


Hamilton

CITY OF HAMILTON

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT Planning Division

TO: Chair and Members Planning Committee	WARD(S) AFFECTED: WARD 13
COMMITTEE DATE: May 1, 2012	
SUBJECT/REPORT NO: Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13)	
SUBMITTED BY: Tim McCabe General Manager Planning and Economic Development Department	PREPARED BY: Cam Thomas 905 546-2424, Ext. 4229
SIGNATURE: 	

RECOMMENDATION:

- (a) That **Amended Official Plan Amendment Application OPA-09-055, by Alterra (Spencer Creek) Ltd., Owner**, for Official Plan Amendment No. [REDACTED], to amend the Official Plan for the former Town of Dundas to permit the residential density for lands designated EXCEPTION RMU2 to be increased from 322 to 389 units, to permit the development of a 7-storey, residential apartment building, as shown on Appendix "A" to Report PED12058, be approved on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix "B" to Report PED12058, be adopted by Council.
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement, and conforms to the Places to Grow Growth Plan, and former Region of Hamilton-Wentworth Official Plan.

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- (b) That approval be given to Urban Hamilton Official Plan Amendment No. [REDACTED] by, Alterra (Spencer Creek) Ltd., Owner Owners, to increase the maximum number of residential apartment units from 322 to 389 units (increase of 67 units) permitted in Area Specific Policy UD-7, and that the Amendment be held in abeyance until a final decision has been made regarding the Urban Hamilton Official Plan, for lands known municipally as 2555 Creekside Drive.
- (c) That Amended Zoning Application ZAC-09-055, by Alterra (Spencer Creek) Ltd., Owner, for a change in zoning from the Parks and Recreation (PR1/S-84) Zone to the High Density Multiple Dwelling (RM4/S-122) Zone, with a Special Exception, on lands located at 2555 Creekside Drive, as shown on Appendix "A" to Report PED12058, and for a modification to By-law No. 05-052 to remove the requirement for additional landscaped area for retirement homes to be provided on lands located at 2555 Creekside Drive be approved on the following basis:
- (i) That the Draft By-law, attached as Appendix "C" to Report PED12058, which has been prepared in a form satisfactory to the City Solicitor, be enacted by Council.
 - (ii) That the amending By-law be added to Schedule "A" of Zoning By-law No. 3581-86.
 - (iii) That the proposed changes in zoning conform to the Hamilton-Wentworth Official Plan.
 - (iv) That the proposed changes in Zoning will be in conformity with the Town of Dundas Official Plan upon approval of Official Plan Amendment No. [REDACTED].

EXECUTIVE SUMMARY

The purpose of these applications is to amend the Dundas Official Plan and Zoning By-law to permit the development of a 7-storey apartment building, consisting of 67 units, at 2555 Creekside Drive (see Appendix "A"). The subject property is within Spencer Creek Village near downtown Dundas, and is currently vacant. The proposal would allow for the development of a street-oriented, mid-rise building located within an existing mixed-use residential community that is currently comprised of high density development to the south and west, and a retirement home and future mid-rise apartments to the north.

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The proposal has merit and can be supported, as it is consistent with the Provincial Policy Statement and conforms to the Places to Grow Growth Plan and Hamilton-Wentworth Official Plan. The proposed building represents an appropriate form of intensification that would be compatible with adjacent development. Sufficient capacity exists for servicing, and no adverse parking or traffic issues are anticipated. There has been consistent and strong opposition to the proposed development from the neighbouring condominiums along Creekside Drive concerning a number of issues which include, but are not limited to, the loss of views, increased traffic, design, over-intensification, and the loss of a potential recreation facility and greenspace.

Alternatives for Consideration - See Page 54.

FINANCIAL / STAFFING / LEGAL IMPLICATIONS

Financial: None.

Staffing: None.

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

HISTORICAL BACKGROUND

The subject property, known as 2555 Creekside Drive, is centrally located within Spencer Creek Village, near downtown Dundas (see Appendix "A"). Creekside Drive is located north of Spencer Creek, and is bounded on the east by Ogilvie Street and on the north by Hatt Street. The subject property is a vacant 0.32 hectare parcel abutting the Amica Retirement Home, and is located on the opposite side of the road from 2000 and 3000 Creekside Drive, which form two of the existing four 9-storey condominium apartment buildings within this community (see Appendix "G").

Original and Revised Proposals

The original proposal was circulated in January 2010, and proposed a 9-storey (32m high), 90 unit condominium apartment building with underground parking for 113 vehicles and at-grade parking for 19 vehicles. The proposed building was shown to have a front yard setback of 3m from Creekside Drive, with further balcony projections to the property line (see Appendix "Q").

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The plan was revised in response to concerns with respect to density and height, and was re-circulated in April 2011. The revised plan proposes a 7-storey, 67 unit condominium apartment building with underground parking for 87 vehicles and at-grade parking for 17 vehicles (see Appendix "E"). The proposed building would generally be setback 2-4m from the front property line, with the exception of the circular feature along the curve of Creekside Drive, to support colonnades for the building's entrance (see Appendix "E"). The revised proposal includes approximately 35% landscaped amenity area provided at-grade and through the provision of a 7th floor terrace.

The proposed building would have a more traditional architectural design with a maximum building height of 24.5m to the main roof, and 28.7m to the mechanical penthouse (see Appendix "F").

Official Plan Amendment OPA-09-014

The lands within Spencer Creek Village were the subject of an Official Plan Amendment in 2005, known as Amendment No. 9 to the former Town of Dundas Official Plan, as well as an earlier Amendment in 1998, known as Amendment No. 31, which created a special designation for these lands known as "EXCEPTION RMU2." The "RMU2" designation is an abbreviation for "Residential Mixed-Use".

Amendment No. 9 established a cap for residential apartments of 322 units, which was a reduction from the earlier cap of 350 units (under OPA No. 31), as well as permitting a revised cap of 151 residents from 100 residents for the retirement facility (also under OPA No. 31). Through the corresponding changes to zoning, the cap of 322 units was intended to be comprised of 5 sites consisting of 4 condominium properties along Creekside Drive (which are currently developed), and the 0.34 ha parcel at the corner of Creekside Drive and Hatt Street, known as 54 Hatt Street, which is currently vacant. (Further background is provided in Appendix "J").

Accordingly, an Official Plan Amendment is required for this proposal to amend Policy 3.4.4.1(b)(i) in order to permit the residential cap for apartments within the EXCEPTION RMU2 designation to be increased by 67 additional apartment units, thus allowing for a revised cap of 389 apartment units.

Zoning By-law Amendment ZAC-09-055

The subject property is zoned Park and Recreation "PR1/S-84" Zone in the Dundas Zoning By-law, which permits the following uses:

- A clubhouse, including an indoor swimming pool;
- Accessory uses including, but not limited to, exercise rooms, a community room administration office, and kitchen.

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The purpose of the proposed Zoning By-law Amendment is to amend the Dundas Zoning By-law in order to create a Site-Specific, High Density Multiple Dwelling (RM4/S) Zone to permit the proposed 7-storey, 67 unit apartment building.

Based on the current revised proposal, the proposed Zoning By-law Amendment would require the following modifications from the standard RM4 Zone provisions:

- (i) Minimum Front Yard
 - To permit a front yard of 0m instead of 7.5m.
- (ii) Minimum Side Yard
 - To permit side yards of 7.3m and 8.3m (southerly), and 6.7m (northerly) instead of 11.6m.
- (iii) Minimum Rear Yard
 - To permit a rear yard of 3.0m instead of 7.5m.
- (iv) Maximum Height
 - To permit a maximum building height of 24.5m and a maximum height of 28.7m to the mechanical penthouse instead of 16.5m.
- (v) Maximum Density
 - To permit a maximum density of 215 units per hectare instead of 125 units per hectare.
- (vi) Balcony Projections
 - To permit the balconies to project 2m instead of 1.5m in certain locations from a building wall, but not closer than 0.0m to a streetline.

Details of Submitted Application

Chronology:

- June 10, 2009: Development Review Committee Meeting for Formal Consultation FC-09-115 to discuss a proposal for a 9-storey, 90 unit apartment building.
- December 15, 2009: Submission of Applications OPA-09-014 and ZAC-09-055 by Cornacchia Planning Services Inc.
- January 12, 2010: Applications OPA-09-014 and ZAC-09-055 are deemed complete.
- January 15, 2010: Circulation of Notice of Complete Application and Preliminary Circulation for Applications OPA-09-014 and ZAC-09-055 to all property owners within 120m of the subject lands.

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February 20, 2010: Meeting with Residents at Dundas Town Hall, hosted by Alterra, to discuss proposed Applications.

March 18, 2011: Revised Applications OPA-09-014 and ZAC-09-055 are submitted for a 7-Storey Apartment Building for 67 Units.

April 1, 2011: Circulation of Revised Applications OPA-09-014 and ZAC-09-055 to all property owners within 120m of the subject lands.

March 30, 2012: Circulation of Notice of Public Meeting to all residents within 120m of the subject lands.

Details of Submitted Application

Owner: 1475780 Ontario Inc. (Richard Liebttag, Owner)

Applicant: Alterra (Spencer Creek) Ltd.

Location: 2555 Creekside Drive (Dundas)
(See Appendix "A")

Property Size: Frontage: 87.0 metres

Depth: 56.2 metres

Area: 0.32 hectares

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EXISTING LAND USE AND ZONING:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Lands:</u>	Vacant	Park and Recreation "PR1/S-84" Zone, Modified
<u>Surrounding Lands:</u>		
North	Vacant Lands (Future Apartment Condominiums)	Medium to High Density Multiple Dwelling "RM3/S-80" Zone, Modified
South and West	Condominium Apartment Buildings	High Density Multiple Dwelling "RM4/S-82" and "RM4/S-83" Zones, Modified
East	Retirement Home and Care Facility ("Amica")	Medium to High Density Multiple Dwelling "RM3/S-81" Zone, Modified

POLICY IMPLICATIONS

The following Provincial and Local policy documents were examined in the review of these applications.

Provincial Policy Statement

The application has been reviewed and is considered consistent with the Provincial Policy Statement which encourages healthy, liveable, and safe communities (Policy 1.1.1), and which focuses growth in Settlement Areas (Policy 1.1.3).

The PPS provides the following policies with respect to intensification:

- "1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including Brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

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1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of health and safety.

1.4 Housing

1.4.1 To provide for an appropriate range of housing types and densities required to meet projected requirements of current and future residents of the regional market area identified in Policy 1.4.3, planning authorities shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 10 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 3 year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.”

With respect to the above-noted policies, the proposed development represents an opportunity for further intensification, on a former Brownfield site, within an existing location near downtown Dundas. The proposal would allow for compact development which would make use of existing infrastructure and would maintain high design standards to ensure the health and safety of future residents. Concerning Policy 1.4.1, the proposal would contribute to the range and mix of housing through the provision of apartment dwelling units geared towards smaller households that would serve the growing adult and senior’s market.

The PPS further directs that:

“1.7.1 Long-term economic prosperity should be supported by:

- c) Maintaining, and where possible, enhancing the vitality and viability of downtowns and main streets.
- d) Promoting the redevelopment of Brownfield sites.”

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The proposed development would conform to Policy 1.7.1c) by allowing for increased density in an area that will enhance the downtown, and would conform to Policy 1.7.1d) through the development of a vacant former Brownfield site, which would be suitable for higher density residential development. Therefore, based on the foregoing, the proposal is consistent with the PPS.

Places to Grow Plan

The Growth Plan supports residential intensification and defines “Intensification Areas” as:

“Lands identified by municipalities or the Minister of Public Infrastructure Renewal within a Settlement Area that are the focus for accommodating intensification. Intensification areas include urban growth centres, intensification corridors, major transit station areas, and other major opportunities that may include infill, redevelopment, Brownfield sites, the expansion or conversion of existing buildings, and Greyfields”.

Staff is of the opinion that the subject property would meet the intent of an intensification area because it provides an opportunity for infill development and is located on a remediated Brownfield site adjacent to the downtown. (However, it is also recognized that the site is designated “Neighbourhoods” in the Urban Hamilton Official Plan because of the remediation and development that has already taken place). The property’s proximity to a downtown area with access to shopping and services, local transit, and within a pedestrian friendly environment provides a unique opportunity for intensification within a desirable location.

The following policies from the Places to Grow Plan relate to managing growth and intensification, and are considered to be applicable to the proposed residential development:

- “2.2.2.1 Population and economic growth will be accommodated by:
- (a) Directing a significant portion of new growth to the built-up areas of the community through intensification;
 - (b) Focusing intensification in intensification areas.
 - (d) Reducing dependency on the automobile through the development of mixed-use, transit supportive, pedestrian friendly urban environments.

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- (h) Encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range of employment and housing types, high quality public open space, and easy access to local stores and services.

2.2.3.1 By the year 2015, and for each year thereafter, a minimum of 40 per cent of all residential development occurring annually within each upper and single-tier municipality will be within the built-up area.

2.2.3.6 All municipalities will develop and implement, through their Official Plans and other supporting documents, a strategy and policies to phase and achieve intensification and the intensification target. The strategies and policies will:

- b) Encourage intensification generally throughout the built-up area;
- c) Identify intensification areas to support achievement of the intensification target;
- f) Facilitate and promote intensification;
- g) Identify the appropriate type and scale of development in intensification areas;
- i) Plan for a range and mix of housing.

2.2.3.7 All intensification areas will be planned and designed to:

- a) Cumulatively attract a significant portion of population and employment growth;
- b) Provide a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods;
- c) Provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places;
- d) Support transit, walking, and cycling for everyday activities;
- e) Generally achieve higher densities than the surrounding areas;
- f) Achieve an appropriate transition of built form to adjacent areas.”

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The proposed development is located near a downtown area where higher densities can be both achieved and are desirable to support the local business community. It would be accessible and within walking distance to a mix of local retail and commercial/professional services of downtown Dundas, a prominent greenspace located at Spencer Creek, and would represent an appropriate built form similar to surrounding buildings. Additionally, the proposal would contribute to a range of housing through the provision of apartments, would allow for high quality building and site design with appropriate landscaping and amenity areas, and would be of a suitable scale in order to provide an appropriate transition in building height with that of existing development.

Based on the foregoing, the proposal conforms to the Places to Grow Growth Plan.

Hamilton Wentworth Official Plan

The lands are designated “Urban Area” in the Hamilton-Wentworth Official Plan (HWOP). The following policies from the Hamilton-Wentworth Official Plan are considered to be applicable to this proposal:

Policy C-3.1 outlines that a wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. These areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020.

In addition, Policy C.3.1.1 directs that a compact, higher density urban form, with mixed-use development along corridors, best meets the environmental, social, and economic principles of sustainable development. Mixed forms of development within an urban area is preferable to widespread, low density, residential development and scattered rural development.

The proposed development would be compact in form, and would be within a planned high density residential area near downtown Dundas, which is a “Mixed-Use Centre”.

The proposal is accessible to local services and transit and would be compatible with surrounding uses.

The Hamilton-Wentworth Official Plan encourages social well being and the promotion of health. The surrounding community provides services that are supportive of the transition to other housing options, such as retirement accommodation and residential care.

Based on the foregoing, the proposal conforms to the Hamilton-Wentworth Official Plan.

Dundas Official Plan

A number of general policies are provided in the Dundas Official Plan, which recognize the limited nature of future development within the former Town, and also support the principles of residential intensification.

“1.5.3. (5th bullet)

As the Dundas current urban envelope is almost completely built out, a growing proportion of new housing will be developed through residential intensification or infilling within the existing urban boundaries. As a result, the plan has incorporated a set of policies to guide residential intensification in existing neighbourhoods to ensure that new development is compatible with the surrounding neighbourhood character.

1.5.3. (6th bullet)

Due to the limited supply of suitable land for development in the long term, the Town will increasingly focus on maximizing development opportunities rather than meeting housing projections.”

With respect to these policies, the proposed development provides an opportunity for intensification within a specific area of the Downtown, which can support higher density development based on an assessment of the area’s traffic, parking, infrastructure, and urban design. In this regard, the subject property is recognized as being one of very few areas within the former Town, which would provide a suitable location to accommodate a development of this scale and density.

The subject property is part of an area in Downtown Dundas that is designated “Employment/Residential Mixed-Use”. The goal of this designation is to promote the development of vacant or under-utilized sites to permit a dynamic mix of uses with emphasis on higher intensity residential uses.

The following objectives of this designation are relevant to the current proposal:

- “3.4.2.2 To foster a more compact form of development consisting of street-oriented and pedestrian supportive development;
- 3.4.2.3 To encourage medium and higher density residential development/redevelopment to locate on appropriate sites within the Employment/Residential Mixed-Use designation.

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- 3.4.2.4 To permit a variety of residential, civic, community, and commercial uses, in appropriate locations.
- 3.4.2.5 To ensure that new development is sensitive to and enhances the scale and built form of existing developments in the area. “

With respect to the above-noted policies, the proposed development has design elements that would be street-oriented and support pedestrian activity through architectural design and enhanced landscaping. Such design elements in the built form of the proposed building will be suitably-scaled to allow for a transition in height between the existing 9-storey buildings to the south and the 6-storey buildings to the north.

The following policy from the Employment/Residential Mixed-Use designation is also applicable to the current proposal:

- “3.4.3.4 Sufficient off-street parking will be provided for development and redevelopment. Parking areas shall be located away from street frontages, either in rear or side yards or underground.”

Concerning the above-noted policy, the proposed apartment building would be able to satisfy all of its off-street parking requirements on site through the use of at-grade parking for visitors and underground parking for the residents. While the development of the proposed building would displace approximately 6 of the 24 on-street parking spaces that are required for a portion of the visitors parking for the 4 condominium buildings at 1000-4000 Creekside Drive, it is noted that there are opportunities for these spaces to be provided at other locations along Creekside Drive (see Appendix “L”). It is further noted that the site is also in proximity to approximately 4 public parking lots that generally have 25-50% available parking, if conditions in this area were to require additional parking. Therefore, the proposal would allow for the provision of adequate parking and not encumber existing parking requirements.

Through the approval of Official Plan Amendments in 1998 and 2005, the subject property has been placed under a site-specific land use designation in the Dundas Official Plan known as “Exception RMU2”, which applies to the 4.4 ha former Brownfield site in downtown Dundas. The following policies of the “Exception RMU2” designation are applicable to the proposed development:

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- “3.4.4.1b) Permitted uses may be stipulated in the implementing Zoning By-law to the following maximums:
- | | |
|--|---------------------|
| i) Residential apartments | 322 units |
| ii) Retirement home, long-term care facility, or combination of both | 151 residents |
| iii) Retail, service commercial, and personal service uses | 1,400 square metres |
- 3.4.4.1g) New residential and mixed-use buildings shall generally be in scale and compatible with the low profile character of buildings in the Town in order to maintain view of the escarpment, and new buildings shall be carefully integrated with the character of established residential areas. In order to minimize conflicts, the location, form, scale, bulk, and design of new buildings shall be sensitive to and compatible with the density of existing residential development.
- 3.4.4.1.i) The maximum height of residential buildings along the north side of Spencer Creek shall be 9-storeys.
- 3.4.4.1j) The range of height for residential buildings, mixed-use buildings, and freestanding commercial buildings along Hatt Street and Ogilvie Street shall be 2 to 6-storeys.”

Based on the above policy permitting a maximum of 322 units, an Official Plan Amendment is required to increase the maximum permitted units to 389. The issue of density is discussed in more detail in the Analysis/Rational for Recommendation section of the Report (Pages 31-32). In addition, the above policy provides direction for implementing design concepts for Spencer Creek Village, which were developed in 1997 and 1998 for the former Brownfield site. In particular, the policies provide guidance for the preferred built form, which allowed for the tallest buildings adjacent to the north side of Spencer Creek, with a transition to lower buildings along Hatt Street and Ogilvie Street. Staff's interpretation of the "Exception RMU2" policies, however, does not preclude further residential development from occurring on the subject lands because the policies do not stipulate the requirement for an open space/recreation block, nor designate it as such.

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This has essentially created a primarily high density residential community in this area, with the 9-storey condominiums being the principal built form. The initial design and policy framework was intended to preserve strategic escarpment views from the public realm, which included the neighbourhood on the south side of Spencer Creek. As these buildings were developed in light of these policies, it serves as an indication that the policy is intended not to restrict development, but to encourage sensitive design that would maintain strategic views to the Escarpment. The views enjoyed by some of the condominium owners to the Escarpment cannot be protected as private views. Strategic views, however, from the public realm (i.e. areas such as sidewalks) can be maintained. Therefore, on this basis, and in recognizing the need for intensification, the development of the proposed building on the subject lands is considered to be an appropriate option for the property.

With respect to Policy 3.4.4.1g), the proposed building would be suitably located between the condominiums and the Amica building in a manner that would be compatible with adjacent uses, and which would provide a gradual height transition. The proposed building would also be in a location that would not impact existing low rise development within the area.

In addition, the Urban Design policies of the Dundas Official Plan are of relevance to the proposed development, and include the following:

- “2.5.3.1 The Town shall require a high level of urban and architectural design in all development and redevelopment proposals;
- 2.5.3.2 The Town shall require new buildings and redevelopment to be designed in harmony with adjacent structures and surrounding neighbourhood character;
- 2.5.5.1 Infill, intensification, and re-urbanization in residential Neighbourhoods, Residential/Employment Mixed-Use; Downtown Mixed-Use; and Residential/Commercial Mixed-Use Areas shall:
 - a) Be of compatible size, height, proportions, and conceptual design to surrounding buildings to create a harmonious streetscape. Building height should not exceed or be significantly less than adjoining properties, except where permitted by the policies of this Plan;
 - b) Complement the roof profiles of adjacent buildings. In particular, new apartments shall have architecturally finished roofs which mask roof appurtenances;

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- c) Be located to reflect the existing pattern of setbacks along the streetscape;
- d) Be designed and sited so that their main entrances and facades front onto public roads;
- e) Be designed and sited to facilitate the location of parking areas in rear or side yards, wherever practical. In this regard, parking areas must be screened from the street and adjacent residential areas with a landscaped buffer strip, as set out in the Zoning By-law. Council shall strictly enforce the provisions of the Zoning By-law and shall utilize Site Plan Control to assure the proper screening of any new parking lots developed;
- f) Be designed and built to minimize impacts such as overshadowing and over viewing on adjoining residential development.”

The proposed development would be in conformity to Items a) to d) above, and would create a harmonious streetscape, a complementary roof design, and a building design that would maintain the general setbacks of existing buildings. In particular, the building design provides a focal point in the form of a cylindrical feature located at the streetline along the curved portion of Creekside Drive, which serves as a focal point for the building's front entrance and reduces the mass of building from the north and south along Creekside Drive (see Appendix "I").

The building design also provides the use of colonnades at the entrance to provide a gradual approach from the street for pedestrians, creating a more inviting pedestrian environment. The proposed roof design would feature the use of a recessed and tiered upper floor and mechanical penthouse, in order to reduce the overall appearance of height, and would include dormers along the end portions of the building to reflect the character of the buildings in the neighbourhood and provide visual interest. This will also reduce the visibility of the mechanical equipment from the street.

Concerning Item e), the parking area for visitors would be in the rear yard and would not be visible from the street, which further contributes to a streetscape that is inviting to pedestrians. The main parking area will be provided underground, which provides for efficient use of the site.

Concerning Item f), the applicant's Sun-shadow Study has determined that during the spring, summer, and fall periods, which are periods of optimal outdoor activity, the effects of overshadowing onto the Creekside condominiums and the existing Amica building would be minimal. Further discussion on this matter is provided in the Analysis/Rational for Recommendation section of this Report (see Page 37).

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With regard to the effect the proposed development would have on overview and privacy (Item f), staff considers that the impact would be generally minimized with the existing Amica Retirement Home and future residential building along Hatt Street by the orientation and juxtaposition of the proposed building. In particular, the easterly side wall of the proposed building would be offset from the landscaped deck on the second floor of the Amica building such that the end units would not have overview onto the deck to affect the privacy of the Amica residents. As well, the units at the rear of the building would be oriented to the interior of the site, which is the widest area, so that overview would also be minimized. For the front facing units, overview from, or onto, the condominiums would be minimized through the use of recessed balconies.

