



City of Hamilton Report for Consideration

To: Chair and Members of Planning Committee
Date: March 18, 2025
Report No: PED25067
Subject/Title: Application for an Official Plan Amendment for Lands
Located at 804 to 816 King Street West, Hamilton
Ward(s) Affected: Ward 1

Recommendations

1. That **Official Plan Amendment Application UHOPA-24-012, by WEBB Planning Consultants (c/o James Webb) on behalf of Gateway Development Group Inc. (c/o Anthony Quattrociocchi), Owner**, to modify “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare, for lands located at 804 to 816 King Street West, as shown on Appendix A attached to Report PED25067, **BE APPROVED** on the following basis:
 - (i) That the draft Official Plan Amendment, attached as Appendix B to Report PED25067, be adopted by City Council; and,
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Planning Statement (2024).

Key Facts

- The purpose of the application is to amend “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare within a six storey mixed use building.
- The proposed development consists of a six storey mixed use building containing 68 dwelling units, approximately 290 square metres of commercial space on the

ground floor, and 19 surface parking spaces. The existing commercial buildings will be demolished.

- The subject lands are designated “Mixed Use - Medium Density” on Schedule E-1 – Urban Land Use Designations, and further designated “Mixed Use - Medium Density, Site Specific Policy – Area J” on Ainslie Wood Westdale Secondary Plan Map B.6.2-1 – Land Use Plan Map. The subject lands are zoned Mixed Use Medium Density (C5, 732) Zone.
- The owner requires the Urban Hamilton Official Plan Amendment to accommodate interior design modifications that will increase the number of dwelling units and the density. The original development concept approved in April 2021 intended to provide student accommodations in the form of 122 bedrooms within 21 dwelling units, which resulted in a density of 176 residential dwelling units per gross hectare. The revised concept is for a mixed use building with ground floor commercial and a total of 68 dwelling units provided through a mix of studio, one bedroom and two bedroom units and results in a density of 380 residential dwelling units per gross hectare.
- Staff recommends approval of the proposed Official Plan Amendment as shown in Appendix B attached to Report PED25067.

Financial Considerations

Not applicable.

Analysis

The subject lands are municipally known as 804 to 816 King Street West, Hamilton and are located on the northeast corner of King Street West and Paradise Road North. The subject lands are approximately 0.17 hectares in size and are rectangular in shape with frontage along King Street West and Paradise Road North, having vehicular access from Paradise Road North only. The proposed development is for a six storey mixed use building with 68 dwelling units that will provide a mix of one, two and three bedroom units with commercial on the ground floor.

An Urban Hamilton Official Plan Amendment is required to accommodate interior design modifications that will increase the total number of dwelling units on the subject lands, resulting in an increased density of 380 residential dwelling units per gross hectare where 176 residential dwelling units per gross hectare is currently permitted. A Zoning By-law Amendment is not required to facilitate the development as the performance standards do not regulate density and the building envelope permitted by the Zoning By-law can accommodate the proposed interior modifications. A Minor Variance application is anticipated to address parking deficiencies that will align with the current regulations of Zoning By-law No. 05-200.

A full review of the applicable Provincial Planning Statement (2024), Urban Hamilton Official Plan, and Ainslie Wood Westdale Secondary Plan policies is provided in Appendix E attached to Report PED25067.

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 proposed development has been reviewed against the Provincial Planning Statement (2024). A full policy analysis of the applicable Provincial Planning Statement (2024) policies is provided in Appendix E attached to Report PED25067.

The proposed development will provide a range of housing types and achieve the planned urban structure of the Urban Hamilton Official Plan. The compact, efficient built form provides increased density that will support the use of existing and planned transit and commercial uses and represents an appropriate development of the site which will contribute to a complete community. The proposed development is located within proximity to existing parks and schools and has access to the existing transit network, contributing to the achievement of the overall goals within the Provincial Planning Statement (2024).

Based on the foregoing, the proposal is:

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

Urban Hamilton Official Plan and Ainslie Wood Westdale Secondary Plan

The subject lands are identified as “Primary Corridor” on Schedule E – Urban Structure and designated “Mixed Use - Medium Density” on Schedule E-1 – Urban Land Use Designations in the Urban Hamilton Official Plan. The subject lands are further designated “Mixed Use – Medium Density” on Map B.6.2-1 – Ainslie Wood Westdale Secondary Plan Land Use Plan Map. A full policy analysis of the applicable Urban Hamilton Official Plan policies is provided in Appendix E attached to Report PED25067.

The purpose of the Urban Hamilton Official Plan Amendment is to modify “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare within a six storey mixed use building, as a result of the proposed increase to 68 dwelling units.

“Site Specific Policy – Area J” was created through Official Plan Amendment No. 146 in April 2021 to permit a six storey building intended for student accommodation. Planning

applications included an Official Plan Amendment (OPA-U-146), Zoning By-law Amendment (ZAC-19-009), and Site Plan Control (DA-21-117) to create specific modifications for building height, rear and side yard setbacks, vehicle parking requirements, and bicycle parking requirements. Conditional Site Plan approval (DA-21-117) was issued in November 2021.

