



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	September 4, 2018
SUBJECT/REPORT NO:	Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199) (Ward 1)
WARD(S) AFFECTED:	Ward 1
PREPARED BY:	Adam Lucas (905) 546-2424 Ext. 7856
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Amended Urban Hamilton Official Plan Amendment Application UHOPA-16-11 by Plaza Imports Limited (c/o John Lecluse), Owner**, to re-designate the southerly portion of “Block 1” from “Open Space” to “Neighbourhoods” in Volume 1; and to re-designate lands shown as “Block 1” from “Local Commercial” and “General Open Space” to “High Density Residential 1” and to add a site specific policy to permit a maximum building height of 62.0 metres (18 storeys) and a maximum density of 250 units per gross hectare in the Ainslie Wood Westdale Secondary Plan to permit a mixed use building consisting of commercial uses at grade with a lodging house above in two tower elements having a maximum building height of 62.0 metres (18 storeys) and 56.0 metres (16 storeys), on lands located at 925 Main Street West and 150 Longwood Road South, Hamilton, as shown on Appendix “A” to Report PED18199, be **APPROVED**, on the following basis:
- (i) That the draft Official Plan Amendment, attached as Appendix “B” to Report PED18199, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council; and,
 - (ii) That the proposed Official Plan Amendment is consistent with the Provincial Policy Statement (2014) and conforms to the Places to Grow Plan.

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(b) That **Amended Zoning By-law Amendment Application ZAC-16-029 by Plaza Imports Limited (c/o John Lecluse), Owner**, for a change in zoning from the “H/S-1361” (Community Shopping and Commercial, Etc.) District, Modified, “H/S-1331” (Community Shopping and Commercial, Etc.) District, Modified and “C/S-1361” (Urban Protected Residential, Etc.) District, Modified to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone and Conservation / Hazard Land (P5) Zone to permit a mixed used building consisting of commercial uses at grade and a lodging house above in two tower elements having a maximum height of 62.0 metres (18 storeys) and 56.0 metres (16 storeys) as shown on Appendix “A” to Report PED18199.

- (i) That the draft By-law, attached as Appendix “C” to Report PED18199 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 PED18199, be added to Map No. 949 of the City of Hamilton Zoning By-law No. 05-200;
- (iii) That Schedule “D” – Holding Provisions of Zoning By-law No. 05-200, be amended by adding additional Holding Provisions as follows:

For the lands identified as Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone on Map No. 949 of Schedule A – Zoning Map, and described as 925 Main Street West, development shall not proceed until:

- (a) The Owner enters into a conditional building permit agreement with respect to completing a Record of Site Condition or a signed Record of Site Condition (RSC) being submitted to the City of Hamilton and the Ministry of the Environment, Conservation and Parks (MECP). This RSC must be to the satisfaction of the Director of Planning and Chief Planner, including a notice of acknowledgement of the RSC by the MECP, and submission of the City of Hamilton’s current RSC administration fee.
- (b) The Owner acquires the lands at 150 Longwood Road South required to implement the proposed development and merges the lands on title with 925 Main Street West, to the satisfaction of the Director of Planning and Chief Planner.

- (iv) That this By-law is in conformity with the Urban Hamilton Official Plan, upon approval of Urban Hamilton Official Plan Amendment No. .

EXECUTIVE SUMMARY

The Owner, Plaza Imports Limited (c/o John Lecluse), has applied for an Urban Hamilton Official Plan Amendment and Zoning By-law Amendment to permit the redevelopment of lands located at 925 Main Street West and 150 Longwood Road South in the former City of Hamilton. The applications propose to permit a mixed use development (student residence) consisting of two tower elements, connected at the base by a four storey podium, having a maximum height of 56.0 metres (16 storeys) for Tower “A” and 62.0 metres (18 storeys) for Tower “B”. The proposal consists of a 1,024 bed (514 unit) lodging house (student residence), 1,420 square metres of commercial floor space at grade, and 156 vehicular parking spaces and 102 bicycle parking spaces located in a two level underground parking garage on the northerly portion of the site. The southerly portion of the land holding will incorporate an improved slope relative to the existing condition and provide for recreation and amenity areas.

The lodging house is intended to accommodate students attending Columbia International College, wherein the suites will be equipped with sleeping, study and bathroom facilities, while residents will be served by a student meal plan within a common kitchen / dining room area. Further, the proposed development includes a multi-purpose gym, cafeteria, common areas, study rooms, lounge areas including an outdoor patio and fitness gyms for the occupants of the student residence.

The applications have merit and can be supported as they are consistent with the Provincial Policy Statement (2014), conform to the Growth Plan for the Greater Golden Horseshoe (2017) and upon finalization of the UHOP Amendment, will comply with the intent of the UHOP. The proposal is considered to be compatible with the existing development pattern in the area and represents good planning by establishing compatible infill development.

Alternatives for Consideration – See Page 42

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

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

HISTORICAL BACKGROUND

The lands subject to these applications consist of two parcels of land, being 925 Main Street West and 150 Longwood Road South.

The land municipally known as 925 Main Street West is approximately 0.51 hectares in size with approximately 123.2 metres of frontage along Main Street West and 35.7 metres of lot frontage along Longwood Road South. The site currently contains two, one storey commercial buildings, which historically contained a motor vehicle sales establishment.

The land municipally known as 150 Longwood Road South is approximately 1.57 hectares in size with approximately 62.3 metres of lot frontage along Longwood Road South. These lands include a treed bank that descends approximately 10 metres southerly to a sloped grass plane. The grass plane area includes an abandoned and overgrown tennis court. These lands are currently owned by the City of Hamilton. However, the City is in the process of disposing these lands to the applicant and they will be included in the overall development of the site.

This proposal provides consolidated accommodations for Columbia International College's (CIC) student population of approximately 2,000 students to address the need for off-site housing.

Proposal:

The Urban Hamilton Official Plan Amendment proposes to re-designate lands shown as Block "1" on Appendix "A" to Report PED18199 from "Open Space" to "Neighbourhoods" in Volume 1. Further, an amendment to the Ainslie Wood Westdale Secondary Plan has been identified by staff to re-designate the lands from "Local Commercial" and "General Open Space" to "High Density Residential 1" and to add a site specific policy in order to permit a maximum net residential density of 250 units per hectare and a maximum building height of 62.0 metres (18 storeys) for Tower "A" and 56.0 metres (16 storeys) for Tower "B".

Originally the applicant proposed to rezone the subject lands from "H/S-1361" (Community Shopping and Commercial, Etc.) District, Modified, "H/S-1331" (Community Shopping and Commercial, Etc.) District, Modified, and "C/S-1361" (Urban Protected Residential, Etc.) District, Modified in Zoning By-law No. 6593 to a site specific "H"

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(Community Shopping and Commercial, Etc.) District, to increase the maximum building height. Staff amended the application to rezone the subject lands to Transit Oriented Corridor Mixed Use Medium Density (TOC1, 703, H31) Zone and Conservation / Hazard Land (P5) Zone in Zoning By-law No. 05-200 in order to permit the proposed commercial uses, increased building height, restrict maximum gross floor area of commercial uses, implement minimum parking size requirements, reduce parking rate requirements and minimum yard setbacks.

First Submission – April 19, 2016

Applications for Official Plan Amendment and Zoning By-law Amendment were submitted seeking to permit the development of two, 15 storey tower elements connected by a four storey podium with commercial uses on the ground level and residential above. The first submission included 456 suites for 910 students, 107 parking spaces and 50 bicycle parking in one level of underground parking, 1,380 square metres of commercial space and a total gross floor area of 30,685 square metres. The lands located at 150 Longwood Road South were intended to be used for passive and active recreation purposes for the students.

As part of the initial circulation of the applications, comments were received from the Hamilton Conservation Authority (HCA) indicating concerns with respect to the placement of fill to increase the tableland by 14 metres southerly and proposed development within the erosion hazard associated with the Chedoke Creek valley system on the subject property. As such, HCA staff recommended denial of the applications. At the request of the applicant's agent, the applications were held in abeyance indefinitely to allow the applicant the opportunity to address HCA's concerns with the proposal.

