

CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	February 5, 2019
SUBJECT/REPORT NO:	Applications for an Official Plan Amendment and Zoning By-law Amendment for Lands Located at 41 Stuart Street, Hamilton (PED19028) (Ward 2)
WARD(S) AFFECTED:	Ward 2
PREPARED BY:	Mark Kehler (905) 546-2424 Ext. 4148
SUBMITTED BY:	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
SIGNATURE:	

RECOMMENDATION

- (a) That **Official Plan Amendment Application OPA-17-008 by King Stuart Developments Inc., Owner**, for a change in designation from “Local Commercial” to “Mixed Use” and to establish a Special Policy Area (on Schedule “M-2” of the West Harbour (Setting Sail) Secondary Plan in the former City of Hamilton Official Plan) to permit the development of an 11 storey mixed use building with ground floor commercial and 76 residential dwelling units, for lands located at 41 Stuart Street, as shown on Appendix “A” to Report PED19028, be **DENIED** on the following basis:
- (i) That the proposed amendment to the West Harbour (Setting Sail) Secondary Plan does not comply with the City of Hamilton Official Plan and the West Harbour (Setting Sail) Secondary Plan, with regards to matters including but not limited to, building height, massing, built form and compatibility with the existing character of the surrounding neighbourhood.
- (b) That **Amended Zoning By-law Amendment Application ZAC-17-019 by King Stuart Developments Inc., Owner**, for a change in zoning from the “J” (Light and Limited Heavy Industry, Etc.) District to the “CR-1” (Commercial – Residential) District, Modified, to permit an 11 storey (34 m) mixed use building with 76 dwelling units, 66.20 sq m of at grade commercial space and 56 underground parking spaces for lands located at 41 Stuart Street, Hamilton, as

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shown on Appendix “A” to Report PED19028, be **DENIED** on the following basis:

- (i) That the proposed change in zoning does not comply with the City of Hamilton Official Plan and West Harbour (Setting Sail) Secondary Plan, with regards to matters including but not limited to, building height, massing, built form and compatibility with the existing character of the surrounding neighbourhood.

EXECUTIVE SUMMARY

The Owner, King Stuart Developments Inc., has applied for an Official Plan Amendment and Zoning By-law Amendment to permit an 11 storey (34 m) mixed use building with 76 dwelling units, 66.20 sq m of at grade commercial space and 56 underground parking spaces on lands located at 41 Stuart Street, Hamilton.

The subject property is located within the West Harbour (Setting Sail) Secondary Plan approved by the Ontario Municipal Board in August 2013. The purpose of the Official Plan Amendment is to change the designation applicable to the subject lands on Schedule “M-2” of the West Harbour (Setting Sail) Secondary Plan from “Local Commercial” to “Mixed Use.” In addition, a Special Policy Area is proposed to permit a maximum building height of 11 storeys for a mixed use building with 76 dwelling units.

The purpose of the Zoning By-law Amendment is to rezone the subject lands from the “J” (Light and Limited Heavy Industry, Etc.) District to a site specific “CR-1” (Commercial – Residential) District. Modifications to the “CR-1” District have been requested to permit increased maximum total gross floor area and residential gross floor area, reduced setbacks from all street and lot lines, reduced amenity and landscape area requirements, and reduced parking and loading space dimensions, number of parking and loading spaces and access driveway width.

The proposal does not comply with the policies and intent of the West Harbour (Setting Sail) Secondary Plan with respect to building height and compatibility with the character of the surrounding low density residential neighbourhood. The proposed 11 storey (34 m) mixed use building does not comply with the policies applicable to Stable Areas within the Secondary Plan and does not meet the general intent of the recommendations of the Council approved James Street North Mobility Hub Study.

Staff recommend the applications be denied.

Alternatives for Consideration – See Page 28

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: N/A

Staffing: N/A

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

HISTORICAL BACKGROUND

Proposal

The subject property is located at the southwest corner of Stuart Street and MacNab Street North, two blocks north and one block west of the intersection of Barton Street West and James Street North. The corner property is rectangular with a partially angled north lot line matching the Stuart Street right of way that extends diagonally northwest from the intersection of Stuart Street and MacNab Street North. It has a lot area of approximately 0.125 ha (1,254.5 m²) and is municipally known as 41 Stuart Street.

The property is currently occupied by a one storey commercial building containing an office and commercial print shop on the westerly portion of the site. The easterly portion of the site contains a fenced and gated parking area accessed from Stuart Street.

On November 8, 2017, Council approved By-law No. 17-240 that, amongst other changes, introduced new Commercial and Mixed Use Zones to City of Hamilton Zoning By-law No. 05-200. By-law No. 17-240 included changes to the parking requirements under Zoning By-law No. 05-200, including an increase in the required standard parking space dimensions from 2.6 m by 5.5 m to 3.0 m by 5.8 m if located within a surface parking lot or 2.8 m by 5.8 m if located underground or in a parking structure. The Owner appealed the changes to the parking stall sizes to the Local Planning Appeal Tribunal. The lands within the West Harbour (Setting Sail) Secondary Plan have not been incorporated into By-law No. 05-200, therefore By-law No. 17-240 does not apply to the subject lands.

Original Submission – January 20, 2017

On January 20, 2017, the applicant submitted an Official Plan Amendment and Zoning By-law Amendment Application to permit an 11 storey (34 m) mixed use building with a four storey (13.4 m) podium, 77 dwelling units, one commercial unit at grade and 43 parking spaces located within two underground parking levels.

Second Submission – October 4, 2017

On October 4, 2017, the applicant submitted a revised proposal in response to discussions with City staff. Revisions included a reduction in the number of dwelling units from 77 to 75 and an increase in the number of parking spaces from 43 to 56. Revisions were made in response to staff concerns regarding the compatibility of the proposal with the adjacent Hamilton Customs House, the height of the second storey was reduced from 3.7 m to 3.0 m and the overall podium height was reduced from 13.4 m to 12.7 m to better align with the cornices of the Customs House.

