

PLANNING JUSTIFICATION REPORT

PROPOSED WEST HARBOUR REDEVELOPMENT PIERS 6 - 8 65 GUISE STREET, CITY OF HAMILTON



1.0 INTRODUCTION

WEBB Planning Consultants are retained by the Waterfront Development Office of the City of Hamilton to implement the municipal planning approvals required to achieve the planned development of Piers 6 - 8 adjoining Hamilton's West Harbour.

Consistent with direction from City Council, the City's Strategic Plan sets out a framework to achieve the planned redevelopment and recreational goals for the waterfront. The development plans have been guided by key municipal policy documents and studies including Setting Sail – the Secondary Plan for West Harbour, the West Harbour Waterfront Recreation Master Plan (WHWRMP) and the North End Traffic Management Plan.

Specific to the lands comprising Piers 7 & 8, the City has recently completed a comprehensive Urban Design Study (UDS) intended to guide development and the creation of the linked open space network along the waterfront. Intended to complement the Waterfront Recreation Master Plan for the lands within Piers 6 & 7, the UDS is a comprehensive document that articulates the vision of the community with recommendations for massing, character, circulation and programming, developed through a collaborative consultation process.

It is noted that planned development of the lands will proceed in phases with the ultimate build out anticipated to happen over a 10 to 15 year period. Phasing Plans have been prepared that provide for the gradual development to proceed northerly from Guise Street towards the shoreline. The timing for infrastructure and public realm improvements, including open space areas and community streets, should be designed and implemented comprehensively. The Phasing Plans and timing for specific components will be further refined through the planning approval review process.

The planning applications required to implement the planned development require approval of a Draft Plan of Subdivision and a Zoning By-law amendment. The purpose of the Draft Plan is to create the various development parcels and open space blocks and facilitate the extension of the public street network. An application for a Zoning By-law Amendment will be processed concurrently to provide detailed direction on the form and scale of development.

The proposed planning applications have been reviewed with the City of Hamilton through the Formal Consultation (FC) process. Completed in February of 2016, the FC process has confirmed the required municipal planning approvals and the scope of supporting technical studies and plans that will be needed to facilitate a comprehensive review of the proposal.

The purpose of this Planning Justification Report is to provide a planning analysis in support of the planning applications to confirm the development is consistent with and conforms to the applicable planning policy framework. This PJR evaluates the proposal in the context of the applicable Provincial and local Planning Policy framework and provides our planning analysis and opinion in support of the proposal.

2.0 PROPERTY DESCRIPTION AND NEIGHBOURHOOD CONTEXT

The aerial photograph below identifies the boundary of the subject lands and their context within the West Harbour area of the City of Hamilton.

The lands are generally located along the northerly shoreline of the West Harbour and include the lands described as Piers 6 through 8, as outlined in red on the aerial photograph. The lands that are included in the Draft Plan of Subdivision comprise a total area of 15.2 hectares (37.5 acres).



Guise Street forms the southerly boundary of the development lands. Associated with the original shoreline, Guise Street is generally elevated approximately 4 metres higher than the development lands with a gradual slope towards the water. It is noted that the existing water table elevation is high which will need to be considered in the design and construction of any below grade structures including the feasibility of underground parking.

Guise Street also forms the boundary road for the established neighbourhood to the south. The neighbourhood has retained a grid pattern of streets with a number of streets terminating at Guise Street, these include James Street North, Hughson Street North, John Street North, and to the east, Dock Service Road. Catharine Street previously extended to the lands but was recently altered as part of the North End Traffic Management Plan. The location and potential integration of the development lands with these existing streets has been the subject of a number of studies with the recommended connections to be implemented through the Draft Plan of Subdivision process.

The development lands are provided with significant views towards the harbor. The existing pattern of streets creates a number of view corridors through the subject lands which are recognized in municipal planning documents and have been considered in developing the preferred land use vision. Maintaining these view corridors, both north-south and east-west, will help to integrate the new community with the adjoining neighbourhood.

The Pier 8 lands represent the largest block of land with the potential for development of new buildings, parks and streets. The existing land uses are reflective of the marine related industrial and commercial uses along the waterfront with large warehouses located in the north and west with large areas used for open storage. The north east portion of Pier 8, recently transferred from the Federal Government to the City of Hamilton, contains a mix of low rise buildings with uses including restaurants and community space. Portions of the shoreline have been developed as liner open space with the longer term vision to extend the public waterfront park around the periphery of Pier 8.

The existing structures within Piers 6 - 8 have been assessed for their cultural significance through a Cultural Heritage Impact Assessment. The current plans do not envision the long term retention of the buildings, they are instead being contemplated for adaptive re-use during the phased development of the lands with longer terms options for conservation including documentation and commemoration, and possibly salvage and adaptive re-use of building components.

Existing areas of surface parking presently serve the restaurants, community space and the Hamilton Waterfront Trust Centre located on Pier 8. These parking areas are intended to be retained in the near term with the potential for their retention and/or relocation to be evaluated as part of the planning application review process. One alternative that will be further explored is to relocate surface parking to a centrally located parking garage.

The Pier 7 lands are largely in use for marine related recreational activities including docking facilities and the City of Hamilton Police Marine Unit. The City has recently opened a new boardwalk and docking facilities along the Pier 7 shoreline, as illustrated below, the first of many projects to reach completion under the waterfront redevelopment plan.



The current uses within Pier 6 are generally similar to the Pier 7 area with marine docking facilities and former warehouse buildings along the shoreline. Certain areas have been used for the seasonal storage of recreational boats.

Current open space uses, pedestrian and cycling trails are limited and exist predominantly along Guise Street and a portion of the shoreline around Pier 8. A priority for the development of the lands is to facilitate a connected trail network along the waterfront and integration with the adjoining neighbourhood open spaces to encourage alternative transportation and a healthy and active lifestyle.



The established neighbourhood to the south is characterized as a stable area comprising a mix of housing forms and tenures. The established grid pattern of streets is predominantly developed with grade related housing, generally 2 – 3 storeys in height internal to the neighbourhood and a mix of mid-rise buildings ranging in heights from 6 – 18 storeys along the northerly boundary. The area exhibits a range of local commercial and service type uses that generally cater to the daily needs of the surrounding neighbourhood. The commercial uses are typically smaller scale and include retail stores, banks, restaurants and personal services.

Generally referred to as the “north-end”, the established neighbourhood and its relationship with new development along the waterfront has been carefully considered. The North End Traffic Management Plan has sought to identify and resolve neighbourhood traffic and transportation issues with the implementation of a range of traffic calming measures. The Transportation Impact Study completed by IBI Group in support of the current planning applications builds on the previously completed studies and provides recommendations to safely and efficiently implement the extension of public streets to the development lands.

With regard to public transit, the north end and the west harbor areas are well served by existing local public transit with three HSR routes serving the area. The area also has close proximity to the newly opened West Harbor GO Station which enables regional transit connections.

