

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: WARD 4
COMMITTEE DATE: August 14, 2012	
SUBJECT/REPORT NO: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Alvin Chan (905) 546-2424 Ext. 1334
SIGNATURE:	

RECOMMENDATION

- (a) That approval be given to **Zoning Amendment Application ZAR-11-077, by Homestead Christian Care, c/o Graham Cubitt, (Owner)**, for a change in zoning from the “H” (Community Shopping and Commercial, etc.) District to the “H-‘H’/S-1659” (Community Shopping and Commercial, etc. - Holding) District, with a Special Exception (Block 1), in order to permit a 6-storey, mixed-use building, with ground floor commercial and residential units above, on lands located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South (Hamilton), as shown on Appendix “A” to Report PED12140, on the following basis:
 - (i) That the draft By-law, attached as Appendix “B” to Report PED12140, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.

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- (ii) That the amending By-law, attached as Appendix “B” to Report PED12140, be added to Schedule “E54” of City of Hamilton Zoning By-law No. 6593.
 - (iii) That the proposed change in zoning is in conformity with the Hamilton-Wentworth Official Plan and City of Hamilton Official Plan.
- (b) That approval be given to **Zoning Amendment Application ZAC-11-078, by Homestead Christian Care, c/o Graham Cubitt, (Owner)**, for changes in zoning from the “H” (Community Shopping and Commercial, etc.) District to the “H/S-1659” (Community Shopping and Commercial, etc.) District, with a Special Exception (Block 2); and from the “C” (Urban Protected Residential, etc.) District to the “G-3/S-1659” (Public Parking Lots) District, with a Special Exception (Block 3); to recognize the existing 4-storey, mixed-use building, and in order to permit a 28 space parking area, on lands located at 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton), as shown on Appendix “A” to Report PED12140, on the following basis:
- (i) That the draft By-law, attached as Appendix “B” to Report PED12140, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
 - (ii) That the amending By-law, attached as Appendix “B” to Report PED12140, be added to Schedule “E54” and “E74” of the City of Hamilton Zoning By-law No. 6593.
 - (iii) That the proposed changes in zoning are in conformity with the Hamilton-Wentworth Official Plan and City of Hamilton Official Plan.

EXECUTIVE SUMMARY

The purpose and effect of Zoning Application ZAR-11-077 is to amend the City of Hamilton Zoning By-law in order to permit the development of the lands located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South for a 15 space parking area and 6-storey, mixed-use building, with 290m² of ground floor commercial space and 50 residential units above, with an average residential unit size of 123.5m² (see Appendix “A” - Block 1).

The purpose and effect of Zoning Application ZAC-11-078 is to amend the City of Hamilton Zoning By-law in order to permit the development of a parking lot with 28 spaces for the existing mixed-use building located at 1429 Main Street East, which is also to be recognized under the proposed amending By-law (see Appendix “A” - Blocks 2 and 3).

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The proposed applications have merit and can be supported, as they are consistent with the Provincial Policy Statement and conform with the Growth Plan for the Greater Golden Horseshoe, the Hamilton-Wentworth Official Plan, and City of Hamilton Official Plan.

The proposed development is compatible with and complementary to the existing uses in the immediate area, offers alternative housing forms and tenure for the neighbourhood, and provides for the development of a complete community.

Alternatives for Consideration - See Page 27.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS (for Recommendation(s) only)

Financial: N/A.

Staffing: N/A.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider applications for an amendment to the Zoning By-law.

HISTORICAL BACKGROUND (Chronology of events)

Proposal

The original application for File ZAR-11-077 was submitted for the redevelopment of 1410-1430 Main Street East and 6 Crosthwaite Avenue South to permit the redevelopment of the subject lands for a 6-storey, mixed-use building, with 100 residential units and ground floor commercial with a take-out restaurant.

Upon notice of complete application and pre-circulation of the subject application, it was brought to staff's attention by the owner of 1410-1418 Main Street East that the subject application was not consented to. Accordingly, staff deemed the original application incomplete on February 1, 2012.

A revised application was received on February 21, 2012, for the lands located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, totalling 0.14 hectares. The purpose of the application is for a change in zoning in order to permit a 6-storey, mixed-use building with 290m² of ground floor commercial space and 50 residential units above.

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The original application for File ZAC-11-078 was submitted for the redevelopment of 17-21 Crosthwaite Avenue North to permit the redevelopment of the subject lands for a 28 space parking area.

Upon review of the associated Zoning Amendment Application ZAR-11-077, it was brought to staff's attention that the approval of this application would necessitate a By-law amendment to recognize the use at 1429 Main Street East and the change in parking. The owner/applicant was advised and, subsequently, a revised application was received to include modifications for parking with respect to 1429 Main Street East.

The proposals have merit and can be supported as they are consistent with the Provincial Policy Statement, conform to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), the Hamilton-Wentworth Official Plan, and City of Hamilton Official Plan.

Chronology:

- June 8, 2011: Development Review Committee for FC-11-055.
- December 23, 2011: Zoning By-law Amendment Applications ZAR-11-077 and ZAC-11-078 received.
- January 10, 2012: Applications ZAR-11-077 and ZAC-11-078 deemed complete.
- January 23, 2012: Circulation of Notice of Complete Application and Preliminary Circulation for Applications ZAR-11-077 and ZAC-11-078 to all residents within 120 metres of the subject lands.
- February 1, 2012: Application ZAR-11-077 deemed incomplete due to ownership issue, as owner of 1410-1418 Main Street East did not consent to the subject application.
- February 21, 2012: Revised Zoning Application ZAR-11-077 received.
- February 24, 2012: Revised Zoning Application ZAR-11-077 deemed complete.
- March 2, 2012: Circulation of Notice of Complete Application and Preliminary Circulation for Revised Application ZAR-11-077 to all residents within 120 metres of the subject lands.

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March 14, 2012: Building Services identifies that subject application cannot be processed without amendment to associated Zoning File ZAC-11-078 for lands across the street at 1429 Main Street East.

The subject application would render 1429 Main Street East deficient with respect to parking, as 6 Crosthwaite Avenue South is currently tied to 1429 Main Street East and, accordingly, the subject application would remove their parking.

April 2, 2012: Received Revised Associated Zoning File ZAC-11-078 for 17-21 Crosthwaite Avenue North by including 1429 Main Street East, as per Building Services direction.

April 24, 2012: Revised Zoning File ZAC-11-078 deemed complete.

July 27, 2012: Circulation of Notice of Public Meeting to all residents within 120 metres of the subject lands.

Details of Submitted Application:

Location: 1426-1430 Main Street East and 6 Crosthwaite Avenue South; and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (See Appendix "A")

Owner/Applicant: Homestead Christian Care (c/o Graham Cubitt)

Agent: IBI Group (c/o George Zajac)

Property Description: Lot Frontage: ZAR-11-077
Main Street East - 22.86m
Crosthwaite Avenue South - 22.86m

ZAC-11-078
Main Street East - 32.0m
Crosthwaite Avenue North - 29.82m

Lot Depth: ZAR-11-077
Main Street East - 27.43m
Crosthwaite Avenue South - 27.45m

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ZAC-11-078

From Crosthwaite Ave North - 30.48m
From Main Street East - 27.44m

Lot Area:

ZAR-11-077

0.14 hectares

ZAC-11-078

0.1871 hectares

Servicing:

ZAR-11-077 and ZAC-11-078

Full Municipal Services

EXISTING LAND USE AND ZONING FOR ZAR-11-077:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Parking Lot	"H" District (Community Shopping and Commercial, etc.)
<u>Surrounding Land Uses:</u>		
North	Mixed-Use Building	"H" District (Community Shopping and Commercial, etc.)
South	Multiple Residential	"H" District (Community Shopping and Commercial, etc.)
East	Commercial Plaza	"H/S-1591" District (Community Shopping and Commercial, etc.), Modified
West	Single Detached Residential	"H" District (Community Shopping and Commercial, etc.)

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EXISTING LAND USE AND ZONING FOR ZAC-11-078:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Mixed-Use Building (1429-1431 Main Street East)	“H” District (Community Shopping and Commercial, etc.)
	Single Detached Residential (17-21 Crosthwaite Avenue North)	“C” District (Urban Protected Residential, etc.)
<u>Surrounding Land Uses:</u>		
North	Single Detached Residential	“C” District (Urban Protected Residential, etc.)
South	Commercial Building	“H” District (Community Shopping and Commercial, etc.)
East	Commercial Building and Single Detached Residential	“H” District (Community Shopping and Commercial, etc.)
West	Flower Shop	“H” District (Community Shopping and Commercial, etc.)

POLICY IMPLICATIONS

Provincial Policy Statement

The applications have been reviewed with respect to the Provincial Policy Statement (PPS). Staff recognizes that the applications are consistent with the policies that focus growth in Settlement Areas, Policy 1.1.3.1.

Additionally, Policy 2.6.2 requires that development and site alteration shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site. An Archaeological Assessment was submitted with both applications, and upon review, staff concurs with the findings. Accordingly, the Provincial interest has been satisfied.

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Lastly, with respect to File ZAR-11-077, Policy 1.7.1(e) outlines that long-term economic prosperity will be supported by planning so that major facilities (such as transportation corridors) and sensitive land uses are appropriately designed, buffered, and separated from each other to prevent adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety.

A Noise Study, titled “Environmental Noise Impact Study”, dated October 2011, and a letter dated February 22, 2012, both prepared by dBA Environmental Services, were submitted, and upon review, staff is satisfied with the findings of the Noise Study and note that if the subject application is approved, the recommendations of the Study would be implemented at the Site Plan Control stage. Based on the foregoing, the proposals are consistent with the Provincial Policy Statement.

Growth Plan for the Greater Golden Horseshoe (Places to Grow)

The subject applications are consistent with the Guiding Principles, Section 1.2.2 and the Managing Growth policies of the Plan, through a planned and managed growth that supports a strong and competitive economy, while protecting, conserving, enhancing, and wisely using the valuable natural resources of land, air, and water for current and future generations; optimizing the use of existing and new infrastructure to support growth that is in a compact, efficient form; and establishing a built compact, vibrant, and complete community. Based on the foregoing, the proposals conform to the policies of the Growth Plan for the Greater Golden Horseshoe (Places to Grow Plan).

