Design Review Panel

136 and 144 Upper Mount Albion Road
City of Hamilton

Prepared For
Tom Beraldo Investments

September 2021
Neighbourhood Context

Heritage Green Commercial Plaza

STONE CHURCH ROAD EAST

PARAMOUNT DRIVE

UPPER M T ALBION ROAD

HIGHLAND ROAD WEST

Heritage Green Commercial Plaza

2-Storey Townhouse Development

Mr.Lube

Highland Commercial Development

Janet Lee Elementary Public School

Stoney Park

Retirement Home Block in Draft Plan 25T-200706

SUBJECT SITE

Neighbourhood Context

Design Review Panel

Bousfields Inc.

Neighbourhood Context

136 and 144 Upper Mount Albion Road
Site Context Photos

Photo 1 - View of subject site from Upper Mount Albion Road looking east

Key Map

Photo taken on July 12, 2021
Photo 2 - View of the subject site looking northeast

Photo taken on July 12, 2021
Photo 3 - View of Mr. Lube looking south at subject site

Photo taken on July 12, 2021
Photo 4 - View of subject site looking south

Photo taken on July 12, 2021
4.1 Intensification

The proposed 6-storey apartment development represents a modest form of residential intensification that is appropriate and desirable for the site and its context. Intensification on the site is supportive of policy directions set out in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe and the UHOP, all of which promote intensification on sites well served by municipal infrastructure, including transit.

Although the site is not within a “major transit station area” as defined by the Growth Plan, it is within convenient walking distance to nearby HSR bus stops that provide connections across the City including major transit stations. Within this policy context, it is important to make efficient use of sites that are well suited for intensification to reduce the rate of outward urban expansion, minimize use of the private automobile, and support the use of transit.

The subject site is currently vacant and underutilized, while the underlying zoning by-law permits a maximum building height of 14 metres, which equates approximately to a 4-storey residential building height. The redevelopment of an underutilized site with a high quality residential development within walking distance of transit services and a range of commercial amenities and community services and facilities represents an appropriate and desirable form of transit-supportive intensification.

Policy B.2.4.1.4 of the UHOP provides evaluation criteria for residential intensification developments. The following is a summary of how the proposal addresses the criteria in B.2.4.1.4:

a. a balanced evaluation of the criteria in b) through g), as follows;

RESPONSE: In our opinion, the proposed development meets all the criteria in B.2.4.1.4.

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;

RESPONSE: In our opinion, the proposed development maintains, enhances, and builds upon desirable established patterns and built form.

In this regard, the proposed development will fill in a vacant gap along Upper Mount Albion with a mid-rise building pulled close to the street line, which will enhance the streetscape character. Furthermore, the proposed building has been stepped down to achieve a 45-degree angular plane from the rear property line.

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

RESPONSE: the proposed building will provide apartment dwelling units in the Valley Park Neighbourhood, where none currently exist.

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;

RESPONSE: In our opinion, the proposed development provides a compatible integration of development with the surrounding area. The 6-storey building includes a 4-storey base pulled close to the street line that will animate and enhance the Upper Mount Albion streetscape and includes step backs at the rear, which transition down to the townhouse dwellings to the rear of the subject site.

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

RESPONSE: The proposed development represents a modest form of residential intensification in a Community Node, which is a strategic growth area intended to accommodate residential intensification. The proposed addition of residential apartment units will add to the mix of uses in the Community Node and utilize existing transit infrastructure.

f. infrastructure and transportation capacity; and,

RESPONSE: As outlined in the Transportation Impact Study, prepared by LEA Consulting, and dated June 2021, the proposed development will have a minimal impact on the surrounding road network.

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

RESPONSE: In our opinion, the proposed development conforms to the general intent of the UHOP and will see the development of a vacant site in a strategic growth area with a modest 6-storey apartment building.
Policy B.2.4.2.1 of the UHOP provides evaluation criteria for residential intensification developments within lands designated “Neighbourhoods”. The following is a summary of how the proposal addresses the criteria in B.2.4.2.1:

a. the matters listed in Policy B.2.4.1.4.