In addition to public transit, the Transit Demand Management Study completed by the IBI Group documents alternatives for active transportation and provides further recommendations of measures intended to minimize traffic generation from the new development. These measures will be considered through the planning application review process and implemented through Conditions of Draft Approval and detailed site design when applications for Site Plan Approval are processed.

3.0 PROPOSED DEVELOPMENT

The proposed development for the subject lands is consistent with the previously approved municipal Policy documents and Council adopted studies. As discussed in detail in later section of this report, Setting Sail – Secondary Plan for the West Harbour, establishes the various land use designations applicable to the lands with detailed Policies that outline the permitted land uses, the permitted scale and intensity of development and detailed development objectives specific to the waterfront lands. Setting Sail also sets out the intended road fabric, locations for parks and an integrated network of linked open space.

Additional guidance for the development of the lands is provided by the West Harbor Waterfront Recreation Master Plan (2010). The Concept Plan for Piers 6 & 7 has been implemented through the City' adoption of Official Plan Amendment No. 233 and a corresponding Zoning By-law amendment for these lands that sets out the specific Regulations for permitted uses, form and scale of development. Adopted by City Council in February 2014, the Policies and Zoning Regulations are reflected in the fabric of the draft plan of subdivision and the implementing Zoning By-law.

The North End Traffic Management Plan resulted from a study undertaken by the City to identify and resolve traffic and transportation issues. The findings of the Plan helped to inform the future street network for the Pier 6 – 8 lands and have been considered in the Transportation Impact Study prepared in support of the Planning Applications.

The Urban Design Study (UDS) completed by Brook McIlroy is the most recent and the directly relevant study to guide development of the lands. Adopted by City Council in June 2016, this study articulates a detailed vision to achieve the desired development of the lands as a mixed use community comprised of new parks, various types of dwellings, businesses, shops and community uses.

The following image from the Council adopted UDS is illustrative of the vision that is intended to be achieved through the redevelopment of Piers 6 – 8.



Fundamental to the achieving the planned structure of the preferred development plan are a series of key development considerations, summarized as follows:

- An approximately 30 metre wide waterfront park along the edges of Pier 8, with a variety of activities, spaces and amenities.
- A new Green Street (The Greenway) that connects from east to west. This open space is framed by new residences and has activity anchors at the east and west boundaries of the open space.
- A compact road network with small walkable blocks (with an average width of 95 m) framed by continuous rows of trees.

- Retail development in Blocks I and F (Draft Plan Blocks 7 and 4) facing Streets A and C with wide sidewalks and spill out spaces along the edges of the Gateway Park.
- Residential development that establishes a strong rhythm of front yards and unit entrances facing the street.
- A mix of building heights and massing to provide a varied and interesting architectural character.
- A transition of building heights, with taller buildings located near the center of the community. The southern edge of the new neighbourhood is appropriately scaled to the existing low-rise character to the south.
- On-street parking is located throughout the development to provide additional amenity parking for visitors.
- A centralized parking garage is contemplated on Block G, the structure to be wrapped on the ground and second floors with a mix of residential and retail uses. The centralized parking garage would provide public parking for the area and some of the residential parking for the surrounding development blocks.

These considerations are illustrated in the UDS through a block structure plan that sets out the general framework for the streets, open spaces and development blocks, as below:



The block structure plan forms the basis for the demonstration plans recommended by the UDS, outlining the specific design considerations and massing requirements for each of the blocks. The Draft Plan of Subdivision and implementing Zoning By-law are in turn guided by the details provided in the demonstration plans.

The following table summarizes each of the development blocks within the proposed Draft Plan of Subdivision, outlining the permitted land uses, the number of dwelling units and corresponding residential and commercial floor areas, and permitted building heights. The development details are further refined in the draft Zoning By-law.

BLOCK NO.	Land Use	Dwelling Unit Range	Res GFA (sq. m)	Commercial GFA (sq. m)	Building Height (Storeys)
1	Medium Density	90 -120	9,000		4 – 8
2	Medium Density	188 -297	20,800		4 – 8
3	Mixed Use	160 – 238	16,900	600	4 – 6
4	Medium Density and Prime Retail	98 – 122	9000	340	4 – 8
5	Medium Density and Prime Retail	120 -188	3,300	500	4 – 6
6	Mixed Use	123 – 184	13,000	1,500	4 – 6
7	Medium Density and Prime Retail	179 – 247	18,000	4,800	3 – 8
8	Medium Density	194 – 279	20,000		3 – 8
9	Waterfront Commercial	100	TBD	TBD	2 – 4
10	Open Space				-
11	Open Space				-
12	Utility - SWM				-
13	Utility - SWM				-
14	Utility - SWM				-
15	Open Space/Institutional				2
16	Institutional				2 - 4
17	Institutional				2 - 4
18	Utility – Pumping Station				
TOTALS		1170-1730	110,000	7,740	

The potential number of dwelling units is predicated on dwelling units ranging in size from 70 – 110 square metres. The number of units within individual buildings will ultimately be determined by market forces and impacted by the parking alternatives, whether a centralized parking facility is developed or buildings accommodate their individual needs. The total number of dwelling units shall not exceed the maximums set out in the Zoning By-law with regard to the number of units and total floor area for each Block.

An illustrated version of the Draft Plan is provided on the following page.



An Urban Design Brief (UDB) has been completed by SGL Planning & Design Inc. and accompanies the planning applications. The UDB has been provided for the purpose of ensuring the planning instruments provide the necessary guidance to achieve the intended development vision for Piers 6 -8.

As an additional opportunity to review and refine detailed design, it is noted that the development of individual parcels will be subject to Site Plan Approval. This review process is further enhanced by the City's formation of the Design Review Panel that will also review and comment on proposals. These additional steps in the review process will provide the further opportunity for the City to evaluate proposals and ensure the Urban Design objectives articulated in the Council adopted UDS are being achieved.

The planned development of the lands is intended to proceed in phases with the ultimate build out anticipated to happen over a 10 to 15 year period. Phasing Plans have been prepared that provide for the gradual development to proceed northerly from Guise Street towards the shoreline. The design of public realm improvements including open space areas and community streets should be implemented comprehensively. Streetscapes should be designed and built as complete streets and include provisions for transit, pedestrian and cycling infrastructure.

As recommended in the UDS, short term public realm improvements should include the extension of pedestrian and cyclist access to the area, construction of the gateway park and possibly construction of the waterfront park. The Phasing Plans and timing for specific components will be further refined through the approval of the Draft Plan of Subdivision and the Conditions of Approval.

The UDS did contemplate alternative development scenarios that would require amendments to the Secondary Plan. Examples include alternative built form requirements for the central parking structure and alternative uses should the City decide not to pursue Institutional uses on Blocks 1 & 2. These alternatives are not being pursued at this time as these development Blocks are located in lands targeted for later stages of the development. The potential for amendments can be revisited at the appropriate stage.

Copies of the proposed Draft Plan of Subdivision and the draft Zoning Regulations are appended to this report as Appendices "A" and "B".