Hamilton-Wentworth Official Plan

The subject properties are designated as a “High Density Mixed-Use Corridor” in the Hamilton-Wentworth Official Plan. Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. Urban Areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

As well, Policy C-3.1.1 states that a compact higher density urban form, with mixed-use development in identified regional and municipal centres and along corridors, best meets the environmental, social, and economic principles of sustainable development. Mixed form of development within an Urban Area is preferable to widespread, low density residential development and scattered rural development. The proposed developments conform, as they are of a mixed-use development form.

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Additionally, Policy B-9.2 states that the City shall consider the protection and preservation of regionally significant historical and cultural resources, including recognized archaeological sites, in the review of proposals for development and redevelopment. Where possible, these attributes will be incorporated into the overall design in a manner which minimizes adverse impacts and encourages maintenance and protection. As mentioned above, the Provincial interest has been satisfied. Based on the foregoing, the applications conform to the policies of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan

With respect to File ZAR-11-077, the subject property is designated “Commercial” on Schedule “A” - General Land Use Plan. Policy Section A.2.2.1(i)(c) permits residential uses ancillary to a commercial use subject to sufficient amenity space exclusive and physically separated from the commercial component and associated customer parking areas; and shall satisfy the provisions of Sub-sections A.2.1 and C.7.

In review of Policy Section A.2.1, the residential policies require that that the residential character of the area will be maintained or enhanced, and that the redevelopment will not burden existing facilities and services. In addition, the design should be harmonious with the existing neighbourhood character, while providing for adequate off-street parking and open space/amenity areas. The proposed development maintains a streetscape and character consistent with the City’s Transit Oriented Design Guidelines, while providing for appropriate amenity and open space areas for the residential component.

Regarding adequate parking, staff has reviewed the submitted Parking Justification Report, prepared by IBI Group, and is satisfied that the requested reduction in parking is supportable subject to restrictions on the permitted uses and a maximum residential unit size of 50m². Accordingly, staff has included the required amendments within the proposed By-law, attached as Appendix “B”. Lastly, with respect to the functional and physical separation of amenity areas, appropriate design will be reviewed through the future Site Plan Control Application to address this requirement.

In review of Sub-section C.7 - Residential Environment and Housing Policy, the proposed development is a conversion of an underutilized commercial space, which will not undermine the primary commercial use/function of the neighbourhood as it is a mixed-use form of development with ground floor commercial, which recognizes and enhances the pedestrian scale and character through the application of the City’s Transit Oriented Development Guidelines.

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Furthermore, the form of redevelopment makes efficient use of the physical infrastructure, while providing for a range of dwelling types, densities, and tenures with a range of prices/rents for new dwellings that will be “affordable” to Hamilton residents, as the residential component is to be marketed as “geared to income” units.

With respect to File ZAC-11-078, 1429 Main Street East is designated as “Commercial”, while 17-21 Crosthwaite Avenue North are designated as “Residential” on Schedule “A” - General Land Use Plan. It is noted that the existing mixed-use development was constructed under Site Plan Control Application MDA-09-098 and conformed to the “Commercial” policies at the time of development. However, the parking area must be established for 1429 Main Street East in order to maintain conformity with the City of Hamilton Official Plan with respect to the provision of adequate off-street parking as a result of the associated Zoning Amendment Application ZAR-11-077.

The existing parking area located at 6 Crosthwaite Avenue South currently provides 20 parking spaces for the existing development at 1429 Main Street East. As the proposed amendment seeks to establish a parking area of 28 spaces, staff is satisfied that there remains sufficient parking based on the previous permissions, as established by Minor Variance Application HM/A-09:227 for 1429 Main Street East.

As these 28 parking spaces are in support of the mixed-use development, which is a form of development that conforms to the “Commercial” and “Residential” policies of the Hamilton Official Plan, and as the residential character of the area will be maintained and enhanced with a design that is harmonious to the existing neighbourhood character, while providing for adequate off-street parking and open space/amenity areas, and which will not burden existing facilities and services, the proposed amendment conforms to the City of Hamilton Official Plan.

Based on the foregoing, the proposals conform to the “Commercial”, “Residential”, and “Residential Environment and Housing Policy” sections of the Hamilton Official Plan.

New Urban Hamilton Official Plan

The Urban Hamilton Official Plan received Ministerial Approval from the Ministry of Municipal Affairs and Housing on March 16, 2011, and, therefore, can no longer be modified. However, the Plan has been appealed to the Ontario Municipal Board.

With respect to File ZAR-11-077, the subject lands are designated as “Primary Corridor” on Schedule “E” - Urban Structure and as “Mixed-use - Medium Density” on Schedule “E-1” - Land Use Designations. Policy Section E.2.4 of Volume 1 provides direction with respect to “Primary Corridor” development.

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In particular, Policy E.2.4.3 states that: “Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed-uses, where feasible, supported by higher order transit on the Primary Corridors.”

As the subject proposal provides for a complete community and supporting services, is of a Residential nature, as permitted under Policy E.3.2.3, the subject applications conform to the intent and purpose of the “Neighbourhoods” general policies.

Additionally, Policies E.2.4.14 to E.2.4.16 of Volume 1 provides the “Design” policies for “Urban Corridors”. In particular, they shall include active transportation connections, respect the existing built form of adjacent neighbourhoods, where appropriate, by providing a gradation in building height, be located and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods, and permit reductions in parking requirements in order to encourage a broader range of uses and densities to support existing and planned transit routes.

In review of the proposed development for a 6-storey, mixed-use building with ground floor commercial and 50 residential units above, and the submitted Urban Design Brief, staff is of the opinion that there will be minimal shadowing or overview. The proposed development will provide for active transportation connections and a broader range of uses and densities supportive of the existing and planned transit routes.

Concerning the “Mixed-Use - Medium Density” designation, Policy E.4.6 applies and permits a full range of retail, service commercial, entertainment, and residential accommodation at a moderate scale, and as prescribed by Policy E.4.6.5.

The proposed development conforms to the envisioned function, Policies E.4.6.1 to E.4.6.4 of the “Mixed-Use - Medium Density” policies, whereby commercial uses serve the surrounding community or series of neighbourhoods, as well as provide day-to-day retail facilities and services to residents in the immediate area and promote the continuation of these areas as pedestrian oriented mixed-use areas, with the inclusion of residential development, which enhances the function of these areas as transit supportive nodes and corridors.

Regarding the scale of the development, Policy E.4.7 prescribes that the “Mixed-Use - Medium Density” designation shall “contain a range of building heights and densities to a maximum height of 6-storeys, which shall be set out in the implementing Zoning By-law. The specific permitted heights and densities shall depend on the area, and be established through secondary plans where one exists and the Zoning By-law.” It is noted that there is no secondary plan for this area. However, the maximum building height has been restricted to 6-storeys, as proposed in the Draft By-law (see Appendix “B”).

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Lastly, Policies E.4.6.16 to E.4.6.28 of Volume 1 provide the design criteria for the “Mixed-Use - Medium Density” designation. As the proposed development is designed and oriented to create comfortable, vibrant, and stimulating pedestrian oriented streets, in a compact urban form with a streetscape design and building arrangement that supports pedestrian use and circulation, while creating vibrant people places with a strong pedestrian focus with buildings located up to the street and no parking, drive-thrus, or stacking lanes between the building and the street, encouraging and providing a mix of uses on the site that respects the existing built form, the proposed development conforms to the above noted design policies.

As the subject application is to establish a mixed-use development with appropriate design and parking, the proposed development conforms to the above noted policies.

With respect to File ZAC-11-078, 1429 Main Street East is designated as “Primary Corridor” on Schedule “E” - Urban Structure, and as “Mixed-Use - Medium Density” on Schedule “E-1” - Land Use Designations. 17-21 Crosthwaite Avenue North are designated as “Neighbourhoods” on Schedule “E” - Urban Structure and on Schedule “E-1” - Land Use Designations.

As mentioned above, the existing mixed-use development at 1429 Main Street East was established in accordance with Minor Variance Application HM/A-09:277, and conforms with the policies of the New Urban Hamilton Official Plan, as approved through Site Plan Control Application MDA-09-098.

As the subject application is to provide parking for and to recognize the existing mixed-use development at 1429 Main Street East, the proposed development conforms to the above noted policies.

Lastly, Policy Section B.3.4 of Volume 1 provides policy direction with respect to Cultural Heritage Resources. As mentioned above, City staff concurs with the findings of the submitted Archaeological Assessment, and has no further concerns.

Based on the foregoing, the proposed development would conform with the policies of the Urban Hamilton Official Plan.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections to Application ZAR-11-077:

- Taxation Division, Corporate Services Department.
- Recreation Division, Community Services Department.
- Bell Canada.

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Environment and Sustainable Infrastructure Division (Public Works Department)

identified various design elements with respect to the City's Transit Oriented Design Guidelines. The proposed development has incorporated the City's Transit Oriented Design, and further detailed design shall be undertaken through the future Site Plan Control application. Therefore, the above noted comment has been addressed.

Operations and Waste Management Division (Public Works Department)

has confirmed that the subject development is eligible for municipal pick-up. However, due to the current site layout, the owner/applicant is advised and has agreed that on collection days all materials will be moved from the internal storage area to the curb of Crosthwaite Avenue South for pick-up.

Traffic Engineering Section (Public Works Department)

advises the owner/applicant that a full size garbage truck will not be able to manoeuvre on site without the removal of a number of parking spaces. An SU-9 (9m length) truck will be able to manoeuvre; however, the proposed landscaped areas will need to be reduced.

As mentioned above, the proposed waste services are to be provided curb-side along Crosthwaite Avenue South. The concern with respect to on-site manoeuvring for waste vehicles is, therefore, not applicable.

Hamilton Municipal Parking System (HMPS)

has advised that the submitted Parking Study is supportable, subject to the inclusion of a restriction on the residential unit size to a maximum of 50m², and the prohibition of medical office and/or clinics and restaurants as a permitted use, save and except for take-out restaurants.