“2.5.5.2d) In evaluating the merits of any proposal for multiple family residential development, Council will be satisfied that the following considerations are met:

- (i) The height, bulk, and arrangement of buildings and structures will achieve harmonious design and integrate with the surrounding area; and,
- (ii) Appropriate open space, including landscaping and buffering, is provided to maximize the privacy of residents and minimize the impact adjacent lower density uses.”

With respect to Policy 2.5.5.2d), the proposed building would be suitably located between existing and future development, and would maintain the transition in height that was established between the condominiums and the Amica building. The building would also complement the street orientation of the other existing buildings in this area. The bulk and mass of the building would be similar to that of the Amica building, but will be reduced by the articulation of the building wall along the existing curve of Creekside Drive. The building height would also be reduced by the provision of step-backs on the 7th floor and mechanical penthouse.

The proposed development would maintain an appropriate level of open space (i.e. 35%), which would exceed the minimum requirement of the “RM4” Zone. High quality landscaping would also be required for the perimeter areas of the site in order to buffer the adjacent Amica Retirement Home and future residential development along Hatt Street. Details of this would be reviewed and secured through Site Plan Approval.

“2.5.5.3 In addition to the guidelines for Policy 2.5.5.1, the following shall also apply to the Downtown Mixed-Use, Residential-Commercial Mixed-Use and Residential/Employment Mixed-Use Districts:

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- a) Every building façade which fronts onto a public street or open space area should be articulated with windows, doors, and other architectural details, and should be inviting to pedestrians. Under no circumstances shall loading bays, blank walls, and storage areas be located along public street frontages;
- b) A continuous and harmonious streetscape environment shall be encouraged with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside buildings;
- c) Council will foster the development of a safe, attractive, and comfortable pedestrian environment by encouraging the use of canopies, awnings, arcades, and pedestrian-scaled lighting.”

With respect to Policy 2.5.5.3a) above, the proposed development will be oriented towards the street, creating a pedestrian-friendly environment to support pedestrian activity. The proposal would allow for the continuation of the existing sidewalk from the Amica site, with landscaping along the boulevard and adjacent to the façade. Entrances would be at street level and would be recessed from the street. The building design would also be well-articulated with the loading area located in the rear yard area and not readily visible from the public realm.

Concerning Policy 2.5.5.3b), the proposed building would maintain the continuity of the streetscape, and provide elements of architectural interest which would complement the existing pattern of development.

Concerning Policy 2.5.5.3c), a safe and comfortable pedestrian environment would be maintained through the provision of public spaces at the front of the building that will facilitate pedestrian activity. The continuation of the historical street lighting fixtures along Creekside Drive, from in front of the Amica building, would provide for a unique streetscape recognizing the historical nature of the community, while providing pedestrian safety.

Further to the above, Section 5.16 of the Dundas Official Plan provides the policy requirements for consideration of an Official Plan Amendment, which are as follows:

- “5.16.2.1 The conformity of the proposal to the goals and objectives of the Official Plan.
- 5.16.2.2 The conformity of the proposal to the goals, objectives, and policies of the Regional Plan, the Niagara Escarpment plan, and the Parkway Belt West Plan.

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- 5.16.2.3 Suitability of the site or area for the proposed use, especially in relation to other sites or areas of the Town.
- 5.16.2.4 Compatibility of the proposed use with adjacent land use designations.
- 5.16.2.5 The need for the proposed use, in light of projected population and employment targets.
- 5.16.2.6 The extent to which the existing areas of the Town designated for the proposed use are developed or are available for development.
- 5.16.2.7 The impact of the proposed use on municipal services and facilities, the transportation system, community facilities, and the natural environment.
- 5.16.2.8 The financial implications of the proposed development. "

Staff maintains that the proposed development is in conformity to the above-noted policy requirements, for which the following comments are provided:

Concerning Policy 5.16.2.1, the proposal conforms to the goals and objectives of the Dundas Official Plan. It supports intensification in an appropriate area, it would contribute to the strengthening of the downtown, and would allow for the development of a former Brownfield site. The proposal conforms to the goals, objectives, and policies of the Hamilton-Wentworth Official Plan in terms of encouraging compact and higher density forms of development and, therefore, conforms to Policy 5.16.2.2. The site is considered to be suitable for the proposed use because it is located between existing building forms of various heights, is within an area that does not affect low density development, and conforms to Policy 5.16.2.3 with respect to sun-shadow impacts and traffic.

Concerning Policy 5.16.2.4, the proposed use is considered to be compatible with adjacent land use designations because it is within a downtown setting and the uses include low density development to the west, high density residential to the south, and downtown commercial uses to the north and east. Concerning Policy 5.16.2.5, it is recognized that there is a very limited supply of sites in Dundas which are available for high density development. The subject property is very important to the intensification goals of the City because it would allow for increased density to occur in an established area adjacent to the downtown, which would maintain the stability of lower density residential neighbourhoods.

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Respecting Policy 5.16.2.6, the existing designation, known as the Exception RMU2, is unique in terms of its density and height, and does not occur in any other location in Dundas. Staff is of the opinion that the proposed modifications to the Exception RMU2 are reasonable and can be supported. For Policy 5.16.2.7, studies were completed to address the impacts of the proposal on traffic, parking, and infrastructure, and it was determined that the proposal would not impact any of these areas of interest. Finally, concerning Policy 5.16.2.8, no financial implications were identified concerning the proposed development.

Based on the foregoing, the proposal is consistent with the Intensification and design policies of the Dundas Official Plan.

New City of Hamilton Urban Official Plan (Ministry Approved)

The new Urban Hamilton Official Plan was adopted by Council on July 9, 2009, with the Ministry of Municipal Affairs and Housing issuing its Ministerial Approval on March 16, 2011. However, the Plan has been appealed to the Ontario Municipal Board in its entirety and is, therefore, not in effect.

The Formal Consultation and submission of the applications for this proposed development preceded the Ministerial approval of the Hamilton Urban Official Plan. The following policy review, with respect to the proposed development, is provided for information purposes and general guidance.

The primary policies which relate to the lands known as Spencer Creek Village are provided in the Dundas Area-Specific Policies, Section "UD-7", and are generally the same as Official Plan Amendment No 9, which was approved in 2005.

Dundas Area-Specific Policies:

UD-7 **Lands Located on the Southwest Corner of Hatt and Ogilvie Streets**

"1.0a) Permitted uses may be stipulated in the implementing Zoning By-law to the following maximums:

- i) Residential apartments (322 units).
- ii) Retirement home, long-term care facility, or a combination of both (151 residents).
- iii) Retail, service commercial, and personal service uses (1,400 square metres).

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- 1.0c) Residential apartments may locate in residential buildings and in mixed-use buildings along Hatt Street and Ogilvie Street, and in residential buildings along the north side of Spencer Creek.
- 1.0g) New residential and mixed-use buildings shall generally be in scale and compatible with the low profile character of buildings in the Dundas community in order to maintain views of the escarpment. New buildings shall be carefully integrated with the character of established residential areas. In order to minimize conflicts, the location, form, scale, bulk, and design of new buildings shall be sensitive to and compatible with the density and form of existing residential development.
- 1.0h) The maximum height of residential buildings along the north side of Spencer Creek shall be 9-storeys.”

The above-noted policies were discussed in the Dundas Official Plan section, and will also be explained further in the Analysis/Rationale for Recommendation section of this Report (Pages 31-38).

The subject property is also designated “Neighbourhoods” in the Hamilton Urban Official Plan, and would be further recognized as part of an area that has the character of a “high density residential area.” The following policies are applicable:

- “E.3.6.1 High density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to major or minor arterial roads.
- E.3.6.2 Uses permitted in high density residential areas include multiple dwellings, except street townhouses.
- E.3.6.6 In high density residential areas, the permitted net residential densities identified on Appendix G- Boundaries Map shall be:
 - a) Greater than 100 units per hectare and not greater than 500 units per hectare in Central Hamilton;
 - b) Greater than 100 units per hectare and not greater than 200 units per hectare in all other Neighbourhoods designation areas.”

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With respect to the above, the subject property is located in proximity to collector roads, which include Hatt Street and Ogilvie Street, as well as Governor's Road, which is classified in the Official Plan as an arterial road. The gross density of the area was initially based on a maximum density of 100 units per hectare, north of Spencer Creek for the entire 4.4ha. However, in light of this initial density requirement, individual condominium apartments are permitted through the site-specific zoning to have a maximum density of 215.6 units per hectare. The proposed development would have a slightly lower density than the existing condominiums (i.e. 210 units per hectare), but would slightly exceed the maximum density noted in Policy E.3.6.6b) of 200 units per hectare. (This matter would be addressed through an Amendment to the Hamilton Urban Official Plan - see Appendix "C"). As an existing planned community, which is more specifically designated "UD-7", the relative change is not considered to be excessive given the unique characteristics of the area, its generally larger built form, proximity to the downtown, and location outside of lower density neighbourhoods.

The design criteria for development within the high density residential category shall be evaluated on the following basis:

- "E.3.6.7a) 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 direct access to a collector or major or minor arterial roads via a local road which abut a small number of low density residential category dwellings.
- E.3.6.7b) High profile dwellings shall not generally be permitted immediately adjacent to low profile residential uses.
- E.3.6.7c) Higher 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 low profile development.
- E.3.6.7d) Development shall:
 - i) Provide adequate landscaping, amenity features, on-site parking and buffering, where required;
 - ii) Be compatible with existing and future uses in the surrounding area in terms of height, massing, and an arrangement of buildings and structures; and,
 - iii) Provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets."

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With respect to the above, the proposed location would conform to Policies E.3.6.7a) and b). In terms of Policy E.3.6.7c), public views to the Niagara Escarpment would generally be maintained from the public realm, which follows Creekside Drive north of the curved portion of the road. In terms of Policy E.3.6.7d), the proposal would provide adequate areas on the site for landscaping, amenity areas, and parking, which will be addressed in more detail at the Site Plan Approval stage. Compatibility issues and pedestrian access were examined in the preceding section on the Dundas Official Plan (see Pages 15-17) and also in the Analysis/Rationale for Recommendation section (see Pages 36-37, and 49-50).

With respect to intensification, the following policies from the Hamilton Urban Official Plan are applicable:

“B. 2.4.1.3 The residential intensification target specified in Policy A.2.3.3.4 shall generally be distributed through the built-up area as follows:

- c) 40% of the residential intensification target is anticipated to occur within the Neighbourhoods designation.

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

- a) The relationship and the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
- b) The development's contribution to maintaining and achieving a range of dwelling types and tenures;
- c) The compatible integration of the development with the surrounding area in terms of use, scale, form, and character. In this regard, the City encourages the use of innovative and creative urban design techniques;
- d) The development's contribution to achieving the planned urban structure, as described in Section E.2.0 - Urban Structure.
- e) Infrastructure and transportation capacity; and,
- f) The ability of the development to comply with all applicable policies.”

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Concerning the above-noted intensification policies, the proposed development would be located within a unique urban community that is capable of supporting higher density forms of development. With respect to the criteria in Policy 2.4.1.4, a) the proposal would be complementary to the existing 9-storey buildings and future 5 and 6-storey buildings. Respecting Item b), the proposal would provide additional apartment units and density adjacent to the downtown area, where such uses are encouraged. Concerning Item c), the proposal would be suitably integrated into the existing area by the provision of an elegant street-oriented building, with similar massing to that of the existing Amica building. The building would also be located between existing and future development, such that it would provide suitable spacing and the provision of adequate amenity areas. Concerning Item d), the proposal would contribute to the further intensification of a community node (Downtown Dundas). Concerning Item e), the proposal could be supported by the existing infrastructure and transportation system, as has been demonstrated in the applicant's Servicing and Traffic Impact studies.

Residential intensification within the Neighbourhoods designation would be subject to the following policies:

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

- a) The matters listed in Policy B.2.4.1.4; (see previous discussion);
- b) Compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic and other nuisance effects;
- c) The relationship of the proposed building with the height, massing, and scale of nearby residential buildings;
- d) The consideration of transitions in height and density to adjacent residential buildings;
- e) The relationship of the proposed lot with the lot pattern and configuration within the neighbourhood;
- f) The provision of amenity space and the relationship to existing patterns of private and public amenity space;
- g) The ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks, and building separations;

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- h) The ability to complement the existing functions of the neighbourhood;
- i) The conservation of cultural heritage resources; and,
- j) Infrastructure and transportation capacity and impacts.”

The above-noted policies have generally been addressed in the Report in the preceding Policy Section and in the Analysis/Rationale for Recommendation section of this Report concerning discussions on amenity space, compatibility, and design (see Pages 31-38). In addition, staff notes that the proposed development would be consistent with the intent of Policy 2.4.2.2.

Regarding Urban Design, the following policies are considered to be relevant to this proposal:

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

- a) Complementing and animating existing surroundings through building design and placement of pedestrian amenities;
- b) Respecting the existing cultural and natural heritage features of the existing environment by re-using, adapting, and incorporating existing characteristics;
- c) Allowing built form to evolve over time through additions and alterations that are in harmony with existing architectural massing and style;
- d) Complementing the existing massing patterns, rhythm, character, colour, and surrounding context; and,
- e) Encouraging a harmonious and compatible approach to infilling, by minimizing the impacts of shadowing and maximizing light to adjacent properties and the public realm.”

With respect to the above, the definition of “compatibility” means land uses and building forms that are mutually tolerant and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to.”

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In this regard, the proposal would provide a high level, well-articulated building design that would complement the existing community and provide an attractive design which is compatible to existing and future development. As noted, Sun-Shadow studies were undertaken and evaluated to show that impacts from shadowing on adjacent properties during the spring, summer, and fall periods would be generally minor in nature and in accordance with the City's Council-approved Site Plan Guidelines.

The proposed building massing would be generally consistent with the existing and future Amica buildings. The proposed setbacks would be street-oriented and consistent with the existing condominiums and Amica.

"B. 3.3.35 Built form shall create comfortable pedestrian environments by:

- a) Locating principle facades and primary building entrances parallel to and as close to the street as possible;
- b) Including simple glazing on ground floors to create visibility to and from the public sidewalk;
- c) Including a quality landscape edge along frontages where buildings are set back from the street;
- d) Locating surface parking to the sides or rear of sites or buildings, where appropriate; and,
- e) Using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas."

With respect to the above-noted policies, staff notes that the proposed building would provide a pedestrian-supportive environment through the extensive use of colonnades, a focal point and a highly visible well lit ground floor area. The proposed building elevations are shown on Appendix "F". The building would have a landscaped edge along the frontage and a boulevard with street trees and other plantings. Visitor Parking would be provided in the rear and side yards, and would not be readily visible from the public realm. Other design techniques include the use of terracing and step-backs for the 7th floor and mechanical penthouse, and the use of different building materials that emphasize vertical and horizontal elements. These matters would be appropriately addressed at the Site Plan Approval stage to ensure high quality design standards are maintained.

Views and Vistas

"B. 3.3.5 Public views and vistas are significant visual compositions of important public and historic buildings, natural heritage and open space features, landmarks, and skylines which enhance the overall physical character of an area when viewed from the public realm. Vistas are generally panoramic in nature, while views usually refer to a strong individual feature often framed by its surroundings. Views and vistas created in newly developing areas play a large role in creating a sense of place and neighbourhood identity.

Examples of existing significant vistas include the panorama of the Niagara Escarpment, Hamilton Harbour, and the Downtown skyline as viewed from various vantage points throughout the City. Examples of views include historic and public buildings, natural heritage features, and monuments.

B.3.3.5.2 Views and vistas shall be achieved through alignment of rights-of-way, layout of pedestrian circulation and open space systems, and the siting of major features, public uses, and built form. "

With respect to the above-noted policies on views, staff notes that based on the current built form, the proposed development would interrupt the private views to the Niagara Escarpment of certain condominium owners in 2000 and 3000 Creekside Drive, who currently enjoy largely uninterrupted, panoramic views. Such views however, given that they are private, are not protected by the above Policy and, as such, cannot be guaranteed over time. Furthermore, it should be noted that a large portion of these existing views would be interrupted with the future development of Amica's second phase of condominiums along Hatt Street (permitted as-of-right in the existing By-law).

In response to the above Policy, staff notes that the public views to the Escarpment, which follow Creekside Drive, would generally be maintained along the more northerly portion of this road between the condominiums at 2000 and 4000 Creekside Drive.

PUBLIC CONSULTATION

In accordance with Council's Public Participation Policy, the applications were pre-circulated to all property owners within 120 metres, and a sign was posted on the site. A total of 645 notices were circulated. A total of 414 public submissions were received from the public for the revised applications, and are available upon request. (Note - Due to the high volume of submissions, correspondence from the public has not been appended, but may be viewed online). A total of 400 public submissions were also received for the initial circulation. In addition, the revised applications were circulated in April, 2011. The majority of the submissions have been received from the

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residents of the existing condominiums at 1000, 2000, 3000, and 4000 Creekside Drive, and the issues for the revised proposal are discussed in Item 4 of the Analysis/Rationale for Recommendation section of this Report (see Pages 44-54). In addition to the letters, a report, prepared by the GSP Group, was also submitted on February 3, 2012, on behalf of the condominium owners. The Executive Summary is attached as Appendix "M". (The complete GSP Group Study concerning this application is also available for viewing online).

An "Open House" was held for the community by the applicant in February 2010, with respect to the original proposal. The original application was also discussed at the Dundas Community Council meeting on February 10, 2010, and concerns were presented by representatives from the Creekside condominiums and the Retirement Home. Planning staff also met with several of the condominium directors concerning the proposal on March 25, 2010, and at various other times during the review process.

Notice of the Public Meeting was given in accordance with the requirements of the Planning Act through the circulation to property owners within 120 metres of the subject lands, and through the posting of a sign on the property.

RELEVANT CONSULTATION

The following internal departments and external agencies had no concerns or objections to the proposed applications:

- Recreation Division, Community Services Department.
- Horizon Utilities.

Urban Forestry Section (Public Works Department):

The review of the proposal shows there are no municipal tree assets on the existing road allowance and, therefore, no Urban Forestry tree conflicts. There is 36% of the property that is denoted as landscaped area on the proposed plan, and one of the conditions of approval at the Site Plan stage will be the submission of a Landscape Plan.

Water and Wastewater Planning (Public Works Department):

The comments and evaluations were based on the initial proposal for a 9-storey, 90-unit apartment building. There is an existing 200mm watermain on Creekside Drive with sufficient capacity to accommodate required fire flow maintaining pressure above 20 psi. The existing sanitary system on Creekside Drive, out-letting to the trunk sewer on Governor's Road, can support an approximate maximum population of 2,615 persons within Spencer Creek Village, with an average population density of 780 persons per

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hectare. The proposed development is considered to be within the threshold of these densities.

Traffic Planning (Public Works Department):

Traffic Study:

The original Traffic Study assessed network conditions based on a 9-storey, 90-unit condo apartment building. The projected volumes were estimated at 55 a.m. peak hour trips and 46 p.m. peak hour trips. Detailed analysis concluded the estimated traffic generated by the proposed development could be accommodated within the adjacent road network.

The Study further recommended site-specific upgrades, including a northbound left turn lane on Ogilvie Street at Creekside Drive, and a westbound left turn lane on Hatt Street at Creekside Drive. The Study noted both the left turn warrants slightly exceeded minimum thresholds during the p.m. peak hour only.

The revised development application proposes a 7-storey, 67-unit condo apartment building. Projected volumes are 48 a.m. peak hour trips and 38 p.m. peak hour trips. Given that the volumes are lower than the original assessment, Traffic Engineering staff is of the opinion that the traffic generated by the revised proposed development can be accommodated within the adjacent road network.

Turning Lane Requirements:

Regarding the northbound left turn lane requirement on Ogilvie Street at Creekside Drive, Traffic Engineering advises that due to the constraint of the Ogilvie bridge structure, widening Ogilvie Street is not feasible. Given the left turn warrant was met minimally, and only during the p.m. peak hour, the development proposal could be accepted without the implementation of the turning lane. The Downtown Dundas Transportation Master Plan identifies the widening of the Ogilvie Street bridge structure to accommodate intersection improvements at Governors/Ogilvie, and Traffic Engineering recommends that consideration of this turning lane be reviewed in conjunction with that project.

Regarding the westbound left turn lane requirement on Hatt Street at Creekside Drive, Traffic Engineering advises that the current asphalt width of Creekside Drive is wide enough to accommodate the provision of a left turn lane via pavement markings; however, it will require the loss of on-street parking in the vicinity of the intersection. As the left turn lane warrant was met minimally, and only during the p.m. peak hour, and was based on higher than revised development volumes, Traffic Engineering would recommend an on-going review of the turning lane so implementation can occur with

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actual need. Additionally, it has been noted that a Pedestrian signal will be installed on Hatt Street, west of Creekside Drive, which may help in this regard.

Hamilton Municipal Parking System:

The Hamilton Municipal Parking System advised that all existing and future parking requirements should be met on site because overflow parking is not available in the surrounding streets.

Further comments from Municipal Parking advise that Creekside Drive is a public roadway, and on-street parking will be available to the general public. The intent of the parking arrangements made during the planning phase for this (Condominium) complex were that visitor parking could occur on Creekside Drive, and that there was no intention to provide dedicated on-street visitor parking spaces. (A plan has been provided in Appendix "L" to illustrate how on-street parking, as per the current site-specific zoning for 1000-4000 Creekside Drive, permits parking to be provided within the right-of-way of Creekside Drive.)

Budgets and Finance Division (Corporate Services Department):

There are no outstanding charges for sanitary sewers and watermain local improvements.

Bell Canada:

Bell Canada has noted that an easement may be required to service the subject property. Bell Canada will require the circulation of future site plan to provide a more detailed review with respect to servicing requirements.

ANALYSIS / RATIONALE FOR RECOMMENDATION

1. The proposal can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement, which supports residential intensification and the provision of a full range of housing opportunities, the redevelopment of Brownfield sites, and the enhancement of downtown areas;
 - (ii) It conforms with the Places to Grow Growth Plan, which encourages the development of higher density housing forms within the built boundary, and, in particular, in intensification areas such as downtowns and former Brownfield sites;

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- (iii) It conforms to the policies of the Hamilton-Wentworth Official Plan, which supports the development of compact communities and higher density housing forms in downtown areas.
 - (iv) The proposal is considered to be compatible with existing and planned development in the surrounding area.
2. The proposed Official Plan Amendment is to permit the maximum number of residential units to be increased from 322 to 389 units. The proposal has been reviewed on the basis of the following areas of interest:
- a) Intensification and Increased Density;
 - b) Recreational and Open Space Requirements;
 - c) Compatibility;
 - d) Design and Fit; and,
 - e) Views.

(a) Intensification and Increased Density:

In terms of intensification and increased density, it is noted that the proposal would increase the number of dwelling units in the Creekside area from 322 to 387 units. OPA No. 9 essentially maintained an equivalent form of density to the original approval for Spencer Creek Village, within the "Exception RMU2" designation, by reducing the number of dwelling units from 350 to 322 in order to accommodate an increase in the number of retirement home residents from 100 to 151. However, staff is of the opinion that further intensification can be considered for the current proposal in line with the Places to Grow Growth Plan, the 2005 Provincial Policy Statement, and the Ministry-approved Urban Hamilton Official Plan. In particular, the basis for considering intensification and increased levels of density is provided in the following:

- Places to Grow directs that by 2015, and in the years that follow, a minimum of 40% of all residential development will be through intensification within the Built-up Area.
- The PPS directs municipalities to maintain the ability to accommodate residential growth for a minimum of 10 years through residential intensification.
- The Hamilton Urban Official Plan directs that 40% of the residential intensification target is to occur within the "Neighbourhoods" designation.

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With respect to the above noted statements, the subject property represents an opportunity for additional high density development within a suitable location. In particular, the property is a former Brownfield site, having a location within a high density area and adjacent to downtown setting, it has convenient access to local shopping and transit, and is within an area in which existing infrastructure is available. Moreover, the established pattern of development is also favourable to high density forms of development because of the existing built form within this area consisting of 9-storey buildings and 5 to 6-storey buildings.