4.0 PLANNING POLICY FRAMEWORK

The proposed development has been considered in the context of the applicable Planning Policy Framework which includes the Provincial Policy Statement (PPS) and the Growth Plan for the Greater Golden Horseshoe. The local policy framework is provided by the City of Hamilton Official Plan and the West Harbour Secondary Plan.

With regard to Zoning, the lands are proposed to be regulated through the City's new comprehensive Zoning Bylaw No. 05-200.

4.1 PROVINCIAL POLICY STATEMENT (PPS - 2014)

The proposed development of the subject property is consistent with Section 1.0 of the PPS, Policies for Building Strong Healthy Communities. The proposal supports an appropriate range and mix of land uses and is appropriate for and efficiently uses existing infrastructure, promoting cost effective development patterns which minimize land consumption and servicing costs.

Having regard for the Settlement Area Policies, Section 1.1.3, it is noted the property is within a designated settlement area, such locations shall be the focus of growth and development. The density of development proposed for the site is an efficient use of underutilized land and has been confirmed to be an appropriate and efficient use of the available and planned infrastructure. The proposal is transit supportive given a location in proximity to existing bus routes and regional transit and supports active transportation based on the existing and planned network of walking and cycling trails.

In keeping with Policy 1.1.3.3, the proposal is an appropriate example of intensification, facilitating the redevelopment of an underutilized brownfield property where suitable municipal infrastructure exists. The proposal is contiguous to existing development, situated with immediate proximity to collector and arterial roads, and municipal services and planned and or available.

The proposed development lands are located within the potential influence area of existing industrial uses. To address Policy 1.2.6 – Land Use Compatibility, a Preliminary Dust and Odour Impact Assessment and Environmental Noise and Vibration Impact Feasibility Studies have been completed. These studies have confirmed the potential for impacts and outline recommendations for further study and the development of appropriate mitigation strategies as may be required. The necessary implementation measures will be reviewed upon completion of the further study and, where necessary, implemented through the Conditions of Draft Approval.

The redevelopment of the property implements the Housing Policies of Policy 1.4 of the PPS as the proposal will contribute to the appropriate range of housing types and densities to meet projected requirements of current and future residents. The development will

contribute to the supply of serviced residential units at a location where appropriate levels of infrastructure and public service facilities are available.

A Functional Servicing Report and a Stormwater Management report have been completed for the lands to address Policy 1.6 – Infrastructure. The Reports confirm that the development can be accommodated in a manner that promotes the efficient use and optimization of existing and planned municipal services.

The redevelopment of Piers 6 – 8 as a mixed use community supports Policies for Long Term Economic Prosperity, in particular Policies 1.7 (c), (d) & (e). The development of the lands for a mix of uses will enhance and support the vitality of the West Harbour and contribute to a sense of place by promoting well designed built form that reflects the heritage of the area. The proposal promotes the re-use of a brownfield site, the lands are the subject of detailed environmental studies and will be remediated to the appropriate standard prior to development.

To address Policy 2.1 - Natural Heritage, a preliminary constraints analysis has been completed for the subject lands and work is underway to finalize an Environmental Impact Study. With regard to natural vegetation resources, constraints in the study area appear to be minimal. From a Species at Risk (SAR) and Significant Wildlife Habitat (SWH) perspective the assessment confirms there are very few constraints on the site. The information gathered from the preliminary assessment will be supplemented by additional field work with the EIS to summarize the findings and assess potential impacts of the proposed development. The recommendations will be reviewed with City and agency staff and implemented as necessary through the Conditions of Draft Plan Approval.

To address Archaeology, a Stage One Archaeological Background Study has been completed for the lands. The Study confirms the location of the original shoreline as following Guise Street at the southern boundary of the development lands. Subsequent development of the Hamilton Harbour wharf complex saw the construction of the industrial piers and wharf complexes with the current shoreline established around 1969. The Archaeological Assessment confirms certain portions of the site as having low archaeological potential and free of further archaeological concerns. Additional areas have potential for archaeological materials and further assessment is underway for these areas. Remaining areas are recommended to be monitored during construction for documentation of any resources. The recommendations are to be reviewed with the City and the Ministry with appropriate Conditions to be met prior to any ground disturbing activities.

With regard to Cultural Heritage, a Cultural Heritage Impact Assessment has been completed. The Assessment has identified the structures/built features on the lands having cultural heritage value or interest. As the proposal to develop the lands results in adverse impacts, the Assessment is recommending a balanced approach to conserving cultural heritage value and allowing for future development. The recommended mitigation measures will be reviewed through the processing of the planning applications and implemented where appropriate through the Conditions of Draft Approval.

Having regard for Natural Hazard Policies of Section 3.1 PPS, the potential flooding hazard has been assessed through a Wave Overtopping Analysis to assess existing conditions and recommend potential mitigation. The analysis confirms overtopping does occur with potential for inland flooding due to a gently sloping backshore. The study outlines a series of alternatives that can be incorporated at the detailed design stage to ensure any potential hazards are mitigated.

Recognizing the former industrial use of the lands and the importing of fill materials, a Phase II Environmental Site Assessment has been completed to assess the potential for contaminants and remediation as may be required to ensure no adverse effects. The Assessment summarizes the findings of soil and groundwater testing and confirms that certain areas of the subject lands will require remediation. The Assessment outlines future activities that are to be followed for completion of a Risk Assessment and requirements to secure the issuance of a Record of Site Condition and Certificate of Property Use. Subject to the timing, the requirements may be implemented through Conditions of Draft Plan Approval or use of a Holding Provision to ensure the lands are appropriately remediated for the intended uses.

On the basis of the above comments, it is our opinion that the proposal is consistent with the PPS.

4.2 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE – PLACES TO GROW

The subject application has been considered in the context of the applicable policies of the Growth Plan for the Greater Golden Horseshoe including policies for Managing Growth and General Intensification.

As noted in the PPS discussion, the proposal is acknowledged as a form of intensification given the intent to redevelop a brownfield area at a higher density than currently exists. The lands are also within the built-up area boundary as delineated by the City of Hamilton

With regard to Section 2.2 – Policies for Where and How to Grow, the proposal conforms with the Policies for Managing Growth and General Intensification.

The proposal implements the objective of accommodating population and employment growth by directing a significant amount of new growth to the built up area through intensification. The development concept of the lands is intended to reduce dependence on the automobile through its development as a mixed use, transit supportive, pedestrian friendly environment. The concept achieves the objective to develop as a complete community given the mix of land uses, range and mix of employment and housing types, high quality open space and easy access to local stores and services.

Policy 2.2.3.1 states that by the year 2015 and for each year thereafter, a minimum of 40% of all residential development occurring annually within each single tier municipality will be within the built-up area. The Piers 6 - 8 development will contribute up to 1700 dwelling

units in total within the built-up area. While the specific timeframes for completion are uncertain, the scale of development will assist the municipality in achieving the growth target.

