



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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	June 14, 2022
<b>SUBJECT/REPORT NO:</b>	Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3)
<b>WARD(S) AFFECTED:</b>	Ward 3
<b>PREPARED BY:</b>	Jennifer Allen (905) 546-2424 Ext. 4672
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That **Zoning By-law Amendment Application ZAC-22-019, by T. Johns Consulting Group (c/o Diana Morris) on behalf of the Pearl Not-For-Profit Housing Corporation (c/o Brandon Gibson-DeGroot, Owner)**, for a change in zoning from the “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to the “DE-3/S-1820” (Multiple Dwellings) District, Modified, to permit the conversion of the existing three storey building into a 15 unit multiple dwelling with two parking spaces on lands located at 16 Steven Street and part of 436 King William Street (Hamilton), as shown on Appendix “A” attached to Report PED22125, be **APPROVED** on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED22125, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), and will comply with the Urban Hamilton Official Plan;

---

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 2 of 23**

---

- (c) That upon finalization of the amending By-law, the subject lands be redesignated from “Single and Double” to “High Density Apartments” in the Landsdale Neighbourhood Plan.

**EXECUTIVE SUMMARY**

The subject lands are municipally known as 16 Steven Street and part of 436 King William Street. T. Johns Consulting Group Ltd., (c/o Diana Morris) on behalf of The Pearl Not-For-Profit Housing Corporation c/o Brandon Gibson-DeGroote, Owners, has applied for an amendment to Zoning By-law No. 6593 to permit the conversion of the existing three storey building into a 15 unit multiple dwelling. A total of two surface parking spaces are proposed. The last legally recognized use of the existing building is a cardboard box manufacturer and custom jewelry maker.

The purpose of the Zoning By-law Amendment is to rezone the subject lands from the “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to the “DE-3/S-1820” (Multiple Dwellings) District, Modified.

The following modifications to the “DE-3” District are required to recognize the existing building:

- Reduced minimum front, side and rear yard setbacks to recognize the existing situation;
- Increased floor area ratio;
- Reduced lot area;
- Reduced minimum landscaped area requirement;
- Elimination of maximum projections of eave of gutters, terrace or porch, and air conditioner into a required yard;
- Reduced parking and visitor parking rate;
- Elimination of the loading space requirement;
- Elimination of the requirement for on-site manoeuvring space adjacent to each parking space; and,
- Reduced separation distance from an access driveway to a residential district.

The Application has merit and can be supported as it is consistent with the Provincial Policy Statement (2020) (PPS), conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended, and complies with the Urban Hamilton Official Plan (UHOP). The proposal is compatible with and complementary to the existing and planned development in the immediate area, represents good planning by making efficient use of existing infrastructure within the urban boundary, providing an alternative housing form for the surrounding area and supports developing a complete

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 3 of 23**

---

community. The proposal also represents appropriate adaptive reuse of existing building stock.

**Alternatives for Consideration – See Page 21**

**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 a Zoning By-law Amendment Application.

**Report Fact Sheet**

<b>Application Details</b>	
Owner:	The Pearl Not-For-Profit Housing Corporation c/o Brandon Gibson-DeGroot
Applicant/Agent:	T. Johns Consulting Group (c/o Diana Morris)
File Number:	ZAC-22-019
Type of Application:	Zoning By-law Amendment
Proposal:	To convert the existing three storey building into a 15 unit multiple dwelling with two surface parking spaces. The parking spaces will be accessed from the adjacent alleyway. Exterior changes to the existing building are limited to a realigning the front door to be central on the front façade and the removal of the existing exterior staircase (fire escape).  (See the Preliminary Site Plan attached as Appendix “D” to Report PED22125).
<b>Property Details</b>	
Municipal Address:	16 Steven Street and part of 436 King William Street (see Location Map attached as Appendix “A” to Report PED22125).
Lot Area:	473.1 square metres
Servicing:	Full municipal services.