The original development concept approved in April 2021 intended to provide student accommodations in the form of 122 bedrooms within 21 dwelling units, which resulted in a density of 176 residential dwelling units per gross hectare. The revised concept is for a mixed use building with ground floor commercial and a total of 68 dwelling units provided through a mix of studio, one bedroom and two bedroom units. The revised development proposal results in a density of 380 residential dwelling units per gross hectare. The Urban Hamilton Official Plan Amendment is required to permit the increased density on the subject lands.

The built form along the Urban Corridors shall generally consist of low to mid rise forms and will vary in some areas with higher densities. Areas identified as “Primary Corridor” are intended to have a greater proportion of the corridor length provide commercial uses in a mixed use built form. The “Mixed Use – Medium Density” designation is intended to support urban nodes and corridors and create a vibrant and viable mix of uses.

The proposed mixed use building in the “Mixed Use – Medium Density” designation is assessed under the applicable policies of the Ainslie Wood Westdale Secondary Plan as outlined in Appendix E attached to Report PED25067. The proposed modifications to “Site Specific Policy – Area J” are supported by both the “Primary Corridor” and “Mixed Use – Medium Density” policies. The proposed maximum density of 380 residential units per gross hectare to permit 68 dwelling units can be supported as the proposed development meets the criteria to permit additional density within a compact built form.

The proposed development contains a mix of unit sizes, and incorporates sustainable building and design principles, which will be implemented through a future Site Plan Control application. The proposal complies with the intent of the Urban Hamilton Official Plan to locate higher density development along a primary transit corridor. Hamilton Street Railway operates bus routes 01 King, 05 Delaware, 06 Aberdeen, 10 B-Line Express, and 51 University on King Street West. In addition, King Street West has been identified as a potential rapid transit route, with a planned Light Rail Transit route, B Line. Churchill Park, Coronation Park, Cootes Paradise Elementary School, and Westdale Secondary School are located within walking distance, approximately 200 to 500 metres of the subject lands. The height of the proposed development is permitted by the Urban Hamilton Official Plan and site specific zoning.

Based on the foregoing, the proposal complies with the Urban Hamilton Official Plan and Ainslie Wood Westdale Secondary Plan upon adoption of the Official Plan Amendment.

City of Hamilton Zoning By-law No. 05-200

The subject lands are zoned Mixed Use Medium Density (C5, 732) Zone in City of Hamilton Zoning By-law No. 05-200. The proposed development complies with the existing zoning and therefore does not require a Zoning By-law Amendment application. The building footprint is not proposed to change to accommodate the proposed interior modifications and complies with the site specific regulations that apply to the subject lands. The Zoning By-law does not regulate the density on the subject lands, however, Site Specific Policy – Area J of the Ainslie Wood Westdale Secondary Plan permits a maximum density of 176 residential dwelling units per gross hectare. A future Minor Variance application will be required to align the required parking within the Parking Regulation Area 1 requirements of Zoning By-law No. 05-200.

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 general intent and purpose of the Urban Hamilton Official Plan and Ainslie Wood Westdale Secondary Plan; and,
 - (iii) It is compatible with the existing land uses in the immediate area, it represents good planning by, among other things, providing a compact and efficient urban form, provides additional housing units and commercial uses in the area, achieves the planned urban structure, and supports developing a complete community.

2. Urban Hamilton Official Plan Amendment

The purpose of the Official Plan Amendment application is to modify “Site Specific Policy – Area J” within the Ainslie Wood Westdale Secondary Plan to increase the permitted maximum density from 176 residential dwelling units per gross hectare to 380 residential dwelling units per gross hectare within a six storey mixed use building, resulting in a total of 68 dwelling units.

The proposed maximum density of 380 residential units per gross hectare to permit 68 dwelling units can be supported as the proposed development meets the criteria to permit additional density within a compact built form. The proposed development contains a mix of unit sizes, and incorporates sustainable building and design principles, which will be implemented through the Site Plan Control application.

The proposal achieves the goals of the Urban Hamilton Official Plan such as the intent to locate higher density development along a primary transit corridor.

Based on the foregoing and the analysis provided in Appendix E of Report PED25067, staff supports the proposed Official Plan Amendment.

Alternatives

Should the application be denied, the subject lands can be used in accordance with the Mixed Use Medium Density (C5, 732) Zone in City of Hamilton Zoning By-law No. 05-200.

Relationship to Council Strategic Priorities

Priority 1: Sustainable Economic & Ecological Development

- 1.2: Facilitate the growth of key sectors.

Priority 2: Safe & Thriving Neighbourhoods

- Increase the supply of affordable and supportive housing and reduce chronic homelessness.

Consultation

The application was circulated to internal departments and external agencies. Refer to comment summary and response provided in Appendix F attached to Report PED25067.

In addition to the requirements of the *Planning Act*, the applicant submitted a Public Consultation Strategy with the supporting materials. A letter outlining the development application with request for public feedback was distributed to 110 properties located within 120 metres of the subject lands on November 9, 2024, and November 10, 2024, to which one response was received seeking additional information regarding construction timing after a decision has been made. Planning staff have not received public comments regarding the application.

Appendices and Schedules Attached

Appendix A: Location Map

Appendix A1: Existing Land Use and Zoning Chart

Appendix B: Amendment to Urban Hamilton Official Plan

Appendix C: Historical Background and Report Fact Sheet

Appendix D: Concept Plan

Appendix E: Policy Review

Appendix F: Staff and Agency Comments

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