Planning Justification Report

Corktown Co-Operative Homes Inc.

200 Forest Avenue
and 221 & 223 Charlton Avenue East
Hamilton, Ontario

April, 2021

Prepared For:
Charlton Housing Co-operative Homes
and
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1.0 Introduction

T. Johns Consulting Group Ltd. ("T. Johns") was retained by the landowners, Corktown Co-operative Homes Inc. and Charlton Housing Co-operative Homes on December 10, 2021, to prepare a Planning Justification Report in support of the Zoning By-law Amendment for lands municipally referred to as 200 Forest Avenue and 221 & 223 Charlton Avenue East in the City of Hamilton. The Zoning By-law Amendment is required for the construction of a proposed new multiple dwelling building on the subject lands in addition to maintaining the existing multiple dwelling on 200 Forest Avenue. The following report includes an overview of the subject lands in context with surrounding land uses, a detailed description of the proposed development and supporting studies, a detailed review of the applicable planning framework and professional planning analysis in support of the required approvals.

1.1 Site Description

The subject lands are made up of three (3) parcels including:

1. 200 Forest Avenue;
2. 221 Charlton Avenue East; and
3. 223 Charlton Avenue East.

The above-mentioned lands ("subject lands") are located in the City of Hamilton's Corktown neighbourhood. The subject lands are located on the north side of Charlton Avenue East (collector) and bounded by Forest Avenue (local road) to the south, Aurora Street (local road) to the west and Ferguson Avenue South (local road) to the east. The subject lands are legally referred to as Lots 1, 2, 3, 4, 10, 11, 14 and 15 Registered Plan 1436 and Part of Lots 1 to 3 and all of Lot 4 Registered Plan 45, being in the City of Hamilton **(refer to Figure 1 – Location Map & Figure 2 – Aerial Map)**.

200 Forest Avenue is an irregularly shaped through lot with an approximate area of 0.45 hectares (1.1ac) with 69.55 metres of frontage on Forest Avenue, 35.39 metres on Charlton Avenue East, and 44.61 metres of frontage on Aurora Street. The lands are occupied by one (1) existing four-storey multiple dwelling building which sits along Forest Avenue with surface parking accessed via Charlton Avenue East.

221 Charlton Avenue East is rectangular in shape with an approximate area of 0.03 hectares (0.06ac) with 8.19 metres of frontage on Charlton Avenue East and a depth of approximately 34.23 metres. The lands are occupied by one (1) existing one-storey semi-detached dwelling. On-site parking is accessed through a shared driveway along the easterly property line of 223 Charlton Avenue East. The subject lands are listed in Hamilton's Heritage Volume 2 – Inventory of Buildings of Architectural and/or Historical Interest.

223 Charlton Avenue East is rectangular in shape with an approximate area of 0.03 hectares (0.08ac) with approximately 10.07 metres of frontage on Charlton Avenue East and a depth of approximately 34.01 metres. The lands are occupied by one (1) existing one-storey semi-detached dwelling. On-site parking is accessed through a driveway along the easterly property line that is shared with 221 Charlton Avenue East. The subject lands are listed in Hamilton's Heritage Volume 2 – Inventory of Buildings of Architectural and/or Historical Interest.

Upon assembly, the subject lands will be approximately 0.51 hectares (1.25ac) in size. Although the site will function as a whole, the development area, as shown on Figure 1 and Figure 2, illustrates the underutilized portion of land in which the proposed redevelopment will occur.

Figure 1
Location Map

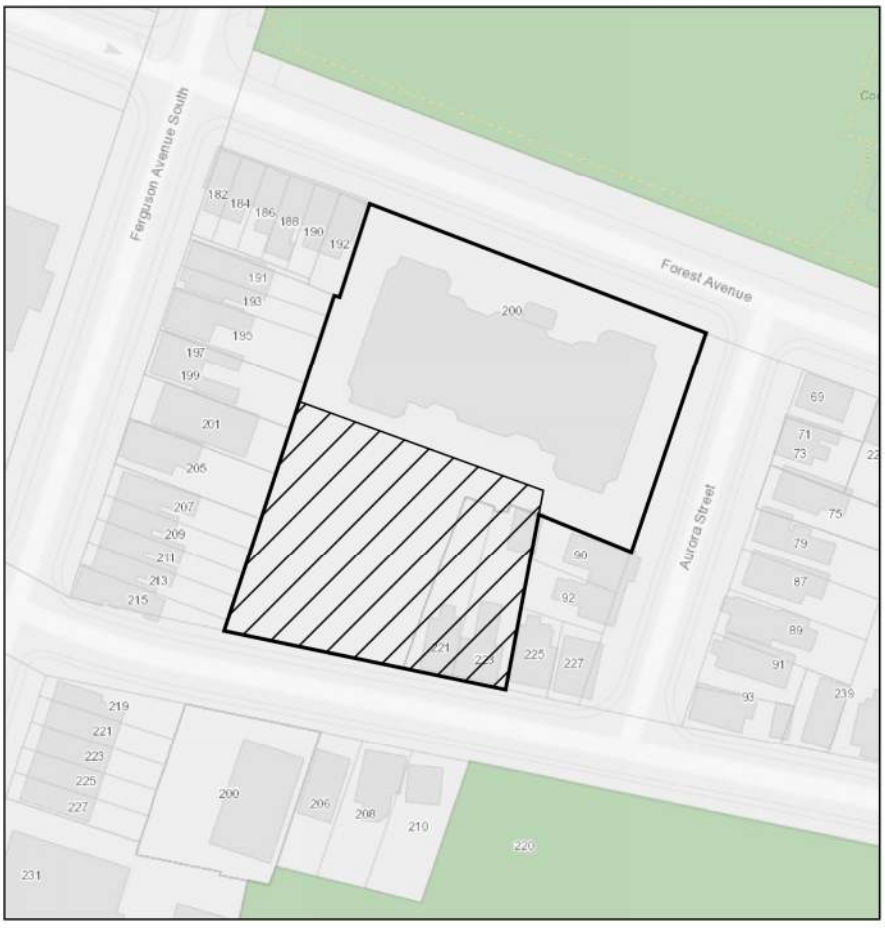


Figure 2
Aerial Map

SUBJECT PROPERTY
200 Forest Avenue and 221 & 223 Charlton Avenue East
Hamilton, Ontario

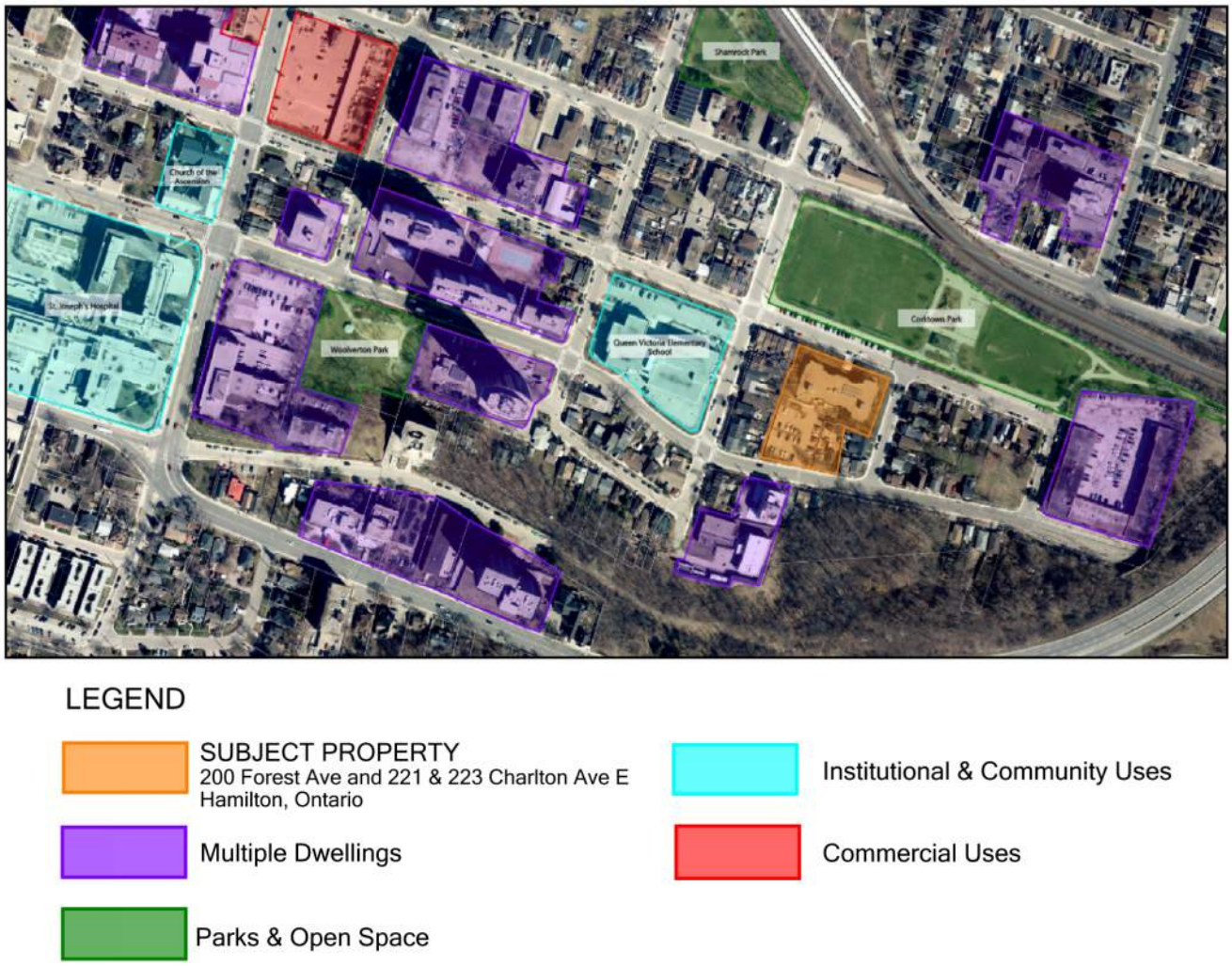
DEVELOPMENT AREA

1.2 Community Context

The subject lands are located within an established community close to Downtown Hamilton. The subject lands are in proximity to a mix of land uses including community uses (i.e. Corktown Park, Carter Park, Escarpment Rail Trail), commercial uses, public transportation, institutional uses (i.e. Queen Victoria Elementary School), and multi-unit single family residential forms (**refer to Figure 3 – Community Context Map**). The subject lands are immediately surrounded by:

North: Corktown Park;
East: Stable low density residential neighbourhood;
South: Mix of low, medium and high density residential forms, Charlton Avenue East; and
West: Mix of low and medium density residential forms.

