

Site Specific Modifications to the Waterfront – Mixed Use (WF2) Zone

Regulation	Required	Modification	Analysis
<p>14.2.1.1 Restricted Uses</p>	<p>A Library, Art Gallery, or Museum shall only be permitted on the ground floor and second floor</p> <p>20% of the total non-residential floor area will be permitted for commercial uses ancillary to a Library, Art Gallery, or Museum.</p>	<p>That Commercial uses and Institutional uses be permitted on the ground and second floors.</p>	<p>To provide for greater flexibility for non-residential uses on the ground floor of the building, the existing restriction that commercial uses only be permitted as ancillary to a Library, Art Gallery or Museum is proposed to be removed and that commercial and institutional uses be permitted on the ground and second floors only.</p> <p>Staff are satisfied that any of the non-residential uses permitted in the WF2 Zone, including institutional, commercial and live / work uses, would be appropriate on the ground floor of the building and support the modification.</p>
<p>Figure 14 of Schedule “F” – Special figures Residential Unit Restrictions</p>	<p>Residential units are permitted in accordance with Figure 14: Waterfront Zones – Residential Unit Restrictions. The subject lands are presently not included on Figure 14 as they are zoned for institutional uses only.</p> <p>Figure 14 requires that at least 15% of all units within Pier 8 have two or more bedrooms.</p>	<p>To add the subject lands to Figure 14 with no minimum or maximum total unit count.</p> <p>To increase the required number of units with two or more bedrooms to at least 15% of all units plus 150 units.</p>	<p>Figure 14: Waterfront Zones – Residential Unit Restrictions provides minimum and maximum total unit counts for each of the residential blocks on Pier 8 and restricts the total number of units to a maximum of 1,645. Adding the subject lands to Figure 14 with no minimum or maximum unit count will allow some of the permitted residential units to be reallocated to the proposed 45 storey building with the total number of units with two or more bedrooms being increased by 150 units.</p> <p>Staff support the modification.</p>

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Minimum Landscaped Area	No existing requirement	20% of the lot area	<p>To contribute to quality of life for residents and visitors, the Pier 8 Block 16 Urban Design guidelines recommend that 20% of the site area be landscaped to allow for elements such as hard and soft landscaping, water features and public art installations.</p> <p>Staff support the proposed modification.</p>
Minimum Unit Width for Ground Level Live / Work or Dwelling Units	No existing requirement	5.0 metres	<p>As recommended in the Pier 8 Block 16 Urban Design Guidelines, the development includes a mid-block pedestrian connection (pedestrian mews) to the east of the proposed building that is flanked by townhouse-style units facing the mews. The Guidelines recommend that the townhouse-style units have a minimum width of 5.0 metres.</p> <p>Staff support the proposed modification.</p>
Minimum Amenity Area	No existing requirement	<p>2.0 square metres of indoor amenity space for each dwelling unit; and,</p> <p>2.0 square metres of outdoor amenity space for each dwelling unit, which may include balconies.</p>	<p>The Pier 8 Block 16 Urban Design Guidelines recommend that private and communal amenity areas be provided to serve as places for shared activities and support the lifestyle needs of residents of all ages. A minimum of 2.0 metres of indoor and 2.0 square metres of outdoor amenity space is recommended for each dwelling unit. This requirement has been addressed in the proposed building with private balconies and common party rooms, a kid’s playroom, fitness rooms and an outdoor terrace.</p> <p>Staff support the proposed modification.</p>

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<p>Maximum Gross Floor Area</p>	<p>No existing requirement</p>	<p>Total maximum Gross Floor Area of 38,200 square metres.</p> <p>Maximum Gross Floor Area of 850 square metres for floors 4 to 30 and 650 square metres for floors 31 and above.</p> <p>For the purposes of this By-law, the definition of Gross Floor Area is amended to include mechanical areas and elevators.</p>	<p>The Pier 8 Block 16 Urban Design Guidelines established a recommended massing envelope within which a tall building could be accommodated while ensuring appropriate transition and separation between development blocks. The recommended volume of the building itself is less than the volume of the massing envelope, allowing for flexibility on the design and location of the tower and podium elements. The total floor area (including all mechanical, elevators, etc.) recommended in the Guidelines is 38,200 square metres and this requirement has been included in the proposed zoning by-law.</p> <p>To ensure a slender and tapered building design, the Pier 8 Block 16 Urban Design Guidelines also recommends that the tower floor plates not exceed 850 square metres for floors 4 to 30 and 650 square metres for floors 31 and above.</p> <p>Staff support the proposed modifications to maximum gross floor area as they will ensure that appropriate building massing is implemented as established in the Pier 8 Block 16 Urban Design Guidelines.</p>