RESPONSE: In our opinion, the proposed development addresses the matters listed in B.2.4.1.4.

b. compatibility with adjacent land uses including matters such as shadowing, overlook, noise, lighting, traffic, and other nuisance effects;

RESPONSE: In our opinion, the proposed development is compatible with adjacent land uses. In this regard, as is outlined in the shadow study prepared by RAW Design and dated May 15, 2021, the shadows generated from the proposed development are similar to the as-of-right shadow and does not move beyond the sites rear (east) property line until after 3:50 pm on March 21st, which is an acceptable shadow impact. In terms of overlook, the proposed development has been designed with a 45-degree angular plane at the rear in order to limit built form impacts, including overlook. The noise study prepared by dBA Acoustical Consultants Inc. and dated June 2021 includes noise control measures necessary to meet the Ministry of the Environment guidelines and UHOP requirements, which have been incorporated into the proposal. Site lighting impacts will be addressed through the required site plan control process and the Transportation Impact Study confirms that there will be no impacts on the surrounding adjacent land uses.

c. the relationship of the proposed building(s) with the height, massing, and scale of nearby residential buildings;

RESPONSE: Although the building is taller and larger than nearby residential buildings, it is a similar massing and height to the as-of-right zoning for the subject site. Furthermore, the proposed building has been designed to include a 45-degree angular plane from the rear property line, which provides a 2-storey form adjacent to the existing 2-storey townhouses to the east. Architecturally, the proposed building has been designed to break down the front façade into smaller rectangular framing elements.

d. the consideration of transitions in height and density to adjacent residential buildings;

RESPONSE: The proposed development includes a 45-degree angular plane from the rear lot line in order to provide a built form transition to the 2-storey townhouses to the east.

e. the relationship of the proposed lot(s) with the lot pattern and configuration within the neighbourhood;

RESPONSE: The subject site is located along Upper Mount Albion and maintains a large site area consistent with the surrounding lands.

f. the provision of amenity space and the relationship to existing patterns of private and public amenity space;

RESPONSE: The proposed development includes a significant amount of amenity space including 203 square metres of communal indoor amenity space and 452 square metres of communal outdoor amenity space, which represents 4.25 of communal amenity space per unit. In addition, the proposed development includes private terraces or balconies for each unit.

g. the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;

RESPONSE: In our opinion, the proposed development will enhance the streetscape pattern by introducing a well designed mid-rise building in a vacant gap along a key collector street, which includes commercial buildings pulled close to the street line.

h. the ability to complement the existing functions of the neighbourhood;

RESPONSE: In our opinion, the proposed residential apartment use will complement the existing commercial, office, community facilities, and recreational amenities, and will add to the housing mix and new housing inventory in the neighbourhood.

i. the conservation of cultural heritage resources; and,

RESPONSE: Not Applicable.

j. infrastructure and transportation capacity and impacts.

RESPONSE: As provided in the Functional Servicing Strategy and Stormwater Management Report, prepared by MTE, and dated June 23, 2021, and the Transportation Impact Study, there is infrastructure and transportation capacity to accommodate the proposed development.

4.2 Land Use

The proposed development of the site for mid-rise residential uses is part of a desirable process of urbanization and intensification that will result in a more intensive form of transit-supportive development and contribute to a more animated and pedestrian-oriented urban streetscape along Upper Mount Albion Road. In this regard, the residential intensification policies of the UHOP direct residential intensification to the built-up area (Policy B.2.4.1.1) and especially the City’s Nodes and Corridors (Policy B.2.4.1.2).

From a land use perspective, the development of residential apartments on the subject site is supportive of numerous housing policies in the UHOP, which seek to provide for a range of housing types, forms, and densities (Policy B.3.2.1.1), to increase the mix and range of housing types, tenures, densities, affordability levels, and housing with supports (Policy B.3.2.1.4). Also, the proposed residential apartment use conforms with the Community Node policies of the UHOP, which state that a range of uses shall be permitted to allow for access to housing as well as other elements (Policy E.2.3.3.2), contain a range of housing opportunities (Policy E.3.2.2.5), and be generally planned to achieve a target density of 100 persons and jobs per hectare. The Neighbourhoods designation also permits the proposed residential apartment use as per policies E.3.2.1 and E.3.2.3.

