



Planning Justification Report

1540 Upper Wentworth Street
Hamilton, Ontario

June 2021

Prepared For:

Hamilton East Kiwanis Non-Profit Homes Inc.
c/o New Commons Development
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1.0 Introduction

The landowner, Hamilton East Kiwanis Non-Profit Homes (“Kiwanis”), for the lands municipally known as 1540 Upper Wentworth Street in the City of Hamilton has retained T. Johns Consulting Group Ltd. (“T. Johns”) on August 29, 2020, to prepare the following Planning Justification Report as part of a complete Zoning By-law Amendment application (“ZBA”).

First, we acknowledge the Traditional Territory of the lands.

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.

Kiwanis has owned the lands since approximately 1989 and has operated eighty-five (85) townhouses with affordable rental tenure. The proposal is to redevelop the northeast corner of the subject lands for an eight-storey multiple dwelling containing one-hundred and twenty-six (126) dwelling units for a range of affordable rental housing. This report includes an overview of the subject lands in context with surrounding land uses; a detailed description of the development proposal and supporting studies; and a detailed review of pertinent planning framework in support of the proposed development.

1.1 Property Description

1540 Upper Wentworth Street (“subject lands”) are located on Hamilton’s South Mountain in the Barnstown neighbourhood at the northeast corner of the Upper Wentworth Street (Minor Arterial) and Emperor Drive (Collector). The property is legally described as Part of Block 77 Registered Plan 62M-616 in the City of Hamilton. The subject lands have an approximate total area of 1.94 hectares (4.8 acres) with approximately 211.2 metres of frontage on Upper Wentworth Street and approximately 73.9 metres of frontage on Emperor Street.

The subject lands are a rectangular corner property and currently occupied with residential uses, owned, and managed by the landowner/applicant. The site has an existing eleven (11) townhouse blocks, comprising eighty-five (85) units and associated surface parking and landscape open space. The site is accessed from Emperor Street and Upper Wentworth Street via a private driveway.

As discussed further in Section 2.0 of this report, the entirety of 1540 Upper Wentworth Street is subject to the planning approvals proposed in this report, however the proposed redevelopment is to take place within the northeast corner of the subject lands, hereafter referred to as the “development area”. The development area has an approximate total area of 0.37 hectares (0.9 acres). The subject lands are proposed to continue functioning as one parcel, with the development area maintaining the existing site accesses and circulation. (See Figure 1 - Location Map and Figure 2 - Aerial Context Map).

Figure 1 - Location Map

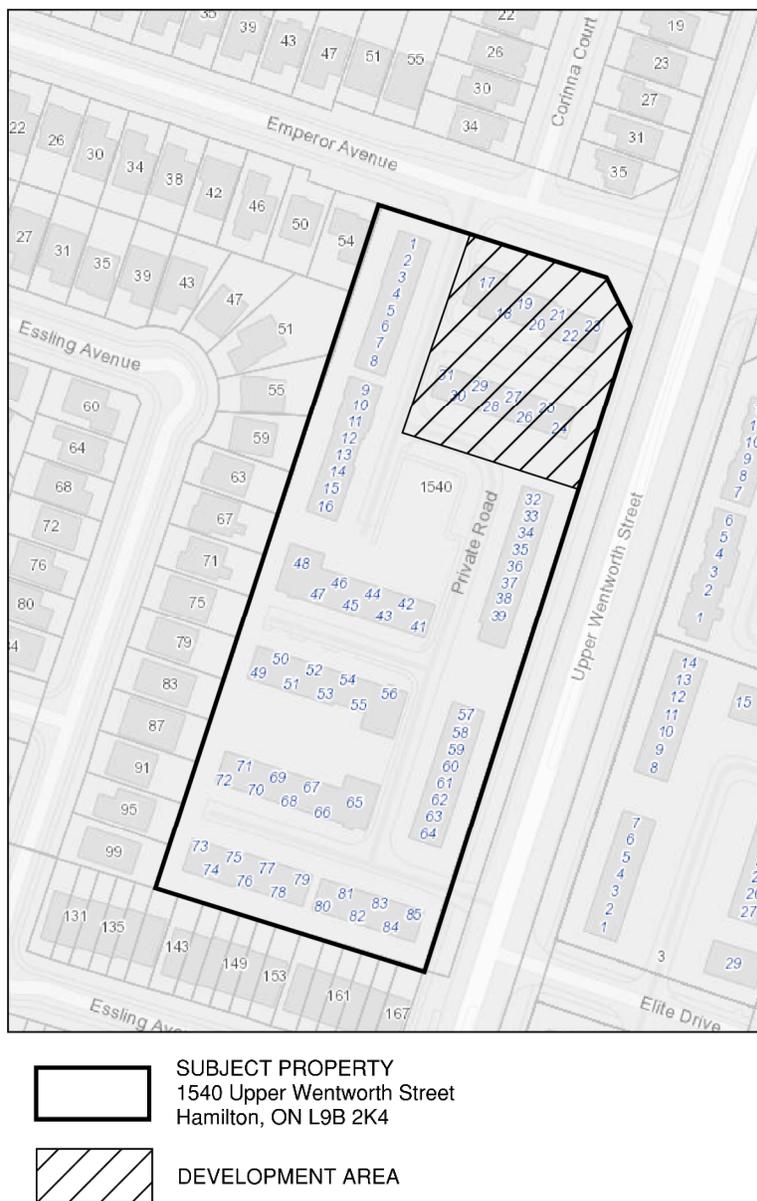


Figure 2 - Aerial Context Map



-  SUBJECT PROPERTY
1540 Upper Wentworth Street
Hamilton, ON L9B 2K4
-  DEVELOPMENT AREA

1.2 Neighbourhood Context

The subject lands are located on Hamilton’s South Mountain in the Barnsdale neighbourhood in the southwest quadrant of the intersection of Upper Wentworth Street and Emperor Avenue. The neighbourhood is predominantly residential supported with community facilities, local commercial and institutional land uses to serve the neighbourhood (Refer to Figure 3 - Community Context Map).

For context, land uses surrounding the subject lands include the following:

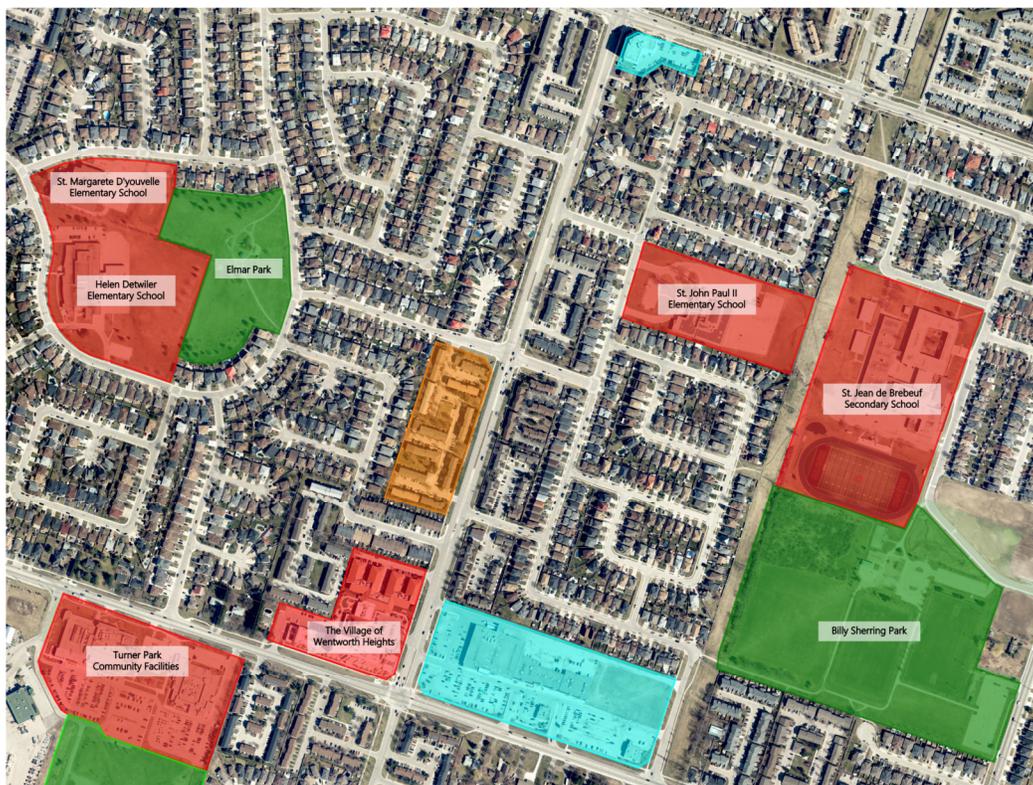
North: Low Density Residential

East: Low Density Residential, Community Park, Elementary School, and Secondary School;

South: Low Density Residential and 10-storey Retirement Home;

West: Low Density Residential, Neighbourhood Park, and Elementary Schools.

Figure 3 - Neighbourhood Context Map



LEGEND

 SUBJECT PROPERTY
1540 Upper Wentworth Street
Hamilton, ON L9B 2K4

 Parks & Open Space

 Institutional & Community Uses

 Commercial Uses

2.0 Proposed Redevelopment

As noted, the proposed redevelopment includes the northeast corner of the subject lands (“development area”), being approximately 3,680.0 square metres (0.37ha) of the approximate total 19,417.3 square metre (1.9ha) property. The proposed redevelopment includes the demolition of two (2) townhouse blocks, comprising fifteen (15) units to accommodate the construction of one (1) multiple dwelling building. The building is proposed to be a total of 8-storeys and one hundred and twenty-six (126) dwelling units comprised of a mix of one, two and three-bedroom units, including ground floor amenity space and building services for the residents. Seventy (70) of the existing townhouse units will be retained, along with their associated parking spaces and private roads.