Third Submission - June 29, 2018

Following further discussion with staff, a third revised proposal was submitted on June 29, 2018. Revisions included providing a total of 76 dwelling units instead of 75, an increased setback to the southerly lot line from 1.5 m to 2.6 m and a decreased setback to the westerly lot line from 1.2 m to 0.6 m.

Fourth Submission – December 4, 2018

On December 4, 2018, the applicant submitted an update to their Planning Justification Report providing an analysis of the proposal against the standards of review for privately initiated Official Plan Amendment and Zoning By-law Amendment applications under the rules of Provincial Bill 139. The analysis focuses on the applicant's review of the in-force Official Plan policies applicable to the subject site against the policies of the PPS and Growth Plan.

Applications

The purpose of the proposed Official Plan Amendment and amended Zoning By-law Amendment Applications is to permit the revised proposal for an 11 storey (34 m) mixed use building with 76 dwelling units, 66.20 sq m of commercial space at grade and 56 underground parking spaces. The applicant proposes to re-designate the lands from "Local Commercial" to "Mixed Use" in the West Harbour (Setting Sail) Secondary Plan and to establish a Special Policy Area to permit an 11 storey (34 m) building height. A change in zoning is proposed from the "J" (Light and Limited Heavy Industry, Etc.) District to a site specific "CR-1" (Commercial Residential) District. Proposed modifications to the "CR-1" District include increased maximum total gross floor area and residential gross floor area, reduced setbacks from all street and lot lines, reduced amenity and landscape area requirements, and reduced parking and loading space dimensions, number of parking and loading spaces and access driveway width.

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Chronology:

<u>July 19, 2015:</u>	First meeting with the Central Neighbourhood Association.
<u>August 13, 2015:</u>	Design Review Panel meeting for the subject proposal.
<u>August 16, 2016:</u>	Second meeting with the Central Neighbourhood Association.
<u>January 20, 2017:</u>	Submission of Official Plan Amendment and Zoning By-law Amendment Applications OPA-17-008 and ZAC-17-019.
<u>February 1, 2017:</u>	Applications OPA-17-008 and ZAC-17-019 deemed complete.
<u>February 14, 2017:</u>	Notice of Complete Applications and Preliminary Circulation was sent to 160 property owners within 120 m of the subject property.
<u>February 15, 2017:</u>	Public Notice Sign installed on the subject lands.
<u>April 13, 2017:</u>	Public Open House held by the applicant and agent.
<u>October 4, 2017:</u>	Revised concept site plan and elevations submitted in response to comments.
<u>June 29, 2018:</u>	Revised concept site plan and elevations submitted in response to comments.
<u>December 4, 2018:</u>	Updated Planning Justification Report submitted.
<u>January 18, 2019:</u>	Public Notice published in the Hamilton Spectator.
<u>January 18, 2019:</u>	Circulation of the Notice of Public Meeting to 160 property owners within 120 m of the subject property.

Details of Submitted Applications:

Owner:	King Stuart Developments Inc.
Applicant:	King Stuart Developments Inc.
Agent:	A.J. Clarke and Associates Ltd. (c/o Franz Kloibhofer)

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Location: 41 Stuart Street (see Appendix “A” to Report PED19028)

Property Description: Lot Frontage: 19.55 m (Stuart Street)
 Lot Depth: 25.7 m (MacNab Street North)
 Lot Area: 1,254.5 sq m (0.125 ha)
 Servicing: Existing Full Municipal Services

Existing Land Use and Zoning:

	<u>Existing Land Use</u>	<u>Existing Zoning</u>
<u>Subject Property:</u>	One storey commercial building	“J” (Light and Limited Heavy Industry, Etc.) District

Surrounding Land Uses:

North	Stuart Street and West Harbour Go Station	“G-3-H” (Public Parking Lots) District
East	Industrial operation	“J” (Light and Limited Heavy Industry, Etc.) District
South	Single detached dwellings	“D” (Urban Protected Residential – One and Two Family Dwellings, Etc.) District
West	Workers Arts and Heritage Centre (Hamilton Customs House)	“J” (Light and Limited Heavy Industry, Etc.) District

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) (PPS). 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;
 4. *support active transportation*;
 5. are *transit-supportive*, where transit is planned, exists or may be developed;
- 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.”

The subject property is located within a settlement area as defined by the PPS. The proposed mixed use building, consisting of 76 dwelling units and 66.20 m² of commercial space at grade, would contribute to the mix of land uses in the area, would efficiently use land and existing infrastructure, and represents a form of intensification. The proposal is transit-supportive by providing intensification in close proximity to the West Harbour Go Station, seeking a reduced parking requirement and providing 25 secure bicycle parking lockers.

Cultural Heritage and Archaeology

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

“2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

- 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.
- 2.6.3 Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.”

The subject property meets two of the ten criteria used by the City of Hamilton and Ministry of Tourism, Culture and Sport for determining archaeological potential. Accordingly, Section 2 (d) of the *Planning Act* and Section 2.6.2 of the PPS apply to the lands. Should the applications be approved, an acknowledgement note of the archaeological requirements applicable to the site would be required at the Site Plan Control stage.

A Cultural Heritage Impact Assessment (CHIA) dated July 2016 was completed for the subject property by ASI Archaeological & Cultural Heritage Services. The Report assessed the impact of the proposal on the adjacent Hamilton Customs House (51 Stuart Street). The Customs House is a National Historic Site and is designated as a heritage building under Part IV of the *Ontario Heritage Act*.

The CHIA recommends that the proposal, and in particular the proposed podium, be designed to be sympathetic to the Hamilton Customs House. It recommends that the height of the podium match the eaves line of the Hamilton Customs House and that the proportions of the first and second storeys be consistent between the two buildings. This recommendation has been implemented by the applicant and, should the applications be approved, further design strategies would be requested by staff at the Site Plan Control stage to complement the Hamilton Customs House, including cladding materials and horizontal banding.

