



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	February 6, 2018
SUBJECT/REPORT NO:	Applications for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment for Lands Located at 2782 Barton Street East, Hamilton (Ward 5) (PED18022)
WARD(S) AFFECTED:	Ward 5
PREPARED BY:	Mark Kehler (905) 546-2424 Ext. 4148
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Urban Hamilton Official Plan Amendment Application UHOPA-17-021, by LJM Developments (Grimsby) Inc., Owner**, to establish a site specific policy for a proposed thirteen (13) storey, 211 unit multiple dwelling with a maximum net residential density of 379 units per hectare, for lands located at 2782 Barton Street East, Hamilton as shown on Appendix “A” to Report PED18022, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18022, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed Urban Hamilton Official Plan Amendment is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017).
- (b) That **Amended Zoning By-law Amendment Application ZAC-17-050, by LJM Developments (Grimsby) Inc., Owner**, for a change in zoning from the “E-2/S-306” and “E-2/S-306a” (Multiple Dwellings) District, Modified to the “E-3/S-306b” (High Density Multiple Dwellings) District, Modified to permit a 211 unit multiple dwelling with a maximum building height of thirteen (13) storeys (41 metres) on

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lands located at 2782 Barton Street East, Hamilton as shown on Appendix “A” to Report PED18022 be **APPROVED** on the following basis:

- (i) That the draft By-law, attached as Appendix “C” to Report PED18022 which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (ii) That the amending By-law, attached as Appendix “C” to Report PED18022 be added to District Map No. E123 of Zoning By-law No. 6593 as “E-3/S-306b”; and,
- iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX.

EXECUTIVE SUMMARY

The Owner, LJM Developments (Grimsby) Inc., has applied for an Urban Hamilton Official Plan (UHOP) Amendment and a Zoning By-law Amendment to permit a thirteen (13) storey condominium multiple dwelling with 211 units on a vacant parcel of land. A total of 264 parking spaces are proposed, including 215 resident parking spaces within two underground levels and 49 visitor parking spaces at grade.

The purpose of the UHOP Amendment is to increase the permitted net residential density for the subject property within the High Density Residential category of the “Neighbourhoods” designation from a maximum of 200 units per hectare to a maximum of 379 units per hectare.

The purpose of the Zoning By-law Amendment is to rezone the subject lands from the “E-2/S-306” & “E-2/S-306a” (Multiple Dwellings) District, Modified to the “E-3/S-306b” (High Density Multiple Dwellings) District, Modified. Modifications to the “E-3” District have been requested for an increased maximum building height and floor area ratio, and reduced front, side and rear yard depth, landscaped area, parking space dimensions, visitor parking rate and number of loading spaces to permit the proposed development.

The applications have merit and can be supported as the proposal is consistent with the Provincial Policy Statement (2014), conforms to the Growth Plan for the Greater Golden Horseshoe (2017), and will comply with the UHOP upon finalization of the UHOP Amendment. The proposed multiple dwelling represents an appropriate level

intensification at this location, respects and enhances the character of the neighbourhood and diversifies the housing type, form and tenure in the area.

Alternatives for Consideration – See Page 30

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

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

HISTORICAL BACKGROUND

Proposal:

The subject property is located at the southwest corner of Barton Street East and Bell Manor Street, one block west of the intersection of Barton Street East and Grays Road. It is located at the northern edge of the Riverdale East Neighbourhood. The property is rectangular in shape, has a lot area of approximately 0.5655 ha (5,655 m²) and is municipally known as 2782 Barton Street East.

The property is currently vacant and was subject to previously approved Zoning By-law Amendment Applications that established site specific Zoning “E-2/S-306” and “E-2/S-306a”, implemented by By-law Nos. 74-7 and 87-77 respectively. A Site Plan Control Application (File No. DA-09-055) to construct a six (6) storey, 83 unit multiple dwelling geared towards seniors was conditionally approved but the approval has lapsed.

The applicant is proposing to construct a thirteen (13) storey, 41 metre high multiple dwelling with 211 dwelling units and 264 parking spaces, including 215 resident parking spaces within two (2) levels of underground parking and 49 visitor parking spaces at grade. A total of 170 bicycle parking spaces will be provided, including 159 long term spaces and 11 short term spaces.

The applicant applied to amend the UHOP to create a site specific policy to permit a maximum net residential density of 379 units per hectare in the High Density Residential category of the “Neighbourhoods” designation. The existing “Neighbourhoods” policies permit a maximum net residential density of 200 units per hectare in the High Density category.

The applicant has applied for a change in zoning from the “E-2/S-306” & “E-2/S-306a” (Multiple Dwellings) District, Modified to a site specific “E” (Multiple Dwellings, Lodges Clubs, Etc.) District. Modifications to permit an increased maximum building height and floor area ratio, and reduced front, and side yard depth, landscaped area, parking space dimensions, planting strip adjacent to a loading area, visitor parking rate and number of loading spaces have also been requested.

On October 6, 2017, the applicant submitted a revised concept site plan, underground parking plans, floor plans, elevations and draft zoning by-law in response to comments from Zoning staff seeking clarification. Revisions included proper labelling of site features and dimensions and a recalculation of building height (increased from 39.78 metres to 41.0 metres) and floor area ratio (increased from 3.1 to 3.15) based on Zoning By-law No. 6593 definitions. The proposed number of parking spaces was reduced from 278 to 264 due to clarification on the parking requirements of By-law No. 6593, which include the required visitor parking rate of 0.25 parking spaces per unit as a component of the total parking requirement of 1.25 parking spaces per unit. In response to staff comments, the proposed transformer pad was relocated from the landscaped area abutting the access driveway to the west side of the ramp to the underground parking.