The proposed building will be accessed from the existing driveway from Emperor Avenue. One (1) level of underground parking is proposed containing fifty-one (51) parking spaces. Thirteen (13) surface parking spaces and a total of three (3) barrier-free parking spaces are proposed. Sixty-eight (68) long-term and ten (10) short-term surface bicycle parking spaces are provided for a total of seventy-eight (78) spaces. **(See Appendix A - Conceptual Site Plan).**

2.1 Planning Applications

A Formal Consultation (“FC”) process was completed, and the Development Review Team meeting was virtually attended November 25, 2020, by the agent, architect, and City of Hamilton Development Planning staff. The FC process confirmed that a Zoning By-law Amendment is required to rezone the subject lands to permit an eight-storey multiple dwelling. An Official Plan Amendment is not required, provided the eight-storey building and existing townhouses to be maintained on site achieve a total minimum density of 100 units per hectare.

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

- Survey Plan;
- Conceptual Site Plan;
- Preliminary Grading Plan;
- Planning Justification Report (*incl. Draft Amending By-law and Public Consultation Strategy*);
- Urban Design Brief;
- Vegetation Management Plan;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Report
- Hydrogeological Report
- Noise Impact Study;
- Transportation Impact Study (Scoped); and
- Parking Analysis.

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 T. Johns Consulting Group in support of the proposed development. The purpose of the brief is to provide a description of the process and rationale for site development building design and landscaping elements. The brief identifies how the design of the proposed development is in keeping with the City's design objectives, policies, and guidelines. The proposed building provides a front façade that is stepped back to maintain a pedestrian scale, wayfinding through the proposed pedestrian access, in addition to mitigating adverse impacts of the 8-storey building height. The redevelopment will contribute to a complete community by providing a mix of units appropriate for a number of lifestyles and abilities including seniors, persons with disabilities and families. The proposed multi-unit building will complement the architectural variety existing along Emperor Avenue and Upper Wentworth Street, while improving the streetscape through quality, pedestrian scaled design. The brief concludes that the multi-unit building proposes an appropriate and complementary regeneration of the subject lands. See the Urban Design Brief for more details.

3.2 Vegetation Management Plan and Landscape Concept

A Vegetation Management Plan and Landscape Concept were prepared by Hill Design Studio Inc., dated May 26, 2021, in support of the proposed application. The Vegetation Management Plan details the removal of 49 private trees and the retention of the 1 existing street tree within the boulevard along Upper Wentworth Street to facilitate the proposed development. The Landscape Concept proposes the planting of 23 new trees within the development area and 11 new street trees within the boulevard along Emperor Avenue and Upper Wentworth Street, for a total of 34 new trees. Landscape and vegetation protection details will be subject to more detailed review and approval at Site Plan Control. For more detail, refer to the Vegetation Management Plan and Landscape Concept.

3.3 Functional Servicing and Stormwater Management Report

A Functional Servicing and Stormwater Management Report was prepared by MTE Consultants, dated May 28, 2021. There is an existing 300mm diameter combined sewer flowing west within the private road. This storm sewer connects to the existing 2,250mm diameter trunk storm sewer in the Emperor Avenue right-of-way, flowing east. The site is approximately 1-2m higher than the adjacent municipal roads, but flush with the internal private road. The proposed flow will be directed to an oil-grit separator and ultimately the storm sewer in Emperor Avenue.

Sanitary services will flow through a proposed 200mm diameter sanitary sewer and connect to the existing 525mm diameter sanitary sewer within the Emperor Avenue right-of-way. A proposed 150mm diameter domestic water service will provide the necessary water supply by connection to the existing 300mm diameter watermain within the Emperor Avenue right-of-way. The report concludes that there are adequate sanitary, storm and water services available to meet the requirements of the City of Hamilton. Grading, servicing and stormwater management details will be subject to a more detailed review and approval at Site Plan Control. See the Functional Servicing and Stormwater Management Report for more details.

3.4 Hydrogeological Assessment

A Hydrogeological Assessment was prepared by Terraprobe Inc., dated October 21, 2020. There were 4 boreholes prepared on site and assessed. Through the investigation, the soil was found to be Clayey Silt. Groundwater was immediately present within the boreholes after the completion of drilling. The highest level of groundwater was found in borehole BH3 at 203.8m above sea level. Proposed finish floor elevation is anticipated to be 203.3m above sea level. Ground water appears to flow from east to west. Dewater is anticipated both in long and short term, however, a Permit to Take Water is only anticipated to be necessary during construction. See the Hydrogeological Assessment for more details.

3.5 Environmental Noise Impact Assessment

An Environmental Noise Impact Assessment was prepared by dBA Acoustical Consultants Inc., dated April 2021, in support of the proposed application. The report addresses road noise levels in accordance with Ministry of Environment (MOE) Publication NPC-300. The noise levels measured are within the allowable limits. To meet requirements, noise mitigation in the form of warning clauses in all Offers and Agreements of Purchase and Sale or Lease as well as through the provision of Central Air Conditioning will be necessary. For more details, refer to the Environmental Noise Impact Assessment.

3.6 Transportation Impact, Transportation Demand Management Options and Parking Study

A Transportation Impact, Transportation Demand Management Options and Parking Study was prepared by Salvini Consulting, dated May 2021, in support of the proposed application. The purpose of the study was to assess the impact of the proposal on the transportation network in the area and identify any improvements that are needed to support the proposed development. The study area included the signalized intersection at Upper Wentworth Street and Emperor Avenue and the existing site driveway on Emperor Avenue. The study also looked at the Transportation Demand Management (TDM) aspects of the site and provided justification for the proposed residential parking provision for the site. Proposed TDM measures include the integration of pedestrian connections through the site design, the provision of bicycle parking,

easy access to public transportation, a reduced demand for parking generated at affordable housing projects, the opportunity for future access to Hamilton Bike Share, the potential opportunity to provide carshare on-site for residents, wayfinding information provided throughout the site, and the site's proximity to commercial amenities.

The study found that the proposed development will generate approximately 38 and 47 new trips in the weekday morning and afternoon peak hours, respectively. Site traffic can be accommodated at the study area intersections. No changes are recommended to the area road network as a result of the proposal.

The proposal includes 64 parking spaces to serve the new building, providing 0.3 spaces per unit for units less than 50m² and 0.6 spaces per unit for units greater than 50m², inclusive of visitor parking. It is proposed that 10% of the proposed parking be allocated to visitor parking, for a total of 6 spaces. Salvini Consulting surveyed two local affordable housing projects operated by Hamilton Kiwanis Non-Profit Housing Inc, that are comparable to the subject site and provide the same affordable housing use, which were the base for the parking recommendations provided in the Study. Based on the transportation context, the unit mix, the affordable nature of the residential offerings and the survey data collected, the proposed provision of 64 parking spaces is appropriate for the site.

See the Transportation Impact, Transportation Demand Management Options and Parking Study for more details.

3.7 Public Consultation Strategy

A micro website has been created and can be found on the T. Johns Consulting Group Community Portal page (<https://tjohnsconsulting.com/project/1540-upper-wentworth-regeneration/>). The micro website provides information on the proposed redevelopment, updates on project milestones, provides a Frequently Asked Questions section and gives the opportunity to provide comments and ask questions. (See Appendix B - Public Consultation Strategy).

A virtual open house was hosted by the Owner, April 6, 2021. 443 open house invitations were sent out to the public via a mailed out letter within a 120 metre radius of the site. A total of 87 people virtually attended the event. Presentations were made by Hamilton East Kiwanis Non-Profit Homes and T. Johns Consulting Group followed by a question-and-answer period.

The following section will identify the questions and comments that were collected at the Open House and through the micro website and provides responses to how the proposed development addresses them. For efficiency, the comments/questions have been grouped into key themes.

1. PROPOSED DEVELOPMENT

Q: How many units are being demolished and how many units are proposed?

A: 1540 Upper Wentworth St has eighty-five (85) existing townhouses. There are fifteen (15) existing townhouse units that are proposed to be removed to accommodate the new multi-unit building that will provide one hundred and twenty-six (126) units. The remaining seventy (70) existing townhouses are to be retained.

Q: What will the rent be for the new units?

A: This is a mixed income community. Rents will range from subsidized Rent Geared to Income (RGI) to 120% of the Average Market Rent (AMR) for the area. 15% of the units will be RGI, 20% will be affordable at 79% of AMR and the remaining 65% of the units will be between 100% AMR and 120% AMR. These rents are still considered affordable as they are well below the available market rents in the City.

Q: Since Kiwanis mainly serves families, why are one bedroom units being proposed rather than just two and three bedroom units?

A: The regeneration proposes a mix of units appropriate for a number of lifestyles including seniors and families. The proposed multi-unit building includes 43 one bedroom units, 74 two bedroom units and 9 three bedroom units. Hamilton East Kiwanis Non-Profit Homes Inc. is looking to expand their portfolio to include more senior units to promote aging-in-place and keeping seniors in their communities.

Q: Considering the dire shortage of affordable housing in our City, why not build more units than what you are proposing?

A: The regeneration of 1540 Upper Wentworth Street is only one of Hamilton East Kiwanis Non-Profit Homes existing communities which are planned for regeneration. Hamilton East Kiwanis Non-Profit Homes has a number of current and future affordable housing developments within the City of Hamilton. Residential intensification needs to have regard to supplying an appropriate amount of amenity space and on-site parking while maintaining neighbourhood compatibility.

Q: Where can we get copies of the studies completed?

A: All plans and reports will be available under the "Resources" tab of the micro website. Copies of the studies can also be made available by request to the assigned City of Hamilton Planner. Their contact information will be on the City's "Notice of Complete Application" mailed to landowners within 120 metres of 1540 Upper Wentworth St.

