



**CITY OF HAMILTON**  
**PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT**  
**Planning Division**

<b>TO:</b>	Chair and Members Planning Committee
<b>COMMITTEE DATE:</b>	August 15, 2023
<b>SUBJECT/REPORT NO:</b>	Application for a Zoning By-law Amendment for Lands Located at 200 Centennial Parkway North, Hamilton (PED23163) (Ward 5)
<b>WARD(S) AFFECTED:</b>	Ward 5
<b>PREPARED BY:</b>	Daniel Barnett (905) 546-2424 Ext. 4445
<b>SUBMITTED BY:</b>	Steve Robichaud Director, Planning and Chief Planner Planning and Economic Development Department
<b>SIGNATURE:</b>	

**RECOMMENDATION**

That **Zoning By-law Amendment Application ZAC-22-013 by Calloway REIT (Stoney Creek) Inc. c/o Amanda Ireland, Owner**, for a change in zoning from “G-1/S-635” (Designed Shopping Centre) District, Modified, to Mixed Use – High Density (C4, 853) Zone, to permit four residential multiple dwellings ranging in height from 17 to 20 storeys for a total of 1,116 dwelling units, and six ground floor commercial units consisting of a total of 1,666 square metres of gross floor area, for lands located at 200 Centennial Parkway North, as shown on Appendix “A” attached to Report PED23163, be **APPROVED** on the following basis:

- (a) That the draft By-law, attached as Appendix “B” to Report PED23163, which has been prepared in a form satisfactory to the City Solicitor, be enacted by City Council;
- (b) That the proposed change in zoning is consistent with Provincial Policy Statement (2020), conforms to A Place of Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended;
- (c) That the proposed change in zoning complies with the Urban Hamilton Official Plan and Centennial Neighbourhoods Secondary Plan.

## **EXECUTIVE SUMMARY**

The Applicant, Calloway REIT (Stoney Creek) Inc., has applied for a Zoning By-law Amendment for the lands located at 200 Centennial Parkway North to permit four residential multiple dwellings ranging in height from 17 to 20 storeys for a total of 1,116 dwelling units, and six ground floor commercial units consisting of a total of 1,666 square metres of gross floor area.

The purpose of the Zoning By-law Amendment application is to rezone the lands from “G-1/S-635” (Designed Shopping Centre) District, Modified to Mixed Use-High Density (C4, 853) Zone in the City of Hamilton Zoning By-law No.05-200.

The proposed Zoning By-law Amendment application has merit and can be support for the following reasons:

- It is consistent with the Provincial Policy Statement (2020);
- It conforms to the Growth Plan for the Greater Golden Horseshoe, 2019, as amended (Growth Plan);
- It complies with the general intent of the Urban Hamilton Official Plan and the Centennial Neighbourhoods Secondary Plan; and,
- The proposed development is compatible with existing land uses in the immediate area and represents good planning by, among other things, providing commercial uses along an arterial road, increasing the supply of housing units, making efficient use of existing infrastructure within the urban boundary, and supporting public transit.

## **Alternatives for Consideration – See Page 27**

## **FINANCIAL – STAFFING – LEGAL IMPLICATIONS**

Financial: N/A

Staffing: N/A

Legal: As required by the *Planning Act*, Council shall hold a Public Meeting to consider an application for an amendment to the Zoning By-law.

## **HISTORICAL BACKGROUND**

<b>Application Details</b>	
Applicant/Owner:	Calloway REIT (Stoney Creek) Inc. c/o Amanda Ireland
File Number:	ZAC-22-013
Type of Application:	Zoning By-law Amendment.
Proposal:	<p>The proposal consists of residential multiple dwellings and will be developed in three phases, outlined as follows:</p> <ul style="list-style-type: none"><li>• The front building (phase 1) consists of two buildings both 20 storeys in height, connected by a 12 storey element between the towers, with a five storey podium;</li><li>• The middle building (phase 2) consists of one building that is 20 storeys in height, and steps down to 11 and eight storeys towards the south, with a five storey podium;</li><li>• The rear building (phase 3) consists of a 17 storey building with a 12 storey L shaped section located to the south of the residential multiple dwelling with a five storey podium;</li><li>• 1,116 dwelling units;</li><li>• Six commercial units with a total gross floor area of 1,666 square metres of commercial gross floor area;</li><li>• 773 structured vehicle parking spaces;</li><li>• 549 bicycle parking spaces;</li><li>• Shared driveway access will be provided for all three phases and will be shared with the balance of the commercial lands to the north;</li><li>• 9,801 square metre of amenity space; and,</li><li>• A 20 metre wide at grade green space is being proposed between the proposed development and the lands to the south.</li></ul>
<b>Property Details</b>	
Municipal Address:	200 Centennial Parkway North, Hamilton
Lot Area:	25,612.72 square metres (2.68 hectares) for the portion to be developed, overall lot area of approximately 51,900 square metres.
Servicing:	Full municipal services.
Existing Use:	Commercial Plaza
<b>Documents</b>	
Provincial Policy Statement:	The proposal is consistent with the Provincial Policy Statement (2020).