Staff reviewed the revised Zoning By-law Amendment and determined that the increased density contemplated by the proposal is better reflected in a site specific “E-3” (High Density Multiple Dwellings) District. Additionally, staff requested the proposed amendment be revised by adding an increased rear yard setback requirement of 41 metres to limit potential impacts on the low density residential dwellings to the south. Staff requested a reduced building height from 42 metres to 41 metres and a reduced floor area ratio from 3.2 to 3.15 to match the dimensions and site statistics provided on the concept plan and to prevent additional increases in height and density. In order to accommodate the panelling that projects into the required front and westerly side yards, the applicant requested a decreased minimum front yard from 5.5 metres to 4.7 metres and a decreased minimum westerly side yard from 6.0 metres to 4.4 metres. A minimum required easterly side yard setback of 3.7 metres to the hypotenuse of the daylight triangle was requested by staff to maintain the plaza feature at the corner of Barton Street East and Bell Manor Street. The proposed concept plan identifies a minimum 1.5 metre landscape strip along the entire west property line, including adjacent to the proposed loading space. In accordance with the concept plan, staff have identified that the requested removal of the planting strip requirement between the loading space and the west abutting residential district is not necessary and requested it be removed from the proposed amendment. The above revisions to the proposed Zoning By-law Amendment were discussed and agreed upon by staff and the applicant.

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Chronology:

June 2, 2017: Urban Hamilton Official Plan Amendment Application UHOPA-17-021 and Zoning By-law Amendment Application ZAC-17-050 received.

June 30, 2017: Application UHOPA-17-021 and ZAC-17-050 deemed complete.

July 13, 2017: Notice of Complete Application and Preliminary Circulation was sent to 322 property owners within 120 m of the subject lands.

July 13, 2017: Public Notice Sign installed on the subject property.

August 29, 2017: Applicant Public Open House.

October 6, 2017: Revised concept site plan, underground parking plans, floor plans, elevations and draft zoning by-law submitted by the applicant in response to staff comments.

January 10, 2018: Public Notice Sign updated with Public Meeting date.

January 19, 2018: Circulation of Notice of Public Meeting to 322 property owners within 120 m of the subject property.

Details of Submitted Application:

Applicant / Agent: A.J. Clarke and Associates Ltd. (c/o Franz Kloibhofer)

Location: 2782 Barton Street East, Hamilton (see Appendix “A” to Report PED18022)

Owner: LJM Developments (Grimsby) Inc. (c/o Liaquat Mian)

Agent: A.J. Clarke and Associates Ltd. (c/o Franz Kloibhofer)

Property Size:

<u>Lot Frontage:</u>	78.95 m
<u>Lot Depth:</u>	73.79 m
<u>Lot Area:</u>	5,655 sq m (0.5655 ha)

Services:

Existing Full Municipal Services

Existing Land Use and Zoning:

<u>Subject Property:</u>	<u>Existing Land Use</u>	<u>Existing Zoning</u>
	Vacant	"E-2/S-306" & "E-2/S-306a" (Multiple Dwellings) District, Modified
<u>Surrounding Land Uses:</u>		
North	One and two storey commercial buildings, a used car lot and an auto repair shop	"M3" (Prestige Business Park) Zone
East	Hydro corridor and two storey townhouse dwellings	"L-PN" (Planned Development) District & "DE/S-205" (Low Density Multiple Dwellings) District, Modified
South	Two storey townhouse dwellings	"DE/S-306" (Low Density Multiple Dwellings) District, Modified
West	Sixteen (16) storey multiple dwelling	"E/S-306" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014):

The Provincial Planning Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS.

The PPS encourages development within settlement areas that promotes the efficient use of land and infrastructure, and supports public transit and active transportation. The proposed multiple dwelling provides an appropriate level of intensification on an underutilized site within the Urban Boundary. The property is adjacent to existing bus routes and is within walking distance of amenities including schools, parks, local commercial and employment uses.

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Staff also note Cultural Heritage policies within the UHOP have not been updated in accordance with the PPS (2014). The following policy of the PPS (2014) also applies:

“2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

A Stage 1 and 2 archaeological assessment was completed by The Fossil Hill Group and submitted by the applicant. The consultants conducted a field survey on May 17, 2017 and encountered no archaeological resources. Based on their findings, the consultants recommended that the development be cleared from any further archaeological assessment. Staff have reviewed the report and concur with the recommendations made by the consultants.

In the opinion of staff, the proposal is consistent with the policies of the PPS (2014).

Growth Plan for the Greater Golden Horseshoe (2017)

As of July 1, 2017, the provisions of the Growth Plan for the Greater Golden Horseshoe, 2017 apply to any planning decision.

Policy 2.2.1.2(a) of the Growth Plan directs the majority of growth to settlement areas that have access to municipal water and wastewater systems and can support the achievement of complete communities. Policy 2.2.1.4 supports the achievement of complete communities through the following measures, amongst others:

- “a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes.”

The subject lands are located within the Hamilton Urban Boundary and are fully serviced by municipal water and wastewater infrastructure. The proposal will contribute to achieving a complete community by expanding housing options within the Riverdale East neighbourhood and adding to a diverse mix of local land uses that includes low-rise and high-rise residential, local commercial uses, employment uses and public institutions. The proposed multiple dwelling has access to a range of transportation options and an appropriate supply of safe, publically accessible parks and open spaces.

Also, according to Policy 2.2.2.1 of the Growth Plan, by the year 2031, and each year thereafter, a minimum of 60 per cent of all residential development occurring within a municipality must be within the delineated built up area. This proposal represents an appropriate level of intensification within the built up area, consistent with the growth management policies of the Growth Plan.

In the opinion of staff, the proposal conforms with the policies of the Growth Plan for the Greater Golden Horseshoe (2017).