2. IMPACT ON EXISTING SITE

Q: What will happen to the residents living in the townhouses that will be removed?

A: Hamilton East Kiwanis Non-Profit Homes will be relocating current residents living in units scheduled for demolition to a comparable unit which meets their needs. Wherever

possible this will be in the same complex or neighbourhood. Moving costs will be paid by Kiwanis Homes. Residents will not lose their tenancy or subsidy.

Q: What will the “Regeneration” mean for the existing townhouses on site that are to remain, in terms of maintenance and upkeep?

A: In conjunction with the creation of new units, Hamilton East Kiwanis Non-Profit Homes is in the process of developing an updated maintenance plan for all of the existing units. Information sessions will be held for the residents as the plan is more defined.

Q: How will you deal with rats when the townhouses are demolished?

A: A Pest Control Plan is required to be approved and implemented prior to the start of demolition and construction.

Q: If this application is approved, should we expect another 8-storey building to replace other townhouses in the complex?

A: That is not the intention of Hamilton East Kiwanis Non-Profit Homes.

3. HEIGHT/BUILDING SIZE

Q: How will concerns surrounding the proposed building height, building footprint, overlook, loss of privacy and compatibility be addressed?

A: 1540 Upper Wentworth St is on the periphery of the neighbourhood with frontage onto Upper Wentworth St and Emperor Ave. The proposed 8-storey building height will have less impact than what is anticipated due to the width of the public roads. To soften the scale of the proposed building and to ensure appropriate transition in height, the design includes building stepbacks, yard setbacks, landscaping, and building articulation. Privacy will be protected as majority of the units do not face existing residential rear yards and no outdoor balconies are proposed. Reports such as a Planning Justification Report, Urban Design Brief (including Sun Shadow Study and Angular Plane Analysis), Tree Management Plan, Functional Servicing and Stormwater Management Report, Geotechnical and Hydrogeological Report, Noise Impact Study, and Transportation Impact Study and Parking Analysis have been completed to ensure the requested Zoning By-law Amendment is feasible and appropriate. These reports will be available under the "Resources" tab once the full application has been submitted to the City.

4. LOCATION

Q: When there are so many vacant lots in the City of Hamilton, why was this location chosen when it requires the existing units be demolished?

A: 1540 Upper Wentworth Street is already owned and operated by Hamilton East Kiwanis Non-Profit Homes. The proposed midrise multiple dwelling conforms to the Urban Hamilton Official Plan locational criteria for a high density residential use. Additionally, the

Provincial Policy Statement encourages the efficient use of urban lands that are currently serviced through intensifying lands for a mix of land uses including affordable housing and housing for seniors. Hamilton East Kiwanis Non-Profit Homes seeks to continue to provide quality affordable housing throughout the City of Hamilton and incorporate principles of aging in place so that residents can remain in their communities.

5. PARKING/TRAFFIC

Q: How will Upper Wentworth Street and Emperor Avenue handle the additional traffic? How will you ensure pedestrian safety?

A: The Urban Hamilton Official Plan identifies Upper Wentworth Street as a Minor Arterial and Emperor Avenue as a Collector. Minor arterials and collectors are intended to support higher volumes of traffic than local roads. A Transportation Impact Study (Salvini Consulting, May 2021) was prepared and will be accessible under the "Resources" tab on the microsite following the submission of the Zoning By-law Amendment Application. The Transportation Impact Study confirms that site traffic can be accommodated at the study area intersections and does not recommend changes to the area road network as a result of the proposal.

Q: There is already a strain on street parking in the area. How will 64 parking spaces be sufficient for 126 units?

A: A Parking Study (Salvini Consulting, May 2021) was prepared and will be accessible under the "Resources" tab on the microsite following the submission of the Zoning By-law Amendment Application. The redevelopment proposes a total of 64 parking spaces, including 3 barrier free spaces. Parking will be provided at a ratio of 0.3 spaces per unit smaller than 50m² and 0.6 spaces per unit larger than 50m², inclusive of visitor parking. It is proposed that 10% of the proposed parking be allocated to visitor parking, for a total of 6 spaces. The analysis confirms that the proposed number of parking spaces is appropriate to meet the demands of the development.

6. SCHOOLS

Q: How will the existing schools be able to support the increased density?

A: The application will be circulated to the HWDSB and HWCDSB as part of the Zoning By-law Amendment application process.

7. TIMING

Q: What is the anticipated timeline for the project?

A: Once a complete application is received by the City, the typical Zoning By-law Amendment timeline is 12-18 months. If the rezoning is successful, a Site Plan Control application is required which can take another 8-12 months to complete. Site Plan Control is required to confirm the details of the site development. Construction is anticipated to

take 16-18 months to complete once Site Plan Control is final approved and Building Permits have been issued.

8. PUBLIC INPUT

Q: Has the neighbourhood been consulted on the proposed development?

A: Residents within 120 metres of 1540 Upper Wentworth Street were invited to a virtual Open House, hosted by Hamilton East Kiwanis Non-Profit Homes Inc. April 6, 2021. The purpose of the meeting was to share preliminary development proposal information prior to a formal Zoning By-law Amendment application submission. Public consultation will continue throughout the rezoning process and the micro website will be updated as needed.

9. PROPERTY VALUES

Q: How will this development impact property values in the neighbourhood?

A: There is a concern that the property values in the neighbourhood directly adjacent to the property will decline. We do not have any empirical evidence to suggest that the proposed development would result in either an increase or devaluation of nearby property values.

10. CRIME

Q: What is the expected impact of the proposed development on neighbourhood crime rates. How will the proposal address concern of increased crime as a result of the increased residential density?

A: There is a misconception that residential density increases neighbourhood crime. However, studies have shown that there is no relationship between density and crime rates. The proposed redevelopment implements Crime Prevention Through Environmental Design with eyes on the street and overhead surveillance of open spaces including the parking area and public streets.

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.

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.

Planning Comment:

The subject lands are serviced by existing municipal infrastructure which will service the proposed multiple dwelling building. The subject lands are owned by the applicant and will provide 126 dwelling units for affordable rental tenure in addition to the 70 townhouse units that are to be retained. The mix of proposed dwelling units will provide housing options, including barrier free units, to individuals and families. The proposed intensification will not impact future efficient expansion. The proposal to intensify existing urban lands will continue an efficient and cost-effective development pattern.

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 considering 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.

Planning Comment

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 capacity to service the net increase of residential units as confirmed by the Functional Service and Stormwater Management Report (MTE, 2021). The proposed multiple dwelling reflects the established land use pattern in the neighbourhood and promotes compact redevelopment to provide a net increase of affordable housing.

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 redevelopment for a portion of the subject lands will contribute to residential growth through land use intensification and not impede future residential growth opportunities. The subject lands will continue to be serviced by adequate services with capacity to service to proposed redevelopment. The proposed 126 dwelling units will provide a net gain of 111 units for affordable rental tenure. The proposed development is aligned with the Housing and Homelessness Action Plan 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

The proposed development will be serviced by existing servicing infrastructure and therefore an expansion of municipal servicing is not required. Further the site's stormwater management strategy will ensure quality and quantity measures are maintained. The prepared Functional Servicing and Stormwater Management Report (MTE, 2021) provides quantity controls to be applied to the site through attenuation of the post development peak flows through the 2 through 100 year storm events to the lesser of the 5-year City of Hamilton Mount Hope existing conditions peak flow rate or the free flow capacity of the existing storm lateral. Quality controls are provided with through an enhanced (Level 1) water quality treatment (80% TSS Removal) is required for all impacted surface runoff prior to discharging to the receiving system.

The Transportation Impact, Transportation Demand Management and Parking Study prepared by Salvini Consulting dated May 2021 submitted in support of this application states that the proposed development is supported by bicycle parking spaces and the unbundled parking spaces from rent will allocate parking spaces. The subject lands are serviced by existing transit and existing and planned bicycle lanes. The proposal does not interfere with existing and proposed efforts of the City to promote active transportation and transit. The study found that site traffic can be accommodated at the study area intersections, with no required changes to the area road network as a result of the proposal. In addition, together with the proposed TDM measures, the proposed parking provision is appropriate for the site.

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;
- h) providing opportunities for sustainable tourism development;
- i) sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agrifood network;
- 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

The proposed infill development provides residential intensification on a minor arterial road serviced by existing transit, civil and communications infrastructure. The proposal maintains the intent of the policy for residential intensification by introducing another unit type to the neighbourhood. The proposed redevelopment will contribute to affordable housing options. The proposed built form maintains the intent of applicable Urban Design policies. The proposed redevelopment will not negatively impact the agricultural resources within the City of Hamilton.

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;
- c) focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;

- d) focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;
- 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 development provides a compact built form within the Urban Area. The subject lands will be serviced by existing public transit and will encourage active transportation. The Vegetation Management Plan details the removal of 49 private trees and the retention of the 1 existing street tree within the boulevard along Upper Wentworth Street. to facilitate the proposed development. The Landscape Concept proposes the planting of 23 new trees within the development area and 11 new street trees within the boulevard along Emperor Avenue and Upper Wentworth Street, for a total of 34 new trees. Landscaped amenity space will be provided throughout the site.

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 Protection Plan identifies 49 trees to be removed due to construction however, the submitted Landscape Concept proposes the planting of 23 new trees within the development area and 11 new street trees within the boulevard along Emperor Avenue and Upper Wentworth Street, for a total of 34 new trees. As the subject lands are developed, the development area is not identified as having archaeological potential. 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 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 Upper Wentworth Street and Emperor Avenue. Upper Wentworth Street is a transit route with existing transit stops. Emperor Avenue provides access to community services including 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.

The proposed development is 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 south mountain.