Intensification contributes to the development of vibrant neighbourhoods, allows for a wider range of housing types to meet current and future populations, and creates liveable and compact communities which make efficient use of existing infrastructure and transit services. However, the consideration of a number of factors is necessary in order to ensure it is appropriate and includes, but is not limited to, the following considerations: compatibility with existing uses, neighbourhood character, and cultural and natural heritage. Therefore, it is necessary for intensification to be consistent with good planning, and not result in impacts which are adverse to the community and the environment.

The justification for supporting the proposed change in land use and increase in density is based on an assessment of various factors to ensure compatibility, which are noted as follows.

Design - The proposed development is considered to have a suitable fit and design within the existing area, which allows for landscaped and amenity areas and reasonable separations between existing and future buildings.

Parking - The proposed development would accommodate all of its required parking on site, and would not result in the loss of any on-street parking.

Traffic - The applicant's Traffic Study has suitably demonstrated that the existing roads are able to accommodate additional traffic generated from the development.

Servicing - The applicant's Servicing Study has demonstrated that the existing infrastructure can support the additional population (i.e. approximately 121 persons).

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Comparison with Initial Approved Concept - The proposed development would represent an overall increase in population of approximately 16.4% above the intended population for Spencer Creek Village, assuming a factor of 1.8 persons per dwelling unit. Given the trend towards intensification, and the suitable location of the property, this amount is not considered to be a significant increase.

(b) Recreation and Open Space Requirements:

Staff notes that the Exception RMU2 policies, which were developed for OPA 9 in 2005 to accommodate an increase in the number of residents within the retirement home, do not refer to the use of the subject property for landscaped amenity or for a private recreation centre. A policy, which was developed for Official Plan Amendment No. 31 in 1998, to allow for private recreation facilities, was removed through the approval of OPA No. 9 in 2005. The policy was developed to permit the following uses:

Private Community Facilities and Recreation Uses

“1.2.5.11.4 Limited private community facilities and recreational uses (e.g. exercise rooms, community room, administration office, kitchen, etc.) primarily serving the needs of the residents of the subject lands shall be permitted on the subject lands.”

The provision of the above-noted facilities along Creekside Drive was not a mandatory requirement for the development of the condominiums. The use is permitted under the site-specific “RR1/S-84” Zone that was created for the site. The approved zoning also did not identify this as a requirement for bonusing under Section 37 of The Planning Act in response to the additional height and density that was permitted for the condominiums along Creekside Drive.

Under the Dundas Zoning By-law, one of the requirements with respect to amenity area, which affects the subject property, is that a minimum of 2,000 square metres of landscaped area be required to be provided for outdoor amenity purposes within the side and rear yards of the subject property for the “PR1/S-84” Zone. The basis for this requirement was primarily for design reasons, to minimize development between the condominiums and the Amica Retirement Home. While it is recognized that the development of the subject site with this amount of landscaped amenity area would be potentially beneficial to the residents of the 4 condominiums, each of the condominiums currently have sufficient landscaped areas according to the “RM4” Zone requirements (i.e.

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minimum 30% landscaped area) without requiring additional amenity area on the subject property.

The amenity requirements for adult lifestyle condominiums are typically met through a combination of an overall landscaped area, balconies, and indoor amenities. Additional amenities within the existing buildings include fitness centres, a library, and meeting rooms. It would also be possible to provide useable space on the condominium sites for outdoor sitting areas, without requiring the use of the subject property.

A second Zoning By-law requirement for amenity areas is with respect to a minimum area of 84 square metres to be provided and maintained in the rear yard of the Amica site. An added requirement under the current site-specific Zoning for Amica respecting the regulations for the Retirement Home is that additional landscaped area is to be provided and maintained on the subject site for the use of the Amica residents beyond the 84 square metres. Staff notes that outdoor amenity space in the rear yard of the Amica site currently includes rear courtyard areas abutting the turnaround, which total 248 square metres, and a second floor deck terrace of 98 square metres. In addition, there is an area in the southerly side yard of the Amica site, beside Creekside Drive, which includes a putting green and garden areas for outdoor sitting, which total 892 square metres (see Appendix "N"). Finally, Amica has advised that their current residential open space and amenity area needs are being met on site, and that additional land is not required for these purposes on the subject property.

By comparison, in the City's new Zoning By-law (By-law 05-200), there is only a requirement for a maximum of 10% of the site to be landscaped for retirement homes, with the premise being that smaller high quality spaces, as well as indoor amenities, such as game rooms or fitness centres, are considered suitable for residents and in keeping with the Provincial direction to encourage compact development and efficient land use. Staff is of the opinion that on the basis of the foregoing, the existing amenity areas for the Amica Retirement Home would adequately serve the needs of the residents, and that additional amenity area, which includes the use of the subject property, is not required.

(c) Design and Fit:

Staff is of the opinion that the proposed design would allow for a suitable fit within the existing evolving community known as Spencer Creek Village.

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The Dundas Official Plan directs in Section 2.5.3.1 that a high level of urban and architectural design shall be required in all development and redevelopment proposals. In general, the proposed building has an elegant design, which is highly articulated, employing a range of materials, colours, and styles. The building incorporates a central focal point in the form of a cylindrical portion which is supported by colonnades, upper level terraces, and dormers to tie the building in architecturally with the historic character of the downtown Dundas area. In addition, the mechanical penthouse has been incorporated into the design of the building. These features will be reviewed and secured in further detail at the Site Plan stage.

Policy 2.5.3.1. directs that the proposed massing and height of the building should complement the existing built form, and result in development which is in harmony with adjacent structures and surrounding neighbourhood character. The proposed building would have an appropriate fit opposite 2 existing condominiums at 2000 and 3000 Creekside Drive. The interface between the proposed building and the projected portions of 2000 and 3000 Creekside Drive would be minimized through the incorporation of variable building setbacks and the use of recessed and partially recessed balconies. In addition, the design would allow for the closest part of the proposed building to be located between the buildings along the curve, and also to be partially offset from the existing projected portion of 3000 Creekside Drive.

It is, therefore, the opinion of staff, that the proposed building would be complementary in design and massing, and would also be reasonably separated from the existing and future Amica building addition (see Appendices "F", "G", and "I"). The building would also be offset from an existing amenity area for the Retirement Home and from the future residential component along Hatt Street, in order to minimize any negative impacts on these uses.

Furthermore, the proposed building provides design elements, which contribute to the visual reduction in the building's overall massing and height. The height of the building would be reduced through the use of terraces and step-backs on the 7th floor and mechanical penthouse. The proposed design incorporates variable setbacks and a focal point in the form of a cylindrical building feature along an existing curve, which reduces the length and mass of the building from the northerly and southerly approaches.

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The proposed building provides a harmonious street-oriented design that achieves the design objectives of Policy 2.5.5.3 of the Dundas Official Plan. In particular, the building would be well articulated with a design that is inviting to pedestrians; it would maintain the continuity of the streetscape through landscaped areas, sidewalks, and street-lighting; and would provide a safe pedestrian environment through the use of colonnades and building step-backs at the entrance. In addition, the proposed development would meet the "RM4" Zone requirements for apartments in terms of minimum lot area, lot frontage, and landscaped area and parking; which further demonstrates the appropriate use of the subject lands. Several of the design techniques for the proposed building are illustrated on Appendix "I".

(d) Compatibility:

The proposed building was examined on the basis of the infill and intensification policies provided for the "Residential/Employment Mixed-Use" Designation in Section 2.5.5.1 of the Dundas Official Plan. The proposed building would conform to the compatibility requirements in terms of "size, height, proportions, and design to surrounding buildings" to create a harmonious streetscape. In particular, the building would allow for a transition in height between the 9-storey (28.5 - 32.5m) condominium buildings to the west, and the 5 and 6-storey Amica buildings (i.e. 18.9m - 26.9m to mechanical penthouse) to the east and north; and would complement the massing of the smaller Amica buildings. The proposed building would also contribute to a harmonious streetscape through reduced setbacks, an entrance supported by colonnades to accommodate pedestrians, and design features which include a curved balcony to match the street and terracing along the top of the 6th floor.

Other issues relating to compatibility from Section 2.5.5.1 are with respect to overview and overshadowing on adjoining development. It was noted that the proposed building would not result in serious overview issues with the adjoining Amica site because of the offset between the proposed building and the second floor deck.

The issue of overview (or loss of privacy) with respect to the condominiums at 2000 and 3000 Creekside Drive would be mitigated through the proposed building design. The provision of building step-backs (i.e. 3m) would be applied to those portions of the building that are located opposite from the existing condominiums. In addition, the balconies that are closest to the street-line (which are along the curve) would be centred between the existing condominium buildings and would not directly affect the front facing units in those buildings. For other parts

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of the existing and future Amica site, overview would be minimized due to the separation distances between the buildings, which would range from 25m to over 35m.

The issue of overshadow is also discussed in the Dundas Official Plan section of this Report (Page 16), as well as the Analysis/Rationale for Recommendation section of this Report (Page 53), and it was determined that the amount of overshadowing that would occur on Amica and the Creekside Condominiums during the spring, summer, and fall periods would be relatively minor, and not affect the quality of life for residents. As Sun-Shadow studies are based on daytime evaluations between 10:00 am and 4:00 pm, it was noted that overshadowing impacts would be minimal during this period, and would primarily occur up to 10:00 am (i.e. sidewalk in front of 3000 Creekside Drive during spring and fall), and after 4:00 pm (i.e. Amica's second floor deck and middle portion of future addition and amenity area during summer). Overshadowing during the winter period would occur in the morning to early afternoon along different portions of Amica's second phase site, and by 4:00 pm in the central courtyard and adjacent building. Furthermore, staff notes that overshadowing would generally occur after 2:00 pm on the Amica site, as a result of the existing condominiums. The proposed building would contribute further to the effects of shadowing on the Amica site during the winter period; however, since this is a period of typically reduced outdoor activity, it is not considered an adverse issue (see Appendix "P").

(e) Views:

With respect to existing policies, the "Exception RMU2" designation directs in Policy 3.4.4.1g) that "new residential buildings shall generally be in scale and compatible with the low profile character of buildings in the Town to maintain the view of the escarpment, and new buildings shall be carefully integrated with the character of established residential areas."

Staff notes that while the existing condominiums along Creekside Drive enjoy private views to the Escarpment, the intent of this policy was initially to provide for the continuation of views from the south side of Spencer Creek and from Hope Street between the spaces of these buildings. The views to the Escarpment, which are currently enjoyed from condominium units and balconies as private views, are not possible to maintain in perpetuity, and there are no specific rights to such private views. In particular, the development of the second phase of the Amica Retirement Home along Hatt Street, which is permitted as-of-right, would impact the private views to the Escarpment for a number of residents on the lower floors of the Creekside condominiums. Strategic views, which are from

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the public realm (i.e. along public sidewalks and streets), would generally be maintained with this proposal, along parts of Creekside Drive to the closest portion of the Escarpment. An illustration of private views and strategic views is provided in Appendix "O".

3. The proposed 67 unit apartment building would be placed in a Site-Specific, High Density Multiple Dwelling (RM4) Zone through an amendment to Dundas Zoning By-law 3581-86.

The proposed apartment building would meet the following requirements of the High Density Multiple Dwelling (RM4) Zone:

	<u>Required</u>	<u>Proposed</u>
Minimum Lot Area	1,380 square metres	3,115.8 square metres
Minimum Lot Frontage	30.0 metres	87.35 metres
Minimum Number of Parking Spaces	84 spaces, including 17 spaces for visitor's parking	84 spaces, including 17 spaces for visitor's parking
Minimum Landscaped Area in Front Yard	50%	50%
Minimum Number of Loading Spaces	1	1

The following special zoning provisions would be required.

(a) Minimum Front Yard:

- Proposed Change from 7.5 Metres to 0 Metres

The proposed change to permit the lot frontage to be reduced from 7.5m to 0m is required to allow for the provision of a unifying cylindrical feature along the curved road, and to allow for colonnades which support the entrance and second floor terrace.

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The reduced setback would enable the building to be positioned closer to the street at the curve, which reduces the massing of the building. It is noted that the proposed 0m setback would be located along Creekside Drive, opposite the space between the existing buildings at 2000 and 3000 Creekside Drive, and would not impact existing units. The reduced setback would also allow for the development of an overhang above the ground level. The overhang would be supported by colonnades, which will provide a sheltered area for pedestrians at the entrance. The front building would otherwise be stepped-back between 2.8 - 4.0m from the street, which would be generally consistent with the other apartment buildings along Creekside Drive. Therefore, based on the foregoing, the proposed change is reasonable and can be supported.

(b) Minimum Side Yard:

- Proposed Change from 11.6 Metres to 7.3 Metres (Southerly Side Yard - 24.7m Section)

The proposed change to permit the side yard to be reduced from 11.6m to 7.3m is required for the southerly side yard section of the building, which is closest to the street, in order to accommodate a small building projection. The southerly wall of the building would otherwise have a side yard setback range between 7.6m and 8.1m. The By-law requirement is based on 40% of the maximum building height, which would include the mechanical penthouse. If the mechanical penthouse were excluded, as it would not be visible from the southerly side yard, the side yard requirement would be reduced to 9.6m, which is reasonably close to the proposed side yard setback. Given that the proposed setback would not result in any major conflict with abutting amenity areas for the Amica Retirement Home, and would maintain the character of the area, staff is of the opinion that the proposed reduced setback would be acceptable.

In particular, in the review of the applicant's revised Sun-Shadow Study, the reduced setback for the proposed building would allow for 4-5 hours of daytime sunlight for the abutting Amica amenity areas during the spring, summer, and fall periods. Therefore, based on the foregoing, the proposed change is reasonable and can be supported.

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- Proposed Change from 11.6 Metres to 8.5 Metres (Southerly Side Yard - 35.5m Section)

The proposed change to permit the side yard to be reduced from 11.6m to 8.5m is required for the southerly side yard section of the building, which extends into the rear yard area of the property. Only the north-east corner of the building would be within this reduced setback, and the remainder of the rear yard would greatly exceed the required setback (i.e. up to 32m). As noted, the reduced setback would not impact the abutting Amica Retirement Home's amenity areas, and the southerly end of the building would generally allow for up to 5 hours of daytime sunshine without any shadowing occurring. In addition, the proposed building would be offset from Amica's existing landscaped second floor deck to minimize any overview. Therefore, based on the foregoing, the proposed change is reasonable and can be supported.

- Proposed Change from 11.6 Metres to 6.7 Metres (Northerly Side Yard - 24.7m Section)

The proposed change to permit the side yard to be reduced from 11.6m to 6.7m is required for the northerly side yard. As is the case for the southerly side yard, the reduced side yard is to allow for a building projection, which would be increased to 7.49m at both the northeast and northwest corners of the building. The reduced side yard setback for the northerly side of the proposed building would face the future Amica Retirement Home addition which, at this time, has not received Site Plan Approval.

The separation between the 2 buildings would be approximately 25m, which is unlikely to create any impacts from overview. An assessment of the sun-shadow impacts identified that there would be up to 5 hours of daytime sunlight for the future Amica addition (i.e. between 10:00 am - 4:00 pm), and that shading onto the middle portion of the proposed building, and part of the future amenity area, would not occur until 4:00 pm (see Appendix "P"). As Sun-Shadow studies are required only for the daytime period (i.e. 10am to 4pm), this impact would be considered acceptable. Therefore, based on the foregoing, the proposed change is reasonable and can be supported.

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(c) Minimum Rear Yard:

- Proposed Change from 7.5 Metres to 3.0 Metres

The proposed change to permit the rear yard to be 3.0m instead of 7.5m is required to accommodate a raised patio along the northeast corner of the building. The rear yard setback would otherwise be a minimum of 8.3m from the rear lot line and, as such, would maintain sufficient amenity area in the form of the aforementioned patio. The proposed setback would be adjacent to a turnaround on the Amica site, and is unlikely to impact any future amenity areas for this site. Furthermore, based on the foregoing, the proposed change is considered to be reasonable, and can be supported.

(d) Maximum Height:

- Proposed Change from 16.5 Metres to 28.7 Metres to Mechanical Penthouse and 24.5m to Top of 7th Floor

The additional height requirement is acceptable given that the area was created as a unique community with special provisions for increased building height and density. The proposed 7-storey building would provide for a transition in height between the existing 9-storey condominium apartment buildings to the south, and the 5-6 storey Amica buildings to the east and north.

The building is within a suitable location that would not impact lower rise and low density buildings. Most of the building height will be 24.5m, and the 7th storey will also be slightly terraced to reduce the scale and massing of the building height. The mechanical penthouse would also be stepped back so that the majority of the mass for this feature would not be visible from the street (see Appendix "K"). The only additional height is for a 0.6m parapet associated with the curved feature.

While the loss of certain private views to the Escarpment is recognized for some residents in the condominiums at 2000 and 3000 Creekside Drive, due to the proposed building's location, such views cannot be guaranteed over the long term, and would also be eventually blocked by the second Phase of the Amica Retirement Home, which as previously discussed, is permitted to have a maximum height of 5-6 storeys as-of-right in the existing By-law. The strategic views to the Escarpment from public sidewalks and the street would, however, generally be maintained along the northerly leg of Creekside Drive. As noted in more detail in the

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following section, the loss of views would also only affect approximately 10.5% of all of the existing condominium residents.

Concerns regarding overview and privacy issues in relation to the condominiums at 2000 and 3000 Creekside Drive have been considered based on the proposed building height. In particular, the separation distance is roughly equal to the height of the proposed building (excluding the mechanical penthouse) and would generally achieve an angular plane. This methodology can generally be applied to determine appropriate distances between buildings, and was used for each of the Creekside condominiums.

In terms of shadow impacts, the proposed building would exert an acceptable impact upon the existing and future community. It has been noted that only minor shadow impacts would occur on existing and future buildings and landscaped areas, which are unlikely to diminish the quality of life for residents. Therefore, based on the foregoing, the proposed change is reasonable, and can be supported.

(e) Maximum Density:

- Proposed Change from 125 Units Per Hectare to 210 Units Per Hectare

The RM4 Zone permits a maximum of 125 units per hectare (uph), whereas the applicant has requested a maximum of 215.6 uph, as per the Site-Specific RM4/S-80 and RM4/S-83 Zoning on the adjacent lands. This would be consistent with the existing density of the adjacent condominiums. As noted, the area was established as a high density mixed-use area, and there are no other areas of comparable density in Dundas. However, staff is of the opinion that the recommended density should be limited to 210 units per hectare, based on the current proposal for 67 units, due to the fixed amount of parking (i.e. 3 additional spaces would be required) to retain green space on the site, and to maintain consistency with the recommended Official Plan Amendment for a maximum overall density of 389 units.

The proposed change in overall density of 389 units would also be only 10.6% higher than the original maximum residential cap for Spencer Creek Village (excluding the Amica Retirement Home) and 17.3% higher than the current residential cap. The proposed increase in density could be suitably accommodated in terms of traffic, parking, design, and infrastructure requirements. Therefore, based on the foregoing, the proposed change is reasonable and can be supported.

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(f) Minimum Parking Space Size:

- Proposed Change from 2.7 by 6.0m to 2.6 by 5.5m

The proposed change in parking space stall size would be consistent with the standard that was introduced in By-law 05-200, which is regarded as the City's new standard. Since 2005, it has been used extensively throughout the City to replace previous standards in the creation of new site-specific zones. Therefore, based on the foregoing, the proposed change is reasonable, and can be supported.

(g) Encroachments into Yards:

- Proposed Change to Permit Balcony to Project 2.0 Metres Instead of 1.5 Metres

The proposed change is required to permit some of the balconies to project 2.0m from one side of the building wall as a result of the articulated building walls, which allow for a range of setbacks. The proposed design allows the building massing to be reduced. Most of the balconies, however, are recessed, and none of the balconies project over any of the property lines. Therefore, based on the foregoing, the proposed change is reasonable, and can be supported.

(h) Additional Amendments to Zoning to Address Open Space Requirements for Retirement Homes:

In addition to the changes to the "RM4" Zoning, noted above, the proposed Zoning Amendment will require a modification to By-law 09-052 with respect to the outdoor amenity area currently required for the existing Retirement Home. The requirement for a minimum of 84 square metres of landscaped area to be provided and maintained in the rear yard is applicable; however, the requirement for additional landscaped area to be provided on the subject lands ("PR1/S-84" Zone) is considered to be no longer required. The basis for this change is that sufficient amenity area is being provided on the Amica property at this time to serve the needs of their residents, and because the shared use of the future amenity area on the subject lands for the Amica residents would not be necessary, as noted in the Analysis/Rational for Recommendation section in Item 2 (Pages 32-34).

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4. The proposed 7-storey condominium apartment was the subject of 414 letters of objection from the residents of the neighbouring condominiums on Creekside Drive. The following issues were identified in the letters and are discussed below:

1. Traffic;
2. Pedestrian Safety;
3. Quality of Life Concerns;
4. Design Concerns;
5. Over-intensification;
6. Servicing issues;
7. Developer Accountability and Original Planning Vision; and,
8. Micro-Climatic Concerns.

1. Traffic Issues:

Specific concerns include:

- (a) Impacts on visitor parking and insufficient parking;
- (b) Unsafe conditions (i.e. "blind curve");
- (c) Increased traffic congestion and flow on Creekside Drive;
- (d) Increased noise and accidents from traffic;
- (e) Speeding on Creekside and shortcutting; and,
- (f) Snow clearance along Creekside Drive.

Concerning Item (a), "street parking", the required number of visitor parking spaces based on the zoning requirements for the 4 condominiums along Creekside Drive is 25 spaces. Although approximately 6 parking spaces would be removed to accommodate new driveways for the proposed development, staff has determined that the loss of parking can be compensated along Creekside Drive resulting in adequate visitor's parking. Therefore, none of the condominium buildings at 1000-4000 Creekside would have deficient visitor's parking along Creekside Drive as a result of the proposed development.

Concerning Item (b), "unsafe conditions", many of the letters indicate that the narrowness of Creekside Drive, in combination with the requirement for parking on both sides of the street, and increased traffic, would create an unsafe situation with cars unable to safely pass each other. The creation of a "blind curve" along Creekside Drive was also mentioned as a concern. The applicant's Traffic and Parking Study has identified that Creekside Drive has much lower peak hour traffic than the surrounding streets, and was developed based on the proposal for a 90 unit residential building. The Study indicated that the proposed development could be accommodated along Creekside Drive. In addition, the Study noted that the visitor's parking along Creekside

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Drive was not highly utilized, with only around 60% being utilized during peak periods. At this time, Traffic staff notes that the street parking is functioning adequately, such that situations are not considered to be unsafe for drivers or pedestrians.

Concerning the creation of a “blind curve”, Traffic Engineering staff has indicated that this matter would be of concern if the base of the building were to encroach into the road allowance, or if the driveways were to be located along one of the curves. The proposed building will not encroach onto the right-of-way, and is set far enough from the street that this would not create a blind curve (see Rendering, Appendix “E”). Similarly, the provision of on-street parking along Creekside Drive, in front of the proposed building, is not considered to be an issue for traffic and pedestrian safety. It is noted that the location of street parking in this area will be further evaluated at the Site Plan stage in order to ensure proper distances are maintained from entrances.

Concerning Item (c), “increased traffic congestion”, the Traffic Study indicated that the proposed additional traffic can be accommodated on Creekside Drive. Traffic Engineering identified that the traffic volumes generated by the development would be minor and are within daily traffic volume fluctuations. To address future traffic requirements, it has been noted that Traffic Engineering will undertake an on-going review to determine whether a westbound turning lane should be provided at Hatt Street and Creekside Drive. This matter may be further addressed as a special condition at the Site Plan Approval stage.

Concerning Item (d), “increased noise and accidents”, the increase in noise due to traffic would be minimal and generally consistent with current conditions. Based on the applicant’s Traffic Study, and a review of accident records by Traffic Engineering, there is no indication of accident concerns on Creekside Drive. In addition, the Site Plan approval process will address requirements for street parking, access, and sight lines, to ensure safe conditions for the development.

Concerning Item (e), “speeding and shortcutting”, comments have indicated that Creekside Drive is becoming frequently used for shortcutting and speeding traffic to avoid the signalized intersection of Hatt Street and Ogilvie Street. Although periodic shortcutting may occur, Traffic Engineering has advised that the shortcutting issue was further examined at the staff level, and it was determined that the situation is considered minor and does not have a sufficient threshold to warrant further changes to Creekside Drive.