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Minimum Setbacks	No existing requirement	<p>7.5 metres from the easterly lot, and 1.5 metres from all other lot lines.</p> <p>12.5 metres from the easterly and northerly lot lines and 3.0 metres from all other lot lines for any portion of a building exceeding three storeys.</p>	<p>The Pier 8 Block 16 Urban Design Guidelines recommend a 7.5 metre setback from the easterly property line to accommodate a mid-block pedestrian connection, and a 1.5 metre setback from all other lot lines to allow for landscaping at grade.</p> <p>A 12.5 metre setback above the third storey is recommended to provide for transition to the future development block to the east and the Waterfront Promenade to the north. A minimum 3.0 metre setback above the third storey for all other lot lines is proposed that will provide transition to the Greenway and Discovery Drive.</p> <p>Staff support the proposed modifications.</p>
Encroachment into a Required Setback	<p>No existing requirement for a second floor terrace or a retaining wall.</p> <p>Maximum 1.5 metres for a porch, deck or canopy into a required yard.</p>	<p>To permit a second floor terrace to encroach a maximum 1.5 metres into a required setback but shall be no closer than 0.5 metres from a lot line.</p> <p>To permit a porch, deck, canopy or retaining wall to encroach a maximum 4.0 metres into the required east side yard.</p>	<p>The applicant has proposed a second floor terrace that also acts as a canopy that encroaches into the required setbacks. The terrace / canopy will provide weather protection at grade and outdoor amenity space for residents at the second level. The terrace also includes a publicly accessible viewing platform facing the Hamilton Harbour.</p> <p>In addition, the applicant has proposed private amenity areas in front of the townhouse style units on the east side of the building. The amenity areas may include poches, decks, canopies or retaining walls that encroach up to 4.0 metres into the required 7.5 metre easterly</p>

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Encroachment into a Required Setback Continued			side yard. Staff are satisfied that the encroachments are appropriate and would enhance the private amenity areas while allowing enough space within the easterly side yard for a mid-block pedestrian connection. Therefore, staff support the proposed modification.
Building Height	Minimum 9.0 metres Maximum 6-storeys and up to 24.5 metres	45-storeys and 147.0 metres measured to the top of the mechanical penthouse.	The recommended massing envelope from the Pier 8 Block 16 Urban Design Guidelines includes a maximum building height of 147.0 metres. This maximum height was established based on the geodetic elevation of Landmark Place, the tallest building presently in Hamilton. To avoid a building that is above the existing tallest building, the proposed maximum building height will have a geodetic elevation (224.0 metres) that is less than Landmark Place (226.0 metres). Staff support the proposed modification.
Figures 10: Waterfront Block Plan Figure 12: Waterfront Zones – Building Heights	The subject property together with another block to the south, the Waterfront Trust Centre, and the existing restaurant building to the west (William’s Coffee Pub) are all shown as “Block 16” on	To identify the subject property as “Block 17” and add additional regulations related to building height to Figure 12 (maximum 147.0 metres for the subject lands) and number of family units to Figure 14 (15% of all units plus 150 units	The subject property is known as Block 16 because that is its block number on the Pier 8 Plan of Subdivision. Figure 10: Waterfront Block Plan assigns block numbers for zoning purposes that do not in all cases align with the corresponding block numbers on the Plan of Subdivision.

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<p>and,</p> <p>Figure 14: Waterfront Zones – Residential Unit Restrictions</p>	<p>the Waterfront Block Plan (Figure 10).</p> <p>The Waterfront Block Plan Figure is referred to in the Waterfront Zones for regulations related to Building Height (Figure 12) and residential unit restrictions (Figure 14).</p>	<p>within the area comprised of Blocks 1 through 17).</p>	<p>To distinguish the subject lands from the other blocks identified as “Block 16” on Figure 10: Waterfront Block Plan, the applicant has proposed to identify it as “Block 17”.</p> <p>Modifications to Figure 12: Waterfront Zones – Building Heights and Figure 14: Waterfront Zones – Residential Unit Restrictions are also required to assign a maximum building height to the subject lands (147.0 metres) and to increase the number of required family units from 15% of all units within Pier 8 to 15% of all units plus 150 units. The proposed modifications implement the maximum recommended building height as determined through the Pier 8 Block 16 Urban Design Guidelines and the number of required family units from the Pier 8 rezoning minutes of settlement.</p> <p>Staff support the proposed modifications.</p>