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 tripmaking 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 located along a Minor Arterial (Upper Wentworth Street), a Collector (Emperor Avenue) and are in close proximity to a Major Arterial (Rymal Road East). The subject lands have easy access to the Lincoln M. Alexander Parkway via Upper Wentworth Street. The subject lands are located along a bus route with bus stops located at the intersection of Upper Wentworth Street and Emperor Avenue. The City of Hamilton Transportation Master Plan identifies Emperor Avenue as the location of a planned bike lane. Existing bike lanes are accessible along Stone Church Road East with additional planned multi-use trails identified along Rymal Road East. 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 redevelopment for a multiple dwelling building meets the intent of providing a diverse range of housing options within a community. The proposal will intensify urban lands with a delineated built-up area and allow for additional affordable housing rental units. Therefore, the proposed development **conforms** to the Growth Plan.

4.3 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.

Schedule “E-1” - Urban Land Use Designation of the UHOP designates the subject lands as “Neighbourhoods” (See Figure 3 - UHOP Land Use Map).

Applicable UHOP policies have been reviewed in the table below:

URBAN STRUCTURE (E.2.0)	
UHOP VOLUME 1 POLICY	PLANNING COMMENT
<p>Policy E.2.6.2 <i>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.</i></p> <p>Policy E.2.6.4 <i>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.</i></p> <p>Policy E.2.6.7 <i>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....”</i></p>	<p>The subject lands are designated Neighbourhoods with access to local commercial, local community facilities/services and open space and park uses including the Rymal Square Shopping Plaza, Les Chater Family YMCA, Hamilton Public Library, and multiple schools. The subject lands are an appropriate location for a full range of housing options.</p>

NEIGHBOURHOODS DESIGNATION (E.3.0) AND HIGH DENSITY RESIDENTIAL (E.3.6)	
UHOP VOLUME 1 POLICY	PLANNING COMMENT
<p>Policy E.3.2.1 <i>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.</i></p> <p>Policy E.3.2.3 <i>The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 - Urban Land Use Designations:</i></p> <ul style="list-style-type: none"> 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 <p>Policy E.3.2.4 <i>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."</i></p> <p>Policy E.3.6.1 <i>High Density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads.</i></p> <p>Policy E.3.6.2 <i>Uses permitted in high density residential areas include multiple dwellings, except street townhouses.</i></p> <p>Policy E.3.6.6 <i>In high density residential areas, the permitted net residential densities, identified on Appendix "G" - Boundaries Map shall be:</i></p>	<p>The subject lands have a total area of approximately 1.94 hectares. The subject lands are occupied by eighty-five (85) block townhouses. The proposed redevelopment in the northeast corner of the subject lands are approximately 0.37 hectares of the overall area. The proposed redevelopment will provide a high density residential use within a midrise building.</p> <p>The subject lands are serviced by existing Hamilton Street Rail route #26, providing access to Limeridge Mall and MacNab Terminal, and connection to other HSR routes City-wide. The subject lands are within safe and convenient walking distance to schools and active or passive recreational facilities including Les Chater Family YMCA, City of Hamilton Public Library (Turner Park), and multiple parks including Elmar Park, TB McQuesten Community Park and Turner Park.</p> <p>The subject lands are permitted a maximum of 200 units per hectare. The proposed redevelopment for a 126 unit apartment building increases the total number of units on the subject lands to 196 units. As such, the total proposed density of the subject lands is 100.9 units per hectare on 1.94ha. The proposed density and built form are permitted.</p> <p>In addition to Urban Design policies of Section B.3.3:</p> <p>The subject lands have frontage onto Upper Wentworth Street which is a minor arterial road. The subject lands are accessed from Emperor Avenue, a collector road, and Upper Wentworth Street. Access from the existing access to 1540 Upper Wentworth Street are two (2) single detached dwellings which front Corina Court with flankage yards abutting Emperor Avenue. As such, the existing access</p>

<p><i>a) Greater than 100 units per hectare and not greater than 500 units per hectare in Central Hamilton.”</i></p> <p>Policy E.3.6.7 <i>Development within the high density residential category shall be evaluated on the basis of the following criteria:</i></p> <p><i>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.</i></p> <p><i>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.</i></p> <p><i>c) High profile development may be considered appropriate, subject to the other policies of this Plan, where it would result in the preservation of natural heritage system features or public view corridors which may otherwise be compromised by more dispersed, lower profile development.</i></p> <p><i>d) Development shall:</i></p> <p><i>i. Provide adequate landscaping, amenity features, on-site parking, and buffering where required;</i></p>	<p>which is to be maintained will continue to provide access to a minor arterial road.</p> <p>The proposed eight-storey multiple dwelling is proposed adjacent to existing two-storey single detached dwellings to the north and two-storey block townhouses to the west and south. A building setback at the 6th storey is proposed adjacent to the 2-storey townhouses to the south. The proposed building maintains a 45 degree angular plane to the existing detached dwellings fronting Corina Court. The proposed building and existing block townhouses are separated by a separation distance of 18.4 metres to the west and 4.96 metres to the south. Where more of a separation distance cannot be provided, design features such as building setbacks, glazing, change in exterior materials and landscape buffers are proposed to be incorporated into the design to mitigate adverse impacts to the existing low-profile townhouses.</p> <p>The proposed 0.37 hectare portion of the site to be redeveloped provides 970.8 square metres of landscaped area, 161.1 square metres of exterior amenity area and 71.6 square metres of interior amenity area. The proposed redevelopment will have access to existing on-site outdoor common amenity areas. The proposed redevelopment will provide 51 parking spaces within one (1) level of underground parking and 13 surface parking spaces for a total of 64 spaces. A parking study (Salvini Consulting, May 2021) supports that the proposed parking reduction is appropriate for the landowner/applicant demands.</p> <p>Upper Wentworth Street south of the Lincoln Memorial Parkway has a mix of uses and forms. Low profile residential uses are rear lotted onto Upper Wentworth Street and multi-residential built forms address some corners including six-storeys at Upper Wentworth St at Pescara Ave, eight-storeys at Upper Wentworth St at Stone Church Rd E and ten-storeys at Upper Wentworth Street and Rymal</p>
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<p>ii. <i>Be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures; and,</i></p> <p>iii. <i>Provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets.</i></p>	<p>Road East. Upper Wentworth St has limited individual private driveway accesses.</p> <p>The proposed redevelopment for an eight-storey multiple dwelling building frames the corner of Upper Wentworth St at Emperor Ave and promotes more eyes on the street. The proposed redevelopment will be accessed via an existing private driveway from Emperor Ave to minimize conflicts between traffic and pedestrians on Upper Wentworth St.</p> <p>The concept plan demonstrates that the proposed redevelopment can ensure an attractive public realm by incorporating the following elements into the site and building design:</p> <ul style="list-style-type: none"> • Surface parking is screened from the public street with the proposed building placement. • Landscape buffers are proposed internal to the site to screen surface parking. • Waste storage will be internal to the proposed building. Waste pick up is proposed to be internal to the site and screened from the public realm with the proposed building placement. • Building design techniques including stepbacks and a mix of windows and exterior materials will minimize the expanse of a blank wall. <p>A Shadow Study was prepared by SRM Architects Inc. (May 2021) which demonstrates the impact of the proposed building height on the surrounding neighbourhood. The shadow cast by the proposed development will add minor impact to the overall existing shadows in the neighbourhood. However, shadow impact of the proposed building will be mitigated by building stepbacks, building orientation and appropriate setbacks.</p>
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	<p>The subject lands are not located in an area of the City that is identified to have a significant view corridor or view of the escarpment, waterfront, or other feature.</p>
RESIDENTIAL INTENSIFICATION (B.2.4.3)	
POLICY	PLANNING COMMENT
<p>Policy B.2.4.1.1 <i>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.</i></p> <p>Policy B.2.4.1.3 <i>The residential intensification target specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:</i></p> <ol style="list-style-type: none"> 1. <i>40% of the residential intensification target is anticipated to occur within the Neighbourhoods as illustrated on Schedule E - Urban Structure.</i> <p>Policy B.2.4.2.2 <i>Residential intensification within lands designated Neighbourhoods identified on Schedule E-1 - Urban Land Use Designations shall comply with Section E.3.0 - Neighbourhoods Designation.</i></p>	<p>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.</p>

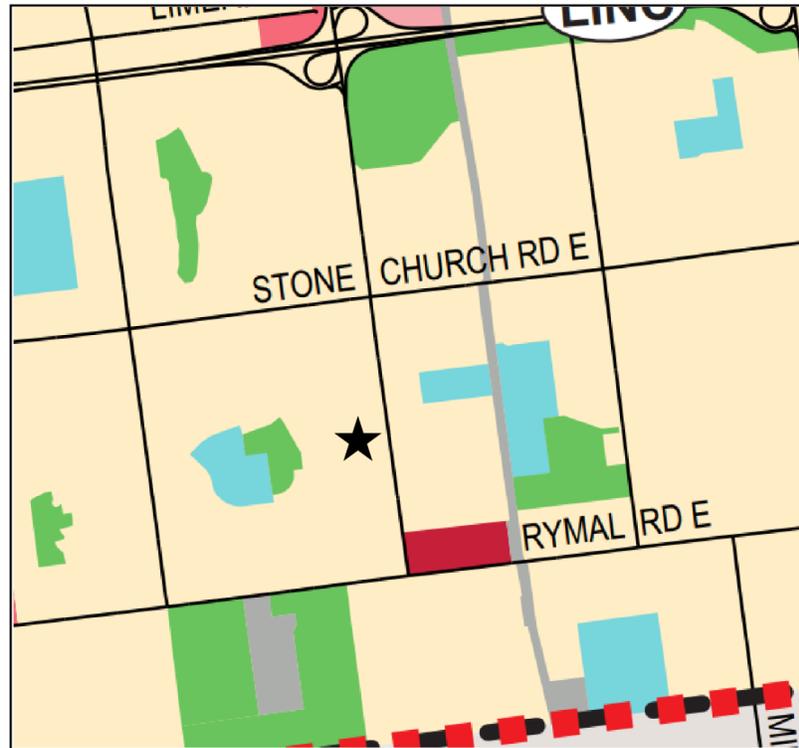
The table below reviews the proposed development in context with the applicable urban design policies of the UHOP. The following discussion is in support and should be read in conjunction with the Urban Design Brief (June 2021).

