




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

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	February 4, 2025
<b>SUBJECT/REPORT NO:</b>	Application for Zoning By-law Amendment for Lands Located at 525 Stone Church Road East, Hamilton (PED25021) (Ward 7)
<b>WARD(S) AFFECTED:</b>	Ward 7
<b>PREPARED BY:</b>	Shaival Gajjar (905) 546-2424 Ext. 5980
<b>SUBMITTED BY:</b>	Anita Fabac Acting Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

- (a) That **Zoning By-law Amendment application ZAC-24-033, by Landwise (c/o Katelyn Gillis), on behalf of Victoria Park Community Homes Inc. (c/o Rizwan Zaeem), Owner**, for a change in zoning from the “RT-20” (Townhouse – Maisonette) District to the “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding (Block 1) and the “RT-20/S-1840” (Townhouse – Maisonette) District, Modified (Block 2) , to permit the development of an eight storey multiple dwelling containing 105 affordable dwelling units on lands located at 525 Stone Church Road East, as shown in Appendix “A” to Report PED25021, be **APPROVED** on the following basis:
- (i) That the Draft By-law attached as Appendix “B” to Report PED25021, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
  - (ii) That the proposed change in zoning is consistent with the Provincial Planning Statement (2024);

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

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

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

- (iii) That the proposed change in zoning complies with the Urban Hamilton Official Plan; and,
- (iii) That the amending By-law apply the Holding Provision of section 36(1) of the *Planning Act*, R.S.O. 1990 to a portion of the subject property (Block 1 as shown in Appendix “B” attached to Report PED25021) by including the Holding ‘H’ as a suffix to the proposed “E-2/S-1839” (Multiple Dwellings) District, Modified.

The Holding Provision “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding is to be removed conditional upon:

- a. That the owner submit and receive approval of an acceptable Tenant Relocation and Assistance Plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen tenant hardship to the satisfaction of the Director of Housing Services and Director of Development Planning.
  - b. That the owner submit and receive approval of updated hydrant flow test data to demonstrate adequate available fire flow in the existing municipal system. If the up-to-date hydrant test data does not demonstrate adequate available fire flow in the existing municipal system, the proponent will be further required to submit a Watermain Hydraulic Analysis to identify any required upgrades to the municipal system to support the proposed development. Any required upgrades to the existing municipal system will be 100% at the owner’s cost. This is to the satisfaction of the Director of Development Engineering.
  - c. That the owner submit and receive approval of a Sanitary Capacity Analysis to demonstrate that the proposed intensification will not have a negative impact on the hydraulic performance of the existing downstream municipal sanitary system. Any required upgrades to the existing municipal system will be 100% at the owner’s cost. This is to the satisfaction of the Director of Development Engineering.
- (b) That upon approval of Zoning By-law Amendment Application ZAC-24-033, the Rushdale Neighbourhood Plan be amended by adding a site-specific symbol to the subject lands permitting “Medium Density Apartments” and that a site-specific symbol permitting “Medium Density Apartments” be added to the legend of Map

7511 – Rushdale Neighbourhood Plan, on the lands municipally known as 525 Stone Church Road East, as shown in Appendix “H” attached to Report PED25021.

## **EXECUTIVE SUMMARY**

The subject site is municipally known as 525 Stone Church Road East, Hamilton and is located on the northwest corner of the intersection of Stone Church Road East and Redmond Drive. The subject site is accessed from Redmond Drive and currently contains eight blocks of two-storey townhouse dwellings with a total of 60 dwelling units.

The applicant has submitted a Zoning By-law Amendment application to facilitate the development of an eight storey multiple dwelling containing 105 affordable dwelling units with 22 parking spaces, including two barrier-free spaces, located at-grade within the building. The proposed development would necessitate the demolition of one townhouse block resulting in the removal of eight existing rental townhouse dwellings to accommodate the proposed development. The applicant is also proposing changes to the balance of the subject landsto provide additional surface parking (refer to Appendices “A” and “F” attached to Report PED25021).

The Rental Housing Protection By-law No. 24-109 was considered by the Planning Committee on June 18, 2024, and came into effect on January 1, 2025. As the Zoning By-law Amendment application was received prior to the January 1, 2025, effective date, the proponent will not be required to obtain a Section 99.1 Permit under the *Municipal Act* per the transition regulations of the City’s Rental Housing Protection By-law. A Holding Provision has been recommended that requires the owner submit and receive approval of an acceptable Tenant Relocation and Assistance Plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen tenant hardship.