Further, comments were received from staff indicating concerns with the insufficient number of onsite parking being provided for the staff and students of the development, issues relating to the built form proposed and a requirement for a tree protection plan.

On February 1, 2018 the applicants had a hearing pursuant to the *Conservation Authorities Act*, with the Board of Directors of the HCA. The proposal as submitted was approved by the Board and a permit with conditions was issued by the HCA in order to place fill on the slope of the property in order to level out a portion of the slope on the northerly portion of the property where the building is proposed.

Second Submission – March 29, 2018

In response to the comments noted above, the concept plan was revised to provide the road widenings along Main Street West and Longwood Drive South and a daylight

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triangle at the southwest corner of the property to the satisfaction of the LRT Office. In addition, the following changes were made to the plan:

- a second level of underground parking was provided to increase the number of vehicle parking to 156 spaces and long term bicycle parking to 102;
- the building was increased in height to include towers of 16 storeys and 18 storeys;
- the total gross floor area of the ground floor was increased to 2,565 square metres including 1,420 square metres commercial and 340 square metres residential lobby;
- the total gross floor area of the development was increased to 34,285 square metres;
- the number of units was increased to 514;
- the number of beds was increased to 1,024; and,
- an increased road widening requirement along Main Street West from 1.0 metre to 4.0 metres and along Longwood Road South from 3.0 metres to 9.0 metres – 10.5 metres, as well as an 8.5 metre (along Main Street West) by 20.0 metre (along Longwood Road South) daylight triangle at the southwest corner of the subject land.

Third Submission – June 22, 2018 (see Appendix “E” and “F” to Report PED18199)

In response to concerns from staff regarding the scale of the tower portion of the building along Main Street East, the elevation drawings were revised to increase the tower step-back from the podium to the towers relative to the second submission from 3.6 metres to 6.1 metres. In addition, the following changes were also made to the development:

- the total gross floor area of the ground floor retail was increased to 2,595 square metres including 1,460 square metres commercial and 536 square metres residential lobby;
- the total gross floor area of the development was increased to 34,620 square metres; and,
- the number of beds increased to 1,028.

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Further, the applicants submitted a Tree Protection Plan by Dougan and Associates, dated July 9, 2018.

Chronology

- April 15, 2016: Official Plan Amendment Application UHOPA-16-11 and Zoning By-law Amendment Application ZAC-16-029 were received.
- April 28, 2016: Applications UHOPA-16-11 and ZAC-16-029 were deemed complete.
- May 13, 2016: Notice of Complete Application and Preliminary Circulation was sent to 563 property owners within 120 m of the subject property.
- May 20, 2016: A Public Notice Sign was posted on site.
- September 8, 2016: First Submission presented to Design Review Panel (DRP).
- April 20, 2017: Applications were held in abeyance at the request of the applicant's agent.
- February 1, 2018: Hearing before the Board of Directors of the HCA.
- March 29, 2018: Second submission including a revised concept plan, elevation drawings, sun shadow study, amending zoning by-law, and notice of decision from the HCA board of directors hearing were submitted.
- June 22, 2018: Third submission including a revised concept plan, elevation drawings and sun shadow study were submitted.
- July 10, 2018: Tree Protection Plan was submitted.
- August 8, 2018: Public Notice Sign updated with Public Meeting date.
- August 17, 2018: Circulation of the Notice of Public Meeting to 563 property owners within 120 metres of the subject property.

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Details of Submitted Application:

Owner: Plaza Imports Limited (c/o John Lecluse)

Applicant: Columbia International College
Agent: Urban Solutions Planning and Land Development Consultants (c/o Sergio Manchia)

Location: 925 Main Street West and 150 Longwood Road South (see Appendix "A" to Report PED18199)

Property Description:

<u>Lot Frontage:</u>	123.19 metres (Main Street West) 93.7 metres (Longwood Road South)
<u>Lot Depth:</u>	irregular
<u>Lot Area:</u>	2.08 ha (5.14 ac)
<u>Servicing:</u>	Existing Full Municipal Services

Existing Land Use and Zoning:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Property:</u>	Vacant Motor Vehicle Sales Establishment	"H/S-1361" (Community Shopping and Commercial, Etc.) District, Modified, "H/S-1331" (Community Shopping and Commercial, Etc.) District, Modified, and "C/S-1361" (Urban Protected Residential, Etc.), District, Modified

Surrounding Lands:

North	Vacant, Commercial Buildings and Low Rise Residential	Mixed Use (TOC1) Zone
East	Two storey commercial building	Local Commercial (TOC2) Zone

West	Multiple Dwelling	“E/S-1361” (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified and “E” (Multiple Dwellings, Lodges, Clubs, Etc.) District
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POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2014)

The Provincial Planning Policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2014). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposed development.

Settlement Areas

With respect to Settlement Areas, the PPS provides the following:

- “1.1.3.1 *Settlement areas* shall be the focus of growth and development, and their vitality and regeneration shall be promoted.
- 1.1.3.2 Land use patterns within *settlement areas* shall be based on:
- a) densities and a mix of land uses which:
 - 1. efficiently use land and resources;
 - 2. are appropriate for, and efficiently use, the *infrastructure* and *public service facilities* which are planned or available, and avoid the need for their unjustified and / or uneconomical expansion;
 - 3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
 - 4. support *active transportation*; and,
 - 5. are *transit-supportive*, where transit is planned, exists or may be developed.

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- b) a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *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.”

The subject property is located within a settlement area as defined by the PPS. The proposal is for a mixed use development consisting of a lodging house and commercial floor space. The proposal is contributing to the mix of land uses in the City that efficiently use land and existing infrastructure, and represents a form of intensification. The proposal seeks a reduction in the amount of vehicular parking and is located in close proximity to public transit including current bus services and the future light rail transit line.

Cultural Heritage and Archaeology

With respect to Cultural Heritage and Archaeology, the PPS provides the following:

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

In respect to archaeological potential, the subject properties meet four of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential:

- Within 250 metres of known archaeological sites;
- Within 300 metres of a primary watercourse or permanent waterbody, 200 metres of a secondary watercourse or seasonal waterbody, or 300 metres of a prehistoric watercourse or permanent waterbody;
- Local knowledge associates areas with historic events / activities / occupations; and,
- Along historic transportation routes.

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Notwithstanding current surface conditions, these criteria define the property as having archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 2.6.2 of the Provincial Policy Statement apply to the subject application. At the Site Plan Control stage, a written caution note will be applied to the site plan.

Hazard Lands

With respect to Hazard lands, the PPS provides the following:

- “3.1.2 Development and site alteration shall not be permitted within:
- c) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and / or dynamic beach hazards, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the natural hazard.
- 3.1.5 Development shall not be permitted to locate in hazardous lands and hazardous sites where the use is:
- a) an institutional use including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares and schools;
 - b) an essential emergency service such as that provided by fire, police and ambulance stations and electrical substations; or,
 - c) uses associated with the disposal, manufacture, treatment or storage of hazardous substances.”

In accordance with the Memorandum of Agreement between the City and the HCA, the HCA identifies hazard lands as per the UHOP and is the approval authority on development within hazard lands as defined by the PPS. As part of the initial circulation of the applications, comments were received from HCA staff indicating concerns with respect to the placement of fill and proposed development within the erosion hazard associated with the Chedoke Creek valley system. On February 1, 2018 a permit was granted by the Board of the HCA authorizing the placement of fill to level out the slope of the property and to allow the proposed development to proceed (see Appendix “H” to Report PED18199). Subject to the placement of fill and satisfying the conditions of the development permit from the HCA, staff are of the opinion that development will not be occurring within hazard lands. Also, with respect to Policy 3.1.5 above, the uses proposed on the subject property are residential, commercial and recreation uses and

therefore the PPS prohibition on development in or adjacent to hazardous lands does not apply. While vehicle access would be prohibited from the tableland due to the slope, the lands identified as Block 2 on Appendix "A" to Report PED18199 would not be rendered inaccessible to people as ingress and egress will be provided for pedestrians by way of a staircase to and from the tableland. This staircase access would be further detailed at the Site Plan Control stage and subject to HCA review.