Urban Hamilton Official Plan

The subject property is identified as “Neighbourhoods” on Schedule “E” – Urban Structure and designated “Neighbourhoods” on Schedule “E-1” – Urban Land Use Designations of the UHOP. The following policies, amongst others, apply:

Neighbourhoods

- “E.2.6.4 The Neighbourhoods element of the urban structure shall permit and provide for a full range of housing forms, types and tenure, including affordable housing and housing with supports.
- E.2.6.7 Neighbourhoods shall generally be regarded as physically stable areas with each neighbourhood having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted. Applications for development and residential intensification within Neighbourhoods shall be reviewed in consideration of the local context and shall be permitted in accordance with Section B.2.4 – Residential Intensification, E.3.0 – Neighbourhoods Designation, E.4.0 – Commercial and Mixed Use Designations, and E.6.0 – Institutional Designation.
- E.3.2.1 Areas designated Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities as well as supporting uses intended to serve the local residents.
- E.3.2.3 The following uses shall be permitted on lands designated Neighbourhoods on Schedule E-1 – Urban Land Use Designations:
- a) residential dwellings, including second dwelling units and housing with supports;

E.3.2.4 The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the existing residential neighbourhood in accordance with Section B.2.4 – Residential Intensification and other applicable policies of this Plan.”

Policies E.2.6.4, E.3.2.1 and E.3.2.3a) reinforce the importance of providing a range of residential dwelling types and densities within a neighbourhood. The neighbourhood context is made up of a 16 storey multiple dwelling directly to the west of the subject property, a six storey multiple dwelling near the intersection of Barton Street East and Grays Road, commercial / industrial uses to the north and townhouse and single detached dwellings to the south and east. By introducing a multiple dwelling at an appropriate location on the periphery of the neighbourhood, the proposed development would add to the diversity of housing types available in the area and contribute to a more complete community.

Policies E.2.6.7 and E.3.2.4 establish that new development shall be compatible with the existing character of the neighbourhood. The term compatible is defined in the UHOP as being “land uses and building forms that are mutually tolerant and capable of existing together in harmony within the area. Compatibility or compatible should not be narrowly interpreted to mean “the same as” or even as “being similar to”.

The proposed multiple dwelling respects and enhances the existing character of the neighbourhood by providing a street oriented building along a minor arterial road, including ground floor glazing and landscaping adjacent to the public sidewalk. The proposal is compatible with the neighbouring 16 storey multiple dwelling to the west, also fronting on Barton Street East. Measures to ensure an appropriate transition to the low density residential neighbourhood to the south include a minimum 41 metre rear yard depth and a minimum 1.5 metre landscape buffer along the south property line with a 1.8 metre high visual barrier to screen the parking area. In order to limit the visual impact, no portion of the building will penetrate a 45 degree angular plane measured to the south property line. To ensure compatibility with the low density residential neighbourhood to the east, the building has been placed towards the front of the site, and the side building facade narrows towards the east property line across from the parking area for the east abutting townhouses, further limiting the visual impact. The proposal will be further evaluated against the Residential Intensification and Urban Design policies of the UHOP later in this Report.

High Density Residential

- “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.3.6.4 High density residential uses shall be located within safe and convenient walking distance of existing or planned community facilities / services, including public transit, schools, and active or passive recreational facilities.
- E.3.6.5 Proximity to the Downtown Urban Growth Centre, Sub-Regional Nodes or Community Nodes, and designated Employment Areas shall be considered desirable for high density residential uses.”

Consistent with Policy E.3.6.1, the proposed multiple dwelling will be located at the northern periphery of the Riverdale East neighbourhood. Barton Street East is classified as a minor arterial road as shown on Schedule C of the UHOP.

With regards to Policies E.3.6.4 and E.3.6.5, the subject lands are located approximately 500 metres, or a five minute walk, from St. Agnes Catholic Elementary School and Riverdale East Park, and 1.3 kilometres, or a fifteen minute walk, from Eastdale Elementary School and Eastdale Park. Public transit is accessible on Barton Road East, including at an HSR bus loop at the southeast corner of Barton Road East and Bell Manor Street.

North of Barton Street East, directly adjacent to the subject lands, is a contiguous Employment Area that extends from the Red Hill Valley Expressway to Winona Road in Stoney Creek. The subject lands are approximately two (2) kilometres from the Eastgate Square Sub Regional Service Node, representing a 20 minute walk, 8 minute cycle or 4 minute drive.

In accordance with the High Density Residential category policies of the UHOP, the proposed multiple dwelling will be located at an appropriate location within the neighbourhood and have convenient access to services, commercial uses and employment opportunities.

- “E.3.6.6 In high density residential areas, the permitted net residential densities, identified on Appendix G – Boundaries Map shall be:
- b) greater than 100 units per hectare and not greater than 200 units per hectare in all other Neighbourhoods designation areas;”

Policy E.3.6.6 permits a maximum net residential density of 200 units per hectare within the “Neighbourhoods” designation outside of the Downtown. The applicant has proposed a net residential density of 379 units per hectare, requiring a site specific policy amendment to the UHOP. Staff have reviewed the proposal against the Residential Intensification policies and High Density Residential use policies of the “Neighbourhoods” designation and are satisfied that the proposed increase in density is appropriate at this location. The proposed multiple dwelling will be located on the periphery of the neighbourhood along a minor arterial road and will be massed to address the immediate context that includes an adjacent 16 storey multiple dwelling and townhouse dwellings. Furthermore, staff are satisfied that the proposed increase in density will not create adverse impacts on neighbouring land uses. The Traffic Impact Statement submitted by the applicant found that the increased traffic generated by the proposal can be accommodated on existing municipal road infrastructure and the submitted sun / shadow study did not identify adverse shadowing impact on neighbouring residential uses.

“E.3.6.7 Development within the high density residential category shall be evaluated on the basis of the following criteria:

- a) Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may be permitted direct access to a collector or major or minor arterial road via a local road upon which abut only a small number of low density residential category dwellings.
- b) High profile multiple dwellings shall not generally be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and / or design features shall be incorporated into the design of the high density development to mitigate adverse impact on adjacent low profile residential uses.
- d) 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 heights, 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.
- e) In accordance with the policies of Section B.3.3 – Urban Design Policies, development shall contribute to an attractive public realm by minimizing the view of the following elements from the abutting public streets (excluding public alleys):
 - i) surface parking areas;
 - ii) parking structures;
 - iii) utility and service structures such as garbage enclosures; and,
 - iv) expanses of blank walls.
- f) The City may require studies, in accordance with Chapter F - Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses.”