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 development offers additional affordable housing units within an established neighbourhood. The new multi-unit building will provide forty-five (45) one-bedroom units, seventy-two (72) two-bedroom units and nine (9) three-bedroom units, providing a range of unit sizes and housing options for people at different stages of life.
B.3.3.2.3	The proposed development will foster a sense of community pride and identity by enhancing the Upper Wentworth Street and Emperor Avenue streetscape. The development proposes a new 8-storey building at the corner of Upper Wentworth Street and Emperor Avenue which will animate the street and contribute to a sense of place through pulling the building closer to the street, providing grade-entrances, pedestrian connections and using a mix of materials that are found throughout the neighbourhood. The proposal will provide additional affordable residential units within a stable neighbourhood and within the Neighbourhoods designation which is to accommodate residential intensification.
B.3.3.2.4	The proposal is aligned with best practices in terms of engineering and urban design. The proposed development provides a compatible use, built form, and character to the surrounding properties. The impacts of the proposed building height are mitigated by pulling the building up to the street, building orientation and building stepbacks. A Sun Shadow Study, submitted as part of the Urban Design Brief (June 2021), shows minimal impact on the surrounding properties. The final building materials will consider the surrounding area with the intent to enhance the character of the neighbourhood with compatible design.
B.3.3.2.5	The proposal will provide additional dwelling units on an existing and maintained municipal right-of-way that provides vehicular connections to multiple land uses. The site is located along a minor arterial and collector road, is within proximity to a major arterial and parkway, with an existing transit stop at the corner of Upper Wentworth Street and Emperor Avenue. Emperor Avenue is identified as having a planned bike lane on Map 1A: Planned Cycling Network in the Hamilton

	<p>Transportation Master Plan. Existing bike lanes are accessible along Stone Church Road East with additional planned multi-use trails identified along Rymal Road East. 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 thirty-five (35) AODA units and twenty-two (22) barrier free units that are accessible to users of all ability and three (3) barrier free parking spaces.</p>
B.3.3.2.6	<p>The proposed dwellings will be compatible with the character of the neighbourhood, by providing landscaping that is consistent with surrounding lots, the use of compatible building materials, and setbacks that are aligned with existing site conditions and are appropriate for the surrounding neighbourhood. The neighbourhood offers a variety of existing built forms, with low and medium density residential dwellings directly abutting the property, a 10-storey long-term care and retirement home south of the subject lands on Upper Wentworth Street and an 8-storey mixed-use building north of the subject lands on Upper Wentworth Street.</p>
B.3.3.2.7	<p>The proposed development and intensification will contribute to the building and rental stock in Hamilton’s market, in an area with existing infrastructure and supporting land uses. The proposed development 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.</p>
B.3.3.2.8	<p>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 below grade parking, limiting impermeable paved surfaces and reducing the “heat island” effect over large, paved areas. Energy efficient features are being considered through detailed design, as detailed in the Urban Design Brief (June 2021).</p>
B.3.3.2.9	<p>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 options. The proposed development provides ample landscaped area and amenity space and is located in proximity to neighbourhood, community, and City-wide parks.</p>
B.3.3.2.10	<p>The proposal is a redevelopment in an existing residential area. As such, no new roads are proposed and therefore these criteria shall not apply.</p>

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

Figure 3 - UHOP Land Use Map



Urban Hamilton Official Plan
 Excerpt from Schedule 'E-1'
 Urban Land Use Designations

LEGEND

-  Neighbourhoods
-  Open Space
-  Institutional
-  Utility
-  Mixed Use - Medium Density
-  Arterial Commercial

Other Features

-  **SUBJECT PROPERTY**
 1540 Upper Wentworth Street
 Hamilton, ON L9B 2K4

4.4 City of Hamilton Zoning By-law No. 6593

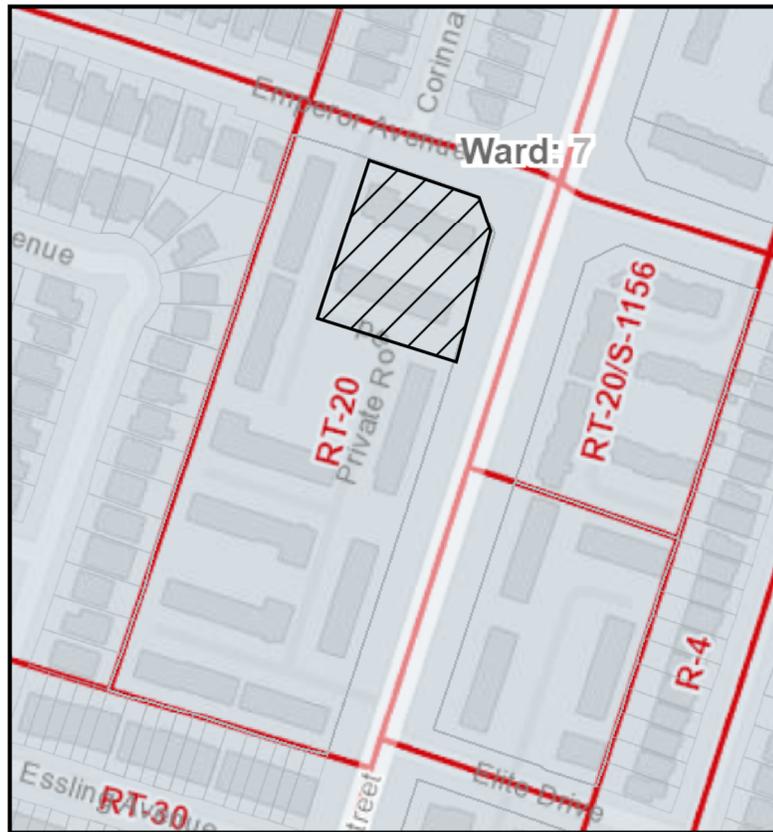
The former City of Hamilton Zoning By-law No. 6593 (“ZBL”) is in force and effect and zones the subject lands RT-20 (Townhouse-Maisonette) District. (See **Figure 4 - Existing Zoning Map**). The existing zoning permits the residential uses of townhouse dwellings, a group of townhouse dwellings, street townhouse dwelling and maisonette dwelling including a group of maisonette dwellings. A Multiple Dwelling is not permitted.

To facilitate the proposed redevelopment for a portion of the subject lands, a Zoning By-law Amendment is required to rezone a portion of the subject lands from RT-20 to E-2/S-XX District, Modified permit a Multiple Dwelling, subject to the E-2 (Multiple Dwelling) District regulations, with site specific provisions.

To support the ZBA application, a Draft Amending Zoning By-law has been prepared and can be found as **Appendix C** to this report. As described in the Draft Amending Zoning By-law, the following definitions have been established:

- “Lot-Line, Front” with reference to the subject lands, shall mean the boundary lot line along Upper Wentworth Street.
- “Lot-Line, Exterior Side” with reference to the subject lands, shall mean the boundary lot line along Emperor Avenue.
- “Lot-Line, Interior Side” with reference to the subject lands, shall mean any lot line except a front lot line, rear lot line or exterior side lot line.

Figure 4 - Existing Zoning Map



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

LEGEND

- | | | |
|-------|----------------------------------|--|
| RT-20 | Townhouse - Maisonette |  SUBJECT PROPERTY
Part of 1540 Upper Wentworth Street
Hamilton, ON L9B 2K4 |
| RT-30 | Street Townhouse | |
| R4 | Small Lot Single Family Dwelling | |

The following table has been prepared to outline the E-2 District requirements in context to the proposed modifications. All values have been calculated based on the new proposed multiple dwelling and established development area of 1540 Upper Wentworth Street.

Table 1 - Zoning Chart

1540 UPPER WENTWORTH STREET (REFERENCE TO SUBJECT LANDS ONLY) PROPOSED ZONE: E-2 (MULTIPLE DWELLINGS) DISTRICT OF ZONING BY-LAW NO. 6593			
PROVISION	REQUIRED	PROPOSED	CONFORMITY
Permitted Uses 11B.vi	Multiple Dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit	Multiple Dwelling with accommodation for lodgers to the number of not more than three in each Class A dwelling unit	Yes
Maximum Height 11B.2.ii	8 storeys or 26.0 metres in height	8 storeys and 24.2 metres	Yes
Area Requirements Front Yard 11B.3.i.b	<p>for all other buildings or structures a front yard of a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, but no such front yard shall have a depth of less than 3.0 metres (9.84 feet) and need not have a depth of more than 7.5 metres (24.61 feet), provided that with respect to said other buildings and structures, where a front yard abuts upon a street of a width of less than 20.0 metres (65.62 feet), the required depth shall be increased by half of the difference between the actual width of the street and 20.0 metres (65.62 feet);</p> <p>Provided, however, that where a deeper front yard is required for any lot in another district on the same side of the street between two intersecting streets, the front yard shall be increased in depth to what would have been required had the front yard required by this Section been in such other district;</p> <p>Front Lot Line is Upper Wentworth Street (existing ROW 36.5m)</p> <p>$24.2 \times 44.52 = 1,077.48/120 = 8.98\text{m} = 7.5\text{m}$</p>	<p>Upper Wentworth Street to be defined as the front lot line.</p> <p>5.0m</p>	No
Area Requirements Setback to the Hypotenuse of a Daylight Triangle	N/A	3.0m	No