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
200 Centennial Parkway North, Hamilton (PED23163) (Ward 5) - Page  
4 of 27**

<b>Documents</b>	
A Place to Grow:	The proposal conforms to A Place to Growth Plan for the Greater Golden Horseshoe 2019, as amended.
Official Plan Existing:	Schedule "E" - Urban Structure: Secondary Corridor Schedule "E-1" – Land Use Designations: "Mixed Use – High Density"
Secondary Plan Existing:	Centennial Neighbourhoods Secondary Plan Land Use Plan – Map 6.7-1: "Mixed Use – High Density" – "Pedestrian Focus Street" Maximum Building Heights in the Node – Map 6.7-2: "Maximum of 15 storey".
Official Plan Proposed:	No amendment proposed.
Zoning Existing:	City of Hamilton Zoning By-law No. 6593  "G-1/S-635" (Designed Shopping Centre) District
Zoning Proposed:	Mixed Use-High Density (C4, 853) Zone
Modifications Proposed:	<p>The following modifications have been requested by the applicant:</p> <ul style="list-style-type: none"> <li>• To reduce the minimum required parking for a multiple dwelling from 1 space per unit for a dwelling unit that is 50 square metres in gross floor area or greater, to 0.9 per dwelling unit;</li> <li>• To reduce the minimum finished floor elevation of any dwelling unit above grade from 0.9 metres to 0 metres;</li> <li>• That a maximum building setback of 4.5 metres shall not apply to the Barlake Avenue street line;</li> <li>• To not require that building height be equivalently increased as the yard increases beyond the minimum yard requirement when abutting a Residential or Institutional Zone, whereas any building height above 11.0 metres is required to be equivalently increased as the yard increases beyond the minimum yard requirement; and,</li> <li>• To increase the maximum building height from 40.0 metres to 65.0 metres.</li> </ul> <p>The following modifications have been included by staff:</p> <ul style="list-style-type: none"> <li>• To permit architectural features to encroach into a required yard;</li> <li>• To increase the maximum encroachment of a porch into a required yard from 1.5 metres to 2.5 metres;</li> <li>• To increase the maximum encroachment of a balcony into a required yard from 1.0 metres to 2.5 metres;</li> <li>• To permit required parking for a multiple dwelling to be permitted off-site on lands that do not permit a multiple dwelling;</li> </ul>

<b>Documents</b>	
<p>Modifications Proposed <b>Continued:</b></p>	<ul style="list-style-type: none"> <li>To maintain the minimum required finished floor elevation of 0.9 metres above grade for any dwelling unit facing Centennial Parkway North;</li> <li>To require a minimum setback of 10.5 metres for any building from the rear lot line;</li> <li>To require a minimum setback of 21.0 metres for any building from the southerly side lot line; To require a minimum of 50 percent of the ground floor facing the street shall be comprised of commercial uses; and,</li> <li>That the lands be deemed to be one lot for the purposes of applying the By-law.</li> </ul> <p><b>Blocks 1, 2 and 3</b></p> <ul style="list-style-type: none"> <li>To increase the maximum building height from 40.0 metres to 65.0 metres, for the lands included in Blocks 1, 2 and 3 of Special Figure No. 32;</li> </ul> <p><b>Block 1</b></p> <ul style="list-style-type: none"> <li>To require a minimum setback of 4.7 metres from a street line for any portion of the building greater than 18.0 metres in height, for the lands included in Block 1 – Special Figure No. 32;</li> </ul> <p><b>Block 2</b></p> <ul style="list-style-type: none"> <li>To require a minimum setback of 11.0 metres from a street line for any portion of the building greater than 18.0 metres in height and a minimum setback of 13.7 metres from a street line for any portion of the building greater than 39.2 metres in height, for the lands included in Block 2 – Special Figure No. 32;</li> </ul> <p><b>Block 3</b></p> <ul style="list-style-type: none"> <li>To require a minimum southerly side yard setback of 34.0 metres for any portion of the building exceeding 18.0 metres in height, 40.0 metres for any portion of a building exceeding 27.0 metres in height, and 46.0 metres for any portion of a building exceeding 36.2 metres in height, for the lands included in Block 3 – Special Figure No. 32;</li> </ul> <p><b>Block 4</b></p> <ul style="list-style-type: none"> <li>To required a minimum rear yard setback of 22.5 metres for any portion of the building exceeding 18.0 metres in height and 25.0 metres for any portion of a building exceeding 39.2 metres in height, for the lands included in Block 4 – Special Figure No. 32;</li> </ul>

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
200 Centennial Parkway North, Hamilton (PED23163) (Ward 5) - Page  
6 of 27**

<b>Documents</b>	
Modifications Proposed <b>Continued:</b>	<p><b>Block 4 (continued)</b></p> <ul style="list-style-type: none"> <li>To increase the maximum building height from 40.0 metres to 55.0 metres for the lands included in Block 4 of Special Figure No. 32;</li> <li>To increase the maximum building height from 40.0 metres to 55.0 metres for the lands included in Block 4 of Special Figure No. 32;</li> </ul> <p>Block 5</p> <ul style="list-style-type: none"> <li>To require a minimum rear yard setback of 13.5 metres for any portion of the building exceeding 18.0 metres in height, for the lands included in Block 5 – Special Figure No. 32;</li> </ul>
<b>Processing Details</b>	
Received:	December 23, 2021
Deemed Complete:	January 20, 2022
Notice of Complete Application:	Sent to 403 property owners within 120 metres of the subject property on Feb 1, 2022.
Public Notice Sign:	Posted January 26, 2022 and updated with public meeting date on July 19, 2023.
Notice of Public Meeting:	Sent to 393 property owners within 120 metres of the subject property on July 28, 2023.
Public Consultation:	The applicant held a virtual Public Open House meeting on May 12, 2022, with invitations sent to 300 interested parties within the area. Eight parties registered for the Public Open House meeting and four attended, and comments were provided to the applicant. The comments received during the Public Open House are provided in Appendix “E” to Report PED23163.
Public Comments:	None received.
Processing Time:	600 days from date of receipt of initial application. 131 day from receipt of revised development proposal.