However, the Local Commercial designation does not permit stand alone residential uses, since they are intended to accommodate local commercial uses that primarily cater to the weekly and daily needs of residents within the surrounding neighbourhood. Similarly, the existing C3 zoning restricts residential uses to dwelling units in conjunction with a commercial use. In our opinion, the subject site is located within a commercial node that includes local commercial uses that cater to the weekly and daily needs of residents within the surrounding neighbourhood (including: a grocery store, retail, restaurant, gas station, pharmacy, motor vehicle service stations, etc. Furthermore, the Local Commercial designation was placed on the subject site due to its historical land use as two dwelling units that were converted to commercial retail and restaurant uses and oil and lube shop, which were existing and planned well before approval of the Secondary Plan and commercial developments in the area. In our opinion, the proposed 6-storey residential apartment building is a more appropriate land use that will best implement the Community Node policies that seek to establish a mix of uses and accommodate population in a variety of housing forms.

Based on the foregoing, it is our opinion that the proposed Official Plan Amendment should apply site specific policies that permit a stand alone residential apartment building, given the amount of existing and permitted commercial development in the surrounding neighbourhood.
4.3 Height, Massing and Density

In our opinion, the height, massing, and density of the new building are appropriate and compatible with the surrounding context. The proposed height and massing are based on a number of contextual and urban design considerations including:

- the subject site's location;
- proximity to transit services;
- the surrounding built form and land use context;
- the size and depth of the subject site; and,
- potential shadow impacts on surrounding parks and low-rise residential Neighbourhoods.

From a built form perspective, the subject site is a contextually appropriate location for a low-rise, 6-storey building. It is located near other existing low-rise residential buildings east, low rise commercial buildings to the north and west and a planned retirement home that could take the shape of a mid-rise building to the south. The siting of the proposed building along the street line is consistent with the existing buildings along Upper Mount Albion Road. The massing of the proposed building is similar to the built form permitted in the current C3 zoning, which allows for a 14 metre tall building with setbacks that are less than the proposed building.

Overall, the proposal will advance the transition of this neighbourhood in a built form and a building design that are contextually appropriate and reinforce the planned mixed use character. The building design will result in a well-proportioned and highly articulated building frontage along Upper Mount Albion Road, with generous unit sizes and private outdoor amenity areas.

The proposed height of the building is approximately 20.9 metres to the top of the main roof (plus mechanical penthouse), measured from the average of 100 persons and jobs per hectare in Community Nodes (Policy E.2.3.3.7). In our opinion, although the subject lands are designated Neighbourhoods on Schedule E-1, its designation as a Community Node within the Urban Structure establishes the subject site as a strategic growth area where the optimization of density is a desirable planning outcome and different from other Neighbourhood designated lands where density limits exist.

In our opinion, it is reasonable to establish appropriate densities for the subject site based on specific built form design, context, and urban structure considerations, rather than on the basis of density numbers. The proposed density 278 units per hectare will assist in achieving the Community Node target of 100 persons and jobs per hectare, by adding 145 new residential apartment dwellings to the node.

4.4 Urban Design

In our opinion, the proposed building design and site organization conforms with the urban design and built form policies of the UHOP, in particular Policies B.3.3.2.3, B.3.3.2.4, B.3.3.2.8, B.3.3.2.10, and B.3.3.3.1 to B.3.3.3.5, inclusive). Specifically:

- the proposed development will create a compact and interconnected, pedestrian-oriented, and transit-supportive community;
- it respects the existing character, development patterns, built form and landscaping;
- the proposed building is well designed and includes brick and other materials found in the neighbourhood;
- it is sensitive toward community identity by providing a mid-rise building in a form that is pulled close to the Upper Mount Albion street line and includes step backs along the rear;
- logically organizing the proposed building to provide a continuous and animated built frontage along Upper Mount Albion with heights that transition to the rear;
- the proposed building includes a significant amount of brick, a material found in the neighbourhood;
- it includes a continuous animated street edge with transitional areas between the public street edge and private walkways and amenity areas;
- the proposed 6-storey building will create a comfortable and human-scale street edge that includes windows and front doors to the ground floor units facing Upper Mount Albion and the public trail to the south;
- the outdoor amenity area is to the rear and surrounded by building mass to reduce street noise and noise from nearby uses;
- The proposed development conforms with Policy B.3.3.2.8 by optimizing land in the built-up area in a form that is transit supportive, all of which is environmentally sustainable;
- It also conforms with Policy B.3.3.2.10, since it includes an existing continuous public sidewalk along Upper Mount Albion and a trail to the south with pedestrian connections throughout the site to the public sidewalks as well as abundant bicycle parking facilities (both short and long term);
- the proposed building is pulled close to the Upper Mount Albion Street line with appropriate proportions;
- It has been designed to minimize built form impact to the surrounding properties, including the townhouse block to the east;
- It provides an appropriate transition to the low-rise residential townhouse dwellings to the east with stepping, which ensures adequate privacy and sunlight and minimizing shadow and wind impacts;
- The proposed building is massed appropriately with respect to the Upper Mount Albion right-of-way width of 26.231 metres with a 4-storey base that is 14.43 metres, which will enclose the street but is well within an appropriate street proportion of 80% of the right-of-way width;
- The proposed building is pulled close the street line, which will define the street edge;
- It includes the principal façade and building’s lobby to Upper Mount Albion, including walkway connections to the street, while parking and loading are located behind building mass and underground away from the public realm; and,
- The building includes step-backs to maximize sunlight to pedestrian areas and amenity spaces.

The points related to built form impacts are addressed in greater detail in Section 4.5 below.

Design Review Panel
Bousfields Inc.
5.5 Built Form Impacts

Light, View and Privacy (LVP) impacts are generally dealt with through a combination of spatial separation, orientation, and mitigation measures between buildings. In this regard, the City through its Official Plan policies, zoning, and urban design guidelines considers LVP impacts to determine if the proposed building relationships are appropriate.

In our opinion, the proposed development will have no unacceptable built form impacts on the surrounding streets or properties. In this regard, the subject site is located on the east side of Upper Mount Albion Road, a street that includes two travel lanes (one in each direction) and a centre turn lane.

The proposed building is well separated from surrounding residential dwellings. The existing townhouse dwellings to the east of the subject site are set back a minimum of 7.5 metres from the subject site’s easterly property line. This setback includes rear yard amenity space for the townhouse dwelling units. Additionally, the proposed building is set back 7.5 metres for the first two storeys, 9.6 metres for the 3rd storey, 12.6 metres or the 4th storey and 33.6 metres for the 5th storey from the easterly lot line. The units within the two east-west wings, which are closest to the east property line, are oriented in a north-south direction, which flanks onto the easterly lot line. Within the 7.5 metre rear yard setback, a landscape area is at grade and no encroachments are proposed by any building elements including balconies or elevated terraces. In our opinion, an appropriate transition in scale is provided to the existing townhouses to the east.

The existing commercial building (Mr. Lube) is setback 10.6 metre from the proposed north lot line, for which the severance has been conditionally approved. The proposed building is setback 5.5 metre from the proposed north lot line and includes a walkway along the entire length of the property line and private terraces. In our opinion, the proposed walkway and private terraces will appropriately interface with the existing commercial building, which is oriented in an east-west direction. Furthermore, through the detailed site plan control stage additional details regarding the screening of the private terraces can be reviewed further. To the south, the proposed building is setback 2.59 metres and includes a walkway and private terraces at grade that will front and animate the public trail.

Based on the foregoing setbacks, landscaping, and amenity areas, in combination with the 6-storey building height, which is stepped to the east, it is our opinion that the proposed development will have an appropriate and compatible built form relationship with adjacent properties, and that there will be no unacceptable impacts in terms of shadowing, overview or loss of sky view.

Shadow Impacts

UHOP Policy B.3.3.3.2 requires that new development shall be designed to minimize impact on neighbouring buildings, to ensure adequate sunlight, and minimize the impacts of shadows. A sun/shadow study has been prepared by RAW Design, assessing the shadow impacts at the spring and fall equinoxes (March 21st and September 21st, respectively).