Section 3.0 of the Growth Plan outlines Policy for Infrastructure to Support Growth. Policy directions for intensification and compact growth are intended to reduce infrastructure costs by shifting growth from lower density development to more efficient and compact urban form. Key areas of infrastructure planning include transportation, water and waste water systems, and community infrastructure. The Pier 6 – 8 proposal implements infrastructure Policy objectives as an example of a compact urban form with immediate proximity to existing transit and the efficient use of existing and planned infrastructure.

The continued planning and implementation of public open space improvements along the waterfront implements Policies of Section 4.2 of the Growth Plan – Policies for Protecting What is Valuable. The planned development of Piers 6 – 8 and creation of new parks and waterfront open space implements Policy that encourages the development of an open space system within built-up areas that includes publically accessible parkland, open space and trails, and shoreline areas.

On the basis of the above, it is our opinion that the proposal conforms to the Policies of the Growth Plan for the Greater Golden Horseshoe.

4.3 URBAN HAMILTON OFFICIAL PLAN (UHOP)

The subject lands, in particular all of the lands that are within the boundaries of Setting Sail – the Secondary Plan for the West Harbor, are not subject to the UHOP. Setting Sail was initially prepared and adopted as an amendment to the former City of Hamilton Official Plan.

At the time of City Council’s adoption of the UHOP, the status of Setting Sail was the subject of an appeal to the Ontario Municipal Board. The resolution of the appeal occurred following Council’s adoption of the UHOP. For this reason, non-decision No. 113 applies for Setting Sail and the Policies of the former City of Hamilton Official Plan remain in effect for this area.

Should the non-decision be lifted prior to Council’s consideration of the subject proposal, an addendum to this planning report can be prepared to evaluate the proposal having regard for the applicable Policies of the UHOP.

4.4 CITY OF HAMILTON OFFICIAL PLAN

As noted above, the City of Hamilton Official Plan remains in effect for the lands within the Setting Sail Secondary Plan area due to non-decision No. 113.

The West Harbour Secondary Plan was incorporated into the City of Hamilton Official Plan by By-law 12-163, approved by the Ontario Municipal Board in June 2012.

The effect of the approval was to add Setting Sail to Subsection A.6 – Secondary Plans, with the land use schedules of the Secondary Plan also being added. The underlying land use designations as indicated on Schedule A of the Official Plan (Land Use Concept) were deleted (i.e. the former “Special Shipping and Navigation Uses” designation) and replaced with a new designation entitled “West Harbour”.

The “West Harbour” designation does not contain specific policies but rather is utilized to note that the area is subject to the West Harbour Secondary Plan. Other Special Policy Areas that existed within the limits of the West Harbour Secondary Plan were also deleted from the Official Plan and replaced with new policy direction from the West Harbour Secondary Plan.

The remaining policies of the Hamilton Official Plan from Section B (Servicing Strategy) and Section C (Amenity and Design Strategy) are still applicable.

4.4.1 Section B – Servicing Strategy

The Policies of Subsections B.2.1 – B.2.3 state the intent for all existing and future development within the City to be effectively serviced by the water distribution and sewage disposal system and that adequate measures be undertaken to ensure that storm water run-off is safely and effectively managed. In the context of proposed development of Piers 6 - 8, this has been addressed through the completion of technical studies including a SWM Report and Functional Servicing Report, these studies prepared having regard for the City’s Master Servicing Studies. Subject to the City’s review and approval of these studies, the recommendations and requirement for detailed engineering design will be implemented through Conditions of Draft Plan approval.

The Policies of Subsection B.3 outlines the intent of the Plan to ensure the development and maintenance of an effective circulation and movement system which consists of a road network, public transit, parking, pedestrian and bicycle circulation, and rail, marine and air services. It is noted that the planning applications for the Piers 6 - 8 lands are accompanied by a range of studies including a Transportation Impact Study, a Parking Demand Analysis and a Transportation Demand Management Study. These studies are intended to comprehensively address the components of the circulation and movement system including the extension of municipal streets, road design, adequate parking supply and implementation of TDM measures to reduce auto use and encourage active transportation.

The integration of active transportation, including walking and cycling, has also been examined through the UDS. A series of recommendations are outlined to ensure the Pier 6 - 8 lands are integrated with the existing trail network and public roads and open space linkages developed as complete streets. These measures and related system improvements will be implemented through Conditions of Draft Approval and detailed engineering design.

4.4.2 Section C – Amenity and Design Strategy

The Policies of Section C are intended as complementing Policy towards the realization of the Land Use and Management Strategy of the Plan, addressing matters of natural resources and man-made attributes. Relevant policies include the provision of community services, tree planting and landscaping, Policies to preserve and utilize architectural and historic resources, and Policies to enhance the residential environment and ensure an appropriate supply of housing.

The provision of adequate Community Services is essential to enhance the quality of life enjoyed by residents of the City. The provision of community services, which includes parklands, recreation, schools and libraries, has been the subject of significant study for the Waterfront including Setting Sail, the West Harbour Waterfront Recreation Master Plan, and the recently completed UDS. The proposed Draft Plan and Zoning By-law Amendment will implement a range of community services through the establishment of the parks, cycling and pedestrian trails, and land use regulations intended to encourage cultural uses including art galleries and libraries within the Pier 6 - 8 precinct.

With regard to Tree Planting and Landscaping, the intent of the Subsection C.3 is that the streetscape be enhanced by the retention of existing vegetation, the promotion of widespread growth of trees and the provision of landscaping. This objective has been studied in detail through the preparation of the UDS with specific recommendations for the design of public realm improvements including parks, open spaces and streetscapes. These improvements will be further refined through the planning application review process with the requirement to prepare detailed streetscape and landscaping plans in fulfilment of conditions of Draft Plan Approval.

To address architectural and historic resources, a Cultural Heritage Impact Assessment has been completed. The Assessment has identified the structures/built features on the lands having cultural heritage value or interest. As summarized in a preceding section of this report, a recommended mitigation strategy includes longer terms options for conservation including documentation and commemoration, and possibly salvage and adaptive re-use of building components. These recommendations will be reviewed through the processing of the planning applications and implemented through the Conditions of Draft Approval.

Subsection C.7 – Residential Environment and Housing Policy – outlines the intent to provide a high standard of residential and urban amenity and the provision of an ample and varied supply of dwelling types to cater to the needs of all income groups. Policy states that varieties of residential types will not be mixed indiscriminately but will be arranged in a gradation so that higher density developments will complement those of a lower density.

Policy C.7(v) encourages new residential development that provides a range of dwelling types at densities and scales that recognize and enhance the scale and character of existing residential areas by having regard to natural vegetation, lot frontages and areas, building height, coverage, mass, setbacks, privacy and overview.

It is recognized that the proposed development lands are adjoining a stable residential area to the south. This circumstance was recognized in adoption of Setting Sail with Policy direction that directs lower building heights and densities along the Guise Street interface. The development concept for the subject lands is premised on smaller development blocks with a grid pattern of streets and open space corridors that are intended to maintain view corridors within and through the precinct.

