



CITY OF HAMILTON
PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
 Planning Division

TO:	Chair and Members Planning Committee
COMMITTEE DATE:	May 4, 2021
SUBJECT/REPORT NO:	Applications for an Urban Hamilton Official Plan Amendment and a Zoning By-law Amendment, for lands located at 354 King Street West (PED21076) (Ward 1)
WARD(S) AFFECTED:	Ward 1
PREPARED BY:	Andrea Dear (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-20-003 by GSP Group (c/o Brenda Khes) on behalf of King West Crossing Ltd., Owner**, to amend the Strathcona Secondary Plan to add a Site Specific Policy to the Mixed Use – Medium Density designation to permit a building height of 12 storeys, for a portion of the lands located at 354 King Street West, Hamilton, as shown on Appendix “A” to Report PED21076, be **APPROVED** on the following basis:
- (i) That the draft Official Plan Amendment attached as Appendix “B” to Report PED21076, which has been prepared in a form satisfactory to the City Solicitor, be adopted by City Council;
 - (ii) That the proposed amendment is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow Plan: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;

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.

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(b) That **Amended Zoning By-law Amendment application ZAC-20-008 by GSP Group (c/o Brenda Khes) on behalf of King West Crossing Ltd., Owner**, for a change in zoning from the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741, H120) Zone to permit a hotel with a maximum building height of 42.0 metres (12 storeys) on a portion of the lands located at 354 King Street West, Hamilton, as shown on Appendix “A” to Report PED21076, be **APPROVED** on the following basis:

(i) That the draft By-law attached as Appendix “C” to Report PED21076, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;

(ii) That Schedule “D”: Holding Provisions, of Zoning By-law No. 05-200; be amended by adding the following additional Holding Provision:

“H120. Notwithstanding Subsection 11.1 of this By-law, on those lands zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741) Zone, identified on Map No. 909 of Schedule “A” – Zoning Maps and described as 354 King Street West, Hamilton, development shall be restricted in accordance with the following as:

a. For such time as the Holding Provision is in place, these lands shall only be used for permitted uses, buildings and structures listed in the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone.

b. Regulations

For such time as the Holding Provision is in place these lands shall be subject to the regulations of the Transit Oriented Corridor Mixed Use Medium Density (TOC1) Zone except where in conflict with the following:

i) No development exceeding the maximum height of 36.5 metres.

c. Conditions for Holding Provision Removal

The Holding Provision shall, upon application by the landowner, be removed by way of an amending Zoning By-

law, from all or part of the lands subject to this provision when the following condition have been satisfied:

- i) The Owner submits, receives approval for and implements through a Site Plan Amendment, a Functional Servicing Report (FSR) that addresses such matters as, but not limited to, water servicing, required fire flow (RFF), wastewater servicing and stormwater management, all to the satisfaction of the Senior Director of Growth Management.”
- (iii) That the proposed change in zoning is consistent with the Provincial Policy Statement (2020), conforms with A Place to Grow Plan: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and will comply with the Urban Hamilton Official Plan upon finalization of Urban Hamilton Official Plan Amendment No. XX.
- (c) That upon finalization of the amending By-law, the subject lands, being Phase 1 of the proposed development, be re-designated from “Civic and Institutional” to “Commercial and Apartments” in the Strathcona Neighbourhood Plan.

EXECUTIVE SUMMARY

The applicant, GSP Group (c/o Brenda Khes), on behalf of the owner, King West Crossing Ltd., submitted applications for an Urban Hamilton Official Plan Amendment (UHOPA-20-003) and Zoning By-law Amendment (ZAC-20-008), for the lands located at 354 King Street West, on December 20, 2019. The original application included a 12 storey hotel and a 25 storey multiple dwelling located on the same lot, a copy of the concept plan is attached as Appendix “E” to PED21076. That application was seeking permission to increase the maximum building height of the hotel from 10 storeys to 12 storeys and increasing the maximum building height of the multiple dwelling from six storeys to 25 storeys, along with other modifications to the Zoning By-law regarding parking and modifications to the minimum rear yard, interior side yard, principal entrance location, and driveway accesses.

On December 18, 2020 the applications were amended to be considered in phases, the first of which is the hotel portion of the site (see Appendix “E” to Report PED21076). The purpose of the first phase of the Urban Hamilton Official Plan Amendment application is to add a Site Specific Policy for a portion of the lands located at 354 King Street West to permit a maximum building height of 12 storeys for a hotel.

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The purpose of the first phase of the Zoning By-law Amendment application is to modify the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone to deem the lot as one lot for zoning purposes, to permit a height of 42.0 metres (12 storeys) and to reduce the required parking for a hotel use.

The second phase of this application, regarding an increase in maximum building height for a multiple dwelling is still being evaluated by staff and will be scheduled for a Statutory Public Meeting at a future date.

The applications have merit and can be supported, subject to the recommended Holding provision, as the proposal is consistent with the Provincial Policy Statement (2020), conforms to the A Place to Grow Plan: Growth Plan for the Greater Golden Horseshoe, 2019, as amended, and will comply with the UHOP upon finalization of the Official Plan Amendment. The proposed development complies with the function, permitted uses and design policies of the Mixed Use – Medium Density designation and the City Wide Corridor Planning Principles and Design Guidelines. The scale of the development is appropriate for the surrounding neighbourhood that features a mix of commercial, low-rise residential and high-rise residential development.

