

Planning Justification Report



2481 Barton Street East, Hamilton

Prepared for:

Barton Street Developments Inc.

Application for:

Zoning By-law Amendment

GSP File No. 22073

December 2022



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- Appendix A** – Draft Zoning By-law Amendment
- Appendix B** – Public Consultation Strategy

1.0 INTRODUCTION

GSP Group Inc. has been retained by Barton Street Development Inc. to prepare a Planning Justification Report in support of a Zoning By-law Amendment (ZBA) to facilitate the development and intensification the lands known as 2481 Barton Street East, in the City of Hamilton (“the subject site”). The purpose of the requested zoning by-law amendment is to facilitate the redevelopment of the subject site to support a 17-storey mixed use building containing 207 dwelling units and 475m² of commercial space.

This Planning Justification Report is structured as follows:

- Section 1.0** Provides an overview of the subject site;
- Section 2.0** Provides an outline of the proposed development;
- Section 3.0** Provides an overview of the technical studies that have been completed in support of the Zoning By-law Amendment;
- Section 4.0** Provides an evaluation of the proposed development in the context of the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Urban Hamilton Official Plan (UHOP), and the City of Hamilton Zoning By-law No. 6593 and 05-200;
- Section 5.0** Provides a planning analysis; and
- Section 6.0** Contains the report recommendations.

The Subject Applications and supporting materials are submitted in accordance with the Formal Consultation Document (FC-21-062) dated May 18, 2021 and constitutes a complete application as described in Section 34(10) of the *Planning Act*.

It is understood that in addition to this Zoning By-law Amendment (ZBA) application, a Site Plan Approval application will be required at a later date.

1.1 Project Team

A team of professionals has been assembled as follows:

| | |
|-------------------------|--|
| Owner/Applicant: | Barton Street Developments Inc. |
| Planning/Urban Design: | GSP Group Inc. |
| Architect: | SRM Architects Inc. |
| Geotechnical: | EXP Services Inc. |
| Civil Engineering: | WalterFedy |
| Transportation: | Paradigm Transportation Solutions Ltd. |
| Noise: | dBA Services Inc. |
| Land Use Compatibility: | Gradient Wind Engineering Inc. |
| Wind Consultant: | Gradient Wind Engineering Inc. |
| Archaeology: | Earthworks Archaeological Services Inc. |
| Environmental: | Rubicon Environmental (2008) Inc. |

1.2 Subject Site Description

The subject site is a relatively flat, rectangular-shaped, interior lot located on the north side of Barton Street E. in Hamilton's Lakely Neighbourhood. The subject has an area of approximately 3,758m², a 72.44m frontage along Barton Street E., and a depth of approximately 51.8m. The subject site is legally described as:

Part of Lot 26, Concession 1, Geographic Township of Saltfleet in the City of Hamilton

The subject site is currently covered in gravel and used for storing construction equipment and vehicles (see Image A). A concrete block garage is located in the southeast corner of the subject site and the balance of the lands are vacant (see Image B). The subject site previously supported a single-detached dwelling and two outbuildings, all of which have since been demolished (Building Permit file no.'s 21 112178 00, 21 112209 00, and 21 114122 00).

With respect to access, there are two vehicle entrances to the subject site from Barton Street East, one located near to the centre of the lot, and a second entrance located on the eastern side of the lot. A sidewalk is located along the entire frontage of the subject site, which provides pedestrians with access to the contiguous municipal sidewalk network.

The subject site is illustrated in Figure 1.



Source: Site Visit; May 23, 2022

Image A: The subject site is currently covered in gravel and used for storing construction equipment and vehicles.



Source: Site Visit; May 23, 2022

Image B: A concrete block garage is located in the southeast corner of the subject site.



Site Location
Source: Bing Aerial Mapping (2020)

Figure
1

1.3 Surrounding Context

The subject site is located within the Lakely neighbourhood, which is bounded by Barton Street E. to the south, the Queen Elizabeth Way (QEW) to the north, Centennial Parkway N. (Highway 20) to the west, and Lake Avenue N. to the east. Land uses within the Lakely Neighbourhood are generally comprised of commercial and employment uses. Broadly speaking, employment uses prevail north of Barton Street, whereas a mix of commercial and residential uses prevail to the south of Barton Street. Centennial Parkway N. is largely automobile-oriented and functions as the commercial spine of the local area. Details of the surrounding land uses are as follows:

North: A large vehicle dealership is located immediately to the north of the subject site, beyond which is a large vacant parcel. A wide range of employment uses, including manufacturing and recycling uses are generally located to the northeast fronting Covington Street, whereas commercial uses, including a Home Depot, a Subway restaurant, Hamilton Carpet, and two gas stations, are generally located to the northwest fronting Centennial Parkway N.

East: Land uses to the east of the subject site and north of Barton Street East include a Speedy Glass, a mini-grocer (Khan Grocers), a film studio, an electrical substation, and a number of automotive uses.

South: Land uses south of the subject site include a large retail plaza (Parkway Plaza) containing a number of commercial establishments such as a restaurant, thrift store, furniture store, and a grocery store (Food Basics). Other uses south of the retail plaza include a cluster of four (4) slab high-rise buildings with heights of 14-storeys, 15-storeys, 11-storeys, and 12-storeys (see Image I & L); as well as several retail plazas along Centennial Parkway North (see Image J).

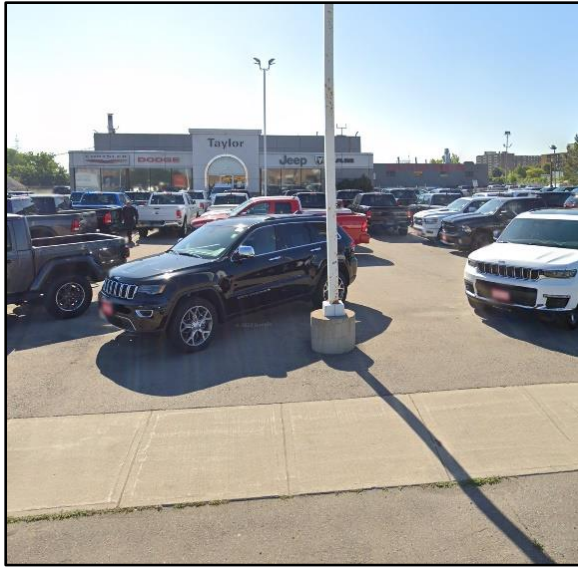
West: A gas station is located immediately to the west of the subject site, beyond which, across Centennial Parkway N, there is a commercial plaza containing a number of restaurants, personal services, and a computer store.

Relevance of the surrounding land use context to the subject site:

The subject site is surrounded by a mix-of land uses, with commercial uses located to the west and east, employment and commercial uses located to the north, and residential uses located further to the south and east, including pockets of townhouses, mid-rise apartments, and high-rise apartment buildings.

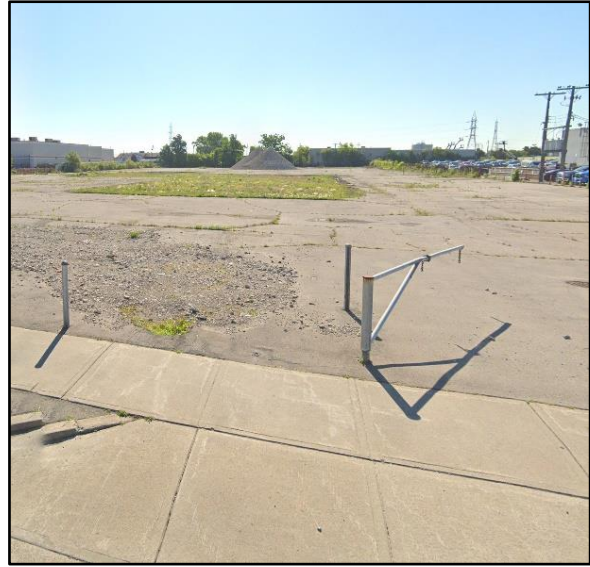
Overall, the surrounding lands are largely oriented toward the automobile. For example, there are three gas stations at the intersection of Barton Street and Centennial Parkway, and there are several drive-through fast-food restaurants along Centennial Parkway, as well as a number of automobile service stations and vehicle dealerships.

Surrounding Area to the North:



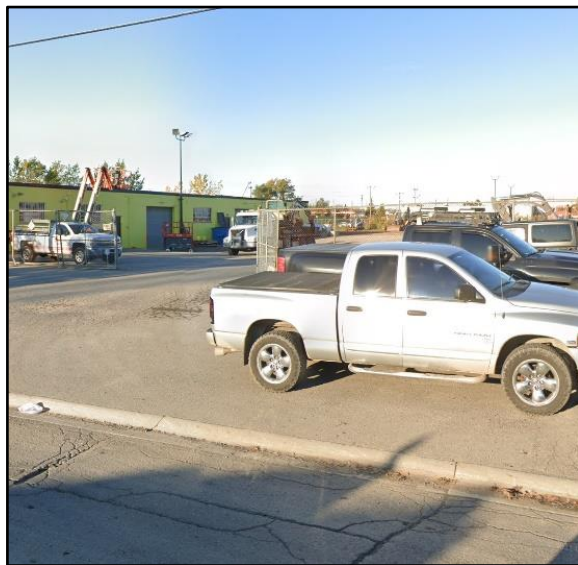
Source: Google Streetview; Jun. 2021

Image C: 260 Centennial Parkway North is a large lot containing a vehicle dealership. There is a high concentration of automobile-centric uses in the surrounding area.



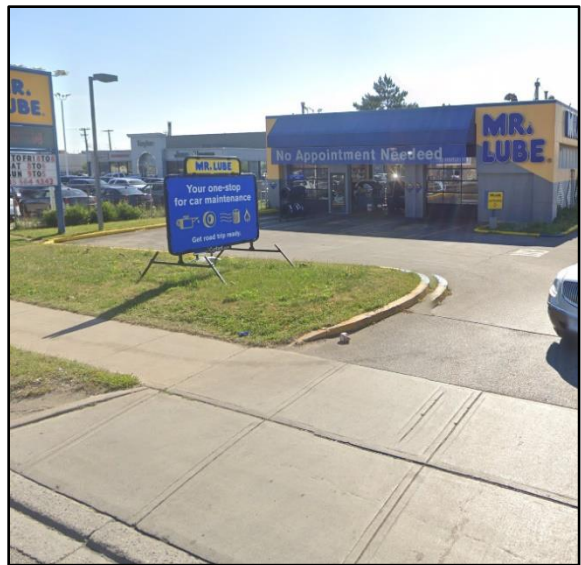
Source: Google Streetview; Jun. 2021

Image D: 282 Centennial Parkway North is a large vacant lot located north of the subject site.



Source: Google Streetview; Jun. 2021

Image E: 25 Covington Street contains a scrap metal dealership, characteristic of the kind of employment uses north of the subject site.



Source: Site Visit; May 23, 2022

Image F: 258 Centennial Parkway North is occupied by an automotive service station (Mr. Lube) and is typical of the auto-centric uses found within the surrounding area.

Surrounding Area to the East:



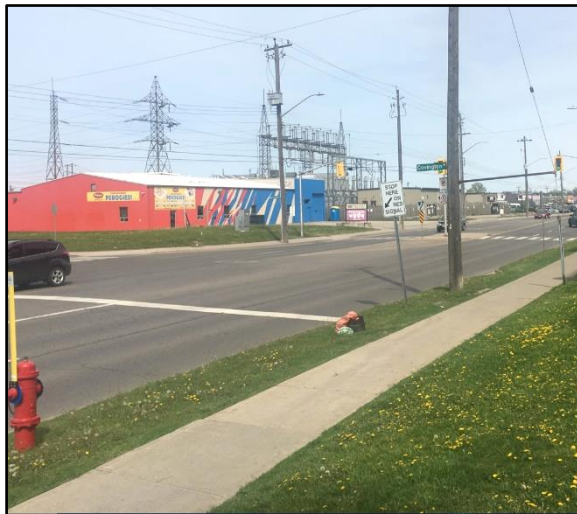
Source: Site Visit; May 23, 2022

Image G: 2493 Barton Street E. is located immediately east of the subject site and is occupied by an automotive service station (Speedy Glass) as well as a mini-grocer (Khan Grocers).



Source: Site Visit; May 23, 2022

Image H: 2511 Barton Street E. is located further east of the subject site and is occupied by a 1-storey commercial building containing a film studio (Digital Canaries).



Source: Site Visit; May 23, 2022

Image I: View of Barton Street E. looking northeast from the subject site, where there is a cluster of employment uses and an electrical sub-station.



Source: Site Visit; May 23, 2022

Image J: View of Barton Street E. looking southeast from the subject site, where there is a cluster of mid-rise apartment buildings.

Surrounding Area to the South:



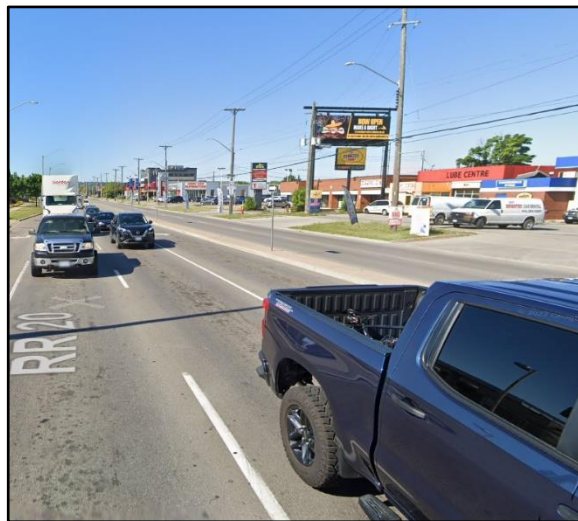
Source: Site Visit; May 23, 2022

Image K: 200 Centennial Parkway N. is located to the south of the subject site and contains a large parking lot and retail plaza (Parkway Plaza), which is currently the subject of a redevelopment application.



Source: Google Streetview; Jun. 2022

Image L: 207 Centennial Parkway is located at the southeast corner of the intersection with Barton Street and is occupied by a gas station. There are a number of other gas stations in the immediate area.



Source: Site Visit; May 23, 2022

Image M: Looking south along Centennial Parkway N. illustrates the automotive-centric nature of the land uses fronting Centennial Parkway N.



Source: Site Visit; May 23, 2022

Image N: 2520 Barton Street E. is located to the southeast of the subject site and is occupied by a mid-rise apartment building within a cluster of similar apartment buildings.

Surrounding Area to the West:



Source: Site Visit; May 23, 2022

Image O: 2471 Centennial Parkway North is located to the west of the subject site and contains a gas station.



Source: Google Streetview; Jun. 2022

Image P: 237 Centennial Parkway North is located west of the subject site and contains a drive-through fast-food restaurant as part of a larger automobile-oriented retail plaza.



Source: Google Streetview; Jun. 2022

Image Q: 237 Centennial Parkway North is located west of the subject site and contains an automobile-oriented retail plaza, typical of the surrounding lands.



Source: Google Streetview; Jun. 2022

Image R: 257 Centennial Parkway North contains a carpet manufacturer and 265 Centennial Parkway North contains an automotive service station (Mister Transmission).

1.4 Community Context

As identified in Figure 2, the Lakely neighbourhood and wider community features several schools, parks, health facilities, and community/religious facilities, including the following :

Education Facilities:

- St. Charles Adult & Continuing Education Centre..... ±500m southeast
- Lake Avenue Public School±1.2km southeast
- St. Agnes Catholic Elementary School.....±1.6km southeast
- Hillcrest Public School±2.0km west
- St. John Henry Newman Catholic Secondary School.....±2.7km southeast

Commercial Amenities:

- SmartCentres Retail Plaza (with Walmart)±700m north
- Eastgate Square ±800m south

Parks:

- Lake Avenue Park.....±1.2km southeast
- Henry & Beatrice Warden Park±1.4km southeast
- Confederation Park ±1.5km north
- Sam Manson Park ±1.8km southwest
- Riverdale East Park±1.9km southeast

Community/Religious Facilities:

- St. Gregory the Great Church (Slovenian) ±800m south
- Incarnation of Our Blessed Lord Parish.....±1.1km west

Employment lands:

- Employment lands±100m – 1km north/east

Relevance of the surrounding community context to the subject site:

The surrounding community features a variety of public facilities and amenities necessary to support the achievement of creating a complete community, including: education facilities, a wide variety of commercial amenities, parks, community/religious facilities, and close proximity to employment opportunities.



1.5 Transportation Context

Local Road Network

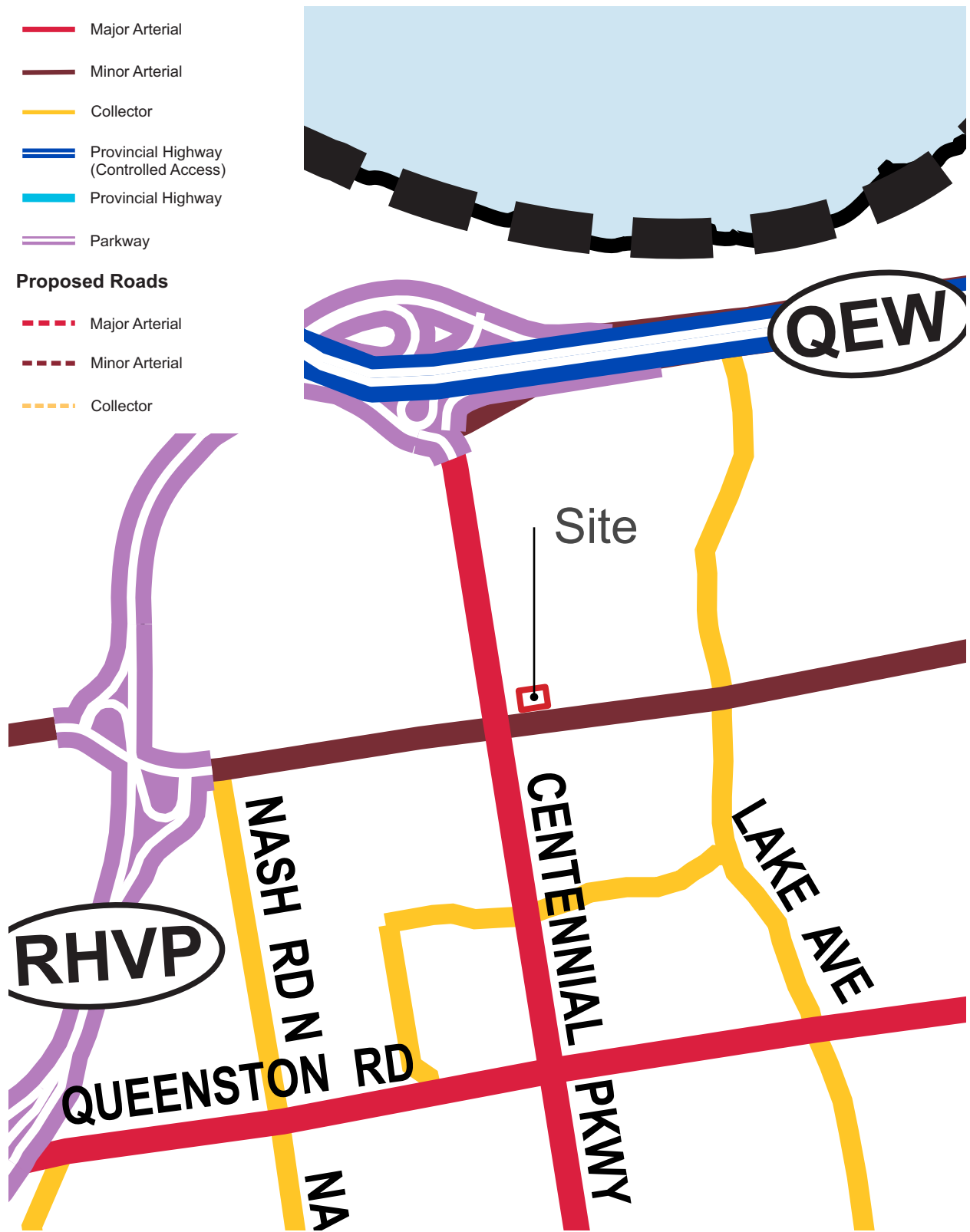
The subject site fronts Barton Street E., which includes pedestrian sidewalks on both sides of the road that are linked to the larger municipal sidewalk network. Barton Street E. carries four lanes of bi-directional vehicular traffic, as well as a dedicated turning lane in the centre.

As shown in Figure 3, Barton Street E. is classified as a Minor Arterial Road on Schedule C-Functional Road Classification of the Urban Hamilton Official Plan (UHOP). Furthermore, Schedule C-2 of the UHOP specifies that the stretch of Barton Street E. from Nash Road to Fruitland Road, which includes the portion along the frontage of the subject site, is to have a minimum right-of-way width of 36.576 metres.

Relevance of the surrounding road network to the subject site:

The existing right-of-way width of Barton Street East along the frontage of the subject site is approximately 36.5 metres, which meets the minimum right-of-way width requirements for this section of Barton Street E.; therefore, a road widening land dedication is not expected to be required.

Overall, the existing road network provides excellent access to the nearby employment lands north of Barton Street, commercial lands along Centennial Parkway N, and convenient access to the QEW and Red Hill Valley Parkway which provides access to Toronto and Niagara Region, as well as Hamilton Mountain, respectively.



Urban Hamilton Official Plan -
Functional Road Classification

Source: UHOP Schedule C (February 2021)

Figure
3

Local Transit (HSR)

The subject site is currently served by three local HSR bus routes which can be accessed from nearby bus stops located along Barton Street E. and Centennial Parkway N. depending on the direction of travel. The route details of each HSR route are as follows:

- **HSR Route 2—Barton:**
Provides service from the subject site across the Lower City along Barton Street to the Hamilton GO Centre. Service runs 7 days a week from the early morning until after midnight.
- **HSR Route 44—Rymal:**
Provides service from the subject site to the Ancaster Business Park via Centennial, Upper Centennial, and Rymal Road. Service runs 7 days a week from the early morning until after midnight. Notably, Route 44 is the 'S' in the City's proposed BLAST frequent rapid transit system, which was developed as part of the City's 2007 Transportation Master Plan.
- **HSR Route 56—Centennial:**
Provides service between Eastgate Square and the Beach Strip. This route only services Confederation Park and Wild Waterworks during the weekends of the summer season when the park is open.

Confederation GO Station

The Confederation GO Station (see Image S) is located to the north of the subject site across Centennial Parkway N. and can be reached within a 10-minute walk (approximately 800 metres).

A public tender was issued in April 2020 to construct the future Confederation GO train station, which will include a pedestrian tunnel and direct stair access from the platform to Centennial Parkway N. Most recently, on October 6, 2022, the provincial government announced the start of construction on the Confederation GO Station. The associated press released states that the:

“Confederation GO station will offer several key amenities, including an accessible island platform with canopies, pedestrian tunnel, 15-vehicle passenger pick-up and drop-off area and direct stair access from Centennial Parkway. Commuters will also have access to approximately 150 additional parking spaces.”

The Confederation GO Station will form part of the Lakeshore West line with access to Toronto's Union Station as well as in-between stations.

In the interim, GO Bus Route 12 currently operates out of the station and provides regional connections to Burlington GO Station, Mapleview Mall, the Dundas Street-Highway 407 Park & Ride, Grimsby, St. Catharines, and Niagara Falls.

