



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
Planning Division

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	May 31, 2016
<b>SUBJECT/REPORT NO:</b>	Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No(s). 6593 and 05-200, for Lands Located at 1 Redfern Avenue (Hamilton) (PED16124)
<b>WARD(S) AFFECTED:</b>	Ward 8
<b>PREPARED BY:</b>	Robert Clackett Planner (905) 546-2424 Ext. 7856  Steve Robichaud Director of Planning and Chief Planner
<b>SUBMITTED BY:</b>	Jason Thorne General Manager Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That approval be given to **Urban Hamilton Official Plan Amendment Application UHOPA-15-015, by Starward Homes (Scenic 2012) Limited, (Owner)**, for OPA No. XX, to redesignate the subject lands from “Institutional” to “Neighbourhoods” on Schedule “E-1”, Urban Land Use Designations, of Volume 1 of the Urban Hamilton Official Plan; to redesignate the subject lands from “Institutional” to “Medium Density Residential 3” in the Chedmac Secondary Plan; and to establish a Site Specific Policy Area to permit a maximum density of 128 units per hectare and to permit stacked townhouses and multiple dwellings within the Medium Density Residential 3 designation, for the lands known as 1 Redfern Avenue (Hamilton), as shown on Appendix “A” to Report PED16124, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED16124, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
  - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe.

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- (b) That approval be given to **Zoning By-law Amendment Application ZAC-15-026 by Starward Homes (Scenic 2012) Limited, (Owner)**, for a further modification to the site specific “DE-2/S-1654” (Multiple Dwellings) District, Modified, in order to permit a four-storey multiple dwelling consisting of 144 units with 218 parking spaces, for lands located at 1 Redfern Avenue (Hamilton), as shown on Appendix “A” to Report PED16124, on the following basis:
- (i) That the draft By-law, attached as Appendix “C” to Report PED16124, 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 “C” to Report PED16124, be added to Schedule “W37” of the City of Hamilton Zoning By-law No. 6593.
- (c) That approval be given to **Zoning By-law Amendment Application ZAC-15-026 by Starward Homes (Scenic 2012) Limited, (Owner)**, for a change in zoning, from the site specific “DE-2/S-1654” (Multiple Dwellings) District in City of Hamilton Zoning By-law No. 6593 to the Conservation / Hazard “P5” Zone in City of Hamilton Zoning By-law No. 05-200; for lands located at 1 Redfern Avenue (Hamilton), as shown on Appendix “A” to Report PED16124, on the following basis:
- (i) That the draft By-law, attached as Appendix “D” to Report PED16124, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
  - (ii) That the amending By-law, attached as Appendix “D” to Report PED16124, be added to Map No. 1080 of the City of Hamilton Zoning By-law No. 05-200.

## **EXECUTIVE SUMMARY**

The purpose and effect of the proposed Official Plan Amendment to the Urban Hamilton Official Plan is to reflect previous amendments to the former City of Hamilton Official Plan, being OPA No. 228. OPA No. 228 redesignated the subject lands to allow stacked townhouses or apartment dwelling units at a residential density of 31 – 100 units per gross hectare. This amendment was not included in the UHOP in 2012 because the UHOP was before the Ontario Municipal Board.

The current application is to redesignate the subject lands from “Institutional” to “Neighbourhoods” on Schedule “E-1”, Urban Land Use Designations, of Volume 1 of the Urban Hamilton Official Plan, to redesignate the subject lands from “Institutional” to “Medium Density Residential 3” in the Chedmac Secondary Plan; and to establish a Site

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Specific Policy Area to permit a maximum density of 128 units per hectare, an increase of 28 units in density from the previously adopted OPA, and to permit stacked townhouses or a multiple dwelling.

The purpose and effect of the proposed Zoning By-law Amendment to the City of Hamilton Zoning By-law No. 6593 is for further modification to the existing site specific “DE-2/S-1654” (Multiple Dwellings) District, Modified, in order to permit a four-storey multiple dwelling consisting of 144 units with 215 parking spaces, and common landscaped areas.

The purpose and effect of the proposed Zoning By-law Amendment to the City of Hamilton Zoning By-law No. 05-200 is to rezone a component of the subject lands as Conservation / Hazard (P5) Zone in order to protect a Vegetation Protection Zone (VPZ) that has been identified on site.

The proposed Official Plan Amendment and Zoning By-law Amendments have merit, and can be supported, since the proposal is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow), and complies with the Urban Hamilton Official Plan, subject to the recommended amendment.

***Alternatives for Consideration – See Page 32***

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold at least one Public Meeting to consider applications to amend the Official Plan and Zoning By-law.

**HISTORICAL BACKGROUND**

**Proposal**

The subject lands, 1 Redfern Avenue, totalling approximately 1.13 ha, are located at the southeast corner of Sanatorium Road and Redfern Avenue with 157 m of frontage on Redfern Avenue and 52 m of frontage on Sanatorium Road.

In February 2012, Hamilton City Council adopted OPA No. 228 redesignating the subject lands from "Institutional" to “Medium Density Residential 2” in order to permit

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stacked townhouses and apartment dwelling units at a gross residential density of 31-100 units per gross ha.

Council also amended the City of Hamilton Zoning By-law No. 6593 by rezoning the subject lands from “AA/S-1363” (Agricultural) District to “DE-2/S-1654” (Multiple Dwellings) District to allow for a maximum height of four storeys or 13.5 m; a maximum front yard setback of 2.0 m; a maximum easterly side yard setback of 2.0 m; a minimum westerly side yard setback of 50.0 m; and a maximum of 80 units.

In approving OPA No. 228 Council also approved the staff recommendation that the UHOP be amended accordingly. However, this amendment was not included in the UHOP in 2012 because the UHOP was before the Ontario Municipal Board and as per the applicable provisions of the *Planning Act*, an application to amend the UHOP could not be made until the UHOP received approval.

The applicant is proposing a four storey multiple dwelling development comprised of 144 dwelling units, with 174 underground and 41 surface parking spaces for a total of 215 parking spaces and common landscaped areas, as shown on Appendix “D” to Report PED16124.

The purpose and effect of the proposed Official Plan Amendment to the Urban Hamilton Official Plan is to reflect the intent of previous Council approved amendments to the Hamilton Official Plan and the Chedmac Secondary Plan (being OPA No. 228), as approved by Hamilton City Council, to permit multiple dwellings in the subject lands.

In particular, the proposal is for a change in designation from “Institutional” to “Neighbourhoods” on Schedule “E-1”, Urban Land Use Designations, of Volume 1 of the Urban Hamilton Official Plan, to redesignate and establish Secondary Plan policies for Medium Density Residential 3 in the Secondary Plan, to redesignate the subject lands from “Institutional” to “Medium Density Residential 3” in the Chedmac Secondary Plan; and to establish a Site Specific Policy Area to permit a maximum density of 128 units per hectare (an increase of 28 units per hectare in density from OPA No. 228) and as per OPA No. 228 permit stacked townhouses and a multiple dwelling on the subject lands.

