T. JOHNS CONSULTING GROUP
URBAN PLANNING | DESIGN | PROJECT MANAGEMENT

Planning Justification Report

Royal Oak Phase 3

315 Robert Street &
219, 225 and 247 East Avenue N
Hamilton, Ontario

June 2021

Prepared For:
Indwell Community Homes
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1.0 Introduction

T. Johns Consulting Group Ltd. ("T. Johns") was retained on July 22, 2019 by Indwell Community Homes ("Indwell") to prepare a Planning Justification Report for lands municipally known as 219, 225, 247 East Avenue North and 315 Robert Street ("subject lands") as part of a complete Official Plan Amendment ("OPA") and Zoning By-law Amendment ("ZBA") application.

Land Acknowledgement

The City of Hamilton is situated upon the traditional territories of the Erie, Neutral, Huron-Wendat, Haudenosaunee and Mississaugas. This land is covered by the Dish With One Spoon Wampum Belt Covenant, which was an agreement between the Haudenosaunee and Anishinaabek to share and care for the resources around the Great Lakes. We further acknowledge that this land is covered by the Between the Lakes Purchase, 1792, between the Crown and the Mississaugas of the Credit First Nation.

Today, the City of Hamilton is home to many Indigenous people from across Turtle Island (North America) and we recognize that we must do more to learn about the rich history of this land so that we can better understand our roles as residents, neighbours, partners and caretakers.

Indwell acquired the subject lands in 2018 and has been regenerating the lands since with a high-density residential community that is comprised of affordable housing, including housing with supports, known as "Royal Oak". Phases 1 and 2 are currently under construction, approved by Site Plan Control Application File No. DA-20-001. The OPA and ZBA are required to facilitate the last phase, Phase 3. Briefly, Phase 3 is a proposed three-storey multiple dwelling (i.e. walk-up apartment) with a total of thirty-one (31) units with a mix of one-, two- and three-bedroom options. More details of the subject lands and proposal follow. The OPA includes 219, 225 and 247 East Avenue North and 315 Robert Street to permit the overall proposed density in result of Phase 3. The ZBA is limited to include only the "Phase 3" lands which includes 315 Robert Street and part of 225 East Avenue North to permit the proposed Multiple Dwelling use with site specific modifications.

This Planning Justification Report includes an overview of the subject lands in context with surrounding land uses and a detailed description of the approved and proposed development as well as summaries of the expertly prepared supporting studies which inform the review and analysis of the pertinent planning framework. The report is concluded with a comprehensive professional planning opinion, which is that the proposed Royal Oak Phase 3 implemented by the OPA and ZBA is good land use planning.

1.1 Property Description

Royal Oak is made up of 315 Robert Street and 219, 225 and 247 East Avenue North ("subject lands"). The subject lands are located in Hamilton's Landsdale neighbourhood on the west side of East Avenue North. The properties are merged on title and held in identical ownership, being Indwell Community Homes **(refer to Figures 1 – Location Map & 2 – Aerial Context Map)**. The overall property area is approximately 0.49 hectares (4,952.7 square metres) with 128.73 metres of frontage onto East Ave N and 38.70 metres of frontage onto Robert St. 315 Robert St and 219, 225 East Avenue North were previously the site of the Royal Oak Dairy, an industrial use. A Record of Site Condition 227281 has been received from the Ministry of Environment, Conservation and Parks. 247 East Avenue North was historically a residential property. The lands are legally described as being All of Lots 39, 40 and 41, Registered Plan 286 and All Lots 88, 89, 90 and 91, Robert Land Survey Being on the West Side of East Avenue, Being Part 2, plan 62R-12181, City of Hamilton and subject to Encroachment Agreements: Parts 3, 4, & 5, Plan 62R-12181, Inst. CD319352 and Part 6 & 7, plan 62R-12181, Inst. CD-304881.

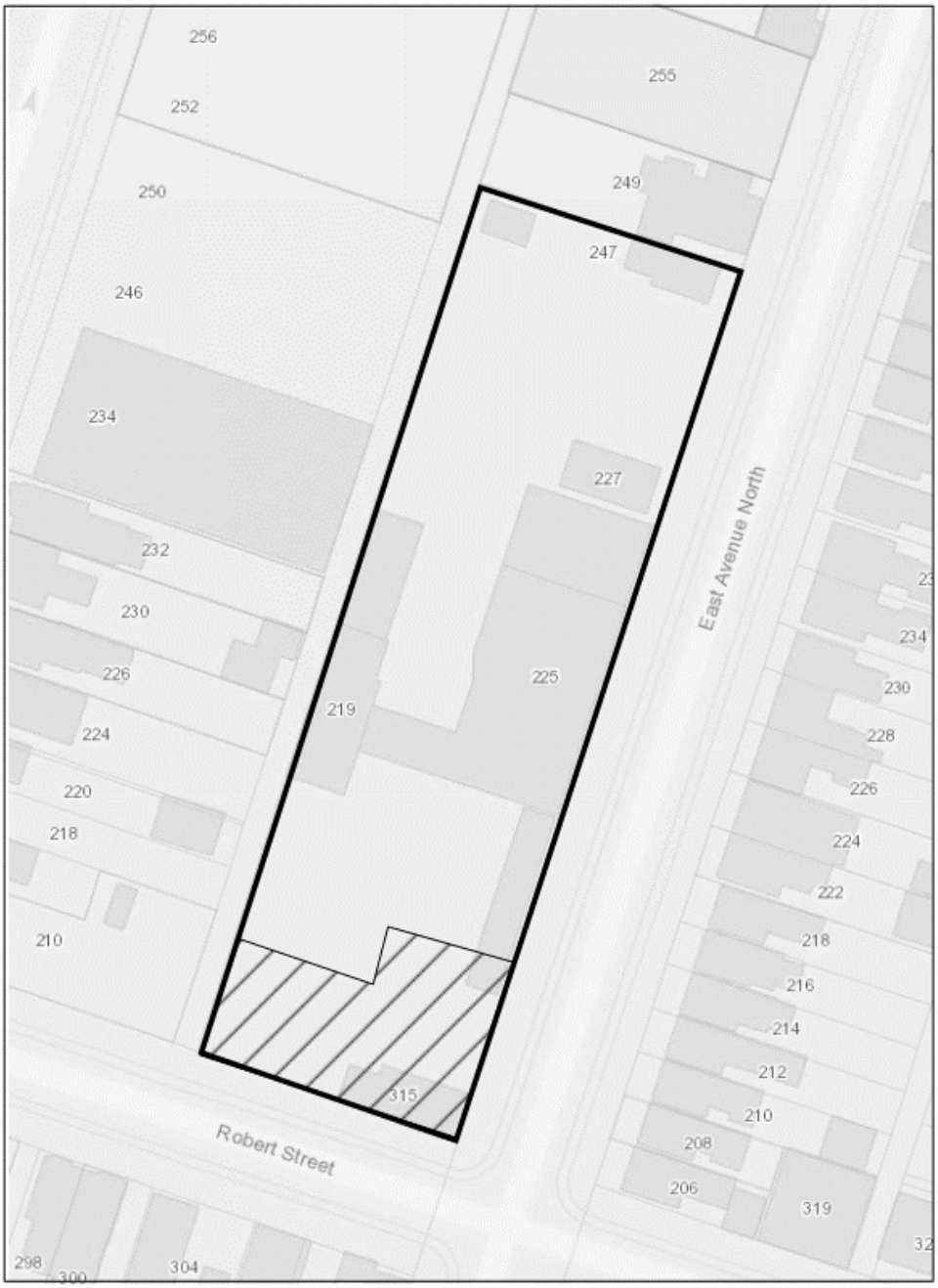
The entirety of the property has limited vegetation due to its historical use. There is a slope from the northwest to the southeast of the subject lands, with a low point at the rear property line adjacent to the laneway. Part of the lands have been altered to facilitate Phase 1 (225 and 247 East Avenue North) and 2 (219 East Avenue North) per Final Approved Site Plan Control application No. DA-20-001 which are currently under construction.

315 Robert Street is now vacant and is approximately 1,271 square metres (0.13 ha) of the total site area. This part of Royal Oak is zoned differently than the remainder of the subject lands, and therefore, only 315 Robert St and part of 225 East Avenue North is subject to the ZBA.

City of Hamilton Cultural Heritage

In result of the historical industrial use of the subject lands, excluding 315 Robert Street, being the Royal Oak Dairy between 1898-1976, the property is listed within the City of Hamilton Heritage Volume 2 as a property with historical and/or architectural interest. A Cultural Heritage Impact Assessment and Documentation and Salvage Report was approved through DA-20-001.

Figure 1 – Location Map



SUBJECT PROPERTY
315 Robert Street & 219-247 East Avenue North
Hamilton, Ontario

AREA OF PHASE 3

Figure 2 – Aerial Context Map

SUBJECT PROPERTY
315 Robert Street & 219-247 East Avenue North
Hamilton, Ontario

AREA OF PHASE 3

1.2 Neighbourhood Context

Royal Oak is located on the west side of East Ave N in the Landsdale neighbourhood. The neighbourhood is made up of primarily residential uses on a grid-pattern street network with convenient access to Downtown Hamilton, employment uses north of Barton Street and the mixed use corridor of Barton Street. Community services and facilities are accessible from the subject lands **(Refer to Figure 3 – Neighbourhood Context Map).**

The immediate surrounding land uses include:

North: One (1) Detached Dwelling, Municipal Car Park;
East: Low Density Residential;
South: Low Density Residential;
West: Laneway, Low Density Residential and Municipal Car Park.

Figure 3 – Neighbourhood Context Map

2.0 Royal Oak by Indwell

Royal Oak by Indwell is an inclusive and affordable community that will enhance the existing and established neighbourhood. Royal Oak has been a phased and successful redevelopment so far. Phases 1 and 2 are permitted multiple dwellings, whereas part of the Phase 3 lands are not permitted a multiple dwelling (i.e. 315 Robert St). The following section speaks to the approved and proposed project phases that will result in a complementary and cohesive redevelopment of the brownfield property.