LRT Corridor & Stations

The planned LRT corridor follows Queenston Road, with LRT stations planned at the intersections of Nash Road and Eastgate Square Mall. The Eastgate Square Mall station is notable as it will form the eastern terminus of the LRT route and will therefore serve as a feeder transit station for the LRT. The Eastgate Square Transit Terminal is located to the south of the subject site at Queenston Road and can be reached within a 12-minute walk (± 1.2 km).

Major Station Transit Areas (MTSA) / Higher Order Transit Station Area

The Growth Plan defines Major Transit Station Area as follows:

“The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

Further to the above, the Confederation GO Station is identified as a higher order transit station on Map B.6.7-3 of the Centennial Neighbourhoods Secondary Plan, which illustrates Transportation and Connections (see Figure 5). This map also shows that the subject site is located within the conceptual Higher Order Transit Station Area.

Relevance of transportation context to the subject site:

The subject site is in a location with excellent existing and planned transit, including HSR routes 2, 44, and 56, as well as GO Bus Route 12. Considered together, these routes provide the subject site with good local and regional transit service. Furthermore, the subject site is located within 800 metres of Centennial GO Station and located 1.2 kilometres north of the Planned Eastgate LRT Station. Both of these transit facilities will be accessible within a 13-minute walk, or by taking the existing HSR bus routes.



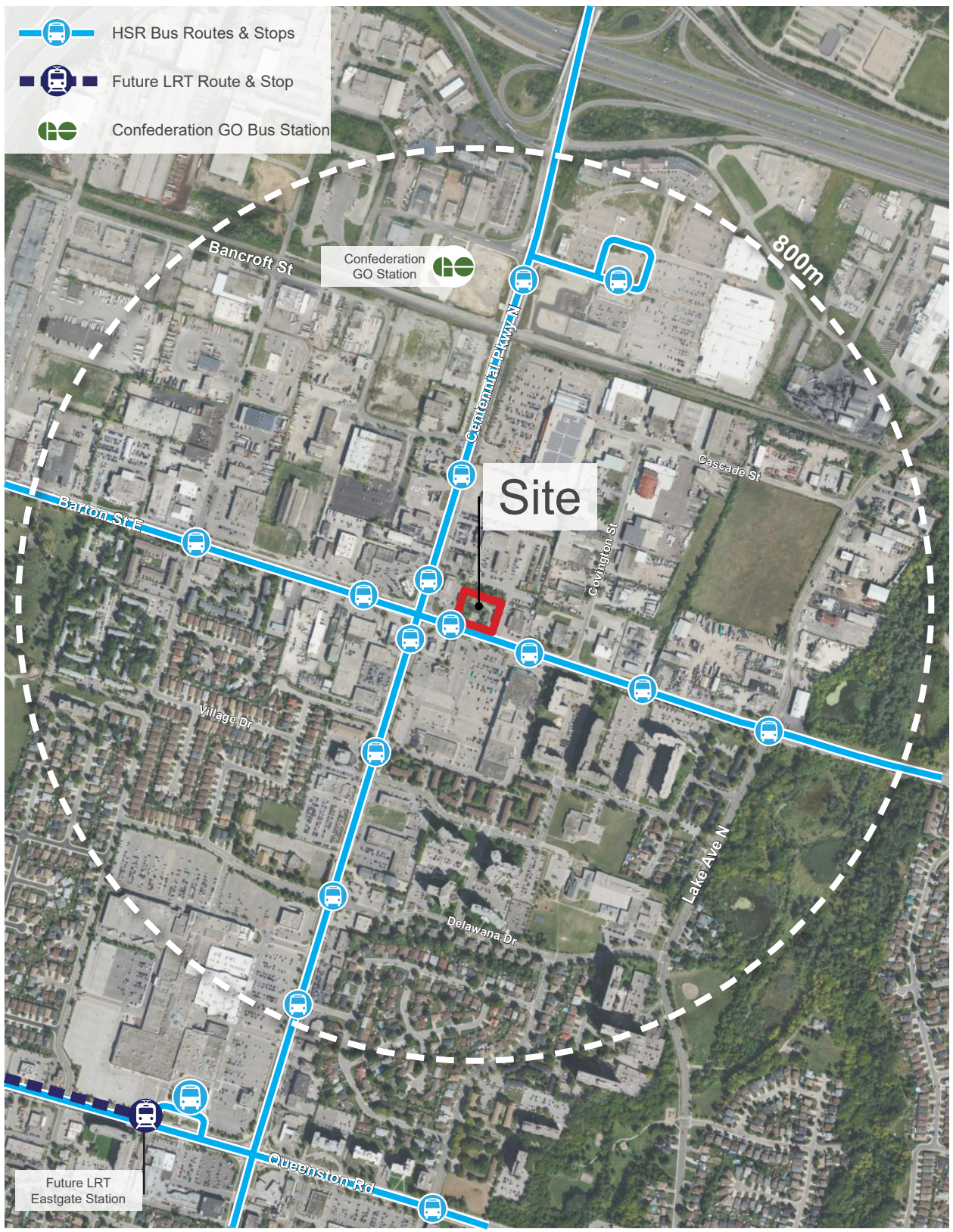
Source: Google Street View; Oct. 2020

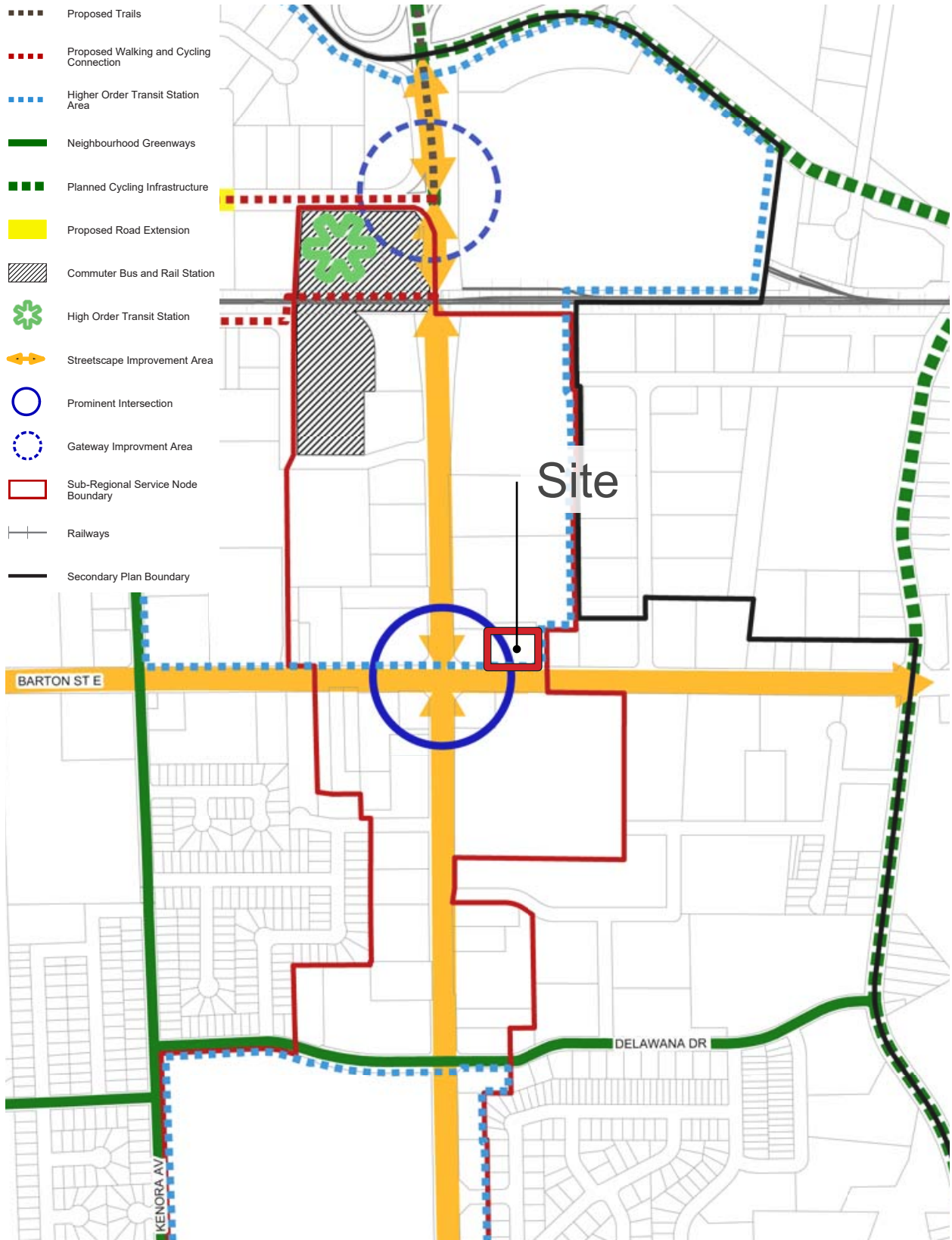
Image S: The Confederation GO Station is located to the north across Centennial Parkway North and can be reached within a 10-minute walk (± 800 metres). This GO Station currently operates regional bus routes and is intended to be expanded in the near-future into a train station with access to the Lakeshore West line.



Source: Site Visit; Oct. 11, 2021

Image T: Eastgate Square Transit Terminal is located to the south of the Site at Queenston Road and can be reached within a 12-minute walk (± 1.2 kilometres). The Eastgate Square Transit Terminal provides services to a number of bus routes and is the planned eastern terminus of the LRT route.





Centennial Neighbourhoods Secondary Plan - Transportation & Connections

Source: UHOP Centennial Neighbourhoods Secondary Plan Map B.6.7-3 (February 2021)

Figure
5

2.0 PROPOSED DEVELOPMENT

Overview

The proposed mixed-use development consists of a 17-storey tower atop a 5-storey podium, containing 207 dwelling units and 475m² of commercial space. The proposed development proposes to intensify the subject site to achieve a density of 550 units per hectare.

Vehicular Access

Access to the proposed development is provided by a drive aisle located along the eastern side of the subject site. The drive aisle has been located at the eastern side of the subject site partly at the request of HSR to accommodate the transit stop needs associated with articulated buses which operate along Barton Street E. In addition, the drive aisle is located along the eastern side of the subject site to ensure that the residential components of the proposed development are located outside of the 70m buffer required from nearby industrial sites. The 70m industrial buffer is illustrated on the conceptual site plan as a red-dashed line.

In consultation with the transportation consultant, the existing median on Barton Street E. is proposed to be extended in order to restrict inbound and outbound left-turn movements to and from the subject site, and the existing break in the median is proposed to be closed.

Parking

The majority of the required parking for the proposed development is located underground with the balance located behind the building and thus screened from view from the public road. 30 spaces are located at the surface, and 140 are located underground, for a total of 170 parking spaces.

Bicycle Storage

The proposed development contains 102 long-term bicycle parking stalls and 10 short-term parking stalls.

Amenity Areas

The building features both indoor and outdoor amenity space. The indoor amenity space is in two locations on the site, 1) on the roof the 5-storey portion of the building and 2) at the northwest corner of the site, the total combined outdoor amenity space measures 872m² in area. Additionally, the building is planned to contain 126m² of indoor amenity space. The is designed to accommodate 18% of landscape open space which is generally concentrated on the peripheries of the site.



Source: SRM Architects Inc.; Dec. 2022

Image U: As shown in this rendering looking south, the proposed development will contribute to the transformation of the Centennial Node from a single-storey automotive-oriented built environment to a multiple-storey mixed-use area.



Source: SRM Architects Inc.; Dec. 2022

Image V: As shown in this rendering looking southwest, the proposed development will contribute to animating Barton Street E. with increased levels of pedestrian activity.



Source: SRM Architects Inc.; Dec. 2022

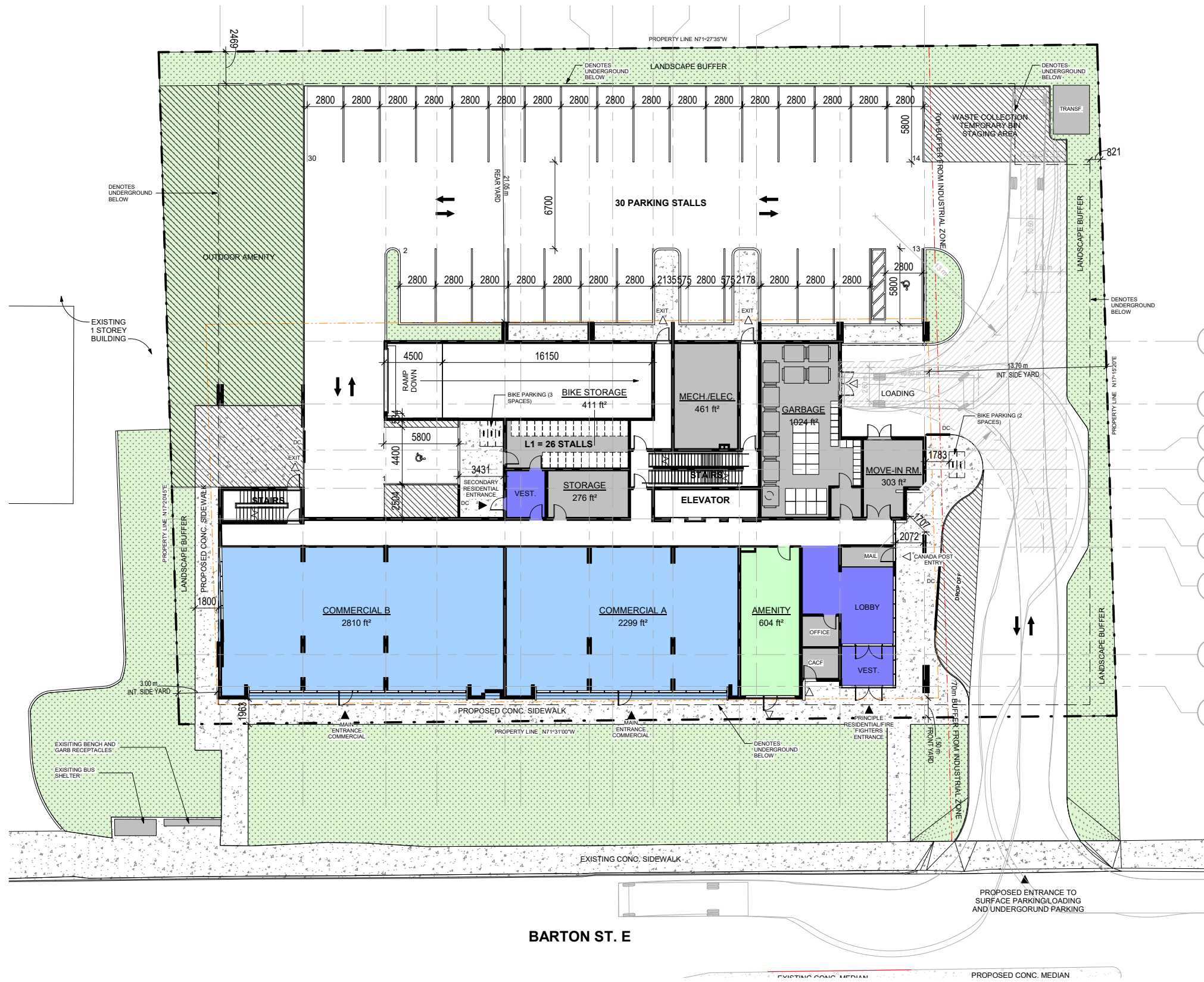
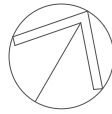
Image W: As shown in this rendering looking southeast, the proposed development will enhance the character of Barton Street E. by introducing a modern design aesthetic.

Summary of the Impacts of the Proposed Development

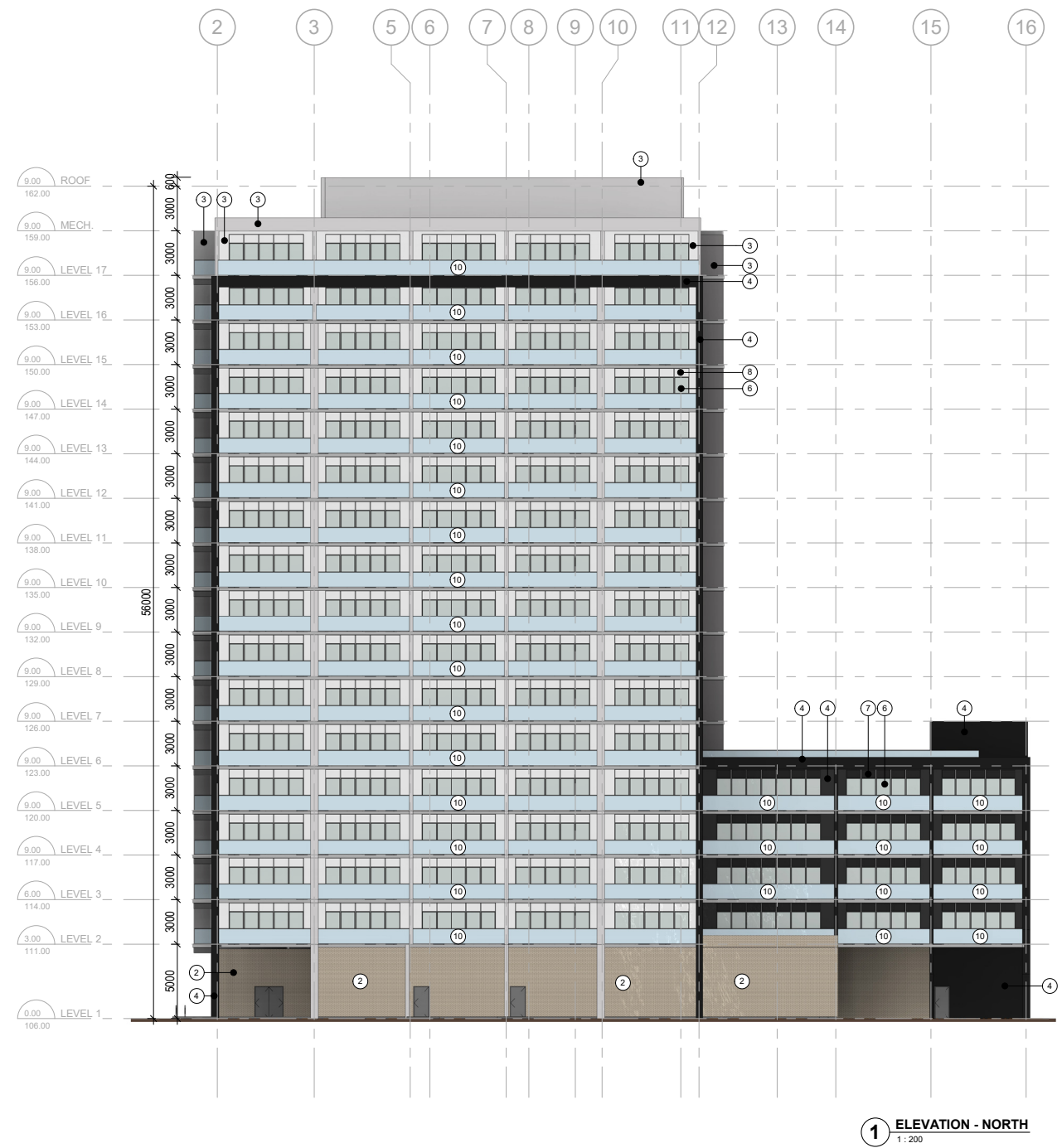
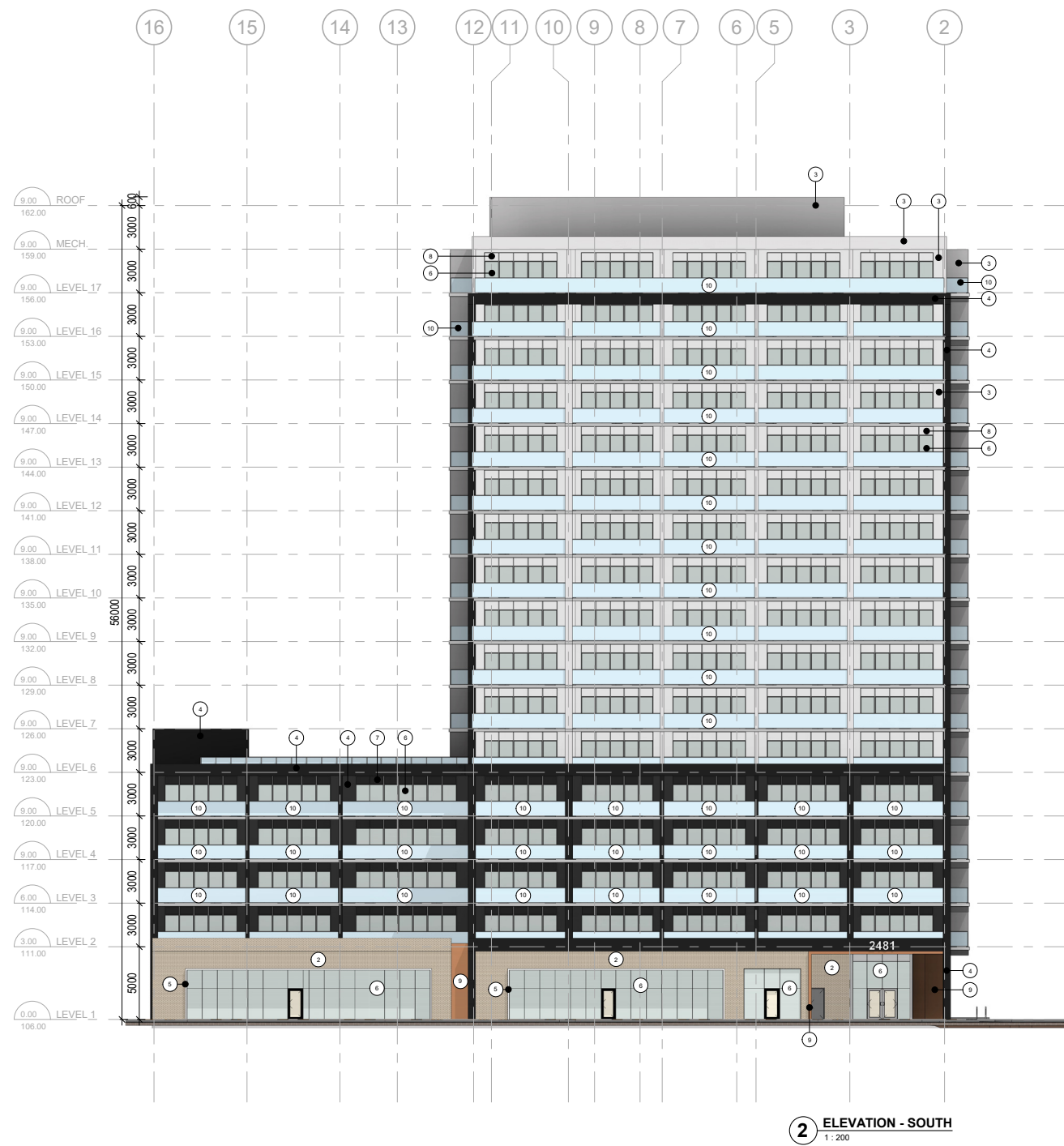
Overall, the proposed development will:

- Redevelop an underutilized parcel of land within Hamilton's built-up Urban Area;
- Assist in the transformation of the Centennial Node from a single-storey automotive-oriented built environment to a multiple-storey mixed-use area.
- Increase and diversify the available housing options in the Lakely Neighbourhood as well as Hamilton overall;
- Increase day and night pedestrian activity along Barton Street E. through the inclusion of additional residents and retail activity;
- Optimize the use of existing municipal water and wastewater services;
- Support existing transit, including HSR routes 2, 44, and 56, as well as GO bus route 12; and
- Support the significant planned transit investments at the Centennial GO Station and the LRT Eastgate Square terminus station.