Staff has included the required modifications within the Draft By-law and, therefore, is of the opinion that the parking concerns noted above have been satisfied.

Hamilton Conservation Authority

has commented that there are no objections to the approval of the subject application, and advises the owner/applicant of the future requirements of the Site Plan Control application; in particular, lot grading and drainage, and sediment and erosion control measures.

Hamilton Street Railway (HSR)

has advised that HSR operates various bus routes within this area, with no planned changes in service, and is supportive of the land use and scale of the proposed development along the King/Main/Queenston corridor, in terms of Transit Oriented Design.

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The following Departments and Agencies had no comments or objections to Application ZAC-11-078:

- Taxation Division, Corporate Services Department.
- Forestry and Horticulture Section, Public Works Department.
- Horizon Utilities Corporation.

Hamilton Conservation Authority has commented that there are no objections to the approval of the subject application, and advises the owner/applicant of the future requirements of the Site Plan Control application; in particular, lot grading and drainage, and sediment and erosion control measures.

Operations and Waste Management Division (Public Works Department) has advised that this property is eligible for weekly collection of garbage, organics, recyclable material, and leaf and yard waste through the City of Hamilton, subject to compliance with specifications indicated by the Operations and Waste Management Division and subject to compliance with City's Solid Waste Management By-law 09-067.

The owner/applicant is further advised that any waste associated with the parking lot is to be included with the waste from the Perkins Centre (1429-1431 Main Street East). The pick up location of all waste streams is dependent on the application review related to 1429 -1431 Main Street East. The safest pick up location would be located on Crosthwaite Avenue North.

PUBLIC CONSULTATION

ZAR-11-077:

In accordance with the new provisions of the Planning Act and the Council-Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was circulated to 272 property owners within 120 metres of the subject property on January 23, 2012, for the original Zoning By-law Amendment Application ZAR-11-077.

The applicant was advised of the need for a revised application on February 1, 2012, and accordingly, only one Public Notice sign was posted on the property on March 26, 2012, reflecting the Revised Zoning By-law Amendment application.

Subsequently, Notice of Complete Revised Application and Preliminary Circulation was circulated to 293 property owners within 120 metres of the subject property on March 2, 2012, for Revised Zoning By-law Amendment Application ZAR-11-077.

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To date, seven letters of support and three letters of concern have been received from the public (see Appendix “E”). The respective concerns; in particular, building height, privacy and overview issues, parking, green space, infrastructure, and property values are addressed in the Analysis/Rationale for Recommendation section below.

ZAC-11-078:

In accordance with the new provisions of the Planning Act and the Council-Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was circulated to 272 property owners within 120 metres of the subject property on January 23, 2012, for the original Zoning By-law Amendment Application ZAC-11-078.

The applicant was advised of the need for a revised application on March 14, 2012, and accordingly, only one Public Notice sign was posted on the property on May 9, 2012, reflecting the Revised Zoning By-law Amendment application.

Subsequently, Notice of Complete Revised Application and Preliminary Circulation was circulated to 312 property owners within 120 metres of the subject property on May 4, 2012, for Revised Zoning By-law Amendment Application ZAC-11-078.

To date, one letter from two property owners for support based on the need for parking in the area has been received from the public (see Appendix “F”).

Finally, Notice of the Public Meeting for both Zoning By-law Amendment applications was given in accordance with the requirements of the Planning Act on July 27, 2012.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

1. The proposals have merit and can be supported for the following reasons:
 - (i) They are consistent with the Provincial Policy Statement and conform with the Growth Plan for the Greater Golden Horseshoe, as they represent an opportunity for growth in Settlement Areas.
 - (ii) They conform to the policies of the Hamilton-Wentworth Official Plan.
 - (iii) They conform to the “Commercial”, “Residential”, and “Residential Environment and Housing” policies of the Hamilton Official Plan.
 - (iv) They conform to the intent and purpose of the new Urban Hamilton Official Plan.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 16 of 28

- (v) The proposed developments are compatible with existing land uses in the immediate area and represent good planning by, among other things, providing for the development of a complete community, enhancing the streetscape along Main Street East, making efficient use of existing infrastructure within the urban boundary, and providing adequate forms of affordable housing.
2. With respect to Application ZAR-11-077, the applicant has requested amendments to City of Hamilton Zoning By-law No. 6593 in order to implement the development concept shown on Appendix "C" under the "H" District (Community Shopping and Commercial, etc.), as follows:

"H-'H'/S-1659" District (Community Shopping and Commercial, Etc. - Holding) (Block 1):

Permitted Uses:

In light of the requested parking reduction, the applicant has agreed to a reduction in the list of permitted commercial uses through the removal of uses that are not local in nature and which, typically, have high parking demands. Accordingly, the following uses shall be prohibited:

- Any automobile service station or other public garage;
- An outdoor patio;
- A theatre with seating capacity for not more than 750 persons;
- A restaurant or refreshment room, except for a take-out restaurant without any seating;
- A medical office and/or clinic;
- A frosted food locker; and,
- A dry-cleaning plant.

In addition, an amendment to the residential uses is also required, whereby notwithstanding Sections 14(1)(iii) and (iiia), dwelling units shall be restricted to a maximum unit size of 50m² in the same building with a ground floor commercial use notwithstanding the provided lot area.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 17 of 28

The proposed modification implements a standard mixed-use development with a size and density consistent with that which is envisioned on a major transit corridor and is, therefore, supportable.

Based on the foregoing, staff supports the modification to the list of permitted uses, as it is appropriate for and complementary to the existing neighbourhood.

Maximum Building Height:

The proposed 6-storey development would require an amendment to the Maximum Building Height, as the required 3.0m side yard along Crosthwaite Avenue South has not been provided, in order to permit structures over 4-storeys or 17.0 metres in height.

Staff notes that the required 3m side yard is provided with respect to the west side yard; however, a 0.6m side yard has been provided along Crosthwaite Avenue South. It is noted that the proposed development can facilitate the required 3m side yard along Crosthwaite Avenue South; however, the building location has been sited as a result of the City's Transit Oriented Design Guidelines in locating structures closer to the intersection to provide for a pedestrian scale and streetscape.

The side yard requirement with respect to building height is required to ensure an appropriate scale and massing of the development. The reduction in side yard and proposed height were analyzed through the Urban Design Study, and the proposed development, therefore, provides for a height consistent with the surrounding built character, and is complementary to the City's Transit Oriented Design Guidelines. Furthermore, design elements have been provided to ensure a pedestrian scale and streetscape that is consistent with the 6-storey permissions envisioned by the New Urban Hamilton Official Plan. Accordingly, staff supports the requested modification with respect to building height.

Landscape Requirements for Commercial Uses Abutting a Residential District or Use:

It is noted that a 1.5m planting strip is required adjacent to 1424 Main Street East, as the lands currently include a residential use. However, as Main Street East is a "Primary Corridor", which would include primarily commercial uses, the proposed building location, along with the provision of a 1.8m visual barrier, is adequate in buffering the existing residential use. Staff has included a provision to ensure the visual barrier will be provided.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 18 of 28

Furthermore, it is noted that as zone boundaries are drawn to the centreline of streets and alleyways, a 1.5m planting strip would be required. It is noted that the alleyway is currently in a natural state and of a width of 3m and would, therefore, maintain an adequate buffer from the residential district along Kenilworth Avenue. Staff is of the opinion that the requested reduction to remove the requirement for a 1.5m planting strip adjacent to an alleyway is minor in nature and, therefore, supportable.

Landscape Requirements where any Parking or Manoeuvring Space is Adjacent to a Street Line:

In order to address the Transit Oriented Design Guidelines, the subject development has been sited closest to the intersection of Main Street East and Crosthwaite Avenue South. The required landscaping strip is provided where parking is adjacent to Crosthwaite Avenue South. However, due to the building location, the required average 2.0m and minimum 1.0m landscaped area cannot be accommodated.

Accordingly, the applicant has requested a reduction to an average width of 1.83m, with a minimum of 0.6m landscape area. As the intent of the provision is to ensure adequate landscaping between parking areas and the street line, and as the proposed development provides for a 3.0m landscape area where the parking is physically adjacent to the street line, staff is of the opinion that the requested modification is minor in nature and, therefore, supportable.

Landscape Area and Planting Strip Definition:

In order to facilitate the proposed development, Horizon Utilities Inc. has commented that the hydro transformer is required to be located within the landscaped area, and in order to provide proper site lighting and safety, a light standard has been proposed within the planting strip. By definition, the hydro transformer and light standard are not permitted within a Landscape Area or Planting Strip.

However, as the requested modification is required to facilitate the proposed development and to ensure adequate lighting and safety, and, as appropriate screening of these features will be incorporated through the future Site Plan Control application, staff supports the requested modification.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 19 of 28

Minimum Number of Loading Spaces:

In review of the unit sizes and the parking study submitted with the subject applications, the applicant has requested that no loading be required for the proposed development. As provisions have been included to limit both the residential unit size and the types of commercial uses permitted, staff is of the opinion that the development can be adequately serviced through standard cube vans and other smaller vehicles. Therefore, the requested reduction is supportable.

Minimum Number of Parking Spaces:

In review of the proposed development and the submitted parking study, the proposed development is to be restricted to a maximum residential unit size of 50m², and high demand commercial uses, such as medical clinics and/or offices and standard restaurants, shall be prohibited.

At this time, the commercial tenant is unknown. However, it is noted that retail operations are exempt from parking for the first 450m². Assuming general retail is proposed on the ground floor, no commercial parking would be required as the proposed commercial floor area is a maximum 290m². The multiple dwelling is subject to a parking ratio of 1.25 spaces per unit, which would, therefore, require 63 parking spaces.

However, by limiting the residential unit size to 50m², the applicant/owner has requested that the parking standards, as established under City of Hamilton Zoning By-law No. 05-200, for such developments be applied, being a rate of 0.3 spaces for each unit. Therefore, assuming retail uses are located on the ground floor, a reduction from 63 spaces to 15 spaces is required.