2.1 Royal Oak Phases 1 and 2 (Approved)

Royal Oak Phase 1 at 225 and 247 East Avenue North is an "L"-shaped building with two (2) towers, a 6-storey tower and a 4-storey tower. The Passive House Canada building has a total of ninety-five (95) units operated by Indwell. The first storey is an at-grade parking garage with a total of thirty-nine (39) parking spaces.

Royal Oak Phase 2 at 219 East Avenue North is a re-adaptive reuse of the existing 2 and 3 storey stable building original to the former Royal Oak Dairy. The building will be re-adapted into thirteen (13) studio apartments reserved for Urban Indigenous residents. The first floor will be office and administrative area used by a partnering affordable housing provider, Sacajawea Non-Profit Housing.

Phases 1 and 2 have an interconnected site design with a shared parking area and common outdoor amenity areas. The thirty-nine (39) parking spaces located in the subgrade garage of Phase 1 are accessed by a one-way entrance from East Avenue North and exited by a one-way exit aisle onto East Avenue North. The approved one-way traffic operation is registered on title. The site is serviced by the approved waste management route via the municipally assumed laneway west of the subject lands accessed from Robert Street, exiting onto East Avenue North. Royal Oak Phase 3 proposed site design is integrated with the site function of phases 1 and 2.

2.2 Royal Oak Phase 3 (Proposed)

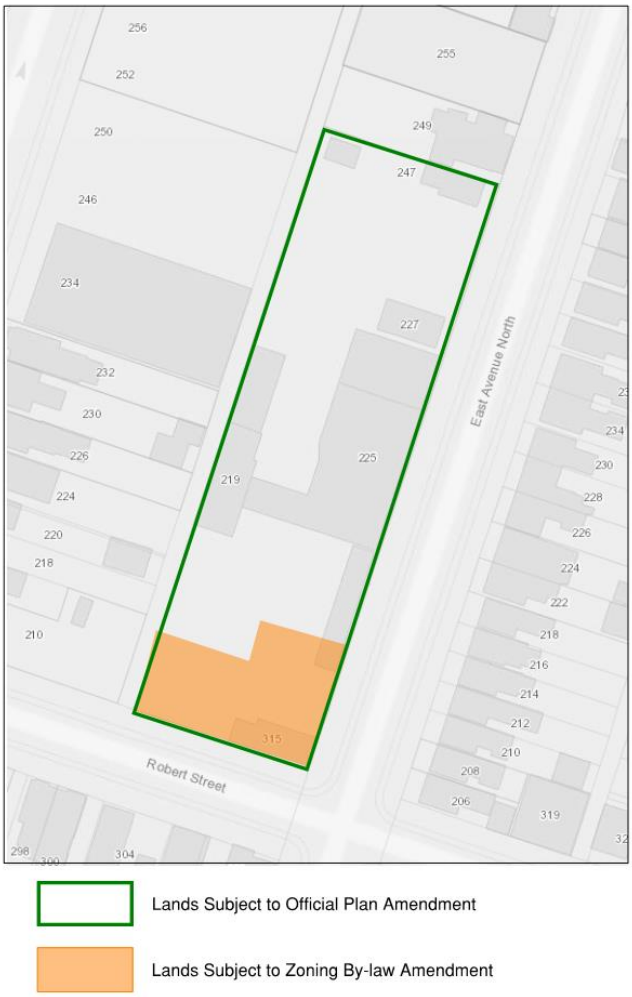
Royal Oak Phase 3 at 315 Robert Street is a three-storey multiple dwelling with a total of thirty-one (31) units with two- and three-bedroom options suitable for families including children and with barrier-free options. The proposed multiple dwelling built form is a walk-up apartment building with exterior stairs. The building is designed to be Passive House Canada certified. The dwellings are proposed to be supported by an outdoor, programmed amenity area suitable for children to play. The outdoor amenity space approved in Phases 1 and 2 will also be accessible to future Phase 3 residents. The proposed building will be supported by seven (7) surface parking spaces in addition to the six (6) parking spaces approved in Phase 1 available to Phase 3. A total of

thirteen (13) parking spaces are proposed to support thirty-one (31) units. Parking is proposed to be accessed from the assumed City laneway accessed from Robert Street and share the exit onto East Avenue North (Refer to Appendix A: Concept Plan).

2.3 Planning Applications

A Formal Consultation ("FC") process was completed and the Development Review Team meeting was attended December 9, 2020 virtually with City of Hamilton Development Planning staff. The FC process confirmed that an Official Plan Amendment and Zoning By-law Amendment are required to permit the proposed overall density of Royal Oak and to rezone 315 Robert Street to permit a 3-storey walk-up apartment building (i.e. multiple dwelling). As such, the limits of the OPA and ZBA differ **(refer to Figure 4 – Limits of Applications)**.

Figure 4
Limits of OPA and ZBA



The Formal Consultation Document confirms that the following supplementary reports and plans are required for a Complete ZBA application:

- Survey Plan;
- Concept Plan;
- Planning Justification Report *(incl. Draft Amending By-law and Public Consultation Strategy)*
- Urban Design Brief;
- Tree Management Plan;
- Functional Servicing (Domestic Water Demand, Fire Flow, Wastewater Generation Assessment)
- Stormwater Management Report;
- Preliminary Grading and Servicing Plans;
- Tree Preservation Plan;
- Preliminary Landscape Plan.

3.0 Supporting Studies

The studies identified during the Formal Consultation process and as outlined in the Formal Consultation Document were completed as part of the Complete Application for a ZBA. A copy of each report has been included within the submission package. This section provides a brief summary of the findings for each study.

3.1 Urban Design Brief

An Urban Design Brief dated June 2021 was prepared by Invizij Architects in support of the proposed Phase 3 redevelopment. The purpose of the report is to outline the existing neighbourhood and site context and describe how the proposed development will sensitively respond to those conditions. The subject lands have a direct street presence and are part of a phased redevelopment that incorporates a range of building heights, materials and sustainable design. The brief provides a review in context of the technical constraints of development and how the proposed redevelopment including landscaping responds to applicable urban design policies of the UHOP. In conclusion, the brief supports that the proposed Phase 3 redevelopment is well integrated within the neighbourhood and the Royal Oak redevelopment with a transitioned building height, complimentary material palette and landscaping is used to provide safe transitions between pedestrian and vehicle circulation. The site is design with pedestrian connections through the private realm to the public realm. The proposed redevelopment responds to important urban design factors of a city in conjunction with addressing sustainable and affordable housing options within the City of Hamilton. Please refer to the submitted Urban Design Brief for further detail.

3.2 Tree Preservation Plan

A Tree Preservation Plan was prepared by OMC Landscape Architecture dated May 13, 2021. Trees identified as 678-686 range from poor, fair and good condition on the Phase 3 lands. However, due to approvals of Phases 1 and 2, seven of the eight trees on Phase 3 will be removed per City Forestry direction. The eighth tree will almost be removed in result of the approved driveway of Phases 1 and 2. For more detail, refer to the updated Tree Management Plan.

3.3 Functional Servicing

Scott Llewellyn & Associates ("SLA") have prepared a Domestic Water Demand, Wastewater Generation Assessment and Fire Flow Estimate all dated June 2021 to address the Functional Servicing of this proposed redevelopment.

The Domestic Water Demand for Phase 3 was calculated based on the "Fixture Unit Method" of the 2012 Ontario Building Code. SLA confirms that a total fixture unit count is 382.7 FU and a water usage of 97 IGPM (7.33 l/s) for Phase 3 and confirms capacity.

The Wastewater Generation Assessment was calculated based on Table 8.2.1.3.B - Other Occupancies of the 20212 Ontario Plumbing Code. The proposed Phase 3 redevelopment will have a total wastewater generation of 0.40 (l/s) while the two proposed 200mm diameter sanitary sewers at 0.7% slope have a capacity of 24.0 (l/s). Therefore, capacity is confirmed.

Fire flow demand prepared by SLA confirms that the required fire flow for this site is 150 l/s. Hydrant flow test data for the public fire hydrants in closest proximity to the proposed development has been analyzed. The test concluded that the theoretical maximum available flow rate is 71.8 l/s. As it was previously determined that the existing 150mm diameter watermain is insufficient to support this redevelopment per City of Hamilton standards, the existing East Ave N watermain will be upgraded from Robert St with a new 150mm diameter watermain coupled with a new 300mm diameter watermain along Robert St from Victoria Ave N to Emerald St N. Sufficient fire flow will be available prior to this development's occupancy. Hydraulic modelling dated July 31, 2020 is available for review. Please refer to the submitted fire flow demand.

3.4 Stormwater Management Report

Scott Llewellyn & Associates ("SLA") have prepared a revised Storm Water Management Report dated June 2021. The report analyses requirements of the proposed development and determined that the proposed condition discharge rates will not exceed the existing conditions during a 2-year and 100-year design storm with some needs for stormwater storages. Quality control is not required for the proposed redevelopment. The report concludes that the proposed Phase 3 redevelopment can be constructed to meet the requirements of the City of Hamilton and recommends the following: lands are graded and serviced, a 130mm diameter orifice plate be installed at the south invert of MH 2 to provide adequate quantity control, a Stormbrixx SD 1-layer storage tank be installed per the Grading and Servicing Plan, install 12-Zurn Z-105 roof drains to

provide sufficient roof top storage and implement erosion and sediment controls. Please refer to the Revised Storm Water Management Report for further detail.

3.5 Public Consultation Strategy

Indwell is a committed community partner and has been engaged with the neighbourhood since their acquisition of the subject lands in 2018. Indwell hosted a Neighbourhood Block Party July 20, 2018 and invited the neighbourhood to tour the site and hear about Indwell's vision for the regeneration of the subject lands for affordable housing. Throughout Royal Oak Phases 1 and 2, Indwell hosted community engagements to present their proposed development and conduct productive dialogue with neighbours. Since 2018, Indwell has provided the neighbourhood with Community Newsletter quarterly to properties within 120 metres of the subject lands to keep them informed on all planning and construction related activities and to ensure the adjacent neighbours have a contact number to reach out with any concerns or questions related to the development and construction. Two (2) minor variance applications have been approved and are in force and effect to facilitate the construction of Phases 1 and 2. In keeping with Planning Act requirements this included notification to landowners within 60 metres.