Lastly, matters in relation to environmental site conditions and noise are addressed under the UHOP section of this Report.

In consideration of the foregoing, staff are of the opinion that the proposal is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2017):

The policies of the Growth Plan for the Greater Golden Horseshoe (2017) apply to any planning decision.

The subject lands are located within the built-up area, as defined by the Growth Plan. Section 1.2.1 of the Growth Plan outlines a number of Guiding Principles regarding how land is developed, resources are managed and protected, and public dollars are invested. The subject proposal conforms to these Guiding Principles in that:

- It supports the achievement of *complete communities* that are designed to support healthy and active living and meeting people's needs for daily living throughout an entire lifetime; and,
- It supports a range and mix of housing options to serve all sizes, incomes, and ages of households.

The Growth Plan is focused on accommodating forecasted growth in complete communities and provides policies on managing growth. The following policies, amongst others, apply:

"2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a) the vast majority of growth will be directed to settlement areas that:
 - i. have a delineated built boundary;

ii. have existing or planned municipal water and wastewater systems; and,

iii. can support the achievement of complete communities.

c) within settlement areas, growth will be focused in:

iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and,

iv. areas with existing or planned public service facilities.

2.2.1.4 Applying the policies of this Plan will support the achievement of *complete communities* that:

a) feature a diverse mix of land uses, including residential and employment uses, 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; and,

d) expand convenient access to:

i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;

2.2.2 Delineated Built-up Areas

1. By the year 2031, and for each year thereafter, a minimum of 60 percent of all residential development occurring annually within upper- or single-tier municipalities will be within the delineated built-up area.”

The applications conform to the policies of the Growth Plan for the Greater Golden Horseshoe (2017) by focusing growth within the built-up area, contributing to achieving a complete community by providing student housing and helping to achieve the intensification targets, utilizing existing and planned municipal infrastructure, and providing for development with access to a range of transportation options including the future LRT line.

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Based on the foregoing, the proposal conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

Urban Hamilton Official Plan

The subject property is identified as “Primary Corridor” and “Neighbourhoods” on Schedule “E” - Urban Structure and designated “Neighbourhoods” and “Open Space” on Schedule “E-1” - Urban Land Use Designations. The following policies, amongst others, apply to the proposed development.

Urban Structure

- “E.2.4.3 Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed uses where feasible, supported by higher order transit on the primary corridors.
- E.2.4.10 The built form along the *Urban Corridors* shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.
- E.2.4.11 *Urban Corridors* shall be a focus of *intensification* through the Neighbourhoods which they traverse. However, it is anticipated that intensification will also occur within Neighbourhoods, particularly on sites along other arterial roads that are not designated as *Urban Corridors*.
- E.2.4.14 Urban Corridors shall provide a comfortable and attractive pedestrian experience.
- E.2.4.15 New development shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New development shall locate and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.”

With respect to the above policies, the proposal represents a form of high rise residential development which is a more intensive land use relative to the previous one storey motor vehicle sales establishment on the subject property. The podium of the building is proposed to be setback 0.0 metres from the front lot line, while vehicular

parking has been located within two levels of underground parking. Further, the proposed mixed use development will include commercial uses at grade which contribute to the creation of a positive pedestrian experience. As a result, staff consider that the location of the building and parking areas on the property create a comfortable and attractive pedestrian experience.

With respect to shadowing and overview, staff note that the subject property is located on the south side of Main Street West and located adjacent to an existing 12 storey multiple dwelling to the west within the “Neighbourhoods” designation. There are no existing residential uses immediately to the north, east and south. The existing multiple dwelling is setback in excess of 25 metres from the common side lot line and is orientated away from the said lot line. As a result, staff are of the opinion that overview associated with the proposal on the adjacent multiple dwelling to the west will be minimal.

In support of the proposal, the applicant submitted a Sun Shadow Impact Analysis by Michael Spaziani Architects Inc. dated June 13, 2018 between 8:00 am and 5:00 pm on March / September 21st. Staff have reviewed the proposed impact of the towers and note there will not be any sun shadow impact on the adjacent property to the west but there is a sun shadow impact on the north side Main Street West along the north side of the sidewalk and the private outdoor amenity areas of the residential uses. However the shadows persist in the range of three to five non - consecutive hours in the day in various locations of the sidewalk, while providing full sun during the remainder of the day. Also it should be noted that the as-of-right zoning permissions provide shadows for two consecutive hours on the north side of the sidewalk from 8:00 am – 10:00 am. With respect to private outdoor amenity spaces, the impact is for no greater than two hours at any time, which staff consider acceptable as it complies with the City-Wide Corridor Planning Principles and Design Guidelines. As a result, staff are of the opinion that the proposal has been designed to minimize the effects of shadowing and overview on properties on adjacent neighbourhoods.

“E.2.6.2 Neighbourhoods shall primarily consist of residential uses and complementary facilities and services intended to serve the residents. These facilities and services may include parks, schools, trails, recreation centres, places of worship, small retail stores, offices, restaurants, and personal and government services.

E.2.6.4 The Neighbourhoods element of the urban structure shall permit and provide the opportunity for a full range of housing forms, types and tenure, including affordable housing and housing with supports.”

The proposal includes commercial uses at grade and a lodging house (student residence) on the upper floors of the building. The student residences are dorm style suites, which include bathroom facilities and sleeping accommodations, while a common kitchen area is provided for the residents of the building. The proposed student residence meets the definition of a lodging house, which is considered a residential use. The ground floor commercial space will serve as complimentary services for the residential uses in the building and for the surrounding area. Further, the student residence is providing for a housing form that adds to the range of housing forms and types in the area.

“E.3.2.7 The City shall require quality urban and architectural design. Development of lands within the Neighbourhoods designation shall be designed to be safe, efficient, pedestrian oriented, and attractive, and shall comply with the following criteria:

- b) Garages, parking areas, and driveways along the public street shall not be dominant. Surface parking between a building and a public street (excluding a public alley) shall be minimized.
- c) Adequate and direct pedestrian access and linkages to community facilities / services and local commercial uses shall be provided.
- d) Development shall improve existing landscape features and overall landscape character of the surrounding area.
- e) Development shall comply with Section B.3.3 – Urban Design Policies and all other applicable policies.”

The proposal is providing all the parking for the building within two levels of underground parking, while the building has been located at the street lines of Main Street West and Longwood Road South. Ground related commercial is proposed to have direct pedestrian access from the street. Further, the subject lands are in close proximity to Cathedral Park. As part of the development permit from the HCA to stabilize the slope of the Chedoke Creek valley system, the applicant will be removing trees from the property. However, the applicant will be required to provide compensation at a 1:1 ratio for the removal of any trees and additional landscape treatment will be required at the Site Plan Control stage. This will improve the existing landscape features and overall landscape character of the surrounding area.

With respect to the site itself, the redevelopment of the subject property as proposed will serve as a gateway site to the education uses in this area, which includes McMaster University, the existing CIC school to the west, and Westdale Secondary School to the

northeast. Given this and the presence of the proposed LRT stop, this site will provide enhanced landscape improvements as a gateway site.

General Policies

“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;
- d) local commercial uses.”

The proposal includes ground floor commercial, a lodging house (student residence) and associated amenities. Staff are of the opinion that the proposal complies with the uses permitted in the Neighbourhoods designation.

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.3.6.2 Uses permitted in high density residential areas include multiple dwellings, except street townhouses.

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.

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.”

