

April 19, 2021

City of Hamilton
Transportation Planning
c/o Development Planning, Heritage and Urban Design
71 Main Street West. 5th Floor
Hamilton, ON L8P 4Y5

**RE: Right-of-Way Impact Assessment
200 Forest Avenue and 221 & 223 Charlton Avenue East, Hamilton**

Corktown Cooperative Housing (“Corktown Co-op”) is the landowner of lands located at 200 Forest Avenue and 221 & 223 Charlton Avenue East, Hamilton and is the applicant for the submitted Zoning By-law Amendment. T. Johns Consulting Group Ltd. (“T. Johns”) is retained to provide professional planning services on their behalf. The following Right-of-Way Impact Assessment requests to waive the requirement for a road widening on Charlton Ave E of ± 5.106 for an ultimate right-of-way (“ROW”) width of 13.106m measured from the centerline of the existing Charlton Ave E ROW.

The following provides justification for the elimination of the requirement road widening of Charlton Ave E.

Proposed Development

The proposed redevelopment includes merging 200 Forest Avenue and 221 & 223 Charlton Avenue East to function as one property to be owned and operated by Corktown Co-Operative Housing, a not-for-profit affordable housing provider. 200 Forest Avenue will be maintained as developed. 221-223 Charlton Ave E will be merged with 200 Forest Ave and is proposed to be redeveloped for a three-storey multiple dwelling with a total of seventeen (17) dwelling units, including units accessible at grade from Charlton Ave E. **Refer to Appendix A: Concept Plan.**

1.0 Right-of-Way Impact Assessment- Applicable UHOP Policies

The Urban Hamilton Official Plan (UHOP) includes the following Policy C.4.5.6.5 which reads as follows:

“Notwithstanding Policies C.4.5.6, C.4.5.6.1, C.4.5.6.3, and C.4.5.7, and in addition to Policy C.4.5.3, the City may waive or accept less lands to be dedicated than the maximum road widening and/or daylighting triangle requirements where, in the opinion of the City:

- a) *It is determined through a development planning approval process that due to significant adverse impacts on:*
- i) *existing built form;*
 - ii) *natural heritage features;*
 - iii) *an existing streetscape; or,*
 - iv) *a known cultural heritage resource;*

it is not feasible or desirable to widen an existing road allowance to the maximum road widening or provide the full daylight triangle as set in Section C.4.5.2, Schedule C-2 - Future Road Widening, or Section C.4.5.7, and that the City's objectives for sustainable infrastructure, complete streets and mobility can be achieved; or,

- b) *An alternative road width or daylighting triangle size has been deemed appropriate through a City initiated environmental assessment, streetscape master plan, area master plan, secondary planning study, or other transportation or planning study approved by Council, and provided it does not affect the safe and planned operation of the roadway. (OPA 49)"*

1.1 Road Widening of Charlton Avenue East

Charlton Avenue East is designated as a "collector road". Per policy C.4.5.2.e.i., the basic maximum ROW is 26.213m. The existing ROW width of Charlton Ave E is approximately ± 16.0 m. Per FC-18-114, Transportation Planning has requested a 13.106m ROW width from the centerline of Charlton Ave E, resulting in a widening of ± 5.106 m on the subject lands. A similar widening would be required on the south side of Charlton Ave E, comprised of 200-210 Charlton Ave E and escarpment (220 Charlton Ave E) to achieve an ultimate ROW width of 26.213m.

Charlton Ave E provides an important through east-west connection for vehicles from the southerly outskirts of Downtown Hamilton to Wentworth Street South and to the "Sherman Cut" with access to the "Mountain". This section of Charlton Ave E is fronted by a mix of single detached dwellings, multi-residential, a school (i.e. Queen Victoria Elementary School) and the Niagara Escarpment. The buildings generally sit close to the street line. Parking areas of the multi-residential are visible from the street. There are some properties which present redevelopment potential further east on Charlton Ave E such as 253 Charlton Ave E (DA-18-134). Therefore, the area can be characterized as a generally established neighbourhood with some planned changes including intensification but is restricted by cultural and natural heritage features, including the Escarpment to the south.

T. Johns' respectfully requests that consideration is given to waive the requirement for a dedication as it would impact a natural heritage feature and known cultural heritage resources. It is understood that lands subject to DA-18-134 were not required widenings or a daylight triangle.