Based on the foregoing, as the development shall apply an approved City standard for parking, and in review of the submitted Parking Study, the requested parking reduction is appropriate and supportable, subject to the restriction of unit sizes and commercial uses of a high parking demand.

Minimum Parking Space Dimensions:

The requested reduction in parking space dimensions is based on the design standards of the new City of Hamilton By-law No. 05-200, being 2.6m x 5.5m for a standard parking space, and 4.4m x 5.5m for barrier-free parking spaces. Accordingly, staff supports the reduction in parking space dimensions.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 20 of 28

'H' Holding Provision:

The proposed development requires the closure and merging on title of the public unassumed alley located between 1426-1430 Main Street East and 6 Crosthwaite Avenue South. Staff notes that the alley closure process has been initiated by the applicant.

However, as the alley closure process will not be completed prior to adoption of the proposed amending By-law, staff has included an 'H' Holding provision prohibiting development until such time as the applicant/owner has received final approval of the alley closure and the completion of a merger on title of the public unassumed alley with the subject lands.

Lastly, the subject proposal will render the parking at 1429-1431 Main Street East deficient. As such, a Holding provision has been included to require the construction of the parking area over lands known municipally as 17-21 Crosthwaite Avenue North in an operational form, to the satisfaction of the Manager of Development Planning, to ensure appropriate parking has been provided.

3. With respect to Application ZAC-11-078, the applicant has requested amendments to City of Hamilton Zoning By-law No. 6593 in order to implement the development concept shown on Appendix "D". The proposed "H/S-1659" (Community Shopping and Commercial, etc.) District, Modified, and "G-3/S-1659" (Public Parking Lots, etc.) District, Modified, require the following provisions:

"H/S-1659" (Community Shopping and Commercial, Etc.) District (Block 2)

Permitted Uses, Yard Setbacks, and Building Height:

The proposed development requires the recognition of the existing mixed-use building and site-specific modifications at 1429-1431 Main Street East, which were previously established under City of Hamilton Minor Variance Application HM/A-09-:277.

Similar to the above, mixed-use forms of development are promoted along a "High Density Mixed-Use Corridor", such as Main Street East. The "H" (Community Shopping and Commercial, Etc.) District permits mixed-use forms of development. As the existing development was a form of adaptive re-use of the original building located at 1429 Main Street East, whereby the existing setbacks are maintained, staff supports the requested modification.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 21 of 28

Lastly, the proposed development is restricted to 4-storeys in height, which is consistent with and complementary to the existing neighbourhood character. Accordingly, staff supports the amendment to recognize the existing building height.

Staff has included and supports the provision to recognize the building existing at the date of passing of this By-law, being a 4-storey, mixed-use building with a fourth storey penthouse area of 66.3m², a maximum gross floor area of 796m² for ground floor commercial, and maximum gross floor area of 3,150m² for 46 residential units located above.

Required Parking:

The current parking allocation for the existing mixed-use building is a 20 space parking area located at 6 Crosthwaite Avenue South, and is to be relocated to 17-21 Crosthwaite Avenue North as a result of the proposal under the associated Zoning File ZAR-11-077.

Accordingly, a modification has been included whereby parking shall be provided at a ratio of 0.3 spaces per residential dwelling unit not exceeding 50m², to be provided on the adjacent lands as noted above. The provision of parking off-site is due to the fact the alleyway in-between is a public assumed alleyway and, therefore, may not be acquired by the applicant for merger.

Based on the foregoing, as the proposed parking ratio is consistent with the standards of City of Hamilton Zoning By-law No. 05-200, and as the parking is to be provided off-site due to a technicality with respect to the alleyway, staff supports the requested modification.

Loading Requirements:

The previous Minor Variance Application HM/A-09:277 provided relief from the required loading requirements for the existing use at 1429 Main Street East. The current operation and use at 1429 Main Street East does not necessitate the standard loading space, and can be accommodated through standard parking spaces or temporarily along the alleyway in behind.

Based on the foregoing, staff supports the required modification to eliminate the need for loading spaces as it relates to the existing mixed-use building at 1429 Main Street East.

“G-3/S-1659” (Public Parking Lots, Etc.) District (Block 3)

Landscape Requirements for Public Parking Lot:

Due to the proposed layout and use of the adjacent public assumed alleyway for manoeuvring, the required minimum average 2.0 metre landscape area cannot be provided along the south lot line. The intent of this provision is to ensure adequate buffering between a parking area and an adjacent residential use.

It is noted that the proposed parking area is for the residential use to the south to which the landscape area is to buffer, and is a result of a technicality due to the definition of a street which includes an alleyway.

However, given the required minimum average 2.0 metre planting strip is being provided along Crosthwaite Avenue North, and maintains an appropriate streetscape; and as the modification is as a result of a technical definition with the proposed parking area being for the exclusive use of the existing mixed-use building, the amendment is, therefore, supportable.

Planting Strip Requirements for Public Parking Lot:

Similar to the provision above, a landscape area of not less than 1.5 metres in width is to be provided along a side or rear lot line abutting a residential district or use. Staff notes that the Residential uses to the west have been provided the required 1.5 metre planting strip.

With respect to the residential use to the south, given that the proposed parking area is for the exclusive use of this residential use, staff supports the removal of this requirement along the south property line, as the intent and purpose of the provision shall be maintained.

Visual Barrier Requirements for a Public Parking Lot:

Similar to the above, a Visual Barrier is required for adjacent residential uses or districts. The required visual barrier shall be provided along the west property line except for points of ingress and egress and, as proffered above, given the proposed parking area is for the exclusive use of the residential use to the south, staff supports the requested modification to remove the requirement along the south property line and at points of ingress and egress.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 23 of 28

Minimum Number of Parking Spaces:

As mentioned above, the proposed parking area is to facilitate the existing use located at 1429-1431 Main Street East. Therefore, in order to ensure adequate parking is maintained for the existing mixed-use building, a provision has been included whereby the proposed parking shall be for the exclusive use of 1429-1431 Main Street East.

Similar to the proposal on the south side, the existing residential units are a maximum of 50m² and, accordingly, the City of Hamilton Zoning By-law No. 05-200 standard shall be applied. In addition, the subject application presents an opportunity to establish a parking ratio, which would provide further guidance with respect to future redevelopment or changes in commercial tenants.

As such, the existing multiple dwelling would require 1.25 spaces per residential unit, totalling 58 parking spaces under City of Hamilton Zoning By-law No. 6593. However, given the residential units are to be restricted to 50m² to accommodate the use of a parking ratio of 0.3 spaces per residential unit, as prescribed by City of Hamilton Zoning By-law No. 05-200, a total of 14 spaces would be required.

The remaining 16 parking spaces would be available to accommodate the existing commercial uses, and any future changes in commercial tenants would be subject to the parking standards for the specific commercial use, as prescribed by City of Hamilton Zoning By-law No. 6593. Accordingly, staff has no concerns with the above modifications, as the proposed parking area is to facilitate the existing mixed-use building.

Minimum Manoeuvring Space Aisle Width:

The proposed development seeks to utilize the public assumed alleyway as a part of the required manoeuvring space aisle width for the 10 most southerly parking spaces adjacent to the alley. The required aisle width is to be provided on site and will, therefore, necessitate a reduction from 6.0m to 1.5m.

As the required 6.0m drive aisle will be provided through the combination of the on-site aisle width (i.e. 1.5m) and the public assumed alleyway (i.e. minimum 6.0m), Traffic Engineering and Hamilton Municipal Parking Services have no concerns with the requested reduction to the required manoeuvring aisle width. As a functioning 6.0m aisle width can be accommodated through the use of the public alleyway for manoeuvring, staff supports the requested modification.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 24 of 28

Minimum Parking Space Dimensions:

The requested reduction in parking space dimensions is based on the design standards of the new City of Hamilton By-law No. 05-200, being 2.6m x 5.5m for a standard parking space, and 4.4m x 5.5m for barrier-free parking spaces. Accordingly, staff supports the reduction in parking space dimensions.

Location of Parking Spaces and Manoeuvring Spaces:

As mentioned above, the proposed development will utilize the public assumed alleyway for required manoeuvring. The By-law requires that parking spaces and manoeuvring be provided on site. As there are no concerns with the utilization of the alley for manoeuvring purposes, staff supports the subject modification to allow for manoeuvring off-site over the public alleyway.

Access Width to Parking Area where more than 5 Parking Spaces:

The provision currently restricts parking from being designed where vehicles would reverse onto a public highway, which by definition, includes an alleyway. The intent and purpose of this provision is to ensure adequate safety and manoeuvring.

Traffic Engineering and Hamilton Municipal Parking services have reviewed the proposed layout and circulation, and are satisfied that adequate safety and manoeuvring will be maintained. Furthermore, the alleyway is not highly traversed like a standard public highway and would not represent a conflict with the travelling public. As such, staff supports the requested modification.

Uses other than Residential Adjacent to a Residential District:

As zone boundaries are established to the centre line of an alleyway, the proposed parking area would be deemed to be within 1.5m of the adjacent residential district. It is noted that physically, the required 3.0m setback would be present, but due to the technicality of how zone boundaries are to be shown, a reduction is required.

Based on the foregoing, as the alleyway itself is 3.0m wide, and as the modification is due to a technicality, staff supports the requested modification.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 25 of 28

4. Development Engineering has reviewed Application ZAR-11-077, and the associated Functional Servicing Report, prepared by IBI Group, dated March 2012, which was submitted as part of the subject application. In review, staff is satisfied with the proposal and has no further concerns with respect to the approval of the subject application.

Similarly, with respect to Application ZAC-11-078, staff has reviewed the Functional Servicing Report, prepared by IBI Group, dated May 31, 2012, is satisfied with the proposal, and has no further concerns with respect to the approval of the subject application.

However, the applicant/owner is advised that all issues related to grading, site servicing, and stormwater management quantity and quality control, will be dealt with as conditions of the future Site Plan Control Application for the two development proposals.

5. To date, with respect to File ZAR-11-077, 10 letters have been received from the public in response to the preliminary circulation of the revised Zoning By-law Amendment applications (see Appendix "F"). It is noted that 7 of the public submissions were in support of the proposed development.