The proposed development concept has been professionally designed by SRM Architects Inc. and is shown on the next page in Figure 6, conceptual elevation drawings are shown in Figure 7, and 3D perspectives of the proposed development are shown in Figure 8.

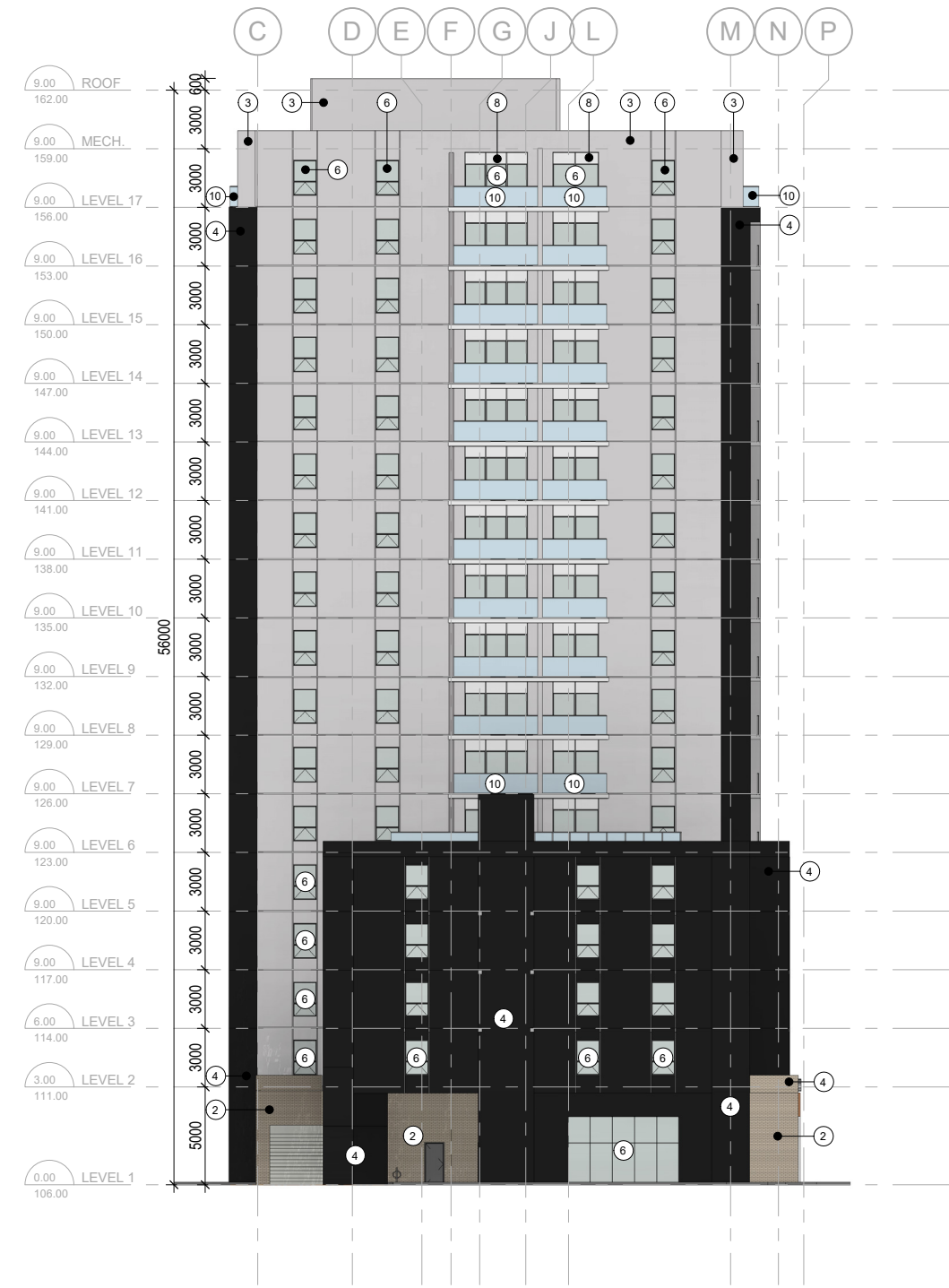


BARTON ST. E





2 03 A3 ELEVATION - WEST
1:200



1 03 A3 ELEVATION - EAST
1:200



West and East Elevations
Source: SRM Architects Inc. (April 2022)

Figure
8

2.1 Required Planning Applications

The initial development proposal reviewed through the Formal Consultation process (FC-21-062) identified that an Official Plan Amendment (OPA) and Zoning By-Law Amendment (ZBA) would be required to facilitate the proposed development.

An OPA was identified because the height of the original proposal exceeded 17-storeys; however, the proposed development has since been revised to conform with the height policies within the Centennial Neighbourhoods Secondary Plan. As such, only a ZBA is now required to implement the proposed development.

Required Zoning By-law Amendment (ZBA)

The subject site is currently zoned JJ (Restricted Light Industrial District) within Hamilton Zoning By-law 6593. The purpose of the requested Zoning By-law Amendment is to implement the “Mixed Use – High Density” designation within the Centennial Neighbourhoods Secondary Plan by rezoning the subject site to the Mixed Use High Density (C4) zone within Zoning By-law 05-200, along with the following site-specific modifications:

1. Permit a maximum height of 53.0 metres, whereas a maximum height of 40.0 metres is permitted; and
2. To permit a minimum westerly interior side yard of 3.0 metres, whereas 7.5 metres is required.

The planning rationale for rezoning the subject site as well as the requested zoning modifications is provided in Section 5.0, Planning Analysis, of this report, and a draft zoning by-law is appended in **Appendix A**.

3.0 SUPPORTING STUDIES

In addition to this Planning Justification Report, the Pre-Consultation Document (FC-21-062) identified the following report requirements for a complete application:

- Archaeological Study;
- Function Servicing Report & Stormwater management Report
- Environmental Site Assessment;
- Geotechnical Report;
- Hydrogeological Report;
- Land Use Compatibility Study;
- Noise Impact Study;
- Transportation Impact Study;
- Wind Study; and
- Pedestrian Level Wind Assessment.

The following is intended to provide a brief summary of the key findings and conclusions of each required study. However, each report should be reviewed in its entirety.

3.1 Archaeological Assessment Stage 1

Earthworks Archaeological Services Inc.; June 01, 2021

Earthworks Archaeological Services Inc. was retained by the previous owner (Premier Group Realty Inc.) to conduct a Stage 1 archaeological assessment

The results of geotechnical investigation determined that the study area has already been impacted by the construction of a residential structure at 2481 Barton Street East. Specifically, the borehole logs indicate deeply buried layers consisting of silty clay till fill and concrete until 84cm over brown silty clay till.

Based on the results of the Stage 1 background investigation, the study area does not contain archaeological potential due to subsurface disturbance, and as a result, no further archaeological assessments are recommended.

3.2 Function Servicing Report and Stormwater Management Report

WalterFedy Inc.; December 12, 2022

WalterFedy was retained by Premier Group to prepare a Functional Servicing Report in support of the proposed development. The report evaluated the serviceability of the proposed development with respect to sanitary wastewater, water, and stormwater management.

Based on the analysis presented therein, the report concludes that the subject site can be developed to satisfy the requirements of the City of Hamilton. The report recommends that:

- A 150 mm sanitary service be provided with an outlet to the existing 250 mm municipal sanitary sewer on Barton Street East.
- A 200 mm diameter water service connection be provided from the existing 300 mm watermain on Barton Street East, which will provide sufficient flow and pressures to support the proposed developments fire and domestic water demand. A new hydrant private fire hydrant will be installed to service the proposed Fire Department Connection.
- A 300 mm storm service be provided with an outlet to the existing 1050 mm storm sewer on Barton Street East. On-site quantity control will be provided to control all post-development flows to less than the 5-year pre-development flow rate via a 90 mm orifice plate and 95 m³ of underground storm tank storage.
- Quality control will be provided by an Hydrostorm HG-6 OGS.
- Erosion control measures will be implemented, monitored, and maintained during the construction period.
- This report be accepted in support of the proposed Rezoning Application.

3.3 Environmental Site Assessment Phase 2

Rubicon Environmental (2008) Inc.; Sept ember 11, 2020

Rubicon Environmental (2008) Inc. was retained by 2454184 Ontario Inc. to undertake a Phase II Environmental Site Assessment (ESA) for the proposed development.

The subject property was assessed using the Table 3 Full Depth Generic Site Condition Standards for residential land use, non-potable groundwater condition, coarse textured soil from the Ministry of Environment (MECP) document “Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act” (April 15, 2011), referred to as MECP Table 3 Site Condition Standards (SCS). This assessment was not completed for the purpose of filing a Record of Site Condition.

Based on Rubicon’s evaluation and interpretation of the background information obtained, four (4) Areas of Potential Environmental Concern was identified on the subject property. APEC #1 is located just west of the commercial building on site and is associated with a former UST and fuel pump. APEC #2 is located north of the commercial building on site and is associated with the former stockpiling of equipment / parts. APEC #3 is located along the eastern property boundary and is associated with an offsite auto garage operation. APEC #4 is located along the western property boundary and is associated with an operating gas station.

Rubicon Environmental (2008) Inc. completed the borehole drilling program at the subject property on August 25, 2020. Five (5) boreholes to a maximum depth of 6.0 m below grade level were

advanced. The location of the five (5) boreholes completed at the subject property was strategically placed to address the Areas of Potential Environmental Concern identified. VOC readings ranged from 0 ppm- 55 ppm within the field screening soil samples. In total, five (5) representative soil samples (Labelled as: BH1-SS6, BH2-SS3, BH3-SS1, BH4-SS6, BH5-SS1) and four (4) representative groundwater samples (Labelled as: MW01, MW02, MW03, MW04) were selected and /or collected for laboratory analysis. Bedrock was not encountered within the boreholes advanced.

The laboratory analytical results for all the soil samples analyzed showed that each of the locations and depths of samples submitted were below the applicable site condition standards. None of the potential contaminants of concerns which included; Volatile Organic Compounds (VOCs), Benzene, Toluene, Ethylbenzene and Xylenes (BTEX), Petroleum Hydrocarbons (PHC F1-F4) and Lead was present at concentrations greater than the applicable site condition standard, at any of the sampling locations

As a result of the findings of the Phase II ESA, it is the opinion of Rubicon Environmental (2008) Inc. that further environmental investigation is not warranted at this time.

The conclusions and recommendations provided above should be reviewed in conjunction with the entirety of the report. They assume the present design concept described throughout the report will proceed to construction. This report is solely intended for the construction dewatering assessments. Any changes to the design concept may result in a modification to the recommendations provided in this report.

3.4 Geotechnical Investigation

EXP Services Inc.; February 3, 2021

Barton Street Developments Inc. retained EXP Services Inc. to prepare a geotechnical report in support of the proposed development. The purpose of the investigation was to determine the subsoil and groundwater conditions at the site by advancing ten (1) boreholes ranging in depth from 5.8 to 11m below existing grade, and based on an assessment of the factual subsurface data, provide an engineering report containing general geotechnical recommendations pertinent to the proposed construction.

Building Foundation Recommendations:

Based on subsurface conditions, the proposed building may be supported on conventional spread and strip footings founded on silty clay till. Alternatively, caissons bearing on the shale bedrock may be a preferred option.

General Foundation Recommendations:

Conventional foundations in soil at difference elevations should be located such that higher footings are set below a line drawn up at 10:7, horizontal to vertical from the near edge of the lower footing. This requirement is not applicable for foundations in sound bedrock.

Excavations:

Excavations for 1 to 2 underground levels are expected to extend to depths of approximately 4 to 7m below existing grade. Excavations within the encountered overburden may be undertaken with a sufficiently size hydraulic excavator. Bedrock was encountered as high as 6.3m below grade at the borehole locations and varied between borings. Excavations proceeding into the weathered bedrock (Queenston Shale) will likely require the excavator be equipped with rock teeth. The use of rock breaking equipment, e.g., rippers or pneumatic rock hammers should be anticipate^{3d} in the sound shale or where thicker limestone interbedding is encountered.

Groundwater Control

Groundwater levels in the monitoring wells on site ranged from 2.3 to 5.5m below grade. For excavations above these levels, perched water for the fill as well as minor seepage from the nature soils should be anticipated. Groundwater should be anticipated during construction, but is expected to be controllable using conventional construction sump pumping techniques. However, if two level of basement are include and excavations extend below approximately 3 to 4 m then more significant dewatering should be anticipated.

Building Floor Slab-on-Grade and permanent Drainage

The basement floor slab-on-grade can be supported on the native soil.

3.5 Hydrogeological Investigation

Gradient Wind Engineering Inc.; Nov. 2021

Gradient Wind Engineering Inc. has been retained by Calloway REIT (Stoney Creek) Inc. to prepare a Roadway Traffic Noise Feasibility Assessment in support of the proposed development. The assessment is based on (i) theoretical noise calculation methods conforming to the Ministry of Environment, Conservation and Parks (MECP) guidelines, (ii) architectural drawings provided by Chamberlain Architect Services Ltd.; and (iii) future traffic volumes corresponding to roadway classification and theoretical capacity.

- When comparing the chemistry of the collected groundwater samples to the Hamilton-Wentworth Sanitary Sewer Discharge Criteria (Table 1), only Dissolved Sulphate (SO₄) exceeded Table 1.
- When comparing the chemistry of the collected groundwater samples collected to the Hamilton-Wentworth Storm Sewer Discharge Criteria (Table 2), only Total Suspended Solids exceeded Table 2.
- Based on the assumptions outlined in this report, the estimated peak dewatering pumping rate for proposed construction activities is approximately 65 and 70 m³/day for one (P1) or two (P2) levels of underground parking, respectively. As the dewatering flow rate estimate is between 50 m³/day and 400 m³/day, an EASR would be required to

facilitate the construction dewatering program for the subject site. The EASR would be required mainly to remove stormwater from the excavation.

- It is noted that the City of Hamilton does not permit any post construction foundation. As a result, the underground levels will need to be made watertight without any foundation drains (sub-slab and perimeter) and designed for full hydrostatic pressure.
- The construction dewatering volumes is based on the assumptions outlined in this report. Any variations in hydrogeological conditions beyond those encountered as part of this investigation may significantly influence the discharge volumes.
- For the short-term dewatering system (construction phase), it is anticipated that TSS levels and some other parameters (for example, Total Metals) in the pumped groundwater may become elevated and exceed both, Sanitary and Storm Sewer Use By-Law limits. To control the concentration of TSS and associated metals, it is recommended that a suitable treatment method be implemented (filtration or decantation facilities and/ or any other applicable treatment system) during construction dewatering activities to discharge to the applicable sewer system. The specifications of the treatment system will need to be adjusted to the reported water quality results by the treatment contractor/process engineer.
- As per the MECP technical requirement for PTTW and EASRs, the geotechnical assessment of the stability of the soils due to water taking (ex: settlement, soil loss, subsidence etc.) is required. The water taking should not have unacceptable interference on soils and underground structures (foundations, utilities etc.). A letter related to geotechnical issues as it pertains to the subject site is required to be completed under a separate cover.
- An agreement to discharge into the sewers owned by the City of Hamilton will be required prior to releasing dewatering effluent.
- The EASR registration allows construction dewatering discharge of up to 400 m³/day. A Discharge Plan (dewatering sketch, sewer discharge agreement) must be developed and applied for any discharges from the subject site. The Discharge Plan and monitoring for both water quantity and water quality must be carried at the subject site during the entire construction dewatering phase. The daily water taking records must be maintained onsite for the entire construction dewatering phase. The EASR, Discharge Plan, hydrogeological investigation report, and geotechnical assessment of settlements must always also be available at the construction subject site for the entire construction dewatering. EXP should be notified immediately about any changes to the construction dewatering schedule or design, since EASR will need to be updated to reflect these modifications. The hydrogeological report, EASR, Discharge Plan and geotechnical assessment constitutes the Water Taking Plan which needs to be available onsite for the duration of construction dewatering.
- In conformance with Regulation 903 of the Ontario Water Resources Act, the installation and eventual decommissioning of any dewatering system wells or monitoring wells must

be completed by a licensed well contractor. This will be required for all wells that are no longer in use

3.6 Land Use Compatibility Study

Gradient Wind Engineering Inc.; April 7, 2021

Gradient Wind Engineering Inc. (Gradient Wind) has been retained by Barton Street Developments Inc. to undertake a land use compatibility study for the proposed development located at 2481 Barton Street East in Hamilton, Ontario.

- (i) In keeping with standard building construction and good engineering practice, as well as City of Hamilton and MECP guidelines, the following comments and recommendations are provided to be incorporated into the design of the building to ensure indoor air quality is maintained for the proposed development:
- (ii) Based on the findings of this report, Gradient Wind concludes that the residential sensitive land use is feasible.
- (iii) The development meets the minimum setback distance from established industries operating with a valid ECA for all off-site properties.
- (iv) A stationary noise assessment shall be conducted at a future stage of development to assess off-site impacts from the development, and on-site impacts from the surrounding properties.
- (v) In line with standard building practices, design, install, operate, and maintain air filtration at the fresh air intakes of the mechanical systems serving all habitable areas, including the addition of air conditioning. The areas that would not require filtered air would be parking garages and utility spaces. Minimum Efficiency Reporting Value (MERV) 8 certification filters should be used for this development in all occupied spaces. Details of the air filtration system will be designed by the mechanical engineers during the detailed design phase.
- (vi) Under reasonable future growth scenarios for roadway traffic volume, technological improvements and more stringent emission standards will likely result in lower emissions and improved air quality for the site over time.

3.7 Transportation Impact Study

Paradigm Transportation Solutions Limited.; May 2022

PTSL was retained to conduct a TIS including following scope of work:

- An assessment of the current traffic and site conditions within the study area;
- Estimates of background traffic growth;
- Estimates of additional traffic generated by the Site;
- Operational analyses to assess the traffic impact on the surrounding road network; and

- Recommendations to mitigate the site generated traffic in a satisfactory manner if required.

PTSL provides the following conclusions

- **Study Area:** The intersections that form the study area include the Barton Street East intersections with Centennial Parkway North and the Intersection Pedestrian Signal just east of Covington Street.
- **Existing Traffic Conditions:** The Barton Street East/Centennial Parkway North intersection operates poorly under existing conditions. It is noted under the PM peak hour critical movements are identified on all intersection approaches.
- **Site Description:** The development concept is a mixed-use building containing 207 residential units and 475 m² (~5,000 sq.ft.) of ground floor retail space. Build-out is anticipated to occur by Year 2026 with timing subject to market conditions. Vehicle access is proposed by a restricted right-in/right-out driveway to Barton Street East located approximately 115 metres east of Centennial Parkway North.
- **Development Generated Traffic:** The subject site is estimated to generate approximately 69 new AM peak hour trips and approximately 89 new PM peak hour trips. No modal split reductions have been applied.
- **Forecast Traffic:** A five-year study horizon (Year 2031) from the anticipated build-out is assessed. The future traffic volumes near the subject site are estimated to consist of generalized background traffic growth at a rate of 2% per annum (compounded), traffic generated by adjacent other area background developments, and traffic generated by the subject site.
- **Background Traffic Conditions:** The existing capacity issues at the Barton Street East/Centennial Parkway North intersection are forecast to be exacerbated with background growth and consideration of site traffic contributions from the other area background development. The overall intersection v/c ratio for the intersection is forecast to exceed 1.00.

The westbound through lanes at the Intersection Pedestrian Signal east of Covington Street is forecast operate within capacity; however, is noted to be approaching capacity with a reported v/c ratio of 0.85.

- **Total Traffic Conditions:** The capacity issues forecast to occur under the background traffic horizon are forecast with, or without the development of the subject site. Further noting no additional critical movements are forecast at Barton Street East/Centennial Parkway North with the addition of site generated traffic.

The site driveway is expected to operate at a good level of service with delays in the LOS A range and with v/c ratios of less than 0.55 (i.e., well within capacity). The queue length of the driveway approach is forecast to be less than 70 metres (i.e., approximately 10

vehicles) and will be contained within the site. This vehicular queue is not expected to impact on-site circulation.

- **Remedial Measures:** The City of Hamilton should continue to evaluate and maintain the existing signal timing plans.

Based on the findings of the study, PTSL recommends that:

- The applicant extend the existing median on Barton Street East to restrict inbound and outbound left-turns at the site driveway. The existing break in the median will also be closed;
- A one-way directional sign (Rb-21) be installed on the centre median island across from the site driveway. A no left-turn sign (Rb-12) be placed on the site driveway approach to Barton Street East per OTM guidance. Supplementary no left-turn signage may be required on the centre median; and
- The City of Hamilton continue to evaluate and monitor signal timing along the Barton Street East and Centennial Parkway North corridors. Future signal timings should be identified using real-world traffic volumes.

3.8 Pedestrian Level Wind Study

Gradient Wind Engineering Inc.; Dec. 12 2022

A Pedestrian Level Windy Study has been prepared by Gradient Wind Engineering Inc. to assess the wind conditions for the proposed development. Based on wind tunnel test results, meteorological data analysis, and experience with similar developments in the area, the report concludes that conditions over most pedestrian-sensitive areas within and surrounding the subject site will be acceptable for the intended pedestrian uses on an annual and seasonal basis. Exceptions include the residential lobby entrance and the grade-level outdoor amenity at the northeast corner of the site, for which mitigation is recommended.

Within the context of typical weather patterns, which exclude anomalous localized storm events such as tornadoes and downbursts, no areas over the study site were found to experience conditions that could be considered unsafe.

3.9 Sun Shadow Study

SRM Architects; Dec. 2022

Pursuant to the City's Guidelines for Sun Shadow Studies, SRM architects undertook a sun shadow study to determine the new net shadow impact on surrounding public and private amenity areas. The following conclusions were provided by SRM;

Conclusion: March 21st.

- No impact on public realm, plaza, parks or green spaces.

- Adjacent car dealership is not greatly impacted and receives more than 50% sun coverage, i.e. 7 hours of sunlight within a typical day (not including sunlight caused by existing buildings).
- Adjacent gas station is not greatly impacted and receives more than 50% sun coverage, i.e. 7 hours of sunlight within a typical day (not including sunlight caused by existing buildings).
- Adjacent industrial property is not greatly impacted and receives more than 50% sun coverage, i.e. 7 hours of sunlight within a typical day (not including sunlight caused by existing buildings).
- Sidewalk adjacent to Barton Street is not impacted by shadows.
- Sidewalk adjacent to Centennial Parkway receives around 11 hours of sunlight a day.
- The proposed development does not have any impact on any existing surrounding residential buildings

Conclusion: September 21st.

