism in 2022. As such, no further archaeological assessment is required to support the proposed development. As such, the policies of Section 4.6 of the PPS have been satisfied.

As demonstrated above, this proposal is consistent with the Provincial Planning Statement, 2024.

Urban Hamilton Official Plan (UHOP)

The UHOP provides direction and guidance on the management of communities, land use change, and physical development. As an amendment to both the UHOP and Zoning By-law is required to facilitate the proposed development, the UHOP provides the appropriate framework for evaluating this proposal.

As previously noted, 30% of the City’s residential intensification target is anticipated to occur within the ‘Neighbourhoods’ designation (Section B.2.4.1.3 c)). Additionally, Section B.2.4.1.4 of the UHOP provides criteria to evaluate residential intensification within the City’s built-up area.

“B.2.4.1.4 Residential intensification developments within the built-up area shall be evaluated based on the following criteria:

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

Planning Comment: The proposed development appropriately balances and satisfies the criteria outlined in subsections b) through l), as demonstrated below.

b) the relationship of the proposal to existing neighbourhood character so that it builds upon desirable established patterns and built form;

Planning Comment: The proposal builds upon the established patterns and built-forms of the surrounding neighbourhood by contributing to a range and mix of dwelling types to meet the needs of the City's growing population. Additionally, the proposed built form is consistent with that of the approved mixed-use development at 1290 South Service Road and 5 & 23 Vince Mazza Way.

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

Planning Comment: The proposed development will contribute to the provision of a range of housing forms, densities, types, and tenures within the area.

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 use, scale, form, and character of the proposed development is compatible with both existing and proposed built-forms within the surrounding area.

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

Planning Comment: The proposed development fulfills the intent of the Neighbourhoods designation by providing for a full range of housing forms,

types, and tenures within the area and aiding the City's objective of accommodating 30% of Hamilton's residential intensification target within the Neighbourhoods designation.

f) existing and planned water, wastewater and stormwater capacity;

Planning Comment: As outlined within the enclosed Functional Servicing and Stormwater Management Report prepared by MTE Consultants, the existing municipal water; sanitary; and storm infrastructure along South Service Road and Vince Mazza Way is sufficient to accommodate the proposed development, and the applicable stormwater management criteria can be satisfied through the implementation of the recommended on-site water quality and quantity controls.

g) the ability to respect and maintain or enhance streetscape patterns including block lengths, setbacks, and building separations;

Planning Comment: The proposed development builds on established patterns and built forms through the incorporation of adequate setbacks and building heights to achieve an appropriate transition to adjacent uses with respect to massing and built-form.

h) the ability to complement the existing functions of the neighbourhood;

Planning Comment: The proposed development enhances the functions of the existing neighbourhood by contributing to a range and mix of dwelling types and sizes in the area to meet a variety of income levels and household sizes, thus contributing to the achievement of a complete community.

i) the conservation of cultural heritage resources;

Planning Comment: No cultural heritage resources have been identified on the subject lands or within the surrounding area.

j) infrastructure and transportation capacity and impacts; and,

Planning Comment: As demonstrated in the Functional Servicing and Stormwater Management Report prepared by MTE Consultants, the proposed development can be adequately serviced by the existing municipal water, sanitary, and storm infrastructure. Additionally, the enclosed Traffic Impact Brief prepared by GHD indicates that the proposed development is not anticipated to adversely impact the operation of the surrounding transportation network."

Section B.3.2.1 of the UHOP contains specific housing goals for lands located within the City's urban area.

"B.3.2.1 The following shall apply in the urban area:

B.3.2.1.1 Provide for a full range of housing types, forms, and densities to meet the social, health, and well-being requirements of all current and future residents.

Planning Comment: The proposed multiple dwellings will contribute to a full range of housing types, forms, and densities within the area to meet the social, health, and well-being requirements of all current and future residents.

B.3.2.1.2 Provide housing within complete communities.

Planning Comment: The proposed development will support the achievement of a complete community by contributing to a range of housing types, forms, and densities within an established area.

B.3.2.1.6 Increase the mix and range of housing types, forms, tenures, densities, affordability levels, and housing with supports throughout the urban area of the City.

Planning Comment: The proposed development offers a more attainable housing alternative to the ground-oriented dwellings that currently dominate the housing stock of the surrounding neighbourhood, thus contributing to the achievement of a complete community.

Hamilton

Fruitland-Winona Secondary Plan

The Fruitland-Winona Secondary Plan establishes land uses and development standards to guide the development and/or redevelopment of lands located within the Secondary Plan area.

