

Planning Justification Report

1284 Main Street East, Hamilton

Submitted to: City of Hamilton

Prepared for: Delta Joint Venture Inc

Official Plan Amendment and
Zoning By-law Amendment

GSP File No. 22078

December 2022



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- Appendix A – Draft Official Plan Amendment
- Appendix B – Draft Zoning By-law Amendment
- Appendix C – Formal Consultation Document

1.0 INTRODUCTION

Delta Joint Venture Inc. has retained GSP Group Inc. to prepare a Planning Justification Report. Delta Joint Venture Inc. is proposing the adaptive reuse and development of the lands at 1284 Main Street East in the City of Hamilton ("the Site").

The purpose of the proposed amendments is to permit:

- The retention and enhancement of open space lands that front Main Street East;
- The adaptive reuse of the original building on the Site for residential purposes; and
- The redevelopment of the remainder of the Site for residential purposes consisting of low, mid rise residential buildings in the form of:
 - Three-storey townhouses and four-storey stacked townhouses along the perimeter of the Site; and
 - Stepped fourteen-storey apartment buildings extending from the retained building.

The total number of units proposed is 975 units, comprising:

- 87 units retrofitted within the existing building;
- 173 townhouse and stacked townhouse units;
- 715 apartment units

The Formal Consultation process indicated the proposed development would require an amendment to the Urban Hamilton Official Plan and an amendment to the City of Hamilton Zoning By-law 05-200. Further to this meeting, on June 8, 2022, City of Hamilton adopted amendments to the Urban Hamilton Official Plan (UHOP) pursuant to sections 17 and 26 of the Planning Act by By-law Nos. 22-145. OPA 167 was approved with modifications by the Minister of Municipal Affairs and Housing on November 4, 2022.

Following review of the New UHOP, justification is provided within this Report on the merits of why an Official Plan Amendment may not be required.

This report provides the following:

- a description and brief history of the subject site (Section 2.0);
- a detailed description of the proposed development (Section 3.0);
- an outline of the required planning applications (Section 4.0);
- a summary of the technical studies that have been prepared to support the proposed development (Section 5.0);

- a description of the relevant Provincial and Municipal policies and regulations that apply to the subject site and an analysis of the policies and regulations (Section 6.0);and
- an analysis of the requested amendments (Section 7.0).

1.1 Project Team

A team of professionals have been assembled as follows:

Owner/Applicant:	Delta Joint Venture Inc.
Surveyor:	A.T.McLaren
Planning:	GSP Group Inc.
Architect:	Graziani + Corazza Architects
Urban Design and Landscaping:	Whitehouse Urban Design Inc.
Archeological:	Archaeological Consultants Canada
Civil Engineering:	Lanhack Consulting Inc.
Transportation	Paradigm Transportation Solutions Inc.
Soils/Environmental:	Soil Mat Engineers & Consultants Ltd.
Wind:	RWDI
Sun/Shadow:	RBA
Noise:	HGC Engineering
Heritage:	ERA Architects
Facilitation:	Cumming + Company

2.0 SUBJECT SITE & COMMUNITY CONTEXT

2.1 Description of Subject Site

The site is within the community known as Delta East in the City of Hamilton. For situational context, the community is generally located in the centre of the former City of Hamilton (the Centre on Barton is immediately north of the Site)

The Site resembles a square and measures 2.48 ha in area post daylight triangle dedications. The Site has frontages on four municipal right-of-ways; Main Street E to the north, Maple Ave to the south, Graham Ave to the east, and Wexford Ave to the west. The frontages on the streets measure 148.45m, 147.13m, 164.48m, and 171.27m, respectively. Sidewalks are present on all frontages except for Maple Ave, and the three sidewalks form part of a contiguous sidewalk network in the community. There is an HSR bus stop on Main Street E near Graham Ave S., which can be accessed using the sidewalk network.

The building on site functioned as the former Delta Secondary School. Delta Secondary School closed in June 2019 and was declared surplus by the school board in September of that year.

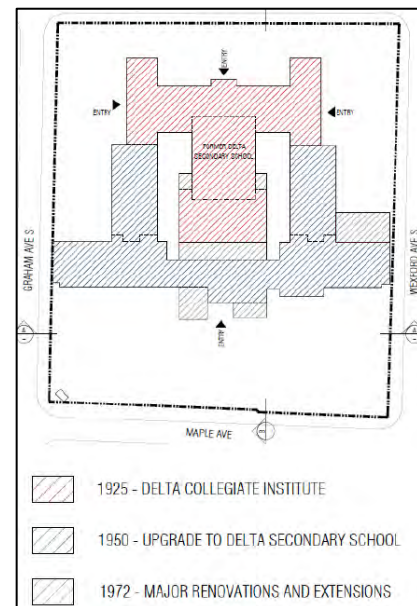
The portion of the site fronting Main Street E is landscaped contiguously with grass and mature trees. In comparison, the street frontages on Graham Ave S and Wexford Ave S, and Maple Ave provide much less landscaping than Main Street E. due to servicing the school's surface parking lot and black-top play-ground. Portions of the existing building provide zero lot line setbacks along the western and eastern lot lines. At the corner of Wexford Ave. S. and Maple Ave is a grassed area. At the corner of Graham Ave S and Maple Ave is a gateway arch.

The school structure is comprised of three distinct sections.

- The first section is the original school structure built in the 1920s;
- The second section is the 1950s addition; and
- The third section is the 1970s renovation and extensions.

The Site is legally described as:

Part of Lots 1,2,3,4, 189 to 199 and Lot 222, Registered Plan 512, and Part of Lot 3 Concession 3.



Source: G+C Architects

The Site is shown in **Photos 1 and 2** and on **Figure 1**.



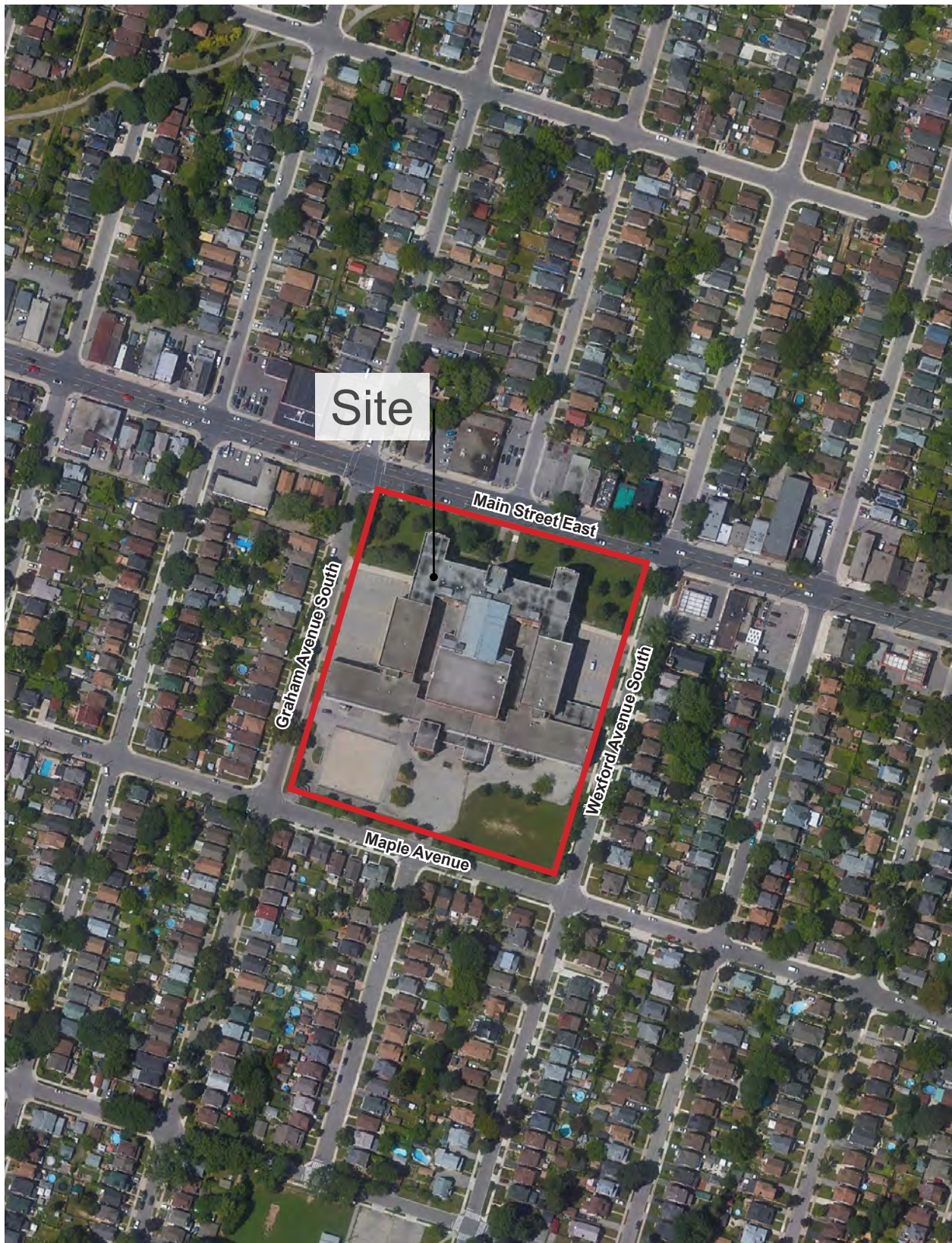
Photo Source: Google Earth, May 2022

Photo 1: The subject site, as seen looking south from Main Street East.



Photo Source: Site Visit, May 18, 2022

Photo 2: The subject site, as viewed from sidewalk along northern edge of Main St E..



Aerial of Site
Source: Google Earth (2020)

Figure
1

2.2 Neighbourhood Context

The Site fronts Main Street E and the portion of Main Street E that fronts the site is a major arterial road in the City of Hamilton. The streets in this area of Hamilton follow a grid pattern. The blocks of the grids are rectangular in shape, and the longest lengths of each block run north to south. The Site bisects Houghton Ave and as a result, the 2.49ha site occupies two city blocks.

Residential, institutional, and mixed use commercial land uses surround the Site. Single detached dwellings present in the area are mostly two storeys in height. However, the portion of Graham Ave S opposite the site is primarily characterized by one-storey dwellings. The houses neighbouring the site are an eclectic mix of single-detached dwellings. Some houses in the areas are fully bricked, and others contain combinations of siding and stucco. Rooflines in the neighbourhood also vary in steepness and design elements, such as dormers.

The Main Street E corridor features various commercial uses that serve the surrounding community. Commercial uses include restaurants, pharmacies, gas bars, cycling shops, automotive repair and sales. Included below is a description of the land uses immediately surrounding the site and a list of the community features.

Surrounding Land Uses to the North

The land uses to the north of the subject site, along Main Street East, are commercial at grade and apartment units above.



Photo Source: Site Visit, May 18, 2022

Photo 3: Immediately north of the subject site is a cluster of two storey mixed use commercial buildings.



Photo Source: Site Visit, May 18, 2022

Photo 4: Looking eastward on Main Street E. Photo illustrates the numerous mixed use commercial establishments.



Photo Source: Site Visit, May 18, 2022

Photo 5: 1305 Main Street E, is a local eatery and is one of many on the Main Street Corridor.



Photo Source: Site Visit, May 18, 2022

Photo 6: 1281 Main Street E is a commercial dining establishment, beside it is a another restaurant and automotive repair business

Surrounding Land Uses to the East

Immediately to the east of the subject site, beyond Wexford Avenue South, the area includes commercial, institutional and low-density residential dwellings.



Photo Source: Site Visit, May 18, 2022

Photo 7: 1334 Main Street E gas station and convenience store. (Corner of Main St. E and Wexford Ave S)



Photo Source: Site Visit, May 18, 2022

Photo 8: Photo of Redeemer Lutheran Church

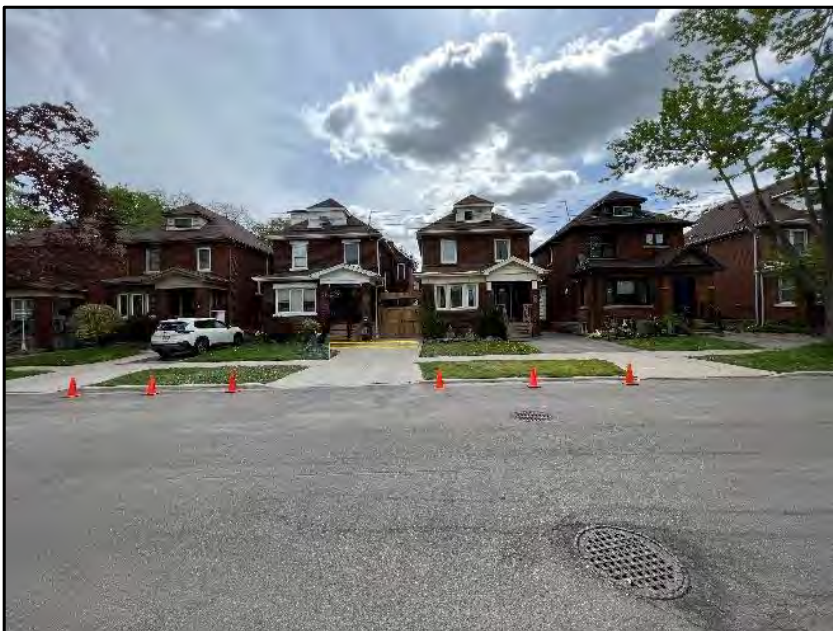


Photo Source: Site Visit, May 18, 2022

Photo 9: Photo of typical residential uses along Wexford Avenue South.



Photo Source: Site Visit, May 18, 2022

Photo 10: Photo of typical residential uses along Wexford Avenue South.

Surrounding Land Uses to the South

Immediately to the south of the subject site, beyond Maple Avenue, the area is primarily comprised of low-density residential dwellings. Further south is A.M. Cunningham Elementary School, and institutional use.



Photo Source: Site Visit, May 18, 2022

Photo 11: Photo of typical residential uses along Maple Avenue.



Photo Source: Site Visit, May 18, 2022

Photo 12: Looking eastward, photo of typical residential uses along Maple Avenue.



Photo Source: Site Visit, May 18, 2022

Photo 13: Looking westward, photo of typical residential uses along Maple Avenue.

Surrounding Land Uses to the West

Immediately to the west of the subject site, the area is primarily comprised of low-density residential dwellings.



Photo Source: Site Visit, May 18, 2022

Photo 14: Photo of typical residential uses along Graham Avenue South.



Photo Source: Site Visit, May 18, 2022

Photo 15: Photo of typical residential uses along Graham Avenue South



Photo Source: Site Visit, May 18, 2022

Photo 16: Photo of streetscape along Graham Avenue South looking north towards Main Street Est

2.3 Surrounding Community Context

As illustrated in **Figure 2**, the proposed development is located in the Delta East neighbourhood, which features a variety of public facilities and amenities necessary to support the achievement of a complete community, including: education facilities, a wide variety of commercial amenities, parks, community/religious facilities, and close proximity to employment opportunities.

Schools:

- A.M. Cunningham Elementary School.....±550m south
- Memorial Elementary School.....±600m west
- St. John the Baptist Catholic Elementary School.....±650m southwest
- Queen Mary Elementary School.....±1.0km north
- W.H. Ballard Elementary School±1.2km east
- Sir Winston Churchill Secondary School.....±1.7km east
- St. Eugene Catholic Elementary School.....±2.0km east
- Viscount Montgomery Elementary School..... ± 2.1km east
- Adelaide Hoodless Elementary School±2.5 km west

Parks:

- Pipeline Trail.....±400m northwest
- Crown Point East Park.....±550m north
- A.M Cunningham Parkette±650m north
- Gage Park.....±800m east
- Park Row Parkette Park.....±900m north
- Montgomery Park.....±1.2km west
- Kenilworth Stairs / Escarpment Rail Trail.....±1.7km south

Commerical:

- Main Street West retail.....along Main St W
- The Centre on Barton.....±1.5 km north
- King Rose Place.....±1.7km southeast

Religious Facilities

- Redeemer Lutheran±20m west
- All Nations Full Gospel Church.....±400m west
- New Hope Church.....±400m east
- Delta United Church.....±650m southwest

- St. John the Baptist Roman Catholic Church.....±750m south

Public Recreational/Health Facilities:

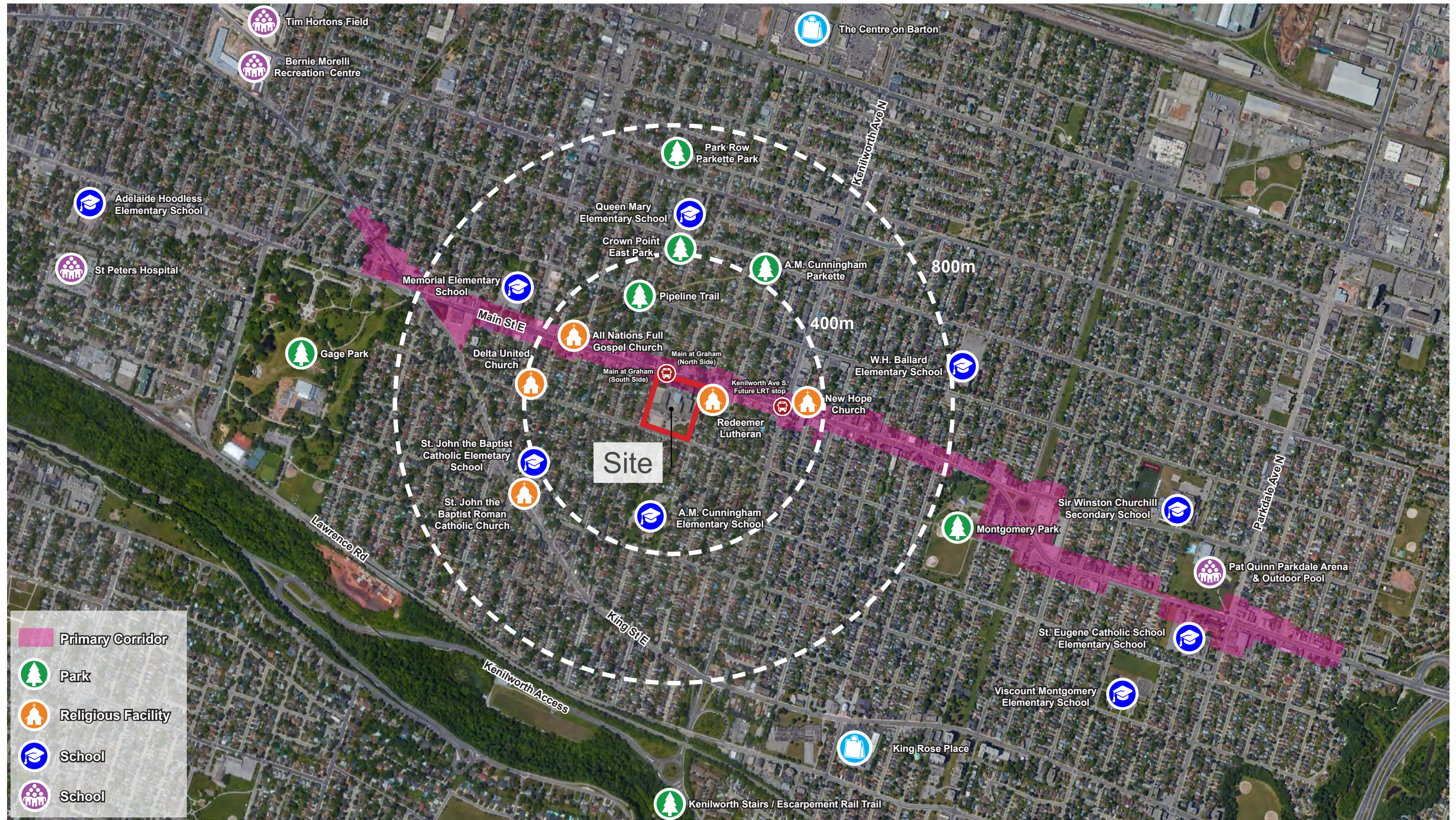
- Pat Quinn Parkdale Area & Outdoor Pool.....±1.7km east
- St. Peter's Hospital.....±1.7km west
- Bernie Morelli Recreation Centre±1.7km northwest
- Tim Hortons Field±1.9km northwest






Transportation Facilities:

- Main at Graham (south side).....±0m north
- Main at Graham (north side).....±20m north
- Kenilworth Ave S. future LRT stop.....±300m east
- Red Hill Valley Parkway±2.5km east

Relevance to the Site:

As outlined in the above list as well as illustrated in **Figure 2**, the proposed development is located in a well-developed urban area with public facilities and amenities necessary to support the achievement of a complete community.



-  Primary Corridor
-  Park
-  Religious Facility
-  School
-  School



Community Context
Source: Google Earth (2020)

Figure
2

2.4 Transportation Context

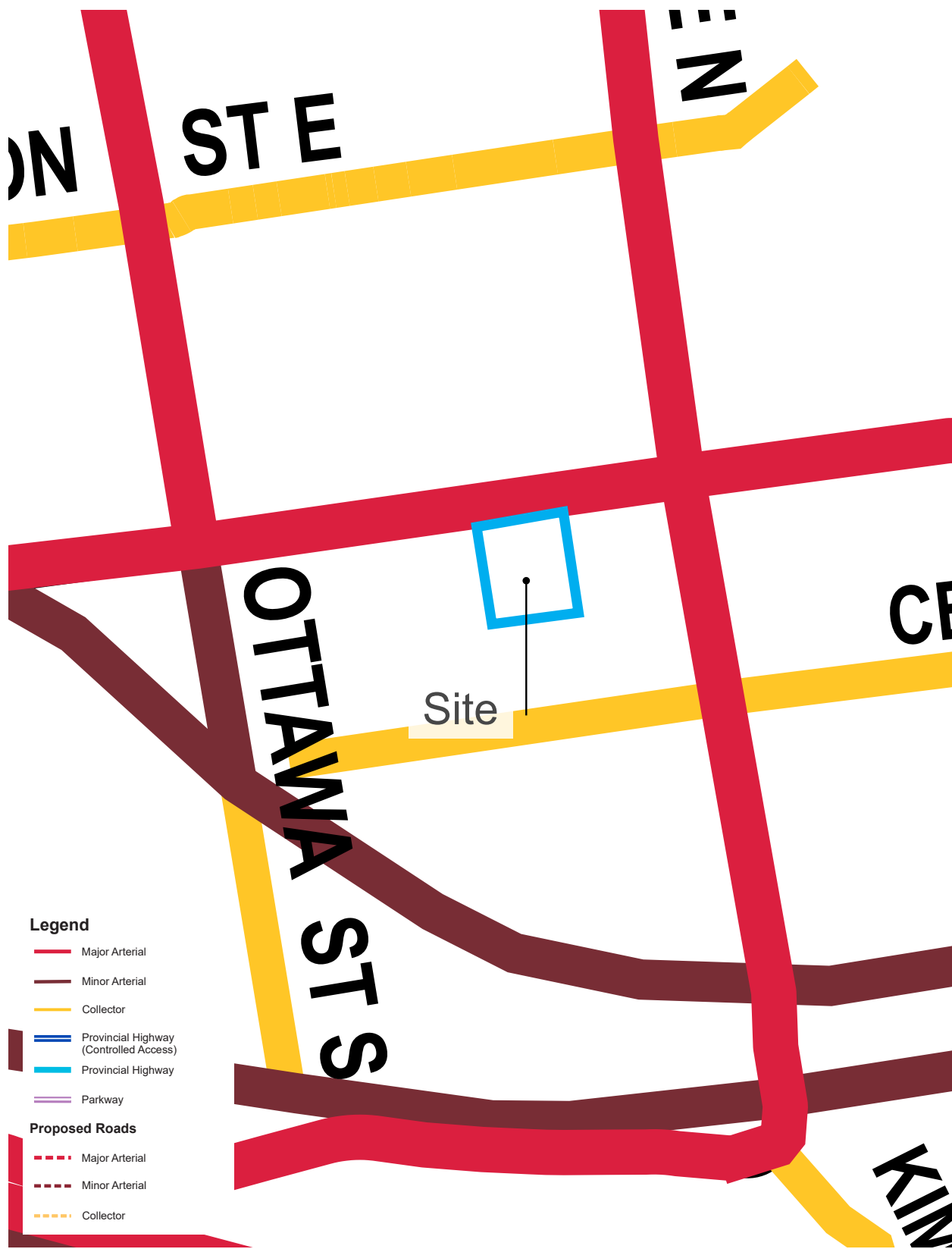
Road Network

The Site is bound by four municipal streets. Main Street East bounds the north side of the site, which is classified as a Major Arterial Road according to Schedule C Functional Road Classifications of the UHOP (see **Figure 3**). The portion of Main Street E in front of the site contains a signalized pedestrian crossing at the Main Street E and Graham Ave South.

