



CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: WARD 2
COMMITTEE DATE: May 14, 2013	
SUBJECT/REPORT NO: Application for an Amendment to the City of Hamilton Zoning By-law 6593 for Lands Located at 149 Young Street (Hamilton) (PED13079) (Ward 2)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Timothy Lee (905) 546-2424 Ext. 1249
SIGNATURE:	

RECOMMENDATION

That approval be given to **Zoning By-law Amendment Application ZAC-12-045, by GS Maher Property Holdings Ltd., Owner**, for a change in Zoning from the “E/S-357” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, to the “RT-30/S-1668” (Street - Townhouse) District, Modified, with a Special Exception, to permit 7 street townhouse dwellings, on lands located at 149 Young Street (Hamilton), as shown on Appendix “A” to Report PED13079, on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED13079, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council.
- (b) That the amending By-law be added to Schedule 19B of Zoning By-law No. 6593 as “RT-30/S-1668”.

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- (c) That the proposed change in zoning is consistent with the Provincial Policy Statement, and conforms to the Places To Grow Growth Plan, the Hamilton-Wentworth Official Plan, and City of Hamilton Official Plan.

EXECUTIVE SUMMARY

The purpose of the application is for a change and modification in zoning to facilitate the development of 7 street townhouse dwellings (see Appendix "A"). The application proposes modifications to the "RT-30" (Street - Townhouse) District with respect to minimum front, rear, and side yard setbacks; lot width; lot area; and parking requirements.

The proposal has merit and can be supported, as it is consistent with the Provincial Policy Statement, conforms to the Places to Grow Growth Plan, the Hamilton-Wentworth Official Plan, the New Urban Hamilton Official Plan, and the City of Hamilton Official Plan. The proposed development would be compatible with existing development in the surrounding area with respect to height, use, and intensity of development on the subject lands.

Alternatives for Consideration - See Page 16.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

Legal: As required by the Planning Act, Council shall hold at least one (1) Public Meeting to consider an application for a Zoning By-law Amendment.

HISTORICAL BACKGROUND

Proposal:

The subject lands are located on the northeast corner of Young Street and Walnut Street South (see Appendix "A"), and have a lot area of 504 sq. m. The lands currently contain a two-storey building containing a grocery store/convenience store with associated parking at the rear of the property. The applicant is proposing to redevelop the subject lands for 7 street townhouse dwellings with associated parking accessed from Walnut Street (see Appendix "D"). The current site-specific zoning only permits the operation of the existing grocery store. Accordingly, an amendment to the Zoning By-law is being sought to permit the proposed residential development with

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modifications respecting front, rear, and side yard setbacks; minimum lot area and lot width; parking stall size; and encroachment of parking onto a right-of-way.

Chronology:

September 25, 2012: Submission of the Zoning By-law Amendment Application (ZAC-12-045).

October 25, 2012: Application ZAC-12-045 by GS Maher Property Holdings Ltd. is deemed incomplete.

November 26, 2012: Application ZAC-12-045 is deemed complete.

November 30, 2012: Circulation of Notice of Complete Application and Preliminary Circulation of Application to all residents within 120m of the subject lands.

December 19, 2012: Preliminary Site Plan Review Application PSR-12-239 submitted by agent.

April 26, 2013: Circulation of Notice of Public Meeting to all residents within 120m of the subject lands.

Details of Submitted Application:

Location: 149 Young Street (Hamilton)

Owner: 2286523 Ontario Inc.

Applicant: GS Maher Property Holdings Ltd.

Property Description: Lot Frontage: 26.9m (Walnut Street South)

Lot Depth: 18.4m (Young Street)

Total Lot Area: 504 sq. m. (approximately)

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EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Grocery Store	“E/S-357” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified
<u>Surrounding Lands:</u>		
North	Shamrock Park	Neighbourhood Park (P1) Zone
South	Single Detached Dwellings	“D” (Urban Protected Residential - One and Two Family Dwellings) District
East	Multiple Dwellings	“E” (Multiple Dwellings, Lodges, Clubs, Etc.) District
West	Single Detached Dwellings	“D” (Urban Protected Residential - One and Two Family Dwellings) District

POLICY IMPLICATIONS/LEGISLATED REQUIREMENTS

Provincial Policy Statement:

The application has been reviewed with respect to the Provincial Policy Statement policies that contribute to the development of healthy, liveable, and safe communities, as contained in Policy 1.1.1. In particular, the application is consistent with Policy 1.1.1.e), which promotes cost-effective development standards to minimize land consumption and servicing costs.

Also, the application is consistent with Policy 1.1.3.2a), where land use patterns shall be based on densities and a mix of land uses which effectively use land and resources, and are an efficient use of infrastructure.

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In addition, Policy 1.7.1e) outlines that long term economic prosperity will be supported by planning so that major facilities, such as major transportation corridors and sensitive land uses, are appropriately designed, buffered, or separated to prevent adverse effects from odour or noise. A Noise Study was submitted by the applicant in October 2012. Both staff and Canadian Pacific Railway are satisfied with the Study's findings that require noise mitigation measures in the form of specific building construction, the provision of central air conditioning, and noise warning clauses to be included within all offers and agreements of purchase and sale or lease for all units.