**Existing Land Use and Zoning:**

	<b>Existing Land Use</b>	<b>Existing Zoning</b>
<b>Subject Property:</b>	Commercial Plaza	"G-1/S-635" (Designed Shopping Centre) District, Modified

**Surrounding Land Uses:**

North	Commercial uses and Industrial uses	"JJ" (Restricted Light Industrial) District, Prestige Business Park (M3) Zone and "G-1/S-43" (Designed Shopping Centre) District, Modified
South	Townhouse Dwellings	"DE-2/S-293" (Multiple Dwelling) District, Modified
East	Residential Multiple Dwellings and Townhouse Dwellings	"E/S-43" (Multiple Dwellings, Lodges, Clubs, Etc.) District, Modified and "DE-2/S-293" (Multiple Dwellings) District, Modified
West	Commercial use	"HH", "HH/S-299a" and "HH/S-390" (Restricted Community Shopping and Commercial) District, Modified

**POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS**

**Provincial Policy Framework (2020)**

The Provincial Planning Policy Framework is established through the *Planning Act* (Section 3) and the Provincial Policy Statement (PPS 2020). The *Planning Act* requires that all municipal land use decisions affecting planning matters be consistent with the Provincial Policy Statement.

The mechanism for the implementation of the Provincial plans and policies is through the Official Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal approval of the City of Hamilton Official Plan, the City of Hamilton has

established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of Provincial interest (i.e. efficiency of land use) are discussed in the Official Plan analysis that follows.

As the application for Zoning By-law Amendment complies with the Urban Hamilton Official Plan, it is staff's opinion that the application is:

- Consistent with Section 3 of the *Planning Act*;
- Consistent with the Provincial Policy Statement (2020); and,
- Conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended).

### **Urban Hamilton Official Plan**

The subject property is identified as "Secondary Corridor" on Schedule "E" – Urban Structure and designated "Mixed Use High Density" on Schedule "E-1" – Urban Land Use Designations in the Urban Hamilton Official Plan. The property is designated "Mixed Use – High Density – Pedestrian Focus Street" in the Centennial Neighbourhoods Secondary Plan. The following policies, amongst others, apply to the proposal.

#### **Noise**

"B.3.6.3.1 Development of noise sensitive land uses, in the vicinity of provincial highways, parkways, minor or major arterial roads, collector roads, truck routes, railway lines, railway yards, airports, or other uses considered to be noise generators shall comply with all applicable provincial and municipal guidelines and standards."

The subject lands are located in the vicinity of existing noise sources, including the surrounding roads, specifically Centennial Parkway North and Barton Street East, and stationary noise sources including commercial uses on both the subject property and adjacent lands. The applicant submitted a Noise Impact Study prepared by Gradientwind Engineers & Scientists dated November 29, 2021, updated November 2022, and March 29, 2023, for the subject lands.

The Study evaluated noise levels at a number of receptor points throughout the various phases of the development and recommended noise control measures that would need to be undertaken to comply with Ministry of the Environment, Conservation and Parks criteria including:



- Higher Sound Transmission Classification ratings for the proposed buildings for both exterior walls and windows;
- Central Air Conditioning; and,
- Warning Clauses.

The implementation of all noise mitigation measures will be addressed through the Site Plan Control application.

### **Centennial Neighbourhoods Secondary Plan**

The subject property is designated “Mixed Use – High Density – Pedestrian Focus Street” and is identified as Sub-Regional Service Node on Land Use Plan Map B.6.7-1, is identified as having a maximum height of 15 storeys on Maximum Building Heights in the Node Map B.6.7-2. The subject property is located along a Streetscape Improvement Area on Transportation and Connections Map B.6.7-3, and the southerly portion of the subject lands are identified as a Neighbourhood Transition Area on Transition Area Appendix A, in the Centennial Neighbourhoods Secondary Plan. The following policies, amongst others apply to the proposal:

#### **“6.7.3.1 Land Use**

- a) Support and implement the planned function of the Sub-Regional Service Node identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan;
- b) Protect and enhance existing residential areas;
- c) Support the provision and maintenance of mix of housing types and tenures that meet the housing needs of residents throughout their life cycle and provide opportunities for residents to remain within the community;
- d) Ensure compatibility between areas of different land uses, densities and heights;
- g) Direct the majority of intensification to the Sub-Regional Service Node;
- i) Promote and encourage appropriate development in proximity to higher order transit stations in support of and to take advantage of investment in public transit; and,

- j) Support the transition of the Centennial Node from low density, auto-dependent land uses and built form to a more compact, transit supportive environment.

#### 6.7.7.4 Mixed Use – High Density Designation

In addition to Section E.4.5 – Mixed Use – High Density Designation of Volume 1, the following policies shall apply to the Mixed Use – High Density Designation, as identified on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- a) Maximum building heights shall be in accordance with Schedule B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node.
- b) Minimum building heights shall be in accordance with Policy B.6.7.5.1 g) and Policy B.6.7.7.5 a), as applicable.
- c) Where residential development is proposed, the intent is that the form of development shall be high density building(s), where each building, if considered as a free-standing solely residential building, achieves a density of approximately 100 units per hectare or greater. For large sites, where only a portion of a site is being redeveloped, the intent is that this target density be achieved for that portion of the site affected by the redevelopment proposal, including building areas, parking and landscaping areas and internal driveway aisles and accesses, not the entire site.
- d) Notwithstanding Policy B.6.7.7.4 a) and in addition to Policy B.6.7.12.1 c), additional height may be permitted above the heights noted on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node without amendment to the Secondary Plan, subject to the following requirements;
  - i. The additional height shall be limited to a maximum of 5 additional storeys;
  - ii. The increase in height is authorized through a Zoning By-law amendment;
  - iii. Development shall have frontage on a Major Arterial or Minor Arterial road; and,

- iv. Development shall not preclude the ability of other properties in the Centennial Node to develop in accordance with the heights permitted on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights, in terms of infrastructure and transportation network capacity. An infrastructure and servicing study and traffic impact study may be required to demonstrate conformity with his policy.
- e) Where a Transition Area is located on any portion of a property, as identified on Appendix F – Centennial Neighbourhoods – Transition Areas, development shall demonstrate an appropriate transition to adjacent uses and is subject to Policy B.6.7.13.”