As previously noted, the subject lands are currently designated 'Medium Density Residential 2' and are located within 'Site Specific Policy – Area O' on Map B.7.4-1 – Land Use Plan of the Fruitland-Winona Secondary Plan, and are proposed to maintain these designations through the proposed development process.

The proposed development adheres to all applicable policies of the 'Medium Density Residential 2' designation and 'Site Specific Policy – Area O', as amended through the Official Plan Amendment application submitted on August 24, 2026 under separate cover. Based on the above, the subject application conforms to and implements the policies of the Fruitland-Winona Secondary Plan.

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

As noted in Section 2.2 of this Report, the enclosed Draft Zoning By-law Amendment proposes to rezone the subject lands from the 'Mixed Use Medium Density (C5, 851, H112)' Zone to a new site-specific 'Mid Rise Residential – Large Scale (R4a, ___, H112)' Zone to facilitate the proposed built-form and site design. The proposed modifications to the parent 'Mid Rise Residential – Large Scale (R4a)' Zone are outlined within the enclosed Draft Zoning By-law Amendment (Appendix B), and establish new site-specific standards related to parking and drive aisle locations and setbacks, finished floor elevation, and maximum building height to facilitate the proposal. These modifications are deemed to be appropriate for the subject lands and maintain the general intent of the R4a Zone, as well as that of the Urban Hamilton Official Plan and Fruitland-Winona Secondary Plan.

The enclosed Draft Zoning By-law Amendment proposes to carry forward the existing Holding Provision (H112) established for 1310 South Service Road through By-law 23-168, which was approved by Council on October 19, 2023 (File ZAC-22-063). The Holding Provision contains requirements related to the completion of a Record of Site Condition (RSC), the implementation of noise mitigation measures, the registration of noise warning clauses on title and their inclusion within all agreements of purchase and sale and lease, and the submission of an updated Functional Servicing Report and Transportation Impact Study. As previously noted in this Report, a future Consent to Sever application will be submitted on behalf of the owner to further divide the subject lands into two (2) separate parcels (east and west), allowing the proposed development to proceed, and the Holding Provision to be removed, in phases.

6. Conclusion

Forum Properties is the owner of the subject lands municipally known as 1310 South Service Road (northerly portion) in Hamilton, Ontario. This Planning Justification Report (the "Report") has been prepared in support of the enclosed Zoning By-law Amendment application to facilitate the development of two (2) 9-storey multiple dwellings supported by 279 vehicle parking spaces on the subject lands. The development proposal has been reviewed against the applicable provincial and municipal policy frameworks, as well as the surrounding land use context.

This Report provides planning analysis and justification in support of the subject application and concludes that such is consistent *with* and conforms *to* the applicable planning policy framework, as outlined below:

- The subject application has regard for the matters of Provincial interest outlined in Section 2 of the *Planning Act*;
- The subject application is consistent with the Provincial Planning Statement, 2024;
- The subject application supports the intent, goals, and objectives of the 'Neighbourhoods' designation of the Urban Hamilton Official Plan;
- The subject application supports the intent, goals, and objectives of the 'Medium Density Residential 2' designation of the Fruitland-Winona Secondary Plan, as well as the policies of 'Site Specific Policy – Area O'; and,
- The subject application implements the regulations of the 'Mid Rise Residential – Large Scale (R4a, ___, H112)' Zone within the City of Hamilton Zoning By-law No. 05-200, as amended.

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

Respectfully submitted this 5th day of October, 2026.

UrbanSolutions Planning & Land Development Consultants Inc.