Noise

Regarding noise, the PPS provides the following:

- “1.2.6.1 Major facilities and sensitive land uses should be planned to ensure they are appropriately designed, buffered and / or separated from each other to prevent or mitigate adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term viability of major facilities.”

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The applicant submitted a Noise and Vibration Feasibility Study prepared by HGC Engineering Limited dated November 4, 2016 for the subject proposal. HGC determined that vehicular traffic on MacNab Street North, Bay Street North, James Street North and rail traffic on the railway corridor (Canadian National (CN), Southern Ontario Railway (SOR) and GO Transit) to be the dominant transportation sources of sound affecting the proposed development. The Stuart Street Rail Yard is also a significant stationary noise source. Based on the results of the study and a subsequent Proposed Noise Mitigation Concepts report prepared by Valcoustics Canada Ltd., dated March 14, 2018, mitigation measures including noise buffers, architectural design features and warning clauses would be required to meet MOECP noise criteria. Should the applications be approved, these measures would be implemented at the Site Plan Control stage. The study found that anticipated vibration levels from rail traffic are within the CN / GO guidelines for residential uses, and therefore would not require mitigation.

Human-Made Hazards

“3.2.2 Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.”

The subject property is recognized as a potentially contaminated site due to the current and past use of the property for commercial purposes. As a result, the property is subject to environmental review to allow for the proposed multiple dwelling use. The applicant has undergone a Phase I and II Environmental Site Assessment. The results of the Phase I ESA indicated various contaminants of potential concern within the soil and groundwater on and off-site and determined that a Phase II was necessary. The Phase II ESA found various exceedances and recommended excavation and off-site disposal of materials. The owner will be responsible for ensuring a Record of Site Condition (RSC) has been filed appropriately satisfying the Ministry of the Environment, Conservation and Parks (MECP). Should the applications be approved, staff would request a Holding Provision requiring the provision of a Notice of Acknowledgment letter from the MECP for the RSC.

Based on the foregoing, the subject proposal is consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2017)

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

Policy 2.2.1.2(a) of the Growth Plan directs the majority of growth to settlement areas that have access to municipal water and wastewater systems and can support the achievement of complete communities. Policy 2.2.1.2(c) establishes that locations with

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existing or planned transit will be focus areas for growth within settlement areas and Policy 2.2.1.4 supports the achievement of complete communities through the following measures, amongst others:

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

The subject lands are located within the Hamilton urban boundary and are fully serviced by municipal water and wastewater infrastructure. The proposal would contribute to achieving a complete community by expanding housing options and providing local commercial space within the neighbourhood. The proposed mixed use building would have access to a range of transportation options, including the West Harbour GO train station and future planned A-Line Rapid Transit corridor.

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

Based on the forgoing, the proposal conforms with the policies of the Growth Plan.

Urban Hamilton Official Plan

The Urban Hamilton Official Plan (UHOP) was approved by Council on July 9, 2009 and the Ministry of Municipal Affairs on March 16, 2011.

There was no decision (Non-decision No. 113) made by the Ministry regarding the adoption of the West Harbour (Setting Sail) Secondary Plan into the UHOP because at the time the Ministry was reviewing the UHOP, the Secondary Plan was still under appeal. The lands are currently identified as “Lands Subject to Non Decision 113 West Harbour Setting Sail” on Schedule E-1 of the UHOP, therefore the UHOP policies do not apply. As a result, when the UHOP came into effect on August 16, 2013, it did not affect the West Harbour (Setting Sail) Secondary Plan. Should the applications be approved, staff would request that the proposed Official Plan Amendment be included in the Secondary Plan at the time when the Ministry deals with the non-decision.

Hamilton-Wentworth Official Plan

The subject lands are not included within the UHOP as they are part of Non-Decision No. 113. As a result, the policies of the Hamilton-Wentworth Official Plan that are applicable to the subject lands remain in effect. In this regard, the subject lands are within the Urban Area of the Hamilton-Wentworth Official Plan and the following policies, amongst other, apply to the proposal.

Urban Area

“C.3.1 A wide range of urban uses, defined through Area Municipal Official Plans and based on full municipal services, will be concentrated in the Urban Areas. These areas are intended to accommodate approximately 96% of new residential housing units in the Region to the year 2020. Accordingly, the Plan establishes a land use strategy for the Urban Area that consists of:

- Compact urban form, including mixed use areas.

C.3.1.1 A compact higher density form, with mixed use development in identified Regional and Municipal centres and along corridors, best meets the environmental, economic principles of sustainable development.

Mixed forms of development within an Urban Area is preferable to widespread, low density residential development and scattered rural development, because:

- Growth can be accommodated by building on vacant or redeveloped land, without taking up agricultural lands or natural areas;
- Higher density development can reduce per capita servicing costs and makes more efficient use of existing services;
- Efficient and affordable public transit systems can be established;
- Effective community design can ensure people are close to recreation, natural areas, shopping and their workplace; and,
- A compact community makes walking and bicycling viable options for movement.”

The proposal complies with the above policy direction to encourage redevelopment of the subject lands for compact development within the Urban Area. The proposed mixed use building would provide for efficient use of services. As such, the proposal complies with the policies of the Hamilton-Wentworth Official Plan.

City of Hamilton Official Plan

The subject lands are not included within the UHOP as they are part of Non-Decision No. 113. As a result, the policies of the City of Hamilton Official Plan remain in effect. Schedule A of the City of Hamilton Official Plan designates the subject lands “West Harbour.” The policies of the West Harbour (Setting Sail) Secondary Plan provide more detailed designations and policy framework for this area. The following City of Hamilton Official Plan policies, amongst others, apply to the proposal.

“Subsection B.2.1 – Water Distribution

- B.2.1.1 In accordance with the Regional Official Plan, Council will encourage the Region to maintain and, where necessary, improve water supply in the City. New development and / or redevelopment will only be permitted where the water supply is deemed to be adequate by the Region.