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 4 of 23**

<b>Property Details</b>	
Existing Use:	The last legally recognized use is an industrial building used for cardboard box manufacturer and a custom jewelry maker.
<b>Documents</b>	
Provincial Policy Statement (PPS):	The proposal is consistent with the PPS (2020).
A Place to Grow:	The proposal conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended.
Official Plan Existing:	Urban Hamilton Official Plan  "Neighbourhoods" on Schedule E – Urban Structure; and, Schedule E-1 – Urban Land Use Designations.
Zoning Existing:	"D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District.
Zoning Proposed:	"DE-3/S-1820" (Multiple Dwellings) District, Modified.
Modifications Proposed:	<ul style="list-style-type: none"> <li>• To permit a multiple dwelling within the existing building;</li> <li>• To recognize the existing lot width of 473.1 metres, whereas 630.0 square metres is required;</li> <li>• To reduce minimum amount of landscaped area on site from 25% of the lot area to 10%;</li> <li>• To reduce required parking ratio from 1.25 (19 spaces) to 0.133 (two spaces) per Class A dwelling unit;</li> <li>• To eliminate required visitor parking space whereas five spaces would be required;</li> <li>• To remove requirement for a loading space;</li> <li>• To remove requirement for manoeuvring space aisle width adjacent to each parking space and provide off-site manoeuvring onto adjacent alleyway; and,</li> <li>• To allow access driveway to be located 0.0 metres from the common boundary between the "D" (Urban Protected Residential – One and Two Family Dwellings, etc) District in which the multiple dwelling is located and the district which does not permit such uses, whereas 3.0 metres is required.</li> </ul>

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 5 of 23**

---

<b>Processing Details</b>	
Received:	January 28, 2022
Deemed Complete:	February 15, 2022
Notice of Complete Application:	Sent to 149 property owners within 120 metres of the subject lands on February 15, 2022.
Public Notice Sign:	Posted March 1, 2022 and updated with public meeting date on May 18, 2022.
Notice of Public Meeting:	Sent to 149 property owners within 120 metres of the subject property on May 27, 2022.
Public Comments:	Two letters expressing concern (see Appendix “E” attached to Report PED22125).  The submissions received by the City identified concerns about parking.
Processing Time:	137 days.

**Existing Land Use and Zoning**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Three storey industrial building	“D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District.

**Surrounding Land Uses:**

North	Commercial uses	“D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District.
South	Commercial and residential uses	Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone.
East	Single detached dwellings	“D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District.
West	Single detached dwellings	“H” (Community Shopping and Commercial, Etc.) District.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Policy Statement (2020)**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS 2020), and A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the PPS (2020). The *Places to Grow Act* requires that all municipal land use decisions made under the *Planning Act* conform to the Growth Plan.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal approval of the City of Hamilton Official Plans, the City of Hamilton has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in the UHOP analysis below.

### Noise

“1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.”

The subject lands are within 100 metres of King Street East and Main Street East which are identified as major arterial roads on Schedule C – Functional Road Classification in the UHOP. Accordingly, the Applicant submitted a Noise Impact Study prepared by dBA Acoustical Consultants Inc., dated December 2021 for 16 Steven Street. The Noise Study evaluated road noise impacts from King Street East, Main Street East, Wilson Street and Wentworth Street North which are major road noise sources for the site. The Study concluded that to comply with Ministry of Environment (MOE) Guidelines, no noise mitigation measures are required beyond applicable Ontario Building Code (OBC) requirements. The OBC requirements which will be addressed through a future Building Permit.

## Cultural Heritage and Archaeology

Staff note that the Cultural Heritage policies have not been updated within the UHOP in accordance with the PPS. The following policies of the PPS also apply:

- “2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
- 2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”

The subject property meets two of the ten criteria used by the City of Hamilton and Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI) for determining archaeological potential:

- 1) In areas of pioneer EuroCanadian Settlement; and,
- 2) Along historic transportation routes.

Notwithstanding current surface conditions the criteria define the property as having archaeological potential. The proposal is for the adaptive reuse of the existing building. As such, Staff will require that a written caution note be added to any future Application that will involve excavation of all or part of the subject lands.

The existing building is included on the City’s Inventory of Buildings of Architectural and/or Historical Interest and within the Landsdale Established Historical Neighbourhood. A scoped Cultural Heritage Impact Assessment (CHIA) was submitted which assessed the impact of the exterior work proposed on the existing building at 16 Steven Street.

Staff concur with the recommendations stated in the submitted CHIA.

## Site Contamination

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 8 of 23**

---

“3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.”