In accordance with Policy E.3.6.7a), the proposed development will have direct access to Barton Street East, a minor arterial road, via Bell Manor Street, a local road. There are townhouse dwellings fronting on Bell Manor Street, however most are located south of the proposed access driveway.

In accordance with Policy E.3.6.7b), the applicant has proposed design features to mitigate potential adverse impacts on the low profile residential uses to the south and east of the subject lands. A landscape buffer is proposed, including a 1.8 m high visual barrier to screen the surface parking lot from the townhouse dwellings to the south. In addition, the multiple dwelling has been designed so that no portion of the building penetrates a 45 degree angular plane measured from the south property line, limiting the visual impact and overlook of the building on adjacent low density residential uses. With respect to adjacent low profile residential uses to the east, the neighbouring townhouse dwellings are separated from the proposed multiple dwelling by the Bell Manor Street right-of-way. The proposed building is located towards the front of the subject site across from a hydro corridor and the parking area for the townhouse dwelling units to the east. The side building facade of the proposed multiple dwelling is narrow, limiting the visual impact and overlook to the east.

As per Policy E.3.6.7d), the development features landscaping along the south, east and west property lines. Landscaping and a plaza are located in front of the building providing animation along the Barton Street East frontage. Resident amenities to supplement nearby public parks include an exercise room, yoga room and party room on the ground floor of the building and an outdoor children's play area at the southwest corner of the site. Adequate parking for residents is provided below grade with visitors parking at grade. The proposal is compatible with existing and future uses in the area as the height is consistent with the 16 storey multiple dwelling to the west and the massing and arrangement of the building on site limits its impact on the low rise residential uses to the east and south. There is one proposed vehicle access to the site off of Bell Manor Street and pedestrian entrances at the front and rear of the building are accessed by walkways extending around the perimeter of the building. The proposed vehicle access is located south of the building, minimizing conflict with pedestrians approaching the building from Barton Street East. In the opinion of staff, the features of the proposed development satisfy Policy E.3.6.7d).

With respect to Policy E.3.6.7e), the development contributes to the public realm by locating parking underground and behind the building. The facades feature extensive glazing and there are no expanses of blank walls. Staff will review the landscape plan required at the Site Plan Control stage to ensure all utility structures and outdoor garbage facilities are adequately screened.

In accordance with Policy E.3.6.7f) and Chapter F of the UHOP, the applicant submitted a sun / shadow study prepared by Icon Architects. The study predicted shadow impact of the proposed development on adjacent residential properties on June 21, September 21 and December 21. Outdoor amenity areas for 75 Berkindale Manor to the southwest and 15 Bell Manor to the east were found to be impacted for one hour and two hours respectively on June 21 only.

The most significant shadow impact of the proposed tower was found to be on the outdoor amenity area for the multiple dwelling directly to the west (2772 Barton Street East). This area would be impacted by shadow from 8:00 am to 12:00 pm on June 21 and September 21, and 10:00 am on December 21. The amenity area would not be impacted in the afternoon or early evening, during which utilization would likely to be higher, especially in the summer months. The existing site specific "E-2" District zoning permits a maximum building height of 39 metres, whereas a 41 metre height is proposed. Staff are satisfied that the additional 2 metres in height above the as-of-right height permission, as well as the massing, orientation and design of the proposed building will not create undue shadow impacts on adjacent residential properties.

Residential Intensification

- “B.2.4.1.4 Residential intensification developments shall be evaluated based on the following criteria:
- a) a balanced evaluation of the criteria in b) through g) as follows;
 - b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;
 - c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;
 - d) 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;
 - e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;
 - f) infrastructure and transportation capacity; and,
 - g) the ability of the development to comply with all applicable 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;
 - 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(s) 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(s) 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;
- 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 proposed multiple dwelling contributes to the range of dwelling types and tenures by providing a high density residential form, as per Policy B.2.4.1.4c). The proposal complements the existing function of the neighbourhood as per Policy B.2.4.2.2(h) as the proposed high density development is located at the periphery of the Riverdale East neighbourhood on a minor arterial road, and has convenient access to public transit, services, employment areas and the Eastgate Square Sub Regional Node. As per Policy B.2.4.1.4e), the Neighbourhoods policies of the Urban Structure encourage a range of dwelling types and tenures and development that complements the form and function of the neighbourhood as described above.

The proposed development respects and enhances the existing neighbourhood character as required by Policy B.2.4.1.4 b) by providing an appropriately designed building on a vacant lot adjacent to a 16 storey multiple dwelling, while providing an adequate transition to adjacent townhouse dwellings. In accordance with Policies B.2.4.1.4 d) and B.2.4.2.2b), c) & d), the proposal is designed to ensure compatibility with the surrounding area, including limited nuisance effects such as shadowing, noise, lighting, traffic and overlook, and provides appropriate massing and scale along with transitions to adjacent low density residential buildings. The 13 storey multiple dwelling will occupy a vacant lot and complement the neighbouring 16 storey multiple dwelling to the west. The building will be placed at the front of the subject site, providing a minimum 41 metre rear setback to the townhouse properties to the south, and will provide a narrow building facade adjacent to the townhouse dwellings to the east. These design features limit shadow and overlook impacts, as confirmed by the sun / shadow study submitted by the applicant. The proposed balconies on the east façade will not directly overlook the adjacent townhouse dwellings and the rear facing balconies will be located a significant distance from the townhouse dwellings to the south, limiting

overlook. The proposed landscape buffers and visual barriers at the south and west property line further limit nuisance affects, including noise and lighting.

Proposed amenities include an exercise room, yoga room and party room on the ground floor of the multiple dwelling and an outdoor children's play area at the southwest corner of the site. As per Policy B.2.4.2.2 f), the proposed amenities will complement the existing public parks within walking distance of the subject site.

The existing lot conforms with the lot pattern of the neighbourhood that generally features larger commercial and high density residential lots at the periphery along Barton Street East, with smaller single detached and townhouse dwelling lots behind. The proposal will enhance the existing streetscape by locating the primary façade close to the street while maintaining appropriate setbacks and separation distances from the neighbouring multiple dwelling to the west and townhouse dwellings to the south and east. The setbacks allow for the implementation of a 45 degree angular plan which is consistent with best practises for minimizing issues of overlook, massing and privacy. Based on the foregoing, the proposal complies with Policies B.2.4.2.2e) & g).

