Design Review Panel

639 Rymal Road West
City of Hamilton

Prepared For
DiCenzo Construction Company Limited

July 2022
Surrounding Context Plan

Legend
- Subject Site
- Low-Rise Residential
- Mid-Rise Residential
- Townhouses
- Commercial/Retail
- St. Therese of Lisieux Catholic School
- Paradise Corner Children's Centre
- Retirement Residence
- William Schwenger Park
- Carpenter Neighbourhood Park

Design Review Panel
Bousfields Inc.

Surrounding Context Plan
639 Rymal Road West, Hamilton
Neighbourhood Context
Photo 1 - Existing vacant dwelling on subject site, looking south

Photo taken on July 2020
5.1 Intensification

The proposed 12-storey apartment development represents an appropriate form of residential intensification that is 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, as amended, and the UHOP, all of which promote infill development and intensification on sites serviced by municipal infrastructure, including transit.

Intensification on the subject site is in keeping with the directions set out in the Provincial Policy Statement and the Growth Plan promoting the efficient use of land and infrastructure and encouraging intensification generally throughout the built-up area. It is also in keeping with the policies of the Provincial Policy Statement that provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents.

Although the site is not within a Major Transit Station Area or Strategic Growth Area, as defined by the Growth Plan, it is within a short walking distance to multiple nearby HSR bus stops that provide connections to both the local area and across the City including major transit stations, employment areas, and retail/commercial areas. Furthermore, it is located along the planned higher order S-Line as part of the City’s BLAST higher order transit network.

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 expansion of the urban boundary, minimize use of the private automobile, and support the use of existing and planned transit.

The subject site is currently occupied by a vacant single detached dwelling. The current zoning on the site permits a single detached dwelling and a limited number of other institutional (day care, hospital, retirement home, civic buildings) up to 2 storeys (11 metres). Given the site’s location within the built-up area, along a major arterial road serviced by existing public transit, and future higher order transit, it is our opinion that the site is currently underutilized. 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:

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Response</th>
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</thead>
<tbody>
<tr>
<td>a. a balanced evaluation of the criteria in b) through g), as follows;</td>
<td>In our opinion, the proposed development meets all the criteria in B.2.4.1.4 as detailed below in the analysis of criteria b) through g)</td>
</tr>
<tr>
<td>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;</td>
<td>In our opinion, the proposed development maintains, enhances, and builds upon desirable established patterns and built form. In this regard, the proposed development will result in the development of an underutilized lot at the intersection of 2 important thoroughfares (Rymal Road and Upper Paradise Road) with a mid-rise building pulled close to the street line while allowing for a generous landscaped public realm, which will enhance and improve upon the existing streetscape character. Furthermore, the proposed building has been stepped down towards the east to achieve a 45-degree angular plane from the eastern property line (at a height of 11 metres) and abutting existing residential uses. In addition, the building has been generously set back from the southern property line and also achieves a 45 degree angular plane from the south (at a height of 11 metres).</td>
</tr>
<tr>
<td>c. the development’s contribution to maintaining and achieving a range of dwelling types and tenures;</td>
<td>The proposed building will provide additional apartment dwelling units in the Carpenter Neighbourhood, which is currently comprised of mostly single detached dwellings and townhouses, and only a limited number of apartment dwelling units.</td>
</tr>
<tr>
<td>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;</td>
<td>In our opinion, the proposed residential development provides a compatible integration of development with the surrounding residential and mixed-use area. The mass of the building has been pulled close to the corner of Upper Paradise Road and Rymal Road West with a number of stepbacks proposed along the eastern portion of the building and a generous southern setback to provide for an appropriate transition in scale and form towards the abutting land uses.</td>
</tr>
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### Design Review Panel

**Bousfields Inc.**

The proposed development represents an appropriate scale of residential intensification on a site within the Neighbourhoods designation and located along a Major Arterial Road. The proposed addition of residential apartment units will add to the mix, range, and availability of housing in the surrounding area while utilizing existing transit infrastructure. It also urbanizes the streetscapes and makes the Carpenter Neighbourhood more transit-supportive.

As provided in the Transportation Impact Study prepared by Paradigm Transportation Solutions and dated February 2022, there is transportation capacity to accommodate the proposed development. With respect to servicing capacity, upgrades to the Twenty Road Sanitary Pumping station are required to be completed prior to the construction of the proposed development to ensure appropriate sanitary capacity. This is detailed further in the Functional Servicing Report, prepared by SITEPLANTECH, and dated March 2022. A holding provision is proposed to be added to the subject site to only allow development to proceed upon completion of the Twenty Road Pumping Station upgrades.

### Design Brief

**639 Rymal Road West, Hamilton**

The proposed development represents an appropriate scale of residential intensification on a site within the Neighbourhoods designation and located along a Major Arterial Road. The proposed addition of residential apartment units will add to the mix, range, and availability of housing in the surrounding area while utilizing existing transit infrastructure. It also urbanizes the streetscapes and makes the Carpenter Neighbourhood more transit-supportive.

