

SUMMARY OF POLICY REVIEW

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

Theme and Policy	Summary of Policy or Issue	Staff Response
Urban Hamilton Official Plan		
<p>Neighbourhoods – Urban Structure – Function</p> <p>Policy E.2.7.2 and E.2.7.4</p>	<p>Neighbourhoods shall primarily consist of residential uses.</p> <p>Neighbourhoods shall permit a full range of housing forms, types and tenure, including affordable housing and housing with supports.</p>	<p>The proposed development is for the adaptive reuse of the existing industrial building to establish residential dwelling units. The proposed development complies with the planned function for lands identified as “Neighbourhoods” which primarily consists of residential units. In addition, the proposal helps to facilitate the establishment of a full range of housing forms and types.</p> <p>The proposal complies with these policies.</p>
<p>Neighbourhoods – Urban Structure – Scale</p> <p>Policy E.2.7.7</p>	<p>Neighbourhoods shall generally be regarded as physically stable areas having a unique scale and character. Changes compatible with the existing character or function of the neighbourhood shall be permitted.</p>	<p>The proposed development is for the adaptive reuse of the existing building to establish residential dwelling units therein. The scale and massing of the built form of the area will not change as a result of the proposed development and therefore the existing scale of the area will be maintained. The conversion of the existing industrial building to a residential building will improve the character and function of the neighbourhood.</p> <p>The proposal complies with this policy.</p>
<p>“Neighbourhoods” Designation – Function</p> <p>Policy E.3.2.1 and E.3.2.3</p>	<p>Neighbourhoods shall function as complete communities, including the full range of residential dwelling types and densities.</p>	<p>The proposed development will have the effect of establishing residential dwelling units within an existing building that will comply with the function of lands designated “Neighbourhoods” and complies with the uses that are permitted.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>“Neighbourhoods” Designation – Function</p> <p>Policy E.3.2.1 and E.3.2.3 (continued)</p>	<p>Neighbourhoods shall permit residential dwellings.</p>	<p>The proposal complies with these policies.</p>
<p>“Neighbourhoods” Designation – Scale and Design</p> <p>Policy E.3.2.4 and E.3.2.15</p>	<p>The existing character of established Neighbourhoods designated areas shall be maintained. Residential intensification within these areas shall enhance and be compatible with the scale and character of the neighbourhood.</p> <p>The City shall encourage the adaptive reuse of the existing building stock for appropriate land uses. Rezoning applications for new uses shall be evaluated to ensure compatibility with surrounding land uses.</p>	<p>As the proposed development is for the adaptive reuse of the existing building, the existing character of the area will be maintained and represents a form of residential intensification that is compatible.</p> <p>The proposed adaptive reuse of the existing building is compatible with the character of the area, and the establishment of a residential use is consistent with the envisioned uses for the area. Therefore, the proposed development complies with policy direction to encourage the adaptive reuse of the existing building stock with appropriate land uses.</p> <p>The proposal complies with these policies.</p>
<p>“Neighbourhoods” Designation – Medium Density Residential – Function</p> <p>Policy E.3.5.1 and E.3.5.2</p>	<p>Medium density residential areas are characterized by multiple dwelling forms on the periphery of neighbourhoods in proximity to arterial roads or within the interior of neighbourhoods fronting on collector roads.</p>	<p>The proposed adaptive reuse of the existing building will have the effect of establishing a multiple dwelling containing 39 units within an existing vacant industrial building. The subject property does not front onto either an arterial road or a collector road however, it is located approximately 30 metres from Cannon Street East to the north and 60 metres from Wilson Street to the south, which are both classified as minor arterial roads.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>“Neighbourhoods” Designation – Medium Density Residential – Function</p> <p>Policy E.3.5.1 and E.3.5.2 (continued)</p>	<p>Uses permitted in medium density residential areas shall include all forms of multiple dwellings.</p>	<p>The proposal to establish a multiple dwelling within the existing building is consistent with the permitted uses for the medium density residential category.</p> <p>The proposal complies with these policies.</p>