The purpose and effect of the proposed Zoning By-law Amendment to the City of Hamilton Zoning By-law No. 6593 is for further modifications to the existing site specific “DE-2/S-1654” (Multiple Dwellings) District, Modified, in order to permit the proposed development.

The purpose and effect of the proposed Zoning By-law Amendment to the City of Hamilton Zoning By-law No. 05-200 is to recognize the Vegetation Protection Zone (VPZ) on the subject lands and zone it Conservation / Hazard (P5) Zone accordingly.

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The existing site specific zoning will be further modified as follows: a maximum building height; a maximum front yard setback; a maximum easterly side yard setback from the principal building and the accessory structure; a minimum westerly side yard setback; and, minimum rear yard setbacks for both the principal building and the parking garage. Also proposed is a limit to the maximum number of units proposed; modifications to the Floor Area Ratio provisions, a reduction in the loading requirements, the removal of the required parking locational and buffering provisions; and the removal of specific landscaping requirements.

Also, an amendment to the City of Hamilton Zoning By-law No. 05-200 is also proposed in order to zone a Vegetation Protection Zone (VPZ) as Conservation / Hazard (P5) Zone.

**Chronology:**

April 13, 2015: Submission of Applications UHOPA-15-015 and ZAC-15-026.

May 6, 2015: Applications UHOPA-15-015 and ZAC-15-026 deemed complete.

May 21, 2015: Circulation of Notice of Complete Application and Preliminary Circulation for Applications UHOPA-15-015 and ZAC-15-026, to 94 property owners within 120 m of the subject lands.

June 2, 2015: Public Notice Sign installed on subject lands.

May 4, 2016: Public Notice Sign updated with Public Meeting Information.

May 13, 2016: Circulation of the Notice of Public Meeting to all property owners (94) within 120 m of the subject lands.

**Details of Submitted Application:**

**Location:** 1 Redfern Avenue (see Appendix “A” to Report PED16124).

**Owner / Applicant:** Starward Homes (Scenic 2012) Limited

**Agent:** Urban Solutions Development Consultants  
(c/o: Matt Johnston)

**Property Description:** Lot Frontage: 157 m (Redfern Avenue)  
52 m (Sanatorium Road)

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Lot Depth: 168.4 m (irregular)  
Lot Area: 1.13 ha  
Servicing: Existing Full Municipal Services

**Existing Land Use and Zoning:**

	<b><u>Existing Land Use</u></b>	<b><u>Existing Zoning</u></b>
<b><u>Subject Lands:</u></b>	Vacant Lands and Construction / Contractor Yard	“DE-2/S-1654” (Multiple Dwellings) District, Modified.

**Surrounding Land Uses:**

<b>North</b>	Single Detached Dwellings and Storm Water Management Pond	“R-4” (Small Lot Single Family Dwelling) District and “A” (Conservation Open Space, Park and Recreation) District
<b>South</b>	Community and Continuing Education Centre – Mountain Learning Centre; and, Chedoke Hospital	Major Institutional (I3) Zone
<b>East</b>	Columbia International College Student Residence	“AA/S-1363f” (Agricultural) District, Modified
<b>West</b>	Single Detached and Townhouse Dwellings	“R-4” (Small Lot Single Family Dwelling) District and “RT-10/S-1654” (Townhouse – Maisonette) District, Modified.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Policy Statement (2014)**

The applications have been reviewed with respect to the Provincial Policy Statement (PPS). The proposal provides for an efficient and resilient development and land use pattern that is healthy, liveable and safe as per Policy 1.1.

Furthermore, staff recognize that the applications are consistent with the policies that focus growth and development in Settlement Areas (Policy 1.1.3.1). In particular, as per Policy 1.1.3.2, the proposed land use pattern will provide for a mix of densities that efficiently use the land and resources, and is appropriate for the infrastructure and public service facilities planned or available for this area, including transit.

Policy 2.6.2 restricts development and site alteration on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.

Accordingly, a Stage 1 - 2 archaeological report (P018-215-2007) dated September 2007 has been submitted to the Ministry of Tourism, Culture and Sport and the Ministry signed off on compliance with licensing requirements in a letter dated May 12, 2011. Municipal Staff concur with the recommendations made in the report and no longer have an interest in the subject property with respect to archaeology.

Additionally, the subject property is adjacent to a number of buildings of cultural heritage significance from a built heritage and cultural heritage landscape perspective. The entire Chedoke Hospital lands (both the Orchard and the Brow Sites) are listed on the City's Inventory of Cultural Heritage Landscapes.

A Heritage Impact Assessment report dated April 1, 2015 and a revised Heritage Impact Assessment, dated July 15, 2015, was forwarded to the Policy and Design working group of the Hamilton Municipal Heritage Committee for their review and was subsequently approved at their meeting on August 4, 2015. Additional detailed discussion about the building elevations will occur through the required Site Plan Control application and, on this basis, staff have no further cultural heritage concerns with respect to the subject applications.

With respect to natural heritage (Policy Section 2.1), through past studies (Sanatorium Road Realignment Impact Assessment-Terrestrial and Aquatic Overview Nov. 19, 2008), a Core Area, being a watercourse (tributary of Chedoke Creek that is regulated by Hamilton Conservation Authority), has been identified on the subject property. However, since the watercourse appears to be channelized and disturbed, an Environmental Impact Statement (EIS) is not required, but a Vegetation Protection Zone

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has been requested and zoned as such within the amending City of Hamilton 05-200 By-law.

Based on the foregoing, as the subject lands are located within a settlement area, proposed to be developed with appropriate infrastructure, while protecting the Provincial interest with respect to cultural and natural resources, the proposal is consistent with the PPS.

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

The subject applications conform with the Guiding Principles, Section 1.2.2 policies through a planned and managed form of growth that supports a strong and competitive economy while protecting, conserving, enhancing, and wisely using the valuable natural resources of land for current and future generations and optimizing the use of existing and new infrastructure to support growth that is in a compact, efficient form; thereby establishing a compact, vibrant and complete community.

The subject lands are located within the built-up area of the City of Hamilton. Accordingly, Policy Section 2.2.2 provides direction on managing this growth whereby population and employment growth will be accommodated by, amongst other things:

- “a) directing a significant portion of new growth to the built-up areas of the community through intensification;
- d) reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments;
- g) planning and investing for a balance of jobs and housing in communities across the GGH to reduce the need for long distance commuting and to increase the modal share for transit, walking and cycling;
- h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services;
- i) directing development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas; and,
- j) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services.”



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In review, the subject lands are located within a settlement area where full municipal services are available, in proximity to both existing bus routes (Sanatorium Route #33 and Mohawk Route #41), and will provide for a complete community through a compact design that includes an additional housing type and form for the area, with easy access to local stores and services in the area.

Furthermore, Policy 2.2.3(a) respecting general intensification identifies that “by the year 2015 and for each year thereafter, a minimum of 40% of all residential development occurring annually within each upper- and single-tier municipality will be within the built-up area.”

Lastly, as noted above, the subject lands are of both cultural and natural heritage value, which is governed by Policy Sections 4.2.1 - Natural Systems, and 4.2.2 - A Culture of Conservation. As mentioned above, these matters have been addressed. The proposed increase in density related to this proposal supports this policy direction.