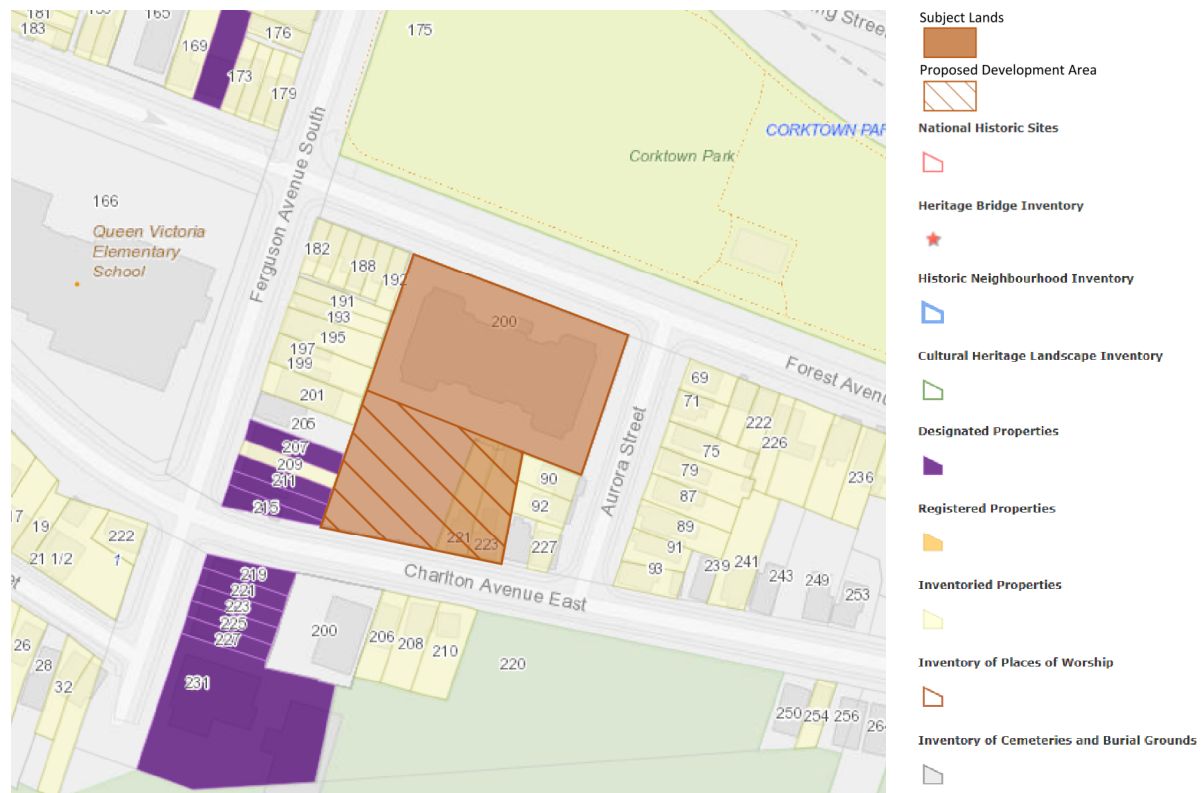
a) Road Widening Impacts on a Natural Heritage Feature

Charlton Avenue East is characterized by having the bottom of the Niagara Escarpment on the south side. Therefore, the ultimate right-of-way for a collector road will not be achieved as it would impact the feature.

b) Road Widening Impacts on a known Cultural Heritage Resource

The subject lands are within the Historic Corktown Neighbourhood and are adjacent to a number of Designated or Listed Heritage properties. Designated properties include 207, 211-231 Ferguson Ave S. The existing width of Charlton Ave E puts the street limit against the side of the designated buildings at 215 and 219 Ferguson St S at the corner of Ferguson Ave S and Charlton Ave E. As the existing ROW width of Charlton Ave E abuts the buildings, there is limited to no further opportunity to widen the street.

Figure 1: Hamilton Interactive Cultural Heritage Mapping



It is in our opinion that the above provides sufficient justification pursuant to the Right of Way Impact Assessment Guidelines and further, is in conformity with the UHOP, to support the requested ROW dedication waiver.

Respectfully Submitted,
T. JOHNS CONSULTING GROUP LTD.



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