The proposed development supports and implements the planned function of the Sub-Regional Service Node by establishing a Mixed Use – High Density use on the subject lands and directs intensification to the Sub-Regional Service Node as per Policy 6.7.3.1 a) and g).

The proposed development is proposing to establish a high rise built form that includes, a five storey building base, which is compatible with the existing built form that currently exists in the area, and will build upon the desirable established patterns and built form of the area. The proposed development incorporates building setbacks to the adjacent low rise residential dwellings to the south and east. The building location, setback, and stepbacks will allow for the compatibility between different land uses, densities and heights, and protect and enhance existing residential areas, by providing a transition in scale, avoid sun shadow, wind and privacy overlook impacts on the adjacent land uses, and supports transit, as per policy 6.7.3.1 b), d) and i).

The proposed development will facilitate an expansion to the number of dwelling units in the area and will support the establishment of a mix of housing types, as per Policy 6.7.3.1 c).

The proposed development will include setbacks, stepbacks, landscaping and other design elements that will ensure compatibility between different land uses, densities and heights. The proposed development directs intensification in proximity to local transit and higher order transit as per Policy 6.7.3.1 i) and j).

The maximum building height for the subject lands as indicated on Schedule B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the node is 15 storeys and is permitted as per policy 6.7.7.4 a). The proposed development would have a residential density of approximately 435 unit per hectare and therefore a residential density of over 100 units per hectare, as per Policy 6.7.7.4 c). As per Policy 6.7.7.4 d)

additional height above the maximum 15 storeys outlined on Map 6.7-2 is permitted, subject to the following:

- Additional height limited to five additional storeys;
- The increase is permitted by way of a Zoning By-law Amendment;
- The development has frontage on an arterial road; and,
- That the development will not preclude the ability of other properties in the Centennial Node to develop in accordance with the height permitted.

The proposed development is requesting a maximum building height of 20 storeys and therefore will comply with the limit of five additional storeys, the increase in height is being undertaken through a Zoning By-law Amendment, the property has frontage on an Centennial Parkway North an arterial road, and the proposed development will not precluded the ability of other properties in the Centennial node to develop in accordance with the height permitted.

The southerly boundary of the subject property is a Neighbourhood Transition Area, as per policy 6.7.7.4 e) and shall demonstrate an appropriate transition to adjacent uses. The development proposes a 21.0 metre setback between the building and the southerly lot line in which landscaping will be provided and building step backs will be included which provides an appropriate transition between the proposed development and the residential lands to the south.

#### “6.7.3.2 Urban Design

- a) Provide high quality urban design and a consistent, identifiable neighbourhood image;
- b) Ensure design promotes pedestrian walkability, cycling, physical activity, social interaction and public gathering spaces;
- c) Encourage innovative building and site development and green infrastructure which contributes to the physical environment of the community, is forward looking in response to climate change, and enhances desirability as a place to live, learn, work and play;
- d) Promote design variety within streetscapes and identified Streetscape Improvement Areas;
  - i. Encourage public space enhancements in higher order transit station areas to support opportunities for gathering and social interaction; and, (OPA 142)

- ii. Ensure appropriate transition between different building heights and uses.

#### 6.7.7.5 Pedestrian Focus Streets

In addition to Section E.4.3 – Pedestrian Focus Streets - of Volume 1 the following policies shall apply to all lands identified as pedestrian focus streets on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan:

- c) Pedestrian focus streets shall be a focus for retail activity and shall provide pedestrian oriented design at grade along the street.
- e) New buildings shall be built close to the street to provide street presence and enclosure.
- f) Building entrances shall be emphasized as a focal point of a building's façade and be placed in highly visible locations where they provide opportunity to animate the street.
- g) Minor setbacks of portions of a building from the primary building face in order to enhance the public realm and accommodate public amenity space shall be permitted.
- h) Notwithstanding Policy E.4.3.4 b) of Volume 1, where multiple buildings are located on a single site, buildings may be located in the interior of the site as long as the development provides an adequate block face along the pedestrian focus street, in accordance with Policy E.4.3.4 a) of Volume 1 and the Zoning By-law.

#### 6.7.12.1 In addition to Section B.3.3 – Urban Design Policies of Volume 1, the following policies shall also apply to lands within the Centennial Neighbourhoods Secondary Plan area:

- b) For any development application with a proposed height greater than 6 storeys, and for properties in the area of a gateway or prominent intersection, an Urban Design Report and a Sun/Shadow Study shall be required which demonstrate the following design elements:
  - i) How the proposed building and site design relate to the existing and planned context of the area, including taking into account the relationship of the site to other existing or planned buildings in the area;

- ii) That potential adverse impacts on adjacent uses have been mitigated, including that proposed buildings or structures do not unduly overshadow, block light, or result in loss of privacy for adjacent buildings;
  - iii) That buildings are oriented and massed to minimize shadow impacts on the public realm and on private amenity areas both on adjacent lands and within the development; and,
  - iv) That buildings are progressively stepped back from adjacent areas designated for low and medium density residential uses, institutional uses, open space, or other sensitive land uses, where necessary to achieve 6.7.12.1 b) ii) and iii).
- c) Development shall be consistent with the City-Wide Corridor Planning Principles and Design Guidelines.
- f) Landscaping shall form an integral part of all developments. Distinctive, high quality landscape elements shall be provided.
- h) Development fronting on Queenston Road or Centennial Parkway shall have a high quality design, promote pedestrian activity, be transit supportive, and is encouraged to create accessible public spaces. Public Transportation access, cycling, infrastructure and pedestrian amenities shall be integrated with existing and new development.
- i) Private and public parking areas shall be subject to the following:
- i. Parking areas shall be buffered from the street through the use of building placement or where this is not possible, with enhanced landscaping; and,
  - ii. The location of parking areas shall not negatively affect the pedestrian and cycling environment or access to buildings.
  - iii. New development is encouraged to provide electric vehicle (EV) charging stations.
  - iv. The provision of additional surface parking areas in excess of Zoning Bylaw requirements is discouraged.