Figure 3
Community Context Map



2.0 Proposed Development

The following section will provide a detailed description of the proposed redevelopment and the planning approvals that are required.

2.1 Proposed Development

The proposed development includes merging 200 Forest Avenue and 221 & 223 Charlton Avenue East to function as one property, providing additional dwelling units to the existing not-for-profit housing co-operative, contributing to the City of Hamilton's affordable housing targets.

The proposed development of the subject lands is to retain the existing four-storey, fifty-one (51) unit multiple dwelling building on 200 Forest Ave and build a new 3-storey multiple dwelling building fronting Charlton Ave E. The redevelopment proposes a total of seventeen (17) new units, and 43 parking spaces. 22 surface and 21 subgrade that will support the overall site, being a total of sixty-eight (68) units. The proposed building will provide four (4) 2-storey, family sized units with a flexible layout through collapsible walls, that can provide either 3 or 5 bedrooms, and thirteen (13) one-bedroom units geared towards older residents. The units will be accessed via an outdoor covered walkway from a podium staircase and elevator. A rooftop terrace is proposed to provide common amenity space for the residents. The proposed development will promote environmental sustainability through providing a compact built form with enhanced green amenity space and subgrade parking to promote compact and efficient intensification. Through detailed design, consideration for additional sustainable features will be made, including rooftop solar panels, chilled beam circulation, units that provide cross ventilation and increased insulation value for energy efficient cooling and heating. The units will be owned by a non-profit co-operative for affordable rental tenure, with the potential for rents to be geared to tenants' income. (**Refer to Appendix A – Conceptual Site Plan**).

2.2 Planning Applications

A Formal Consultation Meeting was held with the City of Hamilton, October 3, 2018 to review the merits of the proposed development. At that time, the concept plan proposed a 3-storey multiple dwelling with nineteen (19) units fronting Charlton Ave E on the subject lands while retaining the existing 4-storey, 51 unit multiple dwelling fronting Forest Ave. A Formal Consultation Waiver was received from the City dated December 3, 2020 for the proposed seventeen (17) unit multiple dwelling.

A Zoning By-law Amendment ("ZBA") is required to rezone the subject lands from "DE-3/S-970" (Multiple Dwellings) District, Modified and "D" (Urban Protected Residential One and Two Family Dwellings etc.) District to a "DE-3/XX" (Multiple Dwellings) District, Modified in the Former Hamilton Zoning By-law No. 6593.

The Formal Consultation Document (2018) and Formal Consultation Waiver (2020) identifies the required studies and plans for a complete ZBA application. A copy of each of the following has been included within the submission package:

- Survey Plan;
- Concept Plan;
- Planning Justification Report *(including Draft Amending Zoning By-laws, and Public Consultation);*
- Urban Design Brief (*including Cultural Heritage Impact Assessment*);
- Tree Management Plan;
- Functional Servicing Design Brief;
- Environmental Noise Feasibility Study;
- Cost Acknowledgement Agreement; and
- Right of Way Impact Assessment.

Summaries of the above-mentioned reports are provided in Section 3.0 of this report.

3.0 Supporting Studies

The studies identified in the Formal Consultation Document and subsequent waivers were completed in support of the proposed development. This section provides a brief summary of the findings for each study.

3.1 Public Consultation Strategy

In addition to the City of Hamilton's Notice of Application to landowners within 120 metres of the subject lands and the Notice of Application sign posting, T. Johns Consulting Group Ltd. will prepare and mail out a letter to residents within 120 metres with a description of the proposed development within 30 days of the application being deemed complete with contact information of the consulting firm. A microsite will be included on the agent's webpage to provide information on the proposed development, link to supporting studies/submission and regular updates with any new information available. Based on the outcome of the mailout and microsite, additional outreach including a neighbourhood meeting may be included as part of the Public Consultation Strategy **(See Appendix B – Public Consultation Strategy)**. T. Johns Consulting will continue to keep the City of Hamilton informed of the public consultation strategy.

3.2 Urban Design Brief (*incl Cultural Heritage Impact Assessment*)

An Urban Design Brief (UDB) was prepared by Romanov Romanov Architects Incorporated, dated March 2021, in support of the Zoning By-law Amendment Application. The Urban Design Brief demonstrates how the proposed infill development in the Corktown Neighbourhood is in keeping with current best practices and principles in neighbourhood design. The UDB provides an overview of the proposed development and neighbourhood context, evaluates the development against the relevant policies of the Urban Hamilton Official Plan and the City of Hamilton Site Plan Guidelines, including a shadow impact study, and provides a scoped Cultural Heritage Impact Assessment, evaluating the impact of the development on the neighbouring designated properties in addition to the listed buildings located at 221 & 223 Charlton Avenue East. Per the CHIA, the properties located 221 & 223 Charlton Avenue East were not identified as having significant cultural heritage.

In summary, the UDB confirms that the proposed development conforms to the relevant policies of the Urban Hamilton Official Plan and the City of Hamilton Site Plan Guidelines, by providing quality urban design that mitigates impacts on the surrounding neighbourhood and will not have adverse impacts to Hamilton's cultural heritage inventory. For more detail, refer to the Urban Design Brief submitted under a separate cover.

3.3 Tree Management Plan

A Tree Management Plan was prepared by GSP Group, dated September 26, 2019, in support of the Zoning By-law Amendment Application. The plan details the retention of 24 trees on site, with the total removal of 8 private trees. For more detail, refer to the Tree Management Plan.

3.4 Functional Servicing Design Brief

A Functional Servicing Design Brief was prepared by Hallex Engineering Ltd. dated March 11, 2021 in support of the application. The Report reviews the functional sizing of the proposed storm, sanitary and water services in addition to the post-development flows from the site to determine the impact on the existing municipal infrastructure. The current drainage path for the site consists of an existing storm sewer system onsite connecting to the municipal combined sewer at Forest Avenue and the municipal storm sewer at Aurora Street.

The post-development storm water runoff for the subject site will decrease by 2.6 L/s for the five-year storm and 4.8 L/s for the one-hundred-year storm. As such, stormwater retention is not proposed for the development. Stomwater quality controls for the site can be achieved by utilizing a Hydrostorm HS-5 prior to the sewer connection at Aurora Street. This will achieve a total suspended solids removal of at least 75% based on the post-development site conditions, which is greater than the required 'Normal' treatment indicated by the MOE.

The existing multiple dwelling (200 Forest Ave) is currently serviced and is connected to the existing municipal combined sewer at Forest Avenue. The existing services for the single family dwellings at 221 & 223 Charlton Avenue East are to be capped and abandoned at the municipal combined sewer. A new sanitary service is proposed to be installed from the new proposed building to the existing municipal combined sewer at Charlton Avenue East. Hallex recommends a minimum 200mm diameter sanitary sewer @ 1.0% to be installed to convey sanitary flows from the proposed apartment building to the existing 500mm diameter municipal combined sewer at Charlton Avenue East.

The existing multiple dwelling is currently serviced and is connected to the existing municipal watermain at Aurora Street. The existing services for the single family dwellings at 221 & 223 Charlton Avenue East are to be capped and abandoned at the municipal watermain. A new water service is proposed to be installed from the new proposed building to the existing municipal watermain at Charlton Avenue East. Hallex recommends a 100mm diameter domestic water service to be installed from the proposed apartment building to the existing 150mm diameter municipal watermain at Charlton Avenue East.

In summary, the proposed development can be services without adverse impacts to the City of Hamilton water and stormwater systems. For more detail refer to the Functional Servicing Design Brief submitted under separate cover.

3.5 Environmental Noise Feasibility Study

An Environmental Noise Feasibility Study was prepared by Valcoustics Canada Ltd. dated November 14, 2019 in support of this application. The significant noise sources in the vicinity are road traffic on Charlton Avenue East and Claremont Access, as well as rail traffic on the Canadian

Pacific Railways (CPR) Hamilton Subdivision. The Metrolinx Hamilton Layover Yard has also been considered. To meet the Ministry of the Environment, Conservation and Parks (MECP) and railway noise guideline limits:

- All dwelling units require mandatory air conditioning to allow windows to remain closed for noise control purposes; and
- Exterior wall and window construction meeting the minimum non-acoustical requirements of the Ontario Building Code (OBC) will be sufficient to meet the indoor noise criteria.

The main source of noise associated with the proposed development, with the potential for impact on the surrounding neighbourhood, is the mechanical equipment. Mechanical equipment interfacing with the exterior must comply with the MECP noise guideline limits in NPC-300. By proper engineering design, all requirements can be met, and no significant noise impact would be created for surrounding uses.

For more detail refer to the Environmental Noise Feasibility Study submitted under separate cover.

4.0 Planning Framework

This section reviews the planning documents applicable to the subject lands, which include the Provincial Policy Statement (2020), Places to Grow – Growth Plan for the Greater Golden Horseshoe (2019), the Urban Hamilton Official Plan, and the former City of Hamilton Zoning By-law No. 6593.

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 ("PPS"), issued under the Planning Act, came into effect on May 1st, 2020 as a policy-led regulating document that provides direction on provincial interest related to managing land use planning and development. The *Planning Act* requires that, "decisions affecting planning matters shall be consistent with" the PPS.

The subject lands are located within an existing "Settlement Area" known as the City of Hamilton. Applicable policies have been reviewed below.

1.1.3.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
h) promoting development and land use patterns that conserve biodiversity; and
i) preparing for the regional and local impacts of a changing climate.

Planning Comment:

The proposed development provides gentle residential intensification through the creation of a new multi-residential building intended for affordable tenure in an established neighbourhood that is well serviced by transit and in walking distance to local commercial and community facility uses. The proposed residential intensification can be supported by existing infrastructure, as confirmed in the Functional Servicing Design Brief (Hallex Engineering Ltd., 2021).