Public Consultation specific to Phase 3 is planned as follows:

- Community Newsletter dated June 14, 2021 delivered to neighbors within 120m to give information of Indwell's Official Plan and Zoning By-law Amendment applications to facilitate Phase 3;
- City of Hamilton circulate Notice of Complete application to landowners within 120m of the subject lands;
- Public Notice Sign posted on the property;
- Two community meetings to be scheduled for Summer and Fall 2021 hosted by Indwell.

As Planning Applications are dynamic, additional community engagement efforts may be necessary. T. Johns Consulting Group will keep the City of Hamilton Development Planning staff apprised of public consultation.

4.0 Planning Framework

This section reviews the planning documents applicable to the subject property, which include the Provincial Policy Statement, Places to Grow – Growth Plan for the Greater Golden Horseshoe, the Urban Hamilton Official Plan, and the City of Hamilton Zoning By-law No. 6593, and discusses the requested amendments to the Zoning By-law as required to implement Phase 3.

4.1 Provincial Policy Statement, 2020

The *Provincial Policy Statement, 2020* ("PPS"), issued under the *Planning Act, R.S.O. 1990, C.P.13* ("*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.

1.1.1 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 range and mix of residential (including second units, 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 cost-effective development patterns and standards to minimize land consumption and servicing costs;

f. improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;

g. ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs; and

h. promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

<u>Planning Comment:</u>

The proposed Phase 3 development will complete the overall vision of the Royal Oak project and contribute to a further mix of dwelling options and affordability for low-income families within the City of Hamilton. Phase 3 will be incorporated into Phase 1 and 2 and maximize the efficiency of urban lands and available services.

1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

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 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.

<u>Planning Comment</u>

The subject lands make up the City of Hamilton's Neighbourhoods which are anticipated to accommodate some residential growth through intensification. The subject lands are serviced by existing municipal infrastructure with planned capacity to service the net increase of residential units as confirmed by the Functional Service documents (SLA, 2021). The proposed multiple dwelling is compatible with the established land use pattern both within the subject site and with the overall neighbourhood. The proposed redevelopment is guided by principles of compact, efficient and sustainable redevelopment.

1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and

b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.

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:

a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;

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 Phase 3 redevelopment will contribute to residential growth through land use intensification and not impede future growth opportunities. The subject lands will be serviced by adequate services with capacity to service to proposed increase in net density. The proposed thirty-one (31) dwelling units will increase the number of family-sized dwellings with affordable rental tenure. Supports will be available to project residents. The proposed development is aligned with the *City of Hamilton's Coming Together to End Homelessness: Hamilton's Systems Planning Framework* to make more affordable housing units available with a diversity of options to accommodate varying lifestyles.

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.

1.6.6.7 Planning for stormwater management shall:

a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;

b) minimize, or, where possible, prevent increases in contaminant loads;

c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;

d) mitigate risks to human health, safety, property and the environment;

e) maximize the extent and function of vegetative and pervious surfaces; and

f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.

1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

1.6.7.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

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.

1.6.8.3 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

1.6.10.1 Waste management systems need to be provided that are of an appropriate size and type to accommodate present and future requirements, and facilitate, encourage and promote reduction, reuse and recycling objectives. Waste management systems shall be located and designed in accordance with provincial legislation and standards.

Planning Comment

Detailed functional servicing and stormwater management studies and plans were approved through DA-20-001. The approvals associated with Phase 1 and 2 considered Phase 3 in anticipation of more residential density. The FSR and SWM prepared by SLA dated June 2021 confirms that there is sufficient capacity to support Phase 3.

The subject lands are well-serviced by existing municipal transportation infrastructure including a public street network, bicycle lanes, frequent transit (HSR Routes) and are in proximity to planned high-order transit, which may include the proposed B.L.A.S.T. network and/or Light Rail Transit.

1.7.1 Long-term economic prosperity should be supported by:

a) promoting opportunities for economic development and community investment-readiness;

b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;

c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;

d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;

f) promoting the redevelopment of brownfield sites;

g) providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;

[…]

j) promoting energy conservation and providing opportunities for increased energy supply;

k) minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and

l) encouraging efficient and coordinated communications and telecommunications infrastructure.

Planning Comments

Royal Oak Phase 3 is part of a larger and efficient redevelopment that is in response to the lack in supply of affordable housing units within the Hamilton market. The proposed thirty-one (31) units of stable, affordable, and supportive housing will foster individual and community growth. The approved and proposed built environment of Royal Oak implements sustainable strategies to mitigate impacts to the environment and to protect from impacts of climate change.

1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which

a) promote compact form and a structure of nodes and corridors;

b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

[…]

e) encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

f) promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and

g) maximize vegetation within settlement areas, where feasible.

Planning Comments

The proposed Phase 3 redevelopment will continue the regeneration of the former Brownfield lands within the urban limits of Hamilton. The subject lands are within walking distance (i.e. 300 metres) of the Urban Growth Centre (Downtown Hamilton) with access to transit and active transportation networks. A minimum of 25% landscaping will be provided throughout the Royal Oak site and high efficiency building design, including PassiveHouse Canada standards, will be implemented to ensure an environmentally responsible and sustainable redevelopment.

Section 2.0 of the PPS requires that a development has consideration for natural and cultural heritage. There have been no natural heritage features of significance identified on the subject lands. The Tree Preservation Plan identifies eight (8) trees on the Phase 3 lands to be removed due to construction however, a planting plan as part of the landscape plan will ensure a healthy, green environment. As the subject lands are developed, the development area is not identified as having archaeological potential and the Phase 3 lands are not listed as a potential heritage resource. Therefore, the development maintains the goals of Section 2.0 as it does not adversely impact the natural heritage or significant heritage resources within Ontario.

The proposal is **consistent** with the PPS, which focuses growth in Settlement Areas, promotes a mix of land uses and densities that efficiently use land, existing infrastructure and public services and facilities.

4.2

4.3 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 site is located within the "Delineated Built-Up Area" of the Growth Plan.

Applicable policies 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 subject lands are within the delineated built-up area known as the City of Hamilton. The subject lands have frontage onto Robert Street and East Avenue North that provide access to Victoria Avenue North, Cannon Street East and Barton Street East which all have existing transit available to the proposed redevelopment. Community services including the Hamilton General Hospital, elementary and secondary schools. Section 2.2.2 directs new growth to the built-up areas of communities through intensification in a manner that develop complete communities with a mix of land uses, range and mix of employment and housing types, quality public spaces and access to local services. The proposal provides intensification through the development of a multiple dwelling which will utilize the existing infrastructure and road network to provide access to the site. The proposal introduces growth, intensification and additional housing types to an existing neighbourhood within a fully serviced urban environment.

The proposed development is in conformity with the intensification objectives of Section 2.2.3 of the Growth Plan, as it contributes to directing growth to the built-up area of a municipality

and encouraging intensification compatibility with adjacent land use approvals to meet intensification targets for urban growth.

Finally, it is also in conformity with the housing policies of Section 2.2.6 as it will contribute to the City's affordable housing targets through intensification and meeting the objectives of the Urban Hamilton Official Plan and diversifying the housing stock on Hamilton's Landsdale neighbourhood.

3.2.1 Integrated Planning

1. *Infrastructure* planning, land use planning, and *infrastructure* investment will be co-ordinated to implement this Plan.

3.2.2 Transportation - General

1. *Transportation system* planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.
2. The *transportation system* within the *GGH* will be planned and managed to: A Place to Grow | 31 Infrastructure to Support Growth
    a) provide connectivity among transportation modes for moving people and for moving goods;
    b) offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and *active transportation*;
    c) be sustainable and reduce greenhouse gas emissions by encouraging the most financially and environmentally appropriate mode for trip making and supporting the use of zero- and low-emission vehicles;
    d) offer *multimodal* access to jobs, housing, schools, cultural, and recreational opportunities, and goods and services;
    e) accommodate agricultural vehicles and equipment, as appropriate; and
    f) provide for the safety of system users.

Planning Comment

The subject lands are in proximity to three (3) minor arterial roads accessed by local streets. Victoria Ave N and Cannon St E intersection is the northeast boundary of the Urban Growth Centre, being approximately 550 metres from the subject lands. The subject lands are located within proximity to a number of existing bus routes, including routes #2, #3 and #12 as well as planned high order transit, including the Rapid Transit Blast Network, Route B on King Street. The City of Hamilton Transportation Master Plan identifies Cannon Street East as being part of the existing bicycle lane network and Victoria Avenue as a planned bike lane. The Cannon St E bike lane provides an important city-wide east-west connection for bicyclists. Local

commercial uses, institutional uses (including schools, churches) and neighbourhood, community and City wide parks are all within walking distance to the subject lands.

Overall, the proposed Phase 3 redevelopment for a multiple dwelling building meets the intent of providing a diverse range of housing options within a well-serviced community. The proposal will intensify urban lands within a delineated built-up area and allow for additional affordable housing rental units geared to families.

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

4.4 Urban Hamilton Official Plan

The City of Hamilton's Urban Hamilton Official Plan ("UHOP") was 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.

