



Project No. 1478

May 14th, 2014

Rose Caterini, City Clerk
City Hall
71 Main St. W., 1st Floor
Hamilton, ON, L8P 4Y5

Dear Ms. Caterini

**Re: Development Charge Credits Extension
 Kenilworth Avenue Investments Inc.
 Centre on Barton Development (1147 & 1227 Barton St East)**

On behalf of Kenilworth Avenue Investments Inc. c/o Triovest Realty Advisors Inc., we hereby request an extension on development charge demolition credits for the above noted property. We are seeking Council approval of a 5-year extension for 49,513.28sf of development charge demolition credits expiring June 3rd, 2014 and 43,023.00sf expiring October 2nd, 2014. An excel sheet with all credits is enclosed.

Background

The owners purchased Centre on Barton (previously Centre Mall at 1227 Barton Street East) in 2003, a 60-acre commercial site in Hamilton. In 2006, plans were prepared to redevelop the lands. The proposal included the demolition of 843,481sf of the existing mall together with the development of twenty-five commercial retail buildings totaling +/- 813,000sf. The project was considered Canada's largest commercial redevelopment of its time. The first Site Plan application was submitted in 2007 and since then twenty-one buildings have been constructed totaling +/-750,000sf. A Site Plan amendment submission for the development of the twenty-second building is anticipated by the end of May 2014 and a building permit submission anticipated by mid summer.

Demolition of the existing mall was phased between 2006 and 2009. In 2009, the remaining sections of the mall were demolished providing 479,504sf of development charge credits of which approximately 80% have been used as part of the revitalization of the lands. The remaining 92,536.28sf of development charge credits expire in 2014 are the subject of this request.

Supporting Details

The 5-year limit on development charge credits is imposed to discourage vacant, undeveloped lots where buildings used to stand and to ensure the timely

redevelopment of these lands. Whereas a 5-year limit may be suitable for most developments, the Centre on Barton lands represent a redevelopment that can be categorized as large-scale and despite continuous applications for site plan amendments and building permits, could not complete such a large scale development within the five year limit. Since 2009 when the last of the existing mall was demolished, sixteen (16) building permits have been issued. It is in our opinion that the owners have maintained good faith and good planning practice in progressing the redevelopment of this site in a timely manner. It is evident that development has been continuous and meets the intent of the Development Charge By-law policies. An extension of the remaining credits is required in order to complete the remaining buildings.

It is the policy of the Development Charges By-law when issuing demolition credits to recognize the infrastructure capacity that the previous development used to occupy. This is to ensure that future development will not increase the infrastructure capacity from what was required by the previous development. An extension of the development charge credits will not change the infrastructure requirements. In fact, the redevelopment of the Centre on Barton has provided many infrastructure improvements including an easement in favor of the City of Hamilton for the installation of a key storm sewer as part of the Lower East End Drainage Study, dedication of lands along the Barton and Ottawa Street frontages for the purposes of a new left turn lane, and the installation of new traffic signals at Kenilworth and Vansitmart Avenue.

Conclusions

It is in our opinion that a 5-year extension is an appropriate request given the nature of this particular development and we ask that Council consider approval of this request to help facilitate the timely completion of the Centre on Barton. We would like to thank you in advance for your consideration and should you have any questions, please contact the undersigned at your earliest convenience.

Respectfully submitted,



Tyler Grinyer, MCIP, RPP

Cc: Councillor Sam Murella, Ward 4
Mike Zegarac, General Manager, Finance & Corporate Services
Joseph Spiller, Manager of Capital Budgets & Development
Randy Gladman, Director, Development, TrioInvest Realty Services Inc.

New Buildings

	Address	Year	Square Feet
Building E	1283 Barton St. E	2008	124,247.80
Building D	1211 Barton St. E	2008	121,438.40
Building Q	1241 Barton St. E	2008	21,172.00
Building V	1183 Barton St. E	2008	16,985.00
Building U	1187 Barton St. E	2008	15,112.00
Building W	1145 Barton St. E	2008	13,358.00
Building K	1299 Barton St. E	2008	10,710.00
Building P	1255 Barton St. E	2008	8,105.00
Building Y	1273 Barton St. E	2008	7,319.00
Bilding C1/C2	1161 Barton St. E	2009	48,491.00
Building H	1317 Barton St. E	2009	25,634.00
Building L	1275 Barton St. E	2009	15,847.70
Building S	1223 Barton St. E	2009	13,885.40
Building R	1219 Barton St. E	2009	6,307.60
Building FA/FB	1267 Barton St. E	2010	49,430.40
Building S	1223 Barton St. E	2010	20,314.00
Building N	1259 Barton St. E	2010	17,426.00
Building H	1317 Barton St. E	2010	17,314.00
Building X1/X2	1149 Barton St. E	2010	12,136.60
Building X1/X2	1149 Barton St. E	2010	7,338.30
Building J	1311 Barton St. E	2010	6,049.00
Building I	1321 Barton St. E	2010	1,162.50
Building Z	1115 Barton St. E	2011	88,856.08
Bilding C1/C2	1161 Barton St. E	2012	25,904.96
Building FA/FB	1267 Barton St. E	2013	56,399.98
Total			750,944.72

Not Yet Built

Building A	510 Ottawa Street North	27,723.20
Building M	1231 Barton St. E	7,668.00
Building O	1263 Barton St. E	7,643.77
Building T	1191 Barton St. E	18,563.64
Total		61,598.61

Building EXB 1111 Barton St. E Address changed in 2011, previoulsy 1089, 1091. Beer Store - Building permit 2003. Not applicable to analysis.

Demolitions

Address	Year	Square Feet	
Commercial			
1227 Barton St. E	2006	118,000	
1227 Barton St. E	2006	42,000	
1271 Barton St. E	2007	4,844	
1227 Barton St. E	2008	184,117	
1227 Barton St. E	2009	131,949	
1227 Barton St. E	2009	304,532	
1147 Barton St. E	2009	43,023	479,504
Total		828,465	
Industrial (Bldg Dept.'s classification - was former Active Green &			
1271 Barton St. E	2007	15,016	

Remainings DC Credits:

Total Demolitions	843,481.00
Total Re-Developed	750,944.72
DC Credits remaining:	92,536.28

*These credits expire 5 years from Demolition Permit Issuance

June 3, 2014	49,513.28	square feet will expire
October 2, 2014	43,023.00	square feet will expire