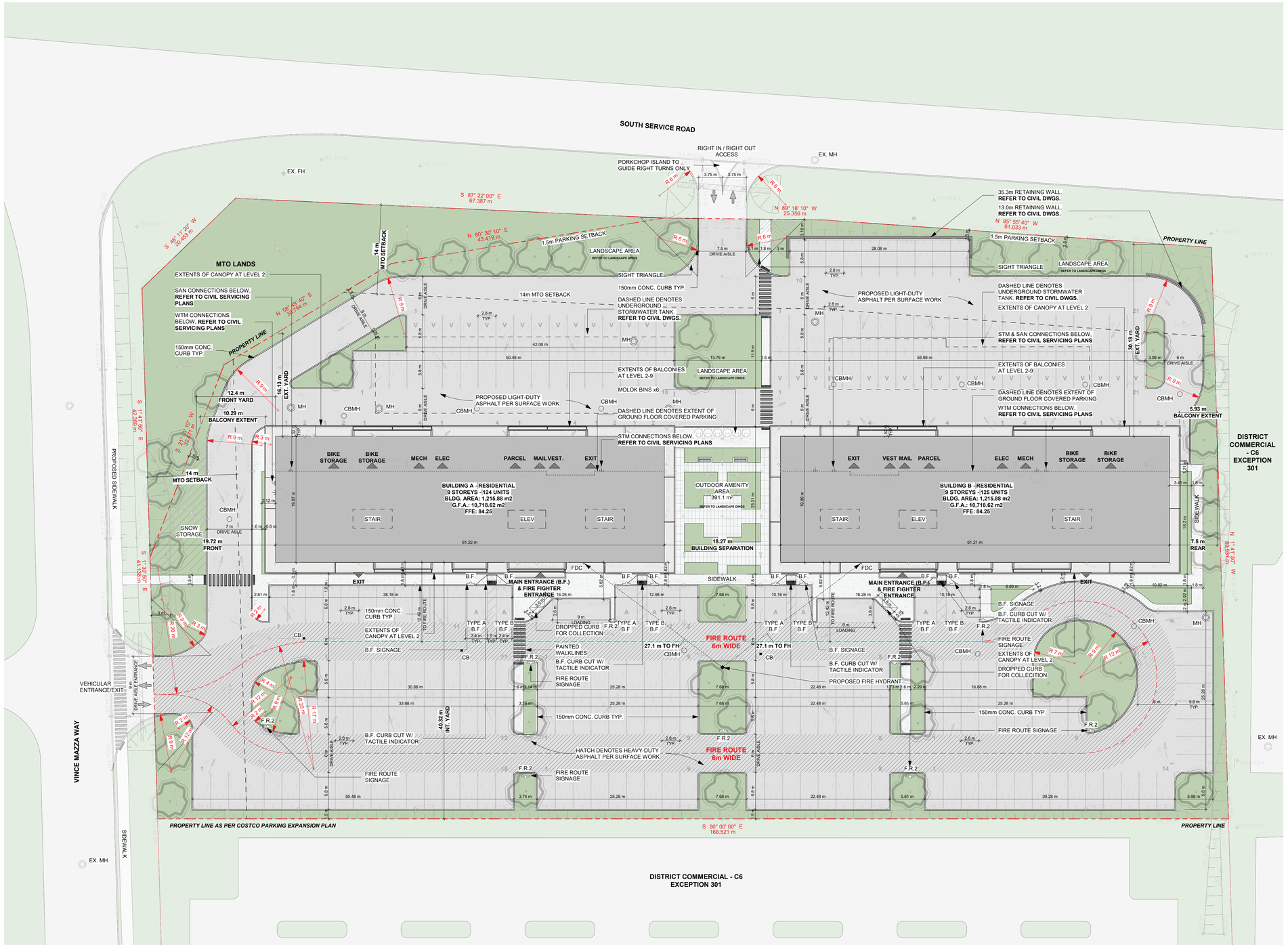
Matt Johnston, MCIP, RPP
Principal

Matthew LeBlanc, MCIP, RPP
Intermediate Planner

I hereby certify that this Planning Justification Report was prepared by a Registered Professional Planner, within the meaning of the Ontario Professional Planners Institute Act, 1994.
This report has been prepared based on a review of the subject application and cannot be used for any other purpose.

Appendix A

Concept Plan



1 A.002. **SITE PLAN** 1 : 300

SITE INFORMATION

SITE INFORMATION : PART OF BLOCK 12-16
PLAN NO. 310
THE CITY OF HAMILTON
REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH
ZONE CATEGORY: MIDR RISE RESIDENTIAL - LARGE SCALE **(R4a)**

ZONE : MID RISE RESIDENTIAL - LARGE SCALE **(R4a)**

	REQUIRED	PROVIDED	
General Provision Number of Units	0 N/A	249 169.38 Units/Ha	✓
General Provision Lot Area	0 m² N/A	14734.89 m²	✓
General Provision Lot Coverage	0% N/A	16.5% 2,431.76 m²	✓
Zoning Bylaw: 23-16 Exc. - 851 Density Per Hectare - UPH	310 *max*	169.38	✓
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - a) Lot Frontage	30 m *min*	168.44 m	✓
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - e). i). Building Height	40 m *max*	29.4 m	✓
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - b) Front Yard Setback - Vince Mazza Way	6 m *min*	12.4 m	✓
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - c). iii). B). Interior Side Yard Setback	10 m *min*	40.32 m	✓
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - b) Exterior Side Yard Setback - South Service Rd.	6 m *min*	16.13 m	✓
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - d). iii). Rear Yard Setback	14 m *min*	7.5 m	✗
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - f). ii). B). Distance B/W Buildings on a Lot	20 m *min*	18.27 m	✗
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - g). v). New Development - GF Facade Glazing %	50% *min*	25.7%	✗