<p>Area Requirements Interior Side Yard 11B.3.ii.b</p>	<p>for every other building or structure, along each side lot line a side yard of a width of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building by its length, less 1.5 metres (4.92 feet) where no balcony, sunroom or any window of a habitable room overlooks the side yard, but no such side yard shall have a width of less than 1.5 metres (4.92 feet), and need not have a width of more than 9.0 metres (29.53 feet), but plus 3.0 metres (9.84 feet) where any balcony, sunroom or window of a habitable room does overlook such side yard, but no such side yard shall have a width of less than 4.5 metres (14.76 feet) and need not have a width of more than 13.5 metres (44.29 feet);</p> <p>Provided that with respect to said other buildings structures, where a side lot line is a street line, the side yard on that side shall have a width of at least 3.0 metres (9.84 feet), and need not have a width of more than 7.5 metres (24.61 feet); and that where a side lot line is the street line of a street less than 20.0 metres (65.62 feet) wide, the required width of the side yard on that side shall be increased by half of the difference between the actual width of the street and 20.0 metres</p> <p><u>Interior Side Lot Line</u></p> <p>15.2m x 60.27 = 916.1/120 = 7.63 + 3m where window of habitable room overlooks such side yard = 10.63m required.</p>	<p>159.9m</p>	<p>Yes</p>
<p>Area Requirements Exterior Side Yard 11B.3.ii.b</p>	<p>for every other building or structure, along each side lot line a side yard of a width of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building by its length, less 1.5 metres (4.92 feet) where no balcony, sunroom or any window of a habitable room overlooks the side yard, but no such side yard shall have a width of less than 1.5 metres (4.92 feet), and need not have a width of more than 9.0 metres (29.53 feet), but plus 3.0 metres (9.84 feet) where any balcony, sunroom or window of a habitable room does overlook such side yard, but no such side yard shall have a width of less</p>	<p>3.0m</p>	<p>No</p>

	<p>than 4.5 metres (14.76 feet) and need not have a width of more than 13.5 metres (44.29 feet);</p> <p>Provided that with respect to said other buildings structures, where a side lot line is a street line, the side yard on that side shall have a width of at least 3.0 metres (9.84 feet), and need not have a width of more than 7.5 metres (24.61 feet); and that where a side lot line is the street line of a street less than 20.0 metres (65.62 feet) wide, the required width of the side yard on that side shall be increased by half of the difference between the actual width of the street and 20.0 metres</p> <p>Exterior Side Lot Line (abutting Emperor Ave with existing ROW of 26.213m)</p> <p>24.2 x 60.27 = 1,458.53/120 = 12.15m = 7.5m required.</p>		
Area Requirements Rear Yard 11B.3.iii.b	<p>for every other building or structure, a rear yard of a depth of at least one one-hundred and twentieth part of the product obtained by multiplying the height of the building or structure by its width, less 1.5 metres (4.92 feet) where no balcony, sunroom or any window of a habitable room overlooks the rear yard, but no such rear yard shall have a depth of less than 3.0 metres (9.84 feet) and need not have a depth of more than 13.5 metres (44.29 feet); but plus 3.0 metres (9.84 feet) where any balcony, sunroom or any window of a habitable room does overlook such rear yard, but no such rear yard need have a depth of more than 13.5 metres</p> <p>24.2 x 44.52 = 1,077.38/120 = 8.98m + 3.0m = 11.98m required</p>	35.3m	Yes
Intensity of Use 11B.4.iv	<p>Min. Lot Width: 15.0m Min. Lot Area: 540m²</p>	<p>Lot Width: 211.09m Lot Area: 19,134.77m²</p>	Yes
Floor Area Ratio 11B.5	<p>1.19 = 23,132m²</p>	10,282m ²	Yes
Landscape Area 11B.6	25% of the area of the lot on which the building or structure is situate	26.3%	Yes
Prior Existing Uses 11B.9.i	The following uses existing on the date of the passing of By-Law No. 93- 161 and any alteration, extension or enlargement of the continuing uses after the passing of the By-Law shall be permitted: (i) A Townhouse	Notwithstanding subsection (9), townhouses on those lands located at 1540 Upper Wentworth Street shall be deemed a "PRIOR EXISTING USE".	No

	Dwelling subject to the "RT-20" District provisions;		
GENERAL PROVISIONS			
REGULATION	REQUIRED	PROPOSED	CONFORMITY
Minimum Distance Between Buildings 18(8)(c)(1)	½ of the height of the taller of the two buildings	4.5m	No
Minimum Setback to Amenity Area	N/A	1.0m from a lot-line	No
PARKING AND LOADING REQUIREMENTS			
REGULATION	REQUIRED	PROPOSED	CONFORMITY
Minimum Parking Space Dimension 18A(7)	2.7m wide 6.0m long	2.8m wide 5.8m long	Yes No
Minimum Parking Space Dimension for Small Cars	N/A	2.6m wide 5.5m long	No No
Minimum Required Parking 18A.Table 1	1.25 spaces per Class A dwelling unit 126 units x 1.25 = 158 Spaces	0.3 spaces per Class A dwelling unit < 50m ² = 55 units X 0.3 = 16.5 spaces 0.6 spaces per Class A dwelling unit >50m ² = 71 units X 0.6 = 42.6 spaces TOTAL SPACES 64 spaces (including visitor spaces)	No
Maximum Permitted Small Car Parking	N/A	10% of Total Required Spaces	No
Minimum Required Residential Visitor Parking 18A.Table 2	0.25 of a space per Class A dwelling unit 126 x 0.25 = 32 spaces	10% of Total Required Spaces = 6 spaces	No
Minimum Required Loading Space (Multiple Dwelling) 18A.Table 3	Greater than 100 units 1 Space @ (9m (length) x 3.7m (width) x 4.3m (height) 1 Space @ 18m (length) x 3.7m (width) x 4.3m (height)	1 space @ (9m (length) x 3.7m (width) x 4.3m (height)	No
Minimum Required Maneuvering Space 18A.Table 6	90 degree parking angle = 6.0m wide aisle	6.0m	Yes
Underground Parking	N/A	Where a wall, column, or any other obstruction, not including light standards, including the base, located at the intersection of 4 parking spaces, is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking	No

		<p>space shall be increased by 0.3 metres, except where:</p> <ul style="list-style-type: none"> a) the maximum length of the wall, column or any other obstruction shall not exceed 1.15 metres; b) the wall, column or any other obstruction is located at the front, rear, or both ends of the parking space; and, c) the wall, column or any other obstruction does not project more than 0.15 metres into the width of the parking space. 	
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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 four sections. The first part of the discussion will summarize findings of the Supporting Studies (Section 5.1), conformity with Provincial interest and policies (Section 5.2) followed by conformity with the Urban Hamilton Official Plan (Section 5.3). The latter part will provide a scoped planning discussion to support the Zoning Bylaw Amendment (Section 5.4)

5.1 Supporting Studies

As outlined in Section 3.0, 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 T. Johns Consulting Group speak to the principles that the proposed redevelopment was guided by and how the City of Hamilton design objectives, policies and standards are addressed. The Vegetation Management Plan and Landscape Concept prepared by Hill Design Studio addresses the trees, both street trees and onsite, that are to be removed, retained, and replaced. The Functional Servicing and Stormwater Management Report prepared by MTE Consultants confirm that the existing and planned infrastructure for the subject lands can support the proposed increase of density. The Hydrogeological Assessment prepared by Terraprobe Inc. confirm that the subsurface soil, bedrock, and groundwater conditions can support and will not be impacted by the proposed redevelopment. The Environmental Noise Impact Assessment prepared by dBA Acoustical Consultants confirm the noise road levels are within the allowable limits per the Ministry of Environment (MOE) Publication NPC-300. The Transportation Impact, Transportation Demand Management and Parking study prepared by Salvini Consulting confirm that the generated site traffic can be accommodated at the study area intersections with no recommended changes to the area network required as a result of the proposal. In addition, the study confirms that, together with the proposed TDM measures, the proposed parking provision is appropriate for the site.

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 redevelopment of 1540 Upper Wentworth Street for a new multiple dwelling building will provide land use intensification that will contribute towards an efficient use of urban lands. The proposed land uses will contribute to the overall viability of the settlement area by providing a high-density residential use serviced by existing infrastructure with no adverse impacts to significant heritage resources. The proposed ZBA is consistent with the PPS, 2020.

The subject lands are located within the “Delineated Built-Up Area” of the Growth Plan which have existing and planned municipal water and wastewater systems. The proposed development of one hundred and twenty-six (126) new dwelling units will provide contextually appropriate residential intensification that will contribute to Hamilton’s affordable rental housing stock with dwelling options for varying lifestyles and abilities. The subject lands have convenient access to existing transit networks, and active transportation networks and community services. The proposed ZBA conforms to the Growth Plan, 2019.

5.3 Urban Hamilton Official Plan

This Section will provide an overview of the applicable Urban Hamilton Official Plan policies, specifically looking at residential intensification and compatibility. The subject lands are designated “Neighbourhoods” in the Urban Hamilton Official Plan. The subject lands are located along a minor arterial (Upper Wentworth Street) and collector road (Emperor Avenue). The subject lands are located along a bus route with bus stops located at the intersection of Upper Wentworth Street and Emperor Avenue. Access to Stone Church Road East (Minor Arterial), Rymal Road East (Major Arterial) and the Lincoln M. Alexander Parkway (Parkway) is convenient and provides easy access to local services and transit.