Both Schedule "E" – Urban Structure and Schedule "E-1" – Urban Land Use Designation of the UHOP designates the subject lands as "Neighbourhoods" **(See Figure 5 – UHOP Urban Structure and Figure 6 – Land Use Map).**

Figure 5
UHOP Urban Structure

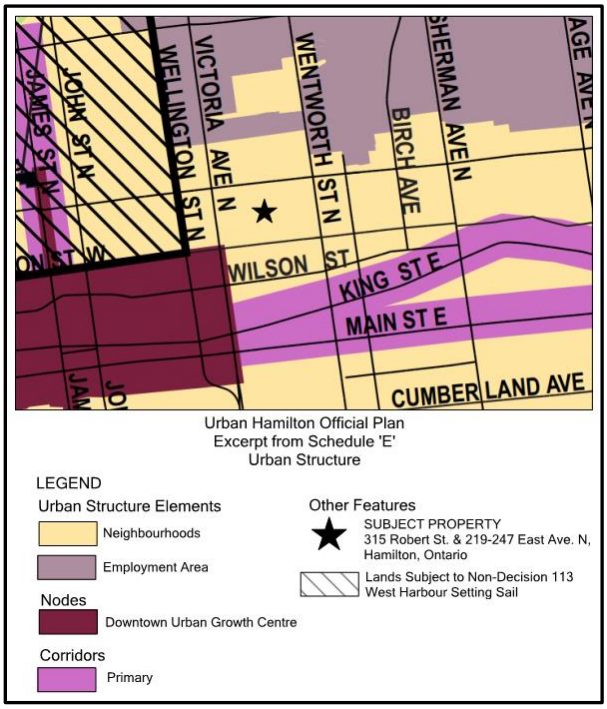
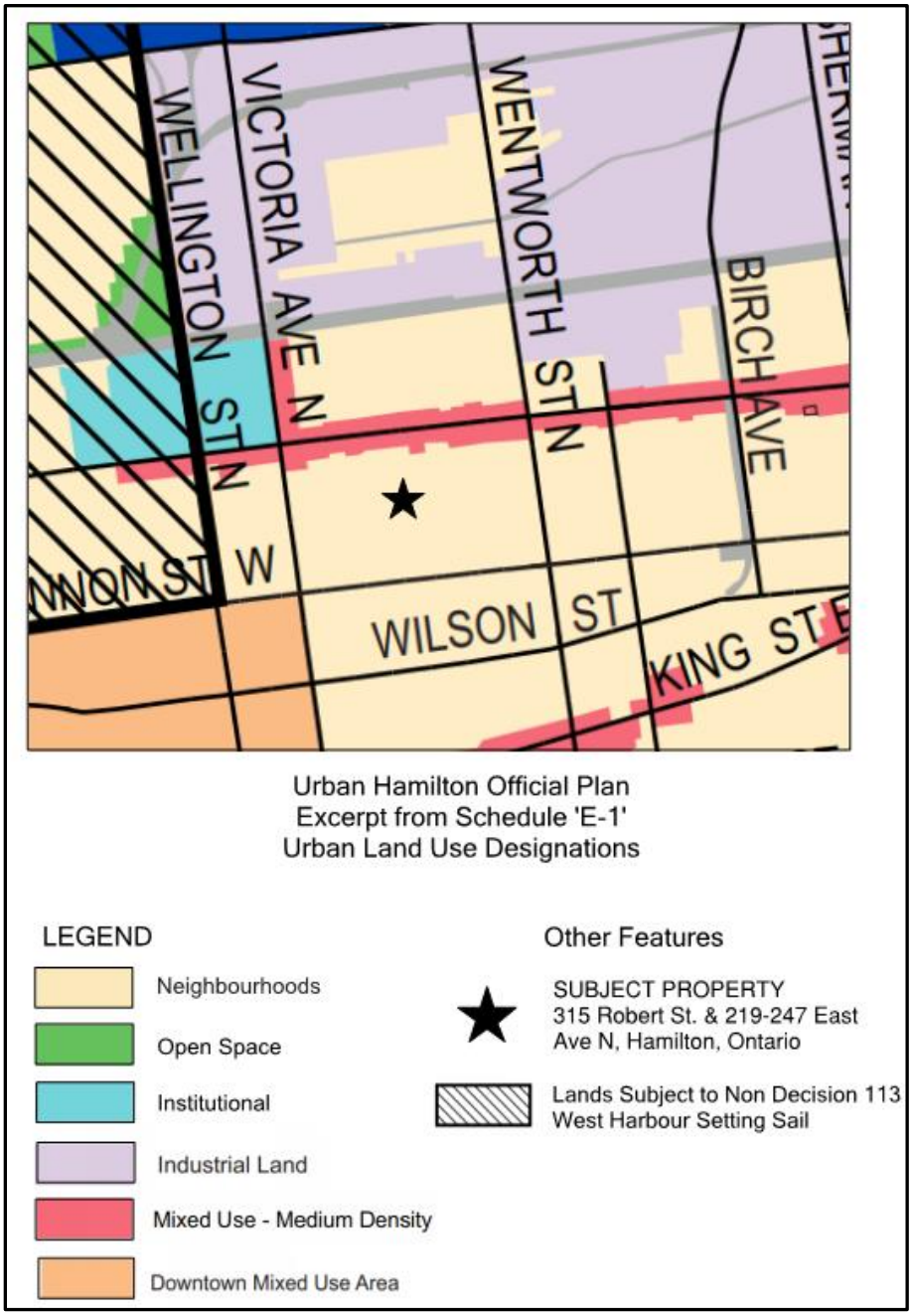


Figure 6
UHOP Land Use Designation



Applicable UHOP policies have been reviewed in the table below:

URBAN STRUCTURE (E.2.0)	
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…."*	**The subject lands are designated Neighbourhoods with access to local commercial, local community facilities/services and open space and park uses. The subject lands are located within a neighbourhood immediately east of the delineated Urban Growth Boundary within the City of Hamilton. Greenspace is accessible but not in abundance. As such, the approved and proposed phases of Royal Oak incorporate outdoor amenity area for the use of project residence, including programmed play areas.** **The proposed redevelopment is for a low rise multiple dwelling built form for affordable rentals suitable for families, which will be integrated into the overall Royal Oak development. The proposed Phase 3 redevelopment incorporates design elements approved through Phases 1 and 2 to ensure a cohesive site development that respects the character and cultural heritage of the neighbourhood.**
NEIGHBOURHOODS DESIGNATION (E.3.0) AND HIGH DENSITY RESIDENTIAL (E.3.6)	
UHOP VOLUME 1 POLICY	**PLANNING COMMENT**
Policy E.3.2.1 *Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.*	**The subject lands have a total area of approximately 0.49ha hectares. The subject lands are currently under construction with Phases 1 and 2 of the Royal Oak redevelopment. Phases 1 and 2, as described in section X.X, have a total of two (2) buildings, ranging in height from 3-, 4- and 6-storeys with**

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;* *b) open space and parks;* *c) local community facilities/services; and,* *d) local commercial uses* 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 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:* *b) greater than 100 units per hectare and not greater than 200 units per hectare in all other Neighbourhoods designation areas.* *c) Notwithstanding the maximum density requirement in Policy E.3.6.6 b), for smaller sites fronting on arterial roads, an increase in density may be considered, without an*	a total of one-hundred and eight (108) dwelling units. Each of the dwelling units approved in Phases 1 and 2 are one-bedroom with a floor area of 50 square metres or less. The proposed redevelopment for Phase 3 includes a 3-storey multiple dwelling for a total of thirty-one (31) family-sized dwellings comprised of 1-, 2- and 3-bedroom units with affordable rental tenure. The intent of the high density site design and housing providers is to ensure an inclusive and supportive living environment. The subject lands are serviced by existing Hamilton Street Rail routes #2, #3 and #12 located on minor arterial streets within walking distance of the subject lands. The subject lands are within safe walking distance to schools and recreational uses including the Norman Pink Lewis Recreation Centre. However, in response to the limited surrounding accessible neighbourhood parks, ample on-site passive and programmed amenity areas are provided. The majority of the subject lands are currently permitted multiple dwellings with a maximum height of 8-storeys. The subject lands are permitted a maximum of 200 units per hectare. The proposed Phase 3 redevelopment for thirty-one (31) units brings the total number of units on the subject lands to one-hundred and thirty-nine (139) units which represents a net residential density of 284 units per hectare on 0.49ha of area. As the subject lands do not front onto an arterial road, an OPA is required to permit a total density of 284 units per hectare. Refer to subsection 5.3 for discussion on the OPA. In addition to Urban Design policies of Section B.3.3: The subject lands, although fronting local streets and within the neighbourhood, are on a City block which has frontage onto Victoria Avenue N that can be accessed from Robert Street which has three (3) houses fronting the

amendment to this Plan, provided the policies of this Plan are met. (OPA 109) 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 density development to mitigate adverse impact on adjacent low profile residential uses.* *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*	street. Barton St E can be accessed from East Avenue North which has approximately nineteen (19) dwellings, however, the traffic demand of the subject lands is less due to the affordability of the units reflected in the total of forty-six (46) total number of parking spaces for 139 units. As such, the low density residential dwellings within the neighbourhood will be minimally impacted by the increase of density. Further, the residential neighbourhood has historically co-existed with an industrial use which would have contributed to the local traffic volumes. The proposed Phase 3 building is 3-storeys which is considered to be a low profile built form. The proposed 3-storey building is compatible with the approved buildings in Phases 1 and 2 as well as the broader neighbourhood which has a general height of 2-3 storeys. Appropriate building separations are proposed. The proposed Phase 3 development will include landscaping and amenity features including programmed amenity areas, a cohesive and adequate supply of on-site parking for the demand of the development. The proposed low profile built form is compatible with the neighbourhood and the approved Phases 1 and 2 of Royal Oak. The building massing and height is similar to the historic built form of the Royal Oak Dairy. Site access is proposed to be integrated with the existing urban fabric, including the existing assumed City laneway from Robert St and approved Phases 1 and 2, with one (1) site exit onto East Ave N.

pedestrians both on-site and on surrounding streets.	
RESIDENTIAL INTENSIFICATION (B.2.4.3)	
POLICY	**PLANNING COMMENT**
Policy B.2.4.1.1 *Residential intensification shall be encouraged throughout the entire built-up area, in accordance with the policies of Chapter E – Urban Systems and Designations and Chapter F – Implementation.* **Policy B.2.4.1.3** *The residential intensification target specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:* 1. *40% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E – Urban Structure.* **Policy B.2.4.2.2** *Residential intensification within lands designated Neighbourhoods identified on Schedule E-1 – Urban Land Use Designations shall comply with Section E.3.0 – Neighbourhoods Designation.*	**The subject lands make up the Neighbourhoods of the City's built-up area. The proposed redevelopment to intensify the subject lands for a net gain of residential units is permitted and maintains the function of the urban structure.** **The proposed Phase 3 redevelopment conforms to the High Density Residential policies, save and except the maximum density for a smaller site without frontage onto an arterial road. Accordingly, an OPA is required.**

The table below reviews the proposed development in context with the applicable urban design policies of the UHOP. The following discussion is in support and should be read in conjunction with the Urban Design Brief prepared by Invizij Architects (May 2021).