With respect to Policies B.2.4.1.4 f) and B.2.4.2.2 j), the subject site is serviced by municipal water, sewer and stormwater infrastructure. Based on staff review of the Transportation Impact Study submitted by the applicant, the traffic generated by the proposed development can be accommodated within the existing road network.

With respect to Policy B.2.4.2.2i), staff have not identified any impacts from the proposed development on cultural heritage resources and concur with the findings of the Stage 1 and 2 Archaeological Assessment, as discussed in the Provincial Policy Statement section of this Report.

Furthermore, the following urban design policies, amongst others, also apply:

Urban Design

“B.3.3.2.3 Urban design should foster a sense of community pride and identity by:

- a) respecting existing character, development patterns, built form, and landscape;
- b) promoting quality design consistent with the locale and surrounding environment;
- c) recognizing and protecting the cultural history of the City and its communities;

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- d) conserving and respecting the existing built heritage features of the City and its communities;
- e) conserving, maintaining, and enhancing the natural heritage and topographic features of the City and its communities;

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 as well as through 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.

B.3.3.3.2 New development shall be designed to minimize impact on neighbouring buildings and public spaces by:

- a) creating transitions in scale to neighbouring buildings;
- b) ensuring adequate privacy and sunlight to neighbouring properties; and,
- c) minimizing the impacts of shadows and wind conditions.

B.3.3.3.5 Built form shall create comfortable pedestrian environments by:

- a) locating principal façades and primary building entrances parallel to and as close to the street as possible;
- b) including ample 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 urban design policies, staff are of the opinion that the proposed development respects and enhances the neighbourhood character. The building will be located at the edge of the neighbourhood, adjacent to an existing high density multiple dwelling, and will provide appropriate transitions to low rise residential uses on the interior of the neighbourhood. Shadow impacts on adjacent townhouse dwellings to the south and east have been minimized by massing the building at the front of the site, ensuring that no portion of the building penetrates a 45 degree angular plane measured from the south property line and narrowing the building façade at the east side lot line. Except for some impacts on the multiple dwellings to the west, as per previous comments, the sun / shadow study submitted by the applicant demonstrated that the proposed building has been designed so as not to create undue shadow impact on adjacent residential properties.

The proposal will enhance the pedestrian realm by providing parking at the rear of the building and underground, and locating the principle building façade parallel and close to Barton Street East. The ground floor entrances, amenity spaces, as well as landscaping and a plaza at the front of the building will further animate the street. A Pedestrian Wind Study was prepared by RWDI and submitted by the applicant. The report recommends wind control methods at building corners and entrances, including wind screens, recessed entrances, canopies and landscaping. Staff will continue to work with the applicant to implement such measures and others such as ground floor glazing and quality landscaping adjacent to the public sidewalk in order to further enhance the pedestrian realm. Further design review will occur at the Site Plan Control stage.

Noise

- “B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards.
- B.3.6.3.7 A noise feasibility study, or detailed noise study, or both, shall be submitted as determined by the City prior to or at the time of application submission, for development of residential or other noise sensitive land uses on lands in the following locations:
- a) 100 metres of a minor arterial road, as identified on Schedule C – Functional Road Classification.”

The proposed residential development will be located 0 metres from Barton Street East, a minor arterial road, and is a noise sensitive use.

A Noise Impact Study was prepared by dBA Acoustical Consultants Inc. and submitted with the application. The report analysed noise levels in the area and recommended noise control measures including warning clauses, central air conditioning and noise reducing wall and window construction. Staff are satisfied with the report for rezoning purposes, however an addendum study will be required at the Site Plan Control stage providing further detail on the commercial land uses to the north and on noise impacts to the proposed outdoor play area at the rear of the site. Noise warning clause will be included in all future purchase or lease agreements and noise control measures recommended in the addendum report will be implemented at the Site Plan Control stage.

Servicing

- “C.5.3.5 All new development and redevelopment within the urban area shall be connected to the City’s water and wastewater system.
- C.5.3.11 The City shall ensure that any change in density can be accommodated within the municipal water and wastewater system.
- C.5.3.15 The City shall be satisfied that adequate infrastructure services can be provided prior to any development or intensification proceeding and, where technically and economically possible, the City shall require such services to be located underground.

- C.5.4.9 All land designated on Schedule E-1 – Urban Land Use Designations shall meet the following conditions:
- a) development and / or redevelopment shall be connected to, or serviced by, a storm water drainage system or other appropriate system such as ditches, or any other techniques acceptable to the City, Conservation Authorities, or the Province and/or detailed in a Storm Water Master Plan or other relevant study;
 - b) development shall be in accordance with the system capacity for drainage and storm water management and where relevant, will conform to storm water site management plans, a Storm Water Master Plan, site plans and/to other relevant studies, guidelines or regulations; and,
 - c) storm water systems shall be designed and constructed, in accordance with the City' standards and guidelines, provincial guidelines, storm water master plans, master drainage plans and any other relevant study or legislation."

A Functional Servicing Report (FSR) and Stormwater Management Report dated May 2017, prepared by S. Llewellyn & Associates was submitted with the application and reviewed by staff.

Growth Management staff are satisfied that the existing water, waste water and storm water infrastructure is adequate to service the proposed development. The detailed infrastructure and servicing design will be reviewed and approved through the Site Plan Control process.

Neighbourhood Plans

The following policy related to Neighbourhood Plans, amongst others, applies:

- "F.1.2.7 Neighbourhoods plans are policies adopted by council resolution and do not form part of the Official Plan. Any proposal for development or redevelopment must conform to the designations, and policies in the Neighbourhood Plan."

The subject site is designated "Commercial and Apartments" in the Riverdale East Neighbourhood Plan. The proposed multiple dwelling conforms to the policies of this designation, therefore an amendment to the Riverdale East Neighbourhood Plan is not required.