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within *settlement areas* shall be based on densities and a mix of land uses which:

a) efficiently use land and resources;
b) are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
d) prepare for the impacts of a *changing climate*;
e) support *active transportation*;
f) are *transit-supportive*, where transit is planned, exists or may be developed; and
g) are freight-supportive.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield* sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

1.1.3.5 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Planning Comment

The subject lands are within a settlement area known as the City of Hamilton. The proposed development maintains the existing multi-unit residential land use and will provide gentle intensification on an underutilized site. As such, the proposed development makes efficient use of the land while maintaining the compatibility of the neighbourhood through high quality design. The subject lands are located along a collector (Charlton Avenue East), which turns into a major arterial east of Victoria Avenue North. The subject lands are located in proximity to major (Sherman Access) and minor (John Street South) arterial roads. The proposed building will be serviced by existing municipal infrastructure. Charlton Ave E has existing signed bike routes (shared on-street) and is identified as having planned bike lanes on Map 1A: Planned Cycling Network in the Hamilton Transportation Master Plan. The site is a 6 minute walk to the bus stop at Stinson Street and Wellington Street South and a 7 minute walk to the bus stop at Young Street and John Street South, creating transit supported development.

1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:

b) permitting and facilitating:

1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and

2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;

d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;

e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and

f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Planning Comment **The proposed redevelopment is for affordable rental housing with a mix of unit types to accommodate a range of lifestyles, from single-household seniors and low income families. The proposed redevelopment can be supported by existing municipal infrastructure and community service facilities. The subject lands are appropriate for intensification with relation to planned and available transit networks including Regional and local transit and bicycle lanes. The proposed site specific development, as proposed through the Zoning By-law Amendment promote compact redevelopment while protecting and maintaining public health and safety.**
1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.
Planning Comment **The subject lands can be serviced by existing municipal sewage services and municipal water services as confirmed in the Functional Servicing Design Brief (Hallex Engineering Ltd., 2021).**
1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.
Planning Comment **The subject lands are consistent and compatible with the surrounding land use pattern. The proposed intensification will be supported by transportation demand management to support current and future transportation networks.**
2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.
Planning Comment: **The listed properties at 321 and 323 Charlton Ave E are not significant built heritage resources. The designated properties on Ferguson Ave S will not be impacted by the proposed redevelopment.**

In conclusion, the proposal is **consistent** with the Provincial Policy Statement, 2020.

4.2 Growth Plan for Greater Golden Horseshoe, 2019

The Places to Grow – Growth Plan for the Greater Horseshoe, 2019 ("Growth Plan") is a comprehensive strategy that works with municipal plans to manage growth patterns, maximize land use policy and manage quality of life. The Growth Plan came into effect May 16, 2019 and Amendment 1 (2020) was approved August 28, 2020. The subject lands are located within the "Delineated Built-Up Area" of the Growth Plan.

Applicable policies of the Growth Plan have been reviewed below.

2.2.1 Managing Growth

2. Forecasted growth to the horizon of this Plan will be allocated based on the following:
   a) the vast majority of growth will be directed to *settlement areas* that:
      i. have a *delineated built boundary*;
      ii. have existing or planned *municipal water and wastewater systems*; and
      iii. can support the achievement of *complete communities*;

   c) within *settlement areas*, growth will be focused in:
      i. *delineated built-up areas*;
      ii. *strategic growth areas*;
      iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
      iv. areas with existing or planned *public service facilities*;

4. Applying the policies of this Plan will support the achievement of *complete communities* that:
   a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
   b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
   c) provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
   d) expand convenient access to:
      i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
      ii. *public service facilities*, co-located and integrated in community hubs;
      iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
      iv. healthy, local, and affordable food options, including through urban agriculture;
   e) provide for a more *compact built form* and a vibrant *public realm,* including public open spaces;

f) mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and
g) integrate *green infrastructure* and appropriate *low impact development.*

2.2.2 Delineated Built-up Areas

1. By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:
   a) A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area.

3. All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:
   a) identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
   b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;
   c) encourage intensification generally throughout the delineated built-up area;
   d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
   e) prioritize planning and investment in infrastructure and public service facilities that will support intensification; and,
   f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

2.2.6 Housing

1. Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province and other appropriate stakeholders, will:
   a) support housing choice through the achievement of minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:
      i. identifying a diverse range and mix of housing options and densities, including second units and *affordable* housing to meet projected needs of current and future residents; and
      ii. establishing targets for *affordable* ownership housing and rental housing;
   b) identifies mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);
   c) aligns with applicable housing and homelessness plans required under the Housing Services Act, 2011; and
   d) address housing needs in accordance with provincial policy statements such as the Policy Statement: “Service Manager Housing and Homelessness Plans”; and
   e) implement policy 2.2.6.1 a), b), c) and d) through official plan policies and designations and zoning by-laws.

Planning Comment

The proposed development is located within the delineated built boundary of the City of Hamilton. As identified in the Functional Servicing Design Brief (Hallex Engineering Ltd., 2021), confirmed the development will be serviced by existing municipal infrastructure and will achieve a decrease in stormwater runoff with the post-development site conditions. Further, the proposed dwellings contribute to the development of complete communities through providing additional affordable housing and a mix of family sized units and accessible units geared towards seniors. The Zoning By-law Amendment conforms to the intent of the Growth Plan and will be aligned with the character of the existing neighbourhood.

Therefore, the proposed development **conforms** to the Growth Plan.

4.3 Greenbelt Plan (2017)

The Greenbelt Plan, 2017 was approved by the Lieutenant Governor in Council, effective July 1, 2017. The Greenbelt was introduced in 2005 to help shape the future of the Greater Golden Horseshoe.

The Greenbelt is the cornerstone of Ontario's Greater Golden Horseshoe Growth Plan which is an overarching strategy that provides clarity and certainty about urban structure, where and how future growth should be accommodated and what must be protected for current and future generations. The Greenbelt Plan includes lands part of the Niagara Escarpment Plan (NEP) and the Oak Ridges Moraine Conservation Plan (ORMCP).

Schedule 1 of the Greenbelt Plan identifies the subject lands as "Niagara Escarpment Plan Area". Section 2.2 of the Greenbelt Plan, with regard to lands within the Niagara Escarpment Plan Area states:

> *The requirements of the NEP, established under the Niagara Escarpment Planning and Development Act, continue to apply and the Protected Countryside policies do not apply, with the exception of section 3.3.*

Therefore, the Niagara Escarpment Plan has been reviewed in Section 4.4 of this report and the proposed development **conforms** to the Greenbelt Plan.

4.4 Niagara Escarpment Plan (2017)

The Niagara Escarpment Plan ("NEP") was approved by the Lieutenant Governor in Council, effective June 1, 2017. The Niagara Escarpment Plan serves as a framework of objectives and policies to strike a balance between development, protection, and the enjoyment of the Niagara Escarpment. Map 2 of the Niagara Escarpment Plan identifies the subject lands as "Urban Area"

Applicable NEP policies have been reviewed below.

1.7.2 Criterion for Designation and List of Urban Areas

Urban development and committed urban areas on or adjacent to the *Escarpment* as provided for in municipal *official plans and/or secondary plans*. Urban Area designations are found within the following municipalities:

- City of Hamilton (including the former Towns of Ancaster, Dundas and Flamborough, and former City of Stoney Creek)

1.7.3 Boundaries

The boundaries of the Urban Area designation generally reflect those areas within a municipality identified for urban development in municipal *official plans* and/or *secondary plans*. Some lands within a municipal boundary may not be designated as Urban Area because of the presence of natural heritage or hydrologic features or functions.

Annexation of land by a municipality does not require an amendment to the Niagara Escarpment Plan; however, any change to the designations of the Niagara Escarpment Plan requires a Plan amendment.

Planning Comment

The subject lands are located within the Urban Boundary of the City of Hamilton and the Urban Hamilton Official Plan.

1.7.4 Permitted Uses and Lot Creation

Proposed uses and the creation of new *lots* may be permitted, subject to conformity with Part 2, Development Criteria, the Development Objectives and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.

Changes to permitted uses, expansions and alterations of *existing uses* or the creation of new *lots* within the Urban Area designation will not require an amendment to the Niagara Escarpment Plan.

Planning Comment

The development proposes a lot addition of an existing urban parcel being 200 Forest Ave by merging 221 and 223 Charlton Ave E with 200 Forest Ave. The lot addition will facilitate

residential intensification within the NEP's Urban Area while maintaining an existing multiple dwelling use.

1.7.5 Development Objectives

1. All development shall be of an urban design *compatible* with the *scenic resources* of the *Escarpment*. Where appropriate, provision for maximum *heights*, adequate setbacks and screening are required to minimize the visual impact of urban development.

2. Development within Urban Areas should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions (consistent with provincial reduction targets to 2030 and 2050) and work towards the long-term goal of low-carbon communities, including net-zero communities and increased resilience to climate change, including through maximizing opportunities for the use of *green infrastructure* and appropriate *low impact development*.

3. The co-location of compatible public services should be promoted to address local community needs in convenient locations that are accessible by walking, cycling and public transit, where available.

4. Development within Urban Areas shall not encroach into Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas.

6. *Lots* within the Urban Area shall not be enlarged to encroach into the Escarpment Natural, Escarpment Protection, Escarpment Rural or Mineral Resource Extraction Areas in order to provide more area for development.

8. Adequate public access to the *Escarpment* should be provided by such means as parking areas, walkways or pedestrian trails (e.g., the Bruce Trail).

9. Growth and development in Urban Areas shall be *compatible with* and provide for:
   a) the protection of natural heritage features and functions;
   b) the protection of hydrologic features and functions;
   c) the protection of agricultural lands, including *prime agricultural areas*;
   d) the *conservation* of *cultural heritage resources*, including features of interest to First Nation and Métis communities;
   e) considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;
   f) sustainable use of water resources for ecological and servicing needs; and
   g) compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or subwatershed plan in land use planning.

10. Municipalities are encouraged to pass sign by-laws to ensure that the community character and *scenic resources* of Urban Areas are maintained and enhanced.