The underlying basis for the 7 letters of support pertain to providing additional housing types and tenures; provision of affordable housing; increased commercial activity and spaces along the Main Street East/Kenilworth Avenue corridor; appropriate redevelopment for a derelict and underutilized site; an established landlord versus an absentee landlord; and enhanced quality of life.

Three letters of objection received expressed concerns regarding building height, shadowing and privacy/overview issues, parking, green space, infrastructure, and property values, all of which are addressed below.

Building Height:

The "H" District currently permits building heights up to 8-storeys, subject to adequate side yards of a minimum of 3.0m.

It is noted that the development provides the required 3.0m on the west side, but as a result of the Transit Oriented Design Guidelines and input by Urban Design staff, the proposed development is to be located closest to the intersection.

Furthermore, it is noted that the lands are designated as "Mixed-Use - Medium Density", which permits 6-storey developments. Based on the foregoing, staff has no concerns with the requested 6-storey building height.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 26 of 28

Shadowing and Privacy/Overview Issues:

It is noted that the proposed development has been sited in a location as far away as possible from the existing residential uses within the neighbourhood. The proposed development does not include any balconies, and will be utilizing windows that cannot be opened due to the requirements of the Noise Study and the provision of forced air.

Furthermore, staff has reviewed the Urban Design Brief, submitted by Garwood-Jones & Hanham Architect, dated May 2012, and is of the opinion that the proposed building location will provide for minimal overview or shadowing with respect to the surrounding, existing residential uses. Staff concurs with these findings and, therefore, is of the opinion that the proposed development has been designed in a form and location which has addressed this concern.

Parking:

As part of the application, the applicant/owner submitted a Parking Study, which was subsequently reviewed by Hamilton Municipal Parking Services. The findings of the Study conclude there is adequate parking subject to restricting the residential unit size and prohibition of high demand commercial uses, such as medical clinics and/or offices and restaurants, save and except for take-out restaurants.

Staff has included the appropriate modifications within the Draft By-law and is, therefore, of the opinion that adequate parking will be available for the proposed development.

Green Space:

The proposed concept plan includes a considerable amount of landscaped area on the west side of the proposed development. It is noted that the applicant/owner has generally provided the required landscaping, as prescribed by the requested "H" (Community Shopping and Commercial, etc.) District, with minimal reductions requested, as discussed below.

The requested reductions are with respect to reducing the required 1.5m planting strip adjacent to 1424 Main Street East to 0.0m, with a visual barrier, and to reduce the minimum 1.0m and average width of 2.0m landscaping along Crosthwaite Avenue South along the limits of the proposed building location to a minimum 0.6m, with an average width of 1.83m. The requested modifications are minor in nature and appropriate green space and buffering shall be maintained.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 27 of 28

Lastly, it is noted that there is no specific requirement for amenity space under the requested “H” (Community Shopping and Commercial, etc.) District. Based on the foregoing, staff is of the opinion that adequate green space has been provided and the above noted concern has been addressed.

Infrastructure:

Development Engineering has reviewed the proposed servicing and the submitted Functional Servicing Report, as prepared by IBI Group, dated March 2012, and has no further comments or concerns with respect to infrastructure and the proposed development. As such, staff is of the opinion that adequate infrastructure is available to service the subject development, and has no further concerns.

Property Values:

Concerns have been raised regarding the potential loss of property values that would occur should the proposed application be approved. Staff is not aware of any supporting real estate information that would substantiate this concern or any empirical data with respect to property devaluation. Based on the foregoing, staff is satisfied that this public concern has been addressed.

6. To date, with respect to File ZAC-11-078, 1 letter of support from 2 local residents has been received from the public in response to the preliminary circulation of the revised Zoning By-law Amendment applications (see Appendix “F”). In particular, support of the application was based on the need for additional parking in the area, and as a catalyst for future development along Main Street East.

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

With respect to File ZAR-11-077, if the application is denied, the applicant would be able to develop the subject lands for uses as prescribed by the existing “H” (Community Shopping and Commercial, etc.) District.

With respect to File ZAC-11-078, if the application is denied, the applicant would be able to continue the mixed-use operation at 1429 Main Street East, with parking still tied to the existing lot at 6 Crosthwaite Avenue South. The lands known as 17-21 Crosthwaite Avenue North can be developed for uses as prescribed by the existing “C” (Urban Protected Residential, etc.) District, which is primarily for single family dwellings.

SUBJECT: Applications to Amend City of Hamilton Zoning By-law No. 6593 for Lands Located at 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and 1429 Main Street East and 17-21 Crosthwaite Avenue North (Hamilton) (PED12140) (Ward 4) - Page 28 of 28

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Financial Sustainability

- ◆ Effective and sustainable Growth Management.
- ◆ Delivery of municipal services and management capital assets/liabilities in a sustainable, innovative, and cost-effective manner.

The proposed development is compact and utilizes an existing road network and existing servicing capacity, resulting in a more sustainable, cost-effective development.

Social Development

- ◆ Everyone has a home they can afford that is well maintained and safe.

The proposed residential units will provide a greater housing choice for the area and are intended to be geared to income in terms of pricing.

Healthy Community

- ◆ Plan and manage the built environment.

The lands are being developed in accordance with the planned uses for the area, and the development is a logical form of development along a Primary Corridor. The units will provide housing opportunities for residents of Hamilton, and the ground floor commercial will provide local retail and amenities and a complete community.

APPENDICES / SCHEDULES

- Appendix "A": Location Map
- Appendix "B": Implementing Zoning By-law Amendment to City of Hamilton Zoning By-law No. 6593
- Appendix "C": Conceptual Site Plan for 1426-1430 Main Street East and 6 Crosthwaite Avenue South
- Appendix "D": Conceptual Site Plan for 1429-1431 Main Street East and 17-21 Crosthwaite Avenue North
- Appendix "E": Public Submissions for ZAR-11-077
- Appendix "F": Public Submissions for ZAC-11-078

:AC
Attachs. (6)



● Site of the Application



Ward 4 Key Map

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAR-11-077 & ZAC-11-078

Date:
June 13, 2012


Appendix "A"


Scale:
N.T.S.


Planner/Technician:
AC/AL

Subject Property

17, 19 & 21 Crosthwaite Avenue North, 6 Crosthwaite Avenue South, 1426, 1429, 1430 & 1431 Main Street East

 **Block 1** - Change in Zoning from "H" (Community Shopping and Commercial, etc.) District to the "H-H/S-1659" (Community Shopping and Commercial, etc. - Holding) District.

 **Block 2** - Change in Zoning from "H" (Community Shopping and Commercial, etc.) District to the "H/S-1659" (Community Shopping and Commercial, etc.) District.

 **Block 3** - Change in Zoning from "C" (Urban Protected Residential, etc.) District to the "G-3/S-1659" (Public Parking Lots) District.

Authority: Item [REDACTED]
Planning Committee
Report: 12-[REDACTED] (PED12140)
CM: [REDACTED]

Bill No. [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

**To Amend Zoning By-law No. 6593 (Hamilton)
Respecting 1426-1430 Main Street East and 6 Crosthwaite Avenue South, and
1429-1431 Main Street East and 17-21 Crosthwaite Avenue North**

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

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

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

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

AND WHEREAS the Council of the City of Hamilton, in adopting Item [REDACTED] of Report 12-[REDACTED] of the Planning Committee, at its meeting held on the [REDACTED] day of [REDACTED], 2012, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

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

1. That Sheet Nos. E54 and E74 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton) are amended by,
 - (a) changing the zoning from the "H" (Community Shopping and Commercial, etc.) District to the "H-'H'/S-1659" (Community Shopping and Commercial, etc. - Holding) District, with a Special Exception, on the lands identified as "Block 1;
 - (b) changing the zoning from the "H" (Community Shopping and Commercial, etc.) District to the "H/S-1659" (Community Shopping and Commercial, etc.) District, with a Special Exception, on the lands identified as "Block 2; and,
 - (c) changing the zoning from the "C" (Urban Protected Residential, etc.) District to the "G-3/S-1659" (Public Parking Lots) District, with a Special Exception, on the lands identified as "Block 3;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That the "H-H/S-1659" (Community Shopping and Commercial, etc. - Holding) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to Block 1, are modified to include the following special requirements:
 - (a) That notwithstanding the provisions of Section 14(1) "Requirements As To Use", the following uses shall be prohibited:
 - Any automobile service station or other public garage;
 - An outdoor patio;
 - A theatre with seating capacity for not more than 750 persons;
 - A restaurant or refreshment room, except for a take-out restaurant without any seating;
 - A medical office and/or clinic;
 - A frosted food locker; and,
 - A dry cleaning plant.
 - (b) That notwithstanding Section 14(1)(iiia), a maximum of 50 dwelling units, with a maximum gross floor area of 50m² for each dwelling unit, shall be permitted in the same building as commercial uses, provided the commercial uses are restricted to the ground floor having a total maximum gross floor area of 290m², and the dwelling units are permitted above the ground floor (1st storey) except for access, accessory office, and utility areas.