Based on the foregoing, the proposal conforms to the policies of the Growth Plan for the Greater Golden Horseshoe (Places to Grow Plan).

**Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” on Schedule “E” and designated as “Institutional” on Schedule “E-1” - Land Use Designations. Also, the lands are designated “Institutional” on Map B.6.3-1 – Chedmac Secondary Plan – Land Use Plan.

In particular, the proposal is to redesignate the subject lands from “Institutional” to “Neighbourhoods” on Schedule “E-1”, Urban Land Use Designations, of Volume 1 of the Urban Hamilton Official Plan, to redesignate the subject lands from “Institutional” to “Medium Density Residential 3” in the Chedmac Secondary Plan; and to establish a Site Specific Policy Area to permit a maximum density of 128 units per ha, and to permit stacked townhouses and a multiple dwelling within the Medium Density Residential 3 designation.

“6.2.2 The following uses shall be permitted on lands designated Institutional on Schedule E-1 – Urban Land Use Designations:

- a) educational facilities, except commercial schools;
- b) religious facilities;
- c) cultural facilities;
- d) health care facilities;

- e) long term care facilities;
- f) day care facilities;
- g) accessory uses; and,
- h) ancillary uses, in accordance with Policy E.6.2.3.

6.2.6 Notwithstanding Policy E.6.2.2, where institutional uses cease on lands designated Institutional, low density residential uses, parks and open space uses, or community facilities/services uses may be permitted without an amendment to this Plan, provided the residential uses are compatible.”

While the “Institutional” designation allows for low density residential uses, an amendment is required for this proposal as medium density residential uses are not permitted.

In review, the proposed built form would constitute a “Medium Density Residential 3” built form as a multiple dwelling. Also, the subject lands have frontage on Sanatorium Road, which is identified as a Collector Road in the UHOP. As such, Policies E.3.5.1 of Volume 1 apply:

“E.3.5.1 Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads, or within the interior of neighbourhoods fronting on collector roads.

The subject lands are in close proximity to two bus routes (Sanatorium Route #33 and Mohawk Route #41), Hamilton Health Science facilities, and commercial uses along Mohawk Road West. As such, the proposal will comply with Policy E.3.5.5:

“E.3.5.5 Medium density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities, public transit, schools, active or passive recreational facilities, and local or District Commercial uses.”

A site specific amendment to the UHOP will be required as the proposal does not comply with the density range established in the Medium Density Residential designation as 128 units per hectare are being proposed, whereas the UHOP only allows for a maximum density of 100 units per hectare. The intended function and layout of the site is not changing. The increased density is a result of reduced unit sizes and modified floor plans.

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The proposal will comply to the Medium Density Residential maximum height set out in the UHOP as four storeys have been proposed;

“E.3.5.8 For medium density residential uses, the maximum height shall be six storeys.”

Section E.3.5.9 of the UHOP has specific design criteria related to the Medium Density Residential designation, which the proposal compiles with as follows:

“E.3.5.9 Development within the medium density residential category shall be evaluated on the basis of the following criteria:

- a) Developments should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may gain access to the collector or major or minor arterial roads from a local road only if a small number of low density residential dwellings are located on that portion of the local road.
- b) Development shall be integrated with other lands in the Neighbourhoods designation with respect to density, design, and physical and functional considerations.
- c) Development shall be comprised of sites of suitable size and provide adequate landscaping, amenity features, on-site parking, and buffering if required. The height, massing, and arrangement of buildings and structures shall be compatible with existing and future uses in the surrounding area.
- d) Access to the property shall be designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.
- e) The City may require studies, in accordance with Chapter F – Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.”

As previously noted, the subject lands are on the corner of Sanatorium Road and Redfern Avenue. Sanatorium Road has been identified as a Collector road within the UHOP. Also, the proposal will act as a transition between the student residences to the east, the (medical) institutional uses to the south, and the residential uses to the west. Landscaping will be provided on site; this component of design, as well as amenity

features, on-site parking, massing and arrangement of buildings will be further addressed through the Site Plan Control process.

With respect to the access to the site, Corridor Management staff have identified no concerns with the design of the site; furthermore, the specific movements on site will be further addressed at the detailed design stage of development through Site Plan Control. Finally, to date, no required studies have been required to demonstrate that the height, orientation, design, and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses the distance of surrounding uses and the height of the proposal will not impact surrounding developments.

Lastly, as mentioned above, appropriate studies and review have satisfied all cultural and natural heritage requirements as per Policy Sections B.3.4 and C.2.0 of Volume 1, and appropriate noise mitigation is to be implemented through the future Site Plan Control application, in accordance with Policy Section B.3.6.3 of Volume 1.

### **Intensification**

The proposal has been evaluated based on the UHOP's residential intensification criteria, namely, policies B.2.4.1.4 and B.2.4.2.2:

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

- a) a balanced evaluation of the criteria in b) through g) as follows:
- b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- c) the development's contribution to maintaining and achieving a range of dwelling types and tenures;
- d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
- e) the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
- f) infrastructure and transportation capacity; and,
- g) the ability of the development to comply with all applicable policies.

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

The analysis of the criteria listed above is discussed below:

### **Character of the Neighbourhood / Compatibility**

The subject lands are situated within the Mountview Neighbourhood which is an established neighbourhood composed of a variety of uses. To the south and west of the subject lands are two-storey single detached dwellings and multi-storey civic and institutional uses composed of both treatment facilities and residences. To the north of the property are two storey single detached dwellings and a stormwater management pond. Finally, to the east of the subject lands, within the Westcliffe West Neighbourhood are also several multi storey student residence buildings. The multi storey buildings to the east and south of the subject lands are between three and four storeys in height and

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setback 10.0 m from the street. The two storey residential buildings to the west and north of the subject lands are all set back at least 6.0 m from the street.

The proposed development will be setback a minimum of 4.5 m from Redfern Avenue and 4.5 m from Sanatorium Road, and will be a maximum of four storeys in height. The height of the proposed building will be, in keeping with the established patterns.

The proposed setbacks for the proposal are reduced from the existing setbacks of comparable forms of development in the area so that a higher standard of urban design can be achieved by bringing the building closer to the street edge.

The distance between the rear property line of the subject lands and the other institutional uses to the south is approximately 17.0 m. Also, the distance between the western property line and the proposed apartment building is approximately 50.0 m, thereby providing a sufficient buffer between abutting land uses.

Planning staff feel that these separation distances will ensure compatibility in terms of scale, form and character.

### **Overlook**

As per the concept plans included in Appendix “E” to Report PED16124, the setback from the rear of the property to buildings to the south of the subject lands are in excess of 14.0 m. Also, the distance between the proposed building and the single detached dwellings to the west is at least 60.0 m. Lands to the north and east are separated by Redfern Avenue and Sanatorium Road respectively, resulting in distance separations of between 20.0 m and 26.0 m. The extent of these setbacks will eliminate any overlook on neighbouring properties. The concept plans also shows a vegetation protection zone (VPZ) along the western boundary of the subject lands. This feature will also provide for a buffer between the subject lands and the residential units to the west.