Planning Comment

The proposed development offers compatibility through maintaining the existing height and providing a new building that address the street with parking provided behind the existing and proposed buildings. The proposed building has been designed with environmental sustainability in mind as outlined in the Urban Design Brief. Charlton Avenue East has existing signed bike routes (shared on-street) and is identified as having planned bike lanes on Map 1A: Planned Cycling Network in the Hamilton Transportation Master Plan. The subject lands are located within walking distance to a number of bus stops offering convenient access to public transit. Views will be maintained as the height of the proposed building is less than that of the existing building on site and there exists development between the subject lands and the Escarpment. The entirety of the subject lands are identified as Urban Areas and as such, the proposed lot expansion will not encroach into any areas which do not permit development. As identified in the Functional Servicing Design Brief (Hallex Engineering Ltd., 2021), the development will be serviced by existing municipal infrastructure and will achieve a decrease in stormwater runoff with the post-development site conditions.

Therefore, the proposed development **conforms** to the Niagara Escarpment Plan.

4.5 Urban Hamilton Official Plan

The City of Hamilton's Urban Hamilton Official Plan ("UHOP") was adopted in 2009 and declared in force and effect on August 16, 2013, as a replacement to the seven former Official Plans representing the former municipalities in the former region. One of the objectives of the UHOP is to manage community growth, land use changes and the physical development of the City of Hamilton over the next 30 years.

Schedule E-1 – Land Use Designation of the UHOP designates the lands as "Neighbourhoods" (**See Figure 4 – UHOP Urban Land Use Designations**) and are appropriate for high density residential development.

Figure 4
Excerpt from UHOP Schedule "E-1" – Urban Land Use Designation

The City of Hamilton - Urban Official Plan
Excerpt from Schedule 'E1' - Urban Land Use Designations

LEGEND

- Neighbourhoods
- Open Space
- Institutional
- Utility
- Mixed Use
- Downtown Mixed Use Area

OTHER FEATURES

- Niagara Escarpment
- UHOPA Appeals
- SUBJECT PROPERTY
  200 Forest Avenue and
  221 & 223 Charlton Avenue East
  Hamilton, Ontario

Applicable UHOP policies have been reviewed in the table below.

URBAN STRUCTURE (E.2.0) AND NEIGHBOURHOODS (E.3.0)	
UHOP VOLUME 1 POLICY	**PLANNING COMMENT**
Policy E.2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices restaurants, and personal and government services. Policy E.2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing with supports. Policy E.2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of local context and shall be permitted in accordance with Section B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation….” Policy E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations: a) Residential dwellings, including second dwelling units and housing with supports; Policy E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing	**Low profile, high density residential uses are permitted in “Neighbourhoods” including the proposed 3-storey multiple dwelling. The subject lands are located along a collector (Charlton Avenue East) and are in proximity to a major arterial road (Sherman Access). The proposed development proposes to intensify the existing site by maintaining the existing 4-storey building and the introduction of a new 3-storey building. 3-storeys is considered a low rise built form and is appropriate adjacent to other low rise built forms.** **The existing fifty-one (51) unit multiple dwelling located at 200 Forest Avenue provides a residential net density of 115.9 uph. The proposed seventeen (17) unit multiple dwelling will establish a total of sixty-eight (68) units. Therefore, a residential net density of 134.4 uph is proposed. As such, the proposed redevelopment complies with the minimum density of 100 uph and maximum density of 500 uph for lands within Central Hamilton, with limited increase in density to the lands.** **The proposed residential intensification will contribute to a complete community by providing more diversified housing with new affordable rental co-op housing, with a variety of unit sizes suitable for families and seniors.** **The subject lands are located within a generally stable neighbourhood with a mix of uses and built form, including mid and high-rise residential uses. Some change is anticipated on existing vacant or underutilized lands. The proposed use and building height are compatible with the surrounding neighbourhood fabric. The proposed redevelopment maintains appropriate setbacks to the neighbouring properties, landscaping and amenity space for the residents and pedestrian connections. The proposed development provides a minimum**

residential neighbourhoods in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan." Policy E.3.6.1 High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads. Policy E.3.6.2 Uses permitted in high density residential areas include multiple dwellings, except street townhouses. Policy E.3.6.6 In high density residential areas, the permitted net residential densities, identified on Appendix "G" – Boundaries Map shall be: a) Greater than 100 units per hectare and not greater than 500 units per hectare in Central Hamilton." Policy E.3.6.7 Development within the high density residential category shall be evaluated on the basis of the following criteria: a) Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may be permitted indirect access to a collector or major or minor arterial roads from a local road upon which only a small number of low density residential dwellings are fronting on the local road. b) High profile multiple dwellings shall not generally be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and/or design features shall be incorporated into the design of the high	**side yard setback along the westerly lot line of 1.5m to the stair tower and 3.6m to the proposed building which is consistent with the setbacks provided in the neighbourhood. To further mitigate adverse impacts on the surrounding properties, stepbacks are proposed at the third storey of the building. The future residents will have convenient access to the Rail Trail and Corktown Park, which are located on the north side of Forest Avenue.**

density development to mitigate adverse impact on adjacent low profile residential uses. c) High profile development may be considered appropriate, subject to the other policies of this Plan, where it would result in the preservation of natural heritage system features or public view corridors which may otherwise be compromised by more dispersed, lower profile development. d) Development shall: i. Provide adequate landscaping, amenity features, on-site parking, and buffering where required; ii. Be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures; and, iii. Provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.	
RESIDENTIAL INTENSIFICATION (B.2.4.3) AND CULTURAL HERITAGE (B.3.4)	
POLICY	**PLANNING COMMENT**
Policy B.2.4.3 Residential Intensification and Cultural Heritage Resources Policy B.2.4.3.1 Residential intensification involving cultural heritage resources shall be in accordance with Section B.3.4 – Cultural Heritage Resources Policies Policy B.3.4.2.1 The City of Hamilton shall, in partnership with others where appropriate: a) Protect and conserve the tangible cultural heritage resources of the City, including archaeological resources, built heritage resources, and cultural heritage	**The subject lands are located within the Corktown Established Historical Neighbourhood.** **221 & 223 Charlton Avenue South are listed buildings on the City of Hamilton's Heritage Register Volume 2 for Historical and/or Architectural Interest and Hamilton's Heritage Register Volume 3 for the Canadian Inventory of Historic Buildings. The dwellings are identified as being built in 1860.** **The subject lands are located directly adjacent to 207 and 211-215 Ferguson Avenue South, designated properties and 209 Ferguson Avenue South, an inventoried property, all of which are identified as Ferguson Avenue Terrace. These properties are listed on the**

landscapes for present and future generations. g) Ensure the conservation and protection of *cultural heritage resources* in planning and development matters subject to the *Planning Act* either through appropriate planning and design measures or as conditions of development approvals. and, Policy B.3.4.3.6 The City shall protect *established historical neighbourhoods*, as identified in the cultural heritage landscape inventory, secondary plans and other City initiatives, by ensuring that new construction and *development* are sympathetic and complementary to existing cultural *heritage attributes* of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials. Policy B.3.4.3.8 The City shall encourage the intensification and adaptive reuse of commercial and industrial heritage properties. Any permitted redevelopment shall ensure, where possible, that the original building fabric and architectural features are retained and that any new additions will complement the existing building in accordance with the policies of this Plan. Policy B.3.4.3.9 To facilitate the intensification and adaptive reuse of such properties, the City may allow reduced parking or other site and amenity requirements.	**City of Hamilton's Heritage Register Volume 1, 2 and 3.** **The proposed redevelopment will provide residential intensification on the subject lands. The redevelopment proposes to remove the existing dwellings located on 221 & 223 Charlton Avenue East. The existing buildings are in disrepair and have not been identified as having significant cultural heritage features. The proposed redevelopment provides a more efficient use of the underutilized lands as it will increase the number of affordable rental units within the City. The subject lands are proposed to be redeveloped with a contextually sensitive multiple dwelling.** **The adjacent designated properties to the west will be protected through appropriate setbacks, building height and planting strips. Further, the proposed building design does not propose habitable windows overlooking to the west. An Environmental Noise Feasibility Study has been prepared by Valcoustics Canada Ltd., 2019 in support of the application. The Study concludes that with proper engineering design, and with the recommendations provided in the report, no significant noise impact would be created for the surrounding uses.**

The table below reviews the proposed development in context with the applicable urban design policies of the UHOP and should be read in conjunction with the submitted Urban Design Brief.

Urban Design - General Policies	
Policy	Planning Comment
B.3.3.2.1 & B.3.3.2.2	The subject lands make up part of the City's Neighbourhoods which is planned to accommodate residential growth by providing diverse housing options to cater to a range of lifestyles. The proposed redevelopment offers additional affordable co-operative housing units within an established neighbourhood. The new multi-unit building will provide four (4) 2-storey, family sized units with a flexible layout through collapsible walls, that can provide either 3 or 5 bedrooms, and thirteen (13) one-bedroom units geared towards older residents. The proposed development offers housing options for people of all abilities at different stages of life.
B.3.3.2.3	The proposed development will foster a sense of community pride and identity by enhancing the Charlton Ave E streetscape. The development proposes a new 3-storey building along Charlton Ave E which will animate the street and contribute to a sense of place through pulling the building closer to the street, providing grade-entrances for the ground floor units, and using a mix of materials that are complementary to the surrounding built form. The proposal will be aligned with the existing neighbourhood character as the proposed lowrise multiple dwelling built form is compatible with the surrounding mix of low, mid and highrise building. The proposed redevelopment will provide additional affordable residential units within a neighbourhood that is planned for some residential growth through intensification and development of underutilized lands.
B.3.3.2.4	The proposal is aligned with best practices in terms of engineering and urban design. The proposed redevelopment provides a compatible use, built form, scale and character to the surrounding properties. The proposed 3-storey building height is less than what is existing at 200 Forest Avenue, and continues to protect significant views and minimizes shadow impacts. The final building materials will consider the surrounding area with the intent to enhance the character of the neighbourhood with compatible design.
B.3.3.2.5	The proposal will provide additional dwelling units on an existing and maintained municipal right-of-way that provides vehicular connections to multiple land uses. The site is within proximity to a major arterial road, and is within walking distance to existing transit stops. Charlton Ave E has existing signed bike routes (shared on-street) and is identified as having planned bike lanes on Map 1A: Planned Cycling Network in the Hamilton Transportation Master Plan. The buildings will have entrances that are visible from the street and will integrate pedestrian-scale lighting for visibility and safety. The proposed building will provide thirteen (13) barrier free units that are accessible to users of all ability and two (2) barrier free parking spaces to support the development as a whole.