- (c) That notwithstanding the provisions of Sections 14(2)(i) and (ii) "Height Requirements" of Zoning By-law No. 6593, the height of any building or structure shall not exceed 20.0 metres, or 6-storeys.
 - (d) That notwithstanding the provisions of Section 14(9)(i), a landscape area shall not be required along the side lot line abutting 1424 Main Street East; however, a visual barrier of a minimum height of 1.8m shall be provided and maintained.
 - (e) That the provisions of Section 14(9)(ii) of Zoning By-law No. 6593 shall not apply to lot lines abutting an alleyway.
 - (f) That notwithstanding the provisions of Section 14(9)(ii), a landscape area, having a minimum average width of 1.8 metres, but not less than 0.6 metres in width, shall be provided and maintained along the entire street line, except for points of ingress and egress.
 - (g) That notwithstanding the provisions of Sections 2(2)(J)(xb) and 2(2)(H)(Via), a hydro transformer and/or light standard shall be permitted within the required landscape strip and/or planting strip.
 - (h) That notwithstanding the provisions of Section 18A(1)(a) and (b), Tables 1 and 2, parking shall be provided at a minimum ratio of 0.3 spaces per residential unit, with one space being barrier free, and no visitor parking or parking for the proposed ground floor commercial uses shall be required.
 - (i) That notwithstanding the provisions of Section 18A(7), every required parking space, other than a parallel parking space, shall have dimensions of not less than 2.6 metres wide by 5.5 metres long, and 4.4m wide by 5.5 metres long for any barrier free space.
3. That the 'H' symbol applicable to the lands referred to in Section 1 (a) of this Bylaw shall be removed conditional upon:
- (a) That the owner has received final approval of the closure of the public unassumed alleyway located between 1426-1430 Main Street East and 6 Crosthwaite Avenue South, to the satisfaction of the Manager of Development Planning.
 - (b) That the owner merges in title the closed public unassumed alley with the lands known municipally as 1426-1430 Main Street East and 6 Crosthwaite Avenue South, to the satisfaction of the Manager of Development Planning.
 - (c) That the owner has constructed the parking lot in an operational form, on the lands known municipally as 17-21 Crosthwaite Avenue North, to the satisfaction of the Manager of Development Planning.

4. That the "H-H/S-1659" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No. 6593, applicable to Block 2, are modified to include the following special requirements:
 - (a) That notwithstanding the provisions of Section 14(1)(iii) the building existing at the date of passing of this By-law, being the [REDACTED] day of [REDACTED], 2012, consisting of a 4-storey, mixed-use building with a fourth storey penthouse area of 66.3m²; a maximum gross floor area of 796m² for ground floor commercial; and a maximum gross floor area of 3,150m² for 46 residential units of a maximum floor area of 50m² per unit, located above the ground floor commercial, shall be permitted.
 - (b) That notwithstanding the provisions of Section 18A(1)(a),(b) and Table 1, parking shall be provided off-site on lands known municipally as 17-21 Crosthwaite Avenue North, at a ratio of 0.3 spaces per residential unit, which does not exceed 50m² in unit size, and that no visitor parking shall be required.
 - (c) That notwithstanding the provisions of Section 18A(1) (c), (d), (e), and Tables 3, 4, and 5, no loading spaces shall be required.
5. That the "G-3/S-1659" (Public Parking Lots) District regulations, as contained in Section 13c of Zoning By-law No. 6593, applicable to Block 3, are modified to include the following special requirements:
 - (a) That notwithstanding the provisions of Section 13C(4)(i), a minimum 2.0 metre wide landscape area shall be provided and maintained along Crosthwaite Avenue North and the westerly 26.01m side lot line.
 - (b) That notwithstanding the provisions of Section 18A(1) and Table 1, the parking spaces provided shall be for the exclusive use of 1429-1431 Main Street East.
 - (c) That notwithstanding the provisions of Section 18A(1)(f) and Table 6, a minimum 1.5 metre manoeuvring space aisle width shall be provided and maintained along the 4.36 metre hypotenuse and 27.43 metre south lot line.
 - (d) That notwithstanding the provisions of Section 18A(7), every required parking space, other than a parallel parking space, shall have dimensions of not less than 2.6 metres wide by 5.5 metres long.
 - (e) That notwithstanding the provisions of Section 18A(9), the required manoeuvring space for the 10 parking spaces adjacent to the 27.43 metre south lot line may be provided and maintained over the abutting public assumed alleyway.

- (f) That notwithstanding the provisions of Section 18A(24)(b)(ii), vehicles occupying the 10 spaces adjoining the public assumed alleyway along the 4.36 metre hypotenuse and 27.43 metre south lot line may reverse onto the adjoining highway.
 - (g) That notwithstanding the provisions of Section 18A(26), the access driveway abutting the 26.01 metre westerly side lot line may be located 1.5 metres from the common boundary with the residential district.
6. That By-law No. 6593 (Hamilton) is amended by adding this By-law to Section 19B as Schedule S-1659.
 7. That Sheets E54 and E74 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1659.
 8. 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 "H" (Community Shopping and Commercial, etc.) District and the "G-3" (Public Parking Lots) District provisions, subject to the special requirements referred to in Sections 2, 3, 4, and 5 of this By-law.
 9. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [REDACTED] day of [REDACTED], 2012.

R. Bratina
Mayor

Rose Caterini
Clerk

ZAR-11-077
ZAC-11-078



This is Schedule "A" to By-Law No. 12-
 Passed the day of, 2012

 Mayor

 Clerk

Schedule "A"
 Map Forming Part of
 By-Law No. 12-_____
 to Amend By-law No. 6593

Subject Property
 17, 19 & 21 Crosthwaite Avenue North, 6 Crosthwaite Avenue South, 1426, 1429, 1430 & 1431 Main Street East

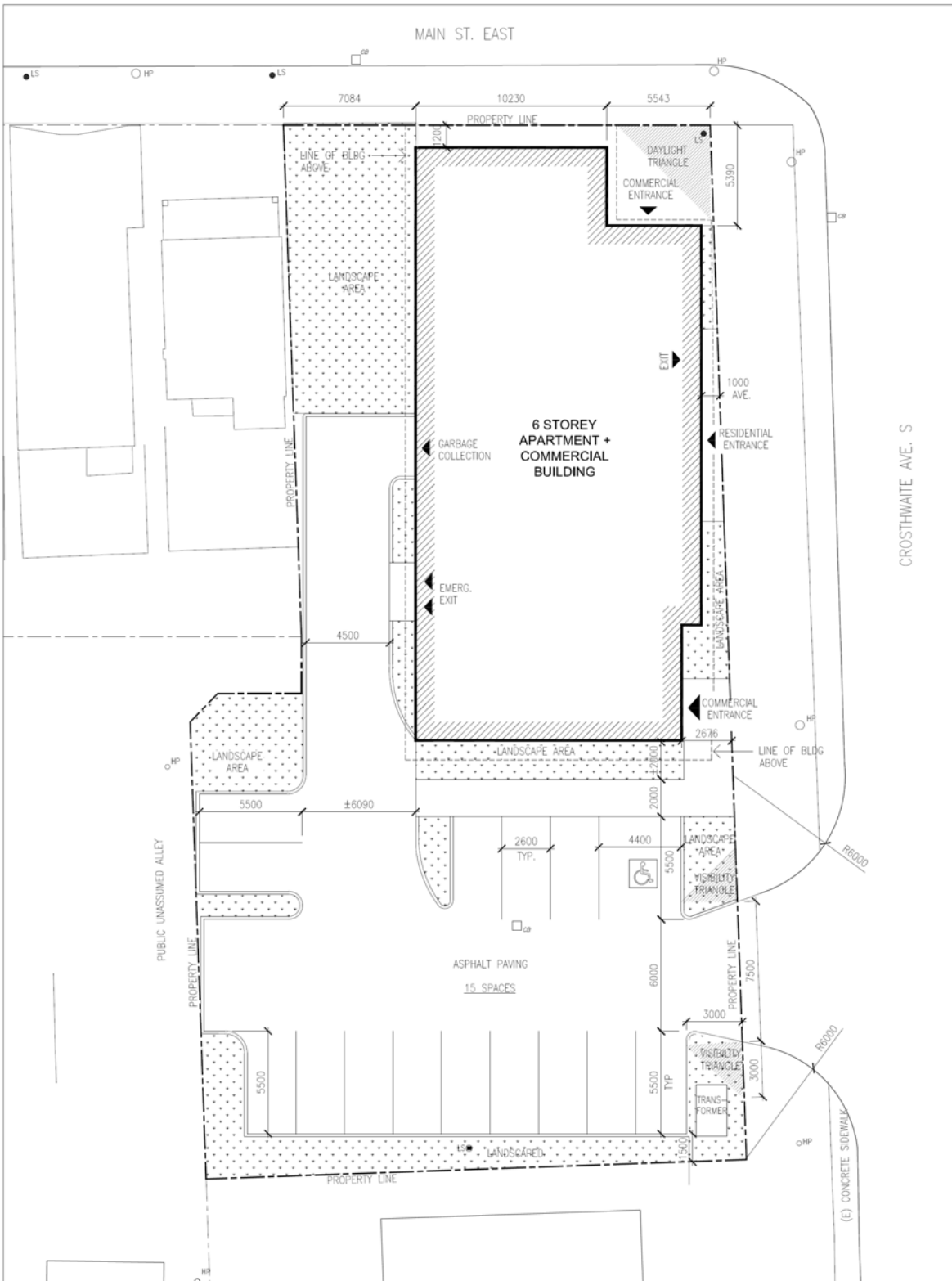
 **Block 1** - Change in Zoning from "H" (Community Shopping and Commercial, etc.) District to the "H-'H'/S-1659" (Community Shopping and Commercial, etc. - Holding) District modified.

 **Block 2** - Change in Zoning from "H" (Community Shopping and Commercial, etc.) District to the "H/S-1659" (Community Shopping and Commercial, etc.) District modified.

 **Block 3** - Change in Zoning from "C" (Urban Protected Residential, etc.) District to the "G-3/S-1659" (Public Parking Lots) District modified.