The purpose of the Zoning By-law Amendment application (ZAC-24-033) is to change the zoning from the “RT-20” (Townhouse – Maisonette) District to the “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding (Block 1) and the “RT-20/S-1840” (Townhouse – Maisonette) District, Modified (Block 2) in the former City of Hamilton Zoning By-law No. 6593. Site specific modifications are proposed to the “RT-20” (Townhouse – Maisonette) District and the “E-2” (Multiple Dwellings) District to accommodate the proposed development, which are discussed in Appendix “C” attached to Report PED25021.

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Holding Provisions are recommended for the amending By-law to address the requirement for a Tenant Relocation and Assistance Plan, and to submit for approval a Watermain Hydraulic Analysis and a Sanitary Capacity Analysis.

The proposal has merit and can be supported for the following reasons:

- It is consistent with the Provincial Planning Statement (2024);
- It complies with the Urban Hamilton Official Plan; and,
- The proposal represents good planning by, among other things, providing a compact and efficient urban form, supporting the development of complete communities, supporting transit, and providing affordable housing options.

**Alternatives for Consideration – See Page 13**

**FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold a public meeting to consider an application for a Zoning By-law Amendment.

**HISTORICAL BACKGROUND**

<b>Application Details</b>	
Owner:	Victoria Park Community Homes Inc. (c/o Rizwan Zaeem)
Applicant/Agent:	Landwise (c/o Katelyn Gillis)
File Number(s):	ZAC-24-033
Type of Application:	Zoning By-law Amendment
Proposal:	The purpose of the Zoning By-law Amendment is to change the zoning from the “RT-20” (Townhouse – Maisonette) District to the “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding (Block 1) and the “RT-20/S-1840” (Townhouse – Maisonette) District, Modified (Block 2), to permit an eight storey multiple dwelling with 22 parking spaces, including two barrier-free spaces.

<p>Proposal: <b>(continued)</b></p>	<p>The effect of the application is to facilitate the development of an eight storey multiple dwelling containing 105 affordable dwelling units, of which 84 are one-bedroom and 21 are two-bedroom units. The proposal contains 22 parking spaces, including two barrier-free spaces, which are accessed off Redmond Drive and located at-grade within the propose multiple dwelling. Minor modifications are proposed to the balance of the existing development to accommodate 30 additional surface parking spaces, which will be used for the existing townhouse units, the proposed multiple dwelling, and as visitor parking. Each of the proposed units will have access to a private balcony and a 67 square metre common amenity area, which is included on the third floor. The future residents of the proposed multiple dwelling will also have access to the existing centralized amenity area, which is approximately 1,140 square metres in size.</p>
<p><b>Property Details</b></p>	
<p>Municipal Address:</p>	<p>525 Stone Church Road East, Hamilton.</p>
<p>Lot Area:</p>	<p>± 15,378 m<sup>2</sup> (± 1.54 ha).</p>
<p>Servicing:</p>	<p>Full municipal services.</p>
<p>Existing Use:</p>	<p>Townhouse Dwellings</p>
<p><b>Documents</b></p>	
<p>Provincial Planning Statement:</p>	<p>The proposal is consistent with the Provincial Planning Statement (2024).</p>
<p>Official Plan Existing:</p>	<p>“Neighbourhoods” on Schedule E – Urban Structure and Schedule E-1 – Urban Land Use Designations.</p>
<p>Zoning Existing:</p>	<p>“RT-20” (Townhouse – Maisonette) District.</p>
<p>Zoning Proposed:</p>	<ul style="list-style-type: none"> <li>• “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding (Block 1); and,</li> <li>• “RT-20/S-1840” (Townhouse – Maisonette) District, Modified (Block 2).</li> </ul>