With respect to the above policies, the following is provided:

- The residential portion of the proposal is considered a lodging house given that common kitchen facilities are provided for the residents of the units as opposed to kitchen facilities being provided within each individual unit. Notwithstanding, the proposed residence is a multiple dwelling form in that there will be individual units as well as common areas (i.e. gym, lobby space, amenity areas, etc.) for the occupants of the building. Further, the proposal includes ground related commercial space. All of these uses are permitted uses in the Neighbourhoods designation (Policy E.3.6.2).
- The subject lands are located along a primary corridor on the periphery of the neighbourhood and adjacent to the future Light Rail Transit corridor. Further, the lands are in close proximity to CIC and the West Hamilton Innovation District (WHID), and will contain passive recreation facilities on site for the occupants of the building (Policies E.3.6.4 and E.3.6.5).
- The proposal includes 514 units having a net residential density of approximately 250 units per hectare. While the use of the land for a multiple dwelling is considered a permitted use in the Neighbourhoods Designation, the density proposed does not comply with the maximum residential density envisioned in this designation of the UHOP (Policy E.3.6.6). As such, an amendment is required to accommodate the proposed density.

“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 roads 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:

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- 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.
- g) The orientation, design, and massing of a building or structure higher than six storeys shall take into account the impact on public view corridors and general public views of the area of the Niagara Escarpment, waterfront, and other parts of the City as identified through secondary plans or other studies.”

In response to the above policies, the following is provided:

- The subject lands are located on the southwest corner of Main Street West and Longwood Road South. Pursuant to Schedule “C” - Functional Road Classification of the UHOP, Main Street West is considered a Major Arterial Road and Longwood Road South is considered a Collector Road (Policy 3.6.7a)).

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SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199) (Ward 1) - Page 20 of 44

- The subject property is not located adjacent to low profile residential uses (Policy E.3.6.7 b)).
- As previously noted, the HCA conditionally approved the placement of fill on the subject property. One of the conditions includes the submission and approval of a landscape restoration plan. Further, staff will be requiring landscaping on the subject lands as part of a future Site Plan Control Application (Policy 3.6.7 d)i)).
- The subject property is a unique site in that it is located directly on the LRT corridor and there will be a LRT stop at the intersection of Main Street West and Longwood Road South. Staff are of the opinion that higher densities and building height should be considered adjacent to LRT stops, where appropriate. The subject property is also located in close proximity to the WHID, which contains buildings devoted to McMaster University and other employment uses, two 12 storey multiple dwellings to the west, and a two storey commercial building to the east. Directly to the south is Highway 403, however, given the size of the property and proposed location of the building on the lands, the proposed building will be setback over 90 metres from the Highway. The lands to the north contain commercial uses and are zoned TOC1 which allows for redevelopment up to 22 metres (6 storeys) in height, and are permitted up to 8 storeys in height subject to a Zoning By-law Amendment and satisfying a series of criteria. Based on the current Official Plan Designations and Zoning of the lands, it is envisioned that the lands on the north side of Main Street West will be redeveloped over time for higher densities than what currently exists on the lands. Unlike most lands identified on the primary corridor, the subject lands do not form a boundary of a residential subdivision or neighbourhood. Given the site's unique location and surrounding context, staff consider the proposed height of the building to be appropriate and compatible with the surrounding context. Moreover, with respect to massing, the applicant has made attempts to reduce the impact of the tower component of the building by stepping back the towers 6.1 metres at floors five to 14 and 7.6 metres from the 14th floor upwards on both towers relative to the podium. Staff are of the opinion that the site's unique characteristics as previously described and location in the City lend itself to a tall building and is appropriate in this instance. Further, through the Site Plan Control process, staff will be requiring exterior cladding and glazing in the upper storeys to help reduce the massing along the street (Policy E.3.6.7 d) ii)).
- The concept plan illustrates two ingress / egress driveways on Main Street West. The two access points are intended to allow a bus or cars to pull into and exit the site safely while minimizing conflicts between traffic and pedestrians along the street line (Policy E.3.6.7 d) iii)).

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- As previously indicated, the podium portion of the building has been located along the street lines of Main Street West and Longwood Street South, while parking has been provided within two storeys of underground parking. Further, at grade commercial uses are provided, which provides for ample glazing and avoids expanses of blank walls (Policy E.3.6.7 e)).
- As discussed previously, in support of the proposal the applicant submitted a Sun Shadow Impact Analysis. Further, staff have reviewed the proposed development with respect to impact on the views of the Niagara Escarpment. Sun Shadow impacts have determined to be acceptable as impacts have been minimized and staff are of the opinion that the proposal will have a negligible impact on public view corridors and general public views of the Niagara Escarpment (Policies E.3.6.7 f) and g)).

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.”

In response to the above policies, the following is provided:

- The proposed lodging house (student residence) is adding to the mix of housing types, tenures and densities offered in the City. As noted, the proposed building is located along the LRT Corridor and more specifically on an LRT stop at the intersection of Main Street South and Longwood Road South. Further, the property is adjacent to Highway No. 403 and will serve as a gateway site to the education uses in this area, and multiple modes of transportation. The tower elements of the building have been stepped-back 6.1 metres at floors five to 14 and 7.6 metres from the 14th floor upwards on both towers relative to the podium to help reduce the

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massing along Main Street West. Further the towers have been stepped back approximately 16.0 metres from the streetline along Longwood Road South. As a result, staff have no objection with the proposal from a massing perspective along Longwood Road South. The properties directly to the north of the subject lands, on the north side of Main Street West, contain commercially used buildings. Staff are of the opinion the proposed uses have demonstrated compatible integration with the surrounding area by matching commercial uses along the ground floor and stepping back to the tower portions of the building (Policy B.2.4.1.4 b) c) and d) and B.2.4.2.2 b)).

- Staff note that the proposed development contributes to achieving the planned urban structure by providing high density development along a primary corridor and on the periphery of the neighbourhood (Policy B.2.4.2.2 b).
- The property is adjacent to two 12 storey multiple dwellings to the west. Given that the buildings are oriented away from the proposed buildings on the subject property, staff are of the opinion that the proposal is compatible with the height, massing and scale of the residential buildings in the area (Policies B.2.4.2.2 c) d) e) and h)).
- The proposed building will contain amenity space on the ground floor, a multi-purpose gym on the second floor, an outdoor patio area on the fifth floor on top of the podium and recreation and amenity opportunities on the southerly portion of the property. Further, the rear of the property is proposed for passive and active recreation activities (Policy B.2.4.2.2 f)).
- The podium portion of the building has been located 0.0 metres from the lot line abutting Main Street West, while the towers are providing a 6.1 metre stepback from floors five to 14 for both towers and 7.6 metres for floors 15 to 16 on Tower “A” and floors 14 to 18 on Tower “B”. Staff are of the opinion that the location of the podium close to the streetline and height of the podium will help animate the street and create a comfortable streetscape (Policy B.2.4.2.2 g)).
- There are no infrastructure and / or transportation capacity issues associated with the proposal (Policies B.2.4.1.4 f) and B.2.4.2.2 j)).

Urban Design

“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:

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- a) complementing and animating existing surroundings through building design and placement as well as through placement of pedestrian amenities;
- 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.

Built Form

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.3.3.3.3 *New development* shall be massed to respect existing and planned street proportions.

B.3.3.3.4 *New development* shall define the street through consistent setbacks and building elevations. Design directions for setbacks and heights are found in Chapter E – Urban Systems and Designations and in the Zoning By-law.

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,

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- e) using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.”