B.3.3.2.6	**The proposed dwellings will be compatible with the character of the neighbourhood, by providing landscaping that is consistent with surrounding lots, the use of compatible building materials, building height and setbacks that are aligned with existing site conditions and are appropriate for the surrounding neighbourhood.**
B.3.3.2.7	**The proposed development and intensification will contribute to the affordable rental stock in Hamilton's market area that will be supported by existing infrastructure and a mix of complementary land uses (i.e. local commercial, community service facilities, transit, etc). The proposed redevelopment will allow for a more efficient use of the subject lands that will accommodate a more diverse group of residents and will contribute to Hamilton's affordable housing targets.**
B.3.3.2.8	**Environmental sustainability is promoted by utilizing existing urban lands and infrastructure. The redevelopment will contribute to more compact and efficient development. The proposal provides enhanced green space and subgrade grade parking, limiting impermeable paved surfaces and reducing the "heat island" effect over large, paved areas. Energy efficient features are being considered including a chilled beam system, building design to optimize cross ventilation, increased insulation value and rooftop solar panels.**
B.3.3.2.9	**The proposal supports physical and mental health by providing future residents with stable housing, the means to access various community resources and land uses via existing streets and providing various transportation options. The proposed development provides ample landscaped area and amenity space and is located directly south of the Corktown Park, a Community Park that connects to the Rail Trail.**
B.3.3.2.10	**The proposal is a redevelopment in an existing residential area. As such, no new roads are proposed and therefore these criteria shall not apply.**

In conclusion, the development **conforms** to the Neighbourhood designation and other applicable policies of the Urban Hamilton Official Plan.

4.6 City of Hamilton Zoning By-law No. 6593

The City of Hamilton Zoning By-law No. 6593 ("ZBL") zones 200 Forest Avenue "DE-3/S970" (Multiple Dwellings) District, Modified and 221 & 223 Charlton Avenue East "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District. The "DE-3/S970" District, Modified permits a single family, two family, three family, and multiple dwelling. The "D" District permits a single family and two family dwelling (**refer to Figure 5 – Existing Zoning Map**).

The proposed redevelopment of 200 Forest Avenue and 221 & 223 Charlton Avenue East for the new multiple dwelling building is not permitted in the "D" District. As such, the site-specific "DE-3/XX" (Multiple Dwellings) District, Modified is proposed.

Figure 5
Existing Zoning Map

Excerpt from The City of Hamilton Zoning By-law No. 6593
Sampled from Hamilton Interactive Mapping

LEGEND

DE	Multiple Dwellings
D	Urban Protected Residential - One and Two Family Dwellings, Etc.
J	Light and Limited Heavy Industry, Etc.
E	Multiple Dwellings, Lodges, Clubs, Etc.
A	Agricultural

SUBJECT PROPERTY
200 Forest Avenue and
221 & 223 Charlton Avenue East
Hamilton, Ontario

Table 1 – Zoning Chart below is an overview of the proposed use in context with the provisions of the "DE-3" and "DE-3/S-970" District. Highlights are provided to reflect site specific regulations to reflect the proposed details of the Site Plan. **Refer to Appendix C - Draft Amending Zoning By-law.**

Table 1 – Zoning Chart

200 FOREST AVENUE AND 221 & 223 CHARLTON AVENUE EAST EXISTING "DE-3/S-970" DISTRICT, MODIFIED & "D" DISTRICT OF HAMILTON ZONING BY-LAW 6593 PROPOSED "DE-3/XX" DISTRICT, MODIFIED OF HAMILTON ZONING BY-LAW 6593				
PROVISIONS	**REQUIRED DE-3**	**REQUIRED DE-3/S-970**	**PROPOSED**	**CONFORMITY**
PERMITTED USE	MULTIPLE DWELLING (INCL GROUPS OF MULTIPLE DWELLINGS)	N/A	MULTIPLE DWELLING	YES
MAXIMUM BUILDING HEIGHT	THREE STOREYS 11.0m	FOUR STOREYS	FOUR STOREYS	YES
MINIMUM FRONT YARD	4.5m	N/A	4.5m	YES
MINIMUM REAR YARD	6.0m	N/A	6.8m	YES
MINIMUM INTERIOR SIDE YARD	8.5m WHERE A WINDOW OF A HABITABLE ROOM OVERLOOKS THE SIDE YARD 1.9m WHERE NO WINDOW OF A HABITABLE ROOM OVERLOOKS THE SIDE YARD	N/A	6.6m WHERE A WINDOW OF A HABITABLE ROOM OVERLOOKS THE SIDE YARD 1.5m WHERE NO WINDOW OF A HABITABLE ROOM OVERLOOKS THE SIDE YARD	NO (EXISTING CONDITION) NO
MINIMUM EXTERIOR SIDE YARD	8.5m	N/A	6.8m	NO (EXISTING CONDITION)
MINIMUM LOT WIDTH	21.0m	N/A	52.8m	YES
MINIMUM LOT AREA	630.0m^2	N/A	5,061.1m^2	YES
MAXIMUM FLOOR AREA RATIO	LOT AREA MULTIPLIED BY THE FLOOR AREA RATIO FACTOR OF 0.9 = 4,555.0m^2 GFA	51 DWELLING UNITS 4,800m^2 GFA	51 UNITS (EXISTING) + 17 UNITS (PROPOSED) = 68 UNITS 4,800m^2 GFA (EXISTING) + 1,574m^2 GFA (PROPOSED) = 6,374m^2 GFA	NO
MINIMUM LANDSCAPED AREA	25% LOT AREA	N/A	34.2 % LOT AREA	YES

MINIMUM DISTANCE BETWEEN BUILDINGS	½ THE HEIGHT OF THE TALLER BUILDING = 8m	N/A	20.1m	YES
PARKING AND LOADING REQUIREMENTS				
PROVISIONS	**REQUIRED DE-3**	**REQUIRED DE-3/S-970**	**PROPOSED**	**CONFORMITY**
PARKING SPACES	0.8 SPACES PER UNIT (INCL 0.16 VISITOR) 68 x 0.8 = 55 spaces	N/A	0.60 SPACES PER UNIT 68 x 0.6 = 41 spaces	NO
VISITOR PARKING SPACES	0.16 SPACES PER UNIT	N/A	0 SPACES PER UNIT	NO
PARKING SPACE SIZE	2.7m X 6.0m	N/A	2.7m X 5.8 m	NO
LOADING SPACES	1 SPACE	1 SPACE	1 SPACE	YES
LOADING SPACE SIZE	18.0m X 3.7m X 4.3m	9.0m X 3.7m X 4.3m	18.0m X 3.7m X 4.3m	YES
ENCROACHMENT REQUIREMENTS				
PROVISIONS	**REQUIRED DE-3**	**REQUIRED DE-3/S-970**	**PROPOSED**	**CONFORMITY**
MAXIMUM ENCROACHMENT OF A CANOPY INTO A REQUIRED FRONT YARD	1.5m INTO A REQUIRED FRONT YARD SHALL BE 1.5m FROM LOT LINE	N/A	2.0m ENCROACHMENT 2.5m FROM LOT LINE	NO YES
MAXIMUM ENCROACHMENT OF UNENCLOSED PORCHES	3.0m INTO A REQUIRED FRONT YARD SHALL BE 1.5m FROM LOT LINE	N/A	1.1m ENCROACHMENT 3.4m FROM LOT LINE (INCLUDING STAIRS)	YES YES

Refer to Section 5.3 Planning Analysis - Zoning Bylaw Amendment for discussion of the proposed site-specific provisions.

5.0 Planning Analysis

The Planning Analysis is presented in three sections. The first part of the discussion will summarize findings of conformity with Provincial interest and policies (Section 5.1) followed by conformity with the Urban Hamilton Official Plan (Section 5.2). The latter part will provide a scoped planning discussion to support the Zoning Bylaw Amendment (Section 5.3)

5.1 Provincial Interest

The *Planning Act* requires that, "*decisions affecting planning matters shall be consistent with"* the Provincial Policy Statement (PPS). The subject lands are located within an existing "*Settlement Area*" known as the City of Hamilton. The proposed redevelopment of 200 Forest Avenue and 221 & 223 Charlton Avenue East for a new multiple dwelling building will provide land use intensification that will contribute towards an efficient use of urban lands. The proposed land uses will contribute to the overall viability of the settlement area by providing a high-density residential use serviced by existing infrastructure with no adverse impacts to significant heritage resources. The proposed ZBA is consistent with the PPS, 2020.

The subject lands are located within the "*Delineated Built-Up Area*" of the Growth Plan which have existing and planned municipal water and wastewater systems. The proposed development of seventeen (17) new dwelling units will provide contextually appropriate residential intensification that will contribute to Hamilton's affordable rental housing stock suitable for a mix of lifestyles and abilities. The subject lands have convenient access to existing transit networks, and active transportation networks and community services. The proposed ZBA conforms to the Growth Plan, 2019.

The subject lands are located within the "*Niagara Escarpment Plan Area*" of the Greenbelt Plan. Lands designated "*Niagara Escarpment Plan Area*" within the Greenbelt Plan are required to conform with the policies established in the Niagara Escarpment Plan (NEP). The NEP identifies the subject lands as "*Urban Area*", which are located within the Urban Boundary of an identified City, including the City of Hamilton. The development proposes the expansion of the existing lot while maintaining the multi-unit use of 200 Forest Avenue. The development provides compatibility through maintaining the existing building height to ensure the view of the Escarpment remains unobstructed, considers a number of sustainable design features, encourages active and public transportation, and can be accommodated through existing municipal infrastructure. The proposed ZBA conforms to the Greenbelt Plan and the Niagara Escarpment Plan.

5.2 Urban Hamilton Official Plan

In context with the UHOP, as noted in Section 4.5, the subject lands are designated "Neighbourhoods" and are within "Central Hamilton". The subject lands are located within the Corktown Established Historic Neighbourhood and 221 & 223 Charlton Avenue East are inventoried properties identified in Hamilton's Heritage Volumes 2 for Buildings of Architectural and/or Historical Interest and Volume 3 the Canadian Inventory of Historic Building. The subject lands are located along a collector road (Charlton Avenue East), which turns into a major arterial east of Victoria Avenue North. Access to John Street South (Minor Arterial) and the Sherman Access (Major Arterial) is convenient and provides easy access to local services and transit.