Residential Intensification (B.2.4.3)

Residential intensification is permitted subject to land use compatibility with the surrounding character of the neighbourhood. High density residential uses with a density up to 200 units per hectare is permitted, subject to locational criteria. The proposed redevelopment for a high density multiple dwelling with a density of approximately 100.9 units per hectare located on a minor arterial, with direct access to the arterial and via a collector road, is permitted and appropriate. The proposed increase of one-hundred and eleven (111) units, for a total of one-hundred and ninety-six (196) units on the subject lands, can be serviced by existing civil and transportation infrastructure. Water, sanitary and stormwater management infrastructure capacities have been confirmed through the completed Functional Servicing and Stormwater Management Report prepared by MTE Consultants dated May 28, 2021. The existing public road network has the capacity to service the increase of density, with minimal adverse impacts to the existing neighbourhood. No upgrades are required to support the increase of 38 new trips during weekday morning peak hours and 47 new trips during weekday afternoon peak hours, confirmed through the Traffic Impact Study prepared by Salvini Consulting dated May 2021.

As discussed, the neighbourhood is predominantly low density residential uses with supportive community uses with a low profile built form. Existing midrise apartment building forms along Upper Wentworth St are geared toward senior residents. As such, the proposed redevelopment will introduce a compact form of housing which will expand the available

housing options within the Barnsdale neighbourhood and surrounding community context that is generally made up of single detached and townhouses.

Further to the technical details to support the proposed intensification and diversifying housing options and affordability by efficiently intensifying urban lands, land use compatibility of the proposed redevelopment with the existing neighbourhood character is essential to appropriate residential intensification.

Compatibility

Building heights of 6-, 8- and 10-storeys are located on corners along Upper Wentworth Street. The proposed 8-storey building is located at an intersection of a Minor Arterial and Collector road intersection and therefore, continues the land use pattern of addressing intersections with higher building heights along Upper Wentworth St on the periphery in harmony with the surrounding low-profile development.

The proposed building is within a 45-degree angular plane in result of the existing public ROW widths and yard setbacks. Adverse impacts to neighbouring uses such as shadowing, overlook and massing are mitigated with building orientation, building setbacks at the 5th and 6th storey, setbacks and building materials. The building orientation allows for eyes on the street and overhead surveillance over the parking area and public street, contributing to CPTED and public safety.

As reviewed in Section 4.5: Planning Framework of the Urban Hamilton Official Plan, the proposed redevelopment of 1540 Upper Wentworth to a high-density residential use, conforms to 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). As such, the proposed ZBA to permit a new multiple dwelling building, conforms to the UHOP.

5.4 Zoning By-law Amendment

To facilitate the proposed redevelopment of 1540 Upper Wentworth Street, a Zoning By-law Amendment (ZBA) is required to rezone a portion of the lands from “RT-20” (Townhouse-Maisonette) District to a new “E-2/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. The by-law has been prepared with the intent that the subject lands will function as one (1) property, regardless of future technical consents. As described in the Draft Amending Zoning By-law, the following definitions have been established:

- “Lot-Line, Front” with reference to the subject lands, shall mean the boundary lot line along Upper Wentworth Street.
- “Lot-Line, Exterior Side” with reference to the subject lands, shall mean the boundary lot line along Emperor Avenue.
- “Lot-Line, Interior Side” with reference to the subject lands, shall mean any lot line except a front lot line, rear lot line or exterior side lot line.

Recognizing that the proposed development meets the required minimum rear yard and interior side yard setbacks, and for ease of use of the Draft Amending Zoning By-law, the following setbacks are established based on the calculations in Section 11B.3.ii.b and Section 11B.3.iii.b. As described in the Draft Amending Zoning Bylaw, the following setbacks have been established for the proposed multiple dwelling:

- Minimum Interior Side Yard Setback of 10.6 metres shall be required.
- Minimum Rear Yard Setback of 12.0 metres shall be required.

As shown in Table 1, several modifications to the E-2 District are required to facilitate the proposed development. The following is a discussion of the proposed site-specific provisions:

Modification 1 Front Yard Setback

The required front yard setback is 7.5 metres whereas 5.0 metres is proposed. The proposed 5.0m setback is required to facilitate a multiple dwelling that addresses the street to contribute to a more defined and animated streetscape. The proposed front yard setback is generally consistent with the rear yard and exterior side yards of adjacent buildings. The proposed front yard setback is proposed to accommodate landscaping, private amenity area to ground-related units and will therefore contribute to an improved pedestrian-scaled streetscape and safer public realm by promoting eyes on the street.

Modification 2 Setback to the Hypotenuse of a Daylight Triangle
Modification 3 Exterior 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 7.5 metres whereas 3.0 metres is proposed. The Zoning By-law Amendment also introduces a required setback to the Hypotenuse of a daylight triangle of 3.0 metres, to accommodate the daylight triangle at the north east corner of the subject lands. The proposed setback to the hypotenuse of a daylight triangle and side yard setback from a street line will accommodate landscaping and patios for the ground-related dwellings in addition to balconies for the upper units. The proposed main entrance is on the side of the building facing Emperor Avenue and therefore, the reduced setback

will contribute to stronger wayfinding and defining Emperor Avenue street edge. The proposed setback to the hypotenuse of a daylight triangle will facilitate a strong street presence at the intersection of Upper Wentworth Street (Minor Arterial) and Emperor Avenue (Collector) The proposed 3.0 metre setback is in addition to the boulevard and sidewalk within the City's right-of-way which is approximately 7.8 metres. Therefore, the proposed building would be setback a total of 10.8 metres from the curb of Emperor Avenue and approximately 17.8 metres from the curb at the intersection of Emperor Avenue and Upper Wentworth Street. There are no further widenings required on Emperor Avenue or Upper Wentworth Street. Lastly, the proposed building maintains a 45-degree angular plane with the 3.0 metre setback.

Modification 4 Prior Existing Uses

The proposed modification is to recognize the existing townhouses to be retained and permit their use to continue subject to RT-20 District requirements.

Modification 5 Distance Between Buildings

The proposed building and existing block townhouses are separated by a separation distance of 18.4 metres to the west and 4.96 metres to the south. Where more of a separation distance cannot be provided, design features such as building setbacks, glazing, change in exterior materials and landscape buffers are proposed to be incorporated into the design to mitigate adverse impacts to the existing low-profile townhouses. The narrowest point of separation between the proposed building is at the south end of the proposed "L"-shaped building, which is a stairwell, therefore no units are proposed overlooking the south end of the subject lands. It is adjacent to the side of an existing townhouse block which has no windows on the north facing wall.

Modification 6 Amenity Area Setback

Indoor and outdoor amenity areas are proposed throughout the proposed development area, including a common patio between the surface parking area and the building. Juliet balconies are a design consideration for the private units and therefore, will not encroach into the proposed yards. The ground floor residential units have an opportunity for barrier-free patios to provide private amenity area. This provision is proposed to permit amenity area in the form of a patio, as defined, within the yards adjacent to the public street, not less than 1.0 metre from the property line. This will contribute to activity within the public realm to enhance the urban design of the neighbourhood and to public safety with eyes on the street.

Modification 7 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. The requested reduction in parking space size will maintain a safe and functional parking lot design without vehicle overhang into the drive aisles.

Modification 8 Required Residential Parking

Modification 9 Required Visitor Parking

The minimum number of required residential parking spaces (including visitor parking) for the redevelopment is 158 spaces, whereas 61 spaces are proposed. The minimum number of required visitor parking spaces for the redevelopment is 32 spaces, whereas 12 spaces are proposed. The development proposes one hundred and twenty-six (126) new units of affordable housing. The subject lands are supported by active transportation infrastructure and convenient access to public transportation. As such, the proposed reduction is not anticipated to have adverse impacts the parking demands in the neighbourhood. The proposed parking ratio of 0.48 spaces per unit is appropriate to support purpose-built affordable rental housing and is sufficient to support the demands of the site. In addition, a Parking Study has been prepared by Salvini Consulting (May 2021), in support of the proposed reduction.

Modification 10 Parking Space Size for Small Car Parking

Modification 11 Permitted Small Car Parking

The reduction in parking space size for small car parking from 2.7m X 6.0m to 2.6m X 5.5m is aligned with the required parking space size for small car parking in the Zoning By-law No. 05-200. The requested maximum small car parking of a maximum of 10% of the total required spaces is aligned with the requirements of Zoning By-law No. 05-200. The subject lands are supported by active transportation infrastructure and convenient access to public transportation. The requested reduction in parking space size and maximum permitted small car parking spaces is appropriate to support purpose-built affordable rental housing, with small cars being more commonly used by residents of a multiple dwelling building. The proposed provisions support environmental sustainability by promoting the use of cars that are typically more fuel efficient. A Parking Study has been prepared by Salvini Consulting (May 2021), in support of the proposed provisions.

Modification 12 Required Loading Space

The minimum number of required loading spaces for the redevelopment is 1 space that is 9m (length) x 3.7m (width) x 4.3m (height) and 1 space that is 18m (length) x 3.7m (width) x 4.3m (height), whereas 1 space that is (9m (length) x 3.7m (width) x 4.3m (height) is proposed. The parking lot design accommodates garbage collection and

loading space, with an appropriate turning radius as demonstrated through the vehicle maneuvering demonstration included on the Site Plan. The single loading space will meet the needs of the proposed development, while maintaining efficient use of urban lands with a residential land use which is reflected in Zoning By-law No. 05-200, where no loading spaces are required.

Modification 13 Underground Parking Design Requirements

The draft amending by-law proposes to incorporate the underground parking regulations of Zoning By-law No. 05-200 in recognition of the proposed underground parking garage. This is to ensure a consistent, safe and functional design.