The remaining street frontages are on local streets that are two lanes wide, allowing for bi-directional traffic. The local streets are Graham Avenue South on the west side, Maple Avenue on the south side and Wexford Avenue to the east.

The Redhill Valley Parkway is 2.5km east of the site, providing access to the Lincoln Alexander Expressway, The QEW, and indirectly to other major transit routes such as the 403.

The existing road network provides good access to the nearby community amenities identified in section 1.4; the employment lands north of Barton Street and access to the QEW and Red Hill Valley Parkway.



Functional Road Classification
Source: Urban Hamilton Official Plan, Schedule C (2021)

Figure
3

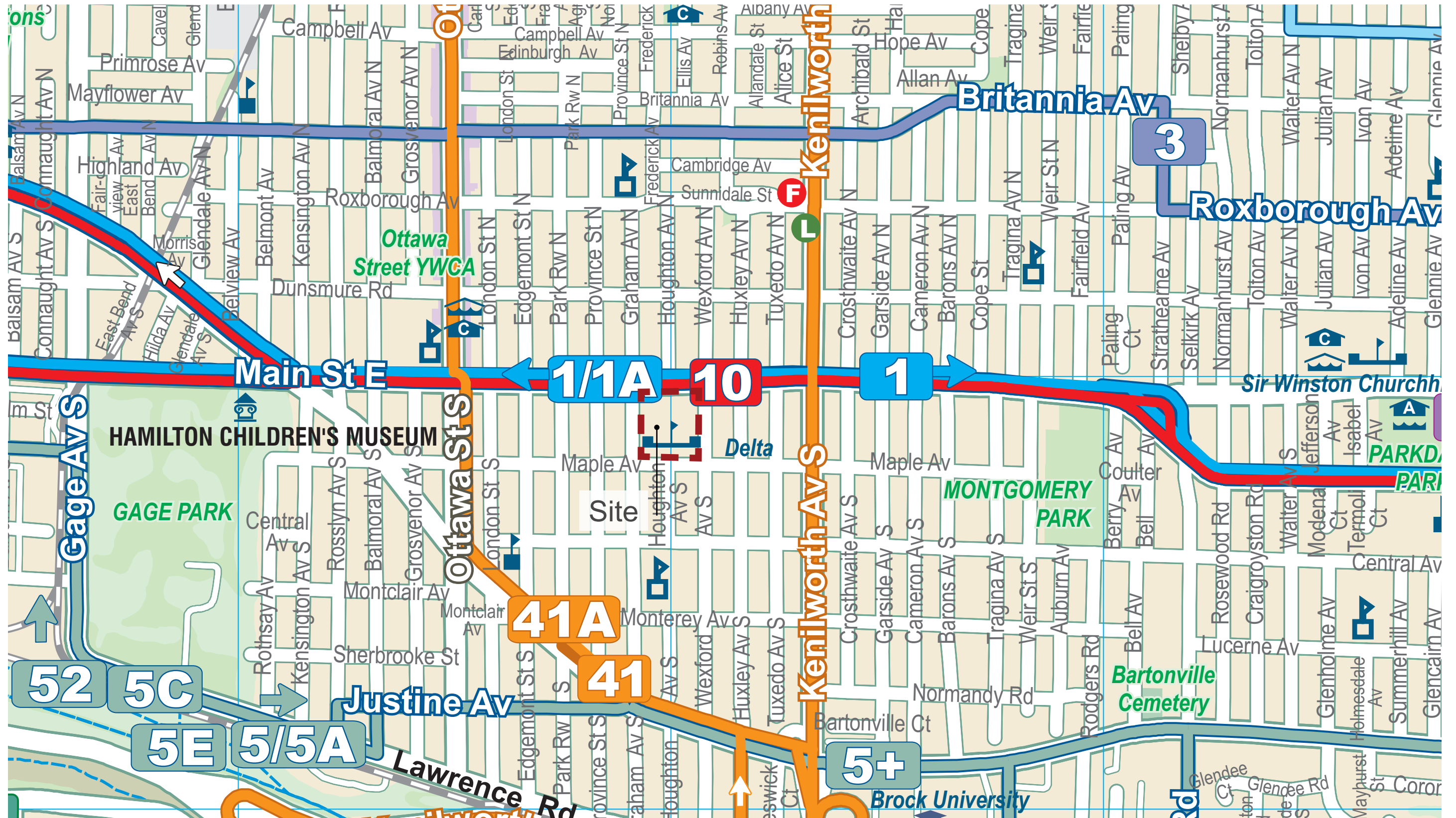
HSR Routes

As shown in **Figure 4**, the Site is currently served by three (3) local HSR bus routes. The bus stop at the northwest corner of the site services the eastbound HSR Routes 1/1A and Route 10. The westbound route can be accessed from the northeast corner of Main Street E and Graham Ave N.

Route 41/41A can be accessed from the bus stops located at the corner of Main Street E and Kenilworth Ave South. The bus stop on the east side of Kenilworth Ave S supports northbound traffic and, the bus stop on the west side of Kenilworth Ave N supports southbound traffic.

The details of each HSR route are as follows:

- **HSR Route 1/1A— King :**
The KING route services lower Hamilton east - west from Hamilton GO in the west to Eastgate Square in the east. The KING 1A route also services University Plaza to Hamilton GO. Service runs 7 days a week from the early morning until after midnight.
- **HSR Route 10 — B-Line Express :**
The B LINE EXPRESS route is an east-west route traveling from University Plaza in the west end to Eastgate Square in the east end. Service runs Weekdays and Saturdays from early morning to early evening (10 pm)
This route is interlined with 55 STONEY CREEK CENTRAL and 58 STONEY CREEK LOCAL
- **HSR Route 41/41A — Mohawk :**
The MOHAWK route travels both east - west and north - south from downtown Hamilton at Gage/ Industrial to the Meadowlands Terminal. Service runs 7 days a week from the early morning until after midnight.



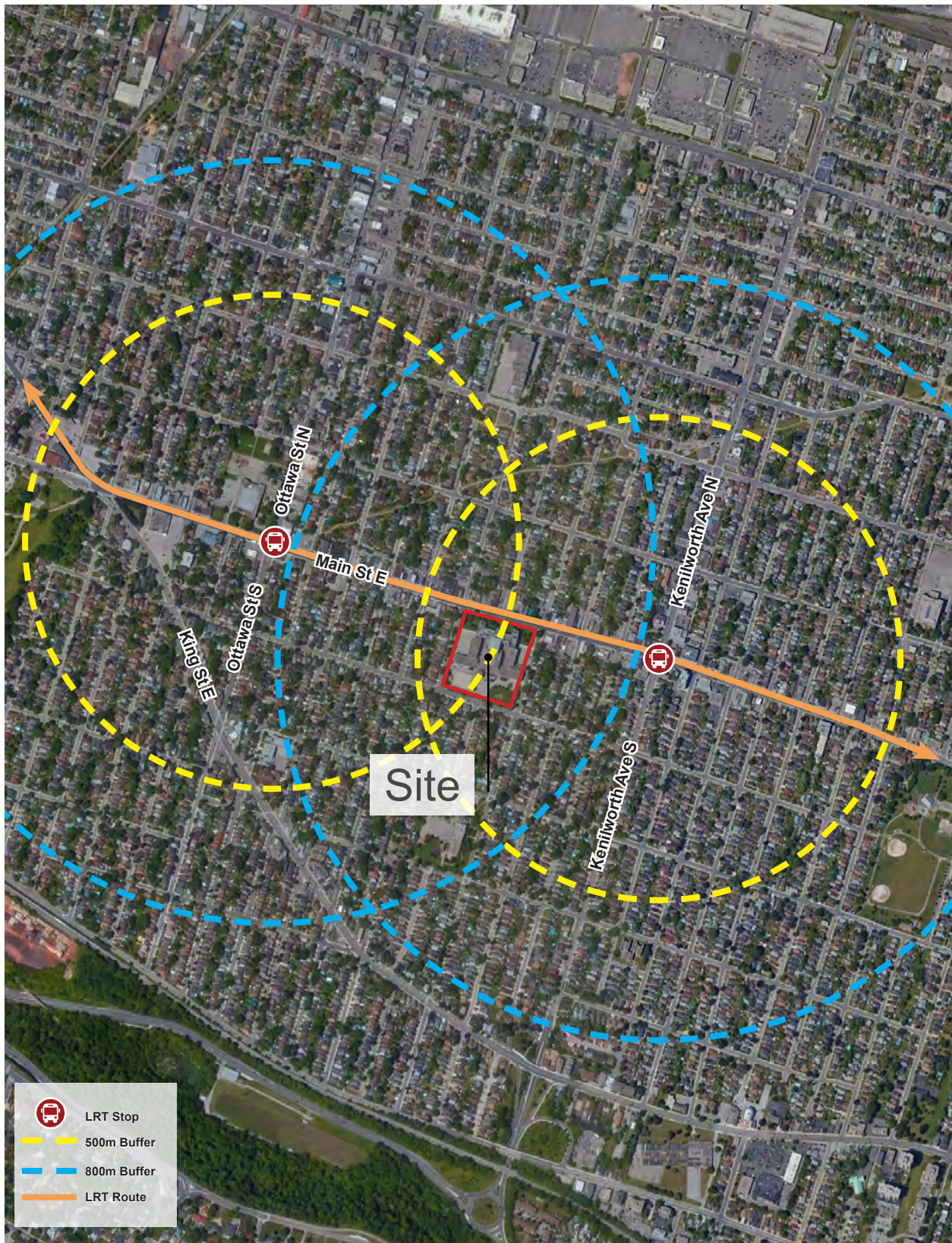
HSR Transit Routes
Source: Hamilton Street Railway System Map (2019)

Figure
4

LRT Corridor & Higher Order Transit Stations

The planned LRT corridor follows Main Street E. The nearest LRT stations are planned at the intersection of Main Street E and Kenilworth Ave S and Main Street E and Ottawa Street. The Site falls within the Major Transit Station Area limits of both of these stops, as the Site is located within 500 metres of each stop. **Figure 5** illustrates the 500 metre and 800 metre areas extending from each stop.

The proposed LRT along Main Street E forms part of the B.L.A.S.T network. The B.L.A.S.T. network is a series of higher order transit lines planned throughout the City of Hamilton. The B-Line crossing Main Street E connects Eastgate Mall in the City's east end to McMaster University in the City's west end. The B-line will have 17 stops. The Ottawa Street/Main Street East stop is located west of the site, and the Kenilworth Ave/Main St E stop is the closest to the site, 300m east.



Major Transit Station Areas (MTSA)

Source: Google Earth (2021), MCR GRIDS 2 (2022)

Figure

5

Active Transportation

The site can be easily accessed by all modes of active transportation. The sidewalk fronting the site on Main Street E forms part of a contiguous sidewalk network throughout the community. There are also sidewalks on Graham Ave S and Wexford Ave S, linking the site to schools, churches, retail and other destinations. Graham Ave N & S is designated as a cautionary un-signed bicycle route. Graham Ave S connects to Lawrence road, a designated bicycle route that then links to King St E providing safe access to destinations east of the Red Hill Valley Parkway. Graham Ave N connects to Cannon St E, which provides indirect access to the Lake Ontario Waterfront Trail and direct access to Downtown Hamilton (**Figure 6**).



Cycling Route

Source: Hamilton Cycle System Map (2020)

Figure 6

3.0 PROPOSED DEVELOPMENT

Delta Joint Venture Inc. is proposing to adaptively reuse the former Delta Secondary School and redevelop the balance of the site, cohesively, to provide a mix of residential dwelling units. The proposal will accommodate 975 residential units, landscaped open space, interior and exterior amenity space, and three levels of underground parking.

Lead by guidance from the Conservation Design Parameters, prepared by ERA Architects, the proposal focuses on:

- A. Highlighting the retained original historic building
- B. Siting new buildings in response to the school's historic evolution
- C. Forming new massing to respond to and respect the historic building and the surrounding neighbourhood
- D. Drawing on a sympathetic material palette
- E. Offering a meaningful contribution to the public realm through landscaping and adaptive reuse.

The new buildings are situated south of the original school and front lawn, and consist of two (2) identical 14 storey buildings extending from the retained structure and one 14 storey building interior to the site. Buffering the taller buildings, two blocks of four storey stacked townhomes and two blocks of townhomes line the perimeter of the Site.

The Site features an internal road and sidewalk network. The internal road network leads to the three-level underground parking garage containing 1,103 parking spaces. Vehicular access to the townhomes is through the internal road network. The Site will also accommodate 49 short-term and 490 long-term bicycle parking spaces.

The proposed development includes the following components:

a) Adaptive Reuse

The Site is designated under Part IV of the Ontario Heritage Act, through City of Hamilton By-Law No. 14-077. Heritage attributes of the Site were reviewed by ERA Architects. Through their Cultural Heritage Impact Assessment, it was determined that the original building was important to highlight and maintain and will be adaptively reused for residential housing and amenity space. Careful design and collaboration will occur to ensure preservation and respectful design.

b) Buildings and Use

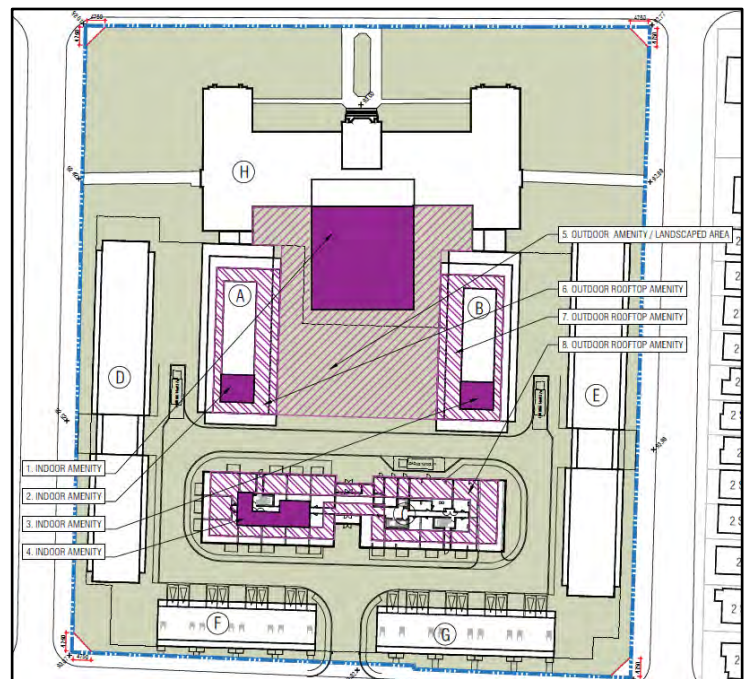
The Site is purposefully designed to allow for buildings to be separated at grade to allow for permeability and transition. New buildings are situated south and stepped back from the retained building to give presence and focus to the historical structure along Main Street East. Taller buildings are situated interior to the site, allowing for open space and transition to lower scale buildings positioned along the perimeter. Apartment buildings, stacked townhouses, and traditional condominium townhouses are proposed to provide for transition and a variation in use. Studio, one, two and three bedroom units are proposed to allow for a variety of unit sizes.

c) Parking and access

Vehicular access to the Site is located mid block along the southern lot line accessing Maple Avenue across from Houghton Avenue South. This location was vetted through the Formal Consultation process. The access width was also a requirement from Transportation Planning to be established at 7.5m. The vehicular drive aisle is a 'keyhole' loop that is limited to only the southern one third of the property, specifically designed to limit the vehicular movement on site, utilizing the woonerf technique. The majority of the parking is located underground to maximize landscaped open space at grade. Surface parking is only provided in the garage and driveway of the townhouse blocks at the southern end of the Site.

d) Amenity Areas

Amenity areas are formally highlighted within the apartment buildings. Specifically, each new apartment building central to the site has internal and rooftop amenity space. The former auditorium will be adaptively reused for internal amenity space accessible to the entire development. Defined, at grade exterior amenity space is highlighted at the rear of the retained building, extending to the woonerf drive aisle. In addition to the defined amenity areas, the Site includes large open space areas between buildings and surrounding the existing building. Exterior amenity area is also provided in the form of balconies.



Source: G+C Architects

e) Landscaping

As mentioned above, large open space areas will define the Site. Surrounding the existing building, the open space lands will remain relatively untouched, retaining many existing mature trees, and extending the landscaped open south further south along the entire end wall facades of the retained building. The southwest and southeast corners of the site will be defined open space areas also and landscape treatments will be provided along the street edge. These areas will be connected through the internal walkways and external sidewalks. Enhancing the landscaping layout is the retention of existing trees, and an increase in landscaped area as depicted below.



Source: Whitehouse Urban Design

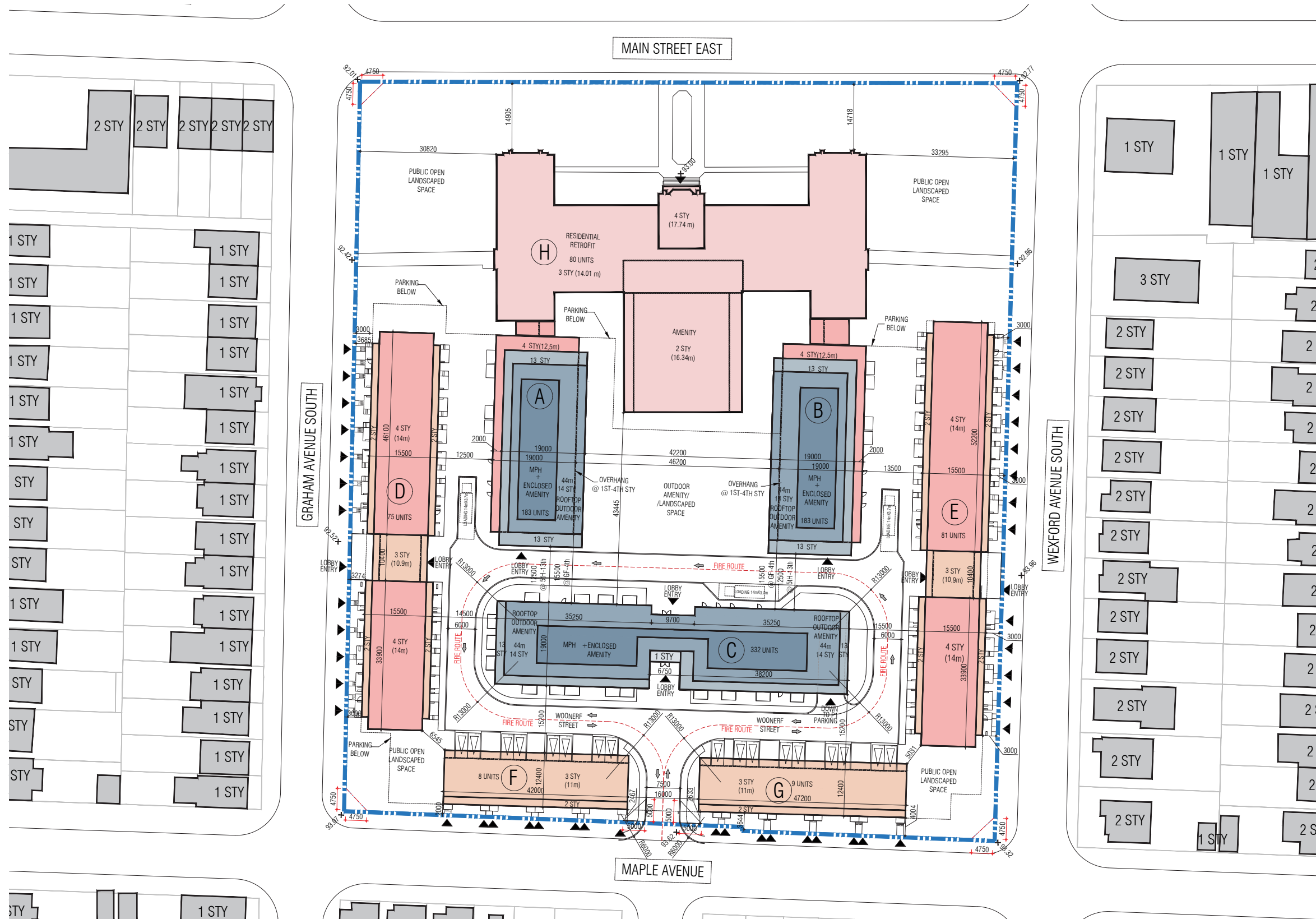
f) Pedestrian connections

A detailed and comprehensive pedestrian network is provided with the development, depicting a campus like setting. Public access to the internal site is provided through the keyhole shaped woonerf designed drive aisle that connects to Maple Avenue. The walkways around the drive aisle lead to the main lobby entrances at the stacked townhouses and midrise towers. The at grade exterior amenity area at the rear of the retained building includes pedestrian walkways in a Beaux Arts style of landscape design.