### **Height / Massing / Scale**

The existing institutional uses to the south and east are between three and four storeys in height; and the distance between the proposal and the residential uses to the north and west are between 26.0 m and 60.0 m. The combination of a height that is similar to uses to the east and south, and significant distances to dwellings to the west and north minimizes the impact of the height and massing of the proposed building.

The transition between one and two storey buildings to the north and west, and the three to four storey buildings to the east and south will be mitigated by the distance between the uses as there is a distance of 60.0 m from the proposed building to the residential properties to the west and between 26.0 m and 60.0 m from the proposed building to the properties to the north.

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Furthermore, the scale and form of the proposed building fits with the surrounding uses as there are several three to four storey buildings (student residences) surrounding the subject lands providing similar uses.

### **Transportation and Infrastructure Capacity**

There are no transportation or infrastructure capacity issues for this proposal. A traffic impact study was submitted in support of the application and was circulated to the City's Corridor Management staff who had no comments on the application; as such, planning staff feel that there are no outstanding issues related to traffic movements or transportation capacity issues for this proposal.

Development Engineering staff have indicated that aside from stormwater management and wastewater management reports to be submitted at the Site Plan Control stage of development, they have no concerns with the infrastructure capacity for the subject lands.

Based on the foregoing, subject to adoption of the draft amendment and zoning provision as per recommendations (a) & (b) and attached as Appendices "B" & "C" to Report PED16124, the proposal complies with the intent and purpose of the Urban Hamilton Official Plan Volume 1, and, is therefore supportable.

### **Chedmac Secondary Plan**

As there are no Medium Density Residential policies within the Chedmac Secondary Plan the proposed amendment will establish a Site Specific Policy Area to redesignate the subject lands to Medium Density Residential 3, establish site specific policies and permit Stacked Townhouses or a Multiple Dwelling and a density range between 60 and 128 units per ha as opposed to the "Institutional" designation, which currently applies to the subject lands and does not allow for Medium Residential Density uses. The amendment to the Secondary Plan is required in order to be consistent with the general intent of OPA No. 228 which established the principal of medium density on the subject lands.

Staff note that the amendment to the UHOP for an increase in density results from a modification in unit sizes and floor plans. Upon detailed review, based on the existing lot area, the reduction in unit size would constitute an increase of 44 units overall which equates to 28 units per ha. The size and layout of the proposed building will remain unchanged from Council's approval and the only modifications are to the interior of the building, namely the floor plans and unit sizes. However, changes to the Zoning By-law will be required to ensure an enhanced design is maintained and features not previously considered are recognized. The size of the building allows the opportunity to increase the density of development that was originally envisioned for the subject lands while still meeting the zoning requirements for parking.

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On this basis, staff support the requested amendment.

**City of Hamilton Zoning By-law No. 6593**

The lands are currently zoned “DE-2/S-1654” (Multiple Dwellings) District, Modified in Zoning By-law No. 6593. From a residential perspective, the following uses are permitted in the “DE-2” District: two family dwellings, three family dwellings, a multiple dwelling, with accommodation for lodgers to the number of not more than three; and an emergency shelter for the accommodation of not more than six residents. Various site specific exceptions are required to facilitate the proposed development.

The purpose and effect of this application is to further modify the site specific “DE-2/S-1654” (Multiple Dwellings) District, Modified, in order to permit a four storey multiple dwelling consisting of 144 units with 218 parking spaces. Site specific modifications will be required to implement the proposal. The site-specific modifications are further discussed in the Analysis and Rationale for Recommendation section of this report.

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

Following the approval of OPA No. 228, part of the subject lands have been identified as a watercourse (tributary of Chedoke Creek that is regulated by Hamilton Conservation Authority). Since the watercourse appears to be channelized and disturbed, an Environmental Impact Statement (EIS) is not required, but a Vegetation Protection Zone has been requested with appropriate zoning. As such, this section of the subject lands are proposed to be zoned as Conservation / Hazard “P5” Zone in the Hamilton Zoning By-law No. 05-200.

**RELEVANT CONSULTATION**

The following Departments and Agencies had no comments or objections to the applications:

- Recreation Division, Community and Emergency Services Department;
- Geomatics and Corridor Management Section, Public Works Department.

The following Departments and Agencies have provided comments on the applications:

**Bell Canada** has indicated that an easement may be required to service the subject property, depending on a review of more detailed applications. They have requested that they be circulated on any future applications related to the subject lands. As such, when the Site Plan Control application is submitted for the subject lands, Bell Canada will be circulated and provided with the opportunity to comment at that time.



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**Canada Post** has advised that as the proposed development is a multi-unit building with a common indoor entrance, the applicant must supply, install and maintain mail delivery equipment within these buildings to Canada Post's specifications. The location of this equipment will be reviewed at the Site Plan Control stage of development. Furthermore, Canada Post has requested that they be advised if the proposal changes so that they can determine any potential impact. Also, should the proposal be approved, they would like to be advised of the new municipal addresses as soon as possible.

**Forestry and Horticulture Section (Public Works Department)** have indicated that there are Municipal Tree Assets located on the road allowance fronting the proposed development and therefore a Tree Management Plan will be required. Also, a Landscape Planting Plan prepared and signed by a certified Landscape Architect will be required. This plan together with the Tree Management Plan must be submitted for review and comments by the Forestry & Horticulture Section. Both the Tree Management Plan and the Landscape Planting Plan will be reviewed at the Site Plan Control stage of development.

The **Hamilton Conservation Authority (HCA)** note that they have reviewed the application pursuant to their responsibilities under the *Conservation Authorities Act*; the Memorandum of Understanding between the Ontario Ministry of Natural Resources, the Ontario Ministry of Municipal Affairs and Housing and Conservation Authorities relating to provincial interests for natural hazards; and the Memorandum of Agreement between the HCA and the City of Hamilton relating to Natural Heritage and Engineering issues and the Hamilton Harbour Remedial Action Plan.

HCA staff advise that they have no objection to the proposed stormwater management scheme outlined in the *Functional Servicing Report, Scenic Trails Block 16, City of Hamilton* prepared by A.J. Clarke and Associates Ltd. dated April 6, 2015 which recommended the installation of an Oil Grit Separator unit to meet Level 1 stormwater quality control requirements.

The HCA note that at the Site Plan Control stage, a detailed stormwater management report as well as grading, servicing, and erosion and sediment control plans will be required to be submitted to their office for review and approval. The report must discuss (and the servicing drawing illustrate) the underground parking drainage outlet.

The HCA will also require the submission of a drainage plan providing information on the area acreage and imperviousness to ensure that no additional quantity control measurements are needed and that the quality control system is appropriately sized.

Subject to the foregoing being provided at the Site Plan Control stage, the HCA has no objection to the proposed development.

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With respect to the Ontario Regulation 161.06, the HCA advises that the westerly portion of the subject lands is regulated by the HCA pursuant to *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* as it contains a tributary of Chedoke Creek. Therefore a permit will be required for the development associated with this application at the Site Plan Control stage.