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Concerning Item (f), "snow clearance", comments have indicated concerns with having parked vehicles on Creekside Drive during periods of snow clearance. Current practice is that as Creekside Drive is not a snow route, on-street parking is permitted, and it is generally the responsibility of owners to remove their vehicles during such periods. However, snowplows would still be able to service the area if vehicles are parked on both sides of Creekside Drive. It is unlikely that the proposed building would contribute to additional demand for street parking as all of the visitor parking spaces will be located on the site.

2. Pedestrian Safety:

Specific concerns include:

- (a) High senior population with mobility issues;
- (b) Too many ingress and egress driveway points;
- (c) No safe crossing areas;
- (d) Lack of sidewalk; and,
- (e) Traffic calming.

Concerning Items (a) "mobility issues" and (c) "safe crossing areas", a sidewalk is presently available along the westerly side of Creekside Drive to provide pedestrian access to Ogilvie Street and Hatt Street. A partial sidewalk has also been provided on the opposite side of Creekside Drive for the southerly portion of the Amica building. This sidewalk will be continued along the Creekside Drive frontage of the property and eventually to the Creekside Drive/Hatt Street intersection. At Council's request, traffic signals have also been installed at the intersections of Creekside Drive and Hatt Street, and Creekside Drive and Ogilvie Street.

Concerning Item (b), "ingress and egress driveway points", staff notes that there are 2 driveways associated with the proposed development. The driveways are suitably-sited along Creekside Drive to allow for proper access to the proposed development. There were no issues identified in the Traffic Engineering comments with respect to whether additional driveways would be an impediment to Creekside Drive or result in unsafe conditions. In this regard, access would be reviewed at the Site Plan stage of development.

Concerning Item (d), "lack of sidewalk", the proposed development is part of an emerging community, and would require the provision of a sidewalk along the frontage to connect with the existing sidewalk on the southerly portion of the Amica site, as part of the requirements for Site Plan approval. The further continuation of the sidewalk northward to Hatt Street will occur at a later date when the remaining phase of Amica is developed.

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Concerning Item (e), "traffic calming", Traffic Engineering staff has advised that this matter was investigated as part of their examination of the shortcutting study. It was determined that traffic calming is not required based on current conditions or to accommodate the proposed development. If future traffic calming issues arise, the submission of a petition from the area residents would be required to reinvestigate the situation.

3. Quality of Life Concerns:

Specific concerns include:

- (a) Increased noise;
- (b) Loss of potential greenspace;
- (c) Loss of Views and escarpment sightlines;
- (d) Concern with Decrease in Property Values; and,
- (e) No recreational amenities are located in proximity to the condominiums.

Concerning Item (a), "increased noise", it is noted that the proposed development, like the existing condominium apartments, is a sensitive land use and would generate noise and activity levels that would be consistent with local neighbourhood conditions. Noise will primarily result from any associated traffic, but should not be appreciably greater than current residential and background noise levels.

Concerning Items (b) and (e), "loss of greenspace" and "recreational amenities", it is recognized that the proposal would remove lands which were initially contemplated and zoned for 'private' community facilities and recreational uses (e.g. exercise rooms, community room, administration office, kitchen, etc.) to serve the needs of the residents. In this regard, consideration should be given to the following factors:

- There is no designation or policy requirement in the Dundas Official Plan through OPA No. 31 and OPA No. 9 for the lands to be developed for 'private' Community Facilities and Recreational Uses. In particular, the policies in OPA No. 31 respecting the development of a 'club house' were permissive, not mandatory. This was later deleted through OPA No. 9 in 2005. At this time, it is only listed as a permitted use under the current site-specific zoning. Consequently, an Official Plan Amendment is not required to facilitate the use of the lands for residential, as opposed to recreational, uses.

**SUBJECT: Proposed Official Plan Amendment and Zoning By-law Amendment
Affecting Lands Located at 2555 Creekside Drive (Dundas)
(PED12058) (Ward 13) - Page 48 of 55**

- There is no demonstrated need for a centralized 'Club House' as originally contemplated. Each successive stage of development, including the four, 9-storey condo buildings and Amica, have been provided with their own individual 'private' amenities.
- There is no requisite condition or Planning Act mechanism to require the block to be developed for 'private' community facilities or recreational uses. Consequently, the lands could remain vacant and in an unimproved state in perpetuity, which is neither in the resident's nor City's interest.
- Leaving the lands vacant and underutilized would effectively create a 'hole-in-the-donut', which does not represent good planning. Approval of the application would essentially complete development of the community.

Concerning Item (c), "loss of views", many of the letters cite the views to the Escarpment as an important factor in their decision to move to Creekside Drive. It was further mentioned that the Escarpment views were presented as an incentive for potential purchasers. It has been noted that not all of the condominium units currently enjoy an Escarpment view. Staff notes that the proposed building would block certain private views for residents of 2000 and 3000 Creekside Drive (the 2 middle buildings of the development; see Appendix "G"); however, the views affected are those which are directly north and east of the proposed building. This would account for approximately 26 units out of 248 units (10.5%) within the 4 condominium buildings that would be directly affected by the loss of private views.

In light of Official Plan policies, which generally support the principle of maintaining views to the Escarpment, staff notes that there are no proprietary rights to views, so it would not be possible to ensure that all views to the Escarpment can be maintained over time. Views are essentially regarded as a privilege to be enjoyed for a given time rather than as a right of property ownership. Within this context, the proposed building may affect a number of the private views of certain condominium owners within the front-facing units of the buildings at 2000 and 3000 Creekside Drive, but would not significantly interfere with the strategic views of the Escarpment, which generally follows the northward axis of Creekside Drive (see Appendix "O"). Along this axis, the Escarpment backdrop would be maintained for the portion which is closest to the existing condominiums along Creekside Drive. In addition, the development of Amica's second Phase would further block views to the Escarpment for residents within the condominiums on Creekside Drive.

In the Dundas Zoning By-law, it is noted that each condominium building would require a minimum landscaped area of 30% under the "RM4" Zone. The "RM4" Zone does not have specific outdoor amenity area requirements, and also recognizes that balconies are typically used for private amenity areas within adult-oriented buildings. However, there are opportunities to create more useable outdoor amenity areas on each of the condominium properties. Each building is also furnished with a community room, library, and gym. Within the local area, Chegwin Park, the Dundas Community Pool and Arena, and the Dundas Valley School of Art are located within a 5-10 minute walk of the 4 condominium buildings. In the event that the subject lands were required as a common amenity area for the 4 condominium apartment buildings, provisions would have been taken through the condominium approval process to secure the use of these lands for landscaped amenity and recreational purposes. Therefore, it is staff's opinion that additional recreational amenities are not considered a necessary requirement for the condominiums.

Concerning Item (d), "property values", there is no empirical data to suggest there would be a decrease in property values due to the proposed development. As the proposed building would be consistent with the existing highly form of development along Creekside Drive (apartment condominiums), it is highly unlikely that there would be any decrease in property values.

4. Design Concerns:

Specific concerns include:

- (a) Street lot line setbacks should not be permitted;
- (b) Loss of small town charm and original character;
- (c) Proposed building is obstructing and excessive on the streetscape;
- (d) Overcrowding of buildings on site and loss of privacy; and,
- (e) Changes to character of area and aesthetic impact to "Creekside Village".

Concerning Item (a), the proposed setbacks, which would result in the building being located up to the streetline, are encouraged for new residential development in the Urban Hamilton Official Plan and the City's Site Plan Guidelines, as it would support pedestrian activity. For the proposed development, the setbacks from the front property line would vary between 0m for the circular feature along the curve of Creekside Drive to 4m along the northerly and southerly ends of the building. In particular, the proposed design is intended to reduce the effects of the building massing from the southerly and northerly approaches.

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Concerning Item (b), staff notes that the proposed building is located within a high density area that does not impact any surrounding low density areas. Due to the height transition, spacing, and similarity in structure, the proposed building would blend into the surrounding area without diminishing the generally low rise landscape and character of the Downtown.

Concerning Item (c), "streetscape issues", the proposed building is considered to contribute to a harmonious streetscape. As noted, the building would employ a modern design with a focal point at a critical location along the curve of Creekside Drive. The design features would support pedestrian activity through the continuation of the sidewalk, the use of effective landscaping, and the provision of colonnades at the entrance. As noted, the use of recessed balconies and terraced areas on the upper floor with classical design elements (i.e. dormers), would help to reduce the height of the building, as well as complement the other buildings in the downtown.

Concerning Item (d), "overcrowding of buildings", the proposed development of a 7-storey building is of concern to some residents due to its proximity to the condominium apartment buildings at 2000 and 3000 Creekside Drive. The concern is that residents would not be able to enjoy their front balcony views due to the proposed separation between buildings. Staff notes that approximately only 26 units out of 248 units (10.5%) within the 4 condominium buildings would be in direct proximity to the proposed building (i.e. 21m - 24m). With the exception of the front building façade projections at 2000 and 3000 Creekside Drive, the majority of the building mass (i.e. 80%) would be located a substantial distance from the proposed building (i.e. 35m or more). The majority of units would also not be oriented towards the proposed development.

Concerning Item (e), "changes to the character of the area" and "the concrete jungle" effect, staff notes that while the proposed development would further intensify the neighbourhood and create a new street presence, the existing high density nature of the area has already been established with the condominiums on the north side of Spencer Creek. The subject property is within a downtown location that favours higher densities and multi-storey development, and would be complementary to the existing built form.

5. Over-Intensification and Overdevelopment:

Specific concerns include:

- (a) Increased density above approved levels and overpopulation.

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It is recognized that the proposed density is higher than the maximum density requirement in the Dundas Official Plan for the Employment/Residential Mixed-Use designation, which permits a maximum of 100 units per hectare. However, the Spencer Creek Village community was conceived as a mixed-use development, with an intended higher density than surrounding neighbourhoods.

Under the current policies for the "Exception RMU2" designation, the residential cap was applied to the entire designation and would allow for a maximum of 322 dwelling units. Previously, this was initially set at 350 units; however, the reduction was to allow for an increase in the number residents within the Amica Retirement Home.

The proposed development would be approximately 20.8% greater than the current maximum, and approximately 10.8% greater than the original overall density requirement. Staff is of the opinion that the increase in overall density can be supported based on the appropriateness of the area for intensification, which is adjacent to a downtown area; and, because it is in a location that does not affect existing low density development. The proposed density would also be consistent with, but would not exceed, the permitted density for the existing development along Creekside Drive. It is further noted that the site would only contribute to a population increase of approximately 16.4% above the original approval.

In terms of overdevelopment concerns, the proposal would provide for a harmonized streetscape that would be suitable for pedestrians, and would not create adverse shadow impacts on the existing condominiums or the Amica site during the spring, summer, and fall periods. The proposed development can also be accommodated from a servicing and infrastructure perspective, and would provide adequate on site parking. This issue is further discussed in the Analysis/Rational for Recommendation section of the Report under Item 2 (Pages 31-32 and 34-35), which discusses the rationale of the proposed Official Plan Amendment to allow for an increase in density.

6. Servicing Issues:

Specific concerns include:

- (a) Reduced water pressures.

Concerning the above, the applicant's water use report did not indicate any issues with the proposed development. In particular, the review from Water and Wastewater Planning indicated that the initial proposal for 90 condominium apartment units within a 9-storey building could be serviced

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from the existing 200mm watermain on Creekside Drive. Therefore, staff has determined that the proposed development would not negatively impact existing condominium units in terms of reducing water pressure.

7. Issues Related to Changes to the Original Planning Vision:

Specific concerns include:

- (a) Violation of Quid Pro Quo Agreement; and,
- (b) Residents were promised greenspace and a recreational centre.

Concerning Item (a), many of the letters received refer to a "quid pro agreement", in which the former Town of Dundas agreed to support the four 9-storey condominium apartment buildings instead of larger 6-storey buildings along the north side of Spencer Creek as part of the Spencer Creek Village proposal.

It is staff's opinion that there is no enforceable quid pro quo agreement in place, other than the policies that were developed through Official Plan Amendment No. 31 and later modified through Official Plan Amendment No. 9. As the proposal is requesting an increase in density over the permitted number of dwelling units, an Official Plan Amendment is required. The consideration of this Amendment is based upon both the reasoning provided for the previous approvals, as well as an assessment of compatibility, design, fit, the need for intensification, and other factors and policies detailed throughout this Report.

Concerning Item (b), the letters refer to commitments at the time of purchase and sale to the condominium owners that Block 11 would be developed as an open space area with a future fitness/recreation centre for use by the condominium residents. Many of the residents have stated that the provision of having a communal landscaped open space area and community centre was influential in their decision to purchase their condominium units. As previously noted, there is no designation or policy requirement in the Dundas Official Plan for the lands to be developed for 'private' "Community Facilities and Recreational Uses" (see Page 47-48 - Items (b) and (e)).

8. Micro-Climatic Concerns:

Specific concerns include:

- (a) Wind tunnel effects would be created by new building;

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- (b) Prolonged Shade and reduced sunlight for neighbouring apartments and Amica building; and,
- (c) Increased ice in winter months.

Concerning Item (a), "wind tunnel effects", the concerns are that the proposed building would create a wind tunnel along Creekside Drive, which may create dangerous conditions for pedestrians. To address the concern, a Pedestrian Wind Assessment was undertaken, which identified that the proposed building would not create wind conditions that would affect the existing condominiums along Creekside Drive. The report identified that the entrances on the east and west sides of the building, the building corners, and future sidewalk along Creekside Drive are expected to be comfortable for pedestrians during the summer and winter periods. The driveway undercut (i.e. tunnel) for vehicles to the visitor's parking area, however, has the potential for creating windy conditions in winter, but is unlikely to be an area of pedestrian activity so that mitigation is not likely to be required. Outdoor amenity areas such as the outdoor patio, balconies, and the outdoor terraces on the upper floors may require mitigation measures to reduce wind impacts near the corners of the building (i.e. trellises, vegetation, or glass barriers). Wind mitigation measures for the proposed building and amenity areas will be addressed at the Site Plan Approval stage.

Concerning Item (b), "impacts from shade", there are concerns that the proposed building would contribute to extensive periods of shade on the adjacent properties. A revised Sun-Shadow Study was undertaken, and has identified that the shadows created during March and September 21 by the proposed building would only have a slight impact on the condominium buildings at 3000 and 4000 Creekside Drive up to 10:00am. The proposed building would also not affect the Amica Retirement Home or future addition during this period, with the exception of some late afternoon shade at 4:00 pm that would primarily affect the future addition. This indicates that the impacts on adjacent properties are relatively minor during the late March to September daytime period, which is one of more sustained outdoor activity.

During the December period, which is primarily periods of indoor activity, the proposed building would create shadows on the future addition of the Amica site between noon and 2pm, and on Amica's interior courtyard area after 4pm. During the afternoon period, the Amica site would also receive shadows from the condominiums at 1000, 2000 and 3000 Creekside Drive (see Appendix "P").

**SUBJECT: Proposed Official Plan Amendment and Zoning By-law Amendment
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Concerning Item (c), "increased sidewalk ice", there are concerns that the proposed building would contribute to prolonged periods of ice on sidewalks during the winter months, which would be hazardous to pedestrians. Winter ice concerns may be associated with the perception that the proposed building would create extended periods of shade during the winter months. The applicant's Sun Shadow Study has shown that for December 21, the only impact of shade onto the future sidewalk to the north would be at 10:00am. After 10am, the shadows move eastward onto the Amica lands, away from the sidewalk, and would not affect any of the sidewalks for the condominiums along the west side of Creekside Drive (see Appendix "P"). Therefore, the proposed development would not result in prolonged icy conditions along adjacent sidewalks.

5. The development of the proposed 67 unit apartment building would be subject to Site Plan approval, which would allow for a detailed review of the development proposal including matters such as conformity to the approved zoning, grading, stormwater management, landscaping, access, parking, and building design.

ALTERNATIVES FOR CONSIDERATION:

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

Should the proposed Official Plan Amendment and Zoning By-law Amendment applications be denied, the property could be developed as a landscaped amenity area and clubhouse under the Parks and Recreation "PR1/S-84" Zone of the Dundas Zoning By-law.

CORPORATE STRATEGIC PLAN (Linkage to Desired End Results)

Focus Areas: 1. Skilled, Innovative and Respectful Organization, 2. Financial Sustainability, 3. Intergovernmental Relationships, 4. Growing Our Economy, 5. Social Development, 6. Environmental Stewardship, 7. Healthy Community

Financial Sustainability

- ◆ Effective and sustainable Growth Management.
- ◆ Generate assessment growth/non-tax revenues.

Social Development

- ◆ Everyone has a home they can afford that is well maintained and safe.
- ◆ Residents in need have access to adequate support services.

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Healthy Community

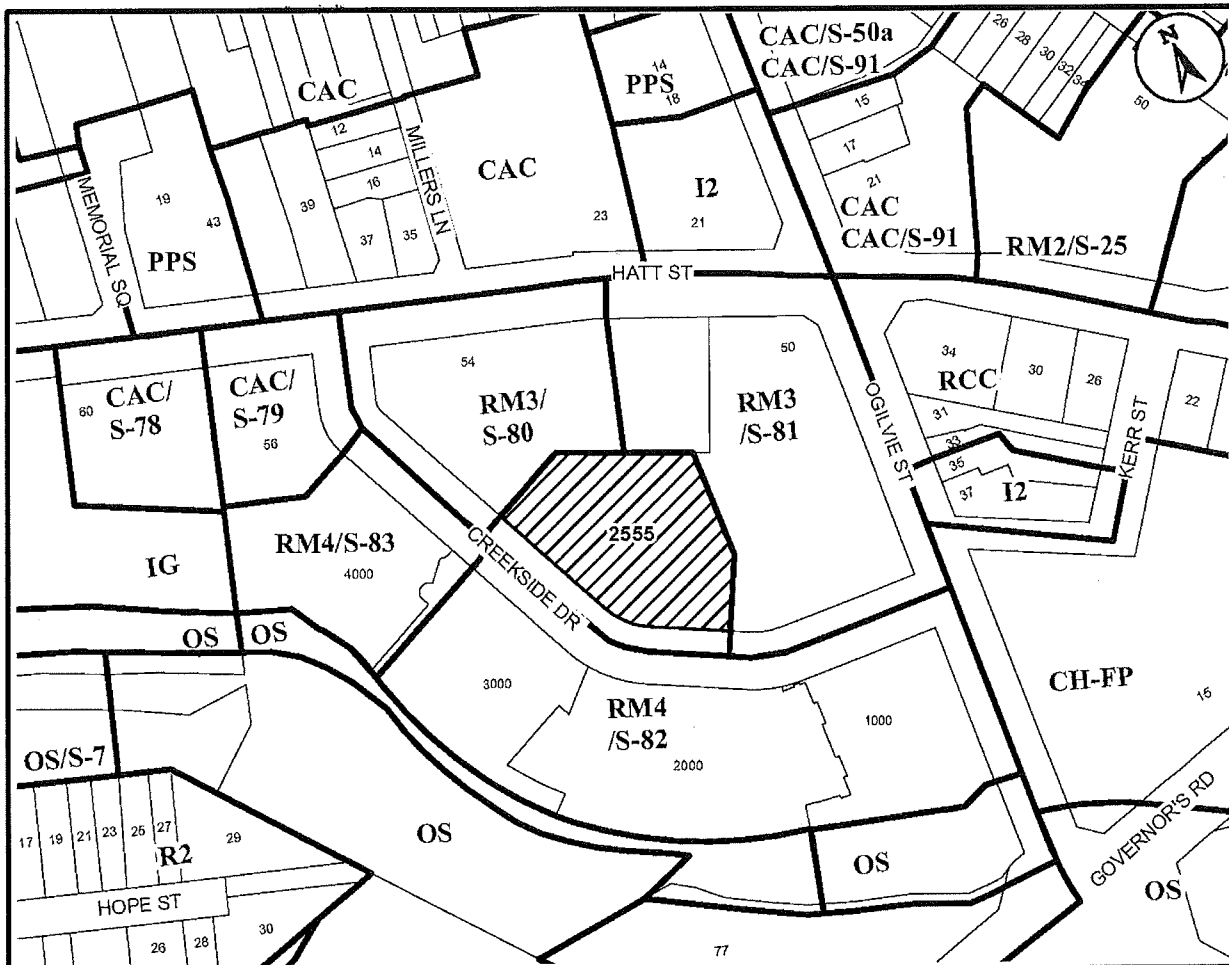
- ◆ Plan and manage the built environment.
- ◆ An engaged Citizenry.
- ◆ Support of the application would improve the amenity of the property and may facilitate future development interest on other sites along Fiddlers Green Road.

APPENDICES / SCHEDULES

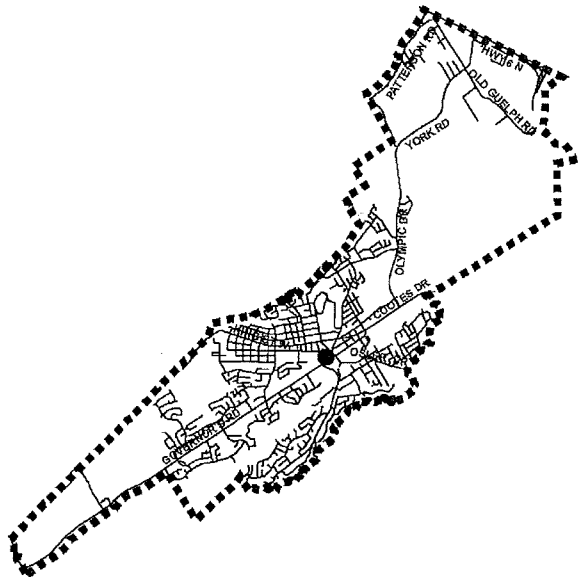
- Appendix "A": Location Map
- Appendix "B": Draft Official Plan Amendment (Dundas Official Plan)
- Appendix "C": Draft Official Plan Amendment (Urban Hamilton Official Plan)
- Appendix "D": Draft Zoning By-law Amendment
- Appendix "E": Proposed Development Concept
- Appendix "F": Proposed Building Elevations
- Appendix "G": Composite Plan Showing Spencer Creek Village Community
- Appendix "H": Proposed Underground Parking Plan
- Appendix "I": Illustration of Urban Design Techniques on 3-D Drawings of Proposed Development
- Appendix "J": Background on Spencer Creek Village Planning Approvals
- Appendix "K": Illustration of Height Reduction Techniques
- Appendix "L": On-Street Parking Analysis
- Appendix "M": Executive Summary of Concerns from GSP Group (Representing Condominiums at 1000, 2000, 3000, and 4000 Creekside Drive)
- Appendix "N": Outdoor Amenity Areas for Amica Retirement Home
- Appendix "O": Illustration of Private and Strategic Views
- Appendix "P": Sun-Shadow Modelling
- Appendix "Q": Initial Proposal for the Development of a 9-Storey, 90 Unit Apartment Building

:CT

Attachs. (17)



● Site of the Application



Ward 13 Key Map

N.T.S.

Location Map



Hamilton

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

File Name/Number:
ZAC-09-055 & OPA-09-014


Date:
April 3, 2012

Appendix "A"

Scale:
N.T.S.

Planner/Technician:
CT/KA

Subject Property

 2555 Creekside Drive

Schedule "1"

Amendment No. OPA [REDACTED]

to the

Official Plan for the former Town of Dundas

The following text, together with Schedule "A", "Land Use" of the Official Plan of the former Town of Dundas, attached hereto, constitutes Official Plan Amendment No. OPA [REDACTED]:

Purpose:

The purpose of this Amendment is to permit the residential cap for apartments within the "EXCEPTION RMU2" designation to be expanded by 67 additional apartment units to permit a total of 389 apartment units.

Location:

The lands affected by this Amendment are known municipally as 2555 Creekside Drive (Dundas), which is a vacant 0.32 ha. parcel in Downtown Dundas. Creekside Drive is located between Hatt Street and Ogilvie Street, within a mixed-use residential area known as "Spencer Creek Village", which is a 4.4 ha redeveloped Brownfield site. The effected lands are located opposite existing 9-storey apartment condominiums at 2000 and 3000 Creekside Drive.