Based on the foregoing, the proposal to permit 7 street townhouse dwellings is consistent with the Provincial Policy Statement. The recommendations of the Noise Study will be implemented at the site plan and consent stages of development.

Growth Plan for the Greater Golden Horseshoe (Places to Grow):

The application has been reviewed with respect to the Growth Plan for the Greater Golden Horseshoe. The subject property is located within the Built-Up Area, as defined in the Places to Grow Growth Plan. The application conforms to Section 1.2.2, where the guiding principles of the Plan are to "build compact, vibrant, and complete communities", "plan and manage growth to support a strong and competitive economy", and to "optimize the use of existing and new infrastructure to support growth in a compact, efficient form". The proposal maintains the intent to develop and create compact and complete communities by providing a variety of housing types, and intensification within the Built-Up Area. Therefore, the application conforms to the Places to Grow Growth Plan for the Greater Golden Horseshoe.

Hamilton-Wentworth Regional Official Plan:

The subject property is designated "Urban Area" in the Hamilton-Wentworth Official Plan. Policy 3.1 outlines that a wide range of uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. In addition, Policy 3.1.1 encourages mixed forms of development that utilize existing infrastructure and utilities, and allows other modes of transport such as bicycling and pedestrianism. Based on the foregoing, the proposed change in zoning conforms to the policies of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan:

The subject lands are designated "Residential" on Schedule "A", Land Use Concept, in the City of Hamilton Official Plan, where the proposed use is permitted in accordance with Policy A.2.1.1. The following policies, among others, are applicable to the proposal:

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“Where compatible uses are permitted, to preserve the amenities of and support RESIDENTIAL USES in the area, new development will, subject to the Zoning By-law:

- A.2.1.6.i) Be required to be provided with adequate yards, off-street parking and loading, landscaping, screening, buffering, or other such measures as determined by Council.
- A.2.1.8 It is the intent of Council that a variety of housing styles, types, and densities be available in all RESIDENTIAL areas of the City, and further, that proposals for new development or redevelopment will contribute to the desired mix of housing, where practicable.”

The subject lands are located in a community that has a mix of housing densities and dwelling types, such as single detached dwellings and multiple dwelling units. In addition, it is close to public transit, such as GO Transit and HSR, and is within walking distance to services and commercial uses located in the Downtown. The proposed development will provide for a patio located in the rear yard, and parking is proposed to be located in the front yard (see Appendix “D”).

Housing policies are contained within the Hamilton Official Plan with respect to achieving a high standard of residential amenity through adequate off-street parking, compatible uses within a Residential District, improved traffic flow, and streetscape, as identified in Policy C.7.1. The location of the subject lands affords opportunities for alternative forms of transportation for the proposed development, such as GO Transit and the HSR, and is within walking distance to the Downtown. This has allowed for the removal of 1 parking space for Unit 7 (see Appendix “D”). In addition, the removal of the existing commercial use on the subject lands will provide for more consistent land uses with adjacent residential uses.

Policy C.7.3 requires that all applications for residential development give encouragement of the following policies:

- “iii) Support RESIDENTIAL development such as infilling, redevelopment, and the conversion of non-residential structures that makes more efficient use of the existing building stock and/or physical infrastructure that recognize and enhance the scale and character of the existing residential area by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy, and overview;
- iv) Support RESIDENTIAL conversion of underutilized commercial space to residential, which does not undermine the primary commercial use/function of the neighbourhood; and,

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- ix) Support the concept of a RESIDENTIAL community that provides a diversity of dwelling forms and housing options accessible to all Hamilton residents.”

The proposal is an example of a redevelopment proposal that converts a commercial use to a three-storey townhouse development, which does not undermine the commercial use and function of the neighbourhood. The subject lands are located within the Corktown Neighbourhood, which is within an urban setting, and the proposed building will be of appropriate scale, mass, height, and density, and is consistent with the built form of the adjacent residential dwellings in the community. In addition, a variety of dwelling types and densities, including single detached dwellings, townhouse dwellings, and multiple dwellings can be found in the community.

Based on the above policies, the proposed residential development conforms to the Hamilton Official Plan.

Corktown Neighbourhood Plan:

The subject lands are designated “Singles/Semi/Rows” and within the “Neighbourhood Residential Area”, as shown in “Land Use Map 1”, which permits single-detached, semi-detached, and townhouse dwellings of up to three-storeys. Policy 6c) identifies that infilling on vacant lots will consist of street townhouse dwellings on lot sizes which follow the general lotting pattern in the community. The proposed street townhouse dwellings are permitted under the designation. Based on the foregoing policies, the proposed development conforms to the policies of the Corktown Neighbourhood Plan.

Urban Official Plan:

The Urban Hamilton Official Plan received Ministerial Approval from the Ministry of Municipal Affairs and Housing on March 16, 2011. However, it has been appealed to the Ontario Municipal Board (OMB), and is not yet in force and effect.