Development associated with the subject application would be also required to be located outside of the flood and erosion hazards associated with the watercourse. As stated in the HCA's September 8, 2014 comments on the related Formal Consultation application (FC-13-106), the erosion hazard limit would be defined by the meander belt. Based on an average creek width of 1.0 m, the meander belt width would extend to 10.0 m from the creek centre line.

This setback has been surveyed and identified on a preliminary site / grading plan prepared by A.J. Clarke Associates Ltd. for the subject development. Both the existing and proposed development (parking lot and associated infrastructure) meets the 10.0 m erosion hazard setback through the south half of the parcel, but extends incrementally into the hazard by up to 6.4 m at the north end of the parcel (culvert headwall location). HCA policy generally does not permit fill placement and grading within natural hazard lands. The preliminary grading plan shows that the grade for the proposed parking lot will be in keeping with existing grades. Given this, the HCA would be in a position to issue a permit for the proposed parking lot portion of the development.

**Horizon Utilities** has noted that the relocation, modification, or removal of any existing hydro facilities shall be at the owner's expense and that Horizon Utilities should be contacted in order to facilitate this work. Also, the applicant shall be responsible for the cost of civil work associated with duct structures, transformer foundations, and all related distribution equipment.

In order for Horizon Utilities to prepare design and procure the materials required to service this site in a timely manner, a minimum of six months notification is required. Also, they advise that it would be advantageous for the applicant if Horizon Utilities were contacted during the Site Plan Control stage of development as it takes them approximately 20 weeks to purchase a transformer.

Horizon Utilities also notes that: excavation should not occur within 2.0 m of hydro poles and anchors; excavation within 1.0 m of an underground hydro plant is not permitted unless approval is granted by a Horizon Utilities representative and is present to provide direct supervision. Costs associated with this task shall be at the owner's expense; Horizon Utilities must be contacted if the removal, isolation or relocation of an existing plant is required, all cost associated with this work will be at the owners expense; the arrangement for underground hydro cable locate(s) should occur before the beginning of construction by contacting Ontario One; and, clearances from overhead and

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underground existing electrical distribution system must be maintained in accordance with the Ontario Building Code (1997) Section 3.1 (3.1.18.1), the Electrical Safety Code Rule 75-312, the Occupational Health and Safety Act (OH&SA) - Construction Projects, CAN/CSA-C22.3 No. 1 - 10, Overhead System, and C22.3 No. 7 - 10 Underground Systems.

**Hamilton Street Railway (HSR)** have advised of the following:

- “HSR currently operates the routes #33 Sanatorium & #41 Mohawk buses in the area with no planned changes in service;
- Street orientation and pedestrian entrances are important. Direct short walking distances between these dwellings and transit service operating along Redfern Avenue and Sanatorium Road is preferable; and,
- HSR supports the inclusion of high quality pedestrian amenities at this development like walkways, lighting etc.”

In review, planning staff note that the proposed development is a residential development with a density and connections to existing sidewalks on both Redfern Avenue and Sanatorium Road, which support transit and satisfies the above noted comments.

These design criteria will be reviewed further through the Site Plan Control process of development.

**Transportation Planning Section, Corporate Assets & Strategic Planning Division, Public Works** have suggested that the proposal consider the relevant sections of the UHOP at the design and implementation stage of development. In particular, when designing the site, attention should be given to the City’s Road Network Functional Classification as Sanatorium Road has been classified as a Collector Road in the UHOP and is intended to have an ultimate width of 26.213 m. Furthermore, appropriate daylight triangles will need to be provided (local road to local road shall be 4.57 m; Collector Road to Local Road or Collector Road shall be a 9.14 m by 9.14 m triangle). Also, at the Site Plan Control stage of development, Transportation Planning staff advise that they will require a Transportation Demand Management Options Report.

Transportation planning staff also advise that the City’s Pedestrian Mobility Plan should also be considered, and as such, the needs of Pedestrians with disabilities need to be addressed and built environmental standard regulations must be followed. In particular, sidewalks must have a minimum clear width of 1.5 m and the inclusion of trees in boulevards must also be considered. These design criteria will be reviewed further through the Site Plan Control process of development.

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**Landscape Architectural Services, Public Works** have noted that cash-in-lieu of parkland dedication will be applicable. This will be taken at the Site Plan Control stage of development.

**Hamilton Municipal Parking System (HMPS)** have advised that the owner / applicant shall ensure that the Barrier Free parking spaces have a minimum width of 4.4 m.

Planning staff advise that the above requirements will be incorporated through the future Site Plan Control application.

**Operations Support, Business Services Section, Operations Division, Public Works** noted the subject property “is eligible for weekly collection of garbage, recycling, organics, as well as leaf and yard waste through the City of Hamilton subject to compliance with specifications indicated by the Public Works Department and subject to compliance with the City’s Solid Waste Management By-law 09-067 as amended.”

They also note that multiple-residential buildings with six or more dwelling units are required to have garbage bin collection service. As such, design criteria has been established, which must be adhered to. These criteria will be implemented through the detailed design stage of development through Site Plan Control.

## **PUBLIC CONSULTATION**

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 94 property owners within 120 m of the subject property on May 21, 2015, for the proposed Official Plan Amendment and Zoning By-law Amendment applications.

To date, eight public submission have been received identifying concerns with respect to an increase in traffic resulting from the additional units being proposed; parking constraints due to a lack of on street parking opportunities on Redfern Avenue and Sanatorium Road; impact on housing and property values; consideration of the creek to the west of the subject lands; and the increase in density (see Appendix “E” to Report PED16124). These concerns are addressed as item No. 7 of the Analysis and Rationale section of Report PED16124.

A Public Notice Sign was posted on the property on June 2, 2015, and updated on May 4, 2016, with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act* on May 13, 2016.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Policy Statement, and conforms to the Growth Plan for the Greater Golden Horseshoe (Places to Grow).
  - (ii) It implements the intent and purpose of the former City of Hamilton Official Plan, in particular OPA No. 228, as approved by Hamilton Council under By-law No. 12-041,
  - (iii) It complies with the intent and purpose of the draft Urban Hamilton Official Plan Amendment approved under recommendation (c) and attached as Appendix “B” to Report PED16124, and will comply subject to the adoption of the recommended Official Plan Amendment.
  - (iv) The proposed development is considered to be compatible with the existing and planned development in the immediate area; and,
  - (v) The proposed development represents good planning by, among other things, providing a compact and efficient urban form. Furthermore, it acts as a natural extension of approved adjacent development and will be an efficient use of infrastructure.
  
2. Urban Hamilton Official Plan Amendment

The purpose of the proposed Official Plan Amendment is to reflect previous amendments approved by Hamilton Council to the Hamilton Official Plan, being OPA No. 228.

At the time of approval of OPA No. 228, the staff recommendation, as adopted by Council, included a draft amendment to the Hamilton Official Plan to redesignate portions of the existing Chedmac Secondary Plan, and to modify the existing residential designations of the Plan in order to permit 14 single lot units, a townhouse complex, and a multiple dwelling. The Ministry of Municipal Affairs and Housing did not include the amendment when the Urban Hamilton Official Plan was approved, and the City has not yet brought forward this amendment.