In response to the above policies, the following is provided:

- As previously noted, staff are of the opinion that the built form, massing and transition of the proposed development is appropriate within its surrounding context and along the street given the site’s unique characteristics and location (Policies B.3.3.2.6 d) and e), B.3.3.3.2 and B.3.3.3.3).
- Parking areas within the plan have been located within a two level underground parking garage, while the building face has been positioned close to and facing the street. Staff are of the opinion that the tower portions have been appropriately stepped back to create a comfortable pedestrian experience, which also includes ample glazing being provided on the ground floor (Policies B.3.3.2.6 a) and B.3.3.3.5).
- Through the City’s tree compensation policy, at the Site Plan Control stage and as a condition of the HCA permit to permit the placement of fill on the property, landscape treatment will be provided on the subject property, which will provide an enhancement to the public realm along Main Street West and Longwood Road South and the property as a whole. Further, through the Site Plan Control process staff will ensure that the building elevations maintain the proposed massing patterns, rhythm, character, colour, and surrounding context, which are complementary to the existing context (Policy B.3.3.3.5 c)).
- As previously noted, staff have reviewed the sun shadow impact analysis and note the sun shadow impact on the north side of the sidewalk of Main Street West occurs between the hours of 8:00 am and 5:00 pm on March / September 21st, but that the shadows persist in the range of three to five non- consecutive hours in the day in various locations of the sidewalk, while providing full sun during the remainder of the day. It should be noted that the as-of-right zoning permissions provide shadows for two consecutive hours on the north side of the sidewalk from 8:00 am – 10:00 am. Given the above, staff are of the opinion that the proposal is complying with the Policy respecting minimizing the impacts of shadows (Policy B.3.3.3.2 c)).
- With respect to wind impacts, a Pedestrian Wind Assessment was prepared by Novus Environmental dated April 7, 2016 in support of the proposal. Based on the results of the assessment, the following conclusions were reached:

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- The main residential entrance on Main Street West is comfortable for sitting or standing throughout the year. Similar wind conditions occur at the numerous retail entrances. These wind conditions are suitable for the intended usage;
- On the Level 5 patio, wind conditions are generally suitable for the intended usage as amenity area of the students of the residence. Wind control measures such as trellises / canopies or a 2.5 metre wind screen has been suggested to enhance wind conditions in the summer season;
- On the sidewalks surrounding the proposed development, wind conditions are similar to the existing conditions, hence comfortable for the intended usage throughout the year; and,
- The wind safety criterion is met at all locations surrounding the development in both the existing and proposed configuration, at grade. On the northeast patio, there is the potential for exceedance of the wind safety criterion. The Pedestrian Wind Assessment recommends limiting access on windy days.

Staff note that the wind assessment was based on the original proposal as submitted. If approved, the applicant would be expected to update the findings of the wind study and provide mitigating measures, if required, all of which will be reviewed and implemented through the Site Plan Control process.

Open Space Designation

- “C.3.3.1 Lands designated as Open Space are public or private areas where the predominant use of or function of the land is for recreational activities, conservation management and other open space uses.
- C.3.3.4 The following uses shall be permitted on lands designated Open Space on Schedule E-1 – Urban Land Use Designations:
- a) parks for both active and passive recreational activities.”

The southerly portion of the lands is located within the Open Space designation of the UHOP. The applicant is proposing to provide active and passive recreation activities within this area of the subject lands. However, staff have amended the application to introduce a site specific Conservation / Hazard Land (P5) Zone, to allow passive and active recreation activities within this area. This is because the southerly portion of the lands are located within the Chedoke Creek subwatershed, associated with the Chedoke Creek Valley system and are considered hazard lands.

Integrated Transportation Network

“C.4.2.4. Transportation Demand Management measures shall be evaluated in all transportation related studies, master plans, environmental assessments, neighbourhood traffic management plans and new development plans including the degree to which it can help achieve transportation goals in accordance with Section C.4.1 – Policy Goals.

C.4.2.4.1 Transportation demand management measures may include:

- a) provision of active transportation features including secure bicycle storage facilities and pedestrian and cycling access to the road network;
- b) supporting transit through reduced parking standards for some land uses where appropriate and making provisions for car-sharing spaces through the site plan process where feasible and appropriate;”

The proposal provides Transportation Demand Management (TDM) measures such as large areas for secure bicycle storage within the underground parking garage of building. At the Site Plan Control stage, staff will also be requiring the provision of short term visitor bicycle parking on site. Also, as previously noted, the subject property is accessible to public transit (bus) services along Main Street West with an eastbound bus stop located on the southeast corner of Main Street West and Longwood Road South and a westbound bus stop on the northeast corner of Main Street West and Longwood Road South. Further, the subject lands are located adjacent to the LRT corridor where an LRT stop will also be located.

Environmental Site Conditions

“B.3.6.1.2 Where there is potential for site contamination due to previous uses of a property and a more sensitive land use is proposed, a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines. The Record of Site Condition shall be submitted by the proponent to the City and the Province. The Record of Site Condition shall be to the satisfaction of the City.

B.3.6.1.4 Where there is potential for site contamination due to a previous use or uses on lands subject to development or redevelopment proposals, and a mandatory filing of a Record of Site Condition is triggered, the City shall:

- a) withhold final approval of an application until acceptance of a Record of Site Condition. In the interim, conditional approval may be considered; or,
- b) defer or establish conditions of approval for applications involving official plan amendments, zoning by-law amendments, plans of subdivision, and site plan approvals where a Record of Site Condition is necessary.”

The subject property is recognized as a potentially contaminated site due to the current use of the property for commercial purposes. Prior to establishing residential uses on this portion of the subject lands, the owner will be required to complete a Record of Site Condition (RSC) and any necessary remediation to the satisfaction of the Ministry of Environment, Conservation and Parks (MECP). A Holding Provision has been included in the amending Zoning By-law for these lands as the provision of a Notice of Acknowledgment letter from the MECP, or alternatively a conditional building permit agreement for the RSC is a requirement.

Noise Policies

“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:

- b) 400 metres of a major arterial road, as identified on Schedule C – Functional Road Classification;
- c) 400 metres of a truck route.”

As noted, the proposed development is located on a major arterial road (Main Street West) and adjacent to a Provincial Highway (Highway 403), and is therefore subject to a noise assessment. The noise assessment is required to address both indoor noise levels for the arterial road and provincial highway as well as noise levels on the fifth floor outdoor amenity area. In support of the proposal, an Environmental Noise Report was completed by Novus Environmental, dated April 7, 2016. Staff have reviewed the assessment and have indicated no objection with the approval of the development as proposed. However, mitigation measures have been recommended to reduce the impact of noise. Staff note these mitigation measures will be implemented at the Site Plan Control stage.

Ainslie Wood Westdale Secondary Plan

The subject property is currently designated “Local Commercial” and “General Open Space” on Map. B.6.2-1 – Land Use Plan to the Ainslie Wood Westdale Secondary Plan.

The amended application is seeking to re-designate Block “1” on Appendix “A” to Report PED18199 from “Local Commercial” and “General Open Space” to “High Density Residential 1”. As such, the proposal is being evaluated against the residential policies of the plan and the following policies, amongst others, apply to the proposal.

“B.6.2.5.3 General Residential Policies

In addition to Section E.3.2 – Neighbourhood Designation – General Policies of Volume 1, the following general policies apply to all residential land use designations identified on Map B.6.2-1 – Ainslie Wood Westdale - Land Use Plan:

- a) A range of residential designations is provided to encourage a variety of housing types, forms and sizes. Rental housing is important in providing a range of housing types.
- b) Higher residential densities are directed to major roads, namely arterial and collector roads, to new or redeveloped residential or mixed commercial / residential developments. Population densities should be reflective of average densities for similar higher density residential uses across the City.
- d) Where there is no consistent style of homes on a street or block to determine the style for infill housing, such infill or renovations shall be encouraged to be compatible with the various housing styles on that street or block, reflecting one style or a suitable combination, rather than being of a height or style not found in the area.
- e) Additional locations suitable for new higher density housing units, including units suitable for student housing, are identified at various locations and densities, to reduce the over-intensification of such housing in some residential areas. Housing forms which shall be encouraged for new rental housing and student units include mixed use commercial / residential on major roads, low rise apartments, medium rise apartments, and rental rooms in owner-occupied houses.

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- h) Other complementary uses to be permitted in the Residential designations, in addition to those specified for each density type, shall include home businesses, accessory uses, home day care, small residential care facilities, and small scale local commercial and small community-based places of worship.”