Alternatives for Consideration – See Page 32

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

Report Fact Sheet

Application Details:	
Applicant/Owner:	King West Crossing Ltd. (c/o Darko Vranich)
Agent:	GSP Group Inc. (c/o Brenda Khes)
File Number:	UHOPA-20-003 and ZAC-20-008

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Type of Application:	Urban Hamilton Official Plan Amendment and Zoning By-law Amendment.
Proposal:	To permit the construction of a 12 storey hotel (Phase 1 of applications UHOPA-20-003 and ZAC-20-008).
Property Details:	
Municipal Address:	354 King Street West
Lot Area:	6,6967.6 square metres (0.7 hectares)
Servicing:	Existing municipal services.
Existing Use:	10 storey hotel (under construction). 6 storey multiple dwelling (under construction and subject to Phase 2 of applications UHOPA-20-003 and ZAC-20-008).
Documents:	
Provincial Policy Statement (PPS):	The proposed development is consistent with the PPS.
A Place to Grow:	The proposed development conforms to the Growth Plan.
Official Plan Existing:	UHOP "Primary Corridor" and "Mixed Use - Medium Density" Strathcona Secondary Plan "Mixed Use - Medium Density" Site Specific Policy Area "L"
Official Plan Proposed:	UHOP "Primary Corridor" and "Mixed Use - Medium Density" – no change Strathcona Secondary Plan "Mixed Use – Medium Density" Site Specific Policy Area "M" to permit a hotel with a maximum building height of 12 storeys.
Zoning Existing:	Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone

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Zoning Proposed:	Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741, H120) Zone
Modifications Proposed:	<p>Applicant Requested:</p> <ul style="list-style-type: none"> To permit the entire site to be treated as one for zoning purposes; To permit a parking rate of 0.75 parking spaces for each hotel suite, whereas 1 parking space per suite is required; and, To permit a maximum building height of 42.0 metres for a portion of the lands, whereas 36.5 metres is permitted in accordance with Minor Variance applications HM/A-18:277 and HM/A-19:167. <p>Staff Included:</p> <ul style="list-style-type: none"> To add a Holding Provision (H120) to require the submission, approval, and implementation of a Functional Servicing Report, through an application for a Site Plan Amendment; The Holding Provision also includes a requirement that until such time as the Holding Provision is lifted the lands can only be developed in accordance with the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone and the maximum permitted building height shall be 36.5 metres as previously approved by the Committee of Adjustment.
Processing Details:	
Received:	December 20, 2019
Deemed Incomplete:	N/A
Deemed Complete:	January 17, 2020
Notice of Complete Application:	Sent to 335 property owners within 120 metres of the subject property on January 31, 2020.
Public Notice Sign:	Sign posted: February 5, 2020 Sign updated: April 12, 2021

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Amended Application:	December 18, 2020
Notice of Public Meeting:	Notices were sent to 332 property owners within 120 metres of the subject lands on April 16, 2021.
Public Consultation:	Community Open House (Webinar) held on May 14, 2020.
Public Comments:	66 submissions were received, 26 letters were regarding the process, three letters in support of the applications, 33 in opposition to the original proposal for both the 12 storey hotel and the 25 storey multiple dwelling (attached as Appendix “F” to Report PED21076). Four submissions made specific reference to the proposed 12 storey hotel with concerns including queuing on Queen Street North, wind, sun shadow, compatibility and infrastructure capacity.
Processing Time:	501 days from original submission. 137 days from receipt of revised application.

Minor Variance Applications HM/A-18:277 and HM/A-19:167

In 2018 the applicants were granted a Minor Variance to the Zoning By-law by the Committee of Adjustment to permit a maximum building height of 36.5 metres (10 storeys) for the hotel (HM/A-18:277).

In 2019, three additional variances were granted (HM/A-19:167) to permit the following:

- To recognize an interior side yard setback of 1.9 metres along the interior lot line measuring 18.7 metres;
- To permit an interior side yard setback of 0.8 metres along the interior lot line measuring 29.8 metres; and,
- To recognize minimum building height of 7.0 metres.

These Minor Variances are final and binding and will remain in effect on the lands as the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone will remain in effect.

Existing Land Use and Zoning:

	Existing Land Use	Existing Zoning
Subject Property:	Hotel and multiple dwelling currently under construction	Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone
Surrounding Land Uses:		
North	Commercial parking lot (Conditional Site Plan Approval for a 15 storey mixed use building)	“E-3/S-1208”, “E-3/S-1208a”, (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified and, “J/S-1208”, and “J/S-1208a” (Light and Limited Heavy Industry, etc.) District, Modified
East	Single detached dwellings, and commercial uses	Downtown Mixed Use – Pedestrian Focus (D2, H21) Zone, and Downtown Residential (D5) Zone
South	Institutional use	Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone
West	Mixed use buildings and single detached dwellings	Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone and “D/S-1787” (Urban Protected – One and Two Family Dwellings, etc.) District, Modified

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Provincial Policy Statement (2020)

The Provincial Planning Policy framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (2020) (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.

“1.1.1 Healthy, liveable and safe communities are sustained by:

- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;”

Further, the PPS states that:

“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 densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) 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;
- e) *support active transportation*;
- f) are *transit-supportive*, where transit is planned, exists or may be developed;

Land use patterns within *settlement areas* shall also be based on 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 transit-supportive development, accommodating a significant

supply and range of housing options through 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 development of a hotel on this site, which is permitted by the UHOP, is an efficient use of land and represents an appropriate redevelopment of the site with proximity to Downtown Hamilton, transit, amenities and public open spaces (Policy 1.1.3.1). The subject lands are well serviced by a comprehensive street network and near a variety of transit routes (Policy 1.1.1 a) and b)). Based on the proximity to Downtown Hamilton and transit routes, this development will encourage active transportation and transit usage (Policies 1.1.3 a), b), e), f) and 1.1.3.3).

The proposed 12 storey hotel will utilize existing infrastructure in accordance with Policy 1.1.3.2 b), and a Holding Provision is being recommended to require that the Owner submit, and implement a revised Functional Servicing Report to the satisfaction of the Senior Director of Growth Management. An amendment to the approved Site Plan will be required.