As discussed in the policy section of this Report, an amendment to the UHOP is required to implement the proposal, as shown in Appendix “D” to Report PED16124. This amendment will amend the Urban Hamilton Official Plan and the Chedmac Secondary Plan, by increasing the previously established density of a permitted apartment dwelling, from 31 – 100 units per ha via Official Plan Amendment No. 228 to the former City of Hamilton Official Plan, to a maximum

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of 128 units per ha. The effect of this amendment will be to permit the development of a four storey, 144 unit apartment building.

It is the opinion of staff that as the size and layout of the proposed building will remain unchanged, as the only modifications are to the interior of the building, namely the floor plans and units sizes, and due to the fact that the required amount of parking can be achieved on site, the site will allow for an opportunity to increase the density of development that was originally envisioned for the subject lands. As such, the increased density proposed can be supported as the proposal conforms to the intensification policies of the UHOP. Furthermore, the proposal will transition between the single detached dwellings to the north and the major institutional uses to the south.

Also, the development proposal provides for a land use type (stacked townhouses or a multiple dwelling) that is generally envisioned in the UHOP and compatible with existing and planned development.

Section B.2.4.1.1 of the UHOP encourages residential intensification throughout the entire built-up area and contributes to the Section B.2.4.1.3 requirement of 40% of the residential intensification target to occur within the built up area. The proposal complies with to the residential criteria outlined in B.2.4.1.4 and B.2.4.2.2 as it provides a compatible built form within the existing community, provides a range of dwelling types and tenure, contributes to the planned urban structure and can be accommodated by the existing infrastructure and transportation network.

No issues have been raised, with respect to density, as it pertains to traffic volumes, accommodation of parking spaces, and the provision of amenity space. Also, the footprint of the proposed building is the same that was considered under the previous review and approvals related to OPA No. 228 and By-law No. 042

The proposed development generally complies with the direction established in the Secondary Plan; however, due to the differences identified and discussed above, amendments will be required to allow for the proposed development. Based on the foregoing, staff support the proposed UHOP Amendment.

Finally, while a VPZ has been identified on the subject lands, it does not need to be redesignated as the feature is proposed to be zoned Conservation/Hazard (P5) Zone which will allow for the necessary protection the feature requires.

3. The applicant has requested amendments to Hamilton Zoning By-law No. 6593 for a four storey multiple dwelling development comprised of 144 dwelling units,

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with a total of 218 underground and surface parking spaces, for lands located at 1 Redfern Avenue, Hamilton.

In particular, the existing site specific modifications of the “DE-2/S-1654” (Multiple Dwellings) District are to be deleted and replaced with some permissions that enhance the existing by-law and are not necessarily required to facilitate the development, while other permissions are technical in nature and are related to the layout and function of the site:

**Enhancements to By-law No. 6593:**

- a maximum front yard setback of 4.0 m, whereas the By-law requires a setback of 2.0 m;
- a maximum easterly side yard setback from the northeast corner of the principal building to the daylight triangle of 4.5 m, whereas the By-law requires a setback of 2.0 m;
- a maximum easterly side yard setback from the southeast corner of the principal building to the lot line of 17.0 m, whereas the By-law requires a setback of 2.0 m;
- a minimum rear yard setback for the principal building of 14.0 m, whereas the By-law requires a minimum rear yard setback on 6.5 m;
- a minimum rear yard setback for the parking garage of 7.5 m, whereas the By-law requires a minimum rear yard setback on 6.5 m;

**Technical Modifications to By-law No. 6593:**

- a maximum building height of 16.5 m, whereas the By-law requires the maximum height to be 13.5 m;
- to limit the maximum number of units to a maximum of no more than 144 units, whereas the By-law requires the maximum number of units to be 80;
- Floor Area Ratio provisions of Zoning By-law No. 6593 shall not apply, where a Floor Area Ratio of 0.9 is required;
- one loading space shall be provided and shall have dimensions not less than 3.7 m wide, 9.0 m long, and 4.3 m high, whereas the By-law requires two loading spaces: of which one must be 9.0 m long by 3.7 m wide and 4.3 m high, and the other space must be 18.0 m long by 3.7 m wide and 4.3 m high;
- the removal of landscaping requirements between the boundary of a parking area and a residential district, whereas the By-law requires this area to be buffered and landscaped;
- an accessory structure shall be permitted in the easterly side yard, where the By-law is silent to the permission of such a structure in a required side yard;

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- a minimum easterly side yard setback from the northeast corner of the accessory structure to the lot line of 2.5 m, whereas the By-law does not allow for such a structure to be located in the required side yard;
- a minimum easterly side yard setback from the southeast corner of the accessory structure to the lot line of 7.0 m, whereas the By-law does not allow for such a structure to be located in the required side yard;
- every required parking space, other than a parallel parking space, shall have dimensions not less than 2.6 m wide and 5.5 m long, whereas the By-law requires a parking size to be 2.7 m wide by 6.0 m long.

Maximum Front Yard, Maximum Easterly Side Yard:

The maximum front yard setback required in the “DE-2/S-1654” (Multiple Dwellings) District, has been increased from 2.0 m to 4.0 m.

The front yard increase can be supported as this setback will maintain the intent of the “DE-2” (Multiple Dwellings) District which requires a front yard setback between 3.0 m and 6.0 m. The increase of the maximum required front yard setback will still facilitate an improved streetscape as the maximum setback will still fall within the permitted range of the parent “DE-2” provisions. Furthermore, as this is a maximum, the front yard can be as close as 2.0 m where permitted, and 4.0 m, where necessary while still maintaining a prominent streetscape.

The maximum easterly side yard setback has been proposed to be increased from 2.0 m to 4.5 m for the principal building, from the north east corner to the daylight triangle; and 17.0 m measured from the southeast corner of the building to the lot line. The varying setbacks are a result of having the building as close to the easterly side lot line as possible while respecting the curved layout of Sanatorium Road.

The proposed modifications to the maximum front yard and maximum easterly side yard can be supported by staff.

Accessory Structure:

The applicant is also requesting to permit an accessory structure in the easterly side yard, for the dual purposes of a planting box and a retaining wall, having a maximum setback of 2.75 m measured parallel to the front lot line from the northeast corner of the accessory structure to the daylight triangle; and a maximum setback of 6.5 m measured parallel to the front lot line from the southeast corner of the accessory structure to the side lot line. Currently, under the “DE-2” (Multiple Dwelling) District, an accessory structure is permitted and must be located between 3.0 m and 7.5 m from the lot line. Staff are in support



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of this reduction by 0.25 m as it is considered to be minor and still meets the intent of the zoning by-law provision.

Easterly Side Yard Setbacks / Accessory Structure:

A planting box located east of the principal building has been deemed to function as an accessory structure. As such, permission has been included in the amending By-law to allow for such a structure in the side yard. It will also serve a dual role as it will also function as a retaining wall. As this feature will have a significant street presence, it is desirable to have it as close to the street edge as possible. As such, the setback from the north east corner of the structure to the daylight triangle will be 2.5 m; and the setback from south east corner of the feature to the property line will be 7.0 m. Again, by limiting the setbacks for the feature, a significant street presence can be maintained.