Based on the foregoing, the proposal complies with the UHOP.

City of Hamilton Zoning By-law No. 6593

The subject property is currently zoned “E-2/S-306” & “E-2/S-306a” (Multiple Dwellings) District, Modified (By-law No. 74-7 and By-law No. 87-77) which permits a range of residential uses including multiple dwellings, but limits gross floor area to not greater than the area of the lot multiplied by a floor area ratio of 1.19 and building height to 39 metres or 12 storeys. The proposed multiple dwelling would have a floor area ratio of 3.15 and a building height of 41 metres and 13 storeys. The existing site specific modifications (S-306 and S-306a) rezoned the property from “DE” (Low Density Multiple Dwellings) District to “E-2” (Multiple Dwellings) District to allow for an 83 unit multiple dwelling with additional permitted commercial uses to facilitate a development concept that was never finalized.

In order to implement the proposed 13 storey multiple dwelling, a change in zoning from the “E-2/S-306” & “E-2/S-306a” (Multiple Dwellings) District, Modified to the “E-3/S-306b” (High Density Multiple Dwellings) District, Modified is required. By-law No. 87-77 (S-306a) will be repealed in its entirety and the property will be exempt from the requirements of By-law No. 74-7 (S-306). An evaluation of the proposed modifications is included in the analysis and Rationale for Recommendation section of this Report.

RELEVANT CONSULTATION

The following Departments and Agencies had no comments or objections to the proposal:

- Alectra Utilities (formerly Horizon Utilities);
- Hamilton Street Railway (HSR); and,
- Recreation Division, Community & Emergency Services Department.

The following Departments and Agencies have provided comments with respect to the proposed applications:

Corridor Management, Public Works Department have reviewed the applicant’s Traffic Impact Study (TIS) and are satisfied that the proposed 211 unit multiple dwelling can be accommodated without modifications to the existing road network. Corridor Management identified the following requirements:

- All access works within the road allowance must be completed by a bonded contractor;
- 5 metre by 5 metre visibility triangles are required between the driveway limits and the road allowance limit, with landscaping not to exceed 0.7 metres in height;
- A minimum of 1.2 metre separation must be provided within the City's road allowance area between a fence and any pole, utility, fire hydrant, tree, sign, etc. Any costs for traffic sign or utility relocation are the sole responsibility of the Owner.
- All construction equipment is to remain on private property.

These requirements will be reviewed and addressed at the Site Plan Control stage.

Forestry and Horticulture Section, Public Works Department has advised that there are municipal tree assets on site and therefore a Tree Management Plan will be required. A Landscape Plan prepared by a Registered Landscape Architect is required, showing the placement of trees on City and private property. These requirements will be reviewed and addressed at the Site Plan Control stage.

Public Health Services, Health Protection Division, identified a requirement for a pest control plan focusing on rats and mice, to be addressed at the Site Plan Control stage.

Transportation Management, Public Works Department, identified that a 12.19 m by 12.19 m daylight triangle is required at the intersection of Barton Street East and Bell Manor Street. The Applicant has shown the daylight triangle on the concept site plan and would be required to convey these lands to the City as a condition of Site Plan approval.

The existing road allowance widths of Barton Street East (36.58 m) and Bell Manor Street (20.1 m) are sufficient. No additional road widening dedications are required.

Transportation Management staff have reviewed the Transportation Demand Management (TDM) report submitted by the applicant and concluded that the TDM meets the objectives of the City pending the demonstration of the proposed elements at the Site Plan Control stage. The applicant has provided sufficient bicycle parking, including 160 long-term interior bicycle parking spaces and 11 short-term exterior bicycle parking spaces. Transportation Management staff further recommend that dedicated carshare vehicle parking be provided and that travel planning resources (bike maps, bus schedules, etc.) be made available in a central location. TDM strategies will be further reviewed at the Site Plan Control stage.

Waste Management Section, Public Works Department has advised that the site would be eligible for municipal waste pickup with respect to garbage, organics and recyclables. Staff note that the applicant intends to provide an interior garbage room and outdoor garbage pad adjacent to the loading space at the west side of the site. The Owner may choose to pursue the services of a private waste contractor and this will be further reviewed at the Site Plan Control stage.

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and the Council Approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 322 property owners within 120 m of the subject property on July 13, 2017. A Public Notice sign was posted on the property on July 13, 2017 and updated with the Public Meeting Date on January 10, 2018.

Public Consultation Strategy

In accordance with their submitted Public Consultation Strategy, the applicant held a Public Open House on August 29, 2017. The applicant provided mail correspondence to all 322 landowners within 120 m of the subject lands on July 26, 2017 and five (5) residents attended the Open House.

To date, two (2) public submissions have been received, raising concerns related to traffic and property values. These issues and concerns are discussed in the Analysis and Rationale for Recommendation section of this Report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - (i) It is consistent with the Provincial Policy Statement (2014) and conforms to the Growth Plan for the Greater Golden Horseshoe (2017). Both policy documents encourage intensification within settlement areas.
 - (ii) It complies with the general intent and purpose of the UHOP, in particular the function, scale and design of the High Density Residential use category of the Neighbourhoods designation; and,
 - (iii) It provides appropriately designed and scaled residential intensification at an appropriate location within the neighbourhood and will diversify the types of housing available in the area, contributing to a more complete community and supporting redevelopment of a vacant site.

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

2. Official Plan Amendment

The proposed multiple dwelling use is permitted in the UHOP as the subject site and proposed development meet the criteria of the High Density Residential category of the “Neighbourhoods” designation. However, Policy E.3.6.6 of the UHOP limits net residential density within the High Density Residential category, outside of the Downtown, to 200 units per hectare. In order to facilitate the proposed net residential density of 379 units per hectare, a site specific policy amendment to the UHOP is required.