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 Phase 3 redevelopment offers additional affordable family sized housing units within an established neighbourhood that has access to a number of supportive land uses (i.e. community services, local commercial, employment). The new multi-unit building will provide thirty-one (31)**

	units, providing a range of unit sizes and housing options for people at different stages of life.
B.3.3.2.3	The proposed Phase 3 redevelopment will foster a sense of community pride and identity by enhancing the East Ave N and Robert St streetscape. The proposed Phase 3 development will complete the overall Royal Oak community. The proposed 3-storey Phase 3 building will be pulled close to the street, aligned with Phase 1 building, providing at-grade-entrances, pedestrian connections and using a mix of materials that are found throughout the neighbourhood and will compliment Phases 1 and 2. The proposal will provide additional affordable residential units within a stable neighbourhood and within the Neighbourhoods designation which is to accommodate some residential intensification.
B.3.3.2.4	The proposal is aligned with best practices in terms of engineering and urban design. Servicing upgrades related to Phases 1 and 2 will be sufficient to support Phase 3. The proposed Phase 3 redevelopment provides a compatible use, built form, and character to the surrounding properties. The concept plan and proposed elevations show how the Phase 3 redevelopment will be incorporated into a cohesive residential block on the subject lands to enhance the character of the neighbourhood.
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 arterials roads with minimal impact to low density residential uses. The site is well located with access to multiple HSR transit routes and the City's bike lane network per the Hamilton Transportation Master Plan. The proposed multi-unit building will provide entrances that are visible from the street with pedestrian connections and will integrate pedestrian-scale lighting for visibility and safety. The proposed building will provide some barrier free units that are accessible to users of all ability and four (4) barrier free parking spaces will available for users of Royal Oak.
B.3.3.2.6	The proposed Phase 3 redevelopment will be compatible with the character of the neighbourhood, by providing landscaping that serves as amenity area and implement low impact stormwater management strategies. The proposed street setbacks of Phase 3 are consistent with Phases 1 and 2.
B.3.3.2.7	The proposed redevelopment and intensification facilitated through Phase 3 will contribute to the building and rental stock in Hamilton's market, in an area with existing infrastructure and supporting land uses. The proposed redevelopment

	will allow for a more efficient use of the subject lands that will accommodate a more diverse group of residents and 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 limiting impermeable paved surfaces by allocating excess parking within Phase 1 to support Phase 3. The proposed 3-storey building will be PassiveHouse Canada certified and therefore contribute to low impact development.
B.3.3.2.9	The proposal supports physical and mental health by providing future residents with the means to access various community resources and land uses via existing streets and providing various transportation demand options. The proposed Phase 3 redevelopment provides ample landscaped area and amenity space and is located in proximity to neighbourhood, community and City-wide parks. Further, the affordability of the proposed redevelopment will provide secure and stable housing to vulnerable residents, therefore supporting their physical and mental health.
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 proposed development of Phase 3 maintains the intent of the Urban Hamilton Official Plan, save and except the overall proposed density does not meet the locational requirement. Therefore, an Official Plan Amendment is required.

4.5 City of Hamilton Zoning By-law No. 6593

The former City of Hamilton Zoning By-law No. 6593 ("ZBL") is in force and effect and zones the subject lands "E", E/S-881, E/S-881a (Multiple Dwellings) District, Modified and "D/S-881", "D/S-881a" (Urban Protected One and Two Family) District, Modified. The modification to the zones are related to the previous industrial operations of the subject lands. Phases 1 and 2 are subject to approved minor variances facilitated through HM/A:19:457 and HM/A:20:273, respectively, to vary the "E" District provisions (**See Figure 4 – Existing Zoning Map**).

Part of Phase 3 is on lands zoned "D/S-881" and "D/S-881a" District, which does not permit a Multiple Dwelling use. As such, a ZBA is required to permit the proposed multiple dwelling use of Phase 3.

To facilitate the proposed Phase 3 redevelopment for a portion of the subject lands, a Zoning By-law Amendment is required to rezone 315 Robert Street from "D/S-881" and "D/S-881a" (Urban Protected One and Two Family) District, Modified and a portion of 225 Robert Street North from "E/S-881" and "E/S-881a" to "E/S-XX" District, Modified to implement site specific regulations. A draft amending zoning by-law has been prepared with this report and can be found as **Appendix C**.

Figure 4 – Existing Zoning Map

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

LEGEND

E	Multiple Dwellings, Lodges, Clubs, etc.		Area of Phase 3
D	Street Townhouse		Royal Oak - Phase 1 HM/A:19:457
U	Utility		Royal Oak - Phase 2 HM/A:20:273
C5a	Mixed Use Medium Density with Pedestrian Focus		

The following table has been prepared to outline the "E" District requirements in context to the proposed modifications.

Table 1 – Zoning Chart

ROYAL OAK – PHASE 3 PROPOSED ZONING: MULTIPLE DWELLINGS, LODGES, CLUBS, ETC., "E-XX" DISTRICT, MODIFIED (SECTION 9 OF THE ZONING BY-LAW NO. 6593)			
PROVISIONS	REQUIRED	PROPOSED (PHASE 3)	CONFORMITY
PERMITTED USE	MULTIPLE DWELLING (INCL. GROUPS OF MULTIPLE DWELLING)	MULTIPLE DWELLING (INCL. GROUPS OF MULTIPLE DWELLING)	YES
MAX. BUILDING HEIGHT	26m 8 STOREYS	12.2m 4 STOREYS (INCL. BASEMENT)	YES
MIN. FRONT YARD SETBACK	3.0m	EAST AVE N IS THE FRONT YARD 0.0m	NO
MIN. NORTH SIDE YARD	6.0m	88.4m	YES
MIN. SOUTH SIDE YARD	3.0m	0.15m	NO
MIN. REAR YARD	3.0m	1.9m	NO
MIN. LOT WIDTH	15.0m	127.8m	YES
MIN. LOT AREA	630.0m^2	4,952.7m^2	YES
MAX. FLOOR AREA RATIO	1.7 x 4,952.7m^2 =8,419.59m^2	PHASE 1=6,327m^2 PHASE 2= 938m^2 PHASE 3 = 674.1m^2 TOTAL = 7,939.1m^2	YES YES
LANDSCAPED AREA	25% x 4,952.7m^2 = 1,238.2m^2	PHASES 1 &2 = 968.3m^2 PHASE 3 = 347.64m^2	YES

		= 1,315.94m^2 (26.57%)	
BUILDING SEPERATION	½ OF THE TALLER BUILDING HEIGHT	8.6m	YES
PARKING - SECTION 18A			
MIN. PARKING SPACES (PHASE 3)	1.25 SPACES/UNIT = 39 SPACES (INCL.7 VISITOR)	0.3 SPACES/UNIT = 10 SPACES	NO
PARKING SPACE SIZE (PHASES 3)	2.7m x 6.0m	2.8m x 5.8m	NO
MIN. LOADING (PHASE 3)	1 SPACE	0 SPACES	NO
MIN. MANOEUVERING SPACE SIZE	6.0m	6.0m	YES
ENCROACHMENT - SECTION 14			
MAX. EAVE/GUTTER ENCROACHMENT INTO REQUIRED FRONT YARD	1.5m	N/A	N/A
PROVISIONS	REQUIRED	PROPOSED	CONFORMITY
MAX. EAVE/GUTTER ENCROACHMENT INTO REQUIRED REAR YARD	1.5m	N/A	N/A
MAX. EAVE/GUTTER ECROACHMENT INTO REQUIRED SIDE YARD	3.1m	N/A	N/A
MAX. TERRACE ENCROACHMENT INTO REQUIRED SIDE YARD	0.5m	N/A	N/A
MAX. TERRACE ENCROACMENT INTO REQUIRED FRONT YARD	1.5m	N/A	N/A

Refer to Section 5.3 Planning Analysis - Zoning By-law 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 the supporting studies (subsection 5.1), followed by analysis of conformity with Provincial interest and policies (subsection 5.2). Subsection 5.3 will provide a scoped planning discussion to analyze the Urban Hamilton Official Plan Amendment and subsection 5.4 will review the merits of the Zoning By-law Amendment.

5.1 Supporting Studies

As outlined in Section 3, the subject lands have been comprehensively studied to ensure all requirements have been met to Provincial, Regional and City policies and standards. The studies support the approvals of the submitted applications.

The Urban Design Brief prepared by Invizij Architects speak to the principles that the proposed Phase 3 was guided by and how City of Hamilton design objectives, policies and standards are addressed. The Functional Servicing and Stormwater Management Report prepared by Scott Llewellyn & Associates (SLA) confirm that the existing and planned infrastructure for the subject lands can support the proposed increase of density. The Tree Management Plan prepared by OMC Landscape Architects addresses municipal tree assets with consideration of previous Royal Oak approvals.

5.2 Provincial Interests

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 Phase 3 redevelopment of the subject lands for a new multiple dwelling building will provide land use intensification that will contribute towards an efficient use of urban lands. The proposed Phase 3 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 Phase 3 redevelopment for thirty-one (31) new dwelling units suitable for families will provide contextually appropriate residential intensification that will contribute to Hamilton’s diversity of affordable rental housing stock. 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.

5.3 Urban Hamilton Official Plan Amendment

The subject lands are designated "Neighbourhoods" in the Urban Hamilton Official Plan. The subject lands are a brownfield which has been re-envisioned as Royal Oak, an affordable housing community within the Landsdale neighbourhood. Multiple dwelling forms are permitted and the appropriate built form and density is subject to locational criteria and land use compatibility. The proposed Phase 3 redevelopment is for a 3-storey multiple dwelling (i.e. walk-up apartment building) with a total of thirty-one (31) units. The proposed building height and massing is appropriate for the neighbourhood context. However, as the subject lands are not within the boundaries of Central Hamilton and are located on a local street, the subject lands are not permitted to exceed 200 units per hectare. The proposed Phase 3 redevelopment will bring the total residential density of Royal Oak to 284 units per hectare. As such, an Official Plan Amendment is required for the entirety of the Royal Oak lands.