Cultural Heritage and Archaeology

- “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 areas 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 proponent submitted a Stage 1 and 2 Archaeology Assessment conducted by ASI Ltd. (May 6, 2019, PIF #P007-0996-2019) to the City and Ministry of Heritage, Sport, Tourism and Culture Industries (MHSCI) in support of Site Plan application DA-18-096 for the subject property.

The Archaeology Assessment concluded that the archaeological materials uncovered represent decontextualized aspects of fill deposits and do not retain further cultural

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heritage value or interest and recommended that no further archaeological assessment is required.

While the Provincial interest has yet to be signed off by the Ministry, Staff concur with the recommendations made in the report, and the archaeology condition for the subject application has been met to the satisfaction of staff. Staff have requested a copy of the letter from the Ministry when available.

Noise

The PPS provides the following policy direction:

- “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.”

The subject property is located along King Street West, a major arterial road, and Queen Street North, a minor arterial road. Both roads are potential noise sources. The applicant submitted a Noise Impact Study prepared by dBA Acoustical Consultants Inc., dated November 2019. The Noise Study evaluated road noise impacts from King Street West and Queen Street North. The Study found that the sound levels, without mitigation, in the daytime range from 58 dBA on the north façade of the proposed building to 68 dBA on the south façade of the building. The noise levels at night range between 52 dBA to 61 dBA. The Noise Study recommends that all windows in the hotel be non-operational and that the hotel be equipped with Packaged Terminal Air Conditioner (PTAC) or other suitable heating/air conditioning unit or system and that Ministry of the Environment, Conservation and Parks Warning Clause Type “D” be registered on title. Mitigation measures have been included for approved Site Plan application DA-18-096. Should the Zoning By-law Amendment application be approved, a Site Plan Amendment application will be required to facilitate the additional two storeys.

Additionally, it is noted that the subject property is adjacent to a property that is a live music venue. The Downtown Secondary Plan includes a policy that states “where residential development is proposed in close proximity to an existing live music venue, the proposed residential development shall be required to ensure that the appropriate noise attenuation measures or other appropriate measures identified through the development review process, are employed through either building design, urban design, or land use separation, to prevent noise conflicts”. While the subject property is not residential and not in the Downtown Secondary Plan, and therefore not subject to

the provisions of the Downtown Secondary Plan, the music venue does lie within the Downtown Secondary Plan, and staff note that the noise mitigation measures described above to satisfy the PPS requirements would also be expected to mitigate against noise impacts that could affect the music venue.

Site Contamination

“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.”

A Record of Site Condition was required as part of the approved Site Plan Control application DA-18-096 but it was later confirmed by the Ministry of the Environment, Conservation and Parks that it was not required based on the previous use of the site as an orphanage. Therefore, the change in use to a hotel does not require the filing of a Record of Site Condition.

Based on the above, the proposal is consistent with the policies of the PPS (2020).

A Place to Grow Plan (2019, as amended)

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

- “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:
 - i. delineated built-up areas;
 - ii. strategic growth areas;

- 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, and convenient access to local stores, services, and *public service facilities*;

The subject lands are located within the City of Hamilton urban boundary and are fully serviced by municipal water and wastewater infrastructure (Policy 2.2.1.2 a) and c)). Consistent with the growth management policies of the Growth Plan, the proposal represents a form of intensification within the built up area, in proximity to existing transit routes. The hotel introduces a land use with convenient access to local commercial, transit and the Downtown (Policy 2.2.1.4 a)).

Based on the foregoing, the proposal conforms to the policies of the Growth Plan.

Urban Hamilton Official Plan

The subject lands are identified as “Primary Corridor” on Schedule “E” – Urban Structure and designated “Mixed Use – Medium Density” on Schedule “E-1” – Urban Land Use Designations of the UHOP and “Mixed Use – Medium Density (Site Specific Policy Area “L”) in the Strathcona Secondary Plan. The following policies, amongst others, apply to the proposal.

Mixed Use – Medium Density Designation

E.4.6.5 The following uses shall be permitted on lands designated Mixed Use - Medium Density on Schedule E-1 – Urban Land Use designations:

- e) hotels;

The proposed hotel development is permitted in accordance with Policy E.4.6.5.

Strathcona Secondary Plan

The subject site is designated “Mixed Use – Medium Density (Site Specific Policy Area “L”) on Map B.6.6-1, and a large portion of the site is identified as “Iroquois Beach

Ridge” on Appendix A – Views and Vistas. The site is adjacent to both the Arnold’s Survey and Mill’s Survey Cultural Heritage Landscape as shown on Appendix B – Cultural Heritage Resources in the Strathcona Secondary Plan. The following policies, amongst others, apply to the proposal.

General Policies

“B.6.6.4.1 The Strathcona Secondary Plan has been developed to guide development within the Secondary Plan area. The following policies direct land uses and other matters common to all parts of the Strathcona Neighbourhood.

- c) When considering an application for development, the following matters shall be evaluated:
 - i. Compatibility with adjacent land uses including matters such as shadowing, grading, overlook, noise, lighting, traffic and other nuisance effects;
 - ii. The consideration of transition in height to adjacent and existing residential development; and,
 - iii. The height, massing, scale and arrangement of the buildings and structures are compatible with adjacent development and are sympathetic to the character and heritage of the neighbourhood.

Mixed Use – Medium Density

B.6.6.6.1 Mixed Use – Medium Density Designation

In addition to Section E.4.0 – Commercial and Mixed Use Designation of Volume 1, the following policies shall apply to all Commercial and Mixed Use Designations, as identified on Map B.6.6-1 Strathcona Secondary Plan: Land Use Plan:

- b) Notwithstanding Policies E.4.3.4 (f) and E.4.6.7 of Volume 1, the minimum building height shall be 2 storeys and the maximum building height shall be 6 storeys.