Overall, the proposed development will:

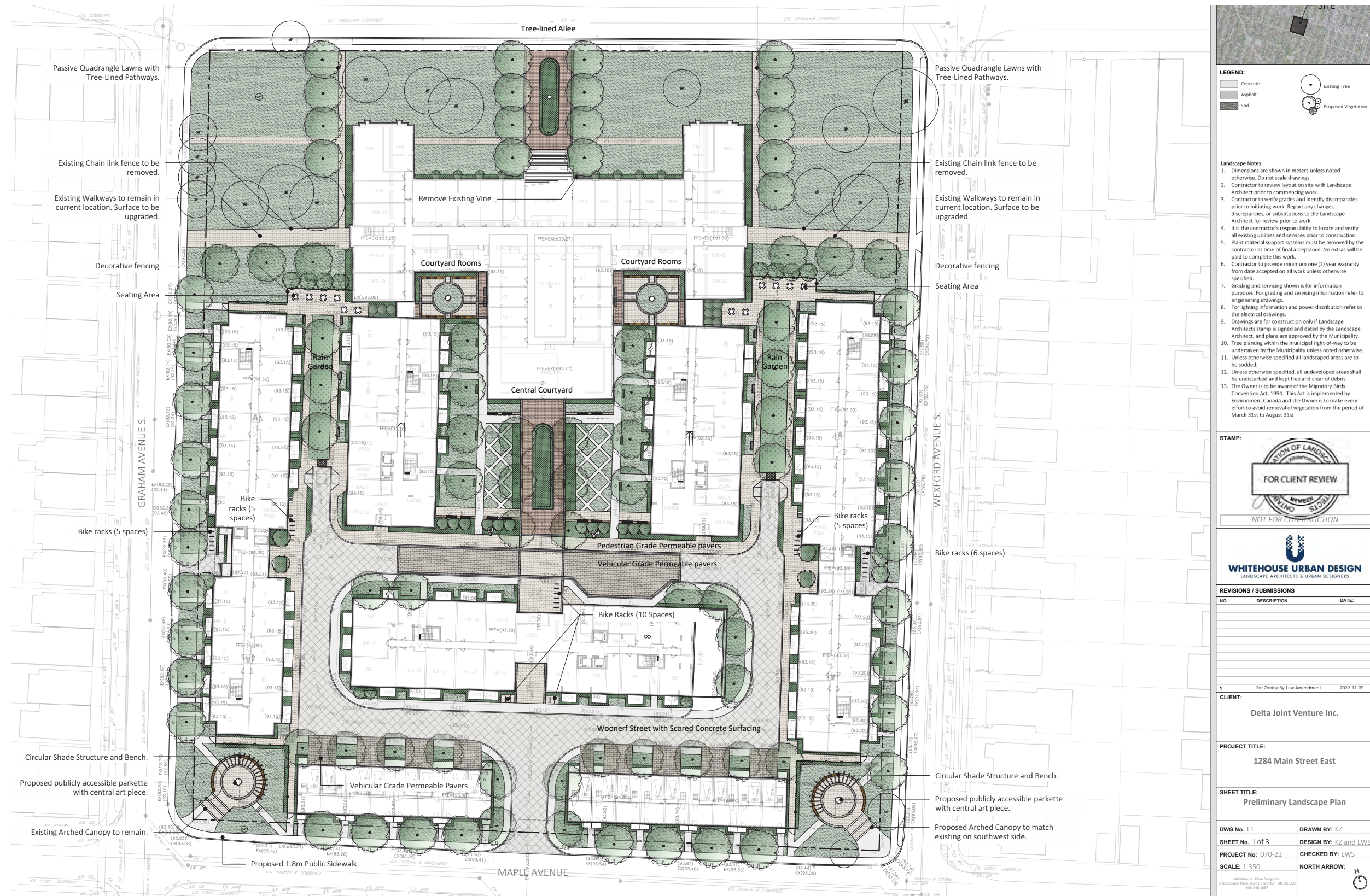
- Redevelop underutilized land within Hamilton's built-up Urban Area;
- Adaptively reuse a vacant historical building;
- Increase and diversify the available housing options in the Delta East neighbourhood as well as Hamilton overall;
- Increase day and night pedestrian activity along Main Street E;
- Optimize the use of existing municipal water and wastewater services;
- Support existing retail along Main Street E;
- Support existing transit, including HSR routes 1/1A, 10, 41/41A
- Assist in the transformation of the Primary Corridor by supporting the significant transit investments planned for the Main Street E corridor with reference to the B-line Light Rail Transit and Major Transit Station Area.

Graziani + Corazza Architects have professionally designed the proposed development concept shown on the next page. A site plan drawing showing the proposed development is provided in **Figure 7**, conceptual elevation drawings are shown in **Figure 8 to 12**, and 3D perspectives of the proposed development are shown in **Figure 13 to 19**.



Site Plan - A103
Source: Graziani Corazza Architects (2022)

Figure
7



LEGEND:
 Concrete
 Asphalt
 Sod
 Existing Tree
 Proposed Vegetation

- Landscape Notes**
- Dimensions are shown in meters unless noted otherwise. Do not scale drawings.
 - Contractor to review layout on site with Landscape Architect prior to commencing work.
 - Contractor to verify grades and identify discrepancies prior to initiating work. Report any changes, discrepancies, or substitutions to the Landscape Architect for review prior to work.
 - It is the contractor's responsibility to locate and verify all existing utilities and services prior to construction.
 - Plant material support systems must be removed by the contractor at time of final acceptance. No extras will be paid to complete this work.
 - Contractor to provide minimum one (1) year warranty from date accepted on all work unless otherwise specified.
 - Grading and servicing shown is for information purposes. For grading and servicing information refer to engineering drawings.
 - For lighting information and power distribution refer to the electrical drawings.
 - Drawings are for construction only if Landscape Architects stamp is signed and dated by the Landscape Architect, and plans are approved by the Municipality.
 - Tree planting within the municipal right-of-way to be undertaken by the Municipality unless noted otherwise.
 - Unless otherwise specified all landscaped areas are to be sodded.
 - Unless otherwise specified, all undeveloped areas shall be undisturbed and kept free and clear of debris.
 - The Owner is to be aware of the Migratory Birds Convention Act, 1994. This Act is implemented by Environment Canada and the Owner is to make every effort to avoid removal of vegetation from the period of March 31st to August 31st.



REVISIONS / SUBMISSIONS

NO.	DESCRIPTION	DATE
1	For Zoning By-Law Amendment	2022-11-09

CLIENT:
Delta Joint Venture Inc.

PROJECT TITLE:
1284 Main Street East

SHEET TITLE:
Preliminary Landscape Plan

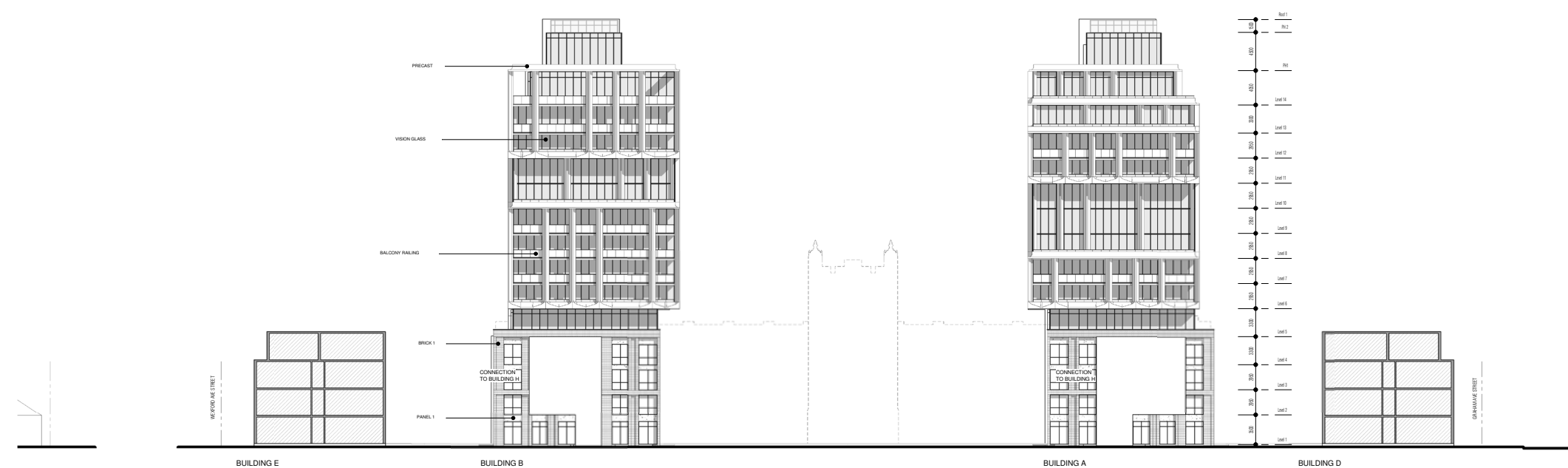
DWG No. L1	DRAWN BY: KZ
SHEET No. 1 of 3	DESIGN BY: KZ and LWS
PROJECT No: 070-22	CHECKED BY: LWS
SCALE: 1:350	NORTH ARROW:



Preliminary Landscape Plan
Source: Whitehouse Urban Design (2022)



1 EAST ELEVATION
1 : 250

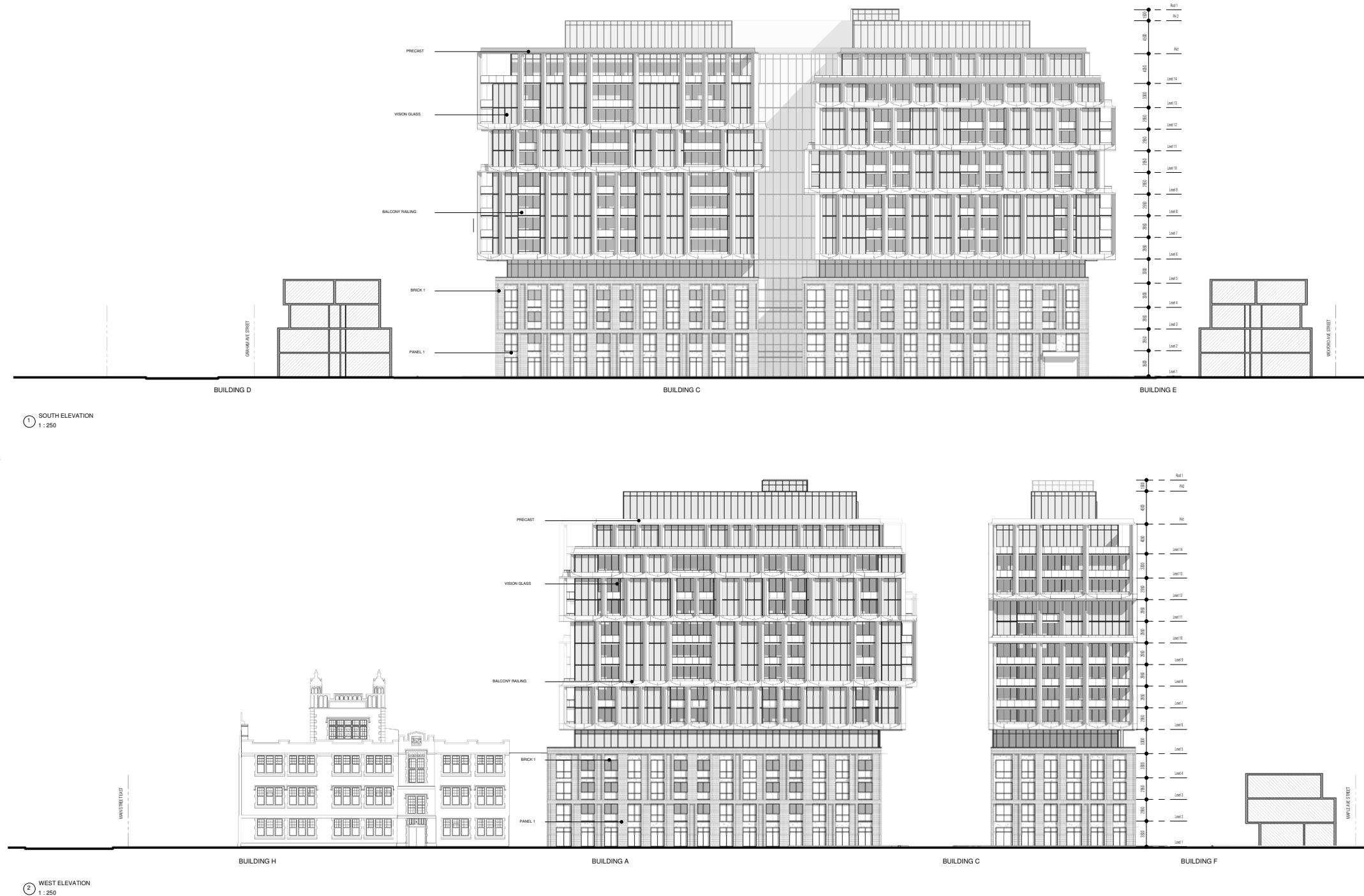


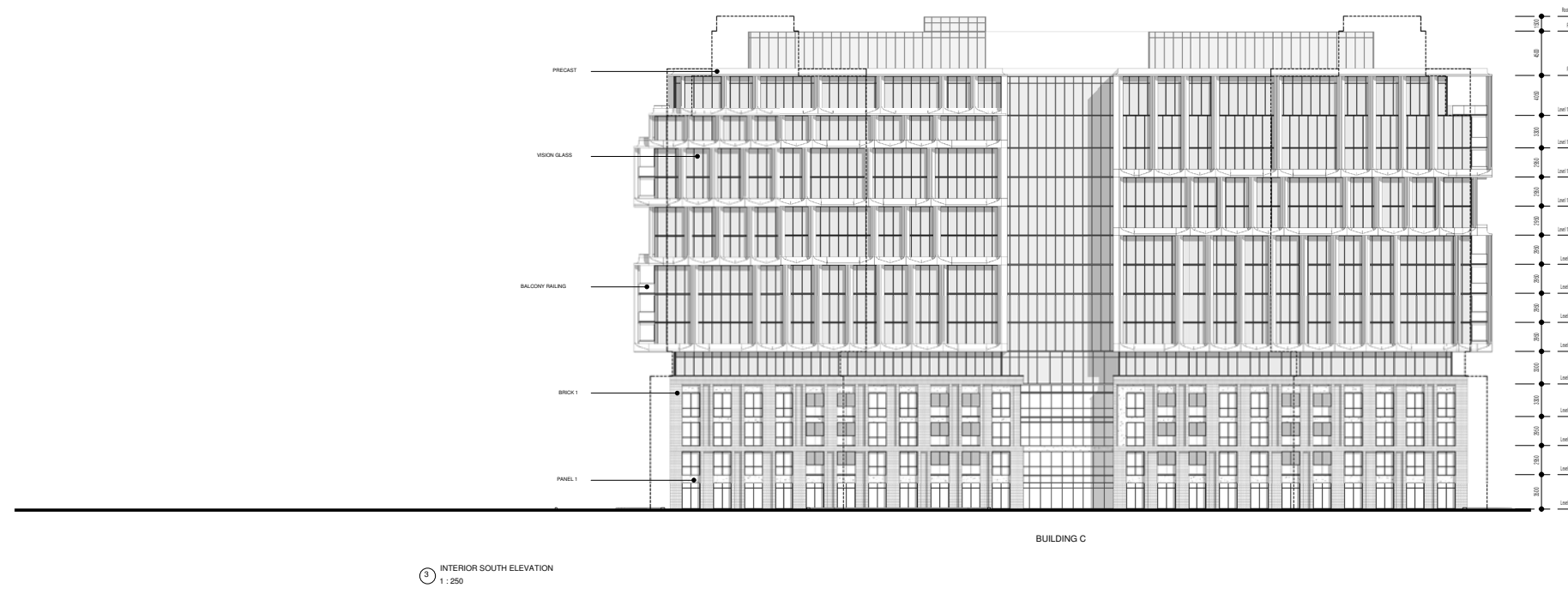
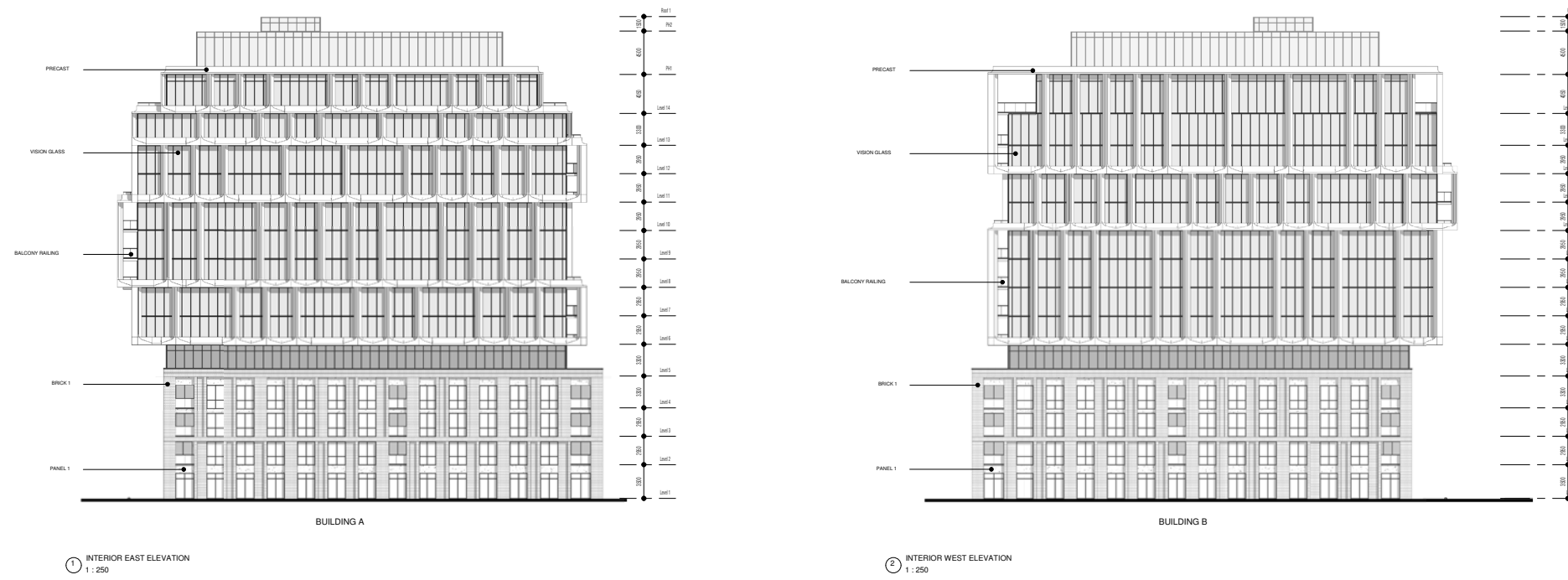
2 NORTH ELEVATION
1 : 250



Building A,B,C Elevations - A401
Source: Graziani Corazza Architects (2022)

Figure
9











Rendered Perspective Aerial View Looking Southeast - A601

Source: Graziani Corazza Architects (2022)







Rendered Perspective Maple Ave Looking East - A603

Source: Graziani Corazza Architects (2022)

Figure
16



Rendered Perspective Courtyard Looking North West - A604

Source: Graziani Corazza Architects (2022)



Perspectives - A611
Source: Graziani Corazza Architects (2022)

Figure
18





4.0 REQUIRED PLANNING APPLICATIONS

The development proposal reviewed through the Formal Consultation process (FC-22-079) indicated the need for an Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBA).

The following proposed designation with the UHOP and zone within ZBL 05-200 was determined in consultation with the City Planning Department following the Formal Consultation meeting.

Following the Formal Consultation meeting, on June 8, 2022, City of Hamilton adopted amendments to the Urban Hamilton Official Plan (UHOP) pursuant to sections 17 and 26 of the Planning Act by By-law Nos. 22-145. OPA 167 was approved with modifications by the Mister of Municipal Affairs and Housing on November 4, 2022. Review of the policies within the New UHOP may not require an Official Plan Amendment, and as such the review in this Report contemplates both scenarios.

4.1 Required Urban Hamilton Official Plan Amendment (UHOPA)

The UHOPA is required because the site is dually designated with the City of Hamilton Official Plan. The front portion of the site is designated as *Mixed Use – Medium Density*. The balance of the site is designated as *Neighbourhoods*. The Official Plan amendment proposes to remove the split designation, and designate the entirety of the site *Mixed Use – Medium Density*, with a site specific modification to increase the maximum permitted height. The proposed UHOPA is further discussed in Section 5.0 Planning Analysis of this report. A draft by-law is appended as **Appendix A**.

4.2 Required Zoning By-law Amendment (ZBA)

An amendment to the Zoning By-law is required to rezone the site from the Institutional (I2, 293) zone to the Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, given that the institutional use ceases to exist on the property and the building is to be adaptively reused for residential purposes.

The following modifications have been requested to the TOC 1 Zone:

- To reduce the finished floor elevation for ground floor dwelling units from 0.9 metres to 0.1 metres;
- To require principal entrances to face the street only for new buildings adjacent to the perimeter lot lines.
- To increase maximum driveway width from 6.0 metres to 7.5 metres.

- To decrease the minimum building setback to a streetline/rear lot line along the southern lot line (Maple Ave) from 3 metres/7.5 metres to 2 metres ;
- To increase the maximum building setback from a street from 4.5 metres to 14.7 metres along Main Street E.;
- To decrease the minimum building height from 11m to 10m for the new perimeter buildings;
- To increase the maximum building height from 22.0 metres (6 storeys) to 44.0 metres (14 storeys) for the new interior buildings;
- To increase the rooftop amenity area height from 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure to 4.5 metres.

The proposed development's compliance with the Transit Oriented Corridor Mixed Use Medium Density Zone regulations is provided in Tables 2,3, and 4 Section 6.7 of this report; and the proposed ZBA and requested modifications are evaluated in Section 7.0 Planning Analysis of this report. A draft by-law is appended as **Appendix B**.

5.0 SUPPORTING STUDIES and PLANS

In addition to this Planning Justification Report, the Pre-Consultation Document identified the following reports and plan requirements for a complete application:

- **Urban Design Report**
- **Cultural Heritage Impact Assessment (If required: Conservation Plan, Commemoration Plan, Documentation and Salvage Report)**
- **Archeological Assessment**
- **Storm Water Management Report, Functional Servicing Report and Water/Wastewater Servicing Study, Civil Engineering Plans**
- Soils/Geotechnical Study
- **Noise Impact Study**
- **Sun/Shadow Study**
- **Pedestrian Wind Study**
- Transportation Impact Study and Transportation Demand Management Options Report
- Preliminary Landscape Plan and TMP/TPP Plan
- Public Consultation Strategy

The following is intended to provide a brief summary of the key findings and conclusions of the bolded required study, above. However, each report should be reviewed in its entirety.

5.1 **Urban Design Report** Whitehouse Urban Design, November 2022

Whitehouse Urban Design has been retained to prepare an Urban Design Brief in accordance with the City of Hamilton's Urban Design Brief: General Terms of Reference. Accordingly, the Urban Design brief assesses how the proposed development's design responds to Urban Design Guidelines.

The Brief concludes that:

From an urban design perspective, the proposed development complies with policies in the Urban Hamilton Official Plan. The project relates to its role in the urban context by providing context-sensitive intensification along an important primary corridor. It also retains the historic Delta Secondary School building and takes care to preserve important heritage features. The public realm is enhanced through a continuous street-wall comprised of townhouses and street trees. The proposal also provides an extensive network of pathways that guide residents and visitors to points of interest within the site.

The architecture enhances the public realm through attractive design that reflects the character of the existing heritage building. The landscape design reflects the Beaux-Arts style of landscape design reflective of the cultural heritage of the Site.

5.2 Cultural Heritage Impact Assessment

ERA Architects, December 2022

ERA were retained to prepare a Cultural Heritage Impact Assessment (CHIA). The CHIA notes that the Site was designated under Part IV of the Ontario Heritage Act ("OHA") on April 9, 2014, by by-law 14-077. The CHIA states that *the proposal will result in the removal of the attributes of the Southeast, Southwest, and South back Wings that are included in the designation by-Law for the property as well as landscape attributes located to the rear of the 1924 School building. The highest priority built and landscape attributes of the Site, which include the original 1924 School building and its original setting, incorporating the front and side lawn areas, will be retained in situ and subject to a conservation scope of work.*

The report also acknowledges that alternative development scenarios were considered, but they "do not represent the best balance between the heritage conservation and planning objectives of the site."

Mitigation Measures, and a Conservation Strategy is also included in the Report, outlining how the impact of the proposed development will be mitigated, and the conservation measures proposed for the original building.

The CHIA concludes:

The proposed development will conserve the 1924 School building and grounds along Main Street East and along the east and west elevations of the conserved structure. The rehabilitation and adaptive reuse of the 1924 School building will introduce a new and compatible residential use, while conserving the cultural heritage value of the Site. The location of new development behind, and set back from, the retained 1924 School building will conserve its visual prominence while introducing new housing to the area.

5.3 Archaeological Study

Archaeological Consultants Canada (ACC), September 7, 2022

ACC were retained to conduct the Stage 1 & 2 archaeological assessment on the Site. The Site was assessed on September 1st, 2022. The Stage 1 background research indicated that the subject property has general archaeological potential, and a Stage 2 assessment of the undisturbed portions of the Site was conducted by test pit survey at 5m intervals. No artifacts or other archaeological resources were identified. The Report concludes that no further archaeological assessment of the property is required.

The Ministry of Tourism, Culture and Sport (MTCS) acknowledged receipt of the Study and entered the Study into the Ontario Public Register of Archaeological Reports, confirmed in a letter from MTCS dated September 9, 2022.