Subsection B.2.2 – Sewage Disposal

- B.2.2.1 Council will encourage the Region to ensure that all new development in the City be effectively serviced by the SEWAGE DISPOSAL System. In this regard, Council will encourage the appropriate agencies to ensure that necessary improvements to, or extension of, the SEWAGE DISPOSAL System, expansions to the capacity of the Woodward Avenue Sewage Treatment Plant, and the monitoring of effluents discharged are undertaken.

Subsection B.2.3 – Storm Drainage

- B.2.3.1 Council will require that all new development and / or redevelopment be connected to, and serviced by, a STORM DRAINAGE System or other appropriate system such as ditches, ‘zero run-off’, and any other technique acceptable to Council and the Conservation Authorities. Council will ensure that the extension of the STORM sewer System is at sufficient capacity to support future anticipated growth in the City. In this regard, Council will co-operate with the appropriate Conservation Authorities in any flood management studies or engineering works that may be undertaken from time to time to improve or maintain the DRAINAGE capacity of natural watercourses flowing through the City.”

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There are existing services adjacent to the subject property including sanitary, storm and watermain sewers. Should the applications be approved, stormwater management, geotechnical and hydrogeological studies would be required at the Site Plan Control stage. Also, a Holding Provision would be required for the completion of a watermain hydraulic analysis on the pressure district level to identify the upgrades on the existing watermains required to support the proposed development.

“Subsection 2.4.5- Solid Waste Disposal

B.2.4.5 All uses in the City will be served by a regularly-scheduled SOLID WASTE collection through the municipal DISPOSAL service, or in the case of certain uses, through individually-contracted collection service.”

The proposed mixed use development is eligible for curbside waste collection by City Services subject to the requirements of the City’s Solid Waste Management By-law. Should the applications be approved, waste collection would be examined in greater detail at the Site Plan Control stage.

“Subsection B.3.1 – Road Network:

B.3.1.2 In accordance with the intent of the Regional Official Plan, the ROAD NETWORK will be composed of Inter-Regional Highways, Arterials (which are Regional Roads), Collectors and Local Roads. All Inter-Regional Highways and Arterials are shown on Schedule “F”; in addition, right-of-way requirements are identified for certain Arterials and other roads.

B.3.1.19 In accordance with the *Planning Act*, where a property is located in a Proposed Site Plan control area, as defined in Subsection D.3, the following provisions will apply:

- i) Further to Policy B.3.1.2 above, Council will require as a condition of Site Plan approval, the dedication of property abutting ROADS with future rights-of-way widths in the south mountain and east end areas of the City, as specified on Schedule “F”. In addition, the dedication of property abutting certain ROADS with future rights-of-way widths as defined below will also be required.”

The existing road allowance width of Stuart Street adjacent to the subject property varies between 13.8 m and 19.8 m. The required road allowance width of Stuart Street is 18.0 m to 20.0 m. The applicant has accommodated for the required irregular right of way widening, ranging in width from 0.21 m to 2.05 m.

“Subsection C.7 – Residential Environmental and Housing Policy

- C.7.2 Varieties of RESIDENTIAL types will not be mixed indiscriminately, but will be arranged in a gradation so that higher-density developments will complement those of a lower density, with sufficient spacing to maintain privacy, amenity and value.
- C.7.3 Council will encourage a RESIDENTIAL ENVIRONMENT of an adequate physical condition that contains a variety of housing forms that will meet the needs of present and future residents. Accordingly, Council will:
- iii) Support RESIDENTIAL development such as infilling, redevelopment and the conversion of non-residential structures that makes more efficient use of the existing building stock and / or physical infrastructure that recognize and enhance the scale and character of the existing residential area by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
 - v) Encourage new RESIDENTIAL development that provides a range of dwelling types at densities and scales that recognize and enhance the scale and character of the existing residential area by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview;
 - ix) Support the concept of a RESIDENTIAL community that provides a diversity of dwelling forms and housing options accessible to all Hamilton residents;
 - xii) Encourage development at densities conducive to efficient operation of Public Transit and which utilizes design or construction techniques that are energy efficient;”

The proposed mixed use building complies with Policies C.7.3 ix) and xii) by increasing the availability of apartment style units in the neighbourhood and increasing residential densities adjacent to the West Harbour GO station.

Staff are concerned that the proposed 11 storey (34 m) building height fails to address the intent of Policies C.7.2 and C.7.3 iii) and v). These policies reinforce the need for new development to recognize and enhance the scale and character of the existing residential area. For reasons to be discussed later in the Secondary Plan and Analysis and Rationale for Recommendation sections of this Report, it is the opinion of staff that

the proposed 11 storey (34 m) building height is not appropriate given the character of the existing residential area and the policy direction provided in the Official Plan.

Based on the above policy review, the proposal does not meet the intent of the City of Hamilton Official Plan with respect to matters including but not limited to building height, scale, massing, built form and recognizing and enhancing the character of the existing residential area.

West Harbour (Setting Sail) Secondary Plan (OPA No. 198)

The West Harbour (Setting Sail) Secondary Plan was approved by Council in 2005. Due to appeals to the Ontario Municipal Board (OMB), the Secondary Plan was not deemed to be in effect until the OMB issued its final decision in 2012. This decision added the Secondary Plan to the former City of Hamilton Official Plan as that was the Official Plan in effect for the former City of Hamilton at that time.

When the UHOP was brought into effect by the OMB in 2013, all of the lands within the West Harbour (Setting Sail) Secondary Plan area were noted as being subject to Non-Decision No. 113. Therefore, the operable Secondary Plan policies in effect to review against the proposed development are those policies in the West Harbour (Setting Sail) Secondary Plan OPA No. 198 instead of the UHOP (Volume 2).

The subject property is identified as “Stable Areas” on Schedule M-1 – Planning Area and Sub-Areas and is designated “Local Commercial” on Schedule M-2 – General Land Use. The applicant has proposed to re-designate the property to “Mixed Use” on Schedule M-2. The lands are located within the “Zone of Noise Influence” on Schedule M-3 – Zone of Noise Influence. The following policies, amongst others, apply to the proposal.