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<td>e. the development’s contribution to the planned urban structure as described in Section E.2.0 – Urban Structure;</td>
<td>The proposed development represents an appropriate scale of residential intensification on a site within the Neighbourhoods designation and located along a Major Arterial Road. The proposed addition of residential apartment units will add to the mix, range, and availability of housing in the surrounding area while utilizing existing transit infrastructure. It also urbanizes the streetscapes and makes the Carpenter Neighbourhood more transit-supportive.</td>
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<td>f. infrastructure and transportation capacity; and,</td>
<td>As provided in the Transportation Impact Study prepared by Paradigm Transportation Solutions and dated February 2022, there is transportation capacity to accommodate the proposed development. With respect to servicing capacity, upgrades to the Twenty Road Sanitary Pumping station are required to be completed prior to the construction of the proposed development to ensure appropriate sanitary capacity. This is detailed further in the Functional Servicing Report, prepared by SITEPLANTECH, and dated March 2022. A holding provision is proposed to be added to the subject site to only allow development to proceed upon completion of the Twenty Road Pumping Station upgrades.</td>
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<td>g. the ability of the development to comply with all applicable policies.</td>
<td>In our opinion, the proposed development conforms to the general intent of the UHOP and will see the development of an underutilized site at the intersection of a Major Arterial Road and Collector Road within the Neighbourhoods designation.</td>
</tr>
<tr>
<td>h. the ability to respect and maintain or enhance the streetscape patterns including block lengths, setbacks and building separations;</td>
<td>A more detailed analysis of the built form impacts (light, view, and privacy) of the proposed development can be found below in Section 5.4. In our opinion, the proposed development is compatible with adjacent land uses. This regard, as is outlined in the shadow study prepared by Bousfields and dated February 2022, the expected shadow impacts on the public realm and surrounding properties is acceptable. In terms of overall, the proposed development has been designed with a 45-degree angular plane to the east and south in order to limit built form impacts, including overlook. The noise study prepared by dBA Acoustical Consultants Inc. and dated March 2022 includes noise control measures necessary to meet the Ministry of the Environment guidelines and UHOP requirements, which have been incorporated into the proposal or will be incorporated during the detailed design stage of development. Site lighting impacts will be addressed through the required site plan control process and the Transportation Impact Study prepared by Paradigm Transportation Solutions dated February 2022 confirms that there will be no impacts on the surrounding adjacent land uses.</td>
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<tr>
<td>i. the conservation of cultural heritage resources; and,</td>
<td>The proposed development contemplates a streetscape pattern and building separation that represents a departure from the existing patterns which is dominated by large (40+ m) front yards, however, it will enhance the existing streetscape pattern by proposing a building that is pulled closer to the street, having a smaller footprint which will enhance the visual character and visibility. The proposed development does not contemplate a change in the exiting block lengths within the area.</td>
</tr>
<tr>
<td>j. infrastructure and transportation capacity and impacts.</td>
<td>There are no cultural heritage resources located on the subject site. The property located on the north side of Rymal Road West is a Registered Non-Designated property on the City’s Municipal Heritage Register. This heritage resource will not be directly impacted by the proposed development and will have minimal indirect impacts, which are assessed in more detail below in Section 5.0. As provided in the Transportation Impact Study prepared by Paradigm Transportation Solutions and dated February 2022, there is transportation capacity to accommodate the proposed development. With respect to servicing capacity, upgrades to the Twenty Road Sanitary Pumping station are required to be completed prior to the construction of the proposed development to ensure appropriate sanitary capacity. This is detailed further in the Functional Servicing Report, prepared by SITEPLANTECH, and dated March 2022. A holding provision is proposed to be added to the subject site to only allow development to proceed upon completion of the Twenty Road Pumping Station upgrades.</td>
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### Criteria Response

#### a. the matters listed in Policy B.2.4.1.4;

- In our opinion, the proposed development addresses the matters listed in B.2.4.1.4 as discussed in detail in the table above.
- A more detailed analysis of the built form impacts (light, view, and privacy) of the proposed development can be found below in Section 5.4. In our opinion, the proposed development is compatible with adjacent land uses. This regard, as is outlined in the shadow study prepared by Bousfields and dated February 2022, the expected shadow impacts on the public realm and surrounding properties is acceptable. In terms of overall, the proposed development has been designed with a 45-degree angular plane to the east and south in order to limit built form impacts, including overlook. The noise study prepared by dBA Acoustical Consultants Inc. and dated March 2022 includes noise control measures necessary to meet the Ministry of the Environment guidelines and UHOP requirements, which have been incorporated into the proposal or will be incorporated during the detailed design stage of development. Site lighting impacts will be addressed through the required site plan control process and the Transportation Impact Study prepared by Paradigm Transportation Solutions dated February 2022 confirms that there will be no impacts on the surrounding adjacent land uses.

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

- The nearby residential buildings can be characterized by predominantly 1-2 storey single detached dwellings with some mid-rise apartments located on the south and eastern lot lines. The proposed development does not contemplate a change in the exiting block lengths within the area.