PROJECT AREAS

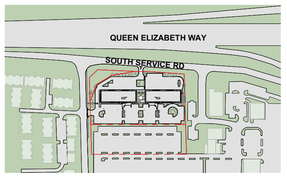
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - k). i). Landscape Open Space	30% *min* 4,420.47 m²	20.61% 3,036.44 m²	✗
Landscape Open Space Breakdown			
Hardscape (Sidewalk Area) :	= 1,084.49 m²	(35.72%)	
Softscape (Green area):	= 1,951.95 m²	(64.28%)	
Total Landscape Open Space :	= **3,036.44 m²**	**(20.61%)**	
Zoning Bylaw: 05-200 Sect. 5 - 5.3.1. e) i) Landscaped Parking Island Requirement	10% *min*	10.12%	✓
Landscape Parking Breakdown			
Parking Area :	= 8,549.31 m²		
Landscape Parking :	= 865.26 m²	(10.12%)	
Zoning Bylaw: 05-200 Sect. 15.6.2.1. - h). i). Amenity Area - 5m2 per dwelling unit	1245 m² *min*	3701.7 m²	✓
Minimum Amenity Area Breakdown			
Total Required Amenity Area	= **1,245.00 m²**		
Balconies Area:	= 2,778.34 m²		
Patio:	= 103.38 m²		
Indoor Amenity	= 428.71 m²		
Outdoor Amenity	= 391.27 m²		
Total Provided Amenity Area:	= **3,701.70 m²**		
Total Provided Amenity Area (m² / Unit)	= 14.87 m²		

PARKING

Zoning Bylaw: 05-200 Section 5 Residential Parking requirement	0.5 *min*	0.96	✓
Residential Parking Count Breakdown			
Total Units = **249** Units x 0.50 = **125** Parking Spots **Required**			
Total Units = **249** Units x 0.96 = **240** Parking Spots **Provided**			
Zoning Bylaw: 05-200 Section 5 Visitors Parking	0.15 *min*	0.16	✓
Visitor Parking Count Breakdown			
Total Units = **249** Units x 0.15 = **37** Parking Spots **Required**			
Total Units = **249** Units x 0.16 = **39** Parking Spots **Provided**			
Zoning Bylaw: 05-200 Section 5	8	8	✓
Accesible Parking requirement 2+2%	*min*		
Accessible Parking Count Breakdown			
Total Parking (201-1000) = **8** = Type A (4) + Type B (4) **Required**			
Total Parking = **8** = Type A (4) + Type B (4) **Provided**			
Zoning Bylaw: 05-200 Section 5 Short-term Bicycle Parking Requirement	0.05 *min*	0.05	✓
Bicycle Parking Count Breakdown			
Total Bicycle Parking = **249** Units x 0.05 = **12** **Required**			
Total Bicycle Parking = **249** Units x 0.05 = **12** **Provided**			
Zoning Bylaw: 05-200 Section 5 Long-term Bicycle Parking Requirement	0.5 *min*	0.76	✓
Bicycle Parking Count Breakdown			
Total Bicycle Parking = **249** Units x 0.50 = **125** **Required**			
Total Bicycle Parking = **249** Units x 0.76 = **188** **Provided**			

PARKING INFORMATION.

Type	*Required*	*Provided*	*Location Surface*	*Garage*
RESIDENTIAL				
ACCESSIBLE WITH AISLE	8	8	8	0
STANDARD	125	232	232	0
VISITOR				
STANDARD	37	39	39	0
TOTAL SITE PARKING	279	279	279	0



2 A.002. **KEY PLAN** 1 : 5000

PATRICK DAVID TROTTIER ARCHITECT
266 DUFFERIN AVE, BRANTFORD, ON N3T 4S2
226.208-1543c patrick@pdtarch.ca, www.pdtarch.ca