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- c) Notwithstanding Policy E.4.6.8 of Volume 1, additional height up to a maximum of 10 storeys may be permitted without amendment to this Plan, provided the applicant demonstrates:
 - i. That potential impacts have been mitigated on adjacent lands designated Low Density Residential 3,
 - ii. Buildings are stepped back from any street to minimize the height appearance from the public realm, where necessary.”

This applicant is seeking to amend the Strathcona Secondary Plan, Mixed Use - Medium Density designation by adding a Site Specific Policy to permit a maximum building height of 12 storeys. A 10 Storey hotel is currently permitted as it was found to have met the criteria above in terms of height, massing, transition and the mitigation of effects of shadow, noise, lighting and traffic. There are lands designated Low Density Residential 3 along the east side of Ray Street North and along a portion of Market Street, but these lands are not adjacent to the Phase 1 lands. This application is to increase the building height to 12 storeys.

In support of this application, architectural drawings and a Shadow Impact Study were submitted and reviewed by staff. The shadow analysis was completed between 8:50 am and 6:04 pm on March / September 21st. The study determined that between the hours of 10:00 a.m. and 4:00 p.m. on March 21st and September 21st, the proposed development allows for six hours of sun coverage on nearby public and private amenity spaces including the outdoor amenity space at 400 King Street West and 75 Queen Street North (Policy B.6.6.4.1 c) i)).

The applicant submitted a Noise Impact Study prepared by dBA Acoustical Consultants Inc., dated November 2019. The Noise Study recommends that all windows in the hotel, be non-operational which will cut down on noise impacts from in hotel activity (Policy B.6.6.4.1 c) i)). Mitigation measures have been included for approved Site Plan application DA-18-096. Should the Zoning By-law Amendment application be approved a Site Plan Amendment application will be required to facilitate the additional two storeys.

A Transportation Impact and Demand Management Report, prepared Paradigm Transportation Solutions Limited, dated December 2019 was submitted in support of this application. The addition of two storeys will increase the number of hotel suites by 28 which will have a minimal impact on the traffic (Policy B.6.6.4.1 c) i)).

A Pedestrian Wind Study completed by RWDI, dated December 19, 2019 was also submitted which identified mitigation measures that will be required to be implemented

through Site Plan Control. Although this study contemplated the development of the entire site, the consultants have confirmed that the increased height of two storeys for the hotel would not result in any wind adverse impacts.

In addition to the above, there are no balconies proposed for the hotel suites which helps to reduce overlook. Site lighting will be reviewed through the Site Plan Control application. Therefore, this application is consistent with Policy B.6.6.4.1 c) i)).

The two storey podium has been designed to complement the surrounding lower rise built form and has incorporated active façades with ample glazing to create a comfortable and attractive street edge. The proposed hotel has been located at the corner of King Street West and Queen Street South and has been stepped back from the two storey base to minimize the shadow impacts on the lands designated Neighbourhoods to the north and west. The proposal is compatible with the existing neighbourhood and provides appropriate setbacks to adjacent low rise buildings. (Policy B.6.6.4.1 c) ii)). Although Phase 1 is adjacent to a residential use, those lands are designated Mixed Use Medium Density. The proposed two storey podium with the mid-rise hotel stepped back achieves an appropriate transition to the adjacent residential. The two storey podium is similar in scale to the surrounding commercial uses on King Street West and the stepping back of the hotel above the podium as well as the small floor plate reduce the appearance of mass (Policy B.6.6.4.1 c) iii)).

Urban Design

“B.6.6.10.1 Urban Design Policies In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall also apply to lands within the Strathcona Secondary Plan area:

- a) Development within the Secondary Plan area shall be sympathetic to and reflect the historic character of the existing built form of the neighbourhood.
- b) Design requirements recommended through the Strathcona Secondary Plan Urban Design Guidelines shall apply to commercial and mixed-use areas, institutional uses and multiple dwelling developments. The Guidelines shall not apply to single detached, semi-detached and duplex dwellings.
- c) An Urban Design Brief may be required as part of a complete application requirement in order to demonstrate how the proposal meets the policies of this Secondary Plan, and to demonstrate

consistency with the Strathcona Secondary Plan Urban Design Guidelines, where applicable.

- e) Development proposals shall demonstrate compatibility with the City-Wide Corridor Planning Principles and Design Guidelines.
- h) Within the Secondary Plan area, King Street West shall be planned as the primary commercial corridor. Development along this corridor shall promote a high quality of design, be transit supportive, promote pedestrian activity and create public spaces that are accessible. Development shall address the following:
 - i) A relationship between the building and the street, so that the development contributes positively to the overall built form in the neighbourhood;
 - iii) Buildings shall be encouraged to be built at the street line;
- k) Existing significant views and vistas contribute to the unique identity, sense of place and character of the Strathcona Neighbourhood and are shown on Appendix A – Strathcona Secondary Plan: Views and Vistas. These views and vistas shall be maintained and enhanced, where possible.
- l) In addition to the above policies, development along Main Street West, King Street West, York Boulevard, Queen Street and portions of Dundurn Street, extending just south of Main Street West to just north of King Street West, including the Neighbourhood Node, shall be consistent with the Strathcona Secondary Plan Urban Design Guidelines.”

