

Site Specific Modifications to the Major Institutional (I3) Zone

Regulation	Required	Modification	Analysis
Permitted Uses 8.3.1	Community Garden Day Nursery Educational Establishment Emergency Shelter Hospital Lodging House Long Term Care Facility Medical Clinic Multiple Dwelling Place of Worship Recreation Residential Care Facility Retirement Home Social Services Establishment Street Townhouse Dwelling Urban Farm Urban Farmers Market	Prohibit Street Townhouse Dwellings	The proposed modifications seeks to align the permitted uses and policies of the Institutional Designation with the proposed Major Institutional (I3) Zone. Policy E.6.2.6 of the Urban Hamilton Official Plan only permits low density residential uses, such as street townhouse dwellings, when an institutional use ceases to operate on the subject lands. Since 1415 Upper Wellington Street is currently vacant, there is no institutional use to cease operation. Staff have amended the application to remove the use to ensure it complies with the policies of the UHOP.

Permitted Uses 8.3.1	n/a	To permit accessory retail and restaurant uses for a long term care facility.	The proposed modification seeks to permit retail and restaurant uses only as accessory uses to a long term care facility. The accessory uses provide additional services to the employees, visitors, and residents of the proposed development. These uses may be accessible to the public but will be accessory in scale to ensure that they are not a main destination or focal point for the subject lands. The additional uses will not alter the institutional function of the site. Based on the foregoing, the modification is reasonable and supported by staff.
Minimum Side and Rear Yard for a long term care facility 8.3.2.1b)	7.0 metres	7.0 metres except 0.0m and 4.0m as shown on Figure 2 of Schedule C – Special Figures	The proposed modification is technical in nature that will allow for the connection of the proposed building with the existing retirement home to the south, which will remain under separate ownerships. The building connection will allow for a more comprehensive, campus style development, supports a continuum of care model for the residents, and supports movement of residents between facilities entirely indoors. Based on the foregoing, the modification is reasonable and supported by staff.
Maximum height for a multiple dwelling 8.3.2.1 c)	18.0 metres	30.0 metres	The proposed modification acknowledges the proposed development which has demonstrated, through an Urban Design Report and Shadow Impact Study, that the massing has been located away from surrounding sensitive land uses to avoid negative shadow impacts given the height of the proposed building. Based on the foregoing, the modification is reasonable and supported by staff.
Visual Barrier 5.2a)	Where a parking lot is situated on a	Shall not apply along the southerly lot line	The proposed modification seeks to allow uninterrupted visual connectivity to the existing retirement home to the south. As the two sites will function as one, a visual barrier is not necessary to provide

	<p>lot which abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown D5 or Downtown D6 Zone, a visual barrier shall be provided and maintained along that portion of the lot line that abuts a Residential Zone, Settlement Residential (S1) Zone, Downtown D5 Zone or Downtown D6 Zone in accordance with Section 4.19 of this By-law;</p>	<p>abutting a Residential Zone.</p>	<p>a buffer from the proposed parking area and abutting residential zone.</p> <p>Based on the foregoing, the modification is reasonable and supported by staff.</p>
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