<p>Modifications Proposed:</p>	<p>The following modifications are proposed to the “E-2/S-1839” (Multiple Dwellings) District, Modified (Block 1):</p> <ul style="list-style-type: none"><li>• To increase the maximum building height from 26.0 metres to 27.0 metres;</li><li>• To reduce the minimum front yard setback from 7.5 metres to 3.0 metres;</li><li>• To reduce the minimum exterior side yard setback from 7.5 metres to 7.0 metres, except for 1.7 metres to the hypotenuse of a daylight triangle;</li><li>• To increase the maximum side yard encroachment for any canopy projection from 1.0 metre to 2.0 metres; and,</li></ul> <p>The following modifications are being proposed to the “RT-20/S-1840” (Townhouse – Maisonette) District, Modified (Block 2):</p> <ul style="list-style-type: none"><li>• To reduce the minimum yard requirements abutting any other lot, where there are windows to a habitable room facing the yard, from 6.0 metres to 5.95 metres; and,</li><li>• To reduce the minimum distance required between two exterior walls from 9.0 metres to 3.5 metres.</li></ul> <p>The following modifications are being proposed to the “E-2/S-1839” (Multiple Dwellings), District, Modified and the “RT-20/S-1840” (Townhouse – Maisonette) District, Modified:</p> <ul style="list-style-type: none"><li>• That Redmond Drive shall be deemed the front lot line;</li><li>• To increase the minimum landscaped area from 25% to 35% for the “E-2” District and to decrease the minimum landscaped area from 40% to 35% for the “RT-20” District;</li><li>• The following parking ratios are proposed for a minimum of 119 required parking spaces:<ul style="list-style-type: none"><li>○ To reduce the minimum required parking spaces from 1.25 spaces to 0.5 spaces for multiple dwellings;</li></ul></li></ul>
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<p>Modifications Proposed: <b>(continued)</b></p>	<ul style="list-style-type: none"> <li>○ To reduce the minimum required parking spaces from 1.5 spaces to 1.0 space for townhouse dwellings; and,</li> <li>○ To reduce the minimum required visitors parking spaces for the subject lands from 0.30, 0.20, and 0.16 spaces to 0.1 spaces;</li> <li>● To reduce the minimum loading space requirement from 2 spaces to 1 space with the dimensions of 12.0 metres in length and 3.4 metres in width;</li> <li>● To increase the maximum front yard encroachment for any balcony projection from the front lot line from 1.0 metre to 1.5 metres;</li> <li>● To increase the maximum side yard encroachment for a canopy to 2 metres and to permit a canopy to be as close as 0.0 metres to the hypotenuse of a daylight triangle;</li> <li>● To reduce the permitted drive aisle width to 5.9 metres to recognize existing conditions; and,</li> <li>● To modify the required parking space size to recognize existing undersized parking spaces, and to align the parking space dimensions for new spaces with Zoning By-law No. 05-200.</li> </ul> <p>A complete analysis of the proposed modifications is in Appendix “C” attached to Report PED25021.</p>
<p><b>Processing Details</b></p>	
<p>Received:</p>	<p>November 19, 2024</p>
<p>Deemed Complete:</p>	<p>November 22, 2024</p>
<p>Notice of Complete Application:</p>	<p>A Notice of Complete Application was published in the Hamilton Spectator on December 6, 2024.</p>
<p>Public Notice Sign:</p>	<p>Posted on the subject lands on December 12, 2024.</p>
<p>Notice of Public Meeting:</p>	<p>Sent to 156 property owners within 120 metres of the subject lands and published in the Hamilton Spectator on January 24, 2024.</p>
<p>Staff and Agency Comments:</p>	<p>Staff and agency comments have been summarized in Appendix “E” attached to Report PED25021.</p>
<p>Public Consultation:</p>	<p>The applicant organized a public consultation meeting on August 20, 2024, and invitations were sent to 229</p>

	addresses within 120 metres of the subject lands, including the existing residents on the subject lands. It was an open house format with information boards and representatives from the project team were available to answer questions. A total of 11 people attended the open house.  Please refer to Appendix “G” attached to Report PED25021 for the Public Consultation Summary.
Public Comments:	No comments were received from the public at the time of drafting this report.
Processing Time:	74 days from application being deemed complete.

**Existing Land Use and Zoning**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Lands:</b>	Residential (Townhouse Dwellings)	“RT-20” (Townhouse – Maisonette) District.
<b>Surrounding Land Uses:</b>		
North	Single Detached Dwellings	Low Density Residential (R1) Zone.
South	Single Detached Dwellings	“C/S-573” and “C/S-1822” (Urban Protected Residential, etc.) District, Modified; and, “D/S-890” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
East	Commercial	Community Commercial (C3) Zone.
West	Single Detached Dwellings	“C/S-573” and “C/S-1822” (Urban Protected Residential, etc.) District, Modified; and,



“D/S-609” and “D/S-1822” (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

## **POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

### **Provincial Planning Statement (2024)**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Planning Statement (2024). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Planning Statement (2024).