Residential intensification is permitted subject to land use compatibility with the surrounding character of the neighbourhood. High density residential uses with a density up to 500 units per hectare is permitted, subject to locational criteria. The proposed redevelopment for a low-rise multiple dwelling with a density of 134.4 units per hectare located on a collector street is permitted and appropriate. The proposed 3-storey building height provides appropriate transition from the adjacent heritage resources with setbacks, landscaping and accommodating a similar building height. Impacts to neighbouring uses such as shadowing, overlook and massing are mitigated with building orientation, building layout (i.e. floor plans), a low-rise built form, setbacks and designing the building to have habitable windows facing north and south. The building orientation allows for overhead surveillance over the parking area and public street to implement Crime Prevention Through Environmental Design and increase public safety.

As reviewed in Section 4.5: Planning Framework of the Urban Hamilton Official Plan, the proposed redevelopment of 220 Forest Avenue and 221 & 223 Charlton Avenue East to a high-density residential use, conforms to the Urban Structure (E.2.0), Neighbourhoods (E.3.0), Residential Intensification (B.2.4.3) and Cultural Heritage Resources (B.3.4) Policies and achieves the Urban Design Goals (B.3.3). As such, the proposed ZBA to permit the additional density within a new multiple dwelling building, conforms to the UHOP.

5.3 Zoning By-law Amendment

To facilitate the proposed redevelopment of 200 Forest Avenue and 221 & 223 Charlton Avenue East a Zoning By-law Amendment (ZBA) is required to rezone the lands from "DE-3/S970" (Multiple Dwellings) District, Modified and "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to a new site specific "DE-3/XX" (Multiple Dwellings) District, Modified in the City of Hamilton Zoning By-law No. 6593. To support the ZBA application, a Draft Amending Zoning By-law has been prepared and can be found as **Appendix C** to this report.

As described in the Draft Amending Zoning By-law, as this is a through lot, for ease of interpretation, the following definitions have been established:

- "**Lot-Line, Front**" with reference to the subject lands, shall mean the boundary lot line along Charlton Avenue East.
- "**Lot-Line, Rear**" with reference to the subject lands, shall mean the boundary lot line along Forest Avenue.
- "**Lot-Line, Exterior Side**" with reference to the subject lands, shall mean the boundary lot line along Aurora Street.
- "**Lot-Line, Interior Side**" with reference to the subject lands, shall mean any lot line except a front lot line, rear lot line or exterior side lot line.

Recognizing that the proposed development meets the required minimum front yard and rear yard setbacks, and for ease of implementing the Draft Amending Zoning By-law, the following setbacks are established based on the calculations in Section 10C(3)(i)(b) and Section 10C(3)(ii)(b) of Zoning By-law No. 6593. The required minimum front yard setback has been calculated based on the height and width of the new proposed multi-unit building, which is situated along the front lot-line, as defined above. The required minimum rear yard setback has been calculated based on the height and length of the existing multi-unit building, which is situated along the rear lot-line as defined above. As described in the Draft Amending Zoning Bylaw, the following setbacks have been established:

- Minimum Front Yard Setback of 4.5 metres shall be required.
- Minimum Rear Yard Setback of 6.0 metres shall be required.

As shown in Table 1 of Section 4.6, the following site-specific provisions are required to facilitate the proposed development:

1. Reduced Minimum Exterior Side Yard Setback from 8.5 metres where a window of a habitable room overlooks the side yard to 6.8 metres where a window of a habitable room overlooks the side yard, to recognize the **existing** site condition.

2. Reduced Minimum Interior Side Yard Setback from 8.5 metres where a window of a habitable room overlooks the side yard and 1.9 metres where no window of a habitable room overlooks the side yard to 6.6 metres where a window of a habitable room overlooks the side yard and 1.5 metres where no window of a habitable room overlooks the side yard.

3. Increased Maximum Floor Area Ratio from 51 dwelling units and 4,000 square metres of GFA to 6,500 square metres GFA.

4. Reduced Parking Spaces from 0.8 spaces per unit (including 0.16 visitor spaces) to 0.6 spaces per unit.

5. Reduced Visitor Parking Spaces from 0.16 spaces per unit to 0 spaces per unit.

6. Reduced Parking Space Size from 2.7m x 6.0m to 2.7m x 5.8m.

7. Increased Maximum Encroachment of a Canopy from 1.5 metres into a required front yard to 2.0 metres into a required front yard.

Justifications for the above-mentioned site-specific provisions are provided below:

1. Through the established lot line regulations, Aurora Street becomes the exterior side lot line. The exterior side yard is calculated and measured based on the existing multi-unit building which is to be retained through the proposed development. The reduction in exterior yard setback recognizes the existing setback of 200 Forest Ave to Aurora St.

2. The reduced interior side yard of 1.5m is required for the westerly setback of the proposed multiple dwelling building. The 1.5m is measured from the proposed staircase tower. A 3.6m setback is provided to part of the building occupied by dwelling units. As shown on the building elevations, the west side of the building does not propose any windows of habitable rooms and the proposed building height is within the permitted height of the “DE-3/S-970” District, Modified, which will help mitigate any overlook impacts to the neighbouring properties.

3. The existing Floor Area Ratio only recognizes the existing development at 200 Forest Avenue. The increase in maximum floor area ratio is required to provide efficient, gentle intensification on underutilized lands, providing necessary

affordable housing units to the City of Hamilton. The existing fifty-one (51) unit multiple dwelling located at 200 Forest Avenue provides a residential net density of 115.9 uph. The proposed seventeen (17) units development, bringing the total number of units to sixty-eight (68), includes lands located at 200 Forest Avenue and 221 & 223 Charlton Avenue East. The proposed development provides a residential net density of 134.4 uph. As such, the proposed redevelopment conforms with the minimum density of 100 uph and maximum density of 500 uph for lands within Central Hamilton, with limited increase in density to the lands themselves, while providing sufficient room for safe vehicular circulation, ample landscape area and planting strips. The proposed 6,500 square metres gross floor area limits the amount of development on the subject lands, however, removing the maximum unit restriction allows for flexibility should it become feasible to include additional affordable housing units within the proposed building. The number of provided units will continue to be limited by the parking requirements of the Zoning By-law.

4&5. The development proposes seventeen (17) new units, in addition to the existing fifty-one (51) units, bringing the total to sixty-eight (68) units of affordable housing. The existing Zoning By-law requires 0.8 parking spaces per unit which is equal to a total of 55 spaces for the proposed development. The requested reduction to 0.6 parking spaces per unit is equal to a total of 41 spaces for the proposed development. The requested reduction of 0.6 spaces per unit, whereas 0.63 spaces per unit are provided, allows for flexibility should it become feasible to include additional affordable housing units within the proposed building. The subject lands are located within Central Hamilton and is supported by active transportation infrastructure and convenient access to public transportation. Typically, residents within affordable housing have socio-economic barriers to vehicle ownership. As such, the proposed reduction is not anticipated to have adverse impacts the parking demands in the neighbourhood. The proposed parking ratio of 0.6 spaces per unit is appropriate to support purpose-built affordable rental housing and is sufficient to support the demands of the site.

6. The requested reduction in parking space length from 6.0m to 5.8m is aligned with the required parking space length in the Zoning By-law No. 05-200. The requested reduction in parking space size is minor and will maintain a safe and functional parking lot design without vehicle overhang into the drive aisles.

7. The proposed canopy provides coverage to the outdoor walkways provided on the site and does not encroach into the front yard beyond the unenclosed porch. The canopy will be constructed of a material that will complement the proposed building and will contribute to an attractive building façade and a strong sense of place.

A Zoning By-law Amendment is required to facilitate the proposed redevelopment to provide an additional seventeen (17) residential dwelling units in a new 3-storey multiple dwelling building. The proposed development will strengthen the properties' street presence along Charlton Avenue East by establishing an active street wall and complements the existing culturally significant neighbourhood. The proposed development maintains the existing use of 200 Forest Avenue, while facilitating additional affordable rental units. As such, the ZBA meets the overall intent of the City of Hamilton Zoning By-law No. 6593.

As discussed in Section 3.0, supporting technical reports such as an Urban Design Brief (including a Cultural Heritage Impact Assessment), Tree Management Plan, Functional Servicing Design Brief and Environmental Noise Feasibility Study have been completed to ensure the requested Zoning By-law Amendment is feasible and appropriate. In conclusion, the proposed development and implementing Zoning By-law Amendment are consistent with the PPS and the Growth Plan and conforms to the Urban Hamilton Official Plan.

6.0 Implementation

This proposal is to be implemented through the Zoning By-law Amendment process to allow the multi-unit infill residential development. A future Site Plan Control application will be submitted to address detailed site design that reflects the site-specific bylaw regulations.

A Draft Amending Zoning By-law has been prepared and can be found as **Appendix C** to this report.

7.0 Conclusions

A Zoning By-law Amendment is required to rezone the subject lands from the "DE-3/S970" (Multiple Dwellings) District, Modified and "D" (Urban Protected Residential – One and Two Family Dwellings, Etc.) District to a new site specific "DE-3/XX" (Multiple Dwellings) District, Modified.

The proposed changes are consistent with and conform to the applicable policy framework as follows:

- They are consistent with the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan and the Niagara Escarpment Plan, in that growth is directed to Settlement Areas adjacent to existing development;

- They conform to the Urban Hamilton Official Plan land use designations, as the proposed use, scale and built form is permitted while maintaining compatibility with the existing neighbourhood character;

- Adequate municipal services are available to service the site without the need for extension or expansion of municipal resources;

- Provides for appropriate residential intensification with additional affordable housing units for rental tenure in an established neighbourhood with access to a mix of supportive land uses which make up a complete community and transit; and

- Provides compatible land use that respects the surrounding cultural and natural heritage resources.