The subject lands are designated “Neighbourhoods” on Schedule E - Urban Structure and Schedule E-1 Urban Land Use Designations, which permits the proposal in accordance to Policies E.3.2.1 and E.3.4.3. In addition, the proposed development is within the interior of an existing residential neighbourhood, thus meeting Policy E.3.4.1. The proposed development also meets Policy E.3.2.4, as it enhances and is compatible to the existing residential community with respect to scale and character that has a full range of residential dwelling types and densities, such as single detached dwellings, townhouse dwellings, and multiple dwellings. The reduction in the front yard setback and locating on-site parking to the front of the building is also similar in arrangement with other dwellings in the community.

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Residential intensification is encouraged to ensure that the City meets the 40% intensification targets, as required by the Places to Grow Growth Plan. Such intensification is evaluated through the following policies:

“B.2.4.1.4 Residential Intensification developments shall be evaluated based on the following criteria:

- a) The relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- b) The development’s contribution to maintaining and achieving a range of dwelling types and tenures; and,
- c) The compatible integration of the development with the surrounding area in terms of use, scale, form, and character. In this regard, the City encourages the use of innovative and creative urban design techniques.

B.2.4.2.2 When considering an application for a residential intensification development within the Neighbourhoods designation, the following matters shall be evaluated:

- c) The relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;
- d) The consideration of transitions in height and density to adjacent residential buildings;
- e) The relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;
- f) The provision of amenity space and the relationship to existing patterns of private and public amenity space; and,
- h) The ability to complement the existing functions of the neighbourhood.

B.3.3.1.5 Ensure that new development is compatible with and enhances the character of the existing environment and locale.

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B.3.3.1.8 Promote intensification that makes appropriate and innovative use of buildings and sites, and is compatible in form and function to the character of existing communities and neighbourhoods.”

The above policies are met, as the proposed development is compatible with the existing residential community within the Corktown Neighbourhood with respect to height, massing, and density. In addition, the proposal maintains, enhances, and builds upon the desirable established patterns and built form, which includes narrow lot widths, smaller front yard depths, parking located in the front yard, greater overall density, attractive and walkable streetscapes, and smaller amenity areas due to the urban setting and presence of Shamrock Park.

The following urban design policies also apply:

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

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

B.3.3.2.6 Where it has been determined through the policies of this Plan that compatibility with the surrounding areas is desirable, new development and redevelopment should enhance the character of the existing environment by:

- a) Complementing and animating existing surroundings through building design and placement, as well as through placement of pedestrian amenities;
- d) Complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e) Encourage a harmonious and compatible approach to infilling by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.

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- E.3.2.7c) Adequate and direct pedestrian access and linkages to community facilities/services and local commercial uses shall be provided; and,
- E.3.2.7d) Development shall improve existing landscape features and overall landscape character of the surrounding area.
- E.3.4.6 Development in areas dominated by low density residential uses shall be designed in accordance with the following criteria:
- c) A mix of lot widths and sizes compatible with streetscape character; and a mix of dwelling unit types and sizes compatible in exterior design, including character, scale, appearance, and design features; shall be encouraged. Development shall be subject to the Zoning By-law regulations for appropriate minimum lot widths and area, yards, heights, and other zoning regulations to ensure compatibility.”

The proposed residential development will be sympathetic to the existing streetscape with respect to creating narrow lot widths, smaller front yard depths, building height, mass, and density that are similar to existing residential dwellings within the Corktown Neighbourhood. The proposal includes parking areas located in the front yard with a smaller front yard depth, which is a characteristic of adjacent existing residential dwellings in the community. Based on the foregoing policies, the proposed development would conform to the Urban Hamilton Official Plan.

RELEVANT CONSULTATION

The following Departments and Agencies have provided comments with respect to the proposed application:

Urban Forestry (Public Works Department):

Staff notes that there are no Municipal Tree Assets located along the road allowance of Young Street or Walnut Street South. There is the presence of 5 trees located along the border of Shamrock Park, where these trees may be impacted during construction. A Tree Management Plan that demonstrates tree preservation techniques will be required at the Site Plan Control stage.

In addition, a Landscape Plan will be required at the Site Plan Control stage to address the need for enhanced landscaping in the front yard to provide a softer streetscape along Walnut Street South and Young Street.

Corridor Management (Public Works Department):

Staff has no comment regarding the proposed Zoning By-law Amendment application, as submitted. However, it is noted that the private driveway for Unit 7, identified as Block "2" on the draft By-law is too close to the intersection of Walnut Street South and Young Street. Staff recommended that this driveway be removed from the original concept plan (see Appendix "C") to avoid potential vehicular and pedestrian conflicts, and vehicles backing out onto the intersection creating a safety issue with pedestrians and on-coming vehicles. The revised concept plan shows the removal of the private driveway for Unit 7, where no parking will be provided (see Appendix "D").

Hamilton Municipal Parking System:

The proposed parking spaces will be located partially on the road allowance in the front yard, where the setback is insufficient to accommodate the entire parking space on-site. Revisions to the concept plan (see Appendix "D") show that the proposed parking spaces will reflect the new Hamilton Zoning By-law 05-200 standard parking stall size to accommodate vehicles, and be eligible for a Residential Boulevard Parking Agreement that will be entered into with the City.

Waste Management (Public Works Department):

The proposed development is eligible for weekly collection of garbage, recycling, organics, as well as leaf and yard waste through the City of Hamilton, subject to compliance with specifications indicated by the Operations and Waste Management Division and the City's Solid Waste Management By-law 09-067.