The intent of the “Neighbourhoods” policies of the UHOP is to provide for a range of housing forms, types and tenures while ensuring that new development is compatible with the existing character of the neighbourhood. The proposed 13 storey multiple dwelling would be located at an appropriate location at the periphery of the Riverdale East Neighbourhood, fronting a minor arterial road. The subject site provides convenient access to schools, parks, public transit, local and sub regional commercial uses, and employment uses. The proposed design of the building, its height and its massing on site incorporate elements that ensure compatibility with the adjacent low density residential neighbourhood.

The proposed development implements the Residential Intensification policies of the UHOP and the requested increase in permitted net residential density can be supported.

3. Zoning By-law Amendment

A change in zoning is required to facilitate the proposal from the “E-2/S-306” & “E-2/S-306a” (Multiple Dwellings) District, Modified to the “E-3/S-306b” (High Density Multiple Dwellings) District, Modified. The “E-3” and “E-2” Districts have identical requirements with respect to height, however the “E-3” District permits a higher floor area ratio of 2.55 compared to 1.19 for the “E-2” District, consistent with the density increase contemplated by the proposal. The following site specific amendments to the “E-3” (High Density Multiple Dwellings) District of Zoning By-law No. 6593 are required to implement the proposal:

i) Maximum Building Height

A modification is required to permit a maximum building height of 13 storeys or 41 metres, whereas a maximum height of 12 storeys or 39 metres is permitted.

The intent of the Zoning By-law is to limit the impact of building height on adjacent uses. The proposed building addresses the existing context that includes an adjacent 16 storey multiple dwelling to the west. The applicant has taken measures to mitigate impact on adjacent low density residential uses, including massing the building to the north portion of the site adjacent to Barton Street East, away from nearby low rise residential uses, and providing an uninterrupted 45 degree angular plane from the top of the building to the south property line. The proposed building height represents a modest increase above the existing 12 storeys or 39 metres permitted as-of-right in the “E-2” District.

Based on the foregoing, staff support the proposed increase in building height.

ii) Minimum Front Yard Depth

A modification is required to permit a minimum front yard depth 4.7 metres, whereas 7.23 metres is required. For zoning purposes, the Barton Street East frontage (north property line) has been deemed the front lot line.

The existing streetscape along Barton Street East is generally auto-oriented, with buildings set back away from the street and parking located within the front yard of neighbouring commercial and employment uses, and the multiple dwelling to the west. The proposed primary building façade would be located parallel to Barton Street East. Locating the building close to the street will enhance the pedestrian realm and appropriately frame the Barton Street East frontage, consistent with the Urban Design policies of the UHOP. The proposal includes ground floor glazing, and patios and a plaza within the front yard that will enhance the streetscape along Barton Street East and make it more pedestrian friendly.

Based on the foregoing, staff support the proposed reduction in front yard depth.

iii) Minimum Side Yard Depth

A modification is required to permit a minimum easterly side yard depth of 1.9 metres, except 3.7 metres to the hypotenuse of the daylight triangle, and a minimum westerly side yard depth of at least 4.4 metres. The minimum required depth of both side yards is 10.53 metres.

The westerly side yard abuts the parking and outdoor amenity area of the neighbouring 16 storey multiple dwelling while the neighbouring building is itself setback further to the west. The easterly side yard abuts Bell Manor Street. Across Bell Manor Street is a Hydro Corridor with an HSR bus loop, and two storey townhouse dwellings. The proposed building is located across from the bus loop and the parking area for the townhouse dwellings. Staff are satisfied that the proposed reduced side yard depths will not create adverse privacy or overlook impacts on adjacent residential uses. Additionally, the proposed easterly side yard will be increased to 3.7 m to the hypotenuse of the required visibility triangle, limiting any impact on visibility for traffic at the intersection of Barton Street East and Bell Manor Street.

Based on the foregoing, staff support the proposed reduced side yard depths.

iv) Minimum Rear Yard Depth

The proposal provides a minimum rear yard depth of 41 metres to limit the impact of the building on the low rise residential uses to the south. In order to ensure the proposed rear yard depth is implemented in the final design, the required minimum rear yard depth will be modified from a minimum 10.53 metres to a minimum 41 metres.

Staff support the proposed increased rear yard depth.

v) Maximum Floor Area Ratio

A modification is required to permit a gross floor area equal to the lot area multiplied by a floor area ratio of 3.15 (17,578 square metres), whereas a gross floor area equal to the lot area multiplies by a floor area ratio of 2.55 (14,229 square metres) is permitted.

The proposed increase in permitted gross floor area reflects the density increase contemplated by this development against the policies of the UHOP and Zoning By-law No. 6593. As discussed previously in this report, staff are satisfied that the proposed density increase can be accommodated at this location and that appropriate design measures have been taken to limit adverse impacts on neighbouring land uses.

Based on the foregoing, staff support the proposed increase in gross floor area.

vi) Minimum Landscaped Area

A modification is required to permit a minimum landscaped area equal to 23% of the area of the lot (1,284 square metres), whereas 40% (2,232 square metres) is required.

The proposal provides adequate landscape buffers to the residential uses to the south, east and west and incorporates an outdoor amenity area into the design. The remaining site area has been utilized to provide adequate visitor parking and loading, and to accommodate the building footprint, appropriately located towards the front of the site. Staff are satisfied that the site layout provides adequate transitions to adjacent residential uses and that additional landscape buffers are not required. A landscape plan will be required at the Site Plan Control stage and reviewed by staff to ensure high quality landscaping is provided.

Based on the foregoing, staff support the proposed reduction in landscape area.

vii) Balcony Encroachment

A modification is required to permit a 1.0 metre balcony encroachment into the required side yards.

Further to the discussion of side yard depth earlier in this Report, Staff are satisfied that the proposed balcony encroachments into the side yard will not have adverse privacy or overlook impacts on adjacent residential uses.

Based on the foregoing, staff support the proposed balcony encroachment permission.

viii) Minimum Parking Space Dimensions

A modification is required to permit minimum parking space dimensions of 2.6 metres by 5.5 metres for 90 degree perpendicular parking spaces, whereas 2.7 metres by 6.0 metres is required.