- No impact on public realm, plaza, parks or green spaces.
- Proposed development is not located within the Downtown Hamilton area.
- Adjacent car dealership is not greatly impacted and receives more than 50% sun coverage, i.e. 7 hours of sunlight within a typical day (not including sunlight caused by existing buildings).
- Adjacent gas station is not greatly impacted and receives more than 50% sun coverage, i.e. 7 hours of sunlight within a typical day (not including sunlight caused by existing buildings).
- Adjacent industrial property is not greatly impacted and receives more than 50% sun coverage, i.e. 7 hours of sunlight within a typical day (not including sunlight caused by existing buildings).
- Adjacent commercial plaza is not greatly impacted and receives more than 50% sun coverage, i.e. 8 hours of sunlight within a typical day (not including sunlight caused by existing buildings).
- Sidewalk adjacent to Barton Street is not impacted by shadows.
- Sidewalk adjacent to Centennial Parkway receives around 11 hours of sunlight a day.
- The proposed development does not have any impact on any existing surrounding residential buildings

Overall, the new net shadows cast by the proposed development meet the City’s sun-shadow criteria and sufficient levels of sunlight are provided to surrounding private and public amenity spaces.

3.10 Urban Design Brief

GSP Group Inc.; Dec. 2022

GSP Group Inc. prepared and Urban Design Brief which considered the following:

- the site’s existing conditions and attributes;

- the Site's contextual relationships with the neighbourhood and surrounding area; and,
- the applicable design-related policy and guidelines.

The study then assesses how the design of the proposed development responds to the policy and guidelines direction; and final provides final conclusions and recommendations.

The proposed development is an appropriate expression of a high-rise building form that is compatible with the surrounding built form context and is generally in keeping with the policy direction of the Urban Hamilton Official Plan including the Centennial Neighbourhood Secondary Plan and respects and reflects the intent of relevant design guidelines, particularly the Tall Building Guidelines, and Corridor Principles and Design Guidelines. We base this statement on the following conclusions:

1. The site is appropriately sized and configured for a tall building per the general parameters of the Tall Building Guidelines.
2. The proposed development appropriately reflects the height and scale for a Mixed-use High Density designation, and the corridor scale of Barton St. E.
3. The scale and articulation of the building base reinforces the corridor scale of the Barton St. E. and reflecting the abutting low-rise context.
4. The building base positioning closer to street edge together with a transparent and active frontage facade reinforces an intimate and attractive, pedestrian-friendly public realm while the podium meets the angular plane from Barton St. E.
5. The building tower is positioned to meet the separation guidelines and provide step-backs to distinguish from the building base.
6. The tower has distinct cladding material and colour from the building base, and the mechanical penthouse room is integrated with the building's architecture and screened from public view.
7. The tall building form is supported by the shadow and wind studies demonstrating that there are no significant impacts related to shadow impact or pedestrian level wind conditions
8. With the application of various step-backs, architectural expression, and high quality materials, the proposed buildings will have a positive contribution to the city's skyline.
9. All parking and servicing facilities are placed in an enclosed parking garage, behind active uses and away from the public streets.

4.0 PLANNING POLICY FRAMEWORK

The following is intended to provide a review and highlight the planning policy framework applicable to the subject site. These policy documents include: the *Planning Act*, the Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Urban Hamilton Official Plan, and the former City of Hamilton Zoning By-law No. 6593 and City of Hamilton Zoning By-law 05-200 .

4.1 Ontario Planning Act, R.S.O. 1990, c. P.13

Section 2 of the *Planning Act* sets out matters of Provincial Interest when considering and carrying out responsibilities under the Act. The following table provides an analysis of the Subject Applications in response to the prescribed Provincial interest:

Table 1 Provincial Interest in regard to Subject Applications

| Provincial Interest | Policy Response |
|---|---|
| a) The protection of ecological systems, including natural areas, features and functions | The subject site is not located in a Natural Heritage System as per Ministry of Natural Resources and Forestry online mapping. The subject site is not incumbered by any natural heritage features as per Schedule B—Natural Heritage System of the Urban Hamilton Official Plan. |
| b) The protection of the agricultural resources of the Province | The subject site is located within Hamilton’s Urban Area and therefore does not endanger the Province’s agricultural resources. |
| c) The conservation and management of natural resources and the mineral resource base | The subject site is not located in a Mineral Resource Area as per Appendix C: Non-Renewable Resources of the UHOP. |
| d) The conservation of features of significant architectural, cultural, historical, archaeological or scientific interest | There appears to be no cultural heritage resources on or adjacent to the subject site as per the City of Hamilton’s online heritage mapping. |
| e) The supply, efficient use and conservation of energy and water | The proposed development will utilize existing energy and water infrastructure. |

Table 1 Provincial Interest in regard to Subject Applications

| Provincial Interest | Policy Response |
|---|--|
| f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems | The proposed development will utilize existing water and wastewater infrastructure. As outlined in Section 1.5 of this Report, the proposed development will utilize and support HSR routes 2, 44, and 56, and GO bus route 12, as well as the future LRT station at Eastgate Square. |
| g) The minimization of waste | N/A |
| h) The orderly development of safe and healthy communities; the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies | <p>To ensure safe access for persons with disabilities, the proposed development includes 6 barrier free parking spaces.</p> <p>In addition, through the building permit process, the proposed development will be required to demonstrate compliance with the Ontario Building Code, which includes barrier-free design provisions.</p> |
| i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities | N/A |
| j) The adequate provision of a full range of housing, including affordable housing | The proposed development would contribute and diversify the local housing stock by providing an additional 207 residential dwelling units. |
| k) The adequate provision of employment opportunities | The proposed development will provide employment opportunities through the construction period and through the provision of 475m ² retail space at ground level. |
| l) The protection of the financial and economic well-being of the Province and its municipalities | The proposed development will protect the financial and economic well-being of the Province and the City of Hamilton by optimizing the use of existing infrastructure and services within Hamilton’s Urban Area. |
| m) The co-ordination of planning activities of public bodies | N/A |
| n) The resolution of planning conflicts involving public and private interests | N/A |

Table 1 Provincial Interest in regard to Subject Applications

| Provincial Interest | Policy Response |
|---|---|
| o) The protection of public health and safety | N/A |
| p) The appropriate location of growth and development | <p>The Proposed Development is an appropriate location of growth and development as it is in an underutilized property located within Hamilton's delineated built-up area with significant frontage along an arterial road (Barton Street East).</p> <p>Within the UHOP, the Overall Proposed Development is located in the Centennial Node, which is planned to transition over time from a single-storey automobile dominated environment to a multiple-storey mixed use built-form; and the proposed development will assist in achieving this vision. The Centennial Node is one of only two Sub-Regional Service Nodes in the City of Hamilton. Sub-Regional Service Nodes shall be planned to accommodate a significant proportion of the City-wide residential intensification over the time period of the UHOP (Policy Vol. 1, E.2.3.2.8).</p> <p>According to the Centennial Nodes Secondary Plan the Subject site is also within the Higher Order Transit Area to support the Confederation GO Station. The addition of dwelling units in this location is appropriate.</p> <p>The subject site is also served by existing transit facilities and would support the significant transit investments planned for the Centennial Node, as outlined in section 1.5 of this report.</p> <p>In consideration of the existing water and wastewater infrastructure, community facilities, education facilities, park, and existing transit infrastructure (see Figure 2), the subject site is an appropriate location for growth and development.</p> |

Table 1 Provincial Interest in regard to Subject Applications

| Provincial Interest | Policy Response |
|---|--|
| <p>q) The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians</p> | <p>As outlined in Section 1.5 of this report, the proposed development will utilize and support HSR bus routes 2, 44, and 56, and GO Bus Route 12. The proposed development would also support the significant transit investments planned for the Centennial Node in the form of train service at Centennial GO Station and the Eastgate LRT station. Both of these facilities can be accessed within a 13-minute walk from the subject site</p> |
| <p>r) The promotion of built form that,</p> <ul style="list-style-type: none"> (i) is well-designed, (ii) encourages a sense of place, and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant | <p>The proposed development has been professionally designed by SRM Architects Inc. to provide a safe, accessible, and attractive development for people to live and shop.</p> <p>An Urban Design Brief has been prepared by GSP Group (dated: Dec. 2021) and found that the proposed form, design and character of the proposed development is of quality urban design. The proposed design conforms to the policy direction of the Urban Hamilton Official Plan including the Centennial Neighbourhood Secondary Plan and respects and reflects the intent of the relevant design guidelines, particularly the Tall Building Guidelines.</p> |
| <p>s) The mitigation of greenhouse gas emissions and adaptation to a changing climate</p> | <p>The proposed development will assist in mitigation greenhouse gas emissions by supporting existing and planned transit facilities as outlined in section 1.5 of this report.</p> <p>From a design perspective, the base of the building has incorporated solid façade elements to reduce glazing and improve energy efficiency. Parking is contained entirely within the parking garage reducing heat island impacts.</p> |

4.2 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is issued under the authority of Section 3(1) of the *Planning Act* and came into effect on May 1, 2020. Section 3(5) of the *Planning Act* requires that decisions affecting planning matters be consistent with the PPS. The following policies, amongst others, apply to the proposed development.

Building Strong and Healthy Communities

The PPS provides guidelines to manage growth and promote efficient and resilient land use and development patterns, as follows:

“1.1.1 *Healthy, livable and safe communities are sustained by:*

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- 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;*
- c) *avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) *avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- 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;*
- f) *improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society; [...]*”

Settlement Areas

As shown in **Figure 9**, the subject site is located with Hamilton's built-up area, which is considered part of the Settlement Areas, where growth and development is to be focused, as outlined in the following policies:

- "1.1.3.1 Settlement areas shall be the focus of growth and development.*
- 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; and [...]*

With respect to Policy 1.1.3.2(f), the PPS provides the following definition for transit-supportive development:

"Transit-supportive: in regard to land use patterns, means development that makes transit viable, optimizes investments in transit infrastructure, and improves the quality of the experience of using transit. It often refers to compact, mixed use development that has a high level of employment and residential densities, including air rights development, in proximity to transit stations, corridors and associated elements within the transportation system. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives."

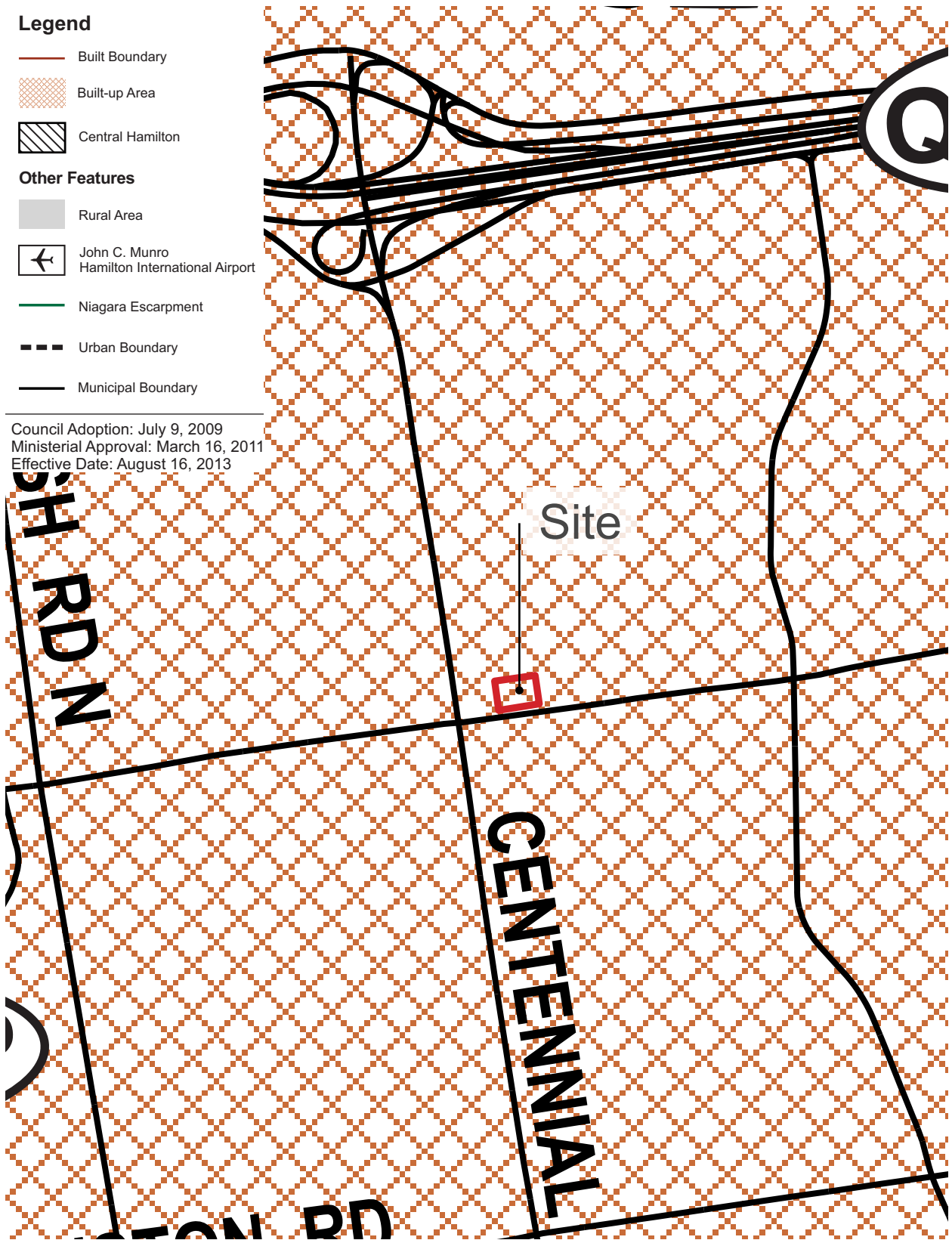
Legend

- Built Boundary
- Built-up Area
- ▨ Central Hamilton

Other Features

- Rural Area
- ✈ John C. Munro Hamilton International Airport
- Niagara Escarpment
- - - Urban Boundary
- Municipal Boundary

Council Adoption: July 9, 2009
Ministerial Approval: March 16, 2011
Effective Date: August 16, 2013



Centennial Neighbourhoods Secondary Plan -
Site Specific Policy Areas

Source: UHOP Centennial Neighbourhoods Secondary Plan Map B.6.7-4 (February 2021)

Figure
9

In addition, the following Settlement Area policies are also relevant to the proposed development:

- 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.”*
- 1.1.3.4 *Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*
- 1.1.3.5 *Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.”*

Housing

The PPS also provides the following direction on housing policy to meet the projected needs of current and future residents:

- “1.4.3 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*
 - [...]
 - b) *permitting and facilitating:*
 - 2. *all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
 - 3. *all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;*
 - c) *directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*

- d) *promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) *requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) *establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.”*

Sewage, Water and Stormwater

The PPS provides the following direction on the preferred method of servicing for new development:

“1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services.”

Transportation Systems

The PPS provides the following direction on making efficient use of existing transportation infrastructure:

“1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.

1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.”

Long-Term Economic Prosperity

The PPS contains policies related to securing the Province’s long-term prosperity, the following of which are applicable to the proposed development:

- “1.7.1 Long-term economic prosperity should be supported by:
[...]
- b) *encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
 - c) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
 - d) *maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
 - e) *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes; [...]*

Relevance of the Provincial Policy Statement (PPS) to the subject site:

An evaluation of the consistency of the proposed development against the relevant PPS policies identified in this section is provided in section 5.0, Planning Analysis of this report.

4.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

On May 16, 2019 “A Place to Grow: Growth Plan for the Greater Golden Horseshoe” came into effect, replacing the 2017 “Growth Plan for the Great Golden Horseshoe”. Amendment 1 (2020) to the Growth Plan for the Grater Golden Horseshoe 2019 was approved and came into effect on August 28, 2020 (“the Growth Plan”). The Growth Plan applies to the area designated as the Greater Golden Horseshoe Growth Plan Area which includes the entire City of Hamilton. All decisions that affect a planning matter must conform to the Growth Plan. The following is a summary of the policies applicable to the proposed modifications and how the policies of the Growth Plan have been addressed.

Guiding Principles

The Growth Plan provides a framework for implementing the Province’s vision for managing growth across the region to the year 2041. The successful realization of the Growth Plan is based on several Guiding Principles which provide the basis for guiding decisions on how land is to be developed. The Guiding Principles are outlined in Section 1.2.1 of the Growth Plan and include the following of which apply to the proposed development:

- “Support the achievement of *complete communities* that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.

- “Prioritize *intensification* and higher densities in *strategic growth areas* to make efficient use of land and *infrastructure* and support transit viability”
- “Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.”
- “Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.”

Managing Growth

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 high 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;*
- c) *provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; [...];*
- d) *expand convenient access to:*

- i. a range of transportation options, including options for the safe, comfortable and convenient use of *active transportation*;
 - ii. *public service facilities*, co-located and integrated in community hubs;
 - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
 - iv. healthy, local, and affordable food options, including through urban agriculture;
- e) provide for a more compact built form and a vibrant public realm, including public open spaces;”

Delineated Built-up Areas

Policy 2.2.2.1(a) provides that by the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, a minimum of 50% of all residential development occurring annually within the City of Hamilton will be within the delineated built-up area.

Policy 2.2.2.3 requires all municipalities to develop a strategy to achieve the minimum intensification target and intensification throughout the delineated built-up areas, which among other objectives, will:

- “c) *encourage intensification generally throughout the delineated built-up area;*
- d) *ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
- f) *be implemented through official plan policies and designations, updated zoning and other supporting documents.”*

Major Transit Station Area

The Growth Plan defines *Major Transit Station Areas* as follows:

“The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

Based on the above definition, the Centennial GO Station could be considered Major Station Transit Areas because it is within an 800m radius of the site. In addition, the planned LRT station at Eastgate Square is located 1.2km away from the site which is 400m shy of the 800m radius

requirement. **Figure 5** illustrates that the subject site is within the defined Major Transit Station Areas.

As per Policy 2.2.4, *major transit station areas* on *priority transit corridors* or subway lines will be planned for a minimum density target of:

- b) *160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit; or*
- c) *150 residents and jobs combined per hectare for those that are served by the GO Transit rail network.”*

Strategic Growth Areas

Furthermore, the definition of *Strategic Growth Areas* includes *major transit station areas*, as follows:

“Within *settlement areas*, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, *major transit station areas*, and other major opportunities that may include infill, *redevelopment*, *brownfield sites*, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials, or other areas with existing or planned *frequent transit* service or *higher order transit* corridors may also be identified as *strategic growth areas*.”

In addition to the above, the subject site is located within a Sub Regional Service Node, which is considered to be a strategic growth area by the City of Hamilton.

Relevance of the Growth Plan the subject site:

An evaluation of the consistency of the proposed development against the relevant Growth Plan policies identified in this section is provided in section 5.0, Planning Analysis of this report.

4.4 Urban Hamilton Official Plan (UHOP)

The City of Hamilton Urban Official Plan (“UHOP”) was adopted by City Council on July 9, 2009, approved by the Ministry of Municipal Affairs and Housing (“MMAH”) on March 16, 2011 and came into effect on August 16, 2013. The UHOP provides direction and guidance on the management of land use change and physical development within the City.

Urban Structure

Hamilton’s urban structure formally identifies how the City will physically grow over the long-term and provides a general high level land use vision for the City. The urban structure is based on a system of Urban Nodes, Urban Corridors, Major Activity Centres, Neighbourhoods, Employment Areas, and Major Open Space.

Schedule E of the UHOP illustrates that the site is within the Neighbourhoods Urban Structure Element. Schedule E-1 designates the subject site as Mixed-Use High Density. Similarly, the Centennial Neighbourhoods Secondary Plan also designates the site as Mixed Use – High Density.

Concerning Urban Nodes, there is a contrast between Schedule E of the UHOP and Map B.6.7-3 of the Centennial Neighbourhoods Secondary Plan. Schedule E of the UHOP as illustrated on **Figure 10** does not identify the site as forming part of the Eastgate Square Sub-Regional Service node, however the Centennial Neighbourhoods Secondary Plan Map as illustrated on Figure 12 clarifies that the site is within the Sub-Regional Service Node. As such, the policies of the Sub-Regional Service node are outlined in this sub-section and then analyzed in Section 5.0 of this report.

Regarding the planned urban structure, the subject site is located adjacent to the Secondary Corridor associated with Centennial Parkway North on Schedule E – Urban Structure (see **Figure 10**). The policies of the Secondary Corridor have also been outlined in this sub-section and then analyzed in Section 5.0 of this report.