The proposal has been reviewed against the Provincial Planning Statement (2024), including policies 2.3.1.1 and 2.3.1.2, among others. The proposed development is within a settlement area and efficiently uses land and resources, optimizes existing and planned infrastructure and public service facilities, supports active transportation, is transit supportive, and contributes to the affordability and variety of housing options. The proposed development of an eight storey multiple dwelling containing 105 affordable dwelling units achieves appropriate residential densities within a planned settlement area, is compatible with existing surrounding development, and is proposed on full municipal services. Accordingly, the proposal is consistent with the Provincial Planning Statement (2024).

As the application for Zoning By-law Amendment complies with the Urban Hamilton Official Plan, subject to the Holding Provision, it is staff’s opinion that the application is:

- Consistent with Section 3 of the *Planning Act*; and,
- Consistent with the Provincial Planning Statement (2024).

### **Urban Hamilton Official Plan**

The subject lands are identified as “Neighbourhoods” on Schedule E – Urban Structure and designated “Neighbourhoods” on Schedule E-1 – Urban Land Use Designations. The proposed development will facilitate the development of an eight storey multiple dwelling consisting of 105 affordable dwelling units and 22 surface level parking spaces, including two barrier-free spaces. A review of the applicable Official Plan policies is found in Appendix “D” attached to Report PED25021.

The proposal is considered Medium Density Residential development and complies with the policies related to the function and scale of the Medium Density Residential

category of the “Neighbourhoods” designation, which permits all forms of multiple dwellings. Policy E.3.5.8 permits a maximum building height of six storeys, which can be increased to a maximum of 12 storeys, provided the applicant demonstrates that the proposed development: provides for a mix of unit sizes; incorporates sustainable building and design principles; does not unduly overshadow or block light on adjacent sensitive land uses, the public realm, and outdoor private amenity areas; is progressively stepped back from adjacent areas designated “Neighbourhoods”; and buildings are stepped back from the street to minimize the height appearance from the street, where necessary.

The applicant has proposed to develop an eight storey building and has demonstrated that the proposed development will provide for a mix of unit sizes, meet the Passive Housing standards, and will not unduly overshadow or block light on adjacent sensitive land uses. The proposed development does not provide for any stepbacks from the street or from the adjacent lands designated “Neighbourhoods”; however, the proposal incorporates ample separation distance from the existing adjacent townhouses and is scaled appropriately to the existing and planned street proportions.

The proposal intends to intensify the existing neighbourhood by increasing the residential density through the introduction of a mid-rise building and providing an alternative housing type. The location of the proposed development is appropriate, as it is located on the periphery of the neighbourhood and the subject parcel is located along a minor arterial road. Additionally, the subject site is a corner parcel, and the location of the proposed development will not impact the low-rise residential development across Stone Church Road East or the commercial development on Redmond Drive.

The subject site is currently developed with townhouse dwellings with an amenity area in the centre of the parcel. The proposal is to demolish one block of townhouse dwellings containing eight units to construct a multiple dwelling that would provide for an increased number of affordable units on the subject site. The proposed multiple dwelling has been compatibly incorporated into the subject lands, and there is a buffer space between the existing townhouse blocks and the proposed building. The proposed development does not alter the existing lot pattern and generally maintains the existing amenity space and landscaped area on the subject site. The proposal complies with the residential intensification criteria of the Urban Hamilton Official Plan.

Policy B.3.2.5.8 (Social Housing) applies to the subject site as there are existing blocks of townhouses that are affordable rental units on the subject site that would be considered social housing as defined in the Urban Hamilton Official Plan. The policy provides guidance on the demolition/redevelopment of social housing units and criteria that are required to be met to support redevelopment. The applicant proposes

demolition of one block of townhouse dwellings and to replace it with a multiple dwelling. The new dwelling units are being developed as affordable housing units.

The proposed development provides replacement units in accordance with Policy B.3.2.5.8 a). The owner has not yet provided materials to satisfy the requirement for a Tenant Relocation and Assistance Plan in accordance with Policy B.3.2.5.8 b). A Holding Provision is recommended that requires the owner submit and receive approval of an acceptable Tenant Relocation and Assistance Plan addressing the right to return to occupy the replacement housing at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen tenant hardship. This will ensure compliance with the Urban Hamilton Official Plan with respect to the removal and replacement of social housing dwelling units.