The Scottish Rite is located on the south side of King Street West, opposite the hotel. This building is a significant cultural resource that should be considered when evaluating any development in the immediate vicinity. A Cultural Heritage Impact Assessment prepared by mcCallum Sather, dated December 2019 was submitted. Staff have reviewed this report and are supportive of the report’s conclusions that the proposal will not have a significant impact on the Scottish Rite and that views of the building will be preserved through the proposed orientation of the hotel (Policy B.6.6.10.1 a)). A Visual Impact Assessment, prepared by GSP Group, dated December 2019 was submitted and the findings confirmed that this proposal will not have a negative impact on the existing views and vistas.

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The proposed development will contribute to the development of complete streets by providing an attractive and comfortable pedestrian realm with walkways and landscape (Policies B.6.6.10.1 b), c), d) and l)). The hotel height and position on the site respects the views of the Scottish Rite (Policy B.6.6.10.1 k)).

An Urban Design Brief, prepared by GSP Group, dated December 2019 was submitted and reviewed by staff. The proposed development has been evaluated against the urban design policies in the Strathcona Secondary Plan as well as the City Wide Corridor Planning Principles and Design Guidelines. In accordance with the Guidelines, shadows of the proposed building design are to be measured on March 21st when the sun's angle is half way between winter and summer as light levels will improve over the summer months when people tend to be outdoors. Further, in order to minimize shadow impacts on adjacent properties, public spaces and the public sidewalk, one side of the street should receive a minimum of five hours of sunlight throughout the day measured on March 21st. Staff have reviewed the submitted shadow study and are of the opinion that the proposal complies with the Guidelines respecting acceptable shadow impacts as the shadow moves quickly and will only be cast upon the south side of Market Street in the afternoon (Policy 6.6.10.1 e)).

Further, in accordance with the City Wide Corridor Planning Principles and Design Guidelines, new buildings should be limited in height by a 45 degree build to plane beginning from a line at grade parallel to the front lot line at a distance of 80% of the width of the arterial street right-of-way. King Street West is a major arterial road with a right of way measuring +/- 21.0 metres in width. Staff have reviewed the proposed 12 storey hotel and are of the opinion that the proposal conforms to these Guidelines in terms of height, massing and shadow impact, and therefore can be supported (Policy 6.6.10.1 e)).

In addition to the above, the proposed increase to a 12 storey hotel has been reviewed against the Strathcona Urban Design Guidelines. Section 3 of the Strathcona Secondary Plan Urban Design Guidelines states that building heights should have a smooth transition to adjacent existing built form to protect the stable neighbourhood and retain a sense of place by responding to the existing context. This can be achieved through the inclusion of a two – three storey podiums with taller portions stepped back to create a base and that building mass be scaled to create appropriate transitions to the neighbouring built form.

Section 6 of the Strathcona Secondary Plan Urban Design Guidelines is intended to guide development on King Street West. These guidelines contemplate a height of 10 – 12 storeys at the corner of King Street West and Queen Street North, with upper levels set back. Section 6 also states that taller buildings should be located on a base building three to four storeys in height with a stepped down built form at the rear of sites to allow

for a smooth transition to the existing neighbourhood. Section 6 also requires that new development address the street, that buildings be moderately scaled, and that appropriate transition be provided into the existing neighbourhood. New development should improve the pedestrian realm and should be transit supportive.

The proposed 12 storey hotel has been located at the corner of King Street West and Queen Street North. It has been designed with a two storey podium with ample glazing that address both street frontages which will add to the public realm at this corner. The upper floors have been stepped back from the podium to reduce the massing and create a scale that is in keeping with the surrounding built form. The floor plate is slender and moderately scaled to create an appropriate transition. King Street West is a Rapid Transit Corridor and the hotel will have access at street level to the existing and planned transit routes.

Cultural Heritage Resources

- “B.6.6.11.1 In addition to Section B.3.4 – Cultural Heritage Resources Policies of Volume 1, the following policies shall also apply to the cultural heritage resources within the Strathcona Secondary Plan area:
- a) The Strathcona Neighbourhood is an established historical neighbourhood and as such, the following policies apply:
 - i) The City shall protect established historical neighbourhoods, as identified in the cultural heritage landscape inventory, this secondary plan and other City initiatives, by ensuring that new construction and development are sympathetic and complementary to existing cultural heritage attributes of the neighbourhood, including lotting and street patterns, building setbacks and building mass, height, and materials.
 - b) Within the Strathcona Secondary Plan area, the City shall encourage:
 - i) The conservation of individual cultural heritage properties and areas of cultural heritage value, including streetscape features, traditional circulation patterns and important views and vistas; and,
 - ii) New development that respects and reflects the design of surrounding heritage buildings.
 - d) The City shall encourage the use of contemporary architectural styles, built forms and materials which respect the heritage context.”

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The property is also located in the established historical neighbourhood of Strathcona and adjacent to the Arnold's Survey Cultural Heritage Landscape (along Ray Street North) and Mills Survey Cultural Heritage Landscape (south of King Street West). Although the subject site does not fall within the heritage areas, any new development is to be sympathetic and complementary to existing cultural heritage attributes of the surrounding historic neighbourhoods. King Street West is a commercial street lined with low rise commercial buildings on the north side. The proposed hotel has been designed with a two storey podium pulled close to the streets edge that utilizes vertical lines with a horizontal band to mimic the rhythm and scale of the existing commercial buildings located on this portion of King Street West (Policy 6.6.11.1 a) i)).

The proposed 12 storey hotel is located on the northwest side of King Street West and Queen Street South, just north of the Scottish Rite. This is an important cultural heritage resource and must be considered when evaluating proposed development in the immediate neighbourhood. A Cultural Heritage Impact Assessment was submitted in support of the application and staff are satisfied that the proposed location, height and massing of the 12 storey (42.0 metre) hotel will not create a shadow impact on the Scottish Rite. The Visual Impact Assessment prepared by GSP Group, dated December 2019, confirmed that the existing views and vistas will not be impacted. The proposed setbacks are in keeping with the surrounding uses. The building has been designed with a two storey podium and step backs to the floors above which maintain the built form patterns of the surrounding neighbourhood (Policies B.6.6.11.1 b) i), ii) and d)).