Planning Principles

“A.6.3.2.2 Strengthen existing neighbourhoods;

- i) ensure new development respects and enhances the character of the neighbourhood;
- ii) relocate heavy industrial uses and clean-up contaminated sites;
- iii) encourage compatible development on abandoned, vacant and under-utilized land;
- v) encourage new commercial uses that cater to the local neighbourhood;

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

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

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

Stable Areas:

A.6.3.7 Stable Areas

The Stable Areas are identified on Schedule “M-1”. They comprise the generally low density neighbourhoods that define the residential character of West Harbour. Significant physical change is not anticipated in Stable Areas. The intent of the policies in this section is to maintain and reinforce the character of existing neighbourhoods and to encourage the replacement of inappropriate industrial and commercial uses with sensitively-designed residential development.

A.6.3.7.1 Land Use

- A.6.3.7.1.1 The predominant land use in Stable Areas shall be Low Density Residential, with detached, semi-detached and street townhouses being the predominant types of housing.”

The West Harbour (Setting Sail) Secondary plan identifies three areas planned for significant land use change – the Waterfront, Barton-Tiffany and the Ferguson-Wellington Corridor. The plan further identifies Corridors of Gradual Change along portions of York Boulevard, Cannon Street, Barton Street and James Street. The remainder of the secondary plan area is identified as Stable Areas, which are generally low density residential character areas in which significant physical change is not anticipated. Policy A.6.3.7.1.1 establishes that housing within Stable Areas is envisioned to consist predominantly of detached, semi-detached and street townhouse dwellings.

The proposed at grade commercial space catering to the needs of the local community meets the intent of Policy A.6.3.2.2 (v). Consistent with Policies A.6.3.2.2 (ii) and A.6.3.7, the proposed development represents an opportunity to redevelop a contaminated commercial site.

Policy A.6.3.3.2 further clarifies that the development of underutilized land should be “compatible.” Policies A.6.3.2.2 (i) and A.6.3.7 require that new development respect and enhance the character of existing neighbourhoods and encourage the replacement of inappropriate industrial and commercial uses with sensitively-designed residential development. The subject site is located at the northern edge of a stable residential area bounded by the CN / GO railway tracks to the north, James Street North to the east, Bay Street North to the west and Cannon Street West to the south. This area is characterized primarily by single detached, semi-detached and street townhouse dwellings together with some low rise multiple dwellings and neighbourhood institutional uses. Primarily low rise mixed use corridors exist along James Street North and

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Cannon Street West and there are light industrial and commercial uses near Bay Street North and Mulberry Street and across from the CN rail tracks along Stuart Street.

The immediate context includes the two storey Hamilton Customs House (a National Historic Site) to the west, the one storey West Harbour GO Station to the northeast, a vacant former industrial site to the east and a place of worship to the southeast. Further to the southeast and immediately to the south, the existing land use consists of one to two and a half storey detached dwellings. To the southwest is a six storey (27.9 m) multiple dwelling at 50 Murray Street (also known as the “Witton Lofts”).

In the opinion of staff, the height, scale and massing of the proposed 11 storey (34 m) mixed use building does not maintain and reinforce the existing and planned low rise residential character of the area nor is it a sensitively-designed residential development given the immediate context. The proposal is taller than any surrounding buildings and its massing includes an almost full lot coverage and limited building step backs above the fifth floor to reduce the visual impact of the development on adjacent low rise residential uses to the south and southeast. In comparison, the adjacent Witton Lofts development features a lower building height and large side and rear setbacks from the primary building to adjacent properties. Overall, the scale of the proposed development is incompatible with the predominant low rise built form of the neighbourhood that forms a key component of its character.

Based on the forgoing, the proposal does not comply with Policies A.6.3.2.2 (i), A.6.3.7 A.6.3.2.2 iii) and A.6.3.3.2. Therefore, the proposal does not align with the “Strengthening existing neighbourhoods” planning principle and the intent of the Stable Areas component of the land use plan that new development respect and enhance the character of existing neighbourhoods.

Local Commercial Designation (Existing)

“A.6.3.3.1.19 In Local Commercial areas:

- i) commercial uses, such as retail stores, restaurants, take-out restaurants, banks, professional offices and personal services, are permitted;
- ii) other uses, including office and residential, are permitted and encouraged above the ground floor;
- v) the maximum height of buildings shall be 4 storeys;
- vi) front yard setbacks shall be consistent with the setbacks of adjacent buildings;

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- vii) for streets where a road allowance widening is required, the setback under the zoning by-law must be taken from the widened road allowance;
- viii) buildings shall be oriented to a public street, with main entrances on a street, with barrier free access at street level;
- ix) parking shall be located at the rear or side of buildings; and,
- x) loading and service areas shall be located at the rear of buildings wherever feasible.”

The proposed mixed use building complies with Policies A.6.3.3.1.19 i) and ii) by providing ground floor commercial with residential uses above. Consistent with Policy A.6.3.3.1.19 vi), the front yard setback for the proposed building steps in towards the west property line to align with the front yard setback of the Hamilton Customs House, and the setback to the easterly lot line abutting MacNab Street North generally aligns with the adjacent residential dwelling to the south (see Appendix “B” to Report PED19028). The proposed underground parking and loading facilities meet the intent of Policies A.6.3.3.1.19 ix) and x) as they will not be visible from the street.

The Local Commercial designation allows for a maximum building height of four storeys. The proposed 11 storey (34 m) mixed use building does not comply with Policy A.6.3.3.1.19 v), therefore an amendment to the West Harbour (Setting Sail) Secondary Plan is required. The intent of the Local Commercial designation is to provide convenient access to commercial uses and a building scale that is compatible with surrounding stable neighbourhoods. In the opinion of staff, the proposal maintains the intended commercial function of the designation however the proposed 11 storey building does not recognize and enhance the scale and character of the existing residential area.