5.4 Storm Water Management Report and Water/Wastewater Servicing Study

Lanhack Consultants Inc. and Lamarre Consulting Group Inc., November 2022

The above referenced consultants were retained to prepare the referenced reports. The Water and Wastewater Generation Report concludes that:

The maximum water supply flow and the sanitary discharge at 1284 Main Street East meets the design requirements of the City of Hamilton and the Ministry of Environment (MOE). The available flows within the municipal system are adequate and are not expected to be negatively impacted from the proposed development. Therefore, it is recommended that:

Sanitary Drainage System

- The sanitary discharge for the subject site will drain to the existing 600mmØ combined sewer within the Graham Avenue South right of way and the existing 750mmØ sanitary sewer along Wexford Avenue South. The anticipated total peak discharge will be 45.09 L/s.

Water Supply System

- The water supply for the subject site will be from the existing 300mmØ watermain along Main Street East. The anticipated maximum daily water consumption rate for the development will be 19.91 L/s.
- A minimum fire suppression flow of 9,000 L/min (150.00 L/s) will be required as per the Ontario Building Code and City of Hamilton Watermain Fire Flow Requirement Design Guidelines. As per Hydrant Flow Test Reports prepared by L&D Waterworks, the flow testing results, for the hydrants surrounding the proposed site, show a minimum theoretical available flow at 20psi of 4,544 gpm (286.68 L/s).

The Storm Water Management Plan concludes:

- The 100yr peak runoff rate from this site into the Main Street combined sewer system will effectively be controlled to less than the existing 2yr peak rate, taking into account the estimated increase in sanitary sewer flow. This is achieved through the installation of a 230m³ on-site storage tank with a 300mm orifice pipe to restrict the outlet rate.

- Quality of site storm water runoff from the paved areas will be to MOECC enhanced levels through the installation of a Jellyfish JF6-5-1 unit downstream of the stormwater management tank outlet.
- Erosion and sediment controls be installed as described in section 2.3 of this report.

5.5 Noise Feasibility Study

HGC Engineering, November 11, 2022

HGC was retained to prepare a Noise Feasibility Study. The primary source of noise was indicated as road traffic on Highway 8 (Main St E), and the Study assessed future traffic sound levels. The results of the Study indicated:

“that with suitable noise control measures integrated into the design of the buildings, it is feasible to achieve the indoor MECP guideline sound levels from road traffic sources. The recommended noise control measures include appropriate wall and window glazing assemblies, and an alternative means of ventilation to open windows. Warning clauses will need to be included in the property, tenancy and rental agreements to warn occupants of potentially audible transportation noise levels and of the nearby commercial uses.”

5.6 Sun/Shadow Study

R. Bouwmeester & Associates (RBA), December, 2022

RBA was retained to prepare the Sun/Shadow Study. The Study concludes that:

“The proposal meets both the 3-hour OP requirement for sun between 10:00 AM and 4:00 PM from Mar to Sep 21 and the 5-hour Corridor Design Guidelines requirement for sun throughout the day on Mar 21.”

5.7 Pedestrian Level Wind Study

RWDI, September 16, 2022

RWDI was retained to prepare the Pedestrian Wind Comfort Assessment to provide an evaluation of the potential impact of the proposed development on wind conditions in pedestrian areas on and around the development.

The report summary states:

- *The proposed buildings are taller than their surroundings, and therefore will redirect wind to ground level. However, as the proposed residential towers will*

be built alongside relatively shorter townhouse buildings, this will help limit the wind impact of the proposed development at grade around the project site.

- *Wind conditions at grade level, including the majority of entrances, plaza areas and open landscaped spaces, will be appropriate for the intended usage.*
- *Slightly higher wind speeds comfortable for strolling in the summer and walking in the winter occur at the lobby entrance of Tower A. The vestibule at this entrance is a positive design feature. Recessing this entrance or adding vertical screens on either side would also help reduce wind speeds at this.*
- *Potentially uncomfortable or unsafe wind speeds occur around the northwest and southeast corners of the Tower C, and the northwest corner of the residential retrofit building.*
- *The addition of landscaping will provide overall wind reductions across the site, especially during the summer months.*
- *Wind control measures are suggested in the report for the areas associated with higher wind activity and can be verified through further wind study as the design develops. RWDI can help guide the placement of wind control features, including landscaping, to achieve appropriate levels of wind comfort based on the programming of the various outdoor spaces.*

5.8 Transportation Impact Study and Transportation Demand Management Options Report

Paradigm Transportation Solutions Inc., November 2022

Paradigm Transportation Solutions were retained to conduct a Transportation Impact Analysis for the proposed development. Based on the findings of the Study, the following is recommended:

- *49 short-term bicycle parking spots be included in the development;*
- *The City continues to monitor traffic operations at the study area signalized intersections and adjusts signal timings as needed.*

6.0 PLANNING POLICY FRAMEWORK

The following is intended to provide a review and highlight the planning policy framework applicable to the Site. These policy documents include: the *Planning Act*, the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Urban Hamilton Official Plan, and Hamilton Zoning By-law 05-200.

6.1 Ontario Planning Act, R.S.O. 1990, c. P.13

Section 2 of the *Planning Act* sets out matters of Provincial Interest when considering and carrying out responsibilities under the Act. The following table provides an analysis of the Subject Applications in response to the prescribed Provincial interest:

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
a) The protection of ecological systems, including natural areas, features and functions	The Site is not located in a Natural Heritage System (“NHS”) as per Ministry of Natural Resources and Forestry online NHS mapping. Further, as per Schedule B—Natural Heritage System of the Urban Hamilton Official Plan, no Core Areas, Linkages, nor Streams, are identified on the Site.
b) The protection of the agricultural resources of the Province	The Site is not located in the Agricultural Land Base for the Greater Golden Horseshow as per online mapping (Agricultural Systems Portal).
c) The conservation and management of natural resources and the mineral resource base	As per Appendix C and C-1 – Non Renewable Resources of the UHOP, the Site is not located in and or near any non-renewal resources including gas and/or petroleum wells.
d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	<p>The Site is designated as having Cultural Heritage Value under the Ontario Heritage Act. The City of Hamilton designated the property through by-law no.14-077.</p> <p>The Owner retained ERA Architects to conduct a Cultural Heritage Impact Assessment (“CHIA”). Section 5.2 of this report contains the conclusions of the CHIA report.</p>

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
e) The supply, efficient use and conservation of energy and water	The Proposed Development Area will utilize existing energy and water infrastructure. The Owner intends to install a geothermal system to service the proposed residential dwelling units. Geothermal systems can reduce the energy demand, and thus, the proposed residential use will be less taxing on the existing energy system. Rain gardens are also proposed.
f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	The proposed development will utilize existing water and wastewater infrastructure. As outlined in Section 1.5 of this Report, the proposed development will utilize and support HSR routes 1/1A, 10, and 41/41A and the future LRT station at Kenilworth Street and Main Street E.
g) The minimization of waste	The proposed development on the property is an adaptive reuse project. The owner intends to retain the original school structure from 1924. Keeping this portion of the site minimizes the amount of waste that will end up in the surrounding land-fill. Minimizing waste increases the environmental sustainability of the proposed development.
h) The orderly development of safe and healthy communities; the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	The reuse of the property to accommodate residential dwelling units is in alignment with this provincial interest. The Site is envisioned to front the B-line LRT corridor. The UHOP designated this corridor to accommodate residential development and thus, represents orderly development occurring within the City of Hamilton. The site's development to accommodate residential units supports healthy communities because the site is supported by many community amenities described in Section 1.4 of this report.

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;	<p>To ensure safe access for persons with disabilities, the proposed development includes barrier-free parking spaces.</p> <p>In addition, through the building permit process, the proposed development will be required to demonstrate compliance with the Ontario Building Code, which includes barrier-free design provisions</p>
i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities	The neighbourhood is well served by existing public amenities.
j) The adequate provision of a full range of housing, including affordable housing	The proposed development would contribute and diversify the local housing stock by providing additional residential dwelling units, ranging in design from traditional townhouse units, stacked townhouse units an apartments with an adaptive reuse building and new build.
k) The adequate provision of employment opportunities	The proposed development will provide employment opportunities through the construction period. There are commercial uses located along the Main Street East corridor which provide employment opportunities to residents.
l) The protection of the financial and economic well-being of the Province and its municipalities	The proposed development will protect the financial and economic well-being of the Province and the City of Hamilton by optimizing the use of existing infrastructure and services within Hamilton’s Urban Area.
m) The co-ordination of planning activities of public bodies	N/A
n) The resolution of planning conflicts involving public and private interests	N/A

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
o) The protection of public health and safety	The proposed development will be reviewed by City of Hamilton departments and agencies, which will ensure that public health and safety are appropriately addressed. The proposed development does not present negative impacts to public health and safety.
p) The appropriate location of growth and development	<p>The Proposed Development Area is an appropriate location of growth and development as it is in an underutilized property located within Hamilton’s delineated built-up area with significant frontage along a Major Arterial Road.</p> <p>The Proposed Development Area is also served by existing transit facilities and would support the significant transit investments planned for the Centennial Node, as outlined in section 1.5 of this report. According to Schedule E of the UHOP, the portion of the Site fronting Main Street E is a Primary Corridor. Policy E.2.4.3 states: “Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed uses where feasible, supported by higher order transit on the Primary Corridors”. The development of the site to support residential dwelling units along a primary corridor satisfies this provincial interest.</p> <p>In consideration of the existing water and wastewater infrastructure, community facilities, education facilities, park, and existing transit infrastructure (see Figure 2), the Proposed Development Area is an appropriate location for growth and development.</p>

Table 1 Provincial Interest in regard to Subject Applications

Provincial Interest	Policy Response
<p>q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians</p>	<p>The proposed redevelopment of the site is designed to be sustainable because of the partial retention of the school structure and because of the Owner's intention to install a geothermal system to service the site.</p> <p>Section 1.5 of this report outlines that the proposed development will utilize and support HSR bus routes 1/1A, 10, and 41/41A. The proposed development would also support the significant transit investments planned for the primary node, notably the B-line LRT. The site fronts three contiguous sidewalk networks that extend to the surrounding community amenities described in section 1.4. All the transit stops are within 300m of the site or a one minute walk.</p>
<p>r) The promotion of built form that,</p> <ul style="list-style-type: none"> (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant 	<p>The proposed development has been professionally designed by Graziani + Corraza Architects to accommodate the need for housing. The proposed development represents an aesthetic improvement to the current vacant condition of the subject site and the surrounding lands and will result in a more interesting, high-quality space, that is attractive, vibrant, accessible, and encourages a sense of space for future and surrounding residents.</p>
<p>s) The mitigation of greenhouse gas emissions and adaptation to a changing climate</p>	<p>The proposed development will assist in the mitigation of greenhouse gas emissions by supporting existing and planned transit facilities, and through the adaptive reuse of the existing school structure and the implementation of the geothermal system.</p> <p>The development provides an efficient way to house residents in the most efficient way to optimize existing services and public amenities. The residents that will occupy the buildings in the future might otherwise locate themselves in areas that would contribute toward sprawl and greater automobile use.</p>

6.2 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 ("PPS") provides policy direction on matters of provincial interest related to land use planning and development. The PPS is issued under the authority of Section 3(1) of the *Planning Act* and came into effect on May 1, 2020. Section 3(5) of the *Planning Act* requires that decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposed development.

Residential Intensification

The PPS supports intensification, redevelopment and the efficient use of land and existing planning infrastructure within urban areas. The PPS defines residential *intensification* as "*the intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:*

- a) *redevelopment, including the redevelopment of brownfield sites;*
- b) *the development of vacant or underutilized lots within previously developed areas;*
- c) *infill development;*
- d) *development and introduction of new housing options within previously developed areas;*
- e) *the conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and*
- f) *the conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, additional residential units, rooming houses, and other housing options."*

As defined in (a), (b), (c), (d), (e) and (f) of the above criteria, the proposed development represents intensification.

Building Strong and Healthy Communities

The PPS provides guidelines to manage growth and promote efficient and resilient land use and development patterns, as follows:

- 1.1.1 Healthy, livable and safe communities are sustained by:
 - a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
 - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional

residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e) promoting the integration of land use planning, growth management, *transit-supportive* development, *intensification* and *infrastructure* planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society; [...]

Settlement Areas

The Site is located with Hamilton's built-up area, which is considered part of the Settlement Areas. Settlement Areas include urban areas and "lands which have been designated in an official plan for development...". Given that the subject site is located within Hamilton's Urban Boundary and designated for residential development, it is considered part of the Settlement Areas, where growth is to be focused as outlined in the following policies:

- 1.1.3.1 *Settlement areas* shall be the focus of growth and development.
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:
 - a) efficiently use land and resources;
 - b) are appropriate for, and efficiently use, the *infrastructure and public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
 - e) support *active* transportation;
 - f) are *transit-supportive*, where transit is planned, exists or may be developed; and [...]

With respect to Policy 1.1.3.2(f), the PPS provides the following definition for transit-supportive development:

“Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within *the transportation system*. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.”

In addition, the following Settlement Area policies are also relevant to the proposed development.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive development*, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service *facilities* required to accommodate projected needs.”
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.

Housing

The PPS also provides the following direction on housing policy to meet the projected needs of current and future residents:

- 1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
 - [...]
 - b) permitting and facilitating:

2. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
 3. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
 - d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
 - e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
 - f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Sewage, Water and Stormwater

The PPS provides the following direction on the preferred method of servicing for new development:

- 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.

Transportation Systems

The PPS provides the following direction on making efficient use of existing transportation infrastructure:

- 1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.
- 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Long-Term Economic Prosperity

The PPS contains policies related to securing the Province's long-term prosperity, the following of which are applicable to the proposed development:

- 1.7.1 Long-term economic prosperity should be supported by:
[...]
- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
 - c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;
 - d) maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets;
 - e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes; [...]

Cultural Heritage and Archaeology

The PPS provides the following direction conservation of built heritage resources:

- 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

Relevance to the Site:

The PPS supports intensification, redevelopment, and the efficient use of land and existing planning infrastructure within urban areas, which is where the subject site is located.

The proposed development would contribute to the development of a healthy, livable, and safe community as per the policies outlined in Policy 1.1.1. Specifically, the proposed development

represents an efficient development and land use pattern that will sustain the financial well-being of the Province and City of Hamilton over the long term. The proposed development will increase and diversify the available housing options.

The subject site is located in a settlement area, which is to be the focus of growth and development (Policy 1.1.3.1). The proposed development represents an efficient use of land and resources that will optimize the use of existing infrastructure and public service facilities, and in doing so, avoid the need for their unjustified expansion (Policy 1.1.3.2).

The proposed development represents a cost-effective development pattern that would optimize existing transit investments, including HSR bus routes and future LRT.

With respect to housing policy, the PPS directs planning authorities to permit and facilitate all types of residential intensification and redevelopment. The proposed development represents a compact form that efficiently uses land, resources, and infrastructure (Policy 1.4.3).

As per Policy 1.6.6.2, the proposed development utilizes municipal water and wastewater services, which are the preferred form of servicing for settlement areas and promotes intensification and redevelopment wherever feasible to optimize the use of existing services.

Policies 1.6.7.2 and 1.6.7.4 are supported by the proposed development in that the residential intensification will utilize the significant investment into the planned infrastructure related to the LRT, the area is well serviced by existing uses that will be greatly utilized by the proposed increase in residents to the area.

Lastly, Policies 1.7.1 and 2.6.1 are supported by the proposed development as, through direction provided by ERA Architects and the Cultural Heritage Impact Assessment (included with the submission) the built heritage resource on site, fronting onto Main Street East will be adaptively reused to provide necessary housing supply and additional housing units will be integrated onto the Site, enhancing the vitality of the Main Street.

Based upon the above review, the Subject Applications are consistent with the applicable policies of the PPS, 2020.

6.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

On May 16, 2019 “A Place to Grow: Growth Plan for the Greater Golden Horseshoe” came into effect, replacing the 2017 “Growth Plan for the Great Golden Horseshoe”. Amendment 1 (2020) to the Growth Plan for the Grater Golden Horseshoe 2019 was approved and came into effect on August 28, 2020 (“the Growth Plan”). The Growth Plan applies to the area designated as the Greater Golden Horseshoe Growth Plan Area which includes the entire City of Hamilton. All decisions that affect a planning matter must conform to the Growth Plan. The following is a summary of the Growth Plan policies applicable to the proposed development.

Guiding Principles

The Growth Plan provides a framework for implementing the Province’s vision for managing growth across the region to the year 2041. The successful realization of the Growth Plan is based on several Guiding Principles which provide the basis for guiding decisions on how land is to be developed. The Guiding Principles are outlined in Section 1.2.1 of the Growth Plan and include the following, amongst others:

- “Support the achievement of *complete communities* that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime”.
- “Prioritize *intensification* and higher densities in *strategic growth areas* to make efficient use of land and *infrastructure* and support transit viability”.
- “Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors”.
- “Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households”.
- “Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities”.

Relevance to the Site:

The proposed development fulfils several guiding principles of the Growth Plan. For instance, the proposed development will support the achievement of complete communities by providing additional and more diverse housing options in the neighbourhood.

Growth Plan Context

Section 2.1 of the Growth Plan provides the following context on where and how to grow in the Greater Golden Horseshoe:

“Better use of land and *infrastructure* can be made by directing growth to *settlement areas* and prioritizing *intensification*, with a focus on *strategic growth areas*, including *urban growth centres* and *major transit station areas*, as well as *brownfield sites* and *greyfields*. Concentrating new development in these areas provides a focus for investments in transit as well as other types of *infrastructure* and *public service facilities* to support forecasted growth, while also supporting a more diverse range and mix of housing options.”

In addition, Section 2.1 emphasizes the importance of optimizing the use of land, infrastructure, and public service facilities within the urban area as a first priority:

“This Plan’s emphasis on optimizing the use of the existing urban land supply represents an *intensification* first approach to development and city-building, one which focuses on making better use of our existing *infrastructure* and *public service facilities*, and less on continuously expanding the urban area.”

Relevance to the Site:

The subject site is located within a settlement area, which is a prioritized area for intensification and new development so as to make better use of existing infrastructure and public service facilities, and less on expanding the urban area.

Managing Growth

Policy 2.2.1.1 states that the population and employment forecasts provided in Schedule 3 of the Growth Plan will be used for planning and managing growth to the planning horizon. Schedule 3 provides that the City of Hamilton is forecasted to grow to 820,000 by 2051.

Policy 2.2.1.2(a) states that forecasted growth to 2051 will be allocated based on the following:

- a) the vast majority of growth will be directed to *settlement areas* that:
 - i. have a *delineated built boundary*;
 - ii. have existing or planned *municipal water and wastewater systems*; and
 - iii. can support the achievement of *complete communities*;

Furthermore, Section 2.2.1.2(c) states that within settlement areas, growth will be focused in: (i) delineated built-up areas; (ii) strategic growth areas; (iii) locations with existing or planned

transit, with a priority on higher order transit where it exists or is planned; and (iv) areas with existing or planned public service facilities.

Policy 2.2.1.4 states that applying the polices of the Growth Plan will support the achievement of complete communities that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*; [...]
- c) provide a diverse range and mix of housing options, including additional residential units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; [...];
- d) expand convenient access to:
 - i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more *compact built form* and a vibrant *public realm*, including public open spaces;
- f) mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
- g) integrate green infrastructure and appropriate low impact development.

Relevance to the Site:

The vast majority of the City of Hamilton's forecasted growth to 820,000 people by 2051 is to be directed to settlement areas that have a delineated built boundary; have existing municipal water and wastewater systems and can support the achievement of complete communities. Accordingly, the subject site is contiguous with the Built-up boundary and located within Hamilton's Urban Boundary. Based on these locational attributes, the Site is an appropriate location for growth, and will implement appropriate green infrastructure and low impact development.

With respect to Policy 2.2.1.4, the proposed development will support the achievement of complete communities as follows:

- Diversify the mix of land uses by intensifying a residential use in an area with a range of commercial lands;
- Increase and diversify the range and mix of housing options in the surrounding community;
- Support existing transportation options, and public service facilities;
- Expand convenient access to the safe and comfortable use of active transportation by providing density adjacent to a primary corridor;
- Provide residential intensification within the built up area, in proximity to existing transit routes and future higher order transit routes along Main Street East.

Based on the above policy review, the proposed development conforms to the Growth Plan.

Delineated Built-up Areas

Policy 2.2.2.1(a) provides that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, a minimum of 50% of all residential development occurring annually within the City of Hamilton will be within the delineated built-up area.

Policy 2.2.2.3 requires all municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout the delineated built-up areas, which among other objectives, will:

- c) encourage *intensification* generally throughout the *delineated built-up area*;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

Transit Corridors and Station Areas

The Growth Plan defines *Major Transit Station Areas* as follows:

“The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

Schedule 5 of the Growth plan Identifies Main Street E as being a Priority Transit Corridor (**Figure 21**). Based on the above definition, the planned LRT Station at Main Street E and Kenilworth are Major Station Transit Areas.

As per Policy 2.2.4, *major transit station areas on priority transit corridors* or subway lines will be planned for a minimum density target of:

- b) 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit;

Policy 2.2.4.9 states: Within all major transit station areas, development will be supported, where appropriate, by:

- a) planning for a diverse mix of uses, including additional residential units and affordable housing, to support existing and planned transit service levels;
- c) providing alternative development standards, such as reduced parking standards; and

2.2.4.10 Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

Strategic Growth Areas

Furthermore, the definition of *Strategic Growth Areas* includes *major transit station areas*, as follows:

“Within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, *major transit station areas*, and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.”

The Site is located within a Primary Corridor, which is considered to be a strategic growth area by the City of Hamilton.

Cultural Heritage Resources

4.2.7.1 Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.

Relevance to the Site:

The proposed development conforms with the Growth Plan as it will contribute to the minimum density targets within a Major Transit Station Area along the Priority Transit Corridor. The cultural heritage resource has been thoroughly reviewed by ERA Architects within the Cultural Heritage Impact Assessment. The proposal will also have regard for cultural heritage resources, with the retention, adaptive reuse and salvage of heritage assets. Retaining the prominent façade of the former Delta school along Main Street East continues to provide a sense of place and a landmark for the community.

Based on the above policy review, the proposed development conforms with the Growth Plan.



Urban Growth Centres
Source: Schedule 5, Ontario Urban Growth Centres

Figure
21

6.4 Urban Hamilton Official Plan (UHOP)

On June 8, 2022, City of Hamilton adopted amendments to the Urban Hamilton Official Plan (UHOP) and Rural Hamilton Official Plan pursuant to sections 17 and 26 of the Planning Act by By-law Nos. 22-145 and 22-146. OPA 167 was approved with modifications by the Minister of Municipal Affairs and Housing on November 4, 2022. The amendments to the Urban Hamilton Official Plan propose that the City will accommodate population and employment growth to 2051 within the City's expanded urban area. The amendments provide policy direction on growth management, urban structure, housing, employment, cultural heritage, climate, and infrastructure, among other matters.

Urban Structure: Primary Corridor, Priority Transit Corridor

Hamilton's urban structure formally identifies how the City will physically grow over the long-term and provides a general high level land use vision for the City. The urban structure is based on a system of Urban Nodes, Urban Corridors, Major Activity Centres, Neighbourhoods, Employment Areas, and Major Open Space.

With respect to the planned urban structure, the Site is identified along a Primary Corridor as illustrated on Schedule E – Urban Structure (see **Figure 22**).

As per Policy E.1.0, the stated goals of the urban structure is to:

- b) Support and facilitate development and investment that contributes to the development of the overall urban structure.
- c) Accommodate growth through the development of compact, mixed use urban environments that support existing or planned transit, including higher order transit and active transportation.
- f) Promote and support design which enhances and respects the character of existing neighbourhoods and creates vibrant, dynamic, and liveable urban places.
- g) Promote and support appropriate residential intensification throughout the urban area with focused attention to development in the strategic growth areas of the Urban Nodes, Urban Corridors and Major Transit Station Areas.