Scale: N.T.S.	File Name/Number: ZAR-11-077 & ZAC-11-078
Date: July 3, 2012	Planner/Technician: AC/AL

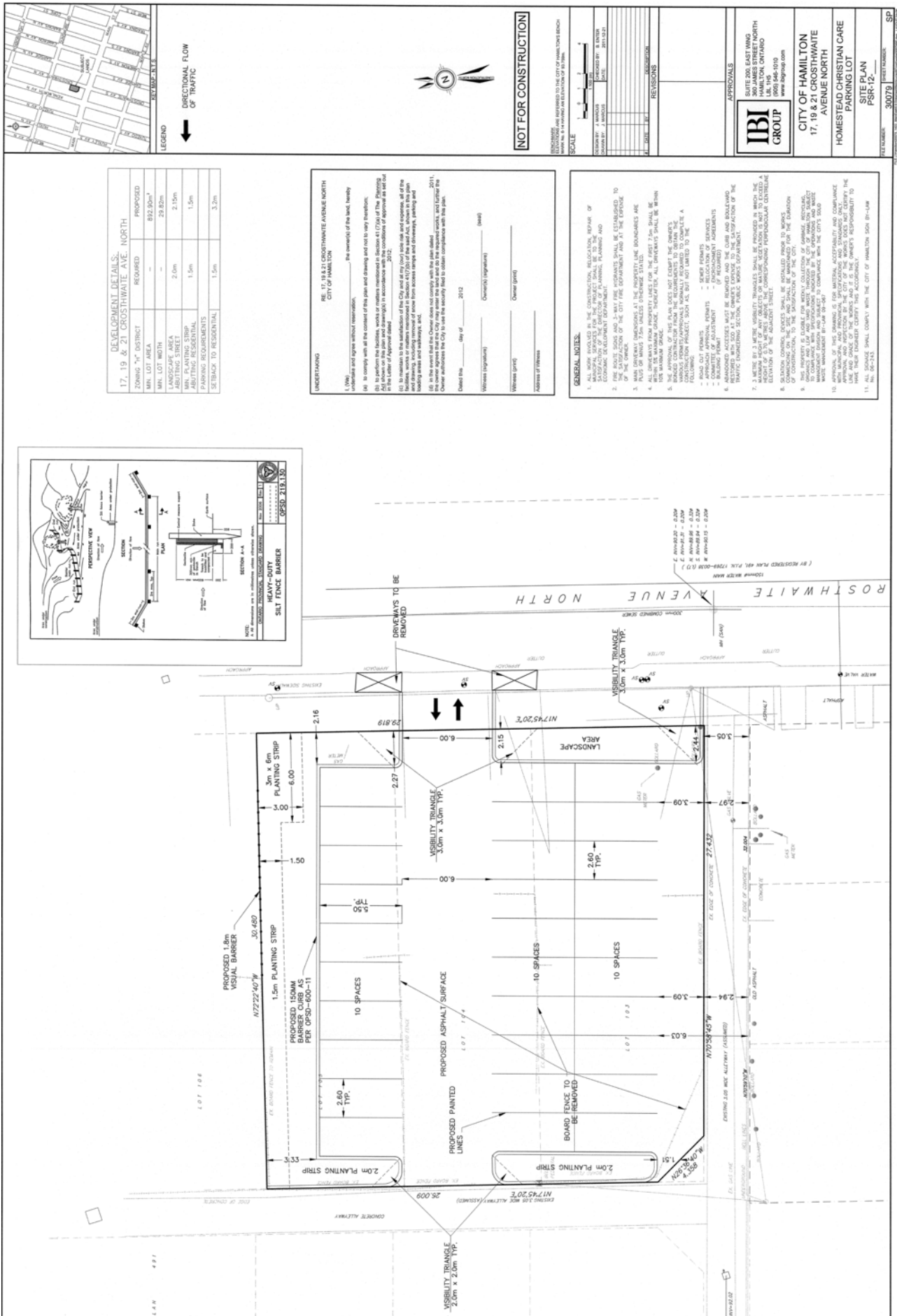




HOMESTEAD CHRISTIAN CARE
 1430 Main Street East
 SITE PLAN - SCALE 1:100



JUN 15, 2012



NOT FOR CONSTRUCTION

SCALE: 1:100

DATE: 2011.12.13

DESIGNED BY: A. ANDERSON
 CHECKED BY: B. ANDERSON
 DATE: 2011.12.13

REVISIONS:

IBI GROUP
 300 JAMES STREET NORTH
 HAMILTON, ONTARIO
 (905) 946-9100
 www.ibigroup.com

CITY OF HAMILTON
 17, 19 & 21 CROSTHWAITHE AVENUE NORTH
 HOMESTEAD CHRISTIAN CARE
 PARKING LOT

SITE PLAN
 PSR-12

FILE NUMBER: 30079

Chan, Alvin

From: erin meller [mailto:erin.meller@cityofhamilton.com]
Sent: Thursday, February 09, 2012 7:15 PM
To: Chan, Alvin
Subject: File # ZAR-11-077



To: Alvin Chan

Regarding: **File # ZAR-11-077**

I wish to express my objection to the zoning bylaw amendment application for lands 1410-1430 Main St E and 6 Crosthwaite Ave S. This area is currently a mostly residential area with a nice mix of small businesses serving the community and in my opinion a building of this size does not fit within this community. Throughout this community all buildings are low rise with a general height of 2 to 3 stories and the zoning should remain the same for future construction so as to not be an eye sore for myself, my neighbors and fellow small business owners. There have been several construction project completed in the area over the past few years and I have been very pleased at how they have been built to enhance the services in the area and fit in architecturally. One such project is the building on the north east corner of Kenilworth and Main as well as the medical center at 67 Kenilworth N. I also have extreme concern regarding parking in the area. I am concerned that there will not be enough parking spots constructed on the property to support the volume of residential units, commercial uses or allow for adequate pickup of food from the suggested take out restaurant. Not only should there be enough parking for each residential unit, it should be taken into consideration that each living quarter may have more then one vehicle and that there will be visitors to those residents and parking should be available to them. As I live very close to the area I can say that the side streets in this area are very busy during the day as people who work in the area are parking along the side streets. If you park on the street overnight when you go out to your vehicle in the morning you will very often have someone stop and wait for you to leave so they can have the spot. If this is the situation now what will happen when you add such a large building to the area. I urge you to look at 1500 Main St E, the Abington Court retirement home and see how grotesque such a building is compared to the community surrounding it. New construction in any community should be done to enhance the community, not make it less desirable. A building of this size will not encourage families to buy homes in this area as it will be an eyesore and feel like an invasion of privacy as many of the residential units will be able to see into many area residents' yards. I look forward to more information being available regarding this application and having the opportunity to encourage the City to not amend the current zoning by-law.

Kevin and (Lisa) Erin Prouse
37 Tuxedo Ave S
Hamilton, ON
L8K 2R7

Douglas Moore
29 Kenilworth Ave S
Hamilton, Ontario L8K 2S7

Alvin Chan, City of Hamilton
Planning and Economic Development Department
Planning Division—Development Planning—East Section
71 Main Street West, 5th Floor
Hamilton, Ontario L8P 4Y5

Greetings!

I am writing as a homeowner near the proposed development requesting by-law amendment Application File no. ZAR-11-077.

I am writing to resister an objection to the application, for the following reasons.

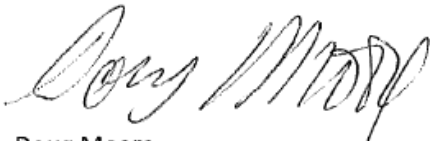
First, there has just been a new residential building across the street on Main Street, with a number of new residential units. The parking for visitors and residents of those units is now being proposed as part of this new housing complex of an additional 100 residences. There are no parking facilities in the area, at all, and this additional development is ignoring the need to address both parking space, and green space for the residences of these buildings. There are no parks in the immediate area, and it seems foolish to construct 160 residences in an area that does not afford any green space for those residents. We received a plan that part of this proposed land would be developed as parking for the Perkins Centre, and now those lands are part of this new proposal.

Second, the proposal is to allow what amounts to a high rise building. At present, four stories is the limit, and we live behind two four story walk up apartments. The area being proposed for this development south of Main Street still functions as a residential area, and allowing six story buildings is out of character with a residential area. We believe this sort of development at this proximity will diminish the value of our property, and create overcrowding in our neighbourhood, without any improvements to green space or infrastructure. This is also another project on Kenilworth Ave just north of main, which will include residences.

In summary, there is no parking or infrastructure in the area to accommodate the proposed six story complex. As residents of Hamilton, we welcome development in our city, but we must ask the planning office to recommend against this change to the established by-laws. If residents like me and my neighbours cannot count on our planning department to insist that developers respect the official plan for a given area, we create an atmosphere of hostility in our neighbourhoods that does not attract development or long term residency in our city.

I am officially requesting to be informed and notified of the progress and disposition of this application.

Thank you for your attention.



Doug Moore

January 30, 2012

Re: File No. ZAR-11-077

From: Mr. David Sanderson
33 Tuxedo Avenue South,
Hamilton, Ontario
L8K 2R7

**Re: Circulation to amend the Zoning By-law for lands located at 1410-1430
Main St. E. & 6 Crosthwaite Ave. S.**

Dear Mr. Chan,

Regarding the Circulation to amend the Zoning By-law for lands located at 1410-1430 Main St. E. & 6 Crosthwaite Ave. S. (File No. ZAR-11-077). Although I agree that the buildings on the said lands are a reasonable eye sore, I feel that a 6 storey mixed used building with commercial uses and take out restaurant on the ground floor and 100 residential units above is too high. A building that high is totally out of character for this neighbourhood. The nearest building more than 3 storey's is well over 2 kilometers to the south, east at 2030 King Street East.

I am concerned that my neighbours and I will for one thing lose a considerable amount of privacy as a 6 storey building would be approximately 100 meters from my back deck. This would be in clear view of the top three storey's of a 6 storey building.

Secondly, I am concerned that there will be an increase in cars parking on our street. Tuxedo Avenue South between Main Street East and Maple Avenue already accommodates parking for many businesses on Main Street East.

At last, I am concerned of a further increase in vehicular traffic north and south on Tuxedo Avenue South. Our street has already experienced an increase of speeding cars entering and exiting the Petro Canada on the north, west corner of Tuxedo Avenue South and Main Street East. In recent years and in the very near future I see a change on our street from older residents to new younger families with small children. I hope that Tuxedo Avenue South does not become a bypass for Kenilworth Avenue South.

Again, I have no problem with the renewal of the said lands, but let us keep it reasonable. A 3 storey building such as the recently renovated John Perkin's Building immediately north of the said lands would be more characteristic of our local identity with respects to heritage, pedestrians, traffic and utilities.