#### c. the relationship of the proposed buildings to the height, massing, and scale of nearby residential buildings;

- The proposed development includes both communal and private amenity space including indoor amenity areas totalling 264 m², outdoor amenity areas totalling 154 m², as well as 328 m² of private outdoor amenity space in the form of balconies and terraces. In terms of the existing patterns of private and public amenity space, the abutting dwellings to the west are situated a greater distance from the front property line (40+ metres) meaning these dwellings have a large front yard mainly occupied by a driveway, paved parking areas, grassed areas, and trees. The private amenity of these dwellings are situated within the rear yards, located south of the dwellings along the southern lot line. The amenity areas within the proposed development are located within the interior of the building with the common outdoor amenity area located on the 2nd floor with a smaller common outdoor amenity area (i.e., dog run) located along the southern lot line between the surface parking area and the property line. Fencing (including visual barriers) and landscaping is proposed along the southern lot line as well as along the perimeter of the 2nd floor outdoor amenity terrace to minimize overlook and privacy concerns to adjacent private amenity spaces.

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

- The proposed development includes a 45-degree angular plane from the southern and eastern lot lines.

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

- The subject site merges what used to be 2 individual parcels that contained single detached dwellings. The proposed lot pattern and configuration within the neighbourhood is consistent with the existing neighbourhood, particularly, the southern lot line is consistent with the lots to the east and west of the subject site that also front onto Rymal Road West.

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

- The proposed development includes both communal and private amenity space including indoor amenity areas totalling 264 m², outdoor amenity areas totalling 154 m², as well as 328 m² of private outdoor amenity space in the form of balconies and terraces. In terms of the existing patterns of private and public amenity space, the abutting dwellings to the west are situated a greater distance from the front property line (40+ metres) meaning these dwellings have a large front yard mainly occupied by a driveway, paved parking areas, grassed areas, and trees. The private amenity of these dwellings are situated within the rear yards, located south of the dwellings along the southern lot line. The amenity areas within the proposed development are located within the interior of the building with the common outdoor amenity area located on the 2nd floor with a smaller common outdoor amenity area (i.e., dog run) located along the southern lot line between the surface parking area and the property line. Fencing (including visual barriers) and landscaping is proposed along the southern lot line as well as along the perimeter of the 2nd floor outdoor amenity terrace to minimize overlook and privacy concerns to adjacent private amenity spaces.

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

- 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.

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

- There are no cultural heritage resources located on the subject site. The property located on the north side of Rymal Road West is a Registered Non-Designated property on the City’s Municipal Heritage Register. This heritage resource will not be directly impacted by the proposed development and will have minimal indirect impacts, which are assessed in more detail below in Section 5.0. As provided in the Transportation Impact Study prepared by Paradigm Transportation Solutions and dated February 2022, there is transportation capacity to accommodate the proposed development. With respect to servicing capacity, upgrades to the Twenty Road Sanitary Pumping station are required to be completed prior to the construction of the proposed development to ensure appropriate sanitary capacity. This is detailed further in the Functional Servicing Report, prepared by SITEPLANTECH, and dated March 2022. A holding provision is proposed to be added to the subject site to only allow development to proceed upon completion of the Twenty Road Pumping Station upgrades.
Policy E.6.7 contains criteria that high-density residential development within the Neighbourhoods designation shall be evaluated against. The following is an analysis of how the subject site and proposed development conform to these policies:

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<tr>
<td>a. Development should have direct access to a collector or major or minor arterial road. If direct access to such a road is not possible, the development may be permitted indirect access to a collector or major or minor arterial roads from a local road upon which only a small number of low-density residential dwellings are facing on the local road.</td>
<td>The subject site has direct access to both a major arterial road and collector road.</td>
</tr>
</tbody>
</table>
| b. High profile multiple dwellings shall not generally be permitted immediately adjacent to low profile residential uses. A separation distance shall generally be required and may be in the form of a suitable intervening land use, such as a medium density residential use. Where such separations cannot be achieved, transitional features such as effective screening and/or design features shall be incorporated into the design of the high density development to mitigate adverse impact on adjacent low profile residential uses. | The subject site abuts existing low-rise residential uses to the south and east. Transitional features are proposed to ensure conformity with this policy. These transitional features include:  
- A series of stepbacks along the Rymal Road West frontage stepping down to a height of 1 storey;  
- Visual barriers/fencing and landscaping proposed along the eastern and southern edges of the site;  
- Landscaping elements (i.e., planter boxes at the edges of the east-and south-facing terraces to limit residents’ ability to look down into the front yards of the abutting residences to the east) |
| c. High profile development may be considered appropriate, subject to the other policies of this Plan, where it would result in the preservation of natural heritage system features or public view corridors which may otherwise be compromised by more dispersed, lower profile development. | Not applicable. |
| d. Development shall: |  
- provide adequate landscaping, amenity features, on-site parking, and buffering where required;  
- be compatible with existing and future uses in the surrounding area in terms of heights, massing, and an arrangement of buildings and structures; and,  
- provide adequate access to the property, designed to minimize conflicts between traffic and pedestrians both on-site and on surrounding streets. |
| h. In accordance with the policies of Section B.3.3 – Urban Design Policies, development shall contribute to an attractive public realm by minimizing the view of the following elements from the abutting public streets (excluding public alleys): |  
- Adequate landscaping, amenity features, on-site parking, and buffering (in the form of building setbacks, landscaping strips, and visual barriers);  
- Proposed 12-storey height is compatible with existing and future uses in the surrounding area given its urban context and provision of setbacks and stepbacks to provide for appropriate transition in massing and height to abutting buildings;  
- One consolidated access is provided from Upper Paradise Road for all vehicular movement which will minimize conflicts between traffic and pedestrians |
| i. surface parking areas;  
 j. parking structures;  
 k. utility and service structures such as garbage enclosures; and,  
 l. expanses of blank walls. |  
- The majority of the surface parking areas will be minimized from view except for a small portion along Upper Paradise Road. This parking area will be screened with landscaping (see proposed Landscape Concept);  
- The above and below-grade parking structure fronting onto Rymal Road West will be located behind the main building wall which will be architecturally treated similar to the remainder of the building, minimizing the view of these elements from the street;  
- The utility/service/waste collection areas of the building are proposed within the interior of the site and will be screened from public view by the building;  
- No blank walls are proposed. |
| m. The City may require studies, in accordance with Chapter F - Implementation Policies, completed to the satisfaction of the City, to demonstrate that the height, orientation, design and massing of a building or structure shall not unduly overshadow, block light, or result in the loss of privacy of adjacent residential uses. | A Shadow Impact Study has been prepared by Bousfields (submitted under separate cover) which demonstrates that the height, orientation, design, and massing of the proposed building does not unduly overshadow the adjacent residential uses. |
| n. The orientation, design, and massing of a building or structure higher than six storeys shall take into account the impact on public view corridors and general public views of the area of the Niagara Escarpment, waterfront, and other parts of the City as identified through secondary plans or other studies. | Not applicable. |
As part of the City's GRIDS 2 process (MCR of the UHOP), the City is planned to accommodate an additional 236,000 people, where most or all (depending on the outcome of the GRIDS 2 process) will occur through intensification. The policy objective of intensification first and the way in which the greater region grows is generated and mandate by provincial policy (the PPS and Growth Plan). Furthermore, the PPS and Growth Plan requires that each decision municipalities make on amendments to its Official Plan (as well as other decisions) must be consistent with the PPS and conform to the Growth Plan, regardless of the status of the existing UHOP policies related to maximum density requirements. In our opinion, optimizing development on the subject site, given its location along a Major Arterial Road that has planned higher order transit is appropriate, desirable, consistent with the PPS, and conforms to the Growth Plan. Furthermore, the UHOP and current Zoning were both created and approved prior to the current and previous versions of the PPS and Growth Plan, both of which have been updated to further emphasize the need to growth through intensification and optimize density, especially in key locations including strategic growth areas.

For all of the foregoing reasons, it is our opinion that the subject site and other sites like it along major arterial roads that have existing public transit and planned higher order transit are ideal location for mid- and high-rise residential and mixed-use intensification, subject to establishing appropriate built form relationships. This, in our opinion, is consistent with the PPS and conforms to the Growth Plan and evolving UHOP planning framework via GRIDS 2.

5.2 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 both Rymal Road West and Upper Paradise 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 areas within the Neighbourhoods designation where compatible development can be achieved (Policy B.2.4.2). 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.3.2.1.6). Also, the proposed residential apartment use conforms with the Neighbourhoods policies of the UHOP (both the urban structure and designation policies), which state that Neighbourhoods shall primary consist of residential uses and complementary facilities and services intended to service the residents (Policy E.2.6.2). The Neighbourhoods designation also permits the proposed residential apartment use as per policies E.3.2.1 and E.3.2.3. Based on the foregoing, it is our opinion that the proposed residential apartment building conforms to the land use policies within the UHOP which permits residential apartment buildings. Furthermore, it is our opinion that the intent of the Neighbourhood policies (both the Urban Structure and Land Use Designation) is to encourage intensification and the development of higher density projects, which have the effect of increasing the mix and supply of housing options across the City, and to provide additional transit ridership, which will make existing and planned transit infrastructure more viable. In this regard, it is our opinion that the subject proposal not only conforms to the Neighbourhoods policies of the UHOP, but also achieves the city building objectives that seek to increase the mix and amount of housing, and increase transit ridership.

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

- the subject site's location within the built-up area and at the intersection of a major; arterial road and collector road;
- the site's location along existing and planned surface transit routes;
- the existing and planned surrounding built form and land use context;
- the lot size and configuration of the subject site; and,
- absence of any unacceptable adverse impacts on adjacent land uses (i.e., shadows, noise, privacy/overlook).

In terms of height and massing, the UHOP is silent in providing strict height limitations for high-density residential uses. Rather than provide a prescriptive height limit for high-density residential uses, the UHOP emphasizes built form relationships and compatibility, urban design, and ensuring that built form impacts (i.e., shadows, noise, privacy/overlook) on adjacent properties are proven to be appropriate and acceptable.