Mixed Use Areas Designation (Proposed):

Should Council approve the proposed Official Plan Amendment, the following policies of the Mixed Use areas designation would apply:

“A.6.3.3.1.17 In Mixed Use areas:

- i) apartment buildings and apartment buildings with ground-floor, street-related commercial and / or community uses are permitted and encouraged;

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- ii) the range of commercial uses permitted on the ground floor shall include retail stores, restaurants, take-out restaurants, business and personal services, and professional offices;
- iii) the range of community uses permitted on the ground floor shall include day nurseries, schools, libraries and places of worship;
- iv) the density and height of development shall be governed by the maximum heights identified on Schedule “M-4”;
- vi) buildings generally shall be built close to or at the front property line, subject to the development satisfying sightline requirements entering the public road allowance;
- vii) for streets where a road allowance widening is required, the setback under the zoning by-law must be taken from the widened road allowance;
- viii) ground-floor uses shall have their main entrances on the street with barrier free access, at grade;
- ix) parking areas shall be provided at the rear of sites, underground and / or in above-grade structures behind buildings, with access from public streets or laneways;
- xii) private amenity space shall be provided on balconies and terraces and / or within internal courtyards outdoors and indoors;
- xiii) common amenity space shall be consolidated to create useable spaces;
- xiv) the design and massing of buildings shall minimize shadow and wind impacts on the public realm; and,
- xv) the design of new developments shall have respect for the light, views and privacy enjoyed by residents in adjacent buildings and areas.”

The proposed development complies with Policies A.6.3.3.1.17 i), ii) and iii), as the proposal is for a mixed use building that includes 66.20 m² of ground floor commercial area.

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The proposed building would be located at the property line along Stuart Street and MacNab Street North and accommodates the required road widenings and daylight triangle as per Policies A.6.3.3.1.17 vi) and vii). In response to Policies A.6.3.3.1.17 viii) and ix), main entrances are proposed on the street with barrier free access at grade and parking is proposed to be underground.

The proposed development meets the intent of Policies A.6.3.3.1.17 xii) and xiii) as the proposal includes private balconies, a common amenity area on the fifth floor, and a fitness and meeting room on the ground floor.

In response to Policies A.6.3.3.1.17 xiv) and xv), the applicant submitted a Sun / Shadow Study prepared by KNYMH Architects Inc., dated July 28th, 2016 as part of an Urban Design Analysis prepared by A.J. Clarke and Associates Ltd. dated December, 2016. The Sun / Shadow Study demonstrates that most of the shadowing cast by the proposed development is to the northeast, north, and northwest, including over industrial lands, the CN Rail Corridor and the West Harbour Go Station. Shadows cast on the public realm would occur on portions of Stuart Street from 10:00 am to 4:00 pm on December 21st and from 12:00 pm to 4:00 pm on March 21st. On December 21st, shadows would be cast on portions of MacNab Street North from 2:00 p.m. to 4:00 p.m. and portions of Strachan Street West and James Street North at 4:00 p.m. The development would result in shadows over the Jamesville Housing Development to the northeast of the site, as measured on December 21st at 4:00 p.m. Partial shadows would occur on the rear amenity area for the Hamilton Customs House as measured on December 21st, March 21st and June 21st at 10:00 a.m.

Staff are satisfied that the shadow impacts of the development would be minimal as they would occur at low usage times during the day, for limited duration, primarily over industrial / railway lands. Limited shadow impacts are expected in the summer months. The Urban Design Analysis identifies measures such as window placement, rear step backs and plantings to mitigate privacy overlook impacts on adjacent detached dwellings to the south. Should the applications be approved, such measures would be requested at Site Plan Control stage. A Wind Study would also be requested at the Site Plan Control stage. Based on the forgoing, staff are of the opinion that Policies A.6.3.3.1.17 xiv) and xv) have been met.

Building height and density for properties designated Mixed Use are governed by Schedule “M-4” of Setting Sail. The height permissions for the subject lands are not identified on Schedule “M-4” as building height is currently governed by the policies of the Local Commercial designation. The Applicant has proposed a Site Specific Policy Area to allow for the proposed 11 storey (34 m) mixed use building with 76 dwelling units. As discussed earlier in this report, staff are of the opinion that the proposed building height is not appropriate given the vision and intent of Setting Sail to recognize and enhance the scale and character of the existing residential area and therefore

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cannot support the proposed change in designation from Local Commercial to Mixed Use.

Urban Design:

The following Urban Design policies, amongst others, apply to the proposal.

- “A.6.3.3.4.1 New development, redevelopment and alterations to existing buildings in West Harbour shall respect, complement and enhance the best attributes of West Harbour and shall adhere to the following urban design principles:
- i) Create a comfortable and interesting pedestrian environment;
 - ii) Respect the design, scale, massing, setbacks, height and use of neighbouring buildings, existing and anticipated by this plan;
 - iii) Generally locate surface parking at the rear or side of buildings;
 - iv) Provide main entrances and windows on the street-facing walls of buildings, with entrances at grade level; and,
 - v) Ensure barrier-free access from grade level in commercial mixed use developments.”

The proposal complies with Policies A.6.3.3.4.1 i) and iv) by providing a street oriented building with ground floor glazing and entrances facing the street, creating a comfortable and interesting pedestrian environment. Parking is provided below grade, out of view from the public realm, and therefore meets the intent of Policy A.6.3.3.4.1 iii).

Staff are of the opinion that the proposed 11 storey (34 m) building does not respect the scale, height and massing anticipated by the Secondary Plan as required by Policy A.6.3.3.4.1 ii) and should therefore be denied.

James Street North Mobility Hub Study

On September 24, 2014, Hamilton City Council adopted the James Street North Mobility Hub Study (the Study). The Study was commissioned by the City of Hamilton to guide future planning and development in the area surrounding the intersection of the now

constructed West Harbour GO train station and the planned City of Hamilton A-Line rapid transit corridor. This location is identified as a Gateway Hub by Metrolinx in The Big Move transportation plan for the GTHA, as a key intersection in the regional transportation network intended to support transit access and high density development. As of the writing of this report, the recommendations of the James Street North Mobility Hub Study have not been incorporated comprehensively into the Official Plan and Zoning By-law. As a Council adopted document, Staff consider the Study to be informative, but not determinative when considering the proposal.