The sun/shadow study shows that, at the equinoxes, there will be incremental shadow impacts on the rear yards of the townhouse dwellings to the east from 4:50 p.m. until sunset. The shadow impacts are limited to a portion of the rear yards and is less than the shadow created by the as-of-right zoning.

Based on the foregoing, it is our opinion that the proposed building has been designed to minimize shadow impact on neighbouring lands and ensures adequate sunlight, in accordance with the applicable UHOP policy.

UHOP Policy B.3.3.3.2 requires that new development shall be designed to minimize impact on neighbouring buildings, to ensure adequate sunlight, and minimize the impacts of shadows. A sun/shadow study has been prepared by RAW Design, assessing the shadow impacts at the spring and fall equinoxes (March 21st and September 21st, respectively). In our opinion the proposal has been designed to minimize impact on neighbouring buildings.

There will be no incremental shadow impact on the trail to the south the subject site.
Proposal Rendering

Prepared By RAW Design
South Elevation

This drawing is the property of the Architect and may not be reproduced or used without the express consent of the Architect. The Contractor is responsible for checking and verifying all levels and dimensions and shall report all discrepancies to the Architect and obtain clarification prior to commencing work.

ISSUE RECORD

REVISION RECORD

405-317 ADELAIDE STREET
WEST
TORONTO CANADA M5V 1P9
+1 416 599 9729
WWW.RAWDESIGN.CA

Design Review Panel
Bousfields Inc.

Elevations and Sections
136 and 144 Upper Mount Albion Road

Prepared By RAW Design
Elevations and Sections

136 and 144 Upper Mount Albion Road

Prepared By RAW Design

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2021-09-24 9:43:23 AM

Tom Beraldo
Investments

BUILDING
SECTIONS

SECTION 1 - 1:150

SECTION 2 - 1:150

Sections
Shadow Study

MARCH 21

08:50AM 09:50AM

SHADOW FROM PROPOSED BUILDING
PROPOSED BUILDING
PROPERTY LINE
SHADOW FROM AS-OF-RIGHT BUILDING

100 meters

10
20

Prepared By RAW Design
MARCH 21

SHADOW STUDY
20038 144 UPPER MT ALBION RD,
HAMILTON, ONTARIO
MAY 15, 2021
12:50PM 01:50PM

SHADOW FROM PROPOSED BUILDING
PROPOSED BUILDING
PROPERTY LINE

SHADOW FROM AS-OF-RIGHT BUILDING

10
20
100 meters

MARCH 21

12:50PM

01:50PM

Prepared By RAW Design
MARCH 21

04:50PM

05:50PM

PROPERTY LINE

PROPOSED BUILDING

SHADOW FROM PROPOSED BUILDING

SHADOW FROM AS-OF-RIGHT BUILDING

100 meters
MARCH 21

SHADOW FROM PROPOSED BUILDING

35
SHADOW STUDY

20038 144 UPPER MT ALBION RD,
HAMILTON, ONTARIO

MAY 15, 2021

08:36AM 09:36AM

SEPT 21

SHADOW FROM PROPOSED BUILDING

PROPOSED BUILDING

PROPERTY LINE

SHADOW FROM AS-OF-RIGHT BUILDING

100 meters

10

20

SHADOW STUDY

20038 144 UPPER MT ALBION RD,
HAMILTON, ONTARIO

MAY 15, 2021

08:36AM 09:36AM

SEPT 21

SHADOW FROM PROPOSED BUILDING

PROPOSED BUILDING

PROPERTY LINE

SHADOW FROM AS-OF-RIGHT BUILDING

100 meters

10

20

Prepared By RAW Design

Design Review Panel
Bousfields Inc.
SEPT 21

02:36PM

03:36PM

PROPERTY LINE
PROPOSED BUILDING
SHADOW FROM PROPOSED BUILDING
SHADOW FROM AS-OF-RIGHT BUILDING

Design Review Panel
Bousfields Inc.

Shadow Study
136 and 144 Upper Mount Albion Road

Prepared By RAW Design