<p>“Neighbourhoods” Designation – Medium Density Residential – Scale</p> <p>Policy E.3.5.8</p>	<p>For medium density residential uses, the maximum height shall be six storeys.</p>	<p>The proposed development is for the adaptive reuse of the existing building which is two storeys in height and therefore will comply with the maximum height of six storeys.</p> <p>The proposal complies with this policy.</p>
<p>“Neighbourhoods” Designation – Medium Density Residential – Design</p> <p>Policy E.3.5.9</p>	<p>Medium density residential shall have direct access to a collector or arterial road. If direct access to such a road is not possible the development may gain access to the collector or arterial road from a local road if a small number of low density residential dwellings are located on that portion of the local road.</p> <p>Development shall be integrated with other lands in the “Neighbourhoods” designation with respect to density, design and physical and functional considerations.</p>	<p>The proposed development does not have direct access to a collector or arterial road. However, the proposed development does have access to a local road which connects to Cannon Street East and Wilson Street both of which are minor arterial roads. There are 14 low density residential dwellings that front onto this portion of the local road. The proposed medium density residential development gains access to an arterial road from a local road with a small number of low density residential dwellings located on that portion of the local road.</p> <p>The proposed development is for the adaptive reuse of an existing building and therefore will not change the</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>“Neighbourhoods” Designation – Medium Density Residential – Design</p> <p>Policy E.3.5.9 (continued)</p>	<p>Development shall provide adequate landscaping, amenity features, on-site parking, and buffering if required. Height, massing and arrangement of buildings and structures shall be compatible with the existing and future uses in the surrounding area.</p> <p>Access to the property shall be designed to minimize conflict between traffic and pedestrians.</p> <p>The City may require studies to demonstrate that the height, orientation, design and massing of a building shall not shadow, or result in loss of privacy for adjacent residential dwelling.</p>	<p>design or physical built form of the area. The adaptive reuse will bring the function of the lands more in line with the surrounding neighbourhood by establishing dwelling units in place of an existing vacant industrial building.</p> <p>The adaptive reuse of the building will not alter the existing height, massing, or arrangement of the building, and will maintain the existing context with respect to the built form and thereby maintain compatibility with the existing and future uses in the surrounding area.</p> <p>The development is proposing to establish 532 square metres of outdoor amenity space on the subject lands, which represents approximately 13.5 square metres per dwelling unit. This exceeds the six square metres that is required for a multiple dwelling within City of Hamilton Zoning By-law No. 05-200. Therefore, adequate amenity space is provided.</p> <p>Visual barriers will be required to buffer adjacent lands from activities on site, including parking and will be addressed through a future Site Plan Control application.</p> <p>A total of five parking spaces as well as five short term and one long term bicycle parking spaces is proposed on site. The subject lands are in proximity to existing transit. The subject lands are within an area of the City that is covered by Parking Rate Area 1 in Zoning By-law No. 05-200 and the proposed five parking spaces</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>“Neighbourhoods” Designation – Medium Density Residential – Design</p> <p>Policy E.3.5.9 (continued)</p>		<p>comply with the required parking for Parking Rate Area.</p> <p>The proposed parking is consistent with the area, and it is staff’s opinion that adequate onsite parking is proposed.</p> <p>There are physical limitations in respect to providing landscaping on site due to the location of the building and the required remediation measures to address site contamination. The proposed development seeks to provide landscaping in the form of hardscaping but will include natural plantings where possible and in alternative forms such as raised planter beds.</p> <p>The proposed development includes separate pedestrian walkways and vehicle driveway aisles which will minimize conflict between traffic and pedestrians.</p> <p>The proposed development will not alter the existing shadow impacts of the established building or the window openings as they exist now. The limited two storey height of the existing building would not result in significant shadow and overview impacts.</p> <p>The proposal complies with this policy.</p>