With respect to the existing and planned built form context, it is important to note that while the area immediately surrounding the site is comprised of low-rise residential dwellings, the broader area for which the site is located within is an area of the City that is in transition, particularly along Rymal Road West. This is evidenced by the number and scale of recently constructed, approved, and proposed development applications along Rymal Road West, including:

- Two recently constructed 10-storey residential apartment buildings at 445 Rymal Road West (at Garth Street);
- An approved 12-storey residential apartment building at 1117 Garner Road East; and,
- The proposed development at The Village at St. Elizabeth Mills which proposes several mixed-use and residential buildings ranging between 5 and 12 storeys.)
In terms of the planned context within the immediate area, the policies of the UHOP (locational criteria in E.3.6.7) direct medium and high-density residential uses to the peripheries of the Neighbourhoods, specifically lots with frontage along arterial roads. The lots fronting onto Rymal Road West on the south side of the street generally between Garth Street to the east and approximately 250 metres to the west of the street, have generous lot depths ranging between 60-80 metres. These depths are suitable for the development of more intense forms of development (i.e., low-, mid-, and high-rise development) subject to, among other elements, conformity with the land use and compatibility policies of the UHOP. The policies of the UHOP for these lands, which are also designated Neighbourhoods, currently permit a maximum density of 200 uph for high-density residential uses (subject to satisfying the remaining urban design and built form criteria). In our opinion, this planning framework forms part of the planned context which would see the intensification of the Rymal Road West corridor, particularly on the south side of Rymal Road between Garth Street and Upper Paradise, which is made up of large land parcels that can accommodate additional density. In determining the planned context for the immediate area it is not appropriate to consider, in isolation, the in-effect zoning for the abutting properties. As discussed above, the former City of Hamilton Zoning By-law 6593 dates back to 1950 and has not been comprehensively reviewed and updated to align with provincial policies and conform to the UHOP. In this regard, it is our opinion that the planned context is for this segment of Rymal Road to be a transit supportive, mixed-use urban corridor that includes low-, mid-, and density residential uses (subject to satisfying the remaining urban design and built form criteria). In our opinion, this framework allows for the development of more intense forms of development subject to conformity with provincial policies and the UHOP. From a density perspective, it is our opinion that the proposed overall density of 430 units per hectare is appropriate and desirable. Firstly, it is important and appropriate from a planning policy perspective to optimize density on the subject site given its location at the periphery of the Neighbourhoods designation, along a major arterial road, as well as its proximity to existing and planned transit infrastructure. The application and implementation of maximum density provisions cannot be a purely numerical calculation and 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 alone. Seen in more recent Secondary Plans and policy documents in other areas of the City (i.e., Downtown Hamilton Secondary Plan), there has been a general trend away from strict density ranges and a higher emphasis on built form, urban design, and built form impacts. Policy E.3.6.6.c) also permits higher densities for a smaller site, like the subject site, if fronting onto an arterial road, provided the other policies of the UHOP, which are focused on compatibility, are met. Based on the above analysis, it is our opinion that the subject site is an appropriate and desirable location for high-density residential uses and the proposed height, massing, and density is appropriate and conforms to the applicable policies of the UHOP except for the quantitative density maximum. Furthermore, it is our opinion, that the proposed height, massing and density are appropriate and desirable in land use planning terms, since it is consistent with recent the pattern of midrise buildings along this segment of Rymal Road West/Garner Road East and the planned objective of a mixed-use mid-rise corridor that may include low- and high-rise forms.

"Compatibility" is defined in the UHOP as: "land uses and building forms that are mutually tolerable and capable of existing together in harmony within an area. Compatibility or compatible should not be narrowly interpreted to mean "the same as" or even "being similar to." It is our opinion that through the proposed built form, the transitional elements (i.e., stepbacks, building setbacks, application of angular planes), as well as other detailed design features to help address privacy/overlook (i.e., use of planter boxes at edge of south- and east-facing terraces) the proposed 12-storey building is capable of existing in harmony within the existing Neighbourhood. More specifically, the application of a 45-degree angular plane, measured from a height of 11 metres is an approach applied to other approved mid-rise buildings along Major Arterial roads, including 117 Garner Road East, 600 James Street North, and others.

5.4 Built Form Impacts

Light, View and Privacy (LVP)

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 context, public realm, or properties.

The proposed building is well separated from the abutting residential dwellings to the south with a building setback of 24.8 metres proposed between the southern lot line and the 10-storey portion of the building. The upper 2 floors are setback atop the 10th storey from the southern building edge totalling a separation between the 12-storey mass and the southern property line of 30.9 metres. For the east-west portion of the "L" of the building, setbacks are proposed atop the 2nd, 5th, 8th, 10th, 11th, and 12th storeys. These setbacks result in the following building setbacks from the eastern lot line: 1.6 m for level 1; 5.8 m for levels 2-4; 14.1 m for levels 5-7; 21.0 m for level 8; 25.4 m for levels 9 and 10; 27.0 m for level 11; and 29.8 m for level 12. For the north-south portion of the "L" surface parking and a distance of 19.4 m separates the eastern property line with the 1-storey portion.