Housing Affordability

The City of Hamilton recognizes that the City has a substantial existing shortage of affordable rental housing (B.3.2.2.1) and therefore has urban housing goals (B.3.2.1) which are premised on increasing the City's affordable housing stock with housing type and tenure options including support options (B.3.2.4.1, B.3.2.4.2). The City's rental housing target is 125 new rental housing for moderate income households and 252 new rental housing for low income households, representing a total of 377 affordable rental units annually. The proposed Phase 3 redevelopment of Royal Oak will contribute to the City's housing targets by introducing thirty-one (31) affordable rental dwelling units comprised of one-, two-, and three-bedroom options with access to supports provided by Indwell Community Homes and Sacajawea Non-Profit Housing.

Residential Intensification and Compatibility

The subject lands are located within a 4-minute walk (300 metres) to the City's Downtown Urban Growth Centre node (B.2.4.1.2). Aligned with policies of B.2.4.1.4, the proposed Phase 3 redevelopment for a 3-storey multiple dwelling builds upon the pattern and built form of Phases 1 and 2, approved through DA-20-001 and enhances the neighbourhood character. Phase 3 will contribute to a mix of affordable rental housing options on the subject lands and within the Neighbourhoods of Hamilton by providing units for families with support options. As Indwell provides purpose built affordable units with a range of affordability and programming, including those transitioning out of homelessness, the comprehensive Royal Oak redevelopment provides smaller units than typically constructed for market-rents. As such, Indwell is able to accommodate a higher density of units within a similar building footprint as a market-based building. The subject lands can be serviced with capacity to support the additional thirty-one (31) units as demonstrated in the Functional Servicing and Stormwater Management Report prepared by SLA dated May 2021. The existing road infrastructure can support the proposed increase of density and the proposed density will support transit ridership.

Per policies of B.2.4.2.2, the proposed Phase 3 redevelopment is appropriate for the subject lands and can be integrated within the Landsdale neighbourhood with minimal adverse impacts. The proposed height of 3-storeys will not result in significant shadowing or overlook of the existing residential uses that are separated from the subject lands by public right-of-ways that are a minimum of 20.0 metres in width or a laneway. The proposed building height and massing is reflective of the approved 3, 4 and 6-storey building heights in Phases 1 and 2. Further, the proposed three-storey building at the corner of Robert St and East Ave N provides a transition from the 1-to-2.5-storey low density residential dwellings more south on East Ave N to the approved 4 and 6-storey buildings fronting East Ave N (Phase 1). The Phase 3 building will have access to the amenity space within the piazza of Phases 1 and 2. Additional amenity space, programmed for children, is proposed to support the Phase 3 building. The proposed Phase 3 building provides setbacks reflects the historical function of the site that had large industrial buildings pulled closed to the street and continue to be consistent with the approved Phase 1 setback from East Ave N.

Urban Design and Sustainability

The proposed Phase 3 redevelopment is part of a comprehensive redevelopment that is connected and uses building heights and orientation to transition the multiple dwelling built form into the established neighbourhood. Further to the Urban Design Brief prepared by Invizij Architects dated May 2021, this Planning Justification Report has analyzed the urban design policies as it relates to residential intensification within neighbourhoods and the sustainability of the Phase 3 redevelopment per policies of B.3.3. The proposed Phase 3 redevelopment is organized logically within the overall Royal Oak development to contribute to a cohesive and consistent overall development with internal walking connections, shared amenity spaces and parking areas and a defined street wall with a building height and façade that reflects the form and design of Phases 1 and 2 to establish a comfortable and animated public realm with no adverse impacts to overlook or shadowing. The building is transitioned from the low density dwellings within the neighbourhood with local public right-of-ways and a compatible 3-storey building height. The building is proposed to frame the intersection of Robert St and East Ave N with an appropriate massing for the Royal Oak site and neighbourhood.

The proposed building and site design have a sustainable mission in that the building will be PassiveHouse Canada certified and an overall landscape area of 26 percent is provided to support a low impact stormwater management strategy. Further, transportation demand management strategies will be implemented to support the reduction of vehicular dependency including bicycle parking and connections to the public transportation network including sidewalks, bicycle lanes and transit. Surface parking is screened from the public realm, by being behind the proposed Phase 3 building and within the Phase 1 building. Vehicular access to Phase 3 is shared with approved Phases 1 and 2 to ensure a predictable and logical site access and exit to minimize vehicle and pedestrian conflicts.

The cultural heritage of the subject lands will be celebrated with the heritage elements of Phases 1 and 2. Phase 3 proposes a built form that is complementary to the 4-storey brick multiple dwelling portion of Phase 1, designed to remember the original Royal Oak Dairy building that previously occupied the subject lands and the re-adapted use of the "Stables" for Phase 2.

As reviewed in Section 4: Planning Framework and discussed above, the proposed redevelopment for Royal Oak Phase 3 for comprehensive high-density residential uses maintains the intent of the Urban Structure (E.2.0), Neighbourhoods (E.3.0), and Residential Intensification (B.2.4.3) policies and achieves the Urban Design Goals (B.3.3) of the UHOP. As such, the proposed OPA to permit an overall maximum density of 284 units per hectare maintains the intent of the UHOP. **Refer to Appendix B for the Draft OPA By-law.**

5.3 Zoning By-law Amendment

To facilitate the proposed Phase 3 redevelopment of the subject lands, a Zoning By-law Amendment (ZBA) is required to rezone a portion of the subject lands being, 315 Robert Street and part of 225 East Ave N, to a site specific "E/S-XX" (Multiple Dwelling) 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 shown in Table 1, several modifications to the E District are required to facilitate the proposed Phase 3 redevelopment. The following is a discussion of the proposed site-specific provisions related to Phase 3:

Modification 1 Front Yard Setback

East Avenue North is the defined Front Lot Line of the subject lands. The proposed 0.0 metre setback is to facilitate direct pedestrian access into the buildings from the municipal sidewalk. The subject lands have historically been occupied with buildings abutting the front lot line. The proposed setback is consistent with the approved 0.0 metre setback for Phase 1. East Avenue North does not have a planned Right-of-Way widening and therefore, the existing boulevard with landscape buffering the street to the sidewalk will be maintained. The proposed front yard setback is proposed to accommodate landscaping where possible. The proposed front yard setback will implement the UHOP urban design policies of establishing a defined and animated street scape.

Modification 2 Side Yard Setback

The required side yard setback from a street line with an existing right-of-way width of at least 20 metres is 3.0 metres whereas 0.0 metres is proposed. The proposed side yard setback from a street line will provide a continuous street wall and transition the massing of East Avenue North onto Robert Street. Building entrances are proposed from Robert Street and therefore, the proposed side yard setback to a street will provide for accessible and logical wayfinding. Robert Street does not have a planned Right-of-Way widening and therefore, the existing boulevard with landscape buffering the street to the sidewalk will be maintained.

Modification 3 Rear Yard Setback

East Avenue North has been deemed the front lot line, making the rear lot line the westerly lot line which abuts a public unassumed laneway. The intent of a rear yard is to provide transition of land uses. Landscaping and outdoor amenity area.

The existing laneway provides approximately 3.5 metre buffer between the property lines. Adjacent to the laneway where the rear yard requires a reduction are existing dwellings with deep rear yards that appear to be used for parking. As such, the impacts of the reduced rear yard will not negatively impact the current use of the adjacent lands. Phase 3 will have access to the approved central “piazza” area within Phases 1 and 2. In addition to the piazza, there is an amenity area that can be programmed to provide outdoor play space to children. The requirement of 25% landscape area will be met. As such, the reduced rear yard will not restrict the proposed redevelopment from achieving a compatible land use, landscaping or amenity area.

Modification 4 Parking Space Size

The change in parking space size from 2.7m X 6.0m to 2.8m X 5.8m is aligned with the required parking space size in the Zoning By-law No. 05-200 and what has been approved within Phases 1 and 2. The requested change in parking space size will maintain a safe and functional parking area design without vehicle overhang into the drive aisles. Further, it will permit the six (6) excess parking spaces within the Phase 1 building to be allocated to Phase 3.

Modification 5 Multiple Dwelling Access/Egress

The City assumed laneway will provide vehicle and waste access to the Royal Oak development. The laneway is partially within the “D” District. The use of the laneway for waste vehicles has been approved for Phases 1 and 2. The use of the laneway for Phase

3 is an efficient use of existing public transportation infrastructure for a safe access into Phase 3 to surface parking spaces.

Modification 6 **Required Residential Parking**
Modification 7 **Required Visitor Parking**

The residents of Indwell Community Homes are typically individuals who are faced with socio-economic barriers to vehicle ownership. To provide the required 39 parking spaces on-site (i.e. 1.25 spaces per Class A Unit) would be an inefficient use of urban lands within Hamilton's lower city within proximity to transit and the Urban Growth Centre node. Many of Indwell's tenants rely on active transportation, mobility devices (i.e. scooters) and transit. The parking demand of Indwell buildings is from the support staff and visitors. The minimum required ratio based on actual demand at Indwell buildings accounts for a 0.22 space per Class A unit. A Parking Study and Transportation Demand Management Report has been prepared by Paradigm Transportation Inc. dated December 2019 in support of the proposed reduction.

Modification 8 **Required Loading Space**

The implementation of a loading space 18.0 metres long x 3.7 metres wide is an inefficient use of urban lands. Phases 1 and 2 were approved for 0 loading spaces as a layby in the East Ave N right-of-way will be constructed to accommodate loading activities.

6.0 Implementation

This proposal is to be implemented through the Official Plan Amendment and Zoning By-law Amendment processes to allow for the proposed Phase 3 of the Royal Oak redevelopment by Indwell. A future Site Plan Control application will be submitted to address detailed site design of Phase 3.

A Draft Official Plan Amendment and Draft Amending Zoning By-law has been prepared and can be found in **Appendix B and Appendix C** of this report.

7.0 Conclusions

An Official Plan Amendment is required for the overall Royal Oak property, including 315 Robert Street and 219, 223 and 247 East Avenue North to implement a Special Policy Area to permit a maximum of 284 units per hectare. A Zoning By-law Amendment is required for the Phase 3 lands, including 315 Robert Street and part of 225 East Avenue North to implement a site specific "E/S-XX" District, in the City of Hamilton Zoning By-law No. 6593. As discussed, variance approvals of

Phase 1 and 2 are in force and effect and therefore, these lands are excluded from the ZBA as they are final site plan approved.