The proposed redevelopment will enhance the scale and character of the existing residential area by providing a range of complementary uses including stores, restaurants, open space and community uses catering to existing neighbourhoods. The proposed land use and built form Regulations provide a framework to ensure the scale and form of development will be compatible with existing areas.

Specific design criteria including materiality will be assessed at the Site Plan Approval stage and subject to consistency with the objectives of the council adopted UDS.

Based on the above, the proposed development meets the general intent of the former City of Hamilton Official Plan with respect to the general Policy direction of Sections B and C.

4.5 SETTING SAIL - WEST HARBOUR SECONDARY PLAN

Approved by the Ontario Municipal Board in 2012, the West Harbour Secondary Plan (WHSP) applies to a large portion of the lower City of Hamilton, generally extending northerly from Canon Street and York Boulevard, Wellington Street North as the east boundary, and the shoreline of the West Harbour as the north boundary.

The structure of the Secondary plan is to outline general land use policies that apply to all parts of the West Harbour Area. The Plan then outlines a detailed policies applying to the major structural components comprising the West Harbour, these are categorized as Areas of Major Change, Corridors of Gradual Change and Stable Areas. The subject lands are located within the Waterfront, one of the three Areas of Major Change. The adjoining neighbourhood to the south is identified as a Stable Area.

4.5.1 Planning Principles

The planning process for Setting Sail was guided by eight core principles that were developed in the initial phase of the Secondary Plan, the principles balance the aspirations of the City and the local community for the West Harbour. The principles are intended to guide future development, ensuring that future proposals and initiatives will realize the objectives for the West Harbour.

The eight principles are as follows:

- Promote a healthy harbour;
- Strengthen existing neighbourhoods;
- Provide safe, continuous public access along the water's edge;

- Create a diverse, balanced and animated waterfront;
- Enhance physical and visual connections;
- Promote a balanced transportation network;
- Celebrate the City's heritage; and,
- Promote excellence in design

The above principles have been considered and implemented through the planning process for the Pier 6 – 8 including the various background studies and plans such as the West Harbour Waterfront Recreation Master Plan (2010) and the recently adopted UDS. The various technical and design studies submitted in support of the current planning applications also have regard for the principles on matters including urban design and built heritage. The creation of a sustainable transportation network including promotion of alternative transportation is documented in a range of studies.

4.5.2 General Land Use Policies

Provided on the following page is an excerpt from Schedule M-2 of the Secondary Plan, the General Land Use Map. The Figure illustrates the designations applicable to the lands which include Medium Density Residential 1 & 2, Mixed Use, Prime Retail, Waterfront Commercial, Institutional and Open Space.

The directly relevant policies for each of the designations are summarized below:

Medium Density Residential 1

- Multiple dwelling are permitted;
- Density of development shall be in range of 60 – 150 units per gross hectare;
- Building Heights shall Range from 3 – 5 storeys; and,
- Parking Areas shall generally be provided at the rear of sites or underground, with access from public streets or laneways.

Medium Density Residential 2

- Multiple dwellings and apartment building combined street townhouses are permitted;
- Density of development shall be in range of 150 - 3000 units per gross hectare;
- Building Heights shall Range from 4 – 8 storeys; and,
- Parking Areas shall generally be provided at the rear of sites or underground, with access from public streets or laneways.



Mixed Use

- Apartment buildings and apartment buildings with ground floor street related commercial and/or community uses are permitted;
- Range of commercial uses permitted on the ground floor shall include retail stores, restaurants, take-out restaurants businesses and personal services, and professional offices;
- Range of community uses permitted on the ground floor shall include day nurseries, schools, libraries and places of worship;
- Ground floor uses shall have their main entrance on the street with barrier free access, at grade;
- Parking areas shall be provided at the rear of sites, underground and/or in above grade structures behind buildings, with access from public streets and laneways; and,
- Above grade parking structures shall be located within buildings and fronted by street related commercial, community and/or residential uses.

Prime Retail

- Mixed use developments with ground floor, street related commercial and community uses are permitted and encouraged;
- Most of the street facing portion of the ground floor of buildings shall be reserved for street related commercial and/or community uses, including retail stores, restaurants, take out restaurants, business and professional services, and/or professional offices;
- the density and height of development shall be governed by the maximum heights identified on Schedule “M-4”;
- buildings generally shall be built close to or at the front property line, subject to the development satisfying sightline requirements entering the public road allowance;
- parking areas shall be provided at the rear of sites, underground and/or in above-grade structures behind buildings, with access from public streets or laneways; and,
- above-grade parking structures shall be located within buildings and fronted by street-related commercial, community and/or residential uses.

Waterfront Commercial

Implemented by Official Plan Amendment No. 233, the lands within Piers 6 & 7 were redesignated to Waterfront Commercial, a new designation within the Secondary Plan. The amendment includes a range of policies intended to guide the permitted uses, form and scale of development to ensure implementation of the West Harbour Waterfront Recreation Master Plan.

The relevant polices are summarized as below:

- Permitted uses include small-scale specialty commercial uses, including, but not limited to, boutiques, cafes, bistros, restaurants, take-out restaurants, gift shops, galleries, studios, artisan workshops, Small-scale commercial uses ancillary to marine recreational uses, including but not limited to, marine supply stores, boat service, repair shops and recreational equipment rental facilities, Offices, that support waterfront uses, on upper floors only;
- Residential uses are permitted on the upper floors only; and,
- One Hotel is permitted.

The following conditions shall apply to all development:

- The maximum building height shall be 3 storeys;
- Each individual waterfront commercial establishment, excluding hotels, shall not occupy more than 500 square metres of gross floor area; and,
- In a mixed use building that includes residential, the maximum floor area for each individual commercial establishment shall not exceed 500 square metres of gross floor area.

Institutional

- Institutional uses, such as hospitals, nursing homes, day nurseries, schools, libraries, museums, places of worship and social services, are permitted;
- In areas designated Institutional, professional medical offices are permitted provided they are compatible with the surrounding area and are in keeping with the Local Commercial policies of this plan;
- The maximum height of buildings shall be 3 storeys, except where otherwise identified on Schedule “M-4”; and,
- parking areas shall be provided at the rear of sites, underground and/or in above-grade structures behind buildings.

Open Space

- publicly-accessible open spaces, including parks, squares, trails, and public art are permitted;
- indoor and outdoor public recreational facilities are permitted; and,
- recreational equipment rental and maintenance facilities are permitted.

Live/Work Use

Policy states that live/work uses may be permitted in all areas within West Harbour, except Open Space and Institutional areas and are subject to the following :

- Liv/work uses defined as a dwelling unit in which an individual also operates a commercial business; and,
- Live/work uses shall be compatible with neighbouring uses and built form, and shall have no adverse environmental impacts in terms of noise, vibration, emissions and air quality. Any traffic or parking issues arising from the commercial aspect of the use shall be addressed to the satisfaction of City staff.