Canadian Pacific Railway:

The subject property is within close proximity to a rail line operated by the Canadian Pacific Railway. The Environmental Noise Assessment was reviewed by CP Railway staff, and they are agreeable with the recommendations contained within the Report, which includes specific building components, warning clauses to be included in the Offer and Agreement of Purchase and Sale/Lease, and installation of central air conditioning. The recommendations will be implemented at the Site Plan Control stage.

Public Consultation:

In accordance with Council's Public Participation Policy, a Notice of Complete Application was circulated to 333 property owners within 120m of the subject property on November 30, 2012. To date, no letters have been received by staff. A Public Notice Sign was also posted on the subject lands on December 4, 2012.

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Notice of the Public Meeting was given in accordance with the requirements of the Planning Act through circulation to property owners within 120m of the subject lands. The Public Notice Sign was updated in early-April 2013, with respect to the date of the Public Meeting.

ANALYSIS / RATIONALE FOR RECOMMENDATION

(include Performance Measurement/Benchmarking Data, if applicable)

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Growth Plan;
 - (ii) It conforms to the Hamilton-Wentworth Official Plan, the City of Hamilton Official Plan, and the New Urban Hamilton Official Plan; and,
 - (iii) The proposed development will be compatible with existing development in the surrounding area with respect to height, use, and intensity of development on the subject lands.

2. The subject property is located at the north-east corner of Young Street and Walnut Street South, within the Corktown Neighbourhood. The neighbourhood is located south of Downtown Hamilton, and consists primarily of residential uses, including single detached, semi detached, townhouses, and multiple dwellings, with the exception of properties along James Street, where there is more of a mix of commercial and residential uses. There are a number of parks, such as Shamrock Park and Corktown Park, which provide passive recreation for residents.

There is currently one commercial building on the property, housing a food/variety store, and parking is located on the remainder of the property. To the north of the property is Shamrock Park, providing for passive recreation, such as trails and a kid's jungle gym. To the west and south of the subject lands, one- and three-storey single and semi-detached dwellings are the predominant land uses. To the east of the subject property is a three-storey, multiple dwelling, with parking abutting the subject property.

The proposed application to amend the Zoning By-law, to permit a redevelopment of the subject property for a 7 unit street townhouse development with frontage along Walnut Street South and parking in the front yard, will improve the general streetscape along the intersection and maintain the general

character of the community, which primarily consists of residential uses with a mix of densities and dwelling types.

3. Zoning By-law Amendment (ZAC-12-045):

The draft Zoning By-law will change the zoning from a site-specific “E/S-357” (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, to the “RT-30/S-1668” (Street - Townhouse) District, Modified. Modifications have been requested in order to facilitate an innovative form of housing on a property with a reduced size. In order to implement the development concept proposed by the applicant for 7 townhouse dwelling units, the following modifications have been included in the By-law to reflect the urban context of the subject lands and the proposed built form of the street townhouse units:

(a) Front Lot Line and Minimum Front Yard Depth:

The zoning provisions require a minimum 6.0m front yard setback be provided to allow for a buffer and privacy from the road allowance and the dwelling, and accommodate adequate manoeuvring for a vehicle entering and exiting an attached garage. As the subject property is a corner lot, provisions in the draft By-law have identified the Walnut Street South lot line as the front lot line and, subsequently, the Young Street lot line as the side lot line. The reduction in the front yard setback to 3.6m will be consistent with other dwelling units in the surrounding area that are characterized by a smaller front yard setback.

(b) Minimum Rear Yard Depth:

The required minimum rear yard depth of 7.5m is a typical suburban standard that provides for amenity space, including pools, gardens, and patios. A reduction has been requested to provide a 1.8m rear yard, which is not uncommon in an urban setting within the City Centre. The proposed development is an example of an innovative form of housing where a proposed patio, the equivalent of an apartment balcony, will provide an amenity space. In addition, given that the development is essentially a multiple dwelling that is grade oriented, the provision of a modest amenity area, as proposed, is considered both appropriate and functional and is consistent with the urban context. In addition, the reduction is consistent with adjacent residential dwellings where, due to its urban location, rear yards are also smaller.

As shown in the revised concept plan (see Appendix “D”), the first floor patio provides an amenity area that is anticipated to have a minimal negative effect from the neighbouring multiple dwelling east of the subject lands, as buffering and privacy will be provided through a visual barrier, which will be addressed at the Site Plan Application stage. In addition, the reduction in the rear yard setback can be supported, as recreational opportunities for residents can be accommodated by Shamrock Park, which is directly north of the subject lands.

(c) Minimum Side Yard Where Garage Is Not Provided and Encroachment:

The proposed development (see Appendix “D”) will not include the construction of individual garages for each dwelling unit and, as a result, a minimum side yard setback of 3.0m will be required under Section 10F(4)(b) of the Hamilton Zoning By-law. In addition, cornices, canopies, eaves, and gutters may project up to half the width of the side yard setback, or 1m, whichever is less.