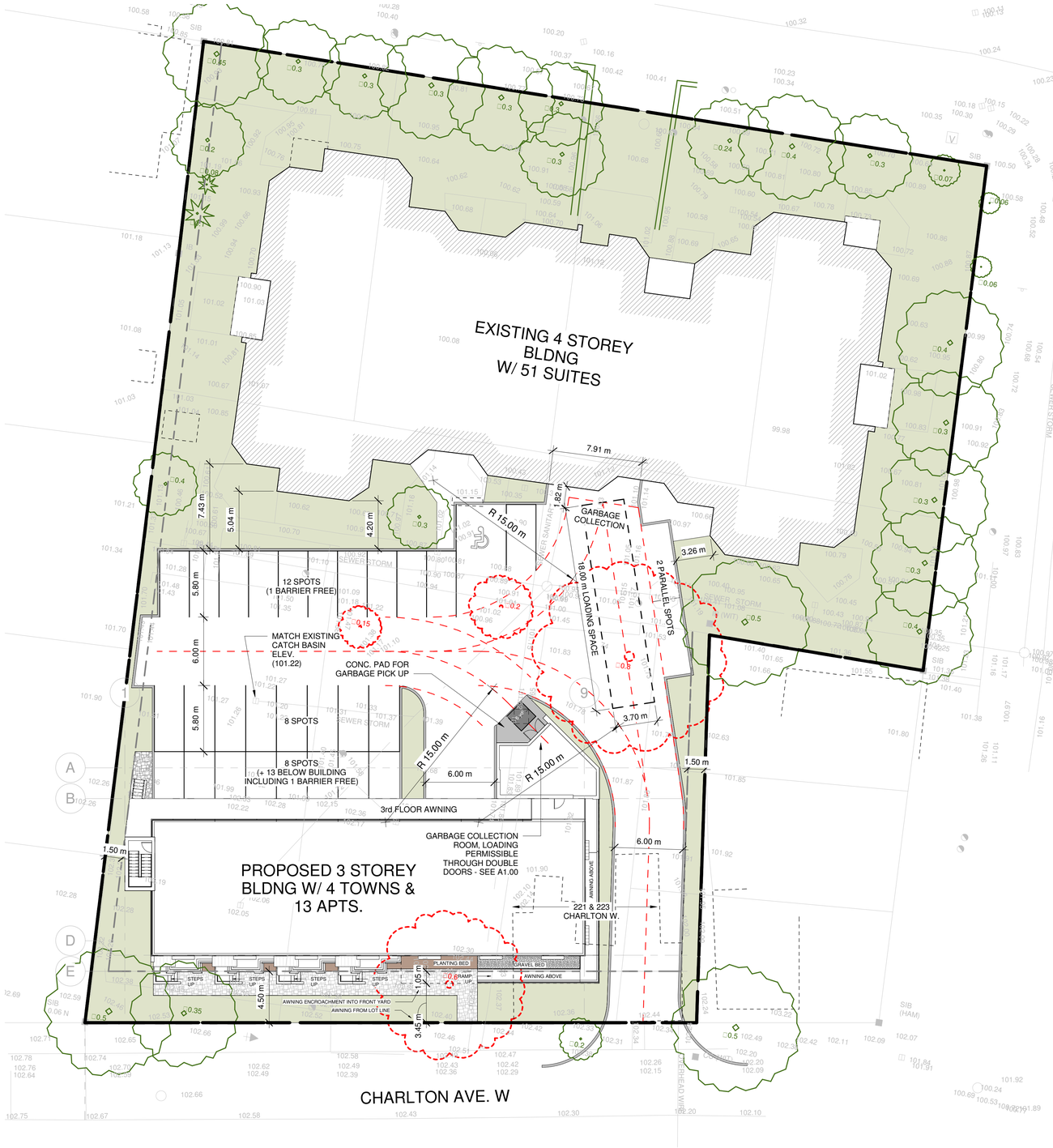
The proposed residential redevelopment and associated amendment to the former City of Hamilton Zoning By-law No. 6593 is appropriate, desirable and reflects good land use planning for the subject lands.

Respectfully Submitted,
T. JOHNS CONSULTING GROUP LTD.

Terri Johns, BA, MCIP, RPP
President

Jennifer Badley, BA
Planning Technician

Appendix A:
Conceptual Site Plan



KNOWN AS CHARLTON AVENUE
(GEORGE STREET BY REGISTERED PLAN 1436)

1 Site Plan
1 : 200

PROJECT STATISTICS

PROJECT DESCRIPTION

Location:	200 Charlton Ave. E
O.B.C. Classifications:	
Part	Div. B Part 9
Major Occupancy	Group C (Residential)
Zone	DE-3/S-970

FLOOR AREA RATIO	**Permitted**	**Existing Building**	**Proposed Building**	**Combined**
%	90%	95%	31%	126%
m2	4555	4800	1574	6374

SETBACKS	**Req.**	**Existing (to building face)**	**Proposed (to building face)**
Front Yard (south)	4.5	N/A	4.5
Side Yard (West)	8.5 & 1.9	6.6	1.5
Side Yard (East)	8.5	6.8	N/A
Rear Yard (North)	6.0	6.8	N/A

LOT	**Req. Min.**	**Proposed**	
Lot Area (m2)	630.00	5061.00	
Lot Width (m)	21.00	52.80	
% Landscaped Area of Lot	25.0%	34.2%	
Distance between buildings (m)	8m (1/2 the height of the taller)	20.10	

FLOOR AREAS & BUILDING DATA	**ft2**	**m2**
Existing Building Dwelling Unit Count = 51		
Existing Building Total GFA	51,667	4800.00
Proposed Building Dwelling Unit Count = 17		
Proposed Building Area(for complete breakdown, see additional GFA table, this page)		
Parking Level GFA	131	12.17
Ground Floor GFA	5,500	510.94
2nd Floor GFA	5,500	510.94
3rdnd Floor GFA	5,355	497.53
Terrace	452	41.98
Total Proposed GFA	16,938	1573.57

HEIGHT	**Permitted**	**Existing (m)**	**Proposed (m)**
Heights	4 storeys (11m)	4 Storeys	4 Storeys (10.2m) to Terrace

PARKING & LOADING	**Required**	**Proposed (inclusive of 2 barrier free)**
Resident Spaces (0.8 per 68 total dwelling units)	55	43
Visitor Spaces (0.16 spaces per 68 total dwelling units)	11	0
Loading	1	1

GFA of New Building (elevator shafts, elevator vestiblues, mech rooms and garbage rooms excluded ...

Name	Area (sqm)	Area (sqft)
Parking Level		
Stairwell A	12.17 m²	131 ft²
	12.17 m²	131 ft²
Ground Floor		
101	65.98 m²	710 ft²
102	64.80 m²	698 ft²
103	64.88 m²	698 ft²
104	68.13 m²	733 ft²
105	68.06 m²	733 ft²
106	68.06 m²	733 ft²
107	70.41 m²	758 ft²
Residents' Storage	17.42 m²	187 ft²
Stairwell A	12.17 m²	131 ft²
Stairwell B	11.03 m²	119 ft²
	510.94 m²	5,500 ft²

GFA of New Building (elevator shafts, elevator vestiblues, mech rooms and garbage rooms excluded ...

Name	Area (sqm)	Area (sqft)
2nd Floor		
104 (2nd Flr)	68.13 m²	733 ft²
105 (2nd Flr)	68.06 m²	733 ft²
106 (2nd Flr)	68.06 m²	733 ft²
107 (2nd Flr)	70.41 m²	758 ft²
201	65.98 m²	710 ft²
202	64.80 m²	698 ft²
203	64.88 m²	698 ft²
Residents' Storage	17.42 m²	187 ft²
Stairwell A	12.17 m²	131 ft²
Stairwell B	11.03 m²	119 ft²
	510.94 m²	5,500 ft²

GFA of New Building (elevator shafts, elevator vestiblues, mech rooms and garbage rooms excluded ...

Name	Area (sqm)	Area (sqft)
3rd Floor		
301	65.98 m²	710 ft²
302	64.80 m²	698 ft²
303	64.80 m²	698 ft²
304	64.80 m²	698 ft²
305	64.80 m²	698 ft²
306	64.80 m²	698 ft²
307	66.94 m²	720 ft²
Residents' Storage	17.42 m²	187 ft²
Stairwell A	12.17 m²	131 ft²
Stairwell B	11.03 m²	119 ft²
	497.53 m²	5,355 ft²
Terrace		
Resident's Storage	17.42 m²	187 ft²
Stairwell A	12.17 m²	131 ft²
Stairwell B	12.39 m²	133 ft²
	41.98 m²	452 ft²
Total GFA of New Building	1,573.57 m²	16,938 ft²

Revisions:

No.	Date:	Particular:	By:
1	2021.04.07	Clearer Graphics on Site Plan	ND

Drawing Issue:

Date:	Particular:	By:
2019.06.20	CONCEPTUAL SITE PLAN	ND
2019.09.11	CONCEPTUAL SITE PLAN	ND
2019.09.16	CIVIL COORDINATION	ND
2019.09.18	ZONING AMENDMENT (REVIEW)	ND
2021.04.19	ZONING AMENDMENT SUBMISSION	ND

Seals:

ONTARIO ASSOCIATION OF ARCHITECTS
JOHN E. ROMANOV
LICENCE
3717

romanov romanov
ARCHITECTS INCORPORATED
DESIGNERS, URBANISTS, FUTURISTS
375 PARKSIDE DRIVE, TORONTO, ONTARIO, CANADA
M6R 2Z6, tel: (416)766-8750; fax: (416)766-8760

Project:
Corktown Co-Op
Hamilton, ON

Sheet Title:
Site Plan & Statistics

Design:	Drawn:	Approved:
JR	ND	JR

Comm. No:	Sheet No:
09.122	A0.00

Appendix B:
Public Consultation Strategy

Public Consultation Strategy

	Explanation
Target audience of the consultation	The target audience of the consultation includes the residents and land owners within 120 metres of the subject lands.
If done, record of consultation efforts made before the application was submitted.	Not applicable.
List the stakeholders and how they are impacted	Owners/Tenants of dwellings to the north, south, east and west of the subject lands. Some perceived impacts may be privacy and shadowing.
Tools to be used to consult/engage the public	A mail out letter with an explanation of the proposed redevelopment will be provided within 30 days of the submitted application being deemed complete. The letter will include details regarding the proposed development and contact information of the Planning Consultant on file should residents have any questions or concerns. A microsite will be provided on the T. Johns Consulting Group Community Portals page, that will provide information on the proposed development, link to supporting studies/submission and project updates.
Timing of consultation	Subsequent to letters that will be mailed out within 30 days of the submitted application deemed complete. A Neighbourhood Open House **may** be hosted subject to neighbourhood feedback after receiving the mail out letter.
Method to receive and document comments	The mail out letter will provide the Consultant Planner contact including email and address. All comments will be recorded and filed per our internal filing policies. Once the consultation process has concluded, a summary memo will be prepared and submitted to the City. All stakeholders are within 120 metres of the subject lands and will therefore be captured in the City's public circulation of the Notice of Complete Application.
Proposed participants in consultation and their role	**T. Johns Consulting Group Ltd:** **Agents** T. Johns Consulting Group (T. Johns) will coordinate and document the public

	consultation process. T. Johns will prepare and mail out the letter that describes the reasons for the applications. T. Johns can provide general information on the planning process and policy framework. T. Johns will update the City accordingly. **Land owners/Developers:** Will attend Neighbourhood Open House should they be necessary, at the discretion of T. Johns Consulting Group's recommendation. **Other consultants:** Depending on the issues raised by Staff and residents through the initial City circulation of the Notice of Complete Application and Consultant mailed out letter, other members of the project team may be included as subject-specific matters arise. Should there be a need for an open house, City Planning Staff and the Ward Councilor will be invited.
Requested City Resources	Not applicable.
Expected/Potential Issues	Unknown.