4.5.3 Areas of Major Change – the Waterfront

Within the boundaries of the Secondary Plan, there are three areas identified for significant land use change - the Waterfront, Barton-Tiffany precinct, and the Ferguson-Wellington Corridor.

Policies for the Waterfront are outlined by Section A.6.3.5.1 of the Secondary Plan. Policies A.6.3.5.7 through A.6.3.5.25 are intended specifically for development of Piers 6 – 8.

At the outset, the Policies acknowledge that two comprehensive studies must be completed prior to any development occurring.

Firstly, a comprehensive urban design study of the entirety of Piers 7 & 8 shall be completed. The study shall determine the appropriate height and massing of new buildings, taking into consideration impacts on public views, sunlight penetration, privacy and wind conditions. This study requirement is satisfied by Councils adoption of the UDS completed by Brook McIlroy.

The second study requirement is for the completion of a comprehensive traffic calming study with recommendations to be implemented prior to approval of any new development on Piers 7 and 8. This requirement was satisfied in 2008 upon the City's adoption of the recommendations North End Traffic Management Plan (NETMP) and implementation of the recommended strategies to address traffic impacts arising from the planned West Harbour development. It is noted that the Transportation Impact Study submitted with these applications has considered the NETMP. The IBI Group Study recommends continuing to implement the recommendations of the NETMP including the on-going monitoring program.

With regard to permitted uses, Policies for the Waterfront provide for additional guidance on the location and scale of specified uses as follows:

- As amended by OPA 233, a total of one hotel will be permitted in those areas designated Medium Density Residential 2, Mixed Use, Prime Retail and Waterfront Commercial on Piers 7 & 8;
- For areas designated Open Space, additional commercial uses are permitted including restaurants, cafés, and food and beverage vendors. Such uses are permitted provided they are small-scale and not greater than two storeys, and in totality do not occupy more than 1,500 square metres;
- A public parking garage is permitted on the block north of Guise Street, between the future extensions of Hughson Street and John Street. A public parking garage in this location shall be integrated with, and fronted on all sides and all levels by, residential or commercial uses;
- Street townhouses shall not be permitted on Piers 7 & 8; and,
- On piers 7 & 8, direct driveway access to individual dwelling units, private garages fronting public streets and front yard parking shall not be permitted.

Specific to the Mixed Use Blocks within Pier 8, the following Policies are applicable:

- Institutional uses of a cultural nature, such as museums and galleries, are permitted and encouraged;
- Apartment buildings and apartment buildings with institutional uses of a cultural nature on the ground-floor or lower floors are permitted and encouraged;
- Public open spaces are permitted;
- Buildings shall generally be built to the front property line;
- Ground-floor commercial uses ancillary to a cultural use, such as a restaurant or retail store, are permitted, provided they occupy no more than 20% of the total non-residential floor area;
- Parking areas shall be provided underground and/or in above-grade structures; and,
- Above grade parking structures shall be located within buildings and fronted on all levels by commercial, cultural or residential uses.

The Draft Zoning By-law has been developed to reflect the above policies with regard to the scope of permitted uses for the various designations, as well as, built form regulations to

ensure the desired built form is appropriately regulated. The By-law conforms in all regards with the Policies of Setting Sail with regard to permitted uses, scale and form of development.

4.5.4 Implementation Policies

The Secondary Plan contains further policies that shall be considered where development is proposed, including regard for built heritage, adherence to urban design principles, and the protection and enhancement of the natural environment.

The Heritage Policies are intended to promote the conservation of significant built heritage resources in the Plan area. Where development is proposed, a Heritage Impact Assessment (HIA) is to be provided that documents buildings or structures on or adjacent to development sites. This requirement is satisfied by the accompanying HIA prepared by MHBC which has evaluated the subject lands and provides a recommended strategy for conservation based on the potential for adaptive re-use during initial phases of development and longer term options including documentation and commemoration, and possibly salvage and adaptive re-use of building components. The recommendations of the HIA will be considered through the application review process and implemented through the Conditions of Draft Plan Approval.

Urban Design Principles are outlined in Policy A.6.3.4 of the Plan with the introductory statement that redevelopment shall respect and enhance the best attributes of West Harbor and shall adhere to the following design principles:

- Create a comfortable and interesting pedestrian environment;
- Respect the design, scale, massing, setbacks, height and use of neighbouring buildings, existing and anticipated by this plan;
- Generally locate surface parking at the rear or side of buildings;
- Provide main entrances and windows on the street-facing walls of buildings, with entrances at grade level; and,
- Ensure barrier-free access from grade level in commercial mixed use developments.

Further Policy states the City shall demonstrate leadership by designing new public buildings and spaces and maintaining and upgrading existing public facilities, streets, and spaces to a consistent and high standard.

These urban design policies are consistent with the recent amendments to Section 2 of the Planning Act which include the promotion of built form as a Matter of Provincial Interest. Specific matters that Council shall have regard to include built form that is well designed, encourages a sense of place, and provides for public spaces that are of a high quality, safe, accessible, attractive and vibrant.

It is our opinion that a commitment to achieving the highest standard of built form is being achieved for Piers 6 – 8 through the guidance established by existing Policy documents and Council adopted guidelines. Implementation of urban design priorities is advanced through the proposed Zoning Regulations and the Urban Design Brief that accompanies this submission. At a future stage, individual development proposals will be assessed for consistency with design objectives through Site Plan Approval. The City has also implemented a design review process to ensure projects achieve excellence in design.

With regard to the natural environment, Policy A.6.3.4 outlines requirements to ensure that changes in the built environment can protect and enhance elements of the natural environment. In the context of the redevelopment of Piers 6 - 8, these requirements are addressed through a range of supporting studies that have considered matters including soil and groundwater quality, natural heritage features, and air studies. Where appropriate, the recommendations of these studies will be implemented through Conditions of Draft Plan Approval

4.5.5 Summary

The above Policy framework provides detailed guidance for the future development of the Pier 6 – 8 lands. It is noted that the development of the individual development parcels will be the subject of future applications for Site Plan Approval. The detailed design review process will allow for the implementation of the above noted design considerations and additional matters intended to ensure the development achieves a high standard of urban design. Ensuring proposals achieve excellence in design can be further facilitated by the review of individual applications by the City’s Design Review Panel.

The proposal in our view implements the intent of the Secondary Plan as a brownfield site is redeveloped for a mix of uses that are encouraged by the Principles of the Secondary Plan. Consistent with the preferred design of the Council adopted UDS, the proposed built form will be well designed in a manner that enhances the character of the neighbourhood and creates new public spaces that are high quality, safe, attractive, accessible and vibrant.

On the basis of the above discussion, it is our opinion that the proposal conforms to the Policies of Setting Sail - West Harbour Secondary Plan.

4.6 ZONING BY-LAW AMENDMENT

4.6.1. Current Zoning

The subject lands are presently Zoned under the former City of Hamilton Zoning By-law No. 6593. A comprehensive amendment is required to implement the proposed development.