The side lot lines are not perpendicular to the front and rear lot lines. The proposed setback from the northerly side yard lot line varies in width from 0.3m to 1.0m, and a proposed setback from the southerly side lot line (i.e. Young Street) in width from 0.4m to 0.6m. A reduction has been requested to the required setback to facilitate the proposed development from 3.0m to 0.3m, which will affect Units 1 and 7 of the development. The reduction in the side yard setback is an example of an urban infill project that will be consistent with existing dwellings in the surrounding community, as smaller side yard setbacks are typical of such buildings in the community. Shamrock Park is located directly north of the subject lands. Accordingly, the reduction in the side yard setback for Unit 1 will not affect adjacent residential uses, and maintenance of the side façade can be performed due to the absence of an abutting building in Shamrock Park. In addition, vehicular and pedestrian sightlines will still be maintained at the intersection of Walnut Street South and Young Street with the reduction in the flankage side yard along Unit 7. Maintenance can be possible due to a lack of buildings located along the intersection of Young Street and Walnut Street South.

(d) Parking Requirement:

The parking requirement for a street townhouse is 1 parking space per dwelling unit. However, as required parking cannot be provided in the required front yard, a minimum of 2 spaces per unit are effectively required. As shown in the revised concept plan (see Appendix “D”),

parking spaces are to be provided between the proposed building and the Walnut Street right-of-way, with the exception of Unit 7, where no parking will be provided. Staff had concerns with the original concept plan (see Appendix "C") where the required parking stall for Unit 7 was too close to the intersection and could negatively impact pedestrian and vehicular safety. Accordingly, no parking space is to be provided for Unit 7. The draft By-law requires 0.85 parking spaces for each dwelling unit, which equates to a minimum of 6 spaces for 7 units.

The reduction in parking can be supported given the proximity of the site to the GO Station, major HRS bus routes, and the Downtown. As the proposed access and manoeuvring to these parking spaces will be encroaching onto the right-of-way, a site-specific provision has been included in the draft By-law to permit the proposed parking spaces to partially encroach onto the municipal right-of-way. The encroachment of the parking stalls, driveway access, and manoeuvring space is consistent with the existing situation within the surrounding area.

In addition, the draft By-law will require a minimum parking stall size of 2.6m x 5.8m. It is considered that this will ensure sufficient driveway spaces as to avoid any undesirable vehicle overhang onto the adjacent sidewalk, which serves as an important connection to Shamrock Park. At the Site Plan stage of development, the applicant will be required to enter into a Boulevard Parking Agreement with the City.

(e) Minimum Lot Area and Lot Width:

Under Hamilton Zoning By-law No. 6593, a minimum lot width of 6.0m and minimum lot area of 180 sq. m. for each dwelling unit is required.

The applicant has requested a reduction in the minimum lot area and lot width, where each proposed dwelling unit will have a lot width ranging between 3.65m for Units 2 - 6, and 3.9m for Units 1 and 7 (see Appendix "D"). The minimum lot width will be reduced to 3.6m, and the lot area will also be reduced to a minimum of 67.5 sq. m. The concept plan shows that each lot is sufficient in width and lot area to facilitate the development of a functional three-storey dwelling unit, and is an example of innovative and affordable housing in an urban context.

4. Street townhouse dwellings that are not within a registered plan of subdivision are subject to the Site Plan Control Application process, which will allow for the detailed review of servicing, grading, access, building elevations, etc.

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The applicant applied for a Preliminary Site Plan Review on December 19, 2012, to seek and address comments from staff with respect to the proposed development. Issues with respect to parking and traffic have been addressed through this application and draft By-law.

5. The subject lands are located within approximately 84m of an existing Canadian Pacific Railway and GO Station. The close proximity of a major transportation corridor triggers the requirement for an Acoustical Report to document noise sources and the need for any mitigation from such noise. An Acoustical Report was submitted, as revised, in October 2012, to both staff and Canadian Pacific Railway. The recommendations of the Report require, at the Site Plan Control stage, the incorporation of building components (air conditioning, windows, walls, etc.) to be designed to achieve acceptable indoor sound level criteria, and to add noise warning clauses to be registered on title and included on all offers of purchase and sales/lease.
6. There is sufficient watermain, combined sewer, and storm sewer connections along Young Street and Walnut Street that can accommodate the proposed development. No road widening will be required from the subject lands.

ALTERNATIVES FOR CONSIDERATION

(include Financial, Staffing, Legal and Policy Implications and pros and cons for each alternative)

Should the proposed Zoning By-law Amendment application be denied, the property would remain zoned "E/S-357" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, which only permits a retail grocery store.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN:

