



City of Hamilton – Design Review Panel Staff Project Summary Sheet

Project Data

Project address: 50 Creighton Avenue, Dundas (Ward 13)

Applicant/Agent: Arcadis Professional Services (Canada) Inc. (“Arcadis”) c/o Ritee Haider

Brief description of the project:

The proposed development is to demolish the existing building and to construct a 12-storey residential condominium with 168 dwelling units, 204 parking spaces (62 above ground spaces and 142 underground spaces), 124 bicycle spaces, 205 lockers, and 726 m² of rooftop amenity space.

Urban Hamilton Official Plan Designation: “Neighbourhoods” (Schedule E-1) and Dundas Two Zone Floodplain Area “UD-1” on Volume 3: Map D-1 (Site Specific Policies).

Secondary Plan Designation: N/A

Brief description of existing and planned context:

The site currently contains non-profit seniors rental housing (10 units) in a single storey building adjacent to Spencer Creek. The surrounding area is primarily low density residential with open space along Spencer Creek.

The subject site is designated “Neighbourhoods”, which permits a range of residential dwelling types and densities as well as located within the Dundas Two Zone Floodplain Area “UD-1” specific policy area. It is intended that the floodway be kept unobstructed and free of all structures or the placement of fill.

Surrounding land uses include:

North – Spencer Creek and Residential Uses.

East – Spencer Creek and Residential Uses.

South – Residential Uses

West – Mill Street Open Space (includes Spencer Creek) and Residential Uses.

Zoning By-Law: Existing & Proposed Zoning noting any Conflicts (if applicable):

Medium Density Multiple Dwellings –Floodplain (RM2-FP) and Open Space Conservation (OS)

- **Minimum Front Yard:** The Zoning By-law requires a maximum front yard of 7.5 metres, whereas 3.87 metres is proposed.
- **Maximum Height:** The Zoning By-law requires a maximum height of 10.5 m, whereas 39.1 metres is proposed.
- **Maximum Density:** The Zoning By-law requires a maximum density of 72.5 units per hectare, whereas 173.6 units per hectare is proposed.
- **Parking Spaces:** The Zoning By-law requires 252 parking spaces, whereas 204 parking spaces are proposed.

Relevant or conflicting Urban Hamilton Official Plan and/or Secondary Plan Policies:

Volume 1 – Urban Hamilton Official Plan

Chapter B – Communities

B.2.4.1.4 – General Residential Intensification Policies

B.2.4.2 – Residential Intensification in the Neighbourhoods Designation

B.3.3.1 – Urban Design Goals

B.3.3.2 – Urban Design Principles

B.3.3.3 – Built Form

B.3.3.9 – Access and Circulation

B.3.3.10 – Parking

Chapter C – City Wide Systems and Designations

C2.7 - Linkages

Chapter E – Urban Systems and Designations

E.2.7.7 – Neighbourhoods Scale

E.3.2 – Neighbourhoods Designation

E.3.2.1 – E.3.2.3 – Function

E.3.2.4- E.3.2.15 – Scale and Design

E.3.6 – High Density Residential

E.3.6.1 – E.3.6.5 – Function

E.3.6.6 – Scale

E.3.6.7 – Design

Volume 3 – - Special Policy Areas, Area and Site Specific Policies

Chapter B – Dundas Area Specific Policies

B.1.0 – UD-1 Dundas Two Zone Floodplain Area

1. Review of Formal Consultation Document (File Number: FC-22-126):

- A Formal Consultation meeting was held on October 26, 2022. Staff noted that the erosion hazard associated with Spencer Creek needs to be identified including a 6 metre erosion access allowance (both sides), all development must meet the requirements of the Dundas Two Zone Floodplain Area (U-1) site specific area. Consultation with the Hamilton Conservation Authority and Staff is required to determine the future trail connections, land dedication on the north side of the creek shall not count towards as parkland dedication and the City will not assume ownership of the bridge over the creek.

A Summary of Staff Comments from the Formal Consultation

Natural Heritage

There are Natural Heritage features present and the lands are considered to be within the Core area. The area has also been identified as a Linkage area. Staking the watercourse top of bank will be required with Hamilton Conservation Authority staff and Natural Heritage Planning staff present and an OLS. This delineation shall be used on all future drawings to indicate the line from which the Vegetated Buffer Zone will commence. Urban Hamilton Official Plan policy 2.5.10 a) or b) shall apply depending on if the watercourse is determined to be cold water or warm water (HCA to advise). An Environmental Impact Study and Linkage Assessment will be required and approved at the Zoning stage of the application.

A Tree protection plan and landscape plan will be required.

Conservation Authority

The subject property is located within a Special Policy Area (SPA), the Dundas Two Zone Floodplain Area (UD-1), as identified in the City's Urban Hamilton Official Plan (UHOP). The policies of the SPA do not permit development within the floodway portion of the floodplain (i.e. at or below the 100-year storm flood elevation), but allow for limited development within the flood fringe portion of the floodplain (i.e. area above the 100-year flood elevation up to the Regional Storm flood elevation) subject to providing protection from flooding through the placement of fill and/or floodproofing to 0.3m above the Regional flood elevation. For residential development, the placement of fill is the preferred approach to providing protection from flooding.

As noted above, Spencer Creek traverses the site. The erosion hazard associated with the creek will need to be determined as part of any future development application. This will require consultation with a qualified fluvial geomorphologist and geotechnical engineer to identify the erosion hazard limit. HCA notes the erosion hazard limit should include a 6m erosion access allowance. The geotechnical engineer should also assess the slope located along the south limit of the property. A 6m erosion access allowance will also be required from the toe of slope at this location. All development must be located beyond the erosion hazard limit.

HCA staff recommend that a Linkage Assessment be completed in accordance with UHOP policy requirements and guidelines. HCA suggests this should include a botanical survey (2 season minimum) and breeding bird survey.

A stormwater management report and related grading, servicing and erosion and sediment control plans will be required in support of the any future planning applications to be submitted. This should demonstrate that existing stormwater release rates and groundwater recharge are maintained, and consider level 1 quality control for the first flush rainfall. HCA would not be supportive a new outfall to the creek.

In order to issue a permit for the development the applicant would have to address all flood and erosion hazard issues in accordance with HCA policies, including the policy requirements for development in the Dundas Two Zone Floodplain Area (UD-1) SPA.

Development Engineering

Requirements at the Official Plan Amendment & Zoning By-law Application Stage:

- Functional Servicing Report & Stormwater Management Brief
- Preliminary Grading Plan
- Preliminary Site Servicing Plan

- Pre- & Post-Development Storm Drainage Area Plans
- Watermain Hydraulic Analysis (if required)
- The attached Adequate Water Services – Required Fire Flow-RFF and Available Fire Flow-AFF Form to be completed and submitted for the proposed development.

2. Key questions for Panel (refer to Design Review Panel Questions):

- Does the proposed development build upon the established patterns and built form of the neighbourhood, and demonstrate an understanding of the character of place, context as well as sensitivity to public and private spaces?
- Does the proposal consider the relationship of height, massing, and scale of the surrounding area, and provide appropriate transitions in scale that reflect the existing built and natural environments?
- Does the proposal complement the existing function of the neighbourhood and contribute to connectivity to support modes of public and active transportation?
- Does the proposal include design features that promote the reductions of greenhouse gas emissions and other sustainable design features?
- Does the proposal adequately incorporate the Linkage into the design to retain the aesthetic and environmental qualities of Spencer Creek, and maintain public access to the Spencer Creek Trail, and the Mill Street Open Space Area?
- Does the Proposal conserve, maintain and enhance the natural heritage and topographic features of the site and area?