Approved by City Council in February 2014, the lands comprising Piers 6 & 7 were the subject of a City initiated rezoning to implement the Waterfront Recreation Master Plan. The rezoning changed the Zoning to a site specific Waterfront Recreational District with Holding

provisions. The approved By-law was appealed to the OMB who upheld the decision of the City to approve the By-law. However, the OMB Decision is the subject of a Section 43 Review and for this reason the new zoning is not in effect.

The lands comprising Pier 8 are currently Zoned as “F-4/S-838a” – Waterfront Services District, Modified, pursuant to a rezoning that approved in February 1997.

4.6.2 Proposed Zoning – General Comments

To be consistent with the City’s Zoning By-law reform, all of the lands will be added to the City’s new comprehensive Zoning By-law No. 05-200. The City is actively working towards repealing the Zoning By-laws of the former municipalities with work presently underway to implement zones for commercial, mixed use and transit oriented corridor zones.

Guided by the Policies of Setting Sail, the amendment will introduce a series of new Zoning categories, each of which will identify matters including permitted uses, prohibited uses, building placement and height, and the intensity of permitted uses.

The Zoning Regulations will also identify Regulations intended to guide built form. These Regulations have been developed having regard for the recommendations outlined in the Council adopted UDS and are included for the purpose of ensuring the vision for this neighbourhood can be achieved. Examples of Built Form Regulations include:

- Step backs of upper floors for taller buildings to minimize shadowing on the streets and create appropriately scaled podiums;
- Requirement for at grade residential units to have their principal entrance facing the street with direct access from the public sidewalk;
- Minimum width of building facades where abutting Streets or the Greenway/SWM Block;
- Design parameters for the at grade commercial uses within the Prime Retail precinct;
- The proposed centralized parking facility is required to be fronted on all sides and all levels by permitted commercial and residential uses with parking located interior to these uses.

It is noted that the intent of the proposed Zoning Regulations is to implement the recommendations the UDS with regard to scale, massing and built form elements of new buildings. The By-law is not intended to regulate materiality of new development as the underlying intent is to allow flexibility in the architectural design of individual buildings. Materiality and design related issues will be addressed as each development proposal proceeds through the Site Plan Approval process, having appropriate regard for the Building Design recommendations outlined in the council adopted UDS.

A copy of the Draft Zoning By-law is attached to the report as Appendix “B”.

4.6.3 Piers 6 & 7

As noted above, the lands within Piers 6 & 7 were recently the subject of a comprehensive Zone change. Adopted in parallel with an amendment to Setting Sail, the rezoning provides for the implementation of Waterfront Recreation Master Plan.

The proposed rezoning for Piers 6 & 7 will carry forward the Site Specific Zone Regulations from By-law No. 14- 042. The lands will be rezoned to the new “Waterfront Commercial” category under By-law 05-200 – Waterfront Commercial. Consistent with the original By-law, site specific modifications are included with the intent of regulating the permitted uses, and the scale and massing of development. The new Zoning will also carry forward the recommended Holding provisions.

These lands are identified as Block 9 on Schedule “A” and further refined as Blocks 9-1, 9-2 & 9-3, consistent with the structure of the original amending By-law No. 14-042.

4.6.4 Pier 8

The Zone Categories for Pier 8 are generally consistent with the Land Use Designations of the Secondary Plan with further refinements as required to implement the block structure and road pattern that is proposed to be created by the Draft Plan of Subdivision.

The individual Zone categories are structured to identify the permitted uses and the performance Regulations to implement the scale of development including setbacks, building height, maximum floor area for permitted uses, and where applicable, the permitted number of residential dwelling units.

Each Zone also includes Regulations to guide the built form for new development. These Regulations are intended to provide further guidance on building design consistent with the recommendations of the recently completed Urban Design Study for Piers 7 & 8. Examples of Built Form Regulations are noted in a preceding section.

4.6.5 Number of Dwelling Units

Consistent with the demonstration plan within the Council adopted UDS, a minimum and maximum number of dwelling units is specified for each of the development blocks equal to a combined maximum of 1,700 dwelling units. The number of dwelling units conforms to the Density provisions of the Secondary Plan, where applicable, and includes a maximum of 100 potential dwelling units being developed on the Pier 6 & 7 lands.

It is noted that the Zoning for Block 5, the potential location for the centralized parking structure provides a range of between 120 – 188 dwelling units. This range is greater than the range specified in the UDS and anticipated to be achieved only in the event that the centralized parking structure is not included as part of the future development. In this circumstance each development parcel will provide on-site parking which will potentially

reduce the number of dwelling units that can be achieved within the permitted building mass.

4.6.6 Parking

With regard to the provision of parking, the Parking Regulations of Section 5.0 of By-law 05-200 are intended to apply. It is noted that a Parking Study has been completed for the study area which is recommending minor modifications to the parking Regulations. The Study completed by the IBI Group has reviewed the parking ratios of By-law 05-200 and provides recommendations for reduced parking rates. The rationale in support of the reductions includes:

- High level of mixed use development which enables shared parking;
- Close proximity to downtown Hamilton and the West Harbour GO Station;
- Potential for significantly improved transit access if the proposed LRT is extended along James Street or ultimately to the waterfront; and,
- High potential for active transportation and reduced automobile dependency through the adoption of TDM measures.

The parking study has also assessed parking supply options including the provision of a centrally located parking structure containing 640 spaces as an alternative to parking being integrated into individual developments. As noted above, either scenario will have an impact on the overall number of dwelling units that will be achieved.

It is recommended that the IBI Group Study and proposed modifications to the Regulations be evaluated reviewed through the planning application review process and considered as part of the future staff recommendation report.

4.6.7 Summary

A copy of the draft Zoning By-law is included with this report as Appendix “B”. It is understood that the Regulations of the draft By-law will be the subject of further refinement through the planning application review process with a final By-law being prepared in consultation with City Planning Staff.

5.0 SUPPORTING STUDIES

The scope of the studies that are required to accompany submission of the planning applications was identified through the Formal Consultation process.

In addition to this Planning Justification Report, the scope of the required studies is as follows:

- Urban Design Brief
- Archaeological Assessment
- Cultural Heritage Impact Assessment
- Dust & Odour Assessment
- Noise Study
- Environmental Impact Assessment (Natural Features)
- Environmental Site Assessment
- General Vegetation Inventory/Tree Protection Plan
- Functional Servicing Report
- Water & Wastewater Servicing Study
- Stormwater Management Study
- Transportation Impact Study
- Parking Analysis
- Transportation Demand Management (TDM) Study

The required studies and plans are intended to facilitate a comprehensive review of the proposed development and, where applicable, provide information that informs the planning opinion. Examples of studies that have informed the planning opinion include the Archaeological & Cultural Heritage Assessments, studies to address compatibility including the Noise and Dust & Odour Studies and Traffic Impacts, Environmental Assessments to confirm the lands are suitable for the intended use, and servicing studies to confirm the existing and planned infrastructure can accommodate the proposal.