- v. The construction or reconstruction of large surface parking areas shall incorporate landscaping, including landscaped islands, into the design of parking areas.

#### 6.7.12.4 Streetscape Improvement Areas

- a) Streetscape improvement areas are identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections. Along streets which are identified as streetscape improvement areas, the following policies shall apply:
  - i. In the public realm, the City shall implement streetscape improvements in accordance with Policy B.6.7.17 b).
  - ii. Streetscape Improvements within the private realm shall be provided as part of development, subject to Section B.6.7.12 – Urban Design, Section B.6.7.15 – Transportation, and shall be guided by any design direction established in accordance with Policy B.6.7.17 a).

#### 6.7.13 Neighbourhood Transition Areas

- a) Where lands within the Centennial Node designated High Density Residential 1, Mixed Use-High Density or Mixed Use-Medium Density abut low or medium density residential uses or other sensitive land uses, development shall respect the character and existing built form of these areas by providing an appropriate transition in scale and heights between the proposed development and the adjacent neighbourhoods.
- b) Proposal for development shall demonstrate the transition to existing residential, open space or institutional uses.
- c) Development shall use various transition elements, including landscaped buffers, fencing, trees, setbacks, massing, scale or other built form consideration, or a combination thereof to minimize the impact of new high density or mixed use development on adjacent existing uses.
- d) All development shall provide appropriate screening between existing sensitive land uses and commercial uses, mixed uses, and parking areas.”

The proposed development will provide walkways, cycling facilities, and public common areas. The proposed development will provide a compact urban form in proximity to

transit, commercial and institutional amenities, will make use of green infrastructure including green roof areas, and will provide landscaped areas, which will contribute to the physical environment of the community in looking forward in response to climate change and enhance desirability as a place to live, learn, work and play. The proposal includes adequate setbacks, stepbacks, and landscape buffers to ensure appropriate transition between different building heights and uses (Policy 6.7.3.2.).

The proposed development will provide for a minimum of 50 percent of the ground floor area facing Centennial Parkway North that will consist of commercial area and therefore will facilitate the focus of retail activity along a pedestrian focus street. The proposed phase 1 building will be located close to the street and will provide active uses at grade, providing a street presence. The principal building entrance of the phase 1 building will face Centennial Parkway North and will be in a highly visible location to animate the street, and the principal entrances of the phase 2 and 3 buildings will face the proposed internal driveway and the balance of the commercial lands to the north and therefore will also be highly visible. Along a pedestrian focus street, multiple buildings located on a single site located in the interior of the site is permitted provided adequate block face along the pedestrian focus street. (Policy 6.7.7.5).

A Sun Shadow Impact Study prepared by Chamberlain Architect Services Limited dated December 9, 2021 updated December 1, 2022 and March 31, 2023 was submitted and demonstrated that at the spring and fall equinox a minimum of three hours of sun access is provided between 10:00 a.m. and 4:00 p.m. for the Centennial Parkway North and Barlake Avenue right of ways. The Study demonstrates that proposed development will not cast shadows on the low density residential dwellings to the south and east but will cast shadows on the existing multiple dwellings to the north east at 2:45 p.m. and will have a minimum of three hours of sun access between the hours of 10:00 a.m. and 4:00 p.m. The Study demonstrates that there will be impact on the subject lands itself (parking area and commercial building) however, the use of lands do not represent a sensitive land use and the shadows will not create an adverse impact. The proposed development will ensure adequate sunlight to neighbouring properties and minimize shadow impacts on both neighbouring buildings and public spaces. (Policy 6.7.12 b).

A Pedestrian Wind Assessment prepared by GradientWind Engineers & Scientist dated December 2, 2021, updated on November 29, 2022 and an addendum letter dated March 27, 2023 was submitted and demonstrated that in the summer the wind conditions on-site, as well as the wind conditions on both the public realm and adjacent lands, fall within the levels comfortable for sitting and standing, except for the north-west corner of the phase 1 building which is comfortable for strolling. For the winter the study identified that the wind conditions fall within levels comfortable for sitting, standing, strolling and walking, and no areas were identified as being uncomfortable. For the roof



top terraces the study identified that in the summer the wind conditions for phase 1 are comfortable for sitting and standing, for phase 2 the study identified that the conditions are comfortable for sitting, standing and strolling, and for phase 3 the study identified that the conditions are comfortable for sitting. For the roof top terrace the study identified that in the winter the wind conditions that the wind conditions for phase 1 are comfortable for sitting, standing and strolling, for phase 2 the study identified that the wind conditions are comfortable for sitting, standing, strolling, walking and included one area that was deemed to be uncomfortable, and for phase 3 the study identified that the wind condition are comfortable for sitting and standing. The March 27, 2023 addendum letter noted that mitigation measures including 1.8 metre tall wind screens and 3.0 metre deep canopy are proposed, however the addendum did not identify what the effect of the mitigation measures will be in respect to the conditions on the roof top patio. An update to the wind study will be required at the Site Plan Control application stage to demonstrate the ultimate wind conditions and whether additional mitigation will be required. It is noted that while an updated wind study will be required at the Site Plan Control stage to address the wind conditions on the roof top terrace, the study has demonstrated that suitable wind conditions will be provided on the public realm and adjacent lands and therefore will be consistent with the applicable Official Plan Policies. Policy 6.7.12.1 (referring to Policy B.3.3.3.2 c) of the Urban Hamilton Official Plan.