Basis:

The basis for the proposed Official Plan Amendment is as follows:

- The proposal is consistent with the Provincial Policy Statement and Places to Grow Plan;
- The proposal is compatible with the adjacent high density residential development; and would be suitably integrated into an existing redeveloped area; and,
- The proposal would contribute to the range of housing types and represents a good opportunity for infill development in Downtown Dundas, which is well serviced by transit, commercial services, and amenities.

Actual Changes:

Section 3.4.4.1 is amended as follows:

1. Policy 3.4.4.1(b)(i) is amended to permit the following:

- i) Residential apartments 389 units

Implementation:

An implementing Zoning By-law Amendment will give effect to the intended use on the subject lands.

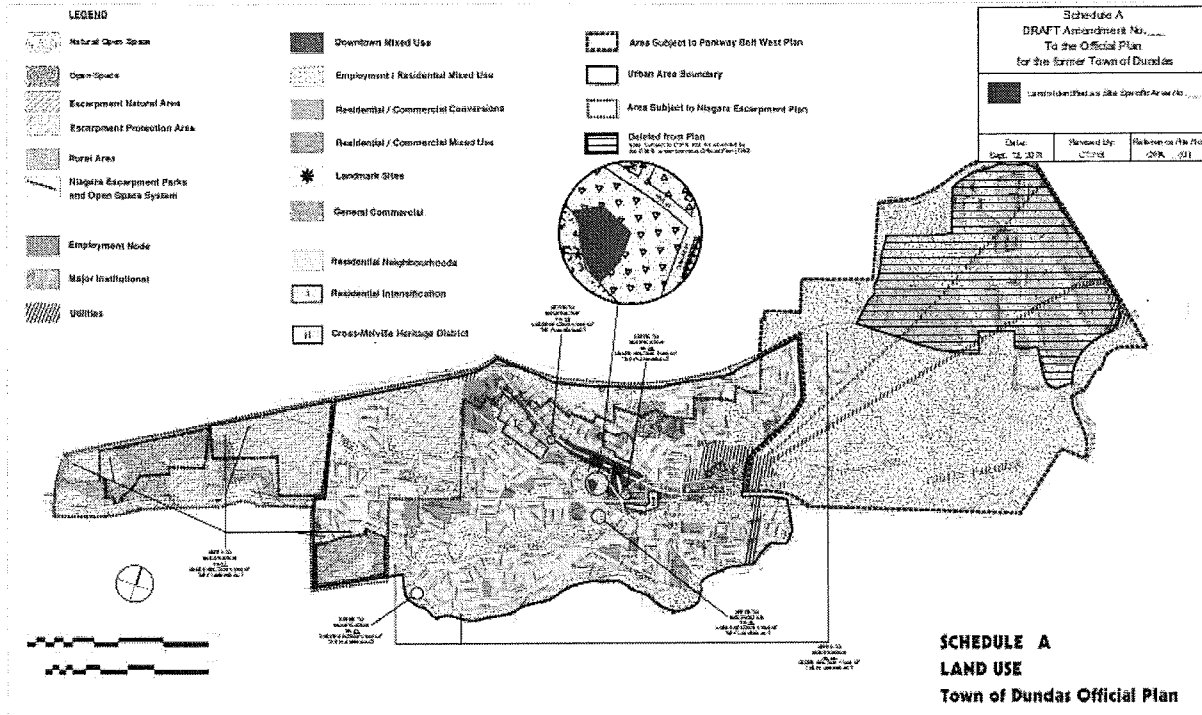
This is Schedule "1" to By-law No. [REDACTED], passed on the [REDACTED] day of [REDACTED], 2012.

**The
City of Hamilton**

R. Bratina
Mayor

Rose Caterini
Clerk

Appendix "B" to Report PED12058
 Draft Official Plan Amendment
 (Page 3 of 3)



**DRAFT Amendment No. [REDACTED]
to the
Urban Hamilton Official Plan**

The following text constitutes Official Plan Amendment No. [REDACTED] to the Urban Hamilton Official Plan.

1.0 Purpose and Effect:

The purpose of this Amendment is to increase the maximum number of residential apartment units from 322 to 389 units (an increase of 67 units) permitted in Area Specific Area UD-7.

2.0 Location:

The lands affected by this Amendment are located at 2555 Creekside Drive and are a part of Area Specific Area UD-7, located at the Southwest Corner of Hatt and Ogilvie Streets, in the former Town of Dundas, as shown on the attached information map.

3.0 Basis:

The basis for permitting this Amendment is as follows:

The Amendment:

- Is consistent with the Provincial Policy Statement and Places to Grow Plan;
- Is compatible with the adjacent high density residential development; and,
- Provides for a range of housing types and an infill development in Downtown Dundas.

4.0 Changes:

4.1 Text Changes:

Volume 3 – Special Policy Areas, Area Specific Policies, and Site-Specific Policies

4.1.1 Volume 3, Chapter B – Area Specific Policies – Dundas, Policy UD-7 1.0 b) i) is amended by replacing "(322 units)" with "(389 units)" (an increase of 67 units), so Policy UD-7 b) i) reads as follows:

"i) Residential apartments (389 units)"

4.1.2 Volume 3, Chapter B – Area Specific Policies – Dundas is amended by adding a new Policy j) to UD-7, and to renumber the subsequent policies accordingly, as follows:

"j) Notwithstanding Policy E.3.6.6 b) of Volume 1, the residential apartment building located at 2555 Creekside Drive shall be permitted to have a maximum density of 210 units per hectare, and shall have a maximum height of 7-storeys.

5.0 Implementation:

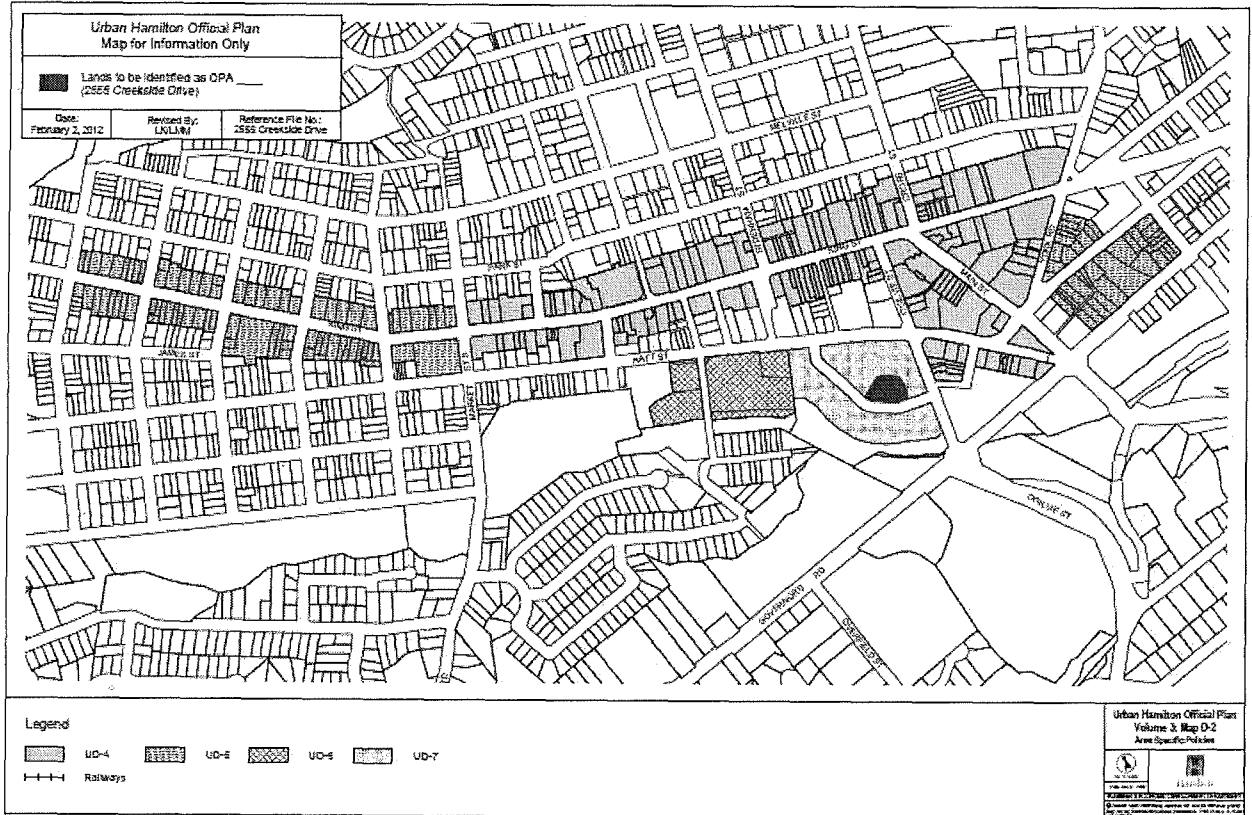
An implementing Zoning By-law Amendment will give effect to this Amendment.

This is Schedule "1" to By-law No. [REDACTED] passed on the [REDACTED] day of [REDACTED], 2012.

**The
City of Hamilton**

R. Bratina
MAYOR

Rose Caterini
CLERK



Authority: Item [REDACTED]
Planning Committee
Report: 12-[REDACTED] (PED12058)
CM: [REDACTED]

Bill No. [REDACTED]

CITY OF HAMILTON

BY-LAW NO. [REDACTED]

**To Amend Zoning By-law No. 3581-86 (Dundas), as Amended
by By-law Nos. 4436-98 and 05-052
Respecting Lands Located at 2555 Creekside Drive**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 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 "The Corporation of the Town of Dundas" 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 Plans of the former area municipalities and the Official Plan of the former Regional Municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3581-86 (Dundas) was enacted on the 22nd day of May, 1986, and approved by the Ontario Municipal Board on the 10th day of May, 1988;

AND WHEREAS the Council of the City of Hamilton, in adopting Item [REDACTED] of Report 12-[REDACTED] of the Planning Committee, at its meeting held on the [REDACTED] day of [REDACTED], 2012, recommended that Zoning By-law No. 3581-86 (Dundas), be amended as hereinafter provided;

AND WHEREAS this By-law will be in conformity with the Official Plan of the City Hamilton (the Official Plan of the Town of Dundas), upon approval of Official Plan Amendment No. [REDACTED], proposed by the City of Hamilton but not yet approved in accordance with the provisions of the Planning Act.

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

1. That Schedule "A" (Central Business District) of Zoning By-law No. 3581-86 (Dundas), is hereby further amended by changing the zoning from the Parks and Recreation (PR1/S-84) Zone to the High Density Multiple Dwelling (RM4/S-122) Zone, on the lands the extent and boundaries of which are shown on a plan hereto annexed as Schedule 'A'.
2. That Section 32 - "EXCEPTIONS" of Zoning By-law No. 3581-86 (Dundas), as amended, is hereby further amended by adding the following Sub-section:

RM4/S-122 That Notwithstanding the provisions of Section 15: High Density Multiple Dwelling Zone (RM4), the following Special Provisions shall apply to lands known Municipally as No. 2555 Creekside Drive, shown as "RM4/S-122" on Schedule "A".

- (a) Notwithstanding Section 15.2 Regulations for Apartment Buildings, the following special regulations shall apply for all uses:

15.2.2 YARD REQUIREMENTS

15.2.2.1	FRONT YARD Minimum:	0.0 metres.
15.2.2.2	SIDE YARD (Southerly: being 27.4m in length) Minimum:	7.3 metres.
	SIDE YARD (Northerly: being 27.3m in length): Minimum:	6.8 metres.
	SIDE YARD (Northerly: being 35.5m in length) Minimum:	7.8 metres.
15.2.2.3	REAR YARD (Being 44.27m in length) Minimum:	8.3 metres.

15.2.3 HEIGHT
Maximum 7-storeys, and 27.7m to mechanical penthouse and 24.5m to main roof (top of 7th floor).

15.2.4 DENSITY
Maximum 210 Dwelling Units per Hectare.

(c) Notwithstanding Section 6.6.1, the following shall apply:

6.6.1 ENCROACHMENTS INTO YARDS

A balcony may project:

6.6.1i) Into a required front yard not more than 2.0m, and not closer than 0m to a streetline.

6.6.6ii) Into a required rear yard no more than 2.0m.

6.6.1iii) Into a required side yard no more than 2.0m.

(d) Notwithstanding Section 7.12 Off-Street Parking Space Requirements, and 15.2.6 Off-Street Parking and Loading, the following shall apply:

7.14 MINIMUM PARKING SPACE STALL SIZE

The minimum width of a 90 degree parking space shall be 2.6 metres, and the minimum length shall be 5.5. metres.

3. That Section 32 - Exceptions of By-law No. 3581-86 (Dundas) is amended by deleting Sub-section (d)(iii) in its entirety respecting Outdoor Amenity Area for Retirement Homes from the RM3/S-81 Zone and the H-RM3/S-81 Zone, and replacing it with the following:

(d) REGULATIONS FOR RETIREMENT HOMES

(iii) Outdoor Amenity Area

"A minimum outdoor amenity area of 84 square metres shall be provided and maintained in the rear yard."

4. That By-law No. 3581-86 (Dundas) is amended by adding this By-law to Section 32 as Schedule S-122.
5. That Schedule "A" of the Zoning Schedule Key Map is amended by marking the lands referred to in Section 1 of this By-law as S-122.
6. 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.

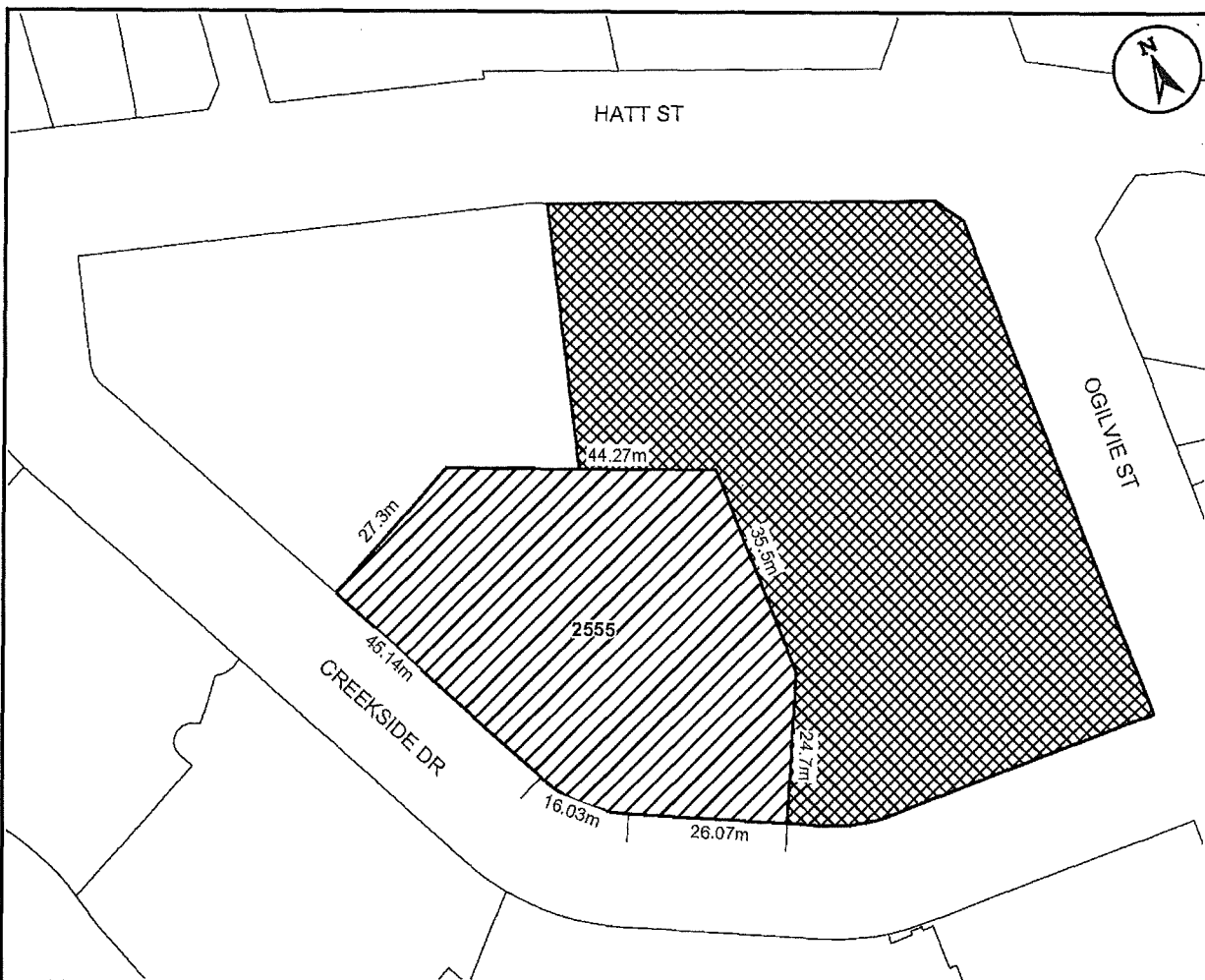
PASSED and ENACTED this [REDACTED] day of [REDACTED], 2012.

R. Bratina
Mayor

Rose Caterini
Clerk

ZAC-09-010

OPA-09-014



This is Schedule "A" to By-Law No. 12-
 Passed the day of, 2012

 Clerk


 Mayor


Schedule "A"


Map Forming Part of
 By-Law No. 12-_____

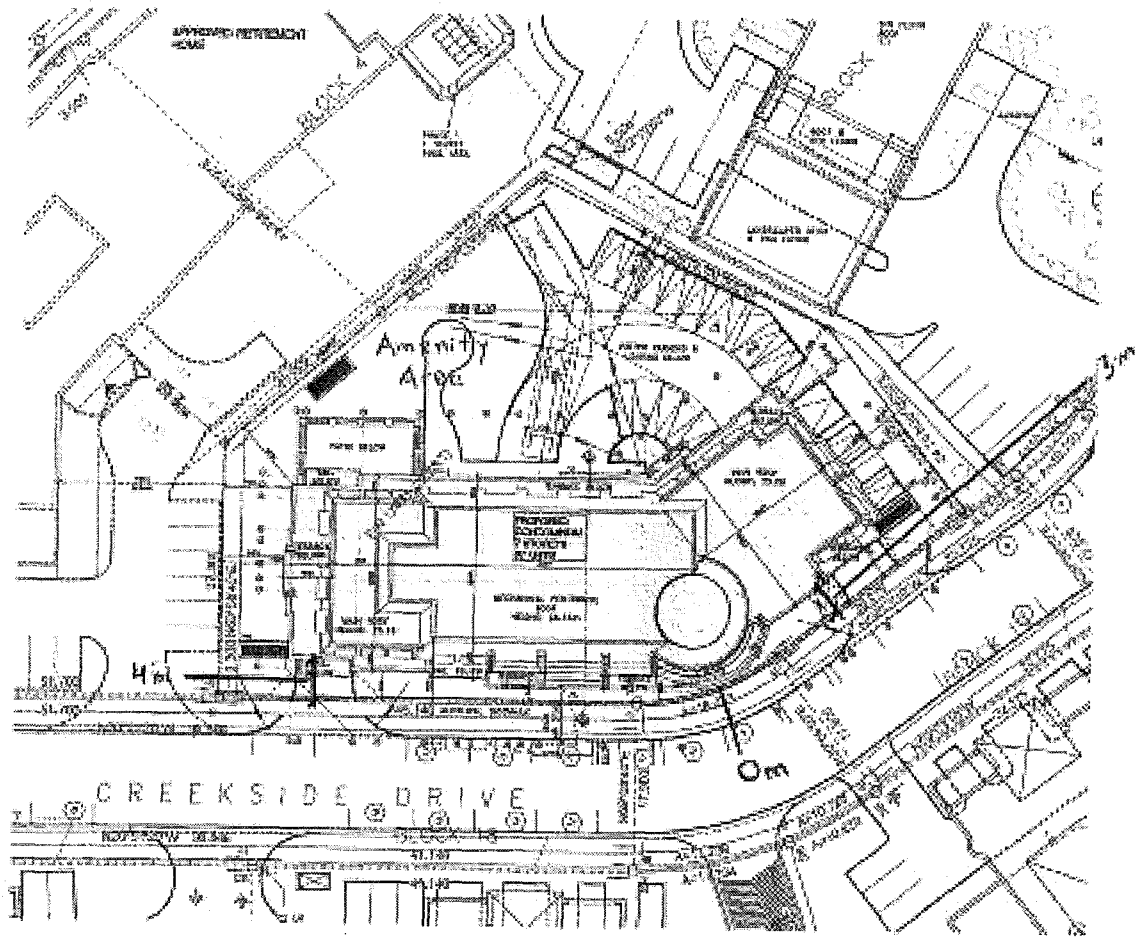
to Amend By-law No. 3581-86

Subject Property
 2555 Creekside Drive

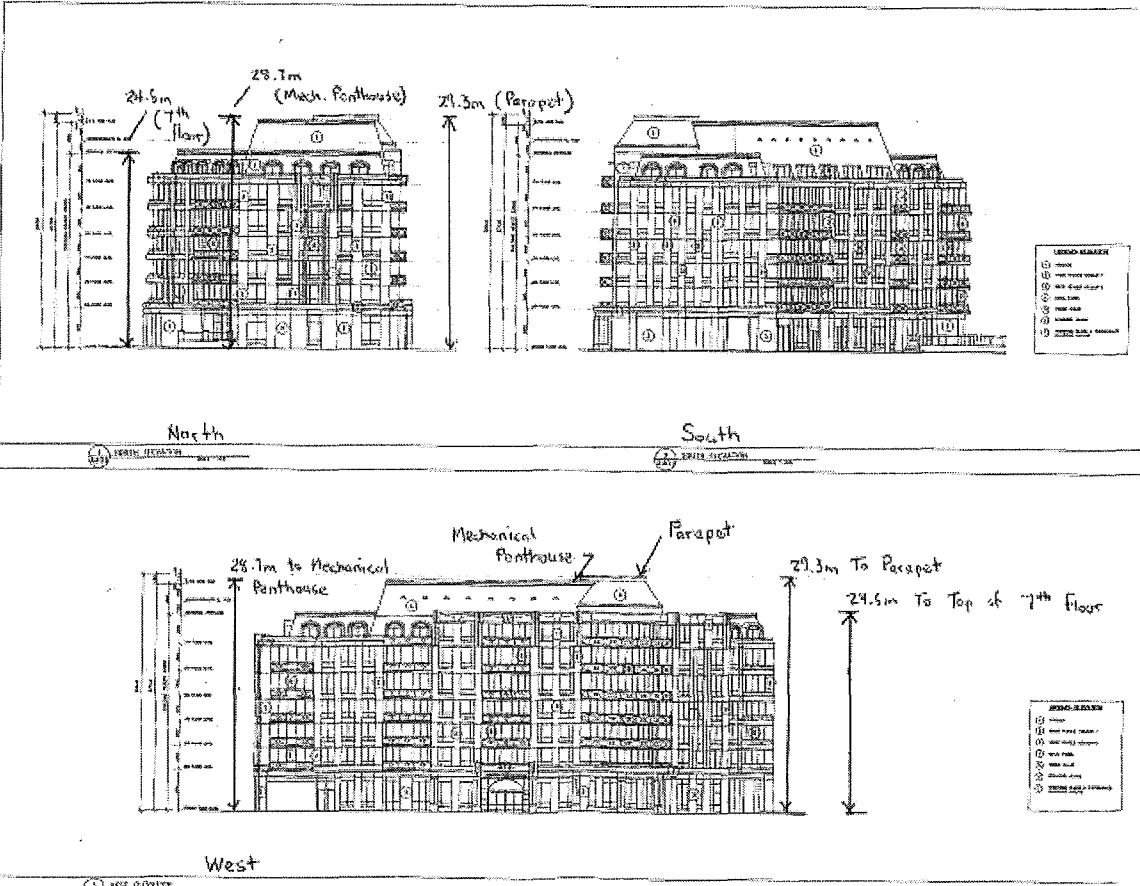
 Change from Parks and Recreation (PR1/S-84) Exception Zone to the High Density Multiple Dwelling (RM4/S-122) Zone.

 Modification to Residential Multiple (RM3/S-81) Zone.