With respect to privacy and overlook, it is our opinion the generous building setbacks to the southern lot line along with the proposed landscaping/fencing will result in an appropriate built form relationship with the dwellings to the south. With regards to the built form relationship to the east, although some of the easternmost units in the east-west "L" portion on levels 2-7 have their main windows or balconies/terraces oriented towards the east, these areas will be overlooking the landscaped front lawns, front yard parking areas, and driveways of the abutting residential lots and will not directly overlook any private outdoor amenity areas such as backyards. Additional privacy measures such as privacy screening or fencing for the terraces and balconies can be determined during the detailed design stages via the required Site Plan application process. In our opinion, the development will result in an appropriate built form relationship with the dwellings to the east.

Based on the foregoing setbacks, landscaping, and amenity areas, in combination with the 12-storey building height, which is stepped to the south and 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.
5.5 Urban Design

From an urban design perspective, the proposed development will result in a lower podium that ranges in height from 1- to 3-storeys along Upper Paradise and 1-storey along Rymal Road, that will maintain an appropriate pedestrian scale along Upper Paradise Road and Rymal Road West and create an animated street frontage with ground floor residential units along Upper Paradise Road and residential uses wrapping both frontages at and above the 2nd floor. The proposed building height, massing, orientation, and location will result in an appropriate and compatible addition to the neighbourhood.

For the reasons set out below, it is our opinion that the proposed building design is appropriate and desirable in urban design terms, and conforms with the relevant policies of the UHOP. In this respect, the approval of the proposed development will result in an appropriate form of intensification given the existing and planned context of the area.

The proposal conforms with the applicable urban design policies in Section B.3.3 of the UHOP, in particular the following policies:

• The building edge will be sited parallel to both street frontages and will facilitate an enhanced public realm and contribute to the overall appearance of an urban fabric, providing for a sidewalk zone (between the edge of the roadway and the building façade) of approximately 8.0 metres along Upper Paradise Road and approximately 9.5 metres along Rymal Road complete with landscaping and street trees, replacing the existing vacant residential lot;
• Creation and introduction of a continuous street edge along both street frontages that contain active uses (i.e., residential units);
• The main residential lobby entrance will be clearly visible and accessible for all users regardless of age and physical ability from the public sidewalk along Upper Paradise Road;
• The lower podium base will provide an appropriately scaled streetwall condition along Upper Paradise Road that fits within the surrounding context with the overall height and datum lines at the various setbacks frame both streets will good proportion;
• The massing and architectural expression of the upper floors will be distinguished from the building base elements by setbacks, architectural articulation, and progressively reduced floorplate sizes;
• The building has been sited and massed to create appropriate transition in scale to the abutting lower-scale areas to the east, south through the application of stepbacks, setbacks, and angular planes;
• the building will provide for appropriate separation distances and building orientations from side and rear lot lines, in order to protect privacy, minimize overlook and provide setbacks and separation distances from neighbouring properties;
• The building will provide for access to sunlight and open views of the sky from the public realm through the use of progressive stepbacks and a small floorplate size for the upper storeys (476 m2 floor plate on 12th level);
• The mechanical penthouse will be located within the centre atop the 12th storey and will be set back from the building edges on all sides to minimize its visibility from the public realm;
• The number and width of curb cuts will be minimized to foster an attractive, comfortable and safe pedestrian environment;
• The majority of parking will be provided with below grade or behind the building's edge (along Rymal Road West). The portion of parking provided via surface parking that is not screened from public view by the building is minimized and will be buffered from the street by a landscape strip of at least 5.1 metres on the subject site and an additional 4.0 m of landscaping within the public boulevard between the sidewalk and the lot line;
• Access to the below-grade parking, loading, and servicing areas will be via the consolidated vehicle entrance from Upper Paradise Road and will be located behind the building edge and screened from public view along both street frontages;
• Shadow impacts are minimized on abutting properties and the abutting public realm thereby encouraging a harmonious and compatible approach to infilling;
• The proposed compact development and resulting built form promotes environmental sustainability and encourages the development of complete and compact communities; and
• Communal indoor and outdoor amenity areas will be provided in addition to, private outdoor amenity areas such as private balconies and terraces.

Based on the above analysis, it is our opinion the proposed development conforms to the urban design policies contained within Section B.3.3 of the UHOP and represents and appropriate and compatible form of development that is contextually appropriate with the existing and planned community.

There are no current urban design guidelines for mid-rise buildings in the City of Hamilton. In this regard, the City relies on the aforementioned policy framework to guide development applications for mid-rise buildings. The City has employed various angular plane and setback requirements to similar mid-rise projects across the City, including the 12-storey residential apartment building at 1117 Garner Road East and 9-storey mixed-use building at 600 James Street North. Both of these projects have similar interfaces with low-rise residential uses, and both applied an angular plane measured at a height of 11 metres at the property line. This abutting the low-rise residential use. The intent of this angular plane is to provide a transition in built form and mitigate any potential built form impacts. The architectural plans illustrate this angular plane and demonstrate that the application of this angular plane to the subject proposal will create a built form that transitions from existing low-rise buildings to a taller built form element at the corner. Furthermore, as discussed in section 5.4 of this report, it is our opinion that any built form impacts associated with the proposed development are adequately limited. For all of these reasons and more, it is our opinion that the proposed development conforms to the applicable urban design policy framework.
5.6 Heritage Considerations

The subject site is located adjacent and contiguous to 2 identified but "non-designated" properties of cultural heritage value or interest. Specifically, the property across the street which is contiguous to the subject site at 634 Rymal Road West is a "non-designated" property on the City’s Municipal Heritage Register ("the Register"). The second property is located adjacent to the subject site at 625 Rymal Road West and is an "Inventoried Property" of potential interest.