The proposed development will incorporate connections to existing active transportation features in the neighbourhood and will provide pedestrian amenities including street furniture, and short and long term bicycle parking, (Policy 6.7.12.1 e)).

The proposed development will provide landscaping both along the street and internal to the site, which will provide distinctive, high-quality landscape elements. (Policy 6.7.12.1 f)).

The proposed development will have a high quality design, will promote pedestrian activity, will be transit-supportive and will create accessible public spaces. (Policy 6.7.12.1 h)).

The parking for the proposed development will be located within the buildings and no surface parking is proposed. The provision of electric vehicle charging stations will be undertaken at the detailed design stage of the building through the Site Plan Control application. (Policy 6.7.12.1 i)).

The proposed development is located along Centennial Parkway North which is identified on Map B.6.7-3 as a Streetscape Improvement Area. Streetscape improvements within the private realm shall be provided as part of development. The proposed development will include walkways, landscaping, short term bicycle parking,

and street furniture, which will facilitate streetscape improvement within the private realm. (Policy 6.7.12.4).

The proposed development will include setbacks, stepbacks, landscaping, and fencing to allow for appropriate transition between the development and the adjacent low density residential to the south and east. (Policy 6.7.13 a) to d)).

Based on the foregoing, the proposed development complies with the policies of the Centennial Neighbourhoods Secondary Plan.

### **City-Wide Corridor Planning Principles and Design Guidelines**

The subject property is located on a Secondary Corridor, and Policy 6.7.12.1 c) of the Centennial Neighbourhoods Secondary Plan requires that development be consistent with the City-Wide Corridor Planning Principles and Design Guidelines. The following guidelines, amongst others, apply to the proposal.

#### **“4.3 Maximum Building Height**

New multiple storey buildings can have negative impacts on the existing character of neighbourhoods, streets and adjacent properties through shadows, overview and abrupt changes in scale. These impacts can be minimized in height and built form is considered in context to surrounding properties by relating maximum building height to property depth and street width.

##### **4.3.1 Maximum Building Height Related to Property Depth**

New buildings should be limited in height by a 45 degree build to plane measured from the rear property line when adjacent to existing single detached, semi detached or duplex residential. All parts of the new building above 2 storeys in height should be required to be below the build to plane.

##### **4.3.2 Maximum Building Height Related to Street Width**

New buildings should be limited in height by a 45 degree build to plane beginning from a line at grade parallel to the front property line at a distance of 80% of the width of the arterial street right-of-way. All parts of the new building above 3 storeys in height should be below the build to plane. Properties along parts of the corridors with wider streets can accommodate a higher building without increasing impacts on the existing street.

#### 4.7.1 Pedestrian Focus Area

In these areas, the goal is to create street level activity and promote walking. Ground level uses should promote activity and vitality. These guidelines apply to areas that are located around existing or planned transit stops and existing and planned areas with high pedestrian activity.

1. In a pedestrian focus area residential units should not be located at the grade level along the arterial street.
2. In a pedestrian focus area a majority of the length of the building façade at grade should be built at a distance of 1.5m from the property line to allow for opening doors, canopies and other features while defining the street edge. The maximum setback of the remainder of the façade should be 4.5 m providing enough space to allow for pedestrian amenity and variation in the building facade without allowing for parking.
3. In a pedestrian focus area the minimum ground floor ceiling height should be 4.5 m to accommodate a complete range of commercial uses.
4. In a pedestrian focus area the grade level façades of all buildings facing the public street should have a combination windows and doors for 75% of the length of the façade that allow for a view of the public sidewalk from inside the building and a view into the building from the public sidewalk.
5. In a pedestrian focus areas at corners further set backs may be required at the ground floor to ensure adequate views from and to vehicles around the corner allowing for safe vehicle movement.

#### 4.9 Long Buildings

A long multi storey building along the street may negatively impact the quality for the street by creating a canyon effect and shading the street for great lengths.

Where a building or portion of a building is greater than 60m long and greater than three storeys high it should be divided into two separate built forms above the third storey. This will allow a space for light to reach the street and minimize the canyon effect. This is especially important for buildings along the south side of east/west arterials.”

The proposed development will not maintain the required 45 degree angular build to plane from the existing adjacent low density residential development to the south and east. Based upon the orientation, existing setbacks and landscaping of the low density residential dwellings to the south and east, and the proposed setback, stepbacks, and proposed landscaping for the proposed development, the encroachment into the angular build to plane will not create adverse shadow, wind or privacy overlook impacts on the abutting lands. Therefore, the proposed development is consistent with Section 4.3.1 of the City-Wide Corridor Planning Principles and Design Guidelines.

The proposed development will encroach into the required 45 degree angular build to plane from 80 percent of the width of Centennial Parkway North. The proposed development will include setbacks of the proposed towers from the building base and the southerly portion of the two towers of the phase 1 building will be setback further from the street reducing the encroachment into the build to plane and reducing the scale and massing of the development on the public realm. The proposed development will allow for adequate sun access to the public realm and the development will not create unacceptable wind impacts on the public realm. Therefore, the proposed development is consistent with Section 4.3.2 of the City-Wide Corridor Planning Principles and Design Guidelines.

The proposed development is located along a Pedestrian Focus Area in which the goal is to create street level activity and promote walking. The proposed development is proposing commercial uses and the principal entrance of the phase 1 building is to be established along Centennial Parkway North which will promote street level activity and pedestrian activity. The proposed development will not include any at grade residential units along Centennial Parkway North. The proposed development will provide sufficient setback from the street for the opening of doors and the provision of canopies and other features to define the street edge and provide sufficient space on-site to allow for pedestrian amenity. The ground floor will maintain the minimum 4.5 metre height to accommodate a range of commercial uses. Ample doors and windows will be provided facing the street to allow for a view to and from the public sidewalk. Therefore, the proposed development is consistent with Section 4.7.1 of the City-Wide Corridor Planning Principles and Design Guidelines.