The proposed multiple dwelling building at 16 Steven Street will establish residential uses on a site previously used for industrial purposes. A Phase 1 Environmental Site Assessment (ESA) was conducted by EXP Services Inc. and a Phase Two ESA was conducted by MTE Consultants Inc. for 16 Steven Street in accordance with O. Reg 153/04. A Record of Site Condition (RSC) for 16 Steven Street was filed in the Environmental Site Registry on September 22, 2020. The RSC demonstrated there is no evidence of any contaminants on the subject property that would interfere with the proposed residential use.

As the Application for Zoning By-law Amendment complies with the Official Plan, it is staff's opinion that the Application is:

- Consistent with Section 3 of the *Planning Act*,
- Consistent with the PPS (2020); and,
- Conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

Based on the above, the proposal is consistent with the policies of the PPS (2020) and conforms with the applicable policies of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

### **Urban Hamilton Official Plan (UHOP)**

The subject lands are identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations. The following policies, amongst others, apply to the proposal.

#### Neighbourhoods

“E.2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports.

E.2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of

the local context and shall be permitted in accordance with Sections B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed Use Designations, and, E.6.0 – Institutional Designation.

#### Neighbourhoods Designation

- E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
- a) Residential dwellings, including second dwelling units and housing with supports;
- E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan;
- E.3.2.15 The City shall encourage the adaptive reuse of the existing building stock for appropriate land uses. Rezoning Applications for new uses shall be evaluated to ensure compatibility with surrounding land uses; and,
- E.3.3.1 Lower density residential uses and building forms shall generally be located in the interiors of neighbourhood areas with higher density dwelling forms and supporting uses located on the periphery of neighbourhoods on or in close proximity to major or minor arterial roads.

#### High Density Residential

- E.3.6.1 High density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads;
- E.3.6.2 Uses permitted in high density residential areas include multiple dwellings, except street townhouses;
- E.3.6.4 High density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities/services, including public transit, schools, and active or passive recreational facilities;

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 10 of 23**

---

- E.3.6.6 In high density residential areas, the permitted net residential densities, identified on Appendix G – Boundaries Map shall be:
- a) Greater than 100 units per hectare and not greater than 500 units per hectare in Central Hamilton;
- E.3.6.7 Development within the high density residential category shall be evaluated on the basis of the following criteria:
- a) Development 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 be permitted in direct access to a collector or major or minor arterial roads from a local road upon which only a small number of low density residential dwellings are fronting on the local road; (OPA 109)
  - d) Development shall:
    - i) Provide adequate landscaping, amenity features, on-site parking, and buffering where required;
    - ii) Be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures; and,
    - iii) Provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets;
  - e) In accordance with the policies of Section B.3.3 – Urban Design Policies, development shall contribute to an attractive public realm by minimizing the view of the following elements from the abutting public streets (excluding public alleys):
    - i) Surface parking areas.”

The proposal represents the adaptive reuse of an existing building for a high density residential use based on the land use (multiple dwelling) and density (317.1 uph) proposed. The subject lands are located at the periphery of the neighbourhood in close proximity to a major arterial road and are a desirable location for higher density residential uses in accordance with Policy E.3.3.1.

The proposed use of a multiple dwelling is permitted in accordance with Policy E.3.6.2 and will add to the range of housing types and tenure in the surrounding area (Policy

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 11 of 23**

---

E.2.6.4). The proposed use of a 15 unit multiple dwelling is compatible with the surrounding residential and commercial land uses. The proposal represents residential intensification within existing building stock and contributes to a complete community. The building form is compatible with and maintains the existing character and function of the neighbourhood as minimal exterior modifications to the existing building are proposed (Policies E.2.6.7, E.3.2.3, and E.3.2.4). The existing building will remain consistent with the neighbouring properties in terms of height, massing and setbacks (Policy E.3.6.7 d) ii).

The subject property is located on the periphery of the Landsdale Neighbourhood and has access to King Street East, a major arterial road without passing any low density residential dwellings (Policies E.3.6.1 and E.3.6.7). While direct access to a collector, major or minor arterial road is not feasible, minimal vehicle traffic will be generated by this development and therefore no impact to the existing road network is anticipated.

The subject lands are within Central Hamilton as per Appendix G – Boundaries Map of the UHOP. The proposal will maintain a net residential density of approximately 317.1 units per hectare in accordance with Policy E.3.6.6.