The following Guiding Principles of the James Street North Mobility Hub Study, amongst others apply to the proposal.

- “3. Walkable & Inviting Streets & Open Spaces – Streets within the Mobility Hub will be pedestrian-oriented, and accessible for people of all ages and abilities. They will be framed by animated building edges with wide sidewalks, weather protection, lighting and way-finding.
4. Protect Existing Neighbourhoods – Stable residential neighbourhoods will be protected from undesirable development and intensification. Taller buildings will be designed and located to minimize shadowing, overlook and other adverse impacts.
5. Develop and Appropriate Scale, Form & Density – Intensification will be encouraged where appropriate through low-impact density and within close proximity to transit. Development will repair gaps in the built environment and be sensitive to community context and character, such as the existing James Street North streetwall.
7. Mix of Uses Within the Primary & Secondary Zones – Development within the Mobility Hub aims to create a vibrant mixed use community that supports existing and new transit infrastructure.”

The proposal is consistent with the recommended Guiding Principles 3 and 7 as it proposes a street-oriented mixed use building adjacent to the West Harbour GO Station.

The subject lands are located within the Primary Zone of the Mobility Hub and within Focus Area C – Station Area. The Primary Zone is the area with the greatest potential for change through redevelopment and includes the lands directly associated with the West Harbour GO Station (Focus Area C). The study further identifies specific opportunity sites throughout the Mobility Hub, including the subject lands, which together with the south abutting property (285 MacNab Street North) are identified as Opportunity Site Four.

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The Study concludes that the Local Commercial designation applicable to Opportunity Site Four under Setting Sail is appropriate but recommends that the maximum allowable building height on site be changed from four storeys to eight storeys (in recognition of the close proximity of the site to the West Harbour GO Station). This recommendation is a departure from the standard recommended elsewhere in the Mobility Hub, where the Study establishes a maximum building height equal to the right-of-way width.

Staff recognize that the recommendations of the Council adopted James Street North Mobility Hub Study support an increase in building height beyond what is provided for Setting Sail. Staff are concerned however, that the proposed 11 storey building height exceeds the maximum eight storey building height recommended in the Study and is a departure from the intended vision for the area. Opportunity Site Four includes land assembly of 41 Stuart Street with the south adjacent property at 285 MacNab Street North. The proposal does not include any land assembly as envisioned by the Study to achieve the eight storeys, limiting opportunities for reduced lot coverage and larger step backs to transition to residential uses to the south. The Study's recommendations were developed to balance the protection of stable residential neighbourhoods with the goal of appropriate intensification within close proximity to transit (Guiding Principles 3 and 4).

City of Hamilton Zoning By-law No. 6593

The subject property is currently zoned "J" (Light and Limited Heavy Industry, Etc.) District. In order to implement the proposed development, the applicant has applied to change the zoning to a site specific "CR-1" (Commercial – Residential) District. The applicant has requested the following site specific modifications to the "CR-1" District zoning:

- Increased maximum total gross floor area;
- Increased maximum residential gross floor area;
- Reduced setbacks from all street and lot lines;
- Reduced landscaped area;
- Reduced amenity area;
- Reduced parking rate;
- Reduced parking space dimensions;
- Reduced loading space dimensions and number of loading spaces; and,
- Reduced access driveway width.

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RELEVANT CONSULTATION

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

- Recycling & Waste Disposal, Operations Division, Public Works Department;
- Recreation Division, Healthy and Safe Communities Department;
- Transit Division, Public Works Department; and,
- Alectra Utilities (formerly Horizon Utilities Corporation).

The following Departments and Agencies have provided comments on the applications:

CN Rail advised that Sound Transmission Class (STC) 54 or higher façade building materials (masonry or acoustic equivalent) are required. The proponent must ensure that the project will not result in any adverse drainage impacts to CN lands. Also, an environmental easement with CN and the proponent is to be registered on title. The proponent is to contact CN directly regarding the easement. Should the applications be approved, an updated Noise Study and environmental easement conditions would be requested at the Site Plan Control stage.

Health Hazards Office, Healthy and Safe Communities Department staff have requested that a written dust mitigation plan be formulated and submitted prior to the construction phase. Should the applications be approved, this matter would be a condition at the Site Plan Control stage.

Healthy Environments Division, Public Health Services staff have indicated that a Pest Control Plan will be required. Should the applications be approved, this matter would be a condition at the Site Plan Control stage.

Transportation Planning Services (TPS), Planning and Economic Development Department advised a single access will only be permitted for this development. The driveway access width must be a minimum 7.5 m at the property line and curve radii minimum of 6.0 m and must be identified on the plan. Also required are 5.0 m by 5.0 m visibility triangles between the driveway limits and the road allowance limit in which any objects or mature vegetation cannot exceed a height of 0.7 m. A revised Transportation Demand Management Report will also be required. Should the applications be approved, these items would be addressed at the Site Plan Control stage.

Forestry and Horticulture Section, Public Works Department has no concerns regarding the subject applications, however, noted that there are municipal tree assets on the subject property. Therefore, should the applications be approved, a Tree Management Plan and Landscape Plan would be conditions at the Site Plan Control stage.

Design Review Panel (DRP)

On August 13, 2015, prior to submission of Official Plan Amendment and Zoning By-law Amendment applications, the applicant presented a concept for a 10 storey mixed use commercial / residential building with two levels of underground parking to the Design Review Panel (DRP). The mandate of the DRP is to provide design advice to staff and the proponent.

The DRP provided a number of design recommendations to staff and the applicant, including the summarized comments below, amongst others:

- Reducing the height of the podium along MacNab Street North to two storeys to be consistent with existing buildings to the south.
- Incorporating a plaza on the subject lands to provide a connection to the GO Station Plaza across the street.
- The parking rate may be an issue as sales at a similar development stopped once all parking spaces were sold.