Yours truly,



David Sanderson

RECEIVED
MAY 17 2012

Planning Department
City of Hamilton

May 14, 2012

Dear Planning Department, Alvin Chan-Planner:

I'm the resident of Apartment 2 at 1424 Main Street East. I support the planning applications submitted by Homestead Christian Care to create a new 6-storey building. I understand from speaking with Graham Cubitt that there is some local concern about the height of the building and parking/access to the alley behind my property. Neither of these are an issue for me. This area needs new rental housing, and this project will help meet the need.

Please pass the zoning applications for the property at 1430 Main Street East.

Signed,



Marc Bomerry
Apt. 2, 1424 Main Street East
Hamilton, ON

RECEIVED
MAY 17 2012

May 9, 2012

Mr. Alvin Chan
Planning Department, City of Hamilton

Dear Mr. Chan,

I'm writing you in support of the planning application by Homestead Christian Care regarding 1430 Main Street East. The current building at that site is run-down and needs replacing. I'm a local resident, living in the area for 30 years. I know the need for good rentals, and this neighbourhood needs some new investment.

For too long, there's been bad landlords running places into the ground around here, and I know what Homestead's done on their last project across the street. As local neighbours, we need to be able to walk the street safely, and I know that this project will help our neighbourhood.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Morre". The signature is written in a cursive, flowing style.

Michael Morre
1385 Main Street East, Unit 1
Hamilton, Ontario
L8K 1B9

RECEIVED
MAY 17 2012

From:
Colleen Spencer
Lower Level, 1424 Main Street East
Hamilton, ON

To:
Alvin Chan, Planning Department
City of Hamilton
Re: 1430 Main Street East, Hamilton

Dear Mr. Chan:

As a local resident, I support the need for new affordable housing in this neighbourhood, and particularly at 1430 Main Street East. I used to live at 1430 Main Street East, and know first-hand the terrible conditions that past owners have maintained in that building. Before Homestead Christian Care bought the building, the landlord cut off the gas and didn't fix the heat for over a month. He was an out-of-town landlord that only came to get my rent, but did no repairs and refused to address any of my apartment's needs. He illegally threw all my belongings off the 2nd floor roof when I demanded my rights be respected. This is the kind of landlords that owned this building before Homestead bought it last year.

Since I live next door, I know the kind of program and plans that Homestead has for the building. This area really needs this kind of new housing, especially apartments that are affordable for people with limited incomes. I encourage you to get this application passed as soon as possible; we need it around here.

Signed,



Colleen Spencer
May 14, 2012

From: Rob Zomer, 312-1429 Main Street East, Hamilton, L8K 1C2

To: Alvin Chan, Planning and Development Dept., City of Hamilton, 71 Main Street West, Hamilton

Re: Planning applications for ZAR-11-077, ZAC-11-078

RECEIVED MAR 19 2012

March 15, 2012

Dear Mr. Chan:

I support the proposed zone changes affecting 1430 Main Street East and the various Crosthwaite Avenue properties owned by Homestead Christian Care. I support the planned development of a six-story building with apartments over commercial space. I support these things because I know they will have a really positive impact on our neighbourhood.

This part of Hamilton needs some new buildings. It needs to have some new energy invested in creating new places to live that are affordable for people like me. I need a long-term place to live that I could afford, and because of my income, there aren't many options available to me at least not in buildings that I'd say were good quality.

I don't drive, so I think it's really important that this building is on the bus routes along Main and Kenilworth. This would make it easy to get anywhere in the city. I also think it will help the neighbourhood by making the Main Street feel safer, since a lot of the storefronts are currently vacant or not in great shape.

I hope that this building can go ahead and that the City will approve the zoning application.

Signed:

Rob Zomer

File: ZAR-11-077

RECEIVED MAR 19 2012

March 10, 2012

Alvin Chan
Planning and Economic Development Department: East Section
City of Hamilton
71 Main Street West
Hamilton, Ontario
L8P 4Y5

Dear Mr. Chan,

I have lived in Hamilton since 1981. In that time, I've lived in a number of places that have turned out to be difficult places to stay. My last apartment was downtown in a big commercial rental complex that had 197 units. It wasn't well managed, and there were major problems with bedbugs and cockroaches. The apartment building next door had 5 marijuana grow-ops, which caused a lot of mold and other hazards for the kids living in the building. As a result, there was a lot of crime in between the two buildings, and it just felt unsafe living there.

I support Homestead Christian Care's application for rezoning on the lots at Main Street East and Crosthwaite Avenue because I know that they will build high-quality rental apartments that are safe and well run. I know first-hand that finding an affordable apartment is difficult, especially one that is in good condition and where the landlord is very pro-active in dealing with problems and providing support to tenants. I've lived at the Perkins Centre at 1429 Main Street East since it opened in September 2011, and my experience has been very, very good. I know that the building Homestead is proposing at 1430 Main Street will really improve the neighbourhood, just like the Perkins Centre has done by replacing the old Jamrock nightclub.

Regards,



Heather McLeod
Apt. 205
1429 Main Street East
Hamilton, Ontario
L8K 1C2

March 14, 2012

Re: Zoning applications: ZAR-11-077/078 for 1430 Main Street

Alvin Chan
City of Hamilton
Planning and Economic Development Department: East Section
71 Main Street West, 5th Floor
Hamilton, Ontario
L8P 4Y5



Dear Mr. Chan:

I am writing to support the planning applications made for the properties around 1430 Main Street East related to a new apartment building. I live directly opposite the subject properties, and want to see this site redeveloped as soon as possible. It is currently an old car dealership, and previous owners have not maintained the property well. It's time something new was built to improve this section of Main Street.

I attended the public open house hosted by Homestead Christian Care in mid February where they explained the project in detail. I reviewed the display boards showing the proposed building and the parking lot changes, and am satisfied that this proposal will not interfere with the quality of life in this neighbourhood. Indeed, I believe this building will improve this neighbourhood by replacing a run-down old building with a high-quality building. I was a little concerned that the 6-storey height might cause shading on my building, but the architect's studies show that shadows won't cause a problem because of the width of Main Street.

The think the proposed apartments are very important for this neighbourhood. Most housing around here is single-family, so there are not many options for renting—especially high-quality, legal apartments . If this proposal goes ahead, it will provide more options for those of us living in the neighbourhood who want a safe, affordable place to live. As such, please approve this application.

Sincerely,

Bill Vis 
#304, 1429 Main Street East
Hamilton, ON
L8K 1C2 

Chan, Alvin

From: Andrew Hibma
Sent: Friday, March 16, 2012 2:23 PM
To: Chan, Alvin
Subject: Zoning Applications: ZAR-11-077, ZAC-11-078

Re: Zoning Applications ZAR-11-077 and ZAC-11-078

Dear Mr. Chan:

The New Hope Bike Co-op is a thriving bike shop located at 1429 Main Street East. As a local business founded in 2009, we know the importance of having quality, affordable commercial space available for local business to flourish.

There is a real need to improve the commercial space available in the Main/Kenilworth area. We previously rented a neglected storefront in the area that had no heat, a partial basement floor, and a sewer that backed up during heavy rains. Knowing it was only temporary until our current shop was completed, we endured the inconveniences. However, few businesses would accept such conditions and that storefront has been empty for many years.

Of the six commercial spaces existing in the block between 1410-1426 Main Street East, four are vacant and in poor condition. We support the planning applications by Homestead Christian Care, as their project will create much-needed new commercial space that will help revitalize commercial activities in this area. The added residential component will also spur demand for local goods and services, improving the economic conditions for area vendors.

As a bike shop, we obviously encourage alternative transportation and are not concerned with the parking ratios proposed in the zoning applications. In addition to offering low-cost bikes to future neighbours, the HSR stop in front of our shop will undoubtedly serve tenants in that building. We know that many local households do not rely on cars for transportation due to the high cost of operating a vehicle. Therefore, the location of this proposed building makes a lot of sense, being at the crossroads of multiple transit routes.

Thank you for circulating the notice of these applications; please consider our support for this project when making recommendation to Council on this matter.

Sincerely,

Andrew Hibma
Manager New Hope Bike Co-op

10
2012

TO: HAMILTON PLANNING AND ECONOMIC
DEVELOPMENT DEPARTMENT, ZONING
AMENDMENTS FOR 1410-1430
MAIN ST E HAMILTON AND 17-21
CROSTHWAITTE AV NORTH.
Files # ZAR-11-077
ZAR-11-078

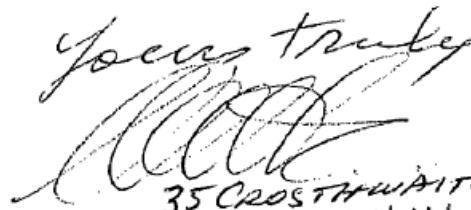
FEB 13 2012

DEAR SIR DELULIO:

I VICTOR V. CAVUOTI OF 35 CROSTHWAITTE
AV. NORTH, SUBMIT THIS LETTER TO THE CITY
OF HAMILTON TO PASS THE BYLAW FOR
BOTH PROPERTIES AS PER ABOVE.

PARKING IS VERY IMPORTANT TO BE
ON THE SAME SITE AS THE APARTMENTS, FIRSTLY
FOR SAFETY REASONS AND SECONDLY TO KEEP
LOWER TRAFFIC AND MORE PARKING SPOTS
FOR RESIDENTS AND VISITORS. 1410-1430
MAIN ST EAST will be a great PLACE TO
BUILD APARTMENTS, HAS PARKING AT REAR, BUT
MOST TENANTS WILL NEED TRANSPORTATION,
IN WHICH CASE MAIN & KENILWORTH IS THE
HUB. Buses TO MEMASTER MEDICAL CENTRE
TO GO CENTRE, TO DOWNTOWN, TO UPTOWN,
TO MAJOR MALLS, BEACH STRIP AND MAJOR
HIGHWAYS. THIS CONSTRUCTION WILL
MOTIVATE OTHER AREA LANDLORDS TO START
BUILDING OR RENNOVATION PROJECTS AND
IMPROVEMENTS FOR TODAY AND TOMORROW.

ALSO: AREA RESIDENT
TINO PAGLICCIA
34 KENILWORTH AVN
HAM ONT L8H 4R3

Yours truly

35 CROSTHWAITTE AVN
L8H 4V1 HAM.