The proposed five storey building base will have a building length of approximately 67.0 metres and therefore exceeds the maximum recommended length of 60.0 metres for any portion of a building greater than three storeys. Given the large landscaped areas being proposed on the southerly portion of the property and given the proposed internal driveway for the development is to be established to the north of the proposed development, the proposed increase in building length will not create a canyon effect along the street. The increase in building length will not create adverse shadow impacts on the public realm. The towers above the building base will provide a clear separation

both in terms of tower separation and through the offsetting of the proposed towers, which will provide a clear break in the scale and massing of the proposed buildings. Therefore, the proposed development is consistent with Section 4.9 of the City-Wide Corridor Planning Principles and Design Guidelines.

### **City of Hamilton Zoning By-law No. 6593**

The subject property is zoned “G-1/S-635” (Designed Shopping Centre) District Modified in the City of Hamilton Zoning By-law No. 6593 which permits a range of commercial uses but does not permit a multiple dwelling. Therefore, a Zoning By-law Amendment is required.

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

To facilitate the proposed development, the applicant has applied to rezone the subject lands to the Mixed Use High Density (C4, 853) Zone, to permit the development of four residential multiple dwellings ranging in height from 17 to 20 storeys with a total of 1,116 dwelling units, six ground floor commercial units consisting of a total of 1,666 square metres of gross floor area. The site specific modifications required to accommodate the proposal are outlined in Appendix “D” attached to Report PED23163.

### **RELEVANT CONSULTATION**

<b>Departments and Agencies</b>		
The following departments and agencies had no comments:  Alectra Utilities; Canada Post; Real Estate, Planning and Economic Development Department; Parks and Cemeteries, Environmental Services, Public Works Department; and, Landscape Architectural Services, Public Works Department.		
	<b>Comment</b>	<b>Staff Response</b>
Development Engineering Approval Section, Planning and Economic Development Department	Development Engineering advised there is adequate water, wastewater and storm sewer, servicing capacity to support the proposed land use.	Detailed civil engineering plans and reports will be required through the Site Plan Control application.

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
200 Centennial Parkway North, Hamilton (PED23163) (Ward 5) - Page  
22 of 27**

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	<b>Comment</b>	<b>Staff Response</b>
Growth Planning Section, Planning and Economic Development, Department	<p>There is a registered Plan of Subdivision on the adjacent lands and note potential implication such as cost recoveries or reserves that need to be lifted.</p> <p>That confirmation on the tenure of the subject proposal should be provided and whether the subject proposal will be a Condominium.</p> <p>An easement may be required for access and servicing purposes.</p> <p>The proposed address for this development will be assigned once conditional Site Plan approval has been granted.</p>	<p>Any cost recoveries or reserves to be lifted due to the adjacent Registered Plan of Subdivision would be address through the Site Plan Control application.</p> <p>The tenure of the proposed development is to be determined at a later stage. The establishment of condominium units would be undertaken through an application for Draft Plan of Condominium.</p> <p>The municipal address and access or servicing easements will be addressed through the Site Plan Control application.</p>
Forestry and Horticulture Section, Environmental Services Division, Public Works Department	<p>Municipal tree assets are on site therefore a Tree Management Plan is required. A Tree Management Plan was submitted with the application and Forestry and Horticulture approved the Tree Management Plan.</p> <p>A Landscape Plan will be required as part of the future Site Plan Control application.</p>	<p>A Tree Management Plan including mitigation measures will be required to be implemented at the Site Plan Control stage.</p> <p>A detailed Landscape Plan and payment for street trees will be required at the Site Plan Control stage.</p>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development, Department	<p>Transportation Planning supports the removal of the existing southern driveway access to Centennial Parkway North as limited access points to arterial roadways result in few potential conflicts along the corridor.</p>	<p>Removal of the existing southerly access to Centennial Parkway North will be required as a condition of the future Site Plan Control application.</p> <p>The parking ramp grade will be finalized through the Site Plan Control application.</p>

**SUBJECT: Application for a Zoning By-law Amendment for Lands Located at  
200 Centennial Parkway North, Hamilton (PED23163) (Ward 5) - Page  
23 of 27**

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	<b>Comment</b>	<b>Staff Response</b>
Transportation Planning Section, Transportation Planning and Parking Division, Planning and Economic Development, Department <b>Continued</b>	<p>The existing right-of-way along Centennial Parkway North is consistent with the required 36.576 metres road with required in the Urban Hamilton Official Plan, therefore no right-of-way dedication will be required.</p> <p>A maximum 10 percent grade is permitted for parking ramps, any ramps in excess of the 10 percent maximum will require that the ramp be certified. Long term and short term bicycle parking are to be provided for the proposed development.</p>	The vehicle parking for the proposed development is premised on a reduction of 1 parking space for every 5 long term bicycle parking spaces, therefore to comply with the Zoning By-law adequate long term bicycle parking will need to be provided on-site. The location and design of both short term and long term bicycle parking will be determined through the Site Plan Control application.
Recycling and Waste Disposal, Operations Division, Public Works Department	<p>Recycling and Waste Disposal staff advised that the application has been reviewed for municipal waste collection service and as currently designed the development is not serviceable. Recycling and Waste Disposal staff outline the issues with respect to the serviceability of the proposed development by way of municipal waste collection services.</p> <p>If the development is not designed according to specifications for municipal waste disposal services the developer must arrange for a private waste hauler for removal of all waste materials and as part of the Purchase and Sale Agreement the development must advise prospective purchasers and tenants that the property is not serviceable for municipal waste collection.</p>	Waste collection will be reviewed at the Site Plan Control stage.

