

January 7, 2022

073-15

**Via Email**

Members of Planning Committee & Council  
c/o  
Lisa Kelsey (Chamberlain), Dipl.M.A.  
Legislative Coordinator

City of Hamilton  
Office of the City Clerk  
71 Main Street West, 1<sup>st</sup> Floor  
Hamilton, ON L8P 4Y5

Dear Members of Planning Committee & Council,

**RE: REQUEST FOR A MOTION – JANUARY 11, 2021 PLANNING COMMITTEE  
ZONING BY-LAW AMENDMENT APPLICATION – ZAC-17-008  
117 FOREST AVENUE & 175 CATHERINE STREET SOUTH, HAMILTON**

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As you may recall, UrbanSolutions Planning & Land Development Consultants Inc. (UrbanSolutions), has been retained to act as the authorized planning consultant for Representative Holdings Inc., owner of the subject property. On October 14, 2020 the site-specific Zoning By-law 20-216 was passed by Council to recognize the existing 11-storey multiple dwelling and approve the concept plan for a 10-storey multi-residential development containing 78 residential dwelling units, 3-storey block townhouses containing 7 dwelling units with 7 corresponding garage parking spaces and 56 underground parking spaces located on the lands municipally known as 117 Forest Avenue & 175 Catherine Street South, Hamilton. On November 1, 2021 a Site Plan submission was made with a slightly altered concept which consisted of a 10-storey multi-residential development containing 73 residential dwelling units, 3-storey block townhouses containing 6 dwelling units with 6 corresponding garage parking spaces and 48 underground parking spaces to accommodate the multiple dwelling.

At this time, the owner proposes to increase the height of the proposed multiple dwelling to 14-storeys, adding 26 additional dwelling units. This also alters the proposed multiple dwelling parking ratio from 0.65 spaces per unit to 0.48 spaces per unit. These changes to the Concept are in response to Council's direction to intensify within the existing Urban Boundary. Hamilton City Council voted 13-3 in support of a "No Urban Boundary Expansion" scenario at the November 19, 2021 General Issues Committee. In doing so the residential intensification is to be accommodated for within the existing Urban Boundary. The revised concept plan with these changes can be found in Appendix A.

Subsection 45(1.3) of the Planning Act stipulates that no person shall apply for a minor variance from the provisions of the by-law in respect of the land before the second anniversary of the day on which the by-law was amended. In this case, the corresponding date would be October 14, 2020.

However, Subsection 45(1.4) grants exception to Subsection 45(1.3) if Council or the delegated authority has declared by resolution that such an application is permitted.

In order to pursue the development of the revised concept plan, an exemption from Subsection 45(1.3) of the *Planning Act* is required from Council. In keeping with Subsection 45(1.4) of the *Planning Act* on behalf of Representative Holdings Inc. we respectfully request council pas a motion allowing the owner to file a variance within 2-years of the passing of Zoning By-law 20-216 despite Subsection 45(1.3).

Regards,  
**UrbanSolutions**



Matt Johnston, MCIP, RPP  
*Principal*



Scott Beedie, BURPI  
*Planner*

cc: Representative Holdings Inc.  
Chairman John Paul Danko, Planning Committee  
Councillor Jason Farr, Ward 2, City of Hamilton  
Mr. Steve Robichaud, Chief Planner, City of Hamilton  
Ms. Shannon McKie, Senior Project Manager, City of Hamilton  
Mr. Sergio Manchia, UrbanSolutions Planning & Land Development Consultants Inc.