As per Policy E.1.0, one of the stated goals of the urban structure is to:

- “g) *Promote and support appropriate residential intensification throughout the urban area and focused in Urban Nodes and Urban Corridors.*”

Urban Structure Elements

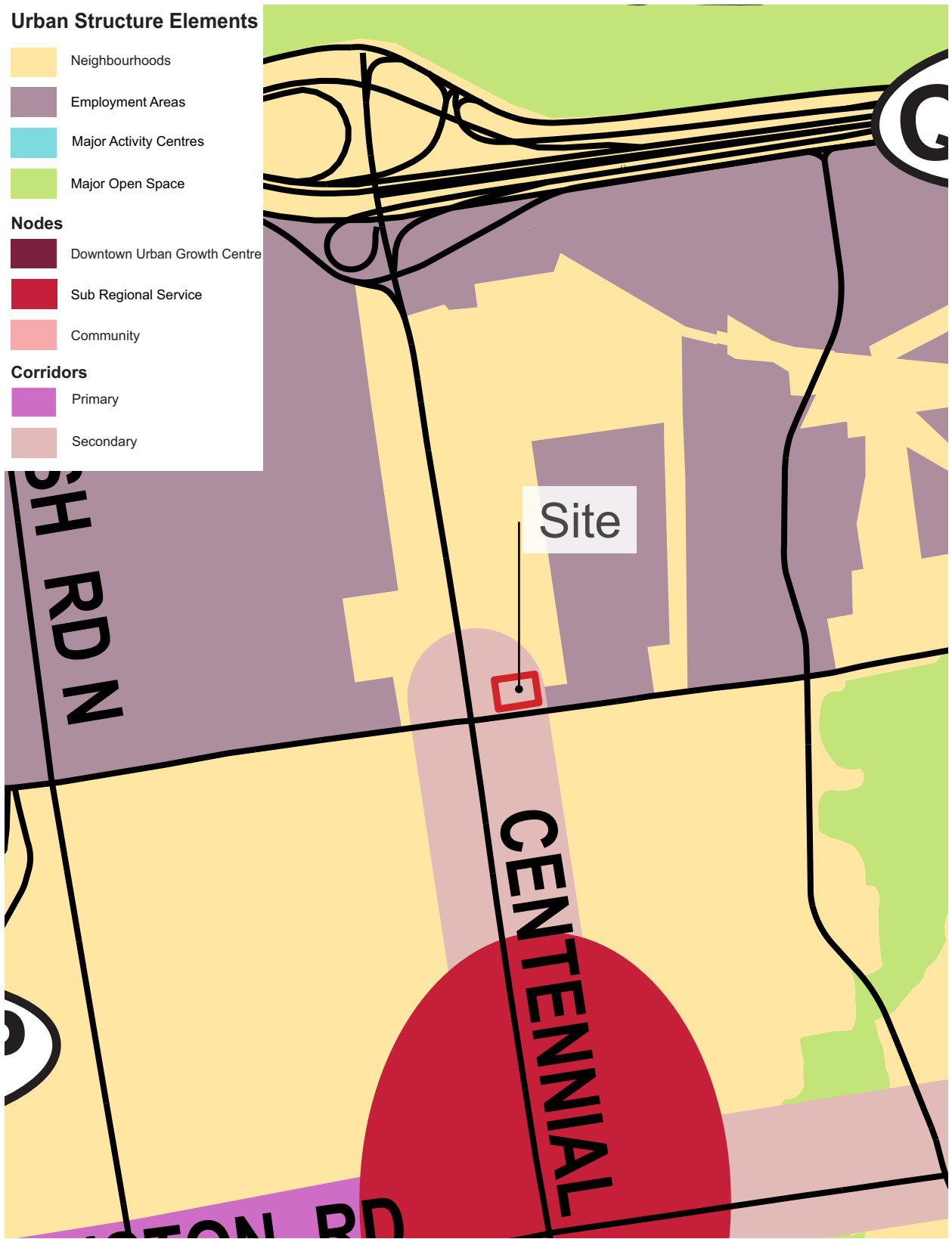
- Neighbourhoods
- Employment Areas
- Major Activity Centres
- Major Open Space

Nodes

- Downtown Urban Growth Centre
- Sub Regional Service
- Community

Corridors

- Primary
- Secondary



Urban Hamilton Official Plan - Urban Structure

Source: UHOP Schedule E (February 2021)

Figure

10

Sub-Regional Node: Eastgate Nodes

The policies for Sub-Regional Nodes are provided in Vol. 1, Section E.2.3.2 of the UHOP. The following policies with respect to the function of Sub-Regional Nodes apply to the proposed development:

- “2.3.2.2 Sub-Regional Service Nodes shall provide a range of uses that allow for access to housing, jobs, services, and recreation in close proximity to each other and may be accessible by higher order transit.*
- 2.3.2.3 Sub-Regional Service Nodes shall provide a regional retail function by providing retail stores and services to serve the needs of residents across the City and surrounding area as well as serving the weekly and daily shopping needs of residents within the Node and in surrounding neighbourhoods.*
- 2.3.2.4 Sub-Regional Service Nodes shall function as employment centres providing a range of employment largely in population serving offices, retail, personal services, and local institutions.*
- 2.3.2.5 Sub-Regional Service Nodes shall function as vibrant, mixed use areas with a large and diverse population. A range of housing types, including affordable housing and housing with supports, shall be encouraged. The predominant form of new housing shall be in medium and high density buildings.*
- 2.3.2.6 Sub-Regional Service Nodes play an important role in the future transit network in the City. Sub-Regional Service Nodes will contain major transit stations. The Nodes shall be designed to accommodate an increasing number of residents, visitors, and employees arriving via transit and other modes of transportation.”*

In addition, the following policies with respect to the scale of Sub-Regional Nodes apply to the proposed development:

- “2.3.2.7 Sub-Regional Service Nodes shall generally have some of the higher densities within the City with a target density of 100 to 150 persons and jobs per hectare across each node.*
- 2.3.2.8 Sub-Regional Service Nodes shall be planned to accommodate a significant proportion of the City-wide residential intensification over the time period of this Plan in accordance with Policy B.2.4.1.3.*

2.3.2.9 *The Sub-Regional Service Nodes shall contain a range of building heights and densities. To achieve the density targets, new development shall predominantly be in the form of multiple storey buildings with a mix of uses preferred.”*

Lastly, the following policies with respect to the design of Sub-Regional Nodes apply to the proposed development:

“2.3.2.12 *The Sub-Regional Service Nodes shall develop a pedestrian focus, particularly on the key retail and mixed use streets within the Nodes. A comfortable pedestrian environment shall be achieved through infilling with retail, service commercial, residential, and mixed use buildings.*

2.3.2.13 *Secondary plans prepared for each Node shall identify pedestrian focus streets. On pedestrian focus streets, buildings shall be built to the streetline with store fronts and other active uses opening onto the street. New development in other areas of the Nodes shall be designed and built to create a comfortable pedestrian environment. (OPA 69)*

2.3.2.14 *Sub-Regional Service Nodes shall contain a broad mix of uses, which will be achieved largely through a greater infusion of residential uses. The mixing of uses should be in the form of mixed use buildings or a mix of uses on the same property. Redevelopment of larger sites provides significant opportunities to transform the character of a Node. Therefore, on sites greater than 2.5 hectares, a mix of uses shall be required in major redevelopments. Addition of a parking structure in conjunction with an existing building shall not be considered a major redevelopment.*

2.3.2.15 *Sub-Regional Service Nodes shall be designed to provide for a transition of built form to adjacent Neighbourhoods and Urban Corridors.*

2.3.2.16 *Streets within Sub-Regional Service Nodes shall be designed to improve and promote active transportation within the Nodes and between other Nodes and surrounding Neighbourhoods.*

2.3.2.17 *To accommodate additional densities and support transit, parking areas shall, where feasible, be accommodated in underground or above ground structures. Surface parking shall be screened from the primary pedestrian streets by buildings. 2.3.2.18 Reductions in parking requirements shall be considered to encourage a broader range of uses and densities and to support transit.*

2.3.2.18 *Reductions in parking requirements shall be considered to encourage a broader range of uses and densities and to support transit.”*

Relevance of the urban structure of the UHOP to the subject site:

A fulsome analysis of the proposed development with respect to the planned urban structure, including the Centennial Node, is provided in section 5.0, Planning Analysis, of this report.

Secondary Corridor: Centennial Parkway

As previously mentioned, the site is adjacent to the Centennial Parkway Secondary Corridor. Included below are the policies of the Urban Corridor policies contained in Vol. 1, Section E.2.4 of the UHOP. The overall intent of the UHOP is to maintain and enhance the mixed use nature of the City’s corridors. The City’s corridors provide a significant opportunity for creating vibrant pedestrian and transit oriented places through investment in infrastructure, residential intensification, infill and redevelopment, and careful attention to urban design.

“2.4.3 *Urban Corridors shall be the location for a range of higher density land uses along the corridor, including mixed uses where feasible, supported by higher order transit on the Primary Corridors.*”

“2.4.5 *Secondary Corridors shall serve to link nodes and employment areas, or Primary Corridors.*”

“2.4.6 *Urban Corridors shall function as commercial spines providing retail stores and commercial services that cater primarily to the weekly and daily needs of residents within the surrounding neighbourhoods. Small scale retail stores that cater to a broader regional market may be also permitted.*”

“2.4.8 *Primary Corridors shall be served by the higher order of transit service. Secondary Corridors may be served by a higher order transit service.*”

Secondly, included below are the policies concerning the planned scale of Urban Corridors:

“2.4.10 *The built form along the Urban Corridors shall generally consist of low to mid rise forms, but will vary along the length of the corridors with some areas permitted to accommodate high density and high rise built form. The Primary Corridors shall have a greater proportion of the corridor length in retail and mixed use forms, while the Secondary Corridors shall generally accommodate retail and mixed use forms in small clusters along the corridors with medium density housing located between the clusters.*

2.4.11 *Urban Corridors shall be a focus for intensification through the Neighbourhoods which they traverse. However, it is anticipated that intensification will also occur within the surrounding Neighbourhoods,*

particularly on sites along other arterial roads that are not designated as Urban Corridors.

2.4.12 *Secondary Corridors are currently characterized, in large measure, by single use buildings. The intent of this Plan is to evolve the Secondary Corridors to an increasing proportion of multiple storey, mixed use buildings in small cluster locations with at grade retail and service commercial uses.”*

Finally, with respect to the design of Urban Corridors, the following policies apply to the proposed development:

“2.4.14 *Urban Corridors shall provide a comfortable and attractive pedestrian experience. (OPA 65)”*

“2.4.16 *New development shall respect the existing built form of adjacent neighbourhoods where appropriate by providing a gradation in building height. New development shall locate and be designed to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods. (OPA 98)*

2.4.17 *Reductions in parking requirements shall be considered in order to encourage a broader range of uses and densities to support existing and planned transit routes. (OPA 98)”*

Relevance of the Centennial Parkway Secondary Corridor to the subject site:

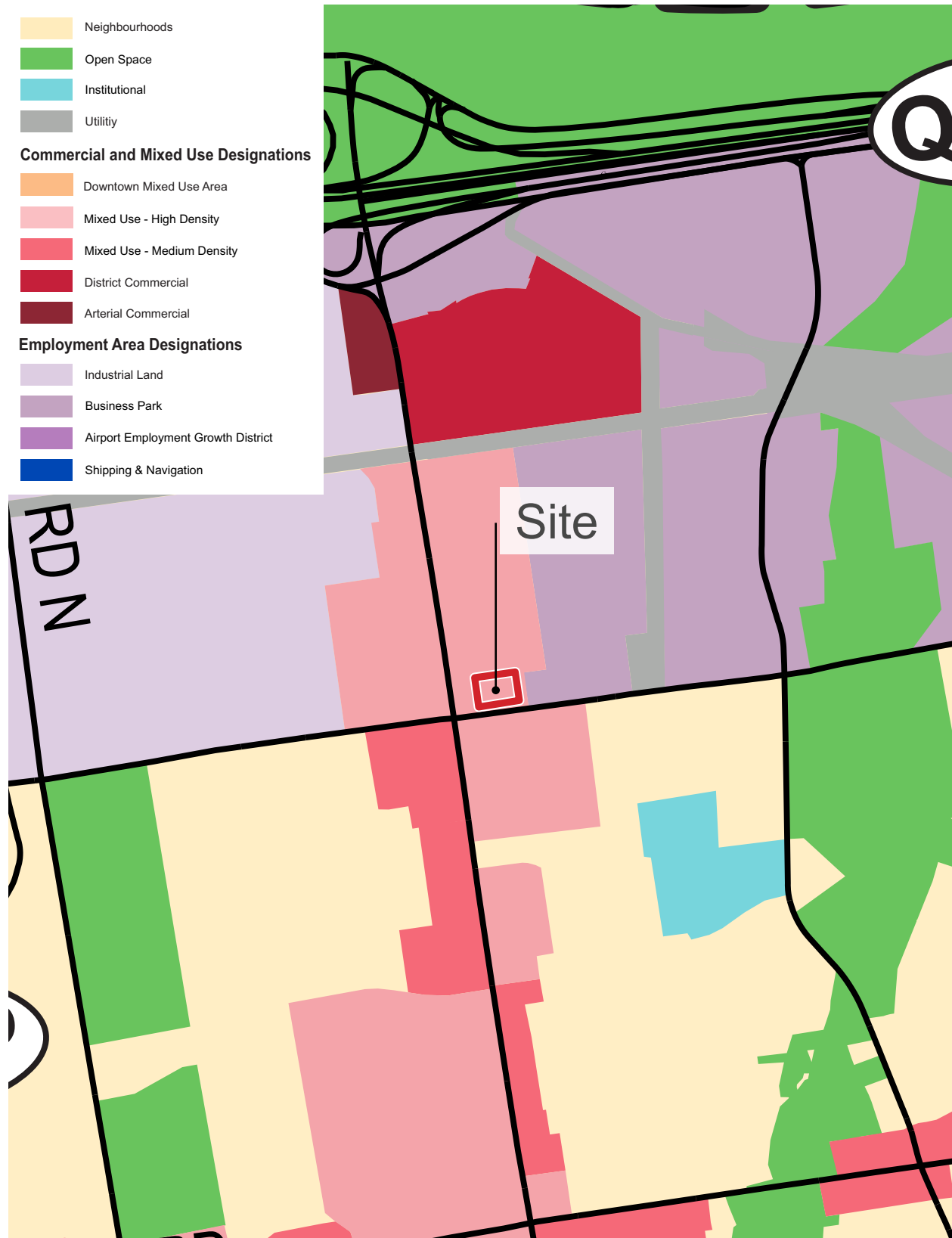
A fulsome analysis of the proposed development with respect to the planned urban structure, including the Centennial Parkway Secondary Corridor, is provided in section 5.0, Planning Analysis, of this report.

Urban Land Use Designation: “Mixed Use – High Density”

The subject site is designated “Mixed Use – High Density” on Schedule E-1 – Urban Land Use Designations (see **Figure 11**).

The “Mixed Use - High Density” designation permits a full range of retail, service commercial, entertainment, office and high density residential uses. Furthermore, new development should enhance the pedestrian ambience of the area and create a people place through the design and physical arrangement of retail and service commercial uses. The policies of the “Mixed Use – High Density” designation are contained in Vol.1, Section E.4.5 of the UHOP.

The following policies with respect to the planned function of the “Mixed Use - High Density” designation apply to the proposed development:



- “4.5.2 *Areas designated Mixed Use - High Density shall serve as a focus for surrounding communities, creating a sense of place for those communities. Retail and service commercial uses are a key element in maintaining that function and ensuring the continued vibrancy of Sub-regional Service Nodes.*
- 4.5.3 *Areas designated Mixed Use - High Density shall evolve into compact, mixed use people places where people can live, work and shop. To achieve this function, new development shall be designed and oriented to create comfortable, vibrant, and stimulating pedestrian oriented streets within each Mixed Use - High Density area.*
- 4.5.4 *It is also the function of the areas designated Mixed Use - High Density to serve as vibrant people places with increased day and night activity through the introduction of residential development. Residential development enhances the function of these areas as major transit hubs.*
- 4.5.5 *The following uses shall be permitted on lands designated Mixed Use - High Density on Schedule E-1 – Urban Land Use Designations:*
- a) *commercial uses such as retail stores, auto and home centres, home improvement supply stores, offices, medical clinics, personal services, financial establishments, live work units, artist studios, restaurants, gas bars and drive-through facilities;(OPA 64) [...]*
 - f) *multiple dwellings; and, [...]*”
- “4.5.7 *Areas designated Mixed Use - High Density shall contain a range of building heights and densities. To achieve the density targets set out in Sections E.2.3.2 – Sub-Regional Service Nodes and E.2.3.3 – Community Nodes, new development shall predominantly be in the form of multiple storey buildings with a mix of uses preferred.*
- 4.5.8 *Secondary plans shall provide greater direction on mix of uses, heights, densities, built form and design and shall establish a minimum density for commercial, residential and mixed use buildings.”*
- “4.5.10 *Permitted uses shall be located in both single and mixed use buildings.”*

Secondly, the following policies with respect to the design the “Mixed Use – High Density” designation apply to the proposed development:

- “4.5.12 *Areas designated Mixed Use - High Density are intended to develop in a compact urban form with a streetscape design and building arrangement supporting pedestrian use and circulation and the creation of a vibrant people place.*”
- “4.5.14 *Applications for new development shall demonstrate how the policies for a pedestrian focus street where applicable, and the creation of a vibrant people place are being achieved.*”
- “4.5.17 *Development applications shall be encouraged to provide a mix of uses on the site.*”
- 4.5.19 *New development shall respect the existing built form of adjacent neighbourhoods by providing a gradation in building height and densities, and by locating and designing new development to minimize the effects of shadowing and overview on properties in adjacent neighbourhoods.*
- 4.5.20 *Reduced parking requirements shall be considered to take advantage of the higher level of transit service to the Sub-Regional Service Nodes.*

Relevance of Mixed Use – High Density land use designation to the subject site:

A fulsome analysis of the proposed development with respect to the policies of the “Mixed Use – High Density – Pedestrian Focus” designation is provided in section 5.0, Planning Analysis, of this report.

Residential Intensification

The proposed development represents residential intensification and therefore the general residential intensification policies of the UHOP apply. The general residential intensification policies are contained in Vol. 1., Chapter B, Section B.2.4.1 of the UHOP and include the following evaluation criteria:

- “2.4.1.4 *Residential intensification developments shall be evaluated based on the following criteria:*
- a) *a balanced evaluation of the criteria in b) through g), as follows;*
 - b) *the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;*

- c) *the development's contribution to maintaining and achieving a range of dwelling types and tenures;*
- d) *the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;*
- e) *the development's contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;*
- f) *infrastructure and transportation capacity; and,*
- g) *the ability of the development to comply with all applicable policies.”*

Relevance of the residential intensification policies to the subject site:

The proposed development represents residential intensification and therefore must be evaluated against the criteria listed in Policy B.2.4.1.4. Accordingly, this evaluation is provided in the planning analysis in section 5.0 of this report.

Urban Design

The FC Document (FC-21-062) identified a number of urban design policies as being applicable to the proposed development. These urban design policies are provided next, followed by a policy evaluation:

- “3.3.2.4 *Quality spaces physically and visually connect the public and private realms. Public and private development and redevelopment should create quality spaces by:*
- a) *organizing space in a logical manner through the design, placement, and construction of new buildings, streets, structures, and landscaping;*
 - b) *recognizing that every new building or structure is part of a greater whole that contributes to the overall appearance and visual cohesiveness of the urban fabric;*
 - c) *using materials that are consistent and compatible with the surrounding context in the design of new buildings;*
 - d) *creating streets as public spaces that are accessible to all;*
 - e) *creating a continuous animated street edge in urban environments;*

- f) *including transitional areas between the public and private spaces where possible through use of features such as landscaping, planters, porches, canopies, and/or stairs;*
- g) *creating public spaces that are human-scale, comfortable, and publicly visible with ample building openings and glazing;*
- h) *creating, reinforcing, and emphasizing important public vistas and view corridors; and,*
- i) *minimizing excessive street noise and stationary noise source levels through the design, placement, and construction of buildings and landscaping.”*

“3.3.3.2 *New development shall be designed to minimize impact on neighbouring buildings and public spaces by:*

- a) *creating transitions in scale to neighbouring buildings;*
- b) *ensuring adequate privacy and sunlight to neighbouring properties; and,*
- c) *minimizing the impacts of shadows and wind conditions.”*

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

“3.3.3.5 *Built form shall create comfortable pedestrian environments by:*

- a) *locating principal façades and primary building entrances parallel to and as close to the street as possible;*
- b) *including ample glazing on ground floors to create visibility to and from the public sidewalk;*
- c) *including a quality landscape edge along frontages where buildings are set back from the street;*
- d) *locating surface parking to the sides or rear of sites or buildings, where appropriate; and,*
- e) *using design techniques, such as building step-backs, to maximize sunlight to pedestrian areas.”*

Relevance of the UHOP’s urban design policies to the subject site:

Please refer to the Urban Design Brief prepared by GSP Group Inc. and dated Dec. 2022.

4.5 Centennial Neighbourhoods Secondary Plan

The Centennial Neighbourhoods Secondary Plan was adopted by City Council as Official Plan Amendment (OPA) No. 92 on February 14, 2018. The LPAT approved a modified version of OPA No. 92 on October 2, 2019.

With the UHOP, the subject site is part of the Centennial Neighbourhoods Secondary Plan, the policies of which are contained in Vol. 2, Section 6.7 of the UHOP.

The Centennial Neighbourhoods Secondary Plan area is generally bounded by the Red Hill Valley Parkway to the west, Lake Avenue to the east, the Queen Elizabeth Way (QEW) to the north, and by local streets and properties just south of Queenston Road to the south

Principles of the Centennial Neighbourhoods Secondary Plan

The principles of the Centennial Neighbourhoods Secondary Plan are contained in Policy 6.7.2.1, including the following which apply to the proposed development:

- “e) Provide opportunities for mixed use development and intensification in strategic locations;*
- f) Promote transit-oriented development;*
- g) Provide a variety of housing choices;*
- h) Protect existing residential neighbourhoods from incompatible development;”*

Relevance of the Centennial Neighbourhoods Secondary Plan principles to the subject site:

By providing a mixed use, transit-oriented development, which represents intensification and will widen the variety of housing choices, the proposed development fulfills several of the principles of the Centennial Neighbourhoods Secondary Plan. The compatibility of the proposed development within the existing residential neighbourhood is evaluated in Section 5.0, Planning Analysis of this report.

General Land Use Policies

Policy 6.7.3.1 of the Centennial Neighbourhoods Secondary Plan provides general land use policies, of which the following apply to the proposed development:

- “b) Protect and enhance existing residential areas;”*
- “d) ensure compatibility between areas of different land uses, densities and heights;”*

- “g) Direct the majority of intensification to the Sub-Regional Service Node;”*
- “j) Promote and encourage appropriate development in proximity to higher order transit stations in support of and to take advantage of investment in public transit;”*

Relevance of the General Land Use policies to the subject site:

The compatibility of the proposed development with the existing residential neighbourhood is evaluated in Section 5.0, Planning Analysis of this report.

Urban Design Policies

Policy 6.7.3.2 of Centennial Neighbourhoods Secondary Plan provides design direction with respect to Urban Design, of which the following apply to the proposed development:

- “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;”*
- e) Promote interesting gateway and design features at Gateway Improvement Areas and Prominent Intersections identified on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections;*
- “g) Ensure appropriate transitions between different building heights and uses.”*

Policy Response:

A fulsome evaluation of the above urban design policies is provided in Section 5.0, Planning Analysis of this report.

In addition, 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:

- “a) Policies B.6.7.12.1 b) to n) shall apply to commercial and mixed use areas, institutional uses, townhouses and multiple dwelling developments. They shall not apply to employment areas and single detached, semi-detached and duplex dwellings.*
- 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).”*

Policy Response:

An Urban Design Brief has been prepared by GSP Group Inc. (dated Dec. 2022) and a Sun/Shadow Study has been prepared by SRM Architects (dated Dec. 2022) which together provide a demonstration of the required design elements noted in the above policy.

- “c) Development shall be consistent with the City-Wide Corridor Planning Principles and Design Guidelines.”*

Policy Response:

An evaluation of the proposed development against the City-Wide Corridor Planning Principles and Design Guidelines is provided in Section 4.6 of this report.

- “d) The City shall consider recommendations in the Streetscape and Public Realm Design Study described in Policy B.6.7.17 a) when evaluating development proposals.*
- e) Connections to existing active transportation features of the neighbourhood shall be provided through the provision of sidewalks and other amenities such as street furniture and short and long-term bicycle parking.*
- f) Landscaping shall form an integral part of all developments. Distinctive, high quality landscape elements shall be provided.*
- g) Sites shall incorporate a mix of hard and soft-scaping treatments to ensure a comfortable transition between public and private realm.*
- 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.”*

Policy Response:

A fulsome evaluation of the above urban design policies is provided in Section 5.0, Planning Analysis of this report.

The policies from Subsection 6.7.12.2 entitled “Gateway Improvement Areas and Prominent Intersections” apply to the site and are quoted below:

- “b) *A Prominent Intersection has been identified at the intersection of Barton Street East and Centennial Parkway North. A Prominent Intersection is not intended to portray a sense of arrival into the neighbourhood but is a visually prominent area which also requires special design considerations.*

- c) *Gateway and Prominent Intersection design shall be consistent with any design directions adopted by Council pursuant to Policy B.6.7.17 a), and with the recommendations of the Centennial Neighbourhoods Transportation Management Plan.”*

Policy Response:

A fulsome evaluation of the above Gateway Improvement Areas and Prominent Intersections policies is provided in Section 5.0, Planning Analysis of this report.

Centennial Sub-Regional Service Node (Centennial Node)

The focal point of the Secondary Plan is the Centennial Sub-Regional Service Node, or the “Centennial Node”, which is a major centre of retail activity for the City with a regional function. The subject site is located within the Centennial Node (see **Figure 12**), which is described as follows:

- “6.7.5 *[...] The Centennial Node has historically been characterized by predominantly single storey auto-oriented development. The Centennial Node is planned to transform over time to a multi-storey built form, through infilling, additions to existing buildings and redevelopment. This transformation will include the introduction of additional medium and high density residential uses in the Node. [...]*”

Relevance of the Centennial Node to the subject site:

At a fundamental level, the proposed development fulfills the overall planning vision of the Centennial Node to transform over time through infilling and redevelopment from a single-storey auto-oriented environment to a multi-storey built form consisting in part of high-density residential uses.