A Zoning By-law Amendment is required to facilitate the proposed redevelopment to an additional one hundred and twenty-six (126) residential dwelling units in a new 8-storey multiple dwelling building. The proposed development will strengthen the property's street presence along Upper Wentworth Street and Emperor Avenue by establishing an active street wall that complements the existing neighbourhood. The proposed redevelopment maintains seventy (70) of the existing townhouse units, providing an appropriate transition to the existing low density residential uses directly abutting the property line to the west and south and the interior of the neighbourhood. The proposed redevelopment facilitates additional affordable rental units, contributing to the City's affordable housing targets and diversifying the housing stock on Hamilton's south mountain. As such, the ZBA meets the overall intent of the City of Hamilton Zoning By-law No. 6593.

In conclusion, the proposed development and implementing Zoning By-law Amendment are consistent with the PPS and Growth Plan and conforms to the Urban Hamilton Official Plan and has been proven to be feasible and appropriate with the included supporting studies.

6.0 Implementation

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

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

7.0 Conclusions

A Zoning By-law Amendment is required to rezone a portion of the subject lands from “RT-20” (Townhouse-Maisonette) District to a new “E-2/S-XX” (Multiple Dwelling) District, Modified in the City of Hamilton Zoning By-law No. 6593.

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

- They are 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 improve accessibility to housing options, tenure and affordability;
- They conform to the Urban Hamilton Official Plan land use designations, as the proposed use, scale and built form is permitted while maintaining compatibility with the existing neighbourhood character;
- Adequate municipal services are available to service the site without the need for extension or expansion of municipal resources; 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 amendment to the former City of Hamilton Zoning By-law No. 6593 is appropriate, desirable and reflects good land use planning for the subject lands.

Respectfully Submitted,

T. JOHNS CONSULTING GROUP LTD.



Terri Johns, BA, MCIP, RPP
President



Katelyn Gillis, BA
Intermediate Planner

Appendix A:

Conceptual Site Plan

Appendix B:

Public Consultation Strategy

Public Consultation Strategy

	Explanation
Target audience of the consultation	The target audience of the consultation includes the residents and landowners within 120 metres of the subject lands.
If done, record of consultation efforts made before the application was submitted.	<p>A micro website has been created and can be found on the T. Johns Consulting Group Community Portal page (https://tjohnsconsulting.com/project/1540-upper-wentworth-regeneration/). The micro website provides information on the proposed redevelopment, updates on project milestones, provides a Frequently Asked Questions section and gives the opportunity to provide comments and ask questions.</p> <p>A virtual Neighbourhood Open House was hosted by the Owner, April 6, 2021. 443 open house invitations were sent out to the public via a mailed out letter within a 120 metre radius of the site. A total of 87 people virtually attended the event. Presentations were made by Hamilton East Kiwanis Non-Profit Homes and T. Johns Consulting Group followed by a question-and-answer period.</p>
List the stakeholders and how they are impacted	Owners/Tenants of dwellings to the north, south, east and west of the subject lands. Some perceived impacts may be privacy, shadowing, traffic and parking.
Tools to be used to consult/engage the public	A micro website on the T. Johns Consulting Group Community Portals page has been created that provides information on the proposed development and project updates. A virtual open house was hosted by the Owner. An additional Neighbourhood Open House <u>may</u> be considered.
Timing of consultation	The micro website is currently active and the virtual Neighbourhood Open House took place April 6, 2021. An additional Open House <u>may</u> be hosted subject to neighbourhood feedback.
Method to receive and document comments	<p>The Neighbourhood Open House invitations provided the Consultant Planner contact including email and address. In addition, the invitations directed residents to the micro website that also provides contact information for comments and questions.</p> <p>The comments and questions received through the Neighborhood Open House and micro website were consolidated and summarized in a list of Frequently Asked Questions provided on the micro website and as laid out in the Planning Justification Report.</p> <p>All comments will be recorded and filed per our internal filing policies. Once the consultation process has concluded, a summary memo will be prepared and submitted to the City. All stakeholders are within 120 metres of the subject lands and will therefore be captured in the City's public circulation of the Notice of Complete Application.</p>

Public Consultation Strategy

<p>Proposed participants in consultation and their role</p>	<p>T. Johns Consulting Group Ltd:</p> <p>Agents T. Johns Consulting Group (T. Johns) will coordinate and document the public consultation process. T. Johns has coordinated the Neighbourhood Open House and has prepared the micro website, that describes the reasons for the application. T. Johns can provide general information on the planning process and policy framework. T. Johns will update the City accordingly.</p> <p>Landowners/Developers: Attended and presented at the Neighbourhood Open House.</p> <p>Other consultants: Depending on the issues raised by Staff and residents through the initial City circulation of the Notice of Complete Application, other members of the project team may be included as subject-specific matters arise.</p> <p>Should there be a need for an additional open house, City Planning Staff and the Ward Councilor will be invited.</p>
<p>Requested City Resources</p>	<p>Not applicable.</p>
<p>Expected/Potential Issues</p>	<p>Unknown.</p>

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

Appendix C:

Draft Amending Zoning By-law

**CITY OF HAMILTON
BY-LAW NO. - ____**

To Amend Zoning By-law No. 6593 (City of Hamilton)
Respecting Lands located at 1540 Upper Wentworth Street 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 18- ____ 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 1540 Upper Wentworth Street be re-zoned from the “RT-20” (Townhouses-Maisonette) District, to the “E-2/ ____” (Multiple Dwellings) District, Modified.

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

2. That Section Eleven B Special Requirements of Zoning By-law No. 6593, is hereby further amended by adding a new special requirement, “E-2/___”, as follows:

“E-2/___”

That the “Interpretation and Definitions”, as contained in Section Two of Zoning By-law No. 6593, applicable to lands described 1540 Upper Wentworth Street, as detailed in Section 1 of this By-law, be modified to include the following special requirements:

(2) J.

- a) That notwithstanding Section 2(2)J.(xiii), “Lot-Line, Front” shall mean the boundary lot line along Upper Wentworth Street.
- b) That notwithstanding Section 2(2)J.(xv), “Lot-Line, Exterior Side” shall mean the boundary lot line along Emperor Avenue.
- c) That notwithstanding Section 2(2)J.(xv), “Lot-Line, Interior Side” shall mean any lot line except a front lot line, rear lot line or exterior side lot line.

That the “E-2” (Multiple Dwellings) District regulations, as contained in Section Eleven B of Zoning By-law No. 6593, applicable to lands described 1540 Upper Wentworth Street as detailed in Section 1 of this By-law, be modified to include the following special requirements:

(i)

- a) That notwithstanding Section 11B(3)(i)(b), for all other buildings or structures, a minimum front yard setback of 5.0 metres shall be required, except a minimum setback to the hypotenuse of a daylight triangle of 3.0 metres shall be required;
- b) That notwithstanding Section 11B(3)(ii)(b), for all other buildings or structures, a minimum exterior side yard setback of 3.0 metres shall be required;
- c) That notwithstanding Section 11B(9)(i), townhouses on those lands located at 1540 Upper Wentworth Street shall be deemed a “PRIOR EXISTING USE”.

The “Supplementary Requirements and Modifications”, as contained in Section Eighteen of Zoning By-law No. 6593, applicable to lands described as 1540 Upper Wentworth Street, as detailed in Section 1 of this By-law, be modified to include the following special requirements:

- a) That notwithstanding Section 18(8)(c)(1), each multiple dwelling shall be distant from every other building by at least 4.5 metres;
- b) In addition to Section 18, amenity area shall be permitted within any required yard and shall not be less than 1.0 metre from a lot-line; and
- c) In addition to Section 18, where two or more abutting lots under associated ownership, the internal lot lines of the lots shall not be construed to be lot lines for the purposes of any zoning regulations provided that all applicable regulations of this By-law relative to the consolidated lot development and its external lot lines are complied with.

The “Parking and Loading Requirements” regulations, as contained in Section Eighteen A of Zoning By-law No. 6593, applicable to lands described as 1540 Upper Wentworth Street, as detailed in Section 1 of this By-law, 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 the following:
 - i. 0.6 spaces per Class A dwelling unit greater than 50.0 square metres in gross floor area, except,
 - ii. 0.3 spaces per Class A dwelling unit less than 50.0 square metres in gross floor area,
 - iii. 10% of total required parking shall be dedicated visitor parking.
- d) That notwithstanding Section 18A(1)(c), and 18A Table 3, greater than 100 dwelling units shall require 1 loading space that is 9.0 metres in length, 3.7 metres in width, and 4.3 metres in height;

- e) In addition to Section 18A, where a wall, column, or any other obstruction, not including light standards, including the base, located at the intersection of 4 parking spaces, is located abutting or within any parking space within an above ground or underground parking structure, the minimum width of a parking space shall be increased by 0.3 metres, except where:
- i. the maximum length of the wall, column or any other obstruction shall not exceed 1.15 metres;
 - ii. the wall, column or any other obstruction is located at the front, rear, or both ends of the parking space; and,
 - iii. the wall, column or any other obstruction does not project more than 0.15 metres into the width of the parking space.
- f) In addition to Section 18A, where 10 or more parking spaces are required on a lot, the minimum parking space size of not more than 10% of such required parking spaces shall be a width of 2.6 metres and a length of 5.5 metres, provided that any such parking space is clearly identified as being reserved for the parking of small cars only.

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
ZAC-__-_____

Clerk

Schedule A



This Schedule "A" to By-law No. ___-___ Passed the ___ day of ___, 20___		_____ Mayor _____ Clerk
<p align="center">Schedule "A"</p> Mapping Forming Part of By-law No. ___-___ To Amend By-law No. 6593		<p>Subject Property 1540 Upper Wentworth Street Hamilton, Ontario</p> <p> Change in Zoning from the RT-20 (Townhouse-Maisonette) District to the E-2/S-XX (Multiple Dwelling) District Modified.</p>
Scale: N.T.S	Planner/Technician:	
Date:	File Name/Number: ZAC-___-___	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		