Relevance to the Site:

The proposed development is compact, and within a mixed use urban environment that will support existing and planned transit, being located along the priority transit corridor. The proposal focuses development in the strategic growth areas, namely the

Urban Corridors and Major Transit Station Areas. The design respects the neighbourhood by turning the density and height internal to the site, and providing a campus like feel with open greenspaces and woonerf design. Additional urban design comments can be found in the Urban Design Brief prepared by Whitehouse Urban Design.

The Urban Structure Principles in Policy E.2.1 include:

- a) Urban Nodes and Urban corridors and delineated Major Transit Station Areas shall be the focus of intensification and reurbanization activities (i.e. population growth, private and public redevelopment, and infrastructure investment).
- c) Nodes and corridors provide focal points of activity for Hamilton's local communities and neighbourhoods.
- d) Nodes and corridors are connected to each other and are internally served by various modes of transportation, including higher order transit.
- e) Nodes and corridors provide a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design.
- f) Nodes and corridors evolve with higher residential densities and mixed use developments to achieve their planned functions and support existing and planned transit, including higher order transit.

Relevance to the Site:

The proposed development is in a location determined to be a focus of intensification and population growth, being serviced by future higher order transit. The proposal is of a higher residential density and support commercial uses along the corridor.

The Urban Corridor policies are contained in Vol. 1, Section E.2.4 of the UHOP. The overall intent of the UHOP is to maintain and enhance the mixed use nature of the City's corridors.

The City's corridors provide a significant opportunity for creating vibrant pedestrian and transit oriented places through investment in infrastructure, residential intensification, infill and redevelopment, and careful attention to urban design.

Policy E.2.4.1 states that Priority transit corridor, primary corridors and secondary corridors are identified on Schedule E-Urban Structure¹.

The following policies with respect to the planned function of Urban Corridors apply to the proposed development:

- 2.4.3 *Urban Corridors* shall be the location for a range of higher density land uses along the corridor, including mixed uses where feasible, supported by *higher order transit* on the Primary Corridors.
- 2.4.4 Primary Corridors shall serve to link two or more nodes, major activity centres, or employment areas.
- 2.4.8 Primary Corridors shall be served by the higher order of transit service. Secondary Corridors may be served by a *higher order transit service*.

Secondly, with respect to the planned scale of Urban Corridors, the following policies apply to the proposed development:

- 2.4.10 The built form along the Urban Corridors shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.
- 2.4.11 Urban Corridors shall be a focus for intensification through the Neighbourhoods which they traverse. However, it is anticipated that intensification will also occur within the surrounding Neighbourhoods, particularly on sites along other arterial roads that are not designated as Urban Corridors.

Finally, with respect to the design of Urban Corridors, the following policies apply to the proposed development:

- 2.4.14 *Urban Corridors* shall provide a comfortable and attractive pedestrian experience.

¹ At date of completion of PJR, Schedule E and Appendix B of the UHOP were not updated to show Priority Transit Corridor to include as a Figure.

2.4.16 New *development* shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New *development* shall locate and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.

2.4.17 Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support existing and planned transit routes.

New policies have been added to the UHOP regarding Major Transit Station Areas, which as indicated in Policy E.2.5 as “the area including and around any existing or planned higher order transit station or stop” and shown on Appendix B within the UHOP².

Relevant policies include:

2.5.3 Planned densities of future Major Transit Station Area on the priority transit corridor shall be a minimum of 160 residents and jobs combined per hectare, or a lower target as approved by the Province, to be identified through a future Amendment to this plan

Relevance to the Site:

The proposed development maintains the mixed use nature of the corridor as it does not reduce the amount of commercial along the corridor, but rather enhances the mixed use nature by providing residential intensification that can support the existing commercial uses.

As the heritage building along Main Street East will be maintained, with a raised pedestrian access out to Main Street, and set back significantly from the lot line, the incorporation of mixed uses is not feasible. Higher density land uses are permitted as proposed, and supported by higher order transit. As mentioned, the mid rise form (heritage building) is set back from Main Street East, with the lands behind able to accommodate high density and a higher rise built form, capped at fourteen storeys, within the angular planes.

A comfortable and attractive pedestrian experience is provided with the open space along Main Street East, set back heritage building feature, and landscaped design. The proposal respects existing built form by providing a gradation in building height, in the form of block townhouses

² At date of completion of PJR, Schedule E and Appendix B of the UHOP were not updated to show Priority Transit Corridor to include as a Figure

and stacked townhouses. Shadowing and overlook are minimized by the utilization of the angular plane and building placement, supported by the Sun/Shadow Study.

The TOC1 zone proposed for the site includes a parking ratio that was predicated on being on a transit oriented corridor. Lastly, the Site is within two Major Transit Area along the Priority Transit Corridor and contributes to the minimum density targets.

Based on the above policy review, the proposed development conforms with the Urban Hamilton Official Plan.

Urban Structure: Neighbourhoods

The following policies with respect to the planned function of Neighbourhoods apply to the proposed development:

- 2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.
- 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

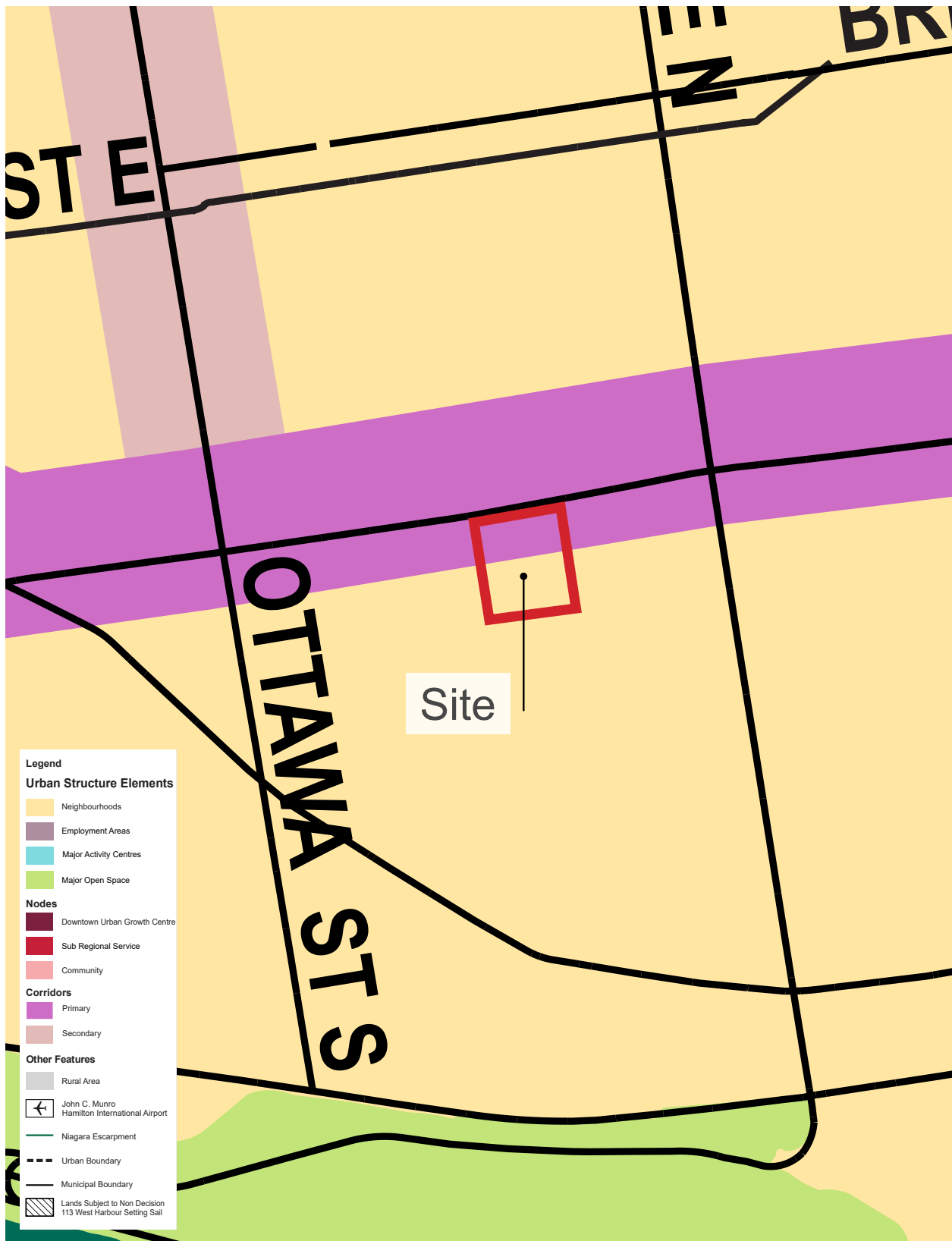
Secondly, with respect to the planned scale of Neighbourhoods, the following policies apply to the proposed development:

- 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.

Relevance to the Site:

The proposed development maintains the planned function of the urban structure, as the proposal is for residential uses, contributing a housing form of one, two and three bedroom units within a historical adaptively reused building and purpose built multiple dwellings in te

form of apartment units, stacked townhouse units and block townhouse units. The proposal for residential intensification has been reviewed in accordance with the referenced sections within the Planning Justification Report prepared by GSP Group Inc. and the Urban Design Brief prepared by Whitehouse Urban Design.



Urban Structure **22**
Source: Urban Hamilton Official Plan, Schedule E (2021)

Land Use Designation: Neighbourhoods

The rear portion of the site is designated as “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations (see **Figure 23**). Policies allow for multiple dwellings greater than twelve storeys within High Density Residential areas, subject to design criteria.

UHOP describes Neighbourhoods as “living areas” where people, “live, learn, plan and socialize on a daily basis.” One of the goals of this land use designation is to promote and support residential intensification of appropriate scale and in appropriate locations throughout the Neighbourhoods (Policy E.3.1.5). Permitted uses include a full range of residential dwelling types, open space and parks, local community facilities and services, and local commercial uses (Policy E.3.2.3). The Plan further states that, “residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood” (Policy E 3.2.4).

Policies on Function, Scale and Design for High Density Residential Areas are provided in Section E.3.6.

Relevance to the Site:

While the requested Urban Hamilton Official Plan Amendment is to redesignate the rear portion of the Site from Neighbourhoods to *Mixed Use – Medium Density* incorporating the designation established along the frontage of Main St East, analysis of the amended policies approved through OPA 167 are provided, in order to discuss the need for an OPA.

Table 2 Neighbourhoods High Density Function/Scale/Design Response

	Policy	Response
Function		
3.61	High density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads	In conformity with this policy the Site is located on the periphery of a neighbourhood, abutting Main Street East and the <i>Mixed Use-Medium Density</i> designation. The Site is located on the northern periphery of the Delta East neighbourhood, which is bounded by Main St E to the North, Ottawa St S to the east, edge of the escarpment to the south and Ottawa St S to the west.
3.6.2	Uses permitted in high density residential areas include multiple dwellings, except street townhouses	In conformity with this policy, the uses proposed in the <i>Neighbourhoods</i> designation are multiple dwellings, as defined in the UHOP, which include apartment dwellings, stacked townhouse dwellings and block townhouse dwellings.
3.6.3	Local commercial uses may also be permitted on the ground floor of buildings containing multiple dwellings, provided the provisions of Section E.3.8 – Local Commercial are satisfied.	N/A
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	In conformity with this policy, the Site is located within safe and convenient walking distance as illustrated in Figure 2. The proposed LRT also abuts the Site along Main St E.

	Policy	Response
	transit, schools, and active or passive recreational facilities.	
3.6.5	Proximity to the Downtown Urban Growth Centre, Sub-Regional Nodes or Community Nodes, and designated Employment Areas shall be considered desirable for high density residential uses.	In conformity with this policy, the Site is desirable, in that it is located in proximity to the Community Node of The Centre on Barton, 1.5km north, accessed by HSR, or an approximate 15 minute walk.
Scale		
3.6.6	In high density residential areas, for the purpose of estimating unit yield and/or population growth, as part of the preparation of Secondary Plans, Special Policy Areas, Infrastructure Master Plans and Community Plans, the net residential densities, identified on Appendix G – Boundaries Map shall be:	N/A as it relates to the proposal and permitted density for policy conformity.
	a) greater than 100 units per hectare and not greater than 500 units per hectare in Central Hamilton; and,	----
	b) greater than 100 units per hectare and not greater than 200 units per hectare in all other Neighbourhoods designation areas.	----
Design		
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 indirect 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)	<p>The heritage building precludes the development to have direct access to Main Street East, a Major Arterial Road. The location of the access was determined in consultation with Planning Staff and Transportation Staff. Indirect access is provided from Maple Avenue.</p> <p>The Traffic Study provides a trip distribution analysis, indicating that vehicular access will be from either:</p> <ul style="list-style-type: none"> • Maple Ave, connecting north along Wexford Ave S where four low density residential dwellings front Maple Ave, and twelve front Wexford Ave S. (total of thirteen driveway/garages are accessed along this route); • Maple Ave, connecting north along Wexford Ave S where six low density residential dwellings front Maple Ave and sixteen front Graham Ave S (total of fifteen driveway/garages are accessed along this route. • Maple Ave, connecting east to Kenilworth Ave S, where four low density residential dwellings front onto Maple Ave (thirteen driveway/garages are accessed from Maple Ave). <p>In conformity with the policy, the above analysis, and reviewing the Delta East neighbourhood as a whole, a small number of low density residential dwellings front onto the local roads that will be utilized by this development, as indicated in the Traffic Study.</p>

	Policy	Response
b)	Multiple dwellings greater than 12 storeys shall not generally be permitted immediately adjacent to low density residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening, progressive building step backs, and/or other design features shall be incorporated into the design of the high density development to mitigate adverse impact on adjacent low profile residential uses	In conformity with this policy, the three 14 storey buildings are not immediately adjacent to low density residential uses. A separation distance is provided, as well as an intervening lands use comprised of the proposed stacked and block townhouses. As well, design features such as building step backs and angular planes are incorporated to mitigate adverse impact on adjacent low profile residential uses.
c)	High profile development may be considered appropriate, subject to the other policies of this Plan, where it would result in the preservation of natural heritage system features or public view corridors which may otherwise be compromised by more dispersed, lower profile development.	N/A
d)	Development shall:	
	i) provide adequate landscaping, amenity features, onsite parking, and buffering where required;	In compliance with this policy, these attributes are sufficiently provided on Site, as indicated throughout the Report.
	ii) be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures	In compliance with this policy, compatibility is justified as it relates to height, massing and building arrangement, as indicated throughout the report and within the Urban Design Brief.
	iii) provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets;	In compliance with this policy, adequate access has been provided and designed to minimize conflicts as justified the Urban Design Brief and Transportation Impact Study.
	iv) provide for a mix of unit sizes to accommodate a range of household sizes and income levels, to be implemented through the Zoning By-law; and,	In compliance with this policy, a mix of unit sizes have been provided in the form of studio, one bedroom and two bedroom apartment units and larger block townhouse units.
	v) incorporate sustainable building and design principles including but not limited to use of locally sourced and / or recycled materials, water conservation and energy efficient techniques and low impact development approaches	In compliance with this policy, a geothermal system is proposed to be used. Permeable pavers and rain gardens are also incorporated into the design. Adaptive reuse of the heritage building on site will also contribute to sustainability on Site.
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;	In compliance with this policy, surface parking areas are minimized by focusing all but the block townhouse, layby and loading spaces underground. The surface parking areas are all buffered from the abutting public streets.
	ii) parking structures;	N/A
	iii) utility and service structures such as garbage enclosures; and	In compliance with this policy, garbage is enclosed within the buildings.
	iv) expanses of blank walls.	In compliance with this policy, well designed and articulated buildings have been produced by G+C Architects.

Policy	Response
f) 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:	
i) unduly overshadow or block light on adjacent sensitive land uses, the public realm and outdoor private amenity areas; and, ii) or result in the loss of privacy of adjacent residential uses.	In compliance with this policy, a Sun/Shadow Report has been submitted and concludes that there is no unduly overshadow and that the proposal meets the design requirements. In addition, privacy and overlook are mitigated by building placement.
g) The orientation, design, and massing of a building or structure higher than 12 storeys shall take into account the impact on public view corridors and general public views of the area of the Niagara Escarpment, waterfront, cultural heritage resources, cultural heritage landscapes, and other parts of the City as identified through secondary plans or other studies, through the submission of a Visual Impact Assessment to the satisfaction of the City.	The interior three buildings have a height of 14 storeys and are located interior to the Site.

Relevance to the Site:

Based on the above review, the need for an Official Plan Amendment, following the Ministry Decision, as amended, of OPA 167, may be deemed not to be required. Given the short timeframe required to interpret the Ministry Decision, the application submission includes the Official Plan Amendment, until such time as staff have had a chance to review the proposal through the submission circulation with regard to the above analysis.

If it has been deemed that the *Neighbourhoods* designation can remain, and modified to allow for the additional two storeys interior to the Site, the following policies have been analyzed as they relate the ‘Residential Intensification in the Neighbourhoods Designation’.

Table 3 Residential Intensification in Neighbourhoods Response

Policy	Criteria	Evaluation
B.2.4.2.2a	The matters listed in Policy B.2.4.2.2	See above evaluation.
B.2.4.2.2b	Compatibility with adjacent land use including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects.	The Site abuts Main St E to the north (commercial and mixed use beyond), Wexford Ave S to the east (low rise residential beyond), Maple Ave to the south (low rise residential beyond) and Graham Ave S to the west (low rise residential beyond). In terms of potential nuisance impacts: <u>Shadowing and Overlook</u> A Shadow Study was prepared and concluded that there is no unduly overshadow and that the proposal meets the design requirements. Concerns about overlook are minimized due to the design of the

Policy	Criteria	Evaluation
		<p>redevelopment having regard for the angular plane, and incorporation of large setbacks and stepbacks. The Site also does not directly abut residential properties.</p> <p><u>Noise</u> A Noise Feasibility Study was prepared for the Site itself. The use of the Site for residential purposes will not create unusual noise impacts within the neighbourhood.</p> <p><u>Lighting</u> Through appropriate design, light location impacts will be restricted on nearby properties as light spillover is not permitted onto adjacent lands.</p> <p><u>Traffic</u> A Transportation Impact Study was completed for this development and concluded that the continues to monitor traffic operations at the study area signalized intersections and adjusts signal timings as needed.</p> <p>Other nuisance effects have not been identified.</p>
B.2.4.2.2c	The relationship of the proposed building with height, massing and scale of nearby residential buildings.	The height and massing of the midrise buildings is sensitive to the nearby residential buildings and pedestrian experience by providing a comfortable transition in scale that respects the angular plane, as addressed in the Urban Design Brief prepared by Whitehouse Urban Design. A block of townhouses front onto the residential streets at Graham, Wexford, and Maple, providing a context sensitive transition to existing single family homes.
B.2.4.2.2d	The consideration of transitions in height and density to adjacent residential buildings	<p>The height proposed is strategically located within the interior of the Site. Locating the height in this location allows for compliance with angular planes, setback and step backs. A transitional element of low rise stacked and block townhouses are provided around the perimeter of the Site to provide an additional transitional element.</p> <p>Transition in density has been considered. The density does not affect servicing or transportation infrastructure in a negative manner.</p>
B.2.4.2.2e	The relationship of the proposed lots with the lot pattern and configuration with the neighbourhood.	The proposed development will maintain the lot pattern and configuration that currently exists in the neighbourhood. The access location completes a four way intersection, consistent with the pattern within the neighbourhood.
B.2.4.2.2f	The provision of amenity space and the relationship of existing patterns of private and public amenity space.	<p>Amenity space will be provided on site interior and exterior to the buildings, providing amenity space consistent with amenity space requirements for multiple dwellings within ZBL 05-200.</p> <p>Over and above the required amenity, balconies and patios are provided for private amenity space, and landscaped areas are provided throughout the proposal to provide a campus like feel and to allow for permeability of the Site. Key features include the ample front lawn landscaped area and the SW and SE corners of the Site, designed for passive enjoyment.</p>

Policy	Criteria	Evaluation
B.2.4.2.2g	The ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations.	<p>The Site will enhance the existing streetscape pattern by pulling the proposed low rise buildings close to the street frontage, in a similar fashion to the existing building placement along the local roads, which also have minimal side yard setbacks. One vehicular access drive aisle is proposed into the Site is proposed so as to limit the amount of driveways, similar to the existing neighbourhood.</p> <p>Individual pedestrian entrance points have been proposed on the block and stacked townhouse buildings to relate to the single detached dwellings surrounding the development. The fixed location of the heritage building continues to maintain the existing streetscape along Main St E.</p> <p>The proposal sensitively integrates into the existing streetscape fabric through the proposed height and building placement.</p>
B.2.4.2.2h	The ability to complement the existing functions of the neighbourhood.	The proposal complements the existing function of the neighbourhood by providing a mix of residential units, complimentary to the existing residential character. The proposal will complement the existing functions of the neighbourhood by providing appropriate intensification with MTSAs allowing additional residents within the neighbourhood to live, work, and shop.
B.2.4.2.2i	The conservation of cultural heritage resources.	The original heritage building will be adaptively reused for residential purposes, with intentional mitigation measures, commemoration and conservation strategy as detailed in the Cultural Heritage Impact Assessment prepared by ERA.
B.2.4.2.2j	Infrastructure and transportation capacity impacts	The supporting technical studies prepared demonstrate that there is sufficient infrastructure capacity to serve the site and proposed development.

Land Use Designation: Mixed Use Medium Density

The front portion of the Site is designated “Mixed Use – Medium Density” on Schedule E-1 – Urban Land Use Designations (see **Figure 23**).

The intent of the “Mixed Use – Medium Density” designation is described as follows:

Policy E.4.6 The intent of the Mixed Use Medium Density designation is to permit a full range of retail service commercial, entertainment, and residential accommodation at a moderate scale. The designation recognizes the transitional mixed use main street in the City (outside of the downtown Mixed Use area), as well other large commercial areas which serve the surrounding community or a series of neighbourhood which are intended to evolve and intensify into mixed use, pedestrian oriented areas. Increasing the number of people who work and live within the area designated Mixed Use – Medium Density will also contribute to the planned function of the area as a people place.

Policy E.4.6.2 goes on to state that the “Mixed Use – Medium Density” designation shall be applied to traditional “main street” commercial areas outside of the area designated Downtown Mixed Use, and to promote the continuation of these areas as pedestrian oriented mixed use areas”.

Policy E.4.6.4 states that it is the function of “Mixed Use – Medium Density” to serve as vibrant people places with increased day and night activity through the introduction of residential development, which enhances the function of these areas as transit supportive nodes and corridors.

Relevance to the Site:

The submitted application, in consultation with City Planning, requests an Amendment to the Urban Hamilton Official Plan to designate the entirety of the Site *Mixed Use – Medium Density* with a site specific modification to allow for fourteen storeys internal to the Site.

In conformity with these policies, the proposal will increase day and night activity by introducing residential development on a vacant, underutilized site. The increase in residents will contribute to the viability of the commercial uses along the Main Street.



Land Use Designations
Source: Urban Hamilton Official Plan, Schedule E-1 (2022)

Figure
23

Permitted uses within the "Mixed Use – Medium Density" designation include multiple dwelling units (E.4.6.5 f).

A *multiple dwelling* is defined in the UHOP as "a building or part thereof containing three or more dwelling units but shall not include a street townhouse dwelling. Examples of such dwellings include block townhouse dwellings, stacked townhouse dwellings, and apartment dwellings."

The following policies with respect to the scale the "Mixed Use – Medium Density" designation apply to the proposed development:

E.4.6.7 Lands designated Mixed Use - Medium Density shall contain a range of densities and building heights to a maximum of six storeys, which shall be set out in the implementing zoning by-law. The specific permitted heights and densities shall depend on the area and be established through secondary plans where one exists and the zoning by-law.