Based on the need to balance the requirement to provide adequate resident and visitor parking and landscaping, outdoor amenity areas and buffers from adjacent residential uses, the reduced parking space dimensions are requested. The proposed parking dimensions allow for

adequate resident parking to be provided below grade and for a reduction in the at-grade paved area allocated for visitor parking. The reduced surface parking lot size allows for more generous landscape buffers, particularly along the south property line adjacent to nearby townhouse dwellings. The buffers range in size from 4.99 metres to 3.53 metres along the south property line and 3.16 metres to 3.47 metres along the west property line. It also allows for a larger outdoor amenity space (children's play area) for use by residents.

Based on the foregoing, staff support the proposed reduced parking space dimensions.

ix) Minimum Visitor Parking Rate

A modification is required to permit a visitor parking rate of 0.23 parking spaces per dwelling unit. A parking rate of 1.25 spaces per residential dwelling unit, of which 0.25 spaces are allocated for visitors, is required.

The proposal complies with the required residential parking rate of 1.25 spaces per unit, however the parking areas have been designed so that resident parking will be located underground and visitor parking will be located at grade. A total of 115 resident parking spaces will be located underground, or 1.02 parking spaces per dwelling unit, and 49 visitor parking spaces will be located at grade. This results in a visitor parking rate of 0.23 space per unit provided at grade, or a deficiency of 4 parking spaces. In addition, a total of 159 long-term and 11 short-term visitor bicycle parking spaces will be provided and the site is located on a bus route, further limiting the impact of the visitor parking space deficiency.

Staff are satisfied that this change is minor and adequate visitor parking will be provided.

x) Number of Loading Spaces

A modification is required to permit one (1) loading space with dimensions of 18.0 metres by 6.0 metres. For a multiple dwelling with greater than 100 units, By-law No. 6593 requires two (2) loading spaces: one (1) with dimensions of 9.0 metres by 3.7 metres, and the other with dimensions of 18.0 metres by 3.7 metres. The applicant will not be amending the required loading space height of 4.3 metres.

The proposed loading space is located at the west side of the site and has direct access to an outdoor garbage pad. There is also access via a walkway to two indoor garbage rooms, a moving room and large items moving entrance. Given that all proposed loading facilities can be accessed by the proposed loading space and provision of a second loading space would require eliminating visitor parking spaces or landscaping, staff are satisfied that providing a second loading space for the development is not necessary. Loading operations will be examined in further detail at the Site Plan Control stage.

Based on the foregoing, staff support the provision of one (1) loading space with the proposed dimensions.

4. The proposed multiple dwelling would be subject to Site Plan Control as required by the City's Site Plan Control By-law (By-law No. 15-176). This requirement would allow for detailed review of the grading and drainage of the lands, servicing connections, design and layout of the development, and landscaping.
5. The Owner intends to develop the multiple dwelling with condominium tenure. A Plan of Standard Condominium application would be required as per the requirements of the *Planning Act*.
6. Existing servicing for the site includes a 375 mm sanitary sewer, 450 mm storm sewer and 1200 mm, 500 mm and 300 mm watermains on Barton Street East, and a 250 mm sanitary sewer, 600 mm storm sewer and 150 mm watermain on Bell Manor Street.

A Functional Servicing Report and Stormwater Management Report have been reviewed by Growth Management staff. Staff determined that the existing water, waste water and storm water infrastructure is adequate to service the proposed development. The detailed design will be reviewed and approved through the Site Plan Control process.

7. The circulation of the applications has resulted in the submission of correspondence from two (2) property owners (see Appendix "E" to Report PED18022). The issues identified are as follows:
 - i) Increase in Traffic
Concerns were raised that the proposed development would generate additional traffic impacts in an already high traffic area, including adjacent to the HSR Bus Loop at the corner of Bell Manor

Street and along Bell Manor Street, Berkindale Street and Varga Street.

The Transportation Impact Study (TIS) submitted by the applicant concluded that the increased traffic generated by the development can be accommodated on the existing road network and that local intersections should continue to operate at satisfactory levels. Corridor Management staff have reviewed the report and agreed with this conclusion.

Staff are of the opinion that the increased traffic generated by the proposed development would not have undue adverse impact on nearby residents.

ii) Property Values

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

iii) Benefit to the Community and Assistance to Tax Payers

A question was raised as to whether the development will benefit the community and assist taxpayers. In the opinion of staff, the proposed development will be a benefit to the community as it will utilize a vacant parcel of land and add to the range of dwelling types and tenures available to community members. Staff do not have empirical evidence to suggest that the development will increase or decrease tax assessment values on adjacent lands. All costs associated with municipal servicing for the site will be carried by the developer, not taxpayers.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Official Plan Amendment and Zoning By-law Amendment applications be denied, the property could be utilized in accordance with the existing “E-2/S-306” & “E-2/S-306a” (Multiple Dwellings) District zoning which would permit an 83 unit multiple dwelling at a height of 39 metres or 12 storeys.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement & Participation

Hamilton has an open, transparent and accessible approach to City government that engages with and empowers all citizens to be involved in their community.

Economic Prosperity and Growth

Hamilton has a prosperous and diverse local economy where people have opportunities to grow and develop.

Healthy and Safe Communities

Hamilton is a safe and supportive city where people are active, healthy, and have a high quality of life.

Clean and Green

Hamilton is environmentally sustainable with a healthy balance of natural and urban spaces.

Built Environment and Infrastructure

Hamilton is supported by state of the art infrastructure, transportation options, buildings and public spaces that create a dynamic City.

Culture and Diversity

Hamilton is a thriving, vibrant place for arts, culture, and heritage where diversity and inclusivity are embraced and celebrated.

Our People and Performance

Hamiltonians have a high level of trust and confidence in their City government.

APPENDICES AND SCHEDULES ATTACHED

- Appendix “A”: Location Map
- Appendix “B”: Draft Urban Hamilton Official Plan Amendment
- Appendix “C”: Draft Amendment to Zoning By-law No. 6593
- Appendix “D”: Concept Plan
- Appendix “E”: Public Correspondence

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