## **Design Review Panel**

The proposal was presented to the Design Review Panel on March 10, 2022 for a development consisting of six residential multiple dwellings (with shared podiums) ranging in height from 9 to 20 storeys and containing 1,150 dwelling units, five commercial units and 844 parking spaces.

The comments of the Design Review Panel included:

- The site is suitable for intensification, but the proposal level of intensification is excessive;
- Development is potentially a precedent setting development for the area;
- The proposed height is not a concern but it must be massed appropriately, noting the maximum tower floor plate of 750 sq. m. and that the proposed tower floor plate is exceeding this maximum (more than 1,000 sq. m.), taller slender towers is more appropriate;
- Staggering of towers is recommended;
- Tall Building Guidelines need to be adhered to;
- Recommend that greater variety be included in the design and giving the individual buildings their own architectural expression;
- Side elevation gives the development the appearance of an urban wall;
- Relation and massing of the development with respect to the existing townhouses to the south needs to be evaluated and reconsidered;
- 45 degree angular plane drawings would be helpful in the evaluation of transition to the existing townhouses;
- Appreciate that parking area is screened however it should be directed below grade;
- Better access for the site instead of a single driveway that is shared with the balance of the commercial lands;
- Providing connection to Barlake Avenue;
- Active uses including retail along the street should be provided;
- Terrace between the proposed towers potential wind tunnel;
- Access to light is important;
- Concern with respect to the ease for visitors to navigate the site internal movement of pedestrians, recommend better pedestrian and cycling amenities;
- Consider providing a linear park along the south side to make better use of the area;
- Concern with residential units directly fronting onto Centennial Parkway North; and,
- Recommend revisiting existing leases on northerly portion of the lands so as to allow development of the full site and thereby spread out the density.

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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.



Subsequent to the Design Review Panel meeting the applicant amended the design which included the following:

- Reduction in the number of dwelling units,
- Revision in the number of buildings from two deep building with one at grade space between them to three buildings with two at grade spaces between them;
- Approximately 20 metres of separation between each building base;
- Between 43 and 64 metres of separation between the towers of the respective phases;
- A consistent building base height throughout the development;
- Reduction in the tower floor plate to a maximum of 812 square metres;
- Additional setbacks from the street to the towers of the phase 1 portion of the development and to offset towers to further break up the massing of the building;
- Stepping down of the tower massing for the tower on the phase 2 portion of the development;
- Relocate the principal entrance of the rear building from the east rear lot line, to the internal driveway;
- Relocate commercial areas previously located towards the easterly most portion of the site towards the middle of the site which bring these commercial areas closer to Centennial Parkway North and given the commercial areas greater exposure to the internal roadway and parking areas located to the north;
- Increase the amount of commercial area located along Centennial Parkway North;
- Reduction in the number of vehicle parking spaces; and,
- Increase in the number of bicycle parking spaces.

The detailed design respecting materials, wall treatments, landscaping, and additional revisions respecting the detailed design of the buildings will be further evaluated and refined at the Site Plan Control stage.

## **PUBLIC CONSULTATION**

In accordance with the provisions of the *Planning Act* and the Council approved Public Participation Policy, Notice of Complete Application and Preliminary Circulation was sent to 403 property owners within 120 metres of the subject property on February 1, 2022. A Public Notice sign was posted on the property on January 28, 2022 and updated on July 19, 2023. Finally, the Notice of the Public Meeting was given on July 28, 2023 in accordance with the requirements of the *Planning Act*.

To date, no letters from the public have been received.

## **Public Consultation Strategy**

The Public Consultation Strategy included a virtual Public Open House on May 12, 2022, as discussed on page 7 of Report PED23163, and the questions and concerns raised as part of the Open House were summarized by the applicant and are attached as Appendix “E” of Report PED23163.

## **ANALYSIS AND RATIONALE FOR RECOMMENDATION**

1. The proposal has merit and can be supported for the following reasons:
  - (i) It is consistent with the Provincial Policy Statement (2020) and conforms to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended;
  - (ii) It complies with the policies of the Urban Hamilton Official Plan and the Centennial Neighbourhoods Secondary Plan; and,
  - (iii) It is compatible with existing land uses in the immediate area and represents good planning by, among other things, increasing the supply of housing units, enhances the pedestrian environment along Centennial Parkway North, makes efficient use of existing infrastructure within the urban boundary, and supports public transit.
2. Zoning By-law Amendment

The Zoning By-law Amendment proposes to change the zoning to the Mixed Use – High Density (C4, 853) Zone, in the City of Hamilton Zoning By-law No. 05-200 to permit four towers ranging in height from 17 to 20 storeys, containing a total of 1,116 dwelling units, six ground floor commercial units consisting of a total of 1,666 square metres of gross floor area. The proposed zone contains modifications to permit the development. The modifications are identified in Appendix “D” attached to Report PED23163.

The proposed Mixed Use – High Density (C4, 853) Zone will permit the uses and scale of the development which is compatible with existing in the area and complies with the policies of the Urban Hamilton Official Plan and the Centennial Neighbourhoods Secondary Plan.

Therefore, staff support the proposed amendment to the Zoning By-law.

## **ALTERNATIVES FOR CONSIDERATION**

Should the application be denied, the subject property can be used in accordance with the “G-1/S-635” (Designed Shopping Centre) District, Modified in the City of Hamilton Zoning By-law No. 6593.

## **APPENDICES AND SCHEDULES ATTACHED**

Appendix “A” to Report PED23163 – Location Map  
Appendix “B” to Report PED23163 – Draft Zoning By-law Amendment  
Appendix “C” to Report PED23163 – Concept Plan  
Appendix “D” to Report PED23163 – Zoning Modification Chart  
Appendix “E” to Report PED23163 – Summary of Public Open House

DB:sd