

Good morning members of the Committee and ladies and gentlemen.

This application is for a ZBLA for property located at 24 Brock Street North, Dundas in an area which is north and east of the downtown near the westerly end of the former town and is adjacent to the Niagara Escarpment.

The property comprises an area of 0.48ha and has 48.6metres of frontage on Brock Street N. The southerly portion of the site is part of a former brownfield site and was occupied by a manufacturing company up until the 1990s. The previous industrial buildings were removed from the site around or after 2001.

The property slopes upwards to the Escarpment and also to the west. There is a former rail spur on the property which provides an embankment along the base of the Escpt.

North of the former embankment the property is characterized by hardwood forest which is part of the Dundas Gorge ESA. The Bruce Trail traverses the edge of this feature. To the north and west, the Dundas Peak is located and is recognized as a locally significant landmark of the Escarpment.

The property was the subject of a 2001 rezoning which resulted in the development of the adjacent loft townhouses which front onto Brock Street. Through this rezoning the site was rezoned from industrial to a site specific RM1 Zone with a holding provision which would allow for a range of residential uses including a 3 storey apartment bldg.

The neighbourhood is characterized by est'd low density residential dwellings to the north and east. To the south there are loft townhouses, a fire---, as well as add'l street TH along Park Street. to the west there is a warehouse and industrial operation called at 10 Bond Street. Further to the west the former Dundas District HS is located which has been rezoned to permit apt condos.

The proposal before you today is for a ZBLA to permit a 6 storey 48u condominium apartment building on a portion of this site. The proposal has been modified from the initial proposal which was for a 7storey 56u block style apartment building. The application initially required an Official Plan Am't because it exceeded the 100u/ha max.density requirement and 6 storey height requirement

The current proposal has been modified to conform to the Dundas OP and also to achieve a better fit within the surrounding lower density area. The proposed building is intended to have 3 levels which are shifted away from the street and also away from the southerly property line. The building design generally follows the lot configuration of the developable part of the site.

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Along Brock Street the proposed setback would be 1.6m from the front property line. However, given the narrow nature of Brock Street, this would be approx. 10m from the existing paved portion of the street. The northerly part of the building would be setback 10m from the ESA boundary – which generally corresponds to the dripline.

The first 3 floors are referred to in architectural terms as the podium and would range in height from 10.2m-11.3m along the front property line and from 9.7m to 11.7m along the southerly wall, with the highest part closest to the street. The podium would actually decrease to 2 storeys along the southerly property line due to the changes in topography between the east and westerly parts of the site. The podium design is intended to mimic a 3 storey street TH dev't with similar architectural features and materials.

Another feature of the podium is that the southerly wall abutting the lofts on Park Street would have recessed areas which measure 5m in depth and 8m in length that are intended to reduce the amount of overlook into the adjacent properties.

The 4<sup>th</sup> and 5<sup>th</sup> floor section of the bldg would be stepped back to permit a terrace on the 4<sup>th</sup> floor. This would be recessed between 8.8m and 10m from the front and between 2.9 to 5.2m from the southerly wall. An additional step-back of between 2.7 to 3.8m would be provided on the 6<sup>th</sup> floor.

The proposed building would have 5 floors for residential units and the main floor and underground would be used for parking. The main floor would accommodate 37 spaces, of which 12 spaces would be for visitors parking. A loading space is also proposed near the front entrance. The underground level would be intended for 36 parking spaces and additional space is available for more parking if required. The proposed parking would exceed the requirements of the Dundas ZBL which would require 60 spaces based on 1.25 spaces/unit.

POLThe proposal was evaluated in terms of the policy review under the PPS, Places to Grow, HWOP, the Niagara Esc. Plan, the Dundas OP and finally the Urban Hamilton OP.

In terms of the Niag Esc Plan, the property is within the Urban Area. The proposal triggered a Visual Impact Ass't to address Dev Obj'v 1.7.1 which requires all dev't to be of an urban design compatible with the visual and natural env't of the escarpment.