Area Specific Policy – Area L

“6.6.15.12 The following policies shall apply to certain lands located on King Street between Pearl Street and Queen Street, designated Mixed Use – Medium Density and identified as Area Specific Policy – Area L on Map B.6.6-1 – Strathcona – Land Use Plan:

- a) In addition to Section E.4.6.6 and notwithstanding Sections E.4.6.5 a) of Volume 1, the following uses shall be prohibited:
 - i. drive through facilities;
 - ii. gas bars and car washes; and,
 - iii. vehicular service stations.”

There are no drive-through facilities, gas bars, car washes or vehicular service stations proposed, nor will any be permitted as a result of this application (Policy B.6.6.15.12). The Special Policy Area proposed as part of the UHOP amendment will maintain these

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prohibited uses by adding the Site Specific policies to a subset of Area Specific Policy – Area L (see Appendix “B” to Report PED21076).

Strathcona Neighbourhood Plan

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

The site is in the southeast corner of the Strathcona Neighbourhood Plan, which was approved by Council on August 31, 1972. The site is identified as “Civic and Institutional”. To permit the proposed development a Neighbourhood Plan Amendment from “Civic and Institutional” to “Commercial and Apartments” for the Phase 1 lands only, is required. Phase 2 will be addressed separately. The “Commercial and Apartments” designation better reflects the Mixed Use – Medium Density Designation and Transit Oriented Corridor Mixed Use Medium (TOC1, 295) Zone which apply to the property.

Therefore, based on the foregoing, the proposal will comply with the UHOP and the Strathcona Secondary Plan upon finalization of Official Plan Amendment XX.

City of Hamilton Zoning By-law No. 05-200

The subject property is currently zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone.

In 2018 the applicants were granted a Minor Variance to the Zoning By-law by the Committee of Adjustment to permit a maximum building height of 36.5 metres (10 storeys) for the hotel (HM/A-18:277).

In 2019, three additional variances were granted (HM/A-19:167) to permit the following:

- To recognize an interior side yard setback of 1.9 metres along the interior lot line measuring 18.7 metres;
- To permit an interior side yard setback of 0.8 metres along the interior lot line measuring 29.8 metres; and,
- To recognize minimum building height of 7.0 metres.

The Minor Variances are final and binding and will remain in effect on the lands as the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone will remain in effect.

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The applicant has requested a change in zoning from the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295, 741, H120) Zone to permit a maximum building height of 42.0 metres and a reduced parking ratio. Special Exception 295 requires a maximum setback from a street line of 2.0 metres. Site specific modifications have been requested to implement the subject proposal and are listed in the table on page six and discussed in greater detail in Appendix “D” to Report PED21076. The requested change in zoning will not remove the previously approved permissions permitted through the Minor Variances.

RELEVANT CONSULTATION

Departments and Agencies		
	Comment	Staff Response
<ul style="list-style-type: none"> • Alectra Utilities; • Hydro One Networks Inc.; • Parks and Cemeteries, Public Works Department; • Transit Division, Public Works Department; • Hamilton Fire Department; and, • Recreation, Healthy and Safe Communities Department. 	<ul style="list-style-type: none"> • No Comment 	
Development Engineering Approvals, Planning and Economic Development Department	Development engineering requires amendments to the Functional Servicing Report.	A Holding Provision (H) has been placed on the property to require that this study be submitted and approved. The recommendations will be implemented at the Site Plan Control stage.

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Transportation Planning, Planning and Economic Development Department	Transportation Planning has no objections to the increase in height of the proposed hotel since the incremental increase in height (2 stories) and resulting increase in vehicular traffic will be minimal. The hotel access is only afforded via a right-in right-out access via Queen Street North.	Access is restricted through an application for an amendment to the approved Site Plan.
Landscape Architectural Services, Public Works Department	All overland drainage is to be maintained on site.	Approval of Grading and Drainage Plans will be required as part of the Site Plan Control application.
Recycling & Waste Disposal, Operations Division, Public Works Department	The hotel building (commercial development) is not eligible for Municipal Waste Collection.	A private waste hauler will be used for waste collection for the hotel.
Forestry and Horticulture Section, Public Works Department	Landscape Plan for street trees was approved as part of Site Plan Application DA-18-096.	Noted.
Public Consultation:		
Concern	Comment	Staff Response
Traffic	A number of residents expressed concerns regarding the traffic the development will generate.	A Traffic Impact Study and Transportation Demand Management Study were required as part of a complete submission. No significant increase to traffic is anticipated as a result of the additional two storeys for the hotel use.

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Parking	Residents were concerned that the amount of parking being proposed is insufficient for the proposed development.	The application was supported by a parking study by Paradigm Transportation Solutions Ltd., dated December 2019. As it relates to the hotel use, the study determined that an appropriate amount of parking has been proposed. The proposed reduction in parking for a hotel use can be supported by the property's central location, access to public transit and location on a Primary Corridor.
Queuing on Queen Street North	A few residents expressed concern about the potential queuing of traffic onto Queen Street North.	Transportation Planning staff reviewed the impact of the additional two storeys and 28 additional hotel suites and determined that there would be no significant impact on the traffic in the surrounding neighbourhood.
Wind	A number of residents expressed concern about the existing wind conditions and were concerned that the proposed development would worsen this situation.	A Pedestrian Wind Study completed by RWDI, dated December 19, 2019 was also submitted which identified mitigation measures that will be required to be implemented through Site Plan Control. Although this study contemplated the development of the entire