An outdoor amenity area is being provided at the rear of the building. The subject lands are in proximity to Tweedsmuir Park and JC Beemer Park which can be utilized by future tenants in addition to the amenity area provided on site. No additional landscaping can be accommodated within the limits of the subject property as a result of the existing building setbacks (Policy E.3.6.7d) i)). Direct pedestrian access will be provided from the principal entrance along Steven Street to the sidewalk. Access to the proposed parking spaces will be provided from the rear of the building with no anticipated conflicts between traffic and pedestrians (Policies E.3.6.7d) iii) and E.3.6.7 e) i).

The Applicant is seeking a reduction in the required parking spaces from 19 spaces and five visitor parking spaces to a total of two parking spaces. The reduced parking standard represents a policy shift to support the needs expressed for affordable housing. Staff support for this parking reduction shall be monitored as a pilot project to help inform future residential parking standards for Zoning By-law No. 05-200. The proposed parking standard should not be seen as a precedent for other developments.

Additionally, the proposed parking reduction has merit based on the location of the subject property. The subject property is adjacent to the Downtown Hamilton Secondary Plan (DHSP) area which has substantially reduced parking requirements. In the DHSP area, no parking is required for the first 12 units of a residential development. Furthermore, as part of the Residential Zoning Reform project, Planning staff are exploring and assessing options for lowered, and possibly eliminate, parking standards.

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 12 of 23**

---

The subject property is serviced by a number of existing transit routes including HSR bus route nos. 1, 3, 10, 12, and is located approximately 300 metres from a planned LRT stop (Policy E.3.6.7 i). The subject property is also within walking distance to a number of community facilities and services including schools, places of worship, and recreational facilities (Policy E.3.6.4), and a variety of commercial uses along King Street East and the surrounding area.

While street parking is available in the neighbourhood, it should be noted that the residents of the proposed multiple dwelling would not be eligible to obtain street parking permits as more than three units are proposed. There is the potential that parking needs related to the proposal will spill over into the neighbourhood, however the location of the subject lands will allow future tenants to rely other modes of travel for their daily needs.

The proposed parking modification is further discussed in Appendix “C” attached to Report PED22125.

#### Residential Intensification

“B.2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation;

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;

B.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 pattern 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.”

This proposal represents a form of residential intensification within an existing building, maintaining the established neighbourhood character, streetscape patterns and setbacks of the surrounding neighbourhood (Policies B.2.4.1.4 b), d) and B.2.4.2.2 g)). The existing building is included on the City’s Inventory of Buildings of Architectural and/or Historical Interest thus the proposal allows for the conservation of existing cultural heritage resources (Policy B.2.4.2.2 i)). The proposal will contribute to a range

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 14 of 23**

---

of dwelling types and tenures in accordance with the “Neighbourhoods” policies of Section 2.0 - Urban Structure of the UHOP (Policy B.2.4.1.4 c) and e)).

As no development is proposed to facilitate the proposal, there are no anticipated shadow, overlook or lighting concerns (B.2.4.2.2. b)). The proposal represents a high residential density development adjacent to existing low density residential uses. Staff acknowledge the floor area ratio of the building is an existing condition and the scale of the existing three storey building maintains an appropriate transition in scale to the surrounding one and two storey single detached dwellings (Policy B.2.4.1.4 d), B.2.4.2.2 c) and d)).

The provision of additional residential units will complement the existing functions of the neighbourhood providing additional housing opportunity for residents in proximity to the future LRT corridor (Policy B.2.4.2.2 h)). Outdoor private amenity area is provided at the rear of the property at grade. In addition, the subject property is in walking distance to various parks (Policy B.2.4.2.2 f)).

The subject property is serviced by municipal sewer and water infrastructure and can adequately service the proposed development. The existing road network can accommodate the minimal increase in vehicular traffic. (Policy B.2.4.1.4 f) and B.2.4.2.2 j)).

#### Urban Design

“B.3.3.2.2 The principles in Policies B.3.3.2.3 through B.3.3.2.10 inclusive, shall apply to all development and redevelopment, where applicable;

B.3.3.2.3 Urban design should foster a sense of community pride and identity by:

- a) Respecting existing character, development patterns, built form, and landscape;
- b) Promoting quality design consistent with the locale and surrounding environment;
- c) Recognizing and protecting the cultural history of the City and its communities;
- f) Demonstrating sensitivity toward community identity through an understanding of the character of a place, context and setting in both the public and private realm; and,

- g) Contributing to the character and ambiance of the community through appropriate design of streetscapes and amenity areas.”