The proposed Phase 3 development is consistent with and conform to the applicable policy framework as follows:

- Phase 3 is consistent with the Provincial Policy Statement and the Growth Plan for the Greater Golden Horseshoe, in that growth is directed to Settlement Areas adjacent to existing development to increase the supply of affordable housing and provide housing options for all lifestyles;

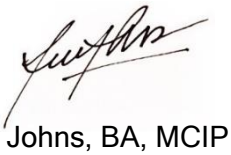
- Phase 3 maintains the intent of the Urban Hamilton Official Plan land, as the proposed use and built form is permitted while maintaining compatibility with the existing neighbourhood character, contributes to the City's affordable housing targets and promotes sustainable urban design;

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

- Provides an opportunity for residential intensification with a compatible land use with additional affordable housing units in an established neighbourhood.

The proposed residential redevelopment and associated amendments to the Urban Hamilton Official Plan and 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

Katelyn Gillis, BA
Intermediate Planner

T. JOHNS CONSULTING GROUP URBAN PLANNING | DESIGN | PROJECT MANAGEMENT

Appendix A:
Concept Plan

SITE STATISTICS		
	AREA(M²)	PERCENTAGE
SITE AREA (PHASES 1, 2 & 3)	**4,972m²**	**100%**
SITE AREA (PHASE 1 & 2)	3,706m²	74.54%
SITE AREA (PHASE 3)	1,266m²	25.46%
BUILDING COVERAGE		
• PHASE 1	1,737.9m²	34.95%
• PHASE 2	313.0m²	6.30%
• PHASE 3 (PROPOSED)	674.1m²	13.56%
LANDSCAPE		
• PHASES 1 & 2	920m²	18.50%
• PHASE 3 (PROPOSED)	348m²	7%
PAVING		
• PHASES 1 & 2 • PHASE 3 (PROPOSED)	979m²	19.69%
UNIT COUNT		
PHASE 1	95	
PHASE 2	13	
PHASE 3 (PROPOSED)	31	
PARKING		
PHASE 1	29	
PHASE 2	4	
PHASE 3 (PROPOSED)	13	
BARRIER-FREE (TOTAL)	4	
BICYCLE PARKING		
LONG TERM (PHASES 1 & 2)	22	
SHORT TERM (PHASES 1 & 2)	12	

ROYAL OAK – PHASE 3
PROPOSED ZONING: MULTIPLE DWELLINGS, LODGES, CLUBS, ETC., "E-XX" DISTRICT, MODIFIED (SECTION 9 OF THE ZONING BY-LAW NO. 6593)

PROVISIONS	REQUIRED	PROPOSED	CONFORMITY
PERMITTED USE	MULTIPLE DWELLING (INCL. GROUPS OF MULTIPLE DWELLING)	MULTIPLE DWELLING (INCL. GROUPS OF MULTIPLE DWELLING)	YES
MAX. BUILDING HEIGHT	26m 8 STOREYS	12.2M 4 STOREYS (INCL. BASEMENT)	YES
MIN. FRONT YARD SETBACK	3.0m	EAST AVE N IS THE FRONT YARD 0.0m	NO
MIN. NORTH SIDE YARD	6.0m	88.4m	YES
MIN. SOUTH SIDE YARD	3.0m	0.15m	NO
MIN. REAR YARD	3.0m	1.9m	NO
MIN. LOT WIDTH	15.0m	127.8m	YES
MIN. LOT AREA	630.0m²	4,952.7m²	YES
MAX. FLOOR AREA RATIO	1.7 x 4,952.7m² =8,419.59m²	PHASE 1=6,327m² PHASE 2= 938m² PHASE 3 = 674.1m² TOTAL = 7,939.1m²	YES YES
LANDSCAPED AREA	25% x 4,952.7m² = 1,238.2m²	PHASES 1 &2 = 968.3m² PHASE 3 = 347.64m² = 1,315.94m² (26.57%)	YES
SECTION 18 BUILDING SEPARATION	1/2 OF THE TALLEST BUILDING AT PHASE 1 TOWER 'A' 6.8m --> 6.2m BETWEEN BUILDING IS REQUIRED AS PER 12.2 OBC	8.6m	YES

PARKING-SECTION 18A

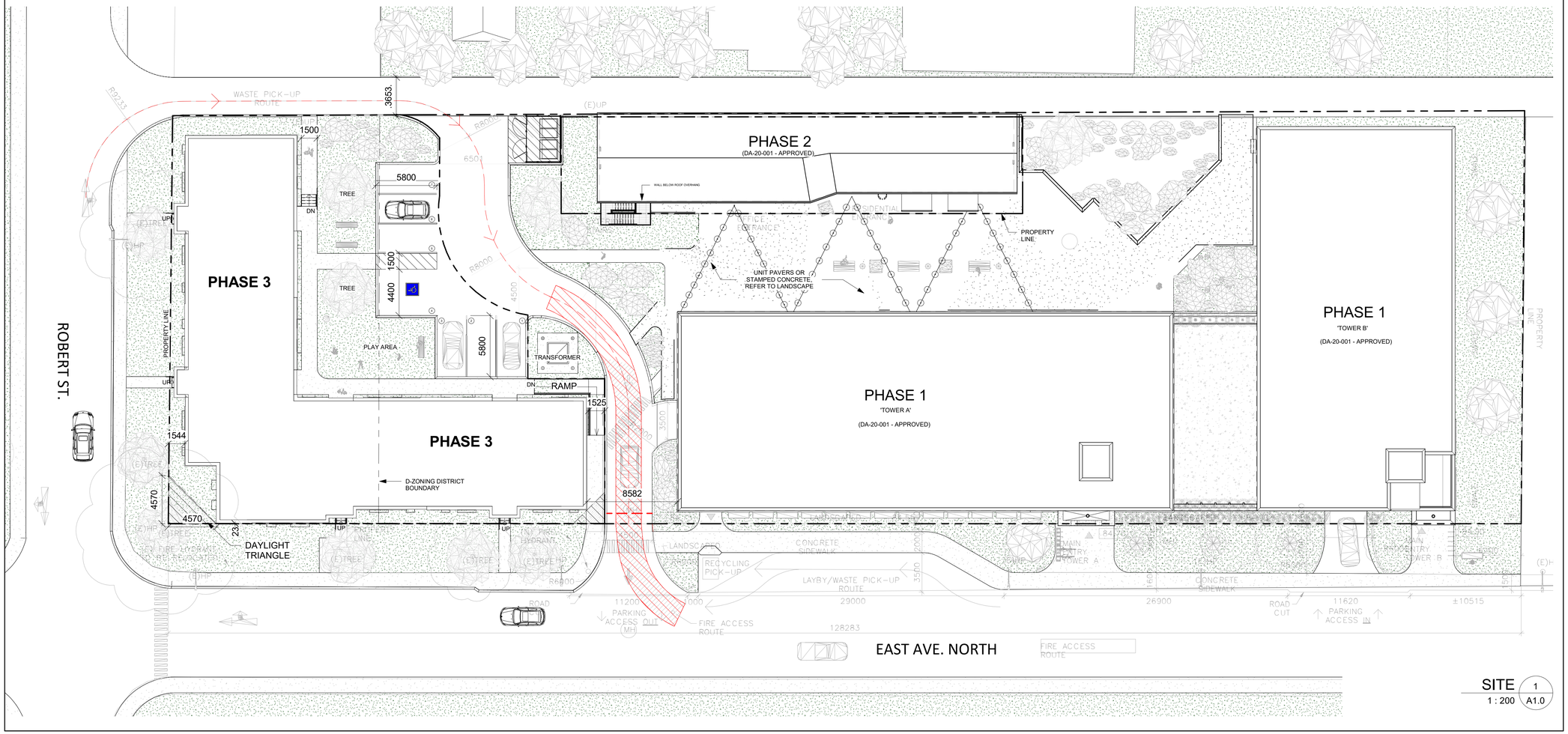
PROVISIONS	REQUIRED	PROPOSED	CONFORMITY
MIN. PARKING SPACES (PHASE 3)	1.25 SPACES/UNIT = 39 SPACES (INCL.7 VISITOR)	0.3 SPACES/UNIT = 10 SPACES	NO
PARKING SPACE SIZE (PHASES 3)	2.7m x 6.0m	2.8m x 5.8m	NO
MIN. LOADING (PHASE 3)	1 SPACE	0 SPACES	NO
MIN. MANEUVERING SPACE SIZE	6.0m	6.0m	YES

ENCROACHMENT – SECTION 14

PROVISIONS	REQUIRED	PROPOSED	CONFORMITY
MAX. EAVE/GUTTER ENCROACHMENT INTO REQUIRED FRONT YARD	1.5m	N/A	N/A
MAX. EAVE/GUTTER ENCROACHMENT INTO REQUIRED REAR YARD	1.5m	N/A	N/A
MAX. EAVE/GUTTER ENCROACHMENT INTO REQUIRED SIDE YARD	3.1m	N/A	N/A
MAX. TERRACE ENCROACHMENT INTO REQUIRED SIDE YARD	0.5m	N/A	N/A
MAX. TERRACE ENCROACHMENT INTO REQUIRED FRONT YARD	1.5m	N/A	N/A

SITE STATISTICS 3 / 1 : 200 / A1.0

ZONING CHART 2 / - / A1.0



SITE 1 / 1 : 200 / A1.0

INVIZIJ
Architects Inc.
185 YOUNG STREET,
HAMILTON, ON L8S 1V9
T: 905 523 9000 | invizij.ca

REV.	DESCRIPTION	DATE
A	ISSUED OPA/ZPA	MAY.31 2021

PROJECT NORTH
TRUE NORTH

PROJECT NAME: ROYAL OAK - PHASE 3

PROJECT ADDRESS: 315 ROBERT STREET HAMILTON, ON

PROJECT NO.: 21-011

DRAWING TITLE: CONCEPTUAL SITE PLAN

DRAWN BY: CA

CHECKED BY: EC

DATE: 03/18/21

SCALE: 1 : 200

DRAWING NO.: A1.0

PLOTTED: 03/06/2021 12:30:56 PM

Appendix B:
Draft OPA By-law

DRAFT AMENDMENT TO THE URBAN HAMILTON OFFICIAL PLAN

The following text, together with Appendix 'A', attached hereto, constitutes Official Plan Amendment No. XXX of the City of Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose and effect of this Amendment is to amend the Urban Hamilton Official Plan by adding a site-specific policy area to permit the development of a multiple dwelling with a maximum density of 284 units per hectare.