The proposed modifications to the easterly side yard setback and accessory structure setbacks can be supported by staff.

Rear Yard Setbacks:

Due to the grade of the property and the construction of the proposed building, in order to provide sufficient amenity space, a minimum rear yard setback of 14.0 m will be required for the principal building. Furthermore, due to the orientation and location of the parking garage, a rear yard setback of 7.5 m will be required from the parking garage to the rear lot line. These setbacks are appropriate and can be supported by staff as they respect the layout and irregular shape of the site and allow for sufficient space for access and servicing along the rear of the property.

Parking Spaces:

The required number of parking spaces as per the regulations of Zoning By-law No. 6593 will be provided for the proposed development. However, the applicant has proposed to reduce the size of each space to the Zoning By-law 05-200 standard of 2.6 m by 5.5 m and 4.4 m wide by 5.5 m long for barrier free spaces, which is consistent with the new City parking standards established in Hamilton's Zoning By-law 05-200. This space size has been considered by Parking Services staff and Transportation Management staff and deemed to be sufficient for this medium density use as all of the required spaces can be accommodated on site. Furthermore, the new City standard for parking stall size is being recognized and allows for a sufficient amount of space for vehicle parking. As such, staff is supportive of this request.

Maximum Building Height:

The maximum height has been increased from the permitted 13.5 m to 16.5 m to allow for the proposed four storey multiple dwelling. As grade is measured from the property line, the actual height of the building from the average grade to the roof level is 14.55 m. The applicant has advised that the intent is to design a building with higher ceiling heights (e.g. 3.0 m instead of 2.4 m) and to provide for enhanced architectural design and treatment. The proposed permitted height of 16.5 m in the by-law will be required because of the significant grade differential / slope of the subject lands from a highpoint along the westerly limits to a low-point along the easterly limits.

The interface with the single detached dwellings to the west will be lessened through enhanced landscaping as a naturalized creek runs the full extent of the western boundary of the property line, also providing a naturalized buffer. Furthermore, adequate setbacks have been proposed to mitigate the height; therefore on this basis, the proposed height can be supported by planning staff.

Number of Units:

A request has been made to increase the number of permitted units from 80 units, established in By-law No. 12-042, to 144 units. Staff are in support of this increase in units as it is a result of modifications to the floor plans and reductions in unit sizes. As discussed previously in this report, both traffic and parking staff are in support of the proposal. Staff are also supportive of the Official Plan Amendment to increase the density. A such, staff are supportive of the modification to increase the number of units.

Floor Area Ratio:

A request has been made to eliminate the requirement for the Floor Area Ratio, which establishes the floor area of the proposed building based upon the lot size. In the case of this proposal, other provisions are being used to control the floor area. A limit has been set on the number of units, the maximum height of the building, and the building envelope. As such, staff feel that a Floor Area Ratio is not required in this case as these other provisions will sufficiently control the size of the building. Furthermore, staff is supportive of this amendment and feel that the proposal represents good development.

Loading Space:

One Loading Space will be provided, where two are required.

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Staff are satisfied that there will not be frequent demand for the loading and unloading of materials on the subject property. The size of the space will be per the required dimensions outlined in Zoning By-law No. 6593 (3.7 m by 9.0 m by 4.3 m height). The size of this space will accommodate standard sized moving vehicles. Large size moving trucks are not anticipated on site, due to the size and form of the proposed development and so a larger space, 18.0 m long, is not required on site. Furthermore, it is anticipated that loading and unloading activity will be infrequent once the building is fully occupied. Again, staff are supportive of the proposed loading space requirements.

Landscaping and Location of Parking Area Requirements:

The amending by-law exempts the requirements of having to provide a landscape buffer for the proposed parking area from the existing residential development to the west. There is a naturalized feature (tributary of Chedoke Creek) and a 50.0 m setback that presently acts as a buffer in this location located between the proposed parking area and the adjacent residential uses. The buffer area is proposed to be zoned Conservation/Hazard (P5) Zone within Zoning By-law No. 05-200 and therefore the buffer is provided. As such, the intent of the By-law is being maintained and staff are supportive of the amendment.

4. With respect to Engineering details, the following applies:

For Information:

There is a 300 mm watermain and a 525 mm storm sewer in front of the property on Redfern Avenue; a 300 mm watermain and a 825 mm storm sewer along the property on Sanatorium Road; and 375 mm sanitary sewer on the Right of Way located on the western side of the property. Also, the Scenic Trail Development - Watermain Hydraulic Analysis - Revision 1, completed by GENIVAR, dated February 11, 2012 does not include Block 16 in its analysis as it only included single family detached dwellings (15 units) and townhouse dwellings (45 units).

Sanitary Sewer Servicing:

There is sufficient capacity provided for 20.9 ha of development at an average of 106 people per ha through the separated system crossing on Redfern Avenue at 145 m west of Sanatorium Road. Development would be conditional on completion of the sanitary sewer upgrade on Scenic Drive from 250 m north of San Pedro Drive to Goulding Avenue as identified in CPMS Project # 10233.

The applicant is required to provide a wastewater generation assessment using Part 8 of the latest edition of the Code and Guide for Sewage Systems to

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establish an equivalent population density for the City's Engineering records. This requirement will be addressed as a condition through Site Plan Control.

Minor Storm Sewer Servicing:

Capacity has been provided for 32.5 ha of development at an average coefficient of 0.77 of storm runoff for rational peakflow, whereby 77% of any precipitation will run off the site and 23% will soak into the soil. Development is conditional on completion of the sanitary sewer upgrade on Scenic Drive from 250 m north of San Pedro Drive to Goulding Avenue as identified in CPMS Project # 10233.

A storm drainage area plan complete with an illustration of a private piped network, appropriate runoff coefficients, and location of outlet points on the City's receiving conveyance system will be required to supplement the site servicing and grading plans. These requirements can be reviewed through the Site Plan Control process of development.

Water Servicing:

The proponent is required to provide a report, signed and sealed by a Professional Engineer, addressing the following:

- (a) the residential water demands; and,
- (b) the Required Fire Flow (RFF) calculated per "Water Supply for Public Fire Protection, 1999, Fire Underwriters Survey" (FUS), and supplemented where appropriate by NFPA 13. Details to support the RFF calculation (e.g. floor area, type of construction, fire wall location and fire resistance rating, sprinkler system credit and exposure charges, as applicable, etc.) shall be clearly identified.

Also, the proponent should ensure that the Fire Department / Building Department is satisfied with the firefighting arrangements.

These details will be determined at the detailed stage of development and be addressed through Site Plan Control conditions.

HCA Comment:

The *Functional Servicing Report, Scenic Trails Block 16, City of Hamilton* prepared by A.J. Clarke and Associates Ltd. dated April 6, 2015 recommends the installation of an Oil Grid Separator unit to meet Level 1 stormwater quality control requirements. Engineering staff have no objection to the proposed stormwater management scheme. However, it should be noted that at the Site Plan Control stage of development, a detailed stormwater management report as

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well as grading, servicing, and erosion and sediment control plans will be required to be submitted to the City for review and approval. The report must discuss (and the servicing drawing illustrate) the underground parking drainage outlet.