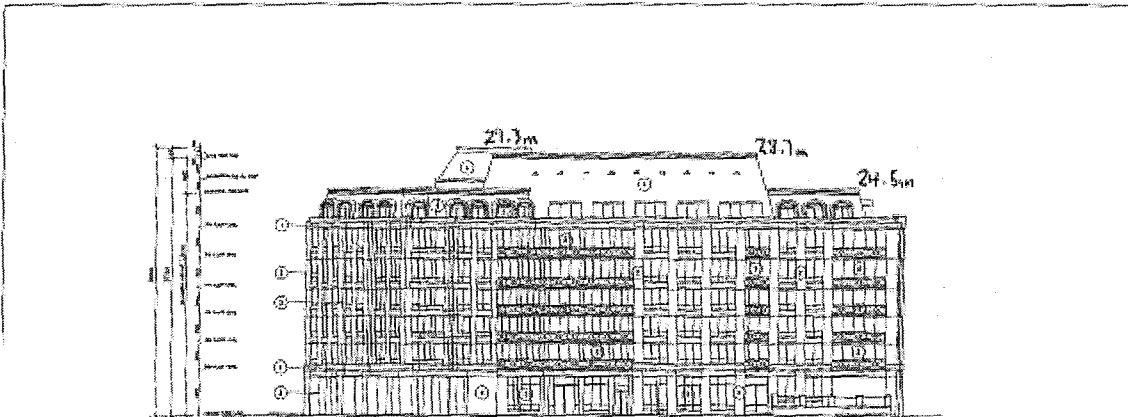
Scale: N.T.S.	File Name/Number: ZAC-09-055 & OPA-09-014	
Date: April 5, 2012	Planner/Technician: CT/AL	
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT		



Appendix "F" of Report PED12058
 Proposed Building Elevations
 (Page 1 of 2)

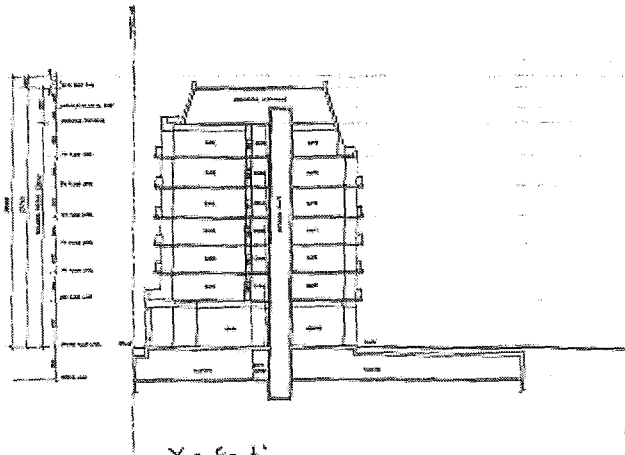


Appendix "F" of Report PED12058
Proposed Building Elevations
(Page 2 of 2)



East

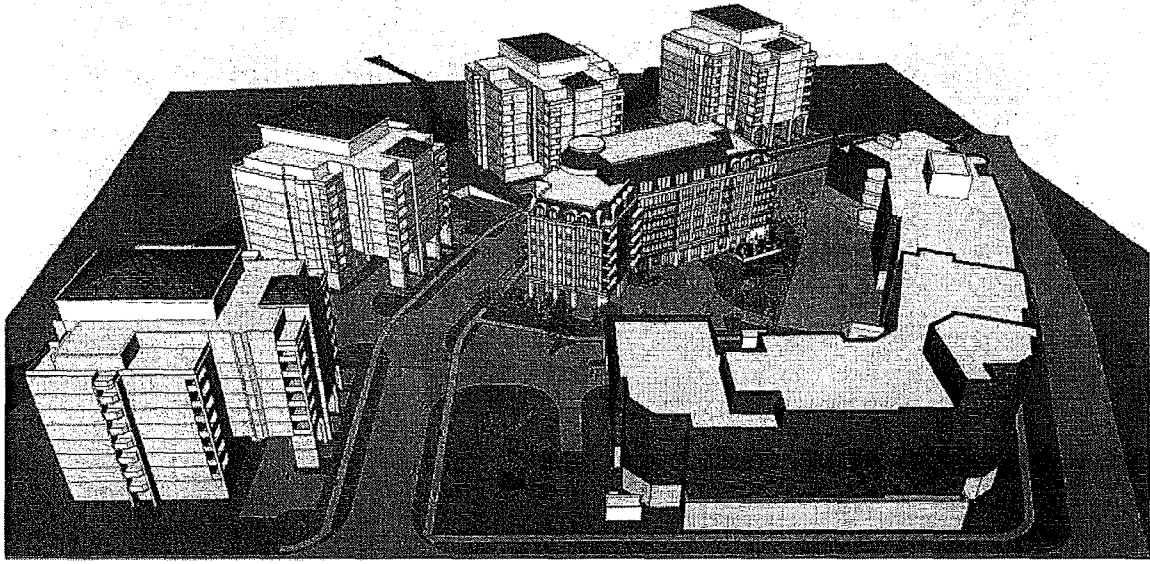
EAST ELEVATION



X-Section

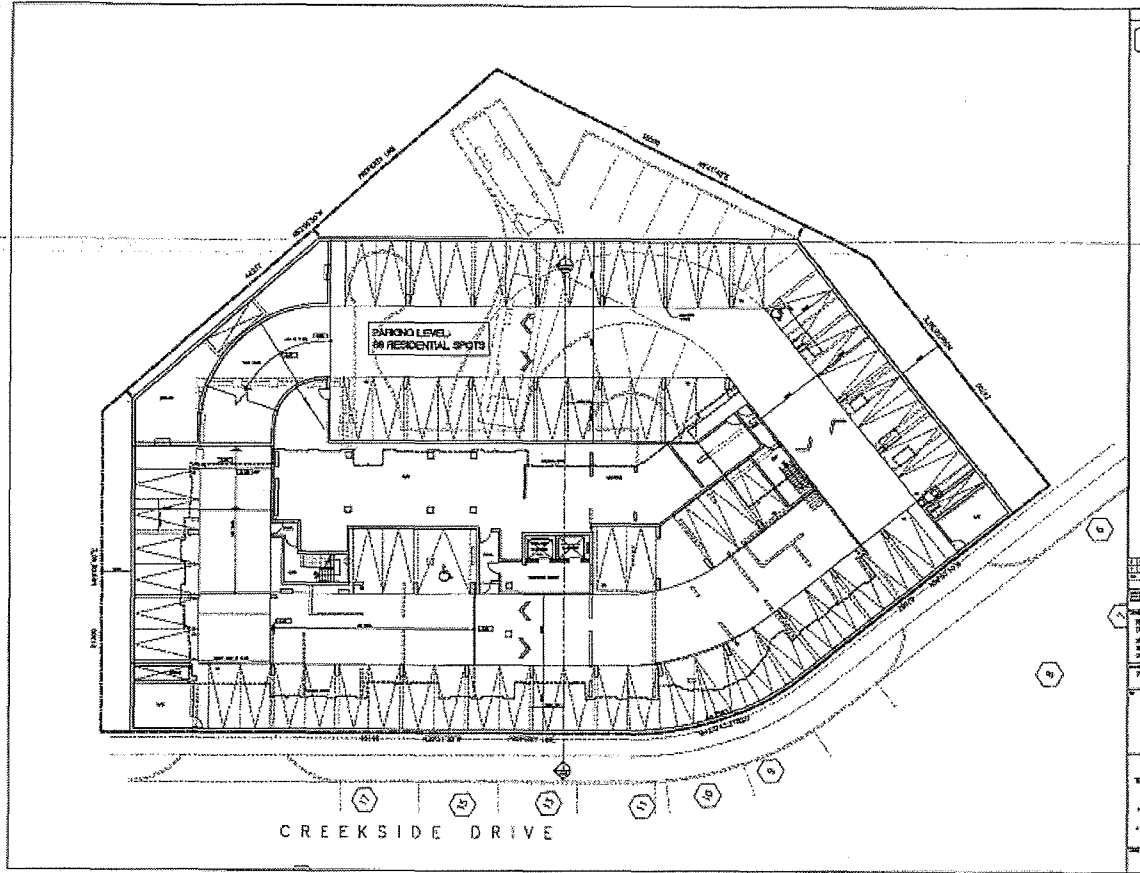
X-SECTION

Appendix "G" to Report PED12058
Composite Plan Showing Existing
and Proposed Development
(Page 2 of 2)



3D Version of Proposal (in Centre) Showing Existing and Future Development

Appendix "H" to Report PED12058
Proposed Underground Parking Area
(Page 1 of 1)



Top Left Rendering:
 Annotations: "Building Massing is reduced by Use of Columnar Feature as a focal Point along the curve" (with arrow pointing to the building's facade); "Building Height is reduced by use of terrace on 7th floor and 'stepped back', contoured Mech. Penthouse" (with arrows pointing to the building's upper levels).
 Icon: A circle containing a stylized 'S'.

Top Right Rendering:
 Annotation: "Reduced Setback applies to the area between buildings to minimize impacts" (with arrow pointing to the space between buildings).
 Icon: A circle containing a stylized 'S'.

Bottom Left Rendering:
 Annotations: "Colonnades provide pedestrian interest and safety" (with arrow pointing to a walkway); "Offset reduces impacts on Condominium at #2000 Creekside Drive and Amica site" (with arrow pointing to a building offset).
 Icon: A circle containing a stylized 'S'.

Bottom Right Rendering:
 Annotation: "Appropriate Landscaping Area minimizes impacts with Amica Building and amenity areas." (with arrow pointing to a landscaped area).
 Icon: A circle containing a stylized 'S'.

Table (Top Right):

NO.	DATE	BY	REVISIONS
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Most of building mass for existing condominiums (i.e. 80%) is 30m away from proposed building

Background on Spencer Creek Village

Official Plan and Zoning Amendments 1996-1998

The concept for Spencer Creek Village was initiated in November, 1996, through applications for an Official Plan Amendment and Zoning By-law Amendment, by 1186468 Ontario Limited, for the remediation and redevelopment of a former 4.9 ha. Brownfield site, adjacent to downtown Dundas between Spencer Creek, Ogilvie Street, and Hatt Street. Prior to the development of Spencer Creek Village, the lands were formerly occupied by the Bertram Foundry, and were the subject of an intensive site remediation between 1990 and 1995.

The proposed amendments were requested to allow for the redesignation and rezoning of the lands to permit the development of residential apartments at various densities, institutional uses for residential care, commercial/mixed-use buildings, and buildings for recreational or public uses. A separate application for the plan of subdivision to create the new public road known as Creekside Drive, and for the creation of the individual land use parcels, was also proposed in 1997 by Iron Horse Developments, through Draft Plan of Subdivision application 25T-97010.

The proposed Official Plan and Zoning Amendments were the subject of 3 Public Meetings in 1997, resulting in the approval of OPA No. 31 in November, 1997. OPA No. 31 provided for the following site-specific policies, among others, to address future development:

- A maximum of 350 dwelling units;
- The predominant housing form to be 3-storey to 6-storey buildings, with limited 9-storey buildings for the lands along the north side of Spencer Creek;
- The requirement for new development to be in scale and compatible with the low profile buildings of the Town;
- A maximum of 100 persons, in addition to the 350 dwelling units, within a retirement home; and,
- The requirement for a height transition for buildings along Hatt Street and Ogilvie Street to permit 6-storey buildings with a "step-down" to 4 and 5-storeys at the street.

The planning rationale for the 9-storey building height of the 4 condominiums, which formed part of the Official Plan Amendment, was based on favourable sun shadow studies, the consistency in height with similarly-sized buildings, the protection of the adjacent downtown, the unique characteristics of the site to maintain existing views to the escarpment and the historic core, and the allowance for additional open space opportunities on the overall site, including the subject property.

In addition, a policy for the subject property, known formerly as Block 12, was included to allow the site to be used for limited private community facilities to serve the residents of Spencer Creek Village area such as exercise rooms, community room, administration office, kitchen, etc.

The amending zoning for the Spencer Creek Village lands was approved in September 1998, resulting in the creation of the following Holding 'H' Zones (see Page 5):

H-CAC/S-78 (Block 1)	<ul style="list-style-type: none"> • Modified Holding Central Area Commercial Zone 	<ul style="list-style-type: none"> • Mix of downtown commercial uses
H-CAC/S-79 (Block 2)	<ul style="list-style-type: none"> • Modified Holding Central Area Commercial Zone 	<ul style="list-style-type: none"> • Mix of downtown commercial uses
H-CAC/S-80 (Block 3)	<ul style="list-style-type: none"> • Modified Holding Central Area Commercial Zone 	<ul style="list-style-type: none"> • Retirement home, seniors residence or home for the aged
H-RM3/S-81 (Blocks 4, 5 and 6)	<ul style="list-style-type: none"> • Modified Holding Medium Density Multiple Dwelling Zone 	<ul style="list-style-type: none"> • Apartment buildings and various street-oriented commercial uses
H-RM4/S-82 (Blocks 7, 8 and 9)	<ul style="list-style-type: none"> • Modified Holding High Density Multiple Dwelling Zone 	<ul style="list-style-type: none"> • Apartment buildings with a maximum density of 206.5 units per hectare
H-RM4/S-83 (Block 10)	<ul style="list-style-type: none"> • Modified Holding High Density Multiple Dwelling Zone 	<ul style="list-style-type: none"> • Apartment buildings with a maximum density of 206.5 units per hectare

H-PR1/S-84
(Block 11)

- Modified Holding Park and Recreation Zone
- A club house including an indoor swimming pool (excluding an outdoor pool)
- Accessory uses including but not restricted to exercise rooms, administration office and kitchen

The Holding 'H' provisions were applied to address various development-related requirements including satisfactory site assessment and remediation, the availability of adequate sewage treatment, a Traffic Impact Study, a slope stability report, and adequate mitigation measures for the adjacent industrial use.

With respect to Block 11 (2555 Creekside Drive), the Park and Recreation "H-PR1/S-84" Zone also was developed to include a special provision to limit the area of the clubhouse by requiring a minimum landscape area of 2,000 square metres for the side and rear yards as an outdoor amenity area. This would require that 62.5% of the property be used for landscaping and outdoor amenity purposes.

Official Plan and Zoning Amendments 2004-2005

Applications were received in 2004 for an Official Plan Amendment (OPA-04-22) and a Zoning By-law Amendment (ZAC-04-22) to amend the Official Plan policies and Zoning for lands within Spencer Creek Village. The purpose of the amendments was to reallocate several of the permitted uses on the lands to allow for the development of the following:

- A 5 and 6-storey retirement home (for part of Block 4, and Blocks 5 and 6 at Hatt Street and Ogilvie Street) ;
- A 4-storey to 5-storey senior's apartment building to comprise approximately 70 units (for Block 3 and part of Block 4 at Hatt Street and Creekside Drive); and,
- To shift street-oriented commercial space from mixed-use buildings (Blocks 4, 5, and 6) to free-standing buildings (Blocks 1 and 2).

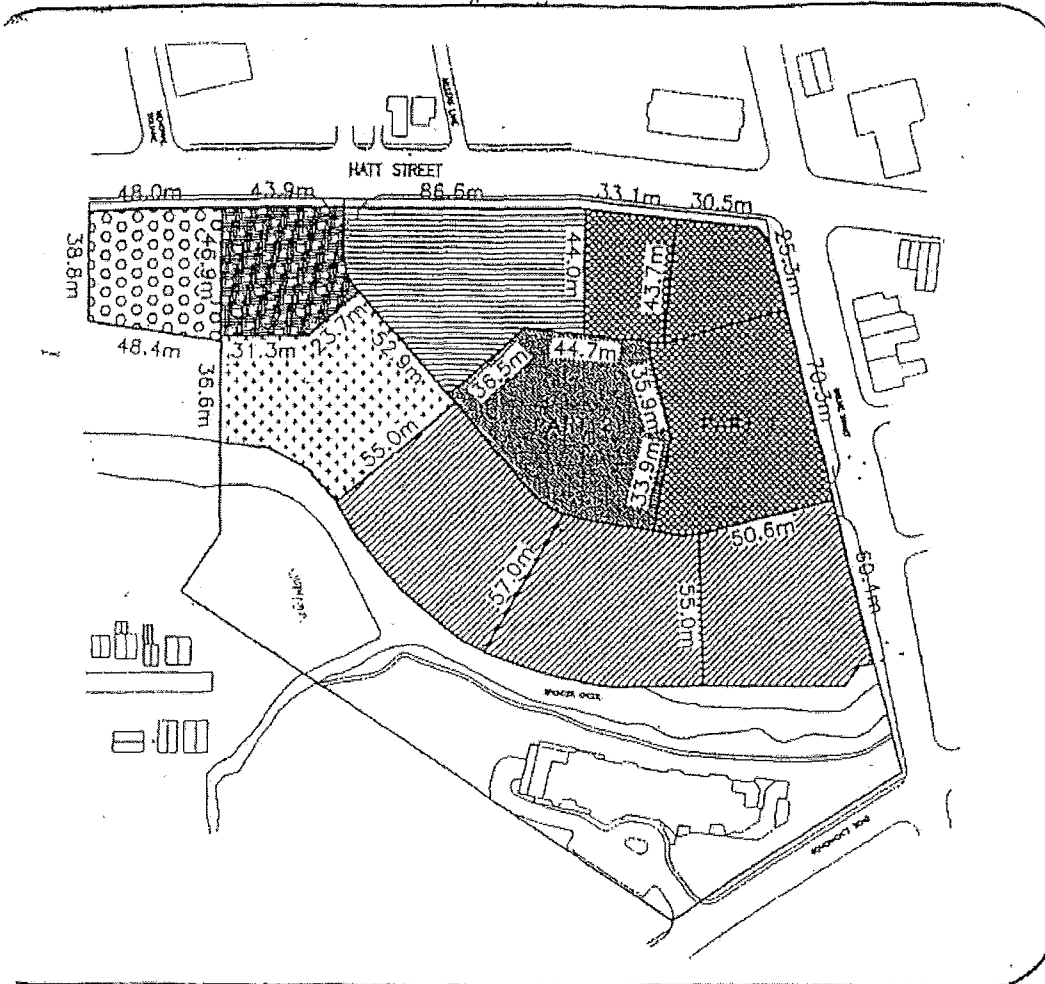
The applications were approved by City Council on March 9, 2005. The approval of Official Plan Amendment No. 9 allowed for policy changes to the Dundas Official Plan that were created by Amendment No. 31. The policy changes that were developed include the following:

- The reduction of the permitted density from 350 units to 322 units;
- Increasing the maximum size of the retirement home from 100 residents to 151 residents for Blocks 3, 4, 5, and 6; and,
- The reallocation of 800 square metres of street-oriented commercial floor space to free-standing commercial buildings on Hatt Street to permit up to 1400 square metres of retail, service commercial, and personal service uses.

In addition, the Amending Zoning By-law provided for the following additional changes to the earlier approved zoning:

- The Holding 'H' provisions were removed from the Zoning for Blocks 3, 4, 6 and 11;
- A retirement home was added as a permitted use to the "RM3/S-81" Zoning for Blocks 4, 5, and 6, and a special provision was added to allow a maximum of 151 residents;
- An apartment building, to a maximum height of 15m, was added to the "RM3/S-80" zoning for Block 3, and a special provision was added to allow the maximum density to be 215 dwelling units per hectare;
- The street-oriented commercial uses to a maximum of 800 square metres were deleted from the "RM3/S-81" Zoning for Blocks 4, 5, and 6, and added to the "CAC/S-78 and CAC/S-79" Zoning for Blocks 1 and 2, respectively; and,
- The total number of dwelling units was reduced from 350 units to 322 units.

With respect to the above-noted zoning modifications, it has been noted that for the "RM3/S-81" Zone there was also a further change to the regulations for retirement homes to permit the minimum outdoor amenity area to be reduced to 84 metres from the earlier requirement of 275 square metres. This change was provided on the basis that the Block 11 lands (2555 Creekside Drive) would provide outdoor amenity area and recreation facilities that would be shared with the Amica residents.



TOWN OF DUNDAS
 SCHEDULE "A"

THIS IS SCHEDULE "A"
 BY-LAW NUMBER
 4436-98

ADOPTED THIS 2nd DAY
 OF SEPT. 1998

[Signature]
 MAYOR

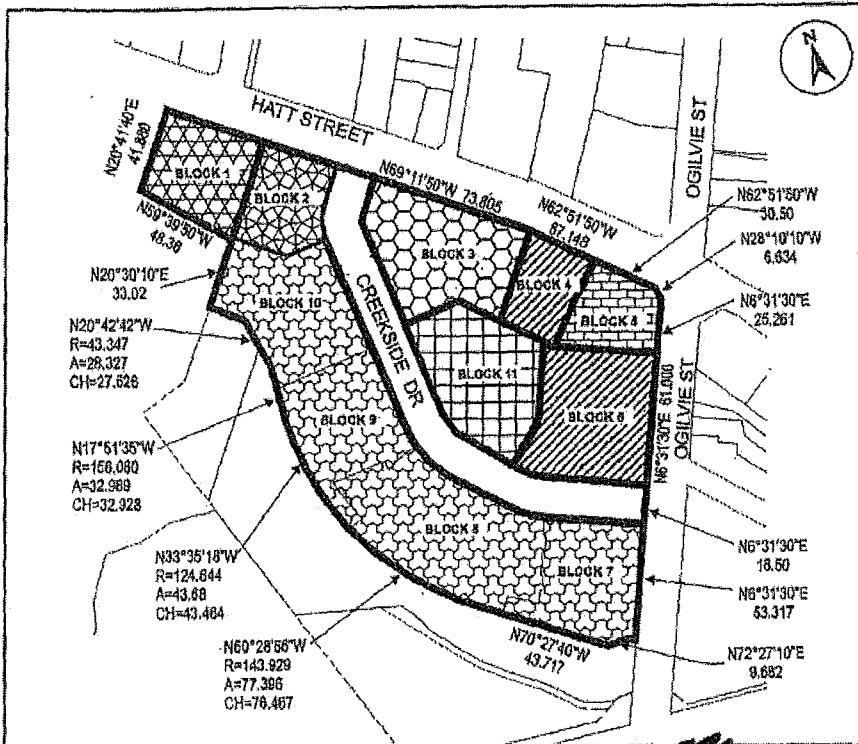
[Signature]
 COUNCILLOR

1:2000 03/98 HW-0-52
 SCALE DATE REF. No.