2.0 Location:

The lands affected by this Amendment are located at 315 Robert Street and 219, 225 and 247 East Avenue North in the City of Hamilton.

3.0 Basis:

The basis for permitting the change of designation is as following:

- The proposed development efficiently utilizes the existing infrastructure, provides residential intensification on former Brownfield lands for affordable rental housing within the Urban Boundary;

- The proposed redevelopment implements the vision of the Urban Hamilton Official Plan to support residential uses with a variety of residential unit types, tenure and density that is in keeping with the character of the surrounding neighbourhood and is in proximity to existing transit and community facilities;

- The Amendment is consistent with the Provincial Policy Statement, 2020 and the Growth Plan for the Greater Golden Horseshoe, 2019.

4.0 Actual Changes:

4.1 Text Changes:

Text Changes – Volume 2, Chapter B.6.3, Section 6.3.7

"Site-Specific Policy – Area __"

Notwithstanding Volume 1, Chapter E, Policy 3.6.6 for lands located at 315 Robert Street and 219, 225 and 247 East Avenue North, a maximum density of 284 units per hectare shall be permitted.

4.2 Schedule Changes:

That Volume 1: Schedule "E-1" – Urban Land Use Densignations be amended by identifying the subject lands as Special Policy Area "X", as shown on Appendix "A" of this Amendment.

5.0 Implementation

An implementing Zoning By-law Amendment and Site Plan Control will give effect to the intended uses on the subject lands.

This is Schedule "1" to By-law No. _____ passed on the day of ____, 20__.

The City of Hamilton

_____ _____

Mayor Clerk

Appendix "A"
Amendment No. __
To the Urban Hamilton Official Plan

Lands to be redesignated from "Neighbourhoods" to "Neighbourhoods" with a Special Policy Area to permit a maximum density of 284 units per hectare.

Date:	Revised By:	Reference File No.:

APPEALS

The southern urban boundary that generally extends from Upper Centennial Parkway and Mud Street East in the east, following the hydro corridor and encompassing the Red Hill Business Park to Upper James Street remains under appeal.

UHOPA NO. 69 APPEALS - PL171450

- 71 Main Street West and 10 Baldwin Street, Appellant # 8
- 3011 Homestead Drive (Glanbrook), Appellant # 4
- Certain Lands between Wilson Street West and south and north of Portia Drive (Ancaster), Appellant # 15
- 221-225 John Street South and 70-78 Young Street (Hamilton), Appellant # 20
- 237 Upper Centennial Parkway (Stoney Creek), Appellant # 14

UHOPA NO. 102 APPEALS - PL180548

- 44 Hughson Street South, 75 James Street South, 9 Jackson Street East
- 215, 217, 219, 221, 225 and 231 Main Street West, 67 & 69 Queen Street South and 62 & 64 Hess Street South

Lands Subject to Non-Decision 117(a)
(353 James Street North)

Lake Ontario

Hamilton Harbour

Detail Inset

Key Map

N.T.S.

Rural

Urban

Note: For Rural Land Use Designations, refer to Schedule D of the Rural Hamilton Official Plan.

- Neighbourhoods
- Open Space
- Institutional
- Utilitiy

Commercial and Mixed Use Designations

- Downtown Mixed Use Area
- Mixed Use - High Density
- Mixed Use - Medium Density
- District Commercial
- Arterial Commercial

Employment Area Designations

- Industrial Land
- Business Park
- Airport Employment Growth District
- Shipping & Navigation

Other Features

- Rural Area
- John C. Munro Hamilton International Airport
- Niagara Escarpment
- Urban Boundary
- Municipal Boundary
- Lands Subject to Non Decision 113 West Harbour Setting Sail

Council Adoption: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013

Urban Hamilton Official Plan
Schedule E-1
Urban Land Use Designations

Not To Scale

Date: Oct. 18, 2019

Hamilton

PLANNING & ECONOMIC DEVELOPMENT DEPARTMENT

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 315 Robert Street and part of 225 East Avenue North
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 315 Robert Street and part of 225 East Avenue North be re-zoned from the "D/S-881", "D/S-881a" (Urban Protected One and Two-Family Dwellings Etc.) District, Modified and "E/S-881", "E/S-881a" to the ""E/S-____" (Multiple Dwellings, Lodges, Clubs, Etc.) 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, "E/S-__", as follows:

"E/S-___"

That the "E/S-___" (Multiple Dwellings, Lodges, Club, Etc.) District regulations, as contained in Section Eleven of Zoning By-law No. 6593, applicable to lands described 315 Robert Street and part of 225 East Avenue North, as detailed in Section 1 of this By-law, be modified to include the following special requirements:

(i)

a) That notwithstanding Section 11(3)(i)(b), all other buildings or structures, a minimum front yard setback of 0.0 metres shall be required;

b) That notwithstanding Section 11(3)(ii)(b), all other buildings or structures, a minimum side yard setback of 0.0 metres to Robert Street shall be required;

c) That notwithstanding Section 11(3)(iii)(b), all other buildings or structures, a minimum rear yard setback of 1.5 metres shall be required;

The "Supplementary Requirements and Modifications", as contained in Section Eighteen of Zoning By-law No. 6593, 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, be modified to include the following special requirements:

a) That notwithstanding Section 18A(6), where the application of the parking standards results in a numeric fraction, fractions shall be rounded down to the nearest whole number;

b) That notwithstanding Section 18A(7), a parking space size shall have dimensions not less than 2.8 metres wide and 5.8 metres long;

c) That notwithstanding Section 18A(1)(a), 18A(1)(b), 18A Table 1, and 18A Table 2, multiple dwellings shall require 0.3 spaces per Class A dwelling unit;

d) That notwithstanding Section 18A(1)(c), and 18A Table 3, no loading space shall be required.

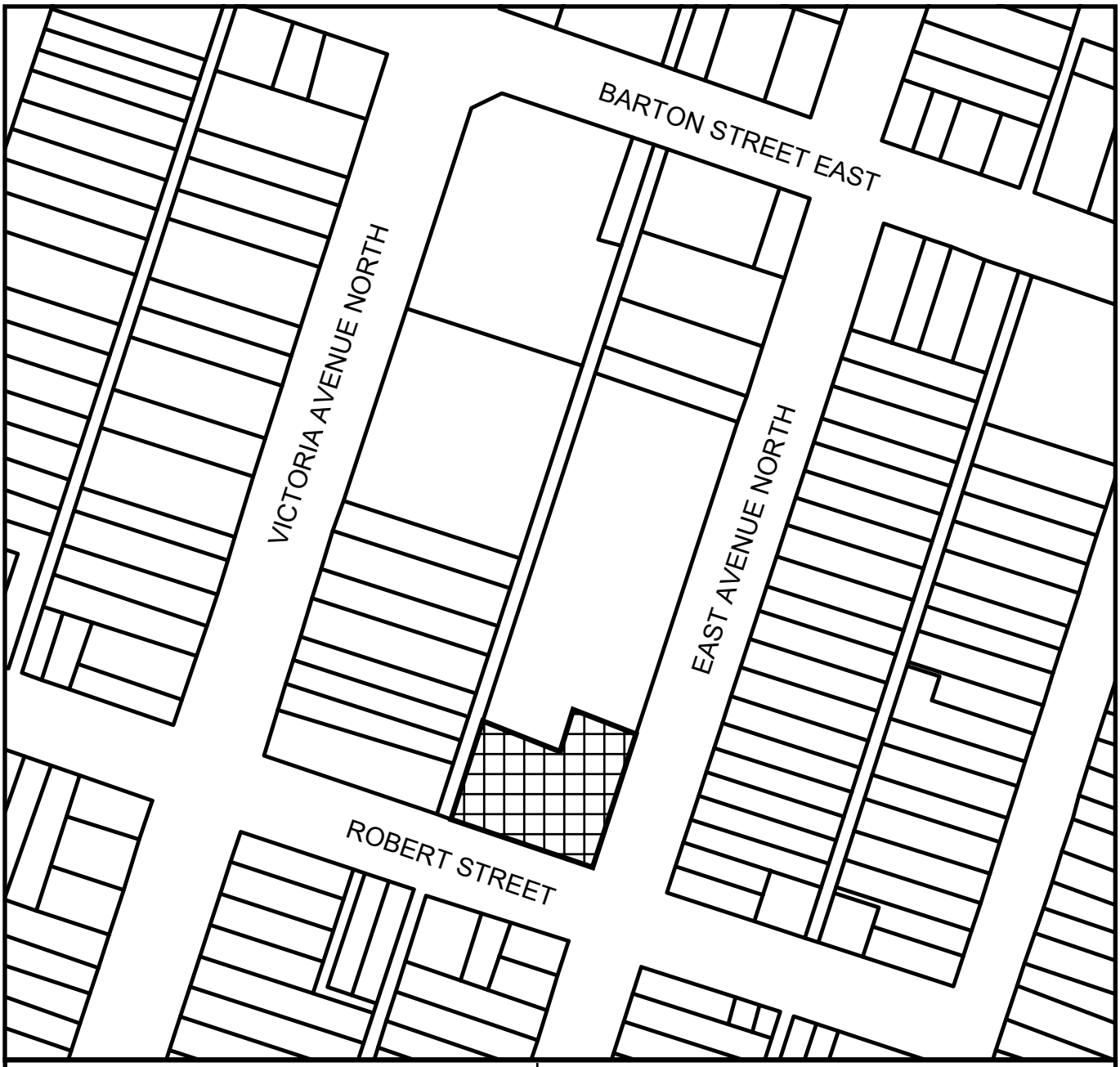
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

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

_____ _____

Mayor Clerk

ZAC-__-_____



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

315 Robert Street and Part of 225 East Avenue North
Hamilton, Ontario

Change in Zoning from the "E", "E/S-881", "E/S-881a" (Multiple Dwellings) District, Modified and "D/S-881", "D/S-881a" (Urban Protected One and Two Family) District, Modified to the "E/S-XX" (Multiple Dwellings) District, Modified.