It has been noted that the prop'd design would be sensitive to the Esc. Through the provision of recessed balconies along the north wall of the bldg., by providing colours that would allow the upper floors to blend in with the backdrop of the esc. And the use of stepbacks and recessed areas to reduce the height, volume and massing of the bldg..

In the Dundas OP, the subject property is designated Employment Residential Mixed Use. The goal of this designation is to promote the redev't of vacant or underutilized sites to permit a dynamic mix of uses with emphasis on higher intensity residential uses.

In terms of the objectives, this designation aims to foster a more compact form of dev't// encourages medium and higher density residential dev't // permits a range of uses in appropriate locations and ensures that new dev't is sensitive and enhances the scale and built form of the surrounding area.

The designation permits multiple unit residential and would allow the development to have densities of up to 100u/ net ha. It requires controlled dev't through the use of site plan approval and zoning// and requires sufficient parking.

Policy 3.4.3.5 sets out criteria for development within this designation which include requiring dev't to reflect the general height and massing of the surround area with a max. height of 6 storeys// not overloading ex. storm and san.sewers.// providing adequate schools, parks and commercial facilities// allowing for proper ingress and egress and minimizing congestion on local streets // and compliance with the UD policies of the OP.

The proposal conforms to these criteria. In particular, the proposal would be within the 6 storey height requirement and would be designed to achieve a fit within the nbd through the dev't of a 3 story podium that would blend architecturally with existing dev't to create a harmonious streetscape.

Services could be accommodated for sanitary and water. SWM will be examined at the site plan stage and will likely require the use of LID techniques which involve cisterns and green roofs in order to manage storm water drainage on the site.

The site can accommodate appropriate driveways for ingress and egress and would have adequate parking to minimize congestion.

#### Rebut

The UD policies from policy 2.5.5.1 of the Dundas OP are required as part of the OP review of this application. The policies compatibility in terms of design, height, size to create a harmonious streetscape//, roof profiles// similarity in setbacks// location of entrances onto public roads// parking// minimizing impacts such as overshadow// and encroachments onto the Escarpment.

All of these matters are discussed in the report and the proposal would conform with these policy req'ts.

Other policy issues that are discussed in the report include noise abatement and contaminated sites and these areas have also been reasonably addressed.

Under the new Urban Hamilton OP, which, the property has been included in the Neighbourhoods designation. As the formal consultation and submission of the application preceded the Ministerial approval of the Plan, the review was for info purposes and general guidance.

In particular, the proposal would be within the max. height and density requirement for Medium Density Residential uses.;

Staff are satisfied that the subject property would fit the locational and technical requirements for Medium Density Residential and the proposal would satisfy the requirements for intensification dev't, compatibility with existing nbd uses and built form req'ts for new dev't.

Further, the new def'n of compatibility is recognized in the UH OP as being land uses and building forms that are mutually tolerant of each other and capable of existing together in harmony. It is not req'd to mean the same as or even similar to. Therefore the building while not similar to existing bldgs in this nbd, is considered to be harmonious with existing lower density forms of dev't,

## ISSUES

The application was circulated to \_90\_ residents within 120m of the subj prop, and generated 33 letters. Additional responses were also received from approx 34 residents and from a local nbd group called HEARD. The petition and concerns provided by HEARD have been provided on line in association with the plng report for this application.

In the report, the main themes that were identified include: design and fit // traffic and parking/ /nbd concerns// services// and escarpment/env't concerns.

With respect to design and fit, the specific concerns include size// overintensif'n// overshadowing// lack of transition and the precedent of erecting a bldg. into the Escarpment.

As noted in the report, the property is within a designation that would permit apt bldgs of up to 6 storeys in height. The proposed design would create a 3 storey podium which would resemble a taller street TH. Successive storeys above the podium would be stepped back from Brock Street and from the southerly property line so that the effects of the bldg. height would be generally minimized. Additional stepbacks and the use of recessed areas would be provided along the southerly side of the bldg.

With respect to traffic and parking issues concerns were provided in the comments about safety from increased traffic, Brock St being narrow

Neighbourhood concerns .