<p>Residential Intensification</p> <p>Policy B.2.4.1.4 and B.2.4.2.2</p>	<p>Residential development within the built up area shall be evaluated based on a balanced evaluation of items such as, but not limited to, compatibility with the adjacent land uses in terms of scale, form, and character, building upon</p>	<p>The scale, form and character of the area will not be altered, as the proposed residential intensification is proposed through the adaptive reuse of an existing building.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Residential Intensification</p> <p>Policy B.2.4.1.4 and B.2.4.2.2 (continued)</p>	<p>existing lot patterns, achieving a range of dwelling types, achieving the planned function of the urban structure, servicing capacity, provision of amenity space, conservation of cultural heritage resources, and transportation capacity, amongst others.</p>	<p>The proposed residential intensification will maintain the existing lot pattern.</p> <p>The proposed development establishes a multiple dwelling built form, which includes 33 one bedroom units (84.5%) and six two bedroom units (15.3%). A minimum requirement that 15.3% of the units shall be units with two or more bedrooms has been included in the Zoning By-law. Therefore, the proposal contributes to achieving a range of dwelling types in the area.</p> <p>The proposed development helps to achieve the planned function of the urban structure by converting an existing industrial building to establish residential dwelling units.</p> <p>The application will be required to demonstrate that there is adequate servicing for the proposed development, and that design and construction of any infrastructure improvements is completed to ensure adequate servicing capacity as a condition of the Holding ‘H’ Provision.</p> <p>A trip generation letter was submitted with the application for Zoning By-law Amendment which demonstrated that the road network can accommodate the vehicle trips generated by the development. Therefore, it has been demonstrated that there is adequate transportation capacity for the proposed development. The proposal complies with these policies.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Cultural Heritage</p> <p>Policy B.3.4.2.1 a)</p>	<p>The City shall protect and conserve cultural heritage resources of the City, including built heritage resources.</p>	<p>The proposed development seeks to adaptively reuse an existing building that is included in the City’s Municipal Register as a non-designated property. In addition, the subject property is located within the Gibson Established Historical Neighbourhood.</p> <p>A Cultural Heritage Impact Assessment dated March 27, 2024, prepared by Megan Hobson was submitted with the application. The report assessed the impact of the proposed adaptive reuse and recommended that the application be supported as it will have significant positive impacts on the preservation of the subject building’s heritage attributes and the residential character of the area. The report recommended revision to unit layout to avoid partition walls that bisect the windows and to retain original interior features wherever possible. The report recommends a Conservation Management Plan and Interpretive / Commemoration Plan. Staff are satisfied with the Cultural Heritage Impact Assessment.</p> <p>The Cultural Heritage Impact Assessment was reviewed by the Policy and Design Working Group at their June 17, 2024, meeting. There were no issues with the proposal and are supportive of the adaptive reuse. The comments from the Working Group supported the recommendations for minor alterations to limit the impacts of new interior partition walls on the windows and requested additional information regarding the impact of the walls on the exterior of the building.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Cultural Heritage</p> <p>Policy B.3.4.2.1 a) (continued)</p>		<p>A Conservation Management Plan and Interpretation / Commemoration Plan are recommended as conditions of the Holding ‘H’ Provision.</p> <p>The proposal complies with this policy.</p>
<p>Site Condition</p> <p>Policy B.3.6.1.1</p>	<p>Where there is potential for contamination due to previous uses and more sensitive land uses a mandatory filing of a Record of Site Condition is triggered as outlined in provincial guidelines.</p>	<p>A Phase One and Two Environmental Site Assessment were submitted. At this time, a Record of Site Condition has not yet been filed. The requirement for a Record of Site Condition has been included in the Holding ‘H’ Provision.</p> <p>The proposal complies with this policy.</p>