In response to the above policies, the following is provided:

- As previously noted, the proposal is for a mixed used development with ground floor commercial and a lodging house use above as a rental student residence for CIC, with accessory indoor / outdoor (roof top) amenities and outdoor recreational amenities for the occupants of the residence. The approval of this proposal would help consolidate the student population attending CIC and allow for future growth of the school while alleviating pressure for housing in the surrounding residential area. Also, the proposal is contributing to the range and variety of housing forms in the City (Policies B.6.2.5.3 a) and e)).
- As noted previously, the site is located at the intersection of a major arterial road and a collector road. Also, staff are of the opinion that the population density proposed is in keeping with the average densities for similar higher density residential uses in the City (Policy B.6.2.5.3 b)).
- Main Street East contains a variety of uses, which includes low, medium and high density residential uses, institutional uses and commercial uses. As such, there is not a consistent style of home on the street. As previously discussed earlier in this Report, staff are of the opinion that the proposal is compatible with the various built forms on the street (Policy B.6.2.5.3 d)).
- The proposal includes 1,460.43 square metres of ground floor commercial uses, which are intended to primarily serve the students but will also serve the surrounding area. Relative to the scale of development proposed, staff are of the opinion that the commercial component of the plan is appropriately sized and can be considered small scale local commercial (Policy B.6.2.5.3 h)).

“B.6.2.5.5 High Density Residential Designation

- a) Within High Density Residential 1 designated areas multiple dwellings shall be permitted to a maximum height of 10 storeys, except in the case of existing buildings which may be higher. Additional height shall be permitted for new buildings, provided the height shall not produce any adverse wind impact, or adverse

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shadow impacts on public space and / or private outdoor amenity spaces.

- b) Notwithstanding Policy E.3.6.6 of Volume 1, the residential densities of High Density Residential 1 uses shall generally be 50 –125 units per gross hectare.
- c) High Density Residential 1 designated areas are located along major roads, specifically sections of Main Street West. High Density Residential 1 uses may also be considered on other redevelopment sites where compatibility with adjacent uses can be ensured, in terms of such matters as building height, massing, and preservation of views. Such sites shall require an amendment to Map B.6.2-1 - Ainslie Wood Westdale Land Use Plan.”

The application seeks to permit a building with two tower elements which will be 18 storeys and 16 storeys in height. As previously noted, the towers have been designed to minimize any adverse wind impacts or shadow impacts on public spaces. With respect to private outdoor amenity spaces, there will be sun shadow impact on properties on the north side of Main Street West between the hours of 8:00 am and 5:00 pm on March / September 21st however the impact is for no greater than two hours at any time, which staff consider acceptable as it complies with the City-Wide Corridor Planning Principles and Design Guidelines. As a result, staff are of the opinion that the proposal will not have an adverse impact on private outdoor amenity areas (Policy B.6.2.5.5 a)).

With respect to density, the proposal will result in an overall gross residential density of 250 units per hectare. While the proposal does not comply with the density provided in the High Density Residential 1 designation, given the location of the property, the presence of the future LRT and an LRT stop adjacent to the property, the acceptable sun shadow and wind impacts, appropriate massing and compatibility with adjacent uses, staff are of the opinion that the density of the proposal is appropriate in this context (Policies B.6.2.5.5 b) and c)).

City of Hamilton Zoning By-law No. 6593

The subject lands are currently split zoned “H/S-1361” (Community Shopping and Commercial, Etc.) District, Modified, “H/S-1331” (Community Shopping and Commercial, Etc.) District, Modified, and “C/S-1361” (Urban Protected Residential, Etc.) District, Modified.

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The “H/S-1361” and H/S-1331” Districts permit such uses as a single detached dwelling, a retirement home, a day nursery and a variety of commercial uses. The “C/S-1361” permits such uses as a single detached dwelling, a residential care facility and a day nursery.

An amendment is required to remove the subject lands from the City of Hamilton Zoning By-law No. 6593 and rezone the lands to a site specific Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone and site specific Conservation / Hazard Land (P5) Zone in the City of Hamilton Zoning By-law No. 05-200. In addition, site specific modifications are required to the TOC1 Zone to permit:

- The use of the land for a variety of commercial uses;
- Define Main Street West as the front lot line;
- A reduction to the required increase in parking space size abutting a column in an above ground or underground parking structure;
- A minimum number of bicycle parking spaces;
- Minimum building setbacks from the street and step-backs for the towers;
- Minimum interior side yard;
- A maximum overall height of 62.0 metres;
- A minimum number of required parking spaces; and,
- Two 6.0 metre wide driveway accesses.

Also site specific modifications are required to the (P5) Zone to permit a reduced minimum setback from the (P5) Zone boundary and active recreation uses.

These modifications are further discussed in the Analysis and Rationale for Recommendation section of this Report and Appendices “D” and “D1” to Report PED18199.

RELEVANT CONSULTATION

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

- Alectra Utilities (formerly Horizon Utilities Corporation);
- Recreation Division, Healthy & Safe Communities Department;
- Ministry of Transportation;
- Environmental Services Division, Public Works Department;
- Hydro One; and,
- Transit Division, Public Works Department.

The following Departments and / or Agencies have provided comments on the application:

Forestry and Horticulture Division, Public Works Department have indicated that a detailed landscape planting plan showing the placement of trees on internal / external City property be provided. This matter can be addressed as part of the future Site Plan Control process.

Source Water Protection Planning, Public Works Department have indicated that if dewatering is required for construction activities, they will require more information given that this area has sources of subsurface contamination from historic land use activities. The proponent shall confirm whether an Environmental Site Assessment and / or a Record of Site Condition (RSC) is required to proceed with development. Any geotechnical or hydrogeological reports which discuss soil and water conditions as well as dewatering shall be forwarded to Source Protection Planning. Upon installation of dewatering infrastructure, a representative sample of dewatering discharge should be collected and analysed against City of Hamilton Sewer By-law criteria.

As the previous use of the property was a motor vehicle sales establishment, staff note that the requirement for a Record of Site Condition will be required and a Holding Provision symbol will be placed on the property until such time that an RSC or a conditional Building Permit agreement is completed. As such, the matter relating to subsurface contamination can be appropriately addressed as part of the Site Plan Control process.

Hamilton Conservation Authority has advised that after a hearing pursuant to the *Conservation Authorities Act*, the Board of Directors of the Hamilton Conservation Authority have approved an application that permits the proposed development and a permit subject to conditions relating to the submission of a geotechnical report, site

plan, grading plan, drainage plan, erosion sediment control plan, landscape plan, and fill management plan. See permit attached as Appendix “H” to Report PED18199.

Healthy Environments Division, Public Works Department has indicated that a written dust mitigation plan will be required. This matter can be addressed as part of the future Site Plan Control process.

Transportation Planning Services, Public Works Department has requested that the applicant submit a Transportation Demand Management (TDM) Options report. Further, sidewalks along both sides of the right-of-way need to be a minimum of 2.0 metres wide and a minimum of 1.5 metres wide throughout the site. These matters can be addressed as part of the Site Plan Control process.

Light Rail Transit (LRT) Office has indicated that the two proposed access driveways to Main Street West would function in a right-in, right-out manner. Further, the LRT office has indicated that tie-backs, shoring or foundations cannot encroach into the road allowance and the applicant should consider construction methods that do not result in these issues. Moreover, the original Noise and Vibration Study that was submitted did not include the LRT in its assessment. Further, the LRT office has requested the dedication of a 4.0 metre right-of-way widening along Main Street West and a 9.0 metre – 10.5 metre right-of-way widening along Longwood Road South and a 8.5 metre (along Main Street West) x 20.0 metre (along Longwood Road South) daylight triangle at the intersection of the two streets. The above land dedications have been accommodated into the proposed design, but will be formally dedicated at the Site Plan Control stage. Also an update to the Noise and Vibration Study will be required as part of the Site Plan Control process to include the LRT.