Based on an email dated March 26, 2021 from Michael Fiorino (City of Hamilton Planner II, Development Planning – Suburban Team) it was confirmed through consultation with City Cultural Heritage staff that there are no direct impacts anticipated to the listed or inventoried heritage properties at 634 and 625 Rymal Road West, respectively. Notwithstanding, the UHOP generally requires the preparation of Cultural Heritage Impact Assessments ("HIAs"), as per Policy B.3.4.2.12, prior to or at the time of any application submission where a proposed development, site alteration, or redevelopment of lands has the potential to adversely affect the following cultural heritage resources (among others) through displacement or disruption:

i. Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under any part of the Ontario Heritage Act;

ii. Properties that are included in the City's Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City's Register of Property of Cultural Heritage Value or Interest;

Furthermore, an HIA may be required by the City and submitted prior to or at the time of any application submission where the proposed development, site alteration, or redevelopment of lands has the potential to adversely affect cultural heritage resources included in the City's inventory of Buildings of Architectural or Historical Interest through displacement or disruption. City staff have asked that potential impacts be reviewed within the Planning and Urban Design Rational and have confirmed that a full HIA and comprehensive review and assessment of impacts to heritage value or interest is not required in this instance. Specifically, staff have asked for a response to Section 2.1(b) of the City of Hamilton's Heritage Impact Assessment Guidelines which states:

Where cultural heritage resources may be affected and staff is of the opinion that the potential impacts will be minor, the discussion of impacts to cultural heritage resources may be integrated into an Urban Design Brief or Urban Design Study.

Development impacts can be direct or indirect, and they can affect resources and sites and landscapes differently over time. The construction process itself can affect resources and landscapes during a pre-construction phase when preparing a site for construction, during the construction phase, and or once construction is completed (e.g., removing protective barriers). Impacts to a cultural heritage resource or landscape may also be site-specific or widespread, and any impacts can have different degrees of severity from low, moderate or high.

The listed and inventoried heritage properties at 634 and 625 Rymal Road West are not designated ("protected") properties under Part IV or V of the Ontario Heritage Act. Furthermore, the subject site and the adjacent / contiguous heritage properties are not part of an identified cultural heritage landscape or significant views or vistas. Non-designated properties in the Register is a means to identify properties that have cultural heritage value or interest to the community. The municipal register is one tool in planning for the conservation of heritage properties. Hamilton takes the Register one step further by also including an "Inventory" of buildings that may have architectural and/or historical interest.

625 Rymal Road West is an "Inventoried Property" and has not yet been evaluated for its cultural heritage value or interest under 0. Reg. 9/06: Criteria For Determining Cultural Heritage Value Or Interest under the Ontario Heritage Act. In addition, as per the City’s online heritage mapping application, this property does not identify any association with an architect or builder, or original owner, nor does it identify any design physical value, other associative value, or contextual value.

Given that the development does not propose any destruction, alteration, isolation, land disturbances, or changes in land use to this property, no negative impacts are anticipated to 625 Rymal Road West. Furthermore, as 625 Rymal Road West is not associated with any identified attributes, and therefore, shadowing will not be an issue in terms of altering the appearance or changing the viability of a natural feature (e.g. plantings or gardens). In addition, given that 625 Rymal Road West does not form part of any Heritage Conservation District, cultural heritage landscape, or identified significant views or vistas, there are direct or indirect obstruction of views or vistas anticipated.

634 Rymal Road West (i.e., Former Union School) is a listed, "non-designated" property on the City’s Register, and has been identified as having potential cultural heritage value or interest. Built in 1927, the property at 634 Rymal Road West was added to the Register in October 2013 for its design or physical value, and its associative value with the development of Barton Township and the public education system for early settlers in the area in the early 1800s.