MAY, PRUE, DAKIN & ASSOCIATES LIMITED
 LAND USE PLANNING CONSULTANTS
 2140 NORTH BRIDGE STREET, SUITE 200, MISSISSAUGA, ONTARIO L4V 1P4

	LANDS TO BE REZONED FROM THE GENERAL INDUSTRIAL ZONE (IG) TO A MODIFIED HOLDING CENTRAL AREA COMMERCIAL ZONE (CAC) TO BE IDENTIFIED BY EXCEPTION NUMBER H-CAC/S-78
	LANDS TO BE REZONED FROM THE GENERAL INDUSTRIAL ZONE (IG) TO A MODIFIED HOLDING CENTRAL AREA COMMERCIAL ZONE (CAC) TO BE IDENTIFIED BY EXCEPTION NUMBER H-CAC/S-79
	LANDS TO BE REZONED FROM THE GENERAL INDUSTRIAL ZONE (IG) TO A MODIFIED HOLDING CENTRAL AREA COMMERCIAL ZONE (CAC) TO BE IDENTIFIED BY EXCEPTION NUMBER H-CAC/S-80
	LANDS TO BE REZONED FROM THE GENERAL INDUSTRIAL ZONE (IG) TO A MODIFIED HOLDING MEDIUM DENSITY MULTIPLE DWELLING ZONE (RM3) TO BE IDENTIFIED BY EXCEPTION NUMBER H-RM3/S-81
	LANDS TO BE REZONED FROM THE GENERAL INDUSTRIAL ZONE (IG) TO A MODIFIED HOLDING HIGH DENSITY MULTIPLE DWELLING ZONE (RM4) TO BE IDENTIFIED BY EXCEPTION NUMBER H-RM4/S-82
	LANDS TO BE REZONED FROM GENERAL INDUSTRIAL ZONE (IG) TO A MODIFIED HOLDING HIGH DENSITY MULTIPLE DWELLING ZONE (RM4) TO BE IDENTIFIED BY EXCEPTION NUMBER H-RM4/S-83
	LANDS TO BE REZONED FROM THE GENERAL INDUSTRIAL ZONE (IG) TO A MODIFIED HOLDING PARK AND RECREATION ZONE (PR1) TO BE IDENTIFIED BY EXCEPTION NUMBER H-PR1/S-84

Approved Zoning, Sept. 2, 1998




This is Schedule "A" to By-Law No. 05-052

Passed the 9th day of March, 2005








[Handwritten Signature]
 Mayor


Schedule "A"

Map Forming Part of
 By-Law No. 05-052
 to Amend By-Law No. 3581-86



Subject Property 50 Hatt Street

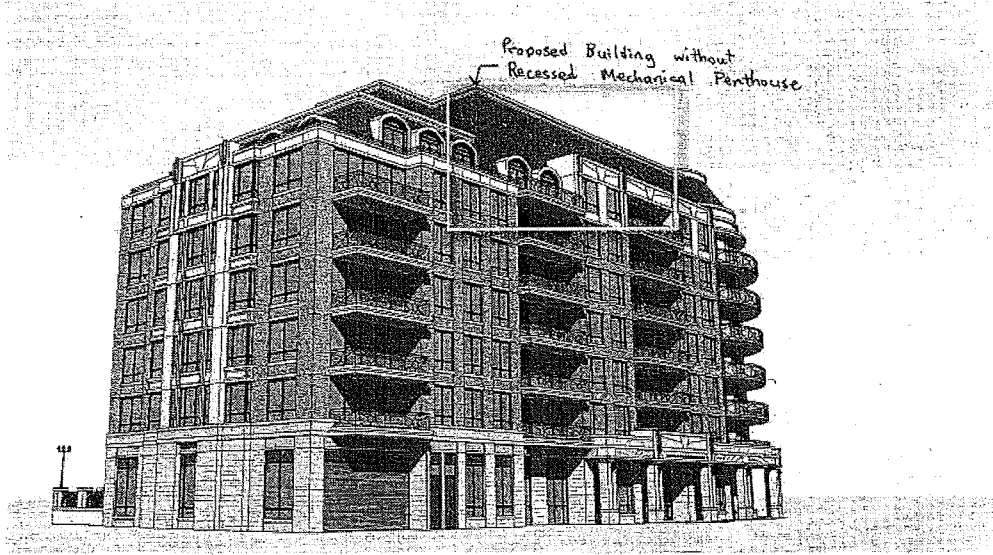
-  Block 1 - Further Amendment to the Central Area Commercial "CACS-78" Zone.
-  Block 2 - Change from the Holding, Central Area Commercial "H-CACS-79" Zone to the Central Area Commercial "CACS-79" Zone.
-  Block 3 - Change from Holding, Central Area Commercial, "H-CACS-80" Zone to the Medium to High Density Multiple Dwelling "RM35-83" Zone.
-  Block 4 and 8 - Change from the Holding, Medium to High Density Residential, "H-RM35-81" Zone to the Medium to High Density Residential "RM35-81" Zone.
-  Block 5 - Further Amendment to the Holding, Medium to High Density Residential "H-RM35-81" Zone.
-  Blocks 7, 9, 10 - Further Amendment to the Multiple Dwelling "RM35-82" and "RM35-84" Zones.
-  Block 11 - Change from the Holding, Park and Recreation, "H-PR35-84" Zone to the Park and Recreation "PR35-84" Zone.

North 	Scale: Not to Scale	File Name/Number: ZAR-04-79
	Date: February 2005	Planner/Technician: PMB

T&C File Name: zar-04-79_schedule_a.pdf

Approved Zoning, March 9, 2005

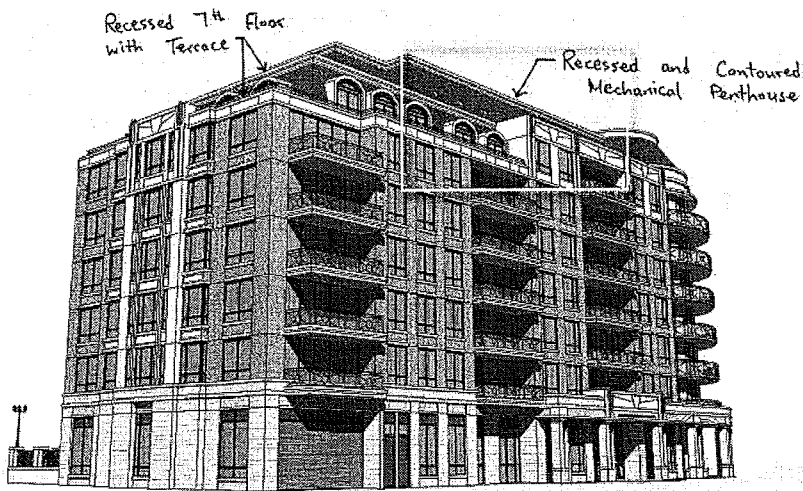
Appendix "K" to Report PED12058
Illustration of Height Reduction for Upper Floor
and Mechanical Penthouse
(Page 1 of 2)



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02000
03000
04000
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3D PERSPECTIVE VIEW
EXISTING

PROPOSED RESIDENTIAL DEVELOPMENT
2555 CREEKSIDE DRIVE
SPENCER CREEK VILLAGE BLOCK-11, DUNDAS, ONTARIO

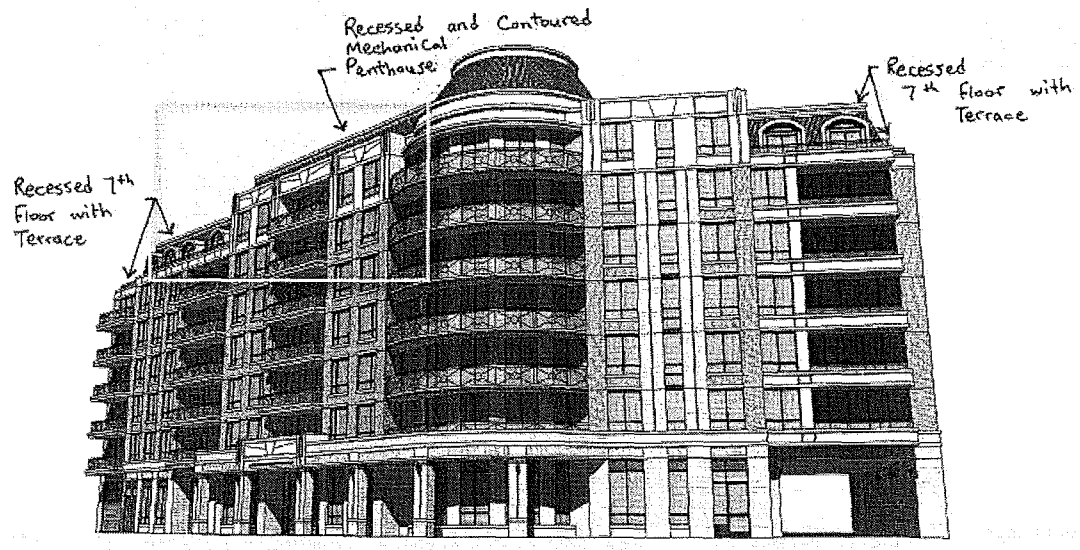


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01000
02000
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3D PERSPECTIVE VIEW
PROPOSED

PROPOSED RESIDENTIAL DEVELOPMENT
2555 CREEKSIDE DRIVE
SPENCER CREEK VILLAGE BLOCK-11, DUNDAS, ONTARIO

Appendix "K" to Report PED12058
Illustration of Height Reduction for Upper Floor
and Mechanical Penthouse
(Page 2 of 2)

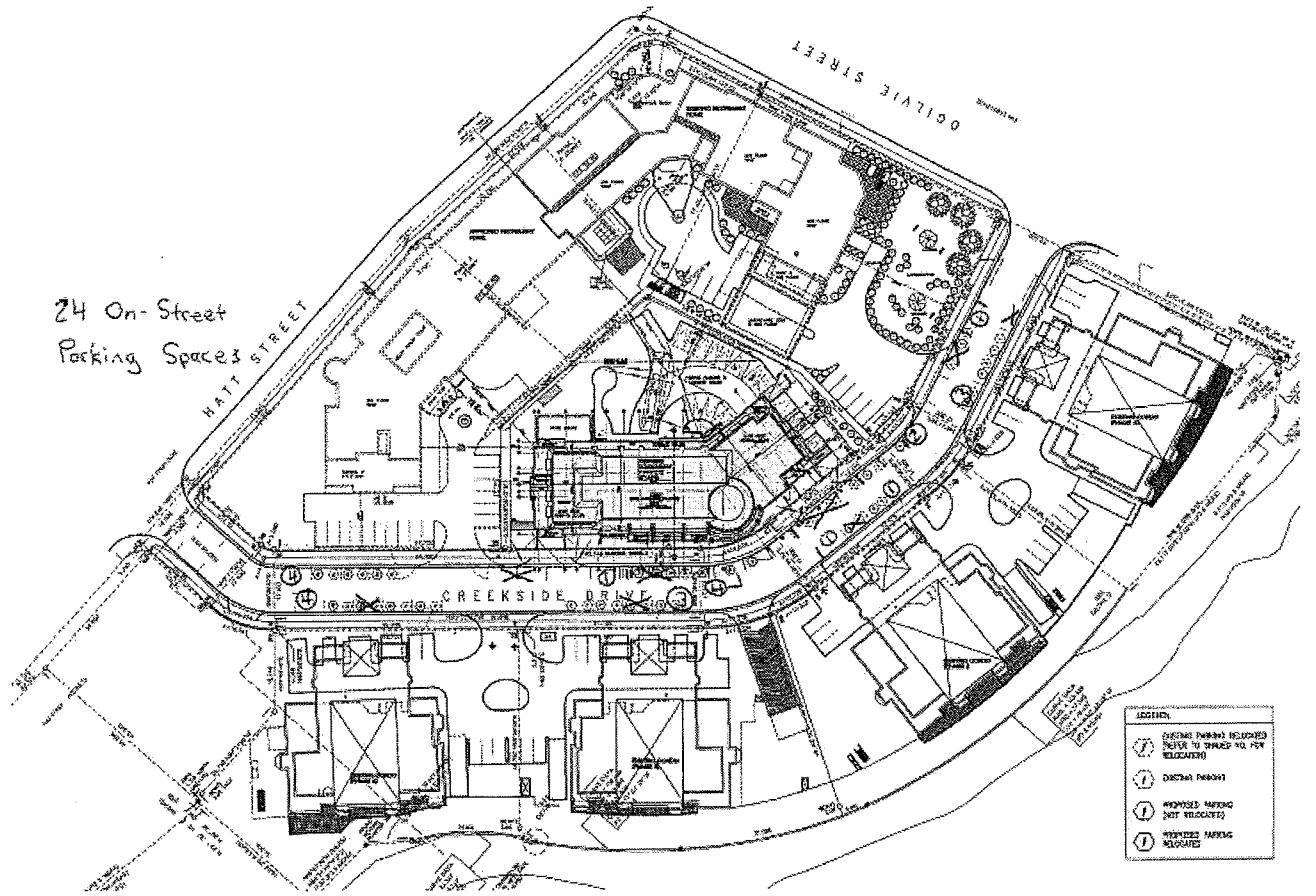


PLANNING
DESIGN
ARCHITECTURE
CONSULTANTS

3D PERSPECTIVE VIEW
PROPOSED

PROPOSED RESIDENTIAL DEVELOPMENT
2555 CREEKSIDE DRIVE
SPENCER CREEK VILLAGE BLOCK-11, DUNDAS, ONTARIO

Appendix "L" to Report PED12058
On-Street Parking Analysis
(Page 1 of 1)



EXECUTIVE SUMMARY

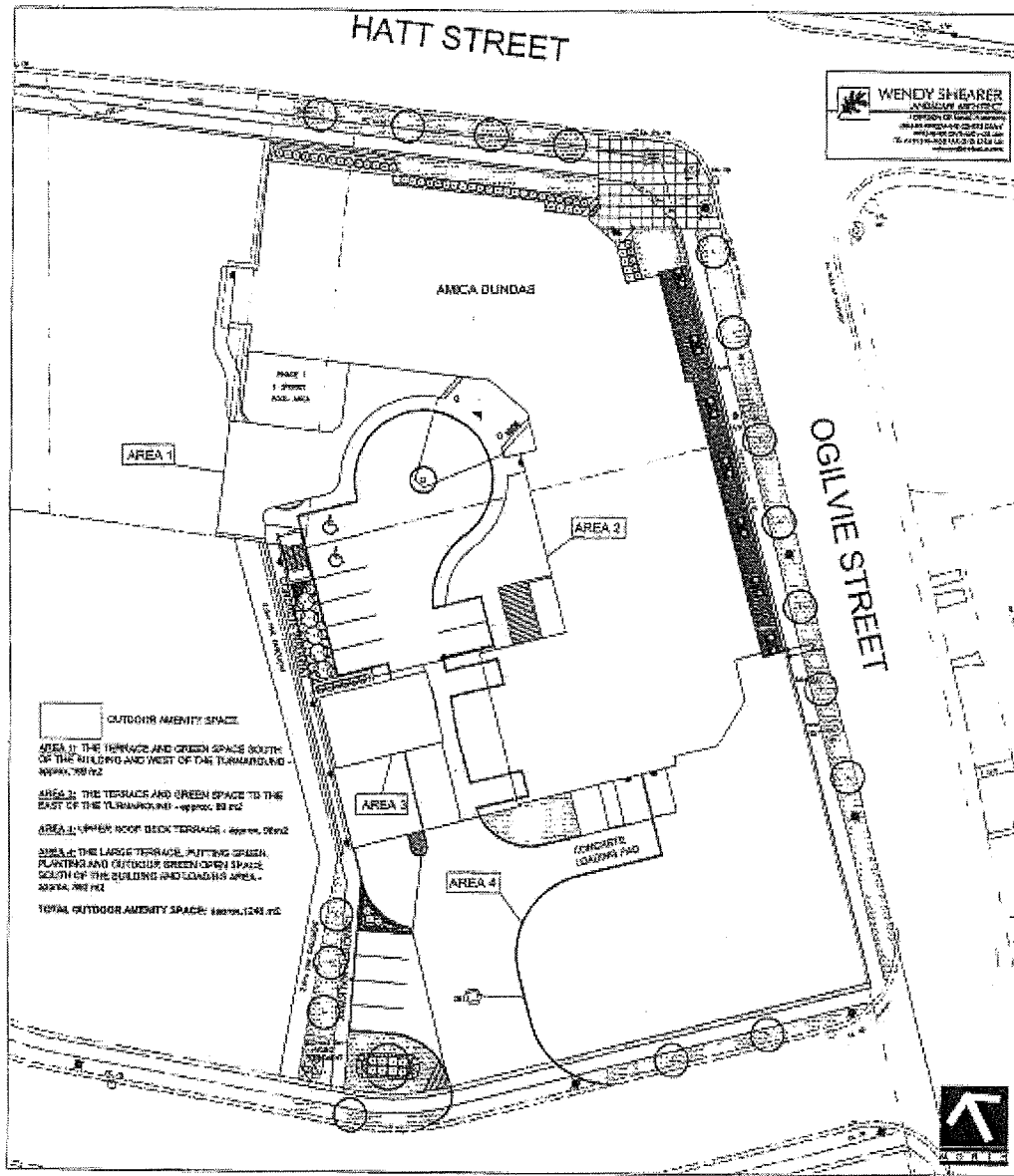
This report provides a planning review of an application for the development of a 7 storey, 67 unit condominium apartment building including 85 surface parking spaces with one level of underground parking and 17 visitor parking spaces at grade. The property is 0.32 hectares (0.79 acres) in size, is located on the north side of Creekside Drive, and is known municipally as 2555 Creekside Drive, in the former Town of Dundas.

Through a variety of technical studies submitted by the applicant to the City, a number of potential impacts on the community were examined, including such matters as traffic, urban design, sun/shadow impacts, pedestrian wind assessment, and servicing. These studies have all concluded that the project will not adversely impact the surrounding community and that there is sufficient municipal infrastructure to accommodate the proposed development. The proposal is to be implemented by way of a Site Plan application to address Official Plan and Zoning By-law conformity.

When considered as a part of a larger comprehensive infill project, the proposed redevelopment is not supported for a number of reasons including:

- Loss of outdoor amenity required for existing retirement home;
- loss of open space/amenity space for the overall development;
- existing approved development already exceeds existing and new intensification and density targets established by the Province, City and former Town of Dundas;
- change in permitted building mass results in unacceptable negative impacts to existing adjacent residential development;
- the redevelopment will set an undesirable precedent for the reduction of outdoor amenity space for retirement homes;
- the redevelopment will set an undesirable precedent for the over-intensification of established areas; and
- sun/shadow and wind assessment studies do not address or identify measures required to mitigate the negative impact on adjacent properties.

Appendix "N" to Report PED12058
 Plan Showing Existing Amenity Areas
 for Amica Retirement Home
 (Page 1 of 1)

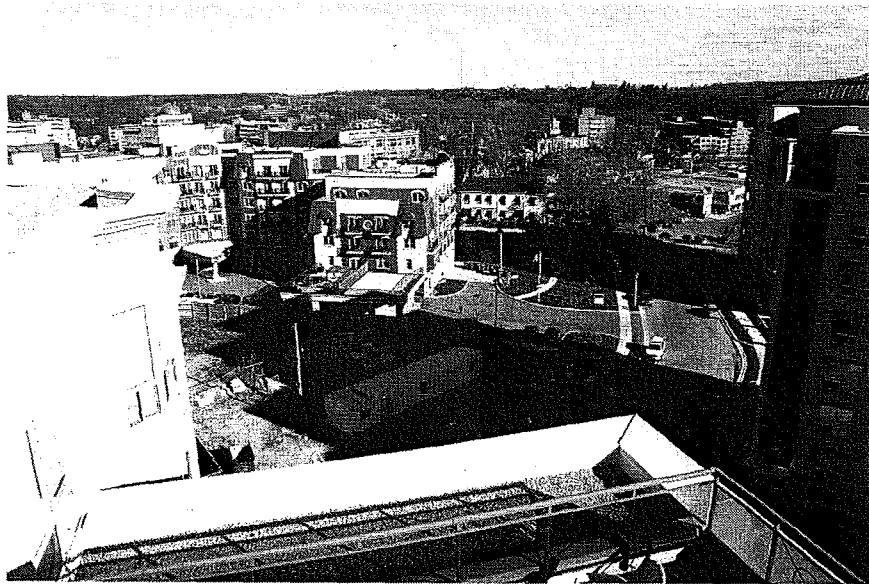


1 LANDSCAPE PLAN - outdoor amenity areas - april 13, 2010
 L1 1:200

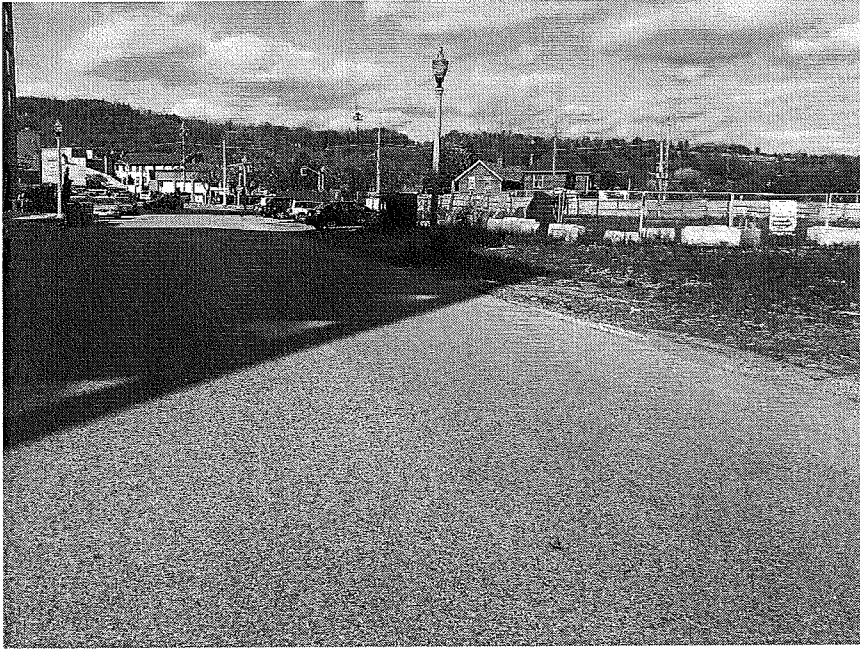
Appendix "O" to Report PED12058
Illustration of Private and Strategic Views
(Page 1 of 2)



Examples of Private Views currently enjoyed from upper floor condominiums on Creekside Drive.



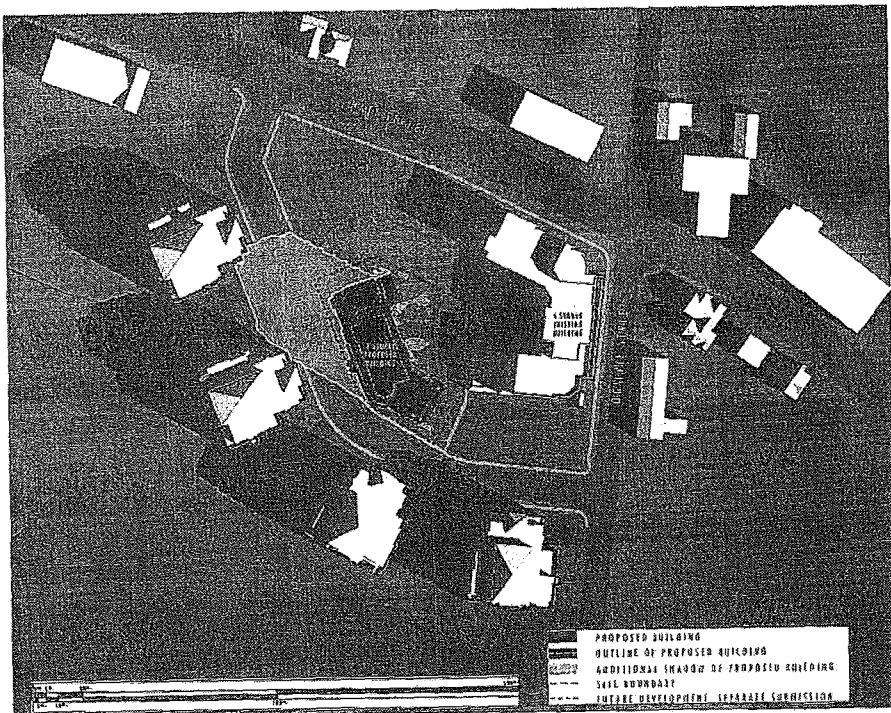
Appendix "O" to Report PED12058
Illustration of Private and Strategic Views
(Page 2 of 2)



Example of Strategic View from Street level showing Escarpment backdrop.



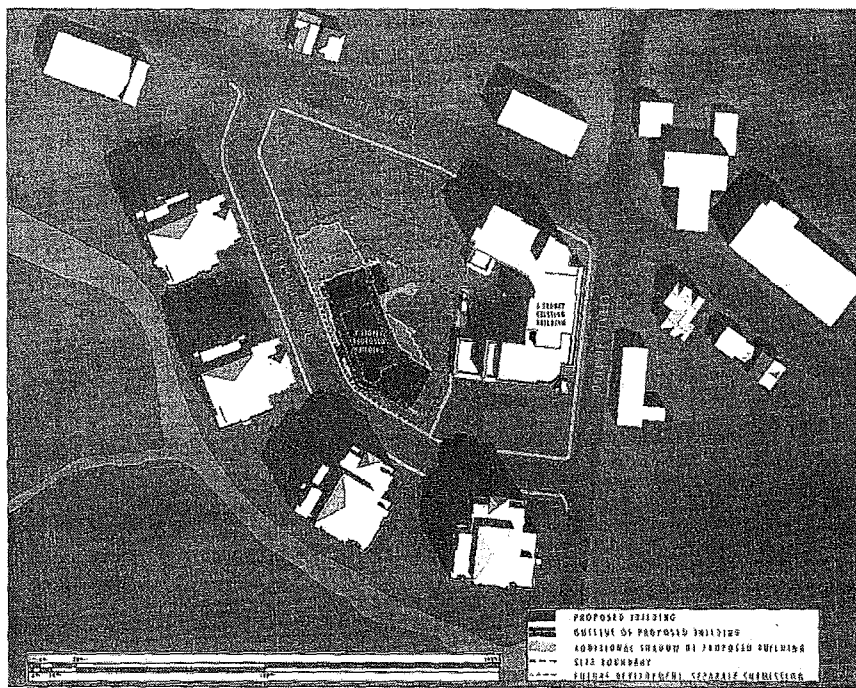
The policies to address views were initially provided to maintain strategic views for the residential areas on the south side of Spencer Creek.