ONTARIO ASSOCIATION OF ARCHITECTS
PATRICK DAVID TROTTIER LICENCE 6270

CLIENT
livwell DEVELOPMENTS

ASSOCIATION WITH
FastTrack BY STUBBE'S
Stubbe's Precast, T: 519 424 2183
44 Muir Line, Harley, ON N0E 1E0

BIM STUDIO DESIGN + VIRTUAL BUILD
BIMstudio Inc. T: 647 309 7543
E: bim@bimstudio.ca
636 KING ST W, 3RD FLR,
TORONTO, ON, M5V 1M7

GENERAL DISCLAIMER

1. ALL CONSTRUCTION TO MEET THE CURRENT REQUIREMENTS OF THE ONTARIO BUILDING CODE AND ZONING BY-LAWS.

2. CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS, ASSEMBLIES, AND TAGS PRIOR TO CONSTRUCTION. DO NOT SCALE THE DRAWINGS. REPORT ANY DISCREPANCIES TO THE ARCHITECT.

3. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL RELEVANT SPECIFICATIONS, ARCHITECTURAL, STRUCTURAL, CIVIL, MECHANICAL, ELECTRICAL DRAWINGS, GEOTECHNICAL REPORT(S) & ENVIRONMENTAL REPORT(S).

4. ARCHITECTURAL DRAWINGS SHALL NOT BE REPRODUCED WITHOUT CONSENT FROM THIS ARCHITECT.

PROJECT
1310 South Service Rd, Stoney Creek - 2 RESIDENTIAL BUILDINGS (9 STOREYS), TOTAL 249 UNITS
ADDRESS
1310 SOUTH SERVICE ROAD, HAMILTON, ON
CLIENT
LIVWELL

SUBMITTED FOR/REVISION

1	Issued for ZBA	2026/10/01	BIM

SHEET NAME
SITE PLAN

SCALE
As indicated

SHEET SIZE	**24"x36"**
ISSUE DATE	**10/01/26**
PROJECT #	**26-17 PDTA**
DRAWN BY	**BIM**
CHECKED BY	**PDTA**

A.002.

Appendix B

Draft Zoning By-law Amendment

Authority

Item XX, <NAME> Committee Minutes 26-0XX (Report Number)

Council Meeting <DATE>

Mayoral Approval through Decision MDE-2026-XX, <DATE>

Bill No.

City of Hamilton By-law No. 26-XXX
To amend Zoning By-law No. 05-200 with respect to lands located at 1310 South Service Road, Stoney Creek

Whereas Council approved Item __ of Report _____ of the Planning Committee, at its meeting held on DATE;

Whereas this By-law conforms to the Urban Hamilton Official Plan;

Now therefore the Council of the City of Hamilton amends Zoning By-law 05-200 as follows:

Schedule "A" – Zoning Maps

1. That Schedule "A" – Zoning Maps, Map No. 1259 is amended by changing the zoning from the Mixed Use Medium Density (C5, 851, H112) Zone to the Mid Rise Residential – Large Scale (R4a, XXX, H112) Zone, for the lands known as 1310 South Service Road, Stoney Creek, the extent and boundaries of which are shown on Schedule "A" to this By-law.

Schedule "C" – Special Exceptions

2. That Schedule "C" – Special Exceptions is amended by adding the following new Special Exception:

   "XXX. Within the lands zoned Mid Rise Residential – Large Scale (R4a, XXX, H112) Zone, identified on Map No. 1259 of Schedule "A" – Zoning Maps and described as 1310 South Service Road, Stoney Creek the following special provisions shall apply:

   a) That notwithstanding Section 3 as it relates to the definition of Front Lot Line, the following shall apply:

i) The Lot Line abutting South Service Road shall be considered the Front Lot Line for the purpose of this By-law.

b) That Section 4.8(b) shall not be applicable.

c) That Section 5.3.1(a)(i)(ii) and Section 5.3.1(c)(i)(ii) shall not be applicable.

d) That notwithstanding Section 15.6.2.1(c), 15.6.2.1(f), 15.6.2.1(g)(ii)(iii)(v), 15.6.2.1(h)(i)(B), and 15.6.2.1(k)(i) the following special provisions shall apply:

i) Minimum Setback from a Side Lot Line:

1) 7.5 metres.

ii) Minimum Distance Between Buildings on a Lot:

1) 18.0 metres.

iii) Minimum Amenity Area for a Multiple Dwelling:

1) 1.5 square metres per unit of the total required amenity area shall be located indoors.

iv) Minimum Landscaped Area:

1) 20% of the Lot Area.