Submission of a drainage plan providing information on the area acreage and imperviousness, runoff coefficients will also be required at the Site Plan Control stage of development to ensure that no additional quantity control measurements are needed and that the quality control system is appropriately sized.

Recommendations:

At the Site Plan Control stage, the following will be required:

- a) a detailed stormwater management report as well as grading, servicing, and erosion and sediment control plans will be required to be submitted to engineering staff for review and approval. The report must discuss (and the servicing drawing illustrate) the underground parking drainage outlet.
- b) a report, signed and sealed by a P. Eng., addressing the following:
  - i. the residential water demands; and,
  - ii. the Required Fire Flow (RFF) calculated per “Water Supply for Public Fire Protection, 1999, Fire Underwriters Survey” (FUS), and supplemented where appropriate by NFPA 13. Details to support the RFF calculation (e.g. floor area, type of construction, fire wall location and fire resistance rating, sprinkler system credit and exposure charges, as applicable, etc.) shall be clearly identified;
- c) a storm drainage area plan complete with an illustration of a private piped network, appropriate runoff coefficients, and location of outlet points on the City’s receiving conveyance system will be required to supplement the site servicing and grading plans; and,
- d) a wastewater generation assessment using Part 8 of the latest edition of the Code and Guide for Sewage Systems to establish an equivalent population density for our records.

Stormwater management, residential water demands, appropriate drainage and wastewater generation can all be appropriately addressed on site. Details of this accommodation will be submitted, reviewed and addressed at the Site Plan Control stage of development.

**SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No(s). 6593 and 05-200, for Lands Located at 1 Redfern Avenue (Hamilton) (PED16124) (Ward 8) – Page 30 of 33**

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5. There are additional design matters that will need to be further reviewed at the Site Plan Control stage. These matters relate to pedestrian access / circulation, barrier-free accessibility, landscaping, outdoor amenity space, and service area screening.

As such, a revised site plan, landscape plan, and elevation drawings will be required at the time of site plan approval to address these concerns.

6. To date, eight public submission have been received identifying concerns with respect to: an increase in traffic resulting from the additional units being proposed; parking constraints due to a lack of on-street parking opportunities on Redfern Avenue and Sanatorium Road; impact on housing and property values; consideration of the creek to the west of the subject lands; and increase in density (see Appendix “E” to Report PED16124).

Increase in Traffic:

A Traffic Impact Study (TIS) was submitted with the subject UHOPA Amendment and Zoning By-law Amendment applications. The TIS concluded that if the site were to be developed with the proposed 144 units, the traffic at the critical study area intersections will increase by approximately 2.5% during the peak hours. Furthermore, the Study concluded that the traffic increase that will occur as a result of this development can be accommodated on the roadway network without the need for additional improvements beyond those identified to accommodate the background traffic. The TIS was circulated to the City’s Corridor Management staff who had no comments on the application; as such, Planning staff feel that there are no outstanding issues related to traffic movements related to the proposal.

On Street Parking / Spill Over:

Concerns from neighbouring residents were expressed related to parking. The proposed development will provide more than the minimum number of required parking spaces per dwelling unit and visitor parking spaces required by the Zoning By-law.

Impact on Housing and Property Values:

There were a few submissions that expressed concerns that property values could be impacted by the proposed development. Staff are not aware of any empirical evidence that would suggest that such a proposed development would impact property values.

Consideration of the Creek to the West of the Subject Lands:

Questions were raised related to whether or not there would be any impact on the creek to the west of the subject lands.

The Hamilton Conservation Authority (HCA) advised staff that the westerly portion of the subject lands is regulated by the HCA pursuant to *Ontario Regulation 161/06 (HCA's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses)* made under the *Conservation Authorities Act, R.S.O. 1990* as it contains a tributary of Chedoke Creek. Therefore a permit will be required for the development associated with this application, from the HCA at the Site Plan Control stage.

Development associated with the subject application would be also required to be located outside of the flood and erosion hazards associated with the watercourse. As stated in the HCA's September 8, 2014 comments on the related Formal Consultation application (FC-13-106), the erosion hazard limit would be defined by the meander belt. Based on an average creek width of 1.0 m, the meander belt width would extend up to 10.0 m from the creek centre line.

This tributary of Chedoke Creek eventually meets with the main branch below the Niagara Escarpment, which outlets into Hamilton harbour. Since this watercourse has been identified to remain open, the area is to be zoned Conservation / Hazard "P5" Zone.

Based on the above, staff anticipates no impact on the watercourse as a 10.0 m setback will be maintained which will be appropriately zoned and HCA permits will be required.

Increase in Density:

Objections have been received related to the UHOPA as it pertains to the proposed increase in density to 128 units per ha.

Section B.2.4.1.1 of the UHOP encourages residential intensification throughout the entire built-up area and contributes to the Section B.2.4.1.3 requirement of 40% of the residential intensification target to occur within the built up area. The proposal conforms to the residential criteria outlined in B.2.4.1.4 as it provides a compatible built form within the existing community, provides a range of dwelling types and tenure, contributes to the planned urban structure and can be accommodated by the existing infrastructure and transportation capacity.

Furthermore, no issues have been raised, with respect to density, as it pertains to traffic volumes, accommodation of parking spaces, and the provision of amenity space. Also, the footprint of the proposed building is the same that was considered under the previous review and approvals related to OPA No. 228 and By-law No. 042. As such, staff does not feel that an increase in density is an issue with respect to this proposal and supports the increase in density.

Circulation of Notice:

A concern was raised with respect to the receipt of notice of the application. As per the *Planning Act*, proper notice of the application was provided to 94 property owners who live within 120 m of the subject lands on May 21, 2015. The individual who advised that they did not receive notice did not live within the required circulation area and as such, did not receive the initial notice. This individual has been added to the circulation list and they will receive future correspondence related to the file.

## **ALTERNATIVES FOR CONSIDERATION**

Should the applications be denied, the lands could be developed in accordance with the existing “DE-2/S-1654” (Multiple Dwellings) District, Modified provisions.

## **ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN**

### **Strategic Priority #1**

A Prosperous & Healthy Community

*WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.*

### **Strategic Objective**

- 1.2 Continue to prioritize capital infrastructure projects to support managed growth and optimize community benefit.
- 1.4 Improve the City's transportation system to support multi-modal mobility and encourage inter-regional connections.
- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.
- 1.6 Enhance Overall Sustainability (financial, economic, social and environmental).



**Strategic Priority #2**

Valued & Sustainable Services

*WE deliver high quality services that meet citizen needs and expectations, in a cost effective and responsible manner.*

**Strategic Priority #3**

Leadership & Governance

*WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.*

**APPENDICES AND SCHEDULES ATTACHED**

- Appendix “A”: Location Map
- Appendix “B”: Urban Hamilton Official Plan Amendment
- Appendix “C”: Zoning By-law No. 6593 Amendment
- Appendix “D”: 05-200 Amendment
- Appendix “E”: Concept Plan
- Appendix “F”: Public Submissions

:RC/mo