Potential heritage attributes for 634 Rymal Road West relate to the building's architectural features and its design / physical value, and associative value. The proposed development of the subject site will not result in any destruction, alteration, isolation, changes in land use, or land disturbances to 634 Rymal Road West or the Former Union School building. In addition, the shadow study identifies the extents of shadowing on 634 Rymal Road West at different times of the day and throughout the year. Throughout the day and year, the shadows cast only incrementally reach the front yard of 634 Rymal Road West, and in no instance are they cast upon the Former Union School building. Therefore, there are no shadow impacts anticipated to the potential heritage attributes identified for 634 Rymal Road West Former Union School building. With respect to cultural heritage overall, there are no negative impacts (either direct or indirect, or over time) anticipated to either 634 or 625 Rymal Road West as a result of the proposed development. Furthermore, 634 and 625 Rymal Road West do not form part of a Heritage Conservation District, cultural heritage landscape, or identified significant views or vistas. There is no displacement or disruption proposed or that would result from the proposed development of the subject site. Lastly, since the properties are not considered to have contextual value, there are no direct or indirect obstructions to views or vistas anticipated as a result of the proposed development.
5.7 Transportation and Servicing
Paradigm Transportation Solutions has prepared a Transportation Impact Study, Parking Justification and Transportation Demand Management Plan (dated February 2022) ("TIS"). This report determined the impacts of the development traffic on the surrounding road network and identified the recommended improvements to accommodate the site generated traffic. The study also estimated the site's parking demand and identified the Transportation Demand Management measures to support the development. This TIS concluded that:

- The proposed development is estimated to generate approximately 59 new AM peak hour vehicle trips and 64 new PM peak hour vehicle trips;
- The study area intersections are forecast to operate with similar levels of service as the background traffic conditions with the inclusion of site generated traffic. Minor increases in delay in queue length are forecast with the addition of site generated traffic volumes. No additional critical movements are noted at the study area intersections over background conditions;
- The layout of the subject site can accommodate the movement of heavy vehicles (e.g., garbage and moving trucks). The design vehicle can turn around on site and exit in a forward motion;
- The proposed development is estimated to have a parking demand in the order of 100 to 154 spaces, depending upon the methodology used to forecast the demand.
- All three methods used to estimate the site's parking demand indicates the demand to be less than the proposed supply. The site's parking demand is forecast to be contained on site.
- To manage the site's transportation and parking impacts the following TDM measures be integrated into the site plan and development program:
  - Walking – Pedestrian amenities (benches, landscaping, lighting) be provided in the on-site common area with connections to the existing sidewalks across the site's frontage.
  - Cycling – The long-term bicycle parking area include a bicycle repair station.
  - Transit – Transit information be provided to occupants and Presto cards be provided to occupants during the first year of occupancy.
  - Wayfinding and Travel Planning – Wayfinding and Travel Planning resources (transit and active transportation maps) be provided to residents.

A Functional Servicing Report was prepared by SITEMANITECH Inc. (dated March 2022) to investigate the water supply, sanitary sewerage, and storm drainage for the proposed development and to provide site-specific information with respect to the adequacy of the existing infrastructure to support the proposed development. This report makes the following conclusions and recommendations:

- Stormwater Management
  Peak runoff rates for the proposed development were designed to be less than or equal to the existing condition by implementing onsite SWM controls. Stormwater storage will be implemented to achieve this and will be provided by on-site storage and a 120 mm orifice plate. A total storage volume of 90,690.6 m³ is required to meet quantity controls.
  Quality controls will be achieved through a treatment train approach that includes a filtration system and underground storage. An overall TSS removal efficiency of 87% will be achieved.

- Sanitary Drainage
  The sanitary discharge from the proposed development will be directed to Upper Paradise Road. The completion of the Twenty Road wastewater pumping station upgrades will satisfy the capacity requirements for the proposed densification.

- Water Supply
  According to the calculations and hydrant flow data provided by the City of Hamilton presented in this report, the existing municipal infrastructure is adequate to support the proposed development. This will be confirmed with an independent fire flow test once it is permissible to do so.

- Site Grading
  The proposed grading is compatible with existing elevations at the property limit and will not adversely affect adjacent properties.

- Erosion and Sediment Control
  ESC measures will be designed as per the "Erosion and Sediment Control Guideline for Urban Construction" document (December 2006). Provided that these measures are well maintained during construction, these will be adequate to keep sediments from entering the municipal infrastructure during construction.
Level 8 Floor Plan

Level 9-10 Floor Plan
Elevations and Sections

West Elevation

**LEGEND**

- GLAZING PANEL
- EPS PANEL
- STUCCO COLOUR 1
- GFS EXTERIOR COLOUR
- GFS TRIM COLOUR 1
- ALUMINIUM RAILING W/ GLASS
- STONE - ARRISCRAFT RENAISSANCE BLACKSMITH
- STONE - ARRISCRAFT STUCCO COLOUR 1
- STONE - ARRISCRAFT METROPOLITAN
East Elevation
North Elevation
Shadow Study

March 21st

8:50 AM (Sunrise + 1.5 hr)

9:50 AM

Subject Site  Proposed Development  Existing Buildings  Shadow Cast by Proposed Development

Parks and Open Space  Distance Of Shadow Impact

Design Review Panel
Bousfields Inc.
March 21st

Subject Site  Proposed Development  Existing Buildings  Shadow Cast by Proposed Development

Parks and Open Space  Distance Of Shadow Impact
Proposed Development
Existing Buildings
Subject Site
Parks and Open Space

Distance Of Shadow Impact

September 21st
September 21st

5:35 PM

5:48 PM (SUNSET - 1.5 HR)

- Subject Site
- Proposed Development
- Existing Buildings
- Shadow Cast by Proposed Development
- Parks and Open Space
- Distance Of Shadow Impact