E.4.6.8 Additional height up to a total of twelve storeys may be permitted without an amendment to this Plan, provided the applicant demonstrates:

- a) the development shall provide for a mix of unit sizes to accommodate a range of household sizes and income levels ,to be implemented through the Zoning By-Law;
- b) the development shall incorporate sustainable building and design principles including but not limited to use of locally sourced and/or recycled materials, water conservation and energy efficiently techniques and low impact development approaches
- c) there are no adverse shadow impacts created on existing residential uses within adjacent lands designated Neighbourhoods;
- d) buildings are progressively stepped back from adjacent areas designated Neighbourhoods. The Zoning by-law may include an angular plane requirement to set out an appropriate transition and stepping back of heights; and,
- e) buildings are stepped back from the street to minimize the height appearance from the street, where necessary

E.4.6.9 The predominant built form shall be mid rise and low rise mixed use buildings that have retail and service commercial stores at grade. Single use commercial

buildings and medium density ground related housing forms shall also be permitted, except for pedestrian focus streets as listed by Policy E.4.3.1.1

Relevance to the Site:

A modification to policies E. 4.6.7 and E. 4.6.8 is requested to permit a maximum height of fourteen storeys on the three buildings interior to the Site.

In conformity with these policies, a mix of unit sizes have been proposed within the existing heritage building, new multiple dwelling buildings, stacked townhouse and block townhouse buildings. These mix of unit sizes include studio, one bedroom and two bedroom apartment units, and three bedroom block townhouse units.

Sustainable building and design principles has been incorporated, including the use of geothermal, permeable pavers, rain gardens, and adaptive reuse of the heritage building on site.

A Sun/Shadow Study was prepared and concluded that no adverse shadow impacts created on existing residential uses within adjacent lands designated Neighbourhoods

Buildings are progressively stepped back, and incorporate a satisfactory angular plane design to minimize height appearance.

The predominant built form within the *Mixed Use -Medium Density* designation remains mid and low rise mixed use buildings, that have retail at grade. The proposal will compliment and contribute to the viability of the existing retail.

The additional two storeys in height for the buildings interior to the Site continue to conform with the additional height criteria and therefore the modification to allow for the increase in height can be supported. As such, the proposed development will conform with the UHOP, as amended.

In addition to the above, the following "Mixed Use – Medium Density" policies are relevant to the proposed development:

- E.4.6.10 Permitted uses shall be located in single or mixed use buildings.
- E.4.6.15 Although residential development is permitted and encouraged, it is not the intent of the Plan for the Mixed Use - Medium Density designated areas to lose the planned retail and service commercial function set out in this Plan.
- E.4.6.16 New development shall be designed and oriented to create comfortable, vibrant and stimulating pedestrian oriented streets within each area designated Mixed Use – Medium Density."

- E.4.6.17 Areas designated Mixed Use – Medium Density are intended to develop in a compact urban form with a streetscape design and building arrangement that supports pedestrian use and circulation and create vibrant people places.
- E.4.6.18 In the historic former downtowns and main streets, a strong historic pedestrian focus is long established, and shall be enhanced through new development.
- E.4.6.24 New development shall respect the existing built form of adjacent neighbourhoods by providing a gradation in building height and densities, and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.
- E.4.6.25 Areas designated Mixed Use - Medium Density shall be integrated with the surrounding neighbourhoods through frequent street and pedestrian linkages.
- E.4.6.26 Automobile access shall continue to be an important mode of transportation from the surrounding neighbourhoods, but it shall be balanced with the need to improve pedestrian access and opportunities for active transportation.
- E.4.6.27 Reduced parking requirements shall be considered to encourage a broader range of uses and take advantage of a higher level of transit service.”
- E.4.6.29 The orientation, design and massing of a building or structure higher than six storeys shall take into account the impact on public view corridors and general public views of the area of the Niagara Escarpment, waterfront, cultural heritage resources, cultural heritage landscapes, and other parts of the City as identified through secondary plans or other studies, through the submission of a Visual Impact Assessment to the satisfaction of the City.

Relevance to the Site:

In Conformity with the policies, the proposed use is permitted and is not proposing to reduce any existing retail/service commercial as the Site functioned as an institutional use. Rather, the proposal will contribute to the vitality of the planned retail and service commercial function of the designation. As illustrated in the Landscape Concept prepared by Whitehouse Urban Design, the streetscape design and pedestrian permeability has been successfully designed, while incorporating the original historical building on site, and the design and massing of the buildings have been intentionally situated interior to the Site.

Residential Intensification

The proposed development represents residential intensification and therefore the general residential intensification policies of the UHOP apply. The general residential intensification policies are contained in Vol. 1., Chapter B, Section B.2.4.1 of the UHOP and include the following evaluation criteria:

- B.2.4.1.1 Residential intensification shall be encouraged throughout the entire built-up area, shown of Appendix G in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.
- B.2.4.1.2 The City’s primary strategic growth areas shall be the Urban Nodes and Urban Corridors and Major Transit Station Areas as illustrated on Schedule E – Urban Structure³ and as further defined in secondary plans and corridor studies for these areas, included in Volume 2
- B.2.4.1.3 The residential intensification target shall be established though a future Amendment to this Plan as part of this Municipal Comprehensive Review. The housing units specified in Policy A.2.3.2 shall generally be distributed through the built-up area as follows:
 - b) The Urban Nodes and Urban Corridors identified in Section E.2.0 - Urban Structure, excluding the Downtown Urban Growth Centre, shall be planned to accommodate approximately 40% of the residential intensification target.

Table 4 Residential Intensification Policy Responses

Policy	Test/Criteria	Evaluation
B.2.4.1.4a	A balanced evaluation of the criteria in b) through l) as follows:	Refer to evaluation to follow.
B.2.4.1.4b	The relationship of the proposed development to existing neighbourhood character so that it builds upon desirable established patterns and built form;	The existing character of the neighbourhood is low rise residential interior to the neighbourhood and low-medium rise single use or mixed use along the periphery at Main Street East. The residential buildings are mostly located closet to the street frontage with few driveways. Building on the established pattern of the street, the low rise buildings are pulled close to the street frontage with driveway access scoped to one combined entrance/exit. With the large block configuration, the

³ At date of completion of PJR, Schedule E was not updated to show Major Transit Station Areas. Limits were derived from Growth Plan definition.

Policy	Test/Criteria	Evaluation
		<p>Site can build upon built form and pattern to provide a taller multiple dwelling form interior to the Site without negatively affecting the neighbourhood.</p> <p>The neighbourhood character will continue to enhance and building upon the heritage component on Site with the adaptive reuse of the original building.</p> <p>In this manner, the proposal will enhance and build upon the established pattern and existing built form.</p>
B.2.4.1.4c	The contribution of the proposed development to maintaining and achieving a range of dwelling types and tenures;	<p>This proposal seeks to further broaden the housing options offered not only on the street, but also within the broader neighbourhood.</p> <p>Studio, one, two and three bedroom units are proposed to allow for a variety of unit sizes.</p> <p>The development provides greater housing options for those who would like to live near the LRT with convenient amenities and access to institutional and public service facilities, without the need to maintain a large home or property.</p>
B.2.4.1.4d	The <i>compatible</i> integration of the proposed 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;	<p>The UHOP defines compatible as: <i>land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.</i></p> <p>The proposed architectural design uses materials and colours consistent with the existing context in both the existing heritage building on site, as well as the surrounding residential uses abutting the site, as referenced in the Urban Design Brief (UDB) prepared by Whitehouse Urban Design.</p> <p><u>Use</u> The proposed residential use is compatible with the area, given that the area includes residential and mixed use developments.</p> <p><u>Scale</u> As the UDB states, <i>the townhouses feature setbacks from the 2nd storey to create a comfortable transition in scale to the surrounding residential neighbourhood. The townhouse units also feature street trees and residential walk-outs, which activates and enhances the residential streetscape.</i> <i>The midrise buildings are comprised of three 14-storey towers with 4-storey podiums to align with the scale of the heritage building and townhouse blocks. The height and massing of the midrise buildings is sensitive to the pedestrian experience by providing a comfortable transition in scale that respects the angular plane.</i></p>

Policy	Test/Criteria	Evaluation
		<p><i>Overall, the site is organized in a way which preserves the existing heritage building as the focal point, and provides context-sensitive intensification along Main Street East and its surrounding residential streets.</i></p> <p><u>Form</u> The built form that comprises this development is strategically placed, with the original heritage building prominent in its position along Main Street East. The additional of low rise and mid rise buildings on the site allow for a transition to the low rise residential surrounding the Site in a compatible manner, while also creating a carefully designed ‘campus like’ setting on the Site.</p> <p><u>Character</u> The character of the neighbourhood includes the heritage component which the proposal will retain the original structure by adaptively reusing the building for residential purposes. A conservation strategy and mitigation measures will also be incorporated.</p> <p>The existing dwellings along the streets are pulled close to the front lot line and provide minimal side yard setbacks. In keeping with this character, the proposal pulls low rise residential close to the street frontages and provides one central vehicular access while designed to provide individual pedestrian connections.</p>
B.2.4.1.4e	The contribution of the proposed development to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;	<p>The Site is located within the Primary Corridor and Priority Transit Corridor⁴ (as established through OPA 167) and the rear two thirds of the Site is designated <i>Neighbourhoods</i> on <u>Schedule E – Urban Structure</u>. Justification is provided at the beginning of Section 6.4.</p> <p>The proposal is in keeping with the general intent for Primary Corridor, Priority Transit Corridor, and Neighbourhoods as complete communities that support transit, provide residential choice, as supporting residential intensification that is complementary to the existing neighbourhood character.</p>
B.2.4.1.4f	Existing and planned water and wastewater and stormwater capacity;	Reports were prepared for this proposal and submitted with the OPA/ZBA application. These reports support the development and will be reviewed by the appropriate City department.
B.2.4.1.4g	The incorporation and utilization of <i>green infrastructure</i> and sustainable design elements in the proposed development	<p>A geothermal system is proposed to be used. Permeable pavers and rain gardens are also incorporated into the design. Adaptive reuse of the heritage building on site will also contribute to sustainability on Site. Adaptive reuse of the heritage building on site will also contribute to sustainability on Site.</p> <p>The retention of existing trees, and the incorporation of proposed vegetation and the provision of street plantings minimum will be provided.</p>

⁴ At date of completion of PJR, Schedule E of the UHOP was not updated to show Priority Transit Corridor.

Policy	Test/Criteria	Evaluation
B.2.4.1.4h	The contribution of the proposed development to supporting and facilitating active transportation modes;	The proposed development is in proximity to bike routes, and further supports and facilitates active transportation modes by providing long term and short term bicycle storage.
B.2.4.1.4i	The contribution of the development to be transit-supportive and supporting the use of existing and planned local and regional transit services;	The Site is within 500m of two MTSA LRT stops, namely Ottawa Street and Kenilworth. The residential intensification of this Site will greatly support the investment in higher order transit.
B.2.4.1.4j	The availability and location of existing and proposed public community facilities/services;	The proposed development is in proximity to various community facilities and services, including schools, recreation centres, and parks and open spaces. Most facilities and services are generally 400-800m from the Site, with some within an 1.5km distance.
B.2.4.1.4k	The ability of the development to retain and/or enhance the natural attributes of the site and surrounding community including, but not limited to native vegetation and trees; and,	The proposal excels at retaining and enhancing the natural attributes of the Site. Specifically by: <ul style="list-style-type: none"> • Retaining trees on site as identified in the submitted TPP prepared by Whitehouse Urban Design • Providing additional plantings as identified in the submitted Landscape Concept prepared by Whitehouse Urban Design (Figure 8 in PJR); and • Increasing the greenspace on site as depicted in Section 3 of this Report.
B.2.4.1.4l	Compliance of the proposed development with all other applicable policies	Identified in various sections of this Planning Justification Report.

Residential Intensification and Cultural Heritage Resources

B.2.4.3.1 Residential intensification involving cultural heritage resources shall be in accordance with Section B.3.4 – Cultural Heritage Resources Policies.

Relevance to the Site:

ERA Architects have evaluated the policies within Section B.3.4. While the report should be reviewed in its entirety, a summary of their report is provided in Section 5.

Urban Design Policies

Chapter B, Section 3.3 outlines the urban design policies applicable to the Site.

Relevance to the Site:

Whitehouse Urban Design have evaluated the policies within Section B.3.3 within the Urban Design Report. While the report should be reviewed in its entirety, a summary of their report is provided in Section 5.

6.5 City-Wide Corridor Planning Principles and Design Guidelines

The Site is located along a Primary Corridor (see **Figure 24**) and therefore the City-Wide Corridor Planning Principles and Design Guidelines are applicable to the proposed development.

Relevance to the Site:

Whitehouse Urban Design have evaluated the applicable principles and guidelines within the Urban Design Report. While the report should be reviewed in its entirety, a summary of their report is provided in Section 5.

6.6 City of Hamilton Zoning By-Law No. 05-200

The Site is currently zoned Institutional (I2, 293) zone (**Figure 23**). Given that the institutional use ceases to exist on the property and the building is to be adaptively reused for residential purposes, along with purpose built residential buildings, the Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone is proposed for the Site. This zone is reflective of the zone imposed on the adjacent lands along Main Street East.

It is important to note that specific modifications to the proposed zone will be required due to the adaptive reuse of the existing building on site. Respect for the design and location of the building will require unique regulations to be implemented.



Zoning By-Law
Source: Zoning By-Law 05-200

Figure
24

Table 5 Zoning Compliance Chart for TOC1 Zone

Zoning Regulation		Required	Proposed	✓ / X
Define Main Street E. as 'Front Lot Line', Maple Ave. as 'Rear Lot Line' remaining as 'Exterior Lot Lines'				
11.1.1	Permitted Uses	Multiple Dwelling (shall mean a building or part thereof containing three or more dwelling units but shall not include a street townhouse dwelling or semi-detached dwelling.)	Apartments	✓
			Block Townhouses	✓
			Stacked Townhouses	✓
11.1.2	Prohibited Uses	Street Townhouse Dwelling	Block Townhouse Dwelling	✓
11.1.1.1	Restricted Uses	i)Restriction of Uses within a building: 1. The finished floor elevation of any dwelling unit shall be a minimum of 0.9 metres above grade;	0.1m	X
11.1.3 a)	Building Setback from a Street Line	i) Minimum 3.0 metres for a building with residential units on the ground floor facing a street;	Main St E – 14.7m	✓
			Graham Ave S – 3.0m	✓
			Maple Ave – 2.0m	X
			Wexford Ave S – 3.0m	✓
		ii) Maximum 4.5 metres, except where a visibility triangle is required for a driveway access;	Main St E – 14.7	X
			Graham Ave S – 3.0m	✓
			Maple Ave – 2.0m	✓
		iii) Notwithstanding Section i) above, a minimum setback of 6.0 metres for that portion of a building providing an access driveway to a garage.	N/A	N/A
			iv) Section i) above, shall not apply for any portion of a building that exceeds the requirement established in Section 11.1.3 g) ii) and iii) below.	
		11.1.3 b)	Minimum Rear Yard	7.5 metres
11.1.3 c)	Minimum Interior Side Yard	7.5 metres abutting a Single Detached Dwelling, Semi-Detached Dwelling, and Street Townhouse.	N/A	N/A
11.1.3 d)	Building Height	i) Minimum 11.0 metres; and,	Retrofit Building: 14.01m	✓
			Buildings A,B: 44m	✓
			Building C: 44m	✓
			Stacked TH D,E: 10.9m	X
			Townhouses F,G: 10m	X
		ii) Maximum 22.0 metres; and,	Retrofit Building: 17.74m	✓
			Buildings A,B: 44m	X
			Building C: 44m	X
			Stacked TH D,E:14m	✓
			Townhouses F,G:11m	✓

Zoning Regulation		Required	Proposed	✓ / X
		iii) In addition to Subsection i) and notwithstanding Subsection ii), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Subsection 11.1.3. b) and c), when abutting a Residential or Institutional Zone, to a maximum of 22.0 metres.	Abutting municipal ROW N/A	N/A
		iv) In addition to the definition of Building Height, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:	Noted	
	A.	The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;	Building A: Floor Area Below:637.7m ² 10% = 63.77m ² Amenity Floor Area:63.76m ² Building B: Floor Area Below:637.7m ² 10% = 63.77m ² Amenity Floor Area:63.76m ² Building C: Floor Area Below: 1,171.5m ² 10% = 117.15m ² Amenity Floor Area:117.14m ²	✓
	B.	The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,	3m	✓

Zoning Regulation		Required	Proposed	✓ / X
		C. The wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.	4.5m	X
11.1.3 g)	Built Form for New Development	i) Rooftop mechanical equipment shall be located and/or screened from view any abutting street	Screened from view	✓
		ii) For an interior lot or a through lot the minimum width of the ground floor façade facing the front lot line shall be greater than or equal to 75% of the measurement of the front lot line.	Through Lot: Retrofit building – not new development. N/A	N/A
		iv) In addition to Section 10.1.3g)i), ii) and iii), the minimum width of the ground floor façade facing the front and flankage lot lines shall exclude access driveways and any required yards within a lot line abutting a street.	N/A Through lot and retrofit building – not new development	N/A
		v) Notwithstanding ii) and iii) above, a maximum of one driveway with a maximum width of 6.0 metres shall be permitted for ingress and egress.	Width of 7.5m provided at entrance as per Transportation Planning	X
		vi) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line or flankage lot line.	None provided	✓
		vii) All principal entrances shall face the street and be accessible from the building façade with direct access from the public sidewalk.	Principal entrances for Stacked and Condo TH comply.	✓
			New apartment buildings face internal road system, access to public sidewalk indirectly.	X
			Retrofit – not new build	N/A
		viii) Notwithstanding the definition of planting strip, a sidewalk shall be permitted where required by Section vi) above.	Noted	✓
ix) Notwithstanding Subsection 11.1.3, for properties designated under the Ontario Heritage Act, any alternative building design or building materials approved through the issuance of a	Noted	✓		

Zoning Regulation		Required	Proposed	✓ / X
		Heritage Permit shall be deemed to comply with this Subsection.		
11.1.3 i)	Visual Barrier Requirement	i) A visual barrier shall be required along any lot line abutting a downtown D5 Zone, Institutional Zone or Residential Zone in accordance with the requirements of Section 4.19 of this Bylaw.	Noted	✓
		ii) Notwithstanding i) above, no visual barrier(s) shall be permitted between the building façade and the street.	Noted	✓
11.1.3 j)	Outdoor Storage	i) No outdoor storage of goods, materials, or equipment shall be permitted.	No outdoor Storage	✓
		ii) Notwithstanding Section i) above, the display of goods or materials for retail purposes accessory to a retail use shall only be permitted in a front yard or flankage yard	No outdoor Storage	✓
Parking Requirements				
5.2	Design Standards	b) i) Minimum 2.8 metres in width and 5.8 metres in length;	2.8m x 5.8m	✓
		ii) Where a wall, column, or any other obstruction is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking	Complies	✓
		iii) Notwithstanding Subsection ii), an additional 0.3 metres shall not be required provided: 1. the maximum length of the wall, column or any other obstruction shall not exceed 1.15 metres; 2. the wall, column or any other obstruction is located at the front, rear, or both ends of the parking space; and, 3. the wall, column or any other obstruction does not project more than 0.15 metres into the width of the parking space.	Complies	✓
		iv) The length of each parking space in an attached garage of a dwelling unit shall be increased by an equivalent length of	Complies	✓

Zoning Regulation		Required	Proposed	✓ / X
		the step, steps or stairwell that extends into the parking space;		
		vi) Notwithstanding Subsection i) herein, where 10 or more parking spaces are required on a lot, the minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only; and	None provided	✓
		vii) Notwithstanding Subsection b) ii) and iii), light standards, including the base, located at the intersection of 4 parking spaces shall not be considered as an obstruction.	None provided	✓
		c) All required parking shall be provided with adequate means of ingress and egress to and from the street or laneway without the necessity of moving any other motor vehicle, and shall be arranged so as not to interfere with normal public use of the street or laneway. Any parking lot shall provide for ingress and egress of vehicles to and from a street in a forward motion only.	Complies except tandem: garage/driveway parking provided for condo townhomes (17 units)	X
		f) Barrier free: Min 4.4m x 5.8m	Complies	✓
5.7 c)	Bicycle Parking (Short-Term)	i) Residential Uses Multiple Dwelling: 5 spaces required	49 provided	✓
5.7 e)	Bicycle Parking (Long-Term)	Notwithstanding Section b) and in addition to c) above, in the Downtown (D1), (D2), and (D5) Zones, Transit Oriented Corridor Zones long-term bicycle parking shall be provided in the minimum quantity specified in accordance with the following requirements: 0.5 per dwelling unit	975 x .5 = 487.5 required 490 provided	✓

As outlined in the table above, modifications to the TOC1 Zone are required to implement the development proposal. The justification for the required rezoning as well as the required modifications are provided in Section 5.0, Planning Analysis, of this report. A draft ZBA is appended to this report as **Appendix B**.

The table below provides a detailed breakdown of the Amenity requirements; and Table 7, also below, provides a detailed breakdown of the residential parking requirements.

Within the Zoning By-Law, *amenity area* is defined as:

Shall mean the area of a lot intended for recreational purposes, and shall include areas that are landscaped, patios, privacy areas, balconies, communal lounges, swimming pools, play areas and similar uses, located on the same lot, but shall not include a building's service areas, parking lots, aisles or access driveways, or Planting Strip.

Table 6 Amenity Area Requirements in ZBL 05-200

	Retrofit H	Building A	Building B	Building C	Stacked TH	Condo TH	Total
Units < 50m ²	10	112	112	186	86	0	-
Units < 50m ² * 4.0m ²	40	448	448	744	344	0	2,024
Units > 50 m ²	77	76	76	153	70	17	-
Units > 50 m ² * 6.0m ²	462	456	456	918	420	102	2,814
Total Required Amenity (m²)	502	904	904	1,662	764	102	4,838
Building Amenity (Indoor)	1,336.5						1,336.5
Amenity (Outdoor)	1,787						1,787
Greenspace (all but courtyard)*	Not Included						-
Building Amenity (Balcony/Patio)*	Not Incl	Not Incl	Not Incl	Not Incl	Not Incl	Not Incl	-
Building Amenity (Indoor)	127.6			117.2	-	-	244.8
Building Amenity (Outdoor)	742			774	-	-	1,516
Total Provided Amenity (m²)	-	-	-	-	-	-	4,884.3
Difference	-	-	-	-	-	-	+46.3

*It is important to note that all greenspace areas, except the interior courtyard central to the site have been excluded from the amenity area calculation, along with any patios or balconies.

Table 7: Parking Requirements in ZBL 05-200

	Retrofit H	Building A	Building B	Building C	Stacked TH	Condo TH	Total
Units < 50m ²	10	410			86	0	
Units < 50m ² Min* 0.3	3	123			25.8	-	Min 151.8
Units < 50m ² Max* 1.25	12.5	512.5			107.5	-	Max 632.5
Units > 50 m ²	77	305			70	17	
Units > 50 m ² Min (1- 14) *0.7 (15-50) *0.85 (51+) * 1.0	9.8 30.6 27	- - 305			- - 70	- - 17	Min 459.4
Units > 50 m ² Max * 1.25	96.25	381.25			87.5	21.25	Max 586.25
Required Parking							618-1,218
Provided Parking	1,103					34	1,137
Barrier Free	Barrier free parking shall be designated and provided as part of the required parking spaces in accordance with the following requirements: 201 – 1,000 spaces: Minimum 2 spaces + 2% of the total number of required spaces. $2 + (618 * 0.02) = 14$ required in provided number						18 provided

7.0 PLANNING ANALYSIS

This section provides justification as to how the proposed development represents good land use planning.