In addition to Section E.2.3.3.2 Sub-Regional Services Nodes of Vol. 1., Section 6.7.5 of the Centennial Neighbourhoods Secondary Plan provides further policy direction, of which the following apply to the proposed development:

- “a) The Centennial Node shall function as a mixed use area with retail uses, residential uses and other population serving employment uses such as but not limited to offices, personal services and local institutions. Retail shall be an important part of the Node, providing a regional function serving the needs of residents across the City and surrounding area as well as serving the weekly and daily shopping needs of residents within the Centennial Node and in surrounding neighbourhoods.”*
- b) The regional retail function of the Centennial Node is an essential part of the Node’s function, and is dependent on maintaining a significant amount of retail floor space in the Node. There are a number of large sites in the Centennial Node which contribute significantly to the existing overall retail floor space amount. Accordingly, where redevelopment is proposed on sites larger than 2 hectares which will reduce the amount of existing retail commercial uses, a retail impact study may be required which demonstrates to the satisfaction of the City that the planned retail function of the Centennial Node is not being negatively impacted.*
- c) The Centennial Node shall be the focus for commercial, residential and mixed use growth, development and intensification within the Centennial Neighbourhoods Secondary Plan. The majority of new development, particularly commercial and mixed use development, shall be directed to locate within the Node boundary.”*
- “f) The Centennial Node is planned to achieve a minimum density target of 100 people and jobs per hectare by the year 2031. It is anticipated that the Node will achieve a density between 100 and 150 persons and jobs per hectare by 2031. The Centennial Node may continue to increase in density beyond 150 persons and jobs per hectare after 2031 provided adequate infrastructure is available and the transportation network is functioning adequately to accommodate additional density.*
- “k) Where there is a Transition Area shown on all or a portion of a property shown on Appendix A – Centennial Neighbourhoods – Transition Areas, Policy B.6.7.13 shall apply.”*

Relevance of the function policies of the Centennial Node to the subject site:

The proposed development broadly conforms to the planned function of the Centennial Node.

Per Policy a) the proposed mixed use development includes a retail and residential component, and the balance of the subject site will continue to serve a regional retail function serving the needs of residents across the City and surrounding area.

With respect to Policy b), a Retail Impact Study was not identified as a requirement in the Formal Consultation Document.

The proposed mixed-use development conforms with Policy c), which states that the Centennial Node shall be the focus of commercial, residential, and mixed use growth, development, and intensification within the Centennial Neighbourhoods Secondary Plan; and further, the majority of new development, particularly, mixed-use development, shall be directed to locate within the Node Boundary.

Per Policy f) the Proposed Development is a great contributor to the minimum persons and jobs per hectare within the larger Centennial Node.

Per Policy k) a fulsome evaluation of the Neighbourhood Transition Area policies is provided in Section 5.3, Planning Analysis, of this report.

Land Use Designation: “Mixed Use – High Density – Pedestrian Focus”

The subject site is designated “Mixed Use – High Density – Pedestrian Focus” on Map B.6.7-1 – Centennial Neighbourhoods – Land Use Plan (see Figure 12) and is also identified as having a maximum building height of 12 storeys on Map B.6.7-2 – Centennial Neighbourhoods – Maximum Building Heights in the Node (see **Figure 13**).

Five additional storeys may be permitted above the 12 storeys shown on Map B.6.7-2 (for a total height of 17 storeys), without an amendment to the Secondary Plan, provided that the requirements outlined in Policy B.6.7.7.4 d) are satisfied. Policy B.6.7.7.4 is provided later in this section.

The general Commercial and Mixed Use Designation policies are contained in Section B.6.7.7 of the Centennial Neighbourhoods Secondary Plan. Commercial and mixed use areas are described as providing an important regional retail function, as well as meeting the daily and weekly retail needs of the surrounding neighbourhoods. Further, the mixed use areas within the Centennial Node are intended to transition over time to a compact, pedestrian focused and transit-supportive environment that supports higher order transit and major transit station areas.

Commercial and Mixed Use Designations

- Local Commercial
- Mixed Use - Medium Density
- Mixed Use - High Density
- District Commercial
- Arterial Commercial

Industrial Designations

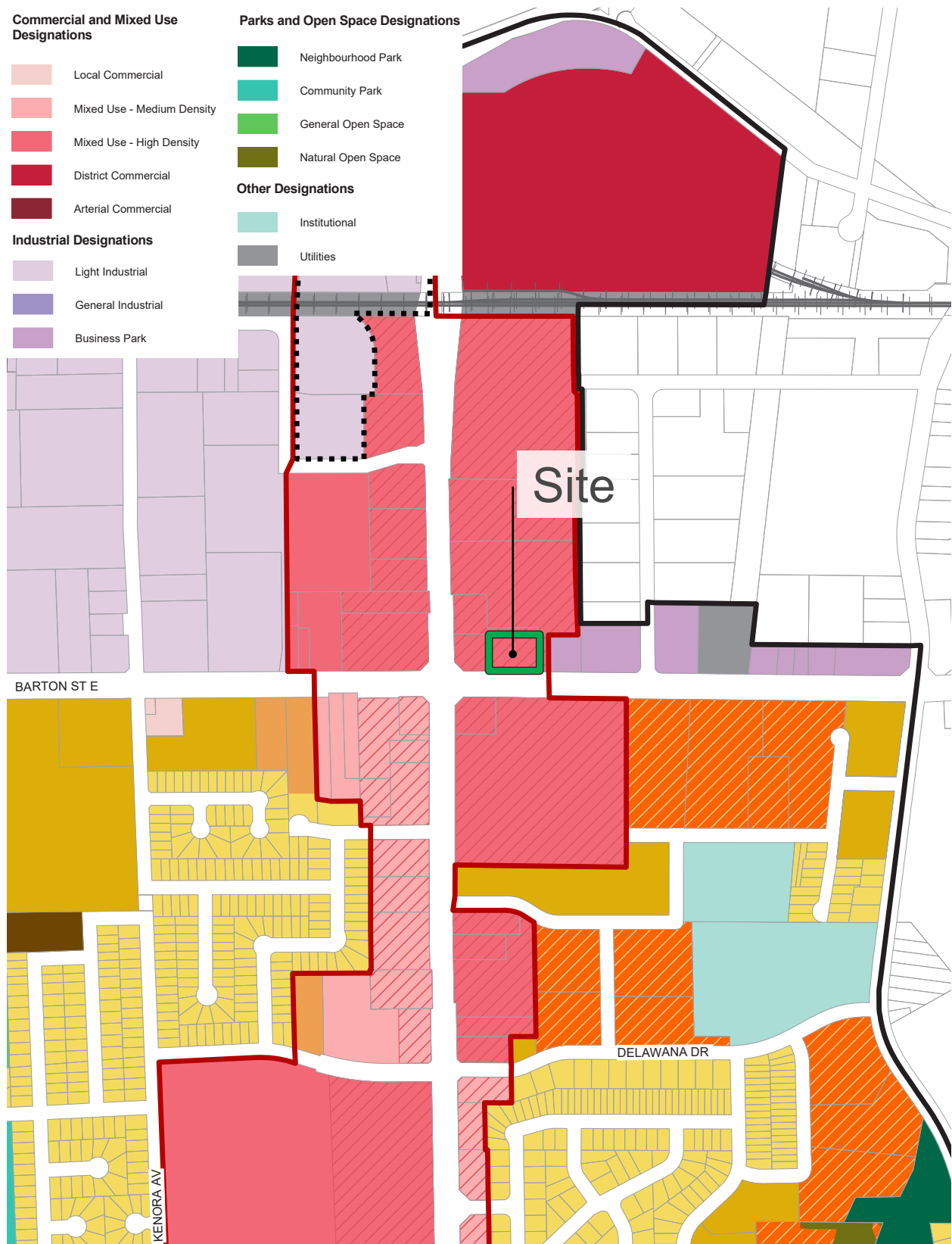
- Light Industrial
- General Industrial
- Business Park

Parks and Open Space Designations

- Neighbourhood Park
- Community Park
- General Open Space
- Natural Open Space

Other Designations

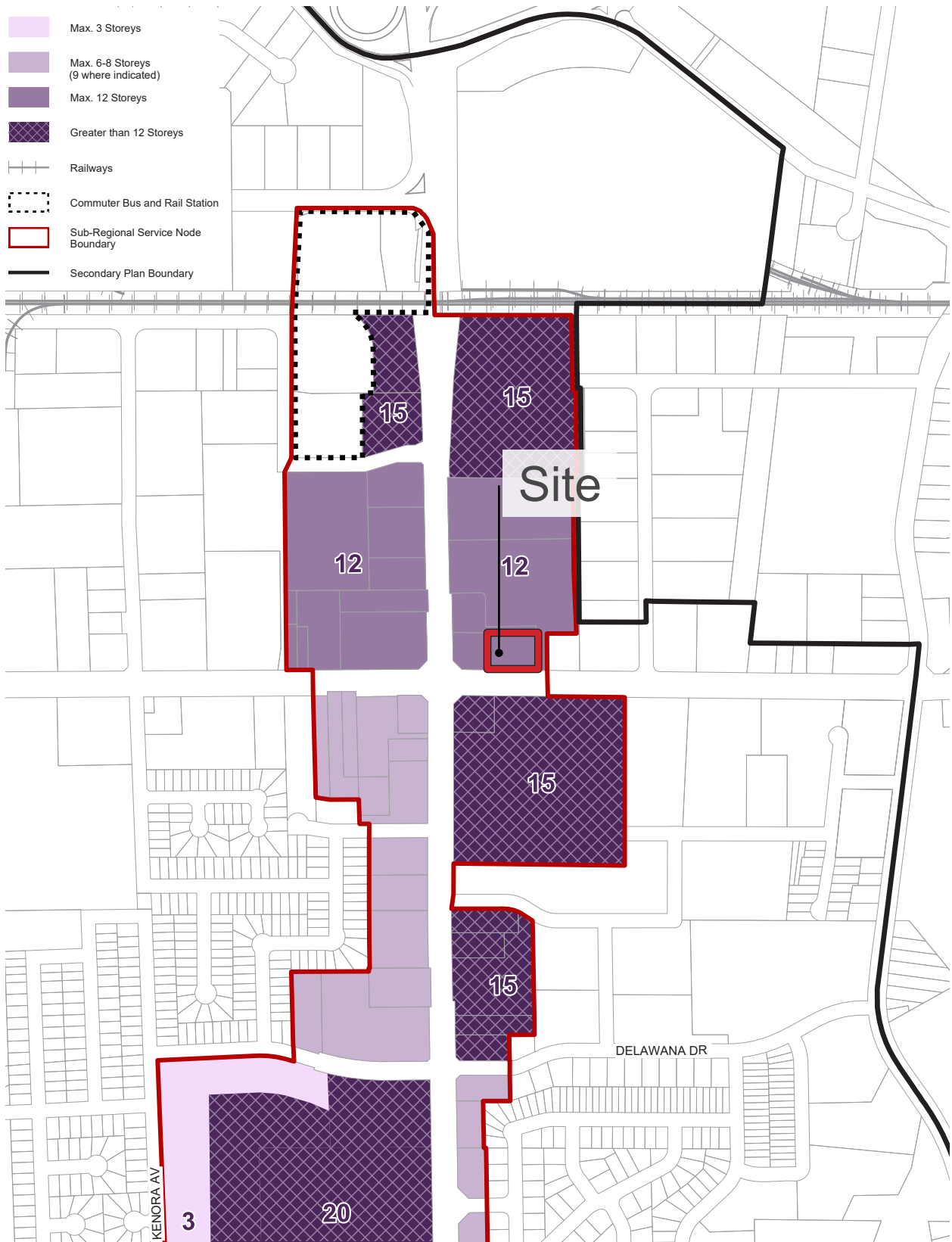
- Institutional
- Utilities



Centennial Neighbourhoods Secondary Plan -
Land Use Plan

Source: UHOP Centennial Neighbourhoods Secondary Plan Map B.6.7-1 (February 2021)

Figure
12



Centennial Neighbourhoods Secondary Plan - Maximum Building Heights

Source: UHOP Centennial Neighbourhoods Secondary Plan Map B.6.7-2 (February 2021)

Figure

13

Policy 6.7.7.2 contains General Commercial policies, of which the following are applicable to the proposed development:

- a) *Existing commercial areas shall evolve over time through infilling, additions to existing buildings and redevelopment into mixed use, pedestrian-oriented places.*
- b) *Development shall be consistent with the policies of Section 6.7.15 – Transportation and Connections.*
- c) *Adequate internal traffic circulation, parking, loading and manoeuvring facilities shall be accommodated on-site.*
- d) *The redevelopment of commercial areas is encouraged in a coordinated and comprehensive manner.*
- e) *New development shall balance the needs for improved pedestrian access, opportunities for active forms of transportation and accommodation of public transportation, including rapid transit, while existing automobile use and access.*
- f) *Development within the mixed use designations shall contribute to vibrant people places with increased day and night activity through the introduction of residential uses.*
- g) *As part of a mixed use building containing both residential and commercial uses, amenity space shall be provided exclusively for the residential component and shall be functionally separated from public areas associated with the commercial component.*
- h) *When major redevelopment occurs on a site larger than 2.5 hectares existing as of the date of approval of this Plan, the redevelopment shall include an appropriate mix of uses, in accordance with Policy E.2.3.2.14 of Volume 1. The Zoning By-law shall define the proportion of commercial and non-commercial uses to be provided on a site.”*

Relevance of the general commercial policies to the subject site:

An evaluation of the proposed development with respect to the General Commercial policies of the Centennial Neighbourhoods Secondary Plan is provided in Section 5.0, Planning Analysis of this report.

In addition to Vol. 1, Section E.4.5 of the UHOP, the following policies contained in Vol. 2, B.6.7.7.4 provide policy direction for the “Mixed Use – High Density” designation:

- 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 this policy.”*

Policy Response:

As per Policy B.6.7.7.4 c), the intended form of residential development is high density building(s) that achieve a minimum density of approximately 100 units per hectare or greater for the portion that is being developed. Accordingly, the density of the proposed development measures 550 dwelling units per hectare.

An evaluation of the criteria listed in Policy B.6.7.7.4 d) pertaining to the maximum permitted building height is contained in Section 5.0, Planning Analysis, of this report.

Pedestrian Focus Streets

The subject site is identified as a “Pedestrian Focus Street” (see **Figure 12**) and therefore the policies of Vol. 1, Section E.4.3 of the UHOP apply, of which the following are applicable to the proposed development:

- a) A minimum of 75% of the block face located between two roads shall be developed with buildings.*
- b) Buildings shall be built up to the streetline and parking, driveways or lanes shall not be permitted between the buildings and the street, except as set out in E.4.3.4 g).*
- c) Each building or store front shall face onto the pedestrian focus street with the main entrance of each building or store and substantial fenestration facing on to the street.*
- d) Notwithstanding Policy E.4.6.9 Mixed Use – Medium Density Designation, commercial uses shall only be permitted on the ground floor, and a place of worship and day nursery shall only be permitted above the ground floor of a building facing a Pedestrian Focus Street. (OPA 69)*
- e) On-street parking shall be provided where feasible and appropriate.*
- f) A minimum height of two storeys shall be encouraged.*
- g) Single use buildings exceeding a ground floor area of 5,000 square metres shall generally be directed to the interior of a property with smaller stores oriented onto the pedestrian focus street in front of the larger stores. Alternatively, larger stores could be located up to the streetline provided they are lined with smaller stores, multiple entrances, or other similar means to animate the streetscape.”*
- “j) New buildings and spaces shall be designed to reflect a human scale of development, contribute to public safety and security, and create a significantly enhanced pedestrian environment.*

- k) New buildings shall be encouraged to have awnings, canopies, arcades, or front porches to provide weather protection.”

In addition, the policies of Vol. 2 Section 6.7.7.5 of the Centennial Neighbourhoods Secondary Plan apply, of which the following apply to the proposed development:

- “a) *All lands designated Mixed Use – Medium Density and Mixed Use – High Density identified as pedestrian focus streets shall have a minimum height of 2 storeys.*”
- “c) *Pedestrian focus streets shall be a focus for retail activity and shall provide pedestrian oriented design at grade along the street.*
- d) *Street design that invites all forms of active transportation while accommodating automobiles and transit vehicles is commonly referred to as complete streets. Development shall provide a high level of streetscape design to assist in the creation of complete streets.*
- 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.*”
- “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.*”

Relevance of Pedestrian Focus Streets to the subject site:

An evaluation of the applicable “Pedestrian Focus Street” policies of the UHOP and Centennial Neighbourhoods Secondary Plan are provided in Section 5.0, Planning Analysis, of this report.

General Policies

Section 6.7.4 of the Centennial Neighbourhoods Secondary Plan provides general policies to guide development. The following policies apply to the proposed development.

- “a) The Centennial Neighbourhoods Secondary Plan area shall include a range of housing forms and tenures and a mix of employment, commercial, institutional and open space uses.

- b) *The Centennial Neighbourhoods Secondary Plan contains 3 higher order transit station areas, which are shown on Map B.6.7-3 – Centennial Neighbourhoods – Transportation and Connections around the following locations:*
 - iii) *the planned GO bus and rail station at the southwest corner of Centennial Parkway North and Goderich Road.*
- c) *Higher order transit station areas include lands within the Sub-Regional Service Node as well as commercial areas, employment areas and a variety of high density and medium density residential uses in stable neighbourhoods outside the Node. Together, population and employment growth in these areas contribute to achieving transit-supportive densities around these transit stations.*

Relevance of the general policies to the subject site:

The subject site is within 800 metres of both the Centennial GO Station and about 1.2km away from the Eastgate LRT Station (see Figure 5). The proposed development is a contributing and supportive land use addition to achieve a planned transit facilities.

Industrial Transition Areas

The easterly portion of the subject site is identified as part of the conceptual “Industrial Transition Areas” on Appendix A – Centennial Neighbourhoods – Transition Areas (see Figure 14). Industrial transition areas are areas which abut industrial uses. Policy B.6.7.7.4 of the “Mixed Use – High Density” designation provides the following policy direction:

- “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.”*

As noted above, the policies for the Transition Areas apply to the proposed development and are contained in Vol. 2, Section B.6.7.13 of the UHOP, as follows:

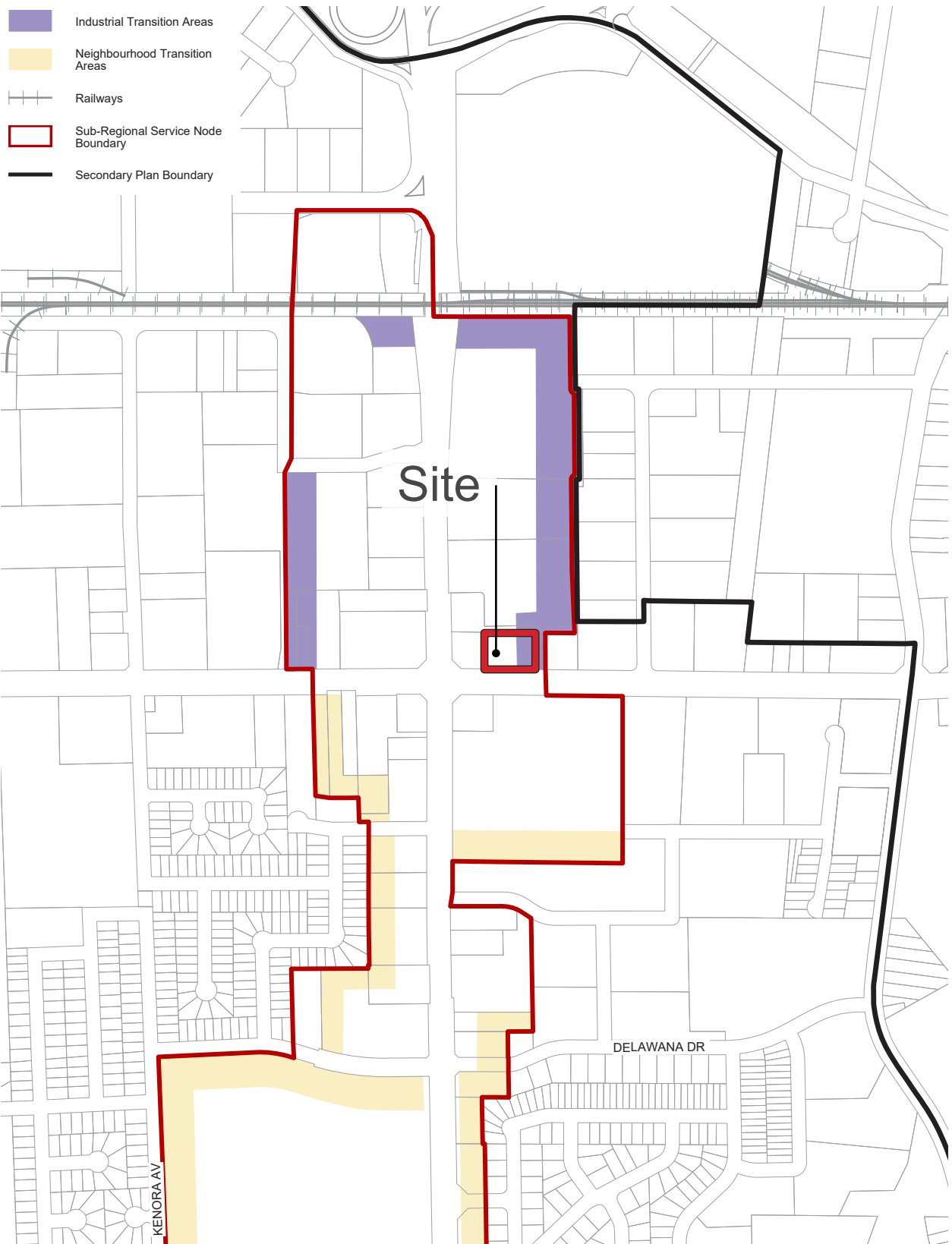
- “e) *Proponents of new sensitive land uses within 300 metres of lands designated General Industrial, Light Industrial or Business Park shall demonstrate compatibility with existing industrial uses and shall be responsible for addressing and implementing necessary mitigation measures to the satisfaction of the City and in accordance with all applicable provincial and municipal guidelines and standards. The City may require the submission of a land use compatibility study or other studies deemed appropriate with an application for development to identify potential adverse impacts including but not limited to noise, vibration, odours, dust or other emissions, and to determine appropriate mitigation measures.*

- f) Any new sensitive land uses north of Barton Street shall be located a minimum of 70 metres from lands designated Light Industrial or Business Park. This separation distance shall not include parking areas ancillary to a sensitive land use.”

- “h) Proponents of new sensitive land uses within 400 metres of the railway that crosses Centennial Parkway North shall complete a Noise Study, and shall implement any control measures necessary to meet provincial sound level criteria and the criteria contained in Section B.3.6.3 of Volume 1. *sensitive land uses* and commercial uses, mixed uses, and parking areas.”

Relevance of the Industrial Transition Areas to the subject site:

The easterly portion of the subject site is identified as an Industrial Transition Area. In accordance with the above policies, any new sensitive land uses north of Barton Street shall be located a minimum of 70m from lands designated Light Industrial or Business Park. 2511 Barton Street E. is designated “Business Park” and located to the east of the subject site. Accordingly, a 70m industrial buffer from 2511 Barton Street E. is shown on the Site Plan as a red dashed-line (see Figure 6). It is important to note that the separation distance shall not include “parking areas ancillary to a sensitive land use.” As such, the proposed residential building has been intentionally situated on the west side of the subject site, leaving only the drive aisle to the parking area within the industrial buffer. Based on the layout of the proposed development and the siting of the residential building, the proposed development does not offend the policies of the Industrial Transition Areas.