An additional study that is directly relevant to assessing the merit of the proposed planning approvals is the Urban Design Brief (UDB) that has been completed by SGL Planning & Design. The purpose of the UDB is to evaluate the proposed Zoning By-law and validate the Regulations having regard for the proposed development vision for the lands as articulated by the Council Adopted UDS.

6.0 PLANNING ANALYSIS AND CONCLUSION

The City's Strategic Plan sets out a framework intended to achieve the planned redevelopment and recreational goals for the waterfront. The accompanying applications for Draft Plan of Subdivision and implementing Zoning By-law are being submitted for a portion of the waterfront to facilitate the planned redevelopment.

Guidance for the proposed redevelopment of Piers 6 – 8 is provided by a number of key municipal policy documents and studies which apply to the broader areas encompassing the West Harbour. These documents and studies include Setting Sail – the Secondary Plan for West Harbour, the West Harbour Waterfront Recreation Master Plan (WHWRMP) and the North End Traffic Management Plan.

The Urban Design Study (UDS) completed by Brook McIlroy is the most recent and the directly relevant study to guide development of the waterfront. Adopted by City Council in June 2016, this study articulates a detailed vision to achieve the desired development of the lands comprising Piers 7 & 8 as a mixed use community comprised of new parks, various types of dwellings, businesses, shops and community uses.

Intended to complement the Waterfront Recreation Master Plan for the lands within Piers 6 & 7, the UDS is a comprehensive document that articulates the vision of the community with recommendations for massing, character, circulation and programming, developed through a collaborative consultation process. The key structural elements to achieve the planned vision for this new neighbourhood include the following:

- A waterfront park approximately 30 metres in width built along the edges of Pier 8 with a variety of activities, spaces and amenities;
- A new Green Street (The Greenway) that connects from east to west. This open space is framed by new residences and has activity anchors at the east and west boundaries of the open space;
- A compact road network with small walkable blocks framed by continuous rows of trees;
- At grade commercial development facing the primary entry street (Street “A” and portion of “C”) with wide sidewalks and spill out spaces along the edges of the Gateway Park;
- Residential development that establishes a strong rhythm of front yards and unit entrances facing the street;
- A mix of mid-rise buildings and varied massing to provide a varied and interesting architectural character;
- A transition of building heights, with taller buildings located near the center of the community and the southern edge of appropriately scaled to the existing low-rise character to the south;
- On-street parking is located throughout the development to provide additional amenity parking for visitors; and,

- A centralized parking garage is contemplated, intended to be wrapped with a mix of residential or commercial uses. Subject to further study, the centralized parking garage could provide public parking for the area and some of the residential parking for the surrounding development blocks.

The proposed Draft Plan of Subdivision is structured to achieve the development of the planned vision through the establishment of the various development blocks, municipal streets and areas intended for creation of a linked open space system. Subject to the City finalizing a disposition strategy, proponent will proceed to detailed design for individual blocks in accordance with the draft Zoning Regulations which provide detailed guidance on permitted uses, the scale of development, permitted building heights and additional Regulations intended to regulate the desired built form.

Consistent with Setting Sail, a fundamental objective for the proposed development is that the City shall demonstrate leadership by designing new public buildings and spaces and maintaining and upgrading existing public facilities, streets, and spaces to a consistent and high standard.

It is our opinion that the proposed Draft Plan and Zoning By-law will provide the necessary framework to ensure the design objectives for Piers 6 – 8 can be achieved. The framework is consistent with the recent amendments to Section 2 of the Planning Act which include the promotion of built form as a Matter of Provincial Interest. The planning instruments will provide the necessary guidance to ensure that built form will be well designed, encourages a sense of place, provides for public spaces that are of a high quality, safe, accessible, attractive and vibrant

It is noted that the development of individual parcels will be subject to Site Plan Approval. This review process is further enhanced by the City's formation of the Design Review Panel that will also review and comment on proposals. These additional steps in the review process will provide the further opportunity for the City to evaluate proposals and ensure the urban design objectives are being achieved.

In preparing the Council adopted Urban Design Study, alternative development scenarios were identified that would require amendments to the Secondary Plan. These alternatives are not being pursued at this time to ensure that the current proposal achieves conformity with the Secondary Plan. The potential for amendments can be revisited in the future based on the proposed phasing of development.

The proposed development has been evaluated through the completion of a number of supporting technical studies. The recommendations of these studies have informed the planning opinion with regard to matters of Provincial interest and confirm the lands are suitable for the proposed development.

In some cases, addendums to these studies are being finalized and will be submitted for review upon completion. These studies include the Environmental impact Study,

Archaeological Assessment, Environmental Site Assessment, and Air Studies. Subject to City and Agency review of these studies, the recommendations will be implemented through Conditions of Draft Plan Approval and where applicable, the use of Holding provisions to ensure that development proceeds upon all requirements being satisfied.

As the lands are not subject to the City's new Urban Official Plan, the proposal has been evaluated having regard for the Policies of the City of Hamilton Official Plan. Conformity with these policies is documented through the supporting technical studies on matters including the adequacy of municipal infrastructure, regard for archeological and heritage resources, and studies intended to comprehensively address the components of the circulation and movement system. It is our opinion that the proposed development meets the general intent of the former City of Hamilton Official Plan with respect to the general Policy direction of Sections B and C.

A similar analysis has been undertaken in this PJR to evaluate the proposed development having regard for the key principles and Policies of the West Harbour Secondary Plan. It is our opinion that the proposal conforms with the detailed Policy direction provided by Setting Sail. The redevelopment facilitates the reuse of underutilized brownfield properties with uses that are consistent with the detailed Land Use Policies for a portion of the Waterfront, recognized as "An Area of Major Change".

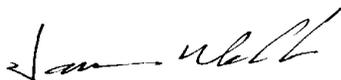
Based on the preceding discussion in this PJR, it is our opinion that the proposed Draft Plan of Subdivision and implementing Zoning By-law provide for the appropriate development of the lands based on conformity with the municipal planning policy framework and Council adopted studies and guidelines.

The proposal has been considered in the context of Provincial Policy including the PPS and the Growth Plan for the Greater Golden Horseshoe. Based on the discussion contained in this report it is our opinion that the proposal is consistent with the PPS and conforms to the Growth Plan.

In conclusion, the proposed Draft Plan of Subdivision and Zoning By-law amendment have been evaluated in the context of applicable planning policies and it is our opinion that the requested planning approvals are appropriate for the orderly development of the property and represent good land use planning.

Respectfully Submitted,

WEBB Planning Consultants



James Webb, MCIP, RPP

APPENDIX "A"

DRAFT PLAN OF SUBDIVISION

APPENDIX “B”

DRAFT ZONING BY-LAW AMENDMENT

CITY OF HAMILTON ZONING BY-LAW No. 05-200