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		site, the consultants have confirmed that the increased height of two storeys for the hotel would not result in any additional wind impacts.
Loss of and lack of proposed Greenspace proposed	A few of residents expressed concern about the loss of greenspace and the lack of greenspace proposed.	Redevelopment will bring more pedestrian activity to the streets. The approved Site Plan incorporated enhancements to the landscape treatment on site and this will continue to apply. This site is also within walking distance to both Victoria Park and Central Park.
Visual Impact	A number of residents expressed concerns regard the visual impact of this development.	The application was supported by a Visual Impact Assessment completed by GSP Group, dated December 2019. The additional two storeys proposed will not negatively impact the views to and from the Niagara Escarpment or the Scottish Rite.
Compatibility and Transition	A number of residents were concerned that there was a lack of transition to the existing low rise neighbourhood.	The proposed 12 storey hotel is compatible with the existing buildings on King Street West and Queen Street North. The building has been designed to maintain a two storey street wall, incorporating setbacks above the podium. The hotel provides a transition

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		<p>to both the King Street West and Queen Street North public realm and to the adjacent land uses.</p> <p>The proposed 12 storey hotel complies with the 45° Angular Plane required by the City Wide Corridor Planning Principles and Design Guidelines.</p>
Design	<p>A number of residents were concerned about the design of the site and buildings.</p>	<p>This application is proposing to add two storeys atop of the approved ten storey hotel which will be in the same design as the lower floors.</p> <p>The proposed 12 storey hotel is located at the south east corner of the property and incorporates setbacks and step backs to provide transition to the adjacent land uses. The building incorporates a curved wall at the corner to provide views to the Scottish Rite building and to enhance the corner.</p>
Shadows	<p>A number of expressed concerns about the shadow that would be cast by this development.</p>	<p>A Shadow Study by SRM Architects dated November 28, 2019 was submitted in support of the applications. The study demonstrated that, as it relates to the proposed hotel, there is six hours of sun access on the surrounding streets</p>

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		meeting the guidelines of the City-wide Corridor Planning Principles and Design Guidelines.
Precedence	A few residents expressed concerns about the precedent this would set if approved.	The 10 storey hotel is permitted and this application is proposing two additional storeys. The applicants, through the various studies submitted, have demonstrated that the additional height meets the applicable policies and guidelines.
Process	A number of residents expressed concerns about the order of the planning process, with a Site Plan being approved with a 10 storey hotel and then after construction began, the applications to permit the additional two storeys was submitted.	The applicant originally submitted a Site Plan Control application to establish a six storey multiple dwelling and 10 storey hotel. Subsequent to the approval of the Site Plan application the applicant applied for further permissions including a 25 storey multiple dwelling and 12 storey hotel. The appropriate process to evaluate the proposed changes is an Official Plan Amendment and Zoning By-law Amendment application. The applications allow for public consultation and the review of necessary studies.
Public Consultation	A number of residents expressed concerns	As a result of the Province's emergency

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

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	<p>regarding the lack of public consultation undertaken by the applicant.</p>	<p>order as a result of the COVID-19 pandemic the applicant revised their public consultation strategy to allow for a webinar. On May 14, 2020 54 attendees participated in the event. A follow up document with a comprehensive response to all questions was sent to all of the attendees and posted on the GSP website.</p> <p>As a result of the Official Plan Amendment and Zoning By-law Amendment applications notice to the public is given in accordance with the <i>Planning Act</i> requirements.</p>
<p>Infrastructure</p>	<p>A few residents expressed concern regarding the availability of appropriate municipal infrastructure.</p>	<p>Development Engineering Approvals staff have reviewed the 12 storey hotel and have required that updates to the Functional Servicing Report be completed. A Holding Provision has been applied to ensure the study is updated to reflect the additional two storeys and 28 additional hotel suites.</p>

Design Review Panel (DRP)

On October 12, 2017, the Design Review Panel reviewed a proposal for a much larger development that included this hotel which was proposed to be 11 storeys at that time.

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The proposed development before the Panel included two, 25 storey residential condominium towers (buildings A and B) to be located at the 200 Market Street and 55 Queen Street North site (immediately to the north of the subject site). A 25 storey student residence building (building C) and an 11 storey hotel (building D) were proposed at 354 King Street West. Buildings A and B would have 805 residential units, building C would have 1221 residential units for students and building D would contain 153 hotel suites.

The questions asked of the Panel were as follows:

1. Does the proposal represent compatible integration with the surrounding area in terms of use, scale, form and character? (B.2.1.4 d))
2. Does the proposal consider transition in height and density to adjacent residential buildings? (B.2.4.2.2 d))
3. Does the proposal conserve and respect the existing built heritage features of the area? (B.3.3.2.3 d)

The majority of the discussion was with regard to the proposed towers. Regarding the hotel, the Panel agreed that this site has potential for redevelopment. The Panel noted that “the mass of the hotel is more acceptable, although the height on King Street is excessive.” Since 2017, King Street West has seen significant redevelopment with increased height and density. King Street West is also a planned LRT route and as such, it is the opinion of staff that the proposed 12 storey hotel is appropriate in this location.

As Phase 1 of the Official Plan Amendment and Zoning By-law Amendment application reflect the amendment to facilitate a 12 storey hotel, the comments of DRP with regard to transition and scale have been addressed. The proposed two storey podium has been designed close to the street edge with vertical features and a horizontal band to mimic the scale of the neighbouring low rise commercial uses. The 12 storey hotel has been stepped back from the podium to reduce the appearance of mass and creates an appropriate transition to the adjacent low rise uses on King Street West.