Based on the foregoing, and subject to the Holding Provisions, the proposal complies with the applicable policies of the Urban Hamilton Official Plan.

### **Rushdale Neighbourhood Plan**

Policy F.1.2.11 states that Neighbourhood Plans are policies adopted by Council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan. The subject lands are in the Rushdale Neighbourhood Plan which only consists of mapping and no associated policies to provide further guidance to development.

The subject lands are identified as “Attached Housing”, which permits the existing use of townhouse dwellings. The proposed development would be considered “Medium Density Apartments”, which requires that the Rushdale Neighbourhood Plan be amended by adding a site-specific symbol to the subject lands permitting “Medium Density Apartments” and that a site-specific symbol permitting “Medium Density Apartments” be added to the legend of Map 7511 – Rushdale Neighbourhood Plan. This proposed amendment can be supported for the following reasons:

- The proposed amendment allows for the residential intensification of the subject lands, consistent with the Provincial Planning Statement and represents good planning.
- The proposed amendment updates the Rushdale Neighbourhood Plan to be in conformity with the Urban Hamilton Official Plan and align with it’s policy objectives.

Please refer to the proposed mapping changes to the Rushdale Neighbourhood Plan in Appendix “H” attached to Report PED25021.

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

The proposed Zoning By-law Amendment is for a change in zoning from “RT-20” (Townhouse – Maisonette) District to the “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding (Block 1) and the “RT-20/S-1840” (Townhouse – Maisonette) District, Modified (Block 2) to permit the development of an eight storey multiple dwelling containing 105 affordable dwelling units with 22 surface level parking spaces, including two barrier-free spaces. Modifications to the “RT-20” (Townhouse – Maisonette) District and the “E-2” (Multiple Dwellings) District are required to facilitate the development and are summarized in the Report Fact Sheet above and discussed in Appendix “C” attached to Report PED25021.

**ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Planning Statement (2024);
  - (ii) It complies with the Urban Hamilton Official Plan; and,
  - (iii) It is compatible with the surrounding area, and represents good planning by, among other things, incorporating a compatible residential development that contributes to the achievement of a complete community through the establishment of housing forms and densities that are in keeping with the existing and planned character of the area, while making efficient use of the subject lands, existing municipal services, and transportation infrastructure. The proposal also contributes to the provision of affordable housing.
  
2. Zoning By-law Amendment

The proposed Zoning By-law Amendment is to rezone the subject lands to “RT-20/S-1840” (Townhouse – Maisonette) District, Modified and “E-2/S-1839-H” (Multiple Dwellings) District, Modified, Holding, to permit the development of an eight storey multiple dwelling containing 105 dwelling units with 22 surface level parking spaces, including two barrier-free spaces.

Modifications are requested to the proposed zoning and are discussed in Appendix “C” attached to Report PED25021. Staff are supportive of the proposed Zoning By-law Amendment, as the proposal complies with the policies of the Urban Hamilton Official Plan, in particular with respect to the policies of the

“Neighbourhoods” designation and the Residential Intensification policies of Chapter B.

Therefore, staff supports the proposed Zoning By-law Amendment, subject to Holding Provisions.

3. Holding Provisions

A Holding ‘H’ Provision is proposed to be added to the subject lands, which requires that the owner submit and receive approval of a Tenant Relocation and Assistance Plan, a Watermain Hydraulic Analysis and a Sanitary Capacity Analysis.

**ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the subject property could be developed in accordance with “RT-20” (Townhouse – Maisonette) District in the City of Hamilton Zoning By-law No. 6593.

**APPENDICES AND SCHEDULES ATTACHED**

- Appendix “A” to Report PED25021 – Location Map
- Appendix “B” to Report PED25021 – Draft By-law
- Appendix “C” to Report PED25021 – Modification Chart
- Appendix “D” to Report PED25021 – Summary of Policy Review
- Appendix “E” to Report PED25021 – Department and Agency Comments
- Appendix “F” to Report PED25021 – Concept Plan
- Appendix “G” to Report PED25021 – Public Consultation Summary
- Appendix “H” to Report PED25021 - Neighbourhood Plan Amendment

SG/mb