210 COLLEGE STREET
 TORONTO, ONTARIO
 M5T 1A5
 T: 416 944 1842
 F: 416 944 1821

PROPOSED DEVELOPMENT MARCH/SEPTEMBER 21, 10:00 AM

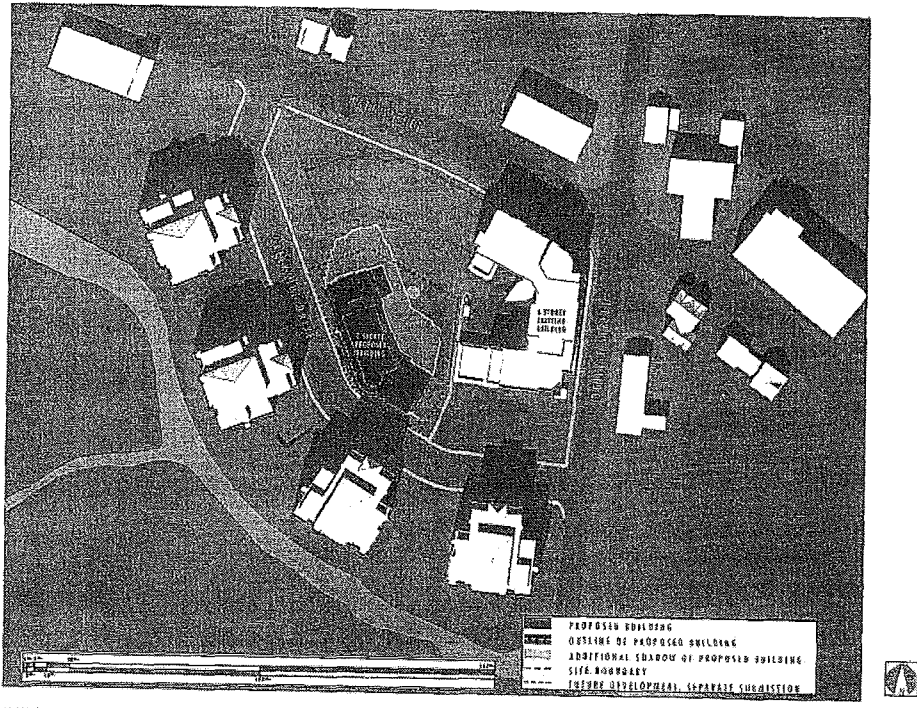
SUN/SHADOW STUDY 2555 CREEKSIDE DRIVE, SPACER CREEK VILLAGE, DUNDAS, HAMILTON, ONTARIO



210 COLLEGE STREET
 TORONTO, ONTARIO
 M5T 1A5
 T: 416 944 1842
 F: 416 944 1821

PROPOSED DEVELOPMENT MARCH/SEPTEMBER 21, 12:00 PM

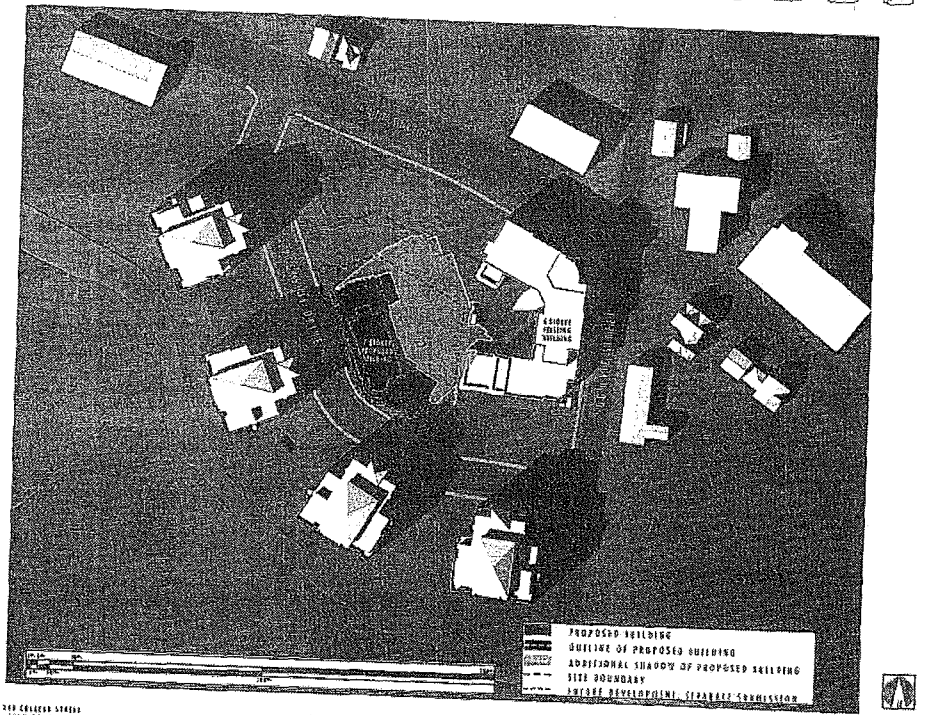
SUN/SHADOW STUDY 2555 CREEKSIDE DRIVE, SPACER CREEK VILLAGE, DUNDAS, HAMILTON, ONTARIO



750 EGLING STREET
 TORONTO, ONTARIO
 M5E 1B9
 TEL: 416 461-1227
 FAX: 416 461-1228

PROPOSED DEVELOPMENT MARCH/SEPTEMBER 21, 2:00 PM

SUN/SHADOW STUDY 2555 CORKSTON DRIVE, SPENCER CREEK VILLAGE, BUNNYS, HAMILTON, ONTARIO

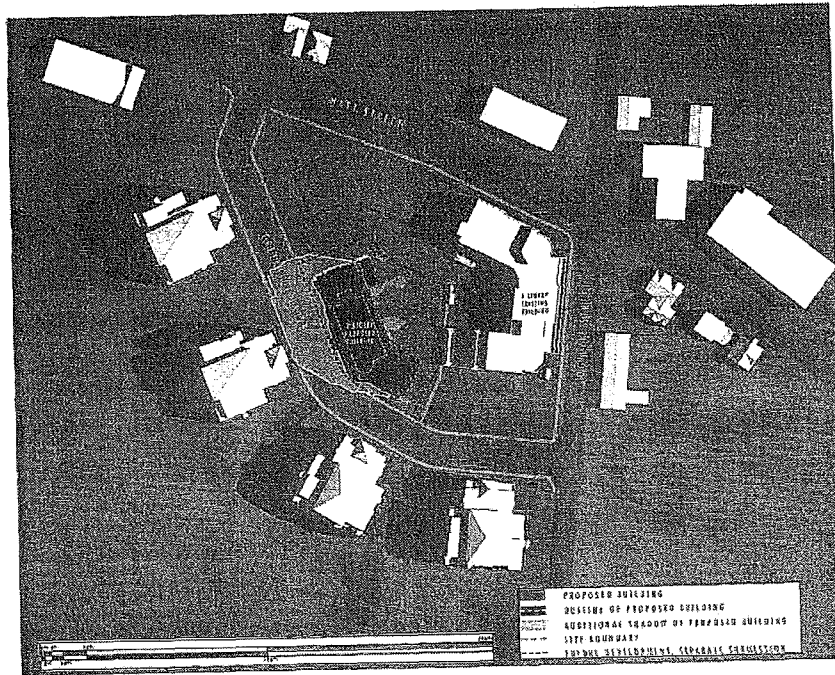


750 EGLING STREET
 TORONTO, ONTARIO
 M5E 1B9
 TEL: 416 461-1227
 FAX: 416 461-1228

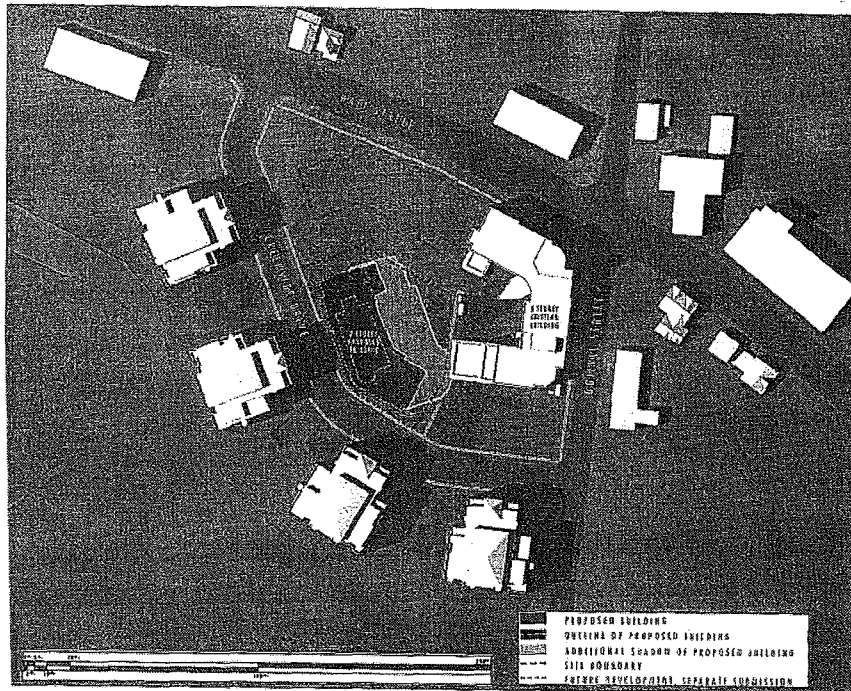
PROPOSED DEVELOPMENT MARCH/SEPTEMBER 21, 4:00 PM

SUN/SHADOW STUDY 2555 CORKSTON DRIVE, SPENCER CREEK VILLAGE, BUNNYS, HAMILTON, ONTARIO

Appendix "P" to Report PED12058
 Sun-Shadow Modelling
 (Page 3 of 4)

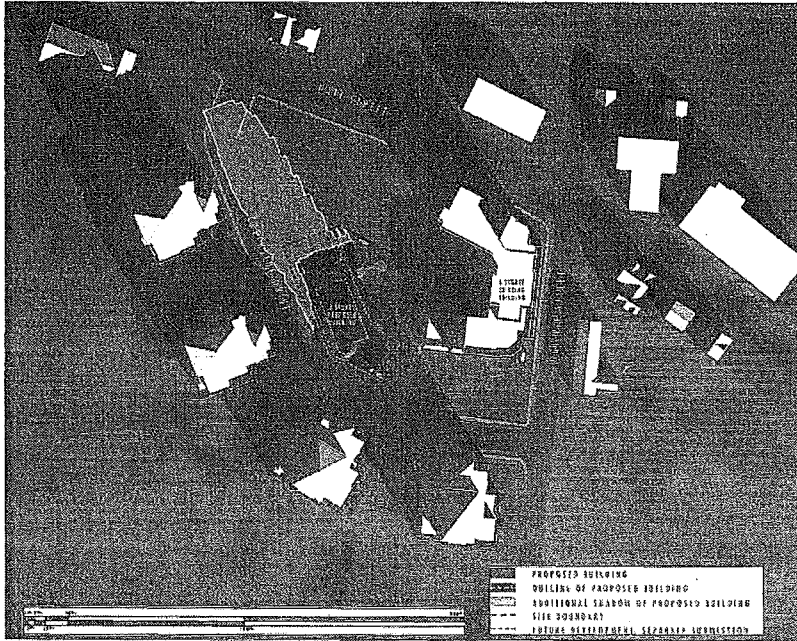


PROPOSED DEVELOPMENT JUNE 21, 10:00 AM
 SUN/SHADOW STUDY 2555 CRAWFORD DRIVE, SPENCER CREEK VILLAGE, DUNDAS, ONTARIO, ON



PROPOSED DEVELOPMENT JUNE 21, 4:00 PM
 SUN/SHADOW STUDY 2555 CRAWFORD DRIVE, SPENCER CREEK VILLAGE, DUNDAS, ONTARIO, ON

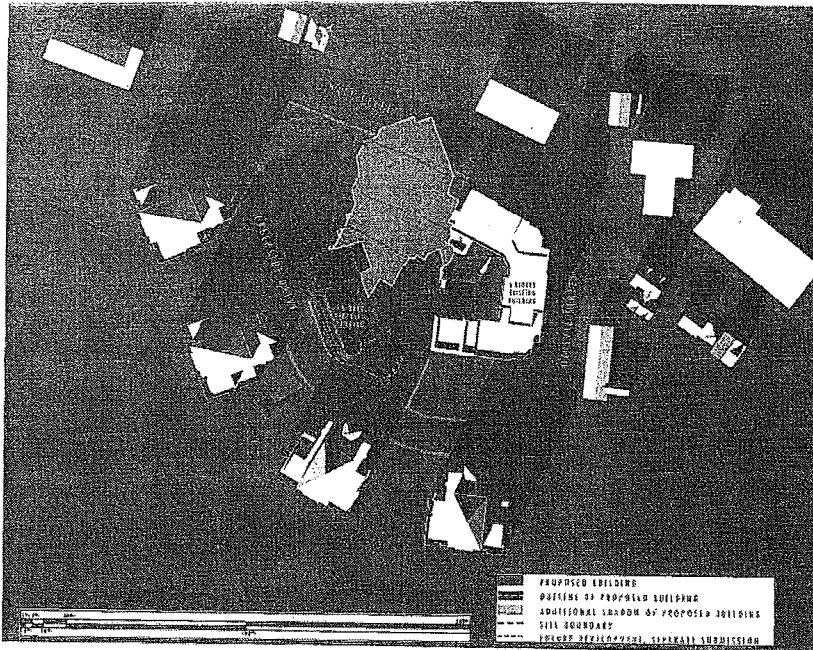
Appendix "P" to Report PED12058
 Sun-Shadow Modelling
 (Page 4 of 4)



415 GREENWAY DRIVE
 WINDSOR, ONTARIO
 N9A 1A6
 T. 416 241 1347
 F. 416 241 1347

PROPOSED DEVELOPMENT DECEMBER 21, 10:00 AM

SUN/SHADOW STUDY 4155 GREENWAY DRIVE, SPENCER CREEK VILLAGE, WINDSOR, ONTARIO

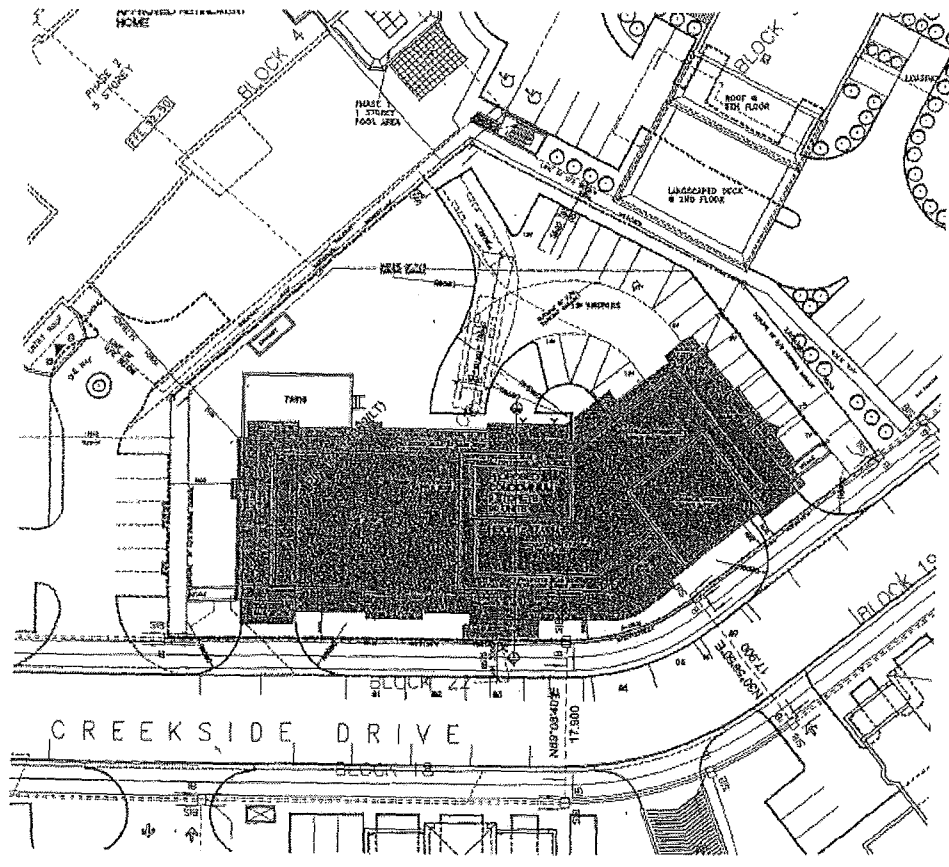


415 GREENWAY DRIVE
 WINDSOR, ONTARIO
 N9A 1A6
 T. 416 241 1347
 F. 416 241 1347

PROPOSED DEVELOPMENT DECEMBER 21, 2:00 PM

SUN/SHADOW STUDY 4155 GREENWAY DRIVE, SPENCER CREEK VILLAGE, WINDSOR, ONTARIO

Appendix "Q" to Report PED12058
 Initial Proposal for a 9-Storey
 90 Unit Apartment Building
 (Page 1 of 2)



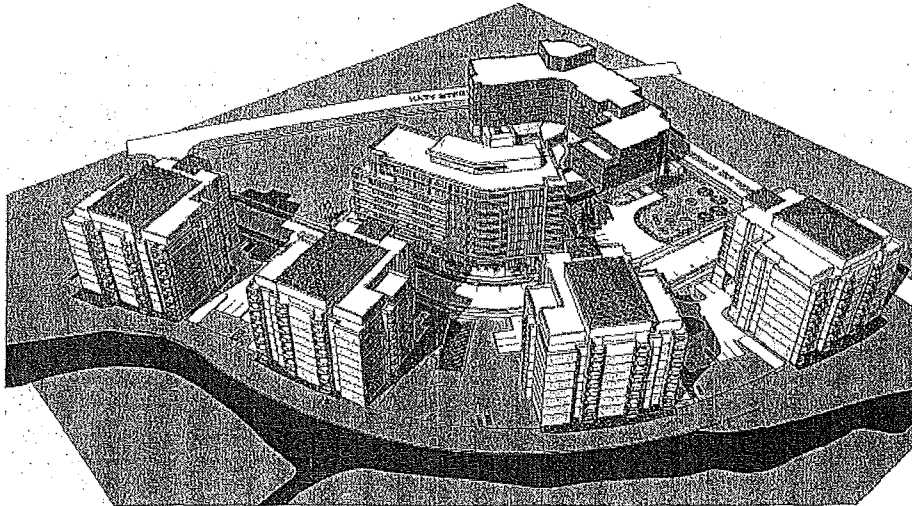
INFORMATION TAKEN FROM:
 SURVEYOR'S REAL PROPERTY REPORT
 PLAN OF
BLOCK 11
 REGISTERED PLAN 62M-963
 1036 W. 10th
 CITY OF HAMILTON
 MURRAY, HENKAT & PETERS LIMITED - ONTARIO LAND SURVEYORS
 © 2005
 KNOWN AS MUNICIPAL No. 2858 CREEKSIDE DRIVE

SITE STATISTICS		
SITE DATA		
LOT AREA		3116.8 SQ
F.S.A.		341 X 1
COVERED AREA	1274.3 SQ (44.7%)	
PAVED AREA	810.0 SQ (19.6%)	
LANDSCAPED AREA	1131.5 SQ (36.2%)	
TOTAL LOT AREA		3116.8 SQ (100%)
GROSS FLOOR AREA		
PARKING LEVEL 2	205.0 X 1	205.0 SQ
PARKING LEVEL 1	205.0 X 1	205.0 SQ
GROUND FLOOR	1122.5 X 1	1122.5 SQ
2ND FLOOR	1216.0 X 1	1216.0 SQ
3-4TH FLOOR	1216.0 X 2	2432.0 SQ
7TH FLOOR	1214.2 X 1	1214.2 SQ
8TH FLOOR	204.3 X 1	204.3 SQ
9TH FLOOR	278.4 X 1	278.4 SQ
ALPH	452.8 X 1	452.8 SQ

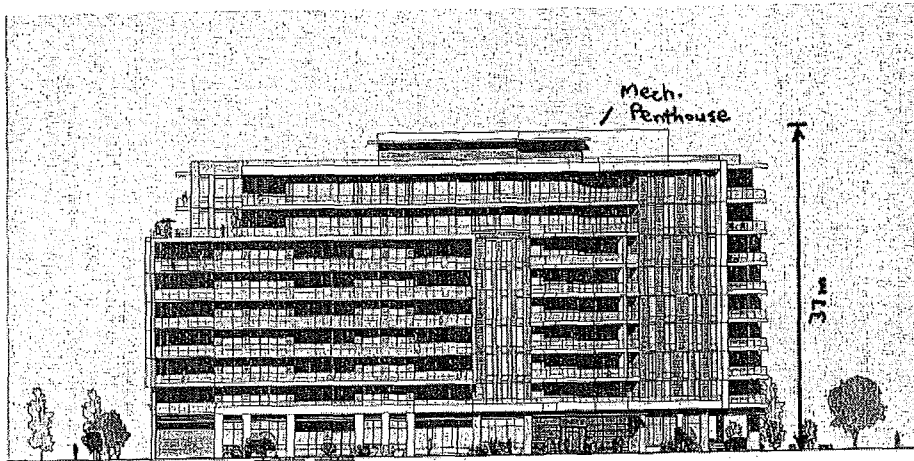
TOTAL GROSS FLOOR AREA	12347.3 SQ		
PROPOSED HEIGHT	27.00 M		
PROPOSED NUMBER OF UNITS			
1 BEDROOM	18		
1 BEDROOM + DEN	13		
2 BEDROOM	41		
2 BEDROOM + DEN	15		
3 BEDROOM	5		
TOTAL PROPOSED UNITS	90		
REQUIRED PARKING			
RESIDENTIAL PARKING 1 X 90 (NUMBER OF UNITS)	= 90 CARS		
VEHICLE PARKING 0.25 X 90 (NUMBER OF UNITS)	= 23 CARS		
TOTAL REQUIRED PARKING	113 CARS		
PROPOSED PARKING			
	RESIDENTS	VISITORS	
PARKING LEVEL 2:	29	6	35 CARS
PARKING LEVEL 1:	81	1	82 CARS
OVERHEAD PARKING:	3	17	20 CARS
STREETCAR:	0	23	23 CARS
TOTAL PROPOSED PARKING			118 CARS

PROPOSED RESIDENTIAL DEVELOPMENT 890 CREEKSIDE DRIVE, SPENCER CREEK VILLAGE, BLOCK 11 HAMILTON, ON	
SITE PLAN	
	Date: 08 DEC 2009 Time: 11:00 Scale: 1:200 Author:
	Date: 11 DEC 2009 Time: 11:00 Scale: 1:200 Author:
2008-014	A102

Appendix "Q" to Report PED12058
Initial Proposal for a 9-Storey
90 Unit Apartment Building
(Page 2 of 2)



Massing Only
Rendering



Massing Only
Creekside Drive Elevation

NOTE

Please be advised that due to volume, the public submissions received regarding Proposed Official Plan Amendment and Zoning By-law Amendment Affecting Lands Located at 2555 Creekside Drive (Dundas) (PED12058) (Ward 13), have been posted online only.

Please visit the following website to view the letters:

<http://www.hamilton.ca/CityDepartments/CorporateServices/Clerks/AgendaMinutes/Planning/2012>