PUBLIC CONSULTATION

In accordance with the provisions of the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 322 residents within 120 metres of the subject property on January 31, 2020. A Public Notice sign was posted on the property on February 5, 2020. The sign was updated on April 12, 2021 with the Public Meeting date. Finally, Notice of the Public Meeting was given in accordance with the requirements of the *Planning Act*.

Public Consultation Strategy

A Public Consultation Strategy was submitted with the most recent submission. The applicants had intended to host a Public Open House however the government of Ontario issued an emergency order in response to the global Covid-19 pandemic. The applicants instead hosted a webinar on May 14, 2020. The webinar was attended by 54 attendees. A follow up document with a comprehensive response to all questions asked was sent to attendees and staff on April 10, 2020.

ANALYSIS AND RATIONALE FOR RECOMMENDATION(S)

1. The proposal has merit and can be supported for the following reasons:

- (i) It is consistent with the PPS (2020) and conforms to A Place to Grow Plan: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
- (ii) The proposed additional height for the hotel complies with the Mixed Use – Medium Density policies of the UHOP and the Mixed Use – Medium Density policies of the Strathcona Secondary Plan, as well as the Strathcona Secondary Plan Urban Design Guidelines and the City Wide Corridor Planning Principles and Design Guidelines; and,
- (iii) The proposed development complies with the function, permitted uses and design policies of the Mixed Use – Medium Density designation. The scale of the 12 storey hotel that includes setbacks and step backs to surrounding streets and adjacent development that reduces the impact of shadow and wind and maintains appropriate views and vistas is appropriate for the neighbourhood that features a mix of commercial, low-rise residential, mid-rise residential and high-rise residential development.

2. Official Plan Amendment

The proposed hotel is permitted in the Strathcona Secondary Plan within the Mixed Use – Medium Density designation.

The maximum permitted height in the Strathcona Secondary Plan is six storeys and up to a maximum of 10 storeys if the impacts of shadow, privacy and wind on lands designated Low Density Residential 3 (LDR3) can be mitigated. A 10 storey hotel was previous approved as the applicants were able to demonstrate how the design mitigated concerns with regard to shadow, wind, and overlook. The location of the

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hotel on the site is not immediately adjacent to the Low Density Residential 3 (LDR3). Lands Designated LDR3 are located on Ray Street North and Market Street.

The current application is to allow an additional two storeys to a maximum of 12 storeys. A number of studies were submitted in support of the application to demonstrate that these affects are being mitigated. The studies confirmed that the additional two storeys did not create any impact with regard to shadow, wind or privacy on the surrounding properties. The two storey podium has been designed to create a comfortable pedestrian realm and the hotel has been located at the corner of King Street West and Queen Street North. Floors three to 12 of the development rise above the two storey podium and have been stepped back to mitigate impacts related to shadow and to create an appropriate transition from the low-rise commercial uses that currently exist along King Street West. The podium has been designed with ample glazing to create a comfortable and safe pedestrian realm with views into and out of the hotel. The hotel is located along a Primary Corridor and Potential Rapid Transit Corridor with connections between the Downtown Hamilton (Urban Growth Centre) and the McMaster University Campus (Major Activity Centre).

Staff are satisfied that the proposed building height is compatible with the surrounding neighbourhood. Locating the hotel close to the southeast corner of this larger site reduces the shadow impacts on adjacent properties, public spaces, the public sidewalk in the Strathcona Secondary Plan. There are some lands designated Low Density Residential 3 along the east side of Ray Street North and on Market Street, but they are not immediately adjacent to the Phase 1 lands. The built form along King Street West and Queen Street North maintains a mid-rise building that incorporates step backs from the street to reduce the visual impact of the development from the ground level to maintain views and vistas existing in this location.

Further, the hotel use is permitted in the Urban Hamilton Official Plan (UHOP) and Zoning By-law No. 05-200. Section F in Volume 1 of the UHOP sets out the criteria for evaluating proposed amendments to Neighbourhood Plans. The current "Civic and Institutional" designation was intended to recognize the use at the time the Neighbourhood Plan was prepared and approved. This application proposes to change that designation to "Commercial and Apartments" which conforms to the intent of the Urban Hamilton Official Plan.

Based on the foregoing, the proposed Urban Hamilton Official Plan Amendment on the easterly portion of the site can be supported.

3. Zoning By-law Amendment

The subject lands are currently zoned Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone. To deem the lands one lot for zoning purposes, to permit the maximum building height of 42.0 metres (12 storeys) for a hotel and a reduction in the required parking to permit a ratio of 0.75 spaces per unit, a Zoning By-law Amendment to the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone is required. The modifications to the development standards required to facilitate the proposal are summarized in the table on page six and discussed in detail in Appendix “D” of Report PED21076.

4. An “H” Holding Provision is included in the amending Zoning By-law to require:

- “The Owner submits, receives approval and implements though Site Plan Amendment, a Functional Servicing Report (FSR) that addresses such matters as, but not limited to, water servicing, required fire flow (RFF), wastewater servicing and stormwater management, all to the satisfaction of the Senior Director of Growth Management.”

The Holding Provision also requires that until such time as the Holding Provision is lifted the site can only develop in accordance with the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone and the maximum permitted building height of 36.5 metres (10 storeys) as previously approved by the Committee of Adjustment.

ALTERNATIVES FOR CONSIDERATION

Should Council deny the application, development in accordance with Site Plan Control application DA-18-096 and the Transit Oriented Corridor Mixed Use Medium Density (TOC1, 295) Zone would be in effect which would permit a 10 storey hotel.

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

Community Engagement and 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.

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Clean and Green

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Our People and Performance

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

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" – Location Map

Appendix "B" – Draft Urban Hamilton Official Plan

Appendix "C" – Draft By-law

Appendix "D" – Modifications Summary

Appendix "E" – Concept Plan and Elevations

Appendix "F" – Public Correspondence