Centennial Neighbourhoods Secondary Plan - Transition Area

Figure

14

Source: UHOP Centennial Neighbourhoods Secondary Plan Appendix A (October 2019)

4.6 City of Hamilton Zoning By-law No. 6593 and 05-200

The subject site is part of Hamilton Zoning By-law No. 6593 and located in a JJ (Restricted Light Industrial District) within Hamilton Zoning By-law 6593 (see Figure 15). The JJ (Restricted Light Industrial District) District permits a wide variety of industrial uses but does not permit residential uses.

In order to implement the proposed development and fulfil the intent of the Centennial Neighbourhoods Secondary Plan, a Zoning By-law Amendment will be required to incorporate the subject site into Hamilton Zoning By-law 05-200 as a Mixed Use High Density (C4) Zone. The compliance of the proposed development against the regulations of the proposed Mixed Use High Density (C4) Zone are provided below in **Table 2**:

Table 2 Zoning Compliance Chart for Mixed Use High Density (C4) Zone

| Zoning Regulation | | Required | Proposed | ✓ / X |
|-------------------|---|--|---|-------|
| 10.4.1 | Permitted Uses | Multiple Dwelling Retail | Multiple Dwelling Retail | ✓ |
| 10.4.3 a) | Maximum Building Setback from a Street Line | i) 4.5 metres, except where a visibility triangle is required for a driveway access; and | 1.5m | ✓ |
| | | ii) Notwithstanding Section 10.4.3a)i), a minimum setback of 6.0 metres for that portion of a building providing access to a garage | N/A – garage is internal to the subject site and not located along a streetline | N/A |
| 10.4.3 b) | Minimum Rear Yard | 7.5 metres | 21.05m | ✓ |
| 10.4.3 c) | Minimum Interior Side Yard | 7.5 metres | 3.0m | X (1) |
| 10.4.3 d) | Building Height | i) Minimum 11.0 metre façade height along a street; | > 11.0 metre façade height provided along a street | ✓ |
| | | ii) In addition to Section 10.4.3 i), any building height above 11.0 metres may be equivalently increased as the yard increases beyond the minimum yard requirement established in Section 10.4.3 b) and c) when abutting a Residential or Institutional Zone, and provide a maximum 20.0 metres setback to any yard; and, | N/A | N/A |
| | | iii) Maximum 40.0 metres; | 53.0 metres | X (2) |
| | | iv) In addition to the definition of Building Height in Section 3: Definitions, any wholly enclosed or partially enclosed amenity area, or any portion of a building designed | Access to roof-top amenity area is provided on top the 5 storey portion of the building which is less than 40m tall | ✓ |

Table 2 Zoning Compliance Chart for Mixed Use High Density (C4) Zone

| Zoning Regulation | | Required | Proposed | ✓ / X |
|-------------------|---------------------------------------|--|--|-------|
| | | <p>to provide access to a rooftop amenity area shall be permitted to project above the uppermost point of the building, subject to the following regulations:</p> <p>A. The total floor area of the wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area does not exceed 10% of the floor area of the storey directly beneath;</p> <p>B. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall be setback a minimum of 3.0 metres from the exterior walls of the storey directly beneath; and,</p> <p>C. The wholly enclosed or partially enclosed structure belonging to an amenity area, or portion of a building designed to provide access to a rooftop amenity area shall not be greater than 3.0 metres in vertical distance from the uppermost point of the building to the uppermost point of the rooftop enclosure.</p> | | |
| 10.4.3 g) | Built Form for New Development | i) Rooftop mechanical equipment shall be located and/or screened from view any abutting street | Rooftop mechanical equipment is contained within mechanical penthouse | ✓ |
| | | ii) No parking, stacking lanes, or aisles shall be located between the required building façade and the front lot line and flankage lot line. | None | ✓ |
| | | iii) A minimum of one principal entrance shall be provided: 1. Within the ground floor façade that is set back closest to a street; and | A principle entrance is located within the ground floor façade that is set back closest to a street and has direct access to the public sidewalk | ✓ |

Table 2 Zoning Compliance Chart for Mixed Use High Density (C4) Zone

| Zoning Regulation | | Required | Proposed | ✓ / X |
|-----------------------------|--|---|---|-------|
| | | 2. Shall be accessible from the building façade with direct access from the public sidewalk | | |
| | | iv) A walkway shall be permitted in a Planting Strip | Acknowledged | N/A |
| 10.4.3 h) | Minimum Amenity Area for Multiple Dwelling | On a lot containing 10 or more dwelling units, the following Minimum Amenity Area requirements be provided: i) An area of 4.0 square metres for each dwelling unit less than or equal to 50 square metres of gross floor area; and ii) An area of 6.0 square metres for each dwelling unit greater than 50 square metres of gross floor area. | Required Amenity: 28 (units < 50m ²) x 4.0 = 112 m ² 179 (units > 50m ²) x 6.0 = 1,074m ² <hr/> Total required: 1,186m ² Provided Amenity: Indoor Amenity: 126m ² Outdoor Amenity: 872m ² Balconies: 2,036m ² <hr/> Total provided: 2,421m ² | ✓ |
| | | iii) In addition to the definition of Amenity Area in Section 3: Definitions, an Amenity Area located outdoors shall be unobstructed and shall be at or above the surface, and exposed to light and air. | Outdoor Amenity Area is unobstructed and exposed to light and air. | ✓ |
| 10.4.3 i) | Planting Strip Requirements | Where a property lot line abuts a property lot line within a Residential Zone, a minimum 1.5 metre wide Planting Strip shall be provided and maintained. | N/A | N/A |
| 10.4.3 j) | Visual Barrier Requirement | A visual barrier shall be require along any lot line abutting a Residential Zone, Institutional Zone, or Downtown (D5) Zone. | N/A | N/A |
| Parking Requirements | | | | |
| 5.2 b) i) | Parking Stall Size | 2.8m x 5.8m | 2.8m x 5.8m | ✓ |
| 5.2 b) ii) | Parking Stall Size adjacent to column | Width = 2.8m + 0.3m (3.1m) where parking stall obstructed by a wall, column, or other obstruction; unless obstructing column parking area is less than 1.15m | Obstructing columns in structured parking area are less than 1.15m, specifically: <ul style="list-style-type: none"> • 0.25m x 0.7m • 0.25m x 0.9m • 0.3m x 1.0m | ✓ |
| 5.6 c) | Parking Space Requirements | Unit > 50m ² : 1 per unit Unit < 50m ² : 0.3 per unit | Unit > 50m ² = 179 Unit < 50m ² = 28 Required Spaces | ✓ |

Table 2 Zoning Compliance Chart for Mixed Use High Density (C4) Zone

| Zoning Regulation | Required | Proposed | ✓ / X |
|-------------------------------------|--|--|-------|
| (Multiple Dwelling) | | $179 \times 1 = 179$ $28 \times 0.3 = 8.4$ $179 + 8.4 = 187$ (-10% Bicycle Parking) $187 - 18.7 = 168.3$ (168) Provided Spaces: 170 | |
| Parking Space Requirements (Retail) | i) 0 where a use is less than 450.0 square metres in gross floor area; ii) 1 for each 17.0 square metres any gross floor area between 450.0 square metres and 4,000.0 square metres; and, iii) 1 for each 50.0 square metres of gross floor area greater than 4,000.0 square metres. | Required: 1.47 (1) Provided Spaces: 2 | ✓ |
| 5.7 c) Bicycle Parking (Short-Term) | i) Residential Uses Multiple Dwelling: 5 spaces required ii) Commercial Uses Retail: 5 spaces required | <u>Residential Use:</u> 5 short-term bicycle spaces provided <u>Retail Use:</u> 5 short-term bicycle spaces provided | ✓ |
| 5.7 g) Bicycle Parking (Long-Term) | Notwithstanding Subsection 5.6 a) and c), for any use within the Commercial and Mixed Use (C4) Zone, the required motor vehicle parking may be reduced in accordance with the following regulations: i) 1 motor vehicle space for every 5 long term bicycle spaces is provided and maintained up to a maximum of 10% of the original motor vehicle parking requirement; | Original Residential Vehicle Parking Requirement: 187 $10\% \text{ of } 187 = 18$ (due to rounding each phase) New Residential Vehicle Parking Requirement: $187 - 18 = 169$ $18 * 5 = 90$ long-term bicycle spaces required for 10% parking reduction <u>Bicycle Spaces Provided</u> Provided: 102 Long-term Spaces | N/A |

As outlined above in Table 2, two modifications to the Mixed Use High Density (C4) Zone are required to implement the development proposal. The justification for the required rezoning as well as the required modifications are provided in Section 5.0 Planning Analysis of this report, and a draft ZBA is appended to this report as Appendix A.



City of Hamilton Zoning By-Law
 Source: City of Hamilton Online Mapping (October 2022)

Figure
15

5.0 PLANNING ANALYSIS

This section provides a planning justification as to how the proposed development and requested Zoning By-law Amendment represents good land use planning.

5.1 Suitability of the Subject Site

The subject site is located in a good location to accommodate the proposed mixed-use development. Specifically, the subject site is located within the Higher Order Transit Station Area associated with the Centennial GO Station, which once fully constructed, is anticipated to operate as an extension of the Lakeshore West GO line with access to Toronto and the Niagara Peninsula. The proposed development will capitalize on this significant transit investment as well as support transit ridership.

The subject site is located within Hamilton's built boundary and has access to municipal water and wastewater infrastructure, as well as community facilities, commercial amenities, education facilities, and parks. In consideration of the available infrastructure and public service amenities, the proposed development will contribute to the achievement of a complete community.

The subject site is also located within the Centennial Node, which is planned to significantly transform from an automobile-oriented low-rise commercial and employment area to a multi-storey high-density mixed-use area. The proposed development therefore represents the implementation of the vision outlined in the Centennial Neighbourhoods Secondary Plan and may act as a catalyst for the further transformation of the Centennial Node.

Based on the foregoing assessment, the subject site is an acceptable, viable location to accommodate the proposed development.

5.2 Provincial Policy and Plans

Provincial Policy Statement, 2020

The proposed development would contribute to the development of a healthy, livable, and safe community as per the policies outlined in Policy 1.1.1. Specifically, the proposed development represents an efficient development and land use pattern that will sustain the financial well-being of the Province and City of Hamilton over the long term. The proposed development will increase and diversify the available housing options in the Lakely neighbourhood and Hamilton overall.

The subject site is located in Hamilton's built-up area, which is to be the focus of growth and development (Policy 1.1.3.1). The proposed development is transit-supportive, represents an efficient use of land and resources and will optimize the use of existing infrastructure and public

service facilities (Policy 1.1.3.2). The proposed development will utilize municipal water and wastewater services that are the preferred form of servicing for settlement areas (Policy 1.6.6.2).

With respect to housing policy, the PPS directs planning authorities to permit and facilitate residential intensification and redevelopment (Policy 1.4.3). The subject site is an appropriate location for intensification and redevelopment as it represents an opportunity for transit-supportive development in an area where there is suitable existing and planned infrastructure and public service facilities (Policy 1.1.3.3).

Regarding transportation policy (Policy 1.6.7.2), the proposed development represents the efficient use of existing and planned transportation infrastructure by supporting HSR bus routes 2, 44, and 56, GO Bus Route 12, as well as the nearby Centennial GO Station (± 600 metres). Through the subject site's proximity to existing and planned transportation infrastructure as well as employment lands, the proposed development represents a land use pattern, density and mix of uses that would minimize the length and number of vehicle trips (Policy 1.6.7.4).

Finally, the proposed development will assist in securing the long-term economic prosperity of the Province and City of Hamilton by providing necessary housing supply, optimizing the long-term use of infrastructure and public service facilities, all the while encouraging a sense of place by redeveloping a vacant parcel of land into a well-designed, modern building (Policy 1.7.1).

Based upon the foregoing assessment, the requested Zoning By-law Amendment is consistent with the applicable policies of the PPS, 2020.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

The subject site is located in the Centennial Sub-Regional Service Node, which is considered a strategic growth area for the City. The subject site is also located within 800 metres of the Centennial GO Station, which is the distance the Growth Plan generally defines as a Major Transit Station Area (MTSA).

The guiding principles of the Growth Plan (Policy 1.2.1) prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. The proposed development fulfils a number of other guiding principles of the Growth Plan. For instance, new economic and employment opportunities will be created in the service sector through the addition of retail units at ground level; and the proposed development will diversify the range and mix of housing options in the Lakely neighbourhood by introducing new, modern dwelling units. In this way, the proposed development will support the achievement of complete communities by providing additional housing and retail options in the Lakely neighbourhood.

In addition, the subject site is located within Hamilton's built-up area, which is a prioritized area for intensification and new development in order to make better use of existing infrastructure and

public service facilities (Policy 2.1). 50% of all annual residential development is to occur within Hamilton's Built-up boundary (Policy 2.2.2.1.a). Further to this point, the vast majority of the City of Hamilton's forecasted growth to 820,000 people by 2051 is to be directed to settlement areas that have a delineated boundary; have existing municipal water and wastewater systems and can support the achievement of complete communities (Policy 2.2.1.2.a). The subject site should be the focus of growth as per Policy 2.2.1.2 c), which states that "within *settlement areas*, growth is to be focused in (i) *delineated built-up areas*; (ii) *strategic growth areas*; 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*." Based on these established criteria, the subject site is an appropriate location for growth.

In addition, Policy 2.2.2.3 provides that intensification such as the proposed development is encouraged in the built-up area. In order to achieve the minimum intensification target, the municipality is required to ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities, and further, that this be implemented through updated zoning.

As per Policy 2.2.4 b), major transit station areas on priority transit corridors will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit. With the proposed development providing 207 residential at a density of 550 units per hectare, the proposed development will contribute to the Growth Plan's minimum density target.

With respect to the achievement of complete communities (Policy 2.2.1.4), the proposed development will:

- Provide a mix of land uses (residential and commercial);
- Provide convenient access to stores and services (through retail at ground level),
- Increase and diversify the range and mix of housing options in the Lakely neighbourhood;
- Support existing transportation options, active transportation facilities and public service facilities; and
- Provide for a more compact built form and vibrant public realm.

Based upon the foregoing assessment, the requested Zoning By-law Amendment conforms to the Growth Plan.

5.3 Evaluation of Residential Intensification Criteria

The proposed development represents residential intensification and therefore the general residential intensification policies of the UHOP apply. As per Policy B.2.4.1.4, the proposed development is to be evaluated on a balance of the following criteria listed in b) through g):

“b) the relationship of the proposal to existing neighbourhood character so that it maintains, and where possible, enhances and builds upon desirable established patterns and built form;”

The current character of the Lakely neighbourhood is automobile-oriented and characterized by employment and commercial uses. The proposed development represents an evolution of the existing neighbourhood character toward a more mixed-use, transit-oriented development pattern. The proposed development will assist in the planned transformation of the Centennial Node, which include parts of the Lakely neighbourhood, from a low-rise automobile-oriented development pattern to a high-density mixed-use area.

“c) the development’s contribution to maintaining and achieving a range of dwelling types and tenures;”

The proposed development will contribute 207 residential units into the Lakely neighbourhood and thereby help diversify the available dwelling types and tenures. The types of proposed units vary and include studio, 1-bedroom, and 2-bedroom units at a variety of sizes.

“d) the compatible integration of the development with the surrounding area in terms of use, scale, form and character. In this regard, the City encourages the use of innovative and creative urban design techniques;”

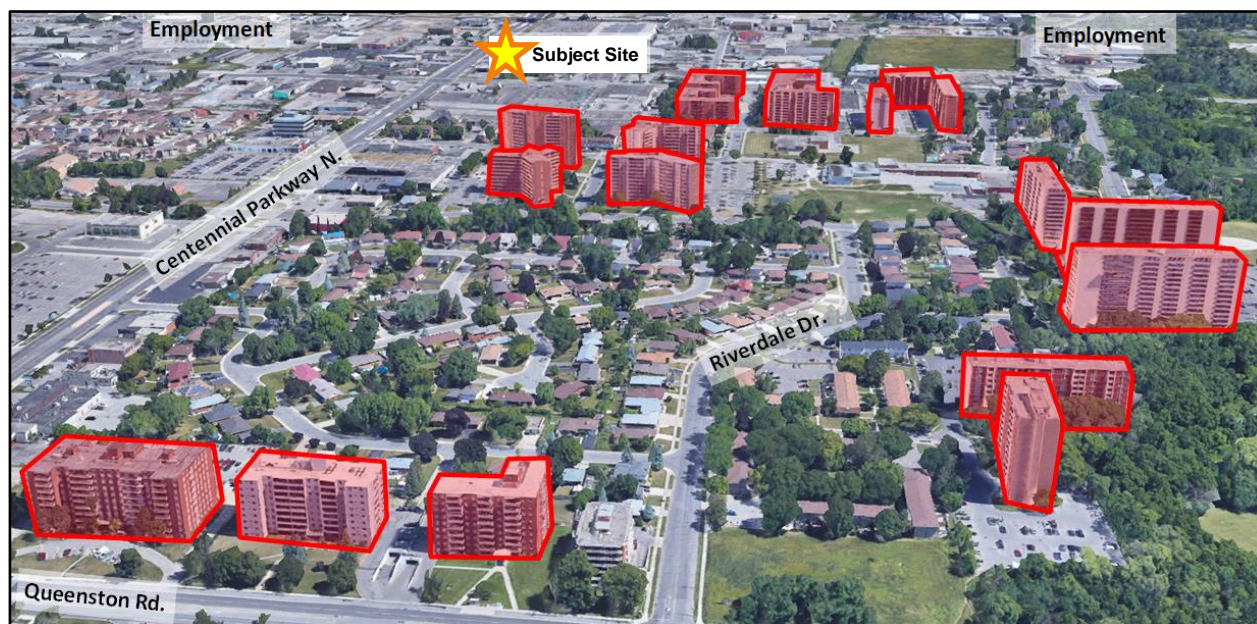
Use

The proposed mixed-use building will support the existing commercial plaza to the south as well as compliment the existing residential mid-rise buildings located south of Barton Street E. to the east.

With respect to the nearby employment lands, a Land Use Compatibility Assessment was undertaken by Gradient Wind Engineering Inc. (dated April 7, 2021) and found that a sensitive residential land use was feasible at this location, as the proposed development met the minimum setback distances from established industries operating with a valid ECA. For these reasons, the proposed mixed-use development is considered to be compatible with the surrounding lands.

Scale & Form

The scale and form of the proposed development is comparable to the cluster of mid-rise and high-rise buildings found to the south and southeast of the subject site and highlighted below in Image X. In ascending order, the heights of the existing residential buildings in the surrounding area are: 7, 7, 10, 11, 11, 12, 14, 14, and 16 storeys. The proposed building height of 17 storeys (53.0m) is compatible with the existing height range of these nearby residential buildings. Based on this quantitative and visual assessment, the scale and form of the proposed development can be compatibly integrated into the surrounding area.



Source: Google Earth; Dec. 2021

Image X: The surrounding area to the south and southeast of the subject site features a significant number of mid-rise and high-rise buildings.

Character

The lands to the north of Barton Street E. are part of the Lakely neighbourhood and are currently characterized by sprawling automotive-oriented commercial and industrial lots. As part of the Centennial Node, portions of the neighbourhood along Centennial Parkway N. are planned to accommodate significant residential growth as part of the transformation of the area to capitalize on the significant transit infrastructure investments at the Confederation GO Station and the planned LRT Station at Eastgate Square.

The lands to the south of Barton Street E are part of the Riverdale West neighbourhood and currently characterized by a mix of commercial uses, single-detached dwellings, and mid-rise and high-rise apartments (see Image X). As part of the Centennial Node, this area is expected to redevelop in the coming years. Indicative of this change, the commercial retail plaza immediately to the south of the subject site (Parkway Plaza) at 200 Centennial Parkway N. is currently the subject of a significant redevelopment proposal to construct a multi-phase mixed-use development consisting of multiple towers ranging in height from 9- to 20-storeys and containing a total of 1,150 multiple dwelling units and 1,359 square metres of retail floor area.

Given the existing character of the neighbourhood, the proposed development will change the character of the surrounding area—but for the better. As envisioned in the Centennial Neighbourhoods Secondary Plan, the proposed development will assist in transforming the area

from a single-storey automotive-dominated built-form to a mixed use high-rise environment with greater vibrancy and a sense of place. The proposed development will enhance the existing architectural character of the neighbourhood by introducing new residents and a modern design aesthetic.

“e) the development’s contribution to achieving the planned urban structure as described in Section E.2.0 – Urban Structure;”

With respect to the planned urban structure, the subject site is identified in the Centennial Neighbourhoods Secondary Plan as part of the Centennial Sub-Regional Service Node (or simply the Centennial Node).

With respect to the planned function of the Centennial Node, the proposed development will provide a range of land uses (residential and commercial) within close proximity of planned high order transit (Policy E.2.3.2.2 and E.2.3.2.3). The retail component of the proposed development will provide employment opportunities (Policy E.2.3.2.4), and the residential units will contribute to providing a range of housing types in the form of a high-density building (Policy E.2.3.2.5).

With respect to the planned scale of the Centennial Node, nodes shall generally have some of the higher densities within the City with a target density of 100 to 150 person and jobs per hectare across each node. Noting that this value is across the entire Node, and not solely on a site by site analysis, the proposed development, providing 207 residential units and 475m² of commercial space, is a great contributor to the density target across the Node.

In addition, the proposed development conforms to the policy direction that nodes are to accommodate a significant proportion of the city-wide residential intensification (Policy E.2.3.2.8). The proposed development is also in the form of a multiple-storey building with a mix of uses (Policy E.2.3.2.9).

Regarding the design policies of the Centennial Node, the proposed development will contribute to creating a comfortable pedestrian environment through infilling with retail and residential in a mixed use building (Policy E.2.3.2.12). The proposed development will also contribute to the mixed use nature of the Centennial Node by providing an infusion of residential units (Policy E.2.3.2.14).

Based on the above assessment, the proposed development will contribute to achieving the planned urban structure through the implementation of the land use policy vision for the Centennial Node.

“f) infrastructure and transportation capacity; and,”

WalterFedy was retained by Premier Group to prepare a Functional Servicing Report in support of the proposed development. The report, dated Dec. 12, 2022, evaluated the serviceability of the proposed development with respect to sanitary wastewater, water, and stormwater management

and concluded that the subject site can be developed to satisfy the requirements of the City of Hamilton.

With respect to transportation capacity, the proposed development is located on a Minor Arterial Road (Barton Street East) in close proximity to the highway junction with the QEW and Red Hill Valley Parkway. The subject site is also served by HSR bus routes 2, 44, and 56, and GO bus route 12, as described in section 1.5 of this report and shown in Figure 4. The subject site is also within 13-minute walking distance to the Centennial GO Station ($\pm 800\text{m}$) and planned LRT Station at Eastgate Square (± 1.2 kilometres).

“g) the ability of the development to comply with all applicable policies.”

Upon approval of the Zoning By-law Amendment, the proposed development will comply with all applicable policies.

5.4 Centennial Neighbourhoods Secondary Plan

Land Use

At a fundamental level, the proposed development fulfills the overall planning vision of the Centennial Node to transform over time through infilling and redevelopment from a single-storey auto-oriented environment to a multi-storey built form consisting in part of high-density residential uses (Policy B.6.7.5).