The Public Consultation Strategy is flexible and subject to change pending discussions with staff and the Ward Councilor regarding the target stakeholders and the most appropriate consultation methods.

Appendix C:
Draft Amending Zoning By-law

CITY OF HAMILTON
BY-LAW NO. - ____

To Amend Zoning By-law No. 6593 (City of Hamilton)
Respecting Lands located at 200 Forest Avenue and 221 & 223 Charlton Avenue East in the City of Hamilton.

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. 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 to 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 Plan 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 of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law 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 ___ of Report __- _____ of the Planning Committee, at its meeting held on the _____ day of _____, 20__, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan, in accordance with the provisions of the Planning Act.

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

1. That Sheet No. ___ of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended by changing the following:

    a. That lands 200 Forest Avenue and 221 & 223 Charlton Avenue East be re-zoned from the "DE-3/S-970" (Multiple Dwellings) District, Modified and "D" (Urban Protected One and Two-Family Dwellings Etc.) District, to the "DE-3/____" (Multiple Dwellings) District, Modified.

    on the lands of the extent and boundaries of which are shown of the plan hereto annexed as Schedule "A".

2. That Section Nineteen B Special Requirements of Zoning By-law No. 6593, is hereby further amended by adding a new special requirement, "DE-3/__", as follows:

"DE-3/___"

That the "Interpretation and Definitions", as contained in Section Two of Zoning By-law No. 6593, applicable to lands described 200 Forest Avenue and 221 & 223 Charlton Avenue East, as detailed in Section 1 of this By-law, be modified to include the following special requirements:

(2) J.

a) That notwithstanding Section 2(2)J.(xiii), "Lot-Line, Front" shall mean the boundary lot line along Charlton Avenue East.

b) That notwithstanding Section 2(2)J.(xiv), "Lot-Line, Rear" shall mean the boundary lot line along Forest Avenue.

c) That notwithstanding Section 2(2)J.(xv), "Lot-Line, Exterior Side" shall mean the boundary lot line along Aurora Street.

d) That notwithstanding Section 2(2)J.(xv), "Lot-Line, Interior Side" shall mean any lot line except a front lot line, rear lot line or exterior side lot line.

That the "DE-3" (Multiple Dwellings) District regulations, as contained in Section Ten C of Zoning By-law No. 6593, applicable to lands described 200 Forest Avenue and 221 & 223 Charlton Avenue East, as detailed in Section 1 of this By-law, be modified to include the following special requirements:

(i)

a) That notwithstanding Section 10C(2), for Multiple Dwellings existing on or before the date of the passing of this by-law, the existing building height of four storeys shall be permitted.

b) That notwithstanding Section 10C(3)(i)(b), for all other buildings or structures, a minimum front yard setback of 4.5 metres shall be required;

c) That notwithstanding Section 10C(3)(ii)(b), for all other buildings or structures, the following side yard setbacks shall apply:

i. Minimum interior side yard setback of 6.6 metres where a window of a habitable room overlooks the side yard;

ii. Minimum interior side yard setback of 1.5 metres where no window of a habitable room overlooks the side yard; and,

iii. Minimum exterior side yard of 6.8 metres shall be required;

d) That notwithstanding Section 10C(3)(iii)(b), for all other buildings or structures, a minimum rear yard setback of 6.0 metres shall be required; and,

e) That notwithstanding Section 10C(5), a maximum Gross Floor Area of 6,500 square metres shall be permitted.

The "Supplementary Requirements and Modifications", as contained in Section Eighteen of Zoning By-law No. 6593, applicable to lands described as 200 Forest Avenue and 221 & 223 Charlton Avenue East, as detailed in Section 1 of this By-law, be modified to include the following special requirements:

a) That notwithstanding Section 18(3)(vi)(b), a canopy may project into a required front yard a maximum of 2.0m provided that no such projection shall be closer to a street line than 1.5 metres.

The "Parking and Loading Requirements" regulations, as contained in Section Eighteen A of Zoning By-law No. 6593, applicable to lands described as 200 Forest Avenue and 221 & 223 Charlton Avenue East , as detailed in Section 1 of this By-law, be modified to include the following special requirements:

a) That notwithstanding Section 18.A(7) a parking space size shall have dimensions not less than 2.7 metres wide and 5.8 metres long;

b) That notwithstanding Section 18.A Table 1 of Zoning By-law No. 6593, Multiple dwellings within area "A", shown on Schedule "H", shall require 0.6 space per Class A dwelling unit; and

c) That notwithstanding Section 18A.(1)(a), 18A.(1)(b) and 18A. Table 2 of Zoning By-law No. 6593, Multiple dwellings within area "A", shown on Schedule "H", shall require 0 visitor parking spaces per Class A dwelling unit.

3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

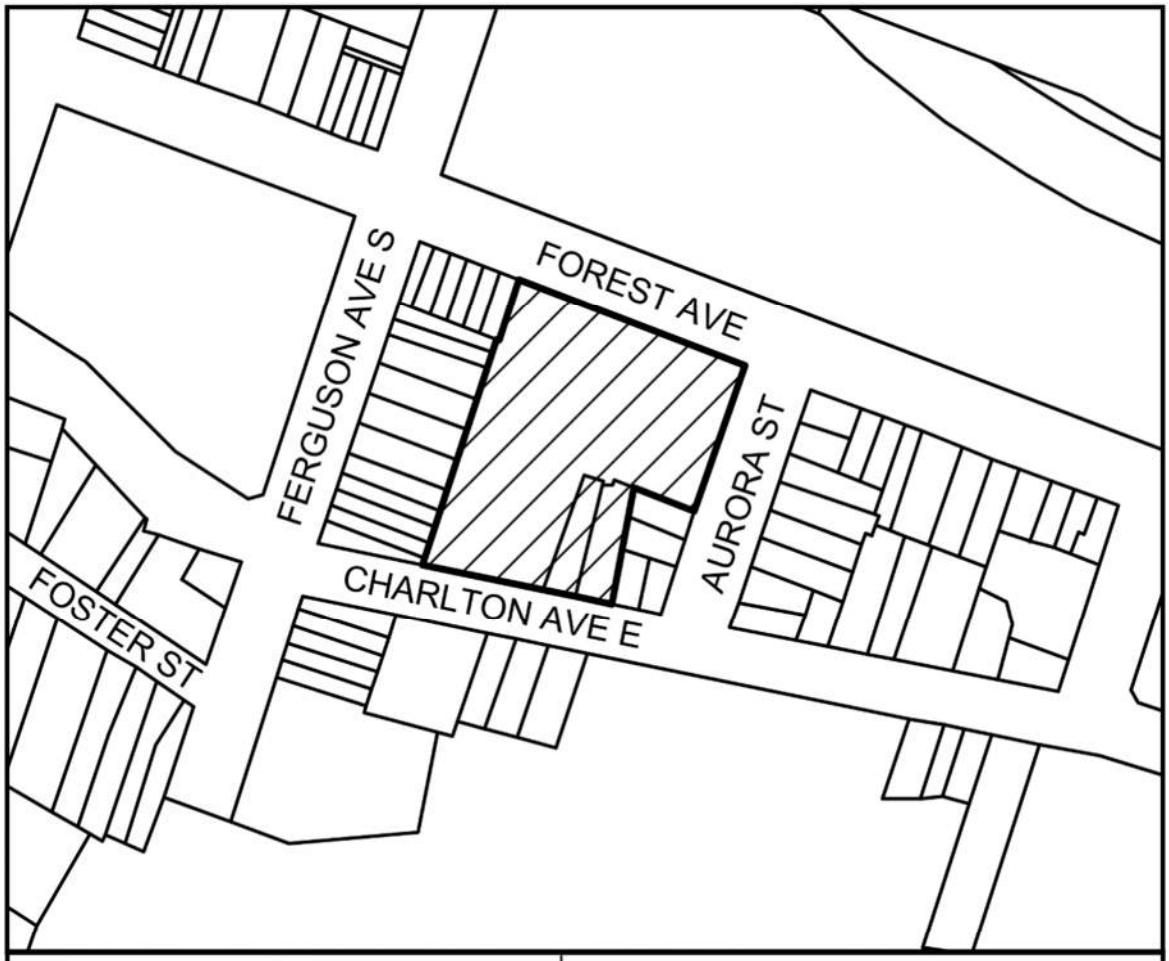
PASSED and ENACTED this ____ day of _____, 20__.

_____ _____

Mayor Clerk

ZAC-__-_____

Schedule A



This Schedule "A" to By-law No.___-___

Passed the _____ day of _____, 20___

_____
Mayor

_____
Clerk

Schedule "A"

Mapping Forming Part of
By-law No.___-___

To Amend By-law No. 6593

Scale: N.T.S	**Planner/Technician:**
Date:	**File Name/Number:** ZAC-___-___

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

Subject Property

200 Forest Avenue and 221 & 223 Charlton Avenue East
Hamilton, Ontario

Change in Zoning from the "DE-3/S-970" (Multiple Dwellings) District, Modified and "D" (Urban Protected One and Two-Family Dwellings Etc.) District, to the "DE-3/XX" (Multiple Dwellings) District, Modified