The proposal respects the existing character of the neighbourhood by preserving the building with minimal exterior modifications which consist of the realignment of the front door to be central on the front façade and the removal of the existing exterior staircase (fire escape).

The internal conversion of the existing building supports the importance of preserving the community’s identity and the existing character and streetscape (Policy B.3.3.2.3).

#### Trees

The following policy provides direction regarding tree and woodland protection:

“C.2.11.1 The city recognizes the importance of trees and woodlands to the health and quality of life in our community. The city shall encourage sustainable forestry practices and the protection and restoration of trees and forests.”

Trees have been identified on adjacent properties and within the municipal right of way, surrounding the subject lands, which may be impacted by development activity. Accordingly, a Tree Management Plan (TMP) has been prepared by Adesso Design Inc. Landscape Architecture, dated January 18, 2022, in support of the Applications. No development is proposed as a result of the change in land use and the proposal will not be subject to Site Plan Control. Staff encourage one for one compensation for any tree 10 cm DBH or greater proposed to be removed to ensure the existing tree cover is maintained (Policy C.2.11.1).

#### Landsdale Neighbourhood Plan

F.1.2.7 Neighbourhood plans are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan.

F.1.2.8 Any amendment to the Neighbourhood Plan must be evaluated using the provisions of Policies F.1.1.3 and F.1.1.4 and shall require a formal Council decision to enact the amendment.

The subject property is designated “Single and Double” within the Landsdale Neighbourhood Plan. The “Single and Double” designation does not reflect the

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 16 of 23**

---

proposed multiple dwelling. Therefore, staff recommend the Neighbourhood Plan be amended to designate the lands “High Density Apartments” to reflect what is proposed.

The policies of the Landsdale Neighbourhood Plan encourages apartment developments to achieve a variety and balance of dwelling types in appropriate locations particularly the southerly portions of the neighbourhood adjacent to major roads and to facilitate the redevelopment of industrial uses.

The proposed multiple dwelling is located near the southern boundary of the Landsdale Neighbourhood in close proximity to King Street East and will facilitate the conversion of a previous industrial use. Therefore, the proposed amendment to the Landsdale Neighbourhood Plan is appropriate and is supported by staff.

Based on the foregoing, the proposal complies with the policies of the Landsdale Neighbourhood Plan, subject to the change in designation from “Single and Double” to “High Density Apartments” as outlined in the Recommendations Section of Report PED22125.

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

The subject lands are currently zoned “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District.

In order to permit the proposed multiple dwelling on the subject lands (see Appendix “A” to Report PED22125), the Applicant has applied to change the zoning to a site specific “DE-3/S-1820” (Multiple Dwellings) District, Modified. Modifications to the “DE-3” (Multiple Dwellings) District will be required to implement the proposal which are outlined in the Report Fact Sheet above and are discussed in detail in Appendix “C” to Report PED22125.

**RELEVANT CONSULTATION**

<b>Departments and Agencies</b>	
<ul style="list-style-type: none"><li>• Canada Post Corporation; and,</li><li>• Alectra Utilities</li></ul>	No Comment

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 17 of 23**

<b>Departments and Agencies</b>		
	<b>Comment</b>	<b>Staff Response</b>
Development Engineering Approvals Section, Growth Management Division, Planning and Economic Development Department	<ul style="list-style-type: none"> <li>• There are no major concerns with the preliminary grading plan. A revised grading plan, site servicing plan, functional servicing report, stormwater management report and erosion and sediment control plan will be required;</li> <li>• If the proponent wishes to reuse the existing services on the property, the Owner must ensure the sewers are in adequate working condition via video inspection (CCTV).</li> <li>• Existing municipal watermain, storm sewer, and sanitary sewer infrastructure is located along the frontages of the subject lands. The property is subject to cost recoveries for the road, sanitary sewer and connections, storm sewer, watermain, and connections.</li> <li>• If dewatering is required to support construction activities, dewatering discharge must comply with City of Hamilton sewer Use By-law and Temporary Sewer Discharge Permit requirements.</li> <li>• Infrastructure Planning does not have any comment on this Application from a stormwater management perspective;</li> </ul>	<p>The scope of the changes to the existing building are limited to the realignment the front entrance and the removal of the existing exterior staircase. No development is proposed as a result of the change in land use. The proposal will not require a Site Plan Application to facilitate the proposed change in land use.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<ul style="list-style-type: none"> <li>• Amendments to the submitted Tree Management Plan dated 2022-01-18 are required.</li> <li>• Amendments to the submitted Landscape Plan dated 2022-01-18 are required.</li> </ul>	<p>The scope of the changes to the existing building are limited to the realignment the front entrance and the removal of the existing exterior staircase. No development is proposed as a result of the change in land use and the proposal will not require a Site Plan Application to facilitate the proposed change in land use.</p>

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 18 of 23**

<b>Departments and Agencies</b>		
	<b>Comment</b>	<b>Staff Response</b>
Growth Planning Section, Growth Management Division, Planning and Economic Development Department	<ul style="list-style-type: none"> <li>• It should be determined if the proposed development will be condominium tenure.</li> <li>• It should be determined if any easements are required for access and servicing purposes and if the building is encroaching into the municipal right-of-way.</li> <li>• The preliminary address of 16 Steven Street has been assigned to the lands and will become final upon issuance of final certificate of Consent to Sever Application HM/B-21:45.</li> </ul>	<p>The scope of the changes to the existing building are limited to the realignment the front entrance and the removal of the existing exterior staircase. No development is proposed as a result of the change in land use and the proposal will not require a Site Plan Application to facilitate the proposed change in land use.</p> <p>The Applicant has confirmed the building will have rental tenure.</p>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development Department	<ul style="list-style-type: none"> <li>• Minimal traffic will be generated by this development and no negative impact on the existing road network is anticipated.</li> <li>• The Applicant shall provide five short-term and eight long term bicycle parking spaces.</li> <li>• Transportation Planning cannot guarantee vehicle accessibility/access to the proposed parking spaces via the alleyway at the rear of the property.</li> </ul>	<p>The scope of the changes to the existing building are limited to the realignment the front entrance and the removal of the existing exterior staircase. No development is proposed as a result of the change in land use and the proposal will not require a Site Plan Application to facilitate the proposed change in land use.</p> <p>The adjacent alleyway is assumed.</p>
Waste Management Operations Section, Environmental Services Division, Public Works Department	<ul style="list-style-type: none"> <li>• The development is eligible for municipal waste collection and will be required to follow the requirements under the Waste Management System By-law No. 21-221.</li> </ul>	<p>A Waste Management Plan will need to be submitted to Waste Planning to identify how waste management services will be provided by the private waste hauler.</p>

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 19 of 23**

---

<b>Departments and Agencies</b>		
	<b>Comment</b>	<b>Staff Response</b>
Real Estate	<ul style="list-style-type: none"> <li>The subject property is adjacent to a City-owned alleyway to the south. Real Estate recommends the Applicant consult with Corridor Management about acquiring the adjacent alleyway.</li> </ul>	Noted.

<b>Public Consultation</b>		
<b>Issue</b>	<b>Comment</b>	<b>Staff Response</b>
Parking	There is concern about the proposed parking ratio for the multiple dwelling.	<p>A Parking Study prepared by Paradigm Transportation Solutions Limited was submitted recommending approval of the proposed parking ratio.</p> <p>The reduction can be supported as the subject property is serviced by a number of existing transit routes and in close proximity to a planned LRT stop. The subject property is also located within walking distance to a number of community facilities and services.</p> <p>The proposal represents residential intensification within an existing building allowing for the preservation of a building on the inventory. It is not feasible to provide additional parking on site based on the existing site constraints.</p>

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 20 of 23**

---

<b>Public Consultation</b>		
<b>Issue</b>	<b>Comment</b>	<b>Staff Response</b>
Parking ( <b>Continued</b> )		The proposed parking modification is further discussed in Appendix “C” attached to Report PED22125.

## **PUBLIC CONSULTATION**

In accordance with the Council’s Public Participation Policy, the UHOPA and Zoning By-law Amendment Applications were circulated as part of the Notice of Complete Application to 149 property owners within 120 metres of the subject lands on February 15, 2022. A Public Notice Sign was installed on the property on March 1, 2022 and updated on May 18, 2022. Finally, Notice of the Public Meeting was given on May 27, 2022 in accordance with the requirements of the *Planning Act*.

To date, two submissions have been received by the City expressing concern about the proposed parking ratio (see Appendix “F” attached to Report PED22125).

### **Public Consultation Strategy**

The Applicants submitted a Public Consultation Strategy with the initial submission of the Application. The Applicant proposed to provide a letter to residents within 120 metres of the subject lands to provide information on the proposal and the consultant contact information. The letter was sent to 149 property owners within 120 metres of the subject lands on February 15, 2022. The Applicant also created an online portal accessible to the public for the proposed development.

The Applicant has received feedback from two residents which is summarized as follows:

- One resident noted they were pleased to see a project for a local, non-profit housing group;
- One resident noted they would like to see renderings of the proposed changes to the building;
- One resident inquired whether the existing trees within the rear yard will be retained,
- Both residents inquired about the existing boarded-up windows and whether they would be reopened through this proposal;

**SUBJECT: Application to Amend Zoning By-law No. 6593 for Lands Located at 16 Steven Street and part of 436 King William Street, Hamilton (PED22125) (Ward 3) - Page 21 of 23**

---

- One resident requested to review the submitted Heritage Impact Assessment and Tree Preservation Plan;
- One resident requested confirmation if the existing staircase would be removed;
- One resident inquired whether a fence will be installed along the property lines; and,
- One resident inquired about the timing of the project completion.

Staff have the following response:

- No alterations to the existing building (except realigning the front door to be central on the front façade and removal of existing exterior staircase) are proposed as a result of the change in land use; therefore, no renderings or elevations were required for the proposal;
- Four trees are proposed to be removed to implement the proposal. Staff encourage one for one compensation for any tree 10 cm DBH or greater proposed to be removed;
- Staff concur with the recommendations of the Heritage Impact Assessment which include installing new doors and windows within the existing masonry openings;
- The Applicant has confirmed the submitted Heritage Impact Assessment and Tree Management Plan are included on the online portal;
- The Applicant has confirmed the existing exterior staircase (fire escape) will be removed and replaced with an internal stairway; and,
- Fencing or a visual barrier along the property lines is not a Zoning By-law requirement.

## **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 (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
  - (ii) It complies with the policies of the Urban Hamilton Official Plan; and,
  - (iii) The proposed development is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, making efficient use of existing infrastructure within the urban boundary through appropriate adaptive reuse, and supporting public transit.

2. Zoning By-law Amendment

The purpose of the Application for Zoning By-law Amendment is to rezone the subject lands from the “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to the “DE-3/S-1820” (Multiple Dwellings) District, Modified. The existing “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District does not permit the use and scale of the proposed development.

The proposed Zoning By-law Amendment meets the intent of the “Neighbourhoods” designation of the UHOP and the residential intensification policies, with some modifications required to recognize the existing built form. The modifications are identified on page 4 of Report PED22125 and discussed in detail in Appendix “D” attached to Report PED22125.

Therefore, staff support the proposed Zoning By-law Amendment.

3. High Density Residential Designation

The UHOP establishes three categories of residential land use to provide direction for the general location, scale and design of residential development. The proposed net residential density is consistent with the high density residential category as a technicality due to the size of the subject lands.

Amendments to the UHOP as part of the Municipal Comprehensive Review / Official Plan Review are going to Planning Committee on May 17, 2022. PED21067(b) contains recommendations, amongst others, to remove maximum net residential density numbers in the Neighbourhoods designation of the UHOP. This policy shift is informative but not determinative for the purposes of identifying a low, medium or high density residential development. In accordance with the proposed amendments to the UHOP, the subject proposal would represent a low or medium density residential use going forward.

**ALTERNATIVES FOR CONSIDERATION**

Should the Applications be denied, the subject lands could be used in accordance with the “D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District in the City of Hamilton Zoning By-law No. 6593 which permits single detached dwellings.

## **ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN**

### **Community Engagement and Participation**

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

### **Economic Prosperity and Growth**

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

### **Healthy and Safe Communities**

Hamilton is a safe and supportive City where people are active, healthy, and have a high quality of life.

### **Built Environment and Infrastructure**

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

### **Our People and Performance**

Hamiltonians have a high level of trust and confidence in their City government.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED22125 – Location Map

Appendix “B” to Report PED22125 – Draft Zoning By-law Amendment

Appendix “C” to Report PED22125 – Zoning Chart

Appendix “D” to Report PED22125 – Concept Plan

Appendix “E” to Report PED22125 – Public Submissions

JA:sd