Schedule "F" – Special Figures

3. That Schedule "F" – Special Figures is amended by deleting Figure No. 35: Maximum Building Heights for 1310 South Service Road, Stoney Creek.

4. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the provisions of the Mid Rise Residential – Large Scale (R4a, XXX, H112).

5. 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 this <> day of, 2026.

Andrea Horwath

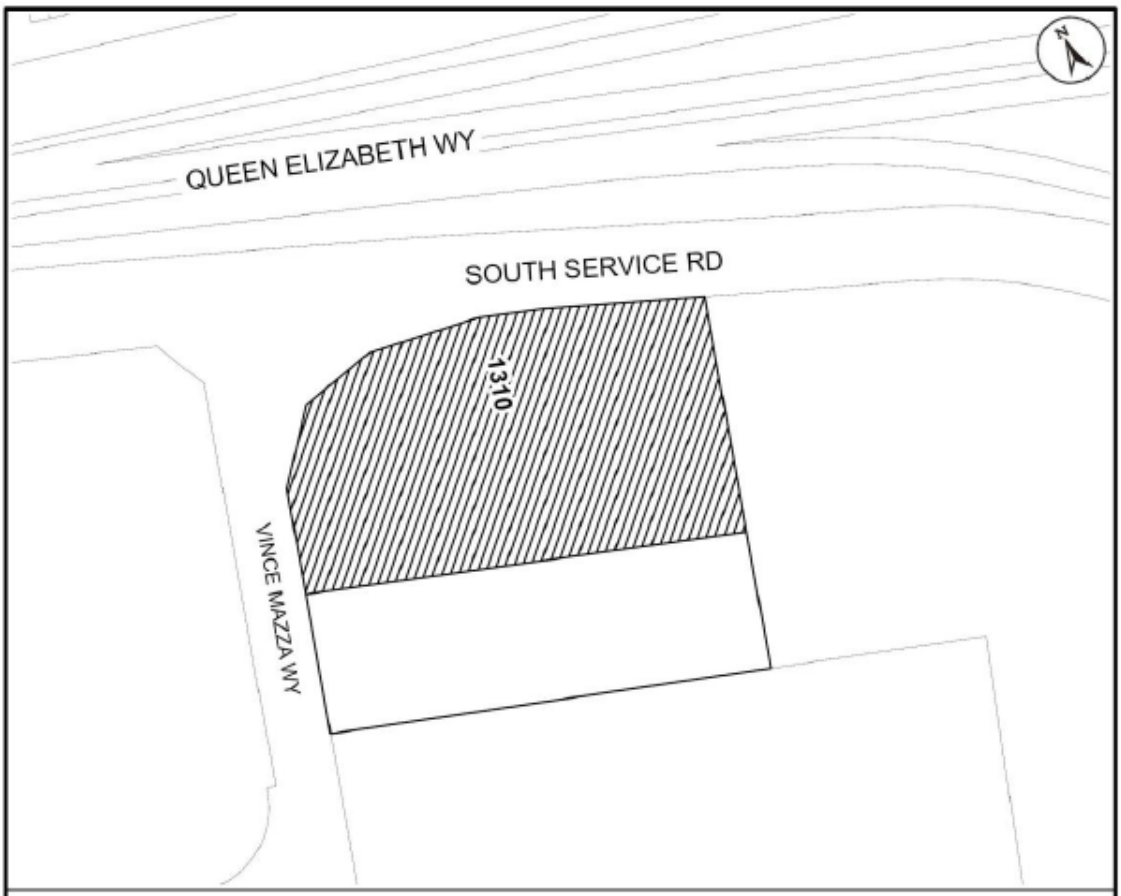
Mayor

Matthew Trennum

City Clerk

Schedule "1" – Zoning Map

Map forming Part of By-law No. 26-XXX to Amend By-law No. 05-200



This is Schedule "A" to By-law No. 26-

Passed the ..... day of ....., 2026

Mayor

Clerk

Schedule "A"

Map forming Part of
By-law No. 26-_____

to Amend By-law No. 05-200
Map 1259

Scale: N.T.S	File Name/Number: ZCR-2026-03395
Date: September 30, 2026	Planner/Technician: EB/NB

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Hamilton

Subject Property

1310 South Service Road, Stoney Creek (Ward 10)

Change in zoning from Mix Use Medium Density (C5, 851, H112) to Mid Rise Residential - Large Scale (R4, XX, H112) Zone

Map Description

This is a map which shows the change in zoning for lands located at 1310 South Service Road, Hamilton.