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 563 property owners within 120 m of the subject property on May 13, 2016. A Public Notice sign was posted on the property on May 20, 2017 and updated on August 8, 2018 to reflect the Public Meeting date. Finally, Notice of the Public Meeting was circulated on August 17, 2018 in accordance with the requirements of the *Planning Act*.

To date, 15 pieces of correspondence were received respecting the proposed development (see Appendix “G” to Report PED18199). These items are further summarized in the Analysis and Rationale for Recommendations section of this Report.

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Public Consultation Strategy

Pursuant to the City's Public Consultation Strategy Guidelines, the applicant prepared a Public Consultation Strategy, which included the following:

- On June 8, 2016, the applicants held a public information meeting with the Ainsle Wood Westdale Community Association at St. George's Church at 134 Emerson Street. Also in attendance was the local Ward 1 Councillor and City staff. The purpose of the meeting was to provide an overview and discuss the proposed development and obtain feedback from the Association. The applicant's agent provided background information on the site, its former uses and the ownership of the land.
- On October 18, 2016, the applicant held a second public information meeting at St. George's Church at 134 Emerson Street. Also in attendance was the local Ward 1 Councillor. The purpose of the meeting was the same as the June 8, 2016 meeting.
- The applicants also set up a microsite in 2016 which provided electronic copies of the reports / drawings submitted in support of the proposed development. Based on the agent's records, 838 people visited the microsite with 451 total downloads occurring respecting the information provided on the microsite.

Design Review Panel

The development proposal was presented to the City's Urban Design Review Panel (DRP) on September 8, 2016, after submission of the Official Plan and Zoning By-law Amendment Applications. The mandate of the DRP is to provide design advice to staff and the proponent.

In terms of their review, the DRP made mention that the proposed land uses would be a welcome addition to this stretch of Main Street West, and that this part of Main Street West really needs attention and that this development, if done well could be a catalyst for the whole area.

The DRP noted a number of comments / recommendations with respect to the proposal, which have been summarized below. The applicant's response to the major areas of concern and comments are also summarized below:

Site Plan and Circulation

- The one way driveway that runs partially under the building will create a very unpleasant space in its current form; and,

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- The bridge between the two parts of the building was too heavy and deep and that the space underneath was not going to be a place where people would want to walk.

The vehicular drive aisle has been revised to allow for a ground floor amenity space with an adjacent outdoor patio. The relocation of the service / loading spaces allowed for additional retail space that faces the covered area (beneath the gym), making this area more inviting and would encourage pedestrian access and activity.

Base Building / Podium

- The scale feels correct in terms of its height and relationship to the street. Vertical rhythm is also good;
- The members liked the idea of animating the street with retail and other active uses; and,
- The podium may “read better” if the towers are set back a metre or two to the south.

The ground floor of the podium is setback 2.6 metres to allow for a wider and functional public realm (second to fifth floor is cantilevered). The current size and depth ensures a large outdoor amenity space and green roof installation on the podium roof. The location and orientation of the gymnasium optimizes natural day lighting, sun exposure (south) and views to encourage and promote healthy living and activity in a sustainable manner. The towers have been setback 6.1 metres which accentuates the podium massing to enhance the public realm.

Towers / Height

- Most felt that the tower floor plates were too large and that they should be lighter (perhaps different materials from the base);
- Towers should be thinner (less than 740 square metres and preferably less than 700 square metres); and,
- Not as tall – and not the same height. Perhaps 14 and 12 storeys – to add visual interest.

The towers heights have been increased to 16 and 18 storey towers. The size of the tower floor plates are dictated by the programmatic requirements for each floor for the specific building use. The apparent size / scale of the towers are mitigated by the change of materiality and the use of overlapping planes along the façade.

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Materials

- Towers could be lighter – perhaps less masonry and more glass; and,
- Base feels too monolithic. Consider changing materials to break up the apparent mass.

Vertical breaks provided at 6.2 metre intervals helps reduce the horizontality of the podium. The bridging element is intentionally clad to function as a visual break which helps reduce the apparent mass / length of the podium.

Dealing with the Southern Slope

- Explore the possibility of using the building as a retaining wall and opening the building up to the south. This would help to both reduce the apparent scale of the building while also making it easier to get the proposed playing fields to the south. The south facing spaces could be things like lecture halls and gyms – i.e. non-living spaces.

The updated design utilizes the building as a retaining wall. The design also takes advantage of the views and southern sun exposure by providing windows and accessible terraces from the P1 level amenity spaces.

Based on the foregoing information, staff are of the opinion that the applicants have considered the opinions / comments of the DRP and have incorporated them into the final design of the building. Furthermore, if approved, given that the applications will proceed through the Site Plan Control process, there will be additional opportunities to further review design elements to the building such as exterior material choices and colour, and glazing.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposal has merit and can be supported for the following reasons:
 - i) It is consistent with the PPS and conforms to the Growth Plan for the Greater Golden Horseshoe (2017);
 - ii) It complies with the general intent of the Urban Hamilton Official Plan; and,
 - iii) The development is compatible with the type and form of development in the surrounding neighbourhood and provides for a form of student housing that is satisfying a housing need.

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2. The subject property is located at the southwest corner of Main Street East and Longwood Road South. The property currently contains a one storey commercial building which previously contained a motor vehicle sales establishment and will be demolished to allow the proposal. The applicant is proposing to construct a mixed use development consisting of two tower elements, having a maximum height of 62.0 metres (18 storeys) and 56.0 metres (16 storeys), and connected at the base by a four storey podium. The proposal is for a 1,024 bed (514 units) lodging house (student residence), 1,420 square metres of commercial floor space at grade, 156 vehicular parking spaces, and 102 bicycle parking spaces located in a two level underground parking garage. Further, the proposed development includes amenities such as a multi-purpose gym, cafeteria, common areas, study rooms, lounge areas, fitness gyms, roof top patios and passive and active recreational opportunities (see Appendices “E and F” to Report PED18199).

3. **Official Plan Amendment**

The policies of the “Neighbourhoods” Designation permits “High Density Residential” uses. As described in the aforementioned sections of this Report, the proposal has demonstrated that the uses proposed provide for compatible integration with the surrounding neighbourhood, contributes to the range of dwelling types and tenures, efficiently utilizes land and infrastructure and will provide for an appropriate balance of built form, landscape and open space areas on the subject lands. It is on this basis that staff are of the opinion that the UHOP Amendment meets the intent of the policies within Volume 1 of the UHOP. Further, Block “1” on Appendix “A” to Report PED18199 of the subject lands will be re-designated from “Local Commercial” and “General Open Space” to “High Density Residential 1” in the Ainslie Wood Westdale Secondary Plan and a site specific policy has been included to permit a maximum density of 250 units per gross hectare and a maximum building height of 62.0 metres (18 storeys). The subject property is adjacent to Highway 403 and will serve as a gateway site to the education uses in this area. Further, the subject lands are located on the future LRT Corridor and will have an LRT stop located directly in front of the lands.

The proposal has demonstrated that the proposed height, massing and sun shadow impacts associated with the built form are appropriate for the use of the lands. The implementing Zoning By-law will provide provisions to restrict the height and setbacks of the podium and towers on the site purposed by the UHOP Amendment. Further, the proposed built form will be subject to Site Plan Control. Through the Site Plan Control process, staff will ensure that enhanced landscaping occurs throughout the site, and that the buildings are well articulated architecturally and sensitively integrated with the surrounding neighbourhood. Given all the above, staff recommend approval of the UHOP.

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4. Zoning By-law Amendment

Block “1” on Appendix “A” to Report PED18199 of the subject lands is presently zoned “H/S-1361” (Community Shopping and Commercial, Etc.) District, Modified, “H/S-1331” (Community Shopping and Commercial, Etc.) District, Modified, and the southerly portion of the subject lands are zoned “C/S-1361” (Urban Protected Residential, Etc.), Modified in the City of Hamilton Zoning By-law No. 6593. The use of the lands for a lodging house (student residence) is not permitted in the “H/S-1361” and “H/S-1331” Districts, and a lodging house and commercial uses are not permitted in the “C/S-1361” District. As a result, an amendment to the Zoning By-law is required to permit the said uses.