<p>Noise</p> <p>Policy B.3.6.3.1</p>	<p>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.</p>	<p>A Noise and Vibration Impact Study prepared by dBA Acoustical Consultants Inc. dated March 2024 was submitted and evaluated noise impacts from nearby road traffic including Wilson Street, King Street East, Sanford Avenue North, Cannon Street East and Sherman Avenue North, as well as stationary noise sources in the area (described below).</p> <p>The study identified combined traffic noise levels for the façade of the building ranging from 52 dBA on the south façade to 60 dBA on the north façade in the daytime, and 47 dBA on the south façade and 53 dBA on the north façade in the nighttime.</p> <p>With respect to stationary noise sources, the Hydro One Network Inc. (HONI) building and electrical transformers at 82 Stirton Street were identified as a potential stationary noise source located 5.0 metres to the north</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Noise</p> <p>Policy B.3.6.3.1 (continued)</p>		<p>of the existing building. Noise monitoring was undertaken between March 13th and March 15th, 2024. Based on the monitoring, the consultants concluded that stationary noise levels from the adjacent Hydro One building are below the Ministry of the Environment, Conservation and Parks’ NPC-300 noise guidelines and the area traffic noise is greater than the noise generated by the Hydro One building.</p> <p>As the potential stationary noise source is located in close proximity to the Hydro One building, which includes mechanical equipment and other stationary noise sources, and as stationary noise source levels are measured from the exterior plane of the windows, there is significant potential for adverse noise impact on the proposed residential use.</p> <p>The study identified that noise mitigation measures and warning clauses are required. Additional measures may be identified through the peer review. The mitigation measures will be implemented through the future Site Plan Control application. Staff recommend that the noise study be peer reviewed by a qualified professional and the requirement has been included in the Holding ‘H’ Provision.</p> <p>The proposal complies with this policy.</p>
<p>Tree and Woodland Protection</p> <p>Policy C.2.11.1</p>	<p>The City recognizes the importance of trees and woodlands to the health and quality of life. The City shall encourage sustainable forestry practices and the</p>	<p>A landscape plan was prepared by Adesso Design Inc. dated May 29, 2024. It is recommended that planting of native species and the provision of a tree canopy cover target of 40% be incorporated into the site design.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
<p>Tree and Woodland Protection</p> <p>Policy C.2.11.1 (continued)</p>	<p>protection and restoration of trees and forests.</p>	<p>The details of the planting plan will be addressed at the Site Plan stage.</p> <p>The proposal complies with this policy.</p>
Gibson Neighbourhood Plan		
<p>Single and Double Designation</p>	<p>The subject lands are designated Single and Double in the Gibson Neighbourhood Plan.</p>	<p>The Gibson Neighbourhood Plan envisions residential uses for the subject lands and surrounding area. The proposed adaptive reuse of the vacant industrial building establishes a residential land use for the site as a multiple dwelling which represents a Medium Density Apartment thereby exceeding the envisioned density of Singles and Doubles.</p> <p>The scale of development does not comply with the envisioned density, and the Gibson Neighbourhood Plan will need to be amended to align with the proposed development.</p>
<p>Neighbourhood Goals and Objectives</p>	<p>Permit a range of residential densities in Gibson Neighbourhood that will provide for a variety of housing types, while maintaining and enhancing the positive characteristics of the neighbourhood.</p>	<p>The proposed development will increase the range of residential densities which will provide a variety of housing types and will convert an existing industrial building to residential which will enhance the positive characteristics of the neighbourhood.</p> <p>The proposal complies with this policy.</p>

Theme and Policy	Summary of Policy or Issue	Staff Response
The Neighbourhood Programme Policy 8	Enhance the physical appearance of all structures in the neighbourhood.	The proposed adaptive reuse of an existing vacant industrial building to a residential building will enhance the physical appearance of the existing structure and bring it more in line with that of existing residential neighbourhood. The proposal complies with this policy.