The subject site is located within the Higher Order Transit Station Area identified in the Centennial Neighbourhoods Secondary Plan (see Figure 5), and therefore the subject site is an appropriate location for new development to support and take advantage of investment in public transit (Policy B.6.7.3.1.i)

The subject site is designated “Mixed Use – High Density – Pedestrian Focus” within the Centennial Neighbourhoods Secondary Plan. The proposed uses (multiple dwellings and retail stores) are permitted within the “Mixed Use – High Density” designation (Policy E.4.5.5). In addition, the proposed development incorporates retail and service commercial uses at grade to create vibrancy and a sense of place (Policy E.4.5.2). Furthermore, the proposed development represents the evolution of the subject site into a compact, mixed use people-place where people can live, work and shop (Policy E.4.5.3). The proposed development will serve as a vibrant people place with increase day and night activity through the introduction of residential development (Policy E.4.5.4).

In terms of the planned scale of the “Mixed Use – High Density” designation, the proposed development represents a compact urban form that is designed to enhance the streetscape along Barton Street E. (Policy E.4.5.12), and the proposed development will provide a mix of uses (residential and commercial) on the subject site (Policy E.4.5.17).

For the above reasons, the proposed development conforms to the intended function, land use, and scale of the “Mixed Use – High Density” designation.

Urban Design

In conformity with Policy 6.7.3.2 of the Centennial Neighbourhoods Secondary Plan, the proposed development has been professionally designed by SRM Architects Inc. and represents a significant improvement in the quality of urban design along Barton Street E. (Policy a). The proposed development promotes pedestrian walkability through the inclusion of pathways connecting to the municipal sidewalk network along Barton Street E.; and the proposed development promotes cycling through the provision of 102 long-term bicycle spaces and 10 short-term bicycle spaces (Policy b). The modern design aesthetic of the proposed buildings will add variety to the Barton Street East streetscape (Policy d).

In response to the urban design guidance with respect to parking areas (Policy B.6.7.12.1), the parking area is buffered from Barton Street E. by the building itself (Policy i) because parking is located at the rear of the site and in one level of underground parking . Furthermore, by locating the parking area internal to the building, there is no need for an extensive surface parking, which has a positive affect on the pedestrian and cycling environment (Policy ii). Additional parking spaces beyond the requirements of the Zoning By-law have not been requested nor provided (Policy iv); and the required parking has been incorporated into the building so that large surface parking areas are not required (Policy v).

Based on the above assessment, the proposed development conforms to the urban design policies of the Centennial Neighbourhoods Plan.

Pedestrian Focus Street

The subject site is identified as a “Pedestrian Focus Street” (see Figure 12) and therefore the policies of Vol. 1, Section E.4.3 of the UHOP apply as well as the policies of Vol. 2 Section 6.7.7.5 of the Centennial Neighbourhoods Secondary Plan.

In conformity with the “Pedestrian Focus Street” Policy of Vol. 1 Section E.4.3, the proposed development will contribute to creating an architecturally interesting streetwall along Barton Street East (Policy a); by positioning the proposed building at the street line (Policy b). In addition, the proposed development faces Barton Street E. and includes substantial fenestration (Policy c). Retail uses are provided at grade (Policy d) and all parts of the proposed development exceed 2-storeys (Policy f). All of the proposed buildings include sidewalks and direct pedestrian pathways to entrances and the proposed development represents a significant overall enhancement to the current pedestrian environment (Policy j).

In conformity with the “Pedestrian Focus Street” Policy of Vol. 2 Section 6.7.7.5 of the Centennial Neighbourhoods Secondary Plan the proposed development exceeds 2-storeys (Policy a); provides retail uses at ground level (Policy b); greatly improves the design of the Barton Street E. streetscape (Policy d) in part by positioning the building close to the street to provide street presence and enclosure (Policy e). The primary building entrance is located in a visible position along the eastern façade with a direct pathway connection to the municipal sidewalk, thereby assisting in animating Barton Street E. (Policy f).

Based on the above evaluation, the proposed development is in conformity with the “Pedestrian Focus Street” policies of the UHOP and Centennial Neighbourhood Plan and will contribute to improving the pedestrian orientation of Barton Street E.

5.5 Request to Rezone to the Mixed Use High Density (C4) Zone

The subject site is currently zoned JJ (Restricted Light Industrial District) within Hamilton Zoning By-law 6593. In order to implement the proposed development, a Zoning By-law Amendment is required to incorporate the subject site into the new city-wide Hamilton Zoning By-law 05-200 as a Mixed Use High Density (C4) Zone.

With respect to the selection of the Mixed Use High Density (C4) Zone, the subject site is located in a Sub Regional Service Node known as the Centennial Node. There is only one other Sub Regional Service Node in the City of Hamilton centered on Limeridge Mall. It is worthwhile to compare these Sub Regional Service Nodes. A majority of the lands within the Limeridge Sub Regional Node have already been incorporated into Zoning By-law 05-200 as Mixed Use High Density (C4) Zone. The proposed Zoning By-law Amendment follows the same policy logic as the Limeridge Sub Regional Service Node and proposes to incorporate the subject site into Zoning By-law 05-200 as a Mixed Use High Density (C4) Zone.

Furthermore, the subject site is designated “Mixed Use – High Density – Pedestrian Focus” in the Centennial Neighbourhoods Plan. As provided in Section 5.3 of this report, the request to rezone the subject site as a Mixed Use High Density (C4) Zone fulfills the planned function, land use, and intention of the UHOP as well as the Centennial Neighbourhoods Plan.

For these reasons, the request to rezone the subject site to a Mixed Use High Density (C4) Zone is considered appropriate and desirable.

5.6 Requested Zoning Modifications

As outlined in Table 2 of this report, two modifications to the Mixed Use High Density (C4) Zone are required to implement the development proposal. These requested modifications are provided below, followed by a planning justification.

1. Permit a maximum height of 53.0 metres, whereas a maximum height of 40.0 metres is permitted; and
2. To permit a minimum interior side yard of 3.0 metres, whereas 7.5 metres is required.

1. Increased Maximum Building Height

The proposed development is 17-storeys, or 53.0m, which exceeds the maximum building height of 40.0 metres permitted in the Mixed Use High Density (C4) Zone.

A key consideration is the fact that a maximum building height of 17-storeys is permitted in the Centennial Neighbourhoods Plan provided certain criteria are met. Specifically, the maximum permitted building height in the “Mixed Use – High Density” designation is 12 storeys. However, as per Policy B.6.7.7.4 d) of Vol. 2, an increase in height up to 5-storeys (for a total height of 17-storeys) is permitted subject to the fulfilment of certain criteria, which is evaluated below:

“i) The additional height shall be limited to a maximum of 5 additional storeys;”

None of the proposed buildings exceed 17-storeys, which represents the approved height (12-storeys) plus an additional 5-storeys.

“ii) The increase in height is authorized through a Zoning By-law amendment;”

Hence this application for a Zoning By-law Amendment to approve the proposed building height.

“iii) Development shall have frontage on a Major Arterial or Minor Arterial road; and,”

The subject site has frontage along Barton Street E., which is classified as a Minor Arterial Road (see Figure 3).

“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 this policy.”

First, a Transportation Impact Study has been prepared by Paradigm Transportation Solutions Ltd. to determine the impacts of the development traffic on the surrounding road network and identifies the recommended improvements to accommodate the traffic generated by the proposed development. The study found that The Barton Street E./Centennial Parkway N. intersection operates poorly under existing conditions. The subject site is estimated to generate approximately 69 new AM peak hour trips and approximately 89 new PM peak hour trips (no modal split reductions have been applied). The capacity issues forecast to occur under the background traffic horizon are forecast with, or without, the development of the subject site. Furthermore, no additional critical movements are forecast at Barton Street E./Centennial Parkway N. with the addition of traffic generated by the proposed development.

Secondly, a Functional Servicing Report has been prepared by WalterFedy in support of the proposed development. The report evaluated the serviceability of the proposed development with respect to sanitary wastewater, water, and stormwater management; and concluded that the subject site can be developed to satisfy the requirements of the City of Hamilton.

Based on the above, the findings within both of these studies do not preclude the ability of other properties in the Centennial Node to develop in accordance with the heights permitted with the Secondary Plan.

As demonstrated in the responses to all of the above criteria, an Official Plan Amendment is not required to permit a maximum height of 17 storeys. Therefore, from a policy perspective, the proposed development has already been identified and recognized as an appropriate location for a 17-storey building, and the purpose of the required modification to the Mixed Use High Density (C4) Zone is to fulfil the policy objectives of the UHOP with respect to building height.

A suitability of the subject site for a high-rise mixed-use building has been discussed and demonstrated throughout this analysis. Therefore, this part of the justification will focus on the potential privacy/overlook, wind, and shadow impacts of the increased height.

Privacy/Overlook

There are currently no single-detached dwellings anywhere in the surrounding lands that may be sensitive to privacy/overlook concerns. The vast majority of the surrounding lands are paved and dedicated to vehicles, parking, or vehicle storage. Buildings surrounding the subject site are generally 1-storey commercial or employment buildings, which would not be anticipated to be sensitive to overlook or privacy concerns. With this context in mind, there are no privacy/overlook concerns that would be expected as a result of the height of the building. On the contrary, additional “eyes on the street” may provide a sense of security to this stretch of Barton Street E. as well as the surrounding lands.

Wind Impacts

With respect to the wind impacts of the proposed increased in height, a Pedestrian Level Windy Study has been prepared by Gradient Wind Engineering Inc. to assess the wind conditions for the proposed development. Based on wind tunnel test results, meteorological data analysis, and experience with similar developments in the area, the report concludes that conditions over most pedestrian-sensitive areas within and surrounding the subject site will be acceptable for the intended pedestrian uses on an annual and seasonal basis. Exceptions include the residential lobby entrance and the grade-level outdoor amenity at the northeast corner of the site, for which mitigation is recommended.

Within the context of typical weather patterns, which exclude anomalous localized storm events such as tornadoes and downbursts, no areas over the study site were found to experience conditions that could be considered unsafe.

Shadow Impacts

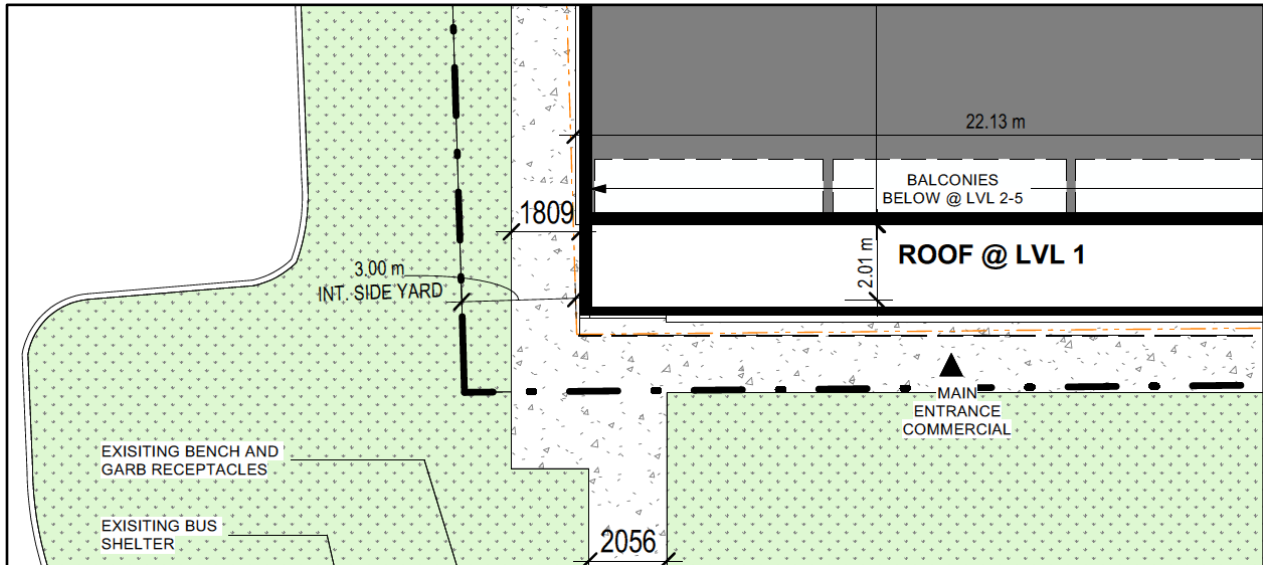
With respect to shadow impacts, a Shadow Study has been prepared by SRM Architects Inc. and found that the proposed development “has impact on the adjacent commercial / industrial plazas from sunrise to sunset” on March 21st (Spring Equinox) and September 21st (Fall Equinox). Generally speaking, the greatest concern with respect to shadow impacts relate to public areas, such as parks and playgrounds and private residential amenity areas. Based on the results of the Shadow Study, the areas impacted by the shadow of the proposed development is limited to the adjacent commercial and industrial plazas.

Conclusion

Based on the foregoing assessment, the requested modification to permit a maximum height of 53.0 metres is considered appropriate.

2. Reduced Interior Side Yard Setback

An interior side yard setback of 7.5 metres is required, whereas 3.0 metres is provided, as shown below in Image Z:



Source: SRM Architects Inc.; Dec. 2022

Image Y: An extract from the Site Plan illustrating the western interior side yard setback.

The space on the east side of the subject site is limited due to the required 70m industrial setback, and therefore the building is required to be shifted to the west as much as possible. As shown above in Image Z, the reduced side yard of 3.0m is still sufficient to accommodate a 1.8m pedestrian sidewalk as well as a 1.2m landscape buffer.

The lot immediately to the west of the proposed development is currently occupied by a gas station but is designated “Mixed Use – High Density” in the UHOP (see Figures 11 and 12). Given the high concentration of gas stations already in the immediate area, it is possible that this property will be redeveloped in the future in a manner that implements the high-density, mixed-use function envisioned by the Centennial Neighbourhoods Secondary Plan. In the event that this adjacent property is redeveloped in such a manner, a reduced interior side yard setback at this location would contribute to the creation of a continuous urban street wall.

In consideration of redevelopment potential of the adjacent site to the west, the need to shift the building as west as possible to avoid the 70m industrial setback, and the accommodation of a reasonable sidewalk and landscape buffer, the proposed reduction is considered acceptable.

5.7 Conclusion

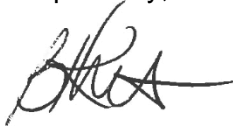
Based on the foregoing assessment, it is our opinion that the requested Zoning By-law Amendment is appropriate and as it would implement the planned mixed-use function of the subject site and would facilitate a use and form of mixed-use development that is compatible with the adjacent land uses as well as the surrounding Lakely neighbourhood.

6.0 RECOMMENDATIONS

It is our opinion that the proposed development and associated Zoning By-law Amendment represent good land use planning and should be approved for the following reasons:

- a) The proposed development is consistent with the policies of the 2020 Provincial Policy Statement;
- b) The proposed development is in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020;
- c) The proposed development conforms to the land use policies of the Urban Hamilton Official Plan; including the policy guidance provided by the Centennial Neighbourhoods Secondary Plan, and in particular the overall planning vision of the Centennial Node to transform over time through infilling and redevelopment from a single-storey auto-oriented environment to a multi-storey built form consisting in part of high-density residential uses;
- d) The proposed development provides an opportunity for land use intensification at an appropriate height and scale;
- e) The proposed site layout, building form, height, and massing are compatible with the adjacent low-rise commercial uses and will contribute to improving the overall character of the Lakely neighbourhood;
- f) The proposed development provides for the efficient use of land and infrastructure; and
- g) The proposed development will support existing local HSR bus routes as well as planned investments and improvements to the Centennial GO Station.

Respectfully,



Brenda Khes, MCIP, RPP
Vice President, Hamilton

APPENIDIX A
Draft Zoning By-law Amendment

Authority: Item
Planning Committee
Report: 23-
(PED23)
CM:

Bill No.

CITY OF HAMILTON

BY-LAW NO.

**To Amend Zoning By-law No. 05-200 (Hamilton),
Respecting Lands Located at 2481 Barton Street East (Hamilton)**

WHEREAS the *City of Hamilton Act, 1999*, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the lawful successor to the former Municipalities identified in Section 1.7 of By-law No. 05-200;

AND WHEREAS Zoning By-law No. 05-200 was enacted on the 25th day of May, 2005;

AND WHEREAS the Council of the City of Hamilton, in adopting Item of Report 23- of the Planning Committee, at its meeting held on the day of , 2023, recommended that Zoning By-law No. 05-200, be amended as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Urban Hamilton Official Plan;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Map No. 1095 of Schedule "A" – Zoning Maps, of Zoning By-law No. 05-200, be amended by adding the Mixed Use High Density (C4) Zone to the lands known as 2481 Barton Street East, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to this By-law.
2. That Schedule "C" – Special Exceptions of By-law No. 05-200, is hereby amended by adding the following new special exception:

“ Within the lands zoned Mixed Use High Density (C4,) Zone, identified on Map 1095 of Schedule "A" to By-law No. 05-200 and described as 2481 Barton Street East the following special provisions shall apply:

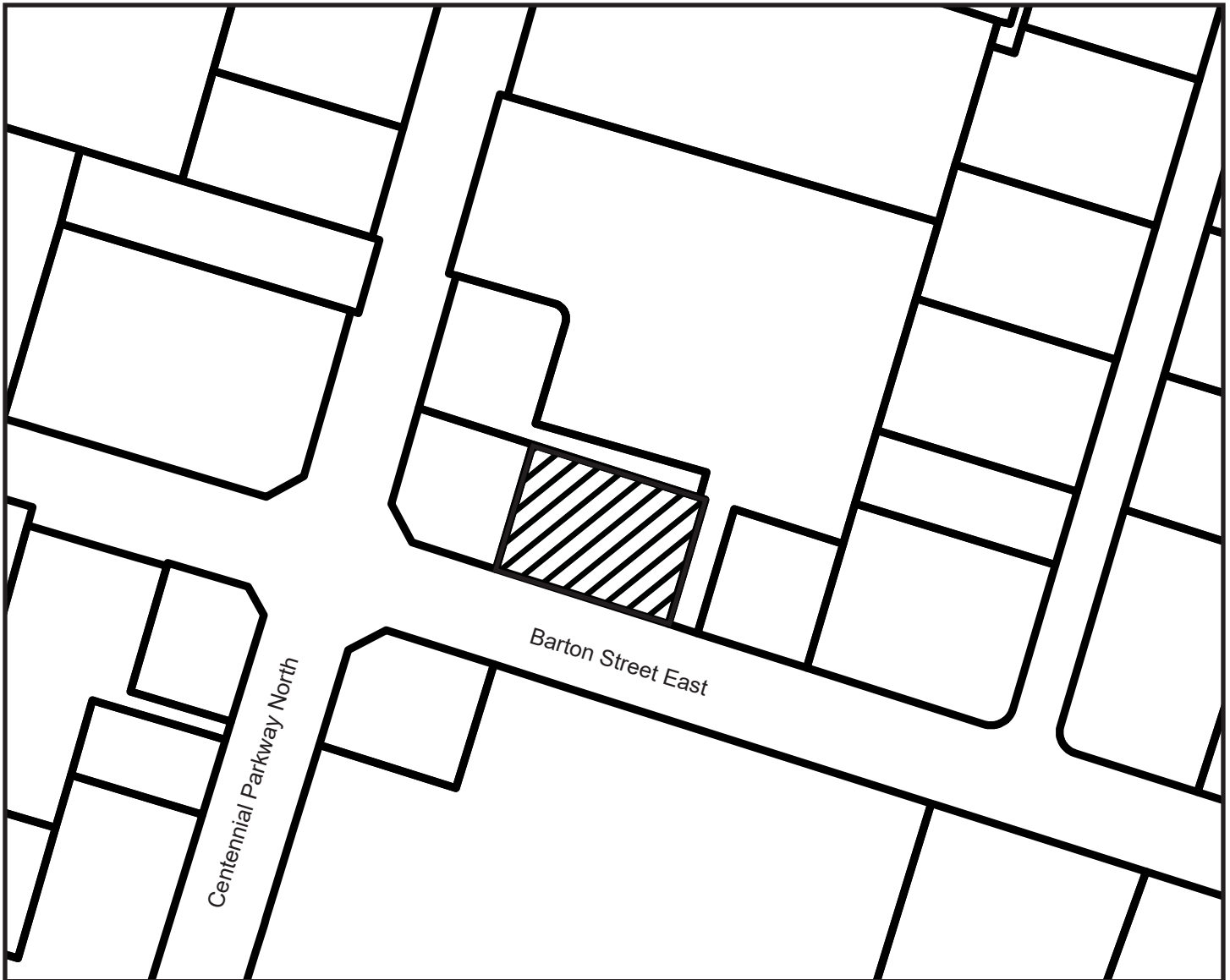
 - 1) Notwithstanding Section 10.4.3 c) a minimum interior side yard of 3.0 metres shall be permitted.

- 2) Notwithstanding Section 10.4.3 d) ii), iii), and iv) a maximum building height of 53 m (inclusive of mechanical penthouse and amenity area) shall be permitted;
3. That the Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.
4. That this By-law No. 23- [redacted] shall come into force and be deemed to come into force in accordance with Sub-section 34(21) of the Planning Act, either upon the date of passage of this by-law or as otherwise provided by the said Sub-section.

PASSED this [redacted] day of [redacted], 2023.

Andrew Horwath
Mayor

A. Holland
Clerk



This is Schedule "A" to By-Law No. 23-

Passed the ____ day of _____ 2023

Mayor

Clerk

Schedule "A"

Map Forming Part of
By-law No. 23-____

to Amend By-law No. 05-200
Map 1094

Subject Property

2481 Barton Street East



To add lands as Mixed Use High Density
(C4, ____) Zone

Scale:
N.T.S

File Name/Number:
____-____

Date:

Prepared By:
GSP Group

APPENIDIX B
Public Consultation Strategy

PUBLIC CONSULTATION STRATEGY

| CRITERIA | RESPONSE |
|--|--|
| Target audience of the consultation | Residents and business owners within approximately 120 meters surrounding the Site. |
| Previous Consultations | No public consultation has occurred specifically for the Subject Application prior to this submission. |
| Expected/Potential Issues | Traffic/turning movements onto Barton St. E. Concerns that new residential occupants will complain noise, odours, etc. from abutting/proximate industrial uses. |
| List of Stakeholders | Existing business within the commercial shopping centre and nearby residents |
| Tools used to consult/engage the public | <p>Public Consultation will be in accordance with the requirements of the Planning Act, including the holding of a Public Meeting. The public notice sign will include the City planner's contact information.</p> <p>In addition, an applicant-led public open house will be held in consultation with City staff and the Ward 5 Councillor's Office. GSP Group will also create a micro-site under the active projects section of our website (https://www.gspgroup.ca/active-projects/), which will provide the public with an overview of the proposed development as well as provide all of the reports and drawings that have been submitted. An additional sign will be added to the Public Notice Sign providing a link to the project micro-website address.</p> |
| Timing of consultation | <p>The timing of the applicant-led public open house will be determined in consultation with City staff and the Ward 5 Councillor's Office.</p> <p>The Public Meeting will be held as per the requirements of the Planning Act.</p> |
| Method to receive and document comments | Comments can be provided to the City planner noted on the public notice sign by either email or telephone. |

| | |
|--|---|
| | <p>Comments can also be received through the contact information provided on the micro-website and will be forwarded to the City planner.</p> |
|--|---|