Staff note that at the time the lands along Main Street West were being rezoned to (TOC) zones in Zoning By-law No. 05-200, the subject lands were not included and remained in Zoning By-law No. 6593 given that a development application had been submitted. In consideration that the subject lands are located along the LRT corridor, the application has been amended to rezone the lands to a site specific Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone and a site specific Conservation / Hazard Land (P5) Zone within the City of Hamilton Zoning By-law No. 05-200.

Staff support the rezoning to the TOC1 Zone as the site is along an arterial road and the LRT corridor, adjacent to a proposed station, directly across from other TOC 1 Zone properties and implements the vision along the corridor for mixed use development with ground floor commercial that creates complete streets that are transit supportive and active.

With respect to the lodging house use as permitted by the TOC1 Zone, staff note this use is well served by public transit (bus service and future LRT service), is located in close proximity to the existing CIC School and represents a form of infill development that will be compatible with the adjacent area. Further the commercial uses permitted by the TOC1 Zone will complement the residential use occurring in the upper storeys of the buildings and assist in animating the street and are compatible with adjacent uses.

With respect to the proposed (P5) Zone at the rear (southerly) portion of the property, this area has been identified as part of the Chedoke Creek valley system. Staff consider it appropriate to rezone this portion of the property to a site specific Conservation / Hazard Land (P5) Zone. This area will be protected from development and will allow such uses as Conservation, Flood and Erosion Control Facilities, and Active and Passive Recreation opportunities.

Site specific modifications to the (TOC1) Zone are required to deem Main Street West the front lot line and to permit an increased building height, implement a reduction to the required increase in parking space size abutting a column and rate requirements, minimum building setbacks from the street and minimum yard setbacks as well as allow two driveway accesses. Also, modifications to the (P5) Zone are required to allow a minimum setback of 3.0 metres for the proposed building and 0.0 metre below grade for the underground garage from the (P5) Zone boundary and to allow active recreation uses. Staff's analysis and recommendation of the requested modifications are provided within Appendices "D" and "D1" to Report PED18199.

5. Holding Provision

An "H" Holding Provision is recommended given that the property is recognized as a potentially contaminated site due to the historical use of the property for commercial purposes, and to ensure that 150 Longwood Road South is acquired and merged with 925 Main Street West.

A Record of Site Condition (RSC) is required given the change from the former commercial use (Motor Vehicle Sale Establishment) on the property to the more sensitive residential land use.

Prior to establishing residential uses on this portion of the subject lands, the applicant will be required to complete a Record of Site Condition (RSC) and any necessary remediation to the satisfaction of the MECP. A Holding Provision has been included in the amending Zoning By-law for these lands as the provision of an acknowledgment letter from the MECP or alternatively a conditional building permit agreement for the RSC is a requirement.

It is noted that a RSC has not yet been filed with the MECP and therefore, this requirement is recommended by staff.

Also, given that the lands at 150 Longwood Road South are required to implement the proposal, finalization of the purchase of 150 Longwood Road South and the merging on title with 925 Main Street West is required. It is noted that as of the writing of this Report, the purchase of 150 Longwood Road South from the City has been initiated and the reference plan has been registered, but the Agreement of Purchase and Sale had not yet been finalized and executed.

6. The Growth Management Division has indicated no objection to approval of the applications. However, they have requested updates to the Functional Servicing Report, completed by S. Llewellyn & Associates Limited dated March 2016, and the

submission of a wastewater generation assessment and storm drainage area plan. Staff are of the opinion that these matters can be addressed at the Site Plan Control stage.

7. Following the circulation of the notice of complete applications, there were 15 letters received from the public for the proposed planning applications. Five of the letters were in support of the proposal and 10 letters were in objection to the proposal (see Appendix "G" to Report PED18199). Below is a summary of the concerns received to date.

Height

A concern was raised with respect to the height and associated impacts of the student residence. More specifically, there were concerns that the height would have an impact on privacy, sun shadow, and block views of the escarpment. As previously noted, the applicants provided sun shadow impact images that demonstrated that shadows would persist for a maximum of two hours of the day on private amenity spaces to the north, while providing full sun during the remainder of the day. Staff are of the opinion that the sun shadow impacts have been minimized and comply with the UHOP. In terms of privacy, staff note that the subject lands are located on the south side of Main Street West which does not contain any low rise residential adjacent to it. Further, given that Main Street West is the future corridor of the LRT, staff envision lands on either side of Main Street West to be redeveloped for height and densities greater than what is currently developed on the lands today. With respect to views of the escarpment staff have reviewed the impact and are of the opinion that the proposal will not have an adverse impact to the views of the escarpment.

Parking

A concern was raised with respect to the lack of parking for the proposed uses on the property. Staff note that the proposal is providing for 156 parking spaces within two levels of underground parking. The subject property is well serviced by public transit which includes eastbound and westbound bus stops adjacent to the property. Further, Main Street West will accommodate the future LRT with an LRT stop adjacent to the subject lands. Lastly, the student residence is intended to accommodate international high school students attending CIC, which is within walking distance of the subject lands. Further, staff have reviewed the parking supply study provided in support of the development and have indicated no objection with the opinions expressed in the said report. As such, staff are of the opinion that adequate parking spaces are being provided on the property for the proposed uses.

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Traffic

A concern was raised with respect to the amount of traffic being generated as a result of the proposed use. In support of the proposed development, a Traffic Impact Study was not requested by City staff. Further, as part of the circulation of the application, the City's Transportation Planning Services reviewed the proposal and did not indicate any concern from a traffic perspective. The proposed development would be subject to Site Plan Control where such matters as traffic circulation, ingress / egress etc. will be reviewed in greater detail.

Limiting uses within the commercial spaces

A concern was raised with respect to the release of cooking odours should a restaurant locate within part of the commercial space in the building. Staff note that restaurants are already permitted as-of-right in the current "H" District zoning on the subject lands. This permission is being maintained and the applicant would be required to comply with all applicable regulations for this use.

Setbacks from Main Street West and Pedestrian Safety

A concern was raised with respect to the proximity of the podium from Main Street West. Staff note that the subject property is located along the future LRT corridor. Further, the UHOP contains policies that require buildings to be located close to the street line while locating surface parking to the rear and within underground parking. It is the intent that by pushing the building closer to the street, this creates a more animated street line / pedestrian realm.

Reduction to property values

A concern was raised with respect to the proposal causing a negative impact on property values of existing properties in the area given that many of the students that currently reside in existing housing in the City will now relocate to the proposed building, making it difficult for landlords to find renters. Staff are not aware of any supporting information or any empirical data with respect to property devaluation that would substantiate this concern.

ALTERNATIVES FOR CONSIDERATION

Should the proposed Urban Hamilton Official Plan and Zoning By-law Amendment Applications be denied, the subject lands could be utilized in accordance with the range of uses and provisions of the "H/S-1361" (Community Shopping and Commercial, Etc.)

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District, Modified, “H/S-1331” (Community Shopping and Commercial, Etc.) District, Modified, and “C/S-1361” (Urban Protected Residential, Etc.), District, Modified.

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” - Urban Hamilton Official Plan Amendment
- Appendix “C” - Zoning By-law No. 05-200 Amendment
- Appendix “D” - Zoning By-law Amendment Assessment (TOC1) Zone
- Appendix “D1” - Zoning By-law Amendment Assessment (P5) Zone
- Appendix “E” - Concept Plan
- Appendix “F” - Elevation Drawings
- Appendix “G” - Correspondence From Public

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SUBJECT: Applications to Amend the Urban Hamilton Official Plan and City of Hamilton Zoning By-law No. 6593 for Lands Located at 925 Main Street West and 150 Longwood Road South (PED18199) (Ward 1) - Page 44 of 44

Appendix "H" - HCA Permit

AL:jp