The above design recommendations to reduce the height of the podium along MacNab Street North to two storeys and to incorporate a plaza in the development have not been implemented by the applicant.

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 160 property owners within 120 m of the subject property on February 14, 2017. A Public Notice sign was posted on the property on February 15, 2017. Finally, Notice of the Public Meeting was posted in the Hamilton Spectator in accordance with the requirements of the *Planning Act*.

Two separate meetings were held with the Central Neighbourhood Association on July 19, 2015 and August 16, 2016. A Neighbourhood Information Meeting was held on April 13, 2017 at the Hamilton Customs House regarding the subject proposal. There were 33 people in attendance including City staff.

To date, six letters and two petitions (with 17 signatures and 297 signatures) have been submitted expressing concerns with the proposed development (refer to Appendix “C” of Report PED19028).

ANALYSIS AND RATIONALE FOR RECOMMENDATION

1. The proposed Official Plan and Zoning By-law Amendments cannot be supported for the following reason:
 - (i) The proposal does not comply with the policies of the City of Hamilton Official Plan and West Harbour (Setting Sail) Secondary Plan, with regards to matters including, but not limited to, building height, massing, built form and compatibility with the existing character of the surrounding neighbourhood.
2. Staff are not in support of the proposal for the following reasons:

Building Height and Massing

The West Harbour (Setting Sail) Secondary Plan permits a maximum building height of four storeys for the subject lands. On September 24, 2014, Hamilton City Council approved the James Street North Mobility Hub Study that recommended the maximum permitted building height be increased to eight storeys with the addition of the property to the south (285 MacNab Street North). The proposed 11 storey (34 m) building height does not meet the intent of the West Harbour (Setting Sail) Secondary Plan that envisions building heights that recognize and enhance the scale and character of the existing residential area. The building height would exceed that of buildings existing in the surrounding area and the massing would include almost full lot coverage and limited building step backs to reduce visual impact. The recommendations of the Council approved James Street Mobility Hub Study were developed to balance the desire for development adjacent to transit with the direction to respect existing neighbourhoods and do not support the proposed building height and massing at this location, in particular without additional land assembly.

Compatibility with the Character of the Surrounding Neighbourhood

The subject lands are located at the northern edge of a stable residential area consisting primarily of single detached, semi-detached and townhouse dwellings. The immediate context includes a six storey (27.9 m) multiple dwelling to southwest that incorporates a lower overall building height and larger setbacks to adjacent residential uses. One to two and a half storey detached dwellings exist to the south and southeast of the subject lands, together with the two storey Hamilton Customs House (a National Historic Site) to the west and one storey West Harbour GO Station to the northeast. The proposed 11 storey (34 m) building is not in keeping with the prevailing scale, massing and building heights adjacent to the subject lands in the overall neighbourhood. In staff's opinion, the

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proposal does not recognize and enhance the scale and character of the existing residential area.

Therefore, staff recommend that the applications be denied.

3. Engineering

The existing road allowance width of Stuart Street adjacent to the subject property varies between 13.8 m and 19.8 m. The necessary right of way widening and daylighting triangle have been taken into account for the proposed development.

There is an existing 150 mm to 200 mm diameter watermain, 1650 mm diameter sanitary sewer, 375 mm diameter combined sewer and 825 mm diameter combined sewer on Stuart Street adjacent to the subject property. There is an existing 200 mm diameter watermain, 1650 mm diameter sanitary sewer, 750 mm diameter storm sewer and 450 mm diameter combined sewer on MacNab Street North adjacent to the subject property.

Should the applications be approved, a Holding Provision would be required for the completion of a Watermain Hydraulic Analysis on the Pressure District level to identify the upgrades on the existing watermain required to support the development proposal for the subject lands.

Also, should the applications be approved, geotechnical and hydrogeological studies would be required at the Site Plan Control stage, together with conditions requiring that erosion and sediment control, grading and servicing plans be submitted to the satisfaction of the Manager of Development Approvals, Growth Management Division.

4. In response to the circulation of the applications, correspondence has been received from five area residents and the adjacent Workers Arts and Heritage Centre. Petitions in opposition to the proposal have been received from the residents of 50 Murray Street (17 signatures) and the Romanian Orthodox Church located at 278 MacNab Street North (297 signatures).

Parking – there are concerns that the proposed parking is insufficient to meet the needs of the development and will result in overflow parking onto adjacent residential streets.

Traffic – there are concerns that the development will result in increased vehicle traffic on surrounding streets.

Infrastructure – there are concerns that existing infrastructure is insufficient to meet the needs of the development.

Building Height / Shadows – there are concerns that the proposed building is too high and will have adverse impacts on adjacent buildings, including shadow impacts.

Views – there are concerns that the proposed building would inhibit views of the waterfront.

Compatibility with Adjacent Neighbourhood – there are concerns that the proposal is not compatible with the prevailing low density residential character of the neighbourhood.

Precedent – there is concern that approval of the proposed 11 storey (34 m) mixed use building would set a precedent leading to the overdevelopment of the West Harbour area.

Construction Vibration – there is concern from members of the adjacent Romanian Orthodox Church that construction vibration will damage their existing building.

ALTERNATIVES FOR CONSIDERATION

- 1) Should the applications be approved, staff be directed to prepare the Official Plan Amendment and amending Zoning By-law consistent with the concept plans proposed with the inclusion of a Holding Provision to address matters, including but not limited to: RSC, Functional Servicing, Watermain Hydraulic Analysis, and any other necessary agreements to implement Council's direction.
- 2) Council could direct staff to negotiate revisions to the proposal with the applicant in response to the issues and concerns identified in this Report and report back to Council on the results of the discussion.
- 3) Should the applications be denied, the lands could be developed in accordance with the "J" (Light and Limited Heavy Industry, Etc.) District.

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

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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.

APPENDICES AND SCHEDULES ATTACHED

Appendix “A” – Location Map

Appendix “B” – Concept Plan

Appendix “C” – Public Submissions

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