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

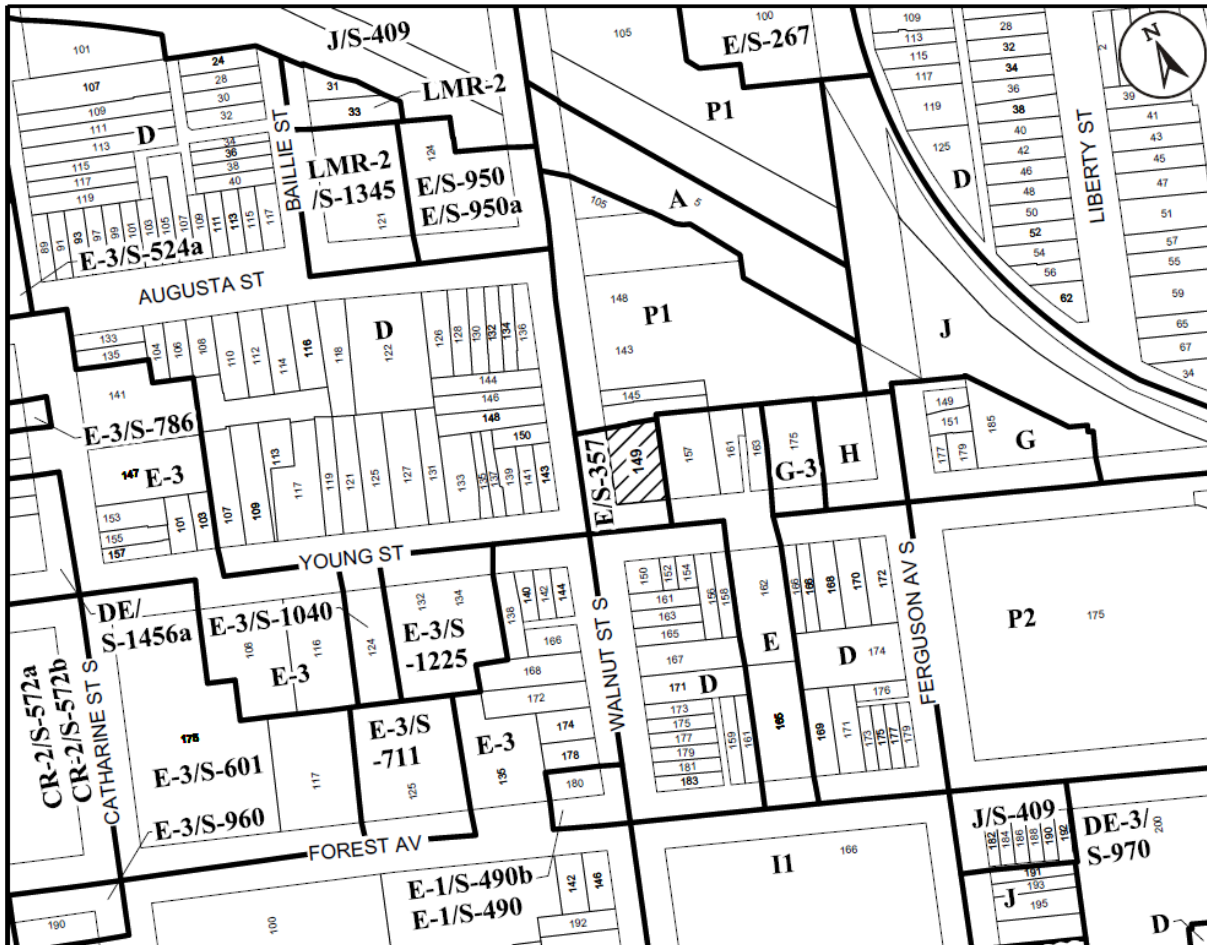
- 1.5 Support the development and implementation of neighbourhood and City-Wide strategies that will improve the health and well-being of residents.

APPENDICES / SCHEDULES

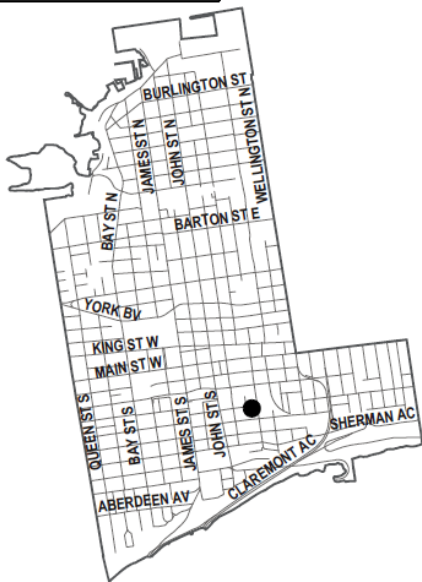
- Appendix "A": Location Map
- Appendix "B": Draft Zoning By-law Amendment
- Appendix "C": Concept Plan
- Appendix "D": Revised Concept Plan

:TL

Attachs. (4)



● Site of the Application



Ward 2 Key Map

N.T.S.

Location Map



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-12-045

Date:
March 20, 2013

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
TL/DB

Subject Property



Change in Zoning from the "E/S-357"
(Multiple Dwellings, Lodge, Clubs, etc.)
District, Modified to the RT-30/S-1668"
(Street-Townhouse) District, Modified.

Authority: Item [REDACTED]
Planning Committee
Report: 13-[REDACTED] (PED13079)
CM: [REDACTED]

Bill No. [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

To Amend Zoning By-law 6593 (Hamilton), Respecting Lands Located at 149 Young Street (Hamilton)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario 1999 Chap. 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Hamilton" and is the successor of the former Regional Municipality, namely, "the Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council or the City of Hamilton;

AND WHEREAS Zoning By-law No. 6593 (Hamilton) was enacted on the 25th day of July 1950, which was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951 (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Item [REDACTED] of Report 13-[REDACTED] of the Planning Committee, at its meeting held on the [REDACTED] day of [REDACTED], 2013, recommended that Zoning By-law No. 6593 (Hamilton) be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former City of Hamilton) in accordance with the provisions of the Planning Act.

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

1. That Sheet No. E-5 of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the zoning from the "E/S-357" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified, to the "RT-30/S-1668" (Street - Townhouse) District, Modified, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A",
2. That the "RT-30" (Street Townhouse) District regulations, as contained in Section 10(F) of Zoning By-law No. 6593, be modified to include the following special provisions:
 - (a) That notwithstanding Section 2(2)(j)(xiii) of Zoning By-law No. 6593, the Walnut Street South lot line shall be deemed to be the front lot line.
 - (b) That notwithstanding Section 10F(4)(a) of Zoning By-law No. 6593, a minimum front yard depth of 3.6m shall be provided and maintained.
 - (c) That notwithstanding Section 10F(4)(b) of Zoning By-law No. 6593, a minimum rear yard depth of 1.8m shall be provided and maintained.
 - (d) That notwithstanding Section 10F(4)(c) and 10F(4)(d) of Zoning By-law No. 6593, a minimum side yard width of 0.3m shall be provided and maintained abutting a wall that is not a party wall.
 - (e) That notwithstanding Section 10F(6)(i) of Zoning By-law No. 6593, a minimum lot area of 67.5 sq. m. shall be provided and maintained for each dwelling unit.
 - (f) That notwithstanding Section 10F(6)(ii) of Zoning By-law No. 6593, a minimum lot width of 3.6m shall be provided and maintained for each dwelling unit.
 - (g) That notwithstanding Section 18(3)(vi)(b)(iii) of Zoning By-law No. 6593, a canopy, cornice, eave, or gutter may project 0.3m within a required side yard.
 - (h) That Section 18A(1)(f) of Zoning By-law No. 6593 shall not apply.
 - (i) That notwithstanding Section 18A(7) of Zoning By-law No. 6593, a minimum parking space size of 2.6m wide x 5.8m long shall be provided and maintained, and may be provided partially offsite.

- (j) That notwithstanding Section 18A(1) and 18A(9) of Zoning By-law No. 6593, not less than 0.85 parking spaces shall be provided and maintained for each dwelling unit.
- 3. That Zoning By-law No. 6593 is amended by adding this By-law to Section 19B as Schedule S-1668.
- 4. That Sheet No. E-5 of the District Maps is amended by marking the lands referred to in Section 1 of this By-law as S-1668.
- 5. That no building or structure shall be erected, altered, extended, or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-30" (Street-Townhouse) District provisions, subject to the special requirements referred to in Section 2 of this By-law.
- 6. That the Clerk is hereby authorized and directed to proceed with the giving of notice of passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this [REDACTED] day of [REDACTED], 2013.

R. Bratina
Mayor

Rose Caterini
Clerk

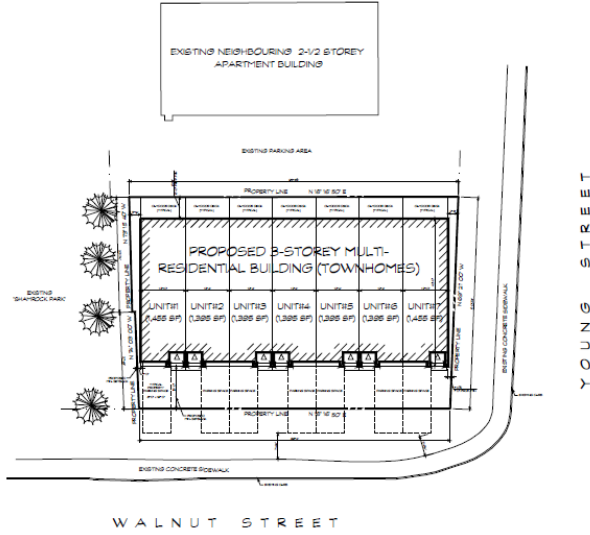
ZAC-12-045



<p>This is Schedule "A" to By-Law No. 13-</p> <p>Passed the day of, 2013</p>	<p>-----</p> <p style="text-align: center;">Mayor</p> <p>-----</p> <p style="text-align: center;">Clerk</p>
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<h2>Schedule "A"</h2> <p>Map Forming Part of By-Law No. 13-_____</p> <p>to Amend By-law No. 6593</p>	<p>Subject Property 149 Young Street</p> <p> Change in Zoning from the "E/S-357" (Multiple Dwellings, Lodge, Clubs, etc.) District, Modified to the RT-30/S-1668" (Street-Townhouse) District, Modified.</p>
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<p>Scale: N.T.S.</p>	<p>File Name/Number: ZAC-12-045</p>		<p>Date: April 11, 2013</p>
<p>PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT</p>			<p>Planner/Technician: TL/AL</p>



LEGAL DESCRIPTION:
 PART OF LOT 8, REGISTERED PLAN No. 48
 BLOCK BOUNDED BY YOUNG, WALNUT, AUGUSTA
 AND FERGUSON STREETS
 IN THE CITY OF HAMILTON

SURVEY REFERENCE:
 TECHNICAL INFORMATION GATHERED FROM
 SURVEY PREPARED BY CERTIFIED LAND
 SURVEYOR ASHENHURST NOUWENS LIMITED
 (PROFESSIONAL O.L.S.)
 DATE: AUGUST 1, 2012
 FILE #: 12172 BLS+TOPO

PROPOSED SITE PLAN
 SCALE: 1 = 10'-0"



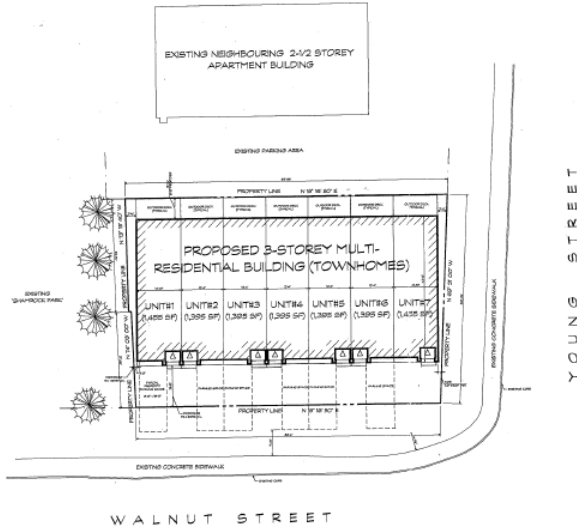
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 Architectural Office: 100 Sunnyside Avenue, Unit 102 Toronto, Ontario M6A 1B3
 www.ac-architects.com



149 YOUNG STREET, HAMILTON, ONTARIO

SEPTEMBER 4th, 2012





LEGAL DESCRIPTION
 PART OF LOT 3, REGISTERED PLAN No. 48
 BLOCK BOUNDED BY YOUNG, WALNUT, AUGUSTA
 AND FERGUSON STREETS
 IN THE CITY OF HAMILTON

SURVEY REFERENCE
 TECHNICAL INFORMATION GATHERED FROM
 SURVEY PREPARED BY CERTIFIED LAND
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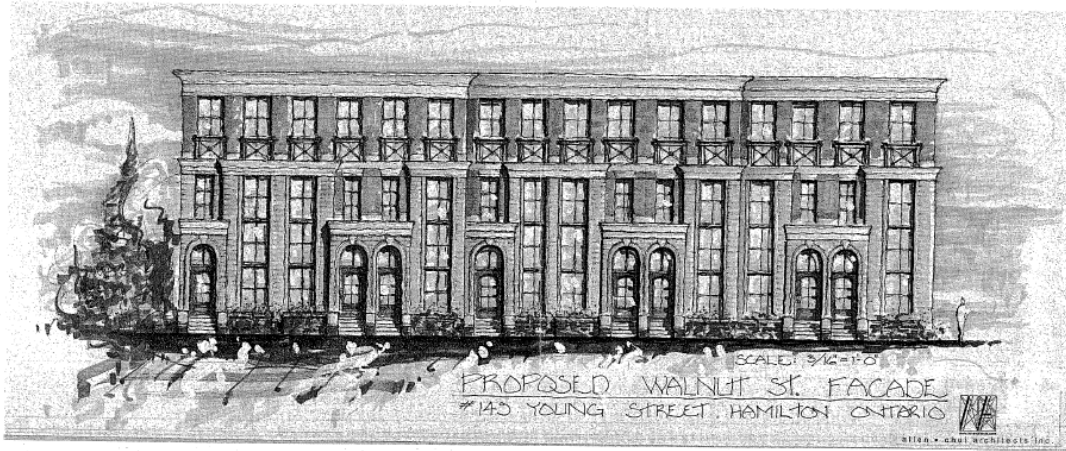
PROPOSED SITE PLAN
 SCALE: 1" = 10'-0"

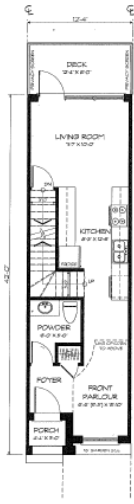


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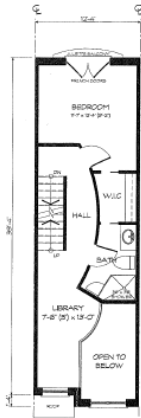
120 YOUNG STREET, HAMILTON, ONTARIO

SEPTEMBER 4th, 2012

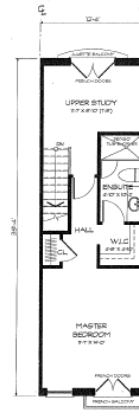




PROPOSED GROUND / FIRST LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0" 4/- 480 S.F.



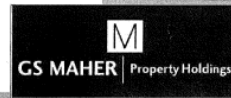
PROPOSED MAIN / 2ND LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0" 4/- 420 S.F.



PROPOSED THIRD LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0" 4/- 435 S.F.

TOTAL PROPOSED FLOOR AREAS: =INTERIOR UNITS (#2-6) = 4/- 1395 S.F.
=END UNITS (#1&7) = 4/- 1455 S.F.

NOTE: FLOOR PLANS ARE TYPICAL FOR UNITS #2-6
(END UNITS #1 & 7 ARE SIMILAR)



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43 YOUNG STREET, HAMILTON, ONTARIO

SEPTEMBER 4th, 2012