7.1 Appropriateness of Subject Site

The subject lands are underutilized and are suitable for additional density. The Site is currently vacant, having previously been declared surplus by the School Board in 2019. The Site is situated on a Priority Transit Corridor as identified in the Growth Plan and on a Primary Corridor as identified in the Urban Hamilton Official Plan. The Site is situated within 500 metres of two future Major Transit Station Areas, namely the Ottawa Street Light Rail Transit stop and the Kenilworth Avenue Light Rail Transit stop. The province and the City has directed density and intensity within these areas. The Site is located along a mixed use corridor and near many amenities which will benefit from the increase in residents to the area.

The Site is of sufficient size to be respectful of the heritage component, and appropriately designed to be sympathetic to the neighbourhood by using a variety of mitigation tools, including setbacks, step backs, intervening land uses, and angular planes.

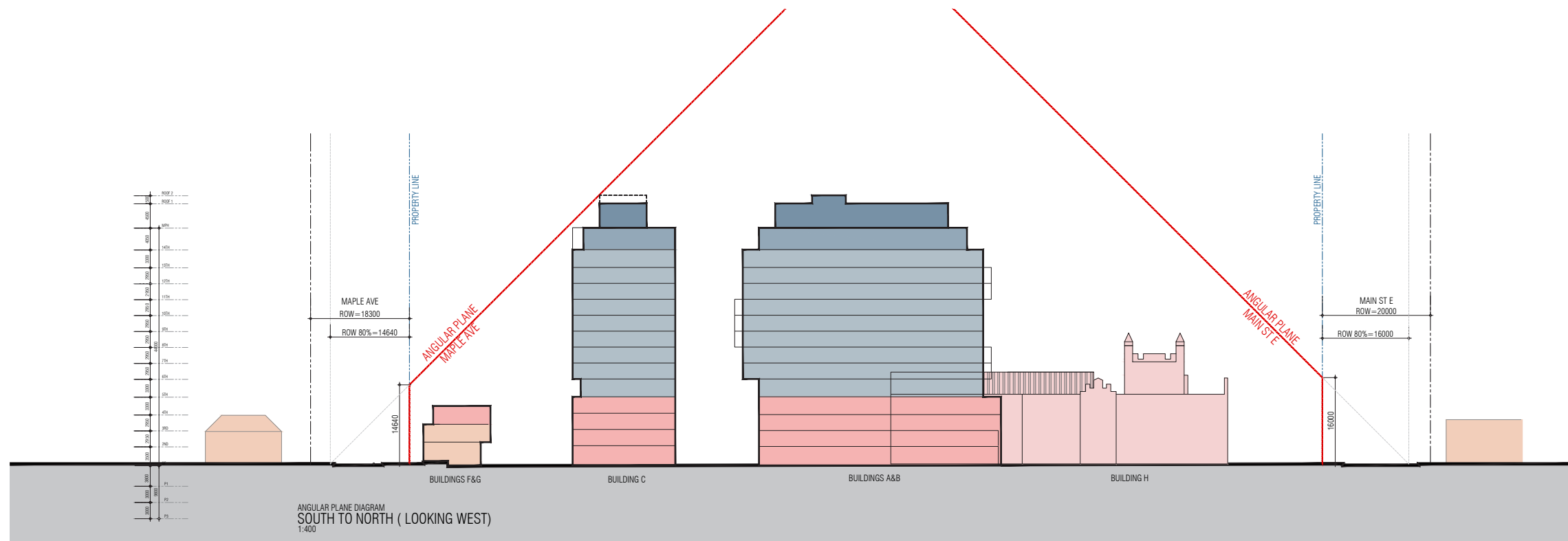
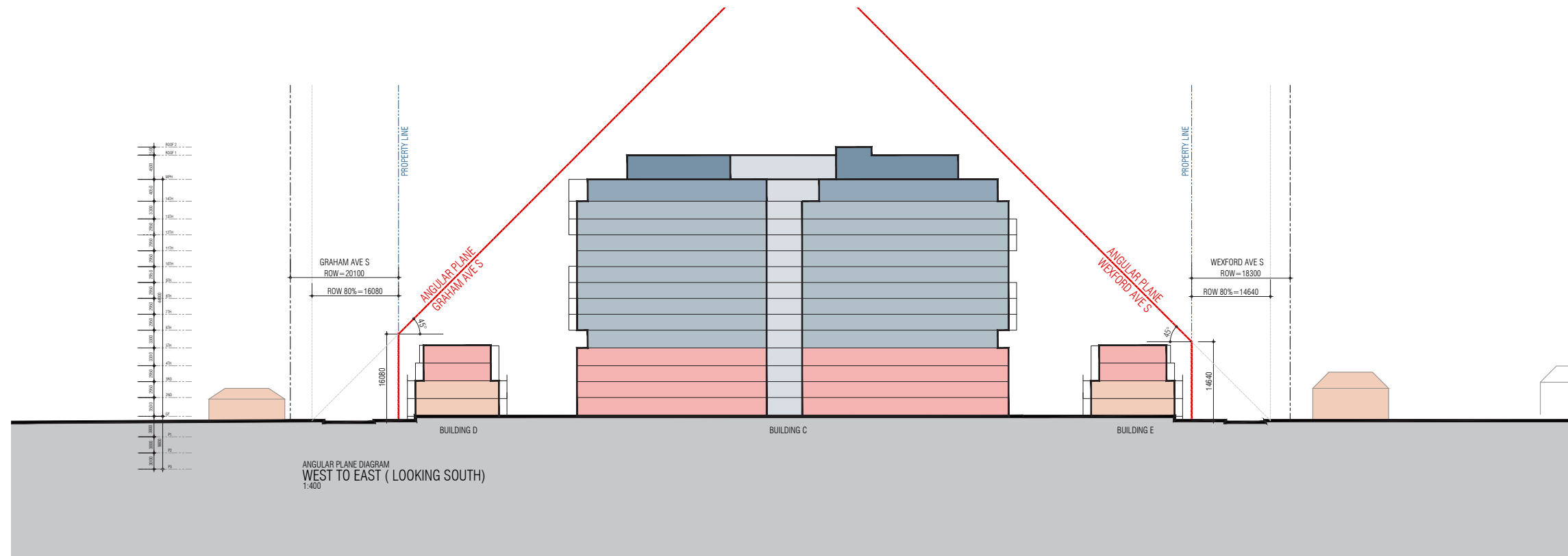
7.2 Requested Urban Hamilton Official Plan Modifications

Amendment to the UHOP

- Mapping change to incorporate all of the Site within the *Mixed -Use Medium Density* designation.
- Text change to permit a building height of 14 storeys and 44 metres.

An amendment is required to increase the maximum height to 14 storeys (44 metres). The increase in height is only required for the three new apartment buildings located interior to the Site, buffered by setbacks, landscaping, intervening low rise buildings, and municipal right of ways from existing low rise development.

The increase in height is supportable as the placement and design of the height within the Site is compatible to the historical building on Site as well as the neighbourhood. The additional height is provided behind the historical building, as to not deter from the existing front façade and front lawn along Main Street East as seen in the massing illustrations and supported by ERA Architects. Angular planes were applied to all four adjacent municipal roads and the height proposed remains well within the plane limits (**Figure 25**). Sun/Shadow Report has been submitted and concludes that there is no unduly overshadow and that the proposal meets the design requirements. The Wind Study indicates acceptable design with minimal mitigation measures.



7.3 Requested Zoning By-Law Modifications

Amendments to the zoning by-law regulations are required to address the following:

Building/Site Design:

- To reduce the finished floor elevation for ground floor dwelling units from 0.9 metres to 0.1 metres;
- To require principal entrances to face the street only for new buildings adjacent to the perimeter lot lines.
- To increase maximum driveway width from 6.0 metres to 7.5 metres.
- To permit tandem parking for block townhouses (driveway and garage space)

Setbacks:

- To decrease the minimum building setback to a streetline/rear lot line along the southern lot line (Maple Ave) from 3 metres/7.5 metres to 2 metres ;
- To increase the maximum building setback from a street from 4.5 metres to 14.7 metres along Main Street E.;

Height:

- To decrease the minimum building height from 11m to 10m for the new perimeter buildings;
- To increase the maximum building height from 22.0 metres (6 storeys) to 44.0 metres (14 storeys) for the new interior buildings;
- The increase the rooftop amenity area height from 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure to 4.5 metres.

Justification for each of the required amendments is provided below:

Building/Site Design:

A minimum finished floor elevation of 0.1 metres above grade is being requested with respect to the proposed ground floor units. Retaining the building on site, and working with the grading, requires a lower finished floor elevation, as increasing the elevation will cause barrier free design issues. As seen in the renderings, the design of the units around the perimeter of the site will be defined with a landing that will promote a defined entrance for these units and are not designed with rear lotting. It is important to note that not all will be set at 0.1 metres. Depending on grading, some FFE will be established at 1 metre.

Through the Formal Consultation review, Transportation Planning required “for two-way operation onto municipal road, the driveway access width(s) must be 7.5 metres at the ultimate

property line and curve radii are to be a minimum 6.0 metres." This requirement has been added to the site plan.

Parking for all units, except the 17 block townhouse units are located below grade. The parking for the block townhouses are provided for each unit, one in the driveway, and the other as a tandem space in the garage. Given that these spaces are devoted to the unit directly connected to these spaces, the approval of tandem parking is appropriate.

Due to the design of the Site, the interior buildings do not have principal entrances that have direct access to the municipal sidewalk. The access is indirect, through the internal sidewalk.

Setbacks:

The proposed modification to increase the maximum setback from a street to 15 metres is to address the retention of the historical building. All new buildings comply. The southern two block townhouse buildings create a pinch point the further west along the southern interface. The setback for Building F varies from 2 metres to 2.4 metres, and for Building G, 2.6 metres to 4 metres. The proposed setback continues to provide for an appropriate building interface with the public realm, and allows for landscape treatment.

Height:

The proposed modification is seeking to increase the maximum building height from 22.0 metres to 44.0 metres.

The subject lands are along an arterial road, and along a higher order transit route and future LRT. The proposed buildings that will require the increase in height are the buildings interior to the Site. The increase in height is only required for the three new apartment buildings located interior to the Site, buffered by setbacks, landscaping, intervening low rise buildings, and municipal right of ways from existing low rise development.

The increase in height is supportable as the placement and design of the height within the Site is compatible to the historical building on Site as well as the neighbourhood. The additional height is provided behind the historical building, as to not deter from the existing front façade and front lawn along Main Street East as seen in the massing illustrations and supported by ERA Architects. Angular planes were applied to all four adjacent municipal roads and the height proposed remains well within the plane limits. Sun/Shadow Report has been submitted and concludes that there is no unduly overshadow and that the proposal meets the design requirements. The Wind Study indicates acceptable design with minimal mitigation measures.

The minimum height amendment for the new perimeter stacked and block townhouse buildings is required to allow for a design feature relating to massing.

7.4 Conclusion

Based on the above assessment, it is our opinion that the required Official Plan and Zoning By-law Amendments are appropriate and would facilitate a form of development that is compatible with adjacent land uses and harmonious with the local community context.

8.0 RECOMMENDATIONS

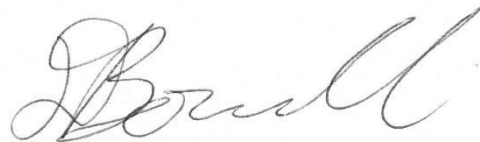
It is our opinion that the proposed development and required Official Plan and Zoning By-law Amendments represent good land use planning and should be approved for the following reasons:

- a) The proposed development is consistent with the policies of the 2020 Provincial Policy Statement;
- b) The proposed development is in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020;
- c) The proposed development conforms to the requested land use designation policies of the Urban Hamilton Official Plan, ;
- d) The proposed development implements the vision of the Urban Hamilton Official Plan in that it maintains on site heritage features, implements the Residential Intensification Policies including providing a range of housing types, while providing intensification at a form and scale that is compatible with the surrounding area and efficiently utilizes existing infrastructure and supports transit
- e) The proposed development provides for the efficient use of land and infrastructure, increasing the supply of housing units and provides for the adaptive reuse of the heritage resources on the lands.

Respectfully,



Sarah Knoll, BES, MCIP, RPP
Senior Planner



Daniel Borrelli, M.PL
Planner

APPENDIX A

Authority: Item ,
Report (PED23)
CM:
Ward:

Bill No.

Amendment No. "X"
to the
City of Hamilton Official Plan

The following text, together with Appendix "A" – Volume 3 – Map 2a – Urban Site Specific Policies Key Map, and Appendix "B" – Schedule E-1 – Urban Land Use Designations, constitutes Official Plan Amendment No. ___ to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to change the designation on the rear portion of the subject lands from *Neighbourhoods* to *Mixed Use Medium Density* and by establishing a Site Specific Policy to permit a maximum height of fourteen storeys.

2.0 Location:

The lands affected by this Amendment are municipally known as 1284 Main Street East in the City of Hamilton

3.0 Basis:

The basis for permitting this Amendment is:

- The proposed development implements the vision of the Urban Hamilton Official Plan in that it maintains on site heritage features, implements the Residential Intensification Policies including providing a range of housing types, while providing intensification at a form and scale that is compatible with the surrounding area and efficiently utilizes existing infrastructure and supports transit;
- The Amendment is consistent with the Provincial Policy Statement 2020, and conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended.

4.0 Changes:

4.1 Map Changes:

- 4.1.1 That Volume 3 – Map 2a – Urban Site Specific Policies Key Map is amended by identifying the lands located at 1284 Main Street West as UHC-___, as shown on Appendix "A", attached.

4.1.2 That Volume 1 – Schedule E-1 – Urban Land Use Designations Map is amended by redesignating the rear portion of the lands located at 1284 Main Street West from *Neighbourhoods* to *Mixed Use – Medium Density*, as shown on Appendix “B”, attached

5.2 Text Changes:

5.2.1 That Volume 3, Chapter C, Urban Systems and Designations is amended by adding a new Site Specific Policy – UHC-___ to read as follows:

UHC-___ 1284 Main Street East, Hamilton:

Notwithstanding Volume 1, Section E.4.6.7 and E.4.6.8 for lands located at 1284 Main Street West, the maximum permitted height shall be fourteen storeys.

Implementation:

An implementing Zoning By-law and Site Plan will give effect to this Amendment.

The Official Plan Amendment is Schedule “1” to By-Law No. 23-____, passed on the ____ day of _____, 2023.

That the Clerk is hereby authorized to proceed with the giving of notice of the passing of this by-law, in accordance with the *Planning Act*.

PASSED this _____, _____,

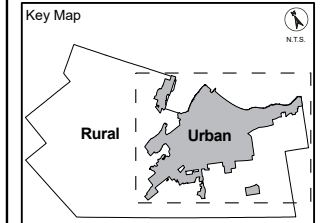
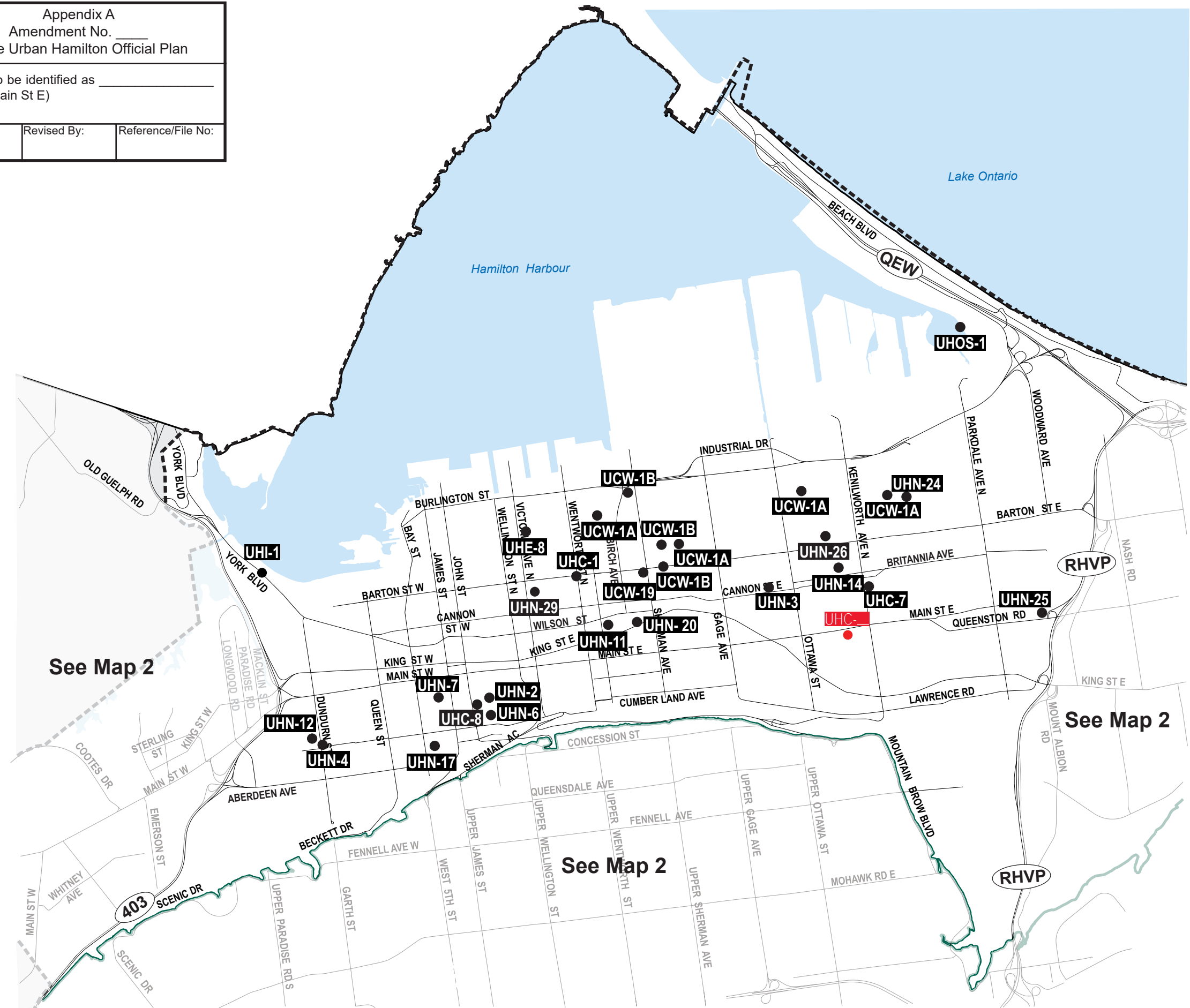
F. Eisenberger
Mayor

A. Holland
City Clerk

Appendix A
Amendment No. _____
to the Urban Hamilton Official Plan

● Lands to be identified as _____
(1284 Main St E)

Date: _____ Revised By: _____ Reference/File No: _____



Note: For Rural Site Specific Areas, refer to Volume 3: Appendix A of the Rural Hamilton Official Plan.

APPEAL

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal – see illustration on Schedules E and E-1, Volume 1

- Legend**
- Site Specific Areas (SSA)
 - U- Refers to Urban Site Specific Area #, Volume 3, Chapter B
- Other Features**
- Rural Area
 - Niagara Escarpment
 - Urban Boundary
 - Municipal Boundary

Council Adoption: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

**Urban Hamilton Official Plan
Volume 3: Map 2a
Urban Site Specific Key Map (Lower City)**

Not To Scale
Date: March 2022

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT
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APPENDIX B
AMENDMENT TO THE URBAN HAMILTON OFFICIAL PLAN



Lands to be designated as "Mixed Use - Medium Density"

DATE:
DECEMBER 5, 2022

PREPARED BY:
GSP GROUP

REFERENCE FILE NO:
UHOPA-_____

APPEALS

■ ■ ■ ■ The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

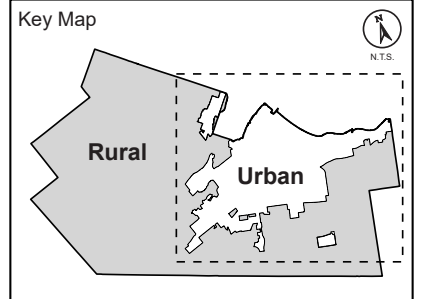
UHOPA NO. 69 APPEALS - PL171450

- ★ - 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14

UHOPA NO. 102 APPEALS - PL180548

- ★ - 215, 217, 219, 221, 225 and 231 Main Street West, 67 & 69 Queen Street South and 62 & 64 Hess Street South

Key Map



Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Neighbourhoods
- Open Space
- Institutional
- Utility

Commercial and Mixed Use Designations

- Downtown Mixed Use Area
- Mixed Use - High Density
- Mixed Use - Medium Density
- District Commercial
- Arterial Commercial

Employment Area Designations

- Industrial Land
- Business Park
- Airport Employment Growth District
- Shipping & Navigation

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Lands Subject to Non Decision 113 West Harbour Setting Sail

Council Adoption: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

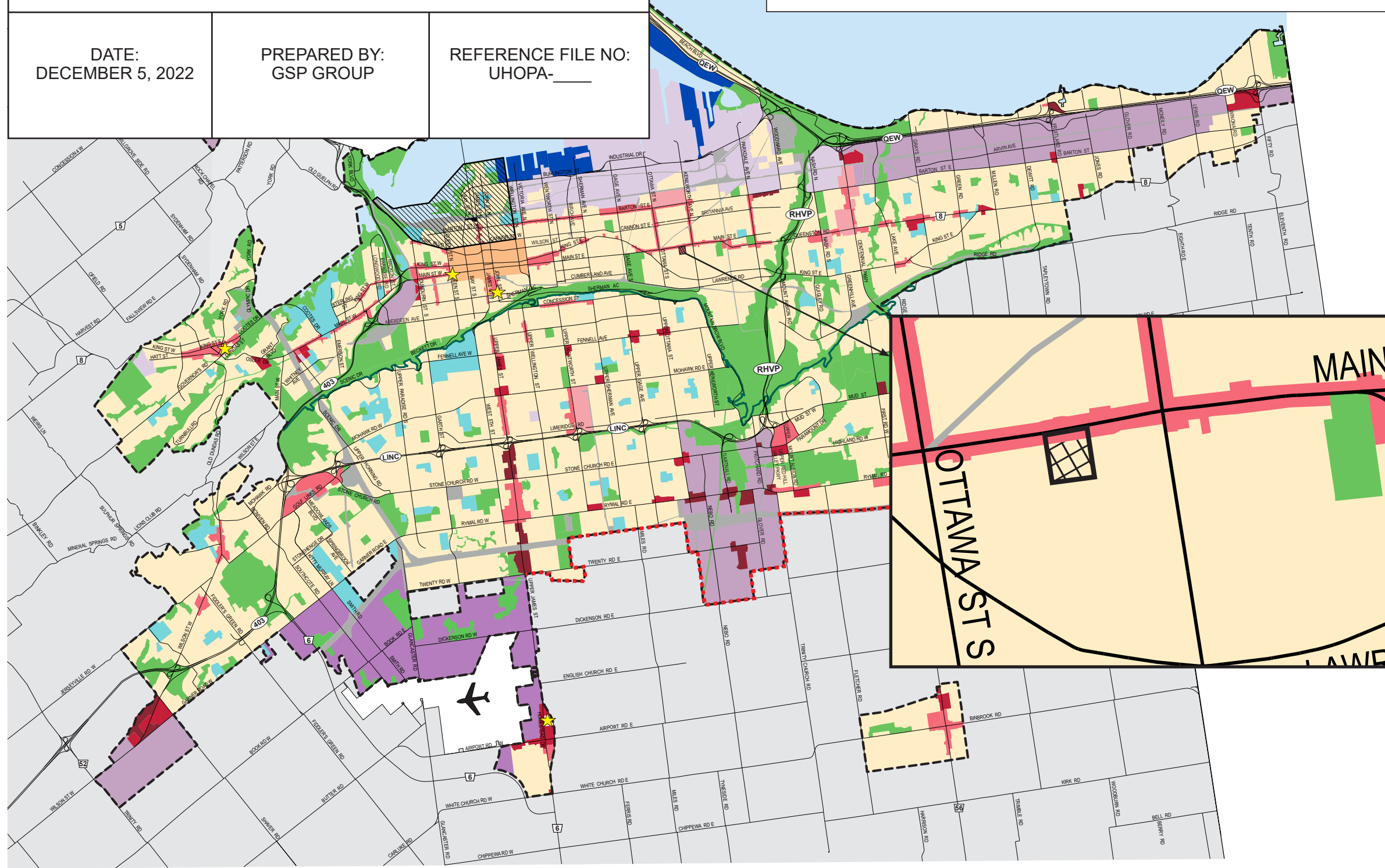
**Urban Hamilton Official Plan
Schedule E-1
Urban Land Use Designations**



Date: February 2022

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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APPENDIX B

Authority: Item ,
Report (PED23)
CM:
Ward:

Bill No.

CITY OF HAMILTON
By-LAW NO.

To Amend Zoning By-law No. 05-200
Respecting Lands Located at 1284 Main Street West

WHEREAS Council approved Item ___ of Report PED23___ of the Planning Committee at the meeting held on ____, 2023;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan upon adoption of Official Plan Amendment No. ____;

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

1. That Map__ of Schedule "A" – Zoning Maps, appended to and forming part of By-law No. 05-200, is amended by changing the zoning from the Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone to the Modified Transit Oriented Corridor Mixed Use Medium Density (TOC1, ___) Zone for the extent and boundaries more particularly described in Schedule "A" annexed hereto forming part of this By-law.
2. That Schedule "C" - Special Exceptions of Zoning By-law No. 05-200, is hereby amended by adding the following new Special Exemption:

“ ____ . Within the lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone, identified on Map ___ of Schedule "A" - Zoning Maps and described as 1284 Main Street West, the following special provisions shall apply

- a) Notwithstanding Sections 11.1.1.1 i) 1., 11.1.3 a) i) and a) ii), b), d) i), d) ii) and iv) C., g) v) and vii) and in addition to Section 5.2 c), the following special provisions shall apply:
- i) Minimum Finished Floor Elevation of Any Dwelling Unit 0.1 metres above grade;
 - ii) Building Setback From a Street Line
 - 1. Minimum 2.0 metres for a building with residential units on the ground floor facing a street;
 - 2. Maximum 15 metres;
 - iii) Minimum Rear Yard Shall not apply
 - iv) Building Height
 - 1. Minimum 10.0 metres; and
 - 2. Maximum 44.0 metres;
 - v) Height of wholly enclosed or partially enclosed amenity area, or portion of a building designed to provide access to a rooftop amenity area Not be greater than 4.5 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.
 - vi) Maximum Driveway Width 7.5 metres
 - vii) Principal Entrance location Shall not apply to buildings not fronting the public street
 - viii) Required Parking May permit tandem parking spaces at grade

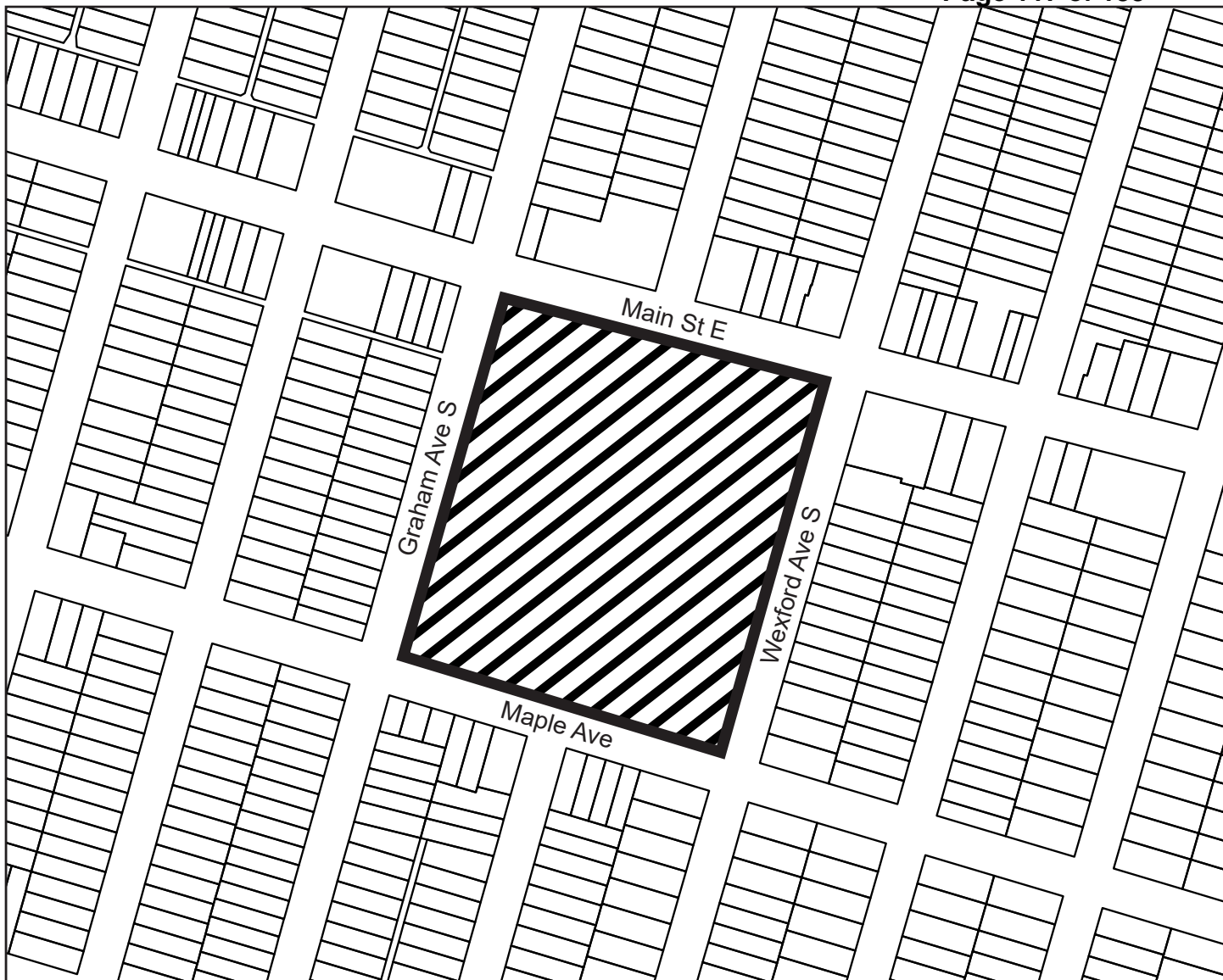
That the Clerk is hereby authorized to proceed with the giving of notice of the passing of this by-law, in accordance with the *Planning Act*.

That this By-law No. 23__ shall come into force and be deemed to come into force in accordance with Sub-Section 34(21) of the Planning Act, either upon the date of passage of this By-law or as otherwise provided by the said Sub-Section.

PASSED this _____, _____,

 Mayor

 City Clerk



<p>This is Schedule "A" to By-Law No. 22-</p> <p>Passed the ____ day of _____ 2022</p>	<p>_____</p> <p style="text-align: center;">Mayor</p> <p>_____</p> <p style="text-align: center;">Clerk</p>		
<p>Schedule "A"</p> <p>Map Forming Part of By-law No. 22-____</p> <p>to Amend By-law No. 05-200</p>	<p>Subject Property 1284 Main St E, Hamilton</p> <p> To add lands as Modified Transit Oriented Corridor (TOC1,__) Zone</p>		
<p>Scale: N.T.S</p>	<p>File Name/Number: -____</p>	<p>Date: December 12, 2022</p>	<p>Prepared By: GSP Group</p>

APPENDIX C



Hamilton

Planning and Economic Development Department
Development Planning, Heritage and Design
71 Main Street West, 5th Floor, Hamilton ON L8P 4Y5
Phone: 905.546.2424 - Fax: 905.546.4202

Formal Consultation Document

Meeting Date: June 8, 2022 File No: FC-22-079

Owner: Delta Joint Venture Inc. c/o Nicole Cimadamore

Applicant: _____

Agent: GSP Group Inc. c/o Sarah Knoll

PROPERTY INFORMATION

Address and/or Legal Description: 1284 Main Street East, Hamilton

Lot Frontage (metres): 148.4 Lot depth (metres): 164.8 Lot Area(m²): 2.4ha

Regional Official Plan Designation: _____

Rural Hamilton Official Plan Designation: _____

Urban Hamilton Official Plan Designation: "Mixed Use Medium Density" and "Neighbourhoods"

Local Official Plan Designation: _____

Other Plan Designation: _____

Zoning: Community Institutional (I2, 293) Zone

Description of current uses, buildings, structures and natural features on the subject lands: Delta Collegiate Institute High School

Brief description of proposal: Adaptively reuse the existing Delta Collegiate Institute for residential purposes. Construction of six blocks of three storey townhouses, two, 11-storey multiple dwellings and two, 14-storey multiple dwellings. A total of 708 dwelling units, 858 parking spaces, 20 short term bicycle parking spaces and 366 long term bicycle parking spaces are proposed.

APPLICATIONS REQUIRED

Rural Hamilton Official Plan Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Urban Hamilton Official Plan Amendment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Local Official Plan Amendment	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Zoning By-law Amendment (Complex)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Subdivision	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Condominium (Type: _____)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Site Plan (Type: Full Site Plan)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Consent	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Variance(s)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Other	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Note: The City of Hamilton is in the process of creating a new comprehensive Zoning By-law for the entire City. The new Zoning By-law is being prepared in phases by Land Use topic. New Commercial and Residential zoning may be implemented which could be different than the current zoning. Accordingly, additional applications may be required. If a Building Permit has not been issued by the City prior to the new zoning coming into effect, the approved site plan may be affected, related to zoning compliance, which may require further planning approvals (i.e. Minor Variance, Zoning Amendment, etc.).

FEES REQUIRED

City of Hamilton:	Official Plan Amendment - \$34,954 Zoning By-law Amendment - \$36,815 + per unit \$570 x (units 11-60) - \$28,500 Combined OPA and ZBA - \$25,067.25 RSC Administration Fee - \$420 plus HST Site Plan Control - \$25,350 Less Formal Consultation - \$1,260
Conservation Authority Review Fees:	
Other:	Tree Protection Plan Review Fee - \$635 Condominium Application - \$15,750.00 + per unit \$80 x 708 units - \$56,640
TOTAL:	\$100,401.35 (No Condo) \$172,791.35 (Condo)

Notes:

- Formal Consultation fee may be credited towards a future application
- Notwithstanding the fees noted above, all fees are payable based on the rate in the fee schedule by-law in effect on the date the payment is made.
- Further fees may be required at a later date as per the fee schedule.

- *Separate cheques are payable to the City of Hamilton and the applicable Conservation Authority.*
- *A Cost Acknowledgement Agreement for potential costs at the Ontario Municipal Board may also be required.*

DESIGN REVIEW PANEL

The Design Review Panel shall provide urban design advice to Planning Division staff on Planning applications with respect to complex Zoning and Site Plan applications in the following Design Priority Areas:

- (a) Downtown Hamilton Secondary Plan Area;
- (b) Areas of Major Change and Corridors of Gradual Change within the West Harbor Secondary Plan Area;
- (c) Primary Corridors as shown on Schedule E – “Urban Structure” of the Urban Hamilton Official Plan;
- (d) Any other large scale projects that may impact the physical environment functionally and/or aesthetically.

The Director of Planning or his or her designate may waive projects from the review of the Design Review Panel, if the project is not deemed to have the potential to significantly impact the physical environment functionally and/or aesthetically.

Design Review Panel review required? Yes No

REQUIRED INFORMATION AND MATERIALS

All identified reports, studies, and/or plans must be submitted before an application is deemed complete. Unless otherwise noted, 5 copies of each item and an electronic digital file in PDF locked file format must be submitted.

Reports, Studies, Plans	Required	Staff Responsible for providing guidelines or terms of reference
Background Information		
Survey Plan	<input checked="" type="checkbox"/>	At Every Stage Development Planning (Daniel Barnett, ext. 4445)
Concept Plan (Site Plan, Elevation Plan, Landscape Plan, and Floor Plans)	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning

		(Daniel Barnett, ext. 4445)
Planning		
Affordable Housing Report/Rental Conversion Assessment	<input type="checkbox"/>	
Draft OPA, and By-laws	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)
Land Use/Market Needs Assessment	<input type="checkbox"/>	
Planning Justification Report	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)
Site Plan and Building Elevations	<input checked="" type="checkbox"/>	Preliminary Site Plan and Elevation Plan at Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445) Site Plan Control Development Planning (Daniel Barnett, ext. 4445)
Urban Design Report	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Ana Cruceru, ext. 5707) Updated at Site Plan Control stage,

		Development Planning (Ana Cruceru, ext. 5707)
Cultural		
Archaeological Assessment	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment, Development Planning (Chloe Richer, ext. 7163)
Cultural Heritage Impact Assessment and Heritage Permit (Possible Conservation Plan, Commemoration Plan, Documentation and Salvage Report, required based on the CHIA)	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment, Development Planning (Chloe Richer, ext. 7163)
Environmental		
Aggregate Resource Assessment	<input type="checkbox"/>	
Aggregate/Mineral Resource Analysis	<input type="checkbox"/>	
Air Quality Study	<input type="checkbox"/>	
Channel Design and Geofluvial Assessment	<input type="checkbox"/>	
Chloride Impact Study	<input type="checkbox"/>	
Cut and Fill Analysis	<input type="checkbox"/>	
Demarcation of top of bank, limit of wetland, limit of natural hazard, limit of Environmentally Significant Area (ESA), or limit of Conservation Authority regulated area	<input type="checkbox"/>	
Environmental Impact Statement (EIS)	<input type="checkbox"/>	
Erosion Hazard Assessment	<input type="checkbox"/>	
Fish Habitat Assessment	<input type="checkbox"/>	
Floodline Delineation Study/Hydraulic Analysis	<input type="checkbox"/>	
General Vegetation Inventory (GVI)	<input type="checkbox"/>	
Impact Assessment for new Private Waste Disposal Sites	<input type="checkbox"/>	
Karst Assessment/Karst Contingency Plan	<input type="checkbox"/>	
Landscape Plan	<input checked="" type="checkbox"/>	Preliminary Conceptual Landscape Plan at Official Plan Amendment and Zoning By-law Amendment stages,

		Development Planning (Daniel Barnett, ext. 4445) As a condition of Site Plan Control Development Planning (Daniel Barnett, ext. 4445)
Linkage Assessment	<input type="checkbox"/>	
Meander Belt Assessment	<input type="checkbox"/>	
Nutrient Management Study	<input type="checkbox"/>	
Odour, Dust and Light Assessment	<input type="checkbox"/>	
Restoration Plan	<input type="checkbox"/>	
Shoreline Assessment Study/Coastal Engineers Study	<input type="checkbox"/>	
Slope Stability Study and Report	<input type="checkbox"/>	
Species Habitat Assessment	<input type="checkbox"/>	
Tree Management Plan/Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)
Tree Protection Plan (TPP)	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)
Environmental/Servicing and Infrastructure		
Contaminant Management Plan	<input type="checkbox"/>	
Record of Site Condition (RSC) – (will be included as an 'H' Holding Provision if not completed prior to Zoning By-law being approved)	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445) As a condition of Site Plan Control (if not completed prior to Council)

		Development Planning (Daniel Barnett, ext. 4445)
Erosion and Sediment Control Plan	<input checked="" type="checkbox"/>	As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)
Hydrogeological Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Engineering (Matthew Gula, ext. 2059) As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)
Grading Plan	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Engineering (Matthew Gula, ext. 2059) As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)
Master Drainage Plan	<input type="checkbox"/>	
Stormwater Management Report/Plan and/or update to an existing Stormwater Management Plan	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Engineering (Matthew Gula, ext. 2059)

		As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)
Soils/Geotechnical Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Engineering (Matthew Gula, ext. 2059) As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)
Sub-watershed Plan and/or update to an existing Sub-watershed Plan	<input type="checkbox"/>	
Financial		
Financial Impact Analysis	<input type="checkbox"/>	
Market Impact Study	<input type="checkbox"/>	
Servicing and Infrastructure		
Recreation Feasibility Study	<input type="checkbox"/>	
Recreation Needs Assessment	<input type="checkbox"/>	
School Accommodation Issues Assessment	<input type="checkbox"/>	
School and City Recreation Facility and Outdoor Recreation/Parks Issues Assessment	<input type="checkbox"/>	
Functional Servicing Report	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Engineering (Matthew Gula, ext. 2059) Updated at the Site Plan Control stage, Development Engineering

		(Matthew Gula, ext. 2059)
Site Servicing Plan	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Engineering (Matthew Gula, ext. 2059) As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)
Water and Wastewater Servicing Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Engineering (Matthew Gula, ext. 2059) As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)
Land Use Compatibility		
Agricultural Impact Assessment	<input type="checkbox"/>	
Dust Impact Analysis	<input type="checkbox"/>	
Land Use Compatibility Study	<input type="checkbox"/>	
Landfill Impact Study	<input type="checkbox"/>	
Minimum Distance Separation Calculation	<input type="checkbox"/>	
Noise Impact Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)

		Possibly updated at Site Plan Control stage, Development Planning (Daniel Barnett, ext. 4445)
Odour Impact Assessment	<input type="checkbox"/>	
Sun/Shadow Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445) Possibly updated at Site Plan Control stage, Development Planning (Daniel Barnett, ext. 4445)
Vibration Study	<input type="checkbox"/>	
Wind Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445) Possibly updated at Site Plan Control stage, Development Planning (Daniel Barnett, ext. 4445)
Transportation		
Cycling Route Analysis	<input type="checkbox"/>	
Transportation Impact Study	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Transportation Planning (Matthew Radaelli, ext. 4801)
Parking Analysis/Study	<input type="checkbox"/>	

Pedestrian Route and Sidewalk Analysis	<input type="checkbox"/>	
Roadway/Development Safety Audit	<input type="checkbox"/>	
Modern Roundabout and Neighbourhood Roundabout Analysis	<input type="checkbox"/>	
Neighbourhood Traffic Calming Options Report	<input type="checkbox"/>	
Transit Assessment	<input type="checkbox"/>	
Transportation Demand Management Options Report	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Transportation Planning (Matthew Radaelli, ext. 4801)
Cost Recoveries		
Cost Acknowledgement Agreement	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)
DRP Submission Requirements <ul style="list-style-type: none"> - Site Plan; - Building Elevations including materials and colouring; - Model / Illustrations; - Floor Plans; - Photographs of Streetscape; - Urban Design Brief; - Detailed Perspective or Computer Model; - Completed Project Summary Sheet; - Massing Illustrations; - Shadow study; - Angular Plane; - Wind Study; and, - Conceptual Landscape Plan. 	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment, Development Planning (Edward Winter, ext. 1393)
Public Consultation Strategy	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)

<p>Other: Watermain Hydraulic Analysis</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)</p>
<p>Storm Drainage Area Plan</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)</p>
<p>Construction Management Plan</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)</p>
<p>External Works Agreement and Fee</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)</p>
<p>Shoring Plan and Shoring Agreement</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)</p>
<p>Vibration Study</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)</p>
<p>Ground Settlement Report</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control Development Engineering (Matthew Gula, ext. 2059)</p>
<p>Street Tree Fee - \$657.80 plus HST per Tree</p>	<p><input checked="" type="checkbox"/></p>	<p>As a condition of Site Plan Control, Urban Forestry,</p>

		(Stephen Clark, ext. 4219)
Angular Planes	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)
Renderings	<input checked="" type="checkbox"/>	Official Plan Amendment and Zoning By-law Amendment stages, Development Planning (Daniel Barnett, ext. 4445)
Site Lighting	<input checked="" type="checkbox"/>	As a condition of Site Plan Control Development Planning (Daniel Barnett, ext. 4445)

ADDITIONAL INFORMATION

Additional Agencies to be contacted: _____

Comments:

- A daylight triangle of 4.57 metre x 4.57 metre at the following intersections,
 - Main Street East and Graham Avenue South;
 - Main Street East and Wexford Avenue South;
 - Graham Avenue South and Maple Avenue; and,
 - Wexford Avenue South and Map Avenue.
- Revisions to the design are recommended, please see comments from Urban Design staff.
- The proposed development is eligible for municipal waste collection, however, there is insufficient information to determine if the design is serviceable, please see comments from waste management staff.
- City Wide Corridor Planning Principles and Design Guidelines serve as a best practice, 45° build to plane from the rear property line and from the street width

should be applied, found at the following link: <https://www.hamilton.ca/develop-property/policies-guidelines/city-wide-corridor-planning-principles-and-design-guidelines>.

- The terms of reference for Sun Shadow and Wind Studies can be found at the following link: <https://www.hamilton.ca/sites/default/files/media/browser/2018-03-19/downtownhamilton-drafttermsofreference-mar2018.pdf>.

PLEASE BE ADVISED OF THE FOLLOWING:

1. *The purpose of this document is to identify the information required to commence processing a complete application as set out in the Planning Act. Formal Consultation does not imply or suggest any decision whatsoever on behalf of City staff or the City of Hamilton to either support or refuse the application.*
2. *This document expires 1 year from the date of signing or at the discretion of the Director of Planning.*
3. *In the event this Formal Consultation Document expires prior to the application being accepted by the City, another document may be required.*
4. *If an application is submitted without the information and materials identified in this Formal Consultation Document the City may deem such an application incomplete and refuse to accept the application.*
5. *In accordance with the Planning Act, it is the policy of the City of Hamilton to provide public access to all Planning Act applications and supporting documentation submitted to the City. Therefore, the information contained in an application and any documentation, including reports, studies and drawings, provided in support of an application, by the owner, or the owner's agents, consultants and solicitors, constitutes public information and will become part of the public record. With the filing of an application, the applicant consents to the City of Hamilton making the application and its supporting documentation available to the general public, including copying and disclosing the application and its supporting documentation to any third party upon their request.*
6. *It may be determined during the review of the application that additional studies or information will be required as a result of issues arising during the processing of the application.*
7. *The above requirements for deeming an application complete are separate and independent of any review under the Ontario Building Code (OBC) as part of the Building Permit review process. In the event that a building permit application does not comply with the OBC, a letter outlining the deficiencies or areas of non-compliance will be issued to the owner and/or agent. Formal consultation and building permit review are separate and independent processes.*

ACKNOWLEDGEMENT

I/We hereby acknowledge the above noted statements and understand that the identified reports, studies, plans and fees are required to deem any required application(s) complete.

I/We further acknowledge that this letter shall not be modified or edited.

Delta Joint Venture Inc. <hr/> Owner	 <hr/> Owner Signature	December 9, 2022 <hr/> Date
<hr/> Applicant (I have the authority to bind the Owner)	<hr/> Applicant Signature	<hr/> Date
<hr/> Agent (I have the authority to bind the Owner)	<hr/> Agent Signature	<hr/> Date

SIGNATURES

<hr/> Planning Staff	Anita Fabac <small>Digitally signed by Anita Fabac Date: 2022.07.15 08:54:00 -04'00'</small> <hr/> Planning Staff Signature	<hr/> Date
<hr/> Planning Staff	<hr/> Planning Staff Signature	<hr/> Date
<hr/> Engineering Staff	<hr/> Engineering Staff Signature	<hr/> Date
<hr/> Other Staff or Agency	<hr/> Signature	<hr/> Date
<hr/> Other Staff or Agency	<hr/> Signature	<hr/> Date
<hr/> Other